

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition of)
the Goleta Sanitary District for)
Review of Determinations of the)
Division of Water Quality, State)
Water Resources Control Board,)
Regarding Grant Funding of Waste-)
water Conveyance Facilities.)

ORDER NO. WQG 76-20

G-30

BY BOARD MEMBER ADAMS:

On April 28, 1976, the Goleta Sanitary District (petitioner) petitioned the State Water Resources Control Board (State Board) for review of determinations of the staff of the Division of Water Quality.

On July 14, 1976, a hearing was held for the purpose of receiving evidence relating to the appropriateness and propriety of the determinations made by the Division of Water Quality.

I. BACKGROUND

The petitioner operates a wastewater treatment facility which serves the communities of Goleta and Isla Vista, the University of Santa Barbara (UCSB), and the Santa Barbara Municipal Airport. In March of 1976, petitioner submitted to the Division of Water Quality a draft facilities plan for a wastewater treatment project. The project includes upgrading the Goleta treatment plant to achieve secondary level treatment, and the modification or replacement of existing pumping stations and sewer lines which transport wastewaters to the Goleta treatment plant from UCSB, Isla Vista, the Airport, and Goleta. The Division of Water Quality

determined that the modifications to the pumping station which will serve the Goleta area were grant eligible, because the station will be located on the treatment plant site and provide the necessary hydraulic elevation of the fluid surface to permit gravity flow through the treatment process. That pumping station will also recirculate through the treatment process supernatant from a sludge digester. At the same time, the Division denied funding for conveyance facilities to serve Isla Vista, UCSB, and the Airport, because of its belief that none of the proposed facilities qualified as Class A interceptors, and that they were not in any other fundable category on the priority list.

The petitioner believes that the Clean Water Grant Regulations allow for grant funding of all the proposed conveyance facilities.

II. CONTENTIONS AND FINDINGS

At the hearing, petitioner first contended that all the conveyance facilities in question should properly be considered *integral* integral parts of the treatment plant. Treatment plants are grant fundable, because under the grant regulations they are placed in Group I on the priority list, (Title 23, California Administrative Code, Subchapter 7, Section 2107(a)(1)). "Treatment plant" is defined in the regulations to include "... that portion of a treatment works actually used in the treatment and/or reclamation of wastewaters ..." (Title 23, California Administrative Code, *Ch. 3*, Subchapter 7, Section 2102(kk)).

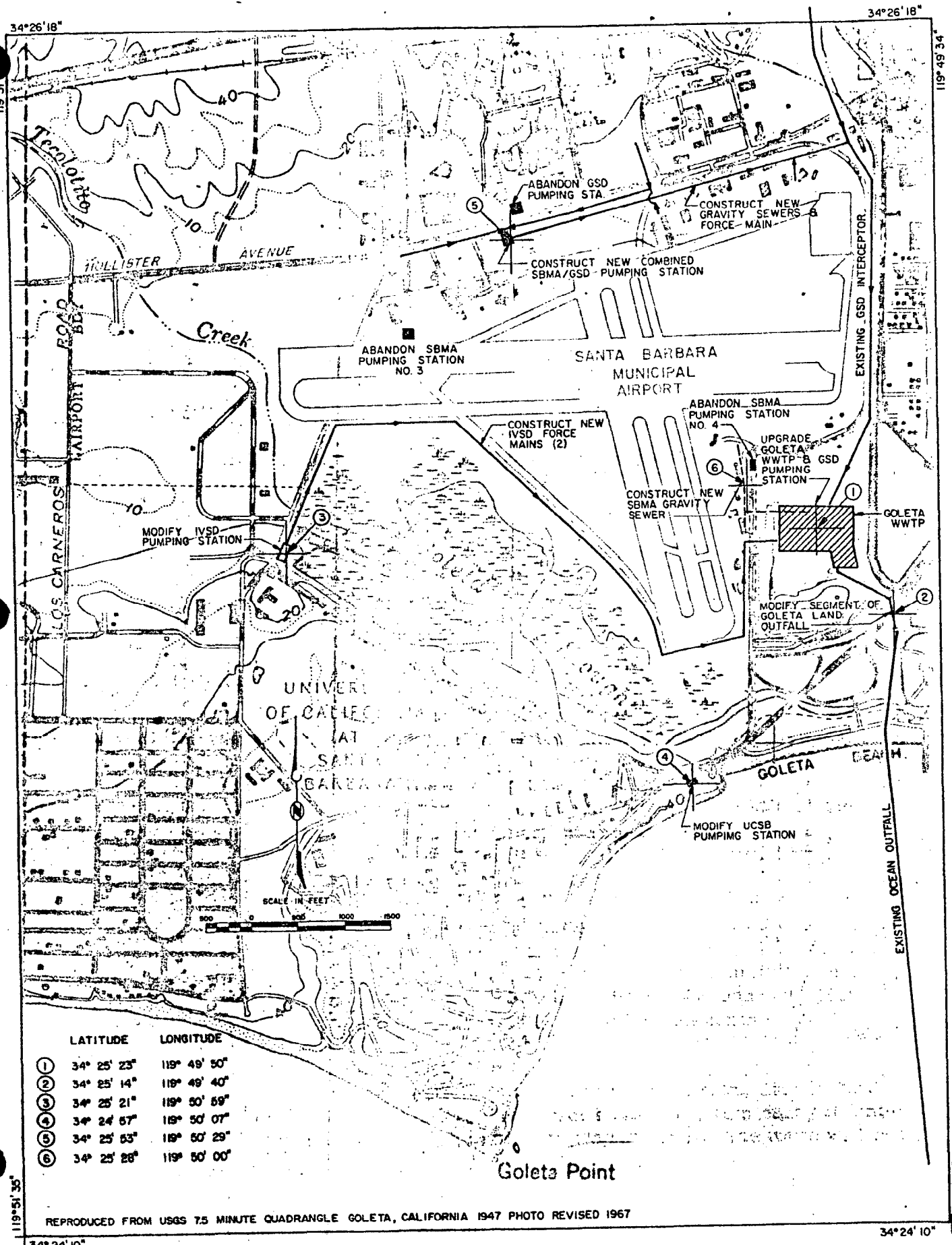
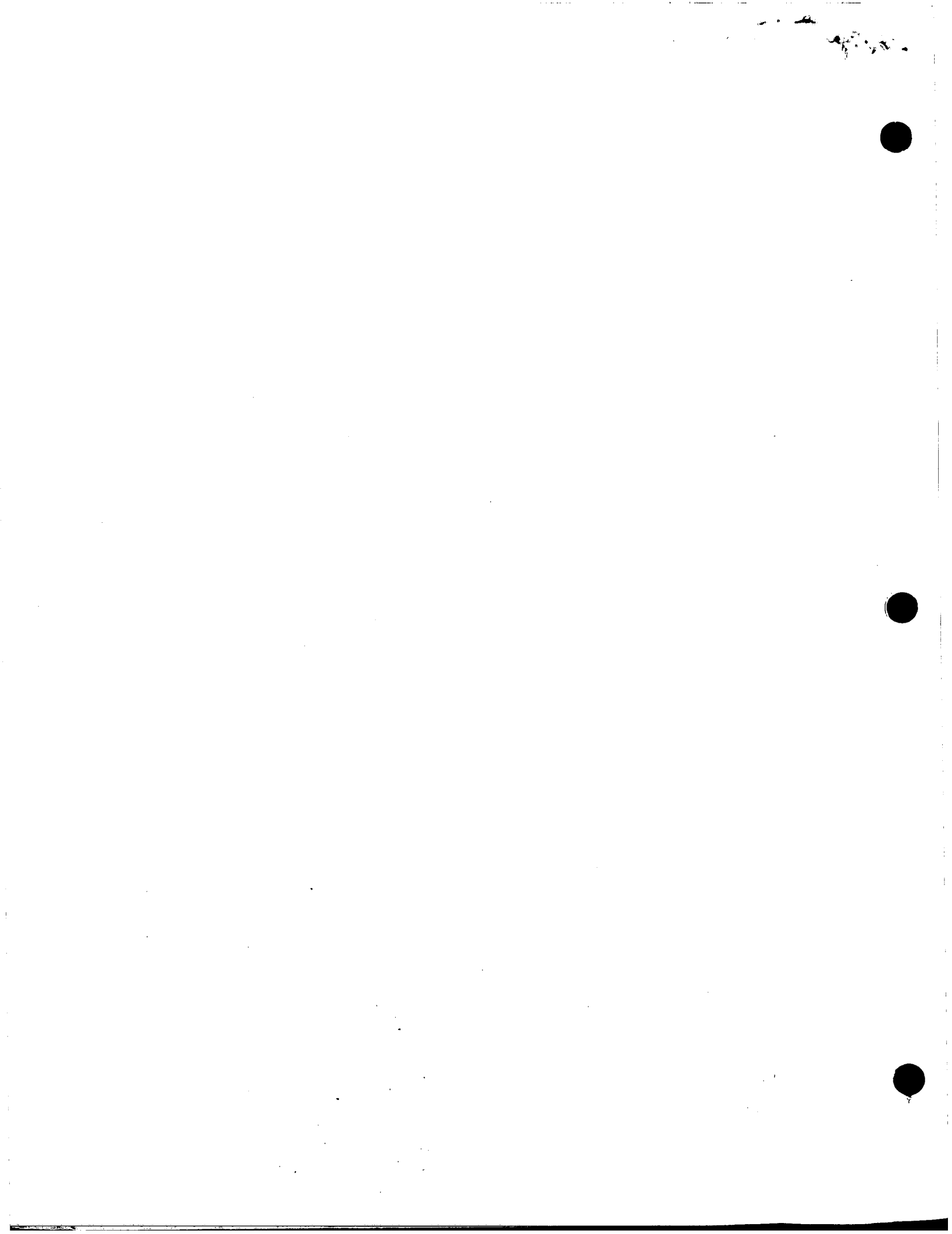


Fig. 2-1. Location and Boundaries of Proposed Project



Petitioner represented that the conveyance facilities should be considered part of the treatment plant, because the performance of the influent pump stations is important to the proper performance of the primary sedimentation process. The Division of Water Quality argued that the conveyance facilities' primary purpose will be to transport wastewaters, not to treat them. Staff noted that not all elements of wastewater treatment projects which affect the success of the treatment process are grant eligible. We agree with the Division of Water Quality that the conveyance facilities which are the subject of this petition cannot be classified as a part of the treatment plant, because they will not actually be used in the treatment of wastewaters.

The second argument which petitioner presented to support funding of the conveyance systems was that the proposed facilities qualify as Class A interceptors under Section 2102(v)(1)(B) of the grant regulations. That Section specifies that an interceptor which "brings about or promotes desirable consolidation of treatment works ... " is a Class A interceptor. The proposed project cannot "bring about" consolidation of treatment works, because consolidation has already been achieved. The petitioner argued, however, that even where consolidation has already been achieved, it can be "promoted" by interceptors that would encourage its growth or contribute to its progress or development.

The Division of Water Quality indicated that staff has applied Section 2102(v)(1)(B) only where no consolidation of treatment works has been completed before a consolidated project is

proposed. The word "promotes" has been interpreted by staff not to be an alternative to "brings about", but to amplify the meaning of "brings about" to the extent that it indicates that an interceptor need not achieve total consolidation to qualify as a Class A interceptor. Staff felt that an interceptor may qualify where no consolidation has occurred if it will complete one step in a progress of steps toward total consolidation. We agree with the Division's interpretation and application of Section 2102(v)(1)(B).

In the hearing the Division of Water Quality argued that the conveyance facilities proposed to serve the Airport are not grant fundable, because they are not interceptors. Staff presented evidence to demonstrate that the Airport facilities are collector sewers because they do not transport wastewater for an entire community. The definition of an interceptor appears in Section 2102(v) of the grant regulations:

"(v) 'Interceptor' or 'interceptor sewer' means a closed conduit, including any pumping facilities, whose primary purpose is to transport wastewater from an entire community to a treatment plant, either by itself or in conjunction with another interceptor or interceptors. The term does not include collector sewers, trunk sewers, or any other facilities whose primary purpose is the collection of wastewater or the transportation of wastewaters from less than an entire community."

Because no single line serves the entire Airport facility, the staff concluded that the lines are trunk sewers. (A diagram of the proposed project is attached.)

Petitioner submitted no evidence to rebut the staff's classification of the Airport conveyance facilities as collector sewers. We confirm the Division of Water Quality's determination that the facilities designed to serve the Airport are not interceptors, and that they are not grant fundable.

Petitioner's final argument was that denial of funding for the conveyance facilities would impose a financial hardship on the users of the treatment works. The proposed Revenue Program and Financial Plan which was submitted by petitioner as part of its project report indicates that the Goleta Sanitary District, the Airport, and UCSB have reserve funds and that their portions of the local share of the capital costs of the project will be available as they come due. The Isla Vista Sanitary District, however, has yet to raise its portion of the local share.

Because a bond election is expected to be unsuccessful in Isla Vista, the District plans to raise the necessary capital during the three years when the project is under design and construction. It appears that the user charges in the Isla Vista District would be somewhat high during those three years, if the conveyance facilities which are designed to serve Isla Vista are not grant funded. At the end of the three-year period, the monthly user charges for operation and maintenance of the facilities are expected to drop.

We recognize that the burden of the costs of constructing a new interceptor for Isla Vista and of making extensive

modifications to its related pump station would be felt by the residents of Isla Vista, if both parts of the conveyance facilities were built at once and paid for in such a short time. The burden would not, however, create a substantial financial hardship.

We are concerned by the need for modifications to the Isla Vista pump station which was demonstrated at the hearing. The existing pump station is equipped with two pumps, one motor-driven pump and one engine-driven pump. While the engine is intended for use only when the motor-driven pump fails, it is actually used every day with the motor-driven pump to handle peak flows. The failure of either of these pumps would result in the temporary inability of the system to convey flows generated by the Isla Vista community.

The State Board in its administration of the Clean Water Grants Program seeks to assure that grant funded facilities will operate effectively day in and day out. We will, therefore, in this case allow grant funding for modifications to the Isla Vista pump station which will guarantee the reliability of the conveyance facilities. Our study of the Project Report in which the alternatives for upgrading the Isla Vista pump station are analyzed reveals that the cost effective solution to the problem created by the present system's lack of reliability includes one new pumping unit and additional electrical equipment and instrumentation. If modifications to the pump station structure are required because of the additional pumping unit or electrical equipment and instrumentation, those modifications should be funded.

Modifications which are grant funded, however, should be eligible only to the extent that they are necessary to accommodate Isla Vista's existing peak flows.

Finally, we have noted that the upgrading of the Goleta treatment plant involves a change in the elevation of the facility's headworks. Section 2102(v)(1)(C) of our grant regulations specifies that an interceptor which "is required due to relocation of a treatment plant" is a Class A interceptor. While this regulation has previously been applied in cases where the relocation of the treatment is a horizontal move, a change in the elevation of a portion of the treatment plant should also be considered a type of relocation. We believe that to the extent that the need for modifications to the UCSB interceptor (the interceptor line and its related pumping facilities) is caused by the relocation of the headworks, the interceptor should be designated a Class A interceptor. To the extent that need for the modifications to the interceptor is not caused by this relocation, the interceptor should be designated a Class B interceptor.

III. CONCLUSION

After a review of the entire record, we conclude as follows:

1. The circumstances of this case indicate that good cause exists for the State Board to exercise its option under

Section 2110 of the grant regulations to transfer the modifications to the Isla Vista pump station which are necessary to assure the system's ability to handle existing peak flows from Class III on the Priority List to Class I, and, therefore, to allow funding for those modifications.

2. The conveyance facilities which will serve the Santa Barbara Municipal Airport are not grant fundable.

3. The interceptor which will serve the University of California at Santa Barbara is a Class A interceptor to the extent that modifications to that existing interceptor are necessary because of the proposed relocation of the headworks of the Goleta treatment plant.

NOW, THEREFORE, IT IS ORDERED that this matter be remanded to the Division of Water Quality for processing of the application of the petitioner in a manner consistent with this order.

Dated: November 4, 1976

/s/ W. W. Adams
W. W. Adams, Member

WE CONCUR:

Did not vote.
John E. Bryson, Chairman

/s/ W. Don Maughan
W. Don Maughan, Vice Chairman

/s/ Roy E. Dodson
Roy E. Dodson, Member

Absent
Jean Auer, Member