

GOVERNMENT

LA Restores Lower Owens Flow

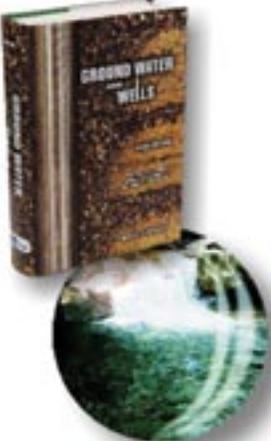
Ninety-three years after Owens River water was diverted to the burgeoning city of Los Angeles by the behemoth-like Los Angeles Department of Water and Power (LADWP), city leaders restored streamflow in a 62-mile stretch of the river in December. Under the cooperative effort,

called the Lower Owens River Project, flow is released from the aqueduct intake into its former channel, along which it flows to the delta of Owens Lake just south of Lone Pine. The discharge rate will be gradually ramped up to the full flow of 40 cubic feet per second by mid-summer. A pumping station just north of Owens Lake will be used to return a portion of

the water to the Los Angeles Aqueduct or to the Owens Lake dust control project. The project will consume about 9,000 acre-feet of water per year, which Los Angeles will offset through conservation measures and additional water purchases.

According to the *Christian Science Monitor*, many consider the restoration effort one of the most ambitious ever attempted in the country. The project developed out of a 1970 court case, eventually followed by a 1997 promise by LADWP to restore flow by 2003. Further delays and fines ensued, but water was finally released into the river "nearly two months ahead of schedule," according to an LADWP press release.

Visit www.ladwp.com and www.csmonitor.com.



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Californians Approve Water Protection Measures

In November, Californians approved Proposition 84, the Clean Water and Coastal Protection Bond Act of 2006. It enables the sale of \$5.4 billion in bonds to provide water-related activities and services in the state, including integrated water management and water quality protection (\$1.3 billion), river, lake, and stream protection (\$928 million), flood control (\$800 million), climate change reduction and sustainable communities (\$580 million), protection of beaches, bays, and coasts (\$540 million), parks and educational facilities (\$500 million), conservation (\$450 million), and water planning and design (\$65 million).

Proposition 1E also passed, authorizing \$4.1 billion in bonds to repair aging levees in the Central Valley and Sacramento-San Joaquin River Delta.

Visit www.ca.gov and www.yeson84.com.



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Photo Courtesy of Phil Paski, HydroSystems, Inc.

Riverside, CA Wins EPA Pretreatment Award

Last fall, the U.S. EPA presented the city of Riverside, California with a first-place

award for its wastewater pretreatment and pollution prevention achievements.

“The city of Riverside has an outstanding pretreatment program coupled with strong pollution prevention elements that focus on pollutants that either impact or could have an effect on the Santa Ana River and its watershed,” said Alexis Strauss, director of EPA’s Water Division for the Pacific Southwest Region.

Generally, publicly owned treatment works (POTWs) are designed to treat domestic sewage, but they also receive some industrial wastewater. EPA’s General Pretreatment Regulations established the responsibilities of federal, state, and local government, industry, and the public to implement pretreatment standards to control pollutants from industrial usage that may pass through or interfere with POTW processes or contaminate sewage sludge. The pretreatment awards recognize municipalities that successfully navigate the complex regulatory program and go beyond EPA’s basic requirements to demonstrate innovation in implementing the program.

Riverside’s water treatment services include primary, secondary, and tertiary treatment of about 30 million gallons of wastewater per day. In addition, the city’s Industrial Waste Inspection program oversees enforcement of all regulations pertaining to the quality of industrial, commercial, and industrial wastewater discharged into public sewer lines for reclamation at the City’s Water Quality Control Plant, and implementation of the industrial pretreatment program.

Visit epa.gov/region9/water/pretreatment/.

Yosemite Projects Halted Over River Concerns

Environmental interests declared victory in November as a federal judge blocked \$60 million worth of construction projects at Yosemite National Park until better protection for the Merced River is in

place. U.S. District Judge Anthony W. Ishii rejected the National Park Service’s (NPS) latest version of the Merced River protection plan, a document that has been more than 15 years in development, according to Friends of Yosemite Valley (FOYV), on the grounds that it did not specify limits to the number of people allowed in sensitive areas of the river.

In 2000, FOYV and another citizens’ organization, Mariposans for the Environment and Responsible Government, filed a lawsuit against NPS to stop all construction projects that would affect the river environment until a valid river protection plan is in place. Two years ago, the 9th Circuit Court of Appeals ordered NPS to prepare a “new or revised” plan for the Merced.

In his ruling, Ishii said that the plaintiffs demonstrated that “restoration” activities identified by NPS were in fact anchoring other projects that could affect the visiting capacity of the river corridor, and that “NPS is ‘simply incorrect’ in believing that they have filled the requirements for proper environmental analysis,” according to an FOYV news release.

Visit www.yosemitevalley.org.

Trinity River Improvements Slated for Texas

Last fall, Texas Gov. Rick Perry announced a major environmental initiative on the Trinity River to improve its ecosystem and water quality. More than \$500,000 in state seed money and in-kind contributions is being made available to the Trinity River Basin Environmental Restoration Project.

The state funds will be used for storm water control, irrigation programs, and education. These bonds plus additional state and private dollars could leverage as much as \$30 million in the next several years to develop a comprehensive water flow model with the Army Corps of Engineers, improve water quality,

enhance wildlife habitat, and expand ecotourism opportunities in the Trinity River Basin. Funds also will be used to leverage federal dollars for grants for the rural areas of the basin.

Texas A&M University’s Texas Water Resources Institute will lead and coordinate urban activities with regard to the project. The university’s Institute for Renewable Natural Resources will manage rural efforts working closely with the Trinity Basin Conservation Foundation, a group of local landowners, conservationists, and parks and wildlife advocates.

The Trinity River has a long history of water quality problems, dating back to the early 1900s when it was known as the “River of Death.” This trend was reversed in the early 1920s with the development of sewer systems and wastewater treatment in Dallas and Fort Worth. Over the past several decades, water quality has improved and the river’s fisheries are returning to a much healthier state.

The Trinity River Basin is the only basin in the country that connects two major metropolitan areas, Dallas-Fort Worth and Houston. The river is in close proximity to 8.9 million residents and provides water to 40 percent of the state’s population.

Visit twri.tamu.edu and irnr.tamu.edu.

Platte River Agreement Finalized

With Secretary of the Interior Dirk Kempthorne’s signature following those of the governors of Colorado, Nebraska, and Wyoming, the Platte River Recovery Program Implementation Cooperative Agreement was set in motion in December. The program pools resources and expertise throughout the basin to protect and restore habitat for threatened and endangered species while ensuring current uses of water can continue. Without the agreement, Endangered

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Species Act consultation requirements would have to be addressed separately for each of the hundreds of federal and private water projects in the basin.

The federal government will provide half the funding; the remainder will be contributed by the three states through nonfederal funds, water, and lands. The estimated total value of these cash and cash-equivalent contributions over the first 13 years of the program is about \$317 million. A governance committee, comprised of representatives from the three states, water users, environmental groups, and federal agencies, will act as the implementation team.

Visit www.usbr.gov.

AZ Superfund Site Delisted

EPA removed the 19th Avenue Landfill Site in Phoenix from the National Priorities List of Superfund hazardous

waste sites last fall after 23 years on the list, having determined that no further cleanup activities are necessary to protect human health and the environment.

Located by the Salt River, the site is a closed landfill owned by the city of Phoenix. The landfill opened in 1946 to accept municipal wastes, as well as hazardous and industrial wastes that may have included pesticides, solvents, and medical wastes. Phoenix operated the landfill from 1964 until 1979, when the Arizona Department of Health closed it after several floods in the late 1970s intermittently covered the landfill with water, with some even washing refuse from it.

Cleanup actions included building levees along the banks of the Salt River for flood protection; widening the river to withstand a 100-year flood event; placing a soil cap and vegetative/erosion layer on the landfill to prevent rainwater seepage;

building landfill gas collection and treatment systems; monitoring landfill gas, ambient air, and groundwater; and developing a contingency plan to address potential groundwater impacts. According to the *Arizona Republic*, Phoenix spent \$22.5 million on these activities.

Phoenix will continue to monitor and maintain the site and conduct routine operations. The Arizona Department of Environmental Quality will continue to oversee activities at the site and conduct a formal review every five years to ensure the effectiveness of the cleanup.

Visit www.epa.gov/superfund/.

AZ Water Protection Grants Awarded

The Arizona Water Protection Fund, established within the Arizona Department of Water Resources in 1994, announced the distribution of \$2.5 million in grants

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to 10 recipients for fiscal year 2007. The grants will fund reclamation projects including stream restoration, erosion reduction and control, removal of tamarisk trees, and enhancement of riparian areas. Individual grants ranged from \$603,000 to Yuma Crossing Natural Heritage Area for the South Channel restoration project, to \$24,000 to the Pima Association of Governments for Cienega Creek studies.

Visit www.awpf.state.az.us.

EPA Clarifies Pesticides Rule

Last fall, the Environmental Protection Agency issued a final rule clarifying two circumstances under which a National Pollutant Discharge Elimination System permit is not required to apply pesticides to waters of the United States. They are: 1) the application of pesticides directly to water in order to control pests; and 2) the application of pesticides to control pests that are present over or near water, where a portion of the pesticides will unavoidably be deposited to the water in order to target the pests.

“This clean water rule strengthens and streamlines efforts of public health officials and communities to control pests and invasive species while maintaining important environmental safeguards,” said EPA Assistant Administrator for Water Benjamin H. Grumbles. According to the *Sacramento Bee*, farmers and those trying to prevent the spread of West Nile virus praised the decision, which has been the subject of conflicting court decisions for several years, while environmentalists warned that this interpretation of the Clean Water Act by EPA was “unlawful,” suggesting future challenges to the decision could arise.

The rule is available at cfpub.epa.gov/npdes/home.cfm?program_id=41#water_transfer. Also see www.sacbee.com.

USDA, EPA Sign Water Quality Credit Trading Agreement

In October, the USDA Natural Resources and Environment Under Secretary Mark

Rey and Benjamin Grumbles, assistant administrator of EPA’s Office of Water, signed an agreement to establish and promote water quality credit trading markets through cooperative conservation.

Water quality credit trading uses a market-based approach that offers incentives to farmers and ranchers who implement conservation practices that improve water quality. While reducing pollution, they can earn credits that can be traded with industrial or municipal facilities that are required by the Clean Water Act and other laws to reduce the amount of pollution in wastewater.

Allowing the market to determine the price per credit by using the principle of supply and demand offers incentives that generate interest among more participants, expanding conservation practices to more acres of agricultural lands. Private-sector water quality markets complement existing federally supported conservation efforts by creating additional revenue streams for water quality improvement.

Visit www.nrcs.usda.gov/about/strategicplan/ and www.epa.gov/waterqualitytrading/.

EPA Issues Groundwater Rule

EPA promulgated the final Ground Water Rule in October to reduce the risk of exposure to fecal contamination that may be present in public water systems that use groundwater. The rule applies to systems that use groundwater and to those that mix surface water and groundwater, if the groundwater is added directly to the distribution system and provided to consumers without treatment equivalent to surface water treatment.

The rule adopts a risk-targeting approach that relies on four major components:

- regular sanitary surveys of public water systems to look for significant deficiencies in key operational areas that could potentially cause contamination to be introduced to the water;

- for systems that do not already treat drinking water to reliably remove 99.99 percent of viruses, source-water monitoring requirements are triggered when a positive sample is identified during Total Coliform Rule monitoring. Optional assessment monitoring targeted at high-risk systems may also be required by individual states;
- implementation of corrective actions by groundwater systems with a significant deficiency or evidence of source water fecal contamination; and
- compliance monitoring for systems that are sufficiently treating drinking water to ensure effective removal of pathogens.

The compliance date for triggered and compliance monitoring is Dec. 1, 2009.

Visit www.epa.gov/safewater/disinfection/gwr/.

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