

Natural Resources, Energy & Water Committee

Senator Sine Kerr, Chairperson



Rachel Andrews, Research Analyst
Sam Rosenberg, Assistant Research Analyst
Kaya Pyle, Intern

NATURAL RESOURCES, ENERGY & WATER COMMITTEE

LEGISLATION ENACTED

cotton research protection council; continuation (S.B. 1065) – Chapter 157

Continues the Arizona Cotton Research Protection Council for eight years, until July 1, 2032, retroactive to July 1, 2024.

state land auctions; electronic means (S.B. 1079) – Chapter 228

Allows the Arizona State Land Department (ASLD) to accept bids offered through electronic means during a public auction. If the ASLD accepts electronic bids, the ASLD is not liable for the failure of the electronic means in certain circumstances. A person who is adversely affected by a decision to terminate a sale may not appeal the decision to the ASLD Board of Appeals based on an electronic means failure for which the ASLD is not liable. The ASLD must adopt rules to prescribe the procedure, method and means for state land sales and may only conduct online state land auctions after the rules are adopted.

exemption area; assured water supply (S.B. 1081) – Chapter 226

Allows the Director of the Arizona Department of Water Resources (ADWR), on application by a city or town, to designate a portion of the city or town that is located both in the area delineated for exemption and in the Phoenix Active Management Area as having an assured water supply if: 1) the portion of the city or town is located entirely within an irrigation and water conservation district; 2) the city or town has contracted with the irrigation and water conservation district for a term of at least 100 years; 3) sufficient surface water or effluent of an adequate quality will be continuously available to satisfy the portion of a city's or town's proposed water needs for up to 100 years; and 4) the city or town demonstrates the financial capability to construct the necessary water facilities. Allows the Director of ADWR to: 1) accept evidence of construction assurances to satisfy the financial capability requirement; 2) review the determination that a portion of a city or town has an assured water supply; and 3) determine that a portion of a city or town does not have an assured water supply.

groundwater replenishment; member lands; areas (S.B. 1181) – Chapter 224

Allows a municipal provider that applies for a new designation of assured water supply in the Phoenix Active Management Area to elect for parcels of member land to retain a replenishment obligation. At the time of application, the municipal provider must notify the multi-county water conservation district (district) and the Director of the Arizona Department of Water Resources (ADWR) whether it chooses to assume the member lands' replenishment obligation under the provider's designation of assured water supply and member service area agreement. For parcels that retain a replenishment obligation, the district must replenish groundwater in an amount equal to the obligation applicable to that parcel. If a municipal provider chooses to allow parcels of

member land within its service area to retain the parcel replenishment obligation, the assured water supply designation and member service area agreement must provide that the parcels of member land retain the parcel replenishment obligation for a prescribed term. Outlines groundwater delivery, groundwater credit and reporting requirements.

By January 1, 2025, ADWR must amend assured water supply rules for the incorporation of extinguishment credits and groundwater allowance associated with member lands in a designation of assured water supply consistent with statute.

ADWR; application; review; time frames (NOW: water conservation grant fund; purpose) (S.B. 1242) – Chapter 225

Adds Arizona Corporation Commission-regulated public service corporations that own land eligible to be irrigated in the Harquahala Irrigation Non-Expansion Area (INA) and that hold a certificate of convenience and necessity for water service to the list of entities eligible to withdraw groundwater from the Harquahala INA for transportation to an initial active management area (AMA) for prescribed purposes. Expands the criteria for an eligible entity to withdraw and transport groundwater from the Harquahala INA. Adds La Paz County as a location authorized to receive groundwater transported from the Harquahala INA and prescribes eligibility requirements. Requires the Director of the Arizona Department of Water Resources to adopt rules to implement the Harquahala INA groundwater transportation requirements and outlines annual reporting requirements.

Allows a water provider or any city, town, county, district, commission, authority or other public entity to apply to the Water Infrastructure Finance Authority for and accept grants from the Water Conservation Grant Fund to distribute rebates for the installation of gray water systems.

electricity producers; safeguards; electromagnetic pulse (S.B. 1301) – Chapter 12

Requires Arizona electricity producers to consider the dangers of an electromagnetic pulse and take steps to secure a continuous supply of electricity to Arizona residents.

Arizona power authority; continuation (S.B. 1345) – Chapter 165

Continues the Arizona Power Authority (APA) for eight years, until July 1, 2032, retroactive to July 1, 2024. Repeals the APA on January 1, 2033, if the APA has no outstanding obligations or has otherwise provided for paying or retiring the outstanding obligations.

replacement lines; structures; commission hearings (H.B. 2003) – Chapter 248

Allows a utility to replace a conductor or wire on a transmission line or replace an existing transmission line structure or structures without seeking a new Certificate of Environmental Compatibility (CEC) and without holding a Power Plant and Transmission Line Siting Committee hearing if the replacement is on a transmission line that previously received a CEC or was in use or authorized before August 13, 1971.

utilities; electronic filings; corporation commission (H.B. 2004) – Chapter 17

Allows the Arizona Corporation Commission to accept electronic applications for a Certificate of Environmental Compatibility and adopt rules governing such electronic filings.

department of forestry; continuation (H.B. 2012) – Chapter 61

Continues the Department of Forestry and Fire Management for eight years, until July 1, 2032, retroactive to July 1, 2024. Each First Regular Legislative Session, the State Forester must provide a written report that includes prescribed information to the legislative committees with jurisdiction over forestry issues, the Governor and the Secretary of State.

grandfathered right; subsequent AMA; extension (H.B. 2016) – Chapter 16 E

An emergency measure effective March 25, 2024, and retroactive to March 1, 2024, that extends the application deadline for a certificate of grandfathered right until October 1, 2024, for a person claiming a grandfathered right to withdraw or receive groundwater in the Douglas Active Management Area.

underground water storage; permitting (H.B. 2055) – Chapter 62

Extends, from 100 days to 180 days, the time period for the Director of the Arizona Department of Water Resources (ADWR) to review an underground water storage permit application and reduces, from six months to 100 days, the time period within which the Director of ADWR must issue a decision regarding the application.

improved lot or parcel; definition (H.B. 2129) – Chapter 63

[SEE THE FINANCE & COMMERCE COMMITTEE.](#)

domestic water improvement districts; reviews (H.B. 2160) – Chapter 118

Requires a domestic water improvement district that serves a population of fewer than 10,000 residents to submit: 1) a prescribed annual report to the county board of supervisors (county BOS); and 2) the most recently adopted budget to the county BOS and county treasurer.

on-site wastewater treatment facilities; permitting (H.B. 2195) – Chapter 137

Allows an on-site wastewater treatment facility (facility) with a design flow between 3,000 gallons and 75,000 gallons per day to discharge under a general permit until revised rules proposed after December 31, 2024, by the Arizona Department of Environmental Quality (ADEQ) are effective, if the facility complies with existing general permit rules and is operated by a service provider certified by the technology manufacturer. The Director of ADEQ must include an

addendum to the general permit authorization that requires a facility to conduct maintenance, monitoring, recordkeeping and reporting. The Director of ADEQ may require facilities with a total design flow of at least 50,000 gallons per day to provide financial assurance by an addendum to the general permit authorization. The Director of ADEQ must establish fees for the general permits and ADEQ must deposit the fees in the Water Quality Fee Fund.

backyard fowl; regulation; prohibition (H.B. 2325) – Chapter 192

Declares a property owners' right to keep up to six fowl in the backyard of a single-family detached residence on a lot that is one-half acre or less as a matter of statewide concern and preempts all local laws and ordinances to the contrary. A city, town or county may prohibit: 1) a resident from keeping male fowl; and 2) fowl from running at large. A city, town or county may require specific enclosure measurements, placement and maintenance. An ordinance enacted after September 14, 2024, does not apply to an enclosure constructed on or before September 14, 2024.

solid waste; fees; rules (H.B. 2367) – Chapter 121 E

An emergency measure effective April 9, 2024, that requires the Arizona Department of Environmental Quality (ADEQ) to adopt rules and establish and modify fees for various solid waste programs. Removes, for modifications to specified solid waste fees, the: 1) requirement to provide public notice and comment; 2) prohibition against ADEQ increasing permit fees without specific statutory authorization; and 3) requirement for the Joint Legislative Budget Committee to review established rules.

transportation; groundwater; Douglas AMA (H.B. 2368) – Chapter 253

Allows an owner of a well located in the Upper San Pedro Groundwater Basin (San Pedro Basin) to annually withdraw groundwater from the San Pedro Basin for transportation to the Douglas Active Management Area (AMA) if outlined conditions are met. The total amount of groundwater that a well owner may annually transport from the San Pedro Basin to the Douglas AMA may not exceed the highest annual amount of groundwater that the well owner withdrew from the San Pedro Basin for transportation to the Douglas Groundwater Basin in any of the preceding 10 years before December 1, 2022.

A well owner that wishes to transport groundwater from the San Pedro Basin to the Douglas Groundwater Basin must submit specified evidence and information to the Director of the Arizona Department of Water Resources by October 14, 2024, or within 30 days before the effective date of groundwater withdrawal, whichever is later.

dredge; fill; permits; clean up (H.B. 2369) – Chapter 93

Removes the authorization for the Director of the Arizona Department of Environmental Quality to adopt an Arizona Dredge and Fill Permit Program.

oxygenated fuel; federal approval; extension (H.B. 2370) – Chapter 70 E

An emergency measure effective April 2, 2024, that extends, until July 1, 2027, the conditional enactment deadline for legislation that allows an additional type of gasoline to meet fuel reformation requirements for use in counties with a population of 1,200,000 or more persons.

Arizona racing commission; continuation (H.B. 2415) – Chapter 177

[SEE THE GOVERNMENT COMMITTEE.](#)

department of environmental quality; omnibus (H.B. 2628) – Chapter 150

Monitoring Assistance Program for Public Water Systems – Adds federal monies as a funding source for the Small Drinking Water Systems Fund and the Monitoring Assistance Program for Public Water Systems Fund. The Arizona Department of Environmental Quality (ADEQ) may adopt rules for any public water system to opt out of the Monitoring Assistance Program for Public Water Systems and conduct additional sampling for a system that triggers a detection limit set by rule to comply with the federal Safe Drinking Water Act. If the Monitoring Assistance Program for Public Water Systems Fund has a surplus after execution of the previous year's contract, any surplus more than the average annual operating costs as measured by the three preceding fiscal years must be used to reduce the public water system fee for the subsequent year.

Vehicle Testing – Requires a motor vehicle with a model year of 1981 or later with a gross weight rating of less than 8,501 pounds to pass a transient loaded test. A motor vehicle with a model year of 1981 or later with a gross weight of more than 8,501 pounds must pass a steady state loaded test, a curb idle test or another test approved under the federal Clean Air Act.

Conditions the enactment of the modified vehicle emissions testing requirements on the U.S. EPA approving Arizona's State Implementation Plan for air quality by July 1, 2027.

Permitting – Allows a facility with a coal combustion residuals (CCR) unit to submit a permit application for each CCR unit at the facility at any time after the effective date of design and operation rules adopted by the Director of ADEQ, rather than within 180 days after the effective date of the rules.

Disposal of Waste Tires – Allows a solid waste disposal site owner or operator to knowingly accept waste tires for disposal only if the Director of ADEQ has approved waste tire disposal pursuant to the site's solid waste facility plan. The Director of ADEQ may allow the disposal of whole tires pursuant to a solid waste facility plan if disposed of in a statutorily authorized manner.

state lake improvement fund; drones (H.B. 2637) – Chapter 179

Requires the Arizona State Parks Board to use monies in the State Lake Improvement Fund to fund the purchase of drones that meet outlined specifications to: 1) clean plastic, algae, biomass and other floating trash from lakes and waterways; and 2) to aid in search, rescue and recovery operations and drone operation training for law enforcement and fire service agencies.

mine inspector; geological survey; authority (H.B. 2685) – Chapter 187

Requires the Arizona Geological Survey to establish, and the State Geologist to update on request of the State Mine Inspector, a map of all known areas that contain aggregate resources and all existing aggregate mining facilities in Arizona.

The State Mine Inspector may consider comments from the State Geologist or any elected official in evaluating a mining facility's reclamation plan. A mining facility's proposed reclamation plan must include the distance and direction from the closest occupied residential structure and aggregate mining facility and a statement that the owner or operator has provided a notice of the proposed reclamation plan to each residential property owner whose property is located within a one-half mile radius of the aggregate mining facility.

interstate compact; fire management; aid (H.B. 2751) – Chapter 190 E

An emergency measure effective May 17, 2024, that adopts the Great Plains Wildland Fire Protection Compact (Compact) to promote effective prevention and control of forest fires in the Great Plains region of the United States by maintaining adequate forest firefighting services by Compact member states and by providing for reciprocal aid in fighting forest fires among compacting states of the region. Outlines Compact implementation, administration and withdrawal guidelines. If a member state's state forest fire control (SFFC) agency requests aid from the SFFC agency of any other member state, the SFFC agency of the requested state may render all possible aid to the requesting SFFC agency, consonant with maintaining protection at home. Exempts a member state and the member state's officers and employees from liability on account of any act or omission on the part of such forces while engaged in outside aid or on account of maintaining or using any equipment or supplies in connection with rendering outside aid. Outlines reimbursement procedures for any loss, damage or expense incurred.

~~agency; licensing; information (NOW: hoophouses; building permits; exemption) (NOW: hoophouses; polyhouses; regulation; compliance) (H.B. 2846) – Chapter 186~~

[SEE THE GOVERNMENT COMMITTEE.](#)

natural resource conservation districts; board (H.B. 2865) – Chapter 258

Establishes the State Natural Resource Conservation District Board (NRCD Board) and transfers NRCD oversight from the Arizona State Land Commissioner to the NRCD Board. Outlines NRCD Board membership, reporting requirements, powers and duties, including: 1) meeting at least quarterly to receive updates from the NRCD Board's administrative officer regarding any relevant issue or matter; 2) providing guidance to the administrative officer and voting on any matters requiring a decision by the NRCD Board; 3) assisting an NRCD when cooperating or coordinating with a federal agency; 4) assisting NRCDs with developing conservation action or district wide plans; and 5) adopting administrative rules as outlined.

Establishes the NRCD Fund, administered by the NRCD Board, consisting of legislative appropriations, grants, federal monies and other contributions. NRCD Fund monies are

continuously appropriated and exempt from lapsing. The NRCD Board must: 1) establish criteria for using NRCD Fund monies; 2) establish and revise, as necessary, the grant application process; 3) review and evaluate all submitted grant applications; and 4) award grants to NRCDs and soil and water conservation districts to conduct projects that further the district's purpose.

environment; 2024-2025 (H.B. 2902/S.B. 1740) – Chapter 214

[SEE THE APPROPRIATIONS COMMITTEE.](#)

federal land acquisition; acreage return (H.C.M. 2004)

[SEE THE GOVERNMENT COMMITTEE.](#)

federal lands; transfer to states (H.C.M. 2005)

[SEE THE GOVERNMENT COMMITTEE.](#)

federal lands; natural resources; permission (H.C.M. 2006)

Urges the U.S. Congress to: 1) complete a comprehensive economic impact study that analyzes outlined factors relating to removing land, water or natural resources from economic production; and 2) enact legislation that prohibits the Federal Government from establishing, authorizing or declaring any new national monument, national park, wildlife refuge, conservation area, area of critical environmental concern, wild and scenic river, wilderness, wilderness characteristic area or any other federal reservation or special use designation and from withdrawing or reserving any additional federal mineral, land, water or other national resource right without the express permission of the U.S. Congress, the Arizona Legislature and the impacted county boards of supervisors.

Grand Canyon Footprints monument; repeal (H.C.M. 2007)

Urges the U.S. President to: 1) rescind or revoke the designation of the Grand Canyon National Monument; 2) oppose the designation of future permanent federal land or mineral withdrawal that seeks to limit critical mineral, metal and aggregate mining, cattle grazing, or multiple-use activities in the Arizona Strip; and 3) not designate any national monument, park, wildlife refuge, conservation area, area of critical environmental concern, wild and scenic river, wilderness or wilderness characteristic area or any other federal special use designation or land and mineral reservation or withdrawal without having the express authorization of the U.S. Congress, the Arizona Legislature and the impacted county boards of supervisors.

urging Congress; Antiquities Act; repeal (H.C.M. 2008)

Urges the U.S. Congress to repeal or amend the federal Antiquities Act of 1906 to reaffirm that entire landscapes, animate life and common plants and vegetation not be considered landmarks, structures or objects under federal law.

Requests any proclamation made by the U.S. President to be stated publicly and to specifically name and describe the location of each landmark, structure and object to be protected.

Requests that the limitation offered to the State of Wyoming, which requires express authorization of the U.S. Congress to extend or establish a national monument, be offered to all western states and that no new or expanded national monument or federal reservation be established in Arizona without the express authorization of the Arizona Legislature and the impacted county boards of supervisors.

rural communities; groundwater; tools ([H.C.R. 2051](#))

Resolves that the Legislature and local communities will continue to provide rural communities with an abundance of tools to adequately manage and address groundwater resources, both now and in the future.

LEGISLATION VETOED

disclosure; agricultural vaccinations; prohibition ([S.B. 1146](#)) – VETOED

Allows all aquaculture, livestock or poultry products made from aquaculture, livestock or poultry that has not received a messenger ribonucleic acid vaccine (mRNA vaccine) to be labeled with a label that states *mRNA free*, as prescribed. Specifies that the Arizona Department of Agriculture (AZDA) rules that govern animal and poultry vaccination do not authorize the Director of the AZDA or the State Veterinarian to require or administer an mRNA vaccine that has not received full approval, excluding emergency approval, from either the U.S. Department of Agriculture or the U.S. Food and Drug Administration.

The Governor indicates in her [veto message](#) that, if the AZDA needs to rely on the use of mRNA vaccines in the future to mitigate disease outbreaks, S.B. 1146 would pose a risk to the health and safety of Arizonans, as well as the vitality of cattle ranchers and farmers.

~~physical availability credits; water supply~~ (NOW: land division; water; transportation; turf) ([S.B. 1172](#)) – VETOED

Allows a person who owns land subject to an irrigation grandfathered right that is within an active management area (AMA) to permanently retire the right and retain a physical availability exemption credit, if certain criteria are met. Outlines eligibility criteria and procedures to calculate the amount of water that may be withdrawn using a physical availability exemption credit. The Director of the Arizona Department of Water Resources (ADWR) must issue physical availability exemption credits as statutorily prescribed and, when issuing a physical availability exemption credit, identify whether the specified criteria would be satisfied based on the Director of ADWR's most recent assured water supply projection.

Modifies requirements for lot splitting and exemptions for creation of lots, parcels or fractional interests, including requiring an applicant for a building permit for new construction of

a residential single-family home to identify any ownership interests in the property subject to the permit, unless the applicant provides copies of the subdivision final plat indicating assured water supply as approved by the municipality where the parcels, lots or fractional interests exist.

Subjects a subdivider or agent subject to the jurisdiction of the Arizona Department of Real Estate who violates outlined rules or laws or engages in outlined unlawful practices with respect to the sale or lease of subdivided lands to a civil penalty of up to \$2,000 for each lot where the violation occurs, rather than for each infraction.

Adds, to the exemptions for *unlawful acting in concert* for the purposes of avoiding laws relating to dividing a parcel of land or selling subdivision lots: 1) individuals involved in a well share agreement; 2) individuals involved in a road maintenance agreement; and 3) for a county with a population of fewer than 500,000 persons, the use of or referral to the same licensed contractor or registered architect, engineer, geologist, home inspector, landscape architect or surveyor.

Prohibits a municipal provider, beginning January 1, 2026, from applying potable water on nonfunctional turf installed as part of a new development project or redevelopment project on any portion of applicable property within an initial AMA and outlines exemptions to the prohibition. A municipality located in an initial AMA may not adopt or enforce any requirement establishing the installation of plants that are not included on the low-water-use and drought-tolerant plant list published by ADWR or minimum turf requirements, with outlined exceptions.

The Governor indicates in her [veto message](#) that the concept at the core of S.B. 1172 is a policy that has broad potential benefits, but that unique data among Arizona's AMAs does not support universal adoption and more time is needed to develop this concept in collaboration with stakeholders and lawmakers to ensure that legislation is crafted appropriately.

DWR; hydrology reports (S.B. 1289) – VETOED

Requires the Governor and the Director of the Arizona Department of Water Resources (ADWR), 30 days before issuing a report on the hydrologic conditions of an active management area or any related statutory reports, to submit a copy to the Members of the Senate and the House of Representatives Natural Resources, Energy and Water Committees.

The Governor indicates in her [veto message](#) that S.B. 1289 would create a burdensome workload for ADWR that would interfere with its core mission of building a sustainable and secure water future for Arizona.

power plants; transmission lines; definition (H.B. 2002) – VETOED

Excludes, from the definition of *transmission line*, a substation or switchyard to which the line connects.

The Governor indicates in her [veto message](#) that there are other approaches to adjust the Power Plant and Line Siting Committee permitting process which are more direct.

subdivisions; acting in concert (NOW: real estate; subdivisions; employment agreements) (H.B. 2009) – VETOED

Limits, to within a 10-year period, restrictions on acting in concert to unlawfully divide a parcel of land into six or more lots or sell or lease six or more lots by using a series of owners or conveyances.

Requires a real estate employment agreement to be entered into before the buyer tours any dwelling and before a broker writes a purchase offer on a buyer's behalf. The real estate employment agreement must include an ascertainable amount or rate of broker compensation and a broker may not receive compensation from any source that exceeds the amount or rate specified in the agreement.

The Governor indicates in her [veto message](#) that H.B. 2009 lacks consumer protections, bars entry into the housing market by forcing homebuyers into unvetted contracts, represents a serious change in how homebuyers are represented by their agents and would have benefitted from including language ensuring that homebuyers are protected.

water improvements program; nonprofit corporations (H.B. 2013) – VETOED

Allows a nonprofit corporation to establish and administer a water improvement program to allow persons to accept gifts, grants or donations for the purpose of providing financial assistance to residential property owners for making improvements to an existing drinking water well or providing for a water delivery system for the residence.

The Governor indicates in her [veto message](#) that H.B. 2013 does not move the needle on groundwater management or provide the reforms needed by rural communities facing aquifer depletion.

assured water supply; commingling (H.B. 2017) – VETOED

Allows the Director of the Arizona Department of Water Resources (ADWR) to consider only the source of water when determining physical availability for a designation or certification of assured water supply, regardless of whether the water is distributed through a commingled water delivery system. The Director of ADWR may not require a subdivider that applies for a certificate of assured water supply or a commitment of water service from a water provider designated as having an assured water supply to procure or dedicate a source of supply that exceeds 100 percent of the water needed to meet the subdivider's proposed use.

The Governor indicates in her [veto message](#) that H.B. 2017 threatens to erode the water protections Arizonans rely upon and does not measure up to the real groundwater challenges Arizonans face.

groundwater model; public inspection; challenge (H.B. 2019) – VETOED

Requires the Arizona Department of Water Resources (ADWR) to make available 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. Within 90 days before a new groundwater model is used, ADWR must post to its website any assumptions anticipated to be included in the modeling. Following the posting period, ADWR must hold a public meeting to receive comments on the assumptions. All public comments received must be posted to ADWR's website, including a statement with each comment that indicates whether the comments resulted in any modification to the assumption.

The Governor indicates in her [veto message](#) that that H.B. 2019 would create unnecessary processes that would delay further updates and release of information.

long-term storage; stormwater; rainwater; rules (H.B. 2020) – VETOED

Allows a person that develops infrastructure in an active management area that results in naturally, incidentally or artificially recharging the groundwater basin to receive long-term storage credits in an amount up to the level of increased recharge or projected increased recharge. A person that applies for long-term storage credits in this manner is exempt from underground storage and groundwater savings facility permitting requirements. The Director of the Arizona Department of Water Resources must adopt rules that promote new construction of facilities eligible to earn long-term storage credits by January 1, 2025.

The Governor indicates in her [veto message](#) that H.B. 2020 threatens to erode the water protections Arizonans rely upon and does not measure up to the real groundwater challenges Arizonans face.

subsequent AMAs; assured water supply (H.B. 2027) – VETOED

Outlines procedures for subdivisions and proposed subdivisions that are located in an active management area (AMA) and that are subject to a local adequate water supply ordinance. Allows a subdivision that has been issued an adequate water supply report by the Director of the Arizona Department of Water Resources before the effective date of the subsequent AMA, or any county that has adopted an adequate water supply ordinance that subsequently becomes an AMA, to be treated as having a certificate of assured water supply and be exempt from the requirement to obtain a certificate of assured water supply.

The Governor indicates in her [veto message](#) that H.B. 2027 unnecessarily codifies a process that ADWR is undertaking in the Douglas AMA and would undergo in any subsequent AMA.

assured water supply; certificate; model (H.B. 2062) – VETOED

Requires the Arizona Department of Water Resources (ADWR), on request of an eligible applicant and until December 31, 2024, to review the merits of an application for a certificate of assured water supply and issue a new written determination of action within 15 days if certain

criteria are met. ADWR must review the determination to grant a certificate using either the 2006-2009 Salt River Valley Model or the 2006 Lower Hassayampa Sub-Basin Groundwater Flow Model and any financial information submitted by the applicant. ADWR must notify all eligible applicants of the ability to have determinations of assured water supply reviewed.

The Governor indicates in her [veto message](#) that H.B. 2062 threatens to erode the water protections Arizonans rely upon and does not measure up to the real groundwater challenges Arizonans face.

exempt wells; certificate; groundwater use (H.B. 2063) – VETOED

Requires the Arizona Department of Water Resources (ADWR) to issue to each registered exempt well a certificate of water rights which allows the groundwater user to pump up to 35 gallons per minute. The right to withdraw up to 35 gallons per minute does not preempt or affect decreed or appropriative rights, surface water, water subject to appropriation or a general adjudication of water rights.

The governor indicates in her [veto message](#) that H.B. 2063 serves no water management purpose and would divert essential functions of ADWR to unnecessary paperwork.

wells; water measuring devices; prohibition (H.B. 2123) – VETOED

Prohibits the state or any political subdivision from requiring a water measuring device for any well located in a groundwater basin or subbasin that: 1) contains a river system subject to a general adjudication of water rights and the water rights are not fully adjudicated; 2) is outside of an active management area; and 3) is outside of an area in which groundwater may be withdrawn and transported to an active management area.

The Governor indicates in her [veto message](#) that H.B. 2123 sends the message that Arizona is uninterested in sound management of groundwater supplies and contains technical, legal and practical issues.

agricultural operations; water; protection; definition (H.B. 2124) – VETOED

Requires a court, if the court determines that a nuisance action against an agricultural operation conducted on farmland was filed to take or reduce the water used by the other party, to award reasonable costs and attorney fees to the other party. Includes, in the definition of *agricultural operations*, any water use by an owner, lessee, agent, independent contractor and supplier conducted on any facility for the production of crops, livestock, poultry, livestock products or poultry products or for the purposes of agritourism.

Removes the authority of the Attorney General to bring action in a superior court to abate, enjoin or prevent a public nuisance.

The Governor indicates in her [veto message](#) that water policy must be addressed in a holistic manner to create solutions to challenges in Arizona.

assured water supply certificate; effluent (H.B. 2127) – VETOED

Allows an applicant for a certificate of assured water supply for a proposed subdivision in the Tucson, Pinal or Phoenix Active Management Area to include projected effluent to demonstrate the legal and physical availability of the effluent, if the effluent will be, either alone or in combination: 1) used to directly meet water demand of water uses associated with the subdivision; or 2) recharged in the same subbasin where the proposed subdivision is located.

The Governor indicates in her [veto message](#) that H.B. 2127 threatens to erode the water protections Arizonans rely upon and does not measure up to the real groundwater challenges Arizonans face.

brackish groundwater pilot program (H.B. 2184) – VETOED

Amends the FY 2024 General Appropriations Act by requiring monies allocated to the Arizona Department of Water Resources (ADWR) for the Brackish Groundwater Recovery Pilot Program (Pilot Program) to be used to develop a base knowledge of groundwater desalination in all of Arizona, rather than only in Arizona's active management areas (AMAs). For every dollar the Central Arizona Project (CAP) contributes to the Pilot Program, the \$3 received by CAP must be dedicated to brackish desalination projects within AMAs. Requires ADWR to locate the Pilot Program within a section of ADWR that the Director of ADWR deems most appropriate, rather than within ADWR's AMA section.

The Governor indicates in her [veto message](#) that H.B. 2184 would alter the FY 2024 General Appropriations Act and should be considered in the full context of budget discussions.

federal government; land acquisition; consent (H.B. 2376) – VETOED

Requires the Governor to sign a joint resolution adopted by an affirmative vote of a majority of the Members of the Legislature for consent to be given to any transfer of an ownership interest in privately owned real property in Arizona to the Federal Government or a federal agency. Outlines reporting requirements for escrow agents and property owners relating to the sale of private real property to the Federal Government. Outlines legislative requirements, establishes civil penalties and grants the state the right of first refusal to purchase private real property that the Federal Government is contracting to acquire, with certain exceptions. Designates this legislation as the *Tax Base Protection Act*.

The Governor indicates in her [veto message](#) that H.B. 2376 would set an unprecedented standard of allowing the state to dictate the sale of private property and could undermine conservation efforts and the ability to preserve historic places and archaeological sites.

power plants; public service corporations (H.B. 2646) – VETOED

Prohibits a public service corporation or public power entity from initiating the closure, decommissioning or disposal of an electric generation facility within five years after a written notice is provided to certain Members of the Legislature and the Director of the Arizona Power

Authority (APA). The written notice must be provided within six months after the decision to close, decommission or dispose of an electric generation facility and must include outlined information. If a public service corporation or public power entity receives notice of any federal law or regulation that results in the forced retirement of an electric generation facility, the corporation or entity must inform the Attorney General, Director of the APA and each Member of the Arizona Corporation Commission, who may take any action necessary to defend the interest of the state. A public service corporation or public power entity may take action to repurpose an existing electric generation facility powered by coal, petroleum, oil or natural gas to a facility powered by natural gas, biomass, nuclear or hydrogen and install emission reduction controls that maintain the net electric generating output of the facility at a lower rate.

The Governor indicates in her [veto message](#) that, because Arizona's public service and public power utilities currently complete comprehensive resource plans, H.B. 2646 creates unnecessary bureaucracy for the state government and public service and public power utilities.