**Gail Griffin’s Op-Ed August 2023**

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There has been a lot of talk recently about rural groundwater bills not getting a hearing at the Arizona Legislature.

Over the years, proposed legislation has gone by many names, including “Groundwater Conservation Areas,” “Special Management Areas,” “Rural Management Areas,” and “Local Groundwater Stewardship Areas.” It also includes “Sustainable Groundwater Management Plans.”

Regardless of the name, the concept is the same, and all are bad.

While the idea of “local control” might sound good, the actual provisions are far from local or voluntary.

Instead of requiring a local vote of the community, these bills would allow as few as two people in some counties to establish irreversible groundwater control districts throughout the county.

Instead of being elected by the people, the members of these districts would be appointed by the governor.

**Instead of requiring a unanimous vote of county supervisors to adopt the most stringent assured water supply regulations in the nation, these bills would require only a simple majority.**

**Instead of applying equally across the entire watershed, these bills would allow only “portions” to be designated, meaning that individual properties could be singled out for their water use, such power plants, farms, mines, hydrogen production facilities, or any business.**

**Instead of reducing the size of government, these bills would create new layers of government and give additional taxing, zoning, planning, and condemnation authority to a small group of unelected, unaccountable bureaucrats to decide the community’s economy and tell you what you can and cannot do with your private property.**

**Instead of voluntary conservation requirements, these bills would allow mandatory reporting requirements, groundwater supply rations, and groundwater withdrawal fees (taxes).**

**Instead of holding government officials accountable for public funds, these bills would allow the governor to give up to $50 million each year to any nonprofit organization or Indian tribe, regardless of geographic location, political ideology, or conflict of interest.**

**Instead of respecting the right to privacy, these bills would intrude into the personal lives and affairs of rural Arizonans and require active monitoring devices on private wells, including ranchers and farmers litigating water rights in ongoing stream adjudications.**

Instead of authorizing temporary measures to help restore aquifer health, these groundwater control districts would be forever.

**Instead of limiting absolute power, these bills would allow the unelected members of the board to essentially rule by fiat by establishing “local management goals” that would allow them to do whatever they want as the board.**

**Instead of requiring water to be put to “beneficial use,” these bills would open the door to “water markets” wherein water could be turned into a “commodity” and sold to the highest bidder, hoarded, and exported out of the district to big cities, environmental non-profits, and private corporations.**

Instead of narrowly tailoring government power to prioritize human life and prosperity, these bills would allow the board to expand the definition of an “assured water supply” to require not only enough water for human activity over 100 years, but also enough water to protect endangered species, streams and rivers, and fish and wildlife habitat for 100 years (or longer). In other words, no water for people; only for the environment.

All of these are fraught with abuse and are unworkable for Arizona.

Thus, “local control” (in this context) is a wolf in sheep’s clothing, designed to trick voters into thinking the bills do something other than what they actually do.

We must do everything we can to identify bad legislation before it gets a hearing. And we must find solutions that make sense for Arizona and help strengthen our responsible use and management of water and natural resources.

We do have solutions moving forward, and we will continue to explore additional solutions that can help to address rural groundwater in Arizona.

As an elected official, I am committed to working with anyone who is willing to work with me and others to find reasonable solutions.

Until then, I will continue to fulfill my duty to the public to support good legislation, and oppose bad legislation, on rural groundwater management in our state.

Gail Griffin just dropped this op-ed today.  Most of what she states in the op-ed are blatant lies.  The real reason she hasn’t allowed even one public hearing on the multiple water bills that have been introduced is that she cannot publicly defend her policy positions during public debate and discussion.  It’s easier for her to never let the bills see the light of day.

Having been a part of the growing rural Arizona advocacy on this statewide topic, it is incredibly disappointing to see Representative Griffin resort to false statements and scare tactics in an attempt to diminish efforts to protect Arizona’s rural residents from the exploitation of their finite and non-renewable rural groundwater resources.

What is clear in her op-ed is that she has not read the legislation she claims to oppose, and had she scheduled a hearing to discuss the legislation many of her fears and false assumptions could have been corrected.

Ms. Griffin spent this entire past legislative session looking for a solution to homeowners from Rio Verde not having access to water, meanwhile in rural communities all over this state individual’s wells are running dry as their groundwater table lowers due to excessive and unsustainable water pumping. She’ll work to resolve an issue for wealthy individuals north of Scottsdale while ignoring the cries of us regular folks from rural Arizona, including within her own district in Cochise County.

As other states and foreign countries have already moved to regulate their precious groundwater resources, corporations from those areas (California, Saudi Arabia, UAE, and elsewhere) move to unregulated environments like rural Arizona to exploit our precious rural groundwater resources and put our rural residents at risk of future public health crises.

Ms. Griffin erroneously says in her op-ed that rural groundwater protections will lead to water markets and speculation to the highest bidder. That is false. Coincidentally, Representative Griffin has actually opposed legislation put forward by our Colorado River communities’ that would directly stop speculative water markets created by east coast hedge funds seeking to exploit our Colorado River communities’ finite water resources and transfer them to central Arizona communities like Queen Creek at our Colorado River communities’ expense.

No, Rep. Griffin is not rural Arizona’s ally on the subject of water. We need state legislators with both a heart and a backbone who are going to actually stand up for rural Arizonans and our need to protect our finite rural groundwater resources — not advocate for monied special interests like Griffin continues to do.

Let’s walk through some simple facts:

1.     Myth: As few as two individuals could establish a Local Groundwater Stewardship Area (LGSA), the most recent iteration of groundwater protections).

a.     Fact: The creation of an LGSA is only warranted based upon the aquifer health and will ultimately be determined by hydrologists and experts at the Arizona Department of Water Resources (ADWR).

2.     Myth: Local Groundwater Stewardship Areas (LGSA) are irreversible.

a.     Fact: Once established they must be reviewed every 10 years to see if the aquifer data requires a continuation, and if the data does not support a continuation, it would be dissolved.

3.     Myth: members of an LGSA would be appointed by the governor.

a.     Fact: In order to achieve a non-partisan council members of both parties in the legislature as well as a County Board of Supervisors would name members to the council.

4.     Myth: Individual properties could be singled out.

a.     Fact: While regulation would generally follow the boundaries of a groundwater basin or subbasin, there are extremely large basins such as in northern Arizona where a portion of the basin could be regulated ONLY if the boundaries track natural geological boundaries.

5.     Myth: Legislation creates additional taxing authority.

a.     Fact: There is no provision in proposed legislation that would allow for new taxing authorities under proposed groundwater legislation. Ms. Griffin knows this as we have provided that feedback directly and we have offered to include language that specifically indicates no new authorization for taxing authority. She continues to exploit this false talking point.

6.     Myth: The Governor would control $50M to give to non-profits or tribes.

a.     Fact: The Governor has NO control over any monies allocated to LGSA. Those funds would be allocated by a local LGSA council and must be approved by ADWR as a step to meeting the goal of protecting the aquifer.

7.     Myth: Groundwater control districts would be forever.

a.     Fact: See myth/fact 2 above.

8.     Myth: These bills would open the door to water markets where water would be sold to the highest bidder.

a.     Fact: Currently rural aquifers are exposed to the person/entity with the most resources to drill the deepest wells and the most wells. Right now it’s completely legal to make surrounding wells go dry. Under an LGSA the water supply for local residents and businesses alike would be protected from exploitation and commoditization by foreign and out-of-state companies that seek to water mine in our rural areas no matter who it harms.

I am thankful that experts from across Arizona have come together to work on the Rural Groundwater Committee, and that they will be releasing real recommendations for the Arizona Legislature to enact to support rural Arizonans throughout our state.