

Jfw



MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK STREET - FRESNO, CALIFORNIA 93725
PHONE (559) 485-7353 - FAX (559) 485-7319

BOARD OF DIRECTORS

CHARLES E. GARABEDIAN JR.
PRESIDENT

SALVADOR CERRILLO
VICE PRESIDENT

IRMA CASTANEDA
DIRECTOR

FRANK CERRILLO JR.
DIRECTOR

FRANK SOTO
DIRECTOR

RUSS HOLCOMB-GENERAL MANAGER

October 29, 2013

RECEIVED

E-MAILED & HAND DELIVERED: Russ Holcomb, GM

OCT 30 2013

Matthew S. Scroggins, Senior Engineer
Central Valley Regional Water Quality Control Board
1685 E. Street
Fresno, CA 93706-2007

RWQCB-CVR
FRESNO, CALIF.

**Re: Malaga County Water District Wastewater Treatment Facility
(MPDES No. CA0084239)**

Dear Mr. Scroggins:

This letter is in response to your August 19, 2013, letter regarding issues related to Malaga County Water District's ("Malaga" or the "District") disposal capacity. Below are responses to your five requests for information which the District anticipates may be changed or amended as the District continues to research the issues, analyze additional facts, and takes action to address said issues and will, as necessary, change, supplement, or add to the responses contained below.

1. Address whether the discharge to Central Canal will cease, as required by Fresno Irrigation District. If it will, provide a time-line schedule for eliminating discharge to the canal.

Response: The February 11, 2008, letter to Malaga from Fresno Irrigation District ("FID") referred to in your August 19, 2013; letter to Malaga does not require or request that Malaga cease all discharge into FID canals. In fact, the letter affirms that Malaga's discharge is beneficial to FID. What the letter requests is that FID and Malaga address FID concerns that, at specific times, the discharge from Malaga interferes with FID maintenance operations. Since the 2008 letter, Malaga and FID, through a series of meetings, have agreed that Malaga will continue beneficial discharge into FID canals but will not discharge in a manner that interferes with FID maintenance operations thereby resolving the issue addressed in the 2008 letter. (Attachment 1).

2. An estimate of the disposal capacity of the on-site ponds after pond maintenance was performed in 2008 and thereafter. Additionally, include a list of which ponds were maintained.

Response: Attached as Exhibit A to this letter please find a summary table of the estimated disposal capacity of the existing disposal ponds without discharge into the Central Canal. The District is well positioned for pond storage for the winter (2013-2014)

Response Continued: as two ponds were dry in September of 2013. The District's disposal capacity, as set forth in Exhibit A, is estimated to be 669,500 gallons per day. This estimate is based on an estimated percolation capacity of 1.00 inches per day. The District is currently in the process of reviewing pond maintenance information and anticipates providing the CVRWQCB with a summary report of pond maintenance performed between 2008 and 2013. Additionally, the District is in the planning process to develop a schedule to isolate one or more ponds to confirm and monitor percolation capacity. The District will provide the CVRWQCB with follow-up reports as the capacity tests are performed.

3. Revised influent flow projects based on influent flow data collected after the District began metering grit return flows and after the moratorium was adopted. The District has now established new or expanded sewer connections since the moratorium was adopted, it shall include the flows from those connections in its revised flow projections.

Response: A summary of recent and projected flow data for the District's WWTP is attached hereto as Exhibit B. The data assumes a two percent growth rate, which greatly exceeds recent trends at the wastewater treatment plant.

4. Status of land acquisition for additional disposal ponds, including a list of action items completed and dates when they were completed.

Response: On August 22, 2012, the District purchased plus or minus four acres of land to develop new percolation ponds. The District is currently in the process of obtaining financing to develop said percolation ponds. The deed for the property, which was recorded on August 24, 2012, is attached hereto as Exhibit C.

5. Status of alternative disposal measures the District has looked into; including a list of action items completed and dates they were completed.

Response: The District considered a number of alternative disposal measures and after such consideration, determined that the most feasible way to increase disposal capacity at this time is to pursue the development/expansion of percolation ponds. Although the District continues to look for alternative disposal measures, the District currently is directing its resources and planning toward the expansion of ponds as evidenced by the purchase of the property described in Item 4. The District will update the CVRWQCB as it develops plans for alternative disposal measures.

As stated above, the District will provide the CVRWQCB with updated information as it becomes available.

Matthew S. Scroggins, Senior Engineer
October 29, 2009
Page 3

If you have any questions regarding this matter, please contact the District.

MALAGA COUNTY WATER DISTRICT

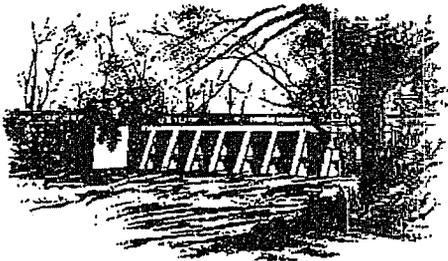
Dated: 10/29/2013

By: 
Russ Holcomb, General Manager

cc: Charles Garabedian, Jr., President
of the Board of Directors
Michael Taylor, District Engineer
Neal E. Costanzo, Esq.

MCW!

400.90



YOUR MOST VALUABLE RESOURCE • WATER

OFFICE OF

FEB 13 2008

FRESNO IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
 FAX (559) 233-8227
 2907 S. MAPLE AVENUE
 FRESNO, CALIFORNIA 93725-2218

February 11, 2008

Mr. Michael Taylor
 Provost & Pritchard Engineering Group, Inc.
 286 W. Cromwell Ave.
 Fresno, CA 93711

Re: Discharge from the Malaga County Water District Wastewater Treatment Facility

Dear Michael:

Thank you for the opportunity to meet with you and Charles Garabedian last Wednesday, February 6, 2008 to discuss the discharge from the Malaga County Water District's (MCWD) wastewater treatment facility (WWTF) to the Central Canal. Both Gary Serrato and I appreciate you and Mr. Garabedian making yourselves available.

As we discussed, the Fresno Irrigation District (FID) would like the MCWD to work towards eliminating the discharge to the Central Canal. While the discharge from the WWTF adds to our water supply, the discharge can be a significant nuisance. Some of our maintenance activities require the Canal to be dried out. This is currently not possible with your discharge. It is our understanding that the discharge from the WWTF to the Central Canal cannot be reduced or terminated currently without significant impacts to MCWD's operations. MCWD relies heavily, or almost exclusively, on this discharge to balance the system and avoid capacity issues. There may be periods when FID can continue to receive the water, however there are also periods when the discharges must be ceased.

It is FID's desire to have MCWD become self-sufficient in its operations without the discharge to the Central Canal or to develop other alternatives for discharge other than to FID. It is our understanding from our meeting that this would be an opportune time to address FID's issue because of the planning and implementation that MCWD must do to comply with the new permitting requirements of the Regional Water Quality Control Board. You also noted that it would be helpful to us if we reviewed MCWD's planning and implementation schedule to address the permitting requirements. We look forward to receiving from you the information showing us where on the schedule the discharge issue could potentially be addressed.

BOARD OF DIRECTORS President JEFFREY G. BOWELL, Vice-President JEFF NEELY
 EDDIE NIEDERFRANK, STEVE BALLS, TOM E. STEFFEN, General Manager GARY R. SERRATO

Mr. Michael Taylor, P&P
Malaga County WD WWTF Discharge
February 11, 2008
Page 2 of 2

As we noted, we hope the discharge issue can be addressed within the next three to five years or sooner. Should you have any questions in regard to the subject matter, please do not hesitate to call me at (559) 233-07161, ext. 303.

Sincerely,



Laurence Kimura
Assistant General Manager

cc: Gary R. Serrato, Fresno Irrigation District
Russ Holcomb, Malaga County Water District

**Malaga County Water District
Wastewater Treatment & Disposal Facilities
Estimated Capacity Wastewater Disposal - 100 Year Rainfall Water Balance, Discharge and Storage**

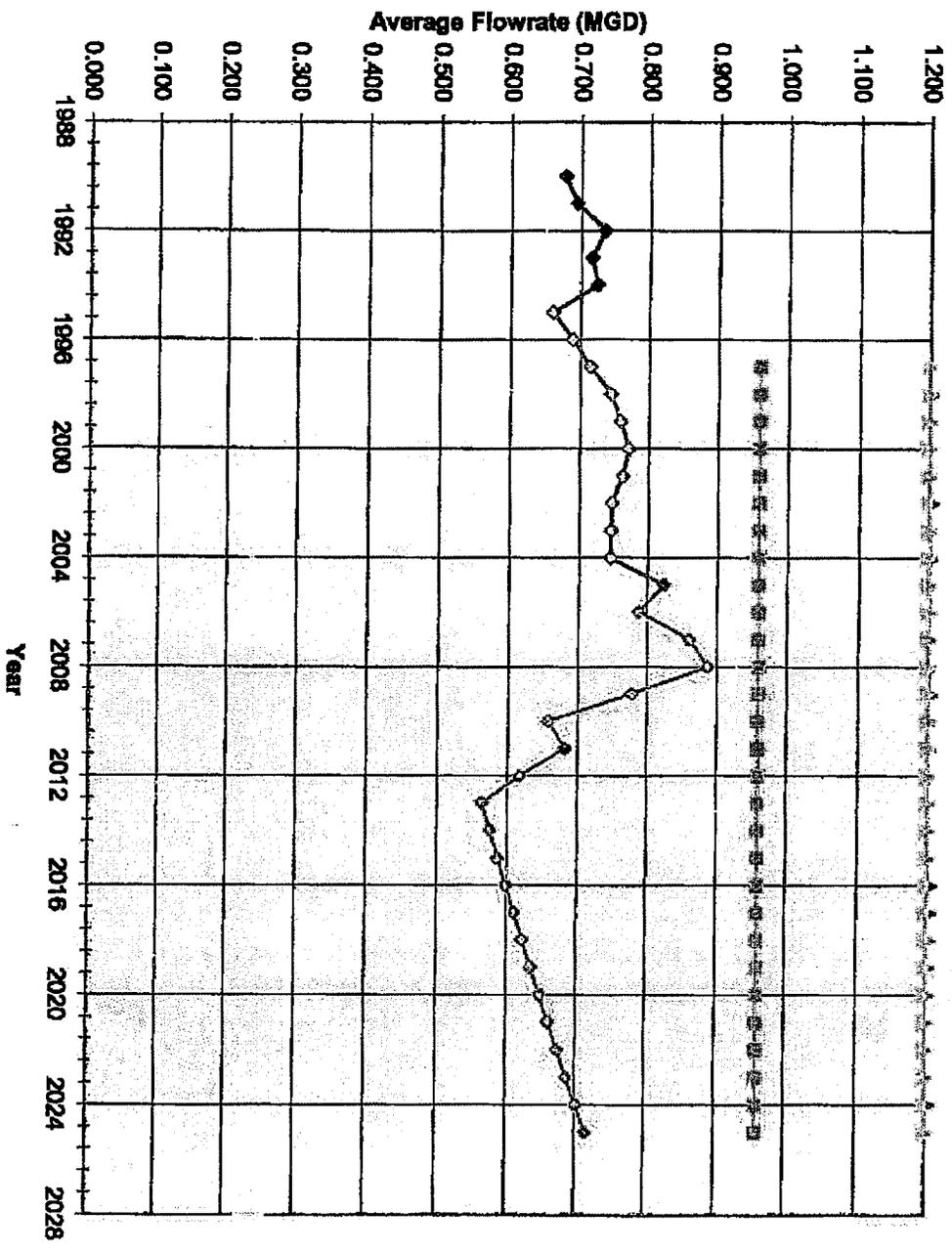
WWTF POND CALCULATIONS:

Month	Number of Days per Month	100 Yr. Rainfall " (in/month)	100 Yr. Evaporation " (in/month)	Discharge to canal	0 MGD	Daily Effluent Production " (ac-ft)	Pond Wet Area " (ac-ft)	Pond Storage " (ac-ft)	Pond Percolation Rate " (in/day)	Additional Pond Wet Area " (ac-ft)	Additional Pond Storage " (ac-ft)	Total Storage " (ac-ft)	Total Area " (ac-ft)	23.2 acres	Total (ac-ft)	6 ft deep	8 ft deep	Effluent Produced (gall/month)	Effluent To Canal (gall/month)	Effluent to Ponds " (gall/month)	Surface Rainfall " (gall/month)	Surface Evaporation " (gall/month)	Pond Percolation " (gall/month)	Monthly Change in Storage " (gall/month)	Required Storage Capacity " (gal)
January	31	6.14	0.90	0	0	596,580	23.24	185.9	0.90	0.0	185.9	185.9	232.2	232.2	18,801,600	0	18,801,600	3,243,877	697,089	17,608,731	3,670,497	5,161,220	13,861,237	13,861,237	
February	29	3.70	1.48	0	0	18,801,600	2,898,727	1,318,827	17,608,731	2,492,733	2,734,688	13,394,622	13,394,622	13,394,622	18,801,600	0	18,801,600	2,898,727	1,318,827	17,608,731	2,492,733	2,734,688	13,394,622	13,394,622	
March	31	4.63	2.09	0	0	18,195,000	1,741,741	2,341,264	17,608,731	2,717,839	2,717,839	11,235,399	11,235,399	11,235,399	18,801,600	0	18,801,600	1,741,741	2,341,264	17,608,731	2,717,839	2,717,839	11,235,399	11,235,399	
April	30	2.78	3.71	0	0	18,195,000	8,311	3,918,918	17,608,731	4,322,800	4,322,800	4,322,800	4,322,800	4,322,800	18,801,600	0	18,801,600	8,311	3,918,918	17,608,731	4,322,800	4,322,800	4,322,800	4,322,800	
May	31	0.01	6.21	0	0	18,801,600	0	6,139,874	17,608,731	17,608,731	(3,942,103)	1,103,872	1,103,872	1,103,872	18,801,600	0	18,801,600	0	6,139,874	17,608,731	17,608,731	(3,942,103)	1,103,872	1,103,872	
June	30	0.80	6.55	0	0	18,195,000	0	4,411,149	17,608,731	(1,102,987)	241,880	241,880	241,880	241,880	18,801,600	0	18,801,600	0	4,411,149	17,608,731	(1,102,987)	241,880	241,880	241,880	
July	31	0.00	6.99	0	0	18,195,000	0	2,963,387	17,608,731	(1,102,987)	241,880	241,880	241,880	241,880	18,801,600	0	18,801,600	0	2,963,387	17,608,731	(1,102,987)	241,880	241,880	241,880	
August	31	1.10	4.09	0	0	18,195,000	997,084	1,994,167	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	18,801,600	0	18,801,600	997,084	1,994,167	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	
September	30	1.88	3.09	0	0	18,195,000	1,994,167	767,270	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	18,801,600	0	18,801,600	1,994,167	767,270	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	
October	31	3.16	1.20	0	0	18,195,000	1,003,594	636,408	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	18,801,600	0	18,801,600	1,003,594	636,408	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	
November	30	1.69	0.85	0	0	18,195,000	1,003,594	636,408	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	18,801,600	0	18,801,600	1,003,594	636,408	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	
December	31	1.69	0.85	0	0	18,195,000	1,003,594	636,408	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	18,801,600	0	18,801,600	1,003,594	636,408	17,608,731	17,608,731	17,608,731	17,608,731	17,608,731	
Total	365	23.88	46.17	0	0	679.4	0.0	679.4	48.2	89.4	935.2	935.2	935.2	935.2	18,801,600	0.0	18,801,600	21,172,000	18,094,144	17,608,731	21,172,000	18,094,144	17,608,731	18,094,144	17,608,731

- 1/ Rainfall Data per the Western Regional Climate Center.
- 2/ Evaporation data per WRCO 0.75
- 3/ Design Capacity Effluent Production
- 4/ Total existing wet area of the existing lagoons.
- 5/ Surface Rainfall = Volume of 100 Year rainfall on the existing WWTF treatment and storage ponds and proposed storage ponds.
- 6/ Surface Evaporation = Volume of effluent and rain water evaporating from the existing WWTF treatment and disposal ponds.
- 7/ Pond Percolation = Volume of effluent and rain water percolating into the ground for existing ponds 1 through 8 plus proposed additional ponds.
- 8/ Required Storage = Theoretical storage pond Sept. 1st when pond storage starts at zero with monthly contributions.
- 9/ Medium Storage Needed = Peak end of month pond storage volume needed (gallons & ac-ft)
- 10/ Storage Available from all ponds = Total volume of available storage.
- 11/ Check Balance = Comparison of the values with 10.

Updated: 4/14/04
Print Date: 10/2/13

Malaga County Water District Wastewater Treatment Plant Flowrates



◆ Average Flowrate
---□--- 80% of Permit Limit
.....△..... Permit Flow

4335 S. Maple

RECORDING REQUESTED BY:
Chicago Title Company
Escrow No.: 12-45039505-CRF
Locate No.: CACTI7710-7710-4450-0045039505
Title No.: 12-45039505-CU

When Recorded Mail Document
and Tax Statement To:
Malaga County Water District
3580 S. Frank Street
Fresno, CA. 93725

FRESNO County Recorder
Paul Dictos, C.P.A.
DOC-
2012-0119446-00
Acct 1002-Chicago Title Ins Co ER
Friday, AUG 24, 2012 13:31:34
Ttl Pd \$0.00 Nbr-0003726188
JZG/R3/1-3

APN: 330-031-11

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s)
Documentary transfer tax is \$ exempt pursuant to section 27383 of the gov'n. code
[x] computed on full value of property conveyed, or
[] computed on full value less value of liens or encumbrances remaining at time of sale,
[] Unincorporated Area (X) city of Fresno

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Marie Sargenti, a single woman

hereby GRANT(S) to Malaga County Water District
the following described real property in the city of Fresno County of Fresno, State of California:
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

DATED: August 22, 2012

State of California }
County of Fresno }

Marie Sargenti
Marie Sargenti

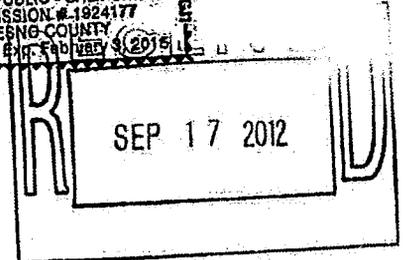
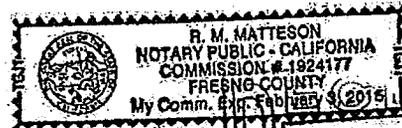
On 8-23-12 before me,
R. M. Matteson, Notary Public.
(here insert name and title of the officer), personally appeared
Marie Sargenti

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies); and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



MAIL TAX STATEMENTS AS DIRECTED ABOVE

RECORDING REQUESTED BY:

Chicago Title Company
Escrow No.: 12-45039505-CRF
Locate No.: CACTI7710-7710-4450-0045039505
Title No.: 12-45039505-CU

**When Recorded Mail Document
and Tax Statement To:**

Malaga County Water District
3580 S. Frank Street
Fresno, CA. 93725

This Document Was
Recorded Electronically

APN: 330-031-11

SPACE ABOVE THIS LINE FOR RECORDER'S
USE

GRANT DEED

The undersigned grantor(s) declare(s)

Documentary transfer tax is \$ exempt pursuant to section 27383 of the gov'n. code

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale,
- Unincorporated Area (X) city of Fresno

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hereby GRANT(S) to Malaga County Water District

the following described real property in the city of Fresno County of **Fresno**, State of **California**:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

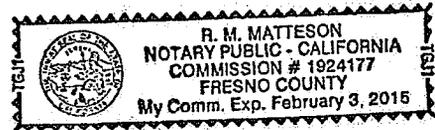
DATED: August 22, 2012

State of California }
County of Fresno }

Marie Sargenti
Marie Sargenti

On 8-23-12 before me,
R. M. Matteson, Notary Public
(here insert name and title of the officer), personally appeared
Marie Sargenti

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Escrow No.: 12-45039505-CRF
Locate No.: CACTI7710-7710-4450-0045039505
Title No.: 12-45039505-CU

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

The South 650 feet of the East 335.10 feet of Lot 92 of Malaga Tract, in the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Book 2 Page 17 of Plats, in the office of the County Recorder of said County

APN: 330-031-11

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Malaga County Water District
c/o Costanzo & Associates
A Professional Corporation
575 E. Locust Avenue, Suite 115
Fresno, CA 93720

CERTIFICATE OF ACCEPTANCE

I, the undersigned, do hereby certify and declare that I am the President of the Board of Directors, duly qualified and acting as such, as of the date hereof, of the Malaga County Water District and am authorized to execute this Certificate of Acceptance pursuant to the authority duly conferred by the Board of Directors of the Malaga County Water District on August 22, 2012.

The Malaga County Water District hereby accepts transfer by Grant Deed of the real property from Marie Sargenti, a single woman, more particularly described as follows:

THE SOUTH 650 FEET OF THE EAST 335.10 FEET OF LOT 92 OF MALAGA TRACT, IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 2 PAGE 17 OF PLATS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 330-031-11

MALAGA COUNTY WATER DISTRICT

Dated: 8/23, 2012

By: 
Charles Garabedian, Jr., President of
the Board of Directors

RESOLUTION NO. 08-22-2012

**A RESOLUTION OF THE MALAGA COUNTY WATER
DISTRICT BOARD OF DIRECTORS AUTHORIZING THE
PURCHASE AND ACQUISITION OF REAL PROPERTY AND
AUTHORIZING THE PRESIDENT OF THE BOARD OF DIRECTORS
AND THE GENERAL MANAGER TO EXECUTE ALL DOCUMENTS
NECESSARY TO EFFECTUATE THE ACQUISITION**

WHEREAS, Malaga County Water District (Malaga) is a County Water District organized and existing under the laws of the State of California and is statutorily authorized, among other things, to provide within its boundaries or service area prescribed by law, wastewater collection, treatment and disposal services; and

WHEREAS, wastewater treatment and/or disposal services provided by Malaga requires the use of ponds and the District is approaching its capacity to store and/or dispose of treated wastewater by use of ponds so that acquisition of suitable real property for the establishment of additional ponding basins in the future is necessary and in the interest of the District and the public it serves; and

WHEREAS, on August 14, 2012, at a regular meeting of the Board of Directors of Malaga, the Board authorized the purchase of specified real property at its fair market value as determined by the District Board of Directors, for future expansion of ponds necessary for treatment or disposal of treated wastewater, and authorized its General Manager to submit an offer for the acquisition of that real property at its fair market value, which the Board has determined to be \$300,000 (the "Purchase Price").

NOW, THEREFORE, it is hereby resolved by the Malaga County Water District Board of Directors as follows:

1. That each of the foregoing recitals is true and correct;
2. That the Board of Directors authorizes the purchase and acquisition by grant deed of the real property from Marie Sargenti, a single woman, commonly known as 4335 S. Maple, Fresno, California, 93725, and more particularly described as follows:

THE SOUTH 650 FEET OF THE EAST 335.10 FEET OF LOT 92 OF MALAGA TRACT, IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 2 PAGE 17 OF PLATS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 330-031-11

3. The President of the Board of Directors, or the General Manager of the Malaga County Water District are each authorized to execute on behalf of the Malaga County Water District all documents necessary to effectuate the purchase and acquisition, by grant deed of the real property described above in exchange for the Purchase Price specified in this resolution.

4. This Resolution passed and adopted this 22nd day of August 2012, by the following vote:

AYES: President Garabedian; Vice President Cerrillo, Directors Castaneda, Cerrillo and Soto

NOES:

ABSENT:

151

Charles Garabedian, Jr., President
of the Board of Directors of the
Malaga County Water District

ATTEST:

151

Russ Holcomb, General Manager/Secretary
to the Board of the Malaga County Water District

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Malaga County Water District
c/o Costanzo & Associates
A Professional Corporation
575 E. Locust Avenue, Suite 115
Fresno, CA 93720

CERTIFICATE OF ACCEPTANCE

I, the undersigned, do hereby certify and declare that I am the President of the Board of Directors, duly qualified and acting as such, as of the date hereof, of the Malaga County Water District and am authorized to execute this Certificate of Acceptance pursuant to the authority duly conferred by the Board of Directors of the Malaga County Water District on August 22, 2012.

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APN: 330-031-11

MALAGA COUNTY WATER DISTRICT

Dated: 8/23, 2012

By: CS
Charles Garabedian, Jr., President of
the Board of Directors