



Recommendations for Douglas AMA implementation

1 message

Beau Hodai Personal Identifying Information

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To: nlmast@azwater.gov, tbuschatzke@azwater.gov, managementplans@azwater.gov

Arizona Department of Water Resources Director Buschatzke and AMA Director Mast,

I am a resident of the Douglas AMA. I am writing to provide you with the following recommendations for the implementation of the Douglas AMA.

These recommendations will help to protect our smaller and moderately-sized local growers, while incentivizing more conservative groundwater practices by larger users. These recommendations will also help to protect our homes, businesses, and infrastructure from damage through subsidence and earth fissures.

These recommendations encompass our community values and intentions in creating the Douglas AMA through our local ballot initiative.

-- **GRANDFATHERED GROUNDWATER RIGHTS APPLICATION FEES:**

ADWR is currently requiring base application fees of \$500 and \$1,000 (depending on grandfathered right application type), and the entire application process may cost the applicant as much as \$10,000 (for complex applications).

These fees are prohibitive to some small growers and irrigation rights holders. We ask that application fees be based on income, rather than these high fixed-rate fees.

A simple way to do this would be to waive application fees for irrigation rights holders who can demonstrate financial hardship.

-- **RECOMMENDED DOUGLAS AMA GOALS:**

To maintain current groundwater levels, and to mitigate ground subsidence, earth fissures, and related property and infrastructure damage.

-- **MANAGEMENT PLAN:**

An AMA management plan is detailed and involved, but these are some key points we would like to see implemented through the Douglas AMA Management Plan.

1.) Fixed groundwater withdraw allotments (groundwater "duties," based on historical use over the past five years) for growers whose annual groundwater use is more than 200 acre-feet.

[* Please note: 200 acre-feet is approximately two-and-a-half times the annual groundwater use reported by a highly respected local family farm for 2021. Many local growers (to include nut growers) can survive and thrive on 200 acre-feet per year. Larger industrial-scale growers, however, typically report 300 to 400 acre-feet of groundwater withdraw annually, per irrigation pivot-- and most of these industrial-scale growers use many pivots.]

2.) Maximum groundwater withdraw fees allowable under the law for growers whose annual groundwater use is more than 200 acre-feet. Groundwater withdraw fees collected by ADWR are to be used for enforcement and monitoring of the Douglas AMA.

3.) No full exemptions through the use of best management practices (promulgated by the Arizona AMA Agricultural Conservation Best Management Practices Advisory Committee) for growers' groundwater allotments or groundwater withdraw fees. Rather, reductions in groundwater withdraw fees may be granted commensurate to reduction in groundwater use through best management practices.

For example: if a grower reduces their non-exempt groundwater use by ten percent through implementation of best management practices, they will be granted a ten-percent reduction in groundwater withdraw fees for that reporting period.

This will not affect growers who 200 acre-feet of groundwater per year or less, as they will not be subject to allotments or groundwater withdraw fees.

4.) Water allotments (for growers using more than 200 acre-feet per year) will be incrementally reduced through the course of the Douglas AMA's management periods.

5.) Exemptions (for metering, allotments, and fees) shall be granted for non-exempt wells appurtenant to 10 acres or less, providing that groundwater withdrawn is used solely for the irrigation of the land the right is appurtenant to.

6.) Exempt wells (producing less than 35 gallons per minute) may be used to irrigate up to ten acres of land, rather than the current limitation of two acres.

7.) Every two years, ADWR must perform, and publish, an assessment of the hydrological conditions, rates of groundwater withdraw, and groundwater levels within the Douglas AMA, with a particular focus on areas of concern, such as the Elfrida Subsidence Area.

If, pursuant to these assessments, subsidence and/or earth fissures are found to be occurring, or worsening, the agency shall conduct a review of groundwater withdraws in the area of the subsidence/fissures and determine whether to implement:

-- A.) reductions in groundwater use allotments for irrigation rights-holders (who use more than 200 acre-feet of groundwater annually) in the area of the subsidence/fissures, or

-- B.) enhanced groundwater use best management practices and groundwater use monitoring for irrigation rights-holders (who use more than 200 acre-feet of groundwater annually) within the area of the subsidence or earth fissures.

Sincerely,

Beau Hodai