

San Francisco Bay Regional Water Quality Control Board

November 28, 2011 Board Meeting Minutes

ADOPTED October 9, 2013

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Item 1 - Roll Call and Introductions

Meeting called to order at approximately 9:00 am in the Elihu M. Harris Building, First Floor Auditorium.

<u>Board Members Present</u>	<u>Board Members Absent</u>	<u>Status</u>
Rameshwar Singh	none	QUORUM
Steven Moore		
James McGrath		
Shalom Eliahu		
Vice-Chair Terry Young		
Chair John Muller		

Executive Officer Bruce Wolfe introduced Tamarin Austin, the new Office of Chief Counsel attorney assigned to the San Francisco Bay Region. Ms. Austin greeted the Board and described her background. Chair Muller welcomed her to the Region.

Tam M. Doduc, State Water Board Member and liaison to the San Francisco Bay Region, addressed the Board. She discussed two recently adopted bills pertaining to underground storage tanks and other pending legislation.

Item 2 - Public Forum

No parties requested to speak.

Item 3 - Minutes of Board Meetings

Minutes of the November 10, 2010, and January 12, 2011, Board Meetings.

Board Member McGrath moved for adoption of both sets of Minutes; Board Member Eliahu seconded the motion. Chair Muller noted that he would abstain from voting on the November 10, 2010, minutes since he was not present at that meeting.

Ayes : Singh, Moore, McGrath, Eliahu, Vice-Chair Young

Nos: None

Abstain: Chair Muller

November 10, 2010 Minutes ADOPTED

Ayes : Singh, Moore, McGrath, Eliahu, Vice-Chair Young, Chair Muller

Nos: None

January 12, 2011 Minutes ADOPTED

Item 4 – Save The Bay’s 50th Anniversary – Adoption of a Resolution Congratulating Save The Bay on Its 50th Anniversary and Recognizing Its Service and Commitment to Protecting, Restoring, and Celebrating San Francisco Bay

Chair Muller shared an anecdote about the benefits of picking up trash in one’s own neighborhood.

Mr. Wolfe made the presentation to the Board and recommended adoption of Item 4. David Lewis, representing Save The Bay, thanked the Board for its support over the years.

Board Member Moore moved for adoption of Item 4; Board Member Singh seconded the motion.

Ayes : Singh, Moore, McGrath, Eliahu, Vice-Chair Young, Chair Muller

Nos: None

ITEM ADOPTED

Item 5 – Chairman’s, Board Members’, and Executive Officer’s Reports

Chair Muller reported that he attended a Millbrae City Council meeting with Mr. Wolfe to present the City with the WuHoo Pollution Prevention Award. Vice-Chair Young noted that she recently toured the ConocoPhillips refinery along with Board Member Singh and Mr. Wolfe. Board Member McGrath reported on a recent meeting with Laurel Marcus and a Joint Policy Committee meeting.

Mr. Wolfe gave an overview of this month’s Executive Officer’s Report. He also discussed his participation in workshops focused on developing private sewer lateral ordinances throughout the East Bay and his attendance at a Contra Costa Watershed Symposium. Vice-Chair Young asked about whether there had been any followup to a complaint about white fluff blowing onto the Bair Island Ecological Reserve. Assistant Executive Officer Dyan Whyte summarized staff’s findings and the scope of an ongoing investigation.

Item 6A – San Francisco Public Utilities Commission, Former Peninsula Sportsmen’s Club, Menlo Park, San Mateo County – Rescission of Site Cleanup Requirements Order No. 01-095

Mr. Wolfe recommended adoption of the uncontested item.

Board Member Singh moved for adoption of Item 6A; Vice-Chair Young seconded the motion.

Ayes: Singh, Moore, McGrath, Eliahu, Vice-Chair Young, Chair Muller

Nos: None

ITEM ADOPTED

Item 7 – Amendment Revising the Municipal Regional Stormwater NPDES Permit – Municipalities and Flood Management Agencies in Alameda County, Contra Costa County, San Mateo County, Santa Clara County, and the Cities of Fairfield, Suisun City, and Vallejo in Solano County – Amendment of Order No. R2-2009-0074

Chair Muller recused himself from Item 7 and turned the meeting over to Vice-Chair Young to chair.

Water Board Staff Dale Bowyer made the presentation to the Board and gave an overview of the proposed permit amendment. James Scanlin, Program Manager for the Alameda Clean Water Program and BASMAA Chair, addressed the Board and noted stormwater permittee support for the amendment. Jill Bicknell, Assistant Program Manager for the Santa Clara Valley Urban Runoff Pollution Prevention Program and BASMAA Development Committee Chair, addressed the Board and urged approval of the Special Projects provisions in the tentative order. Mark Lander, representing the City of Dublin, addressed the Board and discussed infill credits and transit-oriented development. He also urged the Board to adopt the proposed amendment.

Gary Grimm, legal counsel for the Alameda County Clean Water Program, discussed the maximum extent practicable standard and noted that he disagrees with NRDC's and BayKeeper's comments regarding low impact development (LID) requirements. He further noted support for the amendment. Laura Prevetti, Assistant Planning Director for the City of San Jose, addressed the Board and noted support for the amendment. Tom Dalziel, Contra Cost Clean Water Program Manager, addressed the Board. He described his program and noted that he was disappointed that the fifty percent low impact development rule is no longer included in the permit.

The Board members discussed alternative compliance, and Mr. Wolfe noted that staff is working with the permittees to resolve this issue. Shannon Young representing the City of Fremont Environmental Services Division addressed the Board. She noted support for the amendment, especially the Special Project Category C-3 provision.

Peter Vorametsanti, representing Redwood City, expressed support for the amendment. Ken Kirkey, ABAG Planning Director, noted he was also representing MTC and expressed support for the special projects provisions. Tatum Mothershead, representing Daly City, discussed LID treatment reduction credits and transit-oriented development. Crisand Giles, Executive Director of the Building Industry Association, expressed support for the amendment and discussed the LID and the special projects designations and smart growth opportunities.

Mr. Wolfe summarized the comments received and recommended adoption of the Item.

Board Member Singh moved for adoption of Item 7; Board Member McGrath seconded the

motion.

The Board discussed the Item further.

Ayes: Singh, Moore, McGrath, Eliahu, Vice-Chair Young

Nos: None

Abstain: Chair Muller

ITEM ADOPTED

OTHER BUSINESS

Chair Muller returned to Chair the meeting.

Item 8 – Cleanup and Restoration of Baylands in the Southwest Bay – Status Report

Water Board Staff Keith Roberson and Mark Johnson presented an overview of the cleanup and restoration of four Bay front sites located near the southwestern end of the Dumbarton Bridge in East Palo Alto and Menlo Park.

This item was for discussion purposes only and no action was taken.

Item 9 – Water Recycling: Status and Trends in the San Francisco Bay Area – Information Item

Due to time constraints the Board agreed to postpone this item to December.

Item 14 - Adjournment

Meeting adjourned until the next Board Meeting – December 14, 2011