

GOVERNMENT

'Our Home Planet' is Lost

From 2002 until recently, NASA's mission statement began, "To understand and protect our home planet, to explore the universe and search for life; to inspire the next generation of explorers as only NASA can." The *New York Times* reported on July 22 that the statement had been quietly altered in February without the knowledge of the agency's employees, its first phrase deleted and consequently now devoid of any mention of the Earth: "To pioneer the future in space exploration, scientific discovery and aeronautics research."

The *Times* reported that numerous NASA scientists, many of whom specialize in earth surface and atmospheric studies, including climate change and impacts of greenhouse gases on the environment, were troubled by the move. The change is considered by many as bringing NASA's stated mission in line with the Bush administration's interest in manned space exploration to the Moon and beyond, and echoes a corresponding shift in NASA's budgets away from earth missions, according to the *Times*.

Visit www.nytimes.com and www.nasa.gov.

Arizona Adds Nitrates to Monitoring Program

The Arizona Department of Environmental Quality (ADEQ) has begun monitoring nitrate levels as part of its Monitoring Assistance Program (MAP) to ensure safe drinking water in public water systems

serving less than 10,000 people. Each water system participating in MAP is charged a base fee and a small service connection fee. The funds are used to hire a private contractor to collect, transport, analyze, and report the sampling results to the water systems and ADEQ.

MAP monitors drinking water for volatile organic compounds, radionuclides, and other pollutants. Monitoring for nitrates will be included in MAP's sampling program under a bill proposed by ADEQ and signed into law last spring by Gov. Janet Napolitano. A major source of nitrates in Arizona is inadequately treated wastewater from septic tanks and aging sewage systems.

Visit www.azdeq.gov/environ/water/dw/map.html.

Feds, State Agree on CA Levee Repair Plan

In May, California Gov. Arnold Schwarzenegger and the Bush Administration agreed to an expedited permitting process to allow California to fix 29 critical levee sites by the end of this year.

Under the Memorandum of Understanding signed by the National Oceanic and Atmospheric Administration Fisheries Service, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and the California Department of Water Resources (DWR), the federal agencies agreed to complete all federal permitting by June 21, 2006, to ensure repairs

are done before the next flood season. Without this agreement, levee repairs were expected to take several years to complete. On June 27, DWR reported that all necessary permits had been secured.

The federal government expedited consultation under the Endangered Species Act, permitting under the Clean Water Act, and the Environmental Review process, and agreed to develop a plan to share costs between the state and federal governments. The critical sites are expected to cost \$150 million to repair. California planned to issue about \$30 million to the federal government so the Corps of Engineers could begin to repair 10 of the erosion sites. DWR plans to fix the remaining 19 sites.

Last February, Schwarzenegger declared a State of Emergency for California's levee system and ordered DWR to develop a plan to begin immediate repairs to prevent catastrophic flooding and loss of life. The emergency declaration allowed state agencies to begin the work immediately by fast-tracking state environmental permits and using emergency contracting procedures, but the federal permits presented a bottleneck prior to this agreement.

Visit www.governor.ca.gov.

Pact Settles Water Rights Among Tribe, SoCal Water Districts

In June, an agreement signed by the Soboba Band of Luiseño Indians, Metropolitan Water District of Southern California (Metropolitan), Eastern Municipal Water District (EMWD), Lake Hemet Municipal Water District, and the U.S. Department of Interior settled nearly 60 years of litigation over water rights in the San Jacinto Basin, reported the *Riverside Press-Enterprise*.

The tribe farms on a 6,000-acre reservation along the San Jacinto River, where by the mid-19th century it had established a self-sustaining agricultural economy. However, the San Jacinto tunnel, constructed in

HydroFacts

Most western states define domestic wells, which are exempt from most regulations, often require no quantified water right, and are unmetered. The water use of these wells is considered *de minimus* or insignificant. However, growing numbers of domestic wells in certain rural basins is raising concerns and leading to calls for limits or increased regulation.

Estimated number of domestic wells in:

AZ: 95,000
CO: 200,000
NV: unknown
NM: 140,000 (as of 2000)

Percent of population served by domestic wells in:

AZ: 4-5
CO: 7-8
NV: 6
NM: 9

Limit on pumpage from domestic wells:

AZ: 35 gal/min (55 ac-ft/yr)
CO: 15 gal/min (24 ac-ft/yr)
NV: 1,800 gal/day (2 ac-ft/yr)
NM: usually 3 ac-ft/yr

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the 1930s as part of the Colorado River Aqueduct, intersected faults and fractures that diverted more water into the tunnel and caused wells, springs, and creeks on the reservation to dry up, claimed the tribe. In 1950 it sued the federal government for failing to protect the reservation's water resources. That lawsuit was finally settled in 1991. However, in 2003 the tribe filed legal action against Metropolitan and EMWD to force resolution of outstanding water claims, requesting an adequate and secure water supply and opportunities for increased water use and development.

The recent settlement involved multiple parties to resolve the tribe's claims. Under the terms of the agreement, Metropolitan will "deliver 7,500 acre-feet per year of water for the next 30-plus years to the Eastern and Lake Hemet districts, which will use the water to recharge the San Jacinto basin to help fulfill the Sosoba Band's water rights and terminate chronic groundwater overdrafts," wrote the *Press-Enterprise*.

The tribe agreed to gradually phase in its increased water use, so that the water districts can design and implement a groundwater management plan that will bring safe yield to the basin, according to the newspaper.

Visit www.pe.com.

Colorado Approves Interbasin Compacts

Last spring, Colorado lawmakers approved House Bill 06-1400 allowing compacts between water users in different basins, reported the *Environmental News Network*, with the goal of enabling varied interests to reach water use agreements. The interbasin compact charter that was approved "urges water users and providers to consider leasing and other temporary arrangements rather than buying water rights. Participants also agreed that the state has to explore flexible, market-based approaches to water supply, including interruptible water contracts, water banking, in-state water

leasing and groundwater recharge," the report said. It also stipulated that any compacts developed under the charter "benefit both the area of origin and the area of use," a point that was deemed significant in a state where water law has historically favored the Front Range.

The charter was developed by the Interbasin Compact Committee within the state's Department of Natural Resources. According to the *ENN* report, critics claim the recent bill lacks means of enforcement and will be difficult to administer.

Visit IBC@state.co.us and enn.com.

Ruidoso, NM Water Use Severely Restricted

In mid-May, an emergency declaration by the village council moved the Village of Ruidoso in southeastern New Mexico into Phase 5 Water Conservation, the most severe phase of water use restrictions. This category prohibits the use of sprinkler systems, garden hoses, and drip irrigation systems for any purpose; plants may only be watered by hand-held containers filled from faucets. Council members also placed a temporary hold on new residential subdivisions and site development applications, excluding single-family building permits within previously approved subdivisions, until conditions improved.

According to the *Ruidoso News*, the declaration was prompted by low water levels in Grindstone Reservoir, low flow in the Rio Ruidoso which feeds the reservoir, and low water levels in production wells.

The town faces limited water resources even in wet years. Under a 2004 amendment to the municipal code of ordinances relating to water conservation, even under normal (Phase 1) conditions, outdoor watering is prohibited between 10:00 a.m. and 6:00 p.m.; further, outdoor watering and vehicle washing is permitted only on alternate days.

Visit www.voruidoso.com and www.ruidosonews.com.

Rural Nevadans Favor Protections, Not Payouts

An offer of \$12 million by the Southern Nevada Water Authority (SNWA) to White Pine County to drop its state-level opposition to a proposed 91,000 acre-feet per year groundwater transfer from the county to the Las Vegas area was rejected in late May, although county commissioners supported continued negotiations, reported the *Las Vegas Sun*.

Terms of the rejected payoff included an initial \$1 million to the county, \$5 million in a trust fund for future mitigation efforts if needed to offset any impacts of pumping, and the remainder in annual \$300,000 increments for 20 years. The agreement itself would have a 75-year term.

In addition, SNWA director Kay Brothers told the *Sun* that the offer also included an environmental protection program that would include monitoring wells to evaluate changes in water levels that might result from pumping.

According to the *Sun*, commissioners determined that the annual payoff would be insufficient to cover the necessary monitoring expenses—such as their own hydrologist—the county would incur if the project goes forward, and the contingency fund could be emptied with just one ranch closure.

The state engineer is scheduled to begin hearings on some of the proposed transfers on Sept. 11. SNWA wishes to have a water-sharing agreement in place before then, reported the *Las Vegas Review-Journal*, although White Pine County officials expressed doubt that would happen. Even if such an agreement could be reached, the state engineer will make the determination of whether or not sufficient water exists in the basin for the proposed transfer to go forward without impacting existing water resources.

Visit www.lasvegassun.com and www.reviewjournal.com.