



State Legislative
Water Policy
Resolutions
of the
Board of Directors
of the
Arizona Municipal
Water Users
Association

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RESOLUTION

**A RESOLUTION OF THE BOARD OF
DIRECTORS OF THE ARIZONA MUNICIPAL
WATER USERS ASSOCIATION REGARDING**

THE GOVERNOR'S WATER MANAGEMENT COMMISSION

WHEREAS, the Arizona Municipal Water Users Association represents the Cities of Chandler, Glendale, Goodyear, Mesa, Peoria, Phoenix, Scottsdale, Tempe, and the Town of Gilbert in the development of urban water policy for Maricopa County; and

WHEREAS, the Governor of the State of Arizona, The Honorable Jane D. Hull, has established a Governor's Water Management Commission; and

WHEREAS, the Governor's Water Management Commission is tasked to:


- Review the Active Management Areas' water quantity management goals, policies and programs,
- Determine the adequacy of water management programs to meet Active Management Area goals,
- Identify other water management issues which should be addressed at the State or regional levels,
- Develop recommendations to the Governor and the Legislature on appropriate changes in statute, rules, policies and programs; and

WHEREAS, the Governor's Water Management Commission is not scheduled to submit its final report until December 1, 2001 which, in preparation for the 2002 legislative session, shall contain the findings and recommendations of the Governor's Water Management Commission; and,

WHEREAS, the agricultural community of the Active Management Areas, by letter agreement with the Department of Water Resources dated December 10, 1999, pledges that it will not sponsor or support any major agricultural conservation program legislation without the concurrence of the Department of Water Resources until the 2002 legislative session.


NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Arizona Municipal Water Users Association that the Association respectfully urges the Arizona State Legislature to refrain from considering any major water legislation involving Title 45 of the Arizona Revised Statutes which does not have the support of the water community in the Active Management Areas, including the Department of Water Resources, until the 2002 legislative session.

DATED THIS 11TH DAY OF JANUARY 2001



Mayor Neil G. Giuliano, President
Arizona Municipal Water Users Association

ATTEST:



Roger S. Manning, Executive Director
Arizona Municipal Water Users Association

ISSUE A. GOVERNOR'S WATER MANAGEMENT COMMISSIONBackground

The performance audit of the Arizona Department of Water Resources (DWR) conducted by the Auditor General and released on April 23, 1999 addressed DWR's efforts to ensure a long-term water supply for the state and concluded that a number of statutory restrictions and exemptions limit Arizona's ability to achieve the statutory goal of safe yield by 2025 in the Phoenix and Tucson metropolitan areas. The report recommended establishing a study commission to address the State's ability to achieve the safe yield goal. Rita Pearson-Maguire, the DWR Director, did not dispute the audit's finding in her written response to the audit.

Many in the Arizona water community involved in the development of the Third Management Plan required by the 1980 Groundwater Management Act (GMA) had already reached much the same conclusion. Considerable interest was expressed in evaluating the current Groundwater Code and management plan provisions and in developing better tools for achieving safe yield in the safe yield Active Management Areas. In the Summary of Hearing and Findings on the Third Management Plan (TMP), the Director noted this interest and supported the establishment of a study commission to provide focus on regional and local management actions necessary to ensure a sustainable water supply.

Governor's Water Management Commission

On May 2, 2000, at the Conference on the 20th Anniversary of the Groundwater Management Act, the Governor formally announced the establishment of her Water Management Commission.¹ The Governor's Water Management Commission (GWMC) is tasked to:

1. Review the Active Management Areas' (AMA) water quantity management goals, policies and programs.
2. Determine the adequacy of water management programs to meet AMA goals.

¹ Executive Order 2000-7

3. Identify other water management issues which should be addressed at the State or regional levels.
4. Develop recommendations to the Governor and the Legislature on appropriate changes in statute, rules or DWR policies and programs.

The 45-member GWMC has begun its work and shall submit an interim report on or before June 1, 2001, and final report to the Governor on or before December 1, 2001 which, in preparation for the 2002 legislative session, shall contain the findings and recommendations of the Commission.

DWR & AMA Agriculture

During development of the TMP, the AMA agricultural community raised a number of issues regarding the TMP's agricultural base conservation program and requested that its adoption be deferred and that alternative agricultural conservation programs be developed. In response to these concerns, the Director of DWR indicated she was willing to delay adoption of the base program under certain conditions agreed to by the AMA agricultural community. Prior to the GWMC's formal establishment and by letter agreement dated December 10, 1999, DWR and the AMA agricultural community² mutually agreed, among a number of conditions, that:

- The AMA agricultural community will support the establishment of the GWMC and will participate in its work.
- When DWR and the AMA agricultural community agree on additional alternative conservation programs, DWR will take steps to implement these programs. Where appropriate, DWR will request any necessary legislation, or refer to the GWMC the various components of the proposed alternative programs, and the AMA agricultural community will work with DWR to further these purposes.

² Members of the agricultural community in the AMAs which signed the letter agreement with DWR include the Salt River Valley Water Users' Association, the Salt River Project Agricultural Improvement and Power District, Maricopa-Stanfield Irrigation & Drainage District, Central Arizona Irrigation & Drainage District, New Magma Irrigation & Drainage District, and the Arizona Agri-Business Council.

- The AMA agricultural community and DWR will jointly support any legislation that is necessary to implement mutually agreed upon alternative agricultural conservation programs. The AMA agricultural community will not sponsor or support any major agricultural conservation program legislation without DWR's concurrence until the 2002 legislative session or the formal adoption of the TMP's agricultural base conservation program.

Recommendation

Considering the task facing the GWMC and that its final report and recommendations are not due until December 2001 and recognizing the mutually agreed upon conditions contained in the December 1999 letter agreement between DWR and the AMA agricultural community, the Arizona Municipal Water Users Association and its member cities should neither sponsor nor support any major water legislation involving Title 45 of the Arizona Revised Statutes without the consensus of the AMA water community until the 2002 legislative session.

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