



**UPPER VERDE RIVER WATERSHED PROTECTION COALITION
WORKSHOP MEETING
PRESCOTT, ARIZONA
Wednesday, September 22, 2010**

MINUTES

A MEETING OF THE UPPER VERDE RIVER WATERSHED PROTECTION COALITION WAS HELD ON SEPTEMBER 22, 2010 in the Prescott Municipal Building, 201 S. Cortez Street, Prescott, Arizona.

Chairman Flannery called the meeting to order at 2:01 p.m.

Introductions, Awards, or Presentations

Members Present:

Councilman Mike Flannery, Town of Prescott Valley, Chairman
Supervisor Carol Springer, Yavapai County Board of Supervisors, Vice Chairman
Councilwoman Mary Ann Suttles, City of Prescott
Mayor Jim Bunker, Town of Chino Valley

Members Absent:

President Ernie Jones, Yavapai-Prescott Indian Tribe

Staff Present:

Ed Muccillo, Program Manager
John Munderloh, Town of Prescott Valley
Craig McConnell, City of Prescott
John Rasmussen, Yavapai County
Lorri Carlson, Program Administrator

Guests Present:

Mayor Marlin Kuykendall
Ken Janecek
John Zambrano

ITEM NO 1. Introductions, Awards, or Presentations

ITEM NO 2. Call to Public

Consideration and discussion of general unscheduled comments from the public: Those wishing to address the Coalition need not request permission in advance. Any such remarks shall be addressed to the Coalition as a whole and not to any member thereof. Such remarks shall be limited to three (3) minutes unless additional time is granted by the Chair.

At the conclusion of the unscheduled comments, individual members of the Coalition may respond to the item addressed at the discretion of the Chair, or they may ask Staff to review the matter or ask that the matter be placed on a future agenda.



John Zambrano, 2910 West Crestview Drive, President of Citizen's Water Advocacy Group (CWAG) and speaking on its behalf, presented a statement on Safe Yield, attached hereto as Exhibit A.

Mr. Zambrano concluded, we need you to establish a safe yield plan, and we need it soon. Tell us how you will do it.

Mayor Jim Bunker said he thinks there is a lot of discussion needed before they jump into what a district is. He said they had an extensive discussion on this at the Chino Valley Town Council and the consensus was to discuss it and that would be his recommendation. He said number one, they haven't even talked about what they want a district to do and there is a whole lot more to it. Mayor Bunker said he thinks it holds promise for the long term but they have to be sure that when they start talking district the devil is in the details and there is going to be a boatload of details. He said at least from Chino Valley, their consensus is they need to discuss the issue but is premature to form a district until they flesh out some details of what they want to do and what it might cost.

Mr. Zambrano said the report does not recommend the formation of a district. He said the report recommends they investigate what a district could look like, so it is very different from actually forming a district. He said there would be no commitment to a district; it would simply be getting the information the Board needs to know whether a district is a possibility. Mr. Zambrano said as he emphasized, it is the mere investigation of a district, not the formation of a district that is the report recommendation.

Mayor Bunker said that is the consensus of the Chino Valley Town Council, that they continue to look at the possibilities of forming a district and to continue to study it.

Mr. Zambrano said when he attended the meetings that were investigated by the Coalition jurisdictions they were all rejecting the concept of a replenishment district.

Mayor Bunker said he if he recalls correctly, none of them were at the Chino Valley Town Council.

Mr. Zambrano said he was not at Chino but that is one jurisdiction. He said if they are for a replenishment district that would be great and he hopes the Mayor would convince his colleagues that the TAC investigate it as opposed to Chino Valley investigating it on its own.

Councilmember Mary Ann Suttles said the Safe Yield Report was a report that they were going to take on with other information as well. She said the old adage, cliché, is this is one more tool in the toolbox and it is something they are going to be able to use; it is not going to be sitting on a counter. She said she believes with the more information that comes and the more things they have to do about safe yield it will all play into it. She said representing the City of Prescott they can't necessarily jump right into it. She said they have a lot of information to look at, not just that report.

Mr. Zambrano said the tool that was being recommended was a replenishment district and they needed to look into that. He said he gets the impression they are rejecting the main tool of that report.

Councilmember Suttles said not necessarily. She said that was one report that was turned in and will be used with some others.



Chairman Mike Flannery said he believes there four different suggestions in the report with a water replenishment district being one of those issues. He said he feels somewhat bothered by the fact that because a water replenishment district is not a favorable outcome from going to the entities that Mr. Zambrano thinks the Safe Yield Report has been rejected. He said that is not what he gets out of it.

Mr. Zambrano said there were four recommendations and certainly the third and the fourth, the one that called for an authority and was soundly rejected even more so than the replenishment district.

Chairman Flannery said where he was opinions were strongly voiced against but he is not sure that rejected is where he would want to go with that.

Mr. Zambrano said he finished his statement above with 'what is their plan?' He said they need a plan and they need the Coalition to lead. He said they turned it over to the technical group and apparently didn't really communicate the issues or problems with the direction the technical group was going, at least enough to make them turn around and go another direction. He said he looks at that as a fault of the system that was set up. He said if he was in their shoes he would not be setting up a technical group, let them go for a couple of years, and then look at their report and say this isn't any good.

Mr. Howard Mechanic, 309 Bloom Place, said he is speaking on behalf of himself, not for CWAG, although they know that he was representative on the Safe Yield Workgroup for CWAG. He said he is surprised that the Safe Yield Report, which was issued six months ago, and four months ago there was a discussion there to go back to the jurisdictions, get their response, and come back with the response. He said he is a little concerned that it wasn't even on the agenda. Mr. Mechanic said it is not an agendized item so they can't really discuss a whole lot about it. He said what he is suggesting is that it be agendized for the next meeting, that the Chairman has the discretion to do that, and then they can have a discussion. He said there are two things he would like to have agendized. He said the first one is where are they going to go from here because obviously the consensus report was soundly rejected at the three meetings he attended. He said he went to the Town of Prescott Valley, the City of Prescott, and Yavapai County meetings. Mr. Mechanic said the other thing he is requesting to be on the agenda is can they learn from their mistakes. He said this was obviously, as far as he is concerned, a failure because they are going nowhere on safe yield. He said he thinks they need to analyze what happened in the past and learn from their mistakes so they don't do them again.

Mayor Marlin Kuykendall joined the meeting.

ITEM NO 3. Discussion & Possible Action – Approval of Board Meeting Minutes – May 26, 2010 Councilmember Suttles moved to approve the May 26th, 2010 Board Meeting Minutes. Second by Vice Chairman Springer. Motion passed with abstention by Mayor Bunker due to his absence at the meeting.

ITEM NO 4. Discussion – TAC Meeting Summary – August 11 and September 13, 2010
Mr. Ed Muccillo said the summaries of the TAC meetings are on pages 23 and 26 respectively and everything that was discussed at those meetings is on the agenda for today.



ITEM NO 5. Discussion & Possible Action – Water Smart Applicants

Chairman Flannery asked to present the Primavera Application first because it was something that the Board had requested last meeting.

Mr. Muccillo said both application packets are in the back of the agenda. He said the first thing to talk about is that the Board had proposed that the Primavera School be the first Water Smart project. He said a site visit was made and the TAC reviewed the application. He said they concur and also recommend approval of the Primavera School project for a Water Smart designation. He said at this point it is up to the Board to approve the designation.

Mayor Bunker moved to approve the Primavera School Garden Project as Water Smart; second by Councilmember Suttles. The motion passed unanimously.

Chairman Flannery asked Mr. Muccillo if he would go ahead and notify them. Mr. Muccillo said he would.

Mr. Charlie Cave with Yavapai County said they are very pleased by project and that it has a lot of components. He said one of the things they wanted to do and they think they have accomplished, is to show a number of the different ways to implement best management practices. He said by doing them at the park they are in an open environment for people to see them all the time as they wait on the children at soccer and things and they a place they can send people to look at things. Mr. Cave said they can observers that the best management practices can be attractive along with the function. He said the presentation is way too long for today. He said he just wants to provide an idea of the type of things they did.

Mr. Cave said for the Pioneer Park Stormwater Quality Project they took very plain areas and designed water storage that you can't see and don't know that it's there. He said since the photos were taken they have had several good storms. He said no water has left the site since then and the areas that are raw rock have some filled in sediment now and they look a lot better. He said their goal was to recreate a more natural stream look. Mr. Cave said the parking lot at the upper end has storage underneath it. He said the water runs off the pavement and into the chip storage. He said it is the same with the center area but they had to be careful because the City's high pressure water main runs through there.

Mr. Cave said one thing worth noting is they have natural landscaping in all these areas and they did put in and irrigation system. He said most of that has been shut off now and that it was just to get things started. He said the islands in the parking lots and the plants in them are fed entirely by the water that runs off the pavement. Mr. Cave said another thing did was to take the areas that previously bladed ditches, which caused a lot of sediment problems, and recreated a natural stream effect and control sediment. He said they have constructed drainage channels down through these areas that have storage underneath. He said a lot of them have four and five feet of chip under them so the water runs off of the pavement, filters through the chips, stores there and infiltrates rather than leaving the site. He said formerly the water all ran off the parking lot and ran out onto the field and caused significant fungus problems out on fields. He said they were able to catch that water and take it back another direction cutting the runoff from the parking lot significantly.



Mr. Cave said in a lot of the areas they went for vertical relief and most of them have weed fabric under them with very low maintenance. He said they worked a lot on the hillside putting turf on it and put some walls in it. He said it is now one of the preferred seating areas.

Councilmember Suttles asked how old Pioneer Park is.

Mr. Cave said at least 10 years old.

Councilmember Suttles asked if anyone is working on what can be done in park planning before the parks get built. She said it is a really interesting project considering what they had to work with.

Mr. Cave said he knows Vice Chairman Springer has worked a lot on an overall plan for the park and of course Gherald Brownlow did as well. He said when the park was originally constructed was done a budget so a lot of the things weren't incorporated not by ill-intent. He said by using the water quality grant they were able to bring some of these things and make the park look a lot better.

Councilmember Suttles said she thinks 10 years ago they were terribly excited they could get the park much less what could done with it later on. She said this type of project shows that it can be done and probably in 10 years even more can be done with this type of project.

Mr. Cave said there was a rough hillside with erosive damage and an ever-present pond at the bottom. He said on past that on past the large ramada there was a lot of erosive damage down the hill. He said they shaped that back up, put large rock on the hill, used some benches to slow the water coming down, piped some of it, and the water is no longer an open area. He said this was all reseeded with native seed and with a very nice series of thunderstorms about every two weeks, the reseeded did great.

Mr. Cave showed a video of the inline hockey field where they were able to do a pervious pavement parking lot. He said it was an interesting episode and they learned a lot in the process. [Video showed nozzle from water truck running wide open and the wet spot is only three feet in diameter]. He said underneath is an 18 inch gravel bed. He said there are some little check dams that run across it so that the water is held in that stratum, allowing it time to infiltrate. He said it does have an overflow collection drainage area to make sure that if it is more water than it can take it is effectively dealt with. Mr. Cave said they were trying new technology and their own public works director gave them plenty of input. He said they chased the mixed design a bit and finally had to just choose a design and move on. He said all in all, it is now a year and half and there has been no damage. He said it is looking very good. He said it is going to be a great thing and they have had several people now inquiring about the mixed design so they feel they have gotten a lot out of the project with water quality, water smart, and it looks nice.

Councilmember Suttles asked if they have another project out in that area that they are looking at for the same type of thing.

Vice Chairman Springer said not like this.



Chairman Flannery said he wanted to mention that the supporting document was very informative and he was impressed by their ability to clean 95% of the water. He said that is significant and he likes what was done on site but he likes what was done for the water. He said he thinks that is an important step and he wishes they could expand that beyond just this one project.

Mr. Cave said indeed there is 20 acres of paving out there so there is plenty of improvement that can happen in that water. He said they would test the water quality going off the site but it hasn't left yet. He said the in the area below the parking lot there used to a large gully and they know they significantly changed that aspect. He said the documents are all due to Ron Bell in his office who loves this stuff.

Mayor Bunker moved to approve the application for the Pioneer Park Water Quality Project as Water Smart; second by Councilmember Suttles. The motion passed unanimously.

Vice Chairman Springer reminded the Board that as part of this process they agreed they would issue press releases.

Mr. Muccillo said they will be contacting everyone and they will also do some small signs or placards and then contact the owners of the project to let them know they can do a larger sign but at their own cost. He said the Board wants to approve what the design and what they will ultimately look like.

Chairman Flannery said they also would like a notice on the website. He asked who will be doing the press release.

Ms Lorri Carlson said she would make sure that it gets done.

Councilmember Suttles said this is a great start and asked if there is anyone behind them, any other applicants.

Mr. Muccillo said the only other one he is aware of is the Town of Prescott Valley.

Vice Chairman Springer said she thinks there are some others in line to apply, for instance some capital projects for the County.

Mr. Muccillo said with the press release that may stir some more interest.

ITEM NO 6. Discussion & Possible Action – FY 2011 Coalition Budget

Mr. Muccillo said the fifth column is the one they need to look at because that is the project total for Fiscal Year 2010-2011. He said the \$175,000 for last year was based on the Town of Chino Valley's deferment so for this year and the next couple of years Chino Valley will pay their contribution plus one-third of their deferred amount. He said right now they have a tentative grant award with the Bureau of Reclamation and that will offset the capital improvement project but again, that is under negotiation. He said program management should be less than last year because last year had a lot of grant research, grant applications, and other efforts. He said the website number is increased a bit to spruce up the website.



Mr. Muccillo said for the Water Conservation Budget last year the Board approved \$100,000 to get things kicked off. He said they had some upfront printing and development of materials cost. He said they actually spent not quite \$85,000. He said as he mentioned at the last Board meeting they are proposing \$50,000 for the FY 2010-2011 Water Conservation Budget. He said the TAC is proposing \$23,000 under public education, which would include sponsorships, workshops, and media. He said based on the Larson Report regarding water audits, last year they started a self auditing effort of the member facilities. He said they had talked about wanting to make sure their own shop was clean before they started encouraging residents and businesses to get audits. Mr. Muccillo said they have budgeted \$12,000 this year to get started with an audit program. He said they have included a capital project, something along the lines of doing something at a member facility to conserve water or someone might come to the Coalition requesting a small grant to install some type of rainwater harvesting system, or something along those lines. He said in the spirit of the Coalition trying to do projects that is what the capital project is about. He said they have included an operations item and contingencies.

Mr. Muccillo said the last thing is the source Recharge and Source Capture Pilot Project and given the \$300,000 grant there is a lot of in-kind effort on the part of the TAC members and the member entities. He said as far as cash, they are looking at \$430,000 with the \$300,000 grant shown in offset above so right now they are looking at about \$130,000 cash outlay to build that project. He said that leaves pretty much the same for program management for the next two fiscal years with slight increases for water conservation implementation and they are still able to set aside \$50,000 towards a future capital project. He said their strategy has been to save up a little bit and then do a project.

Chairman Flannery asked if the \$130K cash is inclusive of the \$405,000.

Mr. Muccillo said yes, however they are anticipating the capital project will go across the fiscal year in July so the two numbers together are the \$430,000 with \$130,000 in cash and \$300,000 from BOR.

Vice Chairman Springer said she thought they already adopted a budget for this Fiscal Year.

Mr. Muccillo said that is correct but he is trying to keep everyone up to date, for example one thing they had not done was a more detailed Water Conservation program.

Vice Chairman Springer moved to adopt the amended Fiscal Year 2011 Budget; second by Mayor Bunker. The motion passed unanimously.

ITEM NO 7. Discussion & Possible Action – Grant Update

Mr. Muccillo said they were notified by BOR that the UVRWPC was selected for award for the Recharge and Source Capture Pilot Project in an amount up to \$300,000. He said they were obviously very excited when they received the notification, however, he cautions everyone to remember it is not cash in hand yet. He said on their side of the fence there has been some staff turnover, a retirement and staff shuffling. Mr. Muccillo said everything they need has been sent to them in the early stage. He said Program Management is waiting for a letter from BOR indicating what they need for the next step in negotiating the actual grant agreement.



Mr. Muccillo said that everything within the grant is within the budget and the matching funds are available. He said the Board had given the Program Manager and the TAC the autonomy to apply for grants as long as they met two conditions: first, if it is in alignment with what the Board is trying to accomplish and two, it is not outside the budget for matching funds. He said it all looks good but they don't want to count their chickens before they hatch.

Chairman Flannery said he knows this is an exceedingly difficult question to answer and asked if there a time frame for notification of final award.

Mr. Muccillo said he hoped they would know by the November Board Meeting. He said normally it would be by the end of the fiscal year but the BOR has indicated that is not going to happen. He said the Coalition can use the time for taking this before the Town of Prescott Valley Town Council to officially approve receiving the grant funds since they are the fiscal agent for the Coalition.

Mr. Mechanic said he is trying to get a copy of the application so they know what is being applied for. He said for some reason the application is not available to the public. He said the application explains what the project is, gives some details about how much it will cost, and gives some details about where the matching will come from. He said he does not know if the Board has seen it but if they are going to be approving a grant it seems like they at least should see the application. Mr. Mechanic said the real point is the public should be able to see what they are applying for, what are the specifics behind the project, and he thinks they should err on the side of public transparency. He said if there is a good reason to keep something secret from the public then he is all for it. He said this has been discussed at the TAC meeting and there wasn't really a good reason given. He said the person who is contracted to do grants stated that she did not want people to find out her techniques in applying for grants. Mr. Mechanic said as he explained to her at the meeting, if this grant is approved, then the application will be made public. He asked why isn't it made public before while there is a consideration of the issue and why this is being held from the public.

Chairman Flannery said his understanding is that it is a work in progress. He said first, the Coalition is contracted with private entities to do this. He said it is actually the work product of private entities. He said secondly, as it progresses through this process then they are responsible for putting together this package and the Board has given some leeway for that. He said regarding the specifics of it, he does not know that and some people have privilege to that. He said once it is no longer classified as a working document then it will become public. He said especially in today's environment this is a highly competitive process and to believe making it public during the process would not be harmful is somewhat naïve because quite frankly, making that public now would harm the possibilities of getting the grant.

Mr. Mechanic said this has been discussed for probably a year and he thinks that anybody knows the generalities of it, he wants more specifics of it, and he does not think it is going to harm the Coalition. He said when it is finished and when it is released they will see what kind of damage it would have caused the Coalition. He said he doesn't think there is anything in there the document that would hurt the Coalition at this time. Mr. Mechanic said Chairman Flannery stated the application is by a contracted party. He said actually, this is an application by the municipality of Prescott Valley and as Chairman Flannery knows the Town of Prescott Valley applied for the grant and it is not a work



product. He said this is a completed application he is asking for; a completed application that was sent to another governmental entity.

Mr. Mechanic said he thinks that the Coalition is being asked to match \$300,000 and they are seeing \$130,000 but they are not seeing the other \$170,000. He said that would be a concern and maybe Chairman Flannery does not have a concern and that they will find that \$170,000 later to match. He said he thinks they should not be matching a grant unless they know how they are going to match it. He said that was asked for in the application and he does not see why that should be secret.

Chairman Flannery said he does not think it was secret and that it has been discussed there and it was discussed right now. He said he thinks they said \$130,000 cash and \$170,000 in-kind and he does not know what is difficult about that.

Mr. Mechanic said he wants to know what the in-kind specifically means.

Mr. Muccillo said something he neglected to add is there has been cash to date expended to get the project to the point it is and that also can apply toward the match.

Mr. John Munderloh said they are in the process of creating a draft contract which will have a draft scope of work and budget for the Board's review and acceptance that will at that time be available to all members of the public for review and comment in public meeting. He said there is no attempt to keep things secret.

Chairman Flannery said Mr. Mechanic said something that he does not think he was aware of and asked if the Town of Prescott Valley Town Council would have to approve the grant application in order for it to be complete. He asked if that is factual.

Mr. Munderloh said the Council as fiscal agent adheres to the Town of Prescott Valley's rules for grant application. He said the Council has approved that the application move forward but there was no application in the packet for approval, so its approval of the process not approval of the document.

Chairman Flannery asked if that is also confirming that the Town of Prescott Valley serves as the fiscal agent for the Coalition.

Mr. Munderloh said that is correct.

Ms. Joanna Dodder said she is confused about what is tentative about this because she has a copy of the announcement from the Bureau of Reclamation saying the Coalition has the grant. She said she left a message with B&N but probably after they left trying to get a copy of the application, too. She said she has never heard anyone tell her she could not have a copy of something like that and she is confused as well.

Mr. Muccillo said it is a draft and there are a lot of documents within that application that are really draft. He said he can almost guarantee they will change when they manifest themselves in the final agreement with BOR. He said numbers will change and there things that will change. He said like any public entity negotiating a contract for any service or product until it is signed it isn't final. He said the Coalition could choose not to sign it or they could impose a term on the Coalition that just cannot be accepted.



Ms. Dodder said the application is final and it is not a draft application, therefore it is a public document. She said it is an application from public agency. She said she has never heard anyone use that argument before and she needed to tell people about it.

Mr. Zambrano said just about all of them are very hopeful and would like to see that the macro rainwater harvesting can be a partial solution to their overdraft. He said the problem he has is there is no way for me and for any engineer to evaluate the design of the pilot project. He said there is no engineering report that supports it and there is no report that presents the key design features such as literature evaluations, parameters to be evaluated, and issues such as legal and environmental, and even things like maintenance. He said Civiltec has been doing this project basically for free and they have not been supported by any significant funding. He said he commends them for the work they are doing and they really are trying hard to come up with a project but they lack the engineering design of that pilot project. Mr. Zambrano said his concern is that they go down this line and they come up with a potential they can't design a full scale project or they design something that does not work. He said first of all, if macro harvesting can get them something like 4500 acre feet per year, which he guesses is in the grant application, the Coalition ought to be spending millions of dollars on evaluating this project and coming up with a good engineering design. He said if they were to go their engineering staff and ask them the question if this is a well designed pilot project he does not believe they could answer that question. He said all they have seen so far are power points, which are not engineering reports, and they have seen design drawings, which do not tell them much about how the design came about. Mr. Zambrano said he thinks the Board needs to spend a lot more money on evaluating this project if they are going to hang their hat on this as a significant solution to the overdraft.

Chairman Flannery asked if there is anybody there willing to hang their hat on this as a solution to overdraft.

Mr. Muccillo said no, but he can address all of those statements.

Vice Chairman Springer said she tried to contain herself but she just can't any longer. She said they have had remarks over and over again about the failure of this Board taking action regarding the report from the Safe Yield Committee and yet the results of that year and a half of work came up with a conclusion that they needed to somehow create some kind of a political entity of some kind. She said the charge to that committee was to come up with a way to achieve Safe Yield. She said that report ended up not creating one drop of water toward recharge, not one. Vice Chairman Springer said it was politic; it didn't create one drop of new water for recharge. She said now they have a project going by qualified engineers with degrees and little engineer stamps that are working on a pilot project and now they hear others pooh poohing their qualifications to do a pilot project that actually may result in some progress toward achieving safe yield, in others words putting real water back in the ground. She said she is offended by Mr. Mechanic and Mr. Zambrano for continuing to critique and criticize the actions of this Board. She said she thinks that individually each one of the entities that are participating as membership in this Board is working not only collectively through the Board but independently on their own in their own projects. She said she knows of many projects, that the Town of Prescott Valley for instance has done in order to do a lot of detention, collection of water that ultimately will end up in recharge. Vice Chairman Springer said they are not measuring that but still it is going to have a real result. She said Prescott is doing the same thing and that Chino Valley has been extremely active in individually



working on project. She said she is getting a little ticked at the continual criticisms of what the membership of this Board has been doing to achieve the goal that they all would like, which is safe yield. She said she is tired of in effect their saying if it is not done their way it is not the right way. She said they are all working toward the same goal and she would appreciate a little bit more consideration of that fact.

Mr. Zambrano said he thinks her comments went beyond what he was talking about. He said he was talking about the macro rainwater harvesting project, not what Prescott Valley is doing, and not what Prescott is doing on their own for conservation or other aspects. He said she is going beyond what he was talking about and frankly, he cannot really address that because he doesn't know exactly what she is talking about. Mr. Zambrano said he did not pooch pooch the qualifications of Civiltec, rather what he said was that they are working hard but they are working on the cheap; they are working without any funding. He said as a result, they are not getting the engineering documentation that is needed to know whether they have a feasible or viable project. He said they are not spending the money on it. He said simply conducting discussions about it is not engineering. Mr. Zambrano said he has reviewed countless numbers of engineering reports and they do not have an engineering report. He said he challenges them to ask their engineering staff if they can tell the Board about the feasibility of the macro rainwater harvesting pilot project. He said they can't do it. He said there is no engineering documentation of it. He said that is the only point he is trying to make and if Vice Chairman Springer is ticked off at that then fine, you're ticked off at that. He said he is ticked off at the fact that the Board is not doing the proper evaluation they need to solve safe yield.

Vice Chairman Springer said no, they are just not doing it the way Mr. Zambrano would have it done.

Mr. Zambrano said this is his opinion and he is part of the public and they are getting that opinion on the record and he would love it to be in the newspaper.

Mr. Muccillo asked if he can address that because he is a little ticked off, too.

Chairman Flannery said lets all take it down a little and yes he can express his views.

Mr. Muccillo said these are not his views, they are the facts. He said this is a pilot project that Civiltec was paid to do a 90% design of a pilot project. He said with a pilot project, in the civil engineering world, the report comes after the project is built. He said the reason they are building this on a pilot scale, pilot meaning small, is if it works and they get the results they want it can be expanded to a large scale. He said beyond that, Civiltec invited many groups of people from the public to their office to display this project, to review it, that they did not have to do at their cost. He said those are facts that surround this that are not refutable.

Mr. Zambrano said it is nice of Mr. Muccillo to defend the people who are paying them but pilot projects need to be designed as well as full scale projects and this pilot project has not been documented. He said Civiltec has been working for free, he talked to Doug McMillan and he has put in countless hours. He said he has asked Mr. McMillan why there isn't an engineering report and his answer was he would like to do one.



Mr. Muccillo said he has not been working for free and he will do an engineering report when it's done but right now it is 90% design.

Mr. Zambrano said Mr. Muccillo cannot tell him the design parameters for that report or that project and he cannot tell him about the environmental aspects, the legal aspects, the maintenance aspects. He said there is no literature evaluation that has been presented that has been presented to the public to know whether this is a feasible design. He said Mr. Muccillo does not have that information. Mr. Zambrano said they have had PowerPoint presentations asked if he can walk into his boss and say I got a PowerPoint and this project is going to be designed based on the PowerPoint presentation.

Mr. Muccillo said he would rather see drawings. He said all he can repeat is that in a pilot project the report comes after.

Mr. Zambrano said he also has a civil engineer with a license to practice in New York since 1968, he has reviewed countless engineering reports, he has prepared engineering reports, and you need an engineering report if you are going to try to get 4500 acre feet per year they ought to be spending millions of dollars evaluating that.

Mayor Bunker said in all respect he wondered if Mr. Zambrano has paid attention to municipal budgets lately but they don't have millions of dollars and they are not going to have it for a few years. He said at least this is a start and it is something they can do and analyze. He said he thinks Mr. Zambrano needs to recognize that a lot of people want to see something before they move ahead and within the limits of the budget they have they are trying to move forward and get something done, move forward rather than sit around and wait until that day when they can spend millions of dollars, if it appears this might be a viable solution. He said at that point they probably will need to do that for engineering to really make it work but at this point a lot of people want to see a test and see if the idea will work. He said before they commit to a big scale project he thinks a lot of those concerns are very valid and they ought to address it before they move into millions of dollars.

Chairman Flannery said he takes at heart the comment that the Board they have conducted a lot of open presentations on this and he guesses he is a little confused why all of the sudden the concern over the documents, why that is such a huge concern right now rather than along the way. He said it does smatter and he has some concerns over that. He said in earnest they are trying to move forward with it and it is upsetting that it seems to be a small group who wants to challenge that when they claim they are in favor of safe yield.

ITEM NO 8. Discussion & Possible Action – Next Meeting Time / Location / Agenda Items

Mr. Muccillo said the next two meetings are Wednesday October 13 for the next regularly scheduled TAC meeting and that would be 1:00 p.m. at the Yavapai County Administration Building and the next regularly scheduled Board meeting is November 24th, the day before Thanksgiving. He asked if it is still ok to do that. The consensus was yes, it is fine.

He said the agenda items they are hoping will include the grant and recharge project and an update on Water Conservation efforts. He said if they get a Water Smart application between now and then that would be on there as well.



Chairman Flannery said there has been a request to have the Safe Yield Report on the agenda and asked the Board if they want to have a discussion regarding that report.

Vice Chairman Springer said she does not and she thinks they have had enough discussions on that for awhile. She said it has been discussed at every council and it has been discussed here numerous times and she does not see any reason continuing to beat that dead horse. She said if they want to consider it dead dead, that's fine but it isn't. She said they have chosen to not take any action on it yet but she is getting tired of continually being hit over the head about it.

Mayor Bunker said he would still like to discuss the concept of it but if Supervisor Springer would like to wait awhile that is fine with him and they can push that off until early next year.

ITEM NO 9. Meeting adjourned at 3:09 p.m.

DRAFT



September 22, 2010

CONTACT: John Zambrano, 708-1660 or jzam@cableone.net

Statement to Upper Verde River Watershed Protection Coalition on Safe Yield Report

Good afternoon. My name is John Zambrano. I live at 2910 W Crestview Drive in Prescott. I am President of the Citizens Water Advocacy Group and I am speaking on its behalf. I have a statement I would like to read.

When Safe Yield was proposed to be added to the mission of the Coalition nearly three years ago, one elected official voting in support looked at the audience and said rhetorically "Who's against Safe Yield?"

It seems to me that every official is for safe yield, except when critical and possibly unpopular action is needed.

It is an understatement to say that CWAG is disappointed at the implicit rejection of the Safe Yield report's recommendation for the mere investigation, let me repeat, mere investigation of a replenishment district.

We hear a statement like "We don't want another layer of government." But Safe Yield is a regional issue, and because it is a complex issue, it does require a regional and specialized entity to find and fund a solution.

And we hear a statement like "We don't want any more taxes" But it is going to cost plenty to achieve safe yield and the money should come from the current users. Who else should pay?

The Safe Yield Committee that prepared the report was composed of your technical staff and representatives of interest groups including CWAG. The report and its recommendation are a consensus document. Let me emphasize, however, the committee was led by the technical staff of your governments. It was your staff that most strongly advocated for the direction of a replenishment district.

It looks like this Safe yield report will sit on a shelf and collect dust like the Groundwater Users Advisory Council report that preceded it.

Now that a replenishment district is not going to be studied, what is your next step? While we wait, the water level in the aquifer continues to decline. More wells will go dry. Our springs will yield less

flow and we risk subsidence of the ground under our feet that can damage structures such as buildings and roads.

We hear a lot about not saddling the next generation with our national debt. Is it fair to saddle them with our water debt?

We need you to establish a safe yield plan, and we need it soon. Tell us how you will do it.

Thank you.