

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2005-0083

APPROVING AND ACCEPTING
THE KERN COUNTY HEALTH OFFICER'S
DECLARATION OF POTENTIAL WATER POLLUTION
AND A
TIME SCHEDULE FOR COMPLIANCE
FOR
THE SOUTH SHAFTER COMMUNITY
KERN COUNTY

WHEREAS, the California State Water Resources Control Board requires regional water quality control boards to provide recommendations for Small Community Grant Project priorities; and

WHEREAS, the South Shafter Community, Kern County, consists of 345 small lots with community water supply and utilizing on-site individual septic systems for wastewater treatment and disposal; and

WHEREAS, Kern County reports that over half of these septic systems have failed or are in threat of failure and need frequent pumping to minimize surface ponding of sewage; and

WHEREAS, Kern County reports that fifty-one percent of the households are running laundry gray-water onto lawns to relieve the septic systems, a violation of public health regulations; and

WHEREAS, Kern County reports that groundwater is the primary source of drinking water for the South Shafter Community, and that a 1997 community water system survey found that four of the fifteen domestic water supply wells in the area had nitrate concentrations in violation of the Maximum Contaminant Level of 45 mg/L and also found that eight of the eleven other wells had nitrate levels between 23 and 45 mg/L; and

WHEREAS, nitrate concentrations above the Maximum Contaminant Level of 45 mg/L indicate an existing pollution problem, with a potential for an increase in extent and magnitude of pollution, and nitrate levels above 23 mg/L indicate a potential pollution problem; and

WHEREAS, the Kern County Public Health Officer, through his deputy, the Kern County Health Services Department Director, declared on 10 May 2005 that these conditions create a potential pollution and public health problem; and

WHEREAS, the Kern County Engineering and Survey Services Director proposed a time schedule to mitigate the potential pollution problem; and

WHEREAS, Kern County proposes to remedy the situation according to the proposed time schedule, but needs funding assistance and requests to be placed on the Small Community Grant Project priority list for planning, design, and construction of sewage collection, treatment and disposal facilities; and

WHEREAS, the Regional Water Quality Control Board, Central Valley Region (Regional Board) adopted *Water Quality Control Plan for the Tulare Lake, Second Edition*, (hereafter Basin Plan), which

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contains implementation plans and policies for protecting all waters of the Basin, including Guidelines for Waste Disposal from Land Development (Guidelines); and

WHEREAS, the Guidelines recognize that certain areas and dense development are not conducive to individual waste treatment and disposal systems, which have limited life when installed in such situations, and that failures, once they begin in an area, generally occur on an area-wide basis; and

WHEREAS, the Guidelines indicate that areas not conducive to individual waste treatment and disposal systems should be made to construct a community sewage collection, treatment and disposal system; and

WHEREAS, the Guidelines state the Regional Board will prohibit discharges from developments that threaten to cause water pollution, water quality degradation, or nuisance conditions; and

WHEREAS, the Regional Board has reviewed the declaration of a potential pollution problem and time schedule for compliance; and, therefore, be it

RESOLVED that the Regional Board approves and accepts the County of Kern's declaration of a potential pollution problem in the South Shafter Community and its time schedule for mitigating the problem by constructing a community wastewater collection, treatment and disposal system and thereafter prohibiting use of individual systems; and be it further

RESOLVED that the Regional Board urges the State Water Resources Control Board to place the South Shafter Community in Priority Class B for Small Community Grant Program funding in fiscal year 2005/2006.

I, THOMAS R. PINKOS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Valley Region on 24 June 2005.

Original signature on file

THOMAS R. PINKOS, Executive Officer