

New Reports Available from EPA

The U.S. Environmental Protection Agency (EPA) recently released the following reports:

Water on Tap: What You Need to Know (EPA 816-K-03-007, October 2003, 36 pages). EPA's Office of Water released this updated report, which provides practical information about drinking water. Written for the general public, it will be of interest to students, teachers, concerned citizens, water professionals, and anyone concerned with drinking water issues. The report is available online at www.epa.gov/safewater/wot/. Print copies can be obtained from the Office of Water Resource Center or by calling the Safe Drinking Water Hotline at 800-426-4791. For more information, contact Harriet Hubbard at 202-564-4621.

Technical and Regulatory Guidelines Document for Constructed Treatment Wetlands (WTLND-1, November 2003, 212 pages). This document was prepared by The Interstate Technology and Regulatory Council Wetlands Team. It describes fundamental mechanisms of wetland contaminant removal and overall wetland functions and provides detailed descriptions of the various contaminant treatment objectives, treatment efficiencies, and goals of constructed wetland applications. Detailed, site-specific predesign criteria and conceptual designs are outlined, followed by final design, postconstruction activities,

operation and maintenance, monitoring, and implementation costs. The document provides decision trees for each of the major constructed treatment wetland applications to enable users to take basic information from a specific site and, through a flow chart, decide whether a particular wetland system is appropriate for the site. View or download the report at www.itrcweb.org/WTLND-1.pdf.

AZ DEQ Issues Consent Order for Wellton Mohawk District

After extensive discussions with the Wellton Mohawk Irrigation and Drainage District (WMIDD) in Yuma, the Arizona Department of Environmental Quality (ADEQ) issued a consent order requiring the district to follow federal standards for surface water providers.

The order, dated Oct. 30, 2003, requires district officials to comply with new federal regulations for open-canal public water systems where water is accessed for domestic use. Open-canal providers were previously not defined as public water systems, but were reclassified as such by an amendment to the Safe Drinking Water Act.

The district provides water through a 350-mile system of concrete-lined open canals along the Gila River for customers in the Wellton Mohawk Valley, approximately 30 miles east of Yuma. The organization delivers water mostly for farmland irrigation, but the potential for household use made this consent order necessary.

ADEQ officials have worked with WMIDD to bring them into compliance with the new regulations. The consent order calls for the district to ensure customers are not using untreated surface water for household purposes (drinking, cooking, bathing, or oral hygiene), and allows customers to select from a list of potable water providers. WMIDD has until the end of April to finalize these measures.

Visit www.adeq.state.az.us.

AZ DWR Finds Communities Lack Assured Water Supply

The Arizona Department of Water Resources (ADWR) has identified four water providers in Arizona that have failed to meet their 100-year assured water supply. The four purveyors are the Chaparral City Water Company (CCWC) serving Fountain Hills, the Water Utility Community Facilities District of Apache Junction, the city of Florence, and the city of Eloy, all in south-central Arizona.

This is the first time that purveyors have been found to be out of compliance with serious cause for concern; past violations have been easily rectified through reporting corrections.

Since 1980, ADWR has required water purveyors designated as having an assured water supply within the state's Active Management Areas to submit current demands, committed demands (for buildings plotted but not yet built), as well as future projected water demands based on two years of projected growth. The demand is then compared to the designated supplies for the community from such sources as groundwater pumping rights, Central Arizona Project (CAP) allocations, and effluent. Demand and supply are both calculated for 100 years. The purveyors' treatment and water transportation capacities are also considered.

Failure to demonstrate an assured water supply has the immediate result of suspending approval of new subdivisions until the purveyors can identify new

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sources of water to make up the projected deficit. One option is to drill additional wells, but a demonstration must be made (usually with a long-term aquifer test) that drawdown from new wells will not violate maximum aquifer drawdown requirements. Other options include increased use of effluent, conservation measures, or retiring agricultural land and purchasing those pumping rights.

According to ADWR, CCWC faces a particular challenge because the company has fully used its CAP allocation and because hydrologic data for the area are sparse, making identification of additional groundwater sources difficult. Furthermore, the purveyor has allocated 400 acre-feet per year more than its currently designated supply, resulting in a 40,000 acre-foot deficit over the 100-year period of concern.

For more information, contact Doug Dunham at ddunham@adwr.state.az.us.

California Begins MTBE Ban

Effective Jan. 1, 2004, the gasoline additive MTBE (methyl tertiary butyl ether) was banned in California, to be replaced with corn-based ethanol. In 1999, former Gov. Gray Davis ordered the MTBE ban to be effective as of 2003, but this deadline was delayed one year to accommodate the logistical needs of the oil companies.

MTBE is used to make fuel burn more cleanly, thus helping to reduce air pollution, but had the deleterious effect of contaminating numerous drinking water sources throughout California and in other states. The Association of California Water Agencies (ACWA) recently cited a study that estimates costs to clean up the thousands of gallons of MTBE-contaminated drinking water could reach \$29 billion. ACWA has actively opposed the "safe harbor" clause in proposed national energy legislation, which would leave local rate payers and their water districts to pay for cleanups and the replacement of water supplies lost due to MTBE. This legislation failed in 2003 but is likely to be reintroduced in 2004,

according to ACWA.

The start of the MTBE ban had been predicted to cause gasoline shortages and price spikes, but, according to *The Modesto Bee* on Jan. 3, few problems have been reported.

Visit www.acwanet.com.

New Mexico's First Water Plan Approved

New Mexico's first comprehensive state water plan was approved by the Interstate Stream Commission (ISC) on Dec. 17, 2003. Gov. Bill Richardson had mandated that such a plan be in place by the end of December 2003. Information was gathered from public meetings in 29 communities throughout New Mexico from July through September 2003. Comments received from those meetings were posted on the agency's Web site along with a consensus report produced at the New Mexico First Town Hall Meeting in September 2003. Additional comments from the public on the draft document issued in October were incorporated into the final document, as was input from the Interstate Stream Commission's ad hoc committee of regional water planners.

The Office of the State Engineer (OSE) and the ISC intend to use the state water plan as a strategic planning document. The plan will continue to be refined as individual regional water plans are completed. The OSE also will continue to consult with individual tribes and pueblos at their request regarding their specific water issues.

The OSE is charged with administering the state's water resources. The State Engineer, currently John D'Antonio, has power over the supervision, measurement, appropriation, and distribution of all surface and groundwater in New Mexico, including streams and rivers that cross state boundaries. The State Engineer also serves as Secretary of the ISC and oversees its staff. The ISC is charged with separate duties, including protecting New Mexico's right to water under eight

interstate stream compacts, ensuring state compliance with each of the compacts, and water planning.

The New Mexico water plan is available at www.ose.state.nm.us.

California Sues Los Angeles DWP over Owens River

On Dec. 5, 2003, *The Los Angeles Times* reported the California state attorney general's office had filed a lawsuit to force the Los Angeles Department of Water and Power (DWP) to restore water to a 61-mile stretch of the Owens River in Inyo County. Under a 1997 agreement, restoration of flow is required to stop environmental damage to riparian habitats, wildlife, and recreation areas along the river caused by groundwater pumping. The agreement called for DWP to return flow to the river in exchange for the right to continue to pump groundwater, a major source of Los Angeles' drinking water, said the article.

The Times reported that DWP originally agreed to restore flow by mid-2003, but that deadline was pushed back to 2004; now the agency says it won't happen until 2005 or later due to "regulatory paperwork and nit-picking." DWP officials largely blame the delay on the scope of the project and extensive environmental evaluations that must be performed prior to re-initiating flow, according to the newspaper.

In commenting on the lawsuit, California State Attorney General Bill Lockyear agreed with Inyo County Water Director Greg James that delays by DWP were "incomprehensible," especially given the overwhelmingly beneficial affects of the project, reported *The Times*.

The Times subsequently reported on Feb. 11 that environmentalists and the city of Los Angeles have filed a court agreement that calls for DWP to start releasing some water into the river by September 2005 and gradually increase flows to the desired level by April 2006.

Visit www.latimes.com.