

Trinity River Potable Water and Sewage Disposal System Assistance Program

PURPOSE

To allow landowners to receive financial assistance to relocate, replace, modify, or otherwise improve their private potable water and sewage disposal systems, required as a result of implementation of restoration flows associated with the Trinity River Restoration Program (TRRP).

ELIGIBILITY

Potable Water Systems:

To be eligible for potable water system financial assistance, applicants must:

- be U.S. Citizens or legal residents.
- own land in fee simple in Trinity County upon which they own and operate an existing potable water system (water suitable for drinking and cooking) that utilizes surface or subsurface waters of the Trinity River.
- have legal access to the water source demonstrated through fee simple ownership or a long-term lease (10 years or longer) of the water extraction site and conveyance lands, and/or a deeded easement, and/or use permit(s).
- be legally-permitted according to Trinity County's Building and Planning requirements to operate the potable water system.

This program is limited to potable water systems adjacent to and/or that divert surface or subsurface waters of the Trinity River between River Mile 111.8 (downstream of Lewiston Dam) and River Mile 72.6 (upstream of the confluence with the North Fork Trinity River). Applicants must:

- certify that their potable water system was constructed prior to January 1, 2005.
- certify that their potable water system was operational during the period January 1, 2005 through December 31, 2005.
- demonstrate that their potable water system will be or has been adversely affected by increased flows released for fishery restoration purposes beginning on April 22, 2006 from Lewiston Dam in accordance with the Record of Decision (ROD) for the Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report signed by the Secretary of the Interior December 19, 2000.

Sewage Disposal Systems:

To be eligible for sewage disposal system financial assistance, applicants must:

- be U.S. Citizens or legal residents.
- own land in fee simple in Trinity County upon which they own and operate an existing sewage disposal system (which may be composed of, but not limited to, septic tank, leach field and appurtenant pump, piping and valves); or
- have all or a portion of their sewage disposal system on adjacent lands with a long-term lease (10 or more years), deeded easement and/or use permit.
- be legally-permitted according to Trinity County's Building and Planning requirements to operate the sewage disposal system.

This program is limited to sewage disposal systems located on land within the Trinity River floodplain between River Mile 111.8 (downstream of Lewiston Dam) and River Mile 72.6 (upstream of the confluence with the North Fork Trinity River), where the bottom of the sewage disposal system leach field trench is within five (5) vertical feet of the Extremely Wet Fishery Flow water surface elevation with 10 year tributary inflows (11,000 cubic feet per second plus 10 year tributaries); and/or the leach field is within one hundred (100) horizontal feet of the Extremely Wet Fishery Flow with 10 year tributary inflows (11,000 cubic feet per second plus 10 year tributaries) per the requirements of the "*Water Quality Control Plan for the North Coast Region*" by the North Coast Regional Water Quality Control Board. Applicants must:

- certify that their sewage disposal system was obtained, installed and operated under all necessary permits from Trinity County prior to January 1, 2005.
- certify that their sewage disposal system was operational during the period January 1, 2005 through December 31, 2005.
- demonstrate that their sewage disposal system will be or has been adversely affected by increased flows released for fishery restoration purposes beginning on April 22, 2006 from Lewiston Dam in accordance with the Record of Decision (ROD) for the Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report signed by the Secretary of the Interior December 19, 2000.

APPLICATION PROCESS

Applicants must obtain and fill out an application form available at the Trinity County Planning Department. Applications will be reviewed by Trinity County in cooperation with a designated representative of the United States. Applicants will be notified in writing by Trinity County as to their eligibility to participate in the program.

Applicants are not qualified for financial assistance until the applicant submits and the Trinity County Grant Administrator (GA) approves a conceptual design and cost estimate signed by a licensed contractor or licensed engineer. Designs and cost estimates will be reviewed by the GA and a designated representative of the United States for conformance with the intent of the program and to ensure funding availability. Applicants will be informed in writing by Trinity

County once they are deemed qualified for financial assistance. This correspondence will contain further instructions for the applicant.

REIMBURSEMENT PROCESS

The United States will reimburse qualified applicants based on paid invoices provided by the applicant. Paid invoices will be submitted to Trinity County for final review within 12 months from the date Trinity County notifies the applicant, in writing, that the applicant is qualified for financial assistance. In the event a qualified applicant fails to provide paid invoices within 12 months, financial assistance may be forfeited and given to another qualified applicant.

In order for paid invoices to be reimbursed, the applicant must sign a waiver of liability document relieving the United States of any future liability associated with the potable water system and/or sewage disposal system for the affected parcel. Once executed, this document will be recorded with the Trinity County Recorder's Office and shall become a public record.

Applicants must comply with all local, state and federal permitting requirements for the work to be completed. In particular, the applicable Trinity County Building and Development Services Department and Planning Department permits must be obtained and complied with. Applicants who do not comply with all permit requirements will not be eligible for financial assistance.

LIMITATIONS

Applicants are limited to \$10,000 per each improved parcel for potable water systems, and \$5,000 per each improved parcel for sewage disposal systems. Applicants may receive financial assistance only one time per system for capital improvements.

This Assistance Program is being administered by Trinity County with funds appropriated by the United States through the TRRP. A total of approximately \$215,000 is currently available for reimbursement to qualified applicants under this program.

Financial assistance will be administered on a first come, first served basis. Trinity County will not qualify applicants beyond the available appropriation. If funding is available after reimbursing all qualified applicants, the GA will qualify additional applicants up to the total available appropriation.

The Assistance Program is intended to be in existence from October 1, 2006 to September 30, 2010 or until all available funds have been expended, and depending upon the availability of additional funding in the future. If future funding becomes available, applicants will be notified by Trinity County in writing.

Availability of additional funding under this Assistance Program is contingent upon Congress making the necessary appropriations in subsequent years. If such appropriations are not made, the United States and Trinity County are released from all liability for the Assistance Program due to the failure of Congress to make such appropriations.

The terms and conditions of the Assistance Program are subject to change.

Special Considerations for Low Income Applicants:

Special considerations may be available for low income residents as defined in the Code of Federal Regulations. As of March 8, 2006, the maximum annual income households can earn and still qualify as a low-income household is:

1 person household: \$28,450
2 person household: \$32,500
3 person household: \$36,600
4 person household: \$40,650
5 person household: \$43,900
6 person household: \$47,150
7 person household: \$50,400
8 person household: \$53,650