

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION NO. 70-54

ORDERING THE BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT TO CEASE
AND DESIST VIOLATIONS OF THE WASTE DISCHARGE REQUIREMENTS OF
RESOLUTION NO. 68-37 AND RESCINDING RESOLUTIONS NOS. 743, 744
AND 69-16

WHEREAS THIS REGIONAL BOARD HAS CONSIDERED

INFORMATION ABOUT THIS DISCHARGE

1. This Regional Board adopted Resolution No. 743 on April 21, 1966 to prohibit the discharge to the Bolinas Lagoon Channel and a proposed discharge to Bolinas Lagoon.
2. This Board adopted Resolution No. 744 on April 21, 1966 to order the Bolinas Public Utility District to cease and desist its discharge of sewage which violated the prohibition of Resolution No. 743.
3. This Board adopted Resolution No. 69-16 on March 13, 1969 to update the time schedule it had prescribed in Resolution No. 744. This updated schedule was based upon the Bolinas Community Public Utility District completing a joint powers agreement with the Stinson Beach County Water District by May 1, 1969.
4. That joint powers agreement was not consummated until December 17, 1969.
5. This Regional Board adopted Resolution No. 68-37 on June 20, 1968 to prescribe waste discharge requirements for the existing Bolinas discharge and for a discharge from facilities jointly constructed by the two Districts.
6. On April 20, 1970 the two Districts submitted a time schedule for design and construction of joint facilities which would permit Bolinas to comply with the aforementioned waste discharge requirements.
7. That schedule showed 8 months for preparation of plans and specifications and 12-1/2 months for construction of facilities.
8. The staff of this Regional Board understands that the early completion of the joint project is predicated on the Bolinas District Board taking the following step which will enable their engineer to start design of facilities:
 - a. Authorization of certain field surveys.
9. The District has not yet taken this action.
10. Assessment district proceedings can be expedited if the County Public Health Officer issues a "Certificate of Necessity". By separate action on June 25, this Board is requesting the issuance of such a certificate.

11. This Board held a public hearing on May 28 and June 9, 1970 at which it received testimony regarding issuance of a cease and desist order to the Bolinas Community Public Utility District and at which representatives of the District did present testimony.
12. The Bolinas Community Public Utility District was served by certified mail with a notice that this Board would consider issuance of a cease and desist order under provisions of Section 13301 of the California Water Code at a meeting duly held on June 25, 1970.
13. This Board did, at its meeting on June 25, 1970 review the staff report to the Board relative to this case, did consider issuance of a cease and desist order and heard all interested parties present and desiring to be heard.

REGIONAL BOARD FINDINGS

1. This Board accepts the aforementioned staff report as evidence and finds that the Bolinas Community Public Utility District is discharging wastes from its sewerage system which violate and which threaten to violate requirements prescribed in Resolution No. 68-37 as follows:

The waste is being discharged in violation of this Board's prohibition.

The waste is causing bacterial concentrations in the waters of Bolinas Lagoon in excess of limits prescribed for the protection of public health related to the consumption of shellfish and water contact recreation.

The waste is causing grease deposits on a public beach.

2. New connections to this sewerage system will further unreasonably impair the water quality of Bolinas Lagoon in that they will place additional untreated sewage in the Lagoon and thereby increase the possibility of the public contracting disease.

IT IS HEREBY ORDERED BY THIS REGIONAL BOARD

1. The Bolinas Community Public Utility District is hereby ordered to cease and desist discharging wastes from its sewerage system which violate and threaten to violate requirements prescribed in Resolution No. 68-37 in accordance with the following time schedule:

Take all actions necessary to permit preparation of plans and specifications for all facilities needed to intercept and adequately treat the existing discharge on or before	July 15, 1970
Start preparation of said plans and specifications on or before	Aug. 1, 1970
Complete said plans and specifications on or before	Jan. 4, 1971

Advertise for construction bids for said facilities on or before	Jan. 13, 1971
Receive bond bids and award all construction contracts for said facilities on or before	Apr. 29, 1971
Place said sewage interception and treatment facilities into emergency operation and treat sewage being discharged on or before	Feb. 28, 1972
Complete construction of said facilities on or before	Apr. 1, 1972
Demonstrate compliance with all requirements on or before	July 1, 1972.

2. Pursuant to Section 13301 of the California Water Code and subsequent to June 25, 1970 the Bolinas Community Public Utility District is hereby ordered to prohibit additional connections to its sewerage system; this prohibition shall not apply to facilities under construction or to those for which building permits had been issued prior to this date.
3. Whenever this Board's Executive Officer determines that the Bolinas Community Public Utility District has failed to comply with any provision this order, he is authorized and directed to request the Attorney General to petition the Superior Court for proper legal relief restraining the District from violation of this order and to seek civil monetary remedies pursuant to Section 13350 of the California Water Code.
4. The Bolinas Community Public Utility District is hereby required to file reports with this Board on its progress relative to the above schedule on or before each of the following dates; each report to be transmitted in accordance with this Board's Resolution No. 67-3.

July 20, 1970	August 15, 1971
August 15, 1970	November 15, 1971
November 15, 1970	March 15, 1972
January 15, 1971	July 15, 1972
May 15, 1971	

5. This Board's Resolutions Nos. 743, 744 and 69-16 are hereby rescinded.
6. This Regional Board recognizes that the present discharge of raw sewage may constitute a health hazard and pursuant to Section 13255(d) of the California Water Code strongly urges the Marin County Health Department and the State Department of Public Health to quarantine those portions of Bolinas Lagoon and Bolinas Bay as needed to protect the public health during the interim until sewage treatment facilities are provided.

WILLIAM C. WEBER
Chairman

June 25, 1970

I, Fred H. Dierker, hereby certify that the foregoing is a true and correct copy of Resolution No. 70-54 adopted by the California Regional Water Quality Control Board, San Francisco Bay Region at its regular meeting on June 25, 1970.

FRED H. DIERKER
Executive Officer
CALIFORNIA REGIONAL WATER QUALITY CONTROL
BOARD - SAN FRANCISCO BAY REGION