



BOARD OF DIRECTORS

Information Summary

January 17, 2008

Subject

Upcoming 2008 Legislative Issues

Policy Question

What is AMWUA's position on water-related legislative proposals?

Summary

The 2008 Session of the Arizona Legislature convenes on January 14, 2008. Legislators have begun the process of filing bills for consideration during the session. We anticipate a number of bills will be filed pertaining to water and water management.

Once the legislation is introduced, AMWUA staff and the AMWUA members' water policy advisors review the legislation and assess its relation to the Board Resolutions and Issue Papers and its potential impacts on water management. Based on this analysis, recommendations regarding an AMWUA position are then forwarded to the Management Board and the Board of Directors for action. Board members are apprised of the status of the legislation as it moves through the process at monthly Board meetings and through the Legislative Summary which is posted on Fridays during the legislative session.

Considerations

There are a number of water-related legislative issues that are under discussion for the 2008 Legislative Session. A brief summary of these issues is contained in the attachment to this agenda item. As more information becomes available, an analysis of the impacts of the legislation will be brought before the Board.

Prior Committee Action

The AMWUA Board has taken positions on a number of legislative proposals in past legislative sessions.

Recommendation

This is an informational item. No action is requested.

Attachment

“Possible Water-Related Legislative Proposals, 2008 Legislative Session”

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Possible Water-Related Legislative Proposals
2008 Legislative Session
January 2008

Technical Changes to the Exempt Well Statute

The second of the ADWR legislative proposals would correct incorrect paragraph references in 45-554, the exempt well statute.

Santa Cruz Active Management Area (SCAMA)

ADWR is proposing an amendment to the Assured Water Supply statutes to include in the definition of Assured Water Supply that the “consistency with goal requirement” for the Santa Cruz AMA includes the use of any water withdrawn from a well. ADWR ran an amendment last year that contained this language, but withdrew the amendment due to the concerns expressed by opponents of the proposal.

Mohave County Water Authority Colorado River Allocation

The Mohave County Water Authority (MCWA) is proposing legislation that would eliminate the industrial use restriction on a portion of MCWA’s Colorado River water. This water would then be available for municipal and industrial uses.

Lot Splits

The Statewide Water Advisory Group Lot Split Subcommittee is proposing legislation that would require the Affidavit of Disclosure for a parcel of property to be recorded when that property is sold. The Subcommittee is also proposing an amendment to the Affidavit of Disclosure that clarifies “transportation of water to the property” as follows:

“Notice to buyer: If water is transported to the property it means no water supply currently exists on the property. Water is procured from an offsite source and transported via a private water hauling service or other similar mechanism. The Arizona Department of Water Resources may not have made a water supply determination for the water sources.”

City of Williams

The City of Williams is seeking a narrow exemption to the prohibition on groundwater transfers across basin boundaries to allow the use of the water withdrawn from wells located in an adjacent basin.

Well Drillers Continuing Education Program

The Arizona Water Well Drillers Association is proposing legislation that would establish a continuing education program for well drillers. This legislation was introduced last year and passed the Senate, but failed to pass the House.