

**MINUTES
OF THE
LA PAZ COUNTY BOARD OF SUPERVISORS
Thursday, January 14, 2016, 9:00 a.m.
Worksession**

Chairman Irwin called the January 14, 2016, worksession of the La Paz County Board of Supervisors to order at 9:00 a. m. Elected Officials and Department Heads present were: Chairman Irwin, Supervisor Wilson, Supervisor Clapperton, County Administrator/Clerk of the Board Field; Community Development Administrator Yackley; and Deputy Clerk of the Board Green.

Discussion concerning water resources and related issues in La Paz County

Chairman Irwin stated that, due to open meeting laws, the Supervisors were unable to discuss business outside an open meeting; therefore, the worksession was called in order to conduct a discussion on the water issues related to La Paz County.

She stated that area residents in her district had been reporting their wells drying up, noting the experience of one particular couple, whose name she did not reveal, who purchased their property in 2010, and whose well went dry in August of 2015.

She stated these kinds of reports, along with the media attention on the Saudi purchase of property in Blythe, CA, for its Colorado River water rights, had become a “hot topic”; amplifying the issue of water availability and the lack of regulations. She added that, although concerns about these events were expressed at the recent Legislative Summit; the concerns made by La Paz County were essentially “laughed at”.

Chairman Irwin stated that she had a meeting with Arizona Department of Water (ADWR) Resources Director Tom Buschatzke on December 9, 2015, on this issue to reach out for assistance on these matters. She reported wells that were failing and the huge costs to landowners to re-drill or replace their wells.

She stated that it was the Board’s concern for the citizens they represent that there be some assurance of water sustainability; the ability to grow an economic future, which depends very much on the existence of water. She added that this is a growing problem around the nation; a problem the Country needs to “wake up” about; for the protection of “what is ours”.

She stated that she will be taking ADWR representatives out in the field after the worksession to show them what she has seen in the past year. She has been observing the building of reservoirs to hold water since water could no longer be accessed fast enough when needed.

Chairman Irwin announced that the ADWR will be holding a meeting on January 30, 2016, in the Salome area for residents, to address and develop a process to identify the real issues.

County Administrator Field stated that in 2014 ADWR released a statewide assessment on water supplies, finding 100-year sustainability; however, wells have been drying up. He added that Governor Ducey announced he was creating a team on water initiatives; to provide a report by way of seeking comments from “stakeholders” in those areas for the augmentation/conservation/enhancing of water supplies.

He stated that the County had approached the ADWR Director prior to Chairman Irwin’s December 2015 meeting requesting that La Paz would be noted as a “priority area” for first consideration relating to the Arizona Strategic Vision Water Supply Sustainability Plan for the reason that La Paz County was a “non active management area”, or without regulations in place, for the pumping of ground water.

He added that, as a result, ADWR designated La Paz as a “priority area”, and now assessment is needed as to how much water is being used and/or transported out.

He stated that water has always been a matter of concern; although realizing that farming was equally important with regard to income and the principles of property rights; it was however, important to include others in planning the future. There was a need for “outside solutions and resolutions” and possibly legislative/constitutional adjustments; in the assessment of agricultural lands/water values.

County Administrator Field stated that it was important to get people involved by attending the meetings that will shortly take place involving the McMullen Valley area, Renegras Plain, and the Parker Area.

Supervisor Clapperton cited another ADWR article which noted a statewide conclusion that Arizona was not facing an immediate water crisis; however, contrary to that, he stated satellite images measured considerable subsidence in the Renegras area.

He stated that a Saudi website stated that, in order to conserve their own water, they have come to this country offering millions for land for its water. He stated that it seemed our Country was lax in protecting our own natural resources; stating his particular concern for Arizona and La Paz County.

He explained what land subsidence was and how it was created; from the lack of water and settling of the land.

Supervisor Wilson referred to the 2014 ADWR report mentioned by County Administrator Field, noting that the 473 page report concluded with the claim that there was a sufficient water supply for the next hundred years; with water levels remaining at approximately 1200 feet.

He discussed at length further conclusions of the document regarding various areas of the McMullen Valley and Renegras Plain; as well as graphs for northwest Salome and Aguila, where again, the real figures of annual water depletion were not addressed.

He noted that there was significant historical data on wells on the ADWR website; and he shared information in water findings over the years, as well as the trend of water subsidence.

He added that land subsidence will be a consequential planning and zoning issue now and into the future.

He stated that agriculture in Arizona has been virtually a “protected” industry, with no ability for Counties to make any changes; and planning and zoning rules have no jurisdiction on its affects, building inspections/permits. He stated the tax rate is set; the land cannot be assessed for what it is worth; and he could not see that government would make any changes to those processes.

Supervisor Wilson stated that water management is the important key to be addressed. He noted that farms being operated within the County were transporting crops out long before it was owned by the Saudi’s; and more “water-wise” methods of growing crops have been adopted over time, although still a significant amount of water is used.

He added that the Rose Acre farm is said to provide 80 – 100 jobs with benefits, which he felt, even with the use of 16 acre feet of water annually; was a “wise investment” of water for the County. He felt the County needed to make good decisions and “strike a balance” with regard to the investment of our resources on those things “that would grow our economy and provide good jobs to our residents”.

He stated that, with regard to subsidence, these changes are a permanent compaction to the water table and could not be effectively reversed, which is a great concern, noting areas of California that had experienced severe subsidence. He stated these conditions were “unacceptable”; and the County needed to be involved in the planning.

County Administrator Field stated these concerns would be documented and passed along to ADWR.

Chairman Irwin invited comments from the public.

Beverly Johnson, from McVay Road, spoke at length describing much of the same issues she experienced in her home state of southern Idaho. She encouraged the County to stay on top of these issues. She stated that “people in the know” will seek out our state and others like us that have no controls or regulations. She added that the government put in deep wells that were to be monitored; however, they did not monitor them. She admonished the public to come and hear the issues and become involved.

Ana Camacho expressed that she was very concerned about the water issues. She added it should not be the County's "legacy" to pass on to its children land without the resource of water. She stated the County should listen and learn from those such as Ms. Johnson, who have been through these same kinds of experiences. She also encouraged the public to get involved in the issues.

Terry Sexton, from McVay Road, claimed that the data provided by the ADWR was "useless" as well as incorrect. He felt that data provided should reflect information that would indicate when a well was put in and when it was re-drilled, thereby providing more useable information.

Chairman Irwin added that it had been reported to her that farm workers were currently re-drilling wells.

She stated she appreciated the fact that ADWR representatives were coming to the County; however, she felt that the County should make sure they were doing their job and know what is going on in order to be able to monitor the situation.

Supervisor Wilson reiterated that the County has no jurisdiction over wells and cannot declare a moratorium. He stated the amount of water that is allowed or entitled take from a well is defined "as much water as you can put to beneficial use"; therefore, it was up to ADWR to determine what is put "to beneficial use".

County Administrator Field stated that there is a lack of statute for Counties to do anything with regard to these issues; in fact, "it's even worse than that", and as exemplified by the Planet Ranch issue, there is no "standing" when it comes to water transfers, nor in the "vested right" to bring up issues of public policy. He added that the "common law" and purpose of Counties to protect the safety and welfare of its residences is not acknowledged.

Supervisor Clapperton stated that he could affirm the statements made by County Administrator Field, having been present at the Superior Court case involving Planet Ranch and Mohave County; La Paz County having supplied an amicus brief of support to this case to Mohave County. He stated the courts ultimately denied their right to any "standing".

Brief comments were made by the public concerning water usage with regard to planting; and irrigation procedures in the banking of water.

Chairman Irwin thanked the public for attending the worksession, noting that it was necessary to call an end to the worksession because of the plans to meet representatives of ADWR out in the field.

