

California Regional Water Quality Control Board
San Francisco Bay Region
EXECUTIVE OFFICER'S REPORT
A Monthly Report to the Board and Public

June 2008

The next regular scheduled Board meeting is July 8 & 9, 2008.

See <http://www.waterboards.ca.gov/sanfranciscobay/> for latest details and agenda

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Napa River Sediment and Sonoma Creek Sediment TMDLs (Jim Ponton)

On January 23, 2007, the Board adopted a sediment total maximum daily load, implementation plan, and habitat enhancement plan for the Napa River Watershed (Napa River Sediment TMDL). Basin Plan amendments, such as the Napa River Sediment TMDL, are adopted through a public process that requires approval of the TMDL by the State Board, the State Office of Administrative Law, and U.S. EPA after a regional water board adopts an amendment.

The State Board was scheduled to consider approving the Napa River Sediment TMDL at its May 20, 2008, hearing. However, during the State Board's public comment period, commenters raised concerns about the adequacy of this Board's compliance with the California Environmental Quality Act (CEQA). Thus, on June 6, on behalf of the Board, I sent a letter to Dorothy Rice, the Executive Director of the State Board, requesting that the State Board withdraw consideration of approval of the Napa River Sediment TMDL. My letter requested additional time for Board staff to consider the comments received on the CEQA analysis and to correct, revise, and recirculate the TMDL and regulatory analysis, as appropriate.

As recently as April 2008, the Board heard testimony on the Sonoma Creek Watershed Sediment TMDL and related habitat enhancement plan (Sonoma Creek Sediment TMDL). Based on the comments received at the April meeting, we scheduled the Sonoma Creek Sediment TMDL for a July adoption hearing by the Board. Given that the Sonoma Creek

Sediment and Napa River Sediment TMDLs share common regulatory elements, it is now prudent to delay bringing the Sonoma Creek Sediment TMDL to the Board for consideration until staff has had sufficient time to reevaluate its CEQA analysis.

We anticipate bringing both the Napa River and Sonoma Creek Sediment TMDLs and related habitat enhancement plans before the Board for consideration in the early Fall. This timeframe should allow ample time for staff to revise and recirculate (as appropriate) both TMDLs.

Lawrence Livermore National Laboratory (Agnes Farres)

Congress recently reduced the 2008 budget for the Lawrence Livermore National Laboratory (Livermore Site) Superfund cleanup by more than 50%. As a result, 14 groundwater and soil vapor treatment facilities at the Site were shut down and over 60% of the Site staff were released. Additional treatment facilities requiring maintenance have also been shut down for extended periods of time due to lack of manpower.

The primary contaminants of concern at the Livermore Site are volatile organic compounds, fuel hydrocarbons, chromium, lead, and tritium. The Department of Energy (DOE) has constructed groundwater and soil vapor extraction systems for a cleanup remedy that is expected to take decades to complete. This remedy had been working effectively and, until recently, Site staff had begun to focus on more aggressive remediation of source areas.

Treatment facilities at the Site that control groundwater plumes with the potential to migrate off-site are still operational. However, after the budget cuts, the Site can no longer focus on interior plume control or source area remediation. Contaminated groundwater and soil vapor left untreated will continue to pose a threat to human health and the environment. This can result in a longer and more costly cleanup. In addition, the release of vital Site staff will lead to the loss of institutional knowledge and expertise that is crucial to maintaining an efficient and compliant cleanup program.

DOE is potentially subject to significant penalties for shutting down the treatment facilities according to their Federal Facilities Agreement with U.S. EPA. DOE is currently in the process of submitting a budget reprogramming request to Congress and hopes to secure additional funding soon. Board staff is actively supporting efforts by DOE and U.S. EPA to secure additional funding to restart the cleanup.

Brownfield MOA Update (Stephen Hill)

The Board is successfully implementing the March 2005 Brownfield memorandum of agreement (or MOA). The Brownfield MOA between the Water Boards and the Department of Toxic Substances Control (DTSC) is intended to improve coordination between the agencies in their oversight of Brownfield sites in California.

A key feature of the MOA is its requirement that the Water Boards and DTSC apply standardized statewide criteria to determine the appropriate lead agency for new sites.

Since the Brownfield MOA took effect in 2005, the agencies have processed 323 MOA applications for agency oversight from around the State, including 138 in our Region. With 43% of the applications coming from our Region, the Bay Area plays a pivotal role in Brownfield restoration in California. The table below shows that more applications were submitted to Water Boards and slightly more sites were assigned to DTSC based on the lead-agency determination criteria. In sum, the Water Boards are experiencing a 20% decline in new Brownfield site intake as a result of the MOA.

In virtually all cases, the agencies were able to rapidly agree on the appropriate lead agency; and average MOA application processing took less than two weeks. Randy Lee, our office's Brownfield coordinator, deserves much of the credit for this result. Another positive result of the MOA has been better coordination between Water Board and DTSC offices at the regional level, both on new Brownfield sites as well as other aspects of cleanup oversight.

Lead agency determinations		State-wide	This Region
Applications*	To DTSC	138	34
	To Boards	185	104
	Total	323	138
Determinations	To DTSC	177	57
	To Boards	146	81
	Total	323	138
Net gain/loss	DTSC	+39	+23
	Boards	-39	-23

* excluding applications that are pending or ineligible

DMMO Annual Meeting (Beth Christian)

On May 13, the Dredged Material Management Office (DMMO) annual meeting was held at the Port of Oakland headquarters on the Oakland waterfront. The DMMO consists of staff members from state and federal regulatory agencies that meet monthly to coordinate regulatory review of dredging activities in San Francisco Bay. Featured topics of discussion at the annual meeting included a summary of dredging, disposal, and reuse of dredged material during 2007, and a review of the progress made towards meeting the goals of the Long Term Management Strategy for the Placement of Dredged Material in the San Francisco Bay Region (LTMS). The primary goal of the LTMS is to significantly reduce in-Bay disposal and to increase the beneficial reuse of dredged material for projects like restoration of tidal salt marsh in diked, subsided baylands. As a member of the LTMS Management Committee, I welcomed participants to the annual meeting, and Board staffer Beth Christian gave a presentation on the status of dredged material beneficial reuse at several of our Region's dredged material reuse sites.

It was fitting that the annual meeting was held at the Port of Oakland, because 83% of all beneficial reuse in 2007 occurred due to the Oakland Harbor Navigation Improvement (-50 Foot) Project. Dredging to deepen existing shipping channels and turning basins in Oakland Harbor from -42 Mean Lower Low Water (MLLW) to -50 feet MLLW began in 2002 and should be complete by the end of 2008. In 2007, this project provided the final 1.2 million cubic yards (mcy) of sediment needed to complete the five-year construction phase of the Port's Middle Harbor Enhancement Area (MHEA) that will provide a 180-acre mosaic of valuable shallow water habitat, including salt marsh and eelgrass beds, which have drastically declined in the Bay over the last 150 years. Historically, the MHEA provided shallow water habitat before it was dredged during World War II in order to create a deep water Navy supply depot. Nearly half (6 mcy) of the 12.5 mcy total volume of sediment being dredged to deepen Oakland Harbor has been placed in the MHEA.



Middle Harbor Enhancement Area looking toward the Port of Oakland, July 2007

The other half is being split primarily between two large tidal marsh restoration projects in diked subsided baylands, the Montezuma Wetland Restoration Project at the eastern edge of the Suisun Marsh (3 mcy delivered between 2003 and 2006),



Montezuma Phase I looking southwest toward Honker Bay, April 2005

and the Hamilton Wetland Restoration Project at the former Hamilton Army Airfield in Novato (3 mcy to be delivered by the end of 2008).



Hamilton Project looking southeast toward San Pablo Bay, March 2008

The remainder of the dredged material was either used for landfill daily cover because contaminant levels made it unsuitable for wetland creation, or it was taken to the San Francisco Deep Ocean Disposal Site located 50 miles offshore of the Golden Gate.

During 2007, the LTMS program was very close to meeting its goal of placing a minimum of 40% of all the sediment dredged at beneficial reuse sites, while limiting the amount of dredged material dumped at the aquatic disposal sites in the Bay to 20% of the total volume. However, the dredging community is concerned that once the deepening of the Oakland Harbor is complete, it will need to more fully utilize the large wetland restoration projects in order to meet these percentage targets for future years. Transporting and offloading dredged material from a variety of small projects rather than one large project poses several technical and economic challenges for all dredgers.

The U.S. Army Corps of Engineers (Corps) and the State Coastal Conservancy (SCC), joint sponsors of the Hamilton Project, have proposed an innovative solution to the offloading problem there. Currently, the Corps is using a system that can pump material directly off one dredge barge at a time into a five-mile long pipeline that extends offshore from the Hamilton Project, because the Bay outboard of the Hamilton Project is too shallow for barges to get any closer to the shoreline. In July of this year, the Corps and SCC plan to issue a draft EIS/EIR for an Aquatic Transfer Facility, which will evaluate the environmental impacts of several alternatives, including an offshore rehandling basin into which multiple dredge barges of any size could dump their loads of sediment for temporary storage any time of day. The site operator would then pump the material to the Hamilton Project as necessary to meet wetland restoration design criteria. An efficient and cost-effective offloading system is crucial to the long-term viability of the Hamilton Project and will most likely be the deciding factor in meeting the LTMS program goals for beneficial reuse of dredged material in future years. We will keep the Board updated on the progress of this Aquatic Transfer Facility as it develops.

Hopyard Cleaners Site Cleanup Order (Roger Papler)

On May 29, I administratively issued a final Site Cleanup Order for the Hopyard Cleaners site in Pleasanton. There were no comments during the 30-day public comment period on the draft order, and we wanted to complete order issuance before the July Board meeting. A dry cleaner operates at the site and formerly used tetrachloroethene (PCE) as its dry cleaning agent. PCE has been detected in groundwater beneath the site at up to 8,200 parts per billion. The Order sets final cleanup standards and requires the property owners, Clare and Wayne Leung, to finalize the site investigation, implement a cleanup plan, and conduct long-term monitoring. The cleanup plan consists of soil vapor extraction and treatment for soil pollution, and in-situ chemical oxidation for groundwater pollution. The Leungs will submit quarterly monitoring reports to document the effectiveness of the cleanup plan.

Former Point Molate Naval Fuel Depot (George Leyva)

On May 15, the U.S. Navy and the City of Richmond met with Board staff to discuss the transfer of the remaining portions of the Point Molate Naval Fuel Depot to the City. A large portion of the Depot had already been transferred to the City in 2003, and the goal is to complete the transfer of the remaining portions. The remaining portions to be transferred are known as the Site 1 Landfill, Site 2, Site 3, and Site 4; however Site 3 is the focus of the most significant environmental concern and needed remedy at the Depot.

Site 3 is located immediately adjacent to San Francisco Bay and was originally an embayment that was diked off for the purpose of creating an impoundment for oily waste disposal and later for stormwater retention for the Depot. Site 3 has been of significant concern because in the recent past, oily waste from the former impoundment has migrated through the subsurface and "daylighted" into the Bay through the submerged sediments immediately offshore. While that discharge has been stopped via an interim measure installed in 1993 (an extraction trench wall along the shoreline), the lack of consensus on a more permanent solution for remediating Site 3 has resulted in a transfer delay of approximately five years. Thus, it was significant that, as part of the May 15 meeting, the Navy proposed a conceptual remedial action plan for Site 3 that we feel would be protective of both human health and the environment: the excavation of approximately 150,000 cubic yards of oily waste-laden soil from the Site 3. The cost of the Site 3 remedy and any other required work would be covered by a grant to the City from the Navy, along with some additional funding from the developer selected by the City.

Transfer of the remaining portions will be done under a Finding of Suitability for Early Transfer (FOSET). Pursuant to CERCLA guidance, the FOSET begins with a Covenant Deferral Request, which will be prepared for formal Board approval this summer, followed by the Governor's approval of the transfer. The proposed remedial action(s) will be implemented by the City and its developer under a Site Cleanup Order, which would go into effect immediately upon completion of the property transfer.

Additional information about Point Molate may be viewed at:
<http://www.poinrichmond.com/pointsanpablo/photos.htm>

Reining in the Rain: Low-Impact Development Workshop (Keith Lichten)

As noted in the May Executive Officer's report, on April 23, Board staff hosted a one-day workshop on watershed-friendly, low-impact development (LID): development that is designed to minimize the water quality impacts of new development and redevelopment projects. Attended by over 200 participants, the workshop included sessions on site design, permeable pavements, and planning and funding strategies for stormwater management. The workshop was one of four held around the State that week and coordinated by Coastal Commission staff as part of the Commission's State Water Board contract to co-lead implementation of the State's Nonpoint Source program. Other workshop sponsors providing essential logistic support included the San Francisco Estuary program, California Coastal Conservancy and San Francisco Bay Conservation and Development Commission.

Workshop presenters included: Bruce Wolfe; Tim Lawrence from the Center for Water & Land Use at UC Davis Extension; Jill Bicknell representing the California Stormwater Quality Association (CASQA); Kathleen Van Velsor from the Association of Bay Area Governments; and Al Wanger from the Coastal Commission.

Other speakers included: Mitch Avalon (Contra Costa Flood Control District) on the challenges of LID and flood control for stormwater management; Dan Cloak (Dan Cloak Environmental Consulting) on uses of LID in new development; Esther Feldman (Community Conservancy International) on Green Solutions to polluted runoff, and Robert Spencer (MuniFinancial), Mitch Avalon and Susan Gladstone of our office on stormwater funding strategies.

Participants came largely from local government and consulting firms, which was part of the workshop's focus: to provide a venue for learning about and discussing the low-impact development strategies that are required in existing NPDES municipal stormwater permits, and which are also a part of the draft Municipal Regional Permit.

Presentations from the workshops will be available on the Coastal Commission's website (http://www.coastal.ca.gov/nps/lid_workshops.html) in mid-June.

2008 Geology Symposium (Laurent Meillier)

On May 29 and 30, the 2008 Geology Symposium took place at the Cal/EPA building in Sacramento. Geologists and engineers in State service planned and hosted the event. Laurent Meillier of our office was a co-organizer of the symposium. This year's theme focused on the preservation of California's groundwater resources. The audience and speakers represented a wide range of State agencies including: the Water Boards, the Department of Toxic Substances Control, the Department of Water Resources, the Board for Geologists and Geophysicists, the California Department of Transportation, and local water agencies. Linda Adams (Cal/EPA Secretary) and Maureen Gorsen (DTSC Director)

opened the symposium on May 29, and Dorothy Rice (Water Board Director) and John Woodling (DWR) opened the meeting on May 30.

Presentations on interagency cooperation spanned topics from groundwater contamination to contaminated soil pile management. Brian Thompson of our office presented our draft guidance on closure criteria for low-threat solvent and other non-fuel cases. DWR presented an innovative data management interface (<http://www.water.ca.gov/iwris/>) for water resources managers. The United States Geological Survey presented its ongoing work on developing an international standard format for geotechnical and geoenvironmental data (<http://www.diggsml.com/>). On the lighter side, Patricia Bobeck of Geotechnical Translations brought us back to mid-19th century France when Henry Darcy designed the public water supply of the City of Dijon. The audience enjoyed a whirlwind tour of California's geoprovinces through striking photographs by John Karachewski of DTSC. During the poster session, attendees marveled at the fossilized remains of a mammoth uncovered by Caltrans during Route 180 excavations near Fresno. The next annual Geology Symposium will be held in April 2009.

Dr. Teng-Chung Wu Pollution Prevention Award (Heather Ottaway)

This month, we will call for applications for the second annual Dr. Teng-Chung Wu Pollution Prevention Award. We established the award in 2007 in memory of Dr. Wu to honor his dedication to water quality and pollution prevention during his 35 years of service with the Water Board. The award will recognize excellence and collaboration in pollution prevention. In line with Dr. Wu's legacy, it will acknowledge agencies that work together on regional pollution prevention projects or have conducted specific projects that benefit the entire Region. The evaluation criteria include leadership and innovation, commitment, measurable results, and benefits to the environment, the community, or workers.

We will release the award application package on June 18 and announce the winner(s) on August 29. We will present the award(s) at the September Board meeting, which coincides closely with Pollution Prevention Week, the third week of September. The application will be available on the Water Board website at http://www.waterboards.ca.gov/sanfranciscobay/dr_teng_chung_wu_award.shtml. Submittals will be due August 6.

Annual Field Training (Mary Rose Cassa)

Over 60 staff participated in our annual staff field training on May 22. The field training began in San Francisco and included Ocean Beach, Lake Merced, the Daly City wastewater treatment plant, and the Mussel Rock landfill.

Preliminary presentations at the Sutro branch of the State Library provided an overview for the day and additional details by guest speakers. Bob Battalio of Philip Williams and Associates discussed sediment transport and the role of near-shore sand and dredge material disposal in mitigating erosion problems at Ocean Beach. Greg Bartow of the San Francisco Public Utilities Commission (a former Board employee) reviewed groundwater management in the Westside Basin, including plans to diversify San Francisco's water

supply and proposals to augment water levels in Lake Merced. Staff visited the west shore of Lake Merced to observe innovative stormwater management projects being pursued jointly by Daly City and San Francisco. These include a continuous deflection system for trash removal from stormwater and a pilot riparian buffer to filter stormwater diverted to Lake Merced.

The next stop was the North San Mateo County Sanitation District wastewater treatment plant in Daly City. There staff observed primary and secondary wastewater treatment as well as the advanced treatment unit that produces recycled water acceptable for irrigating ball fields, street medians, and golf courses. Replacing pumped groundwater with recycled water for these purposes helps preserve groundwater levels, thus protecting Lake Merced from further decline and also providing groundwater as a backup water source in the event of a disruption to the Hetch Hetchy drinking water supply system.

The last stop was at the Mussel Rock Landfill, located on a landslide adjacent to the San Andreas Fault and the ocean. Board staff Kevin Brown and Al Friedman briefed staff on the local geology and tectonic setting; the cultural history and development of the area; the development and regulatory history of the landfill by the Board; and the current status of efforts to maintain the closed landfill in its dynamic environment.

Staff said they appreciated the opportunity to learn about different regulatory programs and observe various projects and regulated sites in the field. That is the goal of the annual field training: expose staff to how our programs work together to protect and restore water quality throughout the Region.

Significant Dedications (Bruce Wolfe)

I represented the Board at two significant project dedications in May. The first was the Alameda County Water District's (ACWD) May 20 dedication of its Alameda Creek Fish Screens project, located on Alameda Creek below the Mission Blvd. bridge in Niles. The project consists of the installation of a fish screen facility with multiple self-cleaning cylindrical fish screens, fencing, control panel and electrical boxes, and a section of new pipe to connect the fish screens' pipe manifold to ACWD's existing drinking water diversion pipe. In 2005, ACWD received \$1 million from the National Fish and Wildlife Foundation to initiate this project and a future project to remove portions of one of its rubber dams to improve steelhead migration in Alameda Creek. ACWD's two projects are part of a much larger effort to restore steelhead in the Alameda Creek watershed. The San Francisco Public Utilities Commission, Zone 7 Water Agency, East Bay Regional Park District, Alameda County Public Works Agency, and local stakeholders are all working with the Board on projects that will make Alameda Creek a more fish-friendly waterway.

The second was the East Bay Municipal Utility District's May 23 dedication of its East Bayshore Recycled Water Project Water Recycling Plant in West Oakland. This plant provides advanced treatment of up to 2.5 million gallons a day (mgd) of the District's secondarily treated wastewater, producing recycled water acceptable for landscape irrigation and industrial uses. Current use is for irrigation of Mandela Parkway and Raimondi Park in West Oakland, but future uses are planned south in Alameda and the

Oakland Airport area and north in Emeryville and Berkeley's industrial areas. As demand grows, the new plant can be expanded to use more of the approximately 80 mgd the District's Special District No. 1 wastewater treatment plant treats and discharges to the Bay. While the District has implemented recycling projects elsewhere in its service area, the East Bayshore Recycled Water Project is the first to treat and use effluent from the District's main treatment plant.

Staff Presentations

On April 10, Selina Louie, our Alameda County municipal stormwater caseworker and David Elias, our Alameda County industrial stormwater caseworker, made presentations at an Alameda County and cities inspector training. Selena's presentation focused on the draft Municipal Stormwater Permit and how it might affect each city, while David's presentation focused on coordinating inspections with city inspectors for challenging industrial sites.

On May 28, Lila Tang spoke at a Wet Weather Management Workshop about recently imposed requirements to report sewage spills within two hours. The Workshop was hosted by the Bay Area Clean Water Agencies, which is an association of nearly all of the municipal wastewater treatment plants and sewage collection systems in the Bay Area.

On June 5, Keith Lichten spoke on green and stormwater-friendly street design to the City of Berkeley's Public Works Commission, which is responsible for making recommendations on the maintenance and design of Berkeley's public streets. The Commission had asked Keith to speak after expressing its desire that Berkeley act more progressively in its approach to street design and pavement generally.