



West Texas officials vow reclamation plant will provide safe water

Reclaiming sewage for drinking a no-brainer in Texas drought

Posted: Thursday, August 11, 2011 12:00 am

FORT WORTH, Texas - In parched West Texas, it's often easier to drill for oil than to find new sources of water.

So after years of diminishing water supplies made even worse by the second-most severe drought in state history, some communities are resorting to a plan that might have seemed absurd a generation ago: turning sewage into drinking water.

Construction recently began on a \$13 million water-reclamation plant believed to be the first of its kind in Texas. And officials have worked to dispel any fears that people will be drinking their neighbors' urine, promising the system will yield clean, safe water. Some residents are prepared to put aside any squeamishness if it means having an abundant water supply.

"Any water is good water, as far as I'm concerned," said Gary Fuqua, city manager in Big Spring, which will join the cities of Midland, Odessa and Stanton in using the water.

When the water finally reaches the tap, Fuqua said, its origin is "something I wouldn't think about at all."

Similar plants have been operating for years in Tucson, parts of California and in other countries. Water experts predict other American cities will follow suit as they confront growing populations, drought and other issues.

"It's happening all over the world," said Wade Miller, executive director of the WaterReuse Association based outside Washington. "In some places ... resources are down to very low levels, and this is one of the few resources available."

The Colorado River Municipal Water District in West Texas began considering a wastewater recycling plant back in 2000 and broke ground last month on the facility in Big Spring, about 100 miles southeast of Lubbock. When finished late next year, it should supply 2 million gallons of water a day.

The timing couldn't be better. This year's drought has made a bone-dry region even drier, causing crops to wither and animals and fish to die off by the thousands.

At least one of the three reservoirs in West Texas may dry up if the drought persists through next year, as climatologists have predicted. That means the district's water supply could be reduced from 65 million gallons a day to 45 million, said John Grant, the water district's general manager.

The new system could actually improve the taste of the region's water by removing the minerals and salt that give it a briny flavor, he added.

The idea to recycle sewage isn't new. Fort Worth and other cities across the nation have long used treated wastewater to water grass and trees and irrigate crops. But the new treatment plant in West Texas will be the first in the state to provide drinking water.

Astronauts aboard the International Space Station have been drinking recycled urine and sweat since 2009 - and consistently give the water good reviews.

Since the space shuttle fleet was retired last month, the space station's recycling system is needed more than ever. Shuttles can't deliver fresh water, and the agency says astronauts will need such recycling systems on future missions to an asteroid and Mars.

But some earth-bound people still need a little convincing.

"It just doesn't sound very right, does it?" asked Liz Faught of Odessa. "I don't want to drink it."

Still, she had confidence that any public-health concerns would be addressed long before the water arrives in the cities.

"I feel they would not do this and it be an unsafe practice," she said.

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Did you know?

Arizona law inhibits toilet-to-tap use of treated effluent. But in April 2008, Tucson and Pima County launched a multiyear study of water and wastewater infrastructure, supply and planning. One of the many broadly worded goals of the two-year study was to seek changes in the law to "provide flexibility to foster increased uses of reclaimed water."

A full copy of the lengthy study can be found at: tucsonpimawaterstudy.com

VIEWPOINT

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PAG, Water and DMA

Despite Marana's recent claims to the contrary, a vote to deny the Town a role as a planning agency under the Clean Water Act was based on federal law and had nothing whatsoever to do with politics.

Marana Town Manager Gilbert Davidson claimed in an article in the July 6, 2011 Marana Weekly News that the Pima Association of Governments (PAG) had declared that Marana "complied with all the technical requirements [for the permit] but the PAG regional council voted it down for political reasons."

In reaching this conclusion, there are several inconvenient facts that Mr. Davidson has ignored.

Since the 1970s, Pima County has been and continues to be the Designated Management Agency (DMA) for our area, including Marana.

In order to remove Pima County as the DMA and replace it with some other entity, the Clean Water Act requires that the PAG Regional Council approve an amendment to the Section 208 planning program, in this case an amendment proposed by Marana

County News



Chuck Huckelberry
Pima County
Administrator

on technical merits. But on June 9, the Regional Council, after weighing all the information at its disposal, voted 4-3 to reject Marana's request.

Contrary to what Mr. Davidson suggests, the fact that Marana complied with what we believe are technical specifications does not in itself provide any legal or

technical justification for the Regional Council to remove Pima County as the DMA for our region.

It's important to remember the fundamental principle of the Clean Water Act, which is "to restore and maintain the chemical, physical and biological integrity" of water. Marana, however, has made clear that it is seeking this permit not because of any interest in water quality or water preservation, but because it believes that if it controls the effluent processed at the Marana Sewage Treatment Plant, it will also control the Town's residential and commercial growth.

That in itself was not enough of a reason to satisfy the requirements of the Clean Water Act or persuade a majority of the Regional Council.

The truth is that the Regional Council retained Pima County as the DMA for our area because there is absolutely no evidence the County has failed to meet its

obligations. On the contrary, the County has won numerous awards for the quality and operations of our sewage treatment facilities.

Rather than accusing the PAG Regional Council of playing politics, Marana officials should acknowledge that the Council acted responsibly. Any local or regional agency would be required to do what the Regional Council did when it was asked to vote on an issue of this magnitude. It considered a broad range of environmental, social and economic factors before going to a vote. Undoubtedly, the Council's members were fully aware of the need to balance the demands of competing groups with an eye toward determining what is in the best interest of the public and the environment.

Only after weighing all the information at its disposal the council took the reasonable and legal step of rejecting Marana's proposal — the only logical and responsible decision.

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WEDNESDAY, AUG. 10, 2011

MARANA Weekly NEWS

VOLUME 65 - ISSUE 15 • NEWSTAND 75¢



Students from DeGrazia Elementary School started their year on Monday with a rally on the playground. Here teachers learned about their students before the music and welcoming speeches began.

Sewer fight continues

By Chuck Barth

MARANA— Just who will end up with Pima County's Sewer Treatment Plant and the pipes that feed it is a question that both sides seem confident about.

The Town feels that SB 1171 will clarify a situation that is on appeal before a District Judge. It should also clear the way for the County to turn over its sewer treatment facilities in North Marana.

The County feels confident that a recent vote by the Pima Association of Government (PAG) has already decided the situation because Marana did not receive a positive vote on a Clean Water Act Section 208 hearing.

Pima County, the Pascua Yaqui and Tohono O'odham tribes and South Tucson voted against amending the plan. Marana, Oro Valley and Sahuarita voted in favor of amending the plan. The City of Tucson obtained Regional Water Quality Management Planning in a requirement of Section 208 of the Federal Clean Water Act. The Town reported that it has met all requirements to become a designated management authority and no objections were raised on either public process or water quality issues.

"PAG either acts or it doesn't act. When they act and deny the request for the 208 amendment, that's it. It's kind of over," said Pima County Administrator Chuck

Hockberry. Ultimately Hockberry feels that the situation has been settled and there is nothing left for Marana to do.

Under SB 1171 Marana Town Manager Gilbert Davidson feels that, "We did give a formal notice (for the sewage treatment facility and pipes) as prescribed by the legislature and signed by the Governor. In that there is a provision where we could send a notice identifying what is to be turned over and we've done that, and we're willing to hear from them (Pima County). At this point we haven't heard anything back."

"Let's just talk about that little North Marana Treatment facility," Hockberry explains. "What we've had to pay to build it, the interest we've paid to finance it, that's over \$31 million. What's the outstanding debt on it? Well, \$13 or \$14 million. But we're not going to be willing to basically let it be sold where we only get back what is the remaining balance. If you buy a car on a 48-month installment plan and two years into it your neighbor says he likes your car and is going to take it, you know, they'll take over the payments and they'll take the car, that doesn't work."

"I think our best outcome is that the thing simply goes away and its really all advised public policy to try and pursue this separate waste water utility," adds Hockberry.

MHC has open house this Friday

MARANA— Marana Health Center Healthcare is hosting an open house Friday August 12th from 4-8p.m. This marks the first Friday of back to school for MUSD and the Friday of National Health Center Week.

Marana Health Center began seeing patients on Jan. 20th in the new LEED Certified, 74,656sqft facility. It's a story of economic

development, access to healthcare and technology at a fully integrated and utilizing Electronic Medical Records. As a community health center MHC is a great option for many who need affordable healthcare resources. The open house will allow visitors to see the new digital X-ray, meet medical providers and see the new facility.

"This is an opportunity to improve health care facilities by bringing things to one center," said Town Manager Gilbert Davidson. "The architectural design, the landscaping, the Ore Mar Horn Fountain is really a class act. I've heard from a lot of people how great this is for the town."

This is a community event on a Friday night in Marana. It is also the first launch for the Marana Farmer's Market, which will move to the downtown area of Marana from the Heritage Farm. MHC will also have a live band for entertainment. MUSD will utilize the MHC computer lab to teach parents how to use their student portal so they can be informed of the grades and attendance of their kids.

World class entertainment from Arizona Theater Company

By Chuck Barth

MARANA— The Arizona Theater Company is starting its 45th season with works that will entertain and draw you into world class drama, comedy and music. Tickets are already on sale and the season's first production is a thriller that is certain to grab your attention.

In a world premiere "Sherlock Holmes and the Adventure of the Suicide Club" will take you to the edge of your seat. In the heart of London, behind the impressive facade of a windowless house, some of Europe's most powerful men gather to play a game. The game is murder and this is The Suicide Club. But the Club has a new member: Sherlock Holmes—brilliant, perceptive, the greatest detective in the English-speaking world. Does Holmes wish to die? Will he have to kill? Can his old friend Dr. Watson save him? Or doesn't Holmes want to be saved? A beguiling World Premiere thriller commissioned by ATC from a favorite author, Jeffrey Hatcher, brings the famous detective alive in a tale full of mystery, twists and oddity. Opening night is September



Sherlock Holmes

17. The show runs through October 8. When Benjamin hits Henry at a nearby park, it starts two sets of parents on a comically explosive downhill slide from political correctness to character assassination. In this universally acclaimed new comedy by the author of *Art*, Yasmine Reza, adults come together for a civilized evening of coffee, cake and conversation about their kids. But frayed nerves soon surface and the grownups begin to outdo their pugnacious children in bad behavior, dis-

proving the notion that "wards can never hurt me." Winner of the 2009 Tony Award for Best Play, *God of Carnage* is a hilariously barrowing look at the minifield of modern marriage.

It runs from October 22 to November 12.

Next up is a heartwarming new musical based on a book beloved for generations, *Daddy Long Legs* tells of a young girl's Cinderella journey into womanhood, as well as a confirmed bachelor's awakening into love. Told through a series of letters between Jerusha Abbott, the oldest orphan at the John Greer Home, and Jarvis Pendleton, her mysterious benefactor, *Daddy Long Legs* is a testament to the power of the written word and its ability to touch our hearts. An elegant and inventive romance, this award-winning musical love story has been lauded for its innocence, its sheer beauty, and its depth of emotion, not to mention its magnificent musical score. Winner of three prestigious Ovation Awards including Best Book, Best Score and Lead Actress in an Original Musical.

Music and Lyrics by are Paul Gordon. The Book is by John Caird and it is based on

the Novel by Jean Webster. This stunning musical runs from November 26 to December 17.

Mix a Hitchcock masterpiece with a juicy spy novel, add a dash of Monty Python and you have ... *Alfred Hitchcock's The 39 Steps*. A mind-blowing cast of four actors play over 150 characters in this fast-paced tale of an ordinary man on an extraordinarily entertaining adventure. The madness begins when mild-mannered Richard Hannay starts his evening at the theater and ends the night with a dead body in his lap. Caught in a maze of murder, espionage and flirtations/entanglements, our hero careens from the British music hall to the moors of Scotland and back to the London Palladium in search of a plausible alibi and the true identity of the killer. Broadway's most intriguing, most riotous, most unmissable Tony-winning comedy smash proves that anything the movies can do, the theatre can do more hilariously.

The play is Adapted by Patrick Barlow from the novel by John Buchan from the movie by Alfred Hitchcock and is Directed by Joel Sass. The work runs from Janu-

ary 14 to February 4, 2012.

Considered by many to be the Great American Novel, *The Great Gatsby* is at once titillating, fascinating and shocking in its portrayal of the Jazz Age that was soon to disappear from the American landscape. In this first authorized adaptation since 1926, Simon Levy brings the humor, irony, pathos and lovelessness of F. Scott Fitzgerald's American classic to the stage. Navigate the languid atmosphere of wealth and privilege with Nick Carraway as he observes the glittering, elaborate parties of his neighbor, the infamous and illusive Jay Gatsby. Part of ATC's AMERICA PLAYS! Celebrating Great American Stories series, *The Great Gatsby*'s sharp depiction of the "American Dream" resonates anew for each generation.

The play is Adapted by Stephen Wrenmore and runs from February 25 through March 17, 2012.

Master Abstract expressionist Mark Rothko, one of the most visionary artists of the 20th Century, has inspired the commission of a lifetime, a series of murals for New York's Four Seasons Restau-

rant. As he wrestles with the overwhelming task of creating multiple paintings on a grand scale, his young assistant questions his views of art, creativity and commerce. What follows is a raw and provocative dialogue between master and novice, old guard and new guard exploring the question, "Is art meant to provoke, soothe or distract?" Based on true events, *Red* is a scaring portrait of an artist's ambition and vulnerability as he tries to create a definitive work for an extraordinary setting.

Red was written by John Logan and runs from April 7 through the 28, 2012.

The plays all run at the Temple of Music and Art, 330 S. Scott Avenue in downtown



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Marana is changing things up to create success in 2011.

Strong flows in the Colorado River keep economy healthy

by **Lisa Lamberson** - Aug. 7, 2011 06:58 PM

FLAGSTAFF - By the very nature of a desert climate, much of the West is challenged to get adequate access to life-giving water. Certainly with the ballooning population growth we've experienced in the Southwest, our largest source of water, the Colorado River, has become severely overextended.

Add in climate change and an 11-year drought, and the entire Colorado River basin is under siege like never before, with demand far exceeding supply and water-storage reserves almost half-empty.

Recently, I traveled to Washington, D.C., with four co-members of the business coalition Protect the Flows to address this situation, meeting with congressional leaders to deliver a vital message: Keeping healthy flows in the Colorado River and its tributaries means healthy economics for our local businesses and communities.

We also carried a formal letter to government leaders in the seven basin states, signed by an impressive 254 businesses across those states, voicing how important having a healthy river is to each of us.

Protect the Flows comprises small businesses from Arizona, California, Colorado, New Mexico, Nevada, Utah and Wyoming that directly depend on the river for their livelihood. We are a diverse mix of rafting outfitters, motels, fishing and birding guides, outdoor retailers, wineries, restaurants, chambers of commerce and other businesses. Protect the Flows advocates keeping enough water flowing in the river and its tributaries to keep revenue flowing into local economies.

Healthy-flowing rivers are among the main reasons people flock to America's great outdoors, resulting in a robust multi-billion-dollar recreation economy. These recreation experiences attract many outdoor enthusiasts to our communities.

In Arizona alone, according to the Outdoor Industry Association, outdoor recreation supports 82,000 jobs.

Here in Flagstaff, we are surrounded by many natural treasures, including the Grand Canyon and Colorado River just 80 miles away. Grand Canyon National Park enjoys about 5 million visitors annually, with roughly 20,000 of those experiencing the Canyon on rafting trips.

Of course, none of these fabled Grand Canyon rafting trips is possible without first protecting the resources and water flowing in the Colorado River corridor.

While in Washington, we were fortunate to personally meet with Secretary of the Interior Ken Salazar and Anne Castle, assistant secretary for Water and Science, as well as key staff advisers from the offices of several Western U.S. senators and members of Congress.

We all came away feeling confident in these leaders, with their keen interest in conservation values, who see the connection to recreation and tourism impacts and ultimately to the economic future of Arizona and the West.

A main focus for Protect the Flows is a first-ever basinwide study spearheaded by the Department of the Interior's Bureau of Reclamation on potential imbalances in Colorado River water supply and demand over the next 50 years.

While the study, due for completion in July 2012, will be looking at new ways to allocate precise amounts of water to municipalities and agriculture (the river provides water to the taps of 30 million Americans and irrigates 3 million acres of farmland), Protect the Flows asks that the assessment go beyond the traditional consumption issues and pay attention to the vital health and sustainability of the river itself.

Protect the Flows wants to ensure two things:

- When the basin-study team measures water demands on the river, recreation and tourism must be factored in.
- The study needs to establish an adequate value for defining a healthy flow.

The bottom line is this: The economic future of Arizona and the West is intertwined with a Colorado River that flows strongly enough for memorable recreation and tourism experiences and beckons families and outdoor enthusiasts to the communities close to its banks.



Real estate: Sewer fees almost sank plans for eatery

Dale Quinn Arizona Daily Star | Posted: Sunday, August 7, 2011 12:00 am

A popular restaurant chain, faced with more than \$300,000 in county and city fees to build a new eatery, nearly abandoned its plans for the south side of Tucson a few months ago.

Not wanting to lose a potentially valuable tenant like Texas Roadhouse, the landlord scrambled.

The Ashland Group worked with a consultant to cut fees, agreed to absorb some costs and reduced the rental rate.

"Literally, it had to be resurrected. It was gone," Ashland President Duff Hearon said of the deal.

On top of that, the Kentucky-based chain known for its steaks, ribs and Western fare was ready to give up on any plans for future locations in Tucson, Hearon said. But with Ashland willing to make concessions, Texas Roadhouse reconsidered.

The company decided not to scrap its plans for a 6,900-square-foot restaurant - and the roughly 170 jobs that come with it - on West Irvington Road just east of Interstate 19.

"It was incredibly challenging and time-consuming," Hearon said. "Not only was it a matter of money, it was a delay. And delay is a cost."

Last October, Texas Roadhouse signed a deal to put a restaurant in the Placita Del Rio Shopping Center, which sits diagonally across I-19 from Tucson Spectrum and is anchored by Fry's Food Store.

As it worked through the city and county permitting process, fees piled up to a total of \$316,261, Hearon said.

Because of that, Texas Roadhouse canceled its lease in May.

The bulk of those costs came from hooking up to Pima County's wastewater system. Originally, it was estimated that Texas Roadhouse would have to pay \$190,000 in sewer connection fees, said Jackson Jenkins, director of the Pima County Regional Wastewater Reclamation Department.

A restaurant - or any commercial property for that matter - has to pay a fee for each toilet, sink, drain or dishwasher it connects to the sewer system. Those fees, which are based on the potential volume a particular fixture can dump into the sewer, recently increased because Pima County is paying for infrastructure improvement projects that will upgrade water quality, Jenkins said.

In the case of Texas Roadhouse, the original design appeared to have more "fixtures" than a restaurant that size really needed, Jenkins said.

"We looked at their design process and you have a lot of big drain excess," Jenkins said.

Pima County worked with the restaurant to reduce the number of drains and that lowered the fees to about \$80,000, Jenkins said. "They went from a total of 22 floor drains to eight floor drains," he said.

Any developer or business is going to examine a fee to make sure it's appropriate, and Pima County Wastewater works with customers to reduce those fees when possible, Jenkins said. But he said the county's fees aren't excessive.

"We believe for the cost of our infrastructure, it's appropriate," he said.

Scott Soelter, the broker who represented Ashland in the new Texas Roadhouse deal, said the fees add an upfront cost that stifles business growth in Tucson.

"All city and county fees need to be re-examined and redesigned so that they are less extraordinary and less of an impediment for new development activity," Soelter, a senior vice president with the commercial real estate firm Grubb & Ellis, said in an email to city officials.

Ernie Duarte, director of the city's Planning and Development Services Department, said he supported the Texas Roadhouse project from the get-go and was surprised to learn the project was getting held up by fee costs. But there's not much he can do about the county's fee structure, he said.

"I can speak to building permit and plan review fees, and they're pretty much in line with surrounding jurisdictions," Duarte said.

Though the deal fell through once and a new lease had to be drawn up, construction on Texas Roadhouse's south-side location should start soon. The restaurant is scheduled to open in mid-December, said Travis Doster, a Texas Roadhouse spokesman.

Reached by telephone Friday, Doster wasn't able to immediately comment on how Tucson's fees compared with other cities'. Texas Roadhouse has about 350 restaurants in 46 states, he said.

But the company does carefully consider all costs before deciding to open a location, he noted.

"The restaurant is a very low-margin business, so weighing particular fees plays a vital role because all of those things play into the cost of the building," Doster said. "And the cost of the building is going to cut into the profitability."

Contact reporter Dale Quinn at dquinn@azstarnet.com or 573-4197.

Climate Changes Bring Harsh Reality for Native Americans

NEW YORK, Aug 4 (IPS) - In Shishmaref, an Inupiaq village on an Alaskan barrier island north of the Bering Strait, a way of life is gradually disappearing due to higher temperatures, rising sea levels, declining numbers of sea animals to hunt, and shrinking shorelines wrought by climate change.

The effects of climate change may be felt across the globe, but in the United States, compared to the general population, indigenous peoples feel the impact disproportionately, a report published Wednesday by the National Wildlife Federation concluded.

Because they are dependent on it for their social, cultural, and economic welfare, "indigenous people have a unique relationship to the natural system in which they live," Kim Gottschalk, staff attorney for the Native American Rights Fund, told reporters Wednesday.

As a result, "they are the first to be affected" by changes in the climate and physical world, he added.

The average 45 percent unemployment rate among Tribes means that the added costs and damage, both social and economic, resulting from climate change only exacerbate the struggles for communities facing high rates of poverty. Some 565 federally recognised Tribes exist in the United States, which has an American Indian and Alaska Native population of 3.2 million.

In several tribal areas of the U.S., such as Wyoming's Wind River Reservation, and sections of Washington state home to Hoh, Quinault, and Quileute Tribes, and other sections of the Pacific Northwest inhabited by Tulalip Tribes, changing water flow or glacial melting patterns leading to flooding or shifts in river flows are damaging fisheries and agricultural infrastructure, not to mention homes and buildings.

Funding increases urged

Because the future promises the intensification of extreme weather - bigger snowstorms, for instance, or more serious droughts - rather than its mitigation, the report suggested greater funding to Tribes as the most effective means of dealing with the consequences of

climate change.

"Increasing the resiliency of public and private infrastructure. can provide a cushion when extreme weather and climate events occur," the report recommended.

But climate change adaptation planning requires significant financial resources, as do programmes to educate Tribal youth who will ultimately deal with the impacts of climate change.

Furthermore, in certain programmes, funding for Tribes is managed by the state, so if a state rejects federal funds, Tribes in that state can only obtain funding if they prove to the federal government that the state is not meeting Tribes' needs - an additional hindrance.

"There has been a history of a lack of funding in order to give Tribes the. financial capacity to participate as they need to as sovereign partners in addressing this global problem," Gottschalk said.

Not only would additional funding for programmes to manage the effects of climate change benefit Tribes, but some also say that Tribes use those funds more efficiently.

Gary Morishima, a founding member of Our Natural Resources (ONR) - a coalition of over 30 Tribes and Tribal organisations developing a strategy to conserve natural resources - pointed out in an interview with IPS that credible research has shown that "the funding that's spent to support the efforts of indigenous communities is far more effective" than pouring dollars into government-run, bureaucratic mechanisms.

The report also suggested increasing the energy efficiency of Tribal houses to reduce energy costs for Indian Tribes, who incur some of the highest energy costs in the country.

Native Americans as partners

Native Americans have lived in harmony with nature for generations, with "a tremendous accumulation of knowledge that has been transmitted and shared" through those generations, Morishima said.

"Interconnection between people and land and resources. is really the tribal way," he added.

That knowledge is precisely the reason groups such as ONR argue for

involving Tribes and their perspectives when discussing how to deal with climate change. What Tribes can contribute are time-proven practices that are "sustainable, bountiful and cost effective," Aguto told reporters.

"When you combine this knowledge with modern natural resources management practices, you will find a highly effective partnership," he explained.

A World Bank study declared that in Latin America, lands under the control of indigenous people are less prone to forest fires than other protected areas. This example is outstanding proof, Aguto told IPS, that giving funding to indigenous peoples is an extremely effective way of preventing forest fires.

Those promoting the inclusion of Tribal perspectives in climate change discussions argue that this type of knowledge of indigenous peoples should be applied in other areas of environmental protection.

Still, obtaining funding for indigenous peoples so that their accumulated empirical knowledge can become part of the discussion is a "crucial component" in climate change discussions right now, he added.

Tribes' way of life follows the concept of reciprocity - one takes resources from the earth but gives back respect and care, Morishima said. Current debates on climate change lack that perspective, he remarked. For these reasons, the viewpoints and beliefs of indigenous peoples need to be considered when discussing climate change.

Cooperation between Tribes, NGOs and the government is essential to combat climate change not only to pool information but also because Tribes are sovereign nations, Gottschalk emphasised during the briefing.

"It is absolutely crucial that they be treated as sovereign partners at nations," particularly when addressing the effects of climate change, he added.

On Aug. 9, the United Nations will celebrate the International Day of the World's Indigenous People. First celebrated in 1995, International Day will focus this year on indigenous designs to highlight the need for preserving indigenous cultures.



WEDNESDAY, JULY 27, 2011

MARANA Weekly NEWS

VOLUME 05 • ISSUE 13 • NEWSSTAND 75¢

Former Marana teacher arrested in Colorado for allegedly engaging in sexually explicit chats with an underage girl

MUSD says no Marana students involved with charges

By Chuck Barth

MARANA — A former Marana Middle School teacher was arrested in Colorado for allegedly engaging in sexually explicit chats with what he thought was a 14-year-old girl,

but was really an investigator. The 33-year-old Arizona man has been arrested by the Jefferson County District Attorney's Child Sex Offender Internet Investigations (CHEEZO) unit for his alleged activity in a chat room with someone he believed to be an underage female. Justin Ray Sargeant was arrested on July 11 at the Jefferson County District Attorney's Office. He has been charged with two counts of Internet Sexual Exploitation of a Child, each a

class four felony, and one count of Sexual Exploitation of a Child, a class three felony. On April 28, a Jefferson County District Attorney staff member working with Investigator Mike Harris and the CHEEZO unit was signed on to an online chat room as an underage female. The employee who was portraying an underage child was contacted by someone using the screen name "greetme_az." Investigators allege that

Sargeant used two or more screen names, including "greetme_az." Sargeant is alleged to have engaged the portrayed child in sexually graphic online chat. The online chat continued intermittently until July 7. According to the arrest affidavit, he repeatedly asked the portrayed child to send him topless and other sexually-oriented photos of her. The portrayed child was actually an undercover investigator with the District

Attorney's Office. On July 8, Harris contacted Sargeant by telephone and asked him to come to Golden, Colo. and turn himself in. Sargeant complied with the request and went to Colorado. He was arrested at the DA's office in Golden on July 11. Preliminary hearing has been set for Sept. 16. Sargeant posted a \$10,000 personal recognizance bond and was given permission by the court to travel to Arizona on a pretrial services

travel permit. Marana Unified School District Public Information Officer Tamara Cravley said that Sargeant was an eighth-grade science teacher and softball coach at Marana Middle School. He worked for the school district for two years before resigning on Thursday, Cravley said. The Jefferson County District Attorney's office contacted the MUSD last week about the situation, Cravley added. No Marana students were involved in the charges, she said.



Last weeks Marana Chamber Luncheon was a chance for members to do a little speed networking. Everyone at the table got one minute to talk about their businesses then it was time to change tables for another group.

Marana chamber introduces speed networking

By Chuck Barth

MARANA — The Marana Chamber of Commerce held a luncheon last week designed to bring together chamber members and businesses in a positive way. "Networking is such a big part of our organization, and listening to what the members wanted. A speed networking event was something a lot of members went to other organizations and they came to me and said, 'Hey Ed we need to do this,'" said President and Chief Executive Officer of the Marana Chamber Ed Stelmaker. "We're probably going to do it on a quarterly basis. A table of eight to nine people took turns presenting their business to everyone at the table. Everyone had one minute to speak and then the next person took their turn. "Businesses want to do business with each other and this is a great way to do that," added Stelmaker. It made for some lively

action at all the tables in the room. "You've got to get to know who the businesses are and this is a great way to get to know businesses that are in the chamber," Stelmaker said. Business leaders pushed themselves to get the essence of what their organization can provide. There was usually little time for questions so the presentations had to do the job the first time. It seemed to be easier as the entire group moved through a couple of times at a table. After everyone finished at a table it was usually timed right to move to another table with a different group of people to hear the next round in the speed networking process. "If you feel comfortable with someone, you're going to do business with them and this is a good way to make that happen," Stelmaker said. "Everybody seemed to have a good feeling about it. I've asked members to email me with suggestions that can make the event better next time."

Town requests transfer of wastewater plan from Pima County

By Chuck Barth

MARANA — Last week a number of new state laws took effect. One of the most important laws for Marana is Senate Bill 1171 which clears the way for the town to provide wastewater

service to its residents. With the new law in place the Town of Marana has asked Pima County to transfer to the town ownership of the Marana Wastewater Treatment Facility and infrastructure that delivers sewage to the plant. Marana

Town Manager Gilbert Davidson made the request in a letter that was hand-delivered to Pima County last Wednesday. The ownership transfer would be effective Jan. 3, 2012. Marana would pay Pima County for the facilities after

receiving the county's auditable financial documentation. A court previously awarded Marana ownership of the sewage collection infrastructure, but the case is now on appeal. Gov. Brewer in April signed into law Senate Bill 1171, which

allowed Marana to own the plant and all sewer collection infrastructure within town limits. The town is seeking use of all its water resources in order to control costs, fully serve its residential and business customers and responsibly plan for its

future. 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.

Council reverses opinion on Rosemont Mine

By Chuck Barth

MARANA — When the Marana Town Council met on July 19, the first action item of the night changed the town's support for the development of the Rosemont Mine.

Marana Mayor Ed Honea explained that in 2007 the county approached local municipalities with the suggestion that all reject the new mine. Most governments went along with Pima County.

Now, after several of the Marana council members have actually visited the planned location for the mine, minds have been changed. The council voted

six to one to reverse its earlier position. Marana Town Council Member Herb Kai voted against the support.

Marana now joins Oro Valley in reversing its take on the mine. Honea said that Sabarita is also considering a switch in its position.

In other action, the council voted unanimously to approve changes to the development agreement for the planned Saginaw Blisom Development project. The development was purchased out of bankruptcy and now appears to be well on the way to continuing the work on the project. It is located west of Silverbell off of Twin Peaks.



BENCH DEDICATED

A new park bench was dedicated to Wynema Honea, the mother of Marana Mayor Ed Honea, by the Nimble Thimble Quilting Bee in Marana. Many from that organization attended the ceremony. Here Tiffany Honea Phoenix, granddaughter and an MUSD teacher gets a close up picture of the dedication plaque. The bench sits just east of the Marana Senior Center under a tree.

Chuck Barth/
Marana Weekly News

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SPORTS B1
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Law boosts Marana's battle for wastewater rights

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

After Senate Bill 1171 became law on July 20, officials from the Town of Marana sent a letter to Pima County requesting the rights they feel they deserve to wastewater services and the associated infrastructure.

At the same time, a Pima County supervisor is questioning how easily the transition can occur.

In the July 20 letter hand-delivered to Lori Godoshian, clerk of the Pima County Board, Marana Town Manager Gilbert Davidson said that pursuant to the new law, the town is requesting that the County turn over operations by Jan. 3, 2012.

The letter refers to the wastewater reclamation facility located in the southeast quarter of Section 14, Township 11 South and Range 10 East.

The Town of Marana also requested that the County follow the law, and turn over all sewer pipes, pumps and other sewage collection infrastructure located within the town limits.

In April, Gov. Jan Brewer signed SB 1171 into state law. The law allows Marana to own the wastewater plant and all sewer collection infrastructure within town limits.

Along with 356 other bills signed into law by the governor, SB 1171 went into affect on July 20.

Davidson concluded the letter by saying, "The town will compensate Pima County for these facilities as provided by law upon receipt of Pima County's auditable financial documentation."

In a press release, Rodney Campbell, public information officer for the Town of Marana, said, "The town is seeking use of all its water resources in order to control costs, fully serve its residential and business communities and responsibly plan for its future."

While the County has not officially responded to Davidson's letter, District 1 Supervisor Ann Day, of the Pima County Board of Supervisors, said the issue is a lot more complicated than the Town of Marana makes it seem.

Day said she has requested that both sides sit down to discuss the issues since the dispute began in 2007 when the Town of Marana wanted to break an intergovernmental agreement signed with Pima County in 1979.

With discussions for a possible compromise breaking down, Day blames the personality clash between County Administrator Chuck Huckleberry and Marana Mayor Ed Honea.

"This will end in court," she said. "It's just going to make lawyers rich and cost taxpayers."

With neither side willing to budge on the matter, the court battle could continue for years, with both sides filing numerous appeals of court rulings.

Day said county attorneys are currently working on filing a new appeal, but could not comment on details until the document is complete.

For both entities, control of water supplies and development is at the center of the debate.

Mississippi may help ease West drought, Mulroy tells chamber

CORRECTION -- 07/22/11 -- A story in Thursday's Nevada section included an incorrect cost estimate for a project that would divert Mississippi River floodwater west to the Colorado River system. Such a massive undertaking would almost certainly cost tens or even hundreds of billions of dollars.

BY HENRY BREAN

LAS VEGAS REVIEW-JOURNAL

Posted: Jul. 20, 2011 | 5:29 p.m.

Updated: Jul. 22, 2011 | 12:09 a.m.

The swollen Mississippi River and its tributaries have inundated towns and farmland from Montana to Louisiana, and experts predict the flood of 2011 could rage for the rest of the summer.

What if that unwanted water could be channeled west to ease drought conditions along the overburdened Colorado River?

Southern Nevada Water Authority chief Pat Mulroy has suggested the idea before.

On Wednesday, however, she made her case to a group she hopes might be able to rally support for such an enormous undertaking: the U.S. Chamber of Commerce.

Mulroy was one of the featured speakers during the organization's conference at Mandalay Bay.

She told attendees that the nation will need to pursue large, cooperative solutions to the problems posed by population growth and climate change.

It's hard to imagine a solution larger than a link between the Mississippi and Colorado rivers.

Under Mulroy's vision, floodwaters from the Mississippi and its western tributaries would be captured and diverted to irrigate crops as far away as Colorado, New Mexico and Arizona.

Those agricultural areas could then be taken off the Colorado River system, leaving enough water for Las Vegas and other growing Western cities well into the future.

About 350 million acre-feet of water a year runs down the main stem of the Mississippi River when it isn't flooding. That's roughly 25 times more water than the Colorado River carries in an average year.

Mississippi floodwater also could be diverted to the Central Plains to recharge the massive Ogallala Aquifer, which covers about 174,000 square miles from Texas to South Dakota.

Such a project would almost certainly take decades to complete and cost tens or even hundreds of billions of dollars.

It will never happen until people agree to stop fighting over water and start working together to secure it for future generations, Mulroy said.

"Doesn't this all fall under security? It's security for communities that are continually experiencing flooding, and it's security for communities that are continually experiencing drought," she said.

Mulroy wasn't the only one trumpeting the idea, either.

Las Vegas-based consultant Tom Skancke said water is a national issue that requires a national solution.

"We've got to start breaking down these walls that are keeping us from protecting our country and our children's future," he said.

As it stands now, the United States has no cohesive water policy. Water issues are managed by a patchwork of disparate federal agencies and fought over by state and local entities in disputes as old as the Wild West, Mulroy said.

If the nation's interstate highway system were built the same way as its water infrastructure, "you couldn't leave one state and travel to another state. It would stop at the border," she said.

Wednesday's panel discussion was held as part of the U.S. Chamber of Commerce's "Invest in Water" initiative.

The event and others like it will be used to help the organization develop a policy position on water and urge lawmakers to act on it.

Mulroy said she is glad to see the chamber take an interest in breaking down regional barriers in favor of a systematic, national approach to the issue. The organization certainly has the clout and the connections for the job, she said.

Best of all, water is something that transcends partisan politics because it impacts everyone.

"The time has never been more right than right now to bring forward an issue that doesn't have a red or blue coat on it. This is that issue," Mulroy said.

"Yes, it makes great folklore to fight about water, but the future is not a battleground."

July 15, 2011

House GOP targets EPA, many of its regulations

WASHINGTON - Republicans in the House of Representatives are waging an all-out war to block federal regulations that protect the environment.

They loaded up a pending 2012 spending bill with terms that would eliminate a broad array of environmental protections, everything from stopping new plants and animals from being placed on the endangered species list to ending federal limits on water pollution in Florida.

The terms also include a rollback of pollution regulations for mountaintop mining and a halt to federal plans to prevent new uranium-mining claims near the Grand Canyon.

Another Republican-sponsored bill that's before Congress would weaken the nation's 1972 Clean Water Act, taking away the Environmental Protection Agency's authority to step in when it finds state water-pollution rules too loose.

The sweeping anti-environmental-regulation agenda has support among Senate Republicans and the GOP's presidential hopefuls. Its backers say it's necessary for the sake of jobs and economic growth.

The chairman of the House Appropriations Committee, Rep. Hal Rogers, R-Ky., has said the EPA is "riding roughshod" over business. He told EPA Administrator Lisa Jackson that it's time to rein in her agency.

Jim DiPeso, a spokesman for the independent group Republicans for Environmental Protection, said that "some of the more zealous tea partiers in Congress" wouldn't go so far in environmental protection as even Ronald Reagan, who signed wilderness bills even though he, too, tried to roll back environmental regulation.

DiPeso said the spending bill's assault on environmental rules has "very little to do with getting fiscal imbalance under control," he charged. "It's ideological."

Republican doctrine wasn't always so hostile to environmental protection. The Clean Air Act and the Clean Water Act of the 1970s had strong support from both parties.

President Richard Nixon created the EPA and told Congress in 1973 that America's "irreplaceable heritage" had to be protected, arguing that "the price of economic growth need not and will not be deterioration in the quality of our lives and our surroundings."

Some provisions in the spending bill simply aim to cut spending, but many others would change environmental policies.

EPA funding would be cut by \$1.5 billion, or 18 percent, from 2011, putting funding below where it was in 2006, during the Bush administration.

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DOCENT-LED TOURS OF SAN XAVIER START



People on one of the tours visit the ornate altar area at the San Xavier Mission, which remains a functioning Catholic church. At the time, Mike Mal-

RON MICROEUSEK / ARIZONA DAILY STAR

Hundreds complain of odors in county

Sewage officials: Fixing problem is a priority

By Rhonda Bodfield
ARIZONA DAILY STAR

Without a hint of irony, Deborah Runde says she's not holding her breath in anticipation that Pima County will get a handle any time soon on the sewer smell permeating her south-side construction office.

Although perhaps a delayed inhalation would be appropriate, all things considered.

"It's kind of embarrassing to have clients come in when it smells like sewer gas in your office," Runde said. She masks the smell by lighting candles.

It wasn't always this way.

She's had her business near 36th Street and Buchd Avenue for 10 years. It wasn't until the last two years, after the county made changes in the system alignment, that she started catching puffs of a decidedly unpleasant odor.

Workers from county wastewater are responsive, she said, and sympathetic to her plight. They dump chemicals in the system and it clears up the smell for a week. Then it's back. And in the summer, she said, it seems worse.

"At least I can go home at 5 p.m.," she said. "I feel bad for the people who live here."

While sewer lines run everywhere, not everyone is made so odiously aware of them on a regular basis. For a variety of reasons, stink zones exist. Runde's office just happens to be in one of them.

See ODORS, A5

Official guided walks are a first

Their goal is to provide informed, accurate info on landmark mission

By Kimberly Matas and Stephanie Innes
ARIZONA DAILY STAR

For the first time in the 214-year history of Mission San Xavier del Bac, visitors can take guided tours.

"I'm sure in 1791 when the thing was finished somebody gave a tour, but this is the first scheduled, do-

cent-led tour," said Vern Lamplot, executive director of Patronato San Xavier, the group organizing the tours.

Travel and bus companies have taken groups through the mission for years, but they had no official connection to San Xavier.

"I've been at the church ... when some of these guides show up, and I don't really recognize what they're talking about. They're saying things

See MISSION, A4

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- **What:** Docent-led tours of Mission San Xavier del Bac.
- **When:** 9:30, 10:30 and 11:30 a.m. most Mondays through Saturdays, though tours may be canceled or postponed without notice if the church schedules a service.
- **Where:** Mission San Xavier del Bac, nine miles south of downtown Tucson, past off of Interstate 19. Take Exit 92 and follow signs to the church.
- **Cost:** Free.
- **For more information:** Call 407-6130. Visit http://www.missionpatronato.org/Site/line_Patronato_Blog/The_Patronato_Blog.html for information about tours and an up-to-date schedule. Visit SanXavierMission.org for information about the mission.



MARTA POPAT / ARIZONA DAILY STAR
Darlene Kaliber and "Artist" Daniel take a break outside

Bisbee: a copper town first, last and always

By Tom Raal
ARIZONA DAILY STAR

Bisbee was the most prosperous city in the new state of Arizona on Feb. 14, 1912.

It retained its rough edges, however, and celebrated statehood in true mining-camp style — setting off 48 sticks of dynamite in a mining hole near its downtown.

Next year's centennial fest-



ous salute — with a decrease in firepower necessitated by Homeland Security concerns. Copper mining ceased in Bisbee more than 30 years

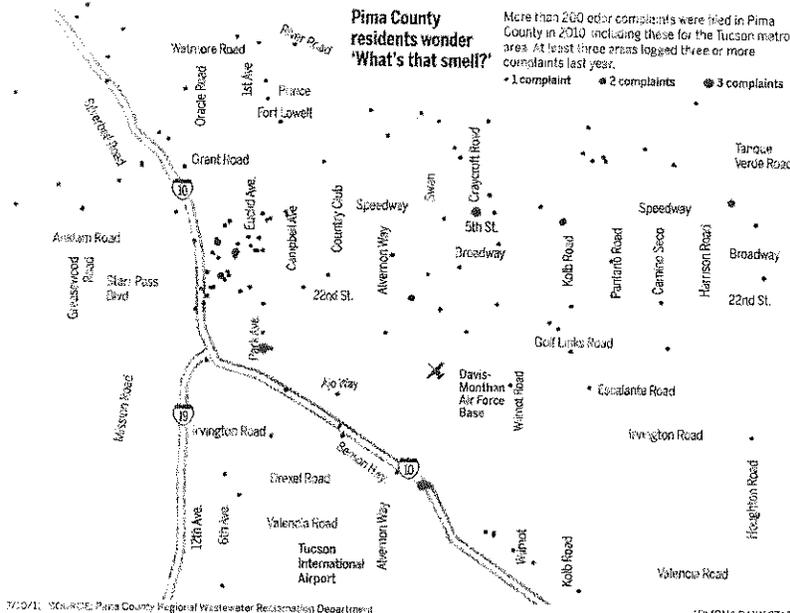
place to envision what life was like in an Arizona mining town 100 years ago.

Its handsome Main Street, lined with substantial brick buildings, looks much the same as it did then.

That streetscape was new when its residents celebrated statehood. Disastrous fires in 1907 and 1908 had leveled

BISBEE

- **First mining claims:** 1877
- **Incorporated:** 1922
- **Population at statehood:** 20,000 (est.)
- **Population today:** 5,575 (2010 census)
- **Namesake:** Judge DeWitt Bisbee of San Francisco, a mine investor who never set foot in the city



7/10/11 SOURCE: Pima County Regional Wastewater Reclamation Department

ODORS

Continued from Page A1

Tucsonans have long had familiarity with a particularly foul-smelling gas called hydrogen sulfide. Woe to the resident who forgot to seal the car windows on Interstate 10 travels past the Roger Road treatment plant.

Taka retiree Joan Nottoli, who has lived in a mobile-home park on West Rutherford Road for 13 years. She still recalls her shock when she held her first open-house party and her guests were joined on the porch by a rather unwelcome stench from the plant. That was the start of many dealings with county wastewater. In 2005, one of her complaints indicated that for the "umpteenth time" that winter, she couldn't use her porch.

The county has since made some changes, starting with a big push in 2006 to resolve odor complaints.

It hired a consultant and put a team of five staffers on an odor-control effort. It became more vigilant about complaints.

It made improvements at the Roger Road plant, putting tenting around some of the smaller operations. But what's really going to make a difference, officials say, is when the plant is retired and the new state-of-the-art plant being built comes online.

"I think it's better to some degree," Nottoli said. "But when it smells, it smells. And when it does, it's bad."

Roger may have the worst rap — to such an extent that Pima County Supervisor Ann Day joked recently that she'd like to just blow the darn thing up. Still, there are other hot spots around Pima County that have bedeviled residents and wastewater workers alike.

In all, there were about 220 odor complaints lodged in the county last year.

Sometimes, it turns out there's a grease or root blockage in the lines.

Sometimes, it's because systems were designed to handle a certain amount of flow — and either because of foreclosures or development delays, there isn't enough flow to move the waste.

If Day has the Roger fall-out to deal with in her district, Supervisor Ramón Valadez can commiserate. He has Barrio Viejo downtown. It's a small area without many families. The newest part of the system dates to the 1920s, county staffers say, and it was built

more shallow than the gravity-based system should be.

Mary Ann Brazil, who has lived in the historic neighborhood for 22 years, said locals know to avoid the wait from the manholes.

But she can't get around the dense smell that sits in her West Simpson Street home and in her guest house.

"Last winter was awful for me," said Brazil, who operates her own company from home.

She said she tries not to

succumb to complacency — the internal shrug that goes along with throwing in the towel. So she complains. County staffers come and flush the lines, she said. They tell her part of the problem is there aren't enough people, a situation complicated by low-flow toilets. From time to time, she has bought her own bleach to try to self-treat the area, although she's given up on that tactic. "I can't fight this," she said. "It's bigger than me?"

John Warner, a deputy

director with the wastewater division, said some of the issues may stem from debris or roots in the line. Sometimes, it's a result of turbulence where several lines intersect into larger ones. Sometimes, it's a design issue, where a restriction in water or air flow causes a problem.

It's not as if the department isn't aware of the problem and trying to fix it.

In some locations it's trying the deodorant approach, installing about 100 carbon inserts in manholes to neutralize gases, or putting in chemical dosing units throughout the system, which feed in an industrial-strength bleach to cut down on the development of septic conditions.

In nine really tough spots

it installed units that run into the thousands of dollars. Those units extract gas using an exhaust fan that forces fouled air through filters of carbon or native Arizona materials. Another will go into Barrio Viejo within the next month. Two more will be installed soon in Runde's south-side area.

Wastewater Director Jackson Jenkins has only been in charge for six months, but he said he's determined to keep odor mitigation a priority. "Our role as a utility is to be a good neighbor. We're in a smelly business, but it's up to us to make sure we're not bad neighbors."

Contact reporter Rhonda Bodfield at rbodfield@azstar.net or 573-4243.

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Eventual 55-mile loop seen as 'economic driver'

Santa Cruz, Rillito river parks to connect

Rhonda Bodfield Arizona Daily Star | Posted: Wednesday, July 6, 2011 12:00 am

In the next few weeks, Pima County will officially link the Santa Cruz and Rillito river parks.

For folks who use it - whether they're on two wheels, two feet or in-line skates - that's going to mean an uninterrupted 23-mile stretch running from Silverlake to Craycroft roads.

It's also going to mean the first major connection in completing a 55-mile shared-use loop that will ultimately connect each of the region's jurisdictions, from Tucson to South Tucson to Marana to Oro Valley.

County officials are not only touting the urban loop's benefit as an expanded opportunity for recreation, but are touting it as a "major economic driver" for the region. They say it could draw tourists, lead to higher property values around the loop system, and even attract employers as a quality-of-life amenity.

With parks dotting the perimeter of the loop, county officials have drawn a comparison to the Emerald Necklace system, which is a seven-mile-long linear system winding its way from downtown Boston to a series of parks.

Susan Knight, the director of development for the Emerald Necklace Conservancy, said the system gets 1 million visitors a year - a boon for both residents and tourists alike. "It is the lungs of the city, I think," she said.

That system was finished in the late 1800s, so it can't really be used as a gauge for how development might progress.

But while Pima County is still lining up the remaining pieces of the loop and the full linkage could be years away, infill developer Roger Karber, a managing member of Alta Vista Communities, said the county's river park system was key in siting two of his recent projects.

A luxury apartment complex the company built at Kolb and Tanque Verde plunks residential development in the middle of a commercial area - but the impact for residents is softened by the Pantano River Park system nearby, he said.

"People want to be near the jobs and shopping, but they also want the aesthetics and the open space and the ability to recreate," he said.

Right now, he's in the midst of finalizing details on an apartment project at the southwest corner of West Ina and North Thornydale roads, which at first blush wouldn't seem like a workable mix given intense commercial activity in that area. After the first of the year, he has plans for 1,300 units on a 50 acres nearby, near two big-box retail stores, with another on the way.

Without the river park system, which will allow residents to have a nice amenity for recreation nearby, it would have been harder to develop the kind of lifestyle that would draw renters.

"I think it's easy to see that the more that park system improves, the more commerce that will aggregate around it," Karber said.

The river park system dates to the 1970s, although the flood of 1983 prompted faster land acquisition. Since 1997, the county has spent roughly \$20 million, mostly from bond sales, on urban loop segments.

In an application for federal grant funding, Pima County officials estimated the loop will connect residents to four major employment centers - the downtown core, the University of Arizona, the science and technology park, and Davis-Monthan Air Force Base. It will also lie within three miles of 60 percent of hotel and motel rooms within the county.

Mark Flint, a 65-year-old trail designer, was on the Rillito-Santa Cruz path on Saturday morning at 6 a.m. with nine cycling friends. It's not officially open yet, but it's close to completion if you know the tricks. He did a 30-mile ride before the heat became too oppressive.

"I think it's going to elevate Tucson's stature as a bicycle-friendly community," he said.

For those who might wonder why nearly-always-dry riverbeds would be particularly appealing, Flint said the ride is "surprisingly pretty."

"There's a lot of vegetation. You hit some areas where there are little bosques. You go by some parks. I just have to think it's going to be a great asset for visitors," he said.

Jerry Boettcher, a 54-year-old business development manager for a renewable-energy company, recently used the system for his 21-mile commute by bike from his home on the west side to his job on the east side. A change in jobs ended the commute, but his wife uses the system for a 16-mile commute to her job on the south side. On the Fourth, he and his wife rode the path from their home to the base of "A" Mountain to see the fireworks - without the hassle of parking.

The river park system takes some of the stress away because cyclists and pedestrians don't have to deal with cars, he said. And it's relatively fast, since he doesn't have to stop at intersections.

Right now, he sees cyclists turn around at La Cholla Boulevard, where the Rillito Park traditionally ended. But once word gets out that it exists, he predicts an uptick in use.

"People who aren't commuting now because they have concerns over safety will be able to use it, because it will get them off the street. It's going to be a great benefit to the community."

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



Key factor: Tucson Water forced too much flow into redone section

City finds causes of big water-pipe break

Rob O'Dell Arizona Daily Star | Posted: Wednesday, July 6, 2011 12:00 am

Tucson Water forced too much water into a newly relocated waterline too quickly, which probably caused it to rupture, shutting down West Congress Street for nearly three weeks, a city investigation found.

The burst pipe undermined Congress Street and North Bonita Avenue, costing city taxpayers \$312,000 to fix.

The reclaimed pipeline was supposed to be filled over the course of eight to 12 hours, the report said, but instead was filled in only 30 minutes, causing older sections of the pipe to burst under pressure.

The report, issued Friday, also put some of the blame on the design of the pipe, which was rerouted to clear the way for a controversial land deal with the Gadsden Co., which needed the line moved to accommodate a Senior Housing Group LLC project.

The developers bought a piece of city-owned property on Congress for \$250,000 and immediately sold it for \$1.43 million to Chicago-based Senior Housing, which will use federal tax credits to build a 143-unit affordable-housing project.

The report, by CH2M Hill Engineers, said two 45-degree bends in the pipe help generate more water thrust than the previous straight 36-inch reclaimed water pipe. The design was chosen to meet the needs of the developer and minimize traffic disruptions on Congress Street.

In addition, the northernmost section of the pipe was tested at a different time from the new 620-foot new pipeline, also as a way to minimize traffic impact on Congress. The report said it would have been much better to measure pressure throughout the whole line.

Congress Street ended up being closed from April 19 to May 6 because of the break.

Gadsden had been given an April 15 deadline to complete the reclaimed-water line because the city needed the line back in service for its peak season that begins in May. City staff said that despite the break, Gadsden met its requirement because Tucson Water said the line was substantially complete on April 15 and it passed initial testing.

Gadsden's Adam Weinstein said he has read the report, but had no comment on it.

The report also contended the city left some of the trenches around the pipeline open during the filling process, meaning there was no soil on top of the pipeline to help keep sections of the pipe from separating.

Finally, the report said some older sections of the pipe were thought to be connected by more extensive welding than was actually the case.

An estimated 490,000 to 660,000 gallons of water were lost during the break, according to the report.

Richard Studwell, a frequent critic of the land deal, said it looked to him like the report laid the blame for the rupture at the feet of Tucson Water, because of how fast the line was filled - 16 to 24 times as fast as was recommended. He said the design contributed to the failure as well, which is something that was done because of the Gadsden deal.

"It looks like it's the city water department's fault," Studwell said, a conclusion echoed in the report.

The report contends the line was moved for the streetcar.

However, Fernando Molina, a Tucson Water spokesman, confirmed another section of the pipe was moved for the streetcar, and the main 36-inch pipeline that broke was moved for Gadsden.

The line didn't just rupture at the new joint along Congress: It also failed at a spot along the Santa Cruz River where Molina said the pipe was fixed by welding the two offsetting pipe sections back together.

The water break also caused the loss of a 10-foot potable water main on Congress, breached an 8-inch sewer main and manhole under Congress - although no sewage was released - cut the electrical conduit from streetlighting at Congress and Bonita, and burst a 2-inch reclaimed waterline south of West Cushing Street.

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

July 5, 2011

E.P.A. Chief Stands Firm as Tough Rules Loom

By JOHN M. BRODER

WASHINGTON — In the next weeks and months, Lisa P. Jackson, the Environmental Protection Agency administrator, is scheduled to establish regulations on smog, mercury, carbon dioxide, mining waste and vehicle emissions that will affect every corner of the economy.

She is working under intense pressure from opponents in Congress, from powerful industries, from impatient environmentalists and from the Supreme Court, which just affirmed the agency's duty to address global warming emissions, a project that carries profound economic implications.

The new rules will roll out just as President Obama's re-election campaign is getting under way, with a White House highly sensitive to the probability of political damage from a flood of government mandates that will strike particularly hard at the manufacturing sector in states crucial to the 2012 election.

No other cabinet officer is in as lonely or uncomfortable a position as Ms. Jackson, who has been left, as one adviser put it, behind enemy lines with only science, the law and a small band of loyal lieutenants to support her.

Ms. Jackson describes the job as draining but says there are certain principles she will not compromise, including rapid and vigorous enforcement of some of the most far-reaching health-related rules ever considered by the agency.

"The only thing worse than no E.P.A. is an E.P.A. that exists and doesn't do its job — it becomes just a placebo," she said last week in an hourlong interview in Houston. "We are doing our job."

Although she has not met with the president privately since February, Ms. Jackson said she was confident that he would back her on the tough decisions she had to make. "All of us are mindful that he has a lot of things to do," she said.

Attacks on her and her agency have become a central part of the Republican playbook, but she said she wanted no sympathy.

“Any E.P.A. director sits at the intersection of some very important issues — air pollution, clean water, and whether businesses can survive,” said Ms. Jackson, a chemical engineer trained at Tulane and Princeton Universities and a former director of the New Jersey Department of Environmental Protection. “No one knows this job unless they’ve sat in the seat.”

Ms. Jackson said she intended to go forward with new, tougher air- and water-quality rules, including those that address climate change, despite Congressional efforts to override her authority and even a White House initiative to weed out overly burdensome regulations.

The first of these new rules is expected to be announced Thursday, imposing tighter restrictions on soot and smog emissions from coal-burning power plants in 31 states east of the Rockies. The regulation is expected to lead to the closing of several older plants and will require the installation of scrubbers at many of those that remain in operation. One former E.P.A. administrator, William K. Reilly, who served under the first President George Bush, is a sometime adviser to Ms. Jackson. He said she was taking fire from all sides.

“She’s got three very large challenges,” Mr. Reilly said. “First, she’s got to administer the Clean Air Act to try to accomplish something for which it was never designed, the control of carbon dioxide, a difficult regulatory challenge in itself. Second, she has to do that and cope with all these other regulations which are not of her making and have come to land on her desk in a climate of intense political polarization and economic distress.”

“And the third challenge,” he continued, “is that the White House — any White House — doesn’t want to hear an awful lot from the E.P.A. It’s not an agency that ever makes friends for a president. In the cabinet room, many of the secretaries got along with each other, but they all had an argument with me. It’s the nature of the job.”

Mr. Reilly said the White House had left Ms. Jackson out on a limb when it failed to push hard for the cap-and-trade climate change bill that passed the House in 2009 but stalled in the Senate last year.

Administration officials had argued that legislation was far superior to agency regulation as a means of addressing climate-altering emissions. But when the bill ran up against bipartisan opposition in the Senate, Mr. Reilly said, “the White House didn’t lift a finger,” an assertion administration officials dispute.

The White House said that it fully supported the agency's aggressive standards for a variety of pollutants to protect public health and the environment and denied that it was resisting further regulatory action for political reasons.

"It's simply a matter of choosing the health and safety of the American people over polluters," Clark Stevens, a White House spokesman, said in an e-mailed statement, "and doing so in a common-sense way that allows us to protect public health while also growing the economy — which will continue to be a shared goal of this entire administration."

One of Ms. Jackson's most vocal critics is Representative Edward Whitfield, Republican of Kentucky and chairman of the energy and power subcommittee of the House Energy and Commerce Committee. He has held several hearings at which Ms. Jackson served as target practice for opponents of E.P.A. regulation of carbon dioxide and other pollutants. Ms. Jackson said that was the roughest treatment she had gotten in her two and a half years in Washington.

Mr. Whitfield, who has never met privately with Ms. Jackson, was unapologetic.

"It is unprecedented the number of major regulations this administration is putting out," he said, "and I can't tell you how many calls and meetings and letters I have asking, 'Is there any way to slow E.P.A. down?'"

"What's troubling to us," Mr. Whitfield continued, "is that President Obama on the one hand is saying we have to be really careful about these regulations and consider the impact on jobs and the economy, but over at the agency they're just going full speed ahead with minimal attention or analysis on job impact."

One hot spot where Ms. Jackson can count on friendly treatment is "The Daily Show," where she has appeared three times in two years. Questioning from the host, Jon Stewart, was gentle, to say the least, referring in a recent show to the agency's "unassailable successes" in dealing with air and water pollution and to the "tremendous corporate interests" arrayed against her.

Even those most supportive of Ms. Jackson say that the agency has taken on a virtually unmanageable set of challenges across the range of policy, from mountaintop-removal coal mining to wetlands preservation to the

control of toxic emissions from power plants and refineries. She is also in charge of federal restoration efforts in the Gulf of Mexico after the BP oil spill.

“Have they bitten off more than they can chew?” asked Jason S. Grumet, president of the Bipartisan Policy Center, who has close ties to the White House and the agency. “Yes. But that’s a testament to their aspirations, and now reality is setting in.”

The reality being that there is often political fallout whenever tough policy decisions are made, and that the timing of Ms. Jackson’s rule setting could not be more inopportune for Mr. Obama. “It’s always the case that there are conflicts between good policy and good politics, and the E.P.A. is often the crucible of those challenges,” Mr. Grumet said.

One of the toughest pending decisions, he said, concerns a standard for permissible levels of smog-causing compounds including ozone. The agency’s scientific advisory panel has recommended setting a high bar that could put hundreds of counties out of compliance with the law, forcing them to take action to reduce emissions, even though the pollutants may be generated beyond their jurisdiction.

The law requires that E.P.A. make such decisions based solely on the health effects of the pollution, not on the possible cost of compliance, creating a huge political problem.

“Telling a government that has to stand for re-election that it should make decisions with no consideration of cost is understandably going to create great agita in the political offices,” Mr. Grumet said.

ADEQ may not reverse wastewater decision

By Thelma Grimes, The Explorer | Posted: Wednesday, June 29, 2011 4:00 am

The Arizona Department of Environmental Quality may not be allowed to intervene in the ongoing dispute between the Town of Marana and Pima County over rights to control wastewater services.

On June 10, the Pima Association of Governments in a 4-3 vote denied Marana an environmental permit to operate the facility. After the rejection, Marana Mayor Ed Honea said they will take the case to ADEQ.

Last week, Mark Shaffer, spokesman for ADEQ, said even though PAG did not vote unanimously to deny the permit, the state agency may not be able to reverse the decision.

“Under Arizona’s Continuing Planning Process, which the Federal Clean Water Act requires states to develop, ADEQ only becomes involved after the Designated Planning Agency, in this case PAG, approves a plan amendment. If PAG does not forward the plan amendment to us, we don’t see clear authority for us to act outside PAG’s decision,” Shaffer explained.

“Neither the Clean Water Act nor our Continuing Planning Process envisioned denials proceeding to ADEQ. Historically, the process ends upon (regional) denial without ADEQ even formally seeing the amendment,” he continued. “We are researching what legal authority or obligations we may have at this point to review PAG’s decision.”

Marana Town Manager Gilbert Davidson said they weren’t surprised by PAG’s rejection.

“We certainly were aware that the county was against and has been actively encouraging other jurisdictions to be against it, so it wasn’t a surprise to me,” he said. “What did surprise me is it’s an administrative process, it’s a permit. Either you comply with the requirements to get the permit or you don’t. They started the meeting saying we met all the technical criteria. The reason they voted it down was political.”

If there is a public process where an entity complies with requirements, Davidson said, that entity should be allowed to proceed.

Davidson noted Marana is asking ADEQ to take the minutes from the PAG meeting and review the technical data in the application just as it would have done had the permit been approved by the regional authority.

“I think that we’ve proven that we are very much committed to being able to take back our portion of the wastewater system,” Davidson said. “Our council has given clear policy direction that we are going to operate this system. When you have the spirit of nothing is going to get in our way, we are going figure out how to make it work. No matter what obstacle put in front of us, we are going to work around it.”

Rodney Campbell, a spokesman for the Town of Marana, said the issue is unprecedented because no other counties in Arizona have control of wastewater systems.

“We have a legal right to manage a wastewater system. ADEQ should see that there are politics involved, and they need to continue processing the technical portion of the permit,” Davidson said.

The permit sought by Marana is a planning permit required by the Clean Waters Act. It makes sure the water being put in a sewer system complies with federal standards.

Whether in court or at the regional level, the Town of Marana has been fighting Pima County since 2008 to take over control of its own sewer system.

Davidson estimated the court battle could be extended another two to five years after the latest round of appeals filed by Marana.

The Town of Marana is appealing attorneys' fees and the judge's ruling that designated which pipes in the sewer system would be under Marana's control, and which pipes in the regional system would be under Pima County control.

"We are asking the Court of Appeals to look at that issue because we feel it doesn't make sense to take a wastewater system and give one entity one pipe and give another entity another pipe and think it's going to work," said Davidson.

"One person needs to own this whole thing. Like in a divorce, you aren't going to cut the house in half. You are going to sell the whole asset."

At the center of the controversy is control, not over pipes, but water.

With Pima County owning and maintaining the sewer system, the Town of Marana's has to work with the county to grow.

Pima County officials say Marana's plans to manage its own sewer system will mean increased rates, will negatively affect economic development efforts and fragment the region's wastewater treatment system.

Davidson said the town has had 19 businesses or developers over the last three years that have been "critically" affected because the county has not managed the system or managed capacity to meet growing demands.

The Arizona Legislature gave Marana a boost by passing a law that enables cities and towns to acquire all or part of a county sewage system and provides the requirements for doing so.

With the law in place, the Town of Marana passed a \$1.9 million sewer budget for the 2011-2012 fiscal year. However, that budget may go toward more legal fees than actually running the Marana sewer system.