

STATE OF CALIFORNIA

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

MEETING DATE: October 9, 2013

ITEM: **3D**

SUBJECT: **MINUTES OF THE DECEMBER 14, 2011 BOARD MEETING**

San Francisco Bay Regional Water Quality Control Board

December 14, 2011 Board Meeting Minutes

Note: Copies of orders, resolutions, and minutes are posted on the Regional Water Board's website (www.waterboards.ca.gov/sanfranciscobay). Information about obtaining copies of audio recordings of Board meetings may be obtained by calling the Board's file review coordinator at (510) 622-2430. Written transcripts of Board meetings may be obtained by calling California Reporting, LLC, at (415) 457-4417.

Item 1 - Roll Call and Introductions

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

Board Members Present

Rameshwar Singh
Steven Moore
James McGrath
Shalom Eliahu
Vice-Chair Terry Young
Chair John Muller

Board Members Absent

none

Status

QUORUM

Tam M. Doduc, State Water Board Member and liaison to the San Francisco Bay Region, addressed the Board. She discussed the recent State Water Board meeting and acknowledged all the high quality work being performed by the Regional Water Boards.

State Water Board Office of Enforcement Director Chris Carrigan addressed the Board. He noted that he was pleased with the Board's enforcement program and the leadership demonstrated by staff.

Item 2 - Public Forum

No parties requested to speak.

Item 3 - Minutes of Board Meetings

Minutes of the February 9, 2011, Board Meeting.

No action was taken. This item was postponed to the January 18, 2012, Board Meeting.

Item 4 – Chairman's, Board Members', and Executive Officer's Reports

Chair Muller summarized the recent Chairs' conference call that focused on the budget and agency streamlining options. Vice-Chair Young reported on a meeting with the BayKeeper

where they discussed the America's Cup and sediment quality objectives.

Executive Officer Bruce Wolfe gave an overview of this month's Executive Officer's Report and discussed budget issues.

Site Cleanup Requirements

Item 5 – Updated Site Cleanup Requirements and Rescission of Order Nos. 95-235, 97-124, and 97-125 for the Former Point Molate Naval Fuel Depot, Richmond, Contra Costa County – Adoption of Site Cleanup Requirements

Water Board Staff Terry Seward (on behalf of George Leyva) made the presentation to the Board and gave an overview of the cleanup activities and the proposed Order.

Mr. Wolfe recommended adoption of the Item.

Board Member Eliahu moved for adoption of Item 5;
Board Member McGrath seconded the motion.

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

Nos: None

ITEM ADOPTED

Item 6 – Golden Gate Way, LLC, William Peacock, Yolanda M. Peacock, Jeanne K. Stewart, Tommy Lee Stewart, Jeanne's Hamlin Cleaners, Jeanne Stewart dba Hamlin Cleaners, Leonard A. Gross, and Leonard A. Gross Professional Corporation, for the property located at 3425 Golden Gate Way, Lafayette, Contra Costa County – Adoption of Site Cleanup Requirements

Mr. Wolfe noted that for this item staff had separated functions and that he would be advising the Board and Assistant Executive Officer Dyan Whyte was leading the Prosecution Team.

Water Board Staff Barbara Sieminski made a presentation to the Board on behalf of the Prosecution Team. She described the Site, gave an overview of the tentative order, and summarized comments received.

Julie Macedo, Prosecution Team Counsel, summarized legal issues pertaining to naming dischargers to the order.

Linda Beresford, representing counsel to Scott Monroe, addressed the Board and expressed support for the Prosecution Team's recommendation to not name Scott Monroe.

Loretta James, representing Golden Gate Way, LLC, and the Peacocks, stated for the record that the Peacocks did not have knowledge of a discharge until late 2008 at the earliest.

Mr. Wolfe recommended adoption of the Item.

Board Member McGrath moved for adoption of Item 6;

Board Member Moore seconded the motion.

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

Nos: None

ITEM ADOPTED

BREAK at 10:35 am. Meeting reconvened at 10:45 am.

OTHER BUSINESS

Item 7 – Water Recycling: Status and Trends in the San Francisco Bay Area – Information Item

Water Board Staff Vince Christian made a presentation to the Board. He described recycled water use in the Region and how such use may be changing. He also discussed the development of salt and nutrient groundwater management plans in the Region.

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

Item 8 – Enforcement Policy Penalty Methodology – Overview of the Methodology

Mr. Wolfe, as primary advisor to the Board on enforcement actions imposing administrative civil liability or other penalty actions, reviewed the penalty calculation methodology required as part of the State Water Board's Enforcement Policy.

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

Item 14 - Adjournment

Meeting adjourned at 12:15 pm until the next Board Meeting – January 18, 2012