

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2005-0124

APPROVING AND ACCEPTING
THE CITY OF SHAFTER'S
DECLARATION OF POTENTIAL WATER POLLUTION
AND A
TIME SCHEDULE FOR COMPLIANCE
FOR
THE CITY OF SHAFTER
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 community of North Shafter, City of Shafter, Kern County, consists of 206 occupied properties with community water supply and utilizing on-site individual septic systems for wastewater treatment and disposal; and

WHEREAS, the City reports widespread septic system malfunctioning in North Shafter as indicated by frequent necessary septic tank pumping and inappropriate graywater disposal, where at least 146 of the occupied properties (71%) had one or both of these symptoms; and

WHEREAS, the City received a petition from North Shafter residents describing the frequent necessary septic system pumping and frequent graywater disposal onto neighborhood yards as widespread; and

WHEREAS, North Shafter has an estimated density of six units per acre built on Wasco Sandy Loam, which consists of deep, well-drained soil on recent alluvial fans and flood plains; and

WHEREAS, the City reports that during the decade beginning in 1980, approximately 75% of North Shafter's twenty-two community water systems had levels of nitrates in violation of the Maximum Contaminant Level of 45 mg/L, requiring that a new water distribution system be constructed in the early part of the decade beginning in 1990; and

WHEREAS, nitrate concentrations above the Maximum Contaminant Level of 45 mg/L indicate an existing pollution problem, which has potential for an increase in extent and magnitude of pollution with continued reliance on septic systems; and

WHEREAS, the Regional Water Quality Control Board, Central Valley Region (Regional Board) adopted the *Water Quality Control Plan for the Tulare Lake Basin, Second Edition*, (hereafter Basin Plan), which designates beneficial uses, establishes water quality objectives, and contains implementation plans and policies for protecting all waters of the Basin, and contains implementation plans and policies for protecting all waters of the Basin, including Guidelines for Waste Disposal from Land Development (Guidelines); and

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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 City declared a public health, safety and potential pollution problem and proposes to remedy the situation in accordance with a proposed time schedule, but needs funding assistance and requests to be raised in priority from Class C to Class B on the Small Community Grant Project priority list for planning, design, and construction of a sewerage collection system to be connected to the City's existing treatment and disposal facilities; and

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

RESOLVED that the Regional Board approves and accepts the City of Shafter's declaration of a potential pollution problem in North Shafter and its time schedule for mitigation; and be it further

RESOLVED that the Regional Board, recognizing the seriousness of the current situation, urges the State Water Resources Control Board to place the City of Shafter 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 16 September 2005.

THOMAS R. PINKOS, Executive Officer