



Docket Supervisor - ADWR <docketsupervisor@azwater.gov>

Our Douglas AMA is entitled to real groundwater protections

1 message

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To: docketsupervisor@azwater.gov

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ADWR,

As many have noted, ADWR's proposed management goal is very weak, and does not rise to the challenge confronting our community. ADWR's proposed goal is as follows:

"The management goal of the Douglas AMA is to support the general economy and welfare of water users in the basin by **ATTEMPTING** to reduce the rate of aquifer depletion by 2035 and every 10 years thereafter."

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), 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.

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.

Beau Hodai