



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2018: subsequent irrigation non-expansion area; removal

Sponsor: Representative Griffin, LD 19

Committee on Natural Resources, Energy & Water

Overview

Authorizes the Arizona Department of Water Resources (ADWR) to remove a subsequent irrigation non-expansion areas (INA) designation based on specified criteria.

History

The Groundwater Management Code (Code) was enacted in 1980 and established the statutory framework to regulate and control the use of groundwater. As part of the management framework, the Code initially designated four active management areas and two INAs in the state where groundwater overdraft was most severe. Currently, there are three INAs: Joseph City, Harquahala, and Hualapai Valley (A.R.S. §§ [45-431](#), [45-554](#))(SOS).

The ADWR Director can designate a subsequent INA upon determination that a geographic area that consists of one or more groundwater basins or subbasins not within an AMA meets the criteria for INA designation. Additionally, the designation of a subsequent INA may be initiated by a petition submitted to the ADWR Director that is either signed by at least:

- 1) 25 irrigation groundwater users or one-fourth of the irrigation groundwater users in the groundwater basin or sub-basin; or
- 2) 10% of the registered voters residing within the boundaries of the groundwater basin or sub-basin (A.R.S. §§ [45-432](#), [45-433](#)).

Upon receipt of a petition, the ADWR Director must transmit to each county recorder: 1) the petition in which the groundwater basin or sub-basin is located for verification of signatures; 2) a map of the groundwater basin or sub-basin; and 3) all other factual data concerning the boundaries of the groundwater basin or sub-basin that may aid the county recorder in the determination of which registered voters of the county are residents of the groundwater basin or sub-basins ([A.R.S. § 45-433](#)).

Provisions

1. Requires the ADWR Director to periodically review all areas that are included within a subsequent INA to determine whether the areas continue to meet the criteria for INA designation. (Sec. 1)
2. Allows the ADWR Director to remove the subsequent INA designation if the ADWR Director determines the area no longer meets specified criteria. (Sec. 1)
3. Adds that a groundwater basin or subbasin, not included within an initial INA, may be designated as an INA upon petition of 10% of registered voters who receive their drinking water from the groundwater basin or subbasin. (Sec. 2)

4. Requires the applicant for the petition to be a resident of the groundwater basin or subbasin and receive their drinking water from the groundwater basin or subbasin. (Sec. 2)
5. Allows a subsequent INA to be removed by the ADWR Director or by a petition to the ADWR Director that is either signed by at least:
 - a) 25 irrigation users of groundwater or one-fourth of the irrigation users of groundwater in the groundwater basin or subbasin; or
 - b) 10% of the registered voters residing within the boundaries of the subsequent INA basin or subbasin and a subsequent election held pursuant to the general election laws. (Sec. 2)
6. Requires the petition to be in the same form as initiative petitions and specifies applicants must comply with the form and procedure requirements for initiative petitions. (Sec. 2)
7. States that if a groundwater basin is located in two or more counties, the petition must be signed by 10% of registered voters who reside within the boundaries of the groundwater basin or subbasin and receive their drinking water from the groundwater basin or subbasin. (Sec. 2)
8. Instructs the ADWR Director to transmit to the county recorder all materials that can aid the county recorder in determining who are eligible voters or petitioners, including a map of the residences that receive drinking water from the groundwater basin or subbasin. (Sec. 2)
9. Requires the ADWR Director hold a public hearing, if a subsequent INA no longer meets the criteria, to consider:
 - a) whether to remove a subsequent INA designation; or
 - b) any boundary modification of a subsequent INA. (Sec. 3)
10. Instructs the ADWR Director to give reasonable notice of the hearing by publication weekly for two weeks in a newspaper in each county which the current designated subsequent INA is located. (Sec. 3)
11. Requires the notice to contain a map clearly identifying and describing all lands to be removed from the currently designated subsequent INA. (Sec. 3)
12. States the hearing must be held at a location within the currently designated subsequent INA not less than 30 days but not more than 60 days after the first publication of the notice. (Sec. 3)
13. States that if the ADWR Director decides to remove an area from a subsequent INA then the ADWR must make and file an order designating an area as outside of an INA. (Sec. 4)
14. States a map identifying the lands removed from the INA are public records of ADWR and must be available to the public. (Sec. 4)
15. Makes technical and conforming changes. (Sec. 1-3)

<input type="checkbox"/> Prop 105 (45 votes) <input type="checkbox"/> Prop 108 (40 votes) <input type="checkbox"/> Emergency (40 votes) <input type="checkbox"/> Fiscal Note
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