

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION 87-155

STATING THE POLICY OF THE SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD RELATIVE TO WAIVING OF REPORTS OF WASTE DISCHARGE FROM INDIVIDUAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS REGULATED BY THE CITY OF NOVATO'S CITY ENGINEER'S OFFICE

- I. WHEREAS, on July 18, 1978, the Regional Board adopted Resolution No. 78-14, "Policy on Discrete Sewage Facilities." Within Policy 1 of Resolution No. 78-14, the Board recognized the importance of local control of discrete sewerage systems under adequate regulation, which could be established by the adoption of new or amendment of existing ordinances. On April 17, 1979, the Board also adopted Resolution No. 79-5, "Minimum Guidelines for the Control of Individual Wastewater Treatment and Disposal Systems," to provide guidelines which will be used along with the Discrete Sewerage Policy to judge the adequacy of local ordinances for the control of individual wastewater treatment and disposal systems, and;
- II. WHEREAS, Section 13269 of the California Water Code provides that a Regional Board may waive the filing of reports of waste discharge for certain specific types of discharge where such waiver is not against the public interest, and;
- III. WHEREAS, on August 14, 1984, the Marin County Board of Supervisors approved a new county Ordinance and supporting Regulations For Design, Construction and Repair of Individual Sewage Disposal Systems, and;
- IV. WHEREAS, The Regional Board, upon finding the Ordinance and Regulations governing installation and maintenance of individual sewage disposal systems in Marin County to be in compliance with the "Minimum Guidelines", issued Resolution 84-12. This Resolution granted a waiver for the reporting of discharges of sewage from individual dwellings in any area where the disposal of sewage is regulated by the Marin County Health Department by means of the the County Ordinance and supporting Regulations. This waiver did not apply to the City of Novato, as they were permitting septic systems for new development under their own ordinance and regulations, and;
- V. WHEREAS, in a letter dated July 18, 1986, the City of Novato requested a similar waiver of reporting of discharge from individual dwellings. The City submitted an

ordinance requiring the City Engineer's approval for private sewage disposal systems . The City also submitted regulations for the design of these disposal systems. These regulations also provide for construction review by the City Building Inspector, and for inspection and repair by the City Department of Community Development. A staff review of these ordinances and regulations found them to be in compliance with the Minimum Guidelines, and;

VI. WHEREAS, this action is being taken by the Regional Board for the protection of the environment, and involves no significant effect on the environment, and is thus categorically exempt from the provisions of the California Environmental Quality Act in accordance with Title 14, California Administrative Code, Chapter 3, Section 15108, and;

VII. WHEREAS, on November 18, 1987, this Board held a public hearing and heard and considered all comments pertaining to this matter, and;

VIII. THEREFORE BE IT RESOLVED, that this Regional Board, pursuant to Section 13269 of the California Water Code, hereby waives the reporting of discharges of sewage from individual dwellings in any area where the disposal of sewage is regulated by the City of Novato, by means of the City's Ordinance and supporting Regulations and that this waiver is subject to the following conditions:

A. The sewage is to be disposed of entirely in subsurface leaching systems approved by the City and complying with this Board's Resolution No. 79-5;

B. "Individual dwelling" for the purpose of this resolution, includes restroom and kitchen facilities serving:

- | | |
|---------------------|------------------|
| 1. Restaurants | 6. Trailer Camps |
| 2. Service Stations | 7. Motels |
| 3. Stores | 8. Apartments |
| 4. Offices | 9. Schools |
| 5. Beaches & Parks | 10. Churches |

C. The sewage does not contain any industrial waste, the discharge of sewage or industrial waste from any industrial site will require filing of a report of waste discharge with the Regional Board.

D. That no disposal facilities shall be permitted where the County or City has adopted an ordinance compelling sewer connection and the public sewer is available in

accordance with the terms of the ordinance. Disposal facilities shall not be permitted where extension of public sewer to the proposed disposal facilities within the sphere of influence area of the local public jurisdiction is feasible as determined by the County Health Officer in accordance with a procedure jointly developed by the County, City or Special District presently providing sewerage service and local Agency Formation Commission.

- E. That the City advise the Regional Board at the earliest possible date of all proposals to use septic tanks and drainfield systems in new subdivisions for the disposal of sewage.
- F. That the City advise the Regional Board in a timely manner of any intended approvals of variances to the City Code and Regulations, or of any action before the County, City or District legislative or planning bodies to appeal the denial of an individual wastewater treatment and disposal system permit. The Regional Board is also to be informed of any proposal to amend the provisions of the City Ordinances and regulations pertaining to such systems. The Board reserves the right to request a report of waste discharge for systems for which the County proposes to grant variances to its ordinances and regulations.
- G. That the City advise the Regional Board of all proposals for the use of alternative systems. The Board reserves the right to request a report of waste discharge for such alternative systems.
- H. That the City advise the Regional Board of any new lot creations approved by the County or Local Planning Commissions, which are contrary to the recommendation of the County Health Officer.
- I. That this waiver does not apply whenever the County Health Officer or the City believes that a report of waste discharge should be filed with the Regional Board.
- J. That this waiver shall be conditional and may be terminated at any time by the Board.

I, Roger B. James, Executive Officer, do hereby certify the foregoing as a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on November 18, 1987


ROGER B. JAMES
Executive Officer