



Docket Supervisor - ADWR <docketsupervisor@azwater.gov>

Douglas AMA Goal comment

1 message

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The Douglas AMA was on the ballot because ADWR refused for 40+ years to do its job, as proven in its own hydrographic modeling and numerous news reports.

The Douglas AMA WON the election because the residents of the area voted for change, voted out of a LACK OF CONFIDENCE in the effectiveness of the INA.

It is clear that ADWR Leadership still refuses to do its primary job, for which it is now inevitable that this proposed feckless management goal will escalate to judicial review. The leadership at ADWR is complicit with the failure of the Douglas groundwater basin and its unwillingness to stabilize groundwater levels for future generations. **We will seek a judicial writ of mandamus against ADWR leadership** with the same intent and thoroughness we put this on the ballot and won.

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), which you can read here: <https://www.azleg.gov/ars/45/00569.htm>).

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 the Douglas Basin, in the area of Elfrida-- which also happens to be the epicenter of industrial agricultural groundwater withdraw in the Douglas AMA (read about the "Elfrida subsidence feature" here: <https://new.azwater.gov/hydrology/land-subsidence/elfrida>). 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, in 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 (see ARS 45-564 through 568, here: <https://www.azleg.gov/arsDetail/?title=45>).

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.

My proposed is to stabilize local water tables by 2030 and restore 1980 groundwater levels by 2045. As a basin, we voted this AMA into effect in order to protect the future of our homes, business, and local non-industrial scale growers. ADWR's current proposed goal is grossly inadequate and conflicts directly with the stated mission of ADWR itself as well as the state constitution. Ben Lepley Douglas Basin Resident