

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

In the Matter of)	DECISION 1625
THE COMPLAINT BY THE CITY OF)	
SANTA BARBARA AGAINST THE USE)	SOURCE: Reclaimed
OF POTABLE WATER BY THE)	Wastewater
TSUKAMOTO SOGYO COMPANY, LTD.)	
FOR THE IRRIGATION OF THE)	COUNTY: Santa Barbara
MONTECITO COUNTRY CLUB)	
WHEN RECLAIMED WATER MEETING)	
THE REQUIREMENTS OF)	
WATER CODE SECTION 13550)	
IS AVAILABLE)	

DECISION FINDING RECLAIMED WATER IS AVAILABLE WITHIN
THE MEANING OF WATER CODE SECTION 13550
FOR IRRIGATION OF
THE MONTECITO COUNTRY CLUB

BY THE BOARD:

1.0 INTRODUCTION

The City of Santa Barbara (City) having alleged that the use of potable water by Tsukamoto Sogyo Company, Ltd. (Company) for irrigation of the Montecito Country Club (Country Club) is wasteful and unreasonable because reclaimed water is available within the meaning of Water Code Section 13550; a hearing having been held on September 18, 1989; representatives of the City, the Company, the Regional Water Quality Control Board, Central Coast Region (Regional Board) and the California Department of Health Services, Environmental

Management Branch (DHS) having appeared and presented evidence; and the State Water Resources Control Board (Board) having considered the evidence, the Board finds as follows:

2.0

BACKGROUND

The City supplies potable water to users within its service area, including the Country Club. The Country Club uses the potable water for golf course irrigation as well as the usual domestic uses (City, Exh. 7, p. 11). The City also collects and treats municipal wastewater (Region, Exh. 1, p. 1; City, Exh. 3, Chapter 2). Properly treated, wastewater can be reclaimed and applied to beneficial use (Water Code Section 13500, et seq.). The City has constructed and operates a facility for reclaiming wastewater and wants to substitute reclaimed water for the potable water used for irrigation at the Country Club (SWRCB, Exh. 1, File 262.5, letter dated July 1, 1989; Tape 1, side 1, testimony of David H. Johnson).

On July 6, 1988, the City complained against the Company's use of potable water for irrigation at the Country Club. In essence, the City alleges that:

(1) it is prepared to supply reclaimed water meeting the requirements of Section 13550 to the Country Club;

and (2) the Country Club refuses to use the water. The City asks the Board to require the Company to use reclaimed water at the Country Club. (SWRCB, Exh. 1, File 262.5, letter dated July 1, 1989).

The Company declines to enter into a agreement for the use of reclaimed water for two principal reasons. First, the Company is concerned that the salinity level in the reclaimed water will have an adverse effect on golf course plant life, particularly the greens. Second, the Company wants the City to hold the Company harmless for any legal action brought as a result of the Company's use of reclaimed water so long as the Company complies with all applicable requirements for the use of the water (SWRCB, Exh. 1, File 262.5, letter dated December 12, 1989).

The wastewater reclamation plant is located south of U.S. Highway 101, north of the Southern Pacific rail line and east of Santa Barbara Street, within the City limits at the El Estero Wastewater Treatment Plant. The Country Club is located at the eastern most point of the City, immediately north of U.S. Highway 101, and about one and one-half miles east of the plant

(Regional Water Quality Control Board, Central Coast Region, Exh. 1, Finding 2; USGS, Santa Barbara, 15' quadrangle).

The Country Club includes an 18 hole golf course consisting of about 105 irrigated acres, a clubhouse, swimming pool, restaurant and tennis courts (City, Exh. 3, Appendix D, pp. D-20). Consultants for the City have estimated that the optimal maintenance of landscape areas will require about 2.5 acre-feet of reclaimed water per acre (City, Exh. 7, Irrigation Requirements, p. 5). These figures indicate that about 262 acre-feet annually (afa) of reclaimed water will be required for the irrigation of the Country Club (105 acres x 2.5 af = 262.5 af). Such use would free up about 175 afa of potable water for other uses within the City (City, Exh. 15, 2:19-21).

Freeing up potable water is important to the City. Currently, the average annual demand for water, about 16,700 afa, is equal to the City's current average annual supply of water (City, Exh. 15, 2:21-24). State Water Project (SWP) water is not currently available to the City nor are there facilities available for directly or indirectly supplying SWP water to the City (Tape 2, side 1, at 370 and 400-485; Tape 2, side 2 at 75-85). During the intermediate future, about 6 to 10

years, the only means to augment water supply is ground water (City, Exh. 15, 4:16-18; Exh. 10, pp. 4, 5, 11, 12 and 13; Tape 2, Side 1). But, the ground water basins available to the City are already used to capacity and any long term increase in extraction could result in seawater intrusion in the ground water zones (City, Exh. 15, 4:18-21; Exh. 1, pp. 3-5 to 3-7).

The City is pursuing a potpourri of strategies for stretching its potable supply, including demand reduction, more intense water management and supply augmentation. The strategies include such measures as conservation, water rate revisions, wastewater reclamation, conjunctive use of surface and ground water supplies and measures to capture or develop more surface water within the County (City, Exh. 10). Wastewater reclamation is an important component of the City's strategy (City, Exh. 1, p. 1-1).

During November of 1988, the City adopted a drought contingency plan establishing a staged approach for dealing with water shortages. Stage I is activated when projected supplies are about 10 percent less than projected demand. Stage II and Stage III can be activated for projected shortages of 15 and 20 percent, respectively. A Stage I declaration calls for a

10 percent voluntary reduction in use by all customers. Stage II places mandatory restrictions on the use of water and fines can be imposed for violation of the restrictions. In addition, water rates for outside use are increased (City, Exh. 10, p. 2; Exh. 9, p. 5, "D. METERED WATER CHARGES DURING DROUGHT CONDITIONS"). During Stage III, irrigation service can be interrupted (City, Exh. 10, p. 2). At the time of our hearing, the City had declared a Stage I Drought Condition calling for water savings of 1300 acre-feet of potable water (City, Exh. 15, 3:8-13; Tape 2, side 1, 40). Finally, we take official notice that on January 9, 1990, the City adopted Resolution 90-008 declaring a Stage II Drought Condition.

The City's reclamation project consists of two phases. Phase 1 includes pretreatment facilities at the El Estero Wastewater Treatment Plant, storage and pumping facilities, and approximately 5.2 miles of piping for the delivery of reclaimed water (City, Exh. 7, p. 2). The City plans to serve reclaimed water to about 16 sites between the City boundary on the east and the West Beach/Shoreline Park areas on the west, including the Country Club during Phase 1. Cumulatively, these sites comprise about 272 acres. The Country Club is the largest potential single user

of reclaimed in Phase 1 and comprises about 40 percent of the entire acreage for which reclaimed water service is proposed. Phase 2 can serve an additional 150 acres located in the northwestern section of the City (City, Exh. 7, p. 2 and p. 11, Table 3; Exh. 15, 2:15-20).

3.0

APPLICABLE LAW

In the Water Reclamation Law, Chapter 7, commencing with Section 13500, of Division 7 of the Water Code, the Legislature established a strong public policy in favor of using reclaimed water to conserve the water resources of the state:

"13510. It is hereby declared that the people of the state have a primary interest in the development of facilities to reclaim water containing waste to supplement existing surface and underground water supplies and to assist in meeting the future water requirements for the state.

"13511. The Legislature finds and declares that a substantial portion of the future water requirements of this state may be economically met by beneficial use of reclaimed water.

"The Legislature further finds and declares that the utilization of reclaimed water by local communities for domestic, agricultural, industrial, recreational, and fish and wildlife purposes will contribute to the peace, health, safety and welfare of the people of the state. Use of reclaimed water constitutes the development of "new basic water supplies" as that term is used in Chapter 5 (commencing with Section 12880) of Part 6 of Division 6.

"13512. It is the intention of the Legislature that the state undertake all possible steps to encourage development of

water reclamation facilities so that reclaimed water may be made available to help meet the growing water requirements of the state."

Water Code Section 13521 requires DHS to:

"...establish statewide reclamation criteria for each varying type of use of reclaimed water where such use involves the protection of public health."

Water Code Section 13520 defines "reclamation criteria" to mean:

"...the levels of constituents of reclaimed water, and means for assurance of reliability under the design concept which will result in reclaimed water safe from the standpoint of public health, for the uses to be made."

DHS has adopted regulations prescribing the levels of treatment needed for various uses of reclaimed wastewater (Chapter 3, "Reclamation Criteria", commencing with Section 60301, of Division 4 of Title 22 of the California Code of Regulations). Section 60313 contains the requirements for "Landscape Irrigation".

In furtherance of the policy set forth in Water Code Sections 13510-13512, the Legislature has declared the use of potable water for greenbelt irrigation to be wasteful and unreasonable if suitable reclaimed water is available. California Water Code Section 13550 states:

"The Legislature hereby finds and declares that the use of potable domestic water for the irrigation of greenbelt areas,

including, but not limited to, cemeteries, golf courses, parks, and highway landscaped areas, is a waste or an unreasonable use of such water within the meaning of Section 2 of Article X of the California Constitution when reclaimed water which the State Board, after notice and hearing, finds meets the following conditions is available:

- "(a) The source of reclaimed water is of adequate quality for such use and is available for such use.
- "(b) Such reclaimed water may be furnished to such greenbelt areas at a reasonable cost for facilities for such delivery. In determining reasonable cost, the State Board shall consider all relevant factors, including, but not limited to, the present and projected costs of supplying potable domestic water to affected greenbelt areas and the present and projected costs of supplying reclaimed water to such areas, and shall find that the cost of supplying such reclaimed water is comparable to, or less than, the cost of supplying such potable domestic water.
- "(c) After concurrence with the State Department of Health Services, the use of reclaimed water from the proposed source will not be detrimental to public health.
- "(d) Such use of reclaimed water will not adversely affect downstream water rights, will not degrade water quality, and is determined not be injurious to plant life." (Emphasis added.)

Water Code Section 13551 prohibits the use of potable water for the irrigation of greenbelt areas by any person or public agency "...when suitable reclaimed water is available as provided in Section 13550".

4.0 FINDINGS REGARDING THE AVAILABILITY OF RECLAIMED WATER

4.1 Reclaimed Water of Adequate Quantity and Quality Is Available for Irrigation at the Montecito Country Club

The Regional Board regulates the City's wastewater reclamation activities under Order No. 88-04 (Regional Board, Exh. 1). The Order contemplates the use of reclaimed water for golf course irrigation at the Country Club and requires compliance with DHS' 22 Cal. Code Regs. Section 60313 reclamation criteria for landscape irrigation. Water quality monitoring indicates that DHS and Regional Board requirements are being met by the reclamation plant (City, Exh. 11 and 11a; Exh. 17). Mr. Bill Meese, a representative for the Regional Board testified that the plant was producing reclaimed water that complies with the requirements of Order No. 88-04 (Tape 4, side 1, 180-220).

The plant can produce about 4.3 million gallons of reclaimed water per day, enough to serve the peak demand for approximating 670 acres of landscaping. The treatment facilities have been sized for 3000 gallons per minute (gpm) and plant piping has been sized for 3200 gpm to serve Phase 1 sites between 9:00 p.m. and 6:00 a.m. The additional flow, 200 gpm, will come from the 600,000 gallon plant storage tank, which will be

filled during daylight hours (City, Exh. 7, p. 10; Exh. 18, 3:5-9). Provision has been made to augment the supply of reclaimed water with potable water if insufficient reclaimed water is available (City, Exh. 7, p. 24; Exh. 18, 3:20-24). With the possible exception of the greens, the use of reclaimed water will not be injurious to plant life (Section 4.4, infra). We find, accordingly, that reclaimed water of adequate quantity and quality is available for irrigation at the Country Club.

4.2 The Cost of Reclaimed Water to the Country Club Is Comparable to Or Less Than the Cost of Potable Water.

On June 20, 1989, the City adopted Resolution 89-072, setting forth inverted block rates for the use of water. The rates for use of water increase as the quantity used increases. In order to encourage the use of reclaimed water, the rates for the use of reclaimed water are less than the rates for the use of potable water. Rates are increased for some uses and levels of use during declared Stage II and Stage III drought conditions. In addition, the resolution provides that rates will double during a declared drought condition, when the Public Works Director determines that use of reclaimed water is feasible and the user has failed to

substitute reclaimed water for potable water (City, Exh. 9, pp. 5, 6, 7, para. 11; Exh. 14; Exh. 15, 1:21-2:11; Exh. 10, pp. 2 and 3).¹

On its face, the resolution indicates that the rates for the provision of a given quantity of reclaimed is less than the rates for the same quantity of potable water (City, Exh. 9, pp. 5, 6, and 7). Testifying for the City, Philip A. Overeynder estimated that the Country Club would pay \$84,000 for potable water or \$63,500 for reclaimed water, a savings of about 25 percent. His estimation was based upon: (a) the rates adopted by Resolution 89-072; and (b) the 1988 monthly use of potable water by Country Club (City, Exh. 9; Exh. 15, 2:2-11; Tape 2, side 1, 325-350). The difference in rates is not based on premium potable rates imposed during a drought condition.

The City will bear the cost of: (a) delivering the reclaimed water to the Country Club; (b) installing the reclaimed water distribution system at the Country Club; and (c) connecting the City's pipes to the Country Club's distribution system (Tape, 1, side 2, 80-130; City, Exh. 3, Chapter 3, Transmission and Distribution System; and Exh. 8, Appendix B, Sample User Agreement).

¹ By letter dated July 26, 1989, the City expressly warned the Country Club of this provision in the resolution (City, Exh. 14).

We find that the cost of reclaimed water to the Country Club is comparable to or less than the cost of potable water.

4.3 The Use of Reclaimed Water for Irrigation of the Montecito Country Club Will Not Be Detrimental to Public Health

Section 13550 is applicable only if the Board finds, after concurrence with DHS, that use of reclaimed water from the proposed source will not be detrimental to public health.

As previously stated, the Regional Board adopted Order No. 88-04 providing wastewater requirements for the reclamation plant. The Order contemplates the use of reclaimed water for golf course irrigation at the Country Club and requires compliance with DHS' 22 Cal. Code Regs. Section 60313 reclamation criteria for landscape irrigation, criteria that are also applicable to the use of reclaimed water on the irrigation of schoolyards, public parks, playgrounds, and the like. A representative for the Regional Board testified that the plant was producing reclaimed water that complied with these requirements.

Mr. Michael L. Kiado, a DHS Senior Sanitary Engineer, testified that: (a) the City's reclamation plant and its operation is substantially similar to facilities

operated by the Los Angeles County Sanitation Districts (LACSD); (b) the LACSD plant produces effluent that is essentially free of potentially pathogenic organisms; and (c) that there is no significant probability of a detriment to public health if the City's plant is properly operated (DHS, Exh. 1; Tape 4, side 1, 22-80).

Boyd T. Hicken, a professional engineer, testified for the City that he was the design manager for the reclamation plant and that the plant included treatment processes designed to meet the DHS requirements. Further, he testified that the plant is designed to be mechanically reliable. Reliability features include: standby units for water pumps, polymer feeders, alum pumps, chlorinators and chlorine residual analyzers, filters designed to handle double the current rate of treatment, malfunction alarms for all major equipment, an automatic filter-to-waste valve (if the turbidity of the treated water exceeds predetermined limits), disinfection alarms if chlorine residuals are too high or low and multiple points to add more chlorine. Finally, potable water is automatically sent to reclamation users if reclaimed water is of unsuitable quality (City, Exh. 18, pp. 1-4).

Finally, to assure the protection of public health, the City has prepared a comprehensive manual titled "User

Manual for Application of Reclaimed Water to Reuse Sites" and City staff are available to assist users to operate in accordance with the manual (City, Exh. 8; Tape, side 2, 20-30). Accordingly, we find that the use of reclaimed water for irrigation of the Montecito Country Club will not be detrimental to public health.

4.4 The Use of Reclaimed Water Will Not Be Injurious to Plant Life at the Montecito Country Club.

Section 13550 is applicable only if the Board finds that use of reclaimed water will not be injurious to plant life at the Country Club.

The City's wastewater is relatively high in salinity. The City's feasibility study indicates that the specific conductance and total dissolved solids of the City's wastewater is 1.73 mmhos/cm and 1,370 mg/l respectively (City, Exh. 1, pp. 4-7, Table 4-3). The reclamation plant's treatment processes will not significantly reduce the salinity level.

Donald R. Fox, who holds a degree in Irrigation Science and has work experience in the application of reclaimed water, testified that: (a) his firm was retained by the City to identify potential reuse sites; (b) he had visited the Country Club and toured the entire golf course; (c) he prepared specific information concerning

the acceptability of using reclaimed water on the golf course; (d) studies by the USDA Salinity Laboratory, Riverside, and the University of California at Davis, have shown that subtropical turf grasses exhibit tolerance to high levels of salinity; and (e) the major type of grass on the fairways is a subtropical grass that exhibits high salinity tolerance. Based upon the forgoing, he opined that the use of reclaimed water on the fairways would not have an adverse effect on the fairways (City, Exh. 16, pp. 1-3).

Mr. Fox also testified that: (a) one of the two types of grasses on the greens exhibited a high tolerance to salinity; and (b) although the soil on the greens show high levels of salinity, the greens show no observable damage. Based on the forgoing, he further opined that reclaimed water would not adversely affect the greens. This opinion should be considered along with other testimony for the City which recognizes that it may be desirable to isolate one green to determine the effect of reclaimed water because the greens are not constructed to recommended drainage requirements (Tape 1, side 2, 540-550).

One of the Country Club's principal concerns is the effect that reclaimed water could have on the greens. The City has offered to bear the cost of installing

separate irrigation systems for the fairways and greens (Tape 1, side 2, 80-130) and to conduct a test on a green of the Country Club's choosing to determine the effect of the use of reclaimed water.

We find that, with the possible exception of the greens, the use of reclaimed water will not be injurious to plant life at the Country Club. The evidence also indicates that reclaimed water is probably of adequate quality for the greens, but that further evaluation is desirable. We find the Country Club should not be required to use reclaimed water on the greens until a test has been conducted that demonstrates that reclaimed water is not injurious to plant life. The test should be conducted over at least a 24-month period; however, the test should be terminated at an earlier time if it becomes apparent that the reclaimed water is causing significant injury to plant life on the green.

4.5 The Use of Reclaimed Water For Golf Course Irrigation Will Not Degrade the Quality of Groundwater Beneath the Club.

Prior to approving construction of the water reclamation plant, the City commissioned several feasibility and planning studies. These studies evaluated the soils, geology and groundwater for the

sites proposed for the use of reclaimed water, including the Country Club (City, Exh. 1, pp. 2-3, 4, and 5; Exh. 2, pp. 15-25; Exh. 3, p. 4-3).

We have found, above, that the plant is producing reclaimed water in compliance with applicable requirements which will not be a detriment to public health nor injurious to plant life. David A. Gardner, a registered geologist and certified engineering geologist, testified that he: (a) has conducted numerous ground water studies in the area including a comprehensive investigation of the groundwater in the Santa Barbara-Montecito area; and (b) has reviewed numerous hydrologic studies for the area. He states that the Country Club is largely underlain by nonwater-bearing strata of the Monterey formation and that the ground water south of Country Club is saline and non-potable. He further states that he is familiar with ground water recharge mechanisms. He concludes by expressing the opinion that reclaimed water meeting the requirements of Order No. 88-04 and DHS requirements and applied to the Country Club is not likely to degrade the quality of ground water in the area. Having considered the foregoing, we find that the use of reclaimed water will not degrade the quality of ground water beneath the Country Club.

4.6

The Use of Reclaimed Water Will Not Adversely Affect
Downstream Water Rights

Regulated by a Regional Board order, The City's waste treatment plant currently discharges its treated wastewater to the Pacific Ocean via an 8700 foot outfall (Regional Board, Exh. 1, finding 6; City, Exh. 1, p. 4-1). The treated wastewater being discharged directly to the ocean, there is no downstream water right or user of water that can be adversely affected by reclamation of the wastewater. We find that the use of reclaimed water can not adversely affect downstream water rights.

5.0

OTHER CONSIDERATIONS

The last issue warranting consideration is the Company's demand that the City hold the Country Club harmless so long as all applicable requirements for the use of the water are satisfied. The contract offered by the City for the use of reclaimed water provides part, but not all, of the assurances sought by the Company. The contract provides:

- "A. CITY shall indemnify, defend, and save USER and USER's agents, officers, employees, or contractors, harmless against any and all liability, expense, including defense costs and legal fees, and claims for damages of any nature whatsoever arising from or connected with CITY's construction, ownership, operation, or maintenance of CITY's own delivery facilities or other water reclaimed-water-related activities, including workers'

compensation suits, liability, or expense arising from or connected with services for or on behalf of CITY.

"B. USER shall indemnify, defend, and save CITY and CITY's agents, officers, employees, or contractors, harmless against any and all liability, expense, including defense costs and legal fees, and claims for damages of any nature whatsoever arising from or connected with USER's construction, ownership, operation, or maintenance of USER's delivery or application facilities or other reclaimed-water-related activities, including any workers' compensation suits, liability, or expense arising from or connected with services for or on behalf of USER. (City, Exh. 8, Appendix B., Sample User Agreement.)

Through cross examination, counsel for the Company attempted to establish that the City Council had the discretion to modify the foregoing language; however, representatives for the City responded that: (a) the plant was financed, in part, by the sale of bonds to the public; (b) bond counsel's warranty on the issue was based, in part, upon the applicability of the foregoing indemnification provisions; and (c) the indemnification provisions should not be changed (Tape 1, side 2, 240-387).

In general, the effect of the indemnification provisions is to: (a) make the City accountable for the reclamation plant and pipelines which it owns and operates; and (b) make the Company accountable for the

operation of the reclaimed water distribution system on the Country Club.

The legislature had declared that the use of potable water for the irrigation of golf courses is a waste or an unreasonable use of water under Article X, Section 2 of California's Constitution when reclaimed water meeting the requirements of Section 13550 is available. Section 13550 does not expressly require a supplier of reclaimed water to give indemnification assurances to users. No evidence was offered demonstrating that the cost of defending, settling or paying adjudicated claims arising out of the use of reclaimed water would make the cost of using reclaimed water greater than the cost of using potable water by the Company. Indeed, no evidence was presented demonstrating that the risk of litigation is higher if reclaimed water is used instead of potable water. Nor did the City present any evidence on the cost of insurance. In the absence of such a demonstration, there is no legal or factual basis for allowing the Country Club to continue to receive potable water for landscape irrigation.

6.0

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The adoption of this decision by the Board is exempt from the requirements of the California Environmental

Quality Act (Public Resources Code Section 21000, et seq.) as an enforcement action under 14 Cal. Code Regs. Section 15321.

7.0

CONCLUSIONS

In view of the foregoing findings, we conclude that reclaimed water meeting the requirements of Section 13550 is available from the City for irrigation at the Country Club. More specifically, we conclude that:

(a) reclaimed water of adequate quantity and quality is available for use at the Country Club; (b) the cost of the reclaimed water to the Country Club is comparable to or less than the cost of potable water; (c) the use of reclaimed water will not be detrimental to public health; (d) the use of reclaimed water will not adversely affect downstream water rights or degrade water quality; and (e) with the possible exception of the greens, the use of reclaimed water will not be injurious to plant life on the golf course. Given the uncertainty concerning the greens, the Company should be required to designate one green the City can use to conduct a test to determine whether the reclaimed water is injurious to the plant life on the greens.

Further, in view of the City's water supply and demand situation and its declaration of a Stage II drought

conditions, the Country Club should be required to cease use of potable water as soon as it is reasonably possible to commence use of reclaimed water, a time the record indicates should not require more than about four months from the adoption of this decision (Tape 1, side 2, 190-210). Accordingly, the City should cease supplying potable water to the Country Club as soon as sufficient time has passed to install and connect the system for distributing reclaimed water at the Country Club.

8.0

ORDER

NOW, THEREFORE, IT IS ORDERED that the Tsukamoto Sogyo Company, Ltd. shall forthwith cease use of potable water for irrigation at the Montecito Country Club, except for greens. Except for the greens, the City of Santa Barbara shall cease supplying potable water for irrigation at the Country Club as soon as sufficient time has passed to install and connect the system for distributing reclaimed water at the Country Club.

The Company shall designate one green the City can use to conduct a test to determine whether the reclaimed water is injurious to the plant life on the greens. The test should be conducted over at least a 24-month period; however, the test should be terminated at an

earlier time if it becomes apparent that the reclaimed water is causing significant injury to plant life. If the City and the Country Club agree that the test demonstrates that the use of reclaimed water is not injurious to the plant life on the green, the City shall cease supplying potable water to the greens after reasonable time to convert the irrigation system for the greens. If the Country Club and the City disagree

as to the results of the test and are unable to agree on a subsequent course of action, either party may petition the Board for review and appropriate action.

CERTIFICATION


The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is full a, true, and correct copy of an decision duly and regularly adopted at a meeting of the State Water Resources Control Board held on February 15, 1990.

AYE: W. Don Maughan
 Darlene E. Ruiz
 Edwin H. Finster

NO: None

ABSENT: Eliseo M. Samaniego

ABSTAIN: John Caffrey


Maureen Marché
Administrative Assistant
to the Board