



Sewer work to close part of Santa Cruz River Park

Posted: Sunday, May 1, 2011 12:00 am

The east side of the Santa Cruz River Park between West St. Mary's Road and Congress Street will be closed until Labor Day weekend.

The shutdown, which started Wednesday, is due to the construction of a major sewer interceptor. Both the walking areas and bike path will be affected.

River park users can continue to use the path along the west bank of the river, but should be vigilant and proceed with caution.

There will be a significant presence of large equipment, machinery, construction vehicles, excavation work, dust and some noise. Every effort will be made to minimize odors during the construction.

Construction activities will take place between 6 a.m. and 5 p.m. Monday through Friday. The stretch of river park will remain closed on the weekends and holidays.



Regional board puts off key step in Marana sewer-plant takeover

Rhonda Bodfield Arizona Daily Star | Posted: Friday, April 29, 2011 12:00 am

Even if Marana officials were to take over the Pima County wastewater plant in their area tomorrow, they still don't have authority to run it.

PAG, the Pima Association of Governments, refused Thursday to take action on the town's application for a required environmental permit to run a wastewater plant.

The bitter feud between Pima County and Marana over sewage has spilled into the courts and into legislative chambers, with Marana arguing that it should be allowed to wrest control of wastewater from Pima County, which it blames for holding up development projects in its area.

Earlier this month the Legislature approved a law forcing the county to sell its treatment plant in Marana to the town at less than full value.

Town Attorney Frank Cassidy made the pitch to fellow government leader Thursday that Marana has the financial and professional capabilities to run its own system. A recommendation from the regional leaders who sit on the PAG board would then send the question to the state and federal regulators.

"Not only do we meet the technical requirements, but it's the fair thing to allow us to do," Cassidy said.

Marana officials say there is little risk to the larger regional system, noting there are a comparatively paltry 12,000 customers in Marana, compared with 262,000 customers in the rest of the county.

Pima County, however, has said it's done a fine job in running the sewer system in Marana. According to the county, Marana ratepayers could end up paying 21 percent more in costs if their town takes over the system, given reduced economies of scale.

"It's all about water. It's always been about water," said County Administrator Chuck Huckelberry, saying there are other ways to ensure Marana has access to effluent for its future growth than having to break up a regional wastewater system.

Oro Valley Mayor Satish Hiremath warned his colleagues to keep emotions in check, noting this is not the first time the body has had to take sides when jurisdictions have been pitted against each other.

"At the end of the day, we still need to respond in a regional way," he said.

Tucson Mayor Bob Walkup, however, said he needed more time to ask his staff about how the loss of Marana ratepayers might affect the larger system, particularly Tucson residents.

South Tucson's Jennifer Eckstrom said she had her own questions, including what would happen if Marana found itself over its head.

Marana Mayor Ed Honea argued against the continuation, saying it was turning into a political question, when all it was supposed to be was a check-off to send the application along. "All this does is drag out something we've been working on for five years," he said.

Consideration of the application was continued indefinitely on a 4-3 vote, with Honea, Hiremath and Sahuarita's Lynne Skelton voting to make a decision, yes or no.

Honea refused comment after the vote, but there appears to be little wiggle room for Marana to bypass PAG and go straight to the state, since the approval process is laid out by federal rule under the Clean Water Act.

Department of Environmental Quality spokesman Mark Shaffer said the agency is looking into whether a recent law that essentially allows Marana to condemn the county-owned sewer plant in its jurisdiction made any changes in the approval process to run a wastewater system.

Contact reporter Rhonda Bodfield at rbodfield@azstarnet.com or 573-4243.

Dispose-A-Med

Posted: Wednesday, April 27, 2011 11:45 am

What is Dispose-A-Med program?

Dispose-A-Med is a Pima County outreach program made up of concerned citizens focused on minimizing the abuse of prescription medications by teens and preventing accidental drug poisoning of children and the elderly.

By providing a safe and effective method of drug disposal, the Dispose-A-Med program reduces the introduction of pollutants into the environment and helps ensure high quality water in the aquifer.

In 2009, the Pima County Regional Wastewater Reclamation Department (RWRD) began an educational campaign to reduce the flushing of unused prescription medications into the public sewer system by both consumers and health care providers.

The potential environmental harm associated with improper medication disposal into the public water supply is much less than the actual harm resulting from the abuse of prescription drugs among teens.

In the last few years, several teens in Pima County have died from abusing prescription drugs.

The county now partners with local law enforcement agencies and civic groups to publicize the message of the Dispose-A-Med program – that abusing prescription medications can be deadly.

The countywide program includes more than 50 member agencies. There are monthly medication-collection events scheduled throughout greater Pima County. Each collection event is overseen by law enforcement officers, who are legally permitted to handle the disposing of controlled substances, such as narcotic painkillers, and representatives of the University of Arizona College of Pharmacy and the Arizona Poison and Drug Information Center, who help teach the public about their medications and provide free blood pressure check-ups.

All collected medications are incinerated for free through an arrangement with the Southern Arizona District of the federal Drug Enforcement Agency.

During the last two years, the Dispose-A-Med program has collected more than three tons of pills. That's an average of more than 250 pounds of medication collected each month – approximately 250,000 pills.

The drugs collected in the last two years represent more than six million pills that otherwise might have been dumped into public sewers or perhaps taken by teens.

The county's effort to provide public education on the dangers of not properly disposing of unused prescription drugs continues to grow.

Dispose-A-Med community members routinely meet with school children, health care workers and community groups to increase public awareness.

Target Corp. has agreed to support Dispose-A-Med efforts throughout Arizona and is co-hosting events in Oro Valley, Marana, Tucson and Casa Grande.

Target provides tables, chairs and refreshments at most of these events. Also, local Optimist chapters have been very supportive and local media also publicize the events.

For more information, visit www.disposeamed.pima.gov.

Get rid of expired, unused, unwanted and potentially dangerous prescription and over-the-counter drugs at **Dispose-A-Med Day** in conjunction with National

Drug Take-Back Day

Saturday, April 30

10 a.m. to 2 p.m.

at locations throughout Pima County (see table on opposite page)

For more information, visit
www.disposeamed.pima.gov.

Legal drugs in your home can be deadly

By Liz Barta, The Arizona Poison and Drug Information Center

One of the key concerns facing parents today is teen drug abuse – with legal prescription drugs. Many teenagers make the false assumption that all prescription drugs they see around the house are safe because they were prescribed by a physician.

What they don't know is that many of these drugs, when not taken as prescribed, are potentially addictive. In fact, they can cause severe, sometimes life-threatening side effects. A 2009 survey by the federal Centers for Disease Control and Prevention shows that prescription drug abuse among teens is on the rise. Approximately 20 percent of teens admitted using a prescription medication not prescribed to them in the past year.

Why? The most common reason teens gave was pressure by peers to try the drug. Other teens said they thought the drug might improve their thinking ability, help them escape personal problems, get their parents' attention or relieve boredom. Some said they were just curious.

The most common drugs teens typically abuse are stimulants, such as methylphenidate or other amphetamine derivatives, opiates such as Oxycontin or Vicodin, and other central nervous system depressants, such as Valium, Xanax or trazodone.

The problem is that in addition to what teens are trying to get from taking these drugs, there are numerous side effects that can be potentially very harmful. A teen who takes his younger sibling's Adderall (a combination amphetamine) for its stimulant effects can end up with a rapid heart rate and severely increased blood pressure. With this type of misuse, the drug can cause heart rhythm problems, physical collapse and even death. A teen taking an opiate or narcotic for fun can

end up with difficulty breathing, in a coma or dead.

A number of medications in the toxicology world are classified as “one pill can kill.” These medications include common drugs used by adults to control high blood pressure or diabetes. Even one tablet of certain medications can cause severe physiological changes, such as low blood sugar or low blood pressure. These changes can be deadly if the teenager is not quickly treated in a hospital setting.

One of the more popular ways teens get access to these drugs is at a “pharm” party where they go pharming.” To get into a pharm party, each teen must contribute one or more prescription medications to a “collecting bowl.” The “party” starts as the teens swallow handfuls of these medications with no consideration of their negative effects on the body.

How can you prevent teenagers from taking part in this potentially harmful activity? Here are three ways:

COMMUNICATION: Recent studies show teens whose parents have talked to them on a continuous basis about the dangers of drug use are 42 percent less likely to use drugs than teens whose parents do not.

SAFEGUARD: Keep prescription medications in a secure place to which only you have access.

DISPOSAL: Take all unused or old medications for disposal to a local “Take Back” event.

Proper Medicine Disposal Step-by-Step

Here are the recommended ways to – and how not to – dispose of medications, according to Dispose-A-Med, a program of Pima County:

Don’t flush medications down the toilet or down the drain. Sewage treatment plants cannot remove all the pharmaceutical contaminants that pollute streams and the aquifers from which drinking water is derived.

Don’t dump medications in the trash. Mixing unwanted medications with coffee grounds, kitty litter or similar undesirable substances prior to disposal in a trash receptacle, may prevent accidental ingestion by children or domestic pets. However, it does not protect wildlife that may come into contact with the trash once it is placed outside your home. The Sonoran Desert is home to numerous wildlife species, including coyotes, coatimundi and javalina, who routinely rummage through garbage cans looking for food scraps. Medications dumped in the trash can kill these wildlife.

Bring your medications to a local Dispose-A-Med collection site. Keep the medication in the prescription bottle. Don’t dump the medications into a single bag or bottle. If you get pulled over by police en route to a collection site, you’ll have a hard time explaining the large bag of unmarked pills. Leave your medications in their original containers. Dispose-A-Med event hosts will remove the labels for you to ensure your privacy and that your personal information is secure. The empty bottles are recycled or donated to Pima Animal Control Center’s spay and neuter program for use in dispensing antibiotics and pain medication for dogs and cats..

What happens to all those pills? After each Dispose-A- Med event, all medications are incinerated in coordination with the federal Drug Enforcement Agency. The incinerator effectively decomposes the pharmaceutical compounds and prevents

pollution of the air, water and land.

My Perspective on Drug Abuse

By Ashley Franks

To give you my perspective on drug abuse is to give you my perspective on life. How I see it, how it has shaped me, and how it continues to shape me.

These are my shoes.

I'm not asking you to walk in them, I'm not even asking you to try them on. I'm just asking you to look at them. You can think they are ugly, you can even think they are overpriced, or that you don't really care for them.

None of those things change where they have been.

This is where I have been.

You see, what they don't tell you about addiction is – it affects more than you.

My brother Kyle's choices affect me, and they will affect me for the rest of my life.

It's one thing to tell the parents of a new boyfriend your brother died. It's another to tell them he overdosed. It's OK. You can admit it. When I said overdose you got a picture of a certain type of person in your mind, and probably not a pretty one.

It's a shame because my brother wasn't that person, but you'll never know that.

That's a choice Kyle made. No one tells you that when you smoke weed at a party. Or when some kid's parents give you pills and tell you it's all right as long as you give them your keys.

You see, what they don't tell you about addiction is – it does not profile. It shows no favorites. It has no mercy.

My brother and I grew up in a loving home. We played sports, went to good schools, had loving friends and family. We had no traumatic experiences, no terrifying events or negative life changing moments. We were one of the only families I knew growing up whose parents were still together and who showed up for every game, every performance, and every parent teacher meeting. We weren't allowed to use four letter words, or even watch "The Simpsons."

And yet, addiction found us.

I painfully watched my brother's addiction grow. Soon enough, 'just weed' turned into pills, and when that got too expensive, pills turned into heroin. You want my perspective? Weed is a gateway drug. I've held it dead in my arms.

I remember talking to Kyle. I remember talking to his addiction. Learning to love and live with an addict was a ride of its own. Learning to lose one is a whole other ballgame.

You see, what they don't tell you about drugs is – it's not so great when your 20-year-old sister is writing your obituary.

Right after Kyle died I had to grieve not only the loss of him, but also the hopes we had for him. I grieved I might never be called aunt, and he will never be called uncle. The night before Kyle died we had a conversation about what he might one day wear to my wedding. On that day, I'll remember that conversation, and I'll be wondering what tux he would've been wearing, what girl he would've had on his arm. Maybe his kids would've been my ring bearer or flower girl. I constantly find myself wanting to text him with, "Hey remember when...." When our parents die, I'll bury them without Kyle at my side. I'll do all those things because Kyle made a series of small choices, which escalated into something he could no longer control.

You see, what they don't tell you about addiction is – eventually, it starts making choices for you.

I watched my parents walk a child through rehab. We hid money, we hid car keys, we took him places, dropped him off, picked him up, monitored phone use.

We were Team Kyle.

I watched him struggle. I watched them struggle.

Then, suddenly, one crisp December morning, I watched my parents bury a child.

I watch them bury him every time our family has a milestone. We bury him when we run into old faces, when our dog waits at the door because, to her, not everyone is home yet. Every holiday, every birthday, every golf tournament, every speaking engagement, and every time we see or hear of a family experiencing the same heartbreak we did. We bury him every Sept. 24th , and every Dec 6th.

We were Team Kyle. In so many ways, we still are.

You see, what they don't tell you about addiction is – it's forever.

Established in 2008, the Kyle Franks Foundation (KFF) aims to bring awareness to substance abuse in our community. Our goal is to provide youth the tools to make the right choices early on, and guide those who struggle back on track.

Based in Northwest Tucson, the KFF will award its third college scholarship this May and supports Project Grad, R5 Presentations, the Oro Valley Police Department fifth-grade Drug Awareness Program and other community events.

The KFF is a non-profit 501(c)3 foundation. For more information, please visit www.KyleFranks.org.

PARTICIPANTS NAME	COLLECTION SITE	ADDRESS	CITY	STATE, ZIP
The University of Arizona Police Dept.	The University of Arizona Police Dept. Conference Room #101	1852 East First Street	Tucson	AZ, 85721
Tucson Police Dept.	Tucson Police Dept. Operations Division Downtown	270 S. Stone Ave	Tucson	AZ, 85701

South Tucson Police Dept.	South Tucson Police Dept. Lobby Entrance	1601 S. 6th Avenue	Tucson	AZ, 85713
Arizona Department Of Public Safety	Arizona Dept. of Public Safety Highway Patrol District 8 (Tucson)	6401 S. Tucson Blvd	Tucson	AZ, 85706
Tucson Police Department	Tucson Police Dept. Operations Division East	9670 E. Golf Links	Tucson	AZ, 85730
Oro Valley Police Dept.	Target Oracle/first	10555 N Oracle Road	Tucson	AZ, 85737
Marana Police Department	Target	3901 W. Ina Road	Tucson	AZ, 85741
Pima County Sheriff's Department	Pantano Christian Church	10355 E 29th St.	Tucson	AZ, 85748
Pima County Sheriff's Department	Safeway	9705 N. Thornydale Rd	Tucson	AZ, 85742
Town Of Sahuarita	Wal- Mart	18680 S. Nogales Hwy	Green Valley	AZ, 85614

*****AUTOMATED SERVICE*****
 LORRAINE SIMON 845 BA PI
 ZELI N. STONE AVE FL 6
 TUCSON AZ 85701-1207

REPORT TO
 JULY POSTAGE
 PAID
 TUCSON AZ
 PERMIT #182

ISSUES: 01
**MARANA MT VIEW
 DUEL ON THE DIAMOND**
 DR. MICHAEL W. WILSON, MD



WEDNESDAY, APRIL 27, 2011

MARANA Weekly NEWS

VOLUME 04 • ISSUE 52 • NEWSTAND 75¢

Governor signs SB1171, clearing the path for Marana to enter wastewater business

MARANA — Arizona Gov. Jan Brewer on Monday signed into law Senate Bill 1171, clearing the path for the Town of Marana to provide wastewater service to its residents.

SB1171 sets the wheels in motion for Marana to assume ownership of a small wastewater treatment facility located just outside town boundaries. The town plans to construct additional facilities to provide improved service and greater capacity for new homes and businesses.

"This is a landmark day in Marana's history," said Marana Mayor Ed Honea. "Owning our wastewater system will enable the town to aggressively pursue economic development opportunities that will benefit the region."

Fundraiser helps teachers and students "Shot for the Stars"

MARANA — The Marana Foundation is holding their annual Shooting for the Stars fundraiser this year at Old Tucson on April 30. Activities include dinner, live music, dancing, Old Tucson entertainment, Casino style games, an auction and a raffle.

The Marana Foundation for Educational Excellence is a non-profit organization dedicated to supporting the Marana Unified School District through recognition, service, fundraising, and distribution of grants to teachers on an annual basis.

To date, the Marana Foundation has donated over \$100,000

Gov. Brewer signs SB1171, clearing the path for Marana to enter wastewater business

"We were disappointed the State Legislature and the Governor failed to recognize the property rights of Pima County sewer ratepayers in passing and signing into law Senate Bill 1171," said Pima County Administrator Chuck Huckelberry.

"This legislation is counter to regional utilities and regionalization that results in lower costs to all taxpayers. This legislation encourages local governments to act as independent service providers, creating freedoms in essential public utilities and, in this particular case, public health."

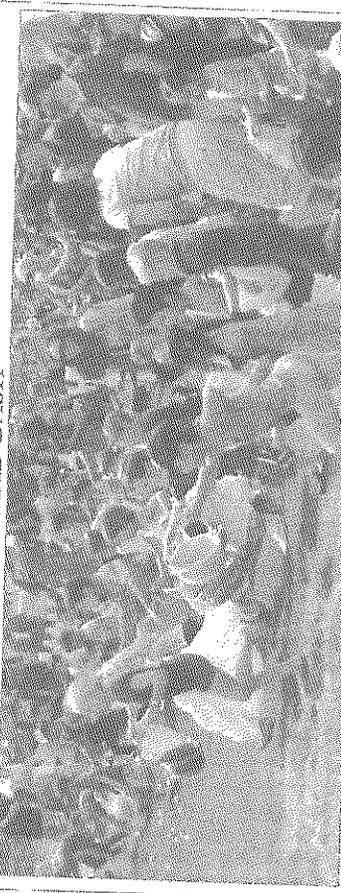
Senators Frank Antononi, Gail Griffin and Al Melvin and Representatives David Gowen, Foggy Judd, Terri Presid, David Stevens, Paul Yast and Vic Williams sponsored SB1171.

Gov. Brewer signs SB1171, clearing the path for Marana to enter wastewater business

The town and Pima County signed an intergovernmental agreement in 1979 that gave the county permission to provide sewer service in Marana. The town exercised its legal right to end that contract in 2007.

"The county will consider all of our available options regarding this legislation and determine how best to protect the interests of our ratepayers, who have taken these regionally financed assets without fair and just compensation, our ratepayers will be financially harmed while Marana is unjustly enriched, something that is unfair and inequitable."

MAD DASH



Youngsters age four through seven run across the field as the Gladden Farms Spring Celebration, Easter Egg Hunt gets underway this past Saturday. The event was held at Compass Park at the corner of Tangent and Lon Adams.

Chuck Barth/Marana Weekly News

Marana to extend one-year wastewater agreement with county

By Thelma Grimes, The Explorer | Posted: Wednesday, April 27, 2011 4:00 am

The Marana Town Council voted to allow Mayor Ed Honea to execute a one-year extension of the intergovernmental agreement between the town and Pima County for provision of water-consumption data and sewer-user account billing.

Voting unanimously during the April 19 council meeting, the agreement, which was originally approved in 2009, will remain in place for the time being.

However, paragraph 22 of the agreement acknowledges the pending wastewater litigation between Marana and Pima County, providing the ability for the town to terminate or modify the agreement at any time, depending on the outcome of the lawsuit.

Marana now holds a big advantage in the fight over wastewater rights. Pima County currently manages the services.

However, with Gov. Jan Brewer signing Senate Bill 1171 into law, the Town of Marana can now enter the wastewater business.

SB 1171 will allow Marana to provide wastewater services to residents by allowing the city to assume ownership of a small wastewater treatment facility located just outside town boundaries.

In other business, the council unanimously approved amending Ordinance 2011.11, which will allow a Marana couple to move forward with plans to build a swimming pool.

Lisa Shafer, interim planning director, said in November 2002, the council adopted an ordinance that rezoned 431 acres of land located south of the Camino del Norte alignment and west Camino de Oeste, requiring that site/lot disturbance be set at 30 percent.

After purchasing property on the 5000 block of West Desert Falcon Lane in 2006, Mark and Denise Bartlett found out they would not be able to build a pool because the land had already been graded to the 30 percent capacity.

After working with the city, with council approval, the Bartletts will re-vegetate 17 percent of the property in order to build the pool. This means in areas already graded, they will replant desert vegetation to meet code requirements.

The amended ordinance now states land disturbance limitations is between 30 and 35-percent.

In other business, the council voted to appoint three members – Patti Comerford, Roxanne Ziegler and Jon Post – to the Contract Review Committee. The review committee is being convened to resolve any disputes or differences in interpretation of the Marana Police Officers' Association Memorandum of Understanding.

The committee is charged with making a recommendation of action to the Town Council to resolve any disputes.

Before adjourning the 30-minute public portion of the meeting, the council gave Suzanne Machain, the town's human

resources director, permission to move forward with hiring a graphic designer. The annual salary for the position ranges between \$43,008 and \$64,512.

Machain said the position aligns with the town's strategic plan to continue building a unique plan for Marana.

Besides marketing and design, the person hired will focus on promoting the town online.

The council closed the public portion of the meeting, voting to go into executive session to discuss three separate agenda items.

In the closed-door meeting, the council sought legal advice regarding the ongoing litigation between the town and Pima County over wastewater.

The agenda stated the council would be getting legal advice regarding "pending legal issues, settlement discussions and contract negotiations relating to the transition of Marana wastewater collection and treatment to the Town of Marana."

The second executive session allowed the council to obtain public advice regarding a settlement offered in the case filed against the Town of Marana by Valley Collection Service.

Valley Collections Service is under contract with the town to assist the court in collecting delinquent fees and fines that are due.

Cedric Hary, Marana's assistant town attorney, said the lawsuit alleges that while the contract authorizes the court to cancel any accounts at any time, the court allegedly canceled some accounts for which the owner of Valley Collections feels he is owed more money.

The final executive session allowed the council to get advice in negotiating for the property rights needed for the Camino de Mañana and Dove Mountain extension project.

The council took no action following the executive session.

Reporter Thelma Grimes can be reached at 797-4384 or by email at tgrimes@explorernews.com.



Snowbirds' departure slows down the flow

Sewer smells stick around in Sabino Springs

Andrea Kelly and Josh Brodesky Arizona Daily Star | Posted: Saturday, April 23, 2011 12:00 am

So this is what happens when the housing crisis mixes with snowbirds.

For a while now, Sabino Springs residents have been stuck smelling their own sewage, and it's all because the neighborhood doesn't have enough full-time residents to keep things going and flowing.

Residents of this high-end northeast-side neighborhood - home to the Arizona National Golf Course - were reticent to talk about the aforementioned aroma. But the olfactory assault has been such an affront that the Pima County sewer staff is working to clear the air.

The issue: There aren't enough people living full-time in Sabino Springs to keep the sewer volume high enough to run efficiently. The development isn't built out, and some of the homes are empty. When the snowbirds fly away, the sewage slows down.

The solution: The neighborhood equivalent of a double- or triple-flusher.

"We have been working with (the) homeowners association on ways to get more water into that system," said Laura Hagen Fairbanks, a community-relations manager for the Pima County Regional Wastewater Reclamation Department.

More water means more movement of whatever is in the pipes.

Slow-moving, extra smelly sewers can be surprisingly common in the Old Pueblo, Fairbanks said. During the building boom, the wastewater department would get calls from people who were among the first to move into a subdivision.

"We'd say 'You'll get more neighbors and then it will be better,'" Fairbanks said.

Now, in the housing bust, empty or unfinished neighborhoods can be hard on the nose.

"One of the issues is it's not built out, so they don't have the flows that they would have had if it was built out," Fairbanks said. "Another issue, many of the people who live there, this is a second home. So even many of the houses that are purchased are not necessarily lived in, so they're not providing flow."

It's one thing to smell sewage; it's another thing, apparently, to talk about smelling sewage.

Dave Piper, the association's board president, didn't return a phone call.

At first, Wayne Zoellick, the association's vice president, said there wasn't a sewage issue. Then he said one resident had complained about the smell. Then he said there was one spot in the neighborhood where things got a little stinky. But, in general, he said nobody complains.

"There is one part where once in a while you can get a little whiff," he said. "It all depends on which way the wind blows."

Zoellick directed further questions to HBS Management Solutions, the neighborhood's property manager that is working with the county.

But Howard Schmitter, of HBS, also didn't want to talk about the smell.

"This conversation is over," he said before hanging up.

But the county is on the case. The lines have been flushed to clear away any leftover sewage, and Fairbanks said the goal is to get a steady, but small, trickle of water to move through the pipes. Then Sabino Springs residents should be able to take a deep breath.

Contact Josh Brodesky at 573-4242 or jbrodesky@azstarnet.com



New law to allow hostile takeover of county plant

Rhonda Bodfield Arizona Daily Star | Posted: Thursday, April 21, 2011 12:00 am

Imagine, if you will, that you bought a house.

You then put up a picket fence, daubed on fresh coats of paint and reworked the landscaping for better curb appeal.

And it worked so well, someone decided they wanted it - and all they had to do was pay what was left on your mortgage, not for all those improvements or any appreciation since you bought it.

That's how Pima County officials characterize the state Legislature's recently approved bill to allow cities or towns in Pima County to take over county wastewater facilities in their areas.

The bill, sponsored by the Southern Arizona GOP delegation and signed by the governor Monday, essentially allows Marana to lay claim to a treatment plant by simply assuming the outstanding debt.

County Administrator Chuck Huckelberry said the county likely will end up having to hash it all out in court, where Marana's previous takeover efforts were denied.

While there's about \$15 million in debt still to pay off, Huckelberry said that won't make county taxpayers whole if that's all Marana ponies up. He estimates the county paid \$23 million in construction costs, not to mention \$2 million in soft costs, like engineering and planning. There are also financing charges, and improvements in pumping facilities elsewhere in the system.

The county argued unsuccessfully that the law sets a bad precedent.

"Rightly or wrongly, what has been created here is an absolutely new and unique method of acquiring infrastructure," said Michael Racy, Pima County's lobbyist. He said it could presumably set a precedent for parks or even water utilities.

For example, Marana has been unhappy for years about Tucson Water serving parts of Marana, but the two communities have been unable to agree on terms for Marana to buy them out.

Marana Mayor Ed Honea said the town wants the city water facilities because it fears Tucson could, some day, cut off service.

County denial of sewer service to some proposed developments was a motivation for Marana's move on the sewage plant.

But Honea insisted Marana has no intention of going back to the Legislature to seek another change in state law to allow a similar adverse takeover of city water facilities.

Marana and the county each blame the other for not negotiating in good faith to avert a showdown in court and at the Capitol, but Marana argues it just wants the right to control its own destiny.

Jonathan Paton, a former state senator who served as a consultant for Marana on the effort, asserted the win was a "game changer," giving the town control of sewer hookups and the reusable effluent they produce.

"This means Marana is going to be able to do a much better job of planning. It's not going to be dependent on another jurisdiction."

Honea said the county has prevented more than a dozen projects - including a hotel and restaurant complex, as well as a housing development with sustainable features such as solar panels and energy-efficient windows- by refusing to guarantee sewer hookups.

No developer, he noted, is going to invest millions in infrastructure without a guaranteed hookup.

"The town is bending over backwards to work with individuals on good projects, and meanwhile, the county is costing us real jobs. We just can't stand for that."

But county officials say the legislation could potentially result in as many as eight different wastewater systems in the region - from the city of Tucson, to South

Tucson, Oro Valley, Sahuarita and the two Native American communities - although they acknowledge that, for now, no one else seems to be agitating for the additional responsibility.

Still, they say, any fragmentation means a duplication of costs, including management and overhead costs, meaning ratepayers are going to end up paying more.

Plus, they note, the move creates a disincentive for the county to build wastewater infrastructure and capacity if a municipality can seize it with a 30-day notice.

Honea said with Marana's 35,000 residents making up some 3 percent of the county's nearly 1 million population, he doesn't understand what all the fuss is about.

"I think it's a control thing. Chuck Huckelberry is able to control everything that happens in Pima County and that's how he likes it."

Honea acknowledges the county offered to give Marana effluent but said discussions hit a snag over how much the town would get once water was taken out for a settlement with Indian tribes and other items. He also said the county has inflated the cost of the facility.

"We don't want to be a bad neighbor. We don't not want to be regional. But if your interpretation is 'Give me all your assets and I'm in charge of everything,' then I can't agree with you."

He said he doesn't see the bill as setting dramatically new precedent, either. First of all, he said, Marana residents and developers have been paying into the system. Secondly, he said, when cities or towns annex roads, they merely assume the debt - they don't reimburse the entire cost of the road.

Marana is hoping to get permission to run a wastewater department by May - which could ultimately mean another two treatment plants, since the county's only has capacity for about 2,000 residents.

Then, Honea said, with the bill becoming law within 90 days, the town will prepare a demand letter to take over the facility.

"It's almost like a condemnation," he explained, saying he plans to take operation of the plant and then negotiate the money part later.

County Supervisor Ann Day, who represents the area, said she's dismayed at the inability to come to a more satisfying agreement, blaming it in part on a "personality dispute" between Honea and Huckelberry.

"It should never have gotten this far. Every time we end up in court, everybody loses," she said.

Her GOP colleague, Ray Carroll, said the move won't be good for Marana, saying it will burden Marana's taxpayers with the increased costs of running the utility.

Still, he lumped much of the blame on Pima County, saying the county mismanaged its system for years and is now embarking on an expensive facilities upgrade to meet environmental standards.

"Pima County's failings gave bill supporters the evidence they needed to go to the Legislature and say: We can do it better."

On StarNet: Rhonda Bodfield will keep you aware of all of the political news with the Pueblo Politics blog at go.azstarnet.com/pueblopolitics

SEWER DEAL DETAILS

\$15 million

estimated amount of debt owed on the county's Marana wastewater facility

\$25 million

estimated cost of construction, engineering and planning of the facility

SOURCE: County Administrator Chuck Huckelberry

Contact reporter Rhonda Bodfield at rhodfield@azstarnet.com or 573-4243.



Congress Street closed near I-10 after water break

Rob O'Dell Arizona Daily Star | Posted: Wednesday, April 20, 2011 8:00 am

A rupture in a reclaimed-water line on the west side near the Rio Nuevo site has shut down all lanes of West Congress Street near Interstate 10 and could keep the street closed until next week.

Congress will be closed indefinitely from the I-10 frontage road to Grande Avenue, said Tucson Water spokesman Fernando Molina. Drivers will have to find alternative routes, likely using either West 22nd Street or West St. Mary's Road.

Water from the broken line undermined a portion of Congress Street, forcing the closure due to the risk of a collapse under the weight of vehicle traffic, said Brian Janski, a project manager for KE&G Construction.

The break was near Congress and North Bonita Avenue at 10:45 a.m. Tuesday. The water-line break caused an 8-inch-diameter sewer line in the area to also rupture, but it's unclear if sewage was also spilled. Janski said he didn't think sewage wasn't released, but Molina said he assumed there was.

The broken reclaimed-water line was one that Gadsden Co. was required to replace as a condition of a land sale that allowed the company to buy a piece of city-owned property for \$250,000 and immediately sell it for \$1.43 million to Chicago-based Senior Housing Group LLC. The group will use federal tax credits to build a 143-unit affordable-housing project on land south of West Congress Street, just west of the Santa Cruz River.

The rupture occurred as the new reclaimed-water pipe built for Gadsden was being filled so it could be put into service. Molina said it's unclear whether the new reclaimed-water line or a section of the old line ruptured. The city won't know what broke until it finishes draining 150,000 gallons of water out of the pipe, he said.

Once the line is drained, the Pima County Wastewater Department will determine if any sewage spilled in the area as well, Molina said.

About 10 Tucson water customers on Congress may experience intermittent service disruptions during the repairs, and a temporary water line will be installed to provide El Rio Clinic with uninterrupted service.

The broken line was a major feeder for the city's reclaimed-water system.

From the west side, water traveled south, and it was the main line to get water to the southeast part of town, including to Davis-Monthan Air Force Base, Molina said.

Gadsden had been given April 15 as a drop-dead date to complete the reclaimed-water line, because the city needed the line to be functioning for its peak season that begins in May.

Despite the break, Gadsden met its requirement because Tucson Water said the line was substantially complete on April 15 and it passed initial testing, project manager Jessie Sanders said.

"No longer does it impact" the senior-housing project," Sanders said. "The April 15 day was met."

Contact reporter Rob O'Dell at 573-4346 or rodell@azstarnet.com.

Brewer's OK paves way for Marana to enter wastewater business

By Thelma Grimes, The Explorer | Posted: Wednesday, April 20, 2011 4:00 am

Gov. Jan Brewer signed Senate Bill 1171 into law Monday, paving the way for the Town of Marana to enter the wastewater business.

The bill will allow Marana to provide wastewater services to residents by allowing the town to assume ownership of a small wastewater treatment facility located just outside town boundaries. Marana is planning to construct additional facilities to provide improved service and greater capacity for new homes and businesses.

"This is a landmark day in Marana's history," said Mayor Ed Honea. "Owning our wastewater system will enable the town to aggressively pursue economic development opportunities that will benefit the region."

Senator Frank Antenori, R-District 30, said, in March, Marana deserves an opportunity to operate and manage the public sewer utility within its boundaries so that it can stimulate economic development, bring important land use decisions under town control, and make the most beneficial use of all of its available water resources.

The bill requires Marana to assume all Pima County debt associated with public sewers and facilities that are transferred into its operation and control.

In a March editorial, Antenori said SB 1171 creates a spirit of competition in local government.

The bill was sponsored by Antenori along with senators Gail Griffin and Al Melvin and Representatives David Gowan, Peggy Judd, Terri Proud, David Stevens, Ted Vogt and Vic Williams.

The Town of Marana and Pima County signed an intergovernmental agreement in 1979 that gave the county permission to provide sewer service in Marana. The town exercised its legal right to end that contract in 2007.

The issue has been an ongoing court battle since 2008.

Reporter Thelma Grimes can be reached at 797-4384 or by email at tgrimes@explorernews.com.

Arizona challenge: Finding water for the next 100 years

*by Shaun McKinnon - Mar. 19, 2011 12:00 AM
The Arizona Republic*

In 1911, a group of farmers on the lower Salt River, struggling to cope with floods and drought, built Roosevelt Dam and developed a reliable water supply that has met the needs of a growing region for 100 years.

In 2011, the challenge is no longer how to ensure enough water to develop farming in the arid Valley, but where Phoenix and other Arizona cities will find water for the next 100 years.

Demand has spread beyond the capacities of Roosevelt and the other dams on the Salt and Verde rivers. Drought has underscored the vulnerability of Colorado River water, delivered to the Valley in the last big water project built here, the Central Arizona Project Canal. Climate change has added uncertainty.

What is certain is that there will be no Roosevelt Dam for the next generation, no single piece of infrastructure that can create another 100-year supply of water.

"The big dams are all built," said Craig Kirkwood, an Arizona State University researcher who has studied water-resource issues.

"You can reallocate water. You could augment water supplies, but that would probably be very expensive. Or you could say, 'We're living in the desert,' and just accept that."

Still, most water experts agree that if the region continues to grow, its cities will need to find more water - or use less of what is now available - to avoid drawing too deeply on non-renewable groundwater supplies.

"We've probably got another 30 years to run without doing anything too dramatic," said Grady Gammage Jr., a senior fellow at ASU's Morrison Institute for Public Policy.

"Beyond the 30-year point, if you assume we will continue to grow even close to the pace we have - and I'm not at all convinced we will - beyond 30 years, something dramatic has to happen."

Storing the supply

In 1968, Congress approved a plan to build a third dam on the Verde River northeast of Phoenix. Orme Dam would expand water-storage capacity and help capture runoff during unusually wet years.

But Orme Dam was never built, and it has become a case study for why dam-building is not without limits.

Indian tribes and conservation advocates objected to the project's location and argued that it would destroy valuable wildlife habitat. Water agencies across the West recognized the growing influence of environmental groups, who would willingly fight for their cause in court.

Water experts now say that if Orme had been built, there's no assurance the Verde would have filled it. During the recent drought, Horseshoe Lake, the smaller of the two existing reservoirs on the river, sat empty for months at a time.

Meanwhile, Arizona pioneered large-scale water banking, storing unused Colorado River water by pouring it into recharge basins to percolate into the ground for later

use. So far, the state has banked about 1.6 trillion gallons.

What worries some water managers is that the banked water could end up being used as a long-term source instead of an emergency supply.

Cities could start drilling wells just as they did before groundwater-management laws were enacted to protect aquifers.

"The philosophy behind those laws was that we would use surface water and save our groundwater for drought or other unexpected events," said Kathryn Sorensen, water-resources manager for Mesa. Using banked water as a long-term source, she said, "is not sustainable."

"It's cheaper and easier," she added, "but it's not sustainable."

Conserving resources

Conservation is the cheapest and most direct way to stretch water resources, but it would require fundamental changes in the way people use water.

"When you talk about conservation, people think about shorter showers or maybe reclaiming effluent," Gammage said.

To make a real dent in water use, Phoenix would need to change the entire landscape - the actual landscape, Gammage said. "If you quit watering landscape at the rate we do, just drop the per capita water use in Phoenix to what they use in Tucson. That's about a 40 percent increase in water supply right there."

The problem is most people don't want to give up lawns and trees, Gammage said, adding that they're not wrong.

Grass and trees improve quality of life and

reduce urban-heating effects. Phoenix doesn't get enough rain to support the greener native landscape evident in Tucson.

Conservation programs have succeeded in reducing indoor water use, and water experts said most Phoenix homeowners

could use less water outdoors without sacrificing greenery. The question is how far water providers and users are willing to go to conserve.

"It's an infrastructure issue in a sense," said Patricia Gober, co-director of ASU's Decision Center for a Desert City.

"You build a city that's not set up for water reuse, you build an oasis city with lots of lawns and trees instead of a desert city, and 50 years later, with climate change upon us, we have no quick adaptation strategy."

Importing what's needed

Arizona and other Western states grew because they were able to move water from where it was to where it wasn't, importing water through mountains, across deserts and up hills toward the money of developing cities.

Dams made that movement possible. Without new dams, importing water will become more expensive and more difficult.

There are some quick fixes: Engineers have already studied the possibility of enlarging the CAP Canal, which moves water 336 miles from the Colorado River to Tucson and Phoenix.

But the idea gaining the most attention right now is desalinating ocean water. Officials from SRP, the CAP and the state have met with private investors and officials from Rocky Point, Mexico, about building a desalination plant on that resort city's coast.

The plant, built with money from both sides of the border, would produce water for Rocky Point and export the treated water to

Arizona and California.

With the right mix of pipelines and trades within the Colorado River system, such a project could benefit areas of rural Arizona that lack a renewable source.

But the cost would be enormous, as would the energy requirements. Even if those obstacles were overcome, the plant might not produce water for decades.

"It might fill a small short-term immediate need, and maybe it's part of the solution mix, but these plants are incredibly expensive," said Brad Udall, director of the University of Colorado's Western Water Assessment. "And if you build them and the drought ends, you have a very expensive plant sitting there waiting for the next drought. It's not a silver bullet."

Reallocating uses

Farmers built Roosevelt Dam and have developed water supplies across the West. But now, many urban water managers say agriculture needs to give back some of what it has used.

San Diego was one of the first major cities to strike a deal with farmers to lease water made available when the farmers took land out of production. Now, other cities see that as an option.

ASU researcher John Sabo said agriculture transfers could help stretch water supplies but only as part of a broader program that includes aggressive conservation efforts in cities.

"You can't just get rid of farms," he said. "We

need to find a way for everyone to benefit."

Cities are increasingly willing to pay more for water, especially in new developments, Sabo said.

Maybe the cities could pay farmers not to grow low-value, high-water crops like alfalfa and use the water that would have irrigated those crops.

The farmers could take the income from those deals and install more efficient irrigation systems, which could reduce the amount of water diverted from rivers, creating an environmental benefit. Higher water costs for municipal customers would have the same effect.

"You can't hammer everybody, or no one's going to buy into it," Sabo said. "This idea that there are three parties that are mutual enemies, that's the part that needs to be solved so each one is helping the others."

April 11, 2011

Indians Join Fight for an Oklahoma Lake's Flow

By FELICITY BARRINGER

TUSKAHOMA, Okla. — Sardis Lake, a reservoir in southeastern Oklahoma young enough to have drowned saplings still poking through its surface and old enough to have become a renowned bass fishery, is not wanting for suitors.

Oklahoma City and fast-growing suburbs like Edmond want to see the water flowing through their shower heads someday. So do the water masters of Tarrant County, Tex., 200 miles to the south, who are looking to supply new subdivisions around Fort Worth and are suing for access.

Now another rival has arrived: the Choctaw and Chickasaw tribes, who were exiled to southeastern Oklahoma 175 years ago and given land in the area.

Gregory Pyle, chief of the Choctaw nation, said his tribe would sue to win some of the water if necessary. "All this water was controlled originally by the Indian tribes in this area," Mr. Pyle said. "It is all Choctaw and Chickasaw water."

The tribes want the state to recognize them as joint owners. The issue has been increasingly on the minds of city planners in fast-developing cities as they contemplate the prospect of tapping other existing water sources.

By midcentury, water is expected to loom as large as oil in the economic and political life of the country, as parties race to lock up supplies. As droughts exacerbated by climate change and by

population growth expand in the Great Plains and the Southwest, Indian water rights loom as a largely unsettled — and unsettling — factor that could affect the price and availability of water to millions of homes and businesses.

“There are huge and vested rights to water that are unquantified,” said Taiawagi Helton, an expert on Indian law and water law at the University of Oklahoma College of Law and a member of the Cherokee tribe.

Turning theoretical rights into what is widely termed “wet water” under the terms of long-ago court rulings can take decades. Each case involves other local water users, the state government, the Interior Department, the local Congressional delegation and the federal court system.

A 103-year-old Supreme Court decision effectively put tribes in Western states at the head of the line in times of water shortage, or if a water basin is oversubscribed. But Interior Department officials want to be certain there are no big losers when a tribe’s rights are recognized.

If the Choctaw and Chickasaw were to gain water rights under that old court ruling, legal experts say, it could prompt a new push for similar rights across Oklahoma, which has 39 federally recognized tribes. It could also encourage more tribes in the West to start claiming their reserved rights.

Despite the age of the Supreme Court ruling, known as the Winters doctrine, efforts to quantify tribes’ water rights proceeded at a crawl until the 1980s and 1990s. Since then, about three dozen Indian claims have been tabulated, mostly though drawn-out settlements. Today the Interior Department is presiding over water negotiations with 18 tribes.

A push by the department and by senators in Arizona, Montana and New Mexico resolved four claims at the end of last year. Yet unlike tribes whose rights were signed into law recently, the Choctaw and Chickasaw no longer have reservations, which raises the question of whether water claims must be tied to a specific land grant. The tribes’ land was parceled out to tribal

members more than 110 years ago.

Still, “the water was never taken away,” said Stephen Greetham, the lawyer for the Chickasaw nation.

When the Choctaw and Chickasaw did have reservations, their land covered virtually all of southeastern Oklahoma and was watered by the Kiamichi River, whose tributary, Jackfork Creek, was impounded by the Sardis Dam in 1982. The tribes’ goals are to have some ownership and control over the water, to keep as much water as possible in the lake and to enhance southeastern Oklahoma’s recreational industry.

And, assuming the water is valuable, they want to share in the profits from selling or leasing it.

That prospect is unsettling for places that could face water shortages, like Oklahoma City and suburbs like Edmond, whose City Council has already voted to issue \$102.5 million in bonds to help bring Sardis Lake water 110 miles north, to the taps of new homes. It is even more unsettling in the Southwest, where irrigated agriculture and industries consume most of the available water.

Daniel McCool, director of the environmental studies program at the University of Utah, cautioned that the more broadly tribes seek to assert their rights, the greater the risk that the federal courts — the Supreme Court in particular — will trim or even eviscerate earlier rulings establishing Indian rights. “It’s case law, and case law can be changed,” Professor McCool said.

The political pushback against Indian rights could come from other local users who fear for their livelihoods, said Chris Kenney, a former federal water rights negotiator now living in Oklahoma.

“You’ve got local people who have used water for many, many years,” Mr. Kenney said. “In many cases they are at enormous risk.”

A settlement just approved by Congress and signed by President Obama granted water from a Colorado River tributary to the Navajo tribe. Two New Mexico towns, Bloomfield and Aztec, are

suing to overturn it.

Interior Department officials suggest that the Navajo case is an exception. Negotiated settlements are far more advantageous to both tribes and existing users than litigation, they said in an e-mail response to a query.

Other claims are waiting in the wings. A California tribe, the Chemehuevi, whose reservation was partly inundated in the 1930s when Parker Dam was constructed and Lake Havasu was created in one of the hottest parts of the Mojave Desert, has the right to some Colorado River water. It uses less than a fifth of that annually.

But an effort by the tribe 15 years ago to get federal approval to sell some of the excess met with objections from water users in the area and died for lack of federal support. Now the Chemehuevi would like to lease some water to the Barona Band of Mission Indians in the San Diego area, their lawyer, Lester Marston, said.

Mr. Marston said he wanted to avoid a cumbersome settlement process, however, and Interior Department officials have not warmed to his shortcut. In a statement, department officials said they preferred settlements because they involved the consent of a large number of water users and "benefit the community."

Also in California, the Tule River Tribe is trying to get rights to water from the South Fork of the Tule River. Mr. Kenney, who is advising the tribe, said the effort was stalled, but would continue.

The Apache in Oklahoma have gone to federal court, so far unsuccessfully, seeking to sell or lease water to the Tarrant County water agency in Texas. And the largest Oklahoma tribe, the Cherokee, has received mixed signals from federal courts as to its rights concerning the Illinois River.

A leading Oklahoma water official said in an interview that he wanted to negotiate with the Choctaw and Chickasaw. "Certainly we're not foreign to the concept of sitting around the table and working things out with tribes and these tribes in particular," said the official, J. D. Strong,

executive director of the Oklahoma Water Resources Board, the state's primary water agency. "It will happen if the leadership of this state wants to do that."

So far two Oklahoma governors — Brad Henry, a Democrat who left office in January, and his successor, Mary Fallin, a Republican — have not opened formal negotiations with the tribes over Sardis Lake. Alex Weintz, a spokesman for Governor Fallin, said in an e-mail that the governor was awaiting a report being prepared by the state water agency before deciding on her approach.

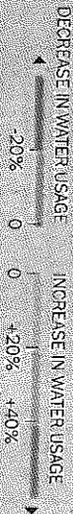
Mr. Pyle, the Choctaw chief, said he worried most about preserving the economic viability of southeastern Oklahoma for recreation. "When water goes from a region, so goes your economy," he said.

He said that before water leaves the area, there should be a complete study of local needs and local capacity.

"I want to make sure for history going forward that we have enough water here," he said.

Needing More Water, Coast to Coast

Large areas of the United States have reduced their withdrawals of water over the last 25 years. But an analysis suggests that if warming related to climate change occurs as anticipated in the next quarter-century, the demand for water would rise in most places.

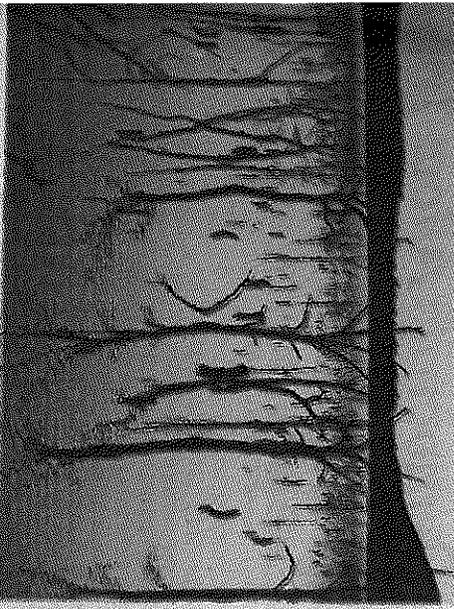


Change from 1985 to 2010

Potential change from 2010 to 2035



Sources: Thomas C. Brown, U.S. Forest Service



JIM WILSON/THE NEW YORK TIMES

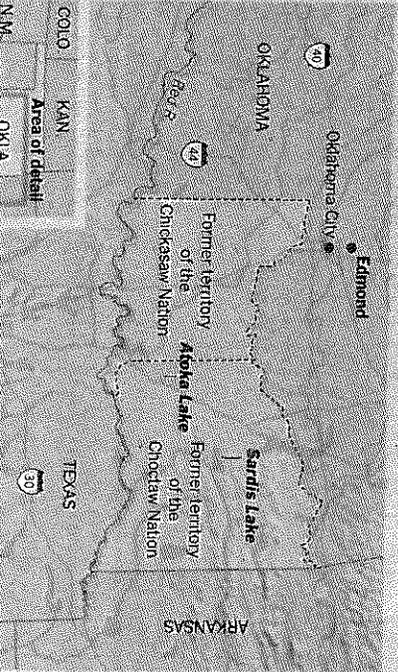
Lake near Tuskahoma, Okla., is sought as a source of water by communities from Oklahoma City to Fort Worth.

Oklahomans Join a Fight for Oklahoma Water

From Page A1

until the 1980s and 1990s. Then, about three dozen Indians have been tabulated, though drawn-out settlements today. The Interior Department is presiding over water rights with 18 tribes, and by the department and others in Arizona, Montana and Mexico, resolved four

That prospect is unsettling for places that could face water shortages, like Oklahoma City and suburbs like Edmond, whose City Council has already voted to issue \$102.5 million in bonds to help bring Sardis Lake water 110 miles north, to the taps of new homes. It is even more unsettling in the Southwest, where irrigated agriculture and industries consume most of the available water.



lease water to the Tarrant County water agency in Texas. And the largest Oklahoma tribe, the Cherokee, has received mixed signals from federal courts as to its rights concerning the Illinois River.

A leading Oklahoma water official said in an interview that he wanted to negotiate with the Choctaw and Chickasaw. "Certainly we're not foreign to the concept of sitting around the table and working things out with tribes and these tribes in particular," said the official, J. D.

THE NEW YORK TIMES