

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition of)
the Rocklin-Loomis Municipal)
Utility District for Review of)
Order No. 72-132 of the California)
Regional Water Quality Control)
Board, Central Valley Region)

Order No. 72-9

On January 12, 1972, the Rocklin-Loomis Municipal Utility District petitioned the State Water Resources Control Board to review Order No. 72-132 of the Central Valley Regional Water Quality Control Board adopted on December 17, 1971. Order No. 72-132 prohibits waste discharge from the Antelope Creek Waste Treatment Facility after July 1, 1973. The petition requests the State Board to review the action of the regional board and declare it inappropriate or in the alternative to prescribe reasonable waste discharge requirements.

A. The State Board having considered the petition and the records of the regional board which concern the petitioner's contentions finds:

1. Rocklin-Loomis Municipal Utility District (MUD) operates sewage collection, treatment and disposal facilities for the City of Rocklin and the Community of Loomis in Placer County. The treatment plant is located approximately one mile southwest of Rocklin (Figure 1). The present facilities consist of a ponding system with a capacity of .45 mgd. The effluent, after chlorination, is discharged to Antelope Creek,

which flows through an undeveloped area and joins Linda Creek (Dry Creek) at the easterly limit of Roseville. Linda Creek flows through the central area of Roseville.

2. To improve its present treatment and provide the required capacity for future needs, the Rocklin-Loomis MUD has proposed to construct a 2 mgd waste treatment facility which would discharge to Antelope Creek and serve a projected 1990 population of 20,000.

3. On June 15, 1971, the Central Valley Regional Board adopted the Interim Water Quality Control Plan for the Central Valley Basin, Sacramento River Subbasin, of which Antelope Creek is a part. The plan recommends a consolidated treatment facility at Roseville to treat waste from the Roseville and Rocklin-Loomis area.

4. On December 17, 1971, the regional board adopted Order No. 72-132 prohibiting the discharge of waste from the Antelope Creek Wastewater Treatment Facility after July 1, 1973.

5. Rocklin-Loomis MUD has petitioned the State Board requesting requirements for continued discharge after July 1973.

B. The specific contentions of the petition and the Board's findings concerning them are as follows:

- (1) Contention: The action of said regional board was inappropriate and improper in that the waste discharge requirements prohibit discharge from petitioner's Antelope Creek wastewater treatment facility after July 1, 1973. The

regional board failed to adopt reasonable waste discharge requirements after July 1, 1973. There was insufficient evidence before said regional board to support the adoption of the requirements and the provisions thereof are unreasonable, arbitrary, constitute an abuse of discretion, and exceed the board's authority.

Findings: In this contention petitioner, in essence, alleges that (1) the regional board should have adopted reasonable numerical requirements on the discharge instead of the prohibition and (2) there was insufficient evidence to support the prohibition. With respect to (1) above, Water Code Section 13243 authorizes a regional board to specify, in waste discharge requirements, certain areas where the discharge of waste will not be permitted. The only question, therefore, is whether there is sufficient evidence that the prohibition is reasonably necessary to implement the water quality control plan for the area and to protect beneficial uses of the receiving water (see Water Code Sec. 13263).

Continued discharge by the district into Antelope Creek would not be consistent with the Board's water quality control plan for the Sacramento River Subbasin which provides for consolidated treatment of the Rocklin-Loomis waste with that of the City of Roseville which is discharged into Dry Creek.

As stated in the regional board's order "The beneficial uses of Antelope and Linda Creeks ... are agricultural supply; fishing; recreation, including body-contact sports; propagation and sustenance of fish and aquatic life; wildlife and stockwatering; and aesthetic enjoyment.

Placer County Department of Public Health and the City of Roseville objected on the record to the discharge by Rocklin-Loomis MUD to Antelope Creek. The Sacramento County Department of Public Health and the California Department of Fish and Game concurred with the discharge prohibition.

At the time of the public meeting for adoption of waste discharge requirements, the regional board staff stated that consolidation of the Rocklin-Loomis waste discharge with that of the City of Roseville would significantly lessen the likelihood of public contact with effluents, thereby enhancing the beneficial uses of Antelope Creek.

The normal flow of Antelope Creek is estimated to be 5 cfs (ungaged). The creek is subject to extremely low flow during the summer months - approximately 1 to 1.5 cfs. The proposed Rocklin-Loomis MUD facility is to be designed for a flow of 2 mgd - equivalent to 3.1 cfs. The effluent flow would therefore be 2 to 3 times the natural creek flow when the stream is subject to low flow conditions.

The minimal dilution capacity of Antelope Creek and the nature of its beneficial uses make the establishment of very restrictive requirements imperative if continued discharge to the stream is to be permitted. Adequate protection of beneficial uses would necessitate adoption of effluent quality requirements that could only be met using expensive tertiary level treatment and backup facilities to assure reliability.

A preliminary cost estimate dated November 1, 1971, prepared by the Spink Corporation for the Rocklin-Loomis MUD, shows that the cost of transporting wastes and payment of treatment charges to the planned Roseville Regional Treatment Facility would be in the same range as for construction and operation of a 2 mgd activated sludge and filtration wastewater treatment plant. Such a plant would not produce an effluent of suitable quality for discharge to Antelope Creek. Construction of facilities necessary to meet waste discharge requirements allowing discharge to the stream would add considerably to the construction and operation costs upon which Spink Corporation's economic comparison was originally based. This, in turn, would increase the economic advantage of consolidation with Roseville. Even if regulations regarding compatibility with the Plan were not complied with, an economic evaluation of separate facilities versus consolidation would preclude the district from obtaining full grant assistance from the state for a separate project.

- (2) Contention: It was and is the duty of said regional board to adopt reasonable discharge requirements applicable to petitioner's facility after July 1, 1973, or petitioner, as a public agency, will be unable to serve the some 5,000 residents living within its boundaries projected to a population of approximately 20,000 by the year 1990.

Findings: The requirements do not prevent the Rocklin-Loomis MUD from serving the residents within its boundaries

after July 1, 1973. The Central Valley Regional Board staff testified that Roseville's present facilities have the capacity to accommodate the wastewaters of Rocklin-Loomis MUD.

- (3) Contention: The regional board in imposing a no-discharge provision after July 1, 1973, acted in violation of Section 13243, Water Code in that said board failed to apply the no-discharge requirement equally and failed to specify the areas where the discharge of waste will not be permitted.

Findings: The petitioner fails to point to any evidence in the record nor is there any such evidence that the regional board failed to apply the no-discharge requirement equally to similar sewage discharges.

Order No. 72-132 is not clear regarding the specific area to which waste discharge is prohibited and should be revised to clarify this matter. As adopted, the prohibition forbids all discharge from an "Antelope Creek Wastewater Treatment Facility" including discharge to land. While the record shows substantial evidence in support of prohibiting discharge to the stream, no evidence was presented concerning discharge to land.

C. The State Board, having considered all contentions of the petitioner and the record before the regional board concludes as follows:

1. The regional board in adopting Order No. 72-132 considered all factors required to be considered by Section 13263(a) of the Water Code.

2. The regional board's prohibition of discharge after July 1, 1973, from the existing and proposed Antelope Creek Wastewater Treatment Facilities, if restricted to Antelope Creek, is a proper implementation of the Water Quality Control Plan for the Sacramento River Subbasin.

3. A prohibition of discharge to land is not supported by the record. Regional Board Order No. 72-132 should, therefore, be amended to specify Antelope Creek as the area to which waste discharge is prohibited.

IT IS HEREBY ORDERED that the California Regional Water Quality Control Board, Central Valley Region revise Order No. 72-132 in conformity with the conclusions of this order.

Adopted as the order of the State Water Resources Control Board at a meeting duly called and held at Sacramento, California.

Dated: May 18, 1972

W. W. Adams

W. W. Adams, Chairman

E. F. Dibble

E. F. Dibble, Vice Chairman

Ronald B. Robie

Ronald B. Robie, Member

Roy E. Dodson

Roy E. Dodson, Member

Mrs. Carl Auer

Mrs. Carl H. (Jean) Auer, Member