

STATE OF CALIFORNIA

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

MEETING DATE: May 14, 2014

ITEM: **4**

SUBJECT: **EXECUTIVE OFFICER'S REPORT**

EXECUTIVE OFFICER'S REPORT: *May 2014*

A Monthly Report to the Board and Public

NEXT MEETING: May 14, 2014

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

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Commendation for Facilitating Presidio Cleanup (Agnes Farres)

After 20 years, the Presidio of San Francisco's Restoration Advisory Board (RAB) formally dissolved. The RAB was made up of volunteer community members and representatives from the Water Board, Department of Toxic Substances Control (DTSC), National Park Service (NPS), and Presidio Trust (Trust). The RAB served as a forum for keeping the community informed on cleanup progress at the Presidio and gave the public an opportunity to provide input into the decision-making process. Now that cleanup at the Presidio is complete, the RAB is no longer necessary. During its final meeting, the RAB presented a resolution commending the public participation efforts by the agencies, including the Water Board, for their contributions in accomplishing the successful cleanup at the Presidio.

The Presidio Trust Board, at its meeting on April 24, thanked and acknowledged the Water Board and DTSC for their ongoing efforts to facilitate cleanup of the Presidio. Since the transfer of the Presidio from the Army to the Trust and the NPS in 1999, the Trust has spent \$173 million on remediation. Remediation included cleanup of petroleum sites, sites that were part of the federal Superfund program, and soil contaminated by lead-based paint. As remediation has progressed, the Presidio has been restored both for public use and for ecological function. This restoration has included Mountain Lake (July 2013 Executive Officer's Report) and the Tennessee Hollow watershed (February 2014 Report). The Presidio (Photo 1) is now a green oasis in San Francisco and part of the Golden Gate National Recreation Area.



Photo 1. *The Presidio, located in San Francisco, is part of the Golden Gate National Recreation Area.*

Rescission of Cleanup Order, Intel Santa Clara Site (David Barr)

In early May, I administratively rescinded the cleanup order for a small Intel site in the City of Santa Clara. This is the first cleanup order we have rescinded for the 12 federal Superfund sites we oversee as part of a long-standing agreement with U.S. EPA.

The site is located at 2880 Northwestern Parkway, near the intersection of Central Expressway and San Tomas Expressway in Santa Clara, and is often referred to as the “Intel Santa Clara 3” site. Intel began operating a semiconductor testing facility at the site in 1975. In the early 1980s, groundwater beneath the site was discovered to be polluted with chlorinated solvents, including trichloroethene (TCE). This was one of the early discoveries of groundwater pollution from solvent releases in Santa Clara County, and the site was placed on the federal Superfund list in 1986. In the mid-1980s, Intel installed a groundwater extraction and treatment system, removing about 30 pounds of solvents. In 1992, the groundwater extraction system was shut down, and a trial of monitored natural attenuation was initiated. Under this approach, groundwater was monitored regularly, but no active cleanup was performed. TCE levels continued to slowly decline over the next 15 years. In 2008, Intel experimented with chemical oxidation by injecting a solution into the subsurface to chemically destroy TCE. The remaining TCE concentrations in groundwater were not significantly reduced.

The Water Board was the lead regulatory agency for this site from 1982 until 2006. In 2006, we transferred the case to U.S. EPA because the site qualified for low-threat closure pursuant to Water Board policy but did not qualify for closure pursuant to U.S. EPA’s requirements. U.S. EPA cannot close this case until the TCE concentration in groundwater reaches the drinking water standard, which is 5 µg/L. The maximum TCE concentration in groundwater at the time of transfer was 13 µg/L. As of 2013, the maximum TCE concentration in groundwater was 6 µg/L. U.S. EPA recently issued its own order for the site, so we were able to rescind our cleanup order. We expect U.S. EPA will be able to close this case soon, as TCE concentrations in groundwater are continuing to decline.

Kaiser Permanente Cleanup, Redevelopment in San Leandro (Max Shahbazian)

On March 19, Board staff issued a case closure letter to Kaiser Permanente following its successful cleanup of the former 35-acre Albertson's site located on Marina Boulevard, just west of I-880, in San Leandro (Photo 2a). This case illustrates the multiple benefits of Brownfield restoration. A restored Brownfield site reduces threats to human health and the environment, creates jobs, and attracts investment in the local community.

Albertson's had used the site as a grocery storage and distribution center since the late 1950s. This operation utilized 17 underground storage tanks that stored various petroleum products. The tanks leaked, contaminating soil and shallow groundwater at several locations beneath the site. In the early 1990s, Albertson's removed 15 of the tanks and associated soil pollution.

Kaiser purchased the site in 2005, conducted a site investigation, and removed the remaining two tanks and associated soil pollution. Groundwater impacts were minor and did not require active cleanup. In 2010, Kaiser demolished all the structures and began constructing a new, state-of-the-art, Kaiser San Leandro Medical Center (Photo 2b). The new medical center will replace the older Kaiser Hayward Hospital.

The medical center consists of an office building and hospital, which is scheduled to open this June. The office building will house 116 offices for primary care and specialty physicians, an outpatient procedure suite with six rooms, a pharmacy, a laboratory and radiology services. The six-story hospital will include 264 acute care beds, 10 operating rooms, 24-hour emergency services with 40 treatment rooms, and a newborn intensive care nursery. The new medical center is a green facility designed to use less energy and water. About 97 percent of all materials on the site were recycled, diverting 98,000 tons of construction waste material from the landfill. Old concrete paving will be reused for soil stabilization, fill, and pavement base.

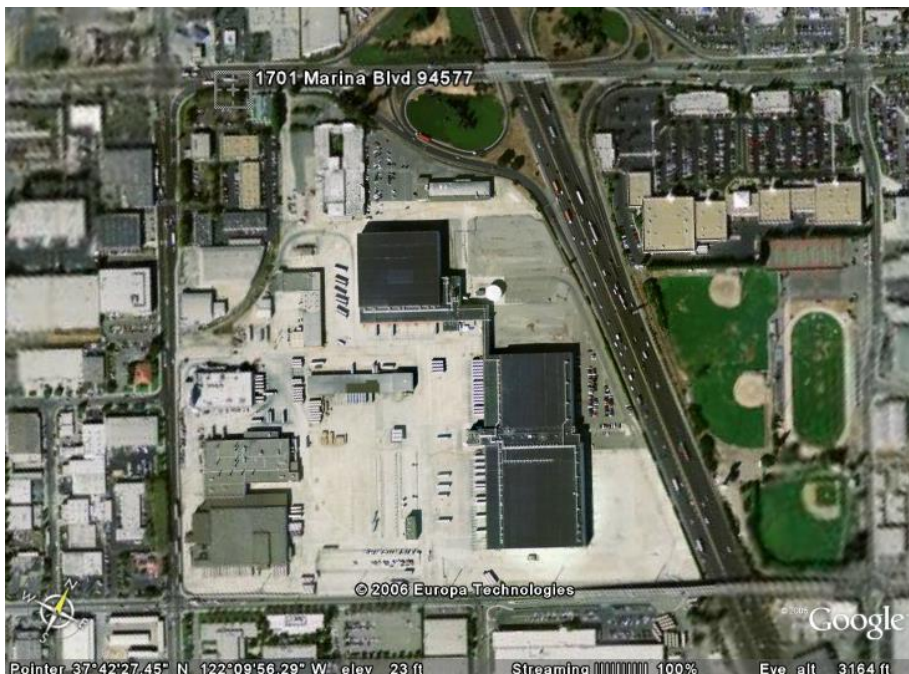


Photo 2a. Site Before Redevelopment.



Photo 2b. *Site After Redevelopment.*

Hamilton Wetlands Levee Breach (Agnes Farres)

After many years of remediation and restoration work at the Hamilton Wetlands Restoration Project (Project) at the former Hamilton Army Airfield in Novato, the placement of approximately 6 million cubic yards of dredged material on the former airfield, and native plantings by volunteers and students at the Project, the Hamilton Wetlands were opened to tidal action during a media event April 25. At the event, contractors for the State Coastal Conservancy (SCC) and the U.S. Army Corps of Engineers (Corps), joint project leads, made the ceremonial cut to breach the levee separating Hamilton Wetlands and San Pablo Bay (Photo 3a). This breach returns tidal action to these tidal wetlands for the first time in over 100 years. After the initial breaching, the contractors continued opening the levee to its final design dimension of approximately 360 feet wide. Board staff, accompanied by Vice Chair Jim McGrath and former Executive Officer Loretta Barsamian, attended the event (Photo 3b).

The Board has been actively involved in the Project throughout its history. In 2005, the Board adopted Waste Discharge Requirements for the wetland restoration and dredged sediment placement portion of the Project. Dredged material approved for beneficial reuse, primarily from the Oakland Harbor Navigation Improvement project, was pumped to the site from an off-loader located approximately 5 miles offshore. Millions of gallons of water were required to pump the dredged material through the pipeline, and flexible pipelines and pumps were used to move sediment across the site. The objective was to place sufficient dredged material to raise the surface of the site towards a natural marsh plain elevation and then rely on estuarine sedimentation to allow for natural marsh development.



Photo 3a. A backhoe breaches the levee on April 25 at the Hamilton Wetlands Restoration Project (photo taken from SF Chronicle).



Photo 3b. (left to right) Jim McGrath, Naomi Feger, Loretta Barsamian, Dyan Whyte in attendance.

The Board was instrumental in facilitating transfer of the Hamilton property from the Army to SCC. Residual contamination from the former military operations at the Hamilton Army Airfield required site investigations and remediation before the wetlands could be constructed. As part of the transfer, the Board adopted Site Cleanup Requirements, detailing tasks required to

implement the cleanup remedy. Cleanup consisted of excavation and offsite disposal of contaminated soil and sediment as well as onsite sequestration of soils containing lower level residual DDTs and polycyclic aromatic hydrocarbons, with three feet of stable cover.



Photo/Figure 3c. This map shows the habitats constructed at the Project and the location of the levee breach. A segment of the Bay Trail along the southern perimeter is nearly 2.7 miles long. Future expansion of the project will include BMK V and North Antenna Field to the north.

The Project restores approximately 640 acres of tidal wetlands, seasonal wetland, transitional zones, and upland habitat (Photo/Figure 3c) that will provide ecological benefits for many sensitive species including California clapper rail, California black rail, Chinook salmon, steelhead, salt marsh harvest mouse, San Pablo song sparrow, salt marsh common yellowthroat, shorebirds, wading birds, and waterfowl. Snowy plovers were observed breeding on the site last year and have returned again this year. To ensure that the Project's restoration goals are met, the Corps will conduct monitoring and adaptive management at the site for 13 years post-breach, after which SCC will continue to monitor the development of the wetlands and maintain the site.

In the future, SCC and the Corps plan to expand the Project to include two parcels of land north of the site: the North Antenna Field and Bel Marin Keys Unit V (BMK V). The proposed expansion would increase the total acreage of the Project to 2,598 acres. We will keep the Board informed of the progress on both the Project's restoration goals and its expansion.

Update on Trash Load Reduction Plans (Dale Bowyer)

We have received the Long Term Trash Load Reduction Plans (Plans) required by the Board's 2009 Municipal Regional Stormwater Permit (Permit) for all permittees, except the Town of Clayton. As required by the Permit, the Plans must set forth strategies for achieving a 70 percent trash load reduction by 2017 and no impact from trash to receiving waters by 2022. The Plans include mapping, as verified by inspections, of trash generation areas and identifying trash management areas where new or enhanced trash reduction actions are needed to achieve the Permit's trash reduction requirements. As a final essential step, the permittees

must describe in the Plans how they will assess the effectiveness of their actions in reducing trash in the management areas.

The permittees have already mapped and verified, to various extents, trash generation areas for their jurisdictions. They have also delineated trash management areas, but there is great variation between permittees in how they designate management areas. Some create many small management areas of uniform trash generation, with the likely advantage of being able to focus actions specific to those areas. More common is designation of a few large management areas that often encompass multiple land uses and major variations in trash generation. Permittees then describe new and enhanced trash reduction actions they have implemented jurisdiction-wide and for specific trash management areas since 2009, and planned actions. However, most permittees couched future actions in conditional language related to availability of new resources or availability of better information to justify actions. As such, we are limited in our ability to evaluate the future actions presented in the Plans. Based on what we have seen so far, Board staff is likely to recommend that requirements for the next permit term not be based solely on the Plans but include prescriptive performance measures to drive actions.

The lack of, or limited, commitments to assessment of actions are the weakest parts of the Plans. Permittees have primarily relied on counting outputs and verifying management practices, although some are just beginning to assess outcomes, such as the trash condition of streets. On-land visual assessment currently is the one assessment tool showing promise. This involves inspecting a representative subset of streetscapes with photo documentation of the trash state of the street, sidewalk, curb, and gutter. The method classifies the condition of streets and sidewalks into four categories, from very clean to very dirty. Answers to questions such as how frequently, and in how many locations, this on-land visual assessment must be performed to determine the trash condition of a trash management area will be refined as the permittees gain more experience using this assessment method.

Permittees in San Mateo and Santa Clara counties have committed to pilot assessments at 120 and 200 locations, respectively. We have communicated to them that these pilot efforts, which will take time to implement and may have benefit, cannot supersede the short term need to assess actions to demonstrate 40 percent trash load reductions, using available methods such as on-land or trash hot spot visual assessments. Alameda County plans to assess the outcome of its single-use bag ordinance by examining full trash capture system contents. However, few permittees in Alameda and Contra Costa counties have committed to immediate use of the on-land visual assessment tool, although some plan to use it after 2016.

We are working with permittees on the format of the annual report, due on September 15, which must demonstrate achievement of a 40 percent trash reduction by July 1, 2014. The reports are expected to document the extent and percent of trash management areas covered by full trash capture devices, or other new and enhanced trash reduction actions, with emphasis on actions within management areas with high and/or medium trash generation. Documentation of non-full trash capture actions, including jurisdiction-wide source control measures that may reduce trash, such as single-use bag and foam foodware restrictions, should include some form of assessment of their effectiveness. We will continue working with permittees and report back to the Board after we have completed review of the annual reports.

Wetlands Successfully Unearthed in Napa (Fred Hetzel)

On April 30, Board staff Fred Hetzel, Yuri Won, Shin-Roei Lee, and Dyan Whyte, inspected Palmaz Vineyards and Winery's (Palmaz) 1400-foot elevation vineyard (Photo 4a), located in northeastern Napa County. The purpose of the inspection was to evaluate the condition of two wetland areas that Palmaz "unearthed" and is in the process of restoring. This project is a requirement of a 2011 Settlement Agreement between the Board and Palmaz and mitigates for the illegal filling of wetlands. In developing the 1400-foot elevation vineyard, Palmaz filled wetlands with over six feet of cave spoils and planted the area with grapevines.



Photo 4a. *Overview of 1400-foot Elevation Palmaz Vineyard.*

The first step in recreating the wetlands required the removal of cabernet grape vines and a substantial amount of fill. The historical hydrology was then restored and the area replanted with native wetland and upland plants, creating a wildlife corridor that runs through the vineyard (photo 4b). With hydrologic function restored, the western wetland is now in its second year and flourishing (photo 4c). The eastern wetland was unearthed in the summer of 2013. Even with the lack of rain this past winter, wetland plants appear to be taking hold (photos 4d & 4e), and the new wetlands are retaining moisture.

Palmaz is applying the knowledge and techniques it developed for growing grapes to 'grow' wetlands and is so far demonstrating success and a commitment towards land stewardship. The area will be adaptively managed, and we will periodically update the Board on restoration progress.



Photo 4b. Uncovered eastern wetland area after one wet season (April 2014).



Photo 4c. Western wetland area post hydrologic reconnection (April 2014).



Photo 4d. Eastern wetland area – bunch grasses after one season (April 2014).



Photo 4e. Eastern wetland area – 4 days after last rain and area is still retaining moisture (April 2014).

In-house Training

We had no in-house training in April. Our May training will comprise a field trip to Niles Cone, a heavily-used groundwater basin located in the Fremont area and managed by the Alameda County Water District. Brownbag seminars included an April 23 session on landscaping with native plants, one of the tools local agencies are using to comply with the Board's Municipal Regional Stormwater Permit.

Staff Presentations

On April 22, Dyan Whyte gave her annual lecture to UC Berkeley's Water Planet class on water quality issues in the SF Bay Area.

On April 30, A.L. Riley participated in "Watershed Day At The Capitol" as a moderator for a panel which addressed the topic of how to reduce the risks of climate change through community involvement in watershed management. The panel discussion included past

Assemblyman Fred Keeley, now Chair of the Santa Cruz County Board of Supervisors, Alf Brandt, legislative director for Assemblyman Anthony Rendon, and Michael Wellborn, President of the California Watershed Network. Natural Resources Agency Secretary John Laird also joined the discussions.

Penalty Enforcement Actions Proposed and Final (Lila Tang)

The following tables show proposed settlements, and a final action for imposition of penalties as of last month's report. 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 an order implementing the settlement.			
Discharger	Violation	Penalty Proposed	Comment Deadline
LBA-RIV Company XII, LLC, Former Merchant Building Groundwater Treatment System in Berkeley	Discharge limit exceedance	\$3,000	May 8, 2014

Final Actions			
On behalf of the Board, the Executive Officer approved the following:			
Discharger	Violation	Penalty Imposed	Supplemental Environmental Project
San Jose Pacific Associates LP, Mayfair Court Apartments in San Jose	Discharge limit exceedance	\$3,000	none
City of St. Helena, Wastewater Treatment and Reclamation Plant	Discharge limit exceedance	\$3,000	none
City of Benicia, Wastewater Treatment Plant	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, which can be found on the State Board website:

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