



Solano Local Agency Formation Commission

675 Texas St. Ste. 6700 • Fairfield, California 94533
(707) 439-3897 • FAX: (707) 438-1788

Staff Report

DATE: December 12, 2016

TO: Local Agency Formation Commission

FROM: Elliot Mulberg, Executive Officer

SUBJECT: **Solano County request for the City of Fairfield Out of Area Contract for Provision of Municipal Water Service to 2543 Cordelia Road**

RECOMMENDATION: The Commission authorize the City of Fairfield to extend out of area water service to 2543 Cordelia Road.

BACKGROUND:

Government Code Section 56133 allows LAFCO to approve new or extended services for a city or district by contract or agreement outside its jurisdictional boundaries under certain specified conditions. Such an agreement is referred to an Out of Area Service Agreement (OASA). Acceptable conditions are for 1) an area within the agency's sphere of influence that is anticipated to be annexed to the agency or 2) to respond to an existing or impending threat to the public health or safety of residents in the affected territory. In order to satisfy the second condition the applicant must include sufficient documentation and the Commission must notify other alternate service providers in that area.

The property at 2543 Cordelia Road, APN 0044-25-0080, houses the staff of the County Agricultural Commissioner (Map Attachment A). The water from the well at that location was tested on July 21, 2016 and again on August 24, 2016. The tests found Arsenic levels ranging from 151 ppb to 225 ppb which is 15 to 22 times the MCL of 10 ppb. Those levels are verified by the Department of Environmental Health (Attachment B). Since the source is a single well and the levels are higher than can feasibly be treated, the County asked the City of Fairfield to supply potable water. As the land owner the County applied to LAFCO to allow for an out of area service agreement with the City of Fairfield.

On November 3, County staff met with LAFCO staff to formally file an out of area service request. The application included documentation of the Arsenic levels in the well. County staff also supplied the Notice of Exemption from CEQA as a categorical exemption under section 15303, new construction or conversion of small structures (Attachment C).

Documents submitted include a letter from the City of Fairfield stating they would serve the parcel upon approval by LAFCO. The Fairfield Municipal Service Review completed in 2012 shows that supply outpaces demand by 20,000 acre feet per year in 2015. Therefore the City of Fairfield has the capacity to serve the proposed address.

The nearest alternate provider of water to the site is the Solano Irrigation District. They were contacted and declined to serve the location (Attachment D).

There are two possible connection routes. The shortest most direct route is through CALTRANS lands. The extension would be about 300 feet, however CALTRANS must approve the extension. Alternatively the connection could go through Hale Ranch Road and Cordelia Road. This route would require 3250 feet of pipe, with a projected cost of over \$1 million. The best route is probably the shortest route except there may be considerable delays in obtaining approval from CALTRANS.

Conclusion

Staff recommends the Commission approve the out of area service request, allowing the applicant to determine the most feasible route. Both routes are covered by the exemption from CEQA. The applicant has demonstrated the well is contaminated. The level of contamination is such that the well cannot be treated or the water cannot be blended to achieve safe drinking water standards. Furthermore, the City of Fairfield has agreed to serve and has the capacity to serve pending LAFCO approval.

Attachments:

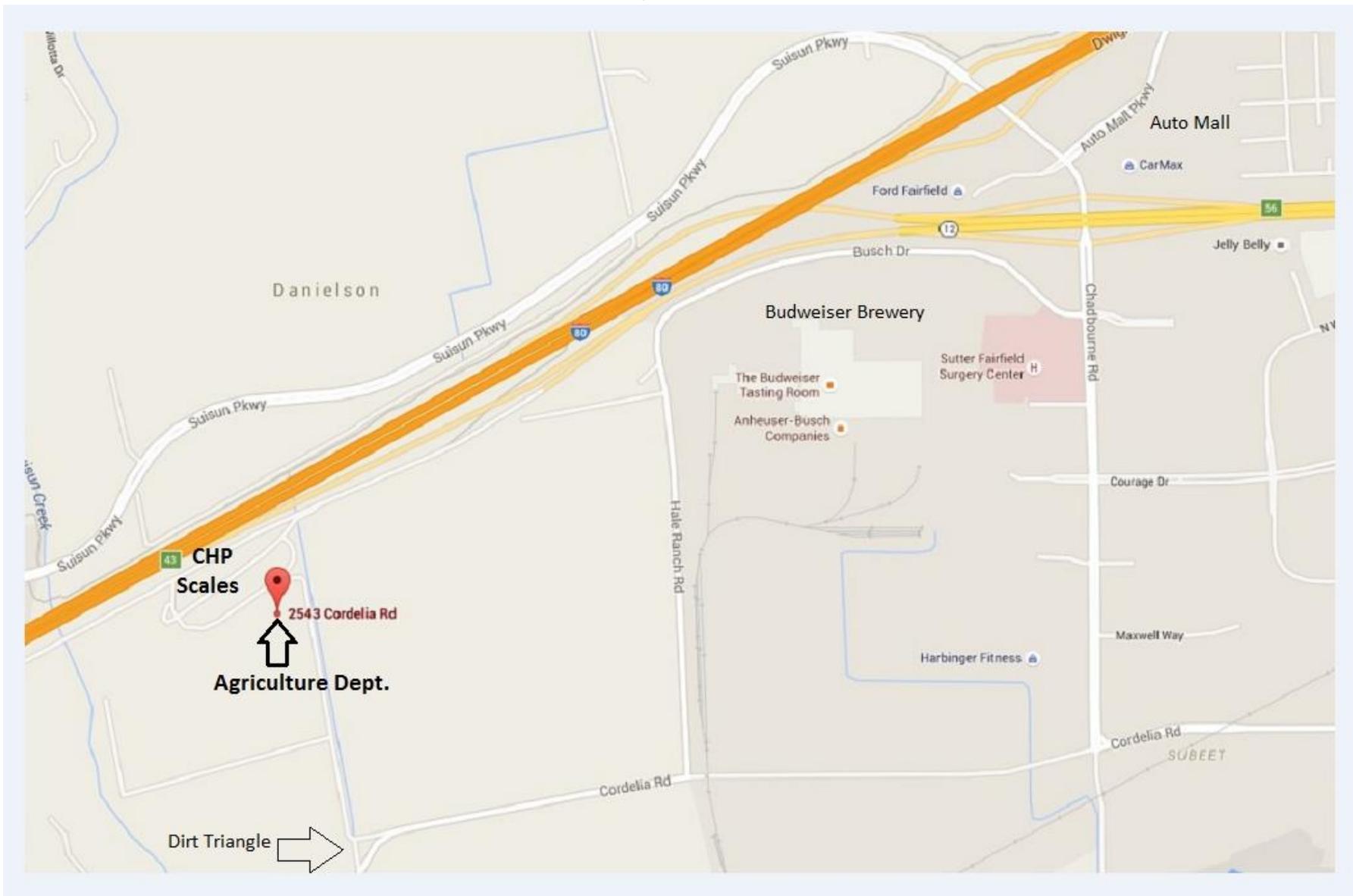
Attachment A Map

Attachment B Letter from County Health documenting Arsenic levels

Attachment C Notice of Exemption

Attachment D Email from SID

Attachment A: Location Map



BILL EMLÉN
Director
(707) 784-6765

TERRY SCHMIDTBAUER
Assistant Director
(707) 784-6765

JAGJINDER SAHOTA
Environmental Health Manager
(707) 784-6765

DEPARTMENT OF RESOURCE MANAGEMENT



**SOLANO
COUNTY**

675 Texas Street, Suite 5500
Fairfield, CA 94533-6342
(707) 784-6765
Fax (707) 784-4805

www.solanocounty.com

Environmental Health Division

September 9, 2016

Solano County General Services
Attn: Mr. Michael Lango
675 Texas Street, Suite 2500
Fairfield CA 94533-6336

Re: Review of Public Health Risks Associated with the Use of the Water Well at 2543 Cordelia Rd, APN# 044-250-080

Mr. Lango,

The Solano County Department of Resource Management, Environmental Health Services Division (DRM-EH) provides the following determination and findings based on evaluation of the water system serving 2543 Cordelia Road, Fairfield.

Determination:

1. The water from the on-site well (as currently constructed) is not safe to drink and an alternate source of safe drinking water for the public water system at this location is required.
2. Potable water from the City is the best option to ensure water of sufficient quality and quantity can be supplied to ensure public health protection. DRM-EH supports any method to supply City municipal drinking water to 2543 Cordelia Rd, APN 044-250-080, subject to Local Agency Formation Commission (LAFCO) approval, in order to protect public health.

This determination is based on the following findings:

2543 Cordelia Road is served by an on-site water system, comprised of an on-site well and associated distribution piping. The on-site water well, the source of water for the water system, was constructed by American Drilling under permit #W-2011-0200 issued by DRM-EH and received a final inspection on October 13, 2011. The well is 308' deep with a 2½" thick, 52' deep annular seal of bentonite slurry.

Based on current occupancy, the water system is classified as a Non-Community, Non-Transient Water System, which is regulated by the state Division of Drinking Water (DDW) and must comply with drinking water requirements established for this type of public water system.

A water sample collected by the General Services Department from the water system on July 21, 2016 detected Arsenic at 225 parts per billion (ppb), which exceeds the Maximum Contaminate Level (MCL) of 10 ppb established for a public water system. The water sample was analyzed by Monterey County Health Department consolidated

chemistry laboratory, a state certified laboratory. Subsequent water samples collected on August 26, 2016 and analyzed by the state detect Arsenic at 189 ppb and 151 ppb.

On August 24, 2016 DDW notified the Solano County General Services Department to discontinue use of the well by turning off building faucets and to post notices not to drink the water by sinks in order to reduce potential for human consumption. The General Services Department has complied with these requirements and has taken action to obtain other temporary sources of potable water to supply the water system while a long term source of water is being secured.

Arsenic is a naturally occurring mineral associated with some soils and geological formations. Modification of the existing well's construction or establishment of a new well on this lot may not necessarily provide water of acceptable quality for a public water system given the high levels of Arsenic on this site. DDW has also advised that the Best Available Technology for Arsenic removal can successfully treat water up to 160 ppb, which is below the level detected at this site. Therefore, treatment of the water from the existing well to reduce Arsenic to a level below the MCL may not be practical or economical given the size of the water system and level of Arsenic in the water.

The City of Fairfield (City) operates a municipal water system permitted by the state. A City water main is located at the intersection of Hale Ranch Road and Busch Drive and there may be connection points nearby this location. CalTrans also has water laterals connected to the City's water main at this intersection. These laterals run within the CalTrans right of way and provide municipal water from the City to the CHP truck scales located nearby 2543 Cordelia Road. Potable water obtained from a municipal source, whether near the City main or through agreement with CalTrans to use their laterals with approval by the City, is the preferred long-term option (compared to the on-site water source) since it can consistently provide water of safe quality and quantity. The DDW has also notified Solano County that City supplied municipal water is the preferred option to supply water to the site.

DRM-EH appreciates your efforts in resolving the current situation. If you have any questions or need further assistance, please contact myself at 707-784-3308 or jssahota@solanocounty.com, or Jahniah McGill, Environmental Health Supervisor, at 707-784-3319 or jamcgill@solanocounty.com.

Sincerely,



Jagjinder Sahota
Environmental Health Manager

CC: Dr. Matyas, Solano County Health Officer
Birgitta Corsello, County Administrator
Bill Emlen, Director of Resource Management
Jim Allan, Agriculture Commissioner
Elliot Mulberg, Executive Officer, Local Agency Formation Commission

NOTICE OF EXEMPTION

To: Office of Planning and Research
P. O. Box 3044, Room 113
Sacramento, CA 95812-3044

 County Clerk, County of Solano

From: Department of Resource Management
675 Texas Street, Suite 5500
Fairfield, CA 94533

Project Title & Applicant: Water service connection; County of Solano – Mark Hummel, Capital Projects Manager (707) 784-3195.

Project Location – Specific: 2543 Cordelia Road

Project Location – City: N/A Project Location – County: Solano

Description of Nature, Purpose and Beneficiaries of Project: Construct drinking water line to connect existing County facilities to City drinking water source, benefitting County Agriculture Commissioner/Weights and Measures Division, General Services Surplus and Mail Services employees, and the public.

Name of Public Agency Approving Project: Solano County

Name of Person or Agency Carrying Out Project: General Services Department (Capital Projects Division)

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption (State type and section number): 15303, New Construction or Conversion of Small Structures
- Statutory Exemptions (State code number):

Reasons why project is exempt: Trenching work within previously developed lands.

Lead Agency Contact Person: Michael Yankovich Telephone number: (707) 784-3159

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Michael Yankovich Date: 9.29.16 Title: Planning Manager
 Signed by Lead Agency Signed by Applicant Date received for filing at OPR: _____

(Form Revised 2015)

Attachment D

Agenda Item 7D

Subject: RE: Out of area service request
From: Paul Fuchslin (PFuchslin@sidwater.org)
To: emulberg@solanolafoo.com;
Cc: mahummel@solanocounty.com; mmcintyre@solanolafoo.com; CKeaten@Sidwater.Org;
Date: Thursday, November 3, 2016 3:44 PM

Elliot:

Thanks for the notice. SID does not have any means to deliver potable water to the area in question. I would recommend the City of Fairfield option. If you have any questions, please let me know.

Thanks,

-Paul

Paul Fuchslin, P.E.

Director of Engineering

Solano Irrigation District

707.455.4020

From: emulberg@solanolafoo.com [mailto:emulberg@solanolafoo.com]
Sent: Thursday, November 03, 2016 3:25 PM
To: Paul Fuchslin
Cc: Mark A. Hummel; M. McIntyre
Subject: Out of area service request

Hi Paul

LAFCO has received an out of area service request for the City of Fairfield to provide potable water to

2543 Cordelia Rd. Cortese-Knox-Hertzberg (GC 56133) requires LAFCO to notify an alternative service provider, which in this case is SID. Attached is a letter to Cary to comply with 56133.

Let me know if you have any questions or concerns.

Thanks

Elliot