Purpose

Modifies requirements for renewal of a designation of assured water supply and a certificate of assured water supply in the Pinal Active Management Area (Pinal AMA).

Background

Assured water supply is sufficient water supplies of adequate quality that will be continuously available to satisfy the water needs of the proposed use for at least 100 years, that is consistent with the management plan and management goals for the AMA and that the financial capability has been demonstrated to construct the necessary water facilities to supply water for the proposed use.

The Director of the Arizona Department of Water Resources (ADWR) designates municipalities or private water companies in AMAs that meet the criteria of assured water supply as having a designation of assured water supply. If a person wishes to offer subdivided lands in an AMA for sale or lease, the person must first apply for and obtain a certificate of assured water supply from the Director of ADWR or a written commitment of water service for the subdivision from a municipal or private water company with a designation of assured water supply (A.R.S. § 45-576).

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

Provisions

1. Prohibits the Director of ADWR from reviewing, in the Pinal AMA, the physical availability of groundwater that was determined to be physically available under the previous designation of assured water supply if an application to modify or renew a designation of assured water supply is not seeking an increase in total groundwater demand from the previous designation.

2. Prohibits the Director of ADWR from considering, in the Pinal AMA, the physical availability of groundwater that was determined to be physically available under the previous designation of assured water supply as grounds for objecting an application to modify or renew a designation of assured water supply.

3. Deems the following to be physically available for purposes of an assured water supply designation in the Pinal AMA:
   a) stored water that is to be recovered by the applicant within the area of impact pursuant to existing long-term storage credits pledged to the designation of assured water supply; and
   b) stored water that is to be recovered within the area of impact by the applicant either on an annual basis or as long-term storage credits to be earned in the future if the water to be stored meets the physical availability requirements.
4. Specifies that modifying requirements for a renewal of a designation of assured water supply in the Pinal AMA is not intended to affect the Director of ADWR's review of assured water supply criteria other than groundwater physical availability.

5. Defines *area of impact* as any one of the following:
   a) within one mile of an existing or proposed underground storage facility;
   b) within the boundaries of an irrigation district that has a permit for a groundwater savings facility; or
   c) for other areas, areas that have been shown to have been positively impacted by the storage activity as determined by a hydrologic model approved by the Director of ADWR.

6. Contains a statement of legislative intent.

7. Makes technical changes.

8. Becomes effective on the general effective date.

**House Action**

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3rd Read 2/27/20 32-28-0

Prepared by Senate Research
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KN/gs