

# ARIZONA WATER RESOURCES NEWS BULLETIN

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MAY-JUNE 1977

## DEADLINE EXTENDED FOR PUBLIC COMMENT ON PROPOSED FEDERAL WATER POLICY

The deadline for public comment on the Carter administration's proposed water policy program has been extended 90 days from the original Aug. 20th cut-off date.

The extension was requested by the Western Coalition, a group of 30 senators representing 15 western states, including Arizona. Coalition members felt that the first deadline did not allow time for adequate, thoughtful public comment on or thorough analysis of the proposed federal water policy program.

In May President Carter directed the Secretary of the Interior, the Water Resources Council chairman, the Office of Management and Budget, and the Council on Environmental Quality to conduct a comprehensive review of federal water resources policy.

Subjects of the review were water allocation laws, conservation needs, Indian water rights, and federally funded water projects. Five interagency task forces were organized to develop policy options on the review subjects.

Issue and option papers were published July 15 in the Federal Register by the Water Resources Council. The July 25 Federal Register carried additional information on water quality, water resources research, and federal reserved water rights.

To get public comment on the published materials, regional hearings were held beginning July 28 and ending Aug. 2. Hearing sites were Atlanta, Boston, Cincinnati, Dallas, Denver, Los Angeles, Minneapolis, Seattle and Washington, D.C.

(Gov. Raul H. Castro's comments were presented at the July 29 hearing in Los Angeles by Wesley Steiner, state water engineer and executive director of the Arizona Water Commission. His presentation is reproduced in full in the inset.)

**STATEMENT OF GOVERNOR RAUL H. CASTRO  
to the  
WATER RESOURCE POLICY STUDY HEARING  
Los Angeles, California  
July 29, 1977**

Mr. Chairman, members of the hearing panel. Governor Castro was unable to be here today and asked that I present the following comments in his behalf. For the record, I am Wesley Steiner, State Water Engineer and Executive Director of the Arizona Water Commission.

Governor Castro appreciates this opportunity to

comment on the process established to formulate new federal water resource policy and on the seven option papers published on July 15 and July 25 in the Federal Register.

While Governor Castro agrees that there is a need for review of existing water resource policies and for changes that better accommodate the conditions that we would like to have prevail in the future, he is disturbed by the implications of the problem statements that current policies provide inadequate recognition of environmental values and that the problems incumbent in state administration of water rights are such as to demand the imposition of an overriding federal water rights system. Neither is a correct premise upon which to base modifications in federal water policy.

The complexities of our economy and society and their dependencies on water are such as to make the formulation of wise and equitable water policy a most difficult undertaking. Regional and state-by-state variations in hydrology and water utilization patterns dictate against uniform national policies in many policy areas.

The time allowed for review of the option papers is inadequate and precludes meaningful comment on specifics. This inadequacy more importantly, however, is symptomatic of a larger problem — failure to provide for meaningful non-federal participation in the entire policy formulation process. These hearings and the brief interlude during which the record of the hearings remains open for written comments represent the last opportunity for state and non-federal input. The schedule and process afford no opportunity for input to or comment on the policies eventually selected.

The development of federal water policy deserves a much more deliberate effort than is contemplated in the published schedule and I respectfully urge that the process be modified and extended to permit full opportunity for the states to assist in the consideration of options and in the selection of policies that reflect regional differences.

Thank you for the opportunity to comment.

## CONDENSATION

### Cobb Named OWRT Director

Gary D. Cobb, acting director of the U.S. Water Resources Council (WRC), has been named by Secretary of the Interior Cecil Andrus to head the U.S. Department of the Interior



Office of Water Research and Technology.

"With support and advice from the public and Congress, I believe he will significantly strengthen our saline water research efforts and greatly improve our university water research programs," Andrus said.

Cobb graduated from Colorado State University with an agricultural economics degree. Before becoming a WRC senior staff specialist in 1969, Cobb worked for the U.S. Bureau of Reclamation (USBR) in Grand Island, NB; Pueblo, CO; and with the USBR Planning Division, Washington, D.C.

He served as WRC deputy director from Nov. 1, 1974, to September 1976 and was WRC acting director for the past year.



### USBR Awards Salinity Control Project Contract

The U.S. Bureau of Reclamation has awarded a \$1,792,078 contract to Hunter Contracting Co., Gilbert, AZ, to construct a four-and-one-half mile section of canal and pipeline as part of the Colorado River Basin Salinity Control Project.

Known as Two-Forty-Two Lateral of the Protective and Regulatory Pumping Unit, this portion of the salinity project calls for construction of three-and-one-half miles of concrete-lined wasteway canal, a one-mile reinforced concrete pressure pipe with diameters up to six feet, and associated structures, metalwork, and fencing, according to Lower Colorado Region Reclamation Director Manuel Lopez Jr.

The contract is the first for construction of a water conveyance system which will be supplied by a 25- to 35-unit well field. The first six wells recently were drilled by Dreiling, Inc., Holly, CO, under a \$586,000 contract, Lopez said.

When completed, the pumping unit can deliver 125,000 acre-feet of water from deep wells on the South Yuma Mesa north of the International Boundary to the afterbay of the San Luis Boundary Pumping Plant, one-half mile west of San Luis, AZ.

Minute 242 of the International Boundary and Water Commission, a 1973 salinity control agreement between the United States and Mexico, dictates that the United States may pump up to 160,000 acre-feet from the well field annually. About 35,000 acre-feet of the pumped water will be available for domestic and agricultural use in Arizona. The remainder will be delivered to Mexico to help satisfy provisions of the 1944 Colorado River water treaty between the two countries, according to Lopez. (See "Arizona Water Resources Project Information" Bulletin No. 16 for a comprehensive review of the Colorado River Basin Salinity Control Project.)

Second low bidder at \$1,849,925 was Fisher Contracting Co., Phoenix, AZ. Shawnee Construction of Arizona, Glendale, AZ, was third with \$2,315,943. The USBR Engineer's estimate was \$1,997.850.

### LANDSAT Surveys

Remote, wildland areas of Arizona, Alaska and Idaho will be inventoried through LANDSAT surveys over the next three years. Conducted under a cooperative agreement between the National Aeronautics and Space Administration (NASA), the Johnson Space Center and the U.S. Department of the Interior Bureau of Land Management, the inventories will include major streams and water bodies, ground cover and vegetation types, drainage patterns, reservoirs, fires and fire hazards.

The first survey will cover a tundra ecosystem in a south central area of Alaska which contains spruce and fir trees. A portion of northwestern Arizona will be inventoried next to define desert ecology. An area of southwestern Idaho repre-

senting the sagebrush and grassland regions of the Intermountain West will be surveyed last.

Each of the three inventories will take about one year. The NASA applications program plans to make gathered data available to all possible public users.



### PUBLICATIONS

*The Winters Doctrine: Seventy Years of Application of "Reserved" Water Rights to Indian Reservations*, by Michael C. Nelson, a 1977 University of Arizona law graduate, with Bradley L. Booke, and edited by Patricia Paylore, has been published by the University of Arizona Office of Arid Lands Studies as Arid Lands Resource Information Paper No. 9, September 1977.

The 147-page publication gives an in depth study of the legal and general literature related to the Winters doctrine (Winters v. United States, 207 U.S.). The Winters doctrine is commonly used to designate Indian water rights implied by the courts from treaties and other federal agreements involving Indian tribes.

Currently the Winters doctrine has broad impact in the water-short West because the waters "reserved" are exempt from appropriation by non-Indians.

"The literature relating to the original Winters doctrine as enunciated first in 1908 is scattered throughout a wide spectrum of sources," Miss Paylore said, "and in bringing such together here it is expected that both the general public and the legal profession will benefit from this historical overview of subsequent claims over the past 70 years."

Chapters include discussions of the nature of Indian reserved water rights; western water law and Indian reserved water rights; case law development, Winters through Arizona v. California (1963), which describes in detail 12 major cases that have determined the bounds of Indian reserved water rights; and judicial protection of Indian water rights under the McCarran Amendment.

Sixty-four additional related cases are listed, with brief annotations, as well as the 28 reserved water rights cases in court now. An 87-item annotated bibliography of the general literature about the Winters doctrine is appended.

The publication contains three tables and three figures. It costs \$10. Order information is available from Publications, Office of Arid Lands Studies, University of Arizona, 845 N. Park Ave., Tucson, AZ 85719.

Research for the publication was supported through a grant from the Office of Water Research and Technology, U.S. Department of the Interior.



*Reclamation and Use of Disturbed Land in the Southwest*, edited by John L. Thames, University of Arizona, is based on a symposium held at the University of Arizona in January 1975.

The publication presents an understanding of the constraints, alternatives and techniques of reclaiming land disturbed by mining, and discusses up-to-date results of major research efforts aimed at reclaiming land in the Southwest disturbed by mining operations.

Persons involved in planning, operation, use and management of land reclamation of disturbed lands in arid and semi-arid regions will be interested in the publication because it focuses also on problems of industry, government and conservationists.

The 362-page book costs \$14.50 clothbound and \$8.50 in paperback. It is available from the University of Arizona Press, Box 3398, Tucson, AZ 85722.

*Basic Data for Selected Wells and Springs in the Pine-Payson-Kohl's Ranch Area* presents basic data on selected wells, springs and water quality collected and compiled by the U.S. Geological Survey (USGS) and published by the Arizona Water Commission (AWC) as AWC Report No. 9.

Increasing population with consequent needs for water in the Payson vicinity called for an appraisal of groundwater resources in the area. The AWC, in cooperation with the USGS, is conducting a geologic and hydrologic study which, when completed, will help in understanding and evaluating Pine-Payson-Kohl's ranch area groundwater resources. A final report will be prepared after the study. AWC Report No. 9 will be a supplement to that report.

AWC Report No. 9 is free and available from the Arizona Water Commission, 222 N. Central Ave., Suite 800, Phoenix, AZ 85004.

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*Environmental Assessment of Water Quality Management Plans*, by the U.S. Environmental Protection Agency, is for use by local agencies preparing environmental assessments of Section 208 plans.

Copies are available free from the U.S. Environmental Protection Agency, Water Planning Division, Mail Stop WH-554, Room 808 East, 401 M St., SW, Washington, D.C. 20460.

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The proceedings of the American Society of Civil Engineers Irrigation and Drainage Division Specialty Conference held at Utah State University August 13-15, 1975 is available as *Irrigation & Drainage in an Age of Competition for Resources* for \$12 from the American Society of Civil Engineers, 345 E. 47th St., New York, NY 10017.

The 502 page, paperback book includes conference sessions on increased water use with decreased degradation; water quality resources; competition for the water resource; on-farm irrigation system design; agriculture water-energy requirements trade-offs; drainage construction and materials; on-farm irrigation system management; developing new strategies; competition for resources, materials, and space; drainage and the environment; operation and maintenance of existing systems; and managing underground and surface waters to optimize both resources.

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The proceedings of an international symposium on pollution attended by engineers and scientists from eight countries is available as *Groundwater Pollutants*.

Pollution of unsaturated-zone soils and aquifer groundwaters resulting from solid-waste deposits, fluid wastes, petroleum products, surface stock-piling, and sewage-effluent spraying is outlined in 20 technical papers.

The 240-page proceedings, IAHS Publication 103, is available for \$25 from the Treasurer, International Association of Hydrological Sciences, 1909 K. St., Lower Level, Washington, DC 20006.

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*Water Re-Use and the Cities*, edited by Roger E. Kasperson and Jeanne X. Kasperson, focuses on safety aspects of reclaimed wastewater, the economic feasibility of water re-use systems, public acceptance of reclaimed water, and utility manager acceptance of the systems.

Chapters include orientation and background; potential obstacles to diffusion of water re-use systems; and water re-use, innovation, and public policy.

Several existing systems are examined and suggestions for

policy changes to encourage greater acceptability and adoption of this vastly untapped resource are discussed.

The 252-page, illustrated publication is available for \$17.50 from the University Press of New England, Box 979, Hanover, NH 03755.

## CONFERENCES

About 1,000 persons are expected to attend the 13th American Water Resources Association Convention, "Assessment, Management, and Politics of Water," Oct. 31-Nov. 3, 1977 at the Tucson Community Center and the Marriott Hotel.

More than 200 technical papers will be presented covering a broad range of water topics. Special activities are scheduled for students attending the conference. Commercial, educational and book exhibits will be displayed.

Rep. Morris K. Udall (D-Ariz.) will be the luncheon speaker Nov. 1 between the sessions on "Water Resources Enhancement" and "Water Reuse and Conservation." The sessions are cosponsored by the Arizona Water Resources Committee (AWRC) in lieu of holding the annual AWRC Watershed Symposium. A special symposium on "River Quality Assessments" will be held Nov. 2-3 as part of the conference.

Other speakers include Gen. Frederick J. Clarke, formerly Chief of Engineers, U.S. Army; Lewis D. Walker, Water Resources Council; R. Frank Gregg, New England River Basin Commission; Theodore Schad, National Academy of Sciences; and Warren D. Fairchild, World Bank.

In addition to AWRC, conference sponsors include the American Society of Agricultural Engineers, American Society of Civil Engineers, Arizona Water Commission, Western Political Science Association, American Water Works Association, Water Pollution Control Federation, and U.S. Geological Survey.

For further conference information write or call Dan D. Evans, Department of Hydrology and Water Resources, University of Arizona, Tucson, AZ 85721, (602) 884-2739.

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The Environmental Law Institute will hold a conference Nov. 7-8 on the National Environmental Policy Act environmental impact statement process.

Keynote speaker for the conference to be held at the Shoreham Americana Hotel, Washington, D.C., will be Charles Warren, Council on Environmental Quality chairman.

For further information about the conference, call Joan Habib or Karla Heimann at (202) 452-9600.

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The Nebraska Water Resources Center has scheduled an annual fall conference for Oct. 27-28 at the Villager Motel, Lincoln, NB.

"A Question of Values: Decision Making in Water Resources Management" is the theme of the conference. Session subjects include value judgments in planning and management; the technology of decision making; public involvement; values definition; and multiple use.

For further conference information, contact Millard W. Hall, Director, Nebraska Water Resources Center, 310 Ag. Hall, University of Nebraska, Lincoln NB 68583.

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A call for papers has been issued for the 9th Annual Conference of the International Association on Water Pollution Research scheduled for June 12-16, 1978 in Stockholm, Sweden.

Conference sessions will include advanced wastewater

treatment, sludge treatment, urban runoff, and receiving waters.

For further conference information, or to submit papers, write to R.S. Engelbrecht, Department of Civil Engineering, University of Illinois, Urbana, IL 61801; or to Secretary-Treasurer, International Association on Water Pollution Research, Chichester House, 278 High Holborn, London WC1, England.

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Please address your news items or comments on the News Bulletin to any of the three editors:

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