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Wastewater renewal needed discussion

Wednesday, December 20, 2006 8:58 AM CST

To the editor: I am the attorney representing the Navajo Nation, White Mountain Apache, Yavapai-Apache, the Havasupai Tribe and others in the litigation over the use of reclaimed wastewater on the San Francisco Peaks. I was also the attorney that stopped the Canyon Forest Village commercial development on the edge of the Grand Canyon National Park and the construction of a shooting range adjacent to a residential subdivision in Bellemont. Notwithstanding the foregoing, this is my first letter to the editor on an issue with which I am involved.

As the Daily Sun pointed out ("Council renews Snowbowl's wastewater deal"), the city of Flagstaff administratively renewed its contract with Snowbowl to supply reclaimed wastewater for snowmaking on the San Francisco Peaks. Thus, the city avoided any public debate and minimized public input and scrutiny. Public participation in this process was further limited by the fact that the city renewed the contract about three months before the actual renewal date.

Regardless of one's position on whether or not reclaimed wastewater should be sprayed onto the Peaks, this is not the way that decisions on issues that are controversial and/or of great concern to the public should be made. The mayor and City Council effectively found a way to insulate themselves from the controversy. Elected officials, however, need to be accountable for their official actions.

If the city government was functioning properly, there would have been a time set aside for public discourse. The city should, at least, have given the tribes the courtesy of advanced warning and an opportunity to meet with city leaders to discuss their concerns. Whether the Council vote was ultimately for or against renewal, there should have been a vote. This was an issue that should have been met head on by the City Council, not approved "administratively" behind closed doors.

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