

# ADEQ approval stirs opposition

RRRCA, Sierra Club have new complaints

By Mike Cosentino  
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Stung by an Arizona Department of Environmental Quality approval of the wastewater treatment plant at the Bella Terra development at Red Rock Crossing, the Sierra Club and the Red Rock Rural Community Association have put together a new list of complaints.

In a press release issued Jan. 29, the environmental allies said that the proposed Red Rock Crossing subdivision violated Clean Water Act provisions, did not obtain

proper permits regarding fill and wetlands operations and that a portion of the back-filled property is in danger of being flooded.

Attorney for the groups, Howard Shanker, of Shanker Law Firm, cited a report by Paul Trotta, Ph.D, a professor at Northern Arizona University, that claims the developers violated the Section 404 permitting process of the Clean Water Act.

Bella Terra claims that its operations did not qualify under Clean Water Act sanctions since there are no designated wetlands present and that its operations

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## Development wins permit

The Arizona Department of Environmental Quality gave an Aquifer Protection Permit that will allow BySynergy, the developers of Bella Terra, in Sedona, to begin building its wastewater treatment plant near Oak Creek.

ADEQ Director Steve Owens said, "Under this permit, Oak Creek and precious

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resulted in "incidental fallback" of dirt. Bella Terra maintains that all its operations are permissible and therefore no additional permit was needed.

Previous ADEQ public meetings have focused primarily on wastewater issues, but Friday's approval by ADEQ makes those complaints moot unless the groups file a lawsuit. Shanker said the ADEQ approval "was disappointing but not unexpected."

Shanker said the concerns are with the aquifer and kinds of material the state does not test for.

"I am worried about endocrine disrupters. Things like triclosan, a chemical used in anti-bacterial soaps, that is contained in effluent and becomes more toxic when exposed to ultraviolet light," Shanker said.

"It turns into dioxin, a known carcinogen," he said.

The plan for the new wastewater treatment plant at Bella Terra will use UV as a method of treatment. Shanker also claimed that pharmaceuticals and other harmful chemicals

present in effluent are a danger to groundwater since "ADEQ does not test for this stuff."

Shanker said he represents the Native American tribes in the Arizona Snowbowl effluent dispute outside of Flagstaff.

Area resident and RRRCA spokesperson Brian Meyers said that he wanted to see the new Army Corps of Engineers guidelines apply to Bella Terra regarding the wetlands designations.

"They have changed their descriptions of what are wetlands in the Southwest, and I believe those should be applied," Meyers said.

"It is our feeling that the density is too high for this area," he said.

According to a press release from BySynergy CEO and Bella Terra developer Michael Zito, "We have gone from 224 units, to 195 units, to 123 units and finally to the current 106 units — at the very bottom of the density scale compared to other properties and developments in the area.

"That amounts to 106 homes on 53.5 acres," the release stated.

Zito stated that he expects

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groundwater resources in the Sedona area will be protected to the highest level possible."

Owens added that if the plant were not built, Bella Terra residents would need septic systems, which would expose the groundwater and the Carroll Canyon Wash to a high risk of contamination.

The wastewater treatment plant will produce one-third the total nitrogen and less than one-millionth of the bacteria, including E. coli,

that would be produced by those septic systems.

Effluent, treated sewage, from the plant will be disposed into three separate fields using a subsurface irrigation system.

No effluent disposal is allowed in Oak Creek or Carroll Canyon Wash.

The development is also required to maintain a monitoring well as an early warning system before any impact of the creek or the canyon can occur, according to Cortland Coleman, Director of Communications for ADEQ.

some buyers to purchase multiple lots and "that the final number will likely be 75 to 80 homesites."

Local geological engineer Paul Lindberg claims that "the entire lower backfilled portion of the Bella Terra property is improperly engineered" and in danger of being flooded.

Steve Bernard, Bella Terra spokesman, cited reports by

engineering firm Shephard-Wesnitzer that said "none of the fill areas extended into areas determined to be within the 100-year flood plain as delineated by Federal Emergency Management Agency."

To reach Mike Cosentino  
Call 282-7795, Ext. 128, or e-mail to  
mcosentino@larsonnewspapers.com