

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF FINANCIAL ASSISTANCE
AUGUST 16, 2011**

ITEM 6

SUBJECT

CONSIDERATION OF A RESOLUTION TO ALLOCATE \$447,729 FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) TO FUND DESIGN AND ENGINEERING FOR THE AIRPORT DISTRICT (DISTRICT) SEPTIC TO SANITARY SEWER PROJECT (PROJECT)

DISCUSSION

The County of Stanislaus (County) is requesting \$447,729 from the CAA to fund the Project. The purpose of the request is to cover the design and engineering of sanitary sewer infrastructure improvements within the Airport District (District). The District is an unincorporated, disadvantaged community (DAC) on the southeast side of the City of Modesto. Failing septic tanks within the District threaten local water supplies and pose a public health risk. The Central Valley Regional Water Quality Control Board supports the Project.

BACKGROUND

The District is an unincorporated island within the City of Modesto. The District contains 481 residential parcels with homes that rely on septic tanks for treatment of sewage. The County's Department of Environmental Resources has documented the need for 52 septic tank repairs and 23 replacements within the District. As a result, the 1,371 District residents are at risk of poor water quality due to failing septic tanks that may contaminate local well systems and groundwater. Failing septic systems also create the potential for raw sewage to discharge to the surface causing a serious public health threat.

The District is currently seeking incorporation into the City of Modesto but must have a sewer system in place prior to being incorporated. The combination of health hazards and the District's desire for incorporation with the City prompted the County to pursue the Project for the DAC. Since the Clean Water State Revolving Fund (SRF) is unable to loan to cities and counties for planning loans/grants, the County is requesting \$447,729 from the State Water Resource Control Board (State Water Board) CAA to cover costs associated with the Project. The County will seek CWSRF funds for construction of the sanitary sewer system.

SCOPE OF WORK

The County proposes to complete the following goals:

- Design a new sanitary sewer collection system and, if necessary, pump station:
 - Identify existing underground utilities
 - Design approximately 4.6 miles of sewer collection system with 8-inch pipe
 - Design sewer laterals to each lot within the neighborhood, and,
 - If necessary, design a sanitary sewer pump station to discharge into an existing City sewer trunk line
- Prepare engineering specifications and construction documents for the Project
- Coordinate design review and approval with the City of Modesto

POLICY ISSUE

Should the State Water Board approve funding of \$447,729 from the CAA to the Project?

FISCAL IMPACT

As of December 7, 2010, the uncommitted CAA balance is estimated to be no less than \$9 million according to the most current data.

REGIONAL BOARD IMPACT

No.

STAFF RECOMMENDATION

The State Water Board should approve funding of \$447,729 from the CAA to the Project.

The State Water Board has established Program Preferences for CAA funds based on statewide priorities and the Strategic Goals outlined the Strategic Plan Update 2008-2012. The Project meets CAA Program Preference for projects that address DAC infrastructure needs.

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

State Water Board action on this item will assist the Water Boards in reaching Strategic Goal 6 of the Strategic Plan Update 2008-2012 to enhance consistency across the Water Boards, on an ongoing basis, to ensure our processes are effective, efficient, and predictable, and to promote fair and equitable application of laws, regulations, policies, and procedures.

DRAFT

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2011-

TO ALLOCATE \$447,729 FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA)
TO FUND THE AIRPORT DISTRICT (DISTRICT) SEPTIC TO
SANITARY SEWER PROJECT (PROJECT)

WHEREAS:

1. The Stanislaus County Department of Public Works is requesting \$447,729 from the CAA to fund the Project;
2. The purpose of the request is to fund planning and design for transition from individual septic tanks to a sanitary sewer system for the disadvantaged unincorporated community of Airport District, Stanislaus County, California;
3. The Stanislaus County Environmental Health Department has documented 52 septic tanks in need of repair and 23 in need of replacement in the Airport District.
4. Untreated sewage from faulty septic systems threatens public health, and drinking water supply and groundwater quality of the San Joaquin Valley Groundwater Basin, Modesto Sub-basin;
5. The County proposes to complete planning and design of the upgrade from septic to sanitary sewer system;
6. The Project meets CAA Program Preferences for projects that address Disadvantaged Communities infrastructure needs; and
7. The requested allocation is consistent with the purposes of Water Code Section 13442. Section 13442 provides that the State Water Board may order moneys to be paid from the CAA to a public agency with authority to cleanup or abate the effects of a waste "to assist it in cleaning up the waste or abating its effects on the waters of the state."

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves funding \$447,729 from the CAA to the County of Stanislaus for the Project; and
2. Shall revert any unexpended funds to the CAA as of March 31, 2014, unless the Deputy Director or Assistant Deputy Director of the Division of Financial Assistance authorizes an extension. The funds will be available until December 31, 2013.

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 August 16, 2011.

Jeanine Townsend
Clerk to the Board