

## **RESOLUTION NO. R2025-067**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, SUPPORTING THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSAL TO IDENTIFY A NEW WATER BODY IN ARIZONA'S SURFACE WATER QUALITY STANDARDS AND ASSIGN APPROPRIATE DESIGNATED USES TO MAINTAIN THE STATUS QUO FOR THE DISCHARGE OF TREATED EFFLUENT FROM YUMA'S FIGUEROA AVENUE WATER POLLUTION CONTROL FACILITY**

WHEREAS, Yuma's Figueroa Avenue Water Pollution Control Facility (WPCF) has discharged treated effluent to the Colorado River under a valid Clean Water Act section 402 permit for decades; and,

WHEREAS, the Arizona Department of Environmental Quality (ADEQ) modified the Figueroa Avenue WPCF discharge permit in August 2023 to require the discharge water quality to meet domestic water source standards; and,

WHEREAS, at some point prior to 2021 federal government agencies constructed a managed wetland, known as Paradise Cove West, adjacent to and relying on the discharge of Yuma's treated effluent as a water source; and,

WHEREAS, ADEQ's permit modification required Yuma to begin planning for a pipeline to convey the discharge point from its current location in the managed wetland to a location in the main channel of the Colorado River; and,

WHEREAS, this planning effort prompted coordination and collaboration among Yuma, ADEQ, the federal government agencies, and the Cocopah Indian Tribe, which is planning a river restoration project immediately downstream of the current discharge location and relying on Yuma's treated effluent as a water source without prior consultation with Yuma; and,

WHEREAS, the multi-jurisdictional coordination and collaboration led the parties to identify an option to maintain the status quo for the discharge of Yuma's treated effluent by revising Arizona's surface water quality standards to identify a new water body and assigning the appropriate designated uses to protect the water quality of the new water body; and,

WHEREAS, ADEQ has formally proposed such an action in a Notice of Proposed Rulemaking dated May 9, 2025 (31 A.A.R. 1529) and provided an opportunity for public comment; and,

WHEREAS, in addition to this Resolution of Support, the City of Yuma Utilities Department will prepare additional written comments on behalf of Yuma; and,

WHEREAS, the proposed rule to revise Arizona's surface water quality standards will eliminate the need for Yuma to construct a pipeline through federal property to relocate the discharge point to the main channel of the Colorado River and allow Yuma to continue to discharge its treated

effluent in its current location; and,

WHEREAS, the Notice of Proposed Rulemaking will maintain the water source for the federal managed wetland and the Cocopah Indian Tribe's river restoration project so long as Yuma has not identified an alternative use of its treated effluent; and,

WHEREAS, the Yuma City Council appreciates the coordination and collaboration among the multiple jurisdictions and ADEQ's use of its rulemaking authority to meet their respective needs.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Yuma as follows:

SECTION 1: The City of Yuma strongly supports the ADEQ proposal in the Notice of Proposed Rulemaking.

SECTION 2: The City of Yuma requests that ADEQ and the Governor's Regulatory Review Council finalize and adopt the proposed rule on the fastest schedule allowed by law.

SECTION 3: The City Administrator, with the assistance of the City Clerk's Office, is authorized and directed to prepare a cover letter for submission of this Resolution of Support to ADEQ on or before June 6, 2025.

Adopted this \_\_\_\_ day of June, 2025

APPROVED:

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Douglas J. Nicholls  
Mayor

ATTESTED:

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Lynda L. Bushong  
City Clerk

APPROVED AS TO FORM:

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Richard W. Files  
City Attorney