



Management Plans - ADWR <managementplans@azwater.gov>

## Fwd: Comments Regarding Management Goal for the Douglas AMA

1 message

**Natalie Mast** <nlmast@azwater.gov>

Mon, Jan 23, 2023 at 8:48 AM

To: Management Plans - ADWR <managementplans@azwater.gov>

Natalie Mast

office: 602-771-4646

cell: Personal Identifying Information

----- Forwarded message -----

From: **Nav Athwal** <nav@terraagventures.com>

Date: Fri, Jan 20, 2023 at 8:24 PM

Subject: Comments Regarding Management Goal for the Douglas AMA

To: <nlmast@azwater.gov>

Cc: Personal Identifying Information

Good evening Natalie,

Sorry to email you so late. Myself (Nav Athwal) along with other Arizona based farmers (who are copied here) wanted to provide our comments to you regarding a management goal for the newly created Douglas AMA.

As you know, agriculture is the lifeblood of the local economy in the Douglas Basin and without it, there isn't really an economy left. We of course feel sustainability is key but any management goal adopted pursuant to the Douglas AMA needs to keep this key fact in mind - that without sufficient water, there is no agriculture and without agriculture there is no economy.

We really appreciate your thoughtful presentation during the AMA Management Goal Workshop held on Thursday, January 5, 2023 and we hope the process will remain transparent so that we all can continue to provide our input.

Warmest Regards,

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Nav Athwal

Managing Partner

Terra Farm Management

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 **Management Goal for AMA.pdf**  
303K

January 20, 2023

*Via Email [nmast@azwater.gov](mailto:nmast@azwater.gov)*

Natalie Mast  
AMA Director  
Arizona Department of Water Resources  
1110 W. Washington Street, Suite 310  
Phoenix, Arizona 85007

Re: Comments Regarding Management Goal for the Douglas AMA

Dear Ms. Mast:

On January 5, 2023, the Arizona Department of Water Resources (“ADWR” or “Department”) held a Management Goal Workshop regarding the recently designated Douglas Active Management Area (“AMA”). At the workshop, ADWR requested informal comments to assist in the development of a proposed management goal for the Douglas AMA. We are writing to provide comments in response to that request. We appreciate the opportunity to provide comments and urge the Department to propose a reasonable and practical management goal that preserves and protects the agricultural economy within the Douglas AMA.

In addition to being the first AMA designated in over 40 years, the Douglas AMA is the first AMA to be designated by local election. As the Department acknowledged at the January 5 workshop, all of Arizona’s other AMAs were established by the State Legislature. This is important because the State Legislature benefitted from study and deliberation regarding the hydrological, economic, and public policy impacts of designating those AMAs. In contrast, the local election process forced the decision to designate the Douglas AMA upon an unprepared and uninformed electorate that had less than three months from the call for the AMA election to educate themselves regarding groundwater conditions, the need for additional groundwater use restrictions, and the impacts that formation of an AMA would have on future access to water, property values, and the economy within the Douglas groundwater basin.

An unfortunate result of the local election process is that the Department is now required to develop a management goal and management plan for the AMA without statutory guidance and adequate time to properly study groundwater conditions within the basin. That being the case, it

is vitally important that ADWR provide a robust process to educate the public and solicit and evaluate comments from water users regarding an appropriate management goal for the Douglas AMA. While we appreciate the Department's request for comments at the January 5 workshop, the Department needs to increase its public outreach and education efforts to ensure that water users and landowners in the Douglas AMA are informed and are provided a meaningful opportunity to help shape the management goal for the AMA.

In developing a proposed management goal for the Douglas AMA, the Department should be mindful of the reality that groundwater conditions within the AMA likely would not have supported an AMA designation if ADWR would have been forced to make that decision. Some rate of groundwater decline within the Douglas basin is to be expected given that, unlike some of the other AMAs, the Douglas AMA does not have access to significant supplies of water other than groundwater. However, the rates of decline previously measured by ADWR do not merit the additional groundwater management restrictions that will come with the AMA.

For example, in a recent study, the Department found that groundwater levels within the Douglas basin declined at a median rate of only 1.0 foot per year between 2005 to 2015.<sup>1</sup> Moreover, during the same period, ADWR found that the overall median depth to groundwater in the Douglas basin actually decreased from 158.9 feet below land surface (flbs) to 141.1 flbs (i.e., median groundwater levels increased during that period).<sup>2</sup> While there are localized areas in which groundwater levels have declined at rates greater than 1.0 foot per year, groundwater levels have either remained steady or increased in many areas of the basin.

Furthermore, it is unlikely that most areas of the Douglas basin would have experienced substantial increases in the rate of groundwater level decline in future years. This is due to the fact that the vast majority of the Douglas basin has been regulated as an irrigation non-expansion area ("INA") since the enactment of the Groundwater Management Act of 1980. The formation of the Douglas INA prevented any new lands from being irrigated within the INA boundaries. Although the past two decades have seen historically irrigated acreage throughout the former Douglas INA being brought back into production, the INA placed an upper limit on the amount of acreage that could have been irrigated.

Given the generally stable groundwater conditions and the lack of alternative water resources within the Douglas basin, the Department should avoid adopting an overly aggressive management goal that would unnecessarily restrict access to groundwater and damage the regional economy within the Douglas AMA. Rather, as ADWR found in 2014, "in order to prevent economic disruption in both the agricultural and municipal sector ... [ADWR should adopt] a

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<sup>1</sup> ADWR, *Douglas and Willcox Basins and San Simon Valley Sub-basin, South Eastern Arizona - Hydrologic Monitoring Report No. 9*, May 2016, pp. 14-15.

<sup>2</sup> *Id.* at 9-11.

water management strategy that allows continued groundwater mining for agricultural activities, while protecting municipal water supplies for current uses and limited growth should be adopted.”<sup>3</sup>

More specifically, any management goal adopted by ADWR must expressly preserve and protect continued access to groundwater for irrigation and other agricultural uses. The primary groundwater use and economic driver for most the Douglas basin is agriculture.<sup>4</sup> This has been the case since before the formation of the Douglas INA in 1980. As is the case with the remainder of Cochise County, the agricultural is a major employer and large component of the economic base within the Douglas basin.<sup>5</sup> In particular, the economies within Sunizona, Elfrida, McNeal, and Douglas areas are heavily dependent on continued access to groundwater for agricultural production. A management goal that fails to protect long-term access to adequate supplies of groundwater for irrigation and other agricultural uses would have a devastating impact on the economies in these areas.

Accordingly, we strongly encourage the Department to adopt a management goal that preserves the agricultural economy and continued irrigation of land within the AMA for as long as feasible, consistent with the necessity to preserve water supplies for municipal and other non-irrigation uses. Given the lack of alternative water supplies within the Douglas AMA, the management goal and any future conservation measures adopted by ADWR should explicitly allow for continued groundwater mining (i.e., groundwater level declines) at rates consistent with the stated management goals.

We also urge the Department to coordinate with state and local elected representatives regarding potential economic impacts of actions to be taken by the Department in administering the Douglas AMA. It is possible the State Legislature could enact changes in law that would provide guidance to ADWR and permit the Department to better tailor groundwater management within the Douglas AMA.

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<sup>3</sup> ADWR, *Arizona's Next Century, A Strategic Vision for Water Supply Sustainability, Cochise Planning Area*, January 2014, p. P.A. 6-7.

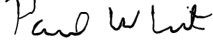
<sup>4</sup> In 2014, the estimated groundwater use in the Douglas basin for agriculture was 45,500 acre-feet, compared to municipal groundwater use of 4,800 acre-feet. See ADWR, *Douglas and Willcox Basins and San Simon Valley Sub-basin, South Eastern Arizona - Hydrologic Monitoring Report No. 9*, May 2016, p. 16.


<sup>5</sup> See e.g., University of Arizona Cooperative Extension, *Arizona County Agricultural Economy Profile, Cochise County, AZ*, July 1, 2020, available at <https://economics.arizona.edu/arizona-county-agricultural-economy-profiles>.

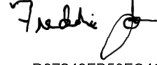
Thank you again for the opportunity to provide these comments. As noted above, we encourage the Department to increase its outreach and education efforts to ensure adequate public input in developing the management goal and future management plan for the Douglas AMA.

Sincerely,

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TerraAg Farm Management II, LLC

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