

On June 18, the Arizona Department of Water Resources (ADWR) and the Central Arizona Project (CAP) announced the reactivation of Arizona's Lower Basin Drought Contingency Plan Steering Committee (LBDCP), renaming it the Arizona Reconsultation Committee (ARC). The ARC delegates will build on the successful efforts of the LBDCP to build an internal consensus on a replacement for the Bureau of Reclamation's *Colorado River Interim Guidelines for Lower Basin Shortages and the Coordinated Operations for Lake Powell and Lake Mead (2007 Guidelines)*. Reclamation will develop new guidelines by 2025 for 2026 river operations, and the seven Colorado River Basin States will play a significant role in that process. The ARC process is expected to take years, and their first meeting will take place virtually on June 25. See <https://new.azwater.gov/news/articles/2020-18-06>.

### **Arizona/Groundwater Management Act**

On June 10, ADWR issued a press release celebrating the 40<sup>th</sup> anniversary of the Groundwater Management Act (GMA). ADWR was created in 1980 to enforce the GMA, to establish Active Management Areas (AMAs) where groundwater use is restricted, and to take responsibility for managing Arizona's allocation of the Colorado River.

The press release noted: "In 1980, Arizona water use was on a path to exceed 10 million acre-feet per year statewide, the majority of it pumped from the ground. Water users and political leaders recognized then that continuing to pump groundwater at such levels...was not sustainable." The GMA created irrigation non-expansion areas (INAs), required an assured 100-year water supply for new residential development, limited new wells, and imposed mandatory conservation requirements. Arizona's population and economy have grown significantly since then. "Yet, despite such dramatic growth, Arizona's total water use actually declined to 1957 levels following the passage of the Act. Today, Arizona uses roughly 7 million acre-feet of water per year – nearly the same amount that Arizona water users consumed more than 60 years ago."

Governor Doug Ducey said: "In Arizona, we stand on the shoulders of giants – pragmatic, visionary leaders whose achievements have shown us the way and enabled our high quality of life. Last year, we followed their example by coming together – Republicans and Democrats – to pass Arizona's Drought Contingency Plan. We will continue to be guided by a spirit of collaboration and cooperation as we build on the work of those who came before us and secure Arizona's water future for generations to come."

Former ADWR Director Kathleen Ferris and her husband, filmmaker Michael Schiffer, produced a 20-minute documentary on the development of the GMA, *Groundwater: To Enact a Law for the Common Good*. See <https://azwaternews.com/2020/06/10/press-release-a-statement-on-the-40th-anniversary-of-arizona-groundwater-management-act-of-1980/>.

During the 2020 Legislative Session, the Arizona legislature considered twelve different groundwater bills to update the GMA. None of them passed. The bills primarily focused on addressing unregulated groundwater pumping in more rural areas of the State that are outside AMAs. Groundwater regulations exist within AMAs, but do not outside of them unless within a designated INA.

Three bills would have enabled the ADWR to require meters on large wells and report on annual pumping. The state has said that these data would be helpful for water planning efforts. Three bills would have required developers statewide to certify there is an adequate 100-year water supply prior to building. Three additional bills would have allowed ADWR to look at projected groundwater use, rather than current use, when deciding whether to form a new INA. The final three bills would have: (1) enabled county supervisors to create "rural management areas" with an advisory council to set out local management goals and measures; (2) place a temporary moratorium on well-drilling near the San Pedro and Verde Rivers; and (3) give ADWR authority to adopt rules regarding well spacing in areas with declining groundwater levels.

Bills regarding the INAs were heard in the Arizona Senate Water and Agriculture Committee in February, but after testimony from both those in favor of and against the proposals, the Committee decided more work needed to be done before moving them forward. There were several other water-related bills awaiting consideration in the Senate when the legislature adjourned on May 26, after a two month recess due to COVID-19.

### **Arizona/Water Data**

On June 12, the Arizona State University Kyl Center for Water Policy launched a new online interactive map and water data hub to coincide with the 40<sup>th</sup> anniversary of the AMA. The Arizona Water Blueprint is a multimedia

tool to help Arizona communities plan for a more resilient water future, looking at water resources and infrastructure in a more holistic way. The project includes more than 40 layers of data: (1) political and regulatory information (AMAs, irrigation districts, impaired water bodies, tribal water rights); (2) infrastructure (wells, mines, canals, wastewater treatment plants); (3) fish and wildlife habitat; (4) augmentation concepts (dams, underground storage); and (5) hydrography (aquifers, drought monitor, watersheds). See <https://azwaterblueprint.asu.edu/>. Arizona is also working to share its water data in the WaDE 2.0 platform, enabling regional insights.

## **Arizona/Water Resources Research Center**

On June 18-19, the Water Resources Research Center at the University of Arizona hosted a virtual annual meeting titled, "Water at the Crossroads: the Next 40 Years." Former Arizona Governor Bruce Babbitt (also former Secretary of the Department of the Interior) and U.S. Bureau of Reclamation Commissioner Brenda Burman were the two highlighted keynote speakers.

Governor Babbitt focused on the important, growing, and contentious issue of water transfers, from within Arizona's allocation, off the Colorado River to serve the urban areas of central Arizona. He began by acknowledging the valid concerns and tensions that exist between rural communities who live along the river and are dependent on Colorado River water, and the Central Arizona Project (CAP) which has an assured water supply mandate to provide surface water resources to developers and cities. He highlighted the problem that Arizona water law and policy have "historically been an insider game," that has not included all the important stakeholders necessary to create robust solutions. Many water transfer issues have remained unresolved because of the lack of a comprehensive state water policy that addresses compensation for water, includes diverse voices at the table, and secures water for the environment.

Babbitt suggested that lessons from the development of the GMA in 1980, when he was governor, could help shed light on how to move forward now, specifically with the water transfers issue. He suggested that the legislature create a statutory committee with representatives from all stakeholder groups tasked with developing legislation and provided the resources to do so. The GMA committee had a mandate to develop a draft Groundwater Code within two years and had a stipulation that it would become law after it was presented to the legislature if no additional action was taken. Babbitt acknowledged that "you can't recreate the past," but a statutory process like this could get the legislative and stakeholder buy-in required to create the needed solutions.

Commissioner Burman began reviewing the current status of precipitation, streamflows and storage in the Colorado River Basin. While last year was about average, and the current water year started out well, as of June 1, Lake Powell was 57% full and Lake Mead 41%, with projected inflows to Lake Powell estimated at 4.1 million acre-feet (Maf) and Reclamation's projected releases at 8.23 Maf. August 1, Lake Mead's elevation is projected to be at 1085, triggering provisions of Drought Contingency Plans (DCPs) in the Lower Basin to avoid allowing Lake Mead to drop to critical levels. The probability of serious shortages in 2022 is currently projected to be 12%, but rising to 47% in 2023. She added, "We don't know exactly what the future holds, and we need to be prepared for it."

The Commissioner focused on the incredible progress made over the past 25 years in managing the Colorado River, and the important role that the State of Arizona has played. She displayed the history of water levels in Lake Mead and Lake Powell, with rising storage capacity (given completion of Glen Canyon Dam, and peaking in 1983), then highlighted that fact that the basin lost half of its reservoir storage in four years from 2000-2004, which required all stakeholders to come to the table and figure out how to proactively manage the system in the face of ongoing drought. This led to the development of the 2007 Interim Guidelines.

Burman highlighted the importance of the DCPs and Binational Water Scarcity Contingency Plan with Mexico, signed in 2019, and the leadership provided by ADWR Director Tom Buschatzke and CAP General Manager Ted Cooke as part of the Lower Basin DCP steering committee. She mentioned the actions Reclamation has taken to maintain Lake Mead levels, and that USDA has allocated \$10M to support farmers with DCP implementation. She also mentioned the importance of: (1) the Quantification Settlement Agreement in 2003 that allowed California to better manage their share of the Colorado River; (2) the Arizona Water Settlements Act of 2004 that provided adjustments to the allocations of the CAP water and authorized tribal water rights settlements; (3) the Lower Colorado River Multi-species Conservation Program in 2005 that provides Endangered Species Act compliance for those diverting Colorado River water and for USBR operations and that added 8,000 acres of habitat; and (4) Minutes 319 (in 2012) and 323 (in 2017), which were additions to the 1944 U.S. Mexico Water Treaty to established rules for water use and sharing shortages under surplus and drought conditions, as well as for protected the ecology of the Colorado River Delta. Burman also mentioned that USBR is working on a retrospective analysis of the 2007 Record of Decision to evaluate the effectiveness of the guidelines and that a draft will be available for comment in the Fall of 2020. "We have taken concrete steps as a state, nation and internationally," declared Burman.