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COOPERATIVE EXTENSION

## Natural Resource Users Law & Policy Center

A collaboration between the  
James E. Rogers College of Law and  
the College of Agriculture & Life Sciences

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### Memorandum

To: George Ruyle  
Co-Director, Center for Natural Resource Users Law and Policy Center  
University of Arizona

From: Jeff Eisenberg, Consultant

Subject: **Water Activity in the Arizona Legislature**

Arizona's 55<sup>th</sup> Legislature, 2<sup>nd</sup> session, has been very active in the area of water management which is understandable given the ever diminishing supply of ground and surface water in the State for rural and municipal uses. Only the most important of these initiatives will be touched on here.

Chairwoman Gail Griffin introduced HB 2836 which authorized the creation of temporary irrigation non-expansion areas (TINAs). TINAs only come into existence if the local population votes for their creation. Once created the drilling of new wells is suspended for five years after which the TINA expires and well-drilling can resume.

This is an important initiative as ground water tables are receding in many areas of the state. Other legislators did not view the initiative as doing enough to conserve water. Chairwoman Regina Cobb has for several years introduced legislation to create water management areas in rural parts of the state that appropriately enough are known as Rural Management Areas (RMAs). Greater state regulation of groundwater in rural areas would be possible under the RMAs, much like is currently the case under Active Management Areas. When HB 2836 was heard in Committee, Chairwoman Cobb succeeded in getting her approach to water management amended onto the bill with bipartisan support. Chairwoman Griffin then tabled her bill for the year.

Public opinion is divided in the state over whether the State should be regulating groundwater. Historically, the State has had a pro-growth culture that sought to minimize government regulation. The persistence of drought and decrease of the water supply are undeniable facts that may affect this mindset. Currently, Republicans hold a close two-seat margin in both the State Senate and House of Representatives. The balance of political power may be shifting in the state towards greater concern for resource values.

Management of water is in fact getting more attention. Governor Ducey announced in his State of the State speech in January a legacy proposal to invest \$1 billion in programs to create new sources of water, from better managed recharge areas or sources such as desalinated, recycled or harvested water, and to do more to conserve the existing supplies. Legislation has been introduced to implement the proposal. It is expected a program will be enacted before the legislature adjourns, which at this time could be at the end of April.