

STATE OF CALIFORNIA

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

MEETING DATE: November 18-19, 2015

ITEM: 4

SUBJECT: **EXECUTIVE OFFICER'S REPORT**

EXECUTIVE OFFICER'S REPORT: *November 2015*

A Monthly Report to the Board and Public

NEXT MEETING: November 18, 2015 WEBSITE: <http://www.waterboards.ca.gov/sanfranciscobay/>

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Baylands Ecosystem Habitat Goals Science Update (Naomi Feger)

In October, the State Coastal Conservancy released a science update to the Baylands Ecosystem Habitat Goals, which set restoration goals for the wetlands and associated habitats in the San Francisco Estuary back in 1999. While the restoration goals have not changed, the update addresses the need to rethink Baylands wetland restoration and design to account for climate change and projected sea level rise, as well as the need for a science-based foundation for decision-making. The new report, *The Baylands and Climate Change: What We Can Do*, also known as the Science Update, considers projected sea level and land use changes through year 2100 to generate new recommendations for achieving a healthy estuary. A key message in the Science Update is that an accelerated effort could save more than 80 percent of our existing tidal marshes over the next 100 years; marshes established by year 2030 are more likely to get established and survive when sea level rise accelerates later in this century.

The Science Update was a multi-agency and multi-disciplinary collaborative effort that included over 100 participants. Water Board staff participated on the Steering Committee and in the

science workgroups. Our next task is to explore ways to implement the recommendations on a sub-embayment as well as individual project scale. We are discussing with our Steering Committee partners the possibility of convening a workshop, with interested agencies, to further evaluate implementation opportunities. We will keep you posted on next steps.

Electronic copies of the Science Update are at <http://baylandsgoals.org/#/science-update-2015/>. Hard copies of the report and the overview document will be available shortly.

Adapting to Sea Level Rise at Treasure Island (Myriam Zech)

In December 2014, we gave you a glimpse of development plans at Treasure Island after soil and groundwater remediation is complete as part of our report on the first transfer of land on the island to the City of San Francisco. In the future, when most of the island is transferred to the City, Treasure Island is planned to be a vibrant San Francisco neighborhood with 8,000 new homes, up to 500 hotel rooms, a large marina, restaurants, retail and entertainment venues, and about 300 acres of parks, recreation, and open space (see [December 2014 Executive Officer's report](#)).



Figure 1a. *Future Development at Treasure Island and Yerba Buena Island.*

The Water Board will retain a post-transfer cleanup role, because redevelopment activities may disturb or expose residual contaminants in soil or groundwater that must be properly managed and/or removed. Land use and activity restrictions, such as no deep excavation or installation of water wells, will be necessary to protect human health and the environment.

In addition, the City's developer, Treasure Island Community Development (TICD), also needs to plan for sea level rise (SLR) that might otherwise adversely inundate areas where residual contamination remains or critical infrastructure is planned. Indeed, nowhere is the issue of SLR more pressing than at Treasure Island, whose location in the Bay and elevation, just above sea level, means that planning for SLR is a major component of any new development.

In the last 10 to 15 years, the rate of global SLR has increased by about 50 percent and is now averaging three millimeters per year. The oldest tidal gauge (Figure 1b) still in operation in the United States was installed at Fort Point near the Golden Gate in 1854.

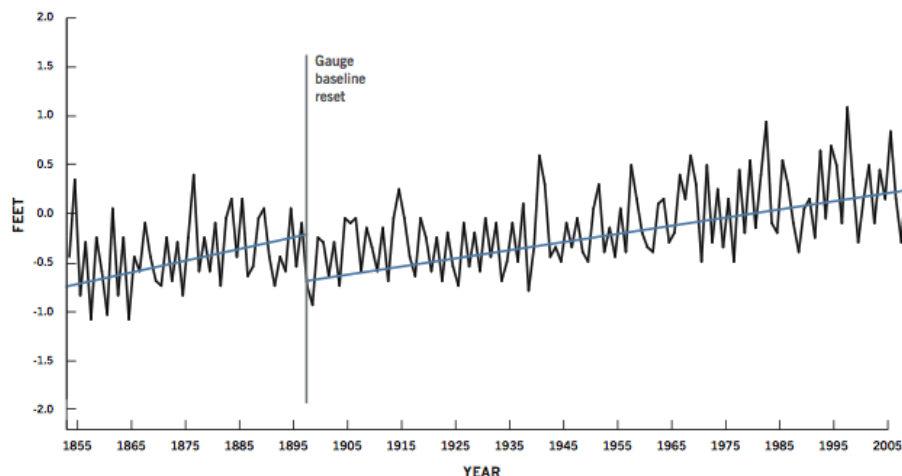


Figure 1b. Mean Sea Level at the Golden Gate Bridge Tide Gauge.

For a closer look, the National Oceanic and Atmospheric Administration (NOAA) created a tool to visualize SLR: <http://coast.noaa.gov/slr/>. Just click on the disclaimer and zoom into your area of interest. For perspective, if there is as much as 72 inches of SLR, Treasure Island will be completely submerged.

Water Board staff requires that new developments and their associated infrastructure take climate change, including SLR, into account when addressing residual contamination, encountering land disposal facilities, or when impacting wetlands and other water bodies. The San Francisco Bay Conservation and Development Commission (BCDC) recommends that new infrastructure accommodate expected SLR of 16 inches by year 2050, 25 inches by year 2070, and 55 inches by year 2100. The State Coastal Conservancy has issued a similar guidance policy based on work by the California Climate Change Center.

Based on guidance from BCDC and others, TICD has incorporated several design elements into its initial plans (Figure 1c), notably the following features:

- Along the shoreline, at initial construction, the perimeter elevation will be raised 4 to 6 inches to prevent coastal flooding from a 100-year return period storm event, thus, accommodating a mid-term rise in sea level of 16 inches.
- All new buildings, streets, and vital infrastructures will be set at elevations 36 inches higher than the present day 100-year return period water level in the Bay, with an additional freeboard of 6 inches for finished floor elevations.

Finally, TICD recognizes that many wastewater treatment plants rely on gravity flow and that as sea levels rise, the discharge mechanism could fail and significantly impact facility operations. Flooding of treatment facilities can disrupt operations or damage pumps and related machinery. Saltwater intrusion into treatment facilities can also alter biotic conditions necessary for the breakdown of waste material. Thus, the storm drain system on Treasure Island will be gravity-drained up to a SLR of 16 inches and pumped thereafter. In addition to these design strategies, TICD is looking into long-term funding mechanisms in the event that SLR happens faster than current predictions. This Adaptive Management Strategy will define specific triggers for action, based on observed changes in sea level.



Figure 1c. Design Elements to account for Sea Level Rise.

While cleanup and transfer of the island's remaining parcels is planned over the next six years, redevelopment will likely be ongoing for the next 20 years. We will regularly update the Board on cleanup completion and new development progress at Treasure Island.

Winery General Order under Development (Melissa Gunter)

In spring 2016, staff will recommend that the Board adopt general waste discharge requirements for the disposal of winery waste (Winery General Order) that would permit discharges of winery waste to land. Winery wastes include the byproducts of winemaking operations, such as wastewater generated from crushing, processing, bottling, cleaning, and washing, as well as stillage (spent regenerant from water softening ion exchange units, cooling tower blowdown, and spilled product). Discharge methods include the use of waste ponds, septic systems, and irrigation.

The Winery General Order is needed because the State Water Board's Onsite Wastewater Treatment System (OWTS) Policy requires that high-strength wastes be permitted directly by the Regional Water Boards rather than local agencies, and winery discharges can exceed the thresholds for high-strength wastes. Historically, we have allowed our counties to regulate these discharges. When this Board considered adopting the OWTS Policy into the Basin Plan in 2014, a number of counties pointed out that they would no longer be able to regulate winery discharges as part of their winery regulatory programs. The Board subsequently directed staff to prepare a draft Winery General Order for its consideration. As such, we are drafting the Winery General Order to be a flexible tool that recognizes the significant value of existing robust county-level regulatory programs and encourages other counties to develop such programs. It will also set consistent, but appropriately flexible, standards throughout the Region for this group of dischargers, allowing us to permit them efficiently, with more time for customer service than if we were to pursue individual orders for each facility.

Our Vision for the Winery General Order

The Winery General Order will permit winery discharges in various tiers based on discharge quantity, land disposal method, the location of winery in proximity to groundwater nitrate areas of concern, and the availability of third-party oversight programs. We will propose

incorporating third-party oversight into a tiered structure that would apply to counties, such as Napa, that have an existing robust winery regulatory program that includes ordinances, operational and water quality monitoring, permits, technical standards, and inspections.

Stakeholder Involvement Process

The goal of our stakeholder involvement plan is to actively seek the participation of all entities with an interest in the Winery General Order and who will be affected by the order. We have formed a technical advisory workgroup that will provide feedback throughout development of the order. Participants in the technical advisory workgroup include representatives of the Wine Institute, Family Winemakers of California, Livermore Valley Winegrowers Association, wineries, private consultants with wine industry experience, University of California, Davis, and local government staff with oversight of winery wastewater discharges. We will not be holding in-person meetings but rather will submit material to the workgroup via email and request comments on documents such as the administrative draft of the order, California Environmental Quality Act documentation, and the groundwater resource anti-degradation analysis. We expect to release a tentative order for public comment at the beginning of 2016.

Pacific Rod and Gun Club Cleaned Up (Alan Friedman)

The Pacific Rod and Gun Club operated a skeet and trap shooting range at Lake Merced for about 80 years on property owned by the City of San Francisco. At the end of 2014, the City did not renew the Club's lease and the Club closed. In the past, lead pellets from shotguns were discharged towards Lake Merced, but pursuant to the Board's 1994 Site Cleanup Requirements, the Club was required to use only steel pellets. Around 2000, the Club also made a switch from the use of clay targets, containing polycyclic aromatic hydrocarbons (PAHs), to biodegradable targets.

While groundwater has not been impacted at the site, upland soils at the Club's facility posed a potential risk to human health, associated with exposure to lead and PAHs. There was also a potential risk to aquatic organisms, due to lead in the offshore sediments. In June 2013, the Board adopted revised Site Cleanup Requirements to require remedial actions that meet human health standards in the upland soils and further investigation of the potential risks to aquatic organism from lake sediments. The ecological risk assessment confirmed that the benthic community was not impacted by metals and PAHs in lake sediments but noted that the lead shot found in the sediments might pose a risk to water fowl.

In June 2015, the City began excavating upland soil with lead and PAH contamination, based on an approved remedial action plan. Over 50,000 cubic yards of contaminated upland soil has been removed and the area is being backfilled to its original grade. To address the potential impacts of lake sediments on water fowl, the City is performing a yearlong assessment of water fowl feeding patterns. Lastly, the City will be holding public meetings to determine the future use of this site following completion of all remedial activities. Figures 2a and 2b show the site before and during the upland soil cleanup.



Figure 2a. Pacific Rod and Gun Club site before cleanup – the red is spent clay targets



Figure 2b. Pacific Rod and Gun Club site during cleanup.

Regional Monitoring Program Gets Funding Lift from Penalties (Lila Tang)

Starting this month, dischargers will have the option of applying up to half of assessed administrative civil liability penalties towards funding for Regional Monitoring Program (RMP) studies. In October, on behalf of the Board, I signed a memorandum of understanding with the San Francisco Estuary Institute (SFEI) that put into place a Supplemental Environmental Projects (SEP) Fund as part of the RMP.

The SEP Fund will support meritorious studies that cannot currently be supported by existing RMP funds. The RMP has been solely funded by Board-regulated permittees under a budget allocation that I approve annually on behalf of the Board. Board staff and other stakeholders have identified water quality issues meriting study, beyond those that the approved cost allocations are able to support. The SEP Fund will help to fill the budget gap. The memorandum of understanding sets measures in place to ensure that the SEP Fund will supplement, and not reduce or replace, the permittees' regular RMP obligations or other conditions for compliance with the State Board's 2009 SEP Policy.

The guiding principal of the RMP is to collect data and communicate information about water quality in the San Francisco Estuary, in support of management decisions to restore and protect beneficial uses of the Region's waters. Information about the RMP is available at <http://www.sfei.org/rmp>. The RMP is overseen by a steering committee, which Board staff participate on, and administered by SFEI.

Supplement Environmental Projects Fix Private Sewer Laterals (Lila Tang)

In October, we approved the successful completion of another supplemental environmental project (SEP) that resulted in the repair of leaky private sewer laterals, this time 536 laterals in Pacifica. To date, the Board has approved 11 SEPs that incentivize inspection and repair of private laterals. Eight of these SEPs have been completed with a total of nearly 1,900 private laterals repaired, using \$2.26 million in SEP funds and another \$1.38 million of the dischargers' own funds. The three private lateral SEPs still on-going will target another 344 laterals. However, with over a million private laterals in this region, there is still a long way to go.

Private laterals are pipes that connect private property sewer lines to public sanitary sewer

collection systems. Upkeep of laterals is the responsibility of property owners. In many older communities, defective private laterals account for half of the stormwater infiltration and inflow to public sanitary sewers, which in turn contribute to wet weather sewer overflows and treatment bypasses. Under SEPs, property owners would pay all or part of the cost for the lateral repair, while the public agencies pay for the inspection or the balance of the repairs.

The goal of private lateral SEPs is not to fix all the laterals with SEP funds but to heighten public awareness of problems from defective laterals and the need to fix them while sewer agencies fix the publically-owned sewers. Thus far, about 40 sewer agencies out of 133 in the Region have local ordinances in place that require inspection and repair of defective laterals upon property sale and/or major remodel. These agencies control about 30 percent of the sewer service area in the region. For example, ordinances in place in the East Bay communities since 2011 have resulted in about 13 percent of the private laterals in those communities being leak free. These East Bay ordinances were an outcome of settlement agreements, memorialized under a 2014 federal consent decree between the Board, the communities (El Cerrito south to Oakland), and U.S. EPA.

Pacifica targeted its SEP funds in the lower Linda Mar neighborhood that has very high inflow and infiltration. Of the 536 laterals repaired, nearly half (256) were in that neighborhood. Pacifica spent \$22,000 of its own funds on top of the \$820,000 from the SEP and completed the project four months early. The SEP was part of year 2011's \$1.7-million administrative civil liability that the Board imposed on Pacifica for a 6.9 million gallon partial bypass of treatment in 2008 that closed Rockaway Beach and for numerous sanitary sewer overflows in 2006 to 2009, many of them during wet weather. Pacifica is continuing the program started by the SEP with a \$1,000 incentive to homeowners to fix defective laterals.

The Board also issued a cease and desist order requiring Pacifica to upgrade its sewers to reduce and prevent future bypass and overflows. Pacifica has met the order's overflow reduction targets and its work under the order is ongoing through to year 2020.

The San Francisco Estuary Partnership provides SEP oversight for the Board on all SEPs, other than SEP funds that go to supplement the Regional Monitoring Program noted above. Information about these SEPs is available at <http://www.sfestuary.org/our-projects/stewardship/sep/>.

New Order for Regulating Composting Operations (Keith Roberson)

The State Board recently adopted General Waste Discharge Requirements (WDRs) for Composting Operations (General Compost Order). Although Cal/EPA has encouraged composting as part of a concerted effort to divert compostable organic materials away from landfills, the State and Regional Water Boards recognized that improperly regulated composting facilities can pose a threat to water quality. The General Compost Order specifies conditions on facility siting, design, construction, and operations that will minimize runoff of impacted stormwater as well as impacts to groundwater quality. The General Order and related attachments and other documents are available online at: http://www.swrcb.ca.gov/water_issues/programs/compost/.

The General Compost Order applies to both existing and any new composting operations. Composting operations that are already adequately covered under individual WDRs, such as regulated landfills that perform composting operations within the waste disposal footprint, are not required to enroll under the General Compost Order. In addition, small operations that process no more than 5,000 cubic yards of compost during the course of a year, or have no more than 500 cubic yards of compost on site at any given time, are not required to file for coverage. All other composting facilities are required to submit a Notice of Intent (NOI) to enroll for coverage under the General Compost Order. The NOI must be accompanied by a filing fee and a technical report (Report of Waste Discharge or ROWD) that describes the location, size, process, and other relevant aspects of the composting operation. This ROWD will be used to determine if the operation qualifies for coverage.

The adoption of the General Compost Order is expected to result in increased workload to the Board, at least initially, as each region is responsible for:

- reviewing the NOI/ROWD from each applicant and determining whether or not the facility qualifies for coverage or exemption under the General Compost Order;
- evaluating factors that determine the level of coverage (i.e., Tier 1 or Tier 2) and the annual fee for each facility based on complexity of discharge and threat to water quality;
- reviewing and approving a monitoring plan for each facility; and
- issuing a Notice of Applicability to each enrollee that confirms the regulatory tier, timeline for compliance, and appropriate monitoring requirements.

Long-term, Board staff will be responsible for reviewing monitoring reports and performing routine inspections at enrolled composting facilities to ensure compliance.

The State Board provided a list of 33 facilities within our Region that perform composting operations. Some of these facilities will likely qualify for exemption based on small volume, while several others are co-located at landfills already regulated under individual land disposal WDRs. We expect that some of these landfill WDRs may need to be amended or updated by the Board to incorporate the requirements of the General Compost Order.

Planned Transfers at the Concord Naval Weapons Station (Nathan King)

In October, I signed the Record of Decision (ROD) for a 500-acre area known as Site 22A at the Former Concord Naval Weapons Station. Site 22A consists of five disconnected locations that contained munitions storage magazine areas. The area is slated for transfer to the East Bay Regional Park District as open/recreational space. The primary environmental concern was arsenic in soil, mostly in the form of arsenical herbicides around buildings, magazine areas, and railroad rights-of-way. The ROD proposes land use restrictions (i.e., prohibits residential use but allows for limited recreational open space) in two of the five locations, with monitoring and inspections to ensure that the land use restrictions are maintained.

In the [March 2015 Executive Officer's Report](#), we provided an update regarding the status of the transfer plans for a large portion of the former weapons station. The Navy is still working to complete the Phase 1 Finding of Suitability to Transfer (FOST) transfer document, which includes about 3,850 acres in the northwestern part of the site. The FOST describes two parcels (Figure 3) containing multiple sites that will be transferred to the City of Concord. These include

a 1,410-acre Economic Development Conveyance Parcel shown in yellow and a 2,440 acre Public Benefit Conveyance Parcel shown in green. Portions of Site 22A overlap both parcels. The Navy would like this first transfer to be completed in 2016; it would be the first large-scale property transfer to happen at the former naval base since it closed in 2008.

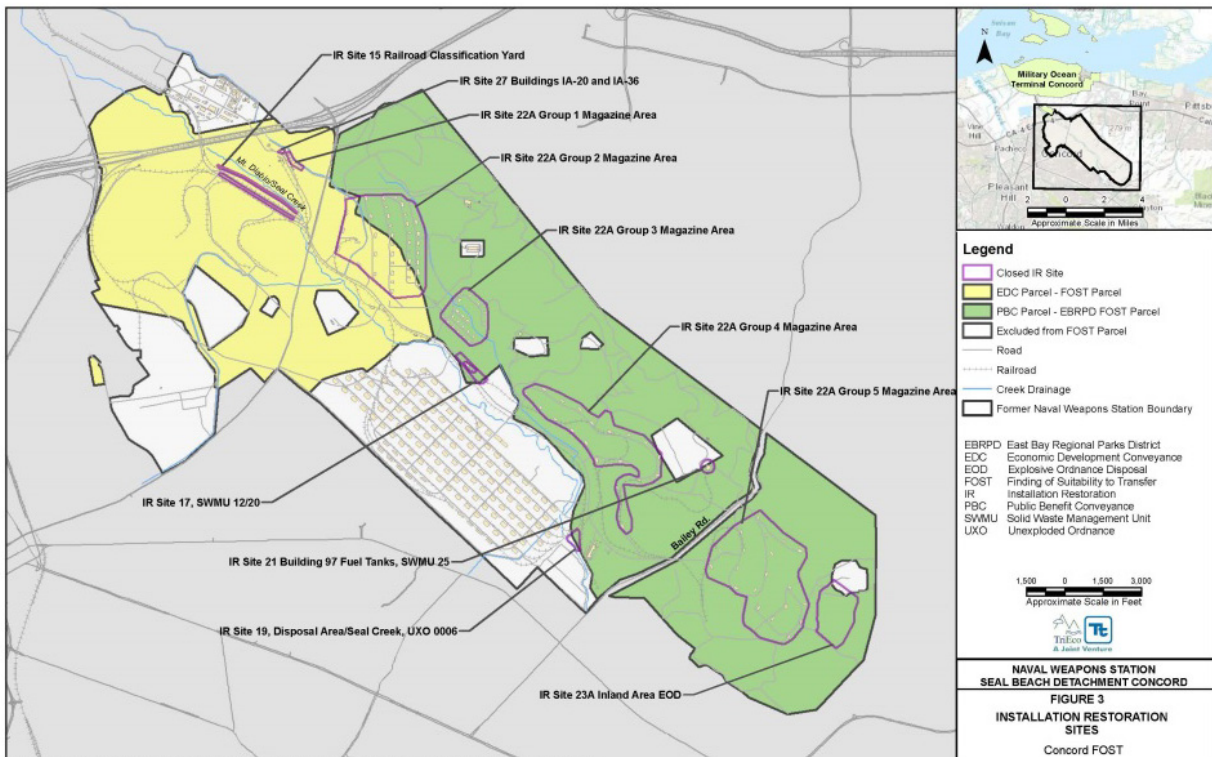


Figure 3. Map of the City of Concord's Economic Development Conveyance Parcel on the west and East Bay Regional Park District's Public Benefit Conveyance Parcel on the east.

The Park District will develop its parcel as the Concord Hills Regional Park, which will include hiking trails and trailheads, bicycle paths, picnic areas, overlooks, an interpretive center, and other recreation and education facilities. The City will develop its parcel for mixed use, which will include residential, commercial, and office use clustered around the North Concord BART station with greenways and parks separating neighborhood villages.

The Navy hopes to get agency concurrence on the FOST in 2016. However, significant environmental issues remain for a few areas. One such issue is the area related to the BART station upgrade. The 50-acre site, known as the Former Inland Burn (FIB) area, was a munitions burn dump that could still contain some chemical contamination and spent munitions below 11 feet. The Navy and the City are developing a Site Management Plan (SMP) to address this concern. The SMP would detail procedures to be followed in the event that spent munitions are encountered during construction. The Navy would take responsibility for removal of any such materials encountered. The regulatory team, which includes Board staff, is working closely with the Navy and the City to resolve this and other issues. If additional time is needed to complete the necessary work in these locations, the Navy may choose to carve them out of the FOST.

The City is in the process of choosing a master developer. Once the master developer is chosen

and the property is transferred, it will take a year or more for the necessary specific planning/design to be completed. The master developer will then seek various specialty developers for the housing, retail, office, commercial, and sports venues planned for the property. Build out will take several decades. We will keep the Board informed as cleanup and transfer of the former weapons station continues.

Cleanup Orders Issued by Executive Officer (Stephen Hill)

The Board has delegated to the Executive Officer the authority to issue or rescind site cleanup orders pursuant to Water Code section 13304. The choice between having these orders acted upon by the Board or by the Executive Officer hinges on the degree of controversy and urgency in each case. In general, I issue or rescind these orders in situations where there is little or no controversy or when there is some urgency (e.g., cleanup action is needed promptly to address a current or imminent threat to human health or the environment). Otherwise, we bring these types of cleanup orders to the Board for its consideration and action in a public hearing.

On October 16, I issued a Site Cleanup Order (R2-2015-0043) for the former Crist Oil site, located at 37105 Mission Boulevard in Fremont, Alameda County. A bulk fueling terminal operated at the site from years 1915 to 2005. The operation resulted in releases of petroleum fuels and methyl-tert-butyl ether (MTBE), a fuel oxygenate banned in January 2004 because of its impacts to groundwater. These unauthorized releases have impacted soil and groundwater, resulting in an MTBE groundwater plume, over a mile long and over 600 feet deep. This plume threatens an Alameda County Water District water supply wellfield. Site cleanup requirements are the appropriate regulatory action to compel cleanup and to protect the wellfield.

The Crist Oil Site Cleanup Order was originally listed as contested on the October Board Meeting agenda. The Board's Cleanup Team met with Union Pacific Railroad Company, the site owner, shortly before the date the October Board Meeting was scheduled and discussed the hydrogeological complexities and logistical constraints associated with cleanup. The Cleanup Team then proposed minor revisions to the tentative order that Union Pacific agreed to. I notified the named dischargers and other interested parties of the revisions and, after receiving no objections, issued the Order as proposed by the Cleanup Team. This site is one of our highest priorities, and the Order sets forth an aggressive schedule for completing investigations, implementing interim remedial actions, preparing a contingency plan for the wellfield, and preparing and implementing a long-term cleanup plan to restore water quality.

On October 20, I amended a Site Cleanup Order (R2-2015-0042) for the former Hamlin Cleaners site, located at 3425 Golden Gate Way in Lafayette, Contra Costa County. A dry cleaning business operated at the site from years 1956 to 1999. The operation resulted in releases of the chlorinated solvent tetrachloroethene (PCE) to soil and groundwater. The Board adopted a Site Cleanup Order for this site in 2011, requiring the dischargers to complete site investigation and cleanup. Since then, investigations have found evidence of vapor intrusion at a nearby apartment building, which has been the subject of public forum comments earlier this year. This amendment was needed to make sure sufficient interim cleanup actions are taken and to incorporate more up-to-date cleanup standards for soil vapor; it also removed two named dischargers who are deceased. We made several changes to the tentative order in response to comments from the dischargers and the owner of the neighboring apartment building.

Prosperity Cleaners Followup (Ralph Lambert)

The Prosperity Cleaners site is located in the Marinwood Plaza shopping center in Marinwood, north of San Rafael, in Marin County. Releases of solvents from past dry cleaning operations at the site have impacted soil, soil vapor, and groundwater with chlorinated volatile organic compounds (CVOCs). At four public forums over the past several months, the Board heard from several Marinwood residents concerned about the pace of cleanup at this site.

On October 12, Board staff Dyan Whyte, Stephen Hill, Laurent Meillier, and Ralph Lambert participated in a stakeholder meeting in Marin County. Participants included County Supervisor Damon Connolly and his staff, representatives of the property owner (the discharger), their environmental consultant, several Marinwood residents, and a legal representative of the Silveira Ranch. The meeting provided an opportunity to discuss key issues concerning cleanup: the potential vapor intrusion threat to near-site residents, impacts to the Silveira Ranch drinking water supply well, extent and impacts of the offsite groundwater CVOc plume, discharger plans for site cleanup and site redevelopment, and prospects for accelerated cleanup. Below is a summary of the discussion for each issue:

Vapor intrusion: Our March 2015 directive letter requires the discharger to define the extent of soil vapor and evaluate the potential vapor intrusion threat to nearby residents. The most recent sampling round did not define the extent, and additional sampling is needed near the offsite residences. The discharger's consultants stated that vapors may be moving along utility corridors. The discharger agreed to submit a sampling workplan (including utility-line map) to the Board by October 30. We have yet to receive the workplan. On November 6 we sent a letter pursuant to Water Code Section 13267 requiring that the workplan be submitted by November 13 and implemented by December 18.

Silveira Ranch supply well: The discharger installed a wellhead treatment system at the one impacted drinking water supply well, pursuant to a task in the Board's Site Cleanup Order. The discharger agreed to sample the well by October 23 to confirm that wellhead treatment is operating properly.

Offsite groundwater plume delineation: The Site Cleanup Order requires offsite delineation, but several rounds of groundwater investigation have not fully defined the extent of CVOcs in offsite groundwater. The discharger agreed to expeditiously complete plume delineation to levels below applicable drinking water criteria.

Discharger plans for site cleanup and redevelopment: The Site Cleanup Order requires the discharger to submit a final cleanup plan by January 1, 2016. The discharger still hopes to combine site cleanup and redevelopment, starting with building demolition, followed by excavation of CVOc-impacted soil below the building, and then construction of a new project. However, there is no developer or development-approval in place yet. We informed the discharger that that the Board has indicated it will not accept a delay in the cleanup of CVOcs under the dry cleaner building due to property redevelopment delays.

Prospects for accelerated cleanup: The discharger argued that it is infeasible to submit the final cleanup plan sooner than January 1, 2016, due date given the ongoing investigations discussed above. The other parties at the meeting agreed.

As a followup to the meeting, Board staff confirmed our expectations for discharger actions in an October 21 email to the meeting participants. We agreed to participate in additional stakeholder meetings and public outreach sessions and stated that the public will have an opportunity to comment on the final cleanup plan. Supervisor Connolly's office is organizing a public outreach meeting on November 16 that staff plan to participate in. We will continue to keep the Board informed of new developments on this case.

In-house Training

Our October training was on sustainable groundwater management. We will not have any in-house training in November or December. Brownbag seminars included an October 21 webinar regarding the connection between surface water and groundwater (presented by Carl Hauge for the Groundwater Resources Association), an October 27 session on demystifying attorneys (taught by our own Tamarin Austin), and an October 28 session on hydrogeology basics (taught by our own Ross Steenson).

An in-house training directed at new hires in our Watershed Division and the North Coast Water Board was conducted by Stream Restoration Specialist A.L. Riley and Christina Toms. This training was on options for flood control designs in difficult, constrained, urban situations and introduced staff to the U.S. Army Corps of Engineers' planning processes and regulations. The training topics also included environmentally-acceptable approaches to stream bank stabilization and engineering performance standards associated with soil bioengineering approaches. The training concluded with a discussion about the science of coastal estuaries.

Staff Presentations

On October 15, Watershed Division Staff Keith Lichten, Leslie Perry, Christina Toms, and Tahsa Sturgis met with the Planning Branch of the San Francisco District of the Army Corps of Engineers. Stream Restoration Specialist A.L. Riley gave an overview of the Water Board's mission; the history and record of performance problems with conventional engineering flood control practices; and solutions for avoiding performance problems and unnecessary environmental impacts. We plan to periodically have these types of informal, yet highly informative and constructive, meetings with our federal permitting agency partner.

On October 19, A.L. Riley taught a seminar on successful stream protection and management practices at the Acterra Center in Palo Alto. Participants included staff from the Center, Point Reyes National Seashore, Acterra, and the Americorps-CCC Watershed Stewards and San Jose State University Foundation contractors.

On November 4, Dyan Whyte participated in a public meeting about the Lehigh Southwest cement and quarry facility, located in southern Santa Clara County. The event was hosted by County Supervisor Joe Simitian and served as an opportunity for elected officials and the public to ask local, State, and federal agency staff questions about facility oversight and human health and environmental issues. The majority of the public's questions related to noise and air quality impacts. Staff plans to present an information item to the Board this winter describing water quality improvements at the facility. The promising news is that the pilot selenium treatment system is removing more than 90% of the selenium from the facility's wastewater. Full scale

implementation is scheduled to be online by 2017.

On November 6, Dyan Whyte gave a presentation to the North Bay Watershed Association discussing watershed health.

Penalty Enforcement Actions Proposed and Final (Lila Tang)

The following tables show recently proposed and approved settlements. There are also two complaints on which Board staff and the dischargers are in settlement discussions. There is a possibility that the Board will need to consider action on one of the complaints in January 2016 if settlement cannot be reached. All complaints and 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. These proposed settlements do not include supplemental environmental projects. If no significant comments are received by the deadline, the Executive Officer will sign an order implementing the settlement.			
Discharger	Violation(s)	Penalty Proposed	Comment Deadline
OG Property Owner LLC, Wilder Project, in Orinda	Discharge of sediment in storm runoff to San Pablo Creek in December 2014 from failure of erosion control measures.	\$449,000	November 9, 2015
Intuit, Inc., in Mt. View	Late discharge report	\$3,000	November 16, 2015
City of Napa. Hennessey Water Treatment Plant, in Napa	Discharge limit exceedances	\$6,000	November 20, 2015
Crockett Cogeneration LLP, in Crockett	Discharge limit exceedances	\$6,000	November 30, 2015

Settled Actions			
On behalf of the Board, the Executive Officer approved the following:			
Discharger	Violation(s)	Penalty Imposed	Supplemental Environmental Project
City of St. Helena, Wastewater Treatment and Reclamation Plant, in St. Helena	Unauthorized discharge of about 5 million gallons of partially-treated sewage in 2014 to groundwater.	\$290,177	None
City of Vallejo, Fleming Hill Water Treatment Plant, in Vallejo	Discharge limit exceedance	\$3,000	None
City and County of San Francisco, San Francisco Public Utility Commission,	Discharge limit exceedances	\$6,000	None

Harry Tracy Water Treatment Plant			
Las Gallinas Valley Sanitary District, in San Rafael	Discharge limit exceedances	\$6,000	None
City and County of San Francisco, San Francisco International Airport Commission, Mel Leong Waterwater Treatment Plant, in So. SF	Discharge limit exceedances	\$12,000	None

The State Board's Office of Enforcement includes a statewide summary of penalty enforcement in its Executive Director's Report, which can be found on the State Board website:

http://www.waterboards.ca.gov/board_info/eo_rpts.shtml

401 Water Quality Certification Applications Received (Keith Lichten)

The table below lists those applications received for Clean Water Act section 401 Water Quality Certification from September 26 through October 30, 2015. 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
Codornices Creek Culvert Repair Project	55-60 Tamalpais Rd., Berkeley	Alameda	
Lions Wayside Park and Delucchi Park Master Plan Project	1 st St. and Neal St., Pleasanton	Alameda	
Lower Walnut Creek Levee and Structure Repair Project	Olivera and Peralta Roads, Concord	Contra Costa	
Chevron Richmond Refinery Security Fence Extensions	Point San Pablo, Richmond	Contra Costa	
Tice Creek Drop Structure Removal and Installation of Rock Vortex Weirs Project	Rossmoor Parkway and Upper Golden Rain Rd., Walnut Creek	Contra Costa	
Upper School Improvements and Voluntary Creek Restoration Project	Robin Dr., Corte Madera	Marin	
Retaining Wall Replacement	75 Bothin Rd., Fairfax	Marin	
Nyhan Creek Sediment Removal	Enterprise Concourse Dr., Mill Valley	Marin	
Miller Avenue Improvement Project	Mill Valley	Marin	
Pacific Way Bridge Temporary Stabilization Project	Muir Beach	Marin	

Bel Marin Keys Unit V Wetland Restoration Project	Novato	Marin	√
Lewis Gulch Sediment Removal Project	Olema-Bolinas Road milepost 0.18	Marin	
Sharp Park Safety, Infrastructure Improvement, and Enhancement Project	Pacifica	San Mateo	
380 & 400 Esplanade Storm Drain Rock Revetment Restoration	Pacifica	San Mateo	
San Bruno Channel Bridge Replacement Project	South Airport Blvd., South San Francisco	San Mateo	√
Caltrans State Route 17 Washout Repair Project (postmile 1.6)	Los Gatos	Santa Clara	
Hale Creek Enhancement Pilot Project – Geotechnical Investigation and Analysis	Mountain View and Los Altos	Santa Clara	
Upper Berryessa Creek Flood Risk Management Project	San Jose and Milpitas	Santa Clara	
Tule Red Tidal Restoration Project	Suisun Bay/Grizzly Bay	Solano	√
Geotechnical Investigations for BAPL Mallard Farms Pipeline Replacement Project	Suisun City	Solano	
Thompson Creek Detention/Sediment Basin	Black Oak Dr. and Photinia Pl., Petaluma	Sonoma	