

# BETTY OLDS

*Berkeley City Council*

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CONSENT CALENDAR:

September 21, 2004

TO: Honorable Mayor and Members of the City Council  
FROM: Council member Betty Olds  
RE: ***Support for the Healthy Bay Beaches Bill AB1876***

It is recommended that the City Council write a letter to Governor Arnold Schwarzenegger urging approval of AB1876.

**BACKGROUND AND NEED FOR COUNCIL ACTION :**  
**FINANCIAL IMPLICATIONS :**

Every year millions of gallons of contaminated water are dumped into San Francisco Bay as a result of storm water runoff and sewage leaks. The bacteria found in the contaminated water of the Bay can cause infections, and rashes, as well as gastrointestinal illness. All people who use SF Bay beaches are at serious risk because there is currently no requirement to monitor water quality at these locations.

The Healthy Bay Beaches bill will require consistent monitoring on a weekly basis at Bay beaches with 50,000 or more annual visitors, located near a stream or storm drain and posting of signs when bacteria exceed safe levels.

AB 1876 passed the State Assembly on May 26, 2004 with bipartisan support. Now it needs to make it through the State Senate and get the Governor's approval.

**FISCAL IMPACTS**

None

**CONTACT :**

Betty Olds, City Council – 981-7160

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protective standards.

- 4) States that duties imposed on a local public officer or agency are mandatory only during fiscal years that DHS determines the Legislature has appropriated sufficient funds in the annual Budget Act for local agencies to cover the costs for performing these duties.
- 5) States that microbiological contamination testing must include total coliform, fecal coliform, and enterococci bacteria.
- 6) Requires, in multilingual areas, multilingual signs warning of contamination or potentially hazardous conditions. The signs must be posted at storm water outflows where they empty onto the beach.
- 7) Makes specific findings about the differences between microbiological contamination monitoring for coastal beaches and San Francisco Bay beaches.

FISCAL EFFECT : Unknown

COMMENTS :

- 1) This bill seeks to ensure that San Francisco Bay Area beaches are effectively and consistently monitored. The bill makes the Bay Area counties (Alameda, Contra Costa, Solano, Sonoma, Napa, Marin, San Francisco, San Mateo, and Santa Clara) eligible for state beach monitoring funds to support the monitoring programs.
- 2) The bill's sponsors, Save the Bay, report that there are over 50 public beaches and recreation areas in the Bay Area. These shoreline sites provide year-round water recreation opportunities for thousands of Bay Area residents. At times, recreating can pose a serious health threat because rain storms carry bacteria and contaminants. From April 1, 2003 to September 3, 2003, 28 advisories were posted at four of five beaches in Marin County. Three other Bay area counties, Alameda, Contra Costa, and San Mateo, also reported Bayside beach advisories last year. The sponsors contend that consistent, year-round monitoring of bayside beaches' water quality and posting multilingual warning signs will protect public health.

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- 3) The bill's criteria for selecting which Bay Area public

beaches to monitor differs from the criteria for ocean beaches. It requires less annual visitors, 15,000 instead of 50,000 for ocean beaches, and Bay beaches are monitored on a weekly rather than bi-weekly basis. The bill does not change the criteria for choosing which ocean beaches should be monitored, or the frequency for monitoring ocean beaches.

4) This bill was double-referred and passed the Environmental Safety and Toxic Materials Committee by a vote of 5 to 2 on March 23, 2004.

REGISTERED SUPPORT / OPPOSITION :

Support

Save the Bay (Sponsor)  
 Alameda County Supervisor Alice Lai-Bitker  
 Alliance for a Clean Waterfront  
 Bay Access  
 Bay Area Sea Kayakers  
 Bay Planning Coalition  
 Bluewater Network  
 California League of Conservation Voters  
 Center for Environmental Health  
 Clean Water Action  
 Citizens for Eastshore State Park  
 City and County of San Francisco  
 Defenders of Wildlife  
 East Bay Municipal Utility District  
 Environment California  
 Environmental Working Group  
 Heal the Bay  
 Marin County Board of Supervisors  
 Natural Resources Defense Council  
 Pacific Gas and Electric Company  
 Physicians for Social Responsibility  
 Planning and Conservation League  
 Port of Oakland  
 San Francisco Bay Conservation and Development Commission  
 San Francisco Baykeeper  
 San Francisco Boardsailing Association  
 San Francisco Mayor Gavin Newsom  
 San Francisco Supervisor Aaron Peskin  
 Sierra Club California

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Vote the Coast  
 Waterfront Action

Opposition

