



STORM CLOUDS DARKEN OVER THE PEAKS AS FLAGSTAFF DEBATES WATER FOR SNOWBOWL

by KYLE BOGGS

In 1977, the Forest Service penned an Environmental Impact Statement weighing the pros and cons of Northland Recreation's initial expansions on the San Francisco Peaks, which were permitted to take place in 1982. That EIS stated "the risks of operating a ski resort in Arizona could be possible with the understanding of the climate here, that there are going to be periods where there is not sufficient snow." It recommended good management skills be used to account for the potential for inconsistent seasons.

By the time construction was complete, the ski resort was sold again, and after subsequent expansions, **Arizona Snowbowl Limited Partnership** bought the ski resort from Fairfield Communities in 1992 and immediately expanded and added a few buildings. In 2001, Snowbowl revealed plans for more development and the use of the city's treated effluent, or "reclaimed water," to be pumped up the mountain and used to make artificial snow.

At 5:30PM August 30, at Sinagua High School, Flagstaff City Council will hold a special meeting, open to the public, to discuss whether or not to amend Snowbowl's existing contract obligating the city of Flagstaff to sell 1.5 million gallons of treated effluent per day to the ski resort for the purposes of snowmaking or,

instead, to sell them "recovered reclaimed water."

There is no debate about whether "recovered reclaimed water," also called "stored water" is actually "potable," or water that meets drinking water quality standards, with minimal treatment. According to the *Arizona Daily Sun* on July 3, "The city of Flagstaff currently deposits unused reclaimed water [what's left over after watering golf courses, parks] in Picture Canyon and in the Rio de Flag, downstream of two wastewater treatment plants."

The effluent run-off mixes then with the fresh effluent from the treatment plants. As the water moves, some of it evaporates, some of it is absorbed by plant life, and some of it drops through the natural filtration processes of the rock bed, into the Coconino Aquifer. "The water [taken from the aquifer], after chlorination, is potable and suitable for household use."

Because "the city gets its water from the Coconino Aquifer, Upper Lake Mary, and a little from the Inner Basin of the Peaks," Snowbowl would be tapping into the city's drinking water supply. "I think it's incredible that we should use our groundwater to support a profit-making corporation," **Dick Wilson**, a plaintiff in the original 1970s lawsuit to prevent the ski area from becoming a larger commercial operation, told the *Arizona Daily*

Sun.

In an early August city council meeting, councilman **Art Babbott** realized a high level of confusion existed among the public regarding the idea that "recovered reclaimed water" is actually of drinkable quality. He proposed to change the language on the proposed contract to "potable water" instead of "recovered reclaimed water" and the vote lost 3-4.

The existing contract the city has had with Snowbowl since 2002 would ensure the sale of treated effluent directly from the treatment plant to the ski resort. The amended contract proposes that Snowbowl be permitted to tap the "largest city water line in west Flagstaff" by pumping directly from the Coconino Aquifer.

Before the idea of selling potable water to Snowbowl was even on the table, the **Ninth Circuit Court** denied the tribe's religious and cultural arguments challenging plans approved by the Forest Service to use the city's treated effluent to make artificial snow, a decision the US Supreme Court declined to review in June of last year. The same suit also challenged the Forest Service's decision to dismiss public health concerns over using treated effluent for artificial snow, a concern reflected in the agency's own EIS. While other resorts make snow, some even from

percentages of treated effluent, Snowbowl is lined up to be the only resort in the world to use 100% treated effluent to make snow.

The suit cited the **National Environmental Policy Act**, which states the Forest Service is obligated to consider potential impacts treated effluent will have on the quality of the human environment. Further, the suit asserted the Forest Service did not significantly address the possibility of human ingestion of snow made from treated effluent in its Final EIS.

Treated effluent or "reclaimed wastewater" is not "potable water;" it is not of drinking quality. Treatment plants "take sewage, some storm drain water, and what goes down the kitchen sink or shower drain." It is loosely filtered to meet current standards in line with the way it is typically used, to irrigate golf courses, city and university parks, playgrounds, and lawns. Wherever the city uses this water, there are clearly posted signs warning citizens not to ingest the water. There has been increased debate in the scientific community regarding the safety of "reclaimed wastewater."

"According to the Arizona Department of Environmental Quality regulations, treated sewer water can be graded A+ even when it contains fecal matter in three out of every ten samples," explains **Dr. Abraham Springer**, NAU Geology professor and director of

the School of Earth Science and Environmental Sustainability. "The treated wastewater can meet all applicable water quality standards, but still not be as high of quality as precipitation."

Aside from what treatment plants do test for, there are substances that are not tested for regularly, or aren't tested for at all. Studies of wastewater across the country have found compelling evidence of pharmaceuticals, hormones, endocrine disruptors, industrial pollutants, and narcotics.

Dr. Paul Torrence, Emeritus Professor of Chemistry and Biochemistry at NAU, published work related to a specific toxin called **triclosan**, which has received attention in the media during the last few years. Beyond many common anti-bacterial soaps, it is also found in personal care products like toothpastes, deodorants, and face washes, and incidentally, has been found in increased levels in tests of other cities' wastewater. When triclosan reacts with chloride, it becomes chloroform, which is a carcinogen. When it reacts with ultra-violet rays, it forms different, mega-carcinogens, in the form of poisonous dioxins. This is why the Canadian Medical Association has called for an outright ban of triclosan.

During oral arguments for a current related lawsuit in the Arizona District Court on July 20, Forest Service defense attorney **John Tustin** explained the process. "It's subject to tertiary filtration and ultraviolet disinfection, and there's an additional hypochlorite, which is essentially bleach, that's put in very small amounts to maintain residual disinfection."

Flagstaff residents may remember in early November 2009, US Representative **Ann Kirkpatrick**, as well as Senators **John McCain** and **Jon Kyl** contacted the Department of Agriculture, which oversees the Forest Service, to inquire about the timeline for construction at Snowbowl. **Deputy Agriculture Secretary Kathleen Merrigan** was quoted as saying to the *Daily Sun* that she had "come to appreciate the complexity and ... have held discussions with representatives from the Arizona Snowbowl and the affected tribes to explore opportunities to address their interests and resolve this situation in a mutually beneficial manner."

By the time spring blew into Flagstaff, the *Daily Sun* led with this headline: "Secret Snowbowl Talks Break Open." As it turns out, Flagstaff city officials had been holding secret meetings with the US Department of Agriculture to find a solution less offensive to the tribes. Plus, if a new water deal could be worked out with the city, two things happen.

The current lawsuit against the Forest Service, which would force it to more adequately address growing public health concerns about the use of "reclaimed water" to make snow, would be thrown out. And, to **compensate for the extra cost of using potable water, the Department of Agriculture, offered to subsidize the project with a grant funded by taxpayers worth \$11 million**, though no exact amount has been officially pledged.

"US Senators John McCain and Jon Kyl blast the US Department of Agriculture," headlined the *Daily Sun* in March. "We oppose the use of taxpayer dollars to subsidize snowmaking at Arizona Snowbowl, and we will object to any attempt to secure an earmark or congressional approval of this project."

Despite the fact that many tribes, particularly the Hopi, who have consistently opposed snowmaking from any source and

developments of any kind on the San Francisco Peaks, the Department of Agriculture said that using potable water to make snow would be, according to majority owner of Snowbowl, **Eric Borowsky**, "preferential to the tribes." Given the Forest Service approved both types of water, when pressed by *the Noise* as to whether the use of "reclaimed" or "recovered reclaimed water" mattered personally to him, Mr. Borowsky answered: "Out of respect for the tribes, I want to use this 'recovered' water."

Mr. Borowsky claims a statement by the Hopi Water and Land Commission and signed by its chairperson said the use of "recovered reclaimed water" was preferential to the Hopi Tribe.

Andy Bessler of the **Sierra Club's** Southwest Regional Representative for Tribal Partnerships, countered: "The Hopi Tribe's general counsel, **Scott Cauty**, who most likely wrote and sent the letter to the city on the tribe's behalf, was fired in part because of sending that letter. The Obama administration did not do their homework and consult with the over 13 tribes who have opposed Snowmaking for years. Also, it is not just the snowmaking that is an issue for the tribes: cutting trees, digging in the dirt and more development is also an issue." Besides, the Hopi Water and Land Commission doesn't make decisions like that, the Tribal Council does.

On May 20, Flagstaff Water Commission met for the first time to discuss whether or not to amend the contract. Though the decision was tabled to give both the commission and the public more time to consider the options, tribal opposition was clear months earlier.

Back in March, **Leigh Kuwanwisiwma**, director for the Hopi Cultural Preservation Office, and a witness for the Hopi Tribe in the lawsuit over snowmaking with treated effluent told the *Daily Sun*, "The Hopi tribe's position at this point has not changed. As the lawsuit clearly articulates, we are clearly opposed to snowmaking entirely, from any source of water." He went on to say that he told the Department of Agriculture all this when they met the preceding fall.

Plaintiff **Bucky Preston**, a Hopi farmer, agreed, explaining to the *Daily Sun* that "snowmaking on the San Francisco Peaks would interfere with sacred instructions passed down through Hopi generations about the proper roles of humans and natural forces on the Peaks. It's against the creator to make snow. That's not humans' job."

Also opposed to snowmaking of any kind on the Peaks is the Havasupai Tribe. **Carletta Tilousi**, councilwoman for the tribe, added, "Making artificial snow for economic purposes is still steps toward abusing sacred mountains. Whatever process they use to make artificial snow is still unacceptable to us Havasupai people."

At the May 20th water commission meeting, Snowbowl and the Department of Agriculture were still trying to maintain that using "recovered reclaimed water" had the support of the tribes, citing proof from a supposed letter from the Hopi Tribal Council. Hopi Chairman **Le Roy Shingoitewa** spoke up: "What you are reading is not a letter from the council; we wouldn't sign it." And Ms. Kuwanwisiwma added: "What you have in front of you from the Hopi Tribal Council is not real. Stored water is still offensive to the values that people have about the Peaks."

CONTINUED ON 37

"Heather has totally changed my life!"

— Dr. Edie Copley

Holistic Bodywork Design



- alternative, no-pill medicine for many common ailments & disorders
- facilitating a healthy, positive lifestyle through spiritual & physical fitness
- non-western medicine treatments
- voted "best massage" two years in a row
- see why so many make the drive from Sedona

Heather Bostian
LMT, MFA, RYT
28 Years Experience
in Radiant Life Healing



quiet Doney Park office • 928-522-6004
www.heatherheals.com

SHOW ME YOUR PEPPERS

OREGANO'S
PIZZA BISTRO

Your Neighborhood Pizza Joint

605 Riordan Road • Flagstaff • 928-773-8600

oreganos.com

The HASSAYAMPA INSTITUTE presents

THE LITERARY SOUTHWEST



The Region's Finest
Writers Read and
Discuss Their Work.

For complete author and series information, visit:

www.yc.edu/HASSAYAMPA
or call (928) 776-2276

The Hassayampa Institute Presents The Literary Southwest is made possible by Yavapai College and the Yavapai College Foundation.

FRIDAY, SEPTEMBER 24, 7 PM



Ron Carlson
One of America's finest
fiction stylists

B.H. Fairchild
National Book Award
poetry finalist



Yavapai College Library
Community Room, Prescott Campus

Admission is Free.

Yavapai
COLLEGE
Your community. Your college.



STORM CLOUDS DARKEN OVER THE PEAKS

CONTINUED FROM 11

Howard Shanker, attorney for the Save the Peaks Coalition et al. in the suit challenging the Forest Service's compliance with NEPA in approving treated effluent for use on the Peaks, said he received permission that morning from **Navajo Nation President Joe Shirley** to speak for him and the views of the tribe. In his statement, Mr. Shanker addressed many ongoing assumptions, and wanted to make clear that the Navajo Nation "is opposed to snowmaking, no matter the source of the water."

Still, in July, the *Daily Sun* falsely reported that Mr. Shirley "told the Agriculture Department in a letter that potable water would be less objectionable to his and other tribes."

As of today, the Yavapai, Apache, Havasupai, Hopi, and Navajo have passed resolutions denouncing the use of any source of water to make snow artificially. There shouldn't be any ambiguity regarding how the tribes feel about potable water. Reads one resolution: "The Navajo Nation recognizes that clean drinking water is sacred and essential for all living beings, especially in the arid Arizona climate, and should not be wasted on non-essential recreational activities such as snowmaking for a limited skiing population."

Further, a joint resolution, signed by the Sierra Club, Friends of Flagstaff's Future, Black Mesa Water Coalition, Grand Canyon Trust, and others, makes a similar argument. "We do not believe it is prudent to use potable water to aid a private business outside city limits in their effort to provide limited recreational opportunities to those who can afford them. The City of Flagstaff has a responsibility to its citizenry to provide a long-term, clean, and healthy drinking water source for essential survival."

Mr. Borowsky, on the other hand, maintains the project is "aquifer neutral."

"Most of the water will be returned to Flagstaff," he told *the Noise*. "From a hydrology


point of view, it makes no difference." When asked to respond to those residents concerned about a private, for-profit corporation, being sold drinkable Flagstaff water resources, Mr. Borowsky responded, "Those people making comments just don't understand hydrology. Ninety percent of the water will recharge the aquifer and 10% will be lost to the Little Colorado because of the way the mountain slopes on one side."

Dr. Springer claimed otherwise six years ago, when he wrote: "The result of using reclaimed water for snowmaking is that most of it will go directly into the atmosphere as it sublimates ... The DEIS indicates that between half and nearly all of the water applied as snow will be sublimated."

The justification for selling potable water to Snowbowl for the purpose of snowmaking, as both Mr. Borowsky and the Department of Agriculture indicated, was to find a less offensive solution to the tribes. It is clear a solution has yet to be found.

And, environmentally speaking, it is clear a conflict of evidence exists as to where the water "goes." In 2010, as our city moves toward a more sustainable future, the council has an important question to ask itself.

As **Mayor Sara Presler** stated after the city laughed Nestle out of town for proposing a purchase of 55 million gallons of water a year and provide 50 year-round jobs: "This kind of business is dead on arrival," Ms. Presler said. "It doesn't pass the common sense test."

Does this one? 

Kyle Boggs is currently researching a book documenting the history of the Peaks controversy.
kyle@undertheconcrete.org



ORGANIC BEAUTY LOUNGE

Sean, Pat & Esplin look forward to seeing you at their new location, the Organic Beauty Lounge. Join us for a full service salon experience.

Organic Beauty Lounge
 22 N. San Francisco St.
 Flagstaff, AZ
 928 213 9179

OPEN HOUSE Sat. Sept. 25, 2010

Sun-up to sundown at Eliphante in Cornville

Gathering of artists for hands-on natural building on Oak Creek

For Creative Conscious Living

\$15 - 50 sliding scale donation
 limited work trade available

www.roadrunnerspeaks.org

