

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

MEETING DATE: September 9, 2015

ITEM: **4**

SUBJECT: **MINUTES OF THE AUGUST 12, 2015 BOARD MEETING**

San Francisco Bay Regional Water Quality Control Board

**August 12, 2015 Board Meeting
Draft Minutes for Board Consideration**

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 9:03 a.m. in the Elihu M. Harris Building, First Floor Auditorium.

<u>Board Members Present</u>	<u>Board Members Absent</u>	<u>Status</u>
Newsha Ajami (arrived at 9:08)	Steve Lefkovits	QUORUM
William Kissinger (left at 1:30)	Margaret Abe-Koga	
John Muller (left at 2:30)		
Vice-Chair James McGrath		
Chair Terry Young		

Division Chief Stephen Hill introduced new Research Scientist Nicole Fry. Senior Engineer Dale Bowyer introduced new Scientific Aid Walter Millin and new Water Resources Control Engineer Tahsa Sturgis.

State Board Member Tam Doduc updated the Board about activities to address the drought and the proposed Storm Water Strategic Initiative. In response to a question from Board Member Muller, Chair Young described the Board's recently adopted general WDRs that streamline the process for Alameda County farmers to periodically clean out farm ponds.

Item 2 - Public Forum

Bill McNicholas, a member of Concerned Citizens for Oversight of Marinwood Plaza, expressed the Marinwood community's desire for immediate cleanup action at the Prosperity Cleaners site. Steven Nestel, a local resident, raised concern about soil vapors traveling along utility trenches. Elizabeth Geler, a Marinwood homeowner, expressed concern about soil vapors and cancer and requested more cleanup action. Raymond Day, a Marinwood resident, discussed closed fuel stations that have been removed from the Geotracker website. He presented four priority actions for the Board's consideration. Division Chief Stephen Hill summarized recent sampling results, scheduled investigative work, and next steps. Chair Young asked for an update in the Executive Officer's report when new data on the site is available.

Item 3 - Minutes of the July 8, 2015 Board Meeting

Executive Officer Bruce Wolfe recommended adoption of the Minutes from the July 8, 2015, Board Meeting.

Vice Chair McGrath moved for adoption of the Minutes; Board Member Muller seconded the motion.

Ayes: Ajami, Kissinger, Muller, McGrath, Young

Nos: none

ITEM ADOPTED

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

Board Member Ajami discussed a possible project for a public policy class at Stanford to study the permitting of flood control projects. Vice Chair McGrath discussed sediment and sea level rise issues for San Francisco Bay. He discussed a July 14 meeting with Ian Wren, with the Baykeeper, on sediment issues and the Board's recently adopted sand mining permit. He discussed the Bay Bridge demolition process as noted in the Executive Officer's Report. He noted that he recently attended a meeting on dredging and dredging policy and a ceremony celebrating completion of the Napa River bypass project. On August 5, he led a tour of Oakland Middle Harbor and discussed the benefits of reusing sediment to create habitat. Vice Chair McGrath also discussed Redwood Harbor dredging and disposal options. Board Member Muller highlighted the Board approval of the permit for the Pilarcitos Creek Bridge and thanked staff for their work.

Mr. Wolfe gave an overview of this month's Executive Officer's Report. The Board members discussed the water quality and engineering aspects of the scheduled Bay Bridge pier demolition pilot project. Mr. Wolfe noted that Congresswoman Jackie Speier is hosting an event to explore levee replacement and sea level rise protection options for Foster City. Vice Chair McGrath expressed support for the new section in the Executive Officer's Report listing recent water quality certification applications received.

RECESS at 10:42 a.m.; RECONVENE at 10:57 a.m.

Consideration of Uncontested Items

Item 5A – City and County of San Francisco, San Francisco Public Utilities Commission, Drinking Water Transmission System in Alameda, Contra Costa, and Santa Clara Counties – Rescission of NPDES Permit

Item 5B – Valero Refining Company-California, Valero Benicia Refinery, Benicia, Solano County – Reissuance of NPDES Permit

Mr. Wolfe recommended adoption of Item 5A.

Board Member Muller moved for adoption of Item 5A; Vice Chair McGrath seconded the motion.

Ayes:, Ajami, Muller, McGrath, Young

Abstain: Kissinger

Nos: none

ITEM ADOPTED

Mr. Wolfe recommended adoption of Item 5B.

Vice Chair McGrath moved for adoption of Item 5B; Board Member Ajami seconded the motion.

Ayes:, Ajami, Kissinger, Muller, McGrath, Young

Nos: none

ITEM ADOPTED

Other Business

Item 6 – Overview of Regional Water Board Priorities – Workshop on the Board’s Programs and Their Priorities for the 2015-2016 Fiscal Year

Division Chief Naomi Feger presented the Planning Division’s priorities. Vice Chair McGrath noted support for the priorities. Chair Young requested an updated version of the 5-year TMDL schedule. Chair Young asked for a summary of funding sources for the division’s staff. Division Chief Lila Tang presented the NPDES Division’s priorities. Vice Chair McGrath asked about enforcement coordination. Board Member Kissinger asked for clarification regarding the number of SSOs. Chair Young and Vice Chair McGrath requested a summary of goals and expectations in regard to sanitary sewer overflow reductions. Division Chief Keith Lichten presented the Watershed Management Division’s priorities. Board Member Ajami asked for clarification on San Francisco’s OWTS program. Vice Chair McGrath asked for more detail on wetland mitigation projects. He requested a followup discussion on mitigation banks and other mitigation options. Division Chief Stephen Hill presented the Toxics Cleanup Division’s priorities. Division Chief Terry Seward presented the Groundwater Protection Division’s priorities. The Board members discussed their concern about the loss of positions for the Department of Defense cleanup program and expressed support for the division’s priorities, especially mine cleanups and sea level rise permit requirements.

This item was for informational/discussion purposes and no action was taken.

CLOSED SESSION CONVENED at 1:00 p.m. for Item 9; PUBLIC SESSION RECONVENED for Item 7 at 1:43 p.m.

Item 7 – The San Francisco Estuary Institute: Opportunities for Increased Estuary Institute/Regional Water Board Coordination – Update by Warner Chabot, Executive Director of the Institute, and Other Institute Staff

Warner Chabot, Executive Director of San Francisco Estuary Institute (SFEI), gave the presentation to the Board. He described various local efforts underway to address climate change and focused on the Baylands Ecosystem Habitat Goals Update project as a means to

focus the Water Board's actions with SFEI and other regional agencies. He suggested areas that SFEI and the Water Board could collaborate. SFEI staff Josh Collins and Jay Davis also participated in the discussion. Chair Young asked whether it is possible to develop a Bay-wide perspective on shoreline adaptation options. Vice Chair McGrath discussed the need for watershed-based approaches. Mr. Chabot suggested that the Water Board, the Bay Conservation and Development Commission, and the State Coastal Conservancy lead this effort. Vice Chair McGrath discussed the need for governance. Chair Young noted the need for CEQA documents to include the science needed for decision making. Board Member Ajami asked for more details on the green infrastructure tool Mr. Chabot presented.

Chair Young appointed a subcommittee of the Board consisting of herself, Vice Chair McGrath, and Board Member Ajami to continue the discussion after Board Member Muller's departure. Vice Chair McGrath suggested the triennial review as a means of developing a process moving forward. Mr. Davis raised the issue regarding the need to better understand the Bay's response from a water quality perspective. Ms. Whyte agreed to email the Board members the climate change writeup in the draft Basin Plan triennial review. Mr. Chabot described the Resiliency By Design project.

This item was for informational/discussion purposes and no action was taken.

Item 9 – Closed Session – Litigation

The Board met in closed session to discuss the following pending litigation: San Francisco Baykeeper, Inc., v. California Regional Water Quality Control Board, San Francisco Bay Region, Alameda County Superior Court, Case No. RG15776089
[Authority: Government Code sections 11126(e)(1) and 11126(e)(2)(A)]

Item 10 – Closed Session – Personnel

The Board postponed the Executive Officer's performance review.

Item 12 - Adjournment

Meeting adjourned at 3:22 p.m. until the next Board Meeting – September 9, 2015