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NRULPC Newsletter Vol. 6, No. 3

September 28, 2023

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Co-Directors' Message

Greetings,

We have had a few changes at the NRULPC. George Ruyle has retired from the University and we wish him well! While the national search for George's replacement is underway, Dr. Ethan Orr will be stepping in as interim Co-Director. Priya provides an update on the *Natural Resource Use and Management Clinic*, we highlight a bit of Michael's work and Anne gives us the highlights for the next Regulatory Roundup.

Enjoy the cooler weather as we start to move into Fall!

Ethan and John,
Co-Directors



Congratulations to George Ruyle on His Retirement!

We would like to thank George for his service to the University of Arizona and specifically to Cooperative Extension and the Natural Resource Users Law and Policy Center (NRULPC). George worked as an Extension Specialist in the CALS School of Natural Resources and the Environment and served as co-director for NRULPC. He



currently holds the status of Professor Emeritus and continues to hold the Marley Endowed Chair for Sustainable Rangeland Stewardship.

He is a renowned expert on appropriate and rational long-term natural resource use specializing in collaborative and adaptive rangeland livestock management. He has enjoyed working with widely diverse interests and blending the theoretical aspects of rangeland science with the practical needs of local communities. He specialized in the area of conservation ranching for sustainable rangeland

livestock production, primarily through the practices of grazing planning, monitoring and adaptive management.

Congratulations on your retirement George! We wish you the very best.

Ethan Orr Appointed Interim Co-Director

Welcome Ethan

Dr. Ethan Orr is the Associate Director for Agriculture, Natural Resources, and Economic Development for the University of Arizona Cooperative Extension. He is also a faculty member in the Department of Agriculture Education Technology and Innovation and for the School of Government. He currently oversees the \$62 million on farm water irrigation



efficiency program and the Arizona Agriculture Apprentice Program. In his leadership role at the UA he is active in programing addressing forest health, watershed management, soil health, irrigated systems, business development for farms and crop production.

Previously, he has served in the Arizona State Legislature, as an Executive Director for a statewide non-profit and in senior economic development positions at the municipal level. He oversaw the HUD Empowerment Zone in Pima County, which has generated over \$500 million in tax credits and supported downtown revitalization. At the City of South Tucson, he partnered with HUD and USDA to create nationally recognized housing and employment programs.

Clinic Update

Priya Sundareshan

The Fall 2023 semester is underway and the Natural Resource Use & Management Clinic students are diving in to learning about natural resources law! There are 5 JD students in the clinic this semester. We originally had 8 students ready to enroll in the clinic but we reduced our enrollment due to reduced capacity. One contributing factor is that



Nathan Dunn's fellowship ended in August and we do not now have a Clinic Law Fellow. The students are, as always, eager to learn and gain experience in issues.



They have just begun to work on their clinic projects. One team of two students is representing the Arizona Youth Climate Coalition to research legal questions about electricity laws and regulation in Arizona, municipal franchise agreements, and potential options for cities to source energy generation. Our other team of three students is helping Legal Writing Professor Joy Herr-Cardillo draft an amicus brief for the Town of Patagonia, which is concerned about protecting the town's water source against nearby industrial development. Each group is beginning by wading through legal and other documents to get up to speed on the relevant issues and will then turn to the substantive questions of law.

As we are now 6 or so weeks into the semester, we started by giving the students a grounding in the relevant and useful areas of law that often govern this field, particularly the history of public lands management, Administrative Law, and NEPA. The students are currently practicing with a commenting exercise on the CEQ NEPA regulations, and they will also plan their Western Lands blog posts. We're in the heart of the semester!

Regulatory Roundup

Time sensitive policy and legislative information. Issue 10, due out September 30, 2023, highlights the latest regulatory tracking changes for for WOTUS Conforming Rule, climate litigation and the newly announced American Climate Corps.

New Publication

Michael Kotutwa Johnson, NRULPC Affiliated Faculty, is part of a team that recently published the *Northern*



Arizona Water Affordability Study.

Access to safe, reliable, affordable drinking water is the foundation of public health, economic opportunity, and quality of life in any community. Yet, significant challenges associated with providing and maintaining this access exist across Arizona, perhaps most acutely on Native American reservations and in small, physically isolated rural communities across the state. Northern Arizona in particular is known for its isolated, rural areas and for the challenges faced by the Navajo Nation, Hopi Tribe, and other tribal and rural communities in developing and maintaining access to safe, reliable drinking water.



Much work has been done to document the challenges associated with physical access to safe, reliable water in this region, including by the Ten Tribes Initiative, the federal government, tribal governments, and the larger cities and towns in the region. Yet, little is known in this area about financial access to safe, reliable water, or in other words, the affordability of water.

In Northern Arizona water affordability is a significant challenge for many rural, small, and tribal communities. According to US Economic Research Service reports, the poverty rate in rural Arizona is nearly 22%, compared with 12.4% in urban areas of the state, and nearly 35% in tribal areas, leaving many struggling to pay their water bills(1) Tribal communities are particularly vulnerable to water affordability issues due to the limited economic resources and high unemployment rates.

Recently the federal government pledged billions of dollars for tribal and non-tribal water and wastewater infrastructure, but often this investment does not cover the ongoing cost of operations. While such investment is helpful, in many isolated communities the ongoing costs of maintenance are spread over so few inhabitants as to render the cost of water service unaffordable. In addition, small, isolated towns, both tribal and non-tribal, may have difficulty recruiting and retaining operators and managers of water systems, making the process of

applying for grants difficult to navigate and implementation problematic.

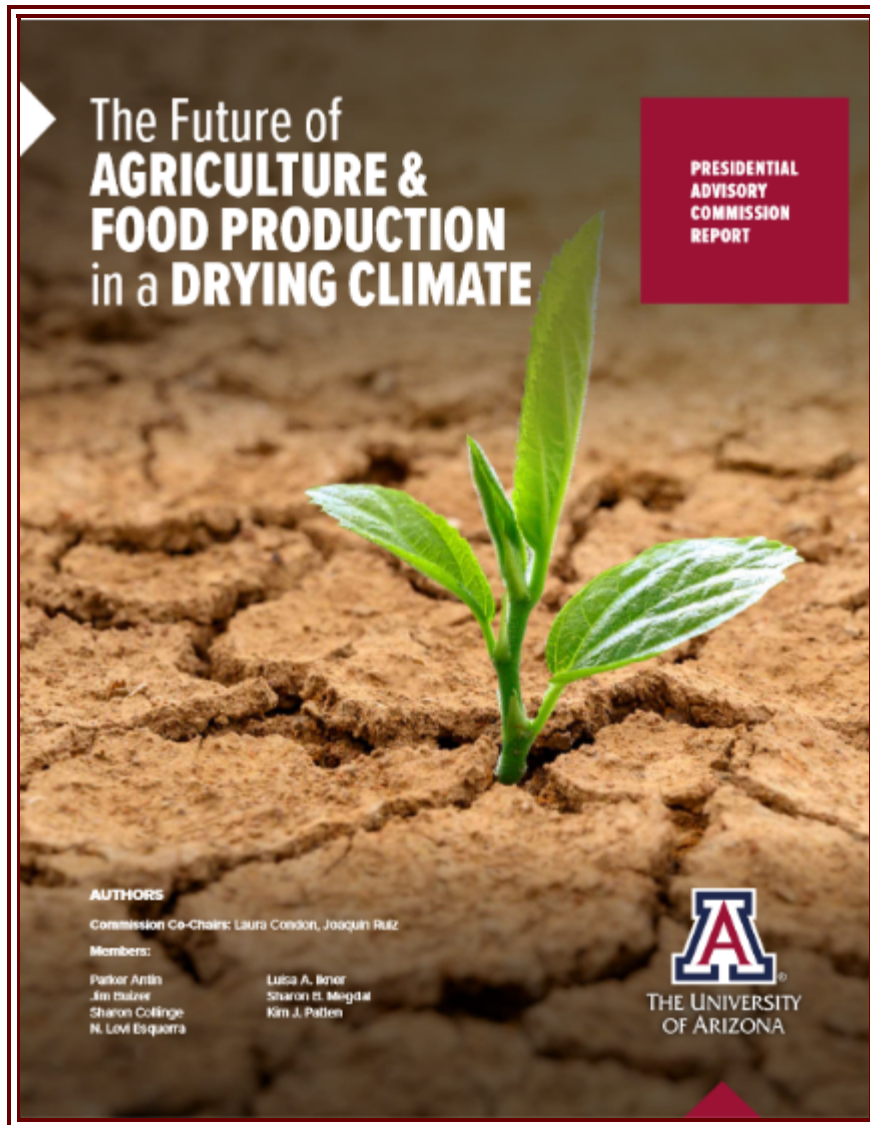
In addition to the local water utilities themselves many groups are working to help communities in Northern Arizona achieve access to affordable, safe, clean water, including the Navajo Nation Water Access Coordination Group, Moenkopi Development Corporation, Native Builders, and the Northern Arizona Municipal Water Users' Association, among others.

In this paper water affordability is described and analyzed for tribal and non-tribal communities across Northern Arizona with the hope that the information can be useful to these utilities and groups.

(1) Health Resources and Services Administration (HRSA) "Rural Health for Arizona Overview," Rural Health Information Hub, October 28, 2021, <https://www.ruralhealthinfo.org/states/arizona>.

[Read more](#)

The Mining Law Summit will be held November 9th.
The focus this year will be on gems and gemstones.
Program and registration information is not available at this time.



NRULPC highlighted in University of Arizona Presidential Advisory Commission Report

[The Future of Agriculture and Food Production in a Drying Climate Report](#) calls for the creation of the Institute for Sustainable Food, Water and Agricultural Systems. The University Units Involved: “As envisioned, the Institute would be inclusive and collaborative, bringing together experts in agriculture, food, water systems, engineering, social sciences, law, policy, and others from across campus. To advance its mission, it is recommended that the Institute be formed by and housed in RII, and that it partners with academic units, centers and institutes, and Cooperative Extension to advance its mission. Performing policy analysis: Because governmental policies can accelerate or hinder movement toward more sustainable agricultural and food production systems, ISFWAS will work with university partners to better understand the implications of current policies or those under consideration and co-develop policy-centered

solutions.” *The NRULPC and the Natural Resource Use and Management Clinic are both highlighted as expertise resources for the Institute (pages 15 and 16). This new institute will bring collaboration on natural resource users issues to a whole new higher level.*

Read more.

New Resources on the NRULPC Website and Blog

[Website](#)

- [Regulatory Roundup](#) - newest issue to be released September 30, 2023

[Western Lands, Western Waters Blog](#)

- No new blog entries at this time
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Natural Resource Users Law & Policy Center (NRULPC)

The Natural Resource Users Law and Policy Center (NRULPC) is a creative partnership of the University of Arizona's James L. Rogers College of Law and Cooperative Extension that grew out of grassroots discussions. The Center's aims are to collaborate with stakeholders, mentor student clinicians and fellows, provide scholarly legal and policy analysis, and address the underrepresented law and policy needs of the natural resource community of Arizona and the West.



[NRULPC Website](#)

The NRULPC website provides information on the about the center, student programs, leadership and staff, out publications and the Advisory Board.

Newsletter and Other Resources

Newsletters

- Vol. 1, Number 1 - November 2, 2017 - Welcome to the First NRULPC Newsletter!
- Vol. 1, Number 2 - December 22, 2017
- Vol. 1, Number 3 - February 9, 2018
- Vol. 1, Number 4 - March 19, 2018
- Vol. 1, Number 5 - April 30, 2018
- Vol. 1, Number 6 - May 31, 2018
- Vol. 1, Number 7 - July 24, 2018
- Vol. 2, Number 1 - October 19, 2018
- Vol. 2, Number 2 - December 20, 2018
- Vol. 2, Number 3 - February 25, 2019

[Newsletter](#)

The first issue of the NRULPC newsletter was released November 2017. It is published at various times of the year, but generally about every two months.

Western Lands, Western Waters

Hot topics in natural resource law and policy affecting the American West



Time sensitive law and policy information.

[Blog](#)

Our Blog posts are carefully researched and written by NRULPC Clinic students.

[Regulatory Roundup](#)

Time sensitive policy and legislative information.
Information made available several times a year.

Would you like to be on our NRULPC listserv? If so, please contact [Sheila Merrigan](#).

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