

✓ Public Notification. Section 9.6 and Appendix G.

The following information on the assessment must be included in the water system's annual consumer confidence report:

- A statement that a drinking water source assessment has been conducted.
- The date of the assessment.
- Location where assessment is available for review (local DHS district office and, when feasible, at the public water system's office).
- A statement that a summary of the assessment can be mailed upon request.
- A vulnerability summary of the assessment identifying the PCAs to which the system is most vulnerable.
- A contact phone number.

3.2 Ground Water Source of Drinking Water**✓ Location of the Drinking Water Source.** Section 9.1 and Appendix H.

The location (latitude, longitude) of the intake or well shall be determined by a global positioning system (GPS) with accuracy of 25 meters, or by another method with equivalent accuracy. An interim location may be obtained through use of a USGS quad map (7.5 minute series) or another method with similar accuracy.

✓ Delineation of Source Area and Protection Zones. Section 6.2 and Appendix I.

Identify recharge area boundaries (if known) and indicate on the assessment map.

Zones are required.

Minimum acceptable method for determining zones

Calculated fixed radius (CFR) method.

Modified CFR, if direction of groundwater flow is known.

[DHS and LPAs may use arbitrary fixed radius, at minimum distances specified in Table 6-2, for non-community systems.]

California Drinking Water Source Assessment and Protection Program

Minimum distances of zones

The minimum radii of zones, determined from CFR equation, except for wells in fractured rock aquifers, are:

- 600 feet for Zone A (microbiological)
- 1,000 feet for Zone B5 (chemical)
- 1,500 feet for Zone B10 (chemical)

For fractured rock aquifers, the minimum radii are:

- 900 feet for Zone A (microbiological)
- 1,500 feet for Zone B5 (chemical)
- 2,250 feet for Zone B10 (chemical)

Delineation methods more sophisticated than CFR or modified CFR are not subject to minimum distances.

Maximum distances of zones

Zones for a drinking water source need not extend beyond a known hydrogeologic boundary.

✓ Drinking Water Physical Barrier Effectiveness Checklist. Section 8.2.1 and Appendix J.

Evaluate the drinking water source and its site characteristics in terms of the effectiveness of the physical barriers in preventing contaminants from reaching the source:

Complete form and make determination of the effectiveness of the source's physical barriers to contamination, based on geology and hydrogeologic considerations: Low, Moderate, or High.

✓ Inventory of Possible Contaminating Activities (PCAs). Section 7.0 and Appendix K.

Use checklists to identify the types of PCAs in the protection zones (and in the source area, if information is readily available).

Attach a list to the assessment map of the types of PCAs identified in the inventory and the area or zone(s) in which they occur (see Vulnerability Ranking).

✓ Vulnerability Ranking. Sections 8.2.1 and Appendix M.

Evaluate each PCA in terms of its risk ranking, location (zone), and the Physical Barrier Effectiveness of the source. Prioritize PCAs to identify those to which the source is most vulnerable. Prepare prioritized listing of PCAs and attach to the assessment map.

Niki Magee

From: John Watkins [jwatkins@co.riverside.ca.us]
Sent: Monday, January 26, 2009 8:27 AM
To: nmagee@appraisal-ca.com
Cc: cashbe@unitedstrategies.com
Subject: Re: DWSAP

Follow Up Flag: Follow up
Flag Status: Red

I appreciate your continued interest in the subject and the committee. The 900 foot zone mentioned in the DWSAP document is used to help assess the water source and its vulnerabilities. It is not a regulatory setback between a septic system and a well. The enforceable minimum standard is still 100 feet. But, the further a well is from any type of possible contamination source the better.

>>> "Niki Magee" <nmagee@appraisal-ca.com> 1/25/2009 7:41 PM >>>
Mr Watkins,

Thank you for uploading the tape of the December meeting of the Groundwater Quality Evaluation Committee for the Beaumont/Cherry Valley Area.

There is no confusion regarding the 900 foot default radius for septic to wellheads in Cherry Valley. Please see page 14:

http://www.cdph.ca.gov/certlic/drinkingwater/Documents/DWSAPGuidance/DWSAP_document.pdf

The rating sheets are available here:

<http://swap.ice.ucdavis.edu/TSinfo/TSSources.asp?mySystem=3310002>

Of course, you were present at the meeting with Dr Li, Schlange, and Butcher about this very subject.

TIA

Niki Magee

Accord Appraisal

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Meeting of San Timoteo Watershed Management Authority (STWMA)
Tuesday, January 23, 2007 at 4pm
at San Geronio Pass Water Agency, Beaumont, CA

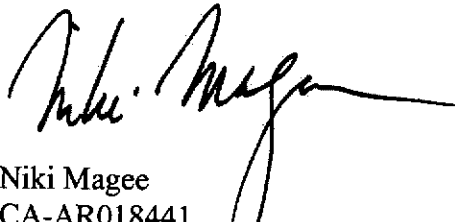
As mandated under Title 42, Chapter 6A, Subchapter 12, Part C of the US Code, the Governor of each state, within three years of June 19, 1986, was to create a state program to establish wellhead protection areas.

Section 116762.60 of the California Health and Safety Code requires DHS to develop and implement a water assessment program and a wellhead protection program. In California the program is the Drinking Water Source Assessment and Protection (DWSAP) Program.

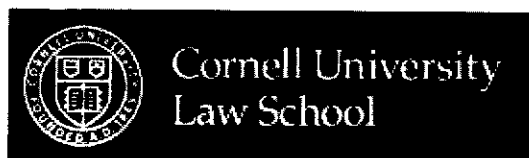
The Judgment No RIC 389197, dated February 4, 2004, ordered the Watermaster to perform "Wellhead Protection and Recharge: The identification and management of wellhead protection areas and recharge areas." These areas have not been mapped and delineation other than fixed radius is not possible. As per DWSAP, the minimum fixed radius for sediment is 600 feet and fractured rock is a minimum of 900 feet. The Bonita Vista and Cherry Valley wells have active septic within 100 feet. The samples were not properly taken and failure to disclose the very close proximity of active septic in the Wildermuth Report is a gross error of omission.

The DWSAP has vulnerability rankings for wells within the Beaumont irrigation district. The highest Possible Contaminating Activity (PCA) is "7". The wells with a PCA of "7" for septic are 04A, 05, 06, 10, 12, 14, 16, 18, 19, 20, 21, and RR-1. As per the DHS (02/19/2007): "The occasional spikes in nitrates in the Beaumont Basin is most probably a result of weather conditions and might possibly suggest slightly elevated levels."

Failure of the Wildermuth Report to consider all high risk wells makes the scope of work insufficient to determine the cause of elevated nitrate levels in the Beaumont Basin.



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TITLE 42 > CHAPTER 6A > SUBCHAPTER XII > Part C > § 300h-7

§ 300h-7. State programs to establish wellhead protection areas

(a) State programs

The Governor or Governor's designee of

each State shall, within 3 years of June 19, 1986, adopt and submit to the Administrator a State program to protect wellhead areas within their jurisdiction from contaminants which may have any adverse effect on the health of persons. Each State program under this section shall, at a minimum—

- (1)** specify the duties of State agencies, local governmental entities, and public water supply systems with respect to the development and implementation of programs required by this section;
- (2)** for each wellhead, determine the wellhead protection area as defined in subsection (e) of this section based on all reasonably available hydrogeologic information on ground water flow, recharge and discharge and other information the State deems necessary to adequately determine the wellhead protection area;
- (3)** identify within each wellhead protection area all potential anthropogenic sources of contaminants which may have any adverse effect on the health of persons;
- (4)** describe a program that contains, as appropriate, technical assistance, financial assistance, implementation of control measures, education, training, and demonstration projects to protect the water supply within wellhead protection areas from such contaminants;
- (5)** include contingency plans for the location and provision of alternate drinking water supplies for each public water system in the event of well or wellfield contamination by such contaminants; and
- (6)** include a requirement that consideration be given to all potential sources of such contaminants within the expected wellhead area of a new water well which serves a public water supply system.

(b) Public participation

To the maximum extent possible, each State shall establish procedures, including but not limited to the establishment of technical and citizens' advisory committees, to encourage the public to participate in developing the protection program for wellhead areas and source water assessment programs under section 300j-13 of this title. Such procedures shall include notice and opportunity for public hearing on the State program before it is submitted to the Administrator.

(c) Disapproval**(1) In general**

If, in the judgment of the Administrator, a State program or portion thereof under subsection (a) of this section is not adequate to protect public water systems as required by subsection (a) of this section or a State program under section 300j-13 of this title or section 300g-7 (b) of this title does not meet the applicable requirements of section 300j-13 of this title or section 300g-7 (b) of this title, the Administrator shall disapprove such program or portion thereof. A State program developed pursuant to subsection (a) of this section shall be deemed to be adequate unless the Administrator determines, within 9 months of the receipt of a State program, that such program (or portion thereof) is inadequate for the purpose of protecting public water systems as required by this section from contaminants that may have any adverse effect on the health of persons. A State program developed pursuant to section 300j-13 of this title or section 300g-7 (b) of this title shall be deemed to meet the applicable requirements of section 300j-13 of this title or section 300g-7 (b) of this title unless the Administrator determines within 9 months of the receipt of the program that such program (or portion thereof) does not meet such requirements. If the Administrator determines that a proposed State program (or any portion thereof) is disapproved, the Administrator shall submit a written statement of the reasons for such determination to the Governor of the State.

(2) Modification and resubmission

Within 6 months after receipt of the Administrator's written notice under paragraph (1) that any proposed State program (or portion thereof) is disapproved, the Governor or Governor's designee, shall modify the program based upon the recommendations of the Administrator and resubmit the modified program to the Administrator.

(d) Federal assistance

After the date 3 years after June 19, 1986, no State shall receive funds authorized to be appropriated under this section except for the purpose of implementing the program and requirements of paragraphs (4) and (6) of subsection (a) of this section.

(e) "Wellhead protection area" defined

As used in this section, the term "wellhead protection area" means the surface and subsurface area surrounding a water well or wellfield, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or wellfield. The extent of a wellhead protection area, within a State, necessary to provide protection from contaminants which may have any adverse effect on the health of persons is to be determined by the State in the program submitted under subsection (a) of this section. Not later than one year after June 19, 1986, the Administrator shall issue technical guidance which States may use in making such determinations. Such guidance may reflect such factors as the radius of influence around a well or wellfield, the depth of drawdown of the water table by such well or wellfield at any given point, the time or rate of travel of various contaminants in various hydrologic conditions, distance from the well or wellfield, or other factors affecting the likelihood of contaminants reaching the well or wellfield, taking into account available engineering pump tests or comparable data, field reconnaissance, topographic information, and the geology of the formation in which the well or wellfield is located.

(f) Prohibitions**(1) Activities under other laws**

No funds authorized to be appropriated under this section may be used to support activities authorized by the Federal Water Pollution Control Act [33 U.S.C. 1251 et seq.], the Solid Waste Disposal Act [42 U.S.C. 6901 et seq.], the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [42 U.S.C. 9601 et seq.], or other sections of this chapter.

(2) Individual sources

No funds authorized to be appropriated under this section may be used to bring individual sources of contamination into compliance.

**(g) Implementation**

Each State shall make every reasonable effort to implement the State wellhead area protection program under this section within 2 years of submitting the program to the Administrator. Each State shall submit to the Administrator a biennial status report describing the State's progress in implementing the program. Such report shall include amendments to the State program for water wells sited during the biennial period.

(h) Federal agencies

Each department, agency, and instrumentality of the executive, legislative, and judicial branches of the Federal Government having jurisdiction over any potential source of contaminants identified by a State program pursuant to the provisions of subsection (a)(3) of this section shall be subject to and comply with all requirements of the State program developed according to subsection (a)(4) of this section applicable to such potential source of contaminants, both substantive and procedural, in the same manner, and to the same extent, as any other person is subject to such requirements, including payment of reasonable charges and fees. The President may exempt any potential source under the jurisdiction of any department, agency, or instrumentality in the executive branch if the President determines it to be in the paramount interest of the United States to do so. No such exemption shall be granted due to the lack of an appropriation unless the President shall have specifically requested such appropriation as part of the budgetary process and the Congress shall have failed to make available such requested appropriations.

(i) Additional requirement**(1) In general**

In addition to the provisions of subsection (a) of this section, States in which there are more than 2,500 active wells at which annular injection is used as of January 1, 1986, shall include in their State program a certification that a State program exists and is being adequately enforced that provides protection from contaminants which may have any adverse effect on the health of persons and which are associated with the annular injection or surface disposal of brines associated with oil and gas production.

(2) "Annular injection" defined

For purposes of this subsection, the term "annular injection" means the reinjection of brines associated with the production of oil or gas between the production and surface casings of a conventional oil or gas producing well.

(3) Review

The Administrator shall conduct a review of each program certified under this subsection.

(4) Disapproval

If a State fails to include the certification required by this subsection or if in the judgment of the Administrator the State program certified under this subsection is not being adequately enforced, the Administrator shall disapprove the State program submitted under subsection (a) of this section.

(j) Coordination with other laws

Nothing in this section shall authorize or require any department, agency, or other instrumentality of the Federal Government or State or local government to apportion, allocate or otherwise regulate the withdrawal or beneficial use of ground or surface waters, so as to abrogate or modify any existing rights to water established pursuant to State or Federal law, including interstate compacts.

(k) Authorization of appropriations

Unless the State program is disapproved under this section, the Administrator shall make grants to the State for not less than 50 or more than 90 percent of the costs incurred by a State (as determined by the Administrator) in developing and implementing each State program under this section. For purposes of making such grants there is authorized to be appropriated not more than the following amounts:

Fiscal year: Amount

1987	\$20,000,000
1988	20,000,000
1989	35,000,000
1990	35,000,000
1991	35,000,000
1992-2003	30,000,000.

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