



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

House: NREW DP 5-4-1-0

HB 2088: subsequent AMA; director; removal

Sponsor: Representative Griffin, LD 19

House Engrossed

Overview

Enables the Director of the Arizona Department of Water Resources (Director) to remove an area from a subsequent active management area (AMA) if the Director determines that an area no longer meets the criteria to be included in an AMA.

History

The Director can designate an area that is not originally included in an AMA as a subsequent AMA. The Director must periodically review all areas that are included within the AMA to determine whether the areas meet any of the following criteria:

- 1) active management practices are necessary to preserve the existing groundwater for future needs;
- 2) land subsidence or fissuring is endangering property or potential groundwater storage capacity; or
- 3) use of groundwater is resulting in actual or threatened water quality degradation.

If the Director proposed to designate a subsequent active management area the Director will hold a public hearing to consider if an order is necessary to declare the area an AMA and to consider the boundaries and subbasins of the proposed area.

Reasonable notice of the hearing will be given by the Director through publication once each week for two consecutive weeks in a newspaper of the counties of which the proposed AMA is located. The notice will contain the time and place of the hearing, the legal description and a map clearly outlining the land in the proposed AMA. This hearing must take place no less than thirty days and no later than 60 days after the first publication of the notice. This hearing allows for any persons to speak for or against the proposed AMA ([A.R.S. § 45-413](#)).

Within 30 days of the hearing, the Director will make and file, in the Director's office, written findings considered during the hearing, if the Director makes the decision to declare an area an AMA the Director will make and file an order designating it as an AMA. These findings and order will be published with the same criteria as previous publication criteria. All data compiled by the director, a transcript of the hearing, a copy of the findings and a map identifying the lands included in the AMA are public records. The findings and order of the Director are subject to rehearing or review and a true copy will be filed in the office of the county recorder of the county or counties in which the AMA is located ([A.R.S. § 45-414](#)).

<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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Provisions

1. Allows the Director to remove the subsequent AMA designation if upon determination that an area no longer meets the criteria for inclusion as a subsequent AMA. (Sec 1)
2. Requires the Director make and file an order designating the area as outside of an active management area if the Director decides to remove an area from a subsequent AMA. (Sec 3)
3. Makes technical and conforming changes. (Sec 1, 2 and 3)