

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2002 - 0115

APPROVAL OF A STATE REVOLVING FUND (SRF) LOAN
FOR THE EAST BAY MUNICIPAL UTILITY DISTRICT (DISTRICT);
EAST BAYSHORE WATER RECYCLING PROJECT – PHASE 1A (PROJECT);
SRF LOAN PROJECT NO. C-06-4303-110

WHEREAS:

- 1) The State Water Resources Control Board (SWRCB), on February 16, 1995, adopted the *“Policy for Implementing the State Revolving Fund for Construction of Wastewater Treatment Facilities,”* and revised it on June 18, 1998
- 2) The SWRCB, on June 21, 2001, adopted the state fiscal year 2001/2002 SRF Loan Program Priority List which included the Oakland/Berkeley/Caltrans I-80 Phase I (Reclamation) Project for the District in the fundable Priority Category C. The District has subsequently renamed the project the East Bayshore Recycled Water Project – Phase 1A;
- 3) The Division of Clean Water Programs (Division) has reviewed the SRF loan application and supporting documents and issued a Facilities Plan Approval letter on December 6, 2001;
- 4) On January 23, 2002, the SWRCB adopted Resolution No. 2002-0004, approving a Water Recycling Construction Program Grant of \$4.4 million as part of the financial assistance request by the District. To complete the Project, the District has requested additional funding assistance of \$13.4 million through the SRF loan program; and
- 5) The District has certified an Environmental Impact Report (State Clearinghouse No.2000052128) for the proposed project which has been reviewed and considered, and it has been determined that:
 - a) Changes or alterations have been required in or incorporated in to the proposed project which avoid or reduce to less than significant levels potentially significant environmental effects identified in the EIR with respect to: (i) impacts to soils which will be mitigated by liquefaction protection and seismic design to resist ground shaking; (ii) impacts to biological resources which will be mitigated by conducting Western burrowing owl and raptor preconstruction surveys, and applying for a wetland protection and 404 Permit; (iii) impacts to water quality which will be mitigated by minimizing surface water runoff; (iv) impacts to air quality which will be mitigated by reduction of construction emissions through standard mitigation measures; (v) impacts to noise which will be mitigated by reducing construction noise through standard mitigation measures; (vi) impacts to cultural resources which will be mitigated by protection of known and previously undiscovered historic and archeological resources through standard mitigation measures.
 - b) With respect to other potentially significant environmental impacts identified in the environmental document, appropriate changes or alterations are not within the responsibility and jurisdiction of the SWRCB. Such other changes or alterations have been adopted or should be adopted by other agencies.

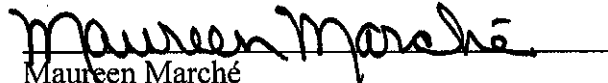
THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board:

1. Approves a State Revolving Fund (SRF) loan of \$13.4 million from the state fiscal year 2002 account for the East Bay Municipal Water District's (District) Phase 1A Project, with a repayment period of 20 years, and the first repayment due one year after completion of construction;
2. Will withdraw this preliminary SRF loan commitment if the District does not submit biddable plans and specifications of the project by January 31, 2003. The Division may approve up to a 90-day extension for good cause;
3. Approves reservation of eligible capacity for tertiary treatment filters, disinfection, pumping, and distribution pipelines for the Project;
4. Requires, as a condition of loan approval, that mitigation measures for water quality, specified in the Environmental Impact Report prepared by the District, be implemented; and
5. Will base the Performance Standards for this Project on the District connecting and delivering recycled water to the identified and approved users for the Phase 1A Project and to the District's Master Water Reclamation Permit issued by the San Francisco Bay Regional Water Quality Control Board.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on June 20, 2002.


Maureen Marché
Clerk to the Board