



## Center for Biological Diversity sues Prescott over public records

**The Daily Courier**

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The Center for Biological Diversity sued the [City of Prescott](#) on Earth Day, accusing the city of refusing to provide public documents.

The center sent out a press release about the lawsuit after 5 p.m. Wednesday. Attempts to reach three city officials at home and on mobile phones after work hours were unsuccessful.

The center is seeking documents relating to the city's water pipeline it plans to build to bring Big Chino aquifer water south to the city.

The lawsuit says the center asked to view a list of documents in May 2008, and it still has not gained access to some of them, including pipeline design documents.

It also details how the center allegedly tried numerous times to gain access to the documents.

The lawsuit seeks access to the documents as well as attorney's fees.

"A big part of protecting the environment is holding leadership's feet to the fire and keeping citizens informed about proposed actions," said Michelle Harrington, rivers conservation manager for the center.

The center's attorney in the case is Howard Shanker, who ran for the First Congressional District seat last year and is known for representing environmental groups and Indian tribes in their lawsuit against the Coconino National Forest. That suit opposes the Forest Service decision to allow the Arizona Snowbowl ski area owners to start using wastewater to make snow on the San Francisco Peaks, which the tribes consider sacred.

"If the city insists on taking actions that will impact the Verde River and downstream communities, it should at least have the integrity to share the details of those actions with the public," Shanker said of Prescott. "This suit is just the first step in holding the city accountable."

The center threatened years ago to sue the city if it ever moves forward on the pipeline construction, because the center contends that would damage the Verde River. Scientists generally agree that the Big Chino aquifer supplies at least 80 percent of the Upper Verde River's baseflow.

"Prescott's groundwater pumping and pipeline will eventually impact the flows of the Upper Verde River - the (Arizona) Department of Water Resources concedes this," Harrington said. "Yet the city refuses to produce a comprehensive, scientifically verifiable mitigation plan to prevent or offset those impacts."

"Just as with public records, our requests for a mitigation plan continue to be stubbornly ignored."

Coincidentally, Prescott and Prescott Valley sued the [Salt River Project](#) in March over public records issues, too.

The municipalities accuse SRP of withholding information the municipalities requested in relation to SRP's accusations that the pipeline will hurt the Verde River. The river is a major source of water for SRP, one of the state's largest water providers.

SRP denies withholding information.

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