

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

RESOLUTION ORDER NO. R5-2015-XXXX

AMENDING ORDER NO. R5-2012-0112

[IN THE MATTER OF CITY OF REDDING]

The California Regional Water Quality Control Board, Central Valley Region (hereinafter Regional Water Board) finds:

1. The City of Redding owns and operates a municipal sanitary sewer system in the City of Redding.
2. In December 2012, during its regularly scheduled board meeting, the Regional Water Board entered an Order adopting a settlement between the Regional Water Board Prosecution Team staff and the City of Redding. The Order resolved outstanding violations of permits held by the City of Redding. The Order also contained a Supplement Environmental Project (SEP), designed to replace defective private laterals in the City's sewer collection system, thereby benefiting the public and improving water quality (see Attachment K of the Order).
3. Order No. R5-2012-0112 requires Redding to complete the SEP by December 2017 or face significant repayment penalties.
4. The SEP was expected to be approximately a 5 year program, and Regional Board staff was concerned not enough progress was being made as it reviewed the quarterly updates provided by the City of Redding.
5. In meetings between Regional Board staff and the City of Redding, modifications to the SEP program can be made so that additional private laterals are accepted into the program and ultimately replaced. These modifications have been discussed by staff, approved by the Central Valley Water Board's Assistant Executive Officer, and the Redding City Council. Attachment K to Order No. R5-2012-0112 provides in pertinent part: "[t]he City maintains its discretion to alter the terms of this project as necessary to maximize public and environmental benefit, for example by broadening allowances for repair and similar modifications."

6. The Board is presently considering two modifications to Order No. R5-2012-0112: (1) modifying the eligibility date for private lateral replacement to now be 1 January 1983, and (2) the maximum reimbursement amount will be increased from \$5,000 up to \$7,800 per lateral project. Priority will be given to existing applicants and applicants who were reimbursed only up to the previous \$5,000 limit; the latter can apply for the full cost of the replacement, subject to proper documentation.
7. In considering this amendment, the Regional Board is not altering its application of any factors considered when adopting Order No. R5-2012-0112 or the final amount of the monetary assessment.
8. The Regional Water Board provided public notice of this item for the 1/2 October 2015 Board meeting regarding this proposed amendment to Order R5-2012-0112.
9. Issuance of this Order amending R5-2012-0112 is exempt from the provisions of CEQA (Pub. Resources, §21000 et seq.), in accordance with Section 15321 ("Enforcement Actions by Regulatory Agencies") Title 14, California Code of Regulations.

IT IS HEREBY ORDERED, that Order No. R5-2012-0112 is amended in the manner specified below upon the effective date of this Order, and the City of Redding shall comply with the requirements of this Order as well as those portions of Order No. R5-2012-0112 that were not amended by this Order.

Modifications are to Attachment K only:

1. **PROJECT:** To be eligible for the program, the homeowner's private sewer lateral would need to meet all of the following criteria:
... Constructed prior to January 1, 1973 (**new date: 1983**)
2. **TASK E – CITY APPROVAL OF PROPOSED WORK:** The third party reviews the quotes submitted by the property owner and recommends to City approval of the reimbursement agreement up to lowest bid amount or maximum allowed per connection of \$5,000, whichever is lower. (**new amount: \$7,800**)

I, Adam Laputz, Assistant Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on October 2015.

Adam Laputz, Assistant Executive

Officer