

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2009-0005**

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.

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.

AYE: Chair Tam M. Doduc
Vice Chair Gary Wolff, P.E., Ph.D
Arthur G. Baggett, Jr.
Charles R. Hoppin
Frances Spivy-Weber

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board