

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO REGION

STAFF SUMMARY REPORT  
MEETING DATE: October 20, 2004

ITEM: 5D

SUBJECT: MARIN COUNTY PUBLIC HEALTH OFFICER DECLARATION –  
Resolution of Concurrence for Marin County Declaration of Water  
Pollution Problem Related to Sewage Disposal for the East Shore  
Community of Tomales Bay

CHRONOLOGY: No Previous Board Actions

DISCUSSION: The East Shore Community of Tomales Bay has an existing water pollution problem and a potential for human health hazard from inadequate sewage treatment and disposal. All of the approximately 95 existing residences are served by individual on-site septic systems; most are located on areas with poor soils, high groundwater, small lots, inadequate setbacks and older systems. The site constraints preclude the installation of new, individual septic systems and require construction of a community-wide solution.

The Tomales Bay watershed has been listed by the Board as impaired for pathogens, nutrients and sediments in the federal Clean Water Act's 303(d) list. Faulty septic systems are identified as one of the significant sources of pathogens to Tomales Bay. Faulty septic systems pose a risk to human health due to the potential for transmittal of viruses and diseases. Of particular concern is the potential to ingest such pathogens during water contact recreational activities such as swimming or kayaking. More importantly, Tomales Bay has six (6) certified commercial shell fishing harvesters, some of whose lease areas are located within 500 feet of existing homes and their septic systems. As filter feeders, shellfish tend to concentrate bacteria and pose an even higher risk to human health when ingested. In May of 1998, a viral epidemic affected 171 people who had consumed shellfish harvested from shellfish beds along the East Shore of Tomales Bay. This outbreak was subsequently confirmed to be of human fecal origin and substandard septic systems were identified as one of the likely sources.

The community and County of Marin have been working in partnership to remedy the problem. A GIS-based risk assessment by the County of Marin identified the East Shore of Tomales Bay as having the highest priority risk for potential human health risk from individual septic tanks due to proximity to impaired waters, shellfish beds, swimming areas, and drinking water wells. A survey of septic systems in 2001 and 2002 (Staff Report, Appendix C) confirmed that approximately 40% of the systems were failing (directly discharging sewage) or operating only marginally.

On October 4, 2004, the Marin County Public Health Officer issued a Declaration that the East Shore Community has an existing water pollution problem from wastewater disposal systems (Appendix B). The staff report concurs with the Health Officer's position that bacterial contamination is an existing water pollution problem and that the potential risk to human health from contamination of the nearby shellfish bed is significant.

The County of Marin, in partnership with the East Shore Community of Tomales Bay, has applied for grant funding under the 2004 Small Community Grant program to replace the existing septic systems with a wastewater collection and a treatment system. A Board Resolution supporting Marin County's Public Health Officer's Declaration of a Water Pollution Problem along the East Shore Community of Tomales Bay is in Appendix A. The Resolution also recommends to the State Water Resources Control Board that the East Shore Community of Tomales Bay be considered for grant assistance under the 2004 Small Community Grant program to plan and construct a small community wastewater collection, treatment and disposal system.

RECOMMEN-  
DATION

Adoption of the Tentative Resolution (Appendix A)

File: 2159.5163

Appendices:

- A. Tentative Resolution
- B. Public Health Officer Declaration
- C. Staff Report