



Docket Supervisor - ADWR <docketsupervisor@azwater.gov>

Douglas AMA Comment

1 message

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To: docketsupervisor@azwater.gov

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I am incredibly angry and disappointed to see how vague and weak the proposed management goal for the Douglas AMA is in its current form.

The citizens in this community put a lot of effort into getting this AMA on the ballot, engaging in the democratic process of campaigning for its implementation, and in many cases did so at great social cost. We, the citizens of the Douglas Basin, voted to have the state step in and do its job to REGULATE water use in such a way that the resource would be adequately protected.

The goal, as currently written, is so weak and ambiguous that it essentially undermines the will of the people, the democratic process, and the urgent issues that drove people to the polls and WON THE VOTE. This makes it clear that it is the interests of those who are opposed to the AMA (who LOST the election) that are reflected in this so-called goal. As it stands, it does not even begin to change a thing about the lack of policies and sensible practices that got us into this dire situation, much less urge a solution to begin to improve it. With this being the only instrument available to communities under the law, and the very first time that a community in rural Arizona has successfully exercised their right to demand implementation of such an instrument, it is of critical importance that the will and spirit of the thing NOT BE COMPROMISED.

I endorse the following points and wish to point them out to ADWR as part of the public record:

This weak language, stating that groundwater depletion will only be *attempted* does not appear in the management goals of any of the state's other existing AMAs (which you can read here: <https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/45/00562.htm>).

Furthermore, Arizona law states that if earth fissures or land subsidence is endangering property in the area of the AMA, the management plans implemented for the AMA must follow, as closely as practicable, the management plans established for the state's existing AMAs (ARS 45-569(B)).

Further, this section of law states that if groundwater quality degradation is underway in the AMA, ADWR shall work to create "a program for prevention or amelioration of groundwater quality problems and a schedule for implementation of the proposed solutions." This section of the law specifically states that ADWR shall present any new legislation required for the implementation of such programs to the legislature.

Where these sections of law are concerned, it must be noted that ADWR has long acknowledged and documented land subsidence in the Douglas Basin, in the area of Elfrida-- which also happens to be the epicenter of industrial agricultural groundwater withdrawal in the Douglas AMA. The rate of our aquifer's depletion has also been well documented by ADWR.

This means that-- at a minimum, under existing Arizona law-- ADWR should be setting a management goal for our Douglas AMA that, at the very least, would reflect the groundwater protections laid out by the management goals and attendant management plans set for our state's existing AMAs.

None of the management goals for those existing AMAs contains the word "attempt." Rather, these goals all state clearly and concretely what the residents of the basin aspire to, in terms of conservation of their groundwater. Further, the statutes laying out the management plans attached to these goals do call for real-- not "attempted"-- reductions in groundwater usage through the management periods.

As such, because of the documented subsidence in our basin and clear, well-documented, threats to our groundwater supply, the Douglas AMA is entitled to concrete plans for groundwater use mitigation and conservation that mirror, as closely as is practicable, those afforded to Arizona's previously existing AMAs.

Nowhere in the laws laying out the goals or management plans for any of our state's other AMAs does the weak language of only "attempting" to reduce the rate of groundwater depletion exist.

Our groundwater crisis is real, and we voted this AMA in effect in order to protect the future of our homes, businesses, and local responsible growers. ADWR's proposed goal of "attempting" to do something by some point twelve years down the road is grossly inadequate and is **contrary to Arizona Law**.

From where I am sitting at my desk, I can see HUNDREDS of acres of land that was cleared and put into irrigation after the moratorium went into effect. I filed an official complaint that included the parcel numbers and names of the owners. If anything is happening to stop this, it hasn't become apparent on the ground and I have no other way of knowing since my emails and phone calls to follow up on the matter are not returned.

ADWR is supposed to follow the rule of the law to protect and ensure water resources for the people of the state of Arizona. Governor Hobbs and the AG have demonstrated a willingness to face the grim realities of the water situation in this state, even when it means going up against developers, the Saudis, and big ag. I am hoping that their sensibilities will have an impact on the situation here in Cochise County as well. Nobody who is interested in the long-term hydrological and economic viability of this community should be opposed to reasonable water regulation. It is only those that are in it for short-term gain and/or who have fallen victim to misinformation campaigns and selfish, undemocratic ideologies that are opposed to the implementation of sensible conservation measures that benefit all citizens in the long run. They did not win the election, and they should not be allowed to diminish the impact of the AMA to the point where it doesn't even meet the current weak and inadequate legal standards.

Respectfully,

-Anastasia Rabin

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