

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2013-0033**

TO ADD THE SAN LUIS OBISPO COUNTY (COUNTY) LOS OSOS WASTEWATER PROJECT (PROJECT) TO THE WATER RECYCLING FUNDING PROGRAM'S (WRFP) CONSTRUCTION GRANT COMPETITIVE PROJECT LIST AND TO AUTHORIZE THE WRFP TO PROVIDE A PRELIMINARY FUNDING COMMITMENT (PFC) FROM THE CONSTRUCTION GRANT PROGRAM; WRFP PROJECT NO. 3314-030

WHEREAS:

1. The State Water Resources Control Board (State Water Board) adopted the "*Water Recycling Funding Program Guidelines*" (Guidelines) and amended it on July 15, 2008;
2. The Project is a Category I project according to the Guidelines, but is not included on the WRFP Competitive Projects List (CPL), adopted January 20, 2005;
3. An independent credit review was completed on May 28, 2010;
4. The County prepared an Environmental Impact Report (EIR) for the Project, distributed it to the public, and circulated it through the State Clearinghouse No. 2007121034;
5. The County certified the EIR, adopted a Mitigation Monitoring Program and a Statement of Overriding Considerations (SOC), and approved the Project on September 29, 2009;
6. The County filed a Notice of Determination with the San Luis Obispo County Clerk on September 30, 2009, and with the Governor's Office of Planning and Research on October 5, 2009;
7. The County adopted an SOC to substantiate its decision to approve the Project despite significant unavoidable impacts to 22 acres of locally important farmland;
8. The State Water Board has determined that significant unavoidable impacts to farmland will result from construction of the treatment plant portion of the Project; and
9. The State Water Board finds that the following specific economic, social, technological, and environmental benefits of the Project outweigh the significant unavoidable impacts to farmland:
 - a. The Project will allow the community of Los Osos to comply with the Central Coast Regional Water Quality Control Board's Resolution 83-13; and
 - b. The Project will eliminate discharges from onsite septic systems to alleviate groundwater contamination.
10. The County is not a signatory to the California Urban Water Conservation Council's Memorandum of Understanding (MOU) regarding Urban Water Conservation in California;
11. The County does not meet the definition of an Urban Water Supplier as defined in Section 10617 of the Water Code, therefore Water Code Sections 10631.5 and 529.5 do not apply; and
12. Water Code section 5103, Statement of Diversion and Use of Water, does apply to the County. The County's compliance with Water Code section 5103 will be a material condition of the grant agreement.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Adds the Project to the WRFP CPL;
2. Approves a \$4,000,000 WRFP PFC for the proposed Project; and
3. In accordance with Section III.F of the WRFP Guidelines, conditions this approval by withdrawing the WRFP PFC if the County does not sign the grant agreement by April 8, 2014. Division staff has the discretion to approve up to a 90-day extension for good cause.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on October 8, 2013.

AYE: Chair Felicia Marcus
Vice Chair Frances Spivy-Weber
Board Member Tam M. Doduc
Board Member Steven Moore
Board Member Dorene D'Adamo

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board