



Public Notice Pursuant to A.R.S. § 38-431.02

**ARIZONA MUNICIPAL WATER USERS ASSOCIATION
MANAGEMENT BOARD**

MEETING NOTICE AND AGENDA

Wednesday, January 13, 2021 – 10:00 a.m.

**This meeting will be held via AMWUA Zoom
Access this [Link](#) to join. Meeting ID: 890 0033 0260**

(Option to join by phone: 1-346-248-7799, same Meeting ID as above)

A. Call to Order

B. General Business—Items for Discussion and Possible Action

1. Approval of the Minutes from the December 9, 2020 Meeting
2. Schedule Next Meeting Date: Wednesday, February 10, 2021, 10:00 a.m.
3. 2021 Legislative Session
4. Water Loss Control Training and Technical Assistance Program Update
5. AMWUA Water Use Calculator

C. Member Reports

D. Executive Director's Report

E. Future Agenda Items

F. Adjournment

*The order of the agenda may be altered or changed by the AMWUA Management Board. Members of the AMWUA Management Board will attend by internet conferencing.

More information about AMWUA public meetings is available online at www.amwua.org/what-we-do/public-meetings, or by request.

Arizona Municipal Water Users Association



MANAGEMENT BOARD

MEETING MINUTES

December 9, 2020

ZOOM TELECONFERENCE

VOTING MEMBERS PRESENT

Javier Setovich, Goodyear, Chair
Jessica Marlow, Gilbert, Vice Chair
Brian Biesemeyer, Scottsdale
Cindy Blackmore, Avondale
Craig Johnson, Glendale
John Knudson, Chandler
Karen Peters, Phoenix
Terry Piekarz, Tempe
Cape Powers, Peoria
Jake West, Mesa

OTHERS PRESENT

Patrick J. Adams, AMWUA	Brian Draper, Mesa	Lacey James, Avondale
Michelle Barclay, AMWUA	Sam Draper, AMWUA	Diana Pina, AMWUA
Gretchen Baumgardner, Scottsdale	Gretchen Erwin, Goodyear	Martin Stiles, CAP
Eric Braun, Gilbert	Paulette Fenderson, Phoenix	Drew Swieczkowski, Glendale
Cynthia Campbell, Phoenix	Kathy Ferris, AMWUA	Warren Tenney, AMWUA
Gregg Capps, Chandler	Brett Fleck, Peoria	Sheri Trapp, AMWUA
Ricky Dodge, AMWUA	Jessica Fox, AMWUA	

A. Call to Order

Mr. Setovich called the meeting to order at 10:02 a.m.

B. General Business – Items for Discussion and Possible Action

1. Approval of the Minutes from the November 12, 2020 Meeting

Upon a motion made by Mr. Johnson and a second by Ms. Marlow, the AMWUA Management Board unanimously approved the November 12, 2020 meeting minutes.

2. Next meeting scheduled: Wednesday, January 13, 2021, 10:00 a.m.

Arizona Municipal Water Users Association

3. Water Awareness Campaign

Mr. Tenney gave a brief overview of the work AMWUA is doing on the Water Awareness Campaign.

Ms. Trapp updated the Management Board on the progress of the Water Awareness Campaign and gave them background information on the campaign itself, along with a historical recap of the 2019 Colorado River Shortage Awareness Campaign.

Ms. Trapp emphasized that this campaign is focusing on the AMWUA members' core messages and will allow AMWUA to reach out to a greater audience. She explained that the objectives of this campaign are to educate on the importance of water conservation in the desert, emphasize the role of efficient water use plants in our long term sustainability, and explain the part everyone plays in water sustainability.

Ms. Trapp talked about the goals and the target audiences of the Water Awareness Campaign. She outlined the next steps, and that AMWUA will continue to offer support to its members in this awareness campaign and will continue to engage, educate, and ensure action on water issues.

Mr. Johnson and Mr. Setovich thanked AMWUA for the campaign, and added that there is a lot of value in doing an awareness campaign such as this.

Upon a motion made by Mr. Biesemeyer and a second by Ms. Marlow, the AMWUA Management Board unanimously recommended that the AMWUA Board of Directors support the efforts of AMWUA's staff and direction on the Water Awareness Campaign.

4. 5th Management Plan and the GPCD Program

Mr. Tenney gave an overview of AMWUA's efforts to draft a proposal to modify the GPCD program along with the context of why the GPCD program needs to be revamped.

Ms. Draper gave an overview and a brief history about the development of the 5th Management Plan (5MP) and the GPCD Program. She explained the complexities of the GPCD Program and said that stakeholders have expressed that the Program is not an accurate metric to be used for regulatory purposes. Ms. Draper said that the Arizona Department of Water Resources (ADWR) agrees with this sentiment and is supportive of feedback and ideas to improve the GPCD program, which is why AMWUA has worked to develop a proposal.

Ms. Draper gave an overview of the AMWUA proposal to improve the GPCD program. She said that AMWUA is proposing that ADWR divide the GPCD Program into having residential GPCD target, with a 5% reduction in residential water use over a 10 year time period, and for non-residential water use, a required number of Best Management Practices (BMPs) based on the total amount of non-residential water deliveries would have to be completed by the utilities based on a tiered structure.

Ms. Draper described the timeline for these proposed changes to the GPCD program and said that early 2021 would be the best window for AMWUA to advocate for its proposal to ADWR. She also emphasized that this proposal to alter the GPCD program is an equitable approach to the current issues facing the GPCD program.

Mr. Powers and Mr. Setovich thanked the AMWUA staff for all their hard work on the GPCD proposal and agreed it is a significant improvement over the current version of the GPCD program. They both asked for the rationale behind the 5% reduction in residential water use present in AMWUA's GPCD modification proposal. Ms. Draper and Mr. Tenney both explained that the reasoning for the 5% reduction was to set an achievable target for the AMWUA cities, based on previous data and research gathered about their water use patterns, while not appearing to weaken the AMWUA members' commitment to water sustainability.

Mr. Tenney emphasized that the purpose of AMWUA's GPCD proposal is to improve on the current GPCD program and that the flexibility accounts already part of the current program will help iron out any potential issues with cities meeting compliance. He said that there is still the Non-Per-Capita Conservation Program (NPCCP) that cities can opt into. He reiterated that the goal of AMWUA's proposal is to make the GPCD program more equitable, more reflective of the actual water use patterns of the AMWUA members, and to maintain a strong water conservation ethic for the members.

Mr. Biesemeyer voiced his support for the direction AMWUA is going with its GPCD proposal.

Upon a motion made by Mr. West and a second by Mr. Biesemeyer, the AMWUA Management Board unanimously approved to recommend to the AMWUA Board of Directors support of AMWUA's proposal to modify the GPCD program.

5. [Update on Governor's Water Augmentation, Innovation and Conservation Council](#)

Mr. Tenney gave an update to the Management Board on the Governor's Water Augmentation, Innovation, and Conservation Council. He talked about the importance of AMWUA's annual plan in leading the discussions on the Post 2025 AMAs Committee discussions.

Mr. Tenney gave a brief overview of the Post 2025 AMAs Committee discussions and emphasized that the committee, with AMWUA leading the discussions, has identified the issues that need to be addressed and they are working on the next steps to address them.

Mr. Tenney said that Jessica Fox and Patrick Adams from the AMWUA staff have been working on proposals to address the problems identified by the committee, in papers called briefs. He then gave an overview of the three briefs that have been created by AMWUA to date, which each focus on hydrologic disconnect, exemptions regarding wells, and unreplenished groundwater withdrawals.

Mr. Tenney emphasized that AMWUA along with Tim Thomure of Tucson Water are trying to lead the committee to look at the issues holistically in regard to the CAGR and the Assured

Water Supply Program. He also went over the questionnaire that has been generated by the committee and said that AMWUA is looking at feedback that has been generated from this.

Mr. Tenney said that the committee is looking at numerous different issues beyond 2025, so that there is continued water management improvement in the AMAs. He emphasized that the committee has identified that ADWR must have a clear strategy on what the management goals, plans, and periods should look like well beyond 2025.

Mr. Biesemeyer and Mr. Johnson thanked the AMWUA staff for all the work they are doing on this.

Mr. Johnson asked if there have been any discussions regarding the larger regional recharge areas in the AMAs. Mr. Tenney said that this issue needs to be looked at and that the goal of the committee was to identify the issues regarding this first. He added that this issue will be brought up later in the committee for discussion.

6. Recommendation for 2021 Management Board Chair and Vice Chair

Mr. Knudson of the nominating committee said that Ms. Jessica Marlow from Gilbert has been nominated to the AMWUA Management Board Chair position, and Mr. Brian Biesemeyer from Scottsdale to the Vice Chair position.

Upon motion made by Mr. Knudson and second by Mr. West, the AMWUA Management Board unanimously approved the selection of Ms. Marlow as the AMWUA Management Board Chair and Mr. Biesemeyer as the Vice Chair.

C. Member Reports

Mr. West of the City of Mesa said that the city has enacted an ordinance that focuses solely on large water users to curb the higher water use brought by the bigger industries. He said that if the individual users need more than what is provided by the city for a given parcel, they are required to acquire the water to make up the gap. Mr. Setovich said that Goodyear is taking a similar approach.

Ms. Blackmore of the City of Avondale said that she is leaving her current position at Avondale, and has taken a position as Town Manager of Chino Valley. She said there will be a new Management Board member designated for Avondale soon.

D. Executive Director's Report

Mr. Tenney gave an update on the Vetting Forum for Water. He said that the turnout for the event was impressive, and there was good participation from the attendees. He said that Representative Cobb discussed two legislative proposals: One that would modify and streamline the creation of INAs or Irrigation Nonexpansion Areas, and the other one would create rural management areas, which would be a hybrid of an AMA for more rural parts of the State.

Mr. Tenney said that Senator Steele wants to pursue legislation to require metering and recording of non-exempt wells outside of the AMAs. He added that Mr. Biesemeyer shared that Scottsdale, Avondale, Tucson, and Metro Water want to introduce legislation that would allow the continuation of the remediated groundwater exemption past 2025 and that the Town of Prescott is floating the idea of looking at the appropriation date for wells pumping subflow, which had been looked at last session and was a very polarizing issue for many stakeholders since it affects priority dates in the adjudication process.

Mr. Tenney said overall AMWUA received positive feedback regarding these Vetting Forums and AMWUA plans to hold another one during the first week of the session.

E. Future Agenda Items

No future agenda items were identified.

F. Adjournment

Upon unanimous approval, Mr. Setovich adjourned the meeting at 11:30 a.m.

MANAGEMENT BOARD

UPDATED January 12, 2021

INFORMATION SUMMARY

January 13, 2021

2021 Legislative Session

ANNUAL PLAN REFERENCE

Legislation

Effectively advocate with one voice at the Legislature.

- Monitor, analyze and clarify state and federal legislation of interest to our members.
- Engage with legislators to inform them about the issues important to AMWUA including identifying and working with legislators to champion water issues.

Strategic Plan: Objectives – Advocate for Solutions, Safeguard Water Supplies, Reinforce Groundwater Management, Prepare for Impacts of Drought & Shortage; Collaboration – Legislature, Arizona Department of Water Resources, Central Arizona Project, Salt River Project, Water Community, and Business Community

SUMMARY

The first regular legislative session of the 55th Legislature begins on January 11, 2021. AMWUA staff and Legislative Contractor will provide an overview of relevant legislation that has been introduced to date.

To prepare for the session, AMWUA and the Agribusiness Council facilitated the Vetting Forum for Water to encourage the discussion of legislative proposals prior to the session. Three Vetting Forums have been held to date with another scheduled for January 14, 2021. In addition, last August, AMWUA along with the Southern Arizona Water Users Association (SAWUA) and the Northern Arizona Municipal Water Users Association (NAMWUA) gave a Municipal Water 101 presentation for legislative candidates so they would have basic understanding about water management and the issues important to municipalities.

AMWUA has facilitated introduction of the same legislation as last year that would allow the direct distribution of long-term storage credits not only to CAP but also to municipal users in order to increase flexibility for recovery options and keep the overall cost down for the end users. AMWUA's Legislative Agenda which was approved by the Board of Directors on November 19, 2020 is also included in your packet for reference.

RECOMMENDATION

It is recommended that the AMWUA Management Board discuss and ask questions regarding legislation impacting AMWUA's members.

Staff requests that the AMWUA Management Board recommend to the AMWUA Board of Directors adoption of the legislative positions presented in this Board packet.

Depending on the introduction of legislation before the January 13, 2021 meeting, the AMWUA Management Board may be asked to provide direction regarding additional legislation to the AMWUA Board of Directors.

SUGGESTED MOTION

I move that the AMWUA Management Board recommend to the AMWUA Board of Directors that AMWUA adopt the following legislative positions as outlined in the Board packet:

SUPPORT

HB 2035: appropriation; Arizona water protection fund (Griffin)

HB 2041: groundwater replenishment reserves (Griffin)

HB 2074: water banking; storage credits; subcontractors (Pratt)

HB 2078 | SB 1021: groundwater; waterlogged area exemption; date (H: Dunn | S: Kerr)

SB 1037: water efficient plumbing fixtures (Engel)

MONITOR

HB 2056: water conservation notice; no forfeiture (Griffin)

SB 1079: well drilling; groundwater basins (Steele)

Bills Recommended for Action by the AMWUA Management Board

HB 2035 appropriation; Arizona water protection fund (Griffin)

This bill would appropriate \$1 million from the state general fund in Fiscal Year 2021-22 to the Arizona Water Protection Fund. The Arizona Water Protection Fund is a state-run program administered by ADWR that funds projects to protect and enhance water quality and quantity in Arizona's rivers, streams, and riparian areas. Some of these efforts include revegetation, erosion control, channel stabilization, research, and water conservation. AMWUA has supported this legislation in previous years.

Recommended Position: Support

HB 2041 groundwater replenishment reserves (Griffin)

This bill introduces clarifications to the calculation of CAGR's 100-year replenishment obligation for the purpose of calculating the replenishment reserve target. Existing statute could be read to require the CAGR to calculate the replenishment reserve based on each AMA's buildout obligation multiplied by 100. Modifies the statutory calculation of each AMA's projected replenishment obligation to equal the cumulative projected obligation for each year following submission of the Plan of Operation. AMWUA supported this legislation in the 2020 session.

Recommended Position: Support

HB 2056 water conservation notice; no forfeiture (Griffin)

Allows a water right holder to file a "Water Conservation Plan" with ADWR. Upon filing a plan that outlines water conservation measures that are planned or will be implemented, the water rights included in that notice would be shielded from a claim of abandonment or forfeiture. The Plan can be extended by 10-years, indefinitely. Includes a legislative intent clause specifying that the Legislature intends the provisions to only apply prospectively.

Recommended Position: Monitor

HB 2074 water banking; storage credits; subcontractors (Pratt)

For nearly three decades the Arizona Water Banking Authority (AWBA) has stored Colorado River water underground to supplement the water supplies of Central Arizona Project (CAP) Municipal & Industrial (M&I) subcontractors. To access the stored water in times of shortage, current statutes require that the AWBA must first transfer the long-term storage credits (LTSC)

to CAP for recovery. This bill would provide the AWBA with the option to distribute LTSC directly to M&I subcontractors. The concept of direct distribution is an outcome of a stakeholder effort to plan for the recovery of water supplies stored by the AWBA. This legislative change would provide flexibility and simplicity for recovery of AWBA credits and reduces the cost of recovery to end users. AMWUA took the lead for this legislation in the 2020 session.

Recommended Position: Support

[HB 2078](#) | [SB 1021](#) groundwater; waterlogged area exemption; date (H: Dunn | S: Kerr)

The Buckeye Waterlogged Area (BWLA) was established by the Legislature in 1988, covering an area surrounding the Gila River from confluence with the Salt River west to Gillespie Dam, which includes part of Avondale and Goodyear. Within the BWLA, farmlands are exempt from water duties, certain irrigation districts are exempt from conservation requirements, and entities pumping groundwater are not required to pay withdrawal fees. Statute requires that ADWR review the area's hydrologic conditions and make a recommendation to the Governor and Legislature on whether or not the exemptions should continue. ADWR published its findings in December 2019 and recommended that the BWLA continue through 2034. This bill would extend the BWLA exemptions through 2034, as recommended by ADWR. AMWUA supported this legislation in the 2020 session.

Recommended Position: Support

[SB 1037](#) water efficient plumbing fixtures (Engel)

Arizona adopted water-efficiency standards for indoor plumbing fixtures in 1992 which have since been superseded by various federal laws and requirements. This bill would update Arizona's water-efficiency standards to align with criteria established by the WaterSense Program, a public-private partnership between industry, utilities, and regulators. AMWUA supported this legislation in the 2020 session.

Recommended Position: Support

[SB 1079](#) well drilling; groundwater basins (Steele)

Establishes a well drilling moratorium that prevents new wells in the Upper San Pedro and Verde Valley groundwater subbasins until the conclusion of the General Stream Adjudication unless a well is a replacement well or does not pump subflow.

Recommended Position: Monitor



2021 AMWUA LEGISLATIVE AGENDA

Arizona Water Management

Uphold and enhance the Groundwater Code and the Assured & Adequate Water Supply regulations to protect our members' ability to serve their communities with assured, safe, and sustainable water supplies. Support legislation that may be necessary to move the Phoenix AMA closer to its goal of safe-yield in the 5th Management Period.

Colorado River Resiliency

Protect the existing priorities, rights, contracts, and Colorado River water supplies of our members. Support efficient and effective recovery of stored Colorado River supplies including authorization of the Arizona Water Banking Authority to distribute long-term storage credits directly to municipal providers for firming.

State Regulatory Agencies

Promote the efficient and effective performance of statutory responsibilities by the Arizona Department of Water Resources and Arizona Department of Environmental Quality. Support funding levels for ADWR that are necessary to hire and retain staff needed for the General Stream Adjudication, data collection, groundwater modeling, and other key agency functions.

Water Efficiency and Conservation

Support legislation that encourages practical, effective water efficiency and conservation measures.

Water Quality

Support legislative efforts to protect and improve the quality of AMWUA members' water supplies, including proposals to improve forest and watershed management. Support a sustainable funding mechanism for the Arizona Water Quality Assurance Revolving Fund (WQARF).

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MANAGEMENT BOARD

INFORMATION SUMMARY

January 13, 2021

Water Loss Control Training & Technical Assistance Program

ANNUAL PLAN REFERENCE

Water Loss Control Training

Facilitate and administer the water loss control training and technical assistance program to benefit our members efforts to enhance distribution system water loss control and revenue recovery.

Strategic Plan: Objectives – Prepare for Impacts of Drought & Shortage, Augment Supplies, Interconnect Disciplines

SUMMARY

In January 2020, the AMWUA Board of Directors approved the water loss control training and technical assistance program by authorizing the Executive Director to enter into the funding agreement with the Arizona Department of Water Resources (ADWR) and the contract with the University of New Mexico Southwest Environmental Finance Center (SW EFC) as the consultant to conduct the training. The purpose of this agenda item is to provide an update regarding the progress of this water loss control training and technical assistance program.

RECOMMENDATION

The AMWUA Management Board is encouraged to ask questions and discuss the status of the water loss control training and technical assistance program.



MANAGEMENT BOARD

INFORMATION SUMMARY

January 13, 2021

AMWUA Water Use Calculator

ANNUAL PLAN REFERENCE

Demand Management & Efficiency

Continue to excel as a leader in water conservation by assisting our members to strategize demand management and to raise awareness about ongoing conservation efforts to enhance water resource supply sustainability.

- Sustain AMWUA's resource materials, including publications and websites that are utilized by our members.
- Expand promotion and visibility of existing and new AMWUA and member materials and programs, along with the overall messaging about our water conservation efforts.

Strategic Plan: Objectives – Advocate for Solutions; Safeguard Water Supplies, Reinforce Groundwater Management, Prepare for Impacts of Drought & Shortage

SUMMARY

AMWUA's website houses multiple conservation subsites and resources. We continually strive to ensure the website provides updated and informative water conservation information, including tools and tips to promote the importance of residential water efficiency indoors and outdoors. The new AMWUA Water Use Calculator is an interactive tool that provides insight into residential water use based on a few pieces of information supplied by the user. Throughout the Water Use Calculator, various useful tips and links are provided for additional assistance with water efficiency. This project was completed and launched for the new year, and we would like to show it to the Management Board, as it will be a beneficial tool for the member municipalities to share with residents.

RECOMMENDATION

The AMWUA Management Board is encouraged to ask questions and discuss the new AMWUA Water Use Calculator.