



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: NREW DP 5-4-0-1 | 3rd Read 31-27-1-0-1
Senate: NREW DP 4-2-1-0 | 3rd Read 16-11-3-0-0

HB 2020: long-term storage; stormwater; rainwater; rules

Sponsor: Representative Griffin, LD 19

Vetoed

Overview

Grants long-term storage credits to a person that develops or plans to develop infrastructure in an active management area (AMA) that results in increased natural, incidental or artificial recharge to the groundwater basin.

History

Long-term storage credits are earned when permitted facilities in an AMA store water underground through direct or indirect recharge. This stored water is eligible for credits when it:

- 1) is stored underground for at least one year;
- 2) cannot reasonably be used directly, with certain exceptions for the Pinal AMA related to implementing the Drought Contingency Plan; and
- 3) would not have been naturally recharged within the AMA.

A person that holds long-term storage credits may recover these credits by pledging them towards an Assured Water Supply, meeting replenishment obligations or leasing or selling them subject to certain limitations. Additionally, the holder can withdraw the stored water from the same AMA at a later date provided certain statutory criteria are met (A.R.S. §§ [45-832.01](#), [45-834.01](#), [45-851.01](#), [45-852.01](#), [45-854.01](#)).

Provisions

1. Specifies that water that incidentally recharges an aquifer caused by the development of infrastructure in an AMA is qualified as an underground storage facility. (Sec. 1)
2. Entitles a person that develops or plans to develop infrastructure in an AMA that results in increased natural, incidental or artificial recharge to the groundwater basin to earn and hold long-term storage credits in an amount that does not exceed the level of increased recharge or projected increased recharge. (Sec. 2)
3. Requires the ADWR Director by January 1, 2025 to adopt rules that promote new construction of facilities that are eligible to earn long-term storage credits, including:
 - a) stormwater detention basins that increase natural, incidental or artificial recharge;
 - b) roadways and sidewalks that facilitate stormwater recharge; and
 - c) any other public infrastructure that facilitates rainwater or stormwater recharge. (Sec. 2)
4. States the rules adopted by the ADWR Director must include:
 - a) an application timeline;

<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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- b) procedures for certifying qualifying infrastructure;
 - c) criteria for eligibility;
 - d) formulations for quantifying the increased recharge or projected increased recharge and the corresponding long-term storage credits that are expected to be earned over the useful life of the infrastructure. (Sec. 2)
5. Exempts a person that applies for long-term storage credits pursuant to this section from storage facility permitting requirements. (Sec. 2)