CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

August 18, 2015

Mr. Don Dorman, City Manager
City of Tulare
3981 South K Street
Tulare, CA 93274

Dear Mr. Dorman:

State Water Resources Control Board Notice Regarding Mandatory Consolidation

Effective June 24, 2015, Senate Bill 88 (Statutes 2015, Chapter 27) added Sections 116680 – 116684 to California Health & Safety Code, addressing consolidation of public water systems.

Our records indicate that the water delivered by Soults Mutual Water Company's public water system (System) contains nitrate at levels that exceed the maximum contaminant level established in state and federal regulations. Since approximately July 2010, the System has consistently failed to provide an adequate supply of safe drinking water. It is our understanding that the System's service area is outside the boundaries of City of Tulare (City) but within the City's sphere of influence. It is also our understanding that the System's service area and distribution system extends to an area approximately 100 yards from and immediately west of City's western boundary.

The State Water Resources Control Board (State Water Board) strongly encourages the Soults Mutual Water Company and the City to work out voluntary consolidation of their public water systems.

If a voluntary consolidation is not timely achieved, the State Water Board intends to take action pursuant to Health & Safety Code section 116682, subdivision (a) for consolidation of the System with the City's public water system. Please note that as used in the applicable statutory authority, the City is hereby identified as the potentially receiving water system and the System is identified as the potentially subsumed water system.

This letter serves as official notification that, pursuant to Health & Safety Code section 116682, subdivision (b) (6), the City, the potentially receiving water system, is directed to negotiate consolidation with the Soults Mutual Water Company, the potentially subsumed water system. The City is further directed to complete such negotiations and report the outcome to the State Water Board Division of Drinking Water, Tulare District Office not later than six (6) months following the date of this letter.

The State Water Board acknowledges that consolidation is a complex process and stands ready to assist you so that you are successful in delivering safe, affordable and accessible drinking water to your neighboring community in a cost-effective manner. Pursuant to Health & Safety Code section

116682, subdivision (b) (6) (A), during the six month negotiation period, the State Water Board will provide technical assistance and work with the City and Soults Mutual Water Company to develop an appropriate and necessary financing package. Technical assistance will be available from the State Water Board Division of Drinking Water (DDW) and Division of Financial Assistance (DFA).

If you have any questions regarding this matter, please contact Mr. Chad Fischer, Tulare District Engineer for the State Water Board DDW, at (559) 447-3302, or me at (559) 447-3132. For funding related questions, please contact Mr. Oscar Guerrero at (916) 445-9243.

Sincerely,

Carl L. Carlucci, P.E.
Supervising Sanitary Engineer
Central California Section
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

cc: Mr. David Macedo, Mayor, City of Tulare
Mr. Joseph Carlini, Public Works Director, City of Tulare
City Council, City of Tulare
Mr. Michael Spata, Director, Tulare County Resource Management Agency
Tulare County Health and Human Services Agency
Mr. Ben Giuliani, Executive Officer, Tulare LAFCo