







program and a couple of councils, including for outdoor recreation and archaeology. They made some tweaks to small water system requirements that could result in safer drinking water, but we have yet to see how it will be implemented. Legislators also made changes to the emissions bank program, but, again, it is unclear whether or not those changes will result in real emissions reductions; we will monitor for its impacts.

Nearly the entire Republican majority in both houses received failing grades. Ironically, only one person voted wrong on all bills we graded – Representative Rusty Bowers. He chairs the House Energy, Environment, and Natural Resources Committee. Five senators and 17 representatives earned an “A+,” which means they voted 100 percent pro-environment and also did not miss a vote on the key bills Sierra Club scored. Three senators and five representatives also received an “A.”

Senators were graded using seven bills and three memorials. House members were graded using nine bills, three memorials, and one referendum.

Governor Doug Ducey earned an “F” on the 2017 Environmental Report Card. He was graded on six bills.

Everyone was graded on a curve. The bills we graded focused on citizen initiatives, water, wildlife, and state parks.

# 2017 ENVIRONMENTAL REPORT CARD

<b>F</b>	Governor Ducey
----------	----------------

## SENATE GRADES

## HOUSE GRADES

<b>A+</b>	Farley, Hobbs, Mendez, Peshlakai, Quezada
<b>A</b>	Cajero Bedford, Contreras, Dalessandro
<b>B</b>	Bowie, Bradley, Meza, Miranda, Otondo
<b>C</b>	Brophy McGee
<b>D</b>	
<b>F</b>	S. Allen, Barto, Borrelli, Burges, Fann, D. Farnsworth, Griffin, Kavanagh, Lesko, Montenegro, Petersen, Pratt, Smith, Worsley, Yarbrough, Yee
<b>I</b>	

<b>A+</b>	Alston, Andrade, Blanc, Bolding, Butler, Clark, Engel, Epstein, Espinoza, Fernandez, Friese, Galbadón, Gonzales, Martinez, Navarrete, Powers Hannley, Saldate
<b>A</b>	Chávez, Descheenie, Hernandez, Rubalcava, Salman
<b>B</b>	Benally, Cardenas, Rios
<b>C</b>	
<b>D</b>	
<b>F</b>	J. Allen, Barton, Bowers, Boyer, Campbell, Carter, Clodfelter, Cobb, Coleman, Cook, E. Farnsworth, Finchem, Grantham, John, Kern, Lawrence, Leach, Livingston, Mesnard, Mitchell, Mosley, Norgaard, Nutt, Payne, Rivero, Shooter, Shope, Stringer, Syms, Thorpe, Townsend, Udall, Ugenti-Rita, Weninger
<b>I</b>	Lovas, Toma

# Environmental Super Stars



Rep. Lela Alston  
(D-24)



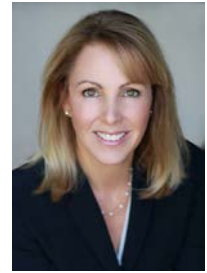
Rep. Richard Andrade  
(D-29)



Rep. Isela Blanc  
(D-26)



Rep. Reginald Bolding  
(D-27)



Rep. Kelli Butler  
(D-28)



Rep. Ken Clark  
(D-24)



Rep. Kirsten Engel  
(D-10)



Rep. Mitzi Epstein  
(D-18)



Rep. Diego Espinoza  
(D-19)



Sen. Steve Farley  
(D-9)



Rep. Charlene Fernandez  
(D-4)



Rep. Randall Friese  
(D-9)



Rep. Rosanna Gabaldón  
(D-2)



Rep. Sally Ann Gonzales  
(D-3)



Sen. Katie Hobbs  
(D-24)



Rep. Ray Martinez  
(D-30)



Sen. Juan Mendez  
(D-26)



Rep. Tony Navarrete  
(D-30)



Sen. Jamescita Peshlakai  
(D-7)



Rep. Pamela Powers  
Hannley (D-9)



Sen. Martin Quezada  
(D-29)



Rep. Macario Saldate  
(D-3)

**Five Senators and 17 Representatives earned an “A+” on the Environmental Report Card this session.** Everyone on the “A+” list voted pro-environment 100 percent of the time and did not miss votes on any of the bills Sierra Club scored. They voted against all of the anti-citizen initiative bills, plus the harmful water bill, anti-wildlife measures, and the bill to impede the Pima County Sonoran Desert Protection Plan. Many of these legislators spoke up against weakening environmental protections time after time, in committee and on the floor.

## Environmental Guardians



Sen. Olivia Cajero  
Bedford (D-3)



Rep. César Chávez  
(D-29)



Sen. Lupe Contreras  
(D-19)



Sen. Andrea Dalessandro  
(D-2)



Rep. Eric Descheenie  
(D-7)



Rep. Daniel Hernandez  
(D-2)



Rep. Jesus Rubalcava  
(D-4)



Rep. Athena Salman  
(D-26)

Not unlike other recent sessions, Sierra Club’s focus this legislative session was on defense, particularly the defense of direct democracy in Arizona, flowing rivers, and wildlife. The three senators and five representatives who earned an “A” on the report card were Environmental Guardians, voting consistently against bills that would harm the citizen initiative process, waters, and parks.





# 2017 Environmental Report Card

## Bill Summaries

[HB2022 unlawful discharge of firearms; exception](#) (Lawrence) would have allowed an exception to the prohibition on shooting firearms in city limits if it was with “rat shot” or “snake shot.” Obvious public safety concerns included permitting shooting in residential areas and the associated lead contamination with the allowed shot. However, an important concept overlooked by proponents is that **this bill would have likely increased negative interactions between wildlife and people**. This type of shot must be fired at close range, placing people in closer contact with potentially harmful wildlife. Additionally, snakes, including rattlesnakes, can still strike after they are dead. Most people don’t realize this and may have picked up the snake after they considered it dead. This means people would be more likely to get close enough for a snake to strike and to be bitten by a reflex bite.

Overall, this bill sent a bad message about wildlife and encouraged people to use this shot to kill birds, native rodents, and our 52 species of native snakes, most of which are non-venomous. Three species of snakes are federally-listed, and many others are protected under state regulations. However, most people are unaware of these facts or are not trained to tell the difference between these species, which may have resulted in protected sensitive species being killed.

**Sierra Club was opposed to this bill.**

**Points: Yes 0, No 3**

***This bill passed out of the House on Third Read 35-25 and failed in the Senate on Third Read 15-15.***

[HB2065 waste tire disposal; continuation](#) (Coleman) continues the waste tire disposal program through 2027. This is a good program as it helps to keep tires out of landfills, the desert, and other places they do not belong.

**Sierra Club supported this bill.**

**Points: Yes 1, No 0**

***This bill passed out of the House on Final Read 55-1-3-0-1 and in the Senate on Third Read 29-0-1 and was signed by the Governor.***

[HB2096 natural resources projects; court actions](#) (Thorpe: Barton) seeks to penalize individuals and organizations that obtain an injunction to stop a “natural resource” project, such as one that includes old growth logging or harming a riparian area. HB2096 requires those who successfully obtain an injunction to pay for any erosion, fire suppression costs, flooding, etc. associated with activities that are stopped by the injunction. A key question is how would the state or the courts even determine whether erosion or flooding is associated with the project? Would they try to blame someone who had protected old growth in the forest for a fire started by an irresponsible hunter or shooter, for example? The bottom line is this bill could have a chilling effect on challenges to bad “natural resource projects.”

Another concern with this bill is that an injunction on a project is already very difficult to obtain – you must show there is a threat of irreparable harm and that you are likely to prevail on the case merits. Relatively few injunctions are granted for these types of projects.

The devil is in the details with the projects that would likely be the subject of this legislation. Projects that do little to improve forest health or to reduce flooding or erosion can be cloaked as restoration, and



***This bill passed out of the House initially 34-24-2 with the repeal language included. It was amended in the Senate to remove the repeal and passed on Third Read 16-12-2 and the House on Final Read 34-21-5 and was signed by the Governor. (Note that we only graded House votes on the original bill.)***

**HB2404 initiatives; circulators; signature collection; contests** (Leach) prohibits paying signature gatherers by the signature. The real impact of this bill is to punish those who sign petitions – their signatures will be invalidated simply because the person circulating the petition may have been paid by the signature, something most petition signers would have no way to know. It also punishes the person collecting merely based on how they are paid. This measure will likely make ballot measures even more costly than they are already.

HB2404 will make it much more difficult and certainly more costly to put an initiative on the ballot. That is the absolute wrong direction we should be moving with ballot measures. It is already very costly to put something on the ballot. Last cycle, there were only two citizen measures on the ballot – that is hardly an abuse of this important right and speaks to the challenges with getting measures on the ballot.

**Sierra Club was opposed to this bill.**

**Points: Yes 0, No 3**

***This bill passed out of the House on Final Read 34-22-3-1 and the Senate on Third Read 17-13 and was signed by the Governor. (Note that this bill is also subject to a referendum.)***

**HB2406 counties; municipal land acquisition; limitation** (Leach) started out requiring agreements among cities and towns relative to land acquisitions but was amended in the waning days of the legislative session to add specific language targeting Pima County’s Sonoran Desert Conservation Plan, an award-winning habitat conservation plan that helps protect habitat for threatened and endangered species. Pima County is the only county in Arizona that has such a plan. The Legislature has now given the City of Marana this special legislation that limits Pima County’s ability to protect land in Marana. We are especially concerned about the impact on protection of key conservation lands in the Tortolita Fan.

**Sierra Club was opposed to this bill.**

**Points: Yes 0, No 3**

***This bill passed out of the House on Final Read 31-28-1 and the Senate on Third Read 16-14 and was signed by the Governor.***

**HCR2002 repeal 1998 proposition 105** (Ugenti-Rita) would have referred to the ballot a measure to repeal the voter-protection provisions of the Arizona Constitution – those provisions that limit the Arizona Legislature’s ability to weaken, defund, and repeal voter-approved measures. The Voter Protection Act is the only thing that has kept funding in place for conserving state trust lands or has prevented weakening or repeal of measures. In contrast, a ballot measure that did not have voter protection, the Arizona Heritage Fund, meant the Legislature could and did repeal it, so despite the fact that the public approved this funding for parks, it is gone. That is why the Voter Protection Act is so important.

**Sierra Club was opposed to this bill.**

**Points: Yes 0, No 4**

***This bill passed out of the House on Third Read 35-25 and was never heard in the Senate, so the bill died.***

[SB1236 NOW: statewide petition circulators; registration; committees](#) (Lesko) would have erected more impediments to gathering the required number of petition signatures to place an initiative or referendum on the ballot. It required that a “warning” be placed on any advertising for a ballot measure, indicating that it is difficult for the Legislature to amend a voter-approved measure. The specific language required by the bill was not accurate as voter approval is required to substantially change a ballot measure approved by the voters, not merely a referral, as this bill indicated. The bill also made an organization liable for a petition circulator who violates the law and imposed a fine of up to \$1,000 per violation. The bill even allowed the Secretary of State to disqualify whole pages of signatures merely because they were not grouped by circulator.

**Sierra Club was opposed to this bill.**

**Points: Yes 0, No 4**

***This bill passed out of the House on Third Read 35-23-2 and was never heard in the Senate, so the bill died.***

[SB1412 surface water; adjudication sequence](#) (Griffin) establishes an order for adjudication of surface water rights and places smaller claims at the end of the line. There are a lot of questions and concerns about what this will do to the adjudication process. Does this push all the risk and potential losses off on the federal and tribal claims as they are dealt with prior to these smaller claims? Would it make the process even more drawn out?

Presently, in addition to focusing on adjudicating (deciding) federal-based claims, the adjudication is also working to establish a streamlined process to quantify small water users in both the Gila River Adjudication and the Little Colorado River Adjudication. Instead of following the process being set by the court, smaller water users, which cumulatively can be quite a lot, want to slow down the adjudication of their stockpounds and wells, especially if these sources are in a subflow zone (where wells are pumping surface water), something they may have no actual right to pump.

This bill may end up severely harming the San Pedro Riparian National Conservation Area as some interests are seeking to have the enabling legislation for this conservation area amended to grandfather wells that were pumping surface flows prior to a certain date.

**Sierra Club was opposed to this bill.**

**Points: Yes 0, No 4**

***This bill passed out of the House on Third Read 35-23-1-0-1 and the Senate on Final Read 21-9 and was signed by the Governor.***

[SCM1008 ozone concentration standard; reinstatement](#) (Griffin) is a memorial (message) that asks Congress and the President to revert to a weaker ozone standard that is less protective of public health. In 2015, the Environmental Protection Agency (EPA) announced a long-delayed new National Ambient Air Quality Standard (NAAQS) for smog pollution or ground-level ozone and set the level at 70 parts per billion (ppb). The standard had previously been updated in 2008 when the Bush administration rejected the recommendations of expert scientists and medical health professionals, who warned that the proposed 75 ppb was insufficient to protect public health and would leave too many Americans in harm’s way.

Scientists, medical experts, and public health advocates have consistently called for a stronger standard of 60 ppb and have pointed to an ever-growing body of scientific literature that demonstrates the significant harm the 75 ppb standard does to public health, particularly to vulnerable populations such as children, seniors, and people with respiratory illnesses, including asthma. According to the American Lung Association, inhaling smog pollution is like getting a sunburn on your lungs and often results in immediate breathing trouble. Long-term exposure to smog pollution is linked to chronic respiratory diseases such as asthma, reproductive and developmental disorders, and even premature death. It also disproportionately harms low-income communities and communities of color, who are more likely to live close to sources of pollution and roadways, have less access to medical resources and health insurance, and die from asthma-related complications.

Enacting a more protective smog standard was a modest step in the right direction. We should not go backwards.

**Sierra Club was opposed to this memorial.**

**Points: Yes 0, No 1**

***This memorial passed out of the House on Third Read 31-23-6 and the Senate on Third Read 17-13 and was transmitted to the Secretary of State.***

[SCM1009 urging delisting of gray wolf](#) (Griffin: Barton, Bowers) is another memorial, but this time is directed to the director of the U.S. Fish and Wildlife Service, asking the service to delist gray wolves. Arizona's wolves, Mexican gray wolves, are far from recovered. With just 113 in Arizona and New Mexico and a small population in Mexico, it would not take much to wipe them out completely. The future of the endangered Mexican gray wolf is in science-based recovery of Arizona's native wolves, rather than continued state efforts to undermine the Mexican gray wolf reintroduction and recovery by urging a delisting of these animals.

An abundance of research demonstrates the important role that wolves can play in restoring health and balance to the ecosystems they inhabit. Wolf-related tourism brings an estimated \$35 million in annual tourist revenue to the Greater Yellowstone region. Similar economic and ecological benefits are very likely in Arizona once wolves are fully restored to the landscape. Delisting of these animals will hinder their recovery and likely result in a second extinction in the wild.

**Sierra Club was opposed to this memorial.**

**Points: Yes 0, No 1**

***This memorial passed out of the House on Third Read 32-22-6 and the Senate on Third Read 18-12 and was transmitted to the Secretary of State.***

[SCM1011 antiquities act; monuments; urging Congress](#) (Griffin) is a memorial to Congress asking it to repeal or amend the Antiquities Act, an act that has been around since President Theodore Roosevelt first used it to protect important places, such as Grand Canyon and Petrified Forest. This memorial to Congress has a great deal of misinformation in it about what a national monument is and what it does, and it fails to recognize how significantly Arizona has benefited from national monument designations.

A national monument is a permanent designation for public land that can be established either by Congress or directly by the President. Only lands already owned by the American people – public lands – can be declared national monuments. The Antiquities Act, signed into law in 1906, gives the President the authority to protect valuable public lands for conservation purposes by designating them as national

monuments. To date, more than 100 national monuments have been designated by 16 presidents, including a total of 18 in Arizona. Monuments vary in size and reasons for designation, and the management of each national monument is unique, based on the language used in the proclamation establishing the monument.

Across the West, research demonstrates positive growth in local communities surrounding national monuments – from personal income to rates of employment. For instance, areas near Vermilion Cliffs National Monument and Grand Canyon–Parashant National Monument experienced job growth of 24 percent and 44 percent, respectively, after designation.

**Sierra Club was opposed to this memorial.**

**Points: Yes 0, No 1**

***This memorial passed out of the House on Third Read 32-24-4 and the Senate on Third Read 17-13 and was transmitted to the Secretary of State.***

## Resources

For more information on the legislation contained in this report card or on other bills, please go to <http://www.azleg.gov/bills>.

The Arizona Legislature's main website is <http://www.azleg.gov>. For a complete list of Arizona legislators, go to <http://www.azleg.gov/MemberRoster.asp>.

If you do not have access to the Internet and would like more information, you can call the House and Senate information desks. Outside the Phoenix area, you can call toll free at 1-800-352-8404. In the Phoenix area, call 602-542-3559 (Senate) or 602-542-4221 (House). All correspondence should be sent to 1700 W. Washington Street, Phoenix, AZ 85007-2890.

The governor's website is <http://azgovernor.gov>. You can call his office at 602-542-4331 or toll free at 1-800-253-0883. To email him, go to <http://azgovernor.gov/governor/form/contact-governor-ducey> and type or paste in your message.

For more information on Sierra Club's Grand Canyon Chapter and our conservation and legislative programs, please visit our website at <http://www.sierraclub.org/arizona> or call our office at 602-253-8633.

You can find out more information about some of the bills we tracked this session by reading this year's legislative updates at <http://www.sierraclub.org/arizona/2016-legislative-updates>.

To view past Environmental Report Cards, go to <http://www.sierraclub.org/arizona/legislative-archive>.

For information on how to get involved in Sierra Club's legislative work in Arizona, please contact Sandy Bahr at 602-253-8633 or [sandy.bahr@sierraclub.org](mailto:sandy.bahr@sierraclub.org).



## Sierra Club Mission

*"To explore, enjoy, and protect the wild places of the earth; to practice and promote the responsible use of earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives."*

