

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**RESOLUTION NO. R6V-2010-0026**

**APPROVAL OF ALTERNATE SUPPLEMENTAL ENVIRONMENTAL PROJECT  
PURSUANT TO ORDER NO. R6V-2007-0034  
COUNTY SANITATION DISTRICTS NO. 14 AND 20 OF LOS ANGELES COUNTY  
ANTELOPE VALLEY RECYCLED WATER PROJECT**

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**WHEREAS**, the California Regional Water Quality Control Board, Lahontan Region (hereinafter Water Board) finds:

1. On November 29, 2007, the Water Board adopted Administrative Civil Liability Order No. R6V-207-0034 (Order) against the County Sanitation Districts No. 14 and 20 of Los Angeles County (Districts).
2. The Order imposed a \$4.75M liability against the Districts. The Order suspended \$4.55M of the liability provided that this money would be used to fund a supplemental environmental project (SEP) that consisted of two distinct phases of the Antelope Valley Recycled Water Project (Project).
3. Provision 3.b. on page 21 of the Order provides in part that:


“The Water Board Executive Officer and Districts’ Chief Engineer and General Manager will meet and confer between July 2009 and July 2011 to discuss whether the Antelope Valley Recycled Water Project infrastructure is proceeding forward towards construction and completion of infrastructure improvements within the July 1, 2015 timeframe. If, at that time, the Water Board Executive Officer and Districts’ Chief Engineer and General Manager agree that the Antelope Valley Recycled Water Project is not expected to proceed, the Water Board Executive Officer and Districts’ Chief Engineer and General Manager will subsequently meet and confer to agree upon an alternate supplemental environment project(s) for recommendation to the Water Board and Districts’ Boards for approval.”
4. In a letter dated June 3, 2010 (attached), the Districts’ Chief Engineer and General Manager outlined the results of the meet and confer process provided for in Provision 3.b. of the Order. The letter documents the reasons why the currently approved phases of the Antelope Valley Recycled Water Project will not move forward within the timeframe for completion. Additionally, the letter describes an alternate SEP that is recommended to be substituted for the currently approved SEP. The alternate SEP consists of any sections of the Antelope Valley Recycled Water Project and provides for pre-project funding under limited circumstances. The Water Board Executive Officer has accepted the letter as an accurate representation of the meet and confer process and concurs with the recommendation.
5. The Water Board supports the recommendation of its Executive Officer and Districts’ Chief Engineer and General Manager.



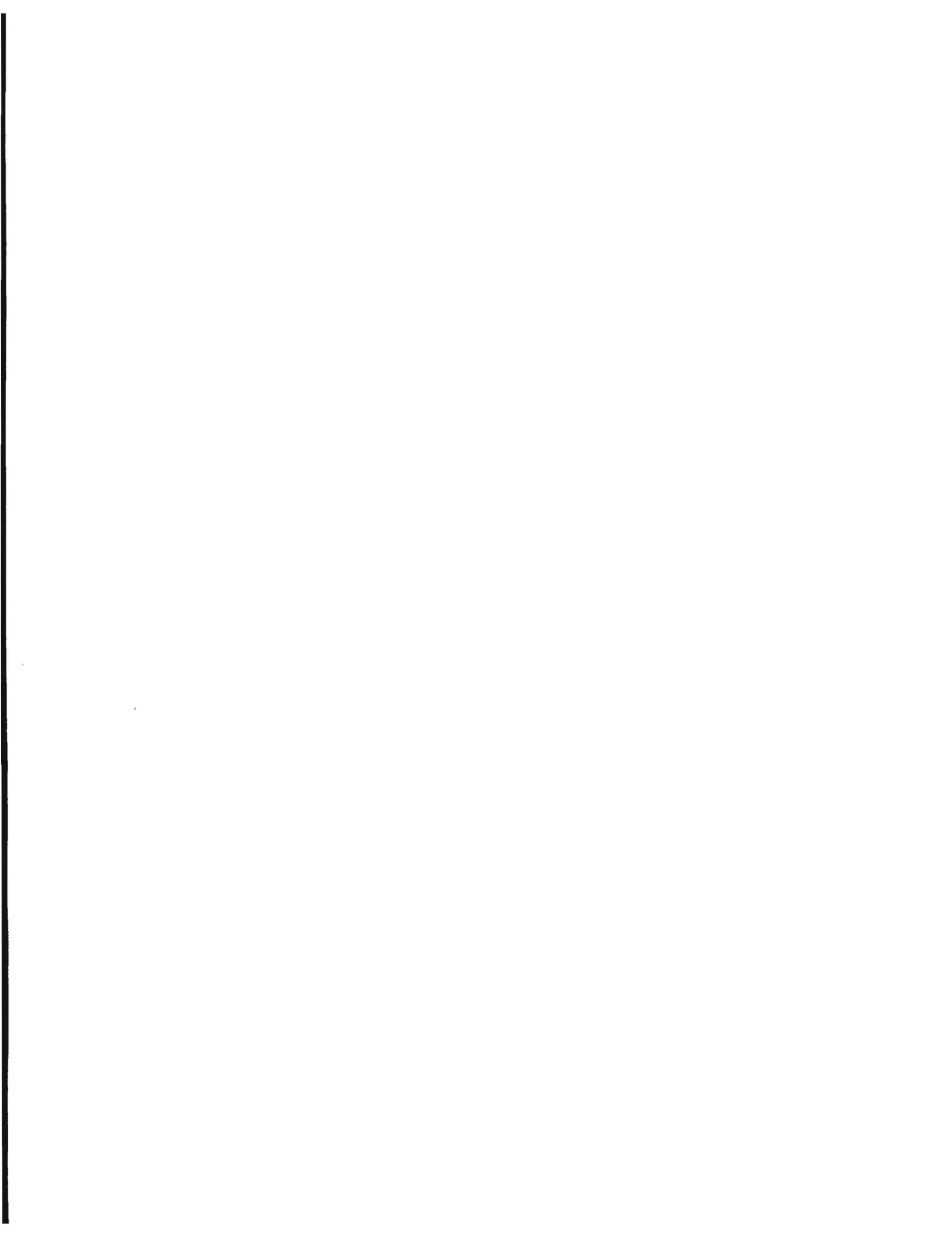
**THEREFORE BE IT RESOLVED THAT:**

The Water Board accepts the alternate SEP as identified in the attached June 3, 2010 letter in lieu of the SEP approved as part of Administrative Civil Liability Order No. R6V-2007-0034.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Lahontan Region, on June 9, 2010.

  
\_\_\_\_\_  
HAROLD J. SINGER  
EXECUTIVE OFFICER

Attachment: June 3, 2010 letter



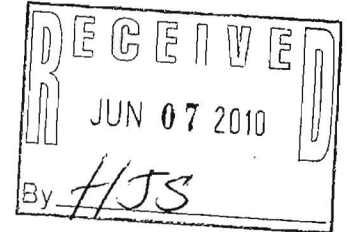


# COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

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STEPHEN R. MAGUIN  
Chief Engineer and General Manager

June 3, 2010  
File No. 14-14.01-55



Harold J. Singer, Executive Officer  
California Regional Water Quality Control Board  
Lahontan Region  
2501 Lake Tahoe Blvd.  
South Lake Tahoe, CA 96150

Dear Mr. Singer:

### **Proposal for Alternate Supplemental Environmental Project Pursuant to the Provisions of Order No. R6V-2007-0034**

This letter confirms the results of our discussions conducted pursuant to Section 3.b. of California Regional Water Quality Control Board, Lahontan Region (Water Board) Order No. R6V-2007-0034 (Order). This section provides that the Chief Engineer and General Manager of County Sanitation District Nos. 14 and 20 of Los Angeles County (collectively referred to as the "Districts") and the Executive Officer of the Water Board can meet and confer to determine if the supplemental environmental project (SEP) identified in the Order will proceed as expected.

As a result of our meet and confer, we mutually determined that:

1. The SEP in the Order identified Phases 1B and 2 of the Antelope Valley Recycled Water Project (Project) as being eligible for funding pursuant to the Order. A portion of Phase 2 of the Project (as contemplated in the SEP) is not anticipated to be constructed prior to July 1, 2015. Additionally, portions of Phases 1B and 2 of the Project have been combined into other Project sections realigned or funded with grant funds.
2. Project phases other than 1B and 2 are still to be constructed and, if made a part of the SEP, would be constructed prior to July 1, 2015. Construction of these phases would greatly facilitate distribution and use of recycled water, which was the goal in funding the SEP.
3. The recent involvement of the U.S. Department of Army (U.S. Army Corps of Engineers) in the construction of some of these Project sections includes contract and fund management procedures that ensure that any pre-construction committed funding will be used for project construction. These procedures address the concerns of the Water Board when it included a provision in the Order restricting distribution of funds until project sections were constructed and operational.

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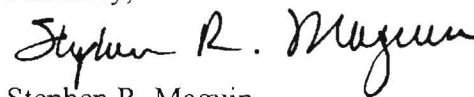
Section 3.b. of the Order also provides that the Water Board Executive Officer and Districts' Chief Engineer and General Manager can agree upon an alternate SEP if they find that the approved SEP will not be operational by July 1, 2015. This alternate SEP must be approved or ratified by both the Districts' Boards and the Water Board. Based on our discussions, we are mutually proposing the following alternate SEP:

- A. The alternate SEP shall consist of any sections of the Antelope Valley Recycled Water Project as identified on the enclosed Figure 1, including any section that would connect to Project sections and that would facilitate distribution and use of recycled water via the Project.
- B. Only construction costs will be eligible for reimbursement and only once the specific section is constructed and operational, except as provide in C. below.
- C. Monies paid by the Districts to the escrow account pursuant to the Order may be released in advance of construction and use if needed to provide a local match, only if the U.S. Army Corps of Engineers will be overseeing and contracting for the construction of a specific section as part of its responsibility in administering federal funds. Additionally, the section to be constructed must, upon completion, be tied into a fully operational (used to distribute recycled water) section of the Antelope Valley Recycled Water Project. In such case, the moneys must be transferred directly to the account that is controlled and managed by the U.S. Army Corps of Engineers for the sole purpose of constructing the section of the Project.

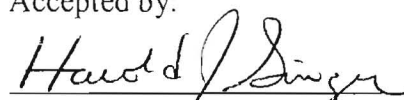
The Districts will request our Boards to consider and approve or ratify the alternate SEP at the earliest possible date.

Our signatures on this letter signify our agreement to support the findings stated above and the alternate SEP as described above.

Sincerely,

  
Stephen R. Maguin

Accepted by:

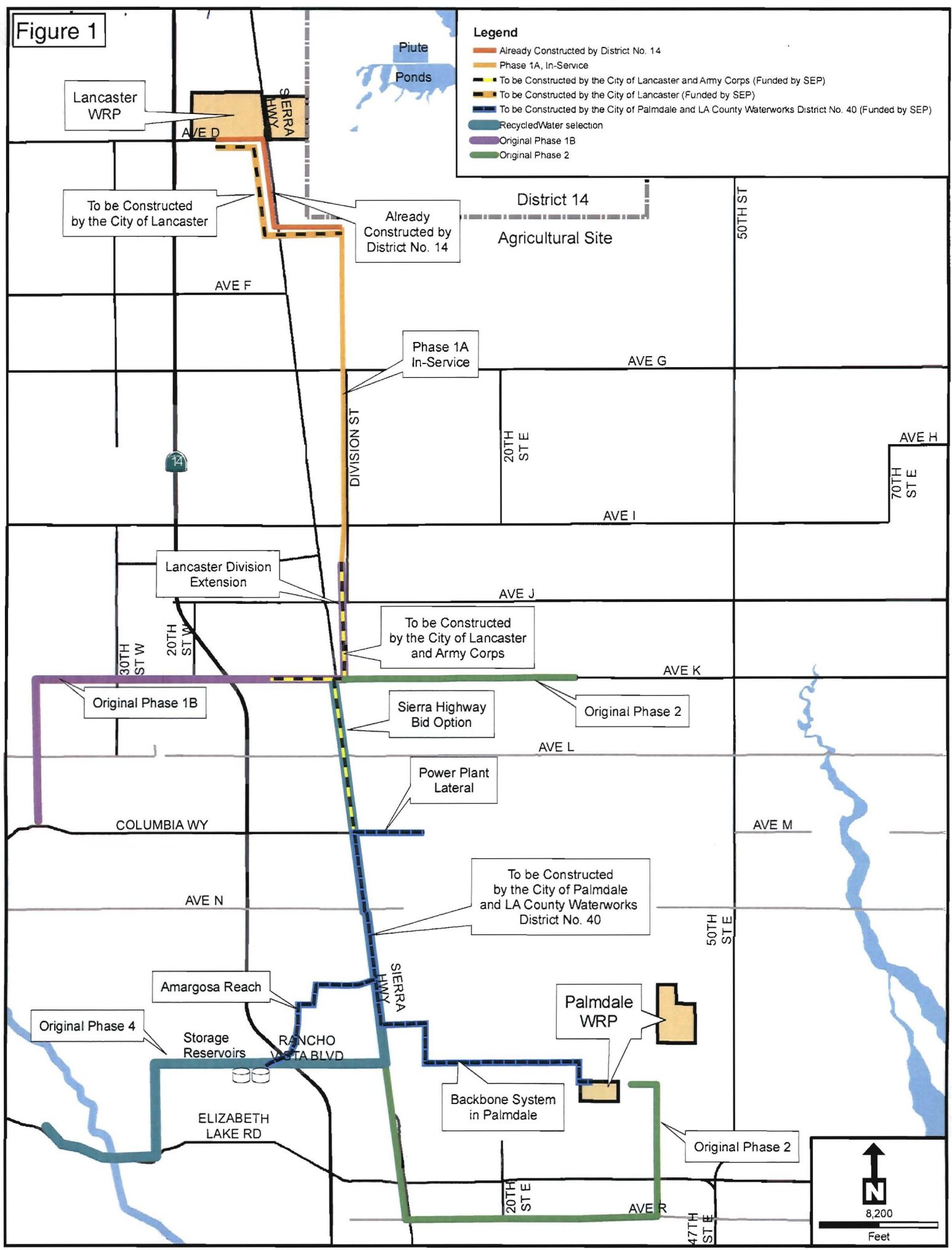
  
Harold J. Singer  
Executive Officer  
Lahontan Water Board

Dated: June 8, 2010





Figure 1



**Legend**

- Already Constructed by District No. 14
- Phase 1A, In-Service
- To be Constructed by the City of Lancaster and Army Corps (Funded by SEP)
- To be Constructed by the City of Lancaster (Funded by SEP)
- To be Constructed by the City of Palmdale and LA County Waterworks District No. 40 (Funded by SEP)
- Recycled Water selection
- Original Phase 1B
- Original Phase 2

