

The BUGLE

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Prescott water pumping suit explained

By JON HUTCHINSON
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Forty members of the Verde River Citizens Alliance and the public met Saturday morning to hear about an announced lawsuit that would challenge the proposed water ranch in the Big Chino Basin. The Center for Biological Diversity believes that pumping of the aquifer beneath the basin will jeopardize the flow of the Verde River and its plant and fishlife.

Michelle Harrington, the Center's River Program director, presented points that were outlined by a Notice of Intent to Sue. The notice was filed with the cities of Prescott and Prescott Valley Dec. 8, 2004. Those points were further amplified by data compiled in a recent publication of the U.S. Geological Survey.

Prescott has never had enough water beneath the city to satisfy its growth. The Active Management Area for the tri-cities area requires that new development show a supply of water to meet its needs for 100 years. To ensure future growth

Prescott and Prescott Valley last year purchased the 4,500 acre JWK Ranch and 3,000 acres of retired irrigation land.

The ranch is 30 miles from the Chino Reservoir and 40 miles from Prescott.

The Center and downstream users are concerned that the Verde River not go dry like so many other waterways in Arizona and the Southwest.

Harrington says during the last year, the cities have little to show from their investigation into measures to mitigate the impacts of an estimated total draw of 12,400 acres feet of groundwater other than to "monitor" the effects.

She says the recent technical studies released in a 2004 USGS report show that over 80 percent of the Verde River baseflow originates from the Big Chino Basin.

The federal study also indicates that a "playa" (clay) deposit in the basin

forces the water flow to move rapidly around it to the headwaters of the Verde River. That challenges the belief of Southwest Water Consultants prediction of a larger quantity of water in the basin. The consultants work for the cities in planning the water ranch project.

Though the cities suggest that historic agricultural uses tapped an estimated 12,000 acre feet of water per year from the basin, Harrington says at least half of that use was recharged into the soil. "Prescott water pumping would not be recharged."

Much of the Center's lawsuit is based upon Section 9 of the Endangered Species Act which defines the habitat as when species are "present or dependent upon" the Verde River. The suit cites seven threatened or endangered species of birds and fish, including the bald eagle and southwestern willow flycatcher. Another bird and a fish species are "candidate" species for

inclusion.

Harrington says recreation, the middle Verde communities, non-listed fish and wildlife and Arizona 's only designated Wild and Scenic River segment are further reasons to preserve the flow of the river.

The Salt River Project which is likely to be a major player in protecting its water supply for the Phoenix area is not likely to join the Center's lawsuit, says the River Program Director.

She says the reason the Center for Biological Diversity has not yet filed a suit is because it is waiting for the cities to take an action that would be "judicable."

She predicts such a "trigger" for filing might be the "crossing of a wash with a pipeline which requires a federal 404 permit" or to "disrupt soils of waters of the U.S. "

Harrington expects the cities will want to break ground in 2007 and that the Center will file its complaint this year.

While the Center official admitted she was not fully familiar with Title II of the Yavapai Ranch land exchange bill, she questioned whether it the Verde River Partnership would be "sufficient to protect the Verde Watershed." The Partnership organization is created of stakeholders to the Watershed.