



UPPER LOS ANGELES RIVER AREA WATERMASTER  
Richard C. Slade - Watermaster

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To: Ms. Ruth Langridge  
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Job No. 500-LAS02

Re: Review of ULARA Portion of  
"An Evolution of California's  
Adjudicated Groundwater Basins,"  
2016-dated Report, "Commissioned by  
The State Water Board"

I am writing, as the Court-appointed Watermaster for the adjudicated Upper Los Angeles River Area (ULARA), and on behalf of the ULARA Administrative Committee, to provide comments related to discussions of ULARA in the above-referenced report that was commissioned by the State Water Resources Control Board.

Having worked in the field of groundwater geology for nearly 50 years, and since being appointed by the Court as of January 1, 2009 as the third Watermaster of ULARA since the January 26, 1979 date of the Final ULARA Judgment, I have a sound understanding of local hydrogeologic conditions and the complicated nature of that Judgment. Whereas I did appreciate the fact that I was contacted in advance of the report publication, and was sent a Draft in ±September 2015 of that portion of your report that described ULARA, I note that some of my response comments were not in the final discussion of ULARA that was incorporated into the published document that is referenced above.

Hence, I am providing herein several additional comments to you in a further attempt to correct portions of your referenced report, so that the State Board, the State Legislature, and the public can be more accurately informed about ULARA.

My review below includes not only my comments, but also those from my outside Watermaster counsel and one or more of the Parties to the Final Judgment:

- a. Page 17: In the first paragraph, it should read, "In the ULARA adjudication, the Court distinguished the factual circumstances and returned to common law doctrine to allocate groundwater rights in the basin." 14 Cal.3d at 267.



- b. Pages 19 and 77 do not include San Fernando in the San Fernando Basin, which the Annual Watermaster Report says is based on a March 22, 1984 Stipulation. Footnote 279 in the report states that the City of San Fernando had not imported any water and was therefore not entitled to return flow. However, Section 5.2.1 of the Judgment affords San Fernando water rights, and the 1984 Stipulation does not do away with this right.
- c. Pages 24 and 77 of the Report state that 214 Parties were awarded water rights in ULARA, and that today there are 24 active pumpers. By our count, only 17 Parties were granted any rights at all under the Judgment.
- d. Page 77, the last sentence of the main introductory paragraph at the top of the page states, “Four sites in the San Fernando Subarea...” should read “Four sites in the San Fernando Basin...”. This is also the case in the second sentence of “Water Quality” on p. 83 and on line 20 in the “Trends” column in the report table on p. 85.
- e. Page 78, first sentence of the third paragraph, mentions the “San Fernando Valley groundwater basins...” There is no such thing as “San Fernando Valley Groundwater Basins” in ULARA. This also applies to lines 23 & 24 in the “Overview” column in the report table on p. 85.
- f. Page 78, near bottom of page under “other duties”: it should be made clear that this 10-year Stipulation of 2007 was strictly for the San Fernando Basin and not for all of ULARA, and particularly not for the other three groundwater basins in ULARA.
- g. Page 80: The statement on excluded users should include the disclaiming and defaulting parties in Attachments C and D of the Judgment.
- h. Page 81, first sentence under “Management and Strategies”: “The basin relies...” It is not clear to which of the four ULARA groundwater basins this comment refers.
- i. Page 82, the first sentence under “box” containing Table 15: The safe yield of the Sylmar Groundwater Basin has been re-evaluated a few times since the originally-calculated value was provided in the 1962-dated Report of Referee. This statement should be clarified to state that previously-calculated values have included:
  - i. 5,610 acre-feet per year (AF/yr) in the 1962 Report of Referee
  - ii. 6,210 AF/yr for the June 26, 1979 Final ULARA Judgment
  - iii. 6.510 AF/yr in Water Year (WY) 1994/95, by then-Watermaster, Mr. Mel Blevins
  - iv. 6,810 AF/yr in WY 2004/05 by then-Watermaster, Mr. Mark Mackowski
  - v. 7,140 AF/yr in WY 2011/12 by the current Watermaster, Mr. Richard C. Slade
  - vi. For WY 2016/17, the current Watermaster is in the process of preparing a report to discuss whether or not an updated safe yield re-assessment is needed.
- j. Page 83, under “Disputes,” the report states “Controversy exists between the ULARA Watermaster and Glendale over Glendale dumping contaminated water into the Los Angeles River.” This issue (which related to the presence of chromium in the pumped



groundwater that could not be treated at that time by the City’s treatment facility) was resolved several years ago, and no controversy exists between this Watermaster and the City of Glendale.

- k. Page 85, in the first three lines in the “Reason for Adjudication” in the column titled “Overview” in the report table, it states “groundwater levels dropped as much as 300,000 AF from...” Groundwater storage is measured in units of AF; groundwater level declines are never discussed in terms of AF. This report statement should be changed to “Groundwater in storage declined by...”
- l. On several pages (e.g., p 80 & p 83) the referenced Report discussed the 10-year Interim Agreement for San Fernando Basin that “was to begin to address the long-term decline in stored groundwater in the San Fernando Basin.” However, instead of acknowledging that the Parties collaborated on the issue, and that the Agreement will have positive impacts on local groundwater, the Report suggests that after the Interim Agreement expires, the Parties could perhaps begin pumping their credits, etc. Rather numerous projects have been implemented to enlarge and improve stormwater capture and artificial spreading operations in the San Fernando Basin. The Report should acknowledge these efforts in connection with the comment on page 82 that there is a need to increase local recharge.
- m. The Report, in some places, appears to be too generalized for all adjudicated groundwater basins in the State, and the Conclusions of the Report do not accurately reflect ULARA. In contrast to those generalized Conclusions, the ULARA Judgment:
  - does find that both pumping rights and basinwide water levels are important
  - does require pumped volumes and water levels be monitored and reported. As a side note, during my long-term groundwater consulting work in numerous, unadjudicated groundwater basins in the State, I have found that local agencies monitor both pumping volumes and water levels in their respective wells, which appears to be in direct conflict with the Report Conclusion that unadjudicated basins do not monitor groundwater conditions, and instead focus on volumes of groundwater pumping.
  - Accumulated groundwater credits in ULARA have never been “cashed-in” without the review/approval/agreement between the various Parties and the Watermaster.
  - The Report also misstates that disadvantaged communities are not/were not represented in the process, when in fact it should be recognized that each of the Parties in ULARA serves water to all “communities” in their respective service areas.

Unfortunately, the Report makes no mention of these facts, which are important to the sustainability of the overall groundwater resources.



I appreciate this opportunity to provide these review comments to the referenced Report. Please call if you have any questions or desire any additional, updated information on ULARA.

Respectfully submitted,

Richard C. Slade, ULARA Watermaster

**ULARA Administrative Committee Members:**

Michael De Ghetto, City of Glendale  
Committee Chair

Bill Mace, City of Burbank  
Committee Vice Chair

David Gould, Crescent Valley Water District

Tony Salazar, City of San Fernando

David Pettijohn, City of Los Angeles