The Arizona Riparian Council Newsletter

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EPA Drafts New Policy On Effluent Dominated Waters

Some cities in Arizona have been shutting the tap on their treated effluent discharges into ephemeral streams. This has been necessitated in part by both state and EPA standards for water quality that must be enforced in order to meet the requirements of the Clean Water Act. The result in many cases has been the drying of some truly attractive and productive riparian areas.

This, of course, is a problem relating to existing effluent dominated streams. While not dealing directly with this problem, the Environmental Protection Agency (EPA) issued a draft policy in early August that does propose more flexible process for establishing standards for effluent dominated waters associated with water reclamation projects. The draft policy titled "Water Quality Standards for Effluent Dominated Streams and Water Reclamation Projects" will provide city officials in some of the arid western states with guidelines that will facilitate the design and planning of new water reclamation projects. EPA appears to be mainly concerned that current policies are impeding the planning and implementation of new water reclamation projects. City managers and planners appear unwilling to spend the money needed to plan these projects under conditions of great uncertainty about likely approval of discharges to the receiving body of water. They have finally recognized that it may be difficult if not impossible for cities and other dischargers of treated waste water to bring these waters to a quality standard that meets the use goals of the Clean Water Act. This problem arises in the arid west because of the ephemeral nature of many of these "effluent dominated" streams. There is often little or no dilution of the nutrients or toxins going into these stream channels except during seasonal heavy runoff.

When a new water reclamation project is planned, the discharger may include as a decision factor, the *net environmental benefit* that will accrue from the project as a result of effluent discharges to an effluent dominated stream channel. These discharges to intermittent streams can enhance fish and wildlife values. For existing effluent dominated streams, however, the new draft policy provides little more than a clarification of existing standards and procedures. It is the contention of ARC that this concept needs to be extended to existing effluent dominated streams through modification of the general standards review process. If this concept can be included in the decision-making process, then the opportunity to restore or enhance riparian and wetland environments will become a factor to be considered in the process of issuing a discharge permit.

Those wishing more information or a copy of the draft policy should write to:

Catherine Kuhlman
Water Quality Branch
Environmental Protection Agency,
1235 Mission St.
San Francisco, CA 94103
(415) 705-2178

THE PRESIDENT'S COLUMN

The issues regarding the use of effluent and its potential to maintain and enhance riparian habitats continues to perk along although I can't say the muddied water is getting any clearer. This past month the EPA released a "Draft Effluent Dominated Streams and Water Reclamation Policy". While the policy is intended to benefit new water reclamation projects it does introduce the concept of net environmental benefit, a concept that recognizes the instream benefits to fish and wildlife that may result from effluent discharge into an otherwise dry stream bed.

Falling closely on the heels of the EPA's draft policy, the Sierra Club Legal Defense Fund has given notice that it plans to file suit against the EPA for failure to regulate toxic discharges into the Santa Cruz, Salt, and Gila Rivers. These discharges are associated with the sewage effluent generated by Pima County and the City of Phoenix. Effluent discharges by Luke Air Force Base and Stone Container Company are also included in the Sierra Club's notice to EPA.

The Sierra Club's actions are motivated in part to protect the "critical riparian ecosystems" associated with the Santa Cruz, etc. A secondary benefit of improving water quality is aquifer protection. Although aquifer protection is not a protected use which is applicable to

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promulgation of surface water quality standards, both Michael Gregory of the Sierra Club and David Baron, of the Center for Law in the Public Interest are advocating tougher standards to protect the aquifer associated with the stream systems which are not in compliance with water quality standards.

Pima County, one of the principal offenders, plans to solve the problem by putting all the effluent in a pipe and sending it the farmers in Marana and Avra Valley. Malcolm-Pirnie, a consulting firm, has initiated Phase I of an effluent use feasibility study for Pima County and the City of Tucson. This study is an outgrowth of the Pima County Board of Supervisors' establishment of several goals related to effluent use. One of the goals is to cease discharge to the river. Much of the impetus for the study is the high cost of treating of effluent to meet surface water quality standards.

While the goal of cleaning up discharges to the river is indeed laudable, it does seem that some attention should be paid to the net effect of eliminating discharges. Effluent use is subject to less stringent water quality standards and under a new law passed in last year's legislative session, effluent used to displace groundwater pumping is exempt from aquifer protection permits. Most of the farmers in Marana and Avra Valley rely upon groundwater, and it is Pima County's desire to provide sewage effluent to these farmers as a substitute for continued groundwater pumping.

It is likely that sewage effluent discharges into the Santa Cruz, and other stream systems will decrease, which may result in a loss of the riparian and aquatic habitats dependent upon these discharges. These are the very habitats the standards are designed to protect. I know you've heard the story before but the interesting twist here is that this very same toxic effluent (presuming it isn't cleaned to a better quality), will now be used as irrigation supply water. Because irrigation practices are not 100% efficient, some of this water may ultimately make its way back to the river as underground flow to the floodplain aquifer. However, any pollution problems which may be attributable to agricultural use of effluent will be much more difficult to regulate since that effluent is not subject to an aquifer protection permit, and pollution associated with agriculture is generally considered non-point source pollution. Regulation of NPS pollution is one tough job and it's not likely to get any easier anytime soon.

So where does this leave things? I'm not sure but if you are at all interested and concerned, I'd take the time to attend this year's Annual Meeting in Tucson where we will be giving this issue a thorough airing.

Andy Laurenzi
President, ARC

Headwaters Determinations for Section 404 Permits in Arizona

In the spring issue of this newsletter we published information on the designation of the "headwaters" of the Verde River as Sullivan Lake. Since that time the Army Corps of Engineers has evaluated the past ten years of stream gage data on a number of streams within Arizona. Based on these data the Corps proposes to use certain points as "headwaters."

This designation is extremely important with respect to the issuance of Section 404 permits. Any discharges of dredged and fill material into waters of the United States must satisfy conditions of one of the nationwide permits issued by the Corps. Nationwide Permit #26 does permit the discharge of dredged and fill materials if done above the "headwaters" of the river.

The headwaters of Bonita Creek is now located 6.3 miles upstream from the confluence with the Gila River.

Also, the entire reach of the Santa Cruz River downstream of the international border is also below the "headwaters."

For the following streams or rivers, the exact location of the "headwaters" is only important in that it places the entire reach of these streams below the "headwaters." These locations are U.S.G.S. gage stations having a year round flow that exceeds 5 cubic feet per second: the Gila River, Kanab Creek, Las Vegas Wash, the Salt River, the San Francisco River, the San Pedro River, and the Zuni River.

Although the public comment period for these proposed designations has ended, further information can be obtained from:

U.S. Corps of Engineers
Regulatory Branch
P.O. Box 2711
Los Angeles, CA 90053-2325

Water reclamation vs. recreation

Watson Lake

The lake today. Watson Lake is a familiar Highway 89 landmark as you drive north from Prescott towards Chino Valley. The lake today belies its name, mostly dry as a result of recent drouth and environmental regulations. Graders now work a small portion of the old lakebed near Highway 89, mining the nutrient rich alluvium for landscaping soil.

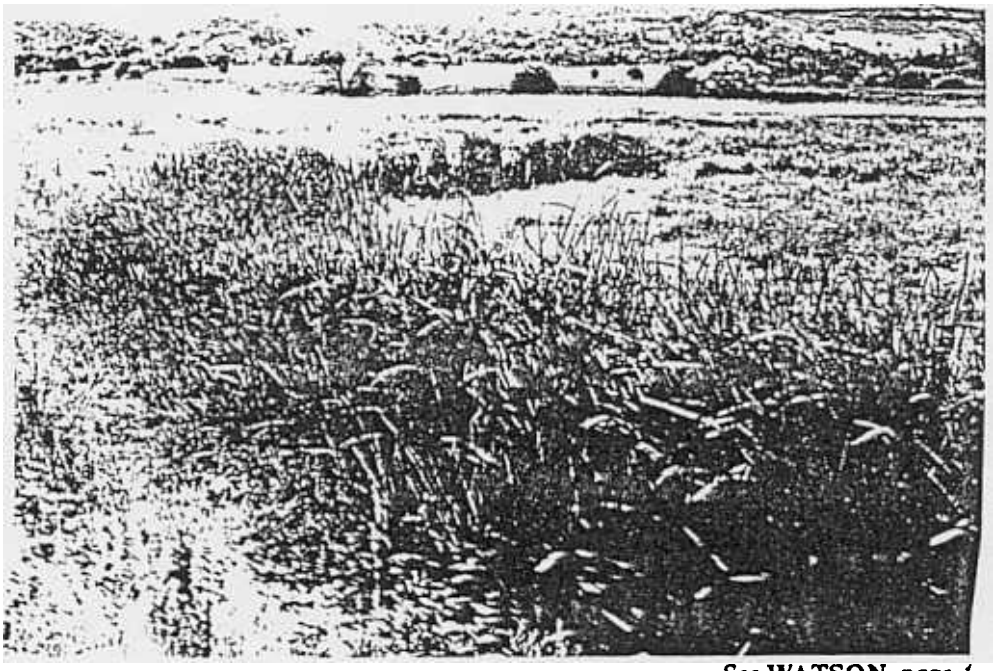
Not much remains of this once popular fishing and boating lake. According to Hal Wenthe, now retired Wildlife Manager for the Arizona Game and Fish Department, when this small lake remained full for two or three years, fishing was occasionally superb. Bluegill, bass, and catfish supplied Prescott area residents with some of the best warm water fishing within 100 miles.

I toured the nearly empty lake recently, and while lamenting the loss of this recreational resource, I was impressed with the nature of the area that remained. The old shoreline, now showing a distinct bathtub ring on the surrounding granite, is a vast weedscape of sunflowers, beeplants, burdocks, and a yellow nightshade called buffalo bur. The remaining pool of water near the dam lies amongst the giant weathered granite boulders of the "Dells", one of the most scenic areas in all of the southwest. The open water comprises perhaps six to ten acres. Even this minimal pool would probably not exist but for the abundant summer rains this year that reduced the need for irrigation water in Chino Valley. The Chino Valley Irrigation District (CVID) owns the dam, much of the basin, and holds a right to use the stored water for irrigation. Above the open water is a vast area of solid emergent vegetation comprised mostly of cattails, smartweed, watergrass, and burdocks. This is undoubtedly one of the largest marshlands in Arizona.

I was also interested in seeing just what was happening to the once flooded upper portion of the lake shore and the now de-watered Granite Creek. I walked the one mile stretch between the Watson Lake Dam to the point where the effluent was once discharged into Granite Creek from Prescott's waste water treatment plant. I realized very quickly that this area is truly a regional treasure, despite the scatter of litter and grazing of cattle. Towering cottonwoods and willows produce a nearly closed canopy over a fairly broad delta above the lake. The undergrowth is lush, although there is little evidence of regrowth of tree species, and little likelihood of this happening given the presence of cattle. This limited, but magnificant gallery forest is worth much more in the way of protective management than what it presently receives.

As I moved upstream, the effect of drouth and loss of waste water became evident. There were numerous dead trees, mostly willows in areas some distance upslope from the main stream channel but probably previously subjected to occasional flooding. However, within the channel, the only dead and dying trees appeared to be already decadent. There was surface water in many places as a result of recent rains, and the streamside vegetation, including trees appeared in good shape.

The pollution solution. The recreation resource of Watson Lake and some riparian habitat above the lake has been lost for a number of



– *See* WATSON, *page 4*

– WATSON, *from page 3*

reasons. Two to three years of below normal precipitation have significantly reduced run-off into Granite Creek, the principal source of water for Watson Lake. Also, about 3,200 acre feet per year or 3 to 3.5 million gallons daily and roughly 30 percent of the inflow to this lake came ultimately from the sewers and storm drains of the city of Prescott. The city shut off this entire flow of treated effluent water to Watson Lake in July of 1988 when they were faced with severe penalties from the Environmental Protection Agency.

Sometime around 1985, EPA issued a ruling from their San Francisco office that effluent flows from Prescott's waste water treatment facility exceeded concentrations of nitrogen and phosphorus content allowable for Granite Creek and Watson Lake. Under these guidelines, nitrogen content could not exceed 1.00 mg/l and phosphorus could not exceed 0.10 mg/l when expressed as an annual geometric mean. The tough standards were a byproduct of the designation of the Verde River as a "Wild and Scenic River." Granite Creek, being a tributary of the Verde, had to meet the water quality standards of the downstream body of water, despite the fact that surface flows of this meager, ephemeral stream have probably never, except during flood flows, ever reached the Verde. It was also unlikely that they ever would since there was seldom any discharge from Watson Lake. The Chino Valley Irrigation District uses the stored water for irrigation.

Rules for surface water quality standards have been recently redrafted by the Arizona Department of Environmental Quality (ADEQ) and have been submitted for public review. These rules seem to offer some leeway in the setting of standards for the total nitrogen and phosphorus content of waters discharged into ephemeral streams. This may be a mute point as far as Granite Creek is concerned, but Rule 18-11-112 allows the granting of a waiver of the standards when the waiver does not cause a violation of the water quality criteria for phosphorus and nitrogen required of the downstream body of water (the Verde River). This would seem a reasonable rule given that the portion of Granite Creek of which we speak is recommended within this same set of draft rules for classification as an "effluent dominated water."

However, at the time of the EPA ruling the City of Prescott was faced with a cost of approximately $17 million to upgrade their sewage treatment facility sufficient to meet the EPA guidelines and the stringent phosphorus and nitrogen criteria of the downstream Verde River. Instead, they built over six miles of new pipeline and now transport that effluent to a 60 acre percolation basin near the Prescott airport, thus dewatering about a one mile section of Granite Creek.

The project of upgrading their waste water treatment facility and building the new pipeline cost the City of Prescott somewhere around $8 million, according to Brad Huza, Director of Environmental Services, City of Prescott. Huza stated that, in connection with the plan for effluent use, the city has applied for three permits: a groundwater protection permit and a recharge permit from the Arizona Department of Environmental Quality, and a groundwater storage and recovery permit from the Arizona Department of Water Resources. The city's intent in all this is to acquire credits for the water recharged and apply these credits against any water withdrawn in the future from the local aquifer. Even last year, the city recharged approximately 2,100 acre feet of treated effluent.

On the surface of it, this seems like a reasonable plan for a city facing the potential for enormous population growth within the next decade. However, even now a water hungry new golf course development has been planned and approved for a site near the airport. According to William H. Deloney, Chief of Operations at the Prescott waste water treatment plant, the current effluent flow of about 2.5 million gallons per day will also be used to water grass and to fill water hazards for the existing golf course and the one planned. According to city officials, there is sufficient effluent to actually supply all of the water needs of about 3.5 golf courses. Thus, they anticipate a significant surplus for recharge into the aquifer.

I also toured the percolation ponds under development on city property near the airport. The site consists of eight ponds, all connected by a system of gates, and lying at varying elevations. The extent of the area was impressive as was the amount of emergent vegetation present. I could not help but begin to imagine the potential for these ponds as waterfowl rearing areas, with little nesting islands scattered over the 60 acres. The city, however, has other ideas. Vegetation within these basins to them represents nothing but problems. Their main concern is the degredation of water quality from the release of nitrates from decaying vegetation in winter. They plan to grade the entire surface area of the ponds once the summer rainy season ends.

I suspect that their fears of water quality degredation from plant growth may be more imagined than real. This could be an opportunity for biologists to assist the city in planning the management of these recharge ponds for aquatic vegetation and wildlife as well as ground water. The city has in place all of the necessary monitoring devices needed to evaluate any possible treatments.

The upshot of all this appears to be yet another example of the kinds of problems in effluent management outlined by Andy Laurenzi in an earlier newsletter. Cities like Prescott apparently own their own effluent

– *See* WATSON, *page 5*

– WATSON, *from page 4*

flows and have a right to divert them whenever or wherever the city deems appropriate. The destruction of a relatively unused and unappreciated but magnificent riparian area probably seemed like a good trade-off. There is an increasing population of retired golfers to pay for the creation of their well watered greens and little water hazards. The beautiful gallery forests along Granite Creek deliver nothing but the intangible aesthetic benefits of a riparian ecosystem. Even the recreational and economic benefits of a fishing lake could hardly return enough to the local community to cover a $17 million capital outlay.

And, what might be the future of the once popular fishing lake? Hard to say. The irrigated acreage in Chino Valley is dimishing, being rapidly replaced by residential development. This is also replacing the demand for irrigation water with a demand for recreational opportunity. CVID may eventually begin to look for other ways to get an economic return from their Watson Lake property. Recreation and wildlife prouction might be profitable; although, since the lake lies within the city limits and is close to a major highway, hunting of waterfowl might be short lived.

Until we get more public involvement in the preservation of our riparian systems and more legal, engineering, and scientific expertise into the acquisition and management of similar areas, we will continue to lose precious ground.

Ron Smith

Demonstration Project to Benefit Verde Valley Riparian Habitat

Richard Thompson, Chairman of the Verde Natural Resource Conservation District (NRCD), has announced the completion of agreements between the Arizona State Parks Board (ASPB), the Arizona Department of Environmental Quality (ADEQ), and the Verde NRCD for a demonstration project (Verde Riparian Project) to improve riparian habitats along the Verde River.

In acting as the lead management agency on the ground, the Verde NRCD will establish a riparian materials nursery at Dead Horse Ranch State Park and select a site on the Verde River for re-establishment of riparian vegetation.

The ASPB has furnished the use of ten acres of land and irrigation water at Dead Horse Ranch State Park. About 44,000 cuttings of various cottonwood and willow species will be planted to establish the nursery. U.S.D.A. Soil Conservation Service staff will supply the nursery technical design, and planting specifications for both the nursery and the river site.

The ADEQ will disburse about $128,000 in federal funds from the U.S. Environmental Protection Agency's Nonpoint Source Management Program, and provide administrative and technical support for the project.

The Verde NRCD will implement the project on the ground and furnish matching funds, volunteer efforts, and in-kind contributions. Total project cost will be about $278,000 and is funded through September 30, 1991.

In addition to the nursery, a site will be selected on the Verde River to demonstrate the feasibility of re-establishing woody riparian vegetation.

Most of Arizona's fish and wildlife depend on riparian areas for some portion of their life cycles. However, more than 90 percent of the native riparian areas along Arizona's major desert waterways have been lost, altered or degraded. One objective of the project is to supply riparian vegetation materials for a long term conservation and water quality improvement effort in the West, concentrating on the Verde River. Another is to supply additional financial resources to the Environmental Education Center based in Cottonwood.

The project may be extended if additional federal funds are available. Currently, seven nonpoint source demonstration projects using more than $1 million in federal assistance are being administered in Arizona by ADEQ.

For further information, call the Verde NRCD at (602) 634-7913 or write to P.O. Box 2152, Cottonwood, AZ 86326.

It's tammy whacking time again!

4th Annual Hassayampa Tamarisk Bash

The Arizona Nature Conservancy is asking for the help of volunteers to clear tamarisk (salt ceder) from portions of the Hassayampa River Preserve. These noxious, invasive shrubs are serious competitors with cottonwoods and willows and limit the ability of these native trees to reproduce. If you have good hands, some stamina, and tools such as loppers, pruning shears, or a chain saw, the Conservancy would like to enlist your help on any or all of the following dates: The crews will leave the visitor center at the Preserve at 8:00 a.m. sharp on Oct. 6, 14, 20, 28; Nov. 17, 25; and Dec. 8.

Please call 684-2772 in advance if you can help.

Janet Staples
Volunteer Coordinator
The Nature Conservancy

Fifth Annual Meeting of the Arizona Riparian Council

This year's meeting will be held on November 2-3 at the Tucson Hilton East, 7600 E. Broadway, Tucson. Registration begins at 8:30 a.m. on November 2 and the program will begin promptly at 9:30. Call Cindy Zisner at **965-2490** for registration information. Pre-regristration fees are: $30 - non-members, $20 - members, $15 - students. At-the-door registration is an additional $5. Send your registration fee payable to the Arizona Riparian Council to the address listed in our newsletter masthead.

A plenary session will deal with new riparian-related programs in the southwest. A panel discussion will follow and will be concerned with opportunities and constraints for riparian area maintenance and improvement using effluent. On November 3, contributed technical papers will be presented.

A buffet dinner has been planned for 7:00p.m. Friday evening. The cost is $15 per person.

NRCD State Meeting to Feature Panel on Riparian Habitat

As noted in our calendar, the Arizona Association of Conservation Districts will be meeting in Sedona at the Poco Diablo Resort on the same dates as the ARC annual meeting, November 2-3.

This year's meeting will feature a panel discussion of "Riparian Habitat Issues." Panel members will include Forrest Carpenter, Deputy Director, Region 3, U.S. Forest Service; a representative of the Bureau of Land Management; John York, Soil Conservation Service; and Charles Sands, Governor's Task Force on Riparian Habitat.

Sewage Can Become A Tourist Attraction By Creating Lakes

Editor's Note: The following is an article reprinted with permission from the Prescott Courier and published sometime in early August.

Using effluent from its waste water treatment plant to create a recreational area while also recharging the underground aquifer is the goal for the City of Payson.

Payson's water manager, Buzz Walker, outlined the problems, and possible solutions, Payson has grappled with.

Walker said Payson has no surface water available to meet the water needs of its citizens.

Walker said although Payson has a Central Arizona Project water allotment, the various trade deals the town looked at for using that allotment would cost around $20 million, which is a hefty price tag for such a small town.

He said trying to implement water conservation methods when Payson residents only use one-fifth of the water as their urban counterparts was also determined as an unproductive avenue for the town.

Walker said town staff began looking at various affordable alternatives for stretching the available waters supply to meet the needs of a growing population. What they came up with is using a resource which currently untapped —sewage effluent.

Currently, said Walker, 87 percent of the 800,000 gallons per day of effluent is discharged into a gulch which empties into the East Fork of the Verde River, increasing the water supply for the Valley.

The idea of continuing to provide more water for the Valley did not sit well with town leaders, he said, so they commissioned a study on what could be done with the effluent.

Walker said the idea the consultants came up with is to create four lakes in a park-like area which would enhance the city's recreational draw, provide more recreational facilities for local residents,m while at the same time allowing the effluent to percolate back into the ground.

Now it is a process of getting the money to do the project, said Walker which is estimated to cost approximately $4 million.

Rory Aikens
The Prescott Courier

Environmental Panel Named

A 27-member task force to help the state create a formal environmental impact assessment program was unveiled Tuesday [July 17] by Gov. Rose Mofford.

The Governor's Task Force on Environmental Impact Assessments was created by executive order two months ago, but its membership was not announced until this week. It is supposed to make its final recommendations to Mofford by December.

The task force differs from the Governor's Hazardous Waste Technical Advisory Committee, which Mofford created last week to review the state's proposed hazardous waste disposal facility at Mobile.

"Our environmental needs to be protected from any adverse effects that may result from state-funded projects," Mofford said in a written statement Tuesday. "I am confident that these members have the experience and expertise to develop recommendations that will benefit the state's human and natural resources."

The panel, heavy with state department heads, is charged with reviewing the federal government's policies for mandatory environmental impact studies, and recommending how a similar system at the state level can be applied to projects "initiated, funded or authorized" by state government or any of the state's political subdivisions.

"There was a bill in this past legislative session that would have required an environmental impact study on any major project using state money," Mofford press aide Vada Manager said, "That was the motivating factor behind this."

Although the legislation sponsored by Sen. David Bartlett, D-Tucson, did not pass, Manager said Mofford still wants the committee to look into the issue.

Chairing the committee will be Department of Administration Director Catherine Eden. Legislative representatives will be Bartlett, Sen. John Hays, R-Yarnell, Rep. Karan English, D-Flagstaff; and Rep. Bill Mundell, R-Chandler.

Agency heads on the panel include Randy Wood, Department of environmental Quality; Bill Plummer, Department of Water Resources; Charles Miller, Department of Transportation; Keith Kelly, Department of Agriculture; land commissioner Jean Hassell; Ken Travous, Parks Department; Duane Shroufe, Game and Fish Department; Larry Fellows, Arizona Geological Survey; and Ted Williams, Department of Health Services.

Other members are Dr. William Rathje of the University of Arizona; John Leshy, law professor at Arizona State University; Jack Pfister, Salt River Project general manager; Priscilla Robinson, an environmentalist; James Lowman, Southwest Gas Corp.; and attorneys Charles Ayers and Karen Schroeder.

Also, developer Chris Shaefe; Pamela Jane Beilke of the Arizona Chamber of Commerce; Jack DeBolske of the Arizona League of Cities and Towns; Maricopa County supervisor Carole Carpenter; Jim Webb, representing the agricultural community; and Tom Larsen of Cyprus Mines, representing the mining industry.

Pat Flannery
The Phoenix Gazette
July 18, 1990

Proposition 100: Land Exchange Authority for the State Trust

Editor's Note: The following article is excerpted from information sent to me by Eva Patton, The Nature Conservancy.

A "Yes" vote on this proposition which will appear on the November ballot will give the State authority to exchange State Trust Lands. At present, State Trust Lands must be sold or leased in order to raise money for schools, universities, and other institutions. There is no provision in the law for environmental protection. The best safeguard for lands having important natural resources is to place them with an agency that is mandated to protect the natural environment.

The State public school and institutional Trusts own 9.5 million acres of Trust lands that are intermingled with federal and private land throughout Arizona. The Federal Government granted these Trust lands to Arizona as a condition of Statehood, for the purpose of lease or sale to raise monies to support the public schools, universities, and institutions throughout the State. The 1910 Federal Enabling Act and Arizona Constitution required that these Trust lands could be disposed of only by public auction to the highest and best bidder.

In 1936, the U. S. Congress amended the Arizona Enabling Act to authorize the State to make land exchanges under such regulations as the State Legislature might provide. The Legislature passed exchange laws, and for 53 years the State exchanged land with the Federal Government and private landowners to consolidate and better manage land holdings. The State Supreme Court has halted this process, ruling that the State had failed to amend its 1912 State Constitution to authorize exchanges of Trust lands.

Past land exchanges have produced major environmental and economic benefits to the Trust and to the taxpayers of Arizona. A few examples will suffice: the State has acquired all of the land for the Catalina and Lower Oak Creek State Parks, thus saving these lands from residential development. The State also acquired additions to Picacho, Lake Patagonia, and Homolovi State Parks through the exchange process.

The State transferred Trust parcels lying within the Grand Canyon National Park, National Wildlife Refuges, BLM Wilderness areas, Aravaipa Canyon, Aravaca Lake, and Lake Pleasant to federal ownership. These lands are now protected and managed for their scenic, wildlife, riparian, and public recreation resources

There are many more opportunities and needs for land exchanges to consolidate intermingled Trust and private lands. These exchanges provide for more efficient management of the land and also bring important resource values under protective custody. It is really a win-win type of situation. The State gains valuable income producing property; environmentally sensitive areas are protected from ultimate development.

Recent State statutes have also strengthened the exchange appraisal and public review process to ensure that values are equal. With these new laws, the Trust is protected and other public values can be enhanced.

Ed.

Heritage Fund Update

Heritage Fund Initiative to Appear on November Ballot

The Secretary of State's office on August 2 notified the alliance of 90 organizations that the 130,000 signatures submitted in June have officially qualified this initiative effort for the ballot on November 6. The statewide initiative will now be known as Proposition 200.

If voters approve it, the initiative will establish a $20 million Arizona Heritage Fund. Monies would come annually from the undesignated portion of the Arizona Lottery and would be administered by the Arizona Game and Fish Commission and the Arizona State Parks Board.

The purpose of the initiative is to provide funds with very specific percentage allocations for state park restoration and acquisition, wildlife habitat acquisition and improvement, environmental education, cultural and historic preservation, and for the building of trails.

If you would like to help with getting this initiative passed by the voters in November, please contact Joan Welty at 256-6712.

Task Force Update

At the August 30 meeting of the Governor's Riparian Habitat Task Force the group reviewed and approved a draft of the table of contents for the final report and recommendations. A final draft of the full report is targeted for completion by October 31 of this year.

First-ever Transfer of Privately Purchased Water Rights to a National Wildlife Refuge

Editor's Note: For background on the following story, see p. 2 of the spring, 1990 issue of the ARC newsletter. The following article is reprinted from the Fish and Wildlife Service publication "Fish and Wildlife News," June-July-August, 1990.

In an unprecedented move, the Nature Conservancy transferred water rights it had purchased to Stillwater National Wildlife Refuge in Nevada. Joining the Conservancy and Service Director John Turner in the June ceremony to open the headgates were the Nevada Waterfowl Association and five local conservation groups.

It is estimated that Stillwater's wetlands have shrunk from 50,000 acres to less than 7,000 acres due to drought and excessive upstream diversion. This transfer assures a more secure source of water for the refuge which has been designated a Western Hemisphere Shorebird Reserve and nominated as a Wetland of International Importance.

Nevada Senator Harry Reid, who was instrumental in the effort to obtain the water rights, was keynote speaker and was given the honor of opening the headgates to allow water to flow into the refuge.

Stillwater is also significant as one of the country's richest archaeological sites. Artifacts found on refuge lands tell the story of the Great Basin Indians.

Speaking on behalf of the Service, Director Turner thanked The Nature Conservancy and said, "As we look toward the next century and prepare to meet its conservation challenges head-on, it is clear to me that the continued good health of America's wildlife resources is going to depend on partnerships like those forged here. Through cooperation, we will indeed do the best job possible for wildlife."

Cynthia Uptegraft Barry
Public Affairs
Fish and Wildlife Service, Region 1

Speaking Up for Wetlands

Public Comment Needed to Keep Bush's "No Net Loss" Wetlands Policy Intact

Editors Note: Reprinted from Conservation 90, Environmental Digest for the Resource Conservation Alliance, National Wildlife Federation, Vol.8, No.7., Sept. 1990.

"You may remember my pledge, that our national goal would be no net loss of wetlands ... to stop the destruction of these precious resources."

– President Bush, Sixth International Waterfowl Symposium, June 1989

President Bush's campaign pledge to protect wetlands spelled out his intentions clearly, "no net loss." Such a policy would mean that in situations where there is no alternative but to destroy a wetland, another former wetland must be restored. This is a course of action fiercely opposed by special interests including agribusiness, developers and the oil and gas industries. Although Bush has repeated his pledge many times since becoming president, he now is holding public hearings to see if he really wants a goal of "no net loss."

The White House Domestic Policy Council is soliciting comments from the public that will help determine the national policy on wetlands protection. People have until September 28, 1990 to say how they think the no net loss goal should be met.

Wetlands are Vital Resource

Wetlands are one of the most productive ecosystems in the world, providing vital habitat for waterfowl, fish and a variety of other wildlife. Wetlands habitat is critical to the survival of nearly 30 percent of the plant and animal species federally listed as endangered or threatened.

Wetlands are also important for:

- Flood control - wetlands absorb excess runoff from rivers and streams;
- Water quality - wetlands recharge groundwater and serve as natural filters for sewage;
- Fisheries - coastal wetlands provide nursery and spawning grounds for 60 to 90 percent of U.S. commercial fish catches.

Today, only 50 percent of the original wetlands remain in the continental United States, and the U.S. Fish and Wildlife Service estimates that between 300,00 and 500,000 acres of wetlands are destroyed annually. More than 80 percent of wetland loss has been the result of agricultural practices, including drainage for cropland.

We cannot allow powerful oil and gas companies, developers and agribusiness to continue blocking efforts to protect the few remaining wetlands in the United States. Your letters will send a clear message to President Bush that we will not let him back out on his promise.

Jeanne Nade
National Wildlife Federatio

How You Can Help

Write to the administration in support of a "no net loss of wetlands" policy.

Wetlands Coordination Team
Rm. 5138 Main Interior Bldg.
1849 C St., N.W.
Washington, D.C. 20240

Conservation Symposium in Prescott

I attended the recent Conservation Symposium in August at Prescott. The main sponsor of the meeting was the Arizona Section of the Society for Range Management. Along with the presentation of range management subjects was a refreshing mix of ones on topics ranging from bat conservation to Mexican wolf reintroduction to a case an endangered habitat act. However, the overlaying theme of the conference was the direction of range management, past and future, and working with others, a topic I'll get back to.

The high point of the conference was a talk by former Governor Burce Babbitt who stressed the 90's will see a new direction in public lands management. Instead of the present – everything to everyone everywhere – multiple use doctrine, the new management direction will emphasize the dominant public use. The former governor also emphasized the need for land tenure and to block land of similar use together for better land management.

Back to the theme of the conference – the SRM intends to contact agencies and organizations who have an interest in range ecosystem management to seek their council. Additionally, they intend to sponsor annual conservation symposia to develop rangeland management goals. The need for this type forum is pressing as overgrazing has been one of the biggest single factors in the degradation of riparian habitats. The ARC looks forward to becoming involved in the process.

Marty Jakle

Water Resources Committee

Instream Flow Update

Another small chunk of progress has occurred in the process of developing instream flow guidelines for Arizona. The Arizona Department of Water Resources mailed out a revised draft of the Biological Subcommittee's report, with comments due July 20, 1990. ADWR plans to reconvene the instream flow task force in "early fall" to discuss this and the Hydrological Subcommittee's recommendations. ADWR is moving forward and permitting some of the applications for instream flows on certain streams even though they have not adopted a final set of rules.

Scorecard: No. of pending applications for instream flow permits – 60; No. of permits granted – 4

ADEQ's Triennial Surface Water Review.

The public meetings and comment period for the triennial review of Arizona's surface water quality standards has ended. The ARC submitted comments; now comes the waiting period to see what ADEQ recommends in their final report. The due date of the revised document is not certain.

I mailed out revised Appendix C from the preliminary draft on surface water standards to members who indicated a willingness to work on the Water Resources Committee. Appendix C is a list of the state's stream segments and their designated uses. I asked members for any recommended changes and forwarded them to ADEQ. The response to this mailing was disappointing.

The Sierra Club is threatening a lawsuit against the Environmental Protection Agency if the EPA fails to act on two issues by September 25, 1990. One issue is: since Arizona did not develop state standards for toxics by a deadline of February 1990 the task falls to the EPA who has yet to develop them. The other issue is: there are waters of the state which are listed by EPA as impaired by toxics. The lawsuit charges that the state has not developed control strategies for these toxics (the deadline was February 1989), therefore, it is the responsibility of EPA to step in if the state does not act and the EPA has yet to act on this matter also.

Help Wanted

The ARC is becoming more involved in working with parties who want to develop wetlands using effluent. The creation of these artificial wetlands seems to be one of those rare "win-win" situations. The towns and cities who create the effluent often have water quality problems such elevated nutrient levels which they must correct before they can release it into an existing stream channel (the source of much of the conflict during the past state surface water quality triennial review). Wetlands have been shown to be good filters which purify effluent, getting the water quality within acceptable limits. The Council views it role in artificial wetland creation as a catalyst to bring parties with similar interest and needs together and to offer technical support. The Council is looking for someone to spearhead this effort. Volunteers?

Marty Jakle, Chair
Water Resources Committee

Editor's Note

This newsletter is an excellent vehicle for giving public notice on important proposed governmental actions. Some of you are sending me some of these "public notices", but far too late for anyone reading this issue to respond within the public comment period. If you have an in-basket that regularly collects such material, please try to get them to me at the earliest possible date, so that the information we give to our readers will be timely. Thanks.

If you have other items to be included in the next issue of this newsletter, please send me copy by **November 15.**

ARIZONA RIPARIAN COUNCIL

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Newsletter

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Statement of Purpose

The Arizona Riparian Council (ARC) was formed in 1986 as a result of increasing concern over the alarming rate of loss of the State's riparian ecosystems. It is estimated that less than 10% of the State's original riparian acreage remains in a natural form. These habitats are considered Arizona's most rare natural communities.

The purpose of ARC is to provide for the exchange of information on the status, protection, and management of riparian systems in Arizona. The term "riparian" is intended to include vegetation, habitats, or ecosystems that are associated with bodies of water or are dependent on the existence of perennial, intermittent, or ephemeral surface or subsurface water drainage.

This newsletter is published quarterly to communicate current events, issues, problems, and progress that involves Arizona's riparian systems. It also serves to inform you the members of ARC about important items of Council business, and as a forum for you to express your views or news about riparian topics. To contribute articles or information for future issues, please send all materials to:

Ron Smith, ARC Editor
1712 Pine Woods Rd.
Prescott, AZ 86301

Any person or organization interested in the management, protection, or scientific study of riparian systems, or some related phase of riparian conservation is eligible for membership. Dues are $5.00 annual; additional contributions are gratefully accepted. For more information about ARC or to join, write to:

Arizona Riparian Council
Center for Environmental Studies
Arizona State University
Tempe, AZ 85287-1201

Calendar

- October 10
  Verde River Corridor Project Steering Committee Meeting
  Clark Memorial Clubhouse Auditorium, 7:00 p.m.
  General discussion of issues identified by various subcommittees.

- October 16-18
  Managing Wildlife in the Southwest, a Symposium
  Plaza Hotel, 1900 E. Speedway Blvd., Tucson
  Late registration: $55
  Call (602) 621-3845 for information

- November 2-3
  5th Annual Meeting of Arizona Riparian Council
  Tucson Hilton, 7600 E. Broadway, Tucson
  Topics on use of effluent for maintaining, improving riparian habitat.
  Call Cindy Zisner at 965-2490 for registration information.

- November 2-3
  Arizona Association of Conservation Districts
  Poco Diablo Resort, Hwy. 179, Sedona
  Contact William Dowdle, 542-4625 for information
  Registration: $25 at door.
  Conference will feature panel on Riparian Habitat Issues.

- November 14
  Verde River Corridor Project Steering Committee Meeting
  Time and place to be announced later.

- November 14-16
  Multi-resource Management of Ponderosa Pine Forests
  Little America, Flagstaff
  Call (602) 523-6642 or 523-3031 for information.

- January 14-18
  Integrated Management of Pinyon-Juniper and Grassland Habitats in the Southwest.
  A shortcourse for resource professionas.
  New Mexico State University, Las Cruces
  Call Dr. Phil Zwaank at (505) 646-6053 for information.

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