

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

MEETING DATE: December 12, 2018

ITEM: **5**

SUBJECT: **EXECUTIVE OFFICER'S REPORT**

EXECUTIVE OFFICER'S REPORT: *December 2018*

A Monthly Report to the Board and Public

NEXT MEETING: December 12, 2018 **WEBSITE:** <http://www.waterboards.ca.gov/sanfranciscobay/>

Items in this Report (Author[s])

| | |
|---|------------------------------|
| Coordinated Quarry Assessment (Mary Boyd) | 1 |
| New Resource for Permeable Paver Design Broadens Opportunities for Use (Keith Lichten) | 2 |
| Sanitary Sewer Overflow Enforcement in Coastal San Mateo County (Mike Chee) | Error! Bookmark not defined. |
| In-house Trainings | Error! Bookmark not defined. |
| Enforcement Actions (Mary Boyd and Brian Thompson) | 4 |
| 401 Water Quality Certification Applications Received (Abigail Smith) | 6 |

Coordinated Quarry Assessment (Mary Boyd)

Enforcement and Watershed Division staff recently completed a strategic and coordinated assessment of each sand, rock, and gravel quarry in the Region. Most of these facilities are enrolled under the statewide Industrial Stormwater General Permit or our Region's Sand and Gravel General Permit, or both. We inspected 22 facilities to evaluate their potential to affect water quality, their compliance with existing permits, and the sufficiency of our permit programs.

We concentrated our efforts on facilities that mine and process sand, rock, and gravel materials, focusing on potential suspended sediment sources, such as exposed mining surfaces, disturbed soil, haul roads, processing areas, and stockpiles. The facilities are required to implement best management practices (BMPs) to prevent stormwater and process water from suspending and carrying sediment to nearby surface waters. Figure 1 shows a typical quarry (Syar's Napa facility), with exposed surfaces, haul roads, stockpiles, and a pond.

A number of facilities need improvement. We observed sediment track-out at entrances, sediment build-up along ditches, insufficient BMP maintenance, and lack of BMPs. We issued inspection reports and required these facilities to submit completion reports that address their deficiencies and document their improvements. We will consider whether additional inspections or other actions are needed after reviewing the completion reports. At four facilities (Syar Napa, Syar Lake Herman, Nelson Hill, and San Rafael Rock Quarry), we did not observe significant areas of concern.



Figure 1. Syar Industries' Napa Quarry

New Resource for Permeable Paver Design Broadens Opportunities for Use (Keith Lichten)

In summer 2014, the City of Berkeley installed the first contemporary curb-to-curb street using permeable interlocking concrete pavers (PICP) in the Bay Area on the block of Allston Way adjacent to Berkeley High School (Figure 2). That successful project, now entering its fifth rainy season, is on a street that sees heavy traffic including buses and trucks. It faced challenges including a lack of design guidance for PICP on streets with heavy traffic and saturated subgrades. PICP are used in paths, parking areas, and streets to reduce the effects of imperviousness, help stormwater soak into the ground instead of running off, and as an attractive alternative to traditional concrete or asphalt paving. The City installed it for those reasons and to improve traffic safety.

In October, the American Society of Civil Engineers (ASCE) released a new PICP engineering standard (68-16) that addresses the issues faced by the Allston Way designers. Thanks in part to work done by the University of California Pavement Research Center at UC Davis, the new standard includes design guidance for saturated subgrades for loads including heavy trucks, substantially increasing areas where designers can include PICP. Keith Lichten served as the regulatory member of the standard's committee, which included members who worked on the Allston Way project.

In combination with ASCE's existing Permeable Pavements design guidance, this new standard should increase opportunities to address the impacts of impervious surfaces and stormwater runoff pollution, while also capturing water to improve urban water supply resilience and to help mitigate the effects of climate change.



Figure 2. Permeable pavement at Allston Way, Berkeley

Sanitary Sewer Overflow Enforcement in Coastal San Mateo County (Mike Chee)

We recently completed enforcement actions for four coastal San Mateo County wastewater agencies: Sewer Authority Mid-Coastside (SAM) and its three satellite sewer collection systems (City of Half Moon Bay, Granada Community Services District, and Montara Water and Sanitary District). Each agency has had sanitary sewer overflows (SSOs) that discharged into coastal creeks and the Ocean in violation of State Water Board Order No. 2006-0003-DWQ (Statewide General Waste Discharge Requirements for Sanitary Sewer Systems).

Order No. R2-2018-1012 imposed a \$600,000 administrative civil liability against SAM for 11 SSOs. Much of the liability related to a single 346,000-gallon SSO to the Ocean caused by a force main failure attributed to pipe age and abrasive wear. Subsequently, SAM replaced 5,600 feet of force main, including the portion that failed.

Order Nos. R2-2018-1020, R2-2018-1005, and R2-2018-1022 imposed liabilities of \$26,800 against Half Moon Bay for 12 SSOs, \$33,100 against Granada for 6 SSOs, and \$32,100 against Montara for 12 SSOs, respectively. These 30 SSOs from the three satellite collection agencies ranged from 20 to 16,000 gallons. Subsequently, each agency has increased its sewer pipe cleaning frequency to avoid future SSOs.

Three of the enforcement actions suspend half of the liabilities pending completion of enhanced compliance actions. SAM plans to expand an existing underground wastewater storage system from 200,000 gallons to 400,000 gallons, which will allow it more time to shut down some of its pumps and force mains to perform preventative maintenance. Half Moon Bay and Montara plan to buy and install some “smart” manhole covers, i.e. self-contained wireless level monitoring systems with data logging capabilities to track flows, find possible

sources of inflow and infiltration, and help prevent SSOs from occurring. These systems will monitor sewage levels at specific locations within the collection systems. When levels rise above set values, the systems will send alarms to collection system personnel, who can then respond with corrective actions before an SSO occurs. The Granada order does not include an enhanced compliance action.

Each agency has already paid its liability, less the portion suspended due to any enhanced compliance action. The agencies are providing enhanced compliance action status reports as required.

On September 26, the Ecological Rights Foundation petitioned the State Water Board to review the SAM action (Order No. R2-2018-1012). Ecological Rights Foundation believes SAM's enhanced compliance action conflicts with the State's Enforcement Policy because, it contends, SAM had already identified and planned the storage project to comply with permit requirements to prevent SSOs. We disagree. SAM initiated project planning only after entering settlement discussions with the Board's prosecution staff. Moreover, as explained above, the storage project will enhance compliance but is not itself a permit requirement. The State Water Board has until December 24, 2018, to consider the petition.

In-house Trainings

There were no in-house trainings this month; they will start-up again in January.

Enforcement Actions (Mary Boyd and Brian Thompson)

The following table shows proposed enforcement actions since last month's report. In addition, enforcement actions are available on our website 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 comment is received by the deadline, the Executive Officer will sign an order implementing the settlement. | | | |
| Discharger | Violation(s) | Imposed Penalty | Comment Deadline |
| Vineburg Wine Company, Inc. | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | December 12, 2018 |
| Raging Waters | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | December 12, 2018 |
| Core Mark International Inc. | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | December 12, 2018 |

| | | | |
|---|---|---------|-------------------|
| Brian S Salvage Junkyard | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | December 12, 2018 |
| Shaw Industries Inc. | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | December 12, 2018 |
| Uni Tile Marble | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | December 12, 2018 |
| Giant Properties LLC- MPK20 | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | December 12, 2018 |
| Stay Cal HMB LLC- Camerons Best Western Inn, Half Moon Bay | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | December 12, 2018 |
| Shops at Mayacamas LLC | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | December 12, 2018 |
| Braddock & Logan Services, Inc. - Bordoni Waterstone Phase 1C | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | December 26, 2018 |
| South Bay Islamic Association - Evergreen Community | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | December 26, 2018 |

Settled Actions

On behalf of the Board, the Executive Officer approved the following:

| Discharger | Violation(s) | Imposed Penalty | Supplemental Environmental Project |
|--|---|------------------------|---|
| Chrisp Co. | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | None |
| Henkel Corp. Aerospace Group | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | None |
| North Bay Steel Mill Supply Recycling Inc. | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | None |
| Tournesol Siteworks LLC | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | None |

| | | | |
|--|---|----------|----------------|
| Golden Shiloh LLC | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | None |
| Los Gatos - Saratoga Joint Union High School District - Los Gatos HS Classroom and Music Buildings | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | None |
| Peninsula West LLC - Summerwind | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | None |
| City of Oakland – Lake Chabot Golf Course Driving Range | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | None |
| Montara Water and Sanitary District | 12 unauthorized discharges of untreated sewage | \$32,100 | \$16,050 (ECA) |
| JL Precision | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | None |
| Safety Kleen | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | None |
| Fremont State St. Center LLC | Failure to submit an annual report for the 2016/17 reporting year | \$1,000 | None |

401 Water Quality Certification Applications Received (Abigail Smith)

The table below lists those applications received for Clean Water Act section 401 water quality certification from October 9 through November 10, 2018. A check mark in the right-hand column indicates a project with work that may be in BCDC jurisdiction.

| Project Name | City/Location | County | May have BCDC Jurisdiction |
|---|---------------|---------------|----------------------------|
| Taney Pier Floating Dock Reconfiguration | Alameda | Alameda | ✓ |
| USCG Base Alameda – Reconfigure Taney Floating Docks | Alameda | | ✓ |
| Hayward Shoreline Emergency Levee Repair at the Hayward and Cogsell Marsh | Hayward | | ✓ |
| The Preserve at Marin II – Residential Development | Corte Madera | Marin | ✓ |
| Potrero Power Station Development | San Francisco | San Francisco | ✓ |
| El Cerrito Avenue – Creek Bank Stabilization | Hillsborough | San Mateo | |
| Dumbarton Rail Corridor Fencing | Menlo Park | | ✓ |

| | | | |
|---|---------------|-------------|---|
| PG&E Line 109 Canada Road – Pipeline Replacement | Palomar Park | | |
| Butano Creek Camp – Pedestrian Bridge Repair | Pescadero | | |
| Drainage Improvements and Slope Repair | San Carlos | | ✓ |
| 25550 Moody Road Bank Protection | Los Altos | Santa Clara | |
| Citywide Trash Capture Phase I - Permanente Creek Trash Boom Improvements | Mountain View | | ✓ |
| Stevens Creek Trash Boom Improvements | Mountain View | | |
| T-1124 Gas Line Hydrotest | Petaluma | Sonoma | ✓ |