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November 5, 2018

C.H. HUCKELBERRY
County Administrator

Brigadier General D. Peter Helmlinger
Division Commander, Northwestern Division
US Army Corps of Engineers
P.O. Box 2870
Portland, Oregon 97208-2870

Re: **Livestock Watering Uses in Pima County**

Dear Brigadier General Helmlinger:

This letter transmits a correction to your agency regarding use of streams for livestock watering in Pima County. In our county, livestock often depend on ephemeral runoff collected in stock tanks and natural depressions or seasonal streams. Accurate information about ranching is needed to ensure water quality needed for livestock health is protected.

As part of Arizona Department of Environmental Quality's (ADEQ) Triennial Review, Pima County staff participated in the Designated Use workgroup. At that time, staff reviewed ADEQ's list of water bodies identified as being used for livestock watering. During the designated use workgroup meetings, Julia Fonseca, Pima County Office of Sustainability and Conservation, pointed out that the State Land Department's grazing leases indicates a much wider extent of livestock use of surface water than is reflected by ADEQ's "designated uses." ADEQ's September 2018 draft rule did not show any evidence that ADEQ is preparing to update its records with regard to livestock as a designated use during this Triennial Review.

Pima County, Arizona has broad responsibilities for water quality protection. Pima County owns and manages wastewater reclamation facilities and storm sewers, so we are among the entities to which water quality standards apply. In addition, we own and manage many properties including ranches with intermittent and perennial streams, springs, ponds and stock tanks that supply water to our ranch management partners.

Our intention with this letter is to provide you information to ensure water quality remains protective of livestock use — consistent with our ranch conservation program — which has as its objective to keep ranchers ranching. Ranch conservation provides benefits to all County residents, including protection of air, water, recreation and wildlife.

In Figure 1 attached, it shows in red, the streams that ADEQ recognizes as having livestock watering use. The areas in blue and green are ranchland in eastern Pima County. As you can see, ADEQ fails to recognize that livestock watering use occurs in most watersheds in eastern Pima County. The streams in blue are those listed in Appendix B of the State's water quality rule and do not have livestock water as a designated use. I ask that your agency recognize the listed water bodies and that their tributaries do supply water to livestock and deserve standards protective of their needs. Livestock grazing is not a new use; in all cases livestock have grazed these areas since the late 1800's, if not before.

The gap between the designated uses recognized by ADEQ and the actual dependence of livestock use of surface water means that ADEQ and the federal agencies lack the correct information when your agency reviews potential new point-source discharges.

This information gap has played out to great consequence at the Rosemont mine, where all of the agencies have assumed that the appropriate standards for Barrel Canyon and its tributaries did not include livestock, despite evidence to the contrary in the Environmental Impact Statement. (By rule, ADEQ assumes that ephemeral tributaries of listed streams do not provide livestock watering.) The main difference between the water-quality standards needed to protect livestock versus other uses is the total amount of copper in the water (Table 1). Because livestock was not listed as designated use, ADEQ and the federal agencies used a less stringent standard to evaluate the Rosemont Copper mine than is required under the Clean Water Act.

Under the state's anti-degradation standards and the Clean Water Act itself, existing uses —whether designated or not — must be protected. The ADEQ and the federal agencies should recognize and protect water quality needed for livestock health for Barrel Canyon, as well as, the McCleary, Mulberry, Sholefield tributaries which flow into Davidson Canyon.

Please feel free to contact my office if you need further information regarding this issue.

Sincerely,

C.H. Huckelberry
County Administrator

Enclosure

c: Michael Stoker, Director, US Environmental Protection Agency, Region 9
Kerwin Dewberry, Forest Supervisor, Coronado National Forest
Linda Mayro, Director, Sustainability and Conservation

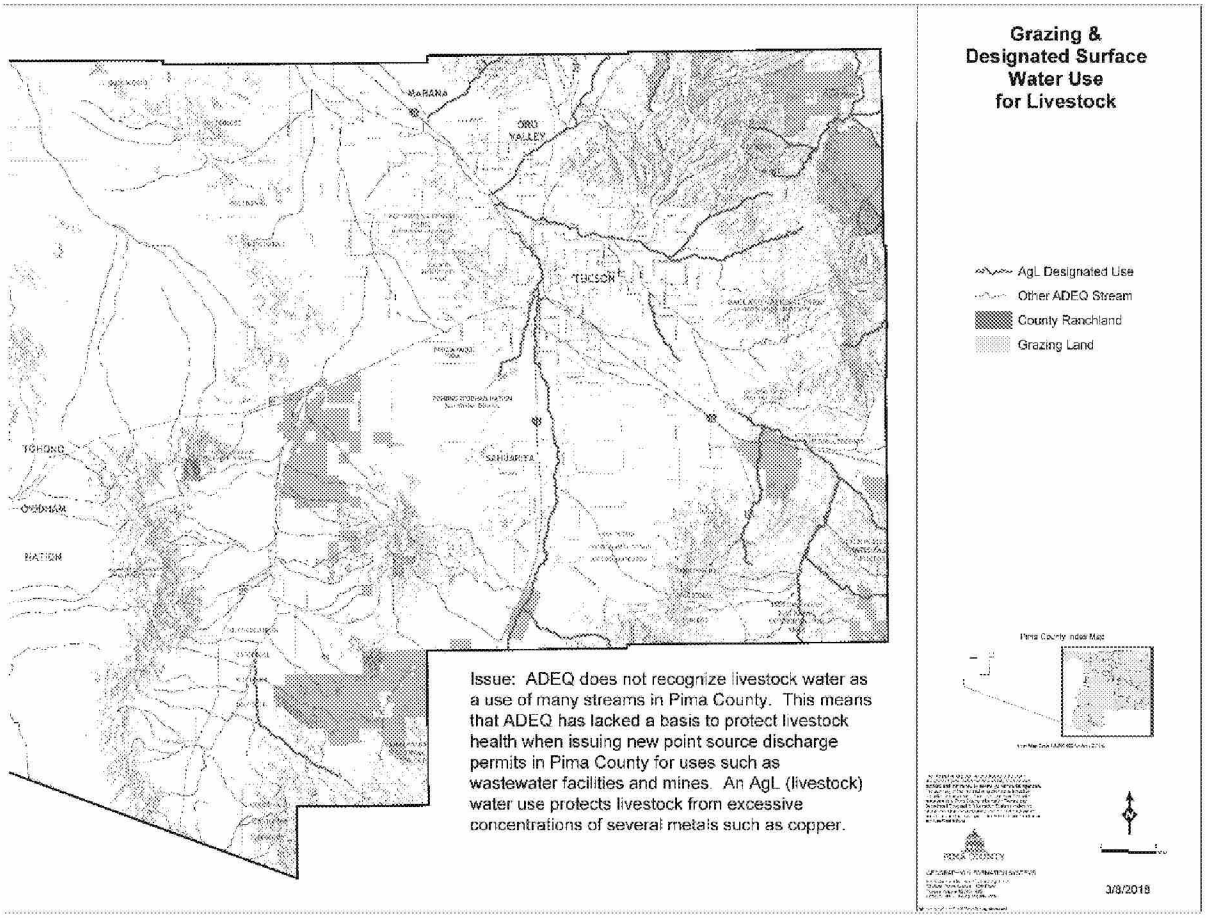

Figure 1. Grazing and designated surface water use for livestock in Pima County, Arizona.

Table 1. ADEQ Numeric surface water quality standards. To protect uses of surface water, Arizona issues permits for new point discharges to streams that limit the concentration of pollutants to protect various uses of a given stream. Unless told otherwise, ADEQ assumes ephemeral tributaries are used for partial body contact use, but not also livestock or human uses such as drinking or swimming.

	Criteria by Designated Use (concentration in micrograms/liter)			
POLLUTANT PARAMETER	Drinking Water Standard	Full-body contact	Partial body contact (default standard for ephemeral streams)	Agricultural Livestock Watering
Total arsenic	10	30	280	200
Total copper	1300	1300	1300	500
Total lead	15	15	15	100
Total mercury	2	280	280	10
Total selenium	50	4667	4667	50