



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

VETOED

FACT SHEET FOR H.B. 2019

groundwater model; public inspection; challenge

Purpose

Requires the Arizona Department of Water Resources (ADWR) to make available any hydrologic modeling that ADWR uses to determine projected groundwater levels for the purposes of evaluating an application for a certificate or designation of assured water supply, including the hydrologic model's findings, conclusions, methods and assumptions.

Background

For an application for a certificate of assured water supply, if groundwater is a proposed source of water, the applicant must submit a copy of a hydrological study on the groundwater resources that demonstrates an assured supply for the proposed use with the application. The Director of ADWR must prescribe the contents of the study which is to be submitted with the application ([A.R.S. § 45-577](#)).

Assured water supply means that: 1) sufficient groundwater, surface water or effluent of adequate quality will be continuously available to satisfy the water needs of the proposed use for at least 100 years; 2) the projected groundwater use is consistent with the management plan and achievement of the management goal for the active management area; and 3) the financial capability has been demonstrated to construct the water facilities necessary to make the supply of water available for the proposed use, including a delivery system and any storage facilities or treatment works ([A.R.S. § 45-576](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires ADWR to make available at no cost for public inspection any hydrologic modeling that ADWR uses to determine projected groundwater levels for the purposes of evaluating an application for a certificate or designation of assured water supply, including the hydrologic model's findings, conclusions, methods and assumptions.
2. Requires the Director of ADWR, at least 90 days before ADWR uses a new groundwater model for any purpose within an AMA, to:
 - a) post on ADWR's website any assumptions anticipated to be included in the modeling; and
 - b) invite public comment.
3. Requires the Director of ADWR, on the expiration of the posting period, to:
 - a) hold a public meeting to receive additional comments on the assumptions; and
 - b) post on ADWR's website all comments received and responses from ADWR.

4. Requires the Director of ADWR to include a statement with each comment that indicates if the comments resulted in an addition, modification, revision or deletion of the assumption.
5. Becomes effective on the general effective date.

Governor's Veto Message

The Governor indicates in her [veto message](#) that she vetoed H.B. 2019 because ADWR already publishes its hydrologic models and related information to ADWR's website, and this information is readily available to the public. ADWR engages in robust stakeholder engagement on all of its model releases, and H.B. 2019 would create unnecessary bureaucratic processes that would delay further updates and release of information.

House Action

Senate Action

NREW	1/8/24	DPA	6-4-0-0	NREW	2/29/24	DP	4-3-0
3 rd Read	1/29/24		31-27-0-0-2	3 rd Read	3/27/24		16-13-1

Vetoed by the Governor 4/2/24

Prepared by Senate Research

April 4, 2024

RA/slp