

SCOPE
Santa Clarita Organization for Planning and the Environment
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY
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6-12-11

Mayor and City Council
Jason Smisko, Planner
City of Santa Clarita
23920 Valencia Blvd.
Santa Clarita, CA 91355

Re: One Valley One Vision General Plan Update and EIR,
Tuesday June 13th Council Agenda Plan

Dear Council and Mr. Smisko:

In the last week, several new developments have come to light that will severely affect water supply and water quality in the Santa Clarita Valley. The proposed One Valley One Vision General Plan update depends on a clean, healthy and sufficient water supply to support a projected buildout and a population increase of twice the existing residents. It now appears that such a supply may not in fact exist. Therefore, these new events must be evaluated and addressed before consideration of the Plan proceeds further. It is imperative that the City ensures that both existing and future residents have a clean and safe drinking water supply and that the water quality of the Santa Clara River is protected.

We join with other groups and individuals in re-stating these concerns.

Spread of Ammonium Perchlorate Pollution to Well V201

Ammonium perchlorate interferes with iodine uptake by the thyroid gland, thus producing hypothyroidism. This condition especially affects sensitive populations including fetuses, infants, small children and those with impaired immune systems. It can cause retardation in infants and children. While State officials recently urged an even lower Maximum Contaminant Level (MCL) for ammonium perchlorate and the Environmental Working Group urges a 0 tolerance level for children, the public in this Valley was not even informed of the closure of yet another drinking water well due to perchlorate pollution.

On June 9th, 2011, the Newhall Signal ran a news story regarding the spread of the pollution plume to Valencia Saugus water well 201. (Press release attached).

Interestingly, the press release states that this well has been closed since August 2010. However, the OVOV Plan did not disclose or discuss this information. ***Failure to disclose such important information in the DEIR and to the public constitutes a serious deficiency in the CEQA document and in the planning process.*** Since this well has been closed for almost a year, during which time many hearings on the OVOV plan were held, there seems to have been a deliberate effort to miss-inform the public and the decision-makers. We strongly protest the City's lack of transparency on this matter.

This lack of transparency is particularly disturbing since the water agencies seem to have a record of keeping information from the public. During the CLERLA litigation CLWA sought and obtained an order sealing the Court record so that information, depositions and expert testimony that is normally publicly available to anyone would be kept secret, even from elected water agency members. (Protective order attached) Since this Court matter is now settled, the documents should now be unsealed so that the public has full access to this information. We urge the City to request these documents so that they can be fully apprised of all aspects of the Santa Clarita Valley's groundwater contamination.

As the City undoubtedly knows, this is an extremely serious situation since it means that the pollution plume has moved beyond the "pump and treat" capture wells and is moving at a much faster rate of travel than previously estimated would occur. (See attached Maps for location of various water supply and monitoring wells.¹ In 2004, the environmental community, including SCOPE, expressed grave concern over the possibility of such a scenario, but the water agencies and others disregarded those concerns.

If pumping from this well continues, such pumping may draw the pollution plume further in a westerly direction, thus spreading the contamination into an even greater portion of the Saugus aquifer and possibly making that ground water source unusable. In fact, this was already a concern put forward by Whittiker during the CERCLA litigation filed by Castaic Lake Water Agency². The Water Agencies were only able to fend off this assertion by Whittiker because they took several actions to protect the public including items #3 and #4:

3. "notified local government bodies of their decision to remove wells from service" and
4. "participated in numerous meetings about the Santa Clarita Valley's perchlorate problem with state agencies and citizens groups³"

These two precautions were ignored in regards to the notification of contamination and subsequent closure and of Well V201.

The now likely possibility of the spread of the pollution plume has major implications for water supply in the Santa Clarita Valley. SCOPE therefore believes it is imperative that the City delay approval of the OVOV Plan in its current form. We believe the Plan must now be re-written to address the areas of concern stated in our previous letter, but also:

¹ Eastern Santa Clara River Subbasin Ground Water Study, Conceptual Hydrology Technical Memorandum prepared for the USACE, 2004

² Order Granting in Part and Denying in Part Plaintiffs Motion for Summary Judgement, July 2003, CLWA v Whittiker, page 43 Decision attached

³ *Ibid.* Page 46

1. Water supply from well 201 should be permanently removed as available in the Plan until new modeling that indicates continued pumping would not spread the plume is completed. Pump and Treat scenarios are not acceptable if they will merely spread the plume and pollute more wells.
2. Well Q2 should be re-tested on a monthly basis to make sure that pollution is not occurring there again.
3. All wells in the plume area should be tested for TCE and PCE.
4. All results should be included in the Plan.
5. The Plan should be re-evaluated for the adequacy of the water supply.
6. The Plan should require automatic re-evaluation if/when further well closures occur.

In 2004 the Appellate Court⁴ found for the Friends of the Santa Clara River and the Sierra Club and set aside CLWA's 2000 Urban Water Management Plan for failure to provide a timeline indicating when treatment facilities for water polluted by ammonium perchlorate would be available.

That Decision included the following testimony from Department of Toxic Substances:

"The concentration of perchlorate in the production wells probably represents the leading edge of a much larger plume of higher concentrations of perchlorate. The total area of the Saugus Aquifer contaminated by the perchlorate has yet to be fully defined. We do know that the contaminant has migrated a minimum of 2 miles through the subsurface and over land to contaminate the vital pumping areas. (Exhibit 23.) Since the groundwater gradients in the contaminated area in the Saugus are towards the west, the contaminant is likely to continue to migrate further west and northwest. Time of travel from the soil contamination sites to the deep Saugus wells implies that the contaminant has been moving between 1 to 3 feet per day within the Saugus Aquifer. This implies that the perchlorate could impact [VWC's] well No. 201 as early as next year. Further down gradient is [VWC's] well No. 160."

*Also, Richard D. McJunkin, a senior hydrogeologist with the California Department of Toxic Substances Control, testified that increased pumping of water from wells near the contamination site will accelerate the flow of the perchlorate contamination.*⁵

In light of this precedent setting legal decision involving the Agencies' failure to adequately disclose the ammonium perchlorate pollution problem, we encourage the Agencies to act in good faith, withdraw the current plan and address these serious issues.

⁴ *Friends of the Santa Clara River v. Castaic Lake Water Agency* (2004) 123 Cal.App.4th

⁵ *Ibid.* Opinion at page 10

Chlorides

A news article in the Newhall Signal dated June 8th 2011 stated that the Los Angeles Regional Water Quality Control Board has issued Notices of Violation for the Saugus and Valencia Treatment plants for failure to address the Chloride TMDL. The OVOV Plan should disclose these Notices and discuss how the City plans to comply with the Clean Water Act while doubling the current population and increasing effluent flow to the Santa Clara River.

Statements by Castaic Lake Water Agency and the Sanitation Districts that water from the Kern area serves to reduce the chloride concentration in State Water Project (SWP) water are not accurate for the following reasons:

1. no study exists to verify this hypothesis
2. CLWA water wheeled from banking projects in the Kern area through the aqueduct is only a small percentage of the total state water delivered through the east and west branch of the aqueduct. Thus, this water could not possibly reduce chloride levels in SWP water in any appreciable amount.

Conclusion

SCOPE joins with other organizations and members of the community in asking that the City delay the approval of the OVOV Plan and the certification of the EIR until this new information is thoroughly evaluated.

Sincerely,



Lynne Plambeck
President

Attachments for the Administrative Record:

1. Press release regarding closure of well 201
2. Maps of well locations and monitoring well contaminants, 2004
3. Order Granting in Part and Denying in Part Plaintiffs Motion for Summary Judgement, July 2003, CLWA v Whittiker
4. Protective Order Sealing Whittiker Bermite and Water Agency Well Information
5. Appellate Court Decision in Friends v. Castaic Lake Water Agency
6. RWQCB Notices of Violation for SCV treatment plants dated 5-27-11