



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

April 15, 2016

Water System No. 4900536

Mr. Ray Lunardi, President
Occidental Community Services District
5334 Sebastopol Road
Santa Rosa, CA 95407

CITATION NO. 02_18_16C_009

Enclosed is a Citation issued to the Occidental Community Services District (System) public water system. This Citation includes a penalty for violating the directive of Compliance Order 02-18-12CO-002. The penalty is \$15,000 (fifteen thousand).

The System will be billed at the State Water Resources Control Board Division of Drinking Water's (Division) hourly rate (currently estimated at \$153.00) for the time spent on issuing this Citation. California Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including, but not limited to, preparing, issuing, and monitoring compliance with a citation. At this time, the Division has spent approximately four (4) hours on enforcement activities associated with this violation.

The System will receive a bill sent from our Division of Drinking Water Fee Billing Unit in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the System for the current fiscal year.

If you have any questions regarding this matter, please contact Misha Anderson of my staff at (707) 576-2728 or me at (707) 576-2006.

Sincerely,

Janice M. Thomas, P.E., Senior Sanitary Engineer
Division of Drinking Water
STATE WATER RESOURCES CONTROL BOARD

Enclosures: Citation No. 02-18-16C-009
Citation Appendices and Attachments

C: Mr. Dean Parsons, Sonoma County Permit and Resource Management
Mr. Jim Tyler, Sonoma County Environmental Health Department
Mr. James Dunton, Russian River Utilities, P.O. Box 730, Forestville, CA 95436

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Citation No. 02-18-16C-009

CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Occidental Community Services District

Water System No: 4900536

TO: Occidental Community Services District
Attention: Mr. Ray Lunardi, President
5334 Sebastopol Road
Santa Rosa, CA 95407

Physical Location: Occidental, CA 95465

Issue Date: April 15, 2016

CITATION FOR VIOLATION
of
Compliance Order 02-18-12CO-002
Issued March 9, 2012

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues this citation



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(hereinafter "Citation") pursuant to Section 116650 of the California Health and Safety Code (hereinafter "CHSC") to Occidental Community Services District (hereinafter "OCSD") for violation of Compliance Order 02-18-12CO-002, issued on March 9, 2012.

A copy of the *Applicable Statutes and Regulations* is located in Appendix 1, which is attached hereto and incorporated by reference.

STATEMENT OF FACTS

OCSD is a community water system serving water to 81 service connections within its service area located approximately 15 miles west of the City of Santa Rosa in Sonoma County. OCSD operates under Domestic Water Supply Permit 02-18-03P-4900536, issued on November 24, 2003 and amended on March 15, 2006.

As more fully described in Compliance Order 02-18-12CO-002 (hereinafter "Order"), which is Attachment 1 hereto, OCSD is in violation of H&S Code section 116555(a)(3) and Title 22, California Code of Regulations (CCR), Section 64554.

The Order contained the following Directive (hereinafter "Directive"):

Directive. Effective immediately upon receipt of this Order, OCSD shall not add any new service connections to its water system. This Directive shall not apply to connections to properties for which a building permit was issued prior to receipt of this Order by OCSD. This Directive shall remain in place until OCSD has done the following:

- (A) Submitted to the Department, and received approval from the Department of, a Source Capacity Planning Study, pursuant to Title 22, CCR, Section 64558, that demonstrates adequate existing source capacity as described in Title 22, CCR, Section 64554;

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(B) Submitted to the Department an application for an amended domestic water supply permit, which includes but is not limited to the following: a description of the number, type, and projected demand of the service connections to be added; and information demonstrating to the Department that OCSD has the ability to reliably and adequately serve the additional service connections in compliance with all applicable laws and regulations; and

(C) Received from the Department an amended domestic water supply permit.

The Division informed OCSD in the July 18, 2014 letter (Attachment 2) of its intent to cite OCSD for failing to comply with the Directive of the Order. The OCSD August 5, 2014 response (Attachment 3) asserts that it is in compliance with the Order based on the following statements:

- OCSD is in compliance with the order contained in CO No. 02-18-12CO-002.
- 1. No new service connections have been issued since this Order.
- 2. The Source Capacity Planning Study indicated that the MDD of 115.6 MGD is available from the well source of 144 MGD.
- 3. An Amended Water Supply Permit Application is included with this report

In the August 22, 2014 letter titled "Intent to Cite", (Attachment 4), the Division addressed the statement in OCSD's August 5, 2014 response that "the Harmony Village permits and services were issued prior to 2007" with the following reply:

A physical inspection of the property at 14605 Jomark Lane, a phone discussion with the District's operator, and a review of Sonoma County permit records indicate that both the water meter and the building permit were installed or issued after the 2012 Order.

OCSD's August 27, 2014 response (Attachment 5) to the Division's August 22, 2014 letter included documentation of fees collected for Water Permit #008. The August 27, 2014 letter states: "[OCSD's] policy is to install meters and activate services when requested by the property owner". OCSD asserts that the acceptance of fees

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for and issuing of Water Permit #008 for water services for the lots in Harmony Village prior to the issue date of the Order signify these as new connections. However, no physical connection to OCSD's water system was established for the addresses in violation prior to the issued date of the Order. Therefore the service connection, as defined in Section 116275(s) of CHSC, was installed after the issue date of the Order

Division staff visited Harmony Village on August 14, 2014 and March 8, 2016. These site visits revealed two (2) service connections had meters installed and service activated by OCSD. Further investigation revealed the building permits for the two (2) service connections were issued after March 9, 2012. The building permit for 14605 Jomark Lane, in Harmony Village, was issued on November 21, 2013. OCSD's August 27, 2014 letter states: "A meter was installed on April 15, 2014" at 14605 Jomark Lane. A Customer Detail sheet for 14605 Jomark Lane included as an attachment to the letter shows water service charges started in May 2014. The building permit for 14600 Jomark Lane, in Harmony Village was issued on August 4, 2015.

DETERMINATION

The Division hereby issues a citation to OCSD for failure to comply with the Directive of the Order, in particular "OCSD shall not add any new service connections to its water system". The installation of a meter and activation of any new service at an address for which a building permit was issued after to receipt of the Order is a

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violation of the Order’s directive. The Order was issued to OCSD on March 9, 2012 for violation of Section 116555(a)(3). OCSD has failed to comply with the Directive of the Order.

Each activated service connection is a separate violation.

PENALTIES PURSUANT TO HEALTH AND SAFETY CODE SECTION 116650

The Division may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation of an order issued pursuant to the Safe Drinking Water Act (hereinafter “SDWA”) occurred, and for each day that a violation of such an order continues to occur, and a separate penalty may be assessed for each violation. The Division hereby assesses upon OCSD a penalty of fifteen thousand dollars (\$15,000) for the violations described in this citation.

DIRECTIVES

- 1) The Order’s Directive “OCSD shall not add any new service connections to its water system” remains in effect with the following amendment: OCSD shall not make or activate any additional service connections to its water system, including any service connections for which a “will serve” letter was issued at any time by OCSD, but for which a building permit was not issued prior to March 9, 2012. As used in this Citation, “will serve” letter means any form of notice, representation, or agreement that OCSD will supply water to a property, parcel, or structure.

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- 2) By **April 29, 2016** notify Sonoma County Permit and Resource Management Department in writing that OCSD is not authorized make any new connection or activate water service to any addresses in OCSD's service area for which the building permit issue date is after March 9, 2012. A copy of that notification shall be submitted to the Division by **May 6, 2016**.
- 3) By **May 2, 2016** submit to the State Board a list of all active service connections with their respective addresses and a copy of the most recent bill for each service connection.
- 4) OCSD shall submit a Source Capacity Planning Study (Study) by **July 15, 2016** pursuant to Section 64558, Title 22, California Code of Regulations (CCR). The Study must employ the procedures listed in Section 64554, Title 22, CCR for demand and source capacity calculations.
- 5) On or before **May 16, 2016**, OCSD shall submit a plan to the Division for review and approval to address source capacity deficiencies. The plan shall include, but not be limited to:
 - a) Proposed measures to increase water conservation, acquire additional source capacity and water rights, and/or impose restrictions on new service connections;
 - b) A description of the anticipated frequency of the restriction described in OCSD's Water Rights Permit 21214, Item 13 and actions OCSD proposes to take to ensure adequate water supply during an incidence of Item 13.
- 6) OCSD is directed to pay the Penalty of \$15,000 (fifteen thousand) by **May 27, 2016**. Payment shall be made by check, made payable to the State Water

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Resources Control Board, together with a copy of the Notice of Administrative Penalty form included as Appendix 2, and with the number of the Citation written on the check at the following address:

SWRCB Accounting Office
ATTN: Drinking Water Program Fees
P.O. Box 1888
Sacramento, CA 95812-1888

All submittals required by this Citation with the exception of the documents as described in Directive 6 relating to the payment of the Penalty shall be submitted to the State Board at the following address:

Janice M. Thomas, P.E., District Engineer
State Water Resources Control Board
Division of Drinking Water
50 D Street, Suite 200
Santa Rosa, CA 95404

The Division reserves the right to make such modifications to this Citation and/or to issue such further citation(s) as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be deemed effective upon issuance.

Nothing in this Citation relieves OCSD of its obligation to meet the requirements of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued thereunder.

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PARTIES BOUND

This Citation shall apply to and be binding upon OCSD, its officers, directors, agents, employees, contractors, successors and assignees.

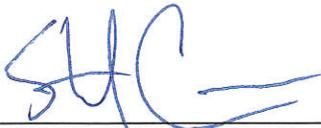
SEVERABILITY

The directives of this Citation are severable, and OCSD shall comply with each and every provision hereof, notwithstanding the effectiveness of any provision.

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FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Board to: issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Board. The State Board does not waive any further enforcement action by issuance of this Citation.



Stefan Cajina, P.E., Chief
North Coastal Section
Division of Drinking Water
STATE WATER RESOURCES CONTROL BOARD

April 15, 2016
Date

CERTIFIED MAIL # 7014 1200 0001 1167 7211

Appendices (2)
Attachments (5)

cc. Mr. Dean Parsons, Sonoma County Permit and Resource Management
Mr. Jim Tyler, Sonoma County Environmental Health Department
Mr. James Dunton, Russian River Utilities, P.O. Box 730, Forestville, CA 95436

4900536/Compliance File
02_18_16C_009_4900536_08\$/MFA



**APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS
FOR CITATION NO. 02_18_16C_008**

Section 116270. of the CHSC states, in relevant part:

The Legislature finds and declares all of the following:

- (a) Every citizen of California has the right to pure and safe drinking water.

Section 116275(s) of the CHSC states, in relevant part:

"Service connection" means the point of connection between the customer's piping or constructed conveyance, and the water system's meter, service pipe, or constructed conveyance.

Section 116555 of the CHSC states, in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

- (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

Section 116650 of the CHSC states in relevant part:

- (a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- (e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

Section 64554 of the CCR states, in relevant part:

(a) At all times, a public water system's water source(s) shall have the capacity to meet the system's maximum day demand (MDD). MDD shall be determined pursuant to subsection (b).

(2) For systems with less than 1,000 service connections, the system shall have storage capacity equal to or greater than MDD, unless the system can demonstrate that it has an additional source of supply or has an emergency source connection that can meet the MDD requirement.

(3) Both the MDD and PHD requirements shall be met in the system as a whole and in each individual pressure zone.

- (b) A system shall estimate MDD and PHD for the water system as a whole (total source capacity and number of service connections) and for each pressure zone within the system (total water supply available from the water sources and interzonal transfers directly supplying the zone and number of service connections within the zone), as follows:
- (1) If daily water usage data are available, identify the day with the highest usage during the past ten years to obtain MDD; determine the average hourly flow during MDD and multiply by a peaking factor of at least 1.5 to obtain the PHD.
 - (2) If no daily water usage data are available and monthly water usage data are available:
 - (A) Identify the month with the highest water usage (maximum month) during at least the most recent ten years of operation or, if the system has been operating for less than ten years, during its period of operation;
 - (B) To calculate average daily usage during maximum month, divide the total water usage during the maximum month by the number of days in that month; and
 - (C) To calculate the MDD, multiply the average daily usage by a peaking factor that is a minimum of 1.5; and
 - (D) To calculate the PHD, determine the average hourly flow during MDD and multiply by a peaking factor that is a minimum of 1.5.
 - (3) If only annual water usage data are available:
 - (A) Identify the year with the highest water usage during at least the most recent ten years of operation.
 - (B) To calculate the average daily use, divide the total annual water usage for the year with the highest use by 365 days; and
 - (C) To calculate the MDD, multiply the average daily usage by a peaking factor of 2.25.
 - (D) To calculate the PHD, determine the average hourly flow during MDD and multiply by a peaking factor that is a minimum of 1.5.
- (d) A public water system shall determine the total capacity of its groundwater sources by summing the capacity of its individual active sources. If a source is influenced by concurrent operation of another source, the total capacity shall be reduced to account for such influence. Where the capacity of a source varies seasonally, it shall be determined at the time of MDD.

Section 64558. of the CCR states, in relevant part:

- (a) If directed by the State Board to do so based on its determination that there is an existing or potential problem with the system's source capacity or a proposed expansion pursuant to section 64556(a)(5), a water system shall submit a Source Capacity Planning Study (Study) containing the following information:
- (1) The anticipated growth of the water system over a projected period of at least ten years in terms of the population and number and type of residential, commercial, and industrial service connections to be served by the water system.
 - (2) Estimates of the amount of water needed to meet the total annual demand and the MDD over the projected ten-year growth period (projected system demand). Methods, assumptions, and calculations used to estimate the projected system demand shall be included.
 - (3) A map and description of the entire existing and proposed service area, showing:
 - (A) The location of each water source, including wells that are abandoned, out-of-service, destroyed, standby, or inactive;
 2. For a groundwater aquifer, the groundwater levels and drawdown patterns;
 3. Permits or approvals for groundwater extraction if pumping from an adjudicated groundwater basin;

4. Existing and planned source pumping capability and distribution storage capacity for the system as a whole and for each pressure zone;

5. The calculated sustained well yields of existing wells if groundwater sources are used;

6. Permits, if required, for any waters proposed for use to offset potable water demand; and

7. A Source Water Assessment for each potable water source.

(B) Distribution system piping, pressure zones, hydropneumatic tanks, and reservoirs;

(C) Valves, sample taps, flow meters, unmetered service connections, and other system appurtenances;

(D) Conveyance facilities;

(E) Any flood plains in the projected service area; and

(F) The 100 year flood or highest recorded flood level, whichever is higher.

(b) If directed by the State Board to do so based on its determination that a study is out of date, a water system shall update and submit the Study to the State Board.

APPENDIX 2. NOTICE OF ADMINISTRATIVE PENALTY FORM

STATE OF CALIFORNIA
DIVISION OF DRINKING WATER

STATE WATER RESOURCES CONTROL BOARD

Notice of Administrative Penalty

System Name: Occidental Community Services District

System Number: 4900536

Background

During the month of April 2016, the Division of Drinking Water issued Citation Number 02-18-16C-009 to the Occidental Community Services District. The citation carried a civil penalty in the amount of **\$15,000.00 (fifteen thousand dollars)**.

Method of Payment

A check for the total amount of the civil penalty and a copy of this form shall be submitted to the Division by **May 27, 2016**. The citation number shall be written on the check, the check made payable to the **State Water Resources Control Board**, and submitted to:

SWRCB Accounting Office
ATTN: Drinking Water Program Fees
P.O. Box 1888
Sacramento, CA 95812-1888

Attach check below:

Attachment 1

**March 9, 2012 Compliance Order
02-18-12CO-002**



Ron Chapman, MD, MPH
Director

State of California—Health and Human Services Agency
California Department of Public Health

DRINKING WATER FIELD OPERATIONS BRANCH
50 D STREET, SUITE 200, SANTA ROSA, CA 95404
PHONE: (707) 576-2145 / FAX: (707) 576-2722
INTERNET ADDRESS: www.cdph.ca.gov



EDMUND G. BROWN JR.
Governor

March 9, 2012

Water System No. 4900536

Ray Lunardi
Occidental Community Services District
P.O. Box 244
Occidental, CA 95465

COMPLIANCE ORDER NO. 02-18-12CO-002
INADEQUATE SOURCE CAPACITY

Enclosed is a Compliance Order issued to the Occidental Community Services District (System) water system. The Compliance Order is being issued because the System is out of compliance with source capacity requirements as described in Health & Safety Code section 116555(a)(3) and Section 64554, Title 22, of the California Code of Regulations.

The Compliance Order consists of six sections: Findings of Fact, Conclusions of Law, Order, Parties Bound, Severability, and Civil Penalties.

The Findings of Fact and Conclusions of Law sections describe the events leading up to the issuance of the Compliance Order. The Order, Parties Bound, and Severability sections specify what, who, and when notifications are required and what required actions must be implemented by the water system to return to compliance. The Civil Penalty section describes penalties to be assessed for failure to comply with the Compliance Order. No civil penalty is levied with the attached Compliance Order.

Your water system has been billed at the Department's current hourly rate of \$126.00 for the time spent on issuing this Compliance Order since this is an enforcement action for noncompliance with state regulations. You will receive a bill sent from our Sacramento office around August 1, 2012.

If you have any questions regarding this matter, please contact Zachary Rounds of my staff at (707) 576-2728 or me at (707) 576-2006.

Sincerely,

Janice M. Thomas, P.E.
Sonoma District Engineer
Drinking Water Field Operations Branch

Enclosure

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Compliance Order No. 02-18-12CO-002

**STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH**

IN RE: Occidental Community Services District
Water System No. 4900536
P.O. Box 244
Occidental, CA 95465

TO: Mr. Ray Lunardi,
President, Board of Directors
Occidental Community Services District

Date Issued: March 9, 2012

STATEMENT OF FACTS

Occidental Community Services District (hereinafter OCSD) is currently operating its water system under Domestic Water Supply Permit 02-18-03P-4900536 (Attachment 1), issued by the California Department of Public Health (hereinafter Department), formerly known as the California Department of Health Services, on November 24, 2003 and amended on March 15, 2006. OCSD is a community water system, as defined in California Health and Safety Code (hereinafter H&S Code), serving water

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to 81 service connections within its service area located approximately 15 miles west of the City of Santa Rosa in Sonoma County.

As more fully set forth below, the Department is informed and believes that OCSD is in violation of H&S Code section 116555(a)(3) and Title 22, California Code of Regulations (CCR), Section 64554.

OCSD currently has two permitted sources of domestic water supply: Well 01, which is currently not in use due to water rights restrictions; and an interconnection with the neighboring Camp Meeker Recreation and Park District (hereinafter CMRPD), which owns and operates the Russian River Well as its only source of supply. CMRPD (Water System No. 4910029) operates under Domestic Water Supply Permit 02-03-95P49-015, issued by the Department on September 22, 1995. OCSD is not located within the boundaries of CMRPD. CMRPD has historically diverted water under a July 9, 1996 agreement with Sonoma County Water Agency (SCWA). On April 27, 2007, CMRPD obtained water rights from the State Water Resources Control Board (hereinafter State Board) under Permit 21198. Condition 3 of Permit 21198 establishes that "The place of use is within the boundaries of Camp Meeker Recreation and Park District...." Condition 5 of Permit 21198 establishes that "The water appropriated shall be limited to the quantity that can be beneficially used and shall not exceed 0.23 cubic foot per second to be diverted from January 1 to December 31 of each year. The maximum amount diverted under this permit shall

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3 not exceed 90 acre-feet per year." Condition 9 of Permit 21198 establishes that
4 "during some years, water will not be available for diversion during portions or all of
5 the season authorized herein," and that "in any year of water scarcity, the season of
6 diversion authorized herein may be reduced or completely eliminated by order of the
7 [State Board]...."

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10 OCSD submitted a water rights permit application in December 2001 to the State
11 Board to divert water from the Russian River. For this purpose, OCSD
12 commissioned Well 01 to be drilled at a location along the Russian River. Well 01
13 was completed in 2005. On March 15, 2006, in anticipation of a water rights permit
14 from the State Board, the Department issued a permit amendment to OCSD
15 approving the use of Well 01 for domestic water supply.
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18 The State Board granted Permit 21214 to OCSD in April 2008, allowing OCSD to
19 divert Russian River water through Well 01. Permit 21214 includes the following
20 conditions regulating diversions by OCSD:

21 13. During the period November 1 through June 30, Permittee shall cease
22 diversion of water under this permit whenever the flow in the Russian River
23 measured at U.S.G.S. Gaging Station No. 11467000 near Guerneville is
24 less than 140 cubic feet per second.

25 14. Permittee shall incorporate conservation pricing into their rate structure
26 either by implementing Best Management Practice #11 Option 1 contained
27 in the California Urban Water Conservation Council's Memorandum of
Understanding Regarding Urban Water Conservation in California or an
alternative method designed to achieve the same goal. If an alternative
method is chosen, Permittee shall submit a plan describing the alternative
method for review and approval by the Chief of the Division of Water Rights



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3 within 60 days of the date of the permit. Permittee shall implement water
4 conservation pricing by July 1, 2009 or Permittee shall cease diverting water
5 under this permit.

6 To date, OCSD has not operated Well 01 as a source of domestic water supply.

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8 The Department issued Compliance Order 02-18-08CO-001 to OCSD on March 28,
9 2008, finding that "[OCSD] does not have sufficient water rights to [OCSD's] existing
10 water supply and therefore cannot provide a reliable and adequate supply of pure,
11 wholesome, healthful, and potable water in accordance with Section 116555 (a) (3)
12 of the H&S Code and cannot provide source capacity to meet maximum demand
13 requirements in accordance with Section 64554, Chapter 16, Title 22 of the CCR."

14 Compliance Order 02-18-08CO-001 contained the following directives:

- 15
16 1. Effective immediately upon its receipt of this Compliance Order,
17 the Occidental Community Services District shall not add to its
18 water system any new service connections, including any new
19 connections for which a will-serve letter has been issued by the
20 District. This restriction shall remain in place until the District
21 has acquired sufficient water rights and demonstrated to the
22 Department that adequate source capacity is developed in
23 accordance with Section 64554, Title 22, of the CCR, and has
24 applied for and been issued an amended permit by the
25 Department in accordance with Directive 3 of this Compliance
26 Order.
- 27 2. By July 1, 2008, Occidental Community Services District shall
develop and submit a Source Capacity Planning Study to the
Department that contains the following:
- a. The anticipated growth of the water system over a
projected period of at least ten years in terms of the
population and number and type of residential,
commercial, and industrial service connections to be
served by the water system.
 - b. Estimates of the amount of water needed to meet the
total annual demand and the maximum day demand



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(MDD) over the projected ten-year growth period (projected system demand). Methods, assumptions, and calculations used to estimate the projected system demand shall be included.

- c. A map and description of the entire existing and proposed service area, showing the location of each water source, including wells that are abandoned, out-of-service, destroyed, standby, or inactive;
 - i. Any valid water rights owned by the system for surface water sources, including information on any limitations or restrictions of those rights;
 - ii. For a groundwater aquifer, the groundwater levels and drawdown patterns;
 - iii. Permits or approvals for groundwater extraction if pumping from an adjudicated groundwater basin;
 - iv. Existing and planned source pumping capability and distribution storage capacity for the system as a whole and for each pressure zone;
 - v. The calculated sustained well yields of existing wells if groundwater sources are used;
 - vi. Permits, if required, for any waters proposed for use to offset potable water demand; and
 - vii. A Source Water Assessment for each potable water source.

3. Prior to adding any new service connections to its system, the District shall apply to the Department for a domestic water supply permit amendment. The District's permit amendment application shall include, but not be limited to, information concerning the District's ability to reliably and adequately serve the additional service connections in compliance with all applicable law and regulations, and shall include a discussion of the District's water rights. The District shall not add any service connections to its system unless and until the Department has issued such permit amendment.

In response to Directive 2 of Compliance Order 02-18-08CO-001, ODSD submitted a source capacity planning study to the Department on July 14, 2008. However, the

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3 Department found that the study did not adequately address the requirements of
4 Directive 2. The Department issued Citation 02-18-08C-119 on September 3, 2008,
5 for noncompliance with Directive 2.
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8 On October 21, 2008, SCWA and CMRPD signed "Amendment No. 2 to Agreement
9 for the Sale of Water between the Sonoma County Water Agency and the Camp
10 Meeker Recreation and Park District" The amendment states: "There may be times
11 when ... [OCSD] is not authorized to divert water under Permit 21214, and when ...
12 [OCSD's] other water sources are not sufficient," and that: "[CMRPD] is willing to
13 provide water to [OCSD] during such situations, provided that sufficient water is
14 available to CMRPD under the terms of the [July 9, 1996] Agreement with [SCWA]."
15

16
17 OCSD submitted a revised source capacity planning study to the Department on
18 December 15, 2008, titled "Occidental Community Services District, Response to
19 Compliance Order 02-18-0SC0-001, B&R File No. 3171" (hereinafter Revised
20 Study). According to the Revised Study, "Test pumping indicates [OCSD Well 01]
21 has a reliable capacity of at least 120 gallons per minute." The Revised Study
22 considered both OCSD Well 01 (Water Rights Permit 21214) and the CMRPD
23 supply, and concluded, on page 11, that "OCSD has rights to sufficient water
24 supplies, either diverted under Permit 21214 or pursuant to CMRPD's agreement
25 with ... [SCWA], to satisfy the demands of its current and projected customers within
26 an expanded service zone."
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In a January 26, 2009 letter to OCSD (Attachment 2), the Department stated "The Department finds the [Revised Study] submitted to be acceptable and the directives of Compliance Order No. 02-18-08CO-001 and Citation No. 02-18-08C-119 have been fulfilled."

After it had issued its January 26, 2009 letter, the Department was informed by the State Board that OCSD had not developed the conservation rate structure required by Water Rights Permit 21214; consequently, OCSD could not activate the permit and therefore was not authorized to access the Well 01 water supply. In a September 23, 2010 letter (Attachment 3), the Department advised OCSD that "The [State Board] informed Department staff that OCSD is currently not using OCSD'S [Well 01] water right and is instead receiving water from [CMRPD]." The letter also stated the following:

The Department requests that OCSD provide the Department with a plan and timeline indicating when OCSD will complete the [Catholic Youth Organization Campground (CYO)] and Harmony Village projects. The plan must state if and when OCSD intends to make use of the OCSD [Well 01] water right as part of the CYO and Harmony Village projects. If OCSD does not intend to use the OCSD water right, then OCSD must provide to the Department a revised water capacity study that shows how the combined MDD of CYO, OCSD, [CMRPD] and Harmony Village will be met.

OCSD did not provide the information requested in the September 23, 2010 letter. OCSD contractors indicated in conversations with Department staff that OCSD did

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3 not intend to activate its water right for Well 01. The Department issued a letter to
4 OCSD on November 10, 2010 (Attachment 4), stating the following:

5 OCSD has stated that OCSD will not be making use of Water
6 Rights Permit 21214 ... The Department hereby directs OCSD to
7 submit a Source Capacity Planning Study (Study) pursuant to
8 Section 64558, Title 22, California Code of Regulations (CCR).
9 The Study must account for OCSD's decision to not make use of
10 Water Rights Permit 21214, and must consider the demand of the
11 existing OCSD-[CMRPD] water system and any proposed additions
12 to that water system. The Study must employ the procedures listed
13 in Section 64554, Title 22, CCR for demand and source capacity
14 calculations. The Study must include documentation demonstrating
15 a long-term water-sharing agreement between OCSD and
16 [CMRPD].

17
18 As of this date, OCSD has not submitted a new source capacity planning study to
19 the Department as requested by the Department's November 10, 2010 letter.
20 Consequently, the Department concludes that OCSD plans to continue operating
21 with CMRPD as its sole source of supply.
22
23

24 AUTHORITIES

25 H&S Code section 116555 states in relevant part:

- 26 (a) Any person who owns a public water system shall ensure
27 that the system does all of the following:
28 (3) provides a reliable and adequate supply of pure,
29 wholesome, healthful, and potable water.

30 H&S Code section 116655 states in relevant part:

- 31 (a) Whenever the department determines that any person
32 has violated or is violating this chapter, or any permit,
33 regulation, or standard issued or adopted pursuant to this
34 chapter, the director may issue an order doing any of the
35 following:

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(1) Directing compliance forthwith.

(2) Directing compliance in accordance with a time schedule set by the department.

(3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

(1) That the existing plant, works, or system be repaired, altered, or added to.

(2) That purification or treatment works be installed.

(3) That the source of the water supply be changed.

(4) That no additional service connection be made to the system.

(5) That the water supply, the plant, or the system be monitored.

(6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.

California Code of Regulations, Title 22, section 64554 states in relevant part:

(a) At all times, a public water system's water source(s) shall have the capacity to meet the system's maximum day demand (MDD). MDD shall be determined pursuant to subsection (b)

(b) A system shall estimate MDD ... for the water system as a whole ... as follows:



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(1) If daily water usage data are available, identify the day with the highest usage during the past ten years ... to obtain MDD...

DETERMINATIONS

Based on the above-described Statement of Facts, the Department determines that OCSD has violated the following:

1. H&S Code section 116555(a)(3) in that OCSD does not have sufficient active water rights to provide a reliable and adequate supply of pure, wholesome, healthful, and potable water.
2. Title 22, California Code of Regulations (CCR), Section 64554 in that OCSD does not have the capacity to meet maximum demand requirements as defined in Section 64554.

ORDER

Pursuant to Section 116655 of the California Health and Safety Code, the Department and its Director hereby orders OCSD to do the following:

Directive. Effective immediately upon receipt of this Order, OCSD shall not add any new service connections to its water system. This Directive shall not apply to connections to properties for which a building permit was issued prior

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to receipt of this Order by OCSD. This Directive shall remain in place until OCSD has done the following:

(A) Submitted to the Department, and received approval from the Department of, a Source Capacity Planning Study, pursuant to Title 22, CCR, Section 64558, that demonstrates adequate existing source capacity as described in Title 22, CCR, Section 64554;

(B) Submitted to the Department an application for an amended domestic water supply permit, which includes but is not limited to the following: a description of the number, type, and projected demand of the service connections to be added; and information demonstrating to the Department that OCSD has the ability to reliably and adequately serve the additional service connections in compliance with all applicable laws and regulations; and

(C) Received from the Department an amended domestic water supply permit.

The Department reserves the right to make such modification to this Order as it may deem necessary to protect public health and safety. Such modification may be issued as amendments to this Order and shall be effective upon issuance.



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All submittals required by this Order shall be addressed to:

Ms. Janice M. Thomas, District Engineer
Sonoma District
California Department of Public Health
50 D Street, Suite 200
Santa Rosa, CA 95404

Division 104, Part 12, Chapter 4, (commencing with section 116270) of the H&S Code authorizes the Department to: issue a citation, including assessment of a civil penalty for failure to comply with any order issued for noncompliance with any Department regulation or order, other than a primary or secondary drinking water standard, in an amount not to exceed two hundred dollars (\$200) per day for each day the violation continues; take action to suspend or revoke a permit that has been issued to a public water system if the system has failed to comply with an order of the department; and petition the superior court to take various enforcement actions against a public water system that has failed to comply with an order of the Department. The Department does not waive any further enforcement action by issuance of this Order.

The State of California shall not be liable for any injuries or damages to persons or property resulting from acts or omissions by OCSD, its employees, agents or contractors in carrying out activities pursuant to this Order, nor shall the State of

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California be held as a party to any contract entered into by OCSD or its agents in carrying out activities pursuant to the Order.

PARTIES BOUND

This Order shall apply to and be binding upon OCSD, its officers, directors, agents, employees, contractors, successors and assignees.

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SEVERABILITY

The directives of this Order are severable, and OCSD shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.



Stefan Cajina, P.E., Chief
North Coastal Region
Drinking Water Field Operations Branch

March 9, 2012
Date



CERTIFIED MAIL # 7008 1140 0004 2027 1443

Attachments

cc. Mr. Jon Tracy, Sonoma County Permit and Resource Management
Mr. Jim Tyler, Sonoma County Environmental Health Department
Mr. Hal Wood, Russian River Utilities, P.O. Box 730, Forestville, CA 95436

4900536/Compliance File
120309 02-18-12CO-002 OCSD Insufficient Capacity.docx/ZCR

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Attachment 1

Domestic Water Supply Permit 02-18-03P-4900536



STATE OF CALIFORNIA
DOMESTIC WATER SUPPLY PERMIT

Issued to
Occidental Community Services District
System No. 4900536

By The
California Department of Health Services,
Division of Drinking Water and Environmental Management



PERMIT NUMBER 02-18-03P-4900536

November 24, 2003

WHEREAS:

1. Section 116525 of the California Health and Safety Code authorizes the Department of Health Services to renew, reissue, revise or amend any domestic water supply permit whenever the Department deems it to be necessary for the protection of public health whether or not an application has been filed.
2. Occidental Community Services District is operating without a permit issued by the State Department of Health Services.
3. The service area of the Occidental Community Services District water system is the unincorporated area of Occidental and serves approximately 200 people through 81 service connections.

THEREFORE: The California Department of Health Services has determined that:

1. Occidental Community Services District meets the criteria for, and is hereby classified as, a community water system.
2. Provided the following conditions are complied with, the Occidental Community Services District public water system should be capable of providing water to consumers that is pure, wholesome, and potable and in compliance with statutory and regulatory drinking water requirements at all times.

THE OCCIDENTAL COMMUNITY SERVICES DISTRICT IS ISSUED THIS DOMESTIC WATER SUPPLY PERMIT TO ADMINISTER THE OPERATION OF THE OCCIDENTAL COMMUNITY SERVICES DISTRICT PUBLIC WATER SYSTEM, AS DESCRIBED IN THE ATTACHED ENGINEERING REPORT, SUBJECT TO THE FOLLOWING THIRTEEN PROVISIONS:

1. The Occidental Community Services District public water system shall comply with all state laws applicable to public water systems, including, but not limited to, the California Safe Drinking Water Act as contained in Division 104 of the

California Health and Safety Code, and any regulations, standards, or orders adopted thereunder.

2. The following water supply source and associated treatments are approved for use in the Occidental Community Services District water system:

| Water Supply Source | PS Code | Associated Treatment | Status |
|----------------------|-------------|---|--------|
| Occidental Reservoir | 4900536-001 | Pre-pH Adjustment (soda ash), Coagulant addition, Filter Aid addition, Rapid Mix, Flocculation, Sedimentation, Hypochlorination, Filtration | Active |

The Occidental Community Services District water system shall not make any change in the source of water for the water system, or any modification of the method of treatment, as described in the attached engineering report, unless an application to amend this public water supply permit is submitted to the California Department of Health Services and an amended permit has been issued for the proposed changes.

3. Occidental Community Services District shall operate its surface water treatment plant in accordance with the following performance standards and operating criteria:

- a. The turbidity level of the final filtered water shall be equal to or less than 0.5 NTU in 95 percent of the measurements taken each month, shall not exceed 5.0 NTU at any time, and shall not exceed 1.0 NTU for more than eight consecutive hours while the plant is in operation.
- b. When the filter is placed back in service following backwashing or other interruptions, the effluent from the filter shall not exceed 2.0 NTU at any time, shall not exceed 1.0 NTU in at least 90 percent of the interruptions during any consecutive 12 month period, and shall not exceed 5.0 NTU after the filter has been in operation for four hours.
- c. The residual disinfectant concentrations of samples collected from the distribution system shall be detectable in at least 95 percent of the samples taken each month, during each month and every two consecutive months that the plant supplies water to the public.

4. Occidental Community Services District shall notify this Department within 24 hours by telephone whenever: a) the turbidity of the filter effluent exceeds 5.0 NTU at any time; or b) the effluent turbidity exceeds 1.0 NTU for more than eight consecutive hours.

5. Occidental Community Services District shall provide continuous disinfection treatment that is sufficient to ensure that the total disinfection and filtration treatment process provides the required reduction of Giardia cysts and viruses as specified in Section 64652, Title 22 of the California Code of Regulations.

6. Occidental Community Services District shall monitor the filtration and disinfection processes in accordance with Sections 64655 and 64656, Title 22 of the California Code of Regulations. If there is a failure of the continuous monitoring equipment, grab sampling shall be conducted during every 4-hour period that the plant is in operation, but for no more than five working days following the failure of the equipment.
7. Occidental Community Services District shall operate its treatment plant in accordance with an operations plan approved by the Department. The District must update their operations plan to be consistent with this permit by January 31, 2004.
8. Occidental Community Services District shall verify the accuracy of their continuous raw and effluent turbidimeters weekly using grab samples and shall calibrate the continuous turbidimeters at least once per calendar quarter.
9. Occidental Community Services District must submit a watershed sanitary survey for Occidental Reservoir that meets the requirements of Section 64665(c) of Title 22 of the California Code of Regulations by March 31, 2008.
10. Beginning January 1, 2004, the chlorine residual in Occidental Community Services District's distribution system must not exceed the maximum residual concentration level (MRDL) of 4.0 mg/L without approval from the Department. Any result reported as greater than 2.2 mg/L will be considered to have exceeded the MRDL. Any time the plant effluent residual is reported to be greater than 5.0 mg/L, the system residual must be verified at the first service connection to be less than the MRDL.
11. Occidental Community Services District shall submit a monthly report to the Department by the 10th day of the following month that describes the operation of the treatment facility in accordance with Section 64664, Title 22 of the California Code of Regulations. The report shall indicate what days and hours that the plant was operated during the month. The report shall be signed by the chief water treatment plant operator, plant superintendent or other person directly responsible for the operation of the water treatment plant.
12. Occidental Community Services District shall not serve water to any additional service connections that were not connected to the water system as of the effective date of the permit until the District can demonstrate that there is sufficient source capacity to serve additional connections.
13. Occidental Community Services District shall destroy the Coleman Valley Spring redwood tank and sever all physical connections between the Coleman Valley Spring and the distribution system.

This permit supersedes all previous domestic water supply permits issued for this public water system and shall remain in effect unless and until it is amended, revised, reissued, or declared to be null and void by the California Department of Health Services. This permit is non-transferable. Should the Occidental Community Services District water system undergo a change of ownership, the new owner must apply for and receive a new domestic water supply permit.

FOR THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES

Robert C. Brownwood

Robert C. Brownwood, P.E.
Sonoma District Engineer
Drinking Water Field Operations Branch

NOVEMBER 24, 2003
Effective date of Permit

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Attachment 2

January 26, 2009 Letter





State of California—Health and Human Services Agency
California Department of Public Health

DRINKING WATER FIELD OPERATIONS BRANCH
50 D STREET, SUITE 200, SANTA ROSA, CA 95404
PHONE: (707) 576-2145 / FAX: (707) 576-2722
INTERNET ADDRESS: www.cdph.ca.gov



ARNOLD SCHWARZENEGGER
Governor

January 26, 2009

System No. 4900536

Mr. Ray Lunardi, President
Occidental Community Services District
P.O. Box 244
Occidental, CA 95465

**OCCIDENTAL COMMUNITY SERVICES DISTRICT – SOURCE CAPACITY
PLANNING STUDY – CITATION 02-18-08C-119**

The California Department of Public Health (Department) is in receipt of the December 15, 2008 response submitted on behalf of Occidental Community Services District (OCSD) to comply with Compliance Order No. 02-18-08CO-001 and Citation No. 02-18-08C-119. The Department finds the materials submitted to be acceptable and the directives of Compliance Order No. 02-18-08CO-001 and Citation No. 02-18-08C-119 have been fulfilled. If it is found that *Amendment 2 to Agreement for the Sale of Water between the Sonoma County Water Agency (SCWA) and the Camp Meeker Recreation and Park District* is terminated before the Division of Water Rights approves the SWCA Petition for Change to add OCSD's Well 01 as a point of diversion and rediversion, OCSD may be prohibited from adding service connections and may be required to provide additional source capacity to support customer demand, including installing surface water treatment for the Occidental Reservoir.

If you have any questions about this letter, please call me at (707)-576-2006.

Sincerely,


Janice M. Oakley, P.E.
Sonoma District Engineer
Drinking Water Field Operations Branch

CC: Hal Woods, P.O. Box 730, Forestville, CA 95436
John S. Locey, P.E., Brelje and Race, 5570 Skylane Blvd, Santa Rosa, CA 95403

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Attachment 3
September 23, 2010 Letter





MARK B HORTON, MD, MSPH
Director

State of California—Health and Human Services Agency
California Department of Public Health

DRINKING WATER FIELD OPERATIONS BRANCH

50 D STREET, SUITE 200, SANTA ROSA, CA 95404

PHONE: (707) 576-2145 / FAX: (707) 576-2722

INTERNET ADDRESS: www.cdph.ca.gov



ARNOLD SCHWARZENEGGER
Governor

September 23, 2010

System No. 4900536

Mr. Ray Lunardi, President
Occidental Community Services District
P.O. Box 244
Occidental, CA 95465

OCCIDENTAL COMMUNITY SERVICES DISTRICT SOURCE WATER CAPACITY

The California Department of Public Health (Department) has reviewed water production data from the Camp Meeker Water System (CMWS) and the Occidental Community Services District (OCSD) in response to a complaint from an OCSD customer. The Department continues to accept the conclusions of the December 2008 water capacity report submitted on behalf of OCSD by Brelje & Race Engineers, but notes that the conclusions in the water capacity report included the use of the approximately 76 gallons per minute (gpm) from the April 18, 2008 water right permit to OCSD in order to achieve the required maximum day demand (MDD) source capacity following the construction at Harmony Village and connecting the Catholic Youth Organization Campground (CYO) to OCSD.

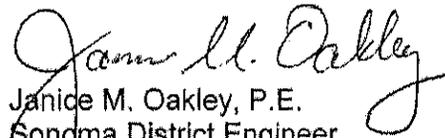
The State Water Resources Control Board – Division of Water Rights (SWRCB) informed Department staff that OCSD is currently not using OCSD's water right and is instead receiving water from CMWS. CMWS maintains a water right of 100 gpm which appears to be sufficient to meet the combined MDD from OCSD and CMWS, although production data submitted to the Department and estimates in the December 2008 water capacity report indicate that the CMWS water right may not be sufficient when the CYO and Harmony Village projects are complete.

The Department understands that the OCSD water right contains conditions from the SWRCB which must be met by OCSD prior to making use of the water right. The Department requests that OCSD provide the Department with a plan and timeline indicating when OCSD will complete the CYO and Harmony Village projects. The plan must state if and when OCSD intends to make use of the OCSD water right as part of the CYO and Harmony Village projects. If OCSD does not intend to use the OCSD water right, then OCSD must provide to the Department a revised water capacity study that shows how the combined MDD of CYO, OCSD, CMWS and Harmony Village will be met.

Mr. Ray Lunardi
Page 2
September 23, 2010

If you have any questions about this letter, please call me at (707) 576-2006.

Sincerely,



Janice M. Oakley, P.E.
Sonoma District Engineer
Drinking Water Field Operations Branch

CC: Hal Woods, P.O. Box 730, Forestville, CA 95436

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Attachment 4
November 10, 2010 Letter





MARK B HORTON, MD, MSPH
Director

State of California—Health and Human Services Agency
California Department of Public Health

DRINKING WATER FIELD OPERATIONS BRANCH

50 D STREET, SUITE 200, SANTA ROSA, CA 95404

PHONE: (707) 576-2145 / FAX: (707) 576-2722

INTERNET ADDRESS: www.cdph.ca.gov



ARNOLD SCHWARZENEGGER
Governor

November 10, 2010

System No. 4900536

Mr. Ray Lunardi, President
Occidental Community Services District
P.O. Box 244
Occidental, CA 95465

OCCIDENTAL COMMUNITY SERVICES DISTRICT SOURCE WATER CAPACITY

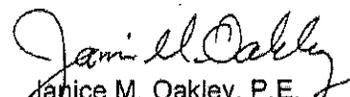
The California Department of Public Health (Department) instructed the Occidental Community Services District (OCSD) in a September 23, 2010 letter to submit a plan and timeline to the Department for the completion of projects which will increase the water demand on the OCSD and Camp Meeker Water System (CMWS) water system, and to revise the existing source capacity study of the OCSD-CMWS water system if OCSD is not going to make use of its water rights. OCSD has stated that OCSD will not be making use of Water Rights Permit 21214, which grants OCSD limited access to water from the Russian River, due to certain requirements in Water Rights Permit 21214 that OCSD believes are unachievable.

The Department hereby directs OCSD to submit a Source Capacity Planning Study (Study) pursuant to Section 64558, Title 22, California Code of Regulations (CCR). The Study must account for OCSD's decision to not make use of Water Rights Permit 21214, and must consider the demand of the existing OCSD-CMWS water system and any proposed additions to that water system. The Study must employ the procedures listed in Section 64554, Title 22, CCR for demand and source capacity calculations. The Study must include documentation demonstrating a long-term water-sharing agreement between OCSD and CMWS.

Please submit the Study to the Department no later than **January 14, 2011**. In the absence of an acceptable Study, the Department must consider issuing an order limiting new connections to the OCSD-CMWS water system. Please reply to the Department, indicating your intent to comply with the directive and timeline specified herein, by **November 22, 2010**.

If you have any questions about this letter, please call me at (707) 576-2006.

Sincerely,


Janice M. Oakley, P.E.
Sonoma District Engineer
Drinking Water Field Operations Branch

CC: Hal Wood, P.O. Box 730, Forestville, CA 95436

Attachment 2

July 18, 2014 Intent to Cite Letter



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

July 18, 2014

System No. 4900536

Ray Lunardi
Occidental Community Services District
P.O. Box 244
Occidental, CA 95465

**INTENT TO CITE – COMPLIANCE ORDER NO. 02-18-12CO-002 – INADEQUATE
SOURCE CAPACITY**

This letter is to inform you that the State Water Resources Control Board, Division of Drinking Water (Division) intends to cite the Occidental Community Services District (District) for failing to comply with directives contained within Compliance Order 02-18-12CO-002 (Order). Specifically, the Division has been informed that the District intends to add a new service connection to the District at 14605 Jomark Lane in Occidental. The Directive within the Order states that the District shall not add any new service connections to the District's water system.

The District must immediately cease any activities which are in violation of the Order. Failure to cease any violating activities will result in the issuance of a citation from the Division which may include civil penalties of up to \$1,000 per day for each day the violation continues.

If you have any questions, please contact Zachary Rounds at (707) 576-2728.

Sincerely,

A handwritten signature in cursive script that reads "Janice M. Thomas".

Janice M. Thomas, P.E., Senior Sanitary Engineer
Division of Drinking Water
STATE WATER RESOURCES CONTROL BOARD

cc list on next page

Ray Lunardi

2

July 18, 2014

cc: Patrick Mullin
Sonoma County Permit and Resource Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403

Hal Wood
Russian River Utility
7131 Mirabel Road
Forestville, CA 95436

Bill Wadsworth
3360 Church Street
Occidental, CA 95465

Attachment 3

**OCSD's August 5, 2014 response to the
July 18, 2014 Intent to Cite Letter**

**OCCIDENTAL COMMUNITY SERVICES DISTRICT
PO BOX 244
OCCIDENTAL, CA 95465-0244**

August 5, 2014

State Water Resources Control Board
Janice M Thomas, P. E.
Senior Sanitary Engineer
Division of Drinking Water
Attn: Zachary Rounds
50 D Street #200
Santa Rosa, CA 95404

Re: Response to July 18, 2014 letter
California Dept of Public Health – Intent to Cite
Ref: C.O. 02-18-12CO-002 (3/9/2012)
System 49-00536

Dear Zachary,

The Occidental Community Services District (OCSD) has not issued nor does it intend to issue permits since receipt of your March 2012 Compliance Order 02-18-12CO-002.

The Harmony Village permits and services were issued prior to 2007, even prior to your January 26, 2009 compliance letter. These services were included in the Engineering Report prepared by Brelje & Race Civil Engineers. A subsequent Engineering Report dated December 15, 2008 was submitted in response to C.O. 02-18-08CO-001.

The current Compliance Order states that the Department “is informed and believes that OCSD is in violation of Section 116555(a)(3) of California Code, Title 22.

However, the District did provide two reports on July 11, 2008 and December 15, 2008, which were prepared by Brelje & Race Civil Engineers. The July 11, 2008 report regarding “Projected Peak Demand” included the water demand if and when the Catholic Youth Organization (CYO) was connected to the OCSD water system. The Engineering Reports were reviewed by District staff and were accepted and complied with the requirements of C.O. 02-18-08CO-001.

Since then, the OCSD and CYO have abandoned the plan to provide service to the campgrounds. CYO is currently planning to improve their existing water treatment plant. OCSD has been unsuccessful in convincing the Division of Water Rights (DWR) that the existing tiered water rate is in compliance with Option 2 of the California Urban Water Conservation Commission’s best management practices. The OCSD water permit 21214 is inactive.

Therefore, OCSD must continue to utilize the Sonoma County Water Agency's (SCWA) Russian River-permitted water (75,000 acre foot pool). The SCWA/Camp Meeker Recreation and Park District (CMRPD) agreement is currently used by the Community of Occidental. CMRPD and SCWA are in the process of extending the term of this agreement by ten years. SCWA is also in the process of extending the term with other public water systems.

In order to comply with the Health and Safety Code, Section 64554 of Title 22, California Code of Regulations, The District submits this modification of the Brelje and Race report dated July 11, 2008. The service to CYO and the use of the OCSD permit 21214 have been deleted. The current number of water services is 109 connections and the water source is provided in the SCWA agreement with CMRPD. This total amount of diverted water is limited to 90 acre feet (29.3 MG/year) for both CMRPD and OCSD. The total diversion in 2013 was 20.17 MG: 7.04 MG/year for OCSD, and 13.13 MG/year for CMRPD.

The current source capacity as per Section 64558, Title 22 is as follows:

Source Capacity Planning Study

Projected 10-year capacity

Facts: Current: 109 active service connections
 10-year projection: 5 new connections

Modify Brelje & Race's July 2008 report to eliminate OCSD's dependency on Water Permit 21214 and remove CYO as a potential service.

| SYSTEM | CURRENT PEAK DEMAND GALLONS / DAY | PROJECTED PEAK DEMAND GAL / DAY |
|------------------------|--|--|
| OCSD | 33,000^{*a} | 37,000* |
| UNION HOTEL | - | 10,000* |
| HARMONY VILLAGE | 1,300^{aa} | 6,000* |
| NEW CONNECTIONS | - | 600 |
| | | MMD: 53,600 GAL / DAY |

The current capacity of one well is over 144,000 gallons per day.

* July 11, 2008 Report, Brelje & Race Civil Engineers

^a Actual peak demand 2013 (OCSD 31,100 gallons per day)

^{aa} Actual current demand, Harmony Village (12 connections)

The estimated OCSD population in 10 years may exceed 350 residences.

Conclusion

The projected peak day demand MDD for OCSD is 53,600 gallons per day, the CMRPD is 61,000* gallons per day, and the total projected MDD is 114,600 gallons per day, or 79.6 gallons per minute. The current capacity of one well is over 100 gallons per minute, or 144,000 gallons per day.

The CMRPD and OCSD Joint Water Facilities Agreement provides for the joint ownership and operation of all transmission facilities. Well 01 is currently the standby well, used for emergencies.

The SCWA agreement for the diversion of water to CMRPD and OCSD is 90 acre feet per year. The 2013 production by OCSD was 21.61 acre feet and CMRPD's was 40.30 acre feet.

OCSD is in compliance with the order contained in CO No. 02-18-12CO-002.

1. No new service connections have been issued since this Order.
2. The Source Capacity Planning Study indicates that the MDD of 115.6 MGD is available from the well source of 144 MGD.
3. An amended Water Supply Permit Application is included with this report.

Sincerely,



Ray Lunardi

cc: Russian River Utility, PO Box 730, Forestville, CA 95436
Patrick Mullin, PRMD, 2550 Ventura Ave, Santa Rosa, CA 95403

Attachment 4

August 22, 2014 Intent to Cite Letter



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

August 22, 2014

System No. 4900536

Ray Lunardi
Occidental Community Services District
P.O. Box 244
Occidental, CA 95465

INTENT TO CITE – COMPLIANCE ORDER NO. 02-18-12CO-002 – INADEQUATE SOURCE CAPACITY

The State Water Resources Control Board, Division of Drinking Water (Division) has received the August 5, 2014 letter and permit amendment request from the Occidental Community Services District (District). These were in response to the Division's July 18, 2014 letter stating its intent to cite the District for failing to comply with directives contained within Compliance Order 02-18-12CO-002 (Order). The letter and the amendment request do not sufficiently fulfill the requirements of the Order and the prohibition on new service connections remains in effect and legally binding upon the District.

The District's letter states that "the Harmony Village permits and services were issued prior to 2007". A physical inspection of the property at 14605 Jomark Lane, a phone discussion with the District's operator, and a review of Sonoma County permit records indicate that both the water meter and the building permit were installed or issued after the 2012 Order. The 2012 Order states that no new service connections will be added to the District except for properties that had received issuance of a building permit prior to the District receiving the Order. "Will-serve" and other similar agreements or issuances are not equivalent to building permits, which are issued by the Sonoma County Permit and Resource Management Department. The District will be issued a citation for this violation of the order which will include an administrative penalty.

The District must immediately cease any activities which are in violation of the Order. Any activities found to be in violation of the Order will result in the issuance of a citation from the Division, which may include administrative penalties of up to \$1,000 per day for each day that the District is in violation. A separate penalty may be assessed for each violation. You are directed to submit to the Division's Sonoma District Office any invoices or related payment information for the water service connection, will-serve, or equivalent for the property at 14605 Jomark Lane and the date of that payment to the District by **September 5, 2014**.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

50 D Street, Suite 200, Santa Rosa, CA 95404 | www.waterboards.ca.gov

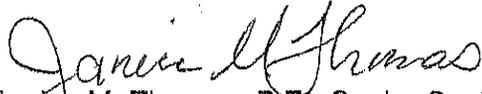
Ray Lunardi

- 2 -

August 22, 2014

If you have any questions, please contact me at (707) 576-2006 or Zachary Rounds at (707) 576-2728.

Sincerely,



Janice M. Thomas, P.E., Senior Sanitary Engineer
Division of Drinking Water
STATE WATER RESOURCES CONTROL BOARD

cc: Patrick Mullin
Sonoma County Permit and Resource Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403

Hal Wood
Russian River Utility
7131 Mirabel Road
Forestville, CA 95436

Attachment 5

**OCSD's August 27, 2014 response to the
August 22, 2014 Intent to Cite Letter**

OCCIDENTAL COMMUNITY SERVICES DISTRICT
PO BOX 956 FORESTVILLE, CA 95436-09563
707-887-7735

August 27, 2014

RECEIVED

SEP 03 2014

**Drinking Water Program
Santa Rosa Office**

State Water Resources Control Board
Janice M. Thomas, P. E.
Division of Drinking Water
Attn: Zachary Rounds
50 D Street #200
San Francisco, CA 95404

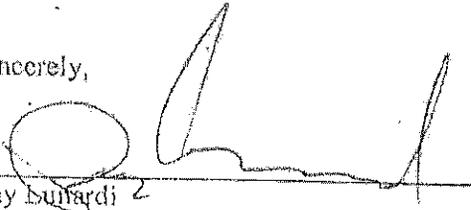
Re: Occidental Community Services District
49-00536

Dear Zachary,

This letter and attachments are in response to your August 22, 2014 "Intent to Cite" letter. Please find the following information as requested. Water Permit #008 was issued on November 29, 2007 in the amount of \$148,426 for all water permits in the Harmony Village subdivision (Attachment 1). The subject parcel referred in your letter as 14605 Jomark Lane was referred to as parcel R-20 in the subdivision plans. The Developer paid a connection fee of \$5,050 for this water service.

The OCSD has not issued "will serve" letters, since all parcels are permitted and 1" meters were purchased for these parcels in Harmony Village. The District's policy is to install meters and activate service when requested by the property owner. A meter was installed on April 15, 2014 (Attachment 2).

Sincerely,


Ray Luffardi

cc: Russian River Utility, PO Box 730, Forestville, CA 95436-0730
Patrick Mullin, PRMD, 2550 Ventura Ave, Santa Rosa, CA 95403

OCCIDENTAL COMMUNITY SERVICES DISTRICT

P. O. BOX 956
 FORESTVILLE, CA. 95436-0956
 (707) 887-7735
 1-800-244-5518

074-130-009, 010, 012, 013, 015, 031
 74-140-039, 046
 74-300-011

Permit No. 008

Parcel No. _____

A TWENTY-FOUR HOUR NOTICE IS REQUIRED FOR INSPECTION

PROPERTY INFORMATION

Owner ORRIN & Terri Thiessen Phone (707) 836 9112
 Property Address 4008 Bohemia Hwy
 Mailing Address 220 Windsor River Road Windsor CA 95492
 Applicant or Builder Thiessen Homes License No. 8396388
 Address 220 Windsor River Rd. Phone (707) 836 9112
 TYPE OF CONSTRUCTION Water main and distribution system for Harmony Village

| FEES | AMOUNT | RECEIPT NO. | DATE PAID |
|-------------------------|-------------------|-------------|-----------|
| Water Permit Fee | \$ | | |
| Water Connection Fee | \$ | | |
| Backflow Prevention Fee | \$ | | |
| * Other Fees | \$ | | |
| TOTAL DUE | \$ <u>148,426</u> | | |

Comments See attached calculation for water connection, WATER MAIN EXTENSION & SERVICES to Harmony Village (Harmony school)

By signing this form, the applicant is aware that an encroachment permit must be required from the Sonoma County Road Department prior to any excavation work on or near any county-owned street or roadway.

At the time of inspection, the applicant must have a copy of this permit on site with his/her representative. Such inspection shall be done while the line is exposed. Inspection of the applicant's lateral water service by personnel of the Occidental CSD is for the limited purposes of assuring that the water service is constructed in accordance with the District's standards. In the event of failure due to faulty workmanship or quality of materials, or for any other reason, the Occidental CSD will bear no responsibility. The District's specifications are available at a nominal cost from the operations manager.

| | DATE | INSPECTED BY | DATE | INSPECTED BY | DATE | INSPECTED BY |
|-------|------|--------------|------|--------------|------|--------------|
| Water | | | | | | |
| Other | | | | | | |

Date: 11/29/07
Terri Thiessen
 APPLICANT'S SIGNATURE
[Signature]
 APPROVED

ATTACHMENT 1

November 26, 2007

Calculation for Water Connection

RE: 4008 Bohemian Highway
Harmony Village
Resolution 07-04
Ordinance 05-01

| | |
|--|-------------------------|
| 23-3/4" meters (install 1") @ \$4,630 + 420 = \$5,050 @ (E-1 - MU 23) | \$116,150 |
| 3 Fire hydrants | No Charge |
| 1-Commercial: 4-units requiring commercial fire rate (C4 - C6) 1" meter @ \$9,260 + \$631 = \$9,891 | \$9,891 |
| 3 Separate Commercial Units @ \$9,891 ea (C1 - C3) | \$29,673 |
| 1-Performin Arts 1" meter @ \$9,260 + \$631 = \$9,981 4" double detector C.V. connection \$4,630 + \$420 = \$5,050 | \$14,941 |
| 1-Irrigation Service 1" meter @ \$9,260 + \$631 = \$9,891 | \$9,891 |
| <u>SUBTOTAL</u> | <u>\$180,546</u> |
| <u>CREDIT</u> | |
| Deposit | \$-13,600 |
| Credit for Removal of 2" Irrigation Meter | <u>\$-18,520</u> |
| <u>TOTAL</u> | <u>\$148,426</u> |

ORRIN THIESSEN
HARMONY VILLAGE

11/27/07

Connection Fees

Residential R1 thru R23 23 3/4" mckc @ 4650 + 420 ea = \$ 116,150

Commercial Bldg A (C1), Bldg B (C2) Bldg C (C3) 3-1" @ 9260 + 631 = \$ 29,673

Commercial Bldg D (C4, C5, C6) 1-1" @ 9260 + 631 = \$ 9891

Per forming, Plets Poles 1-1" @ 9260 + 631 = 9891

4" fire w/ 3/4" mckc 4630 + 420 = 5050

Trigonation 1-1" @ 9260 + 631 = 9891

TOTAL CHARGES \$ 180,546

Credits

1-2" existing to be abandoned < 18,520 >

Application fee < 13,600 >

TOTAL FEES \$ 148,426 ✓

180,546
- 2,120

178,426
- 18,520

159,906
- 11,480

148,426



EDMUNDO G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

August 22, 2014

System No. 4900536

Ray Lunardi
Occidental Community Services District
P.O. Box 244
Occidental, CA 95465

**INTENT TO CITE -- COMPLIANCE ORDER NO. 02-18-12CO-002 -- INADEQUATE
SOURCE CAPACITY**

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FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

50 D Street, Suite 200, Santa Rosa, CA 95404 | www.waterboards.ca.gov

Customer Detail

BOTIEFF, WILLIAM
 BOTIEFF, WILLIAM
 256 W MACARTHUR

Account Number 108

SONOMA CA
 95476 (707)343-7366
 Service Address: 14605 JOMARK LN LOT 1

Date Turned On 4/14/2014
 Date Turned Off
 Meter Check Date
 Rate Code 1
 Pump/Well Number 1
 Last Reading 61
 Previous Reading 28
 Usage 330

Months On System 4
 Total Usage 280
 Average Usage 70
 Sequence Number 491
 Meter Serial Number 13431670
 Route Number 1
 Last Read Date 8/21/2014
 12 Month Average 280
 Last Year Average 0
 Previous Year Average 0
 Last "Paid On Time" Date 8/6/2014
 Last Late Charge Date
 Number Of Late Months 0
 Next Due Date 9/6/2014
 Year To Date Charges \$176.88

APN 074-350-001

Deposit Information

| Deposit Amount | \$0.00 | Deposit Date | Read Date | Reading | |
|------------------|----------|----------------|--------------|---------|--------|
| Deposit Amount 2 | \$0.00 | Deposit 2 Date | | | |
| Usage | Charges | | | | |
| January | 0 | 0.00 | | 0 | |
| February | 0 | 0.00 | | 0 | |
| March | 0 | 0.00 | | 0 | |
| April | 0 | 0.00 | | 0 | |
| May | 0 | 44.00 | 5/22/2014 | 0 | |
| June | 0 | 44.00 | 6/19/2014 | 0 | |
| July | 280 | 44.88 | 7/20/2014 | 28 | |
| August | 0 | 0.00 | | 0 | |
| September | 0 | 0.00 | | 0 | |
| October | 0 | 0.00 | | 0 | |
| November | 0 | 0.00 | | 0 | |
| December | 0 | 0.00 | | 0 | |
| Last Payment | 8/6/2014 | \$44.88 | Check Number | 2253 | |
| Age 1 | \$0.00 | Age 2 | \$0.00 | Age 3 | \$0.00 |

| Certificate Number | 0 |
|--------------------|-----------------|
| Services | Current Balance |
| Water | \$1.04 |
| Service Charge | \$44.00 |
| Previous Charges | \$44.88 |
| Paid This Month | \$44.88 |
| Current Balance | 45.04 |

NEW SERVICE - AS OF 4/15/14. 1" METER INSTALLED BY ROBERT SHEROD.