

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION NO. 83-10

POLICY STATEMENT CONCERNING THE RESULTS OF THE SAN FRANCISCO
BAY SHELLFISH PROGRAM AND MEASURES NEEDED TO PROTECT SHELL-
FISHING AS A BENEFICIAL USE OF THE BAY

- I. WHEREAS, the revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan), adopted by the Regional Board on July 21, 1982, identifies shellfishing as a beneficial use of San Francisco Bay.
- II. WHEREAS, Resolution No. 74-14, entitled "Policy Statement with Respect to the Implementation of Time Schedules for Facilities to Protect Shellfish" adopted on February 19, 1974, requires that wastewater treatment facilities protect shellfish and directs the Executive Officer to implement a program to determine whether shellfish beds are or will be adequately protected from point and nonpoint sources of discharge.
- III. WHEREAS, to date approximately \$3,750,000 has been committed to provide wastewater treatment facilities specifically needed to protect shellfishing.
- IV. WHEREAS, Resolution No. 78-8 entitled "Policy Statement With Respect to the Regional Board Program to Open San Francisco Bay Shellfish Beds for Direct Recreational Use" adopted on March 21, 1978, approved the general concepts and outline of a shellfish study.
- V. WHEREAS, approximately \$800,000 of Clean Water Bond funds and Section 208 (Federal Clean Water Act) planning funds were used by the Regional and State Boards as part of a Shellfish Program investigation between 1978 and 1982 to evaluate problems preventing safe shellfishing in San Francisco Bay within two study areas (shown in Figures 1 and 2 of Attachment A) and to identify possible solutions.
- VI. WHEREAS, the major findings of the Shellfish Program investigation include the following:
 - A. The most important water quality problems identified by these studies are coliform contamination from runoff and in some cases lack of reliability features and proper operation and maintenance of sewage collection, treatment and disposal systems.
 - B. Other problems preventing the safe use of specific shellfish beds include the potential contamination of the Cypress Pt. shellfish bed (Figure 2) from discharges of wastewater from the approximately 800 vessels which dock at the Richmond Long Wharf annually and the lead contamination of the Pt. Isabel shellfish bed in Richmond.

- C. The shellfish beds studied are not adversely affected during the dry season (May through September) by sewerage facilities when the facilities are properly operated and maintained; possess the necessary reliability features; and when a monitoring program confirms compliance with waste discharge requirements.
- D. A consultant to the Regional Board has identified the costs and feasibility of various methods of eliminating, treating, or managing dry season runoff from creeks, storm drains, and the Foster City Lagoon to prevent coliform contamination of various South Bay study area shellfish beds (Figure 1).
- E. One of the most direct and reliable methods of protecting shellfish beds from coliform contamination from new developments is to prevent runoff from leaving the site during the dry season.
- F. The Anza Lagoon shellfish bed, which was intentionally created as mitigation for the destruction of another shellfish bed, has become contaminated with coliform bacteria from dry season runoff originating from storm drains constructed to the lagoon as part of new developments.

VII. WHEREAS, the Regional Board has prepared a negative declaration in accordance with the California Environmental Quality Act (CEQA-Public Resources Code, Section 21000 et seq.) and the state guidelines, and the Board determines that there will be no substantial adverse change in the environment as a result of this Resolution, the project as defined in CEQA; and

VIII. WHEREAS, the Regional Board has determined that there are no state mandated local costs under 2231 of the Revenue and Tax Code as a result of this Resolution because such Resolution is not an executive regulation by virtue of section 2209 of the Revenue and Tax Code.

IX. WHEREAS, although there occasionally are unseasonal rainfalls during the dry season (May - September), it is not the intent of the Regional Board to prohibit the discharge of runoff from such occurrences.

X. WHEREAS, on July 20, 1983, and September 21, 1983, the Regional Board held public hearings and heard and considered all comments pertaining to this matter.

XI. THEREFORE BE IT RESOLVED, that the Regional Board's policy position on water quality issues identified by the Shellfish Program studies is:

- A. A phased approach will be used to protect shellfish beds from dry season runoff and lagoon discharges. During the first phase consideration will be given to adopting discharge permits prohibiting dry season runoff to the Anza Lagoon shellfish bed.
- B. In subsequent phases the prohibition of dry season runoff in other locations within the South Bay shellfish study area will be considered.

- C. Prohibits all new discharges of dry season runoff and any material changes in existing sources of dry season runoff which could adversely affect water quality at the Coyote Pt. and Third Avenue shellfish beds in San Mateo.
 - D. The San Francisco Bay Conservation and Development Commission is urged to consider, while projects are being planned, ways to eliminate or minimize new sources of dry season runoff that could contaminate shellfish beds. The workplan discussed in XI.F. will include recommendations on shellfish beds to be protected and other appropriate guidance.
 - E. The Executive Officer will develop amendments to self-monitoring programs pursuant to Resolution No. 70-43 for waste discharges that may affect shellfish beds. The criteria the Executive Officer will use for determining when and where additional monitoring will be required will be developed as part of the workplan discussed in XI.F.
 - F. One of the highest priorities for future shellfish investigations is an assessment of the hazard vessel waste discharges pose to San Francisco Bay shellfish beds and evaluation of the control and implementation measures and costs of reducing this source of contamination to levels which would satisfy concerns of the State Department of Health Services. When resources for additional studies are available, the Executive Officer will provide the Regional Board with a workplan for their review and approval.
- XII. BE IT FURTHER RESOLVED, that this Regional Board intends to proceed with the implementation of this policy consistent with its Program Priorities adopted for Fiscal Year 1983-84 and as amended on July 20, 1983, and consistent with program funding constraints.
- XIII. BE IT FURTHER RESOLVED, based on the above findings, the Regional Board adopts a Negative Declaration for the adoption of this Resolution.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on September 21, 1983.

FRED H. DIERKER
Executive Officer

Attachment A

SOUTH BAY STUDY AREA

FIGURE 1



