

REGULAR MEETING STARTS AT 6:00 PM

Mayor Diane Wratten

Vice Mayor Stacy Rhoades

Council Member Dominic Atlan

Council Member Dan Epperson

Council Member Tom Reed

Monday, March 9, 2020

Ione City Hall

1 E. Main Street

Ione, CA 95640

***THE CITY OF IONE IS A GENERAL LAW CITY DEDICATED TO
PROVIDING LEADERSHIP, ACCOUNTABILITY, AND FISCAL INTEGRITY
WHILE PROMOTING ECONOMIC OPPORTUNITIES AND MAINTAINING
A HIGH QUALITY OF LIFE FOR OUR CITIZENS***

PLEASE LIMIT PUBLIC COMMENT/TESTIMONY TO FOUR MINUTES

Gov't. Code §54954.3

The Ione City Council welcomes, appreciates, and encourages participation in the City Council Meeting. The City Council reserves the right to reasonably limit the total time for public comment on any particular noticed agenda item as it may deem necessary.

Full staff reports and associated documents are available for public review at the Office of the City Clerk, City Hall, 1 E. Main Street, Ione, CA. Hard copies may be obtained for \$3.60 for pages 1-5 and \$.45 for each additional page. Documents that are not available when the agenda is posted will be made available for public review at the meeting.

AGENDA

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE TO THE FLAG
- C. ROLL CALL
- D. APPROVAL OF AGENDA
- E. PRESENTATIONS/ANNOUNCEMENTS/PROCLAMATIONS: None
- F. PUBLIC COMMENT: EACH SPEAKER IS LIMITED TO 4 MINUTES

NOTE: This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. Persons may address the City Council at this time on any subject within the jurisdiction of the Ione City Council.

*Please be mindful of the **4 minute time limit per person**. Pursuant to the Brown Act, the City Council may not take action or engage in a detailed discussion on an item that does not appear on the Agenda. However, matters that **require Council action will be referred to staff for a report and/or recommendation for possible action at a future Council meeting**. Is there anyone in the audience who wishes to address the Council at this time?*

G. CONSENT CALENDAR:

Notice to the Public: All matters listed under this category are considered to be routine and will be enacted by one motion. Any item may be removed for discussion and possible action and made a part of the regular agenda at the request of a Council Member(s).

1. Adoption of Resolution No. 2020-06 – Supporting the Display of the National Motto “In God We Trust” in the City of Lone Council Chambers in a Prominent Location at City Hall

H. PUBLIC HEARING: None

I. REGULAR AGENDA:

2. Governor Newsom’s Executive Order N-23-20 Preston Youth Facility Potential as a Homeless Shelter
3. Mule Creek State Prison’s Wastewater and Storm Water Issues
4. Central Valley Regional Water Quality Control Board Notice of Violation

J. CITY MANAGER REPORTS

K. CITY COUNCIL COMMITTEE REPORTS

L. CITY COUNCIL COMMENTS/FUTURE AGENDA ITEMS

M. CLOSED SESSION AGENDA:

- Conference with Legal Counsel Pursuant to Government Code Section 54956.9(d)(1), Existing Litigation CPUC v. City of Lone Case No. 18-08-010

N. ADJOURNMENT

NOTICE REGARDING CHALLENGES TO DECISIONS

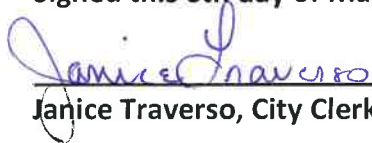
Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, this public hearing.

ADA COMPLIANCE STATEMENT

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk Janice Traverso at (209) 274-2412, ext. 102. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

I, Janice Traverso, the City Clerk of the City of Lone declare under penalty of perjury that the foregoing agenda for the March 9, 2020 meeting of the City Council was posted on March 6, 2020 at the office of the City of Lone at 1 East Main Street, Lone, CA 95640

Signed this 6th day of March, 2020 at Lone, California



Janice Traverso, City Clerk, City of Lone

RESOLUTION NO. 2020-06**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IONE
IN AMADOR COUNTY, STATE OF CALIFORNIA SUPPORTING THE
DISPLAY OF THE NATIONAL MOTTO 'IN GOD WE TRUST' IN THE
CITY OF IONE COUNCIL CHAMBERS IN A PROMINENT
LOCATION AT CITY HALL**

WHEREAS, "In God We Trust" became the United States national motto on July 30, 1956, shortly after our national led the world through the trauma of World War II; and

WHEREAS, the words have been used on U.S. currency since 1864; and

WHEREAS, the same inspiring slogan is engraved above the entrance to the Senate Chamber as well as above the Speaker's dais in the House of Representatives; and

WHEREAS, in both war and peace, these words have been a profound source of strength and guidance to many generations of Americans; and

WHEREAS, the City desires to display this patriotic motto in the Council Chambers as a way to solemnize public occasions and express confidence in our society.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ione does hereby resolve as follows:

Section 1. That the City Council of the City of Ione and the State of California does hereby determine that the historic and patriotic words of our national motto, "In God We Trust," shall be permanently and prominently displayed in City of Ione Council Chambers at City Hall.

Section 2. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

The foregoing resolution was duly introduced and adopted by the City Council of the City of Ione at their regular meeting held on March 9, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Diane Wratten, Mayor

Attest:

Janice Traverso, City Clerk

Agenda Item

#2

DATE: February 25, 2020

TO: Ione City Council

FROM: Jon G. Hanken, City Manager

SUBJECT: Governor Newsom's Executive Order N-23-20 Preston Youth Facility
Potential as a Homeless Shelter.

RECOMMENDED ACTION: None. Discussion Only

Motion: _____ / _____.

FISCAL IMPACT: None

BACKGROUND: On February 21, 2020, the Governor's Office published a press release highlighting State owned property that could be made available for emergency homeless shelters and highlighted his Executive Order N-23-20. The Governor referenced 286 state owned properties available to local governments to use for short term homeless shelters. One of the properties on the list included the former Preston Youth Facility. This story was also reported by KVGC Radio News on 2-21-2020.

The Governor called on local leaders to review the sites available in their regions and invite officials to work with the state to develop housing and shelter proposals that help move people off the streets. The state is offering local governments \$1 leases on state owned-property, and the \$650 million in State Emergency Homeless Aid can be used to build out sites.

The Governor was quoted in the press release as saying:

"As a former mayor I get that localism is determinative and that all levels of government must work together to get Californians off the street and into housing and supportive services," said Governor Newsom. "The state is stepping up by making land available to cities and counties willing to meet this moment head-on. I invite local leaders to use this land on what works for their community's homeless needs so that we can begin to make meaningful progress to help individuals experiencing homelessness."

Governor Newsom also laid out his Administration's five-part approach – reducing street homelessness quickly and humanely through emergency actions, a laser focus on getting the mentally ill out of tents and into treatment, providing stable funding to get sustainable

results, tackling the underproduction of affordable housing in California, and doing all of this with real accountability and consequences.

While the Governor's Executive Order and speeches may play very well in larger cities, small communities (like Lone) do not have the medical, social and mental health resources to assist a homeless population regardless of whether there is state owned properties in the community. This is reason why the City of Lone has not and should not pursue this program.

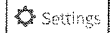
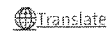
There has been much in the news related to Stockton's efforts to provide temporary shelter for homeless populations. Stockton can do this because they have resources and services to help the homeless population. Staff has also attached a copy of the California Coordinating and Finance Council's Homeless Housing, Assistance, and Prevention (HHAP) Grant Allocations by Continuum of Care agencies, Cities and Counties to give an indication as to where financial resources are being sent.

Attachments: Governor's Office Press Release "On the Heels of State of the State, Governor Newsom Highlights State-Owned Properties Available for Emergency Homeless Housing, Calls on Cities and Counties to Partner with the State." February 21, 2020

Governor Newsom's Executive Order N-23-20

KVGC Radio News Story "Old Preston Site May Become Homeless Shelter" created on 2-21-2020

California Coordinating and Finance Council's Homeless Housing, Assistance, and Prevention (HHAP) Grant Allocations



Office of Governor
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On the Heels of State of the State, Governor Newsom Highlights State-Owned Properties Available for Emergency Homeless Housing, Calls on Cities and Counties to Partner with the State

Published: Feb 21, 2020

Governor calls on cities and counties to submit housing and shelter proposals for 286 state-owned properties immediately available to local governments

Available properties identified as part of Governor's executive order on homelessness to rapidly increase housing and shelter options

Governor's State of the State address this week called on all levels of government to step up to combat the crisis and laid out Administration's five-part approach

SACRAMENTO – A day after meeting with officials from cities across California on the front lines of the homelessness crisis, Governor Gavin Newsom today highlighted the 286 state-owned properties available to local governments to use for homelessness solutions. The Governor called on local leaders to review the sites available in their regions and invited officials to work with the state to develop housing and shelter proposals that help move people off the streets. The state is offering local governments \$1 leases on state owned-property, and the \$650 million in State Emergency Homeless Aid can be used to build out sites.

“As a former mayor I get that localism is determinative and that all levels of government must work together to get Californians off the street and into housing and supportive services,” said Governor Newsom. “The state is stepping up by making land available to cities and counties willing to meet this moment head-on. I invite local leaders to use this land on what works for their community's homeless needs so that we can begin to make meaningful progress to help individuals experiencing homelessness.”

The Governor announced the release of these properties as part of his State of the State address Wednesday. They include vacant lots, fairgrounds, armories and other state buildings – and were identified as part of the Governor's executive order requiring state agencies to take urgent action to make state properties and facilities available to rapidly increase housing and shelter options. The Department of General Services has developed an interactive map of the available properties, which will continue to be updated as it works with local governments on the suitability of parcels for temporary shelter.

In his State of the State address, Governor Newsom called on all levels of government to step up their efforts to combat the homelessness crisis, and laid out his Administration's five-part approach – reducing street homelessness quickly and humanely through emergency actions, a laser focus on getting the mentally ill out of tents and into treatment, providing stable funding to get sustainable results, tackling the underproduction of affordable housing in California, and doing all of this with real accountability and consequences.

Following his State of the State address, the Governor will travel the state meeting with service providers and homeless individuals and hearing directly from Californians about his Administration's homelessness response. He kicked off this tour in Yountville yesterday, where he met with over 50 leaders at the League of California Cities meeting, outlining his vision and inviting partnerships.

Recent News

In South LA, Governor Newsom Visits Formerly Homeless Families Provided Temporary Housing in State-Owned Travel Trailers

Governor Newsom Announces Appointments 2.24.20

TODAY: In South LA, Governor Newsom to Visit Formerly Homeless Families Provided Temporary Housing in State-Owned Trailers

Governor Newsom Announces Appointments 2.21.20

On the Heels of State of the State, Governor Newsom Highlights State-Owned Properties Available for Emergency Homeless Housing, Calls on Cities and Counties to Partner with the State

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The Governor has released the full \$650 million in State Emergency Homeless Aid and issued a challenge for cities and counties to partner with the state on immediate impact solutions to tackle homelessness. On the heels of his proposed budget featuring more than \$1 billion to fight homelessness, and executive order on homelessness, Governor Newsom last month traveled to San Diego, Oakland, Grass Valley, Riverside, Los Angeles and Fresno, participating in a local point-in-time count and meeting with staff and residents at shelters, a board and care home, and a crisis stabilization center.

###

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EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-23-20

WHEREAS California faces a severe housing crisis that has made housing unaffordable for too many Californians and, in turn, exacerbated the problem of homelessness; and

WHEREAS homelessness in California is not confined to urban corridors but is present in urban, suburban, and tribal and rural communities throughout the state; and

WHEREAS data released recently by the U.S. Department of Housing and Urban Development based on the 2019 Point-in-Time Count indicated that there were 151,278 individuals who were homeless in California, over 108,000 of whom were unsheltered, and that the homeless population has been steadily increasing; and

WHEREAS Californians driven into homelessness often develop significant health issues over time and, often experience significant morbidity and die sooner; and

WHEREAS it is estimated that a substantial proportion of individuals who are homeless experience chronic physical and mental health disorders, yet are not receiving regular and consistent medical or psychiatric care; and

WHEREAS California's homelessness crisis has put considerable stress on many public services including transportation, libraries, schools, health services and public safety, as well as created public health challenges; and

WHEREAS California's homelessness crisis has impacted certain business sectors throughout the state and is a top concern to many residents, businesses, communities, tribal governments, cities, and counties across the state; and

WHEREAS unauthorized encampments of people who are homeless are increasing in many areas of the state within the public right of way and near or on private or tribal property, resulting in traffic and fire hazards, crime, risk of injury and death, and other conditions detrimental to public health and safety, both for people who are homeless and people who are not; and

WHEREAS since 2018, almost 200 counties and cities have declared a shelter crisis, pursuant to Government Code section 8698 et seq.; and

WHEREAS over the past two years, the state has substantially increased its efforts to address street homelessness by providing more than \$2.7 billion in new funding, significantly increasing its support for safety net services, eliminating barriers to getting navigation centers and temporary housing built to allow homeless adults to receive services and stability in

order to find longer-term housing, enacting the most aggressive rent-gouging protections, launching a 100-Day Challenge Initiative to bring counties and cities together to more urgently address homelessness in their communities, and expediting funding allocations to local governments, including allocations to counties to reduce the number of families in the child welfare services system experiencing homelessness; and

WHEREAS solutions to homelessness require additional innovation, cooperation and urgency within the public sector, and among the public and private and tribal sectors; and

WHEREAS because reducing the population of homeless individuals in California is a matter of critical statewide importance, the state can and needs to do more to help local communities act with urgency to address street homelessness and the society-wide problems associated with the homelessness crisis.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this Order to reduce street homelessness, break down barriers to homeless individuals accessing health care and other critical services, and to increase housing options for those experiencing homelessness. This Order shall become effective immediately.

IT IS HEREBY ORDERED THAT:

1. All state agencies specifically referenced in this Order shall develop by no later than February 28, 2020 accountability metrics for state agencies and for local partners to assess the use of the state resources referenced in the following paragraphs and their impact on reducing street homelessness, breaking down barriers to homeless individuals accessing health care and other critical services, and increasing housing options for those experiencing homelessness. The metrics shall be published online and regularly updated. In carrying out this Order, state agencies shall consider the extent to which local partners regularly and publicly report data based on the local metrics.
2. The Department of Finance, pursuant to its authority under Government Code sections 11005, 11005.1, and 13306, shall immediately establish the California Access to Housing and Services Fund within the Department of Social Services, to receive future state appropriations, as well as donations from philanthropy and the private sector, and to provide much needed dollars for additional affordable housing units, providing rental and operating subsidies, and stabilizing board and care homes;
3. To rapidly increase housing options for those experiencing homelessness, the following actions shall occur by no later than January 31, 2020:

- a. The Department of General Services shall identify all properties from the digitized inventory of excess state land created by EO N-06-19 that can be used by local partners, including tribal governments, counties, cities, or non-profit agencies, on a short-term emergency basis to provide shelter for individuals who are homeless, so long as such usage will not delay affordable housing development on those properties.
 - b. The Department of General Services shall conduct an initial assessment of all state facilities to identify facilities that can be used by local partners on a short-term emergency basis to provide shelter for individuals who are homeless and in need of health and social services.
 - c. The Department of Transportation (Caltrans) shall develop and share a model lease template to allow counties and cities to use Caltrans property adjacent to highways or state roads in those jurisdictions on a short-term emergency basis to provide shelter for individuals who are homeless, building on recent partnerships with the cities of Los Angeles, San Jose, and San Francisco, and consistent with Streets & Highways Code section 104.30. Priority for future partnerships to make state land available to counties and cities for short-term emergency housing shall be given to jurisdictions where a shelter crisis declared pursuant to Government Code section 8698 et seq. is in effect.
 - d. The Office of Statewide Health Planning and Development shall work with local jurisdictions, tribal communities, and private entities to conduct an initial assessment of the appropriateness and availability of vacant and decommissioned hospitals and health care facilities for use by local partners on a short-term emergency basis to provide shelter for individuals who are homeless.
 - e. The Department of Food and Agriculture, in consultation with the Department of General Services, the Department of Housing and Community Development, the Department of Social Services, and the Office of Emergency Services, shall conduct an initial assessment of fairgrounds in or near jurisdictions where a shelter crisis is currently in effect, and, for those fairgrounds, determine the population capacity and space that would currently be available to local partners on a short-term emergency basis to provide shelter for individuals who are homeless.
4. The Department of General Services shall supply 100 travel trailers from the state fleet, and the Emergency Medical Services Authority shall supply complementary modular tent structures, to provide temporary emergency housing and the delivery of health and social services in communities across the state. The Department of General Services and the Emergency Medical Services Authority shall supply trailers and tents immediately and

end by September 30, 2020, unless the secretaries of the Government Operations Agency and the Health and Human Services Agency both concur on a case-by-case basis that the specific circumstances warrant the continued use of the trailers or tent structures. These trailers and tent structures shall only be used where the following criteria have been satisfied:

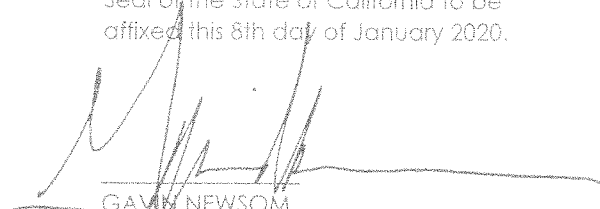
- a. A shelter crisis declared pursuant to Government Code section 8698 et seq. or its equivalent under the applicable laws governing the jurisdiction of a federally recognized tribe in California is in effect.
 - b. Local partners, including counties, cities, and non-profit agencies, have the capacity and resources to deploy, operate, secure, and maintain the trailers or tent structures.
 - c. Local partners make appropriate health, social, housing, and other appropriate services available to support the needs of individuals temporarily housed in the trailers or tent structures and transition them into permanent, safe and stable housing.
 - d. Local partners agree to regularly and publicly report data based on the accountability metrics referenced in paragraph 1.
5. To further assist local jurisdictions in addressing street homelessness, there shall be a multi-agency state strike team comprised of the Business, Consumer Services, and Housing Agency; the Government Operations Agency; the Health and Human Services Agency; the Labor and Workforce Development Agency; and the Transportation Agency. The strike team shall be coordinated by the Homeless Coordinating and Financing Council and provide technical assistance and targeted direct support to counties, cities, and public transit agencies seeking to bring individuals experiencing homelessness indoors and connect them with appropriate health, human, and social services and benefits.

FURTHERMORE, all counties, cities, public transit agencies, special districts, school districts, tribal governments, and non-governmental actors, including businesses, faith-based organizations, and other non-profit agencies, are requested to examine their own ability to provide shelter and house homeless individuals on a short-term emergency basis and coordinate with local authorities to provide shelter and house individuals.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order shall be filed with the Office of the Secretary of State and that widespread publicity and notice shall be given to this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its departments, agencies, or other entities, its officers or employees, or any other person.

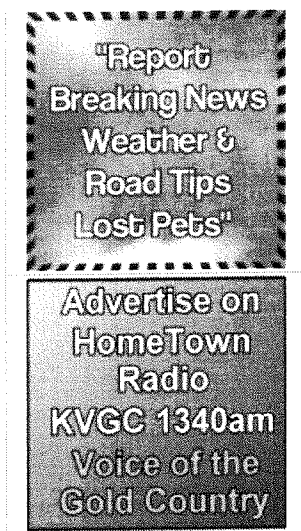
IN WITNESS WHEREOF I have hereunto
set my hand and caused the Great
Seal of the State of California to be
affixed this 8th day of January 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Old Preston Site May Become Homeless Shelter

Created on Friday, 21 February 2020 20:02
Hits: 627

Old Preston Site May Become Homeless Shelter

lone and Valley Springs may soon become Emergency Homeless Shelter Sites. Governor Newsom's newly released list of state-owned properties available for local governments to use for local homelessness solutions includes two local properties. The list comes on the heels of Newsom's meetings with regional officials working on the front lines across the state to combat homeless issues and his State of the State address, which referred to the impending release of the list and called for all levels of government to step up. Included on the Governor's Executive Order N-23-20 list of sites, are one each in Amador and Calaveras counties. In Amador County the property is listed as 201 Waterman road, which is the address of the former Preston School of Industry. In Calaveras County the property is owned by Caltrans in Valley Springs near Warren Road in the 9800-block of Highway 26. Newsom says he wants local leaders to review the available state-owned sites in their areas and work with the state towards developing housing and shelter proposals that help move people off the streets. Under his plan, the state is offering local governments one-dollar leases to use the identified properties and the ability for qualifying projects to tap into some \$650 million in State Emergency Homeless Aid and technical assistance for building out the sites.

Written by Jerry Guidi

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HOMELESS HOUSING, ASSISTANCE, AND PREVENTION (HHAP) GRANT ALLOCATIONS

CONTINUUM OF CARE	ALLOCATION
Alpine, Inyo, Mono Counties CoC	\$ 500,000.00
Amador, Calaveras, Mariposa, Tuolumne Counties CoC	\$ 995,414.43
Bakersfield/Kern County CoC	\$ 1,566,746.98
Chico, Paradise/Butte County CoC	\$ 1,491,354.64
Colusa, Glenn, Trinity Counties CoC	\$ 500,000.00
Daly/San Mateo County CoC	\$ 1,781,143.93
Davis, Woodland/Yolo County CoC	\$ 771,593.44
El Dorado County CoC	\$ 722,117.21
Fresno City & County/Madera County CoC	\$ 2,954,437.15
Glendale CoC	\$ 500,000.00
Humboldt County CoC	\$ 2,004,964.93
Imperial County CoC	\$ 1,664,521.41
Lake County CoC	\$ 500,000.00
Long Beach CoC	\$ 2,231,141.93
Los Angeles City & County CoC	\$ 66,271,041.04
Marin County CoC	\$ 1,218,057.42
Mendocino County CoC	\$ 924,734.12
Merced City & County CoC	\$ 716,227.19
Napa City & County CoC	\$ 500,000.00
Nevada County CoC	\$ 500,000.00
Oakland, Berkeley/Alameda County CoC	\$ 9,449,958.07
Oxnard, San Buenaventura/Ventura County CoC	\$ 1,966,090.75
Pasadena CoC	\$ 638,478.84
Redding/Shasta, Siskiyou, Lassen, Plumas, Del Norte, Modoc, Sierra Counties CoC	\$ 1,589,129.07
Richmond/Contra Costa County CoC	\$ 2,703,522.04
Riverside City & County CoC	\$ 3,311,372.74
Roseville, Rocklin/Placer County CoC	\$ 726,829.24
Sacramento City & County CoC	\$ 6,550,887.16
Salinas/Monterey, San Benito Counties CoC	\$ 3,185,326.18
San Bernardino City & County CoC	\$ 3,071,059.67
San Diego City and County CoC *	\$ 10,790,528.04
San Francisco CoC	\$ 9,465,272.14
San Jose/Santa Clara City & County CoC	\$ 11,433,718.90
San Luis Obispo County CoC	\$ 1,746,981.78
Santa Ana, Anaheim/Orange County CoC	\$ 8,081,115.98
Santa Maria/Santa Barbara County CoC	\$ 2,123,943.46
Santa Rosa, Petaluma/Sonoma County CoC	\$ 3,476,293.48
Stockton/San Joaquin County CoC	\$ 3,099,331.80
Tehama County CoC	\$ 500,000.00
Turlock, Modesto/Stanslaus County CoC	\$ 2,265,304.09
Vallejo/Solano County CoC	\$ 1,355,884.04
Visalia/Kings, Tulare Counties CoC	\$ 1,253,397.58
Watsonville/Santa Cruz City & County CoC	\$ 2,552,737.36
Yuba City & County/Sutter County CoC	\$ 849,341.78

CITY	ALLOCATION
Anaheim	\$ 8,422,162.84
Bakersfield	\$ 3,265,736.61
Fresno	\$ 6,158,246.18
Long Beach	\$ 4,650,605.37
Los Angeles	\$ 117,562,500.00
Oakland	\$ 19,697,548.19
Riverside	\$ 6,902,244.82
Sacramento	\$ 13,654,707.74
San Diego *	\$ 22,491,840.12
San Francisco	\$ 19,729,468.92
San Jose	\$ 23,832,510.94
Santa Ana	\$ 8,422,162.84
Stockton	\$ 6,460,265.43

COUNTY	ALLOCATION
Alameda	\$ 8,754,709.98
Alpine	\$ -
Amador	\$ 233,546.24
Butte	\$ 1,381,633.36
Calaveras	\$ 202,988.79
Colusa	\$ 61,114.90
Contra Costa	\$ 2,504,619.72
Del Norte	\$ 200,806.11
El Dorado	\$ 668,989.93
Fresno	\$ 2,325,640.36
Glenn	\$ 62,206.24
Humboldt	\$ 1,857,456.54
Imperial	\$ 1,542,059.99
Inyo	\$ 158,243.95
Kern	\$ 1,451,478.97
Kings	\$ 272,834.39
Lake	\$ 445,265.73
Lassen	\$ 50,201.53
Los Angeles	\$ 64,319,071.00
Madera	\$ 411,434.26
Marin	\$ 1,128,443.05
Mariposa	\$ 65,480.25
Mendocino	\$ 856,699.99
Merced	\$ 663,533.24
Modoc	\$ 5,456.69
Mono	\$ 75,302.29
Monterey	\$ 2,642,128.26
Napa	\$ 351,410.70
Nevada	\$ 452,905.09
Orange	\$ 7,486,575.73
Placer	\$ 673,355.28
Plumas	\$ 50,201.53
Riverside	\$ 3,067,749.91
Sacramento	\$ 6,068,928.22
San Benito	\$ 308,848.53
San Bernardino	\$ 2,845,117.04
San Diego *	\$ 9,996,652.14
San Francisco	\$ 8,768,897.37
San Joaquin	\$ 2,871,309.15
San Luis Obispo	\$ 1,618,453.62
San Mateo	\$ 1,650,102.41
Santa Barbara	\$ 1,967,681.64
Santa Clara	\$ 10,592,522.45
Santa Cruz	\$ 2,364,928.51
Shasta	\$ 902,536.17
Sierra	\$ 13,096.05
Siskiyou	\$ 249,916.30
Solano	\$ 1,256,129.54
Sonoma	\$ 3,220,537.17
Stanislaus	\$ 2,098,642.15
Sutter	\$ 319,761.91
Tehama	\$ 314,305.22
Trinity	\$ 86,215.67
Tulare	\$ 888,348.78
Tuolumne	\$ 420,164.96
Ventura	\$ 1,821,442.40
Yolo	\$ 714,826.11
Yuba	\$ 467,092.48

* Indicates jurisdictions approved to use 2017 PIT counts per HSC § 50216 (j). All other jurisdiction allocations are based on 2019 PIT counts.
No more than 40 percent of the total allocation for CoCs and no less than \$500,000 will be awarded to an individual CoC per HSC § 50218 (a)(1).
No more than 45 percent of the total allocation for cities will be awarded to an individual city per HSC § 50218 (a)(2).
No more than 40 percent of the total allocation for counties will be awarded to an individual county per HSC § 50218 (a)(3).

Agenda Item

#3

DATE: February 27, 2020

TO: Ione City Council

FROM: Jon G. Hanken, City Manager

SUBJECT: Mule Creek State Prison's Wastewater and Storm Water issues.

RECOMMENDED ACTION: Discussion with possible direction to staff.

Motion: _____ / _____.

FISCAL IMPACT: Unknown at this time.

BACKGROUND: At the February 18, 2020 Council meeting, Council asked that the topic of Mule Creek State Prison's wastewater and storm water be placed on the agenda.

Wastewater and storm water issues have been an issue with California prisons for decades. In a November 15, 2007 article written by John Dannenberg for Prison Legal News, he stated that "Since 2000, eight of California's 33 state prisons have been cited for major water pollution problems." The article went on to highlight Mule Creek State Prison's citation (2005-2006) for excess chemicals in the local water table traced to its dry cleaning plant. Mule State Creek Prison first denied it was responsible for the chemical spill, but later admitted that they had spilled 20,000 gallons into the creek

The issues with Mule Creek State Prison have continued through the years. Regional Water Quality and Control Board has responded numerous complaints and the issues still haven't been addressed to the satisfaction of many. In November of 2019, the Regional Water Quality and Control Board share with the City a shortened version of Mule Creek State Prison's Revised Storm Water Collection System Investigative Report of Findings (dated October 2019) in November of 2019. That report was emailed to Council at that time. Staff asked for a response to this report from Regional Water Quality and Control Board and did not get an answer. Staff also asked that representatives from the Regional Water Quality and Control Board and the Department of Corrections and Rehabilitation make a joint presentation to the City related to the issues involving the contamination issues at Mule Creek State Prison. There has been no response from either agency as to when that might happen.

After Council discussion, Council may want to meet the City's attorney in closed session to discuss possible further action.

Attachments:

Revised Storm Water Collection System Investigative Report of Findings - Mule Creek State Prison. August 2018. Revised October 2019. Already electronically sent to Council in November of 2019.

Dannenberg, John. "Prison Drinking Water and Wastewater Pollution Threatens Environmental Safety Nationwide". Prison Legal News. November 15, 2007.

Mitchell, Jack. "Commentary: Mule Creek Contamination Is A Stink-Fest All The Way Around." Ledger Dispatch. February 13, 2020.

Prison Drinking Water and Wastewater Pollution Threaten Environmental Safety Nationwide

Loaded on NOV. 15, 2007 by [John Dannenberg](#) published in Prison Legal News [November, 2007](#), page 1

Filed under: [Conditions of Confinement](#), [Overcrowding](#), [Environmental Law](#), [Sewage](#), [Water](#), [Clean Water Act](#).

Locations: [Alabama](#), [California](#), [Florida](#), [Georgia](#), [Indiana](#), [Kentucky](#), [Massachusetts](#), [Maryland](#), [Michigan](#), [New Jersey](#), [New Mexico](#), [New York](#), [Ohio](#), [Pennsylvania](#), [Texas](#), [Virginia](#), [Washington](#).

by John E. Dannenberg

Aging infrastructure concerns are not limited to America's highways, bridges and dams. Today, crumbling, overcrowded prisons and jails nationwide are bursting at the seams -- literally -- leaking environmentally dangerous effluents not just inside prisons, but also into local rivers, water tables and community water supplies. Because prisons are inherently detested and ignored institutions, the hidden menace of pollution from them has stayed below the radar. In this report, PLN exposes the magnitude and extent of the problem from data collected over the past several years from seventeen states.

Alabama

The Alabama Department of Corrections (ADOC) has been ignoring complaints of wastewater pollution from its prisons since 1991. Back then, the problem was limited to leaking sewage from the St. Clair prison. Although the Alabama Legislature promised to provide the \$2.3 million needed to build a new wastewater treatment plant that would match St. Clair's vastly expanded population, no money has been appropriated.

Today, the problem has grown statewide and includes pollution from ADOC's Draper, Elmore, Fountain/Holman, Limestone prisons and the Farcquhar Cattle Ranch and Red Eagle Honor Farm. The problem has drawn the ire of the private watchdog group, Black Warrior Riverkeeper (BWR) and of the state Attorney General (AG), both of whom have filed lawsuits against ADOC. The AG's office claims ADOC is violating the Alabama Water Pollution Control Act (Act) by dumping raw sewage into Little Canoe Creek, from which it flows into the Coosa River. The AG has demanded that ADOC fix the problems and pay fines for the damage they have caused. All parties acknowledge that the problems stem from ADOC's doubling of its population to 28,000, while the wastewater treatment facilities were designed for less than half that number.

The environmental damage is huge. ADOC is pumping extremely high levels of toxic ammonia, fecal coliform, viruses, and parasites into local streams and rivers. When raw sewage hits clean water, it sucks up the available dissolved oxygen to aid decomposition. But in so doing, it asphyxiates aquatic plants and animals that depend on that oxygen.

Telltale disaster signs include rising water temperatures and the appearance of algae blooms. The pollution renders public waterways unfit for human recreation as well.

BWR notes in its suit that Donaldson State Prison has committed 1,060 violations of the Clean Water Act since 1999, dumping raw sewage into Big Branch and Valley creeks, and thence into the Black Warrior River. BWR seeks fines for the violations, which could range from \$100 to \$25,000 each. Peak overflows were documented at 808,000 gallons in just one day, which isn't surprising for a wastewater treatment plant designed to handle a maximum of 270,000 gallons per day. Donaldson,

designed to hold only 990 prisoners, has 1,500 today.

One path to reformation was found in turning over wastewater treatment to privately-run local community water treatment districts. Donaldson came into compliance with its wastewater permit after contracting with Alabama Utility Services in 2005. Limestone and other ADOC prisons are now seeking privatization solutions.

California

Since 2000, eight of California's 33 state prisons have been cited for major water pollution problems. Folsom State Prison, originally built in 1880 on 1,200 acres, was fined \$700,000 in 2000 for a massive 700,000 gallon sewage spill into the adjacent American River. The prison is the City of Folsom's largest client, contributing 20% of its sewage plant's input. In 2003, a \$20 million sewage system upgrade was undertaken which tripled the average city user's monthly fee. But Folsom prison kept its \$1,500 monthly 1973 negotiated rate, while adding a new level IV prison. Now with 7,100 prisoners and 2,800 staff to support, the system was overloading the City's processing capability. The prison agreed in 2003 to increase its payment to \$7,500 -- but this still only amounted to 2.7% of the sewage district's income. Nonetheless, the upgraded city facility has reduced sewage spillages into the American River from 100 per year to 20.

A separate water pollution source from the Old Folsom prison is toxic waste from the old scrap metal area, drum storage area, industrial manufacturing area, and the firing range. In 2005, 17,000 cubic yards of contaminated soil were removed to clean up 5.5 acres of prison property. Nearby wells still show excessive levels of contaminants and are unsuitable for drinking water.

At the California Men's Colony state prison (CMC) in the parched city of San Luis Obispo, a World-War II vintage wastewater system spilled over 220,000 gallons of raw sewage in 2004, for which CMC was fined \$600,000 by the regional water quality control district. This followed a citywide record of 450 documented spills in the previous five years -- one quarter of which were attributed to CMC. Some of the effluent flowed into nearby Morro Bay, a protected wildlife sanctuary. Four miles of replacement sewer lines were installed in a \$20 million upgrade in 2005, but not before 30,000 more gallons spewed into Chorro Creek, resulting in another \$33,000 fine. A prison spokesman stated that one problem has been that CMC prisoners flush large objects, such as blankets, down the toilets.

The new larger pipes, coupled with limited toilet flushes, are expected to mitigate this cause of sewage spills. Ironically, water district inspectors flushed out one operator at CMC for falsifying spillage reports. He went to jail.

Salinas Valley State Prison, a new 1996 maximum security prison near environmentally sensitive Monterey Bay, was found in June 2004 to have its well contaminated by nitrates that were leaching in from nearby fertilized agricultural fields. While awaiting a new water filtration system, prisoners were restricted to just a few cups of water per day for all purposes, later increased to 64 ounces, toilet flushes every three hours, and three-minute showers.

The Sierra Conservation Center state prison in gold-country Jamestown had its water filtration system overcome by silt washed down from unusually heavy rains in January 2005. Water to the prison was cut by one-third, compensated for by no showers for two days and the use of disposable food trays. Additionally, laundry was sent to other prisons, drinking water was trucked in, and 90 portable toilets were installed.

In August 2004, 20 prisoners at the California Rehabilitation Center in Norco came down with a

stomach illness traced to the bacterium *Helicobacter pylori*. Prisoners blamed it on visibly brown water coming from prison water pipes, but staff denied that the source of the outbreak was the water, which was tested twice weekly. They claimed it came from poor prisoner personal hygiene, since *H. pylori* is a common organism that lives in the gut of 50% of all persons.

But that explanation didn't wash when there was a *Campylobacter* bacterial outbreak at the Deuel Vocational Institution state prison in Tracy in 2006, which knocked 379 prisoners off their feet. The spread was traced to contaminated food and water, according to prison spokesperson Terry Thornton. Similar outbreaks occurred at the same time in Mule Creek State Prison (106 cases) and Valley State Prison for Women (40 cases).

One particularly troublesome water pollutant is nitrate from fertilizer, commonly found when prisons are located near agricultural areas. The California Institution for Men (CIM) in Chino needed a nitrate filtration system to overcome decades of prior agricultural contamination. As a result, CIM staff workers drank only bottled water, but the prisoners had no such option. Excessive nitrate levels can be fatally toxic, but are particularly troubling for pregnant women such as at the nearby California Institution for Women (CIW) state prison. There, prison officials spent \$43,520 per month since 2001 on bottled water and ice for the female prisoners, pending completion of a \$6.5 million denitrification plant.

Mule Creek State Prison (MCSP) was cited for excess chemicals in the local water table traced to its dry cleaning plant. Poisoning of local wells may cause a shutdown of the dry cleaning program, where prisoners clean guards' uniforms. Originally "sold" to the local community as a 1,700 bed facility, MCSP has grown to 4,383, with another 400 beds slated for the State's 2007 prison expansion plan. Locals are furious, but can't shut down California's appetite for more prison beds. The actual Mule Creek itself, which dries up in the summers, has had potholes of stinking sewage water perfuming the area frequently. After first denying that the prison was responsible, prison spokesman Eric Reyes admitted that they had spilled 20,000 gallons into the creek. The underlying problem lies in the numbers. MCSP's water treatment plant was designed to treat 740,000 gallons of sewage, but currently averages 900,000 gallons. Julio Guerra, manager of the nearby city of Ione's wastewater treatment plant, found MCSP's system "hopelessly overloaded."

In October 2006, Governor Schwarzenegger declared a state of emergency related to prison overcrowding, in which he noted, among other issues, the contamination of public lands from spilled prison wastewater. But all that has come from this so far is an interim plan to build more prison beds at existing prisons -- a sure way to exacerbate wastewater treatment plant overloading.

The problem is not confined to prisons. On October 11, 2007, 400 current and former Merced county jail employees filed claims against the county claiming that the jail's water system has unsafe levels of arsenic in it. The jail's prisoners are not included in the claim, the first step towards filing a lawsuit.

Florida

Raw sewage from pipes underneath the Miami-Dade County Jail has been sickening prisoners and guards for years. In April 2006, two supervisors at the 47-year-old pretrial detention facility on N.W. 13th St. were taken to an outside hospital emergency room, suffering from dizziness, nausea and headaches. In the preceding month, guards had to go to the jail's infirmary 14 times for similar complaints. County inspectors found that the air was "not toxic" -- just unpleasant. But when the air-conditioning fails, the problem is magnified.

The problem stems from leaking pipes in a 4 foot high crawl space underneath the jail. Remedies have

been to install fans to ventilate the space. When the failing pipes are repaired, leaks just spring up elsewhere. To combat the repugnant odors, deodorizing chemicals are used to mask the stench. Until \$47 million in bonds is approved for jail upgrades, the problem will remain. Also remaining is the possibility that raw sewage seeping from floor drains will contaminate the kitchen, a county task-force report warned.

In June 2006, 45 prisoners and three staff workers were felled by suspected bad cold cuts and spaghetti that came from the kitchen; five were hospitalized. County health inspectors found improper food storage temperatures and ordered the kitchen shut. No new illnesses were reported after that, until November 2006, when 22-year-old Honduran native prisoner Arlin Madrid- Reyes died of salmonella poisoning three days after being hospitalized. "This is the same kitchen where food is prepared to feed staff," said an anonymous county worker [staff are prohibited from speaking to the media]. Eighteen other prisoners fell ill at the same time. The kitchen serves more than 17,000 meals daily to the 5,200 prisoners -- three times its design capacity. A health department report noted the sewage contamination possibility, aggravated by the lack of air- conditioning in the food preparation and storage areas. Madrid- Reyes' attorney Michael Bloom is considering a lawsuit. Meanwhile, in March 2007, jail director Tim Ryan announced a clean up, consisting of removing rust from refrigerators and doors and cleaning grease-caked ovens. He admitted that Madrid- Reyes' death served as an "awakening" to the jail's responsibilities of ensuring the health of prisoners and staff.

Florida's Orange County jail is connected to the municipal wastewater treatment facility via a five-mile long sewage pipe. Lately, neighbors have been complaining of bad odors from the facility. Some have added air conditioning to their homes to avoid the fumes that had entered previously open windows. The local sanitation engineer noted that although sewage volume has not increased, temperatures have, and the effluent stews in the long pipe before being treated. A deodorizer is added from time to time to quash the complaints, but it only masks, not eliminates, the noxious gases.

Georgia

In April 2006, Fulton County's jail was forced by raw sewage spills to relocate female prisoners into already overcrowded sections of the facility, where they either slept on the floor or were triple-celled. This occurred despite a standing federal court order dictating improvements to the dilapidated jail. But prisoners reported that raw sewage followed them, spewing from floor drains and toilets even in the relocation areas. "It's overflowing from the top of the toilets and water is also coming out the bottom of them," reported prisoner Valtriana Estrada, adding, "It stinks like hell." Sheriff Myron Freeman refused media calls on the problem, but his lawyer admitted there "were plumbing problems."

Indeed, the problems began in a first-tier cellblock in the north tower, and continued on the second tier, according to an investigator for the Southern Center for Human Rights, which is suing over jail conditions.

Temperatures climbed with the leaks, which rose to the fourth tier with ankle-deep water containing feces. The jail's response was to cut off water for a week, ending showers for prisoners. What water later flowed from faucets was brown and smelled/tasted bad. Southern Center investigator Mary Kelly said the bad water was from rusting and failing water lines, while sewage problems stemmed from unregulated fluctuations in water pressure.

The federal court's January 2006 order demanded improvements and prohibited triple-celling or sleeping on the floors. Jail officials failed to notify the court of their deviation from court orders. The problem had grown to 265 female prisoners crowded into a second-tier cellblock -- 100 more than

available bed space. Prisoner Susan Withers, first moved from a medical unit, was later moved five times in one week because of feces floating out of toilets and drains. Half of the toilets simply did not work. And in one zone, 65 women prisoners shared one shower and two toilets. But the showers were clogged, too, forcing prisoners to urinate in the drains when they couldn't get to the toilets. "The mood is very, very tense," said Withers.

Sheriff Freeman subsequently wrote federal judge Marvin Shoob that "prisoners were never living in or housed in" areas flooded by sewage. He said that a problem had been found and repaired, and that while repairs were being implemented, he used "short term options" for moving prisoners around. But in May 2006, jail records showed that Judge Shoob's population cap order of 2,250 was being exceeded by 200 to 300 prisoners. Nor did Sheriff Freeman meet court-ordered staffing levels. The 18-year-old jail was designed to house 1,400 prisoners. When suit was brought in 2003, there were 3,000 prisoners in the jail. No wonder sewage was overflowing.

Indiana

In a 17-page 2007 report by the Indiana Department of Corrections, serious environmental contamination problems were identified in the Marion County Community Corrections Center. The report noted feces leaking from toilets into latrines and leaking water/sewage inside the building being diverted into open gutters. Additionally, there was serious mold contamination in the heating, ventilation and air-conditioning system [often a source of Legionnaire's Disease]. Fecal-oral contamination was promoted by requiring the prisoners, who had no washer or dryer, to wash their soiled clothing in restroom sinks.

State Representative Mike Murphy, R-Indianapolis, called the report "devastating" and something worthy of interest to Human Rights Watch. "In a normal situation, a health department would come in, shut this place down immediately and transfer these people to a safe environment," he added. But the irony of his concern is that apparently, "devastating [ly] [ab]normal" health conditions are tolerable if it is prisoners who are impacted.

Kenneth Falk, legal director for the American Civil Liberties Union (ACLU), said he had toured the facility within the past year and was "appalled." "It's absolutely horrendous. I certainly think they violate the Constitution." ... "It's a warehouse of human beings. It can't be a surprise to anyone who spends more than two minutes in that building that there are some serious problems," said Falk. Marion's director Brian Barton was with Falk then and stated that he "was working on" the problems.

Kentucky

While most prison wastewater treatment failures stem from decaying, overloaded systems, Kentucky's new \$92 million federal Little Sandy Correctional Complex had big problems from the day it opened in 2005. Although the local town of Sandy Hook (pop. 1,100) enjoyed the prospect of 224 new jobs the prison created, residents were quick to complain of an overwhelming stench that went "all over town." Prison spokeswoman Maleva Chamberlain stated that the sewer lines were too large. What happens is that without adequate flow, the sewage just sits in the line and "goes septic," she stated. Although she reported it would work properly when the prison was at full design capacity, this hasn't proven true. When Little Sandy reached its 961-prisoner capacity on November 1, 2005, the town was still stuck with the bill for odor-killing chemicals to quell the offensive fumes.

Massachusetts

Two MCI-Shirley prisoners came down with Legionnaire's Disease in April 2007. The illness is caused

by a bacterium that is inhaled in fine water droplets associated with moldy water or ventilation systems. It attacks the lungs, with symptoms -- high fever, chills and a dry cough -- similar to pneumonia. Although most victims recover quickly with antibiotic treatment, the disease can be fatal in 5 to 30 percent of diagnosed cases.

The infection was quickly traced by prison inspectors to contaminated water pipes in one 114-man housing unit of MCI-Shirley's 13 units. The fix was to flush all water pipes with 173-degree water for ten minutes, followed by sterilization of all shower heads, faucets and sinks. No further cases occurred thereafter.

Legionnaire's Disease got its name from an outbreak at a 1976 American Legion convention in Philadelphia, where 34 of 221 infected died. Annually, 8,000 to 18,000 Americans are hospitalized with this illness. Common sources of the disease are air-conditioning units, whirlpool spas and plumbing systems.

Hepatitis-A is a common infection spread by poor hygiene in food service facilities. At one module in the Worcester County Jail, two prisoners came down with the disease in 2005. It is typically passed on via feces, and can be spread through ingestion of sewage-contaminated water -- the bane of many older jails. This was precisely the worry that caused Essex County Sheriff to evacuate his Lawrence jail in May 2006 when rising flood waters caused sewage backups. Lawrence's 151 minimum-security prisoners were temporarily housed at the city-owned Jewish Community Center.

Maryland

Legionnaire's Disease was also found in a Hagerstown prison's water supply in late 2006. The discovery came after a just-released 56-year-old Roxbury Correctional Institution prisoner came down with it. While it was possible he contracted the illness elsewhere in the three days following his release (incubation period is 2-10 days), his illness spurred immediate testing at the 1,750-man prison. Contamination was detected both in the water supply and in an air conditioner in one housing unit for 200 prisoners. For two weeks, prisoners and staff were put on bottled water and showers were banned while more testing was done, although no testing was done at any other Maryland state prisons.

Michigan

Eighteen prisoners at the St. Louis and Mid Michigan Correctional Facility are suing the prison system in U.S. District court over unconstitutional living conditions, including contaminated drinking water. In May 2005, the Michigan Department of Water Quality announced that it had found p-CBSA (a byproduct of the long-banned insecticide DDT) in the city of St. Louis' drinking water. As a result, all St. Louis schools switched to bottled water, but when prison officials in the three St. Louis prisons were told of the contamination, they did nothing for the prisoners. As a result, the prisoners claim that they were poisoned by it in both the water and the food prepared with that water. However, it was lately reported that in March 2006, St. Louis shut down the contaminated city wells and no longer required schoolchildren to drink bottled water.

New Jersey

Prison officials at the South Woods State Prison were in hot water because their prisoners were without any. While the prison was only eight years old, its hot water piping system was misdesigned by simply burying the pipes under 20 feet of soil with no maintenance access. Acidic soil ate through the pipes, and the specter of the multi-millions of dollars to replace this entire infrastructure is daunting. The pipes carry 325-degree steam for heating buildings and water. When the hot water went

down and the visiting room was closed, the prisoners staged a short hunger strike to protest. The interim solution was to bring in local hot water heaters and to contract with an outside laundry service. Ken Gaburo, a prison operations engineer, questioned the faulty design as early as 1998, but officials were in too much of a hurry to get the prison built. Now, contractors may be held liable for repairs.

New Mexico

Smelly sewage backups in the Grants, New Mexico Women's Correctional Facility finally hit the fan. The ACLU filed suit in April 2006 to correct this and other overcrowding problems at the prison. The sewage backups in the living areas are so bad that guards have to wear masks.

Private prison operator Corrections Corporation of America stated that this is an occasional problem, and that when backups occur, it is cleaned up. The facility was designed in 1989 to house 200 female prisoners, but housed 664 as of April 12, 2006. It is not known if the sewage treatment capability was upgraded to match the population increase.

New York

More Legionnaire's Disease surfaced at New York City's Rikers Island Jail. Two prisoners at the Otis Bantum Correctional Center were diagnosed in October 2005 with the *Legionellus* bacterium. Because this bacterium is often found in plumbing systems, crews disinfected the jail's showerheads and chlorinated the hot water tanks. The Department of Public Health continued to monitor the health of other prisoners as well as prison staff, to stem any larger outbreak. The two prisoners, aged 25 and 44, were successfully treated with antibiotics.

Ohio

Sheriff Gene Kelly of Springfield's Clark County Jail declared a state of emergency in July 2006 and evacuated 45 prisoners to Miami and Logan County jails when major flood damage to his jail caused three inches of sewage to float on the floor. Remaining prisoners were given the delectable task of scrubbing down the floors, while sleeping in the chapel. Kelly opined that the sewage spill was traceable to overcrowded conditions, since the Clark County Jail was designed to hold only 175 prisoners but housed 275 at the time.

Pennsylvania

The potential for sewage treatment problems surfaced in legal arguments trying to keep a Cornell Corrections, Inc.-owned juvenile offender prison in New Morgan from opening. Cornell opened its 214-bed Abraxus Academy in October 2000, but it was closed in October 2002 following a record of six escapes and fourteen sexual assaults. It reopened in October 2006 with sixteen low-level sex offenders. However, in U.S. district court, New Morgan defended against further expansion by Cornell until it met earlier requirements that included addressing zoning issues. In particular, New Morgan asserted that Cornell violated a 1999 sewage agreement that required Cornell to build a sewage plant, subject to Cornell being repaid over ten years from city user fees. The rub is that although the plant is operating, it is allegedly not functional. New Morgan hopes to preempt spillage into the already sensitive landfill area that Abraxus is built on.

Texas

Marlin, Texas is defending a lawsuit from prisoners at its Hobby Unit who allege, among other things, that water contamination at the women's prison has caused serious medical injuries. The affidavits in

support of their complaint are compelling.

Plaintiff Helen Caples stated that when Marlin's water was contaminated in 2003, Hobby prisoners were restricted to three six-ounce cups of water per day for all purposes; toilet flushes were non-existent. While porta-potties were provided, "the toilets in our cells were backed up with urine and feces while foul flies and gnats had started to surface.... we were like this for three to four days. ... The problem originally began years ago." She further complained in her pleadings that the pipes, which were due for replacement, were never worked on. In addition, the reservoir supplying Hobby's water contains mercury, dead catfish and sewage water. Without a filtration system for potable water, the water is unfit for human use.

Caples went on to complain that serious and fatal illnesses were traceable to bad water and hygiene at Hobby, including widespread *H. pylori* bacterial infections. Showers have maggots, rats run from cell to cell and birds fly in and out of the chow hall, leaving droppings on the tables. During 100-106 degree heat waves in the summer of 2004, there were six suicides and four heat-related deaths.

Hobby prisoner Jessica Garza reported repeated dizziness, headaches and stomach sickness when drinking the tap water. Kelly Courtney alleged the same, plus cramps and diarrhea.

In solidarity with the women prisoners at Hobby, the Texoma Coalition took up their cause and helped publicize their plight.

Separately, the 30-year-old Nueces County Jail in Corpus Christi was experiencing repeated clogged toilets and low water pressure. The jail used to also house 55 federal prisoners, but the U.S. Marshals Service removed them because they did not approve of the jail's conditions. The Sheriff lamented not the criticism of his jail's conditions, but the loss of \$1 million in revenue from the Marshals Service. The remaining jail prisoners were left to deal with reported conditions of gnats in the showers and toilets, rampant staph infections, non-flushing toilets and failed water taps. A panel of eight federal district judges, when hearing testimony of the problems in a July 2006 hearing, ordered Sheriff Rebecca Stutts to take "immediate action."

They called an emergency meeting, closed to the press, where they reviewed 40 photographs of jail conditions and also observed one woman who was covered in bites that she got at the jail. One judge stated that "it looked like a Third World country, shocking." Stutts testified that they were in compliance with Texas regulations. The Public Works director reported that in the previous three months over 200 work orders for the jail had not been completed.

Eight prisoners testified in the June 2006 hearing, making more complaints of vermin, bugs and lack of water. Stutts countered that the critters had been exterminated. But 24,000 prisoners per year going through that jail are finding out otherwise. Court enforcement appears to be required to bring about change.

Virginia

An old laundry detergent advertising jingle ended, "and the dirt goes down the drain." That is precisely what Goochland County environmental officials suspect is happening with laundry effluent from the 540-prisoner Virginia Correctional Center for Women, where frequent foam and high phosphorus levels have been observed in the adjacent James River. The foam, showing up by the Huguenot Bridge in nearby Richmond, contained phosphorus at 22 times the average level. Phosphorus is a chemical used in laundry detergent. When excessive, it results in algae blooms and the attendant oxygen starvation of aquatic life. Such a bloom was discovered at Hopewell in June 2006, along the James

River. Although Virginia banned the use of phosphates in home laundry detergents in 1987, it permitted commercial laundries to continue to use it. The prison is one such user, and it is suspect as the source of the contamination. State environmental officials were examining wastewater discharge from the prison's treatment plant to determine its contribution to the problem.

Washington

The Washington State Department of Corrections (WDOC) has been the source of considerable exasperation on the part of the watchdog state Department of Ecology (DOE), which has hounded, excoriated and fined WDOC to try to gain compliance with egregious wastewater and pollution violations. Indeed, in 2004, DOE fined WDOC \$60,000 for falsifying water pollution reports.

This incident occurred at the McNeil Island Correction Center, where from 1999 to 2002, 20 of 36 water pollution reports were falsified. The reports covered up excess fecal coliform levels in the daily 350,000 gallon wastewater byproduct that was generally not fit for discharge into Puget Sound. When discovered in 2002, the false reporting resulted in putting the plant operator on paid administrative leave. As a result, the taxpayers had to pay his \$40,000 salary, pay the \$60,000 fine, but didn't get any investment in improved treatment plant equipment. The water system was flushed to eliminate the coliform, which was traced to a ground beef processing plant on the island. Prisoners were given bottled water for a week.

Walla Walla State Penitentiary (WSP) managed to fight, rather than repair, its pollution of the City of Walla Walla's air and water for fourteen years. It turned a blind eye to the damage, while continuing to evade any meaningful changes. Hazardous waste dumped indiscriminately into the local environment included naphtha, antifreeze, refrigerants, perchloroethylene, lacquer thinner, methylene chloride, and photochemicals. As far back as 1992, WSP was cited for discharging the above items into a storm drain, plus human waste, hospital waste and medical needles into a landfill at Sudbury.

Later reports included diesel spills, tetrachloroethylene and known cancer-causing trichloroethylene, adversely affecting 17 groundwater wells serving over 10,000 citizens within two miles downstream. In 2002, DOE's complaints turned to wildly excessive toxic metal waste discharges, including zinc, copper, and mercury. The latter was at 100 times the permitted level for discharge. On-site WSP inspections additionally revealed leaking transformers, open sewer pipe remnants and asbestos steam pipe sections. At last report (see PLN, July 2005, p.1), WDOC was still fighting DOE by paying fines rather than self-policing and upgrading their waste discharge processing.

Pollution Is a Bad Policy

Bad public water is a Third World malady. It shouldn't happen in America. And although it rarely does, increasingly it is coming from the excess secretions spewing from overloaded and under maintained prison and jail wastewater treatment systems. Unless and until local governments shoulder their civic responsibility to environmentally upgrade long-ignored incarceration facilities, America's neighboring rivers and streams may become as vile as the mythical river Styx flowing from Hades -- for some of the same reasons.

As a practical matter, prisons and jails cannot exist without water. Shut down the water supply and the prison and jail isn't far behind. In the past, prisoners have filed lawsuits over contaminated water under the Eighth amendment. These cases have historically dragged on for years with no conclusive resolution. The federal Clean Water Act, 33 U.S.C. § 1251 provides for a means to challenge both contaminated drinking water coming into prisons as well as sewage and toxic chemicals being discharged from prisons. Unlike the Eighth amendment, which requires proving prison officials state

of mind and an intent to punish, the CWA requires only an objective test that contaminants in the water exceed the levels set by statute and the Environmental Protection Agency. Most importantly in the age of the Prison Litigation Reform Act, the CWA has its own attorney fee provision, which is unaffected by the PLRA's caps on fees. Also of significance is that community groups have standing to file suit under the CWA.

CWA suits are complex and require both water testing and expert witnesses to prove a claim. Neither of which are likely to be available to the average pro se prisoner litigant. Such claims will almost always require counsel to be successful. As the environmental movement in the United States grows, it may be time to make the connection to environmental degradation caused by mass imprisonment.

Sources: Birmingham News, Montgomery Ledger-Inquirer, Associated Press, California Environmental Protection Agency, San Luis Obispo Tribune, Prison Legal News, Inland Valley Daily Bulletin, Amador Ledger Dispatch, National Public Radio, Miami Herald, Atlanta Journal-Constitution, indystar.com, Fitchburg Sentinel Enterprise, Boston Telegram, Baltimore Sun, Gratiot Morning Sun, Saginaw News, Leavenworth Times, Atlantic City Press, Cibola Beacon, Corpus Christi Caller-Times, Texoma Coalition, New York Daily News, Springfield Hewsnet5, Reading Eagle, Irish News Limited

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From the Publisher's Desk

Commentary: Mule Creek contamination is a stink-fest all the way around

Feb 13, 2020



COURTESY/David Anderson

In today's edition of the Ledger Dispatch, you'll see the latest report on the contamination of Mule Creek from the California Department of Corrections and Rehabilitation (CDCR) from Mule Creek State Prison (MCSP). The Central Valley Regional Water Quality Control Board is clearly not representing the best interest of the City of Lone or Amador County. Similarly, the Lone City Council and the Amador County Board of Supervisors have done nothing with regards to the widespread and ongoing contamination of Mule Creek. Amador County Public Health – nope. I believe the quote that caught my attention from our Board of Supervisors was, "Our hands are tied."

All this while Volatile Organic Compounds and Semivolatile Organic Compounds, industrial waste, sewage and other contaminants stream from MCSP and flow into Mule Creek. 7,829,474 gallons in the past two months.

At the state level, while I haven't spoken directly to California Governor Gavin Newsom, clearly the two state agencies, CDCR and the Central Valley Regional Water Quality Control Board, are going to continue business as usual and will not address breaking the laws of California and the United States. And as these are both state agencies under his authority, I assume Governor Newsom is either unaware of the problem or is complicit in allowing it to continue.

I know a few of us have spoken to our Federal representatives and sent complaints to the Federal Environmental Protection Agency. So far, nothing has been accomplished.

While all of this can be frustrating, I strongly encourage the residents of Amador County to continue reaching out to local, state and federal agencies. Most importantly, the federal agencies as, again, the City of Ione, Amador County, and the State of California and their agencies refuse to protect their own constituents.

The email response I received from the Amador County Public Health Officer Michael Israel, for example, was as follows:

"Unfortunately, the county has very few viable options available to independently compel a resolution to the wastewater contamination issues related to the prison, and we are unable to force the Water Board to take action. Therefore, the county's approach has been to assist state regulatory staff however possible and to encourage appropriate and timely enforcement actions by the state. The Board has directed staff to continue with efforts to encourage appropriate enforcement by the Water Board, and staff is following that direction. With the assistance of Dana Jorgensen, field representative for State Senator Borgeas, a conference call between the Central Valley Regional Water Quality Control Board staff and the County staff and officials is currently being scheduled to discuss the prison."

Really? Nearly 8 million gallons of contaminants, industrial waste known to have VOCs and SVOCs dumped into Mule Creek inside of two months, not to mention years of contamination violating state and federal laws, and we can't do anything? In my opinion, none of you have even tried. It stinks almost as much as the river you have contaminated.

And I get it, some of these folks are going to say I am blowing the issue out of proportion. In fact, some of the state agencies have said I am a liar, that the contamination isn't a big issue, or that it isn't even from MCSP. I think the best way to fix that is to gather as group down by Mule Creek. Each of you can take a drink from the river. If you can't make it, I'll be more than happy to fill Mason jars and bring them to your meeting.

In fact, I'd encourage the public to send some to each of you. Mason jars of Mule Creek "water" for the City of Lone, the Amador Board of Supervisors, the Central Valley Regional Water Quality Control Board, and our state and federal elected officials. Don't want to drink it? How about just washing with it? Or swim in it? Maybe a nice swim party? You've told us it's just river water, after all.

Which stinks worst, the river you have polluted or the complete lack of following Clean Water Act state and federal laws. Shame on all of you.

And, I get it, you'd like me to drink a big, tall, cold, glass of – shut the hell up. But, that's not going to happen. I stand by the stories. I'm going to continue to follow and document the contamination. I'm going to stand by the homeowners and landowners along the river you have damaged. I am going to fight for the citizens of Lone and Amador County. The way you should be fighting for us. And this issue – it will get fixed. The only thing worse than the contamination in Mule Creek is your complete lack of respect for the citizens and turning a blind eye. Which by the way, is one of the side effects a worker putting in a trench to cover the flow of contamination from MCSP experienced.

Drink up!

Jack Mitchell is the Publisher of the Ledger Dispatch. Email him at jmitchell@ledger.news.

'The only thing worse than the contamination in Mule Creek is your complete lack of respect for the citizens and turning a blind eye.'

MORE INFORMATION



Mule Creek still a dumping ground for industrial waste

Agenda Item

4

DATE: February 25, 2020

TO: Ione City Council

FROM: Jon G. Hanken, City Manager

SUBJECT: Regional Water Quality and Control Board Notice of Violation

RECOMMENDED ACTION: None. Discussion with possible direction to staff.

Motion: _____ / _____.

FISCAL IMPACT: Unknown at this time.

BACKGROUND: On February 3, 2020, the City of Ione, Amador Regional Sanitation Authority and the Castle Oaks Golf Course received a notice of violation related to complaint that the Castle Oaks Golf Course was discharging effluent into Mule Creek. The water was coming from the golf course storage ponds into Mule Creek via ditches, drainage structures.

CDCR's staff did talk with the golf course staff and because of the PGE Public Service Power Shutoff (PSPS), which only affected part of the City of Ione, the ponds were low. When the power was restored, the golf course staff asked the treatment plant operator to send treated water to the ponds to refill them. During filling operations, the golf course staff got busy with another repair project and failed to let the treatment plant operator know to turn off the pumps. This resulted in overfilling of the ponds which lead to the spill into the creek.

A copy of the Notice of Violation is attached to this staff report. Page 3 of the Notice letter lists the four Waste Discharge Requirement violations. They include:

Discharge of waters to surface waters or surface water drainage courses is prohibited.

Discharge shall remain within the designated disposal area at all times.

Neither the treatment nor the discharge shall cause a nuisance or condition of pollution as defined by the California Water Code, Section 13050.

The discharge shall not cause degradation of any water supply.

A 2.0 foot freeboard shall be maintained in all treatment and storage ponds at all times or an operational plan shall be submitted which shows why a 2.0 freeboard is not needed to prevent overtopping of the berms.

The dissolved oxygen content of holding ponds shall not be less than 1.0 mg/l for 16 hours in any 24 hour period.

A copy of the Waste Discharge Requirements Order No. 93-240 is attached to this staff report.

As result of the violations, the Regional Water Quality and Control Board is requiring four work plans. One plan requires the installation on-site appropriately sized generator, a second plan requires a Spill Detection and Response Plan, a third plan is to evaluated the apparent Arsenic contamination in Henderson Reservoir and investigate the potential contamination in the Preston Reservoir and forebay, and a fourth plan to evaluate the apparent groundwater impacts and identify likely sources of pollution.

The Regional Water Quality and Control Board is also requiring that all monitoring reports (i.e. monthly, quarterly, annual) shall be submitted within a single report instead of the three separate reports (one from each entity) that is currently being done. This requirement is in contrast to the written Revised Monitoring and Reporting Program No. 93-240 Reporting requirement found on page 5 of the document.

Staff sent a letter to the Reginal Water Quality and Control Board on February 10, 2020 asking for clarification on these work plans. A copy of this letter is attached to this staff report.

Kenny Croyle, from the Regional Water Quality and Control Board responded to the letter via email. He stated:

Thank you for your response to our 28 January 2020 Notice of Violation. I have reviewed it and discussed your concerns with my management. I have addressed your comments below:

1. The requirement of the Standard Provisions for backup power does indeed extend to the lone tertiary plant, regardless of the operating schedule and other facilities that could potentially be used to treat waste. You may want to explore a system that allows you to power both WWTPs since they are so close together. We are aware that the Golf Course does not have backup power as well. The required Item 1 of the NOV should include the work necessary to install a backup power system at all facilities covered by the WDRs that need it, which includes both the Golf Course and Tertiary plant.

2. The Spill Detection and Response Plan required the NOV is indeed in response to the spill at the Golf Course. However, as has been made clear in the past, compliance with the WDRs is the responsibility of all parties named in that document. Therefore the Castle Oaks Golf Course, the City of Lone, and ARSA are all responsible for operating within compliance of the WDRs, monitoring in accordance with the MRP, and meeting the requirements of the NOV. The Spill Detection and Response Plan should include all portions of the facility, including the tertiary wastewater treatment plant, the ARSA conveyance system and associated sprayfields, and the Castle Oaks Golf Course land application areas. Note that the collection system in the City of Lone is covered under a SSO general order and should not be included here.
3. See above discussion of responsibilities.
4. The groundwater impacts referred to in the NOV are based on monitoring well data from the wells around the Castle Oaks Golf Course and Tertiary Plant. Impacts include typical wastewater constituents, including nutrients, salts, and coliforms. The evaluation of impacts is typically done by a comparison to background/historical values, a comparison to upgradient values, increasing trends, or detection of non-naturally occurring waste related constituents. The purpose of this requirement is to evaluate the extent of these impacts and identify a likely source(s). We are not suggesting that the spill referenced in the NOV is a likely source, but the ponds, land application areas, and treatment plant may be.

On February 24, 2020, Representatives from the City of Lone, ARSA and Castle Oaks Golf Course met to discuss the Notice of Violation and how to proceed. The Golf Course Staff and the City of Lone will be working to put this report together for the Tertiary Plant and the Golf Course. ARSA stated they had a plan for Henderson and the Preston Reservoir. The Plan needs to be submitted by April 1, 2020.

The plan for the installation of the on-site appropriately sized generator, the plan is to evaluate the apparent Arsenic contamination in Henderson Reservoir and investigate the potential contamination in the Preston Reservoir and forebay, and the plan to evaluate the apparent groundwater impacts and identify likely sources of pollution are due on the first of May. ARSA will doing the analysis on the Arsenic issue.

Attachments: A copy of the Waste Discharge Requirements Order No. 93-240.

Central Valley regional Water Quality and Control Board Notice of Violation dated – January 28, 2020.

Letter to Kenney Croyle, CVRWQCB, from Jon Hanken, City of Lone, asking for clarification.

Revised Monitoring and Reporting Program No. 93-240 which discusses the reporting requirement for the Amador Regional Outfall.



Central Valley Regional Water Quality Control Board

28 January 2020

CERTIFIED MAIL
7014 2120 0001 3952 1741;

Robin Peters
ARSA Chairman
Amador Regional Sanitation Authority
18 Main Street
Sutter Creek, CA 95685

CERTIFIED MAIL
7014 2120 0001 3952 1758;

Dominic Atlan
Manager
Castle Oaks Golf Courts
1000 Castle Oaks Drive
Ione, CA 95640

CERTIFIED MAIL
7014 2120 0001 3952 1765

Jon Hanken
City Manager
City of Ione
1 East Main Street
Ione, CA 95640

NOTICE OF VIOLATION, REVIEW OF MONITORING REPORTS, AND SITE INSPECTION REPORT, AMADOR COUNTY REGIONAL OUTFALL AND CASTLE OAKS GOLF COURSE AND DEVELOPMENT, AMADOR COUNTY

The Central Valley Water Board regulates the Discharger under Waste Discharge Requirements (WDRs) Order 93-240 for the conveyance, storage, treatment, and disposal of domestic and commercial wastewater. The WDRs incorporate the Revised Monitoring and Reporting Program (MRP) 93-240 and the March 1991 Standard Provisions and Reporting Requirements (SPRR) into the permit. The Amador Regional Sanitation Authority, Castle Oaks Golf Course, and City of Ione all own and operate a portion of the system regulated by the WDRs. All three are named as responsible parties for operating the system in compliance with the requirements of the WDRs.

On 4 November 2019 Board staff received a complaint stating that the Castle Oaks Golf Course was discharging water into Mule Creek. On 5 November 2019 Board staff performed a site inspection in conjunction with Amador County Environmental Health in response to the complaint. For additional details please see below and the attached inspection report.

The site inspection is also accompanied by a review of recent monitoring reports. After review of recent monitoring reports Board staff has identified several violations of the WDRs. These violations include insufficient reporting, deficient monitoring, discharge specification violations, and groundwater impacts. Specific comments pertaining to the violations are listed below.

Site Inspection Report:

During the 5 November 2019 inspection Board staff confirmed that water was being discharged from the golf course storage ponds into Mule Creek via a system of

RECEIVED
FEB 03 2020

KARL E. LONGLEY SCD, P.E., CHIEF | PATRICK FULFORD, ESG., EXECUTIVE OFFICER

11080 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

vegetated ditches, drainage structures, and vegetated shallow basins. Flow into Mule Creek appeared to be approximately 150 gal/min. This is a violation of the WDRs. This was a focused inspection, and the inspection did not include the tertiary wastewater treatment plant, the ARSA conveyance system and associated sprayfields. The only violation noted at the time was the discharge of water to Mule Creek.

Following the inspection the Castle Oaks Golf Course management stated that, due to the recent power outage, the storage ponds had been low. In response when power was restored the Golf Course filled the ponds higher than usual. Additionally, a pipe break had occurred during that time. These two factors led to the release of stored wastewater effluent to Mule Creek. The City of Ione confirmed that the Tertiary Wastewater Treatment Plant does not have backup generators, and cannot operate or send treated water to the Golf Course without power.

General Provision A.9 of the Standard Provisions and Reporting Requirements states:

"For any electrically operated equipment at the site, the failure of which would cause loss of control or containment of waste materials, or violation of this Order, the discharger shall employ safeguards to prevent loss of control over wastes. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means."

Specific Comments on Monitoring and Reporting Violations:

Monitoring reports submitted in 2019 did not include all the information required by the MRP of the WDRs. Please review the permit carefully to ensure all necessary information is submitted with each monitoring report. The following is a summary of the violations noted by Board staff:

- Acreage applied to needs to be noted for each land application area for Hoskins and Bowers LAAs.
- Effluent pH is not being monitored.
- Flow, rainfall, and acreage applied was not monitored for the Castle Oaks Golf Course.
- The monitoring data for the Castle Oaks Golf Course, the Ione Tertiary Plant, and the ARSA system have been submitted separately. This is not conducive to determining compliance with the WDRs. As all three parties are named in the WDR, one report should be generated and submitted for each monitoring event.

Violations:

The following are violations discharge specifications, effluent limitations, or groundwater limitations:

- a. Discharge Prohibition C.1 of the WDRs states: "*Discharge of wastes to surface waters or surface water drainage courses is prohibited*", and Discharge Specification D.3 of the WDRs states: "*The discharge shall remain within the designated disposal area at all times.*" The discharge of effluent from the Golf Course ponds to Mule Creek is a violation of these requirements.
- b. Discharge Specification C.1 of the WDRs states: "*Neither the treatment nor the discharge shall cause a nuisance or condition of pollution as defined by the California Water Code, Section 13050*", and Discharge Specification C.1 of the WDRs states: "*The discharge shall not cause degradation of any water supply.*" The following are violations of these requirements:
 - i. Arsenic was detected above the Maximum concentration limit of 0.01 mg/L in the Henderson Storage reservoir for all monthly samples reported in 2019.
 - ii. Recent TDS results indicate that groundwater may have been impacted by golf course operation.
 - iii. Recent coliform results indicate that groundwater may have been impacted by golf course operation.
- c. Discharge Specification C.6 of the WDRs states: "*A 2.0-foot freeboard shall be maintained in all treatment and storage ponds at all times or an operational plan shall be submitted which shows why a 2.0-foot freeboard is not needed to prevent overtopping of the berms.*" Several freeboard violations for the tertiary plant ponds. Violations appear to have been addressed in the monitoring reports.
- d. Discharge Specification C.6 of the WDRs states: "*The dissolved oxygen content of holding ponds shall not be less than 1.0 mg/l for 16 hours in any 24-hour period.*" Several dissolved oxygen violations at the Golf Course ponds. Violations appear to have been addressed in the monitoring reports.

Required Actions:

The MRP should be reviewed for specific monitoring and reporting requirements. Based on concerns brought up by the review of the monitoring reports, all monitoring data for the applicable monitoring period (i.e. monthly, quarterly, annual) shall be submitted within a single report submitted after must contain all required information. Monitoring reports must include all data required by the Revised Monitoring and Reporting Program. If a report is incomplete or insufficient at the time of submittal it will not be counted as "received" and will be considered late until the required information is submitted. Late submittals are subject to a monetary penalty.

The following documents are required to be submitted by the Discharger:


1. No later than **1 May 2020**, a workplan to complete improvements to ensure the tertiary wastewater treatment plant, the ARSA conveyance system and associated sprayfields, and the Castle Oaks Golf Course land application areas comply with General Provision A.9 of the Standard Provisions and Reporting Requirements. The plan must include, at a minimum, the installation of an onsite appropriately sized generator as well as any other necessary operational or physical changes to the system.
2. No later than **1 April 2020**, a *Spill Detection and Response Plan* which describes improvements to be made to the system to prevent, detect, and respond to releases of wastewater and wastewater effluent. The submittal should include a description of any operational or physical changes, as well as improvements to the monitoring protocols.
3. No later than **1 May 2020**, a workplan to evaluate the apparent Arsenic contamination in Henderson Reservoir, and investigate the potential contamination in the Preston Reservoir and forebay.
4. No later than **1 May 2020**, a workplan to evaluate the apparent groundwater impacts and identify likely sources of pollution. The workplan must propose to develop an Engineering Feasibility Study if impacts are found to be caused by the treatment and/or disposal of wastewater under the WDRs.

Amador County Regional Outfall and
Castle Oaks Golf Course And Development
Amador County

- 5 -

28 January 2020

If you have questions, please contact me at kenny.croyle@waterboards.ca.gov or (916) 464-4676.



HOWARD HOLD, PG #7466
Senior Engineering Geologist
Title 27 and WDR Compliance and Enforcement Unit

Encl: 5 November 2019 Inspection Report and Photo Log

Cc w/o encl: Scott Armstrong, Central Valley Regional Water Quality Control Board,
Rancho Cordova
Lixin Fu, Central Valley Regional Water Quality Control Board, Rancho
Cordova
Mike Israel, Amador County Dept. of Environmental Health, Jackson
Amy Gedney, City of Sutter Creek, Sutter Creek

CIWIS Violations: 1069891, 1069892, 1069893, 1069894, 1069895, 1069896,
1069897

CIWIS Inspection ID: 30635332

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

INSPECTION REPORT

13 November 2019

DISCHARGER: CASTLE OAKS GOLF COURSE

LOCATION & COUNTY: Castle Oaks Drive, Ione, Amador County

CONTACT(S): Dominick Atlan, Manager, Castle Oaks

INSPECTION DATE: 5 November 2019

INSPECTED BY: Kenny Croyle, Central Valley Water Board

ACCOMPANIED BY: Mike Israel and John Applegate, Amador County Environmental Health

INTRODUCTION: The Castle Oaks Golf Course, Amador Regional Outfall System, and Ione Tertiary Wastewater Treatment Plant (Tertiary Plant) are regulated under Waste Discharge Requirements (WDRs) Order 93-240. On 5 November 2019, Regional Water Board staff performed a site inspection of the Golf Course facility in response to a complaint received the day prior. The facility conditions that were inspected are described below, and photographs are provided in the attached log. Neither the Amador Regional Outfall System nor the Ione Tertiary Wastewater Treatment Plant were inspected on this date.

The complainant stated that a large volume of water was being discharged directly to Mule Creek somewhere between where the creek crosses under Highway 104 and where it crosses 5 Mile Drive. The golf course was a likely source of discharge along this stretch of creek.

OBSERVATIONS AND COMMENTS The weather was hot and dry. Water Board staff met with Mike Israel and John Applegate from Amador County Environmental Health at the terminus of Golf Links Drive, adjacent to the tee for Hole 5. The purpose of this inspection was to verify the information in the complaint and determine the source of the discharge if needed. Staff's observations obtained during the inspection are provided below.

Mule Creek: Mule Creek was dry at the crossing of Highway 104. Some standing water was observed upstream on Mule Creek State Prison property. Areas of the streambed were muddy, but no standing water was observed downstream of the bridge (Photo 1). Mule Creek has significant water in it near the terminus of Golf Links Drive, and appeared to be flowing downstream at a very low rate (Photos 2 and 3).

Discharge from Golf Course: Board staff walked upstream along Mule Creek until a discharge was found, near where the creek bends to the west by Hole 5. Approximately 150 gal/min of clear water was flowing through a vegetated ditch (Photo 5), into the trees (Photo 4), and eventually into Mule Creek. Board staff followed the discharge back to a culvert (Photo 6). The area around the culvert was saturated, and had some ponded water on the sidewalk and in the grass (Photo 7). The culvert connected the vegetated ditch to a large vegetated basin that had several inches of standing water in most places (Photos 8, 9, and 10). Other swales and low areas of the golf course also has standing

water present, several inches deep (Photo 11). At the far side of the vegetated basin was a valve that appeared to be on the end of a pipe running under Spyglass Drive to another similar vegetated basin (Photo 12). This basin also had significant standing water, and was adjacent to a pond on the golf course (Photos 13, 14, and 15). Approximately 30 feet of grass and sidewalk separated the pond and the basin.

SUMMARY. The release of water to Mule Creek is a violation of the WDRs. The ponds also appeared to be full almost all the way to the top, and ponded/standing water was observed in several areas on the golf course over a foot deep in some low lying areas.

KENNY CROYLE, WRCE

Castle Oaks Golf Course
 Spyglass Drive, Ione, Amador County
 Inspection Report for 5 November 2019



Photo Log Map: The locations where pictures 2 through 15 were taken are detailed on this map. The larger end of the triangle is closer to the subject in the photo. Photo 1 was taken upstream on Mule Creek where it crosses under Highway 104. Mule Creek is highlighted with a blue line, and flows east to west. The discharge path followed by Board staff is highlighted in orange, and also flows east to west. Vegetated areas with standing water are also outlined in orange.



Photo 1. Mule Creek crossing under Highway 104. Creek bed was dry. Some ponded water upstream on Mule Creek State Prison Property.



Photo 2. Mule Creek (looking east) near the terminus of Golf Links Drive.

Castle Oaks Golf Course
Spyglass Drive, Ione, Amador County
Inspection Report for 5 November 2019



Photo 3. Mule Creek (looking west) near the terminus of Golf Links Drive.



Photo 4. Apparent discharge from Castle Oaks Golf Course to Mule Creek near the terminus of Golf Links Drive. Estimated at approximately 150 gal/min.



Photo 5. Discharge running from golf course down a vegetated ditch just prior to Mule Creek.



Photo 6. Culvert discharging to vegetated ditch in Photo 5.

Castle Oaks Golf Course
Spyglass Drive, Ione, Amador County
Inspection Report for 5 November 2019



Photo 7. Saturated ground and standing water adjacent to culvert in Photo 6.



Photo 8. Wetland area upstream of culvert in Photo 6.



Photo 9. Wetland area upstream of culvert in Photo 6. Some areas had water up to 6 inches deep. Too vegetated to clearly see depth in most areas.



Photo 10. Wetland area upstream of culvert in Photo 6.

Castle Oaks Golf Course
Spyglass Drive, Ione, Amador County
Inspection Report for 5 November 2019



Photo 11. Over swales near vegetated areas in Photos 8-10 had standing water up to 2 feet deep.



Photo 12. Valve at pipe upstream of vegetated areas in Photos 8-10. Vegetation and water was too deep to determine if the valve was open. Valve appeared to be on the end of a pipe that traveled under Spyglass drive to another vegetated area with standing water.



Photo 13. Vegetated area upstream and across Spyglass drive from valve in Photo 12.



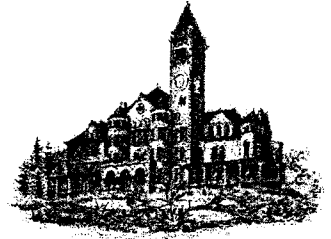
Photo 14. Opposite side of vegetated area in Photo 13. Directly adjacent to golf course and approximately 30 feet from a pond.

Castle Oaks Golf Course
Spyglass Drive, Ione, Amador County
Inspection Report for 5 November 2019



Photo 15. Pond separated from the vegetated area in Photo 14 by sidewalk and approximately 30 feet of grass. Pond appeared to be filled to the top. Board staff was unable to determine the lowest point along the pond perimeter to measure freeboard, or determine if there is a direct connection between this pond and the vegetated area in Photo 14.

City of Ione



February 10, 2020

Mr. Kenny Croyle
CVRWQCB
11020 Sun Center Drive #200
Rancho Cordova, CA 95670

Dear Mr. Croyle:

In reading through the Notice of Violation, dated January 28, 2020, the letter mentions that the ponds on the golf course that hold treated water for use in irrigation were low due to a power outage. It also mentions that once the power came back on, the ponds were filled higher than usual, as well as a pipe break. After investigating this on the City's behalf, it is our understanding that golf course staff asked the treatment plant operator to send treated water to the ponds to refill them once the power came back on. During filling operations, it is our understanding that the golf course staff got distracted and failed to let the treatment plant operator know to turn off the pumps. This resulted in overfilling of the ponds which lead to the spill into the creek. It is our understanding that the spill wasn't related to the power outage, but strictly to distraction of golf course staff.

Based on our understanding of how the spill occurred, we have questions regarding your required actions as shown in the letter:

Required Action #1: The letter requests that a work plan be completed to include improvements to ensure the tertiary wastewater plant, the ARSA conveyance system and associated spray fields, and the Castle Oaks comply with General Provision A. 9 of the Standard Provisions and Reporting Requirements. "The plan must include, at a minimum, the installation of an onsite appropriately sized generator as well as any other necessary operational or physical changes to the system." The City of Ione maintains that the tertiary plant is, and always has been, in compliance with General Provision A. 9 of the Standard Provisions and Reporting Requirements which states,

"For any electrically operated equipment at the site, the failure of which would cause loss of control or containment or waste material, or violation of this Order, the discharger shall employ safeguards to prevent loss of control over wastes. Such safeguards may include alternate power sources, standby generators, retention capacity, operational procedures, or other means."

For over 26 years, the Tertiary plant's operational procedure has involved shutting down when necessary, and after processing 650 acre-feet of effluent from ARSA and CDCR, which usually occurs from the middle of November through the middle of March. In the past, this is the typical timeframe when power shutoffs occurred, as they primarily are associated with inclement weather. With the advent of the new PG&E PSPS policy, issues have changed. Shutting the Tertiary plant off during a non-winter power outage is the most effective way to ensure that there is no discharge of effluent from the plant to surface waters or surface drainage courses. The SCADA system automatically closes the valve when there is a power outage so no spillage can occur. The City believes this operational procedure effectively meets the requirement of General Provision A. 9. As stated earlier, the discharge that prompted this N.O.V. came after the power was restored. It was a result of golf course staff not monitoring the ponds as closely as they should have. We are working with the Golf Course to create a procedure for communication and monitoring in these situations going forward. However, we are unclear as to how a backup generator at the tertiary plant would have prevented this issue.

Furthermore, it is my understanding that there are no backup generators at the golf course to operate the irrigation pumps. If the power is out in the City, having a backup generator running the tertiary plant and sending effluent to the golf course ponds only increase the chances of the ponds overflowing because there is no electricity to run the pumps which irrigate the golf course. Does the Regional Water Quality and Control Board envision requiring additional backup generators to run the irrigation pumps?

Again, it is our contention that the most effective course of action to prevent any spills or overflows during a power outage would be to keep the power at the plant off until regular power is restored. However, in the event that the reservoir level at the Preston Pond needs to be lowered, through valve operations, the City will reroute effluent in the ARSA line to the lone Wastewater Treatment Plant. That ability has been in place for several years and the Wastewater Treatment Plant does have a proper backup generator and can dispose of the effluent either in the existing evaporation/percolation ponds or through spray irrigation. The City believes this procedure meets the requirements of General Provision A. 9.

Required Action #2: This action item requests that a Spill Detection and Response Plan be prepared to prevent, detect and respond to releases of wastewater. The City of Lone currently has an approved spill response plan. What we believe the RWQCB's intent with this action item is to require the Golf Course develop a plan specifically relating to their pond and irrigation system that they operate (the City does not operate this system.) If this is the case, we request that the requirement for this plan be directed at the Golf Course to clarify who is responsible for completion of the plan.

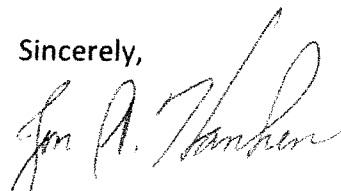
Required Action #3: This action item requires a work plan to evaluate the apparent Arsenic contamination in Henderson and Preston Reservoirs and forebay. Neither the Henderson nor Preston Reservoir are owned or operated by the City of Lone. Accordingly, we request that a

clarification be made in the letter to indicate that ARSA provide this information, as these facilities store effluent produced by ARSA.

Required Action #4: This action item requires that a work plan be completed to evaluate the apparent groundwater impacts and identify likely sources. We request you provide more specificity on this item so we may better understand what is being asked. What apparent groundwater impacts are you referring to? Where did those apparent impacts occur? Are you referring specifically to impacts from the release of treated water from the Golf Course ponds? The action item is worded very generically, and it is difficult to understand what is being requested. Clarification is appreciated.

I am in the process of setting up a meeting with ARSA and the Golf Course for the last week of February and your responses to these questions and comments would be greatly appreciated. Please let me know if you have any questions. I can be reached by email or at 209-274-2412. Ext. 111.

Sincerely,



Jon Hanken
City Manager
City of Lone

Cc: Howard Hold, CVRWQCB via email
Scott Armstrong, CVRWQCB via email
Lixin Fu, CVRWQCB via email
Mike Israel, Amador County Environment Health via email

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling and Reporting Frequency</u>
Groundwater elevation	Feet	Measurement	Quarterly
pH	S.U.	Grab	Quarterly
Total Dissolved Solids	mg/l	Grab	Quarterly
Nitrates as Nitrogen	mg/l	Grab	Quarterly
Ammonia as Nitrogen	mg/l	Grab	Quarterly
Total Coliform Organisms ¹	MPN/100 ml	Grab	Quarterly

¹ Using a minimum of 10 tubes or two dilutions

BIOSOLIDS MONITORING

The Discharger shall keep records regarding the quantity of biosolids generated by the ARSA storage reservoirs, ARSA conveyance system, City of Ione tertiary treatment plant, and the Castle Oaks golf course irrigation storage ponds; any sampling and analytical data; the quantity of biosolids stored on site; and the quantity removed for disposal. The records shall also indicate the steps taken to reduce odor and other nuisance conditions. Records shall be stored onsite and available for review during inspections.

If biosolids are transported off-site for disposal, then the Discharger shall submit records identifying the hauling company, the amount of biosolids transported, the date removed from the facility, the location of disposal, and copies of all analytical data required by the entity accepting the waste. If biosolids are disposed of onsite, then the Discharger shall submit the annual report information as contained in the Statewide General Order for the Discharge of Biosolids (Water Quality Order No. 2000-10-DWQ) (or any subsequent document which replaces Order No. 2000-10-DWQ).

All records shall be submitted as part of the Annual Monitoring Report.

REPORTING

The Amador Regional Outfall monitoring reports may be submitted by a single agency as a single report or as a group report with separate submittals from each Discharger which satisfy the monitoring requirements. For example, monitoring of the ARSA conveyance system, ARSA storage reservoir, ARSA Henderson Reservoir effluent monitoring, and the ARSA wastewater disposal monitoring may be submitted by ARSA. The City of Ione may submit monitoring data for the tertiary treatment plant effluent, Castle Oaks storage ponds, and the Castle Oaks groundwater monitoring. Castle Oaks Golf Course and Development and Portlock International may submit the monitoring data for Castle Oaks

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. 93-240

WATER RECLAMATION REQUIREMENTS
FOR
AMADOR COUNTY REGIONAL OUTFALL
AND
CASTLE OAKS GOLF COURSE AND DEVELOPMENT
AMADOR REGIONAL SANITATION AUTHORITY
CITY OF IONE
PORTLOCK INTERNATIONAL, LTD.
AMADOR COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Board) finds that:

1. Amador Regional Sanitation Authority (ARSA), the City of Ione, and Portlock International, Ltd. (hereafter Discharger) submitted a Report of Waste Discharge, dated 5 November 1993, for revised requirements for treatment and reclamation use of wastewater from the Amador County Regional Outfall.
2. ARSA is a special district which operates the Amador County Regional Outfall System. Effluent produced by the City of Sutter Creek wastewater treatment plant is stored in a series of reservoirs. ARSA provides water to a group of ranchers known as the Amador County Reclaimed Wastewater Users and to the Preston School of Industry in Ione. ARSA also augments this supply with water diverted from Sutter Creek.
3. The Board, on 24 June 1988, adopted Order No. 88-114 which prescribed requirements for Amador Regional Sanitation Authority, Amador County Regional Outfall, which included the discharge to 430 acres of State-owned and privately-owned property for pasture irrigation. This pasture area has been developed and is now the site of the Castle Oaks Golf Course and Development Project.
4. ARSA has several orders governing discharges from the Amador County Regional Outfall. Effluent from this system is delivered to the California Youth Authority, Preston School of Industry (Order No. 83-023) and Amador County Reclaimed Wastewater Users (Order No. 83-024) on a as needed basis. Preston filters and chlorinates the ARSA water and uses it for toilet flushing, landscaping irrigation, and fire protection.
5. In order to assure adequate disposal capacity for Amador County Regional Outfall effluent, ARSA has entered into a long-term agreement with the City of Ione to dispose of up to 900 acre-feet/year. The 18-hole Castle Oaks Golf Course is approximately 190 acres with 15 acres of ponds and is owned by the City of Ione.

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6. The City of Ione is proposing to construct a reclamation plant that will treat the secondary effluent in the ARSA outfall system to meet Title 22 requirements for unrestricted use. The treatment facility is owned and will be operated by the City of Ione, with Portlock International, Ltd. managing the irrigation system at the golf course. Until this facility is completed, the discharge will operate under interim effluent limitations. Exposure to golfers or residents will not be allowed during this interim period.
7. The wastewater treatment facilities will include a PVC-lined equalization lake, sand filters and a chlorine contact basin. Effluent will be reclaimed at the Castle Oaks Golf Course. Mostly irrigation will occur from April to November with limited irrigation demand during the winter.
8. The City of Ione will discharge an average of 1.2 million gallons per day (mgd) to holding ponds at the treatment plant and golf course followed by irrigation of the Castle Oaks Golf Course. ARSA will continue operations of Henderson and Preston Reservoirs for storage and regulation.
9. The Outfall System is in Sections 9-12, 16-18, T6N, R10E, MDB&M and Sections 22 and 23, T6N, R9E, MDB&M with surface water drainage to Mule and Sutter Creeks, tributary to Dry Creek, tributary to Mokelumne River as shown on Attachment A, which is attached hereto and a part of the Order by reference.
10. The City of Ione, ARSA and Portlock International, Ltd. on 30 November 1993 entered into an agreement as to the responsibilities each has concerning the treatment, conveyance and disposal of the wastewater.
11. The Board adopted a Water Quality Control Plan, Second Edition, for the Sacramento-San Joaquin Delta Basin (5B) (hereafter Basin Plan), which contains water quality objectives for all waters of the Basin. These requirements implement the Basin Plan.
12. The beneficial uses of Sutter and Mule Creeks and downstream waters are municipal, industrial and agricultural supply; recreation; esthetic enjoyment; navigation; ground water recharge; fresh water replenishment; and preservation and enhancement of fish, wildlife, and other aquatic resources.
13. The beneficial uses of the ground water are municipal, domestic, industrial, and agricultural supply.

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14. City of Ione has certified a Final Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) and the State CEQA Guidelines. The project as approved will not have a significant effect on water quality.
15. The Board has reviewed the EIR and concurs there are no significant impacts on water quality.
16. The Department of Health Services has established statewide reclamation criteria in Title 22, California Code of Regulations, Section 60301, et seq. (hereafter Title 22) for the use of reclaimed water.
17. The Board consulted with the Department of Health Services, Amador County Health Department and considered their recommendations regarding public health aspects for use of reclaimed water.
18. Section 2511(a), Title 23, of the California Code of Regulations (CCR), exempts this discharge from the requirements of Chapter 15.
19. The Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
20. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Waste Discharge Requirements Order No. 88-114 is rescinded and the City of Ione, Amador County Regional Outfall System, Amador Regional Sanitation Authority, Portlock International, Ltd., its agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. Interim Effluent Limitations - Golf Course Irrigation (Construction and Development Phase):

1. The discharge of an effluent in excess of the following limits is prohibited:

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<u>Constituent</u>	<u>Units</u>	<u>Weekly Median</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>
Total Coliform Organisms	MPN/100 ml	23	---	240
Flow	mgd	---	1.2	---
BOD ₅	mg/l	---	40	80

B. Final Effluent Limitations:

- The irrigation of the golf course and green space areas which are accessible to the public with reclaimed wastewater in excess of the following limits is prohibited:

Table 1

<u>Constituent</u>	<u>Units</u>	<u>Monthly Median</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>
Total Coliform Organisms	MPN/100 ml	2.2	---	23
Flow	mgd	---	1.2	---
Settleable Matter	ml/l	---	0.2	0.5
BOD ₅	mg/l	---	10	30
Turbidity	NTU	2	---	5

- The irrigation of dedicated disposal areas which are not accessible to golfer, residents or the public with reclaimed wastewater in excess of the following limits is prohibited:

<u>Constituent</u>	<u>Units</u>	<u>Monthly Median</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>
Total Coliform Organisms	MPN/100 ml	23	---	240
BOD ₅	mg/l	---	40	80

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C. Discharge Prohibitions:

1. Discharge of wastes to surface waters or surface water drainage courses is prohibited.
2. The by-pass or overflow of untreated or partially treated waste is prohibited.
3. Discharge of waste classified as 'hazardous' or 'designated,' as defined in Sections 2521(a) and 2522(a) of Chapter 15, is prohibited.

D. Discharge Specifications:

1. Neither the treatment nor the discharge shall cause a nuisance or condition of pollution as defined by the California Water Code, Section 13050.
2. The discharge shall not cause degradation of any water supply.
3. The discharge shall remain within the designated disposal area at all times.
4. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Executive Officer.
5. Wastewater shall be discharged to Castle Oaks Golf Course in accordance with a Wastewater Disposal Operations Plan which has been approved by the Executive Officer. Prior to irrigation of dedicated disposal areas pursuant to Effluent Limitation B.2., the Discharger shall submit to the Executive Officer a specific operation plan describing the irrigated area, rate of application, irrigated crops, and efforts to prevent public exposure.
6. A 2.0-foot freeboard shall be maintained in all treatment and storage ponds at all times or an operational plan shall be submitted which shows why a 2.0-foot freeboard is not needed to prevent overtopping of the berms.
7. Reclaimed wastewater shall meet the criteria contained in Title 22, Division 4, CCR (Section 60301, et seq.).
8. Reclaimed wastewater conveyance lines shall be clearly marked as such.

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9. The dissolved oxygen content of holding ponds shall not be less than 1.0 mg/l for 16 hours in any 24-hour period.
10. Areas irrigated with reclaimed water shall be managed to prevent breeding of mosquitos. More specifically,
 - a. Tail water must be returned and all applied irrigation water must infiltrate completely within a 12-hour period.
 - b. Ditches not serving as wildlife habitat should be maintained free of emergent, marginal, and floating vegetation.
 - c. Low-pressure and unpressurized pipelines and ditches accessible to mosquitos shall not be used to store reclaimed water.
11. Reclaimed water for irrigation shall be managed to minimize erosion and runoff from the disposal area.
12. Direct or windblown spray shall be confined to the designated reclamation area and prevented from contacting drinking water facilities.
13. The Discharger may not spray irrigate effluent during periods of precipitation and for at least 24 hours after cessation of precipitation, or when winds exceed 30 mph.
14. A 100-foot buffer shall be maintained between any flowing watercourse and the wetted area produced during spray disposal.
15. Signs with proper wording of sufficient size shall be placed at areas of access and around the perimeter of all areas used for effluent disposal to alert the public of the use of reclaimed water.
16. Runoff from irrigated areas, within 24 hours of the last application of reclaimed water, shall not be discharged to any surface water drainage course.
17. There shall be no irrigation or impoundment of reclaimed water within 500 feet of any domestic water well or within 100 feet of any irrigation well unless it is demonstrated to the satisfaction of the Executive Officer that less distance is justified.

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E. Provisions:

1. Reclaimed water controllers, valves, etc., shall be affixed with reclaimed water warning signs, and these and quick couplers and sprinkler heads shall be of a type, or secured in a manner, that permits operation by authorized personnel only.
2. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
3. The Discharger may be required to submit other technical reports as directed by the Executive Officer.
4. The Discharger shall submit a report by 1 September each year which describes how the Preston Reservoir is being maintained for the up-coming winter season. This report should contain current levels in reservoir and methods planed to dispose of wastewater so that winter storage levels are reached.
5. The Discharger shall comply with the Monitoring and Reporting Program No. 93-240, which is part of this Order, and any revisions thereto as ordered by the Executive Officer.
6. The Discharger shall comply with the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements", dated 1 March 1991, which are attached hereto and by reference a part of this Order. This attachment and its individual paragraphs are commonly referenced as "Standard Provision(s)."
7. The Discharger shall report promptly to the Board any material change or proposed change in the character, location, or volume of the discharge.
8. In the event of any change in control or ownership of land or waste discharge facilities presently described herein, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to this office.
9. The Board will review this Order periodically and will revise requirements when necessary.

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I, WILLIAM H. CROOKS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 3 December 1993.



WILLIAM H. CROOKS, Executive Officer

Attachments

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

REVISED MONITORING AND REPORTING PROGRAM NO. 93-240

FOR
AMADOR REGIONAL OUTFALL
AND
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This Monitoring and Reporting Program (MRP) describes requirements for monitoring domestic wastewater, groundwater, surface water, and biosolids. This MRP is issued pursuant to Water Code Section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Executive Officer. Specific sample station locations shall be approved by Regional Board staff prior to implementation of sampling activities.

All samples should be representative of the volume and nature of the discharge or matrix of material sampled. The time, date, and location of each grab sample shall be recorded on the sample chain of custody form.

ARSA CONVEYANCE SYSTEM MONITORING

The Discharger shall monitor the wastewater conveyance and storage system on at least a weekly basis for sewer odors, spills or overflows, and leaks or seepage from the Sutter Creek Wastewater Treatment Plant outfall to the Preston Reservoir outfall. The operators shall keep a log of visual inspections made of the wastewater conveyance and storage system. This information shall be submitted in the monthly reports. In addition, the Discharger shall monitor all the stock watering troughs on at least a weekly basis and shall record any spills, overflows, or leaks. This information shall be submitted in the monthly reports.

ARSA STORAGE RESERVOIR MONITORING

Samples shall be collected from established sampling stations located in areas that will provide a sample representative of the wastewater in Henderson Reservoir, Preston Forebay, and Preston Reservoir. Freeboard will be measured vertically from the surface of the pond water to the lowest elevation of the surrounding berm or the bottom of the spillway and shall be measured to the nearest 0.25 feet. Flow monitoring shall be conducted at the outfall outlet for each reservoir. Monitoring of all three reservoirs shall include, at a minimum, the following:

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>	<u>Reporting Frequency</u>
Flow	Gallons	Continuous	Daily	Monthly
Freeboard	Feet	Measurement	Twice-weekly ¹	Monthly
Dissolved Oxygen	mg/l	Grab	Weekly	Monthly
pH	pH units	Grab	Monthly	Monthly

¹Twice-weekly shall mean twice per week.

ARSA HENDERSON RESERVOIR EFFLUENT MONITORING

Effluent samples shall be collected downstream from the last connection through which wastes can be admitted from the Henderson Storage Reservoir. Samples collected from the outlet structure for the effluent slide gate valve shall be considered acceptable. Grab samples are considered adequately composited to represent the effluent. Effluent monitoring shall include, at a minimum, the following:

<u>Constituents</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>	<u>Reporting Frequency</u>
Total Coliform Organisms ¹	MPN/100 ml	Grab	Monthly	Monthly
Total Dissolved Solids	mg/l	Grab	Monthly	Monthly
Total Arsenic	mg/l	Grab	Monthly	Monthly

¹Using a minimum of 15 tubes or three dilutions

ARSA WASTEWATER DISPOSAL MONITORING

Monitoring of the irrigated disposal areas between the Sutter Creek Wastewater Treatment Plant and the Preston Reservoir shall be conducted on a daily basis (April through November) and the results shall be included in the monthly monitoring report. Evidence of erosion, field saturation, runoff, or the presence of nuisance conditions shall be noted in the report. Wastewater shall also be monitored to ascertain loading rates at the disposal area. Monitoring of the effluent and the disposal fields shall include the following:

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>	<u>Reporting Frequency</u>
Flow	gallons	Continuous	Daily	Monthly
Rainfall ¹	Inches	Measurement	Daily	Monthly
Acreage Applied ²	Acres	Calculated	Daily	Monthly

¹ As measured at the weather station which is nearest to the disposal site

² Specific disposal fields shall be identified

CITY OF IONE TERTIARY TREATMENT PLANT EFFLUENT MONITORING

Effluent samples shall be collected (during operation) downstream from the last connection through which wastes can be admitted from the City of Ione's tertiary treatment plant to Castle Oaks Golf Course irrigation storage reservoirs. Samples collected from the outlet structure at the chlorine contact channel shall be considered acceptable. Grab samples are considered adequately composited to represent the effluent. Effluent monitoring shall include, at a minimum, the following:

<u>Constituents</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>	<u>Reporting Frequency</u>
Flow	gallons	Continuous	Daily	Monthly
Turbidity	NTU	Continuous	Daily	Monthly
Total Chlorine Residual	mg/l	Grab	Daily	Monthly
Total Coliform Organisms ¹	MPN/100 ml	Grab	Daily	Monthly
pH	pH units	Grab	Weekly	Monthly
BOD ₅ ²	mg/l	Grab	Weekly	Monthly
Total Settleable Solids	ml/l•hr	Grab	Weekly	Monthly
Total Arsenic	mg/l	Grab	Monthly	Monthly

¹ Using a minimum of 10 tubes or two dilutions

² BOD₅ denotes five-day, 20° Celsius Biochemical Oxygen Demand.

CASTLE OAKS GOLF COURSE IRRIGATION STORAGE POND MONITORING

Samples shall be collected from established sampling stations located in areas that will provide a sample representative of the wastewater in the Castle Oaks Golf Course irrigation storage ponds.

Freeboard will be measured vertically from the surface of the pond water to the lowest elevation of the surrounding berm and shall be measured to the nearest 0.25 feet. Monitoring of all storage ponds shall include, at a minimum, the following:

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>	<u>Reporting Frequency</u>
Freeboard	Feet	Measurement	Twice-weekly ¹	Monthly
Dissolved Oxygen	mg/l	Grab	Weekly	Monthly
pH	pH units	Grab	Monthly	Monthly

¹Twice-weekly shall mean twice per week.

CASTLE OAKS GOLF COURSE DISPOSAL FIELD MONITORING

Monitoring of the irrigated disposal area shall be conducted daily (during operation) and the results shall be included in the monthly monitoring report. Evidence of erosion, field saturation, runoff, or the presence of nuisance conditions shall be noted in the report. Reclaimed water shall also be monitored to ascertain disposal rates. Monitoring of the disposal fields shall include the following:

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>	<u>Reporting Frequency</u>
Flow	gallons	Continuous	Daily	Monthly
Rainfall ¹	Inches	Measurement	Daily	Monthly
Acreage Applied ²	Acres	Calculated	Daily	Monthly

¹ As measured at the weather station which is nearest to the disposal site

² Specific disposal fields shall be identified

CASTLE OAKS GOLF COURSE GROUNDWATER MONITORING

Prior to sampling or purging, equilibrated groundwater elevations shall be measured to the nearest 0.01 feet. The wells shall be purged at least three well volumes until pH and electrical conductivity have stabilized. Sample collection shall follow standard analytical methods protocols. Groundwater monitoring shall include, at a minimum, the following:

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling and Reporting Frequency</u>
Groundwater elevation	Feet	Measurement	Quarterly
pH	S.U.	Grab	Quarterly
Total Dissolved Solids	mg/l	Grab	Quarterly
Nitrates as Nitrogen	mg/l	Grab	Quarterly
Ammonia as Nitrogen	mg/l	Grab	Quarterly
Total Coliform Organisms ¹	MPN/100 ml	Grab	Quarterly

¹ Using a minimum of 10 tubes or two dilutions

BIOSOLIDS MONITORING

The Discharger shall keep records regarding the quantity of biosolids generated by the ARSA storage reservoirs, ARSA conveyance system, City of Ione tertiary treatment plant, and the Castle Oaks golf course irrigation storage ponds; any sampling and analytical data; the quantity of biosolids stored on site; and the quantity removed for disposal. The records shall also indicate the steps taken to reduce odor and other nuisance conditions. Records shall be stored onsite and available for review during inspections.

If biosolids are transported off-site for disposal, then the Discharger shall submit records identifying the hauling company, the amount of biosolids transported, the date removed from the facility, the location of disposal, and copies of all analytical data required by the entity accepting the waste. If biosolids are disposed of onsite, then the Discharger shall submit the annual report information as contained in the Statewide General Order for the Discharge of Biosolids (Water Quality Order No. 2000-10-DWQ) (or any subsequent document which replaces Order No. 2000-10-DWQ).

All records shall be submitted as part of the Annual Monitoring Report.

REPORTING

The Amador Regional Outfall monitoring reports may be submitted by a single agency as a single report or as a group report with separate submittals from each Discharger which satisfy the monitoring requirements. For example, monitoring of the ARSA conveyance system, ARSA storage reservoir, ARSA Henderson Reservoir effluent monitoring, and the ARSA wastewater disposal monitoring may be submitted by ARSA. The City of Ione may submit monitoring data for the tertiary treatment plant effluent, Castle Oaks storage ponds, and the Castle Oaks groundwater monitoring. Castle Oaks Golf Course and Development and Portlock International may submit the monitoring data for Castle Oaks

golf course disposal field monitoring. However, regardless of the reporting format used, the Dischargers are held equally responsible for the submittal of complete and adequate monitoring reports.

In reporting monitoring data, the Discharger shall arrange the data in tabular form so that the date, sample type (e.g., effluent, pond, etc.), and reported analytical result for each sample are readily discernible. The data shall be summarized in such a manner to clearly illustrate compliance with waste discharge requirements and spatial or temporal trends, as applicable. The results of any monitoring done more frequently than required at the locations specified in the Monitoring and Reporting Program shall be reported to the Regional Board.

As required by the California Business and Professions Code Sections 6735, 7835, and 7835.1, all Groundwater Monitoring Reports shall be prepared under the direct supervision of a Registered Engineer or Geologist and signed by the registered professional.

A. Monthly Monitoring Reports

Monthly reports shall be submitted to the Regional Board on the **1st day of the second month following sampling** (i.e. the January Report is due by 1 March). At a minimum, the reports shall include:

1. Results of conveyance system, storage reservoir, Henderson Reservoir effluent, disposal fields, tertiary treatment plant effluent, golf course disposal fields, and golf course storage reservoirs monitoring.
2. A comparison of monitoring data to the discharge specifications and an explanation of any violation of those requirements. Data shall be presented in tabular format.
3. Inspection logbook entries for the ARSA conveyance system, ARSA disposal fields and Castle Oaks golf course disposal field monitoring. The report shall also include the daily calculations.
4. If requested by staff, copies of laboratory analytical report(s).

B. Quarterly Monitoring Reports

The Discharger shall establish a quarterly sampling schedule for groundwater, influent, and effluent monitoring such that samples are obtained approximately every three months. Quarterly monitoring reports shall be submitted to the Board by the **1st day of the second month after the quarter** (i.e. the January-March quarter is due by May 1st) each year. The Quarterly Report shall include the following:

1. Results of groundwater monitoring. The results of regular monthly monitoring reports for March, June, September and December may be incorporated into their corresponding quarterly monitoring report.

2. A narrative description of all preparatory, monitoring, sampling, and analytical testing activities for the groundwater monitoring. The narrative shall be sufficiently detailed to verify compliance with the WDR, this MRP, and the Standard Provisions and Reporting Requirements. The narrative shall be supported by field logs for each well documenting depth to groundwater; parameters measured before, during, and after purging; method of purging; calculation of casing volume; and total volume of water purged;
3. Calculation of groundwater elevations, an assessment of groundwater flow direction and gradient on the date of measurement, comparison of previous flow direction and gradient data, and discussion of seasonal trends if any;
4. A narrative discussion of the analytical results for all groundwater locations monitored including spatial and temporal trends, with reference to summary data tables, graphs, and appended analytical reports (as applicable);
5. A comparison of monitoring data to the groundwater limitations and an explanation of any violation of those requirements;
6. Summary data tables of historical and current water table elevations and analytical results;
7. A scaled map showing relevant structures and features of the facility, the locations of monitoring wells and any other sampling stations, and groundwater elevation contours referenced to mean sea level datum;
8. Copies of laboratory analytical report(s) for groundwater monitoring.

C. Annual Report

An Annual Report shall be prepared as the fourth quarter monitoring report. The Annual Report will include all monitoring data required in the monthly/quarterly schedule. The Annual Report shall be submitted to the Regional Board by **1 February** each year. In addition to the data normally presented, the Annual Report shall include the following:

1. If requested by staff, tabular and graphical summaries of all data collected during the year;
2. An evaluation of the performance of the tertiary treatment system which demonstrates the facility's ability to consistently meet treatment standards for recycled water use on a public golf course specified in Title 22, Division 4, CCR (Section 60301, et seq.), as well as a forecast of the flows anticipated in the next year;
3. A discussion of compliance and the corrective action taken, as well as any planned or proposed actions needed to bring the discharge into full compliance with the waste discharge requirements.

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4. A discussion of any data gaps and potential deficiencies/redundancies in the monitoring system or reporting program.
5. Summary of information on the disposal of biosolids as described in the "Biosolids Monitoring" section.
6. If biosolids were disposed onsite, then the annual report shall include information as contained in the Statewide General Order for the Discharge of Biosolids (Water Quality Order No. 2000-10-DWQ) (or any subsequent document which replaces Order No. 2000-10-DWQ);
7. A discussion of whether the Discharger anticipates removing biosolids in the coming year, and if so, the anticipated schedule for cleaning, drying, and disposal;

The Discharger shall implement the above monitoring program as of the date of this Order.

Ordered by: Thomas R Pinkos
for GARY M. CARLTON, Executive Officer
17 April 2001
(Date)

ASB: 04/16/2001

Thomas R. Pinkos
Assistant Executive Officer