



UNDERGROUND

Association of Ground Water Agencies Newsletter

Fall 2000

AGWA CHAIRMAN ADVISES BABBITT AGAINST DESIGNATING LAND AS CRITICAL HABITAT FOR ENDANGERED SPECIES

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On behalf of AGWA member agencies, Mills wrote in the letter dated Oct. 3 that the agency is "extremely concerned that the proposed designation...will have a devastating cumulative effect on our members' ability to satisfy existing and future water needs."

Pending critical habitat designations of 478,000 acres for the arroyo southwestern toad and 5.4 million acres for the California red-legged frog will make it more difficult to treat, manage, deliver and recharge groundwater, Mills said.

Any activity on federally regulated land that is designated as a critical habitat (crucial to an endangered or threatened species' survival) must be approved by the U.S. Fish and Wildlife Service (USFWS).

The proposed critical habitat designations for the arroyo toad and red-legged frog cover several critical groundwater basins in Southern California. Many AGWA members' activities are within proposed critical habitat areas and are subject to permit requirements of Federal agencies. To that end, the critical habitat designation is "almost certain to trigger the regulatory restrictions of Section 7 of the Endangered Species Act of 1973 (ESA) and result in new, burdensome restrictions on groundwater management activities," Mills said.

USFWS officials, however, told the Los Angeles Times that critical habitat designations offer little extra protection. Nonetheless, designating critical habitat is a principle of the (ESA) and, according to the Times, USFWS was forced to designate critical habitat for both the toad and the frog because of lawsuits by an environmental group.

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Comments, story suggestions and articles are encouraged. Please call: (714) 964-1668, fax (714) 964-4614 or e-mail: greenliefcomm@socal.rr.com
Visit the AGWA website at: www.agwa.org

AGWA TO CO-HOST CONJUNCTIVE USE CONFERENCE

AGWA will co-host a conference on Conjunctive Use of Ground Water and Surface Water with the American Ground Water Trust on April 11-12, 2001 in Ontario, Calif.

The conjunctive use conference will include more than 20 speakers on topics including:

- Science and engineering aspects of aquifer recharge technology and conjunctive use management;
- Water quality implications of recharging storm water and treated wastewater;
- Economic management models that can aid conjunctive use decision-making;
- Legal issues related to water ownership in conjunctive use scenarios; and
- Potential implications of demographic and climatic trends for water demand in California and the southwest.

AGWA will provide each registrant with a copy of its recently prepared Conjunctive Use Report. Stay tuned for more information about this exciting conference to be held next spring.

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CHROMIUM 6 CONTROVERSY CONTINUES IN LOS ANGELES AREA

More than two years after the state of California called for slashing levels of chromium 6 in drinking water, the controversy continues whether the proposed raised threshold is necessary.

State officials are now studying the safety of the current water supply. The Office of Environmental Health Hazard Assessment has proposed a public health goal of 2.5 parts per billion (ppb) for total chromium, which officials say would reduce levels of the toxic chromium 6 (also known as hexavalent chromium) to 0.2 ppb. The current standard for total chromium is 50 ppb.

Governor Gray Davis signed legislation Sept. 29 requiring state health officials to report by Jan. 1, 2002, on the risk posed by chromium 6.

The Los Angeles Regional Water Quality Control

Board (LARWQCB) will hold a workshop in Glendale on Nov. 13 at the Hilton Glendale to spur debate and help the public understand the chromium issue.

The Los Angeles Times reported Nov. 2 that LARWQCB will send out letters to more than 200 Glendale-area companies notifying them that inspectors will visit their properties to determine if there is contamination on the sites.

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Water officials, including AGWA member and Upper Los Angeles River Area Watermaster Mel Blevins, have urged local governments to be cautious. They say the proposed public health goal is scientifically flawed, and in the San Fernando Valley basin alone the goal could force the cities of Los Angeles, Burbank and San Fernando to pay up to \$50 million for imported water.

"As watermaster, it is my view that low levels of chromium 6 in groundwater are safe to drink," said Blevins. "More testing is required to determine a new MCL."

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"What it means to me is surface water had the opportunity to percolate down into the groundwater," said Blevins. "That pollution is some of the main sources of the problem we're seeing today."

Blevins recently found the records while preparing a report on chromium pollution for the Los Angeles City Council. He subsequently provided copies of the report to the Times.

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Although chromium 6 is considered a carcinogen when inhaled, scientists are at odds over the threat posed by chromium 6 in drinking water. The state does not require water agencies to test for chromium 6. Instead, agencies test for the presence of total chromium, which is limited to 50 ppb.

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Blevins has said he's willing to allow Glendale to continue discharging treated groundwater into the river through Jan. 1, 2001, but he will fight any efforts by the U.S. Environmental Protection Agency to allow any dumping after that date.

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As of Oct. 31, the EPA hasn't decided whether it will allow the dumping to continue.

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AGWA member agency Orange County Water District (OCWD) is experimenting with fish to provide additional water quality monitoring in the county's groundwater basin. The experiment will determine whether fish can act as water quality tools for monitoring future changes in the Santa Ana River and groundwater.

Called the Biomonitoring Demonstration Project, the experiment compares continuous flows of shallow groundwater - recently percolated from the Santa Ana River - as the test water, with dechlorinated tap water as the control water to see if there is any significant effect on fish well-being and growth. The two types of fish, Japanese

medaka and zebrafish, are being monitored over a nine-month exposure period, in a facility equipped with more than 30 aquariums.

"OCWD sees the Biomonitoring Demonstration Project as a possible additional source of water quality data if the experiment is successful," said Irv Pickler, President of the Orange County Water District Board of Directors. "Additional funding and research will be necessary if it is decided to use fish as a water-quality monitoring tool."

The experiment will test varying water conditions, including temperature, dissolved oxygen, storm flows and normal flow conditions from groundwater and Santa Ana River water.

If the experiment is successful, adding another source of water quality data from the fish will ensure the long-term quality and safety of Orange County's groundwater supplies.

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The program includes construction of recharge ponds and recovery wells, enhancement of riparian habitat along the Kern River channel in the urban Bakersfield area and increased ease of exchanges between Kern County water districts. The program also includes significant recreational benefits in the construction and preservation of parkways, open space and the Kern River bike path.

Actions taken at the meeting included the close of escrow and acceptance of the deed to the Garces Water Company's 15 percent interest in Lower Kern River water rights, a major acquisition in the agency's service area. Funding for the program is provided under the terms of Proposition 13 and was earmarked for KCWA by Governor Gray Davis.

Members of the general public and representatives of local water districts joined in expressing favorable opinions regarding the potential benefits of this KCWA-sponsored program that provides broad-based benefits for the entire Kern County community, including agricultural and domestic water users. Additional support was expressed by members of the Bakersfield City Council at a workshop held on Sept. 27.

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BLM, as the lead federal agency, and Metropolitan, as the lead state agency, developed the supplement in response to public and agency concerns about groundwater management and potential air quality impacts associated with the project, proposed by Metropolitan in partnership with AGWA affiliate Cadiz, Inc. Cooperating agencies in developing the supplement were the National Park Service (NPS) and the U.S. Geological Survey (USGS).

The project proposes to use the groundwater basins under a portion of the Cadiz and Fenner Valleys, about 60 miles southwest of Needles, Calif., to store imported water from the Colorado River Aqueduct during years with surplus water and extract the stored water and available groundwater for use by Metropolitan to serve its customers.

The supplement focuses on a detailed groundwater monitoring and management plan designed to provide safeguards that protect existing underground aquifers. The plan includes water monitoring facilities; air monitoring facilities related to Bristol and Cadiz dry lake beds; monitoring procedures; trigger levels for action; and specified responses if trigger levels are reached.

Public comments are invited during the 45-day comment period, which ends Dec. 4. Comments should be addressed to BLM (Attn: James Williams, 6221 Box Springs Blvd., Riverside, CA 92507) or Metropolitan (Attn: Jack Safely, P.O. Box 54153,

Los Angeles, CA 90054).

Copies of the supplement are being mailed to those who commented on the draft EIS/EIR published on Nov. 26, 1999. The supplement is available online at www.ca.blm.gov/needles/nepa01.html. Review copies are available at local public libraries.

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ANAHEIM STUDENT WINS TRIP TO NATIONAL GROUNDWATER FOUNDATION SUMMIT

AGWA member agency Orange County Water District's (OCWD) Groundwater Guardian Team and the Blue Planet Foundation have selected an Anaheim, Calif., student as the winner of an all expenses-paid trip to the National Groundwater Foundation's 2000 Youth Summit on Environmental Health.

Jennifer Higashi - a ninth-grader from Acaciawood School in Anaheim - will represent Orange County at the Youth Summit scheduled for Nov. 12-15, 2000, in Nebraska City, Neb.

Seventh, eighth and ninth-grade students interested in the environment were sought to compete for the free trip. Higashi was chosen as Orange County's delegate for "her essay and her enthusiasm during the interview," according to OCWD.

"The environment and water has always captured my interest since it is vital to our existence," Higashi wrote in her essay. "I believe that I will gain valuable information that will help me learn how I can play my part in bettering our environment both now and in the future."

Over the past few years, Higashi has spent time studying marine biology in Long Beach, cleaning up beaches near Irvine, studying brine shrimp at Mono Lake and attending Water Camp at the National Water Research Institute in Fountain Valley.

The three-day conference will bring together students from all over the country to educate them

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about the connections between environmental and human health. The conference will encourage participants to communicate a message to their community about the importance of protecting natural resources including soil, water, air and habitat.

The OCWD Groundwater Guardian Team is one of 24 Groundwater Guardian and Child Health Champion communities across the country selected to send a student representative to the Youth Summit.

Water Drops....

- On Nov. 1, President Clinton signed into law a plan to move a huge pile of uranium processing waste that is leaking into the Colorado River near Moab, Utah, to a safer area. The cost is estimated at about \$300 million.
- As of Nov. 1, Patrick Wright is heading CALFED.
- The third meeting of the Governor's Advisory Drought Planning Panel was held Nov. 6 in Anaheim, Calif. The panel, mandated by the CALFED Bay-Delta action framework, is developing a contingency plan to reduce the impacts of critical water shortages in California. The Panel is scheduled to submit its plan to the Governor in December 2000. Information about the panel is available at <http://www.dwr.water.ca.gov/DroughtPanel>.
- On Sept. 22, U.S. District Court Judge Oliver Wagner issued his ruling on the litigation concerning the Endangered Species Act listing of the Sacramento splittail by the U.S. Fish and Wildlife Service (USFWS), entering a judgment for the plaintiffs (the State Water Contractors and San Luis-Delta Mendota Water Authority). The judgment found the listing was an unlawful action and gave USFWS six months to reconsider the listing decision, left the rule in effect, and agreed to USFWS' plan to protect the State Water Project and Central Valley Project from any water supply losses due to the listing.

AGWA Meeting Happenings....

Sept. 18, 2000

- Ms. Traci Stewart, Chief of Watermaster Services of the Chino Basin Watermaster, gave a presentation on the Chino Basin Optimum Basin Management Program.
- Chairman Bill Mills reported that comments to the USEPA regarding the rulemaking process for arsenic are due by Sept. 20. He provided copies of a draft letter to USEPA for review and comment.
- Mr. Fred Fudacz of Nossaman, Guthner, Knox and Elliot reported that his firm has been working with several clients regarding the designation of critical habitat for the arroyo southwestern toad. AGWA authorized Chairman Bill Mills to send a letter to Mr. Bruce Babbitt regarding the critical habitat designations (see related story).
- Chairman Bill Mills reported that AGWA is scheduled to conduct its annual election of officers at its November meeting and requested the appointment of a nominating committee. Mr. Blevins, Mr. Palmer and Mr. Cavendar agreed to serve on this committee.
- Mr. Palmer reported that the Salinity Management Coalition would be meeting on Sept. 19 at OCWD.
- Mr. Fudacz reported on the Supreme Court's decision regarding the Mojave Adjudication on Aug. 21.
- Mr. Palmer reported that Governor Davis has appointed a Drought Management Task Force.
- Mr. Palmer reported on the new MWD rate structure and that it is taking more time than originally anticipated.
- Ms. Beilstein reported that the AGWA Summer 2000 newsletter was available online.
- Mr. Blevins reported that he has committed AGWA to joining the American Ground Water

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Trust in sponsoring its conjunctive use conference (see related story).

- Mr. Chris Peterson of Montgomery Watson discussed distribution options and costs associated with the conjunctive use guides.
- Ms. Williams reported that AGWA is a co-sponsor of ACWA's pre-conference seminar on groundwater issues in November.

October 16, 2000

- Due to the lack of a quorum of Directors and Alternates, the Board of Directors did not take action on any items at the meeting.
- Mr. Blevins reported on his recent experiences pertaining to the discovery of chromium 6 in the Los Angeles Department of Water and Power's water supplies.
- Mr. Blevins reported that the Nominating Committee recommends that AGWA's current officers continue serving for another term.
- Mr. Palmer reported that the Salinity Management Coalition is proceeding with plans for a Salinity Summit in March 2001. He also stated that the Coalition is working on obtaining state funding for salinity control measures, such as construction of desalters and brine lines.
- Mr. Palmer reported that AGWA received its first quarterly invoice for payment to SCAP for administration of the Salinity Management Coalition. He added that AGWA previously authorized the expenditure for a 6-month trial period, at a cost of \$200 per month.
- Mr. Palmer reported that Chairman Bill Mills is scheduled to represent AGWA at the Drought Management Task Force meeting in early November. He also stated that Mr. Rich Atwater is coordinating this activity with Mr. Mills.
- Mr. Palmer reported that MWD published the first draft of its proposed rate structure. He noted that the proposed rate structure will be

presented to the MWD Board of Directors at a workshop on Oct. 17, 2000, and added that it is available for public comment through November.

- Mr. Blevins reported on the status of the plans for the Conjunctive Use Conference, which is scheduled for April 11-12, 2001 at the Ontario Convention Center.
- Mr. Dave Ebersold of Montgomery Watson provided an update on the development of the conjunctive use report.
- Mr. Neufeld suggested that AGWA contact its members to see if anyone would be willing to provide regular updates at the meetings on legislative matters. Ms. Williams noted that she would provide legislative information gathered by the San Gabriel Valley Water Association on information; however, much of that information is generally focused on San Gabriel Valley issues.
- Mr. Palmer reported on the status of the Raymond Basin conjunctive use agreement with MWD. He noted that the legal aspects of the agreement are nearly final; however, MWD and the engineering consultants are now working with the local purveyors to address water supply mitigation issues.

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- As of Nov. 1, Patrick Wright is heading CALFED.
- The third meeting of the Governor's Advisory Drought Planning Panel was held Nov. 6 in Anaheim, Calif. The panel, mandated by the CALFED Bay-Delta action framework, is developing a contingency plan to reduce the impacts of critical water shortages in California. The Panel is scheduled to submit its plan to the Governor in December 2000. Information about the panel is available at <http://www.dwr.water.ca.gov/DroughtPanel>.
- On Sept. 22, U.S. District Court Judge Oliver Wagner issued his ruling on the litigation concerning the Endangered Species Act listing of the Sacramento splittail by the U.S. Fish and Wildlife Service (USFWS), entering a judgment for the plaintiffs (the State Water Contractors and San Luis-Delta Mendota Water Authority). The judgment found the listing was an unlawful action and gave USFWS six months to reconsider the listing decision, left the rule in effect, and agreed to USFWS' plan to

protect the State Water Project and Central Valley Project from any water supply losses due to the listing.

AGWA Meeting Happenings....

Sept. 18, 2000

- Ms. Traci Stewart, Chief of Watermaster Services of the Chino Basin Watermaster, gave a presentation on the Chino Basin Optimum Basin Management Program.
- Chairman Bill Mills reported that comments to the USEPA regarding the rulemaking process for arsenic are due by Sept. 20. He provided copies of a draft letter to USEPA for review and comment.
- Mr. Fred Fudacz of Nossaman, Guthner, Knox and Elliot reported that his firm has been working with several clients regarding the designation of critical habitat for the arroyo southwestern toad. AGWA authorized Chairman Bill Mills to send a letter to Mr. Bruce Babbitt regarding the critical habitat designations (see related story).
- Chairman Bill Mills reported that AGWA is scheduled to conduct its annual election of officers at its November meeting and requested the appointment of a nominating committee. Mr. Blevins, Mr. Palmer and Mr. Cavendar agreed to serve on this committee.
- Mr. Palmer reported that the Salinity Management Coalition would be meeting on Sept. 19 at OCWD.
- Mr. Fudacz reported on the Supreme Court's decision regarding the Mojave Adjudication on Aug. 21.
- Mr. Palmer reported that Governor Davis has appointed a Drought Management Task Force.
- Mr. Palmer reported on the new MWD rate structure and that it is taking more time than originally anticipated.
- * Ms. Beilstein reported that the AGWA Summer 2000 newsletter was available online.
- Mr. Blevins reported that he has committed AGWA to joining the American Ground Water Trust in sponsoring its conjunctive use conference (see related story).
- Mr. Chris Peterson of Montgomery Watson discussed distribution options and costs associated with the conjunctive use guides.
- Ms. Williams reported that AGWA is a co-sponsor of ACWA's pre-conference seminar on groundwater issues in November.

October 16, 2000

- Due to the lack of a quorum of Directors and Alternates, the Board of Directors did not take action on any items at the meeting.
- Mr. Blevins reported on his recent experiences pertaining to the discovery of chromium 6 in the Los Angeles Department of Water and Power's water supplies.
- Mr. Blevins reported that the Nominating Committee recommends that AGWA's current officers continue serving for another term.
- Mr. Palmer reported that the Salinity Management Coalition is proceeding with plans for a Salinity

Summit in March 2001. He also stated that the Coalition is working on obtaining state funding for salinity control measures, such as construction of desalters and brine lines.

- Mr. Palmer reported that AGWA received its first quarterly invoice for payment to SCAP for administration of the Salinity Management Coalition. He added that AGWA previously authorized the expenditure for a 6-month trial period, at a cost of \$200 per month.
- Mr. Palmer reported that Chairman Bill Mills is scheduled to represent AGWA at the Drought Management Task Force meeting in early November. He also stated that Mr. Rich Atwater is coordinating this activity with Mr. Mills.
- Mr. Palmer reported that MWD published the first draft of its proposed rate structure. He noted that the proposed rate structure will be presented to the MWD Board of Directors at a workshop on Oct. 17, 2000, and added that it is available for public comment through November.
- Mr. Blevins reported on the status of the plans for the Conjunctive Use Conference, which is scheduled for April 11-12, 2001 at the Ontario Convention Center.
- Mr. Dave Ebersold of Montgomery Watson provided an update on the development of the conjunctive use report.
- Mr. Neufeld suggested that AGWA contact its members to see if anyone would be willing to provide regular updates at the meetings on legislative matters. Ms. Williams noted that she would provide legislative information gathered by the San Gabriel Valley Water Association on information; however, much of that information is generally focused on San Gabriel Valley issues.
- Mr. Palmer reported on the status of the Raymond Basin conjunctive use agreement with MWD. He noted that the legal aspects of the agreement are nearly final; however, MWD and the engineering consultants are now working with the local purveyors to address water supply mitigation issues.

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