

# 2023 Environmental Priorities for the Arizona Legislature and Governor

We cannot afford to ignore the important issues that affect our state, including ensuring easy access to our democratic processes, acting on the climate crisis, ensuring more sustainable water policies that protect groundwater and rivers, maximizing the health of all Arizonans, and addressing the environmental injustice that burdens those most vulnerable in our communities, especially Black people, Indigenous people, and People of Color. We must also open our ears to other-than-human voices, including those of future generations, endangered species, the air we breathe, the water that is our life, and the soil that nourishes us. We urge Arizonans, and in particular our elected officials, to promote these priorities during the 2023 Legislative session and beyond.



## Ensure Access to Democracy for All

- The freedom to vote for all citizens of voting age must be protected. The democratic process must reflect and empower our diverse electorate. Unreasonable barriers to voting must be removed.
- People of color must feel safe and welcome as they peacefully protest actions by our government and should not be targeted by law enforcement or other government entities, including by imposition of unreasonably high penalties for minor infractions.
- Free and fair elections are a cornerstone of democracy. Election workers and those seeking to vote should be encouraged, not discouraged or intimidated.

**We ask the Arizona Legislature and Governor to enact an automatic voter-registration program, expand early voting opportunities, and ensure that formerly incarcerated individuals are allowed to vote. Access to direct democracy must also be part of this work, including allowing those pursuing ballot measures to collect signatures electronically, and without unreasonable requirements, such as the passage by the legislature of laws intended to make it harder for the public to exercise their right to initiative, referendum, and recall as guaranteed by the state constitution. We also ask that the First Amendment right to protest is not infringed upon by law enforcement or government more generally, including with laws that target people of color.**



## Act on the Climate Crisis—Now!

- We are in a climate crisis that affects every sector of our economy and every aspect of our lives, and we have less time to address it than we previously thought in order to avoid the most severe impacts of climate change. According to the most recent Intergovernmental Panel on Climate Change (IPCC) report, the changes we are seeing are unlike anything we have seen in thousands of years and they are intensifying<sup>1</sup>. We cannot talk about the long list of environmental issues and economic concerns—water scarcity, pollution, unhealthy air, environmental racism, rising healthcare costs, and climate-caused international migration, among others—and ignore the rapidly warming climate that makes all these problems exponentially worse. Arizona is among the fastest warming states in the U.S. and is considered the fourth fastest warming state according to States at Risk<sup>2</sup>. The number of dangerous heat days in Arizona is expected to increase from 50 to 80 by 2050<sup>3</sup>. In 2022, Phoenix experienced 22 days of temperatures of 110 degrees F or higher<sup>4</sup> and the city is recognized as the hottest in the U.S.<sup>5</sup> It is the most vulnerable in our communities who suffer the greatest from this extreme heat, which also has resulted in more and more heat-related deaths – perhaps a new record will be set in Maricopa County for 2022, quite sadly. These rapidly rising temperatures exacerbate our prolonged extreme drought, expanded wildfire season and larger fires, and increasingly unpredictable and more severe weather patterns. These impacts threaten our personal, community, and economic health.

**We ask the Arizona Legislature and Governor to pass legislation to develop a climate resiliency plan so Arizona is better prepared for the continued impacts of climate change; pass legislation to accelerate investments in clean energy and reject bills that hinder clean energy actions at the Arizona Corporation Commission or at any local level; invest in transportation electrification by fully utilizing the Inflation Reduction Act and Bipartisan Infrastructure Law funding, including to promote electric school and transit buses along with a more robust electric-vehicle charging infrastructure; and help to promote greater energy efficiency—our cheapest, cleanest resource—emphasizing access to efficiency for low-income communities and renters. State agencies must be allowed and directed to work collaboratively to develop a Climate Action Plan for Arizona to reduce our state’s greenhouse gas emissions and to effectively implement provisions of the Inflation Reduction Act and the**

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<sup>1</sup> <https://www.ipcc.ch/2021/08/09/ar6-wg1-20210809-pr/>

<sup>2</sup> <https://statesatrisk.org/arizona/extreme-heat>

<sup>3</sup> <https://statesatrisk.org/arizona/extreme-heat>

<sup>4</sup> <https://grist.org/extreme-weather/phoenix-could-see-deadliest-year-for-heat-deaths-after-sweltering-summer/>

<sup>5</sup> <https://www.theguardian.com/us-news/2022/jan/27/phoenix-arizona-hottest-city-cooling-technologies>

Justice 40 Initiative<sup>6</sup> that requires more resources be directed into communities that have suffered the disproportionate impacts of climate change.



## Protect Precious Water Resources

- Climate change is affecting precipitation and the amount and timing of river flows. Runoff in the Colorado and other river systems on which a significant amount of Arizona’s water supply depends for direct use and for groundwater recharge will decline by 20-40 percent by mid-century, exacerbating water supply shortages that already exist.<sup>7</sup> The Colorado River system has been overallocated since the signing of the 1922 Colorado River Compact and is unable to meet future demand.<sup>8</sup> In 2021, for the first time, the federal government declared shortages on the Colorado River and additional shortages are headed our way for 2023, which disproportionately affect Arizona. Reduced precipitation, increasing temperatures, increased evapotranspiration from soils and plants, and changes in the timing of runoff to rivers are making droughts more frequent, longer lasting, and more severe. Arizona is in its 27th year of a long-term drought<sup>9</sup> that, according to climate scientists, is likely the most extreme in the last 1200 years.<sup>10</sup> Both groundwater and surface water resources are already over-allocated, and climate change is exacerbating that crisis, too.
- Agriculture uses about 72 percent of the water in Arizona, much of it dedicated to growing alfalfa and raising livestock.<sup>11</sup> On top of that, Arizona continues to grow at unsustainable rates and seeks to attract water-intensive industries.
- In the 2022 legislative session, the Arizona Legislature passed and the Governor signed a bill to establish an enhanced Water Infrastructure Finance Authority (WIFA) program to fund projects to import water from

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<sup>6</sup> <https://www.whitehouse.gov/environmentaljustice/justice40/>

<sup>7</sup> <https://www.demos.org/research/economic-and-environmental-impacts-climate-change-arizona>

<sup>8</sup> “The Colorado River Is Overcommitted. Here Is Why & What We Can Do about it,” Bret Jaspers, December 19, 2019, <https://kjzz.org/content/1359436/colorado-river-overcommitted-heres-why-and-what-we-can-do-about-it>  
“Management of the Colorado River: Water Allocating, Drought, and the Federal Role,” Charles Stern, Perrvance A. Sheikh, Congressional Research Service, August 16, 2021, <https://crsreports.congress.gov/product/pdf/R/R45546>

<sup>9</sup> <https://azclimate.asu.edu/drought/>

<sup>10</sup> Arizona Drought, Arizona State Climate Office, Accessed 11/05/2021

<https://azclimate.asu.edu/drought/#:~:text=Arizona%20is%20currently%20in%20our,of%20a%20long%2Dterm%20drought.&text=Since%20Arizona%20has%20an%20arid,few%20wetter%20than%20normal%20years.>  
<https://www.azcentral.com/story/news/local/arizona-environment/2020/05/06/western-megadrought-centuries-worsened-climate-change-global-warming/3036460001/>

<sup>11</sup> <https://www.arizonawaterfacts.com/water-your-facts>

outside of Arizona and to fund some conservation programs, provided they are not mandatory. Unfortunately, this bill did not include any limits on groundwater pumping, any protections for rivers, or any protections for consumers, and no environmental analysis of the projects was required. Bills that did include those provisions were once again stopped by the chairs of the respective Natural Resource, Energy, and Water Committees. The bulk of the funding – more than \$1 billion – is directed to out-of-state augmentation as well.

- Per- and polyfluoroalkyl substances or PFAs, often referred to as forever chemicals that harm our health, contaminate waters in a number of Arizona communities, particularly those around military bases, and some communities, including a number of Indigenous communities, still lack access to clean, safe drinking water.
- A case before the U.S. Supreme Court could severely curtail Clean Water Act protections for most of Arizona’s waters by eliminating protections for ephemeral waters. Arizona passed a bill to set up a program for “Protected Surface Waters,” but unfortunately, it too leaves out nearly all ephemeral waters, leaving those critical desert washes unprotected.
- The Arizona Department of Environmental Quality received a scathing audit in 2021 relative to its water quality work, including a huge backlog of cleaning up impaired surface waters.<sup>12</sup>

**We ask that the Arizona Legislature pass and the Governor sign bills to measure and limit groundwater pumping throughout Arizona and especially outside Active Management Areas (AMA) and in areas where it is affecting our river flows. Rather than merely trying to import water from outside Arizona, we ask that our leaders examine the sustainability of the state’s current growth and development patterns, and current agricultural practices, and identify and take full advantage of opportunities for deeper conservation such as water reclamation and treatment of wastewater flows. We also ask the Legislature and Governor to amend Arizona law to provide for ecological flows in Arizona’s watercourses that will support biological diversity, which currently is gravely threatened both by climate change and by existing laws that ignore the needs of riparian ecosystems. The Legislature should modify the surface water program to require that ephemeral waters be included, provide funding to address the backlog of impaired waters at ADEQ, and invest in funding to ensure safe drinking water for all, including to monitor and limit PFA contamination.**



## **Address Environmental Injustice and Racism**

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<sup>12</sup><https://www.azauditor.gov/reports-publications/state-agencies/environmental-quality-department/report/arizona-department-4>

*“Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” - Environmental Protection Agency*

*“Whether by conscious design or institutional neglect, communities of color in urban ghettos, in rural 'poverty pockets,' or on economically impoverished Native-American reservations face some of the worst environmental devastation in the nation.” - Dr. Robert Bullard*

- Communities of color have especially high asthma rates. African-American and Latinx children visit emergency departments for asthma care more often than white children. Black Americans are 2 to 3 times more likely to die from asthma than any other racial or ethnic group. One in five Latinx adults can't afford their asthma medicines, and adults who didn't finish high school are more likely to have asthma than adults who graduated high school or college<sup>13</sup>.
- Water is life. Native American communities disproportionately lack access to safe water and wastewater disposal. Water contamination occurs more often in Native American water systems. Overall, tribal public-water systems are twice as likely to violate health-based water quality regulations as non-tribal systems<sup>14</sup>.
- There are more than 500 abandoned uranium mines throughout the Navajo Nation. An analysis of water supplies in the Navajo Nation found disproportionately high levels of arsenic and uranium; 15 percent of unregulated water supplies had high levels of arsenic and more than 12 percent had high levels of uranium<sup>15</sup>.
- Dangerous neurotoxins in lead pipes contaminate drinking water and cause health problems for communities of color at a disproportionate rate. Black children are three times more likely than white children to have elevated blood-lead levels<sup>16</sup>.

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<sup>13</sup>The 2016 Arizona Asthma Burden Report, American Lung Association.

<http://www.azdhs.gov/documents/prevention/tobacco-chronic-disease/az-asthma-burden-report.pdf>

<sup>14</sup> Otakuye Conroy-Ben and Rain Richard, Disparities in Water Quality in Indian Country, Universities Council on Water Resources Journal of Contemporary Water Research & Education Issue 163, Pages 31-44, April 2018.

<https://onlinelibrary.wiley.com/doi/pdf/10.1111/j.1936-704X.2018.03268.x>

<sup>15</sup> Uranium and arsenic unregulated water issues on Navajo lands

Jani C. Ingram,<sup>1</sup> Lindsey Jones,<sup>2</sup> Jonathan Credo,<sup>3</sup> and Tommy Rock, *J Vac Sci Technol A*. 2020 May; 38(3): 031003. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7083651/>

<sup>16</sup> WATER INJUSTICE: ECONOMIC AND RACIAL DISPARITIES IN ACCESS TO SAFE AND CLEAN WATER IN THE UNITED STATES, Issue Brief, Food and Water Watch, March 2017. [https://foodandwaterwatch.org/wp-content/uploads/2021/04/ib\\_1703\\_water-injustice-web.pdf](https://foodandwaterwatch.org/wp-content/uploads/2021/04/ib_1703_water-injustice-web.pdf)

- We frequently hear about the disparate impacts of climate change on people in “poor” nations, but not as much is said about the impacts closer to home. Researchers at the University of Arizona “ found that the southwestern region is a hotspot both for physical climate change and for social vulnerability with a clear ‘climate gap’ between rich and poor<sup>17</sup>. The Southwest is projected to become hotter and drier under future climate change, creating the potential for heightened vulnerability and increasing challenges to achieve [Environmental Justice]. The Southwest exhibits high social vulnerability, with rankings among the worst in the USA on a range of indicators, including poverty, health insurance, energy and food security, and childhood well-being.”<sup>18</sup>
- A recent Environmental Protection Agency (EPA) report found that Black people are 40% more likely to live in an area with the highest heat-related deaths with increased temperatures of 2 degrees<sup>19</sup>.

**We ask the Arizona Legislature and Governor to require the Arizona Department of Administration, in consultation with the Arizona Department of Environmental Quality (ADEQ), to ensure that all state agencies, boards, commissions, and other public bodies involved in decisions that may affect environmental quality adopt and implement environmental-justice policies that provide meaningful opportunities for involvement of all people, regardless of race, color, ethnicity, religion, income, or education level. We ask that the Legislature and Governor also require that ADEQ review environmental and public-health information to identify existing and proposed industrial and commercial facilities in communities of color and in low-income communities and to minimize and mitigate the impact on communities of color and low-income areas. It should also require the establishment of an environmental-justice task force.**

**We further ask for additional legislation that defines “overburdened communities” as those with significant non-white, non-English-speaking, or low-income populations; requires major polluters seeking air quality, waste, and water quality permits in overburdened communities to develop “Environmental Justice Impact Statements” (EJIS) with substantive detail, meaningful public input, and real ADEQ oversight including technical assistance to impacted communities; and empowers ADEQ to deny or condition permits due to disproportionate impacts based on the EJIS.**

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<sup>17</sup> Margaret Wilder, Diana Liverman, Laurel Bellante & Tracey Osborne (2016): Southwest climate gap: poverty and environmental justice in the US Southwest, Local Environment, DOI: 10.1080/13549839.2015.1116063. : <http://dx.doi.org/10.1080/13549839.2015.1116063>

<sup>18</sup> *ibid.*

<sup>19</sup> “EPA report finds people of color face more harm from climate change,” Zayna Syed, Arizona Republic, October 14, 2021. <https://www.azcentral.com/story/news/local/arizona-environment/2021/10/14/epa-report-finds-people-color-face-more-harm-climate-change/5998059001/>



## Restore and Protect Land, Habitat, and Wildlife

- Arizona is blessed with roughly 28 million acres of federal public lands, including wildland gems such as Grand Canyon, Petrified Forest, and Saguaro National Parks, the Superstition Wilderness Area, Kaibab National Forest, and Kofa National Wildlife Refuge. These places provide extensive recreational opportunities as well as key habitat and corridors for numerous animals and plants, some found no place else. These public lands were all Indigenous lands and are significant to the 22 Tribal nations recognized in Arizona, in addition to containing a rich history of human occupation of the region. Public lands provide us with clean air and clean water. From the San Francisco Peaks to the San Pedro River, Arizonans love and enjoy our public lands.

Public lands also contribute significantly to Arizona’s \$20-billion-plus tourism industry as well as to our outdoor recreation industry. According to the National Park Service, there were more than 6.3 million recreational visitors to Grand Canyon National Park in 2018, who collectively spent \$947 million in communities near the park, supporting 12,558 jobs and a cumulative benefit to the local economy of \$1.2 billion<sup>20</sup>. And according to a 2013 report from Tucson Audubon Society, people who watch birds and other wildlife in our state generate a total economic impact of \$1.4 billion each year<sup>21</sup>.

According to the Arizona Office of Tourism, “Arizona’s warm weather and magnificent natural beauty made tourism the number one export industry in Arizona in 2020.”<sup>22</sup> Our public lands are key to that natural beauty. The more than 32 million people who visited our state helped generate \$2.7 billion in tax revenues in 2020 and supported 160,500 jobs<sup>23</sup>.

Likewise, outdoor recreation along Arizona’s waterways generates significant revenues and is a \$13.5 billion industry—more than golf or mining—according to a 2019 National Audubon report. “The industry contributes \$7.1 billion to Arizona’s GDP, provides \$4.5 billion in

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<sup>20</sup> <https://www.nps.gov/grca/learn/news/grand-canyon-economic-benefit.htm>

<sup>21</sup> <http://tucsonaudubon.org/images/stories/News/TAS-AZ-WildlifeWatching-Analysis-2011-130718.pdf>

<sup>22</sup> <https://tourism.az.gov/economic-impact/>

<sup>23</sup> <https://tourism.az.gov/economic-impact/>



household income and generates \$1.8 billion in tax revenues.”<sup>24</sup> Many of Arizona’s waterways are associated with public lands.

- In addition to a climate crisis, we also have an extinction crisis. Habitat loss and climate change mean that about one-third to one-half of all species on the planet will face extinction. Loss of these species will disrupt ecosystems affecting other plants, animals, and people. Earlier in 2021, the U.S. Fish and Wildlife Service declared that 22 animals and one plant were officially extinct<sup>25</sup>. Climate change is increasingly a factor, but many of these species were lost due to development. In Arizona, we have approximately 73 plants and animals included on the federal endangered-species list<sup>26</sup>. Many of these species are threatened or endangered due to loss of habitat, including the dewatering of streams, rivers, and riparian areas.

**We ask the Arizona Legislature and Governor to support strong protections for federal, state, and local public lands, including the provisions of the America the Beautiful proposal, and begin working with Tribal nations, other relevant Arizona State entities and bodies, and the federal government to prioritize restoring Tribal homelands. We also ask the state to establish a state-level endangered species program that will actively protect species not covered by the federal Endangered Species Act. In addition, we ask the Legislature to establish a state environmental policy act requiring state, local, and other government entities to assess the impacts of proposed state or local government actions on the environment before committing to a course of action, to make these impacts known to the public, to allow public input into the process, to propose means to reduce or eliminate adverse environmental impacts resulting from state or local government actions, and to provide robust consultation with Native American Tribes. We also ask that the state work more closely and collaboratively to develop and fund wildlife connectivity and corridors, including with federal land management agencies.**

## **Supporters include the following groups:**

1. Arizona Climate Action Coalition – Hazel Chandler
2. Arizona Faith Network
3. Arizona Heritage Alliance
4. Arizona Interfaith Power & Light
5. Arizona Preservation Foundation

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<sup>24</sup> <https://www.audubon.org/economic-impact-arizonas-rivers-lakes-and-streams>

<sup>25</sup> <https://www.nytimes.com/2021/09/29/climate/nyt-climate-newsletter-extinction.html>

<sup>26</sup> <https://ecos.fws.gov/ecp/report/species-listings-by-state?stateAbbrev=AZ&statusCategory=Listed&s8fid=112761032792&s8fid=112762573902>



6. Arizonans for Community Choice
7. Black Canyon Heritage Park
8. Casas Adobes Congregational, United Church of Christ
9. Central United Methodist Church
10. Chalice Christian Church, Gilbert
11. Chispa Arizona
12. Christian Church (Disciples of Christ) in Arizona
13. Church of the Painted Hills, United Church of Christ
14. Climate Cabinet Action
15. Coalition for Sonoran Desert Protection
16. Dayspring United Methodist Church
17. Defend Our Future Arizona
18. Elders Climate Action – Arizona Chapter
19. Episcopal Diocese of Arizona
20. First Church UCC
21. Foothills Christian Church
22. Granite Peak Unitarian Universalist Congregation
23. Great Old Broads for Wilderness
24. Kids' Climate Action Network
25. MARBE SA
26. MKS Imaging Technology, LLC
27. Moms Clean Air Force – Arizona Chapter
28. Physicians for Social Responsibility – Arizona Chapter
29. Prescott College, Tucson
30. Shepherd of the Hills, United Church of Christ
31. Sierra Club – Grand Canyon Chapter
32. St. Mark's Presbyterian Church
33. Sustainable Water Network
34. Tó Nizhóní Aní
35. Tucson Audubon Society
36. Tucson Climate Coalition
37. Unitarian Universalist Justice Arizona (UUJAZ)
38. University Presbyterian Church
39. Vote Solar
40. Western Watersheds Project
41. Westwood High School Environmental Club
42. Yuma Audubon Society