

STATE OF CALIFORNIA

**REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

MEETING DATE: August 13, 2014

ITEM: **4**

SUBJECT: **EXECUTIVE OFFICER'S REPORT**

EXECUTIVE OFFICER'S REPORT: *August 2014*

A Monthly Report to the Board and Public

NEXT MEETING: August 13, 2014

WEBSITE: <http://www.waterboards.ca.gov/sanfranciscobay/>

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CEQA for Napa and Sonoma Vineyards Permit (Anya Starovoytov)

The CEQA environmental review process for the proposed General Waste Discharge Requirements (General WDRs) for vineyards in the Napa River and Sonoma Creek watersheds reached its first milestone with the release of the Notice of Preparation (NOP) and an Initial Study for public comment on July 7. The 30-day public comment period will close at 5:00 pm on August 6. Comments received will be considered during preparation of the draft Environmental Impact Report (EIR), which will analyze the potential environmental impacts of the proposed General WDRs.

In addition to releasing the CEQA documents, Board staff also hosted a CEQA Scoping Meeting on July 23 at the Napa County Agricultural Commissioner's Office. Meeting attendees included representatives from the Sonoma Resource Conservation District, Jackson Family Winery, Sonoma County Winegrape Commission, Napa County Agricultural Commissioner, Napa County Planning Division, United Winegrowers, Winegrowers of Napa County, Napa County Farm Bureau, and the University of California Cooperative Extension. Board staff received helpful input from the attendees on how to improve the format of the draft EIR and suggestions on how to analyze potential environmental impacts and project alternatives.

We are anticipating additional written comments on the NOP and the Initial Study and are looking forward to hosting stakeholder meetings in the coming months to discuss the details of the proposed General WDRs with interested parties. Board staff anticipates releasing a public draft of the General WDRs and EIR in late fall, following the busy harvest season.

City of San Jose Response to Homeless Encampments (Dale Bowyer)

The City of San Jose (City) has had an ongoing program to work with the challenge of the homeless and to remove and clean up homeless encampments. In 2012, the City created the Homeless Response Program. The Program has sought to address the growing homeless population in Santa Clara County with a more comprehensive and coordinated effort to better ensure housing stability and to keep San Jose's waterways, parks, and public spaces free of encampments to protect the environment and leave no one unsheltered. The three primary strategies of the Program are to address:

1. Housing and Services
2. Protect and Restore the Environment
3. Engage the Community

The City has taken steps to address the underlying issue of homelessness while taking short-term action to mitigate the impacts of encampments. The City has invested significant resources to address the issue, including budgeting \$7,000,000 over the next two years. The funds support the cleanup of encampments, installation of deterrents to reduce re-encampment, additional ranger staff to provide more proactive enforcement, all combined with providing opportunities for moving homeless into more permanent housing. The refocused effort has garnered significant results thus far in this fiscal year, including:

- Cleaning up 49 homeless encampments
- Removing approximately 1,000 tons of trash from encampments near San Jose waterways
- Issuing 270 violation warnings and 57 citations
- Transitioning 66 homeless residents into permanent housing

Additionally, the City has demonstrated leadership in its efforts to solve the problem in a more holistic manner. The City has facilitated a strong network of stakeholders that include a wide variety of government agencies, non-profits, and community partners. The City has also embarked on a number of pilot projects to address the issue in non-conventional ways, including a U.S. EPA grant-funded Clean Creeks effort and a Healthy Community Pilot Project that engages the community as creek stewards, employs homeless to cleanup encampments, assists homeless with housing, and facilitates physical installations and activities to deter dumping.

On July 30, Assistant Executive Officer Whyte inspected some of the encampments adjacent to Coyote Creek and attended a Santa Clara County Community Planning Summit on homelessness. The Summit was organized to gather input on a draft plan aimed at eliminating homelessness for the almost 8,000 individuals in the County. Of all major cities nationally, San Jose/Santa Clara has the 5th largest population of homeless people and the 3rd highest rate of unsheltered homeless. At the meeting Ms. Whyte provided input on the need to recognize actions and benefits related to water quality protection. She further noted the immediate need for actions to address the discharge of human waste and trash to the creek prior to the onset of the rainy season. We plan to follow up with the City to address these concerns.

Wet Weather Equalization and Ecotone Demonstration Project (Leslie Perry)

On July 11, we issued Clean Water Act section 401 water quality certification to the Oro Loma Sanitary District (District) to construct a wet weather equalization and ecotone demonstration project adjacent to its wastewater treatment plant in San Lorenzo, Alameda County. This is the project to study the potential for treatment wetlands to improve wastewater quality and provide sea level rise protection that both the wastewater agencies and the regulatory agencies have anticipated for years.

As certified, the District will create a multi-purpose wet weather equalization facility that will include both a treatment wetland and upland ecotone slope to further treat blended wastewater and stormwater (Figure 1a). The District will study the feasibility of a treatment wetland and ecotone as a means to protect wastewater treatment facilities against sea level rise, provide wet weather overflow storage, and enhance wastewater treatment capabilities. Specifically, the treatment wetland and ecotone will be constructed with a variety of wetland vegetation and soil type combinations to study the most effective means of further reducing nitrogen concentrations in treated wastewater before its discharge. For purposes of the study, treated wastewater from Oro Loma's adjacent treatment plant will feed the treatment wetland and be allowed to saturate and flow through the ecotone slope. At that point, the flow will be monitored for nutrients and other constituents before being returned to the treatment plant. Research on the effectiveness of nutrient and other contaminant removal by the treatment wetland and ecotone will be conducted in cooperation with ReNUWIt. Results from this demonstration project are expected to inform the construction of similar facilities at other Bay Area wastewater treatment plants.

The project is consistent with the Board's 1994 Policy on the Use of Wastewater to Create, Restore, and/or Enhance Wetlands. The Policy encourages the reuse of wastewater and dredged materials for the creation of treatment wetlands and other beneficial uses. As such, the District will work with the Alameda County Flood Control District to utilize dredged sediment from the adjacent flood control channel, Bockman Canal, if the sediment quality is acceptable and the timing of the two projects is compatible (Figure 1b).

The project will result in unavoidable temporary and permanent impacts to approximately 1.5 acres of seasonal wetlands and other waters within the 10-acre construction site. Impacts will be mitigated by the onsite creation and enhancement of approximately 1.86 acres of salt marsh wetlands. As similar projects are proposed in the future, the Board will need to address how to best balance the short-term impacts to Waters of the State from construction of such projects with the potential long-term benefits provided by enhanced wastewater treatment and sea level rise protection.

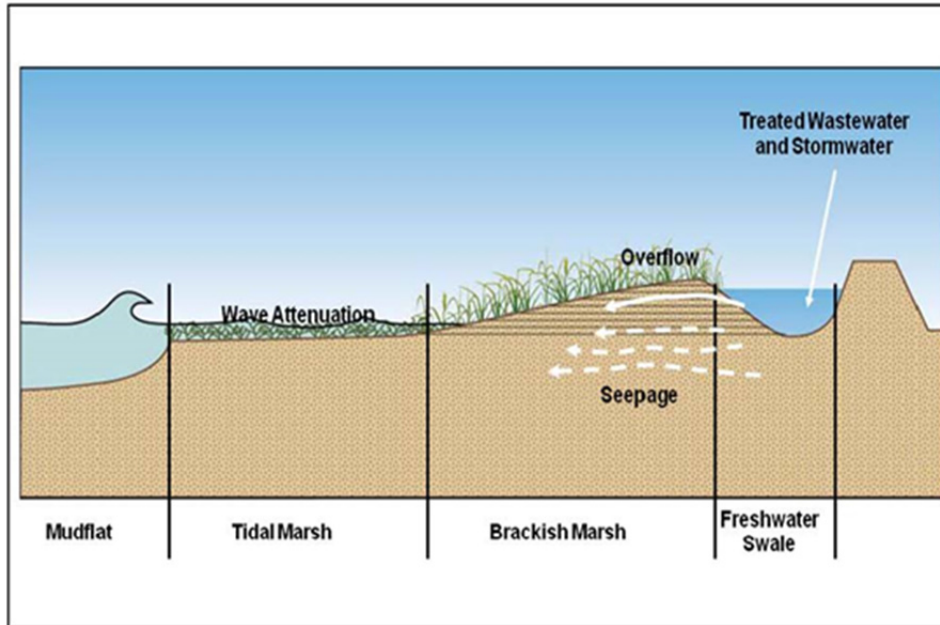


Figure 1a. Oro Loma Demonstration Project – Ecotone Concept Adaptation Strategy. (Source: ESA PWA, 2010)



Figure 1b. Map of Bockman Canal and surrounding areas.

Demolition of the Old Bay Bridge by Caltrans (Derek Beauduy)

With the opening of the new eastern span of the San Francisco Oakland Bay Bridge last September, Caltrans has shifted its focus to dismantling and demolishing the original eastern span. Demolition of the original span has begun and is taking place consistent with the WDRs the Board issued in 2002 for construction of the new bridge. Pursuant to the WDRs, Caltrans prepared a Material Containment and Collection Plan for its initial demolition of the original cantilever truss span.

Demolition of the original span will take place under three separate contracts for different components of the bridge (Figure 2a). The initial contract covers the current removal of the cantilever truss span and the Yerba Buena Island detour ramps, with expected completion in 2016. Removal of the 504' and 288' truss spans east of the cantilever section and removal of the underwater foundations is expected to begin in 2015. Plans are currently in development for removal of the first bridge pier, Pier E3, by in-water controlled blasting techniques. Board staff has reviewed and commented on preliminary studies and plans for the proposed Pier E3 blasting operation.

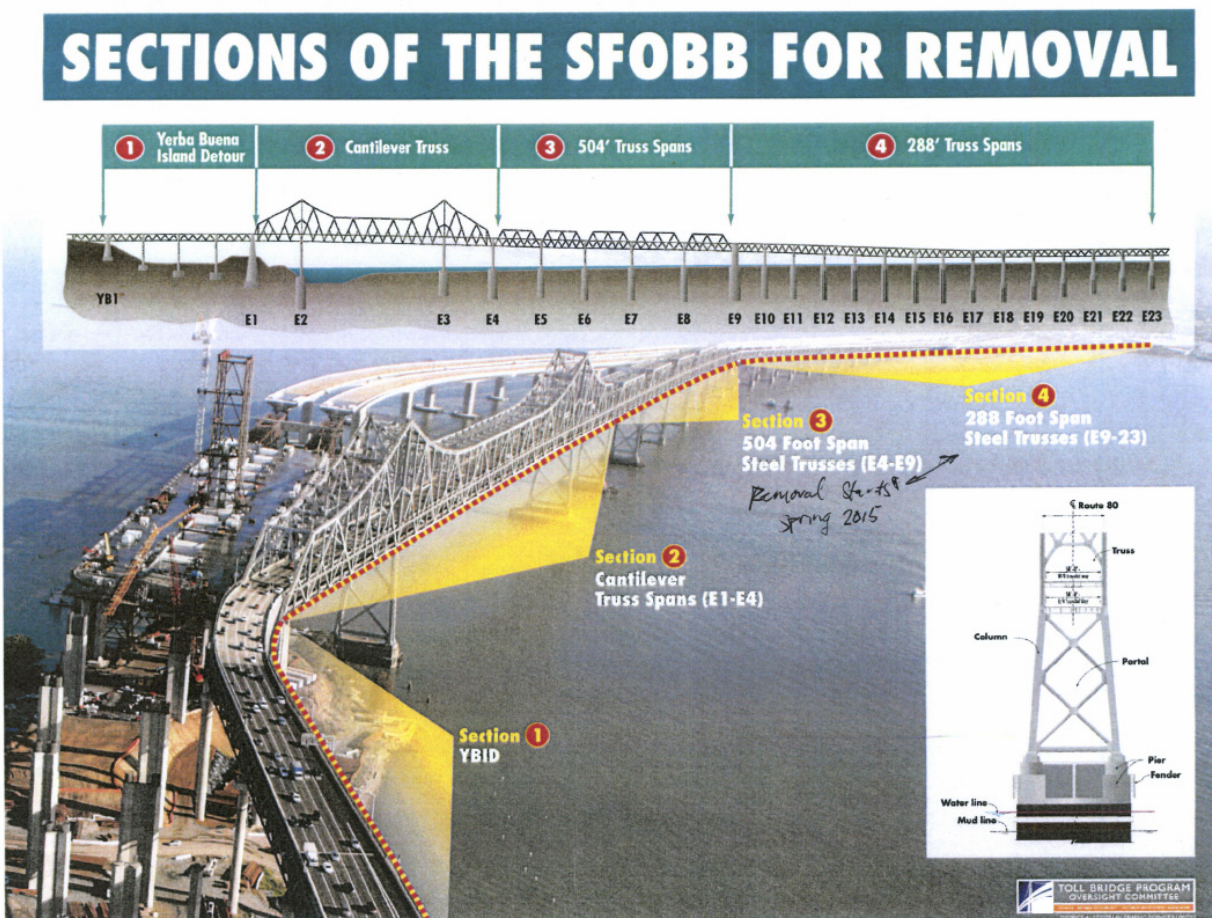


Figure 2a. Components of east span of Bay Bridge to be removed.

The cantilever truss span dismantling operation is following a methodical plan to remove bridge components piece-by-piece while maintaining the structural stability of the remaining structure. This is important to allow safe access for equipment and personnel to continue the demolition operation.

Consistent with the Board's WDRs, an important requirement of the demolition project is to prevent the discharge of pollutants to the Bay. Caltrans and its contractor employ a number of methods to contain loose debris from the demolition operation before it can reach the Bay. These methods include the following components:

- **Lower Bridge Deck** - The lower bridge deck is left in place as long as possible to catch any debris from the removal of the upper deck and steel trusses.

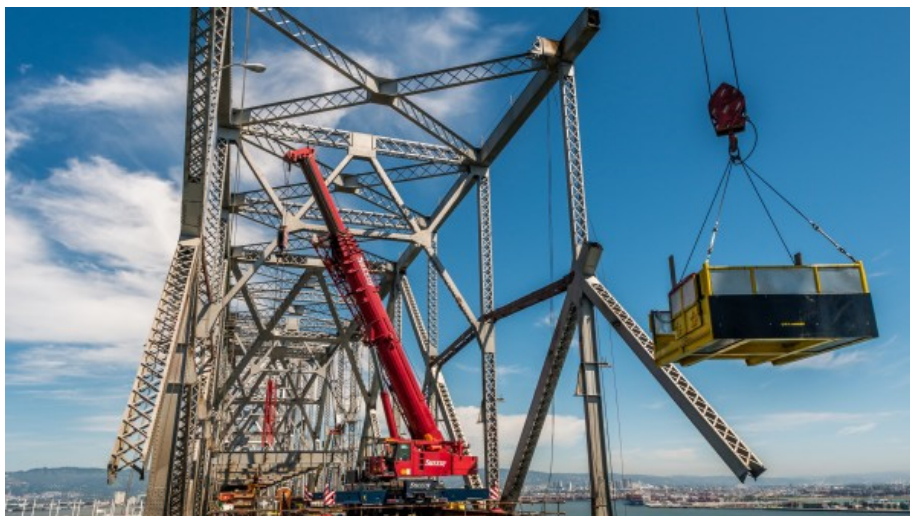
- **Upper Deck Shrouds** - On the lower deck, trailer-mounted mobile shields called "upper deck shrouds" are deployed. These shrouds consist of plywood and heavy fabric "shields" to direct loose demolition debris to the lower deck where it is collected and disposed of.



- **Main Demolition Traveler** - A main demolition traveler is employed to catch debris once the lower concrete deck is removed. The traveler is installed on existing rails below the lower deck.



- **Crane Suspended Platform** – A crane suspended platform is used when the main demolition traveler can no longer be supported by the structure. It can also be positioned around a vertical bridge member to contain and catch debris generated from cutting and removing the member.



A great view of the dismantling project is available for walkers and bikers from the bike path along the new eastern span. Viewing while driving across the bridge is not recommended!

In-house Training

Brownbag seminars included a July 17 session on “Stable Isotope Fingerprinting,” a tool that can be used in site cleanup investigations to help identify the source of volatile chemicals found in indoor air.

Staff Presentations

On July 11, Stephen Hill presented the Board’s perspective on vapor intrusion at a San Francisco Bar Association panel discussion of this topic. The session focused on new information about trichloroethene (TCE) toxicity and the relatively high variability in vapor intrusion rates into buildings. Stephen noted our general support for recent U.S. EPA Region 9 guidance on TCE short-term action levels and vapor intrusion evaluations. He also discussed our screening levels for vapor intrusion and our suggestions for evaluating vapor intrusion mitigation proposals. The vapor intrusion topic is of significant interest to both dischargers and regulators at the moment due to this new information and the increased pace of urban infill development.

On July 28, I was part of a media event hosted by U.S. EPA at Crown Beach in Alameda to celebrate the final settlement of the suit filed by U.S. EPA, the Board, and others that requires East Bay MUD and seven East Bay communities to eliminate their ongoing wet weather sewage overflows. The settlement requires the local agencies to significantly upgrade their sanitary sewer systems, eliminate illegal sewer conditions, and inspect and repair existing sewer lines over the coming 21 years. The settlement builds upon our 2009 stipulated order against the local agencies that required the establishment of private sewer lateral repair ordinances. Since that stipulated order was lodged, over 8000 sewer laterals have been tested and/or repaired, and this number is expected to grow to over 100,000 laterals by the end of the 21-year period. In my comments to the media, I noted that the local agencies will need to take aggressive action to match the efforts the public has taken and will take to repair their laterals.

Penalties Proposed and Final (Lila Tang)

The following show proposed settlements and final actions for imposition of penalties as of last month. Proposed settlements are available at

http://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement.shtml.

Proposed Settlements			
The following are noticed for a 30-day public comment period. If no significant comments are received by the comment deadline, the Executive Officer will sign orders implementing the settlements:			
Discharger	Violation	Penalty Proposed	Comment Deadline
Napa Garden Apartments, Groundwater Treatment System, in Napa	Unauthorized bypass of treatment and late discharge monitoring report	\$18,000	August 28, 2014
City of Palo Alto, Regional Water Quality Control Plant, in Palo Alto	Discharge limit exceedances	\$66,000	August 15, 2014
Martinez Shell Refining Company, in Martinez	Discharge limit exceedances	\$6,000	August 15, 2014
East Bay Municipal Utility District, Lafayette Water Treatment Plant	Unauthorized discharges to Lafayette Creek and discharge limit exceedance	\$6,000	August 1, 2014

Final Actions			
On behalf of the Board, the Executive Officer approved the following:			
Discharger	Violation	Penalty Imposed	Supplemental Environmental Project
Santa Clara Valley Water District, Penitencia Water Treatment Plant, in San Jose	Discharge limit exceedances	\$6,000	none
Taylor Morrison of California LLC, Sorrento East Neighborhood 10 project, in Dublin	Unauthorized discharge of stucco-laden stormwater	\$3,460	none
Redwood City Partners LLC, Redwood Towers, in Redwood City	Unauthorized discharge of concrete washwater	\$3,460	none
SMI Holding LLC, in Cupertino	Discharge limit exceedance	\$3,000	none

The State Board's Office of Enforcement includes a statewide summary of penalty enforcement in its Executive Director's Report at http://www.waterboards.ca.gov/board_info/eo_rpts.shtml.