SIERRA VISTA - Arizona voters may be asked next year to approve an Active Management Area in the Sierra Vista Subwatershed to protect the San Pedro River by controlling growth.

The Save the San Pedro Ballot Initiative supporters are preparing petition language in an effort to force a statewide vote. To get the measure on the 2006 ballot, the group would have to obtain 200,000 valid signatures of registered voters.

Bruce Babbitt, former governor and U.S. secretary of interior, is co-chairman of the Save the San Pedro Ballot Initiative. When he was the interior secretary in the Clinton Administration in April 2000, Babbitt said action had to be taken to reduce development in the Upper San Pedro River Basin, which includes the Sierra Vista Subwatershed.

The possibility of a statewide vote has local critics.

Bob Strain, chairman of the Upper San Pedro Partnership, told the group on Wednesday that the initiative, of which he obtained a draft copy, is a battle the area cannot afford to lose.

Besides Strain, Sierra Vista City Manager Chuck Potucek and Bella Vista Ranches General Manager Judy Gignac are critics of the proposal. The city of Sierra Vista and Gignac are partnership members.

On the other hand, Bill Branan, who represents the Audubon Society on the partnership, supports the initiative.

Strain said he is convinced the guiding hand of the initiative is Phoenix physician Dr. Robin Silver, board chairman of the Center for Biological Diversity and vice president of the Maricopa Audubon. Silver’s name is listed in the June 2 draft proposal of the 2006 initiative as a steering committee member.

In response, Silver said, “This is not the Silver initiative.”

Silver said the initiative is needed because the Arizona Department of Water Resources has failed to establish an AMA for the San Pedro River.

The state agency continues to refuse to recognize the connection of groundwater and surface water is important for the survival of the San Pedro River, he said. According to a state law, an AMA can be created, but only when it involves groundwater problems.

ADWR has refused to establish an AMA on more than one occasion, even after its own studies show a deteriorated flow of water in the river, Silver said.

The river is an important habitat for a number of species and is recognized as an important area by Congress, which established the San Pedro Riparian National Conservation Area. The waterway is also recognized as a critical global migration avenue, especially for birds.

Silver said protecting the river will ensure Fort Huachuca is protected, too.

The failure of ADWR officials to do their job in protecting the river is the reason to seek all of the state’s voters to force an AMA on to the Sierra Vista Subwatershed, he said.

While Strain was able to get hold of the draft proposal, Silver said the document is being fine-tuned because it is a work in progress.

Because of state law, an AMA must include an entire basin, but an initiative can narrow the area, Silver said.

According to the draft document, “There is an advantage with the creation of an AMA by ballot initiative as oppose to creation by petition to ADWR. An AMA created by petition must, by statute, include the entire Upper San Pedro Basin. An AMA created by ballot initiative may be limited it the Sierra Vista subwatershed.”

The goal of the initiative is to save the San Pedro River, “the Southwest's last surviving, naturally function desert river," the draft states.

Silver said there are many people in the state who want an AMA in the subwatershed and they will be supported financially by people who live outside of Arizona.

When Babbitt was the Interior Secretary, he predicted that by 2005 a federal judge would step in to control growth in the San Pedro River Basin. The biodiversity...
center and its supporters have indicated they will file suit to stop federal housing lenders and loan guarantors from providing support to people and developers in the subwatershed.

Last week, the center filed a lawsuit against Fort Huachuca, the Department of Defense and other federal agencies seeking to have a court order to make the agencies comply with the National Environmental Policy Act and the Endangered Species Act.

Branan supports the ballot initiative proposal.

"I think it's a good idea," he said.

A statewide vote on saving the San Pedro River will be stronger than just leaving it in the hands of local officials, Branan said.

Although he did not have a hand in developing the draft initiative plan, Branan said going to the state voters is the only way left to ensure the Sierra Vista Subwatershed is protected.

Sitting at the table during Wednesday's partnership meeting, he listened to some of the partnership's naysayers.

"I was proud I had my Audubon shirt on," he said.

Potucek said supporters of the initiative fail to recognize reality - the basin and no portion of it, including the Sierra Vista Subwatershed, do not belong in an AMA.

If creating a special AMA is so important, it should be left to area voters, not every registered voter in Arizona, Potucek said.

"We're perfectly capable of handling the situation ourselves," Potucek said.

Gignac said that while Silver may believe she is against an AMA because she is in the development business, that is not the reason. She said it is not right for state voters to shove an AMA down the throats of people in an area because those outside the subwatershed don't have any idea what the real issues are.

"I'm very leery of that," Gignac said.

ADWR has studied a basin-wide AMA and determined none is needed. If a basin-wide AMA is not needed, why should a portion of the basin be required to have an AMA, she asked.

More has been done in the Sierra Vista Subwatershed than in any other area in the state, Gignac said.

She also is concerned that if an AMA is required by state voters it could send a bad message to other rural areas of Arizona, which could be told by unknowing urban voters how to control their futures, especially when it comes to growth.

Strain said he doesn't think the proposed initiative will pass legal muster.

"But some legal mind better than mine will make that determination," he said.

Like other area opponents, Strain said he doesn't like the idea of state voters forcing an area to do something that is not required of others.

"We already have something that is working (the partnership). We don't need outsiders directing us," he said.