

May 5, 2016

The Honorable Doug Ducey, Governor  
State of Arizona  
Executive Tower, 9<sup>th</sup> Floor  
1700 West Washington  
Phoenix, Arizona 85007

Dear Governor Ducey:

**Please veto both SB1268 and SB1400! Do not further weaken important water adequacy requirements.**

**SB1268 adequate water supply requirements; municipalities** allows cities and towns to opt out of county ordinances requiring a proposed subdivision that is located outside of an Active Management Area (AMA) to demonstrate an adequate water supply before the final plat for the subdivision can be approved.

**SB1400 NOW: adequate water supply requirement; renewal** requires a county Board of Supervisors to review the county adequate water supply provisions every five years and to rescind the provision by a unanimous vote of the Board of Supervisors. It requires a unanimous vote of the BOS to adopt these in the first place, which is why only two counties – Cochise and Yuma – have done so. While this is not as bad as the original version of the bill, it still will result in weakening of water adequacy provisions as Cochise County looks to eliminate the provisions and allow more unsustainable development that will harm the San Pedro River.

These bills take Arizona a step backwards relative to water planning and further risk our remaining flowing rivers, as well as the people and economies that depend on them. As you noted in your State of the State address and other speeches, we need to build on past planning efforts, not weaken them.

Both SB1268 and SB1400 create loopholes for special interests to avoid complying with important requirements for water adequacy and put at risk the health of our aquifers, streams, rivers, and springs.

Requiring adequate water is common sense. Instead of allowing opt-outs and ways to go backwards and eliminate water adequacy requirements, the Arizona Legislature should make it *easier* for counties to adopt county ordinances that protect homeowners and Arizona's limited water supply. This could be achieved, in part, by eliminating the current statutory requirement that any adequate water supply mandate be approved by the county board of supervisors **unanimously**. Better yet, the Arizona Legislature could require that every subdivision in Arizona demonstrate an adequate or assured water supply.

**Water is of statewide concern – this is where the state should be saying we need to do more, not less.** Since Arizona's statehood, groundwater pumping and diversions have severely and negatively affected major groundwater basins and have seriously degraded five of Arizona's major perennial

rivers including the Colorado, Gila, Salt, Santa Cruz, and much of the San Pedro. Reduced river flows and deterioration of riparian habitats have detrimental effects on wildlife viewing, boating, birding, and other water-based recreational activities that significantly contribute to Arizona tourism – a growing \$20.9 billion industry bringing revenue from outside Arizona.

Governor Ducey, you have praised our state’s historic long-range water planning efforts, especially in light of the water shortages occurring in our neighboring state, California. Signing these bills would constitute a major step backwards for sustainable water policy in Arizona. Such regressive legislation is particularly unwise at a time when we should be taking additional steps to conserve groundwater and protect our remaining flowing rivers and streams, especially considering the impacts we are already experiencing due to long-term drought and climate change.

Arizona is at a tipping point on water. We must seek to increase, not eliminate or hinder, the applicability of requirements for adequate water and to consider the implications of our legal framework upon both ground and surface water alike. We must not enable unfettered development to deplete limited groundwater supplies and dewater rivers such as the San Pedro, the Verde, and others.

**Please veto SB1268 and SB1400.**

Thank you for considering our comments.

Sincerely,

Mick Meader  
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Cascabel Conservation Association

Randy Serraglio  
Southwest Conservation Advocate  
Center for Biological Diversity

Chris Hoy  
President  
Citizens’ Water Advocacy Group

Carolyn Campbell  
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