



July 21, 2008

ENDORSED FILED

SEP 29 2008

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER
CLERK OF THE COURT
BY LAURA SANTANA Deputy

RECEIVED

JUL 25 2008

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER
CRIMINAL DIVISION

The Honorable Christopher R. Chandler
Superior Court Presiding Judge
446 Second Street
Yuba City, CA 95991

RE: Response to the Grand Jury Final Report (FY 2007-2008)
City of Live Oak Pension Increase
Regional Sewer Treatment Plant

Dear Judge Chandler,

The City of Live Oak would like to thank the Grand Jury for their interest in reviewing the City's financial resources with regards to employee salaries/benefits and State mandated wastewater plant upgrades. However, there have been some false impressions created by inaccurate representations made in the Grand Jury report that will be addressed in this response.

Historically, the City has had a hard time recruiting and retaining well qualified employees, particularly in the areas of water and wastewater operators. Typically, the City hires, trains and invests in these employees and then they are recruited by agencies that have a higher benefit package. The City has lost eight water/wastewater operators (four to the City of Yuba City) over the past few years to agencies that provide higher benefits. There is only one employee with the City that has been employed for ten years, all other employees have anywhere from one to six years of service with the City. The Live Oak City Council did not take the consideration of an enhanced benefit package for the current and future employees of the City lightly or in haste. Much time was spent on a detailed review and analysis for the costs associated for a pension benefit increase and a salary cost of living increase and the current and long-term impacts on the City's finances and ability to fund these future costs.

The analysis performed for a 3% cost of living increase translated into an annual cost of approximately \$48,000 per year. Over a 20 year period, this would amount to approximately \$960,000 and discounted into today's dollars would amount to a cost of \$714,118. The actual cost of the pension benefit discounted into today's dollars is estimated at \$249,118 and is based on the life spans of current employees. This analysis clearly determined that it was prudent fiscal policy to provide the benefit increase in lieu of a cost of living increase, a savings of approximately \$465,000.

The Grand Jury also neglected to note that the City's total unfunded liability of approximately \$495,287 is amortized over a twelve year period and will be paid in full.

In 2005 Staff was directed by the City Council to request actuarials for the purposes of determining the costs of providing enhanced benefits (2.7% at 55, one-year final compensation and post-retirement survivors benefits). The first actuarial reports were received by the City from CalPers in November 2005. The costs of additional benefits provided by the actuarials were reviewed in much detail throughout 2006. After a new Council came on board in 2007, Staff made a diligent effort to bring the new Council up to speed on many issues, including employee salaries/benefits. Since much time had elapsed since the actuarials were first completed in 2005, the actuarials were updated in November 2007 and a third time in January 2008. After receipt of this information, the impact on the budget and benefits were calculated and the information was discussed both at the Staff level and with the City Council in great detail.

On February 6, 2008 a Public Meeting was held to inform the residents of the City of Live Oak of the costs associated with the pension benefit increases and to give an opportunity for citizens to speak regarding this benefit. Rick Santos, the actuarial from CalPers, was also invited by the City to attend this public meeting to help answer any questions that the public or City Council may have. There were comments made by members of the public.

On February 20, 2008 the proposed benefit increase was scheduled for a public meeting of the City Council for discussion, consideration and to give citizens an opportunity for public comment. The item was pulled from the agenda for further discussion amongst the Council Members and the public to allow more time for residents and any concerned citizens to address the City Council on this matter. There were comments made by members of the public.

On March 5, 2008 (not March 4 as noted in the Grand Jury report) the City Council adopted Resolution 11-2008 and Ordinance 507 to provide the two benefits: (1) change retirement formula from 2.5% at 55 to 2.7% at 55; (2) change from three year average to one year final compensation. This was an open public meeting and members of the public made comments.

On April 2, 2008 the City Council held another public meeting and gave the public another opportunity to comment on the changes in the retirement benefits.

Neither the Mayor nor any member of the City Council "rubber stamped" a pension increase. After information was presented by experts, serious analysis, much discussion by the City Council and many public meetings to give citizens an opportunity to advise the City Council, the City Council based their decision on a well-rounded view of the entire issue at hand. The City Council is fully committed to providing the residents of Live Oak accurate information on all matters and issues that concern the residents of the City and takes the input provided by the residents into consideration on all matters that come before the City Council for decisions.

It appears the Grand Jury has not provided a thorough, independent nor well rounded view of the proper issues at hand on this matter.

The City of Live Oak owns and operates an aerated pond wastewater treatment plant with disinfected effluent discharged to Reclamation District 777 Lateral Drain Number 1, an effluent dominated water body. Historically, the pond treatment system had experienced occasional difficulty in meeting secondary standards for biochemical oxidation demand (BOD), total suspended solids (TSS), and coliform.

In 1999, an improvement project was initiated by the City to address the wastewater treatment plant (WWTP) problems specifically identified in Cease and Desist Order No. 99-009 (CDO) issued by the Central Valley Regional Water Quality Control Board (RWQCB). The 1999 CDO identified compliance problems related to collection system surcharging and secondary level treatment performance relative to BOD, TSS, and chlorine residual. The \$6.0 million dollar project was largely funded by state and federal grants in the amount of \$4.7 million and a loan in the amount of \$1.3 million. During implementation of improvements to address these issues, regulatory policies relating to effluent discharges became more stringent. The improvement project was completed in April 2004 to address the original CDO. The City was also issued a new waste discharge permit and a new CDO in July 2004, which reflected the new regulatory requirements and gave the City a five year timeline to bring its treatment facilities into compliance.

A wastewater treatment facility plan was completed by ECO:LOGIC Engineering in February 2005 that investigated several disposal alternatives including reclamation, land disposal and a new discharge to the Feather River. The facility plan recommended a phased improvement plan to minimize cost impacts. First phase improvements would be based on continuation of the existing method of disposal, and be comprised of new secondary treatment facilities to achieve ammonia removal and tertiary filtration. Given that long term regulatory compliance reliability associated with discharges to effluent dominated water bodies may be problematic, a second phase project, involving a pipeline to and an outfall in the Feather River, has been considered for future implementation.

The City completed several studies required in the NPDES Permit by June 2006. These studies included a Pollution Prevention Plan, Salinity Study, Reasonable Potential Analysis, quarterly groundwater reports, and a hydrogeological investigation. Soon thereafter the design of the first phase project was initiated (City of Live Oak WWTP 2007 Upgrade Project). The planned WWTP improvements included a new nitrifying secondary treatment system (oxidation ditch), tertiary filters, and an ultraviolet disinfection system. Two formal design submittals (50% submittal and 90% submittal) were sent to RWCQB in 2007 to demonstrate the progress of the project. The submittal and progress report letters are attached to this letter as evidence of the City's progress to meet the compliance schedule in 2007.

During the course of designing these improvements in early 2007, the City recognized that the cost of this project would be higher than originally anticipated due to cost increases for labor and materials. As a result, the City is pursuing a number of project funding avenues, including a

State Revolving Fund (SRF) Loan in addition to the Small Community Grant (SCG) from the State Water Resources Control Board (SWRCB).

In December 2007, the City was informed by the SWRCB that they would **not** receive the \$2 million SCG that they applied for but would instead receive only an SRF loan. The City has since applied for an Economic Development Assistance (EDA) Grant from the Federal Government and a Rural Utility Service (RUS) grant and loan from the United States Department of Agriculture (USDA).

The City also met with Diana Messina, Senior Engineer with the RWQCB in December 2007 in lieu of sending a progress report to discuss the fact that the City will miss the April 1, 2009 compliance deadline. Attached to this letter is the agenda for that meeting. Following that meeting, the City decided to bid the Project quickly so that a construction schedule could be established. This time schedule was to be used to determine how much additional time would be requested for the time schedule extension to the CDO and NPDES permit.

During 2007, the housing market slumped which halted several planned development projects in the City. This further reduced the City's ability to pay for the project because the City was relying on the developers to help fund the project. In December 2007, the City implemented the public outreach program as recommended in the 2005 Pollution Prevention Plan.

The design of the project was completed and advertised in January 2008 after the environmental documentation was submitted to the State and the Value Engineering (VE) recommendations were incorporated into the project. The project bid opening was on March 5, 2008 and the low bid plus construction management was approximately \$22 million. Immediately after the bid opening, the City evaluated the funding options for the project. The monthly sewer rates per equivalent residential dwelling unit (EDU) would need to be raised from \$45.16 to approximately \$80 to \$85 per month to fund the construction of this project. The SWRCB has recently provided the City with a Facility Plan Approval (FPA) letter for the project but has not yet provided the City with an approval to award (ATA) letter for the SRF loan. The ATA letter is needed from the SWRCB in order to initiate the construction of this project.

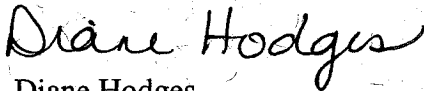
The City is currently evaluating ways of phasing or scaling back the project to reduce costs for the initial project. This would reduce the monthly sewer rate increases to the existing users which would give the City a better chance of getting a rate increase approved to help fund the project.

In March 2008 Staff from the City of Yuba City, the City of Live Oak, and Sutter County met to discuss the potential of conveying wastewater from the City of Live Oak and the Town of Sutter to the Yuba City WWTP. All parties agreed that there is an interest in evaluating a regional facility in Yuba City.

Response to Grand Jury Report
Page 5

Therefore, the City requested a time schedule extension from the Regional Board to allow the City to evaluate the Regional WWTP alternative. It will take approximately 3-6 months to complete the regional WWTP evaluation. At that point a decision will be made whether to pursue the regional option. If the regional WWTP is pursued, then it would take approximately 5-7 years to implement the project which is approximately May 2013-2015. If the study shows that the regional concept is not feasible then construction of the WWTP 2007 upgrade project could begin in late 2008 or early 2009 with improvements completed by the end of 2010. Attached to this letter are all the progress reports for the last 2 years that demonstrate the City's effort to comply with the CDO and the new permit limits.

Sincerely,

A handwritten signature in cursive script that reads "Diane Hodges".

Diane Hodges
Mayor

cc: City Council
Sutter County Board of Supervisors

Principals:

David R. Bennett
Charles G. Bunker
Robert W. Emmerich
Jeffrey R. Hauser
Gerry D. LaBudda
Richard E. Snowell

June 6, 2006

Ms. Patricia Leary
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

RE: Salinity Study and Progress Update for the City of Live Oak WWTP

Dear Ms Leary:

On behalf of the City of Live Oak, we are providing you with a progress update on the steps that Live Oak is taking to comply with the Cease and Desist Order (CDO) R5-2004-097 and the Effluent Limitations contained in B.2 of the City's NPDES Permit CA 0079002.

The City will be upgrading its Wastewater Treatment Plant to comply with the NPDES permit; however, there are additional studies and reports that are required by the Regional Water Quality Control Board (RWQCB). The following sections describe these activities along with other non-permitting activities that impact the WWTP upgrade.

Reasonable Potential Analysis

In September 2001, RWQCB issued Water Code Section 13267 to NPDES dischargers that required the submittal of monitoring data pursuant to the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (referred to SIP hereinafter). The WWTP was undergoing improvements at that time and the SIP requirements were temporarily waived. Permit provisions B.4 require the City to collect six data sets for the constituents monitored monthly and two data sets for the constituents monitored quarterly.

The City subsequently collected the monitoring data to complete the reasonable potential analysis (RPA) required in provision G.4 of the NPDES permit. The RPA was completed by ECO:LOGIC and submitted to the RWQCB in June 2005. The RPA recommended additional monitoring of total and dissolved aluminum to verify that tertiary filtration will be sufficient to remove aluminum to concentrations compliant with water quality criteria. The testing was completed and verified that the tertiary filtration will achieve compliance with the aluminum effluent limitation. We have included this data with this progress update.

Pollution Prevention Plan

The pollution prevention plan (PPP) was also submitted to the RWQCB in June 2005. The PPP evaluated five constituents listed in the CDO. These include:

- Aluminum
- Ammonia
- Diazinon
- Aldrin
- Lindane

Aluminum and ammonia are derived naturally in the wastewater and there was no specific sources identified in the City that can be controlled. The planned WWTP upgrades will control aluminum and ammonia. The new activated sludge treatment system will nitrify the effluent and remove ammonia. The tertiary filters will remove particulate associated aluminum. Sources of diazinon in the wastewater include aerial deposition from nearby farming operations. Sources of aldrin and lindane include disposal of household products in the sewer system. Source control will be used for diazinon, aldrin, and lindane. A community outreach program was recommended in the PPP to control sources of diazinon, aldrin, and lindane. The City has not initiated the community outreach program but is planning for this program in the future.

Salinity Study

The Salinity Study completed for the City of Live Oak is included with this progress update. The Salinity Study identified sources of Salinity and investigated how to reduce the levels of salinity in the wastewater effluent through source control or other types of treatment. The study showed that wastewater generation increased the salinity increase from the levels measured from the source water was within the normal range for typical wastewater generation. However, the investigation determined that the water softeners in newer homes were contributing higher levels of salinity than the older homes. As a result, the City subsequently adopted an ordinance banning the use of certain types of water softeners for new construction. The salinity study also estimated costs for end-of-pipe treatment at the WWTP to achieve compliance with varying EC limits. The study also evaluated moving the effluent discharge to the Feather River in lieu of end-of-pipe treatment. At this time, no recommendation was provided because salinity limits were not identified for the City.

Hydrogeological Evaluation

ECO:LOGIC has submitted three quarterly groundwater monitoring reports to the RWQCB in November 2005, January 2006, and April 2006. The Hydrogeological Evaluation will be completed by June 30, 2006. An extension of this deadline was requested because one of the original monitoring wells installed was damaged and subsequently replaced by the City. The extension will allow for data from the newly installed monitoring well to be evaluated for the Hydrogeological Evaluation.

Wastewater Treatment Plant Upgrade and Schedule

ECO:LOGIC will be completing the preliminary design of the Wastewater Treatment Plant Upgrades necessary for permit compliance. The design will be based on the recommendations contained in the February 2005 Wastewater Treatment Facility Plan. The project will include, but is not limited to, construction of the following new facilities:

- Extended aeration activated sludge treatment system
- Cloth Media Tertiary filters
- Laboratory/Blower Building
- Flow Equalization Facilities

The preliminary design will incorporate any new information coming from the aforementioned permitting studies.

The proposed schedule of work to complete this project includes the following completion milestones:

- 30 percent Design Submittal completed by September 2006
- 90 percent Design Submittal completed by May 2007
- Bid Construction Project by July 2007
- Complete Construction by December 2008
- Facility start up by February 2009

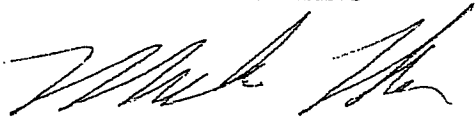
Other Related Activities impacting WWTP Design

The City is currently revising its General Plan and completing a new wastewater master plan. Before initiating the design of the new upgrade project, the results of the master plan will be incorporated. New wastewater flow and load projections will be determined based on the revised General Plan land uses. Project phasing will be evaluated to determine the initial expansion size of the project. Once this expansion is defined the preliminary design can be initiated. ECO:LOGIC expects that the land uses will be finalized by the end of June.

If you require additional information please call me at (916) 773-8100.

Sincerely,

ECO:LOGIC ENGINEERING



Michael Harrison, P. E.
Project Manager

Attachments:
2006 Salinity Study
Aluminum Data

cc: Rob Hickey, City Manager, City of Live Oak

Principals

Steven L. Beck
David R. Bennett
Charles G. Bunker
Robert W. Emerick
John P. Entloe
Frederic J. Fahlen
Jack A. Harbour
Jeffrey R. Hauser
D. Todd Kotey
Gerry O. LaBuede
Richard E. Stowell

December 6, 2006

Ms. Patricia Leary
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, # 200
Rancho Cordova, CA 95670

SUBJECT: Progress Update for the City of Live Oak Wastewater Treatment Plant

Dear Ms Leary:

On behalf of the City of Live Oak, we are providing you with a progress update on the steps that Live Oak is taking to comply with the Cease and Desist Order (CDO) R5-2004-097 and the Effluent Limitations contained in B.2 of the City's NPDES Permit CA 0079002.

Hydrogeological Evaluation

ECO:LOGIC has submitted three quarterly groundwater monitoring reports to the RWQCB on November 2005, January 2006 and April 2006. The Hydrogeological Evaluation was completed by 30, 2006. A subsequent quarterly monitoring report was also submitted on October 2006.

Wastewater Treatment Plant Upgrade and Schedule

As mentioned in previous progress updates, compliance with the CDO requires an upgrade to the WWTP. Design of these specific improvements was initiated in July 2006. The improvements include the following items:

- Extended aeration activated sludge treatment system
- Cloth Media Tertiary filters
- Laboratory/Blower Building
- Flow Equalization Facilities

During the initial stages of preliminary design, one significant change to the initial project was to replace the existing chlorination/dechlorination system with Ultraviolet disinfection. The decision to use Ultraviolet Disinfection in lieu of chlorine disinfection will extend the time needed to complete design of the project. However, the project is still scheduled to be complete prior to April 1, 2009.

The proposed schedule of work to complete this project includes the following completion milestones:

- 30 percent Design Submittal completed by January 2007
- 90 percent Design Submittal completed by August 2007
- Bid Construction Project by October 2007
- Complete Construction by February 2009
- Facility start up by March 2009

If you require additional information please call me at (916) 773-8100.

Sincerely,

ECO:LOGIC ENGINEERING



Michael Harrison P. E.
Senior Engineer

CC: Rob Hickey, City Manager, City of Live Oak

LOAK 04-002

ECO:LOGIC

3875 Atherton Road
Rocklin, CA 95765
Email: cohen@ecologic-eng.com
(916) 773-8100 (916) 773-8448 FAX

ECO:LOGIC Engineering

Transmittal Letter

To: NPDES – Sacramento Watershed Unit
Central Valley Water Board
11020 Sun Center Drive, # 200
Rancho Cordova, CA 95670

Attn: Diana Messina

Date: 4/19/07

- ☐ First Class
- ☐ Registered Mail
- ☐ Federal Express
- ☐ UPS
- ☐ Parcel Post
- ☐ Hand Deliver
- ☐ Calif. Overnight

Project: 2007 WWTP Upgrade

Project #: LOAK04-002

We are sending herewith the following:

- ☐ Prints
- ☐ Tracings
- ☐ Documents
- ☐ Descriptions
- ☐ Reports
- ☐ Photo Copies
- ☐ Letters
- ☐ Specifications

COPIES	ITEM	DATED
1	Live Oak WWTP 2007 Upgrade, 50% Submittal Drawing Set	April 2007
1	Live Oak WWTP 2007 Upgrade, 50% Submittal Specification Binder	April 2007

Diana,

Attached are copies of the 50 percent contract drawing and specifications for the Live Oak WWTP 2007 Upgrade Project.

Feel free to call the office with any questions or concerns!

Thanks:



Beth Cohen, P.E.

Principals

Steven L. Beck
David R. Bennett
Charles G. Bunker
Robert W. Emerick
John P. Enloe
Frederic J. Fahlen
Jack A. Harbour
Jeffrey R. Hauser
D. Todd Kotey
Gerry O. LaBudde
Richard E. Stowell

13 August 2007

Mrs. Diana Messina
NPDES – Sacramento Watershed Unit – Central Valley Water Board
11020 Sun Center Drive, # 200
Rancho Cordova, CA 95670

SUBJECT: Progress Update for the City of Live Oak WWTP – 90% Design Submittal

Dear Ms Messina:

On behalf of the City of Live Oak, we are providing you with a progress update on the steps that Live Oak is taking to comply with the Cease and Desist Order (CDO) R5-2004-097 and the Effluent Limitations contained in B.2 of the City's NPDES Permit CA 0079002.

The City has completed the necessary permitting studies and we listed these in the June and December 2006 letters to Pat Leary. The only study that has not been completed at this time is the Dioxin study. We recommend that Dioxin sampling be completed after the upgrade project has been completed because the upgrade project will be changing the treatment process which will in turn change the effluent characteristics. We don't feel that the Dioxin study for the current treatment facilities would serve any purpose.

This past year, the City has been focused on completing the design of the 2007 WWTP Upgrade Project. Project is on schedule to complete the design by next month. The project will be bid in October 2007 and will have a milestone completion date of April 1, 2009 which is when the new effluent limitations are in effect. We have provided you with a set of 90% Plans and Specifications for this project as proof that the City has been working toward compliance with both the CDO and the new effluent limitations this past year.

The estimated construction cost for the 2007 Upgrade project is approximately \$21 million. Since the City has limited funds and they already have high monthly rates (\$45/ month), they are investigating ways to fund this project. The City is receiving a small community grant (SCG) from the State Water Resources Control Board and may also obtain a State Revolving Fund (SRF) Loan from the State as well. The City is also looking at creating a separate assessment district for the new users as a means to fund this project. We will keep you updated on the funding status for this project.

Diana Messina
August 13, 2007
Page 2

If you require additional information or need any additional sets of plans and specifications, please call me at (916) 773-8100.

Sincerely,

ECO:LOGIC ENGINEERING



Michael Harrison, P. E.
Supervising Engineer

Attachments:

90% Specifications (2 volumes)
90% Plans

LOAK 04-002

ECO:LOGIC

CITY OF LIVE WWTP PERMIT COMPLIANCE MEETING

AGENDA
12/11/2007

Date: December 11, 2007

Time: 2:00 pm to 3:00pm

Location: Central Valley Regional Water Quality Control Board

1. Introductions (All) (5 min)
2. Status of 2007 Upgrade Design (Harrison) (10 min)
3. Status of City Funding Sources and Potential Rate Impacts (Takhar) (5 min)
4. Discussion of Project Schedule (Harrison) (10 min)
5. Risks/Consequences of Missing CDO and new Effluent Limitations (April 1, 2009) (Messina) (15 min)
6. Discussion of potential deadline extensions (Messina) (15 min)



January 15, 2008

Diana Messina, Sr. WRC Engineer
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

RE: City of Live Oak's Pollution Prevention Plan

Dear Diana:

I am writing to confirm that we have completed our community outreach for Live Oak's Pollution Prevention Plan. Attached is a copy of the notice that was mailed, the list of residents as well as surrounding landowners and agricultural landowners within city limits who received them, a copy of our checklist indicating the date the notice was mailed out, posted around town and published in our local newspapers along with their affidavits of publication.

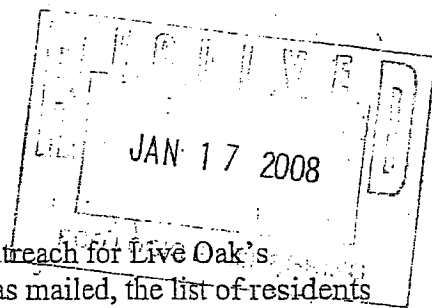
If you have any questions or require any further documentation, please contact Kathleen Caldwell at (530) 695-2112.

Sincerely,

Michael J. Bohlander
Public Works Director

MJB:KC
Attachments (5)

cc: Michael Harrison, ECO-LOGIC
Satwant Takhar, Assistant City Manager





Notice to the Residents of Live Oak Concerning Proper Disposal of

*** LINDANE * ALDRIN * & * DIAZINON ***

When you flush the toilet, take a shower or use the sink, the wastewater goes to the treatment facility where it is treated and discharged to a water body. Any chemicals (including diazinon, aldrin, and lindane) flushed down the toilet end up at the wastewater treatment plant and these chemicals can cause harm to the environment. The City is implementing a pollution prevention plan to help residents dispose of these chemicals properly.

SOURCES OF DIAZINON: In Sutter County, diazinon is used on a variety of agricultural crops such as peaches and walnuts, and livestock. It can also be used on turf grass and for residential control of various insects indoors and outdoors. Analysis of the Sutter County pesticide use reports for the period from January 2002 to January 2003 shows that among the chemicals used on crops around the wastewater treatment plant included Red Top Diazinon 4 Spray, Clean Crop Diazinon AG600 WBC, and Drexel Diazinon Insecticide. It is expected that this is the primary source of this pollutant in the wastewater treatment plant. Currently, residential use of Diazinon is banned, however, old containers containing Diazinon could still exist in households, which could potentially be disposed of in the sewer system.

SOURCES OF ALDRIN: Although no entries of the use of pesticides containing aldrin as an active ingredient is found within pesticide use reports for Sutter County between the years of 2002 and 2003, aldrin and dieldrin could have been used on such crops as corn in and around the Live Oak area in prior years. Also, because Aldrin was historically used to kill termites in residential settings, aldrin could still persist in residences in Live Oak. Old demolished homes, or dumpsites where building materials containing aldrin have been disposed, can contribute to detectable levels of aldrin in the wastewater.

SOURCES OF LINDANE: Lindane was registered for agricultural use as a seed treatment for a wide variety of crops to control moths, beetles and flies, and to deter birds, and is registered as an insecticide/acaricide. It is used for the control of lice, fleas, ticks, and mange in farm animals. It is also used primarily in medicine for head lice and scabies. The primary institutional purchasers of lindane have been found by the EPA to be nursing homes, prisons and juvenile detention centers, and animal shelters. Schools have also been found to use lindane to control head lice.

PROPER DISPOSAL

RESIDENTS are encouraged to take their hazardous waste to: Yuba-Sutter Household Hazardous Waste Facility, 134 Burns Drive, Yuba City, Saturdays from 8:00 a.m. to 4:00 p.m., (530) 671-6900

BUSINESSES have several resources available below:

Yuba-Sutter Household Hazardous Waste Facility
134 Burns Drive, Yuba City
Monday through Friday by Appointment Only
Contact Dave Rodriguez at (530) 743-6933
www.ysdi.com

A-C Industrial
1111 Marauder Street
Chico, CA 95973
(530) 343-5488
www.acindustrialservices.com

Melvin Morris
3700 Pennington Road
Live Oak, CA 95953

Mohammad Ramzan Khan
3721 Pennington Road
Live Oak, CA 95953

Mohinderjit Thiara
2017 Pennington Rd
Live Oak, CA 95953

Nancy Locklin
9270 Sinnard Ave
Live Oak, CA 95953

Pennington
10182 Luther Road
Live Oak, CA 95953

Ranveer Tumber
2179 Redding Ave
Yuba City, CA 95993

Ravi Tumber
PO Box 3535
Yuba City, CA 95992

Reed Johnson
954 Township Rd
Gridley, CA 95948

Robinson Langille
8795 Larkin Rd
Live Oak, CA 95953

Samuel & Pam Owen
9121 Larkin Rd
Live Oak, CA 95953

Sukhvir Bains
1839 Bishop Ave
Live Oak, CA 95953

Tipton Holloway
3869 Pennington Road
Live Oak, CA 95953

William Greer
5632 Carlile Court
Granite Bay, CA 95746

Ag Land with in City Limits
Gurjit & Amardeep Gosal
10948 Larkin Road
Live Oak, CA 95953

SPM 28 LLC
2625 Fair Oaks Blvd., #3
Sacramento, CA 95864

Harsev Thiara
2017 E. Pennington Road
Live Oak, CA 95953

Butte Water District
735 Virginia Street
Gridley, CA 95948

Bill McLaughlin
2863 Carmelita Drive
Yuba City, CA 95991

Pacific Mountain Partners LLC
2410 San Ramon Valley Blvd.
San Ramon, CA 94583

K Hovnanian Forecast Homes
1796 Tribute Road, #100
Sacramento, CA 95815

Charles Robertson
P. O. Box 742
Marysville, CA 95901

Clifford D. Brabant, Inc.
8303 Sierra College Blvd., #128
Roseville, CA 95661

10329 Larkin Road LP
732 Margarita Avenue
Coronado, CA 92118

Auburn Manor Holding Corp
4020 Sierra College Blvd., #200
Rocklin, CA 95677

Joe Cavazos
2654 Redbud Lane
Yuba City, CA 95991

Notices filed 12/28/07 - Surrounding Landowners

B.E. Giovannetti & Sons
P. O. Box 428
Yuba, CA 95697

Breeding Ranch
9124 Kent Ave
Live Oak, CA 95953

Cecelio Alberto
2826 Myrtle St
Emeryville, CA 94608

Chanranjit Kang
3180 Riviera Rd
Live Oak, CA 95953

Charles Peterson
2030 Riviera Rd
Live Oak, CA 95953

Craig & Amber Smith
10412 Luther Road
Live Oak, CA 95953

Dale Smith
1671 Cambell Rd
Live Oak, CA 95953

David & Lynn Crane
11565 Township Rd
Live Oak, CA 95953

Dorothy Boone
6738 Larkin Rd
Live Oak, CA 95953

Filter Farms
1010 Morse Road
Live Oak, CA 95953

Fred Firpo
380 Elm St
San Bruno, CA 94066

Frederick A. Schwartz
1777 Daphne Lane
Yuba City, CA 95993

Gary Smith
3017 Paseo Rd
Live Oak, CA 95953

Gill
11066 Larkin Rd
Live Oak, CA 95953

Gurnam Pamma
9850 Sheldon Ave
Live Oak, CA 95953

Harpal Johal
1717 Harbortown Dr
Yuba City, CA 95993

Harris
2595 Stafford Rd
Live Oak, CA 95953

James Tupen
1625 Kofford Rd
Gridley, CA 95948

James Filter
23 Hurlburt Lane
Gridley, CA 95948

Jerald Walker
PO Box 1318
Rochester, WA 98579

Jim Thomas
10451 Township Rd
Live Oak, CA 95953

John Heenan
2101 Coleman Ave
Live Oak, CA 95953

John Kimura
PO Box 127
Live Oak, CA 95953

John & Pat Leon
1517 Archer Ave
Live Oak, CA 95953

Jud Waggoman
312 1/2 First Street
Marysville, CA 95901

Laird C. Bole, Jr.
PO Box 233
Live Oak, CA 95953

~~Leon
1517 Archer Ave
Live Oak, CA 95953~~
Duplicate

Joey Anderson
2099 Paseo Rd
Live Oak, CA 95953

LO Church of the Brethren
1990 Archer Ave
Live Oak, CA 95953

Marjorie S. Armstrong
3939 Walnut Ave #169
Carmichael, CA 95608

2007
COMMUNITY OUTREACH
POLLUTION PREVENTION PROGRAM

Implementation of Public Information and Education – Check List:

<u>12/28/07</u>	Public Information Sheets (posted at counter and normal posting locations)
<u>12/28/07</u>	Bill Stuffers to All Sewer Accounts
<u>12/28/07</u>	Public Information Sheets to All Agricultural Land Owners within city limits
<u>12/28/07</u>	Public Information Sheets to All General Plan Land Owners
<u>12/28/07</u>	Public Information Sheets to:
	▪ Sutter County Ag Department
	▪ Farm Bureau
	▪ Yuba Sutter Disposal Inc.
	▪ ECO:LOGIC (Mike Harrison)
	▪ Reclamation District 777 (Charlie Etcheverry) Information to be provided to Water Shed Board by Mr. Etcheverry.

Public Notice Published in Local Newspapers:

<u>12/24/07</u>	Appeal Democrat
<u>12/26/07</u>	Gridley Herald

APPEAL-DEMOCRAT

1550 Ellis Lake Drive, P.O. Box 431, Marysville, CA 95901
(530) 741-2345

Affidavit of Publication

(2015.5 C.C.P.)

STATE OF CALIFORNIA,

Counties of Yuba and Sutter

City of Live Oak

Notice Concerning Proper Disposal of Lindane, Aldrin & Diazinon

I am not a party to, nor interested in the above entitled matter. I am the principal clerk of the printer and publisher of THE APPEAL-DEMOCRAT, a newspaper of general circulation, printed & published in the City of Marysville, County of Yuba, to which Newspaper has been adjudged a newspaper of general circulation by The Superior Court of the County of Yuba, State of California under the date of November 9, 1951, No. 11481, and County of Sutter to which Newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Sutter, State of California under the date of May 17, 1999, Case No. CV PT99-0819 that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

December 24, 2007

I declare under penalty of perjury
that the foregoing is true and correct.
Executed at Marysville, California

December 24, 2007

Date:

Kelli Smith
(Signature)

This space is for the County Clerk's filing stamp.

PROOF OF PUBLICATION

CITY OF LIVE OAK
Notice to the Residents of Live Oak
Concerning Proper Disposal of

* LINDANE * ALDRIN * & * DIAZINON *

When you flush the toilet, take a shower or use the sink, the wastewater goes to the treatment facility where it is treated and discharged to a water body. Any chemicals (including diazinon, aldrin, and lindane) flushed down the toilet end up at the wastewater treatment plant and these chemicals can cause harm to the environment. The City is implementing a pollution prevention plan to help residents dispose of these chemicals properly.

SOURCES OF DIAZINON: In Sutter County, diazinon is used on a variety of agricultural crops such as peaches and walnuts, and livestock. It can also be used on turf grass and for residential control of various insects indoors and outdoors. Analysis of the Sutter County pesticide use reports for the period from January 2002 to January 2003 shows that among the chemicals used on crops around the wastewater treatment plant included Red Top Diazinon 4 Spray, Clean Crop Diazinon AG600 W8C, and Drexel Diazinon Insecticide. It is expected that this is the primary source of this pollutant in the wastewater treatment plant. Currently, residential use of Diazinon is banned, however, old containers containing Diazinon could still exist in households, which could potentially be disposed of in the sewer system.

SOURCES OF ALDRIN: Although no entries of the use of pesticides containing aldrin as an active ingredient is found within pesticide use reports for Sutter County between the years of 2002 and 2003, aldrin and dieldrin could have been used on such crops as corn in and around the Live Oak area in prior years. Also, because Aldrin was historically used to kill termites in residential settings, aldrin could still persist in residences in Live Oak. Old demolished homes, or dumpsites where building materials containing aldrin have been disposed, can contribute to detectable levels of aldrin in the wastewater.

SOURCES OF LINDANE: Lindane was registered for agricultural use as a seed treatment for a wide variety of crops to control moths, beetles and flies, and to deter birds, and is registered as an insecticide/acaricide. It is used for the control of lice, fleas, ticks, and mange in farm animals. It is also used primarily in medicine for head lice and scabies. The primary institutional purchasers of lindane have been found by the EPA to be nursing homes, prisons and juvenile detention centers, and animal shelters. Schools have also been found to use lindane to control head lice.

PROPER DISPOSAL

RESIDENTS are encouraged to take their hazardous waste to: Yuba-Sutter Household Hazardous Waste Facility, 134 Burns Drive, Yuba City, Saturdays from 8:00 a.m. to 4:00 p.m., (530) 671-5900

BUSINESSES have several resources available below:

Yuba-Sutter Household Hazardous Waste Facility
134 Burns Drive, Yuba City
Monday through Friday by Appointment Only
Contact Dave Rodriguez at (530) 743-5933
www.ywdl.com

A-C Industrial
1111 Marauder Street
Chico, CA 95973
(530) 343-5488
www.acindustrial.com

Dec. 24

Ad #00035751

PROOF OF PUBLICATION

No. CITY OF LIVE OAK

In The Matter of _____

(State of California)
(County of Butte) as

The undersigned resident of the County of Butte,
State of California, says:

That I am, and at all time herein mentioned
was a citizen of the United States and not a party to
nor interested in the above entitled matter; that I
am the principal clerk of the printer and publisher of:

The Gridley Herald

That said newspaper is one of general
circulation as defined by Section 6000 Government
Code of the State of California, Case No. 27,207 by
the Superior Court of the State of California, in and
for the County of Butte; that said newspaper at all
times herein mentioned was printed and published
twice a week (on Wednesdays and Fridays) in the
City of Gridley and County of Butte; that the notice
of which the annexed is a true printed copy, was
published in said newspaper on the following days:

DECEMBER 26, 2007

I certify (or declare), under penalty of perjury, that
the foregoing is true and correct, at Gridley,
California.

Dated 12/26/07
at Gridley, California

Walter Johnson
(Signature)

PUBLIC NOTICE—PUBLIC NOTICE—PUBLIC NOTICE

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Concerning Proper Disposal of

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Monday through Friday by Appointment Only
Contact Dora Rodriguez at (530) 743-6933

A-C Industrial
1111 Marauder, Chico
(530) 343-5488

Publish: December 26, 2007

Chico Drain
1618 Chico R Road, Chico
(530) 533-9043

(The Gridley Herald)

PO 7351
12/27/07 \$109.25