

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

STAFF SUMMARY REPORT (Farhad Ghodrati)
MEETING DATE: April 12, 2006

ITEM: 5.E.

SUBJECT: MARIN COUNTY PUBLIC HEALTH OFFICER DECLARATION –
Amending Resolution No. R2-2004-0089, Concurrence for the Marin
County Declaration of Water Pollution Problem Related to Sewage
Disposal for the East Shore Community of Tomales Bay

CHRONOLOGY: October, 2004 - Board adopts Resolution, “Support for the Marin County
Declaration of Water Pollution Problem Related to Sewage Disposal for
the East Shore Community of Tomales Bay”

DISCUSSION: The East Shore Community of Tomales Bay has an existing water
pollution problem and a potential for human health hazards 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, and
inadequate setbacks, and are 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 on the federal impaired water body list.
Faulty septic systems are identified as one of the significant sources of
pathogens to Tomales Bay. The Board adopted a TMDL for pathogens in
Tomales Bay Watershed in September 2005. 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 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 the 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 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 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 C). The County of Marin, in partnership with the East Shore Community of Tomales Bay, also applied for grant funding under the 2004 Small Community Grant program to replace the existing septic systems with a wastewater collection and treatment system.

On October 20, 2004, this Board adopted a resolution of concurrence for the Marin County Declaration of a water pollution problem related to sewage disposal for the East Shore Community of Tomales Bay (Appendix B). The Resolution also recommended to the State Board that the East Shore Community of Tomales Bay be considered for grant assistance under the Small Community Grant program to plan and construct a small community wastewater collection, treatment and disposal system.

On March 22, 2006, the Marin County Public Health Officer amended the October 4, 2004, Declaration to state that all phases of the East Shore wastewater improvement project shall be completed by September 1, 2012 (Appendix D).

State Board staff has requested this Board to reconsider the County's amended Declaration. Board staff continue to recommend support for this project. A Tentative Resolution, amending Resolution No. R2-2004-0089, in support of said amendment of the Water Pollution Declaration issued by the Marin County Public Health Officer, is in Appendix A. The Resolution also continues to recommend to the State Board that the East Shore Community of Tomales Bay be considered for grant assistance under the 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. Resolution No. R2-2004-0089, "Support for the Marin County Declaration of Water Pollution Problem Related to Sewage Disposal for the East Shore Community of Tomales Bay"
- C. October 4, 2004, Declaration issued by the Public Health Officer of the County of Marin
- D. March 22, 2006, Amended Declaration issued by the Public Health Officer of the County of Marin