

UPPER VERDE RIVER WATERSHED PROTECTION COALITION  
PRESCOTT, ARIZONA  
MAY 23, 2007

MINUTES

A MEETING OF THE UPPER VERDE RIVER WATERSHED PROTECTION COALITION WAS HELD ON MAY 23, 2007 in the Prescott Municipal Building, 201 S. Cortez Street, Prescott, Arizona.

Chairman Fann called the meeting to order at 2:06 p.m.

**ITEM NO 1. Introductions, Awards and Presentations**

**Members present:**

Mayor Karen Fann, Town of Chino Valley, Chairman  
Vice-Mayor Mike Flannery, Town of Prescott Valley, Vice Chairman  
County Supervisor Tom Thurman, Yavapai County (for Carol Springer)  
Mayor Rowle P. Simmons, City of Prescott  
Ernie Jones, Sr., Prescott-Yavapai Indian Tribe  
Mayor Bob Greene, Town of Dewey-Humboldt

**Members absent:**

None

**Staff present:**

John Munderloh, Town of Prescott Valley  
Mark Holmes, Town of Chino Valley  
John Rasmussen, Yavapai County  
Chris Moss, Yavapai Prescott Indian Tribe

**Guests present:**

Prescott Councilman Jim Lamerson  
Prescott Councilman Bob Bell  
Prescott Councilman Steve Blair  
Prescott Councilman Bob Luzius  
John Zambrano  
Candace McNulty  
John Olsen  
Joanne Oellers  
Walt Anderson  
Thomas Slaback

Dava Hoffman  
Ashley Fine  
Ken Janecek  
Debbie Maneely

**ITEM NO 2. Call to the Public**

Howard Mechanic – The public had previously been told that the agenda would be available by Monday at noon before the Wednesday meeting, but there has been a problem getting the accompanying documents. He said that the agreement was that Ms. Burke would have a copy available at Prescott City Hall, and possibly at Prescott Valley. He said that there doesn't seem to be one person in charge of getting the documents to Ms. Burke and she's been contacting different people trying to get the documents together. He asked that a procedure be developed so that one person would be responsible for getting those to Ms. Burke by noon on Monday.

Chairman Fann said that she received her agenda and all attachments on Monday morning. Ms. Burke noted that she had received the agenda, but no attachments, until Tuesday morning when she received one of the attachments, which was put in the public's packet and faxed to Mr. Mechanic.

Mr. Holmes said that once they have a consulting firm on board it should be consistently on time with preparation for the meetings.

Mr. Mechanic said that he also wanted to ask the Coalition to add an item on the agenda for the next meeting. He said that there has been brief discussion back and forth about the scope of the Coalition. He said that the goal of the Upper Verde River Watershed Protection Coalition is to protect the flow of the Upper Verde. He wanted to wait to bring this up until this first stage was completed, and he believes that the next step is to discuss whether they are going to protect the Upper Verde against all reasonable threats, such as the two pipelines and potential development.

When he brought this up and mentioned there were almost 25,000 Big Chino homes now on the drawing board, more than all the homes that now exist in the City of Prescott, and hundreds of thousands or more are possible are vacant land in the Big Chino, it is clear that new legal pumping for developments could dwarf the important quantity of Prescott, Prescott Valley and Chino Valley. Currently they are talking importation numbers of around 15,000 to 17,000 acre feet; the flow of the Upper Verde is about 18,000 acre feet. There's been much talk about mitigation of pumping on the River. There is no State law requiring mitigation by developers. There are two clear alternatives, and if there are others, he'd

like to hear them when it is on the agenda. The first alternative is to develop a Big Chino Water Management District to ensure that any effects of new pumping on the River would be mitigated. Option Two is to kiss the Upper Verde River goodbye.

Mr. Mechanic concluded saying that staff, in a previous report, stated that, “Although a number of strategies exist to increase available water supply, insufficient water management policies will likely offset any gains in water supply.” He thinks it is time to have the discussion, and would appreciate it being put on the agenda.

Chairman Fann said that since this is an Open Call to the Public, she’s not at liberty to poll the board at this time to see if they want to put this item on the agenda. She said that she would have the TAC meeting look into it so they don’t break any public meeting laws, and then they’ll move forward.

Ashley Fine – Regarding the recent announcement of Town of Chino Valley’s water development project and new pipeline, she wanted to speak to the fact that many of the other communities were not aware of what was happening with the deal and the new pipeline, at least to the extent that they were totally notified and she thinks that as a group, whose purpose is to protect the flows of the Upper Verde River, the main first question is “how much pumping will there be and where is it going to be?” She wanted to stress how important it is that there is communication on that issue, not just between the cities, but also as members of the Coalition. She asked Chairman Fann how they are going to be moving forward as the Coalition to work regionally on such an issue because without working regionally, they’re all just hurting each other, and ultimately the River as well.

Chairman Fann recommended that Ms. Fine get with herself or Mr. Holmes. Everything has been detailed, the development agreement is a public document and all that information is in there. She said that sometimes when they’re in negotiations they can’t do it on the front page of the paper.

**ITEM NO 3. Approval of Minutes – April 26, 2007 Meeting**

MEMBER SIMMONS MOVED TO APPROVE THE MINUTES OF THE APRIL 26, 2007 MEETING; SECONDED BY VICE CHAIRMAN FLANNERY; PASSED UNANIMOUSLY.

**ITEM NO 4. Discussion & Possible Action – Review of Member’s support towards Project Priority List and Program Management**

Mr. Holmes said that this item is to reaffirm the project priority list and project management that was proposed by staff, and has been supported by a number of the members. Yavapai County and Prescott Valley were the last to members to indicate their response to the proposals.

Vice Chairman Flannery said that the items went before Prescott Valley’s Council and they were in agreement. Supervisor Thurman indicated the same for Yavapai County. Chairman Fann reaffirmed that the other communities were in agreement.

**ITEM NO 5. Discussion & Possible Action – Direct staff to create an RFQ/RFP to seek qualified consulting firms for Coalition program and project management.**

Mr. Holmes said that staff would like to have direction from the members to move ahead and prepare a RFP to seek consultant firms for facilitation/program management.

Vice Chairman Flannery said that they have recently had demonstrated the need for this, and asked who would have direct oversight of the firm. Mr. Holmes said that there would be interaction between staff and if need be, Coalition input, but main oversight would be from staff. Mr. Holmes said that once they identify who is going to be the consulting firm, there will be one main project manager from that firm that will be the main conduit, and they will have a direct link with staff.

Member Simmons said that the individual from the consulting firm should attend the meetings. Mr. Holmes said that the person will be facilitating the meetings.

Chairman Fann asked who would be preparing the RFP; Mr. Holmes said that staff will be working on it together. Chairman Fann asked that a draft be distributed to the Coalition members before it is circulated.

Joanne Oellers – Asked if the consulting firm’s individual fits in with the designation of the Morrison Foundation with the Chino Valley pipeline and if there’s any similarity between those two entities. She said that it appears that there may be some overlap. Chairman Fann said that the Chino Valley pipeline issue is not on the agenda so they need to be careful that they don’t get too far away from what was posted. She did state that what Chino Valley is doing is Chino Valley doing it. They’re moving forward with their goals and objectives. Their intention is to be able to combine some of their efforts and studies with the other

communities, much like the Coalition, the Verde Partnership. As they move forward they will work with the other communities.

Mr. Holmes said that in the scope of work they will look at the studies, other reports, etc. The goal is not to duplicate efforts but to take what has been done and build upon it.

Mr. Holmes said that staff believes this would probably be ready to go out on the street with the beginning of the new fiscal year.

MEMBER SIMMONS MOVED TO DIRECT STAFF TO CREATE AN RFQ/RFP TO SEEK QUALIFIED CONSULTING FIRMS FOR COALITION PROGRAM AND PROJECT MANAGEMENT; SECONDED BY VICE CHAIRMAN FLANNERY; PASSED UNANIMOUSLY.

**ITEM NO 6. Discussion & Possible Action – Review projects scope of work concepts**

Mr. Munderloh said that at the last meeting staff was directed to come up with more flesh for these projects so there is a similar attachment in the packet. He said that these are the six projects in the three-year timeframe, in the priority they discussed. He said that they didn't want to fully flesh out the scope of work on these projects because once they get a consultant on board, the project manager will spend a good amount of time putting these together; they don't want to preload the concepts.

Mr. Munderloh said that the overall goal is to increase the water use efficiencies in the Upper Verde River watershed, but the initial phase of this project is evaluating and implementing water conservation programs. As they go through some of these, there is a much more phased approach. They fully intend to review existing programs.

Supervisor Thurman asked if they would be looking at both municipal water users and also well users. Mr. Munderloh said that would definitely be one of the components.

Chairman Fann said that she didn't want to step on the Supervisors' toes, but she asked if the conservation things they're looking at would it be just in the Little Chino Aquifer or in the Big Chino, with the Supervisors' permission. Mr. Munderloh said that it would definitely encompass the entire area that the Coalition is focused on, which is the Upper Verde, the Little Chino, the Prescott AMA, and the Big Chino areas. Later when discussing future agenda items, they'll talk about something that the City of Prescott has recently done.

Mr. Munderloh said that the expanded hydrologic monitoring network would be in just the Big Chino. The concepts are similar with an overall goal and initial phase for just this project, to evaluate and design a network. The overall goal would be to complete that network. He said that these would include groundwater, surface water measurements, weather monitoring, precipitation, etc. and water use monitoring. They don't want to duplicate efforts as far as the analysis goes. They have USGS reports that provide some recommendations of where additional data is needed. They'll have a numerical model from the USGS which he believes is due in late 2007, that will further eliminate where they need further monitoring, and then ultimately design that network and make recommendations for further actions of the Board.

Mr. Munderloh continued with the third project, second year, identified natural recharge areas for protection. Overall goal is to protect natural recharge areas; initial phase is to identify those areas and determine which ones are threatened from some sort of land use change. They will examine what is already out there and do whatever research is necessary.

He said that with regard to artificial recharge sites, in assessing their feasibility, ultimately they will want to develop additional artificial recharge sites, but in this phase of the project they're looking at identifying and assessing the feasibility and associated costs for such sites. He said that there are a number of things included in this that were brought up last month by Mary Ann Black. He said that these may include some recommendations for code changes, building code changes, ultimately to develop the feasibility level and cost estimates and provide some recommendations.

Flood detention projects – Overall, he said, the goal is to increase flood protection for the citizens. He said there's a sub goal which is to increase recharge from these flood projects, but in this phase they're just going to study the feasibility for additional flood detention needs and to protect citizens and property from flood damage.

Healthy Watershed Management – The overall goal is to restore predevelopment functioning conditions to those areas of the watershed that are no longer functioning the way that nature designed them to, but here they're just looking at researching those types of approaches to determine the feasibility and benefits of that type of watershed restoration.

Supervisor Thurman said that when they finally come through with a plan of action, a lot of these items that are good for the Upper Verde River would be good for the Middle Verde and Lower Verde, too, and there's no reason that it wouldn't be implemented countywide. Mr. Munderloh said

that all of these concepts and research information will be available to the public.

Jack Wilson – Referencing the second project, expansion of the Hydrological Network, suggested an additional cited reference, which is the Hydrology Science Plan from the Verde River Basin Partnership, developed in conjunction with the USGS, and is posted on their website. He said that this is the four-year project plan for the work that the Partnership is going to take.

Chairman Fann asked, in keeping the lines of communication open, if the Verde Partnership is now at a point where they have formulated a plan and outlined what their goals are for the next four years. Mr. Wilson said that was correct, and he believes it has been posted since November. Chairman Fann asked if it had been formally developed and approved. Mr. Wilson said that it has; it was developed by the Technical Advisory Group, in conjunction with USGS. Mr. Wilson said that it was approved by the membership. Chairman Fann asked how it was going to be funded, and if there are ways that they can partner on joint studies that they want to do.

Mr. Wilson said that they are planning to have a general membership meeting on June 7 and that will be discussed at that point in time. He said that the estimates are actually in the plan. He said that it is \$500,000 for that portion; \$5 million for the hydrology portion of the four-year plan, \$610,000 for fiscal year 2008.

Ashley Fine – Regarding Project 1, conservation, which she completely applauds and agrees with, and hopes to see implemented, asked about the management and enforceability of the plan, which needs to be discussed. She said that she knows of the moratorium on watering between 8 AM and 8 PM in Prescott, however, she sees sprinklers going at noon all over. She said that the challenge of conservation is how it is going to be promoted and how it is going to be enforced, so it can be something to be relied on as a resource for mitigation.

Mr. Munderloh said that there are a lot of conservation programs going on right now, but it is not well-coordinated at this point. One of their visions is to coordinate those projects, or see how they're coordinate and see how the Coalition can best enhance them. They did include on the list to look at programs that employ incentives, regulations, technologies, behavioral changes.

Supervisor Thurman asked if staff has investigated other locales, such as Santa Fe, and how they police them. Mr. Munderloh said that staff works quite closely with the Central Yavapai Water Conservation Partnership,

which is an ad hoc group. Shaun Rydell with the City of Prescott has looked quite extensively into those things.

John Olsen, representing the Chino Resource Conservation District, said that he would hope that they utilize the capabilities of the resource conservation districts. They've been in the business for over 50 years and have been applying most of these practices to the land for that length of time. He said that there are a lot of them that meet rehabilitation, and they have all the maps, etc. and he would hope they would be a vital part of this. Mr. Munderloh said that they definitely appreciate the work and support of the natural resource conservation districts and made sure that they have those groups identified to be worked with.

Howard Mechanic – Said that he certainly supports the conservation efforts in the area. He said that last week at a joint meeting between the Board of Supervisors and WAC about conservation, there wasn't a lot of resolution at that meeting. There was a suggestion that there might be a consultant that could help various communities in the County, to develop conservation plans, which he thinks is a good idea to consider, somewhat overlapping with what is being discussed here. He believes it would be good to do it on a countywide plan.

Mr. Mechanic said that the Mayor of Camp Verde said that they don't have time to have a development of a conservation program over there; they would like to have some assistance. He said that there is a need for uniformity, especially in the area of building codes.

Mr. Mechanic said that the Coalition's goal is to protect the Upper Verde, and conservation in the Little Chino is very important to reach safe yield. That effort will not protect the Upper Verde. By having very aggressive conservation programs in the Little Chino, they can reach safe yield. By reaching safe yield the Little Chino's contribution to the Verde River will be reduced toward zero, so they need to understand that. The only way it will protect the Upper Verde is if the parties agree that they need to go further than safe yield. They need to reach safe yield plus continue the contribution of approximately 3,000 acre feet from the Little Chino to the Verde River; that is a policy decision and all of these conservation efforts will not lead to that decision. He supports these efforts to go ahead; he thinks they need to conserve in the Big Chino to protect the Upper Verde. Even if they do agree to continue the 3,000 acre feet per year contribution, that does not go to the headwaters; it goes to the Verde River about 15-20 miles below the headwaters. It will not produce the effect on the start of the Upper Verde. They need to focus on the Big Chino.

Joanne Oellers – As she speaks to the people she associates with, they use the term mitigation quite a bit. She hasn't heard that word used here;

it looks like the list of projects could be called mitigation, and asked if this is being called a mitigation plan. Mr. Holmes said that the goal of this is to do any and all projects in place to avoid impacts altogether, to determine how much water they are preserving. If they determine that mitigation is looking at already established impact, they're looking at the Prescott AMA and they have an overdraft, and mitigation would be to look at programs in the AMA that address that mitigation. Ms. Oellers asked why that definition of making up for overdrafts is different than the definition of mitigation that she's used to hearing. She has heard different interpretations for that word and she thinks it is important to have the same concept. Mitigation usually implies avoiding an impact, not just taking care of something that has already happened.

SUPERVISOR THURMAN MOVED TO ACCEPT THE DRAFT SCOPE OF WORK CONCEPTS AS STATED, FOR STAFF TO MOVE FORWARD; SECONDED BY MEMBER SIMMONS; PASSED UNANIMOUSLY.

#### **ITEM NO 7. Next Meeting Time / Location / Agenda Items**

Mr. Holmes said that staff members are attending the Central Yavapai Water Conservation Partnership, which is an ad hoc group, consisting of staff members from the various organizations, looking at water conservation, programs and aspects that they can have a regional approach. This was the ad hoc group that was behind the Water Festival through Project WET. The City of Prescott, through the Bureau of Reclamation, was awarded a \$50,000 grant and their Water Conservation Coordinator, Shaun Rydell, is a member of this group. He's proposing that at the next Coalition meeting they come forward with an agenda item that will discuss looking at a regional conservation approach with this grant, both with recommendations of staff time. He said that rather than creating another IGA, they'd like to approach the Coalition as the umbrella association because they're already members and allow the ad hoc group to proceed with this grant, to be the administrators of it, and facilitate Shaun Rydell's efforts. The grant will include (1) a regional workbook that will be available as part of their plan for conservation efforts; (2) public surveys and (3) a facilitation aspect, through facilitated meetings, to develop a five-year working plan.

Chairman Fann asked about the development of a district, suggested by Mr. Mechanic, if it should be discussed at the June meeting, or if they should wait a few meetings. Supervisor Thurman said that it wouldn't be an action item, but he wouldn't see a problem with talking about it.

Mr. Holmes said that his understanding was to not be looking so much at the pipelines, but future developments in the Big Chino. Mr. Mechanic

said that he would like the Board to consider the impacts that future developments might have on the Upper Verde, and methods to mitigate those potential impacts if necessary. One method of mitigating, which he believes is the only feasible method, is a district, but if there are other ideas, he believes it should be up for discussion.

Chairman Fann asked Mr. Mechanic what he was envisioning for the district, just the Prescott AMA and the Big Chino, or incorporating the Middle and Lower Verde. Mr. Mechanic said that at this time, there should be one district covering the AMA plus the Big Chino, or two districts, one covering the Prescott AMA and one covering the Big Chino. He didn't think that this group should be involved in the Middle and Lower Verde since it is beyond their scope of direction. He said that they can't set up a district, but they can decide that they want a district and they will work with the Legislature to do that.

Chairman Fann said that the agenda item should include what the district would be if they went down that road, how large of an area it would encompass, who it would be involved, etc.

Vice Chairman Flannery noted that Member Greene would be leaving the Coalition and he wanted to thank him for his participation, and for his service to the community of Dewey-Humboldt.

Member Greene commended the audience for always being at the meetings, and said they care about what happens, and they're the kind of people they need. He thanked the Coalition members and staff.

Chairman Fann said that the Coalition meetings are not the only meetings going on. As it was brought up earlier of things happening in other communities, i.e. Chino Valley, they have public hearings all the time. They went back and checked the records and in the last two years since they started talking about the Big Chino they have had 47 public hearings talking about land in the Big Chino and building a pipeline. Remember, the Coalition is not the only place to get information about what is going on because while they're working on things together, each of the communities is still doing their own things. She said that the negotiations may not be made available until they're done, but the deals are not secret.

MEMBER GREENE MOVED TO ADJOURN; SECONDED BY MEMBER THURMAN; PASSED UNANIMOUSLY. Chairman Fann adjourned the meeting at 3:08 p.m.

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KAREN FANN, Chairman

ATTEST:

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ELIZABETH A. BURKE, Clerk