



## Worst Water Bills on the Agenda -- and other bad ideas!



A portion of the crowd at Environmental Day at the Capitol photo by Mark Coryell. Look for more photos soon.

January 27, 2024

Hi all!

I'm sorry this did not get to you on Friday. There were too many bills to review and we got a little behind with Environmental Day at the Capitol. Speaking of which, thank you to everyone who participated in Environmental Day. We started off with a little rain, but that did not dampen the enthusiasm. There were around 300 people and 45 organizations (see a full list of the groups [here](#)) who participated with lots of great speakers, tablers, and meetings with

legislators. If you missed this year, we hope you can join in 2025 and don't hesitate to come down to the Capitol another day. Below is information on the Arizona Voting Rights Coalition kick-off next week. Check it out! We'll be there!

This week at the Arizona Legislature was interesting and disturbing. It seems ultra clear that the majority is not planning to address the serious water issues we have as they continue to move bills that create loopholes and none that close them. In the House Natural Resources, Energy, and Water Committee, they even removed Rep. Kolodin from the Committee as he had dared to vote against one of the chair's bills and had raised concerns about others. He is no longer on the committee and will not be replaced.

Speaking of water, Governor Hobbs made good on her promise to act on groundwater if the Arizona Legislature did not. The Governor has begun the process to establish an active management area -- an area where groundwater pumping is limited -- in Gila Bend. Join a hearing and speak up in support of limiting pumping! Here are the details.

**Informal Public Meeting on designating the Gila Bend Groundwater Basin as a subsequent Active Management Area.**

**Tuesday, January 30, 2024  
6:00pm – 8:00pm  
Hybrid (in-person and virtually)  
Arizona Department of Water Resources  
1110 W. Washington Street, Suite 310  
Conference Room 3175A-B  
Phoenix, AZ 85007**

**<https://adwr.info/3HrqgG7>  
Join by phone  
+1-415-655-0001 US Toll  
Access code: 2537 108 1693**

This week in the Senate, they began to advance a bill to tax solar electricity generation, SB1066. Its twin is up in the House next week, HB2281. Be sure to sign in against it.

We also saw another legislator resign. Rep. Jennifer Longdon stepped down for a new job opportunity. This Legislature has seen more legislators leave or be removed than any other in recent history and there are likely more to come. This should tell us there is a problem with these bodies and point to the need to reform, including paying better so working people can more easily serve.

If you have not created an account on the [Request to Speak system](#), I encourage you to do so. Just set it up and then come to the Capitol to activate it or have me do so for you. After that, you can sign in for and against bills each week and it does make a difference. **This week, please sign in to oppose SB1011, SB1147, SB1153, SB1167, SB1172, SCR1012, and HB2006, HB2008, HB2014, HB2015, HB2057, HB2062, HB2101, HB2200, HB2201, HB2281, HB2366, HB2368, HB2471, HB2472, and HB2589. Support SB1176, HB2007, and HB2482.**

You can see more bills we are tracking [here](#).

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RSVP for Voting Rights News Conference Here

**AZ Voting Rights Coalition Legislative Kick Off**  
**Thursday, February 1st**  
**Noon**  
**AZ State Capitol**  
**Rose Garden**

Arizonans deserve policies that protect their right to vote! Join the Arizona Voting Rights Coalition on Thursday, February 1, 2024 from 12pm-1pm at the Rose Garden at the Arizona State Capitol for the 2024 Legislative Kick Off, to demand that our state legislators protect voters this year! Protecting voting rights must be a top legislative priority. We cannot have a healthy environment without a healthy democracy.

**For more information, reach out to Sandy Bahr at [sandy.bahr@sierraclub.org](mailto:sandy.bahr@sierraclub.org).**

Many thanks for all that you do!

All the best,

Sandy Bahr  
 Chapter Director  
 Sierra Club - Grand Canyon Chapter

**Coming Up This Week at the AZ Legislature**



Historic Capitol courtesy of Sandy Bahr

## Monday, January 29th

### Land, Agriculture, & Rural Affairs Committee at 2:00PM in HHR3

[Members of the public may access a livestream of the meeting here.](#)

- [HB2006 real estate; acting in concert](#) (Griffin) weakens the provisions for demonstrating that someone is acting in concert to avoid being regulated as a subdivision and having to do things such as providing an assured or adequate water supply. **OPPOSE**
- [HB2007 subdivided lands; civil penalties](#) (Griffin) says a civil penalty for a subdivider or agent who engages in unlawful practice with respect to the sale or lease of subdivided lands applies to each lot where a violation occurs rather than all of the lots combined. This is positive relative to enforcement. **SUPPORT**
- [HB2009 subdivisions; acting in concert](#) (Griffin) says it's unlawful for a person to attempt to avoid statutory requirements related to subdivision of lands by acting in concert to divide within a 10-year period a parcel of land or lease or sell six or more subdivision lots by using a series of owners or any other methods. **WATCH**
- [HB2023 land divisions; disclosure affidavit; recording](#) (Griffin) modifies the information required to be included in an affidavit of disclosure to include: information on water supplies; leased or owned battery energy storage devices; and whether the seller is a trustee, personal representative of an estate or conducting a mortgage foreclosure. It explains that attempting to avoid subdivision laws by acting in concert to divide a parcel into six or more lots may trigger an investigation by the Real Estate Department. **WATCH**
- [HB2059 contiguous real estate; definition](#) (Griffin) changes the definition of contiguous parcels to include lands divided by a private road, but not land divided by a public road. **WATCH**
- [HB2101 land division; applicant submissions; review](#) (Griffin) requires an application to split a parcel of land to be approved if the applicant provides an answer to two questions regarding the applicant's ownership status of any property that is in the same tax parcel map or subdivision as the lots that are the subject of the application. This will result in approval of more lots splits and more infrastructure issues. **OPPOSE**
- [HB2129 improved lot or parcel; definition](#) (Griffin) modifies the definition of improved lot or parcel to include a condominium that is completely constructed within four years of the subdivider entering a contract for sale. **WATCH**

### Senate Transportation, Technology, & Missing Children Committee at 2:00 PM in SHR2

[Members of the public may access a livestream of the meeting here.](#)

- [SB1011 general plan; transportation; independent study](#) (Hoffman: Wadsack, Heap, et al) prohibits cities from reducing system capacity for vehicles, meaning they could not take out a lane and provide a bike lane and pedestrian access. It also removes the bicycle element for general plans for larger cities and takes out provisions relating to multi-modal transportation from the growth element of a general plan. This was defeated in committee this week, but apparently they will be reconsidering it. **OPPOSE**



- [SB1055 off-highway vehicle study committee; extension](#) (Kerr) continues this study committee until May 31, 2025. This is fine.

### House Military Affairs & Public Safety at 2:00 PM in HHR1

[Members of the public may access a livestream of the meeting here.](#)

- [HB2193 appropriation; fire suppression mitigation projects](#) (Cook) allows the state forester to incur liability of up to \$35 million for mitigation projects related to post-fire flooding and other damage after a fire. **WATCH**

### Senate Committee on Finance & Commerce at 2:05 PM in SHR109

[Members of the public may access a livestream of the meeting here.](#)

- [SB1167 social credit; discrimination; financial services](#) (Kavanagh) prohibits financial institutions such as banks from using a social credit score to make determinations about services. **OPPOSE**

## Tuesday, January 30th

### House Natural Resources, Energy, and Water Committee at 2:00 PM in House Hearing Room (HHR) 1

[Members of the public may access a livestream of the meeting here.](#)

- [HB2008 commercial; industrial; conservation requirements; rules](#) (Griffin) requires the Arizona Department of Water Resources (ADWR) Director to adopt rules by January 1, 2025, for active management areas (AMA) for commercial and industrial water users that provide for greater water efficiency, conservation and on-site water reuse and recycling. However, it prohibits the rules from requiring them to obtain a certificate of assured water supply or otherwise meet a statutory replenishment obligation. **OPPOSE**
- [HB2011 lottery; water infrastructure finance authority](#) (Griffin) appropriates \$50 million to the Water Infrastructure Finance Authority with \$25 million to the Water Supply Development Revolving Fund and \$25 million to the Water Conservation Grant Fund. **WATCH**
- [HB2014 wells; intention to drill; appropriation](#) (Griffin) requires an audit of all notices of intent to drill and appropriates an unspecified amount to do so. This will slow down actions on limiting groundwater pumping. **OPPOSE**
- [HB2015 subsequent water management areas; basins](#) (Griffin) says a groundwater basin or subbasin may be designated as an Active Management Area (AMA) or Irrigation Non-Expansion (INA) upon petition by 10% of registered voters who receive their drinking water from that groundwater basin or subbasin. This would likely make it more difficult to establish these. **OPPOSE**
- [HB2057 appropriation; long-term water augmentation fund](#) (Dunn) appropriates \$143.8 million to the Long Term Water Augmentation Fund. This is just for out of state projects. **OPPOSE**
- [HB2062 assured water supply; certificate; model](#) (Griffin) requires the Arizona Department of Water Resources (ADWR) to review the merits of an application for a certificate of assured water supply in the Phoenix active management area (AMA) and issue a new written determination of action within 15 days if certain criteria are met. **OPPOSE**
- [HB2184 brackish groundwater pilot program](#) (Smith: Kolodin) allocates \$2 million of the Pilot Program for a demonstration program in Arizona rather than Arizona's active management areas. **WATCH**
- [HB2200 groundwater transportation; Harquahala nonexpansion area](#) (Dunn: Griffin) allows private entities to import water from the Harquahala Irrigation Nonexpansion Area into the Phoenix and Pinal AMAs. **OPPOSE**
- [HB2201 Harquahala non-expansion area; groundwater transportation](#) (Dunn: Griffin) allows groundwater to be transported from the Harquahala Irrigation Non-expansion Area to any location in La Paz County and adds private entities to the list of those who can do so. **OPPOSE**
- [HB2281 solar royalties fund; county residents](#) (Biasiucci: Dunn, Gillette, et al) requires counties to establish a royalties fund for solar, basically imposing a special tax on solar electricity generation. **OPPOSE**

- [HB2366 physical availability; review; designated providers](#) (Griffin) prohibits the Arizona Department of Water Resources (ADWR) Director from using the Pinal AMA method of calculating the physical availability of groundwater to a municipality in the Phoenix AMA that has an assured water supply designation. Requires ADWR Director to review the physical availability of groundwater and stored water of each municipality in the Phoenix AMA with an assured water supply designation. This is an attempt to stop enforcement of the Groundwater Management Act and to create more loopholes, the last thing we need. **OPPOSE**
- [HB2368 transportation; groundwater; Douglas AMA](#) (Griffin) allows a private water company to annually withdraw groundwater from the Upper San Pedro Groundwater Basin for transportation to the Douglas active management area (AMA) for municipal purposes. **OPPOSE**
- [HB2370 oxygenated fuel; federal approval; extension](#) (Griffin) extends the deadline by which the Environmental Protection Agency (EPA) must approve the state implementation plan provision that allows for a gasoline blend other than an ethanol blend. The EPA can only approve this if it is consistent with the Clean Air Act and protecting public health. **WATCH**
- [HB2589 assured water supply; analysis; availability](#) (Dunn) establishes criteria for the Arizona Department of Water Resources (ADWR) Director to accept an analysis of assured water supply as a valid demonstration of physical availability of groundwater to meet the estimated demand of a proposed development. This pokes more holes in the groundwater management act and assured water supply requirements. **OPPOSE**

### Wednesday, January 31st

#### Senate Committee on Government at 9:00 AM in SHR1

[Members of the public may access a livestream of the meeting here.](#)

- [SB1153 regulatory costs; rulemaking; legislative ratification](#) (Kern: Hoffman, Rogers, et al) prohibits a proposed rule from becoming effective, if the proposed rule is estimated to increase regulatory costs by more than \$500,000 within five years after implementation, until the Legislature enacts legislation ratifying the proposed rule. **OPPOSE**
- [SCR1012 rulemaking; legislative ratification; regulatory costs](#) (Kern: Hoffman, Rogers, et al) refers the provisions of SB1153 to the ballot. **OPPOSE**

#### House Municipal Oversight & Elections at 2:00 PM in HHR4

[Members of the public may access a livestream of the meeting here.](#)

- [HB2472 election contests; procedures](#) (McGarr: Hendrix, Jones, et al) allows any voter to challenge the election due to a break in chain of custody on ballots inconsistent signatures or information on early ballots, and includes a lot of other election conspiracy theory provisions. Gives parties the right to physically examine all physical ballots and images, early ballot envelopes, and voter registration records. This is unnecessary, unwieldy, and would risk voter privacy, plus challenge a lot of votes that are otherwise fine. **OPPOSE**
- [HB2474 new party recognition; signatures; circulators](#) (Kolodin: McGarr, Rogers) erects additional hurdles for collecting signatures for a new party. It is already difficult. It seems wrong to make it even more so.
- [HB2482 voter registration changes; text notice](#) (Parker B) requires county recorders to notify people either via text or in writing if they make any changes to their voting records and provide them with information on how they can check their record and make any changes needed. This is a good transparency measure and a service to voters. **SUPPORT**
- [HB2585 military poll workers; party representatives](#) (Gillette: Biasiucci) allows the appointment of military members and their family as poll workers without respect to whether they are registered to vote in Arizona. **WATCH**
- [HB2590 voter registration database; updates; counties](#) (Dunn: Biasiucci, Carbone, et al) requires counties to participate in the statewide voter database and eliminates reference to the Help America Vote Act. **WATCH**

**House Transportation & Infrastructure at 2:00 PM in HHR3**

[Members of the public may access a livestream of the meeting here.](#)

- [HB2412 appropriations; highway and road projects](#) (Cook: Carbone, A Hernandez, et al.) appropriates a lot of money to large number of road paving and widening projects. All of this will be decided in the budget. **WATCH**

**House Regulatory Affairs Committee at 2:00 PM in HHR5**

[Members of the public may access a livestream of the meeting here.](#)

- [HB2471 rulemaking; legislative approval](#) (McGarr: Chaplik, Hendrix, et al) requires all rules to be approved by a majority of each House of the Arizona Legislatures. If they are not, the rules are invalid. This is another measure to tie the hands of agencies and would affect important rules regarding air, water, wildlife, and more. There also may be a separation of powers issue with this. **OPPOSE**

**Thursday, February 1st****Senate Natural Resources. Energy, Water Committee at 9:00 AM in SHR2.**

[Members of the public may access a livestream of the meeting here.](#)

- [SB1064 gasoline formulations; air quality](#). (Wadsack: Bolick, Borrelli, et al) allows for other fuel formulations to be sold in areas with poor air quality and allows the Senate President and Speaker of the House to petition the Arizona Department of Environmental Quality to seek permission for selling these alternative formulations from the Environmental Protection Agency (EPA). The bill includes a conditional enactment, meaning they do not take effect unless EPA approves them. While I wish they would worry more about air quality and the health of people in these areas, EPA cannot approve these if they allow backsliding on air quality. The Clean Air Act is clear on that. **WATCH**
- [SB1079 state land auctions; electronic means](#) (Kerr: Carroll, Diaz, et al) allows the Arizona State Land Department to accept bids for state trust lands via electronic means during a public auction. **WATCH**
- [SB1147 livestock compensation; appropriation](#) (Kern: Wadsack, Heap) appropriates \$250,000 for the livestock compensation fund to reward irresponsible livestock interests when a wolf kills or harms any of their livestock. **OPPOSE**
- [SB1172 physical availability credits; water supply](#) (Shope) allows a landowner who has an irrigation grandfathered right in an active management area to retire the land from irrigation, but retain a physical availability credit to non-irrigation use of the land. I don't see how this reduces groundwater pumping and therefore we are opposed to it. **OPPOSE**
- [SB1176 appropriation; Arizona trail fund](#) (Gowan: Diaz) appropriates \$250,000 for the Arizona Trail Fund. **SUPPORT**
- [SB1181 groundwater replenishment; member lands; areas](#) (Petersen) relates to replenishments obligations on Central Arizona Groundwater District member lands. I am still reviewing it, but for now will put it on our watch list. I have a feeling it is not a water conservation measure, however. **WATCH**

**Appropriations Subcommittee on Budgetary Funding Formulas at 9:00 AM in HHR3**

[Members of the public may access a livestream of the meeting here.](#)

- Electric Vehicles and Road Funding
  - Arizona Department of Transportation
  - American Transportation Research Institute

**Appropriations Subcommittee on Fiscal Accountability at 9:00 AM in HHR4**

[Members of the public may access a livestream of the meeting here.](#)

- Water Infrastructure Finance Authority

