

## Southwestern States Dealing with Drought

As the drought continues, southwestern states are increasingly taking legislative action to help residents deal with the exceptionally dry conditions. In Utah, Governor Mike Leavitt declared a statewide drought emergency on April 24, making state disaster aid, assistance, and relief available to those who will need it.

On May 17, U.S. Agriculture Secretary Ann Veneman designated the entire state of Arizona, in its fourth year of drought, a federal drought disaster area, making federal funds available to victims of the current conditions. Arizona Governor Jane Hull has since declared water emergencies in Coconino and Gila counties, releasing \$50,000 to help the two counties, which have both been forced to haul water to their residents.

New Mexico Governor Gary Johnson released the New Mexico Drought Task Force Plan for 2002 at the end of May. The plan focuses primarily on short-term measures to respond to the worst drought to hit New Mexico in the last 50 years. In response, the New Mexico District of the U.S. Geological Survey set up a drought Web site, which contains up-to-date information on stream and groundwater conditions as well as weather information, agricultural conditions, and photographs.

In May 2002, Colorado Governor Bill Owens signed two bills – House Bills 1414 and 1152 – that he said would go far toward helping Coloradoans battle the worst drought in their state history. The

first bill will expedite the delivery of water to areas where it is needed most, and the second bill authorizes the allocation of millions of dollars in low-interest loans for water projects through the Colorado Water Conservation Board. Parts of California and Texas have also been experiencing drier than normal conditions.

*Visit the following sites for more information:*  
[www.drought.noaa.gov/](http://www.drought.noaa.gov/)  
[www.governor.state.nm.us/2002/drought/drought.htm](http://www.governor.state.nm.us/2002/drought/drought.htm)  
[nm.water.usgs.gov/](http://nm.water.usgs.gov/)  
[www.state.co.us/owenspress/05-23-02b.htm](http://www.state.co.us/owenspress/05-23-02b.htm)

## Federal Appeals Court Upholds EPA Clean Water Decision

On May 31, a U.S. Court of Appeals affirmed a landmark district court ruling that upholds both the Environmental Protection Agency's (EPA) and states' authority to identify which U.S. waterways are polluted by runoff from urban areas, agriculture and timber harvesting, and to identify the maximum amount of pollutants that may enter these waterways. The opinion by Ninth Circuit Court Judge Marsha Berzon on behalf of a three-judge panel in San Francisco affirmed the comprehensive scope of the EPA's Clean Water Act Total Maximum Daily Load (TMDL) program. A TMDL defines the greatest amount of a particular pollutant that can be introduced into a waterway without exceeding the river's water quality standard. The appellate panel found the District Court ruled correctly that Congress intended to include non-point source pollution in the Clean Water Act's water

quality standards and planning program. When the EPA developed a sediment TMDL for the Garcia River in 1998, the American Farm Bureau Federation and other agriculture and timber groups sued, claiming that the EPA and state should calculate TMDLs only for point source pollutants. The District Court and now the Ninth Circuit Court of Appeals rejected the argument presented in the case, holding that the Clean Water Act is designed to provide a comprehensive solution to the nation's water quality problems without regard to the sources of pollution. The Appeals Court held that the Clean Water Act is best read to include waters impaired by non-point sources of pollution in addition to waters impaired by point sources.

*Visit [www.epa.gov/region9/](http://www.epa.gov/region9/)*

## California DWR Gives \$30 Million to Groundwater System

*From an article originally appearing in WaterTechONLINE, July 18, 2002*

The California Department of Water Resources (DWR) awarded \$30 million in grant funding to the Groundwater Replenishment System (GWR). The grant represents the single largest DWR award from the \$91 million in Groundwater Storage Program funds available statewide, according to an Orange County Water District (OCWD) news release.

DWR recognized the GWR System for its potential to lessen overall impact on the Bay-Delta system in Northern California by reducing imported water demands an estimated 75,000 acre-feet per year and for its ability to compensate for future cutbacks in California's supply of the Colorado River by having a new local source of water available, OCWD said.

Once completed, according to OCWD, the GWR System will take highly treated sewer water currently released into the ocean and purify it through microfiltration, reverse osmosis, and ultraviolet light with hydrogen peroxide advanced oxidation treatment, producing water similar in quality to bottled water.

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The purified water will become part of a seawater barrier and be pumped through a 13-mile pipeline to spreading basins in Anaheim where it will percolate into deep aquifers and blend with Orange County's other sources of groundwater, OCWD said.

The \$30 million grant specifically provides funds for construction of water treatment facilities and pumping stations and the 13-mile pipeline from the treatment facilities to existing spreading basins.

The project, OCWD, said, is scheduled to produce purified water by 2006.

Visit [www.watertechonline.com](http://www.watertechonline.com) for complete article.

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## 22 California Cities Sue EPA Over Water Regs

*From an article originally appearing in WaterTechONLINE, July 10, 2002*

Twenty-two Southern California cities filed a complaint for injunctive and declaratory relief in U.S. District Court, charging that the U.S. Environmental Protection Agency (EPA) violated the federal Clean Water Act in its adoption of total maximum daily loads (TMDLs) for trash in the Los Angeles River.

Filed June 28, the complaint said the TMDLs violate state and federal processes – and EPA's own guidelines – by establishing unreasonable and impractical water quality standards and by failing to conduct necessary scientific and economic studies before adoption, the coalition said in a news release.

The cities are concerned about EPA's apparent establishment of a Zero Trash Standard for the Los Angeles River, noting "under USEPA's Trash TMDLs, one piece of litter discharged into the Los Angeles River through any part of (the cities') storm drain system, after year 10, would violate the Trash TMDLs and subject (the cities) to unwarranted enforcement action, penalties and third party citizen suits," according to the news release.

The cities maintain that the EPA acted outside the law by independently establishing TMDLs, when its legal function was to merely review and then approve or disapprove TMDLs submitted by the state, according to the release.

Visit [www.watertechonline.com](http://www.watertechonline.com) for complete article.

## Orange County Water District Wins EPA Award

*From an article originally appearing on WaterTechONLINE, July 26, 2002*

The Orange County Water District (OCWD) received the U.S. Environmental Protection Agency 2002 Environmental Achievement Award in recognition for its exceptional work and commitment to the environment.

OCWD received the award for its environmental program, which includes the Groundwater Replenishment System, the Prado Wetlands treatment system and animal habitat, dairy-engineered wetlands project, ultra-low-flow toilet program, Hotel/Motel and Restaurant Water Efficiency Program, Children's Water Education Festival, Arundo donax removal program in the Santa Ana Watershed and groundwater cleanup programs in collaboration with the U.S. Navy and other water agencies.

Visit [www.watertechonline.com](http://www.watertechonline.com) and [www.ocwd.com](http://www.ocwd.com).

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## New Area Director and Stronger Focus on Rural Areas Announced by Arizona DWR

Arizona Department of Water Resources (ADWR) Director Joseph C. Smith recently announced the appointment of Cindy Shimokusu as Area Director for the Tucson Active Management Area. Smith also announced that Linda Stitzer, the prior Area Director, will assume an expanded planning and policy role to focus on rural areas statewide. Stitzer has been working on long-term solutions to water issues in the San Pedro River region of southeastern Arizona.

In its report to Arizona Governor Jane Dee Hull, the Governor's Water Management Commission recommended a greater focus on rural Arizona. "Based on this recommendation, the department will devote more attention to reaching long-term solutions for water issues in the rural areas of Arizona," said Herb Dishlip, Assistant Director for Statewide Water Planning.

Visit [www.water.az.gov](http://www.water.az.gov).

## Draft Water Quality Report Available from Arizona DEQ

The Arizona Department of Environmental Quality (ADEQ) has completed its Draft Status of Water Quality in Arizona 2002 report, which is available online. The report describes the status of surface and groundwater resources in Arizona in relation to Arizona's water quality standards. Volume I provides Arizona's 2002 integrated surface water quality assessment and a list of impaired waters to fulfill requirements of the Clean Water Act. It also describes how the assessments are performed and addresses Arizona's groundwater quality as well. Volume II documents the studies and data analyses used in the water quality assessment and characterizes water quality by watershed.

Download the report from [www.adeq.state.az.us/environ/water/](http://www.adeq.state.az.us/environ/water/) or phone Danese Cameron at (602) 207-4569.

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## TWDB Launches New Project to Allow On-Line Access to Water Data

The Texas Water Development Board (TWDB) has initiated a new project designed to speed on-line access to comprehensive state water data. The Water Information Integration & Dissemination (WIID) initiative is a four-year program utilizing Internet-based mapping technology to significantly improve internal and external access to water-related data. The first phase of the WIID is planned to take place over a two-year period covering fiscal years 2002 to 2003, and will focus on internal data integration and development of Web-based access to critical information. From one location, users can access information on approximately 126,000 wells that are registered in the TWDB groundwater database. Well drillers can use the site to submit required reports through the Texas Well Report Submission and Retrieval System. Additional information and upgrades will be made to the WIID system as more tools are developed.

The WIID system is at [wiiddev.twdb.state.tx.us](http://wiiddev.twdb.state.tx.us). For more information, contact Anh Selissen at (512) 473-7080 or [anh.selissen@twdb.state.tx.us](mailto:anh.selissen@twdb.state.tx.us).