

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF FINANCIAL ASSISTANCE  
JANUARY 6, 2009**

**ITEM 8**

**SUBJECT**

CONSIDERATION OF A RESOLUTION TO APPROVE UP TO \$476,208 IN GRANT FUNDING FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) TO THE CITY OF MARYSVILLE (CITY) FOR THEIR WASTE DISCHARGE FEASIBILITY STUDY AND MASTER PLAN PROJECT (PROJECT)

**DISCUSSION**

The City is located in Yuba County, just northeast of the City of Yuba City. According to 2000 United States Census data, the median household income and population of the community are \$28,494 and 12,268 persons, respectively.

The City owns and operates a wastewater treatment facility (WWTF), which is operated under Central Valley Regional Water Quality Control Board (Regional Water Board) Waste Discharge Requirements (WDR) Order No. 5-01-071. The WWTF consists of secondary treatment followed by disposal to percolation/evaporation ponds, which are located in the 100-year flood plain at the confluence of the Yuba and Feather Rivers. The facility also has a Tertiary Treatment Unit (TTU), designed to treat a portion of the effluent to tertiary standards for soccer field irrigation during periods of potential flooding.

WDR Order No. 5-01-071 requires the City to design, construct, operate, and maintain the facility such that inundation or washout does not occur due to a 100-year storm event. The Regional Water Board issued Cease and Desist Order (CDO) [No. R5-2004-0072](#), providing the City with a time schedule to prepare a Feasibility Study and Master Plan Report (Report) describing how the wastewater storage and disposal area will be protected from flooding caused by 100-year storm events. The City submitted the Report to the Regional Water Board on June 27, 2007, identifying development of a regional wastewater treatment facility with the Linda County Water District as the preferred alternative. CDO No. R5-2004-0072 has been updated by CDO [No. R5-2008-0110](#), which provides a time schedule for implementation of that Project.

The requested allocation will be used to prepare planning documents for the Project.

The requested allocation is consistent with the purposes of Water Code §13442, which provides that the State Water Resources Control Board (State Water Board) may order monies to be paid from the CAA to a public agency with authority to cleanup or abate the effects of a waste in order “to assist in cleaning up the waste or abating its effects on waters of the State.”

The City’s Project is listed in fundable Class B of the Small Community Wastewater Grant (SCWG) Program’s Competitive Project List (CPL), adopted on September 4, 2007, but funds are not available at this time.

The estimated Project cost is \$24 million. In accordance with the *SCWG Program Guidelines* (Guidelines), the City would be eligible for up to \$476,208 in planning grant funds from the SCWG program.

## **POLICY ISSUE**

Should the State Water Board:

- 1) Approve up to \$476,208 in funding from the CAA for the City's Project?
- 2) Require that funding approvals, contracting, and disbursement of CAA funds to the City be conducted in accordance with the Guidelines?
- 3) Revert any funds that have not been expended to the CAA, as of January 6, 2011, unless the Deputy Director of the Division authorizes an extension?

## **FISCAL IMPACT**

Approving \$476,208 million for the Project will leave an uncommitted balance of \$11,098,780 in the CAA.

## **REGIONAL BOARD IMPACT**

Yes. This grant will enable the City to proceed with the planning phase of the proposed Project. The planning phase is the first step towards achieving compliance with Central Valley Regional Water Board requirements, CDO No. R5-2008-0110, and local water quality objectives.

## **STAFF RECOMMENDATION**

The State Water Board should:

- 1) Approve up to \$476,208 in funding from the CAA for the City's Project;
- 2) Require that funding approvals, contracting, and disbursement of CAA funds to the City be conducted in accordance with the Guidelines; and
- 3) Revert any funds that have not been expended to the CAA, as of January 6, 2011, unless the Deputy Director of the Division authorizes an extension.

State Water Board action on this item will assist the Water Boards in reaching Goal 2 of the Strategic Plan Update: 2008-2012 to improve and protect groundwater quality in high-use basins by 2030.

# DRAFT

## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2009-

APPROVE UP TO \$476,208 IN GRANT FUNDING FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) TO THE CITY OF MARYSVILLE (CITY) FOR THE WASTE DISCHARGE FEASIBILITY STUDY AND MASTER PLAN PROJECT (PROJECT)

### WHEREAS:

1. The City is a small, disadvantaged community;
2. The City's wastewater treatment facility (WWTF) consists of secondary treatment, followed by disposal to percolation/evaporation ponds, which are located in the 100-year flood plain at the confluence of the Yuba and Feather Rivers;
3. Waste Discharge Requirements (WDR) Order No. 5-01-071 requires the City to design, construct, operate, and maintain the facility such that inundation or washout does not occur due to a 100-year storm event;
4. The Central Valley Regional Water Quality Control Board (Regional Water Board) issued Cease and Desist Order (CDO) [No. R5-2004-0072](#), providing the City with a time schedule to prepare a Feasibility Study and Master Plan Report (Report) describing how the wastewater storage and disposal area will be protected from flooding caused by 100-year storm events;
5. The City submitted the Report to the Regional Water Board on June 27, 2007, identifying development of a regional wastewater treatment facility with the Linda County Water District as the preferred alternative;
6. CDO No. R5-2004-0072 has been updated by CDO [No. R5-2008-0110](#), which provides a time schedule for implementation of that Project;
7. The requested allocation will be used to prepare planning documents for the Project;
8. The requested allocation is consistent with the purposes of Water Code §13442, which provides that the State Water Resources Control Board (State Water Board) may order monies to be paid from the CAA to a public agency with authority to cleanup or abate the effects of a waste in order "to assist in cleaning up the waste or abating its effects on waters of the State";
9. The City's Project is listed in fundable Class B of the Small Community Wastewater Grant (SCWG) Program's Competitive Project List (CPL), adopted September 4, 2007; however, funds are not available at this time; and
10. The estimated Project cost is \$24 million, and the City would be eligible for up to \$476,208 in planning grant funds under the SCWG program.

# DRAFT

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves up to \$476,208 in funding from the CAA for the City's Project;
2. Requires that funding approvals, contracting, and disbursement of CAA funds to the City be conducted in accordance with the Guidelines; and
3. Will revert any funds that have not been expended to the CAA, as of January 6, 2011, unless the Deputy Director of the Division authorizes an extension.

## 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 January 6, 2009.

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Jeanine Townsend  
Clerk to the Board