

DRAFT

MINUTES OF THE SPECIAL MEETING TOWN COUNCIL WATER AND UTILITIES SUBCOMMITTEE TOWN OF CHINO VALLEY

**THURSDAY, NOVEMBER 3, 2022
2:00 P.M.**

**CHINO VALLEY COUNCIL CHAMBERS
202 N. STATE ROUTE 89, CHINO VALLEY, AZ**

Present: Lon Turner, Chair; John McCafferty, Councilmember; Eric Granillo, Councilmember
Staff: Cindy Blackmore, Town Manager; Mark Holmes, Water Consultant; Frank Marbury,
Present: Public Works Director/Town Engineer
Attendees: Gary Beverly, Citizens Water Advocacy Group (CWAG)

1) CALL TO ORDER

Chair Lon Turner called the meeting to order at 2:35 p.m.

2) ROLL CALL

3) APPROVAL OF MINUTES

- a) Consideration and possible action to approve the June 14, 2022, regular meeting minutes.

MOVED by Councilmember John McCafferty, seconded by Councilmember Eric Granillo to adopt the June 14, 2022, meeting minutes as written.

AYE: Chair Lon Turner, Councilmember John McCafferty, Councilmember Eric Granillo
3 - 0 PASSED - Unanimously

4) ENGINEER'S REPORT

5) CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Subcommittee concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 15 minutes per meeting. Subcommittee action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

6) OLD BUSINESS

7) NEW BUSINESS

- a) Discussion regarding regional water strategies.

Frank Marbury explained that Mr. Beverly had wanted to talk with the Committee about possible regional water strategies.

Mr. Beverly presented the following:

- CWAG was a 501(c)(3) since 2002. They were working on achieving a sustainable water supply for the Prescott AMA.
- Prescott AMA was not in good shape and was the single worst performing AMA in the state, with an annual overdraft of 18,000-acre feet per year.
- The groundwater served Prescott, Prescott Valley, Chino Valley, and unincorporated Yavapai County.
- Decades of over-pumping and overdraft had caused the water table to decline considerably. In northern Chino and the northern part of the AMA, the decline had been over 100 feet, which was causing wells to go dry. Many wells on the west and south side of Town, Williamson Valley Road, and Coyote Springs had gone dry, with CWAG identifying over 500 wells that had failed. Many of those wells were located on the edge of the aquifer.
- There had been no Yavapai County water resource planning since 2014, when the Board of Supervisors suspended the Water Advisory Committee. State law would not solve their problems.
- The safe yield had no requirements, no incentives, and no penalties. In State water law, the responsibility fell on the entities (the cities) and the aquifer.
- CWAG had been talking to Prescott and Prescott Valley, and now the Town regarding developing a regional water management effort that was centered around making a regional water conservation plan. This was difficult in an area that was mostly residential wells and not city water systems, but it needed to be done. Prescott's reaction was favorable, with the entire Council on board. He wanted to get the Town's reaction to his proposal.
- The water table was only going to get worse. They were not in a crisis, and would not run out of water yet, but their kids and grandchildren would be in trouble if they did not take action.

Staff, Mr. Beverly, and Committee members discussed the following:

- Some, but not all, of the wells that had gone dry were drilled pre-1990, when the wells were drilled at a shallower level. CWAG had done a Google search for 2500-gallon water storage tanks, because when wells went dry, people needed a trickle system, or they needed to haul water. The tanks could clearly be seen. They cross linked the information gathered with the Arizona Department of Water Resources (ADWR) database to come up with the 500 suspected dry wells.

- Some of the shallower wells could be deepened, but that brought many safety and health issues, so people had to drill new wells. If people were on the edges of the aquifer, drilling deeper would most likely not fix the problem.
- There would need to be many solutions, beginning with conservation. Regional conservation needed to be developed by the stakeholders through discussion and agreement. The conservation plan should begin by identifying the available water resources, the demands, the shortfalls, and techniques to address the shortfalls, including water importation, and stormwater recharge.
- The plan would need adaptive management and would need milestones. Every five years they would check to see if they were on track. If they were not, the plan would need to change.
- Importation was tough, and it was more desirable to live within the Town's means. This was difficult with private wells. Incentives funded by grants from the new State fund could help.
- They should not let the problem grow, so they had a concept called water neutral development. This plan collected all the wastewater in a development for recharging, which theoretically was approximately 80% of the water that went into the subdivision. 20% could be made up with stormwater recapture. Developers could show ADWR the subdivision was making net use of groundwater, making it easier to get a certificate of assured water supply. This would allow Town economic development growth without further impacting the groundwater supply. Preliminary calculations show this would be easy in Town in a five lot per acre subdivision.
- The recharge would need to go into a good recharge area that would hit the aquifer. The recharge credit would go to the aquifer, not to the Town's credit account, because it needed to benefit the aquifer. If the credits were used by individual Towns to construct more homes, the problem would become worse.
- Members discussed if there was a difference between recapturing 80% of the water and crediting the Town versus crediting the aquifer. They were on a downhill slide, even with everything the Town was already doing. By crediting the aquifer, the Town was essentially limiting growth. Without the additional assured water supply, there could not be further development. But, development would not be limited if they did storm water recovery, and they had a water-neutral development. This meant more water could not be taken from the aquifer than was recharged. A net-zero impact to water would allow multi-generational use of the water.
- The suggested plan seemed to be more of a watershed or a water management plan instead of a water conservation plan. Even if the Town, PV, and Prescott were on board and changed their ordinances to reflect the net zero plan, one of the biggest AMA users, the exempt well owners and the County, would also need to be part of the plan for it to work. They had recently seen that landowners were doing dry lots and staying under the radar of the assured water supply. It was unclear whether the County would come on board with the plan. CWAG was working with the State legislature to create rural management areas that would give the County the ability to take part in the plan, since they currently had no water authority.
- Members debated if the largest users of area water were the exempt well users. ADWR numbers showed that only 14% of water pumped in the AMA was from exempt well users. It showed that the exempt well users were more efficient than municipal water users. Over 75% of water use was from municipal systems. The water use was estimated by ADWR based on average domestic household use.
- The Town was already working on recharging their water, but exempt wells were not recharging any of their water. There were a few households that were on municipal sewer but still on well water.
- Members discussed where the funding would come from to pay for municipal water connections to all the large new lot developments. There was concern that without importing water, the Town would die. Governor Ducey suggested a \$1 billion desalination of water from the Sea of Cortez, but that would only help the central and southern part of the State, not the

Prescott AMA. There were entities that were working with tribal settlements in the north that could access Colorado River water. It would be expensive, but would come down through Flagstaff and into the AMA, if there was enough water in the Colorado River.

- Members discussed if all the area towns would be willing to limit growth if they agreed to the plan. There was already a regional coalition that was designed to work together to mitigate all the pumping in the AMA and the future importation without impacting the upper Verde River. Members discussed if the work done, and solutions suggested by the coalition, were impactful. The coalition could be modified to take on meaningful projects and real ordinance work. If the organization could take on the role of reasonable and effective water resource planning, it would be helpful.
- The next step for the Town would be to work with the Mayor of Prescott or the coalition to begin work on regional water conservation planning.
- Members would continue the discussion and agreed it needed to start somewhere, but realistic plans needed to be developed, and deportation seemed the most likely solution.
- The different jurisdictions were not focused on the bigger picture of watershed management. A mutual priority project list needed to be developed for jurisdictions to come together for real change with large amounts of money, even if it was piecemealed together. A real doable project could be a plan that involved the Little Chino, the river, and the Big Chino that may provide the answers they needed. Everything needed to be regional.
- CWAG would try and reengage with the coalition. All the groups needed to cooperate to make real change in the region.

b) Discussion regarding PFOS and PFAS chemicals and related strategies for testing and mitigation.

Staff, Mr. Beverly, and Committee members discussed the following:

- The Town had been studying health effects of some of the chemical PFOS and PFAS's from plastics in the environment, but they had not tested the Town's wells for the chemicals.
- ADEQ would be providing assistance for testing for smaller communities in the upcoming year. The EPA also had funding.
- The EPA would be developing a maximum contaminant limit (MCL) for the chemicals, instead of the current health advisory in place.
- There was concern about what the Town would do with wells that tested high before there could be mitigation. Putting out an advisory not to use the Town's water was not a good idea.
- The EPA's MCL would be based on the present analytical detectability, health effects, and economic factors.
- There was alarm when the Prescott Chino's wells tested for low levels of PFOS. There seemed to be a tremendous level of public concern. People were wondering how to clean their household water, but the answer was that there was nothing they could do.
- Health effects from the chemicals included suppressed immune response and low birth weight.
- There was an implication that because Prescott's Chino wells tested positive, many other wells in the area would also test positive.
- Officials were trying to figure out the materials showing up in the wells, and looking at the piping, appurtenances, and drilling methods used, because they had PFAS within them. There had to be an understanding about what was contributing to the outcomes. There were many unknowns. There had been tests showing PFOS entering Prescott's wastewater and being recharged back into the aquifer.
- The sources were everywhere and spreading. The chemicals were in the blood of 70% of US adults and in 30% of bottled water.
- The total health effects were not understood, but EPA was very concerned.

- There were large scale removal systems, and at some point, the wells may have to be filtered.
- The Town was watching closely and getting staff the necessary education to understand it and be prepared. Staff suggested an educational campaign with EPA on how residents could reduce their risks of coming into contact with the chemical through water and other sources.
- Goodyear had a massive contamination, and they were required by ADEQ to have a remediation plan implemented. They spent \$4 million on an activated vessel treatment system.
- Even though the Town was working on getting wells tested and planning for any issues, they needed to do a public education campaign so that the community was aware of their efforts. The lack of information could be worse than the information itself.
- The local contamination levels did not come from Prescott Airport, because the travel time from there to the aquifer was a century.
- They did not want to get ahead of the State regulators. The Town was not suppressing the information, but instead trying to understand the issues and solutions.
- There were seven private and public water companies in Town.
- There would need to be procedures and rules developed before any water provider could do anything. It could take several years for the EPA to respond, because science needed to show harm through the consumption of it at certain levels to back the MCL.
- In June, the EPA lowered the level for PFAS from 70,000 to 4,000 parts per trillion because of toxicological evidence impacts on early childhood.
- Members discussed families watching what they consumed, from bread to pacifiers, to limit their personal exposure, beyond water consumption. Water was being singled out because it was a major exposure source for everyone, because it went into the body. It was considered a chronic exposure.
- The chemicals could eventually be outlawed, similar to other dangerous chemicals.
- ADEQ could be requisitioned to come speak to the Town and educate them on the current circumstances.
- The process to establish new limits was discussed.

8) ADJOURNMENT

MOVED by Councilmember John McCafferty, seconded by Chair Lon Turner to adjourn the meeting at 3:38 p.m.

AYE: Chair Lon Turner, Councilmember John McCafferty, Councilmember Eric Granillo

3 - 0 PASSED - Unanimously

Submitted: November 16, 2022.

By: *Sara Burchill, Deputy Town Clerk*

Approved: MONTH DAY, 2022.