

RESOLUTION NO. 2007-__

**A RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS
APPROVING THE EAST SHORE WASTEWATER IMPROVEMENT PROJECT**

- I. WHEREAS, in April 2006, the Environmental Health Services Division of the Marin County Community Development Agency, a public project sponsor in a public/private partnership, completed a development design and project applications proposing to implement sanitary wastewater improvements for existing developed properties on bayfront lands and adjacent coastal hillsides located along the east shore of Tomales Bay. The project area is centered about the community of Marshall, extending from the vicinity of Nick's Cove in the north to approximately 1.0 mile south of the Marconi Conference Center. The project vicinity includes a total of approximately 100 developed residential and commercial properties located in several neighborhoods (Assessor's Parcel Numbers beginning at 104-150-01 and ending at 106-302-04). The project also includes portions of State Route #1 and portions of property known as the Barinaga Ranch (APN 106-210-73) located just south of the Marshall Post Office.
- II. WHEREAS, the proposed project has two primary elements: (1) construction of a community wastewater system to replace existing individual septic systems for up to 38 currently developed properties in the community of Marshall; and (2) formation of an onsite wastewater disposal zone to provide ongoing inspection, maintenance and monitoring oversight for the proposed Marshall community system as well as for the remaining onsite wastewater systems serving other existing developed properties in the project area. The proposed community wastewater system for Marshall will provide for the abandonment of existing septic systems, most of which are located immediately adjacent to Tomales Bay. The proposed wastewater facilities will consist of a septic tank effluent pump (STEP) collection system, approximately 5,000 lineal feet of effluent pipeline (force main) along State Route #1 right-of-way, and a community pressure-distribution leachfield system located on an approximate 5-acre site to be acquired from the Barinaga Ranch.
- III. WHEREAS, the East Shore Wastewater Improvement Project and Master Plan Waiver, Coastal Permit, and Use Permit applications represent a project subject to the California Environmental Quality Act (CEQA Public Resources Code Sections 21000-21178.1).
- IV. WHERE an Environmental Impact Report ("EIR") was prepared for the East Shore Wastewater Improvement Project by Leonard Charles, environmental consultant to the Marin County Community Development Agency – Planning Division, pursuant to requirements of the California Environmental Quality Act ("CEQA," Public Resource Code Sections 21000-21177), State CEQA Guidelines, and County Environmental Impact Review procedures.
- V. WHEREAS, the Marin County Board of Supervisors has reviewed and considered the information in the Draft EIR, Final EIR, Final EIR Appendices, EIR administrative record and Final EIR Staff Report recommending certification of the Final EIR, for adequacy, completeness and compliance with CEQA, the State CEQA Guidelines, and the County Environmental Review Procedures. The Marin County Board of Supervisors has certified the Final EIR as adequate and complete in compliance with CEQA, the State CEQA Guidelines, and the County Environmental Review Procedures.

VI. WHEREAS, the Marin County Board of Supervisors conducted a duly-noticed public hearing on April 17, 2007 to consider the merits of the proposal project.

VII. WHEREAS, the Marin County Board of Supervisors finds that the proposed project with the mitigations identified in the EIR represents the environmentally superior alternative. Approval of the project would advance an important public policy objective of protecting and improving the water quality in Tomales Bay while offering cost-effective and improved sewage disposal options to owners of existing developed properties along the bay.

NOW, THEREFORE, BE IT RESOLVED, that the Marin County Board of Supervisors hereby approves the East Shore Wastewater Improvement Project subject to incorporation of all of the mitigations identified in the Final EIR into the project and all subsequent plans for development and construction of the project.

PASSED AND ADOPTED at the regular meeting of the Board of Supervisors of the County of Marin, State of California, on the 17th day of April 2007, by the following vote:

AYES: SUPERVISORS

NOES:

ABSENT:

PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

CLERK