



January 10, 2008

Mr. Herb Guenther  
Director, Arizona Department  
of Water Resources  
3550 N. Central Avenue  
Phoenix, Arizona 85012

Re: Safe-Yield in PrAMA

Dear Director Guenther:

The Citizens Water Advocacy Group (CWAG) thanks you again for your reply of December 10, 2007 to our letter of October 18, 2007, concerning safe-yield in the Prescott Active Management Area (PrAMA). As we indicated in our acknowledgement letter of December 19, we are writing to provide comments on key points made in your letter. Our comments are arranged in the prior format.

### **1. Definition of Safe-yield**

The Department has interpreted the definition of safe-yield to include natural outflows as water “withdrawn” from the aquifer and thus part of the safe-yield determination. We note, however, that the definition does not specify the achievement or maintenance of any particular level of natural outflows. As the Department has interpreted the definition, the PrAMA may achieve safe-yield with any occurring level of natural outflow including zero.

CWAG’s policy concerning safe-yield is that it be achieved while maintaining at least the current contribution of outflows to the Big Chino sub-basin. CWAG refers to its policy as “Safe-Yield Plus.” The Department would seem to consider our concept of safe-yield plus as one of many possible versions of safe-yield. It will be a challenge to achieve safe-yield with zero natural outflows and a greater challenge if current outflows are to be maintained.

### **2. Quantification of Natural Recharge**

You stated that the Department would make an estimate of “total average annual natural recharge” as part of your assessment of the PrAMA and make it available to the public. We look forward to that determination and believe it is a necessary step in the process of achieving safe-yield.

CWAG's letter referred to the need to share the natural recharge among the users. While the Department correctly noted that safe-yield is the goal for the AMA as a whole and that the efforts of individual water users are critical, the letter further stated that the Department does not believe it is appropriate to divide the natural recharge among individual water users in the AMA.

CWAG does not understand the Department's reasoning. If the PrAMA is to achieve safe-yield, pumping of groundwater must be reduced to the amount of natural recharge or less. As you agreed, this will require the "efforts of individual water users." CWAG believes it logically follows that this requires quantification of the individual efforts. If the Department is able to quantify the efforts of individual users (efforts that collectively achieve safe-yield) without quantifying the user's share of natural recharge, please describe your procedure. More broadly, please explain how the users in the PrAMA can develop a plan to reach safe-yield without allocating the natural recharge.

We note that the agents for the City of Prescott (Herb Dishlip) and Prescott Valley (John Munderloh) used a share of the natural recharge for their respective calculations of how their communities might do their part to achieve safe-yield. Furthermore, the GUAC Safe-Yield Sub-Committee, which had broad user representation and in which the Department participated, approved a report that suggested the sharing of natural recharge as a next step. The report listed a number of methods on which sharing could be based.

CWAG will continue to advocate that the users share the natural discharge such that each knows their respective PrAMA groundwater-pumping goal and therefore the amount of alternative water it must obtain. We are disappointed that CWAG and the users do not have the Department's concurrence with this necessary step.

### **3. Compliance with (Achievement of) Safe-yield**

Our letter of October 18 recognized that safe-yield was a goal and not a regulatory requirement. Your letter quite emphatically states that safe-yield is a goal without any corresponding authority for compliance actions. We fully understand and will use the term "achievement of" rather than "compliance with" safe-yield.

The absence of any compliance tools highlights the need for the public to insist that its officials take action to voluntarily achieve safe-yield. CWAG, however, is concerned that reliance on voluntary actions is not likely to achieve safe-yield. If the Department agrees that compliance tools are needed to establish a practical safe-yield plan, will it work with the local jurisdictions to define what tools are needed and request their adoption by the legislature?

### **4. Leadership**

CWAG appreciates the assistance the Department provides to the PrAMA, particularly in light of budget constraints and the absence of regulatory-type requirements. We are concerned, however, that the PrAMA is moving farther away from safe yield. CWAG

will continue to urge the users in the PrAMA to take actions to achieve safe-yield. We ask that the Department do all that it can to encourage the users to move forward.

CWAG will continue to work with the Department and the users toward the achievement of safe-yield. We look forward to the preparation of the Fourth Management Plan and are willing to participate in its preparation to the extent we are asked.

Thank you again for your response to our questions and concerns.

Sincerely,

John Zambrano  
Vice-President