

EXHIBIT II

POLICIES REGULATING SEWAGE DISPOSAL SYSTEMS WITHIN THE SUISUN MARSH

INTRODUCTION

In 1977 the State Legislature enacted the Suisun Marsh Preservation Act. Local government policies and regulations shall conform to the provisions of this Act and the Suisun Marsh Protection Plan. Portions of the Act and Plan are directed toward maintenance of water quality through controls on individual sewage disposal systems, a responsibility of the Solano County Department of Resource Management, Environmental Health Services Division. This document is the Department's response to the State mandate. It is a part of Solano County's Component of the Suisun Marsh Local Protection Program.

REQUIREMENTS OF THE SUISUN MARSH PRESERVATION ACT

The specific requirement directed to the Solano County Department of Resource Management, Environmental Health Services Division is found in Section 29401 of the Suisun Marsh Preservation Act. "Within the marsh, the Local Protection Program shall include but not be limited to... [e]nforceable standards for the operation of septic tanks and wastewater discharges."

The rationale for and additional details regarding this requirement are found in Policy No. 5 of the Utilities, Facilities and Transportation Section of the Suisun Marsh Protection Plan, which states;

5. Because septic tanks do not function properly in the wetland area, the Solano County Department of Public Health should institute a program to close out existing tanks in the wetlands and require new systems that would properly dispose of wastes as required by the Solano County Health Department and the Regional Water Quality Control Board.

The Department of Resource Management, Environmental Health Services Division, has responsibilities in the Marsh to control wastewater discharges from septic systems through enforcement of Solano County Code Chapter 6.4, which establishes a comprehensive, uniform set of sewage disposal standards for Solano County.

CURRENT SEWAGE DISPOSAL REGULATIONS:

In 1975, Solano County enacted an ordinance (No. 888) to regulate individual sewage disposal systems. In July of 2001 revisions to Solano County Code were approved as Chapter 6.4, Sewage Disposal Standards. These standards were amended again in December of 2004 and are applicable within the Suisun Marsh. Under Chapter 6.4, a permit from the Health Services Division is required to repair, modify or construct waste disposal systems. Minimum criteria for the siting and construction of a septic tank/leachfield system include soil typing and identification, percolation rate, soil depth, depth and separation to ground water, ground slope, and adherence to setbacks, including setbacks to surface water. The use of vaults or holding tanks is allowed for specific circumstances such as for duck clubs in the primary area of the Suisun Marsh. Additional changes in the ordinance which help to improve environmental conditions include requirements for site evaluations by professional consultants to identify and mitigate separation to groundwater and the requirement for alternative type septic systems. Alternative systems provide improved effluent distribution throughout the disposal field, have high-level alarms in the dosing tank, require evidence of a maintenance contract with a service provider and ongoing monitoring, and may require pre-treatment devices that produce a higher quality effluent than effluent from conventional septic systems.

As indicated in the Marsh Plan, septic tank/leachfield systems do not operate at optimum efficiency in wetland areas and in general, site conditions for the primary management area of the Marsh will not meet minimum requirements for the construction of a new standard type on-site sewage disposal system. An improper sewage disposal system, once identified, shall be replaced with an on-site sewage disposal system which meets the requirements of the Solano County Code. Sites which can not accommodate a conventional in-ground leaching system due to site conditions may be replaced with alternative type sewage disposal systems if conditions allow, or, as a last resort, may be replaced with holding tanks. The Department of Resource Management, Environmental Health Services Division, is responsible for enforcement of Solano County Code, Chapter 6.4 Sewage Disposal Standards. These standards are applicable to individual sewage disposal systems in the Suisun Marsh:

1. Property owners within wetland areas are urged to seek departmental assistance to alleviate potential water quality problems resulting from malfunctioning individual sewage systems.
2. Where it is determined that an individual sewage system does not function properly, the nuisance shall be abated and if appropriate, the on-site sewage disposal system shall be repaired or replaced in accordance with Solano County Code, Chapter 6.4, Sewage Disposal Standards.