

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

MEETING DATE: June 10, 2020

ITEM: **4**

SUBJECT: **Executive Officer's Report**

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Executive Officer’s Report June 10, 2020

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Status of Proposed Development at the Former Santa Clara Landfill (Keith Roberson and Vic Pal)

The proposed development of the Former All-Purpose Landfill in Santa Clara is moving forward, with plans to begin the first phase of development on a parcel (referred to as the Tasman Parcel) that is located immediately south of the landfill, outside the waste disposal area. While all the permits needed to begin development have not yet been issued and ground has not broken on the actual development, an access road has been constructed on a portion of the landfill perimeter to facilitate preparation of infrastructure.

In another development, in late March, Groundwater Protection Division staff approved a critical part of the proposed eight-billion-dollar mixed-use development over the landfill itself. Specifically, we gave concurrence for the proposed installation method for structural piles that will support buildings constructed over the landfill surface. Because the landfill surface is susceptible to differential settlement, structural support piles for each building must be installed through the landfill into underlying competent geologic materials. However, installing piles through the landfill waste carries the risk that leachate from the landfill could contaminate the underlying groundwater. To prevent contamination of groundwater a pile installation method called Continuously Cased Flight Auger (CCFA) was proposed. The CCFA method shields off the subsurface formation (and groundwater) during drilling and pile emplacement by continuously advancing a conductor casing outside the drill auger and pipe stem. This differs from a standard pile installation method, in which the conductor casing is placed in the ground before the pile is advanced. Water Board staff and local agency staff required that the proposed CCFA installation method be tested to ensure groundwater would not be impacted using the proposed methodology.

In accordance with an approved workplan, the developer's consultants installed and monitored two test piles at selected locations at the landfill. Prior to test pile installation, an array of groundwater monitoring wells was installed at very close range (approximately 5 feet) at each test pile location to detect potential releases to groundwater due to the test pile installation. These new wells, along with some existing leachate monitoring wells, were monitored for a period of five weeks (September 27 to November 5) to establish baseline (pre-test) groundwater conditions. During this baseline monitoring period, a fluorescent tracer test was performed (October 2-3) to confirm that groundwater wells were suitably placed and constructed to promptly detect any impacts to groundwater that might be caused by test pile installation. The tracer test was successful in that the tracer showed up at high concentrations in the monitoring wells, which demonstrated that the wells were suitably positioned for the pile installation method test.

Following the successful tracer test and establishing baseline groundwater conditions, two 24-inch diameter test piles were installed using the CCFA method on December 18, 2019. Test pile CCFA-1 was installed to a depth of 100 feet below ground surface (bgs) and CCFA-2 was installed to 120 feet bgs. Groundwater monitoring at the monitoring well arrays began immediately after pile installation and continued weekly for an agreed-upon period of 8 weeks (December 18, 2019 to February 14, 2020). In general, no evidence of leachate impacts was detected in the groundwater monitoring well arrays at either test pile location during the eight-week monitoring period. Water Board

staff concurrence with the proposed pile design now allows the development to move forward.

East Bay Consent Decree Stipulated Penalties (Robert Schlipf)

In May 2020, the U.S. EPA and Water Board assessed stipulated penalties \$149,600 from East Bay Municipal Utility District (EBMUD), Stege Sanitary District, and the cities of Albany, Alameda, Berkeley, Emeryville, and Oakland. These penalties enforce a Consent Decree that the U.S. District Court entered on September 22, 2014, reached by the Regional Water Board, State Water Board, U.S. EPA, EBMUD, and "Satellites" (i.e., the Cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont and the Stege Sanitary District). The Consent Decree set forth various work obligations to address discharges from EBMUD's three Wet Weather Facilities and sanitary sewer overflows from the Satellites' collection systems. The Consent Decree also established stipulated penalties for effluent limit violations at EBMUD's Wet Weather Facilities and sanitary sewer overflows that reach waters of the United States.

The Satellites and EBMUD have met the work requirements established by the Consent Decree, but sanitary sewer overflows continue. U.S. EPA and Water Board recently assessed penalties, as detailed in the table below, for untreated sewage discharges to San Francisco Bay from July 1, 2017, through June 30, 2019. U.S. EPA and Water Board also assessed the East Bay Municipal Utility District a penalty of \$3,000 for one effluent pH violation at its San Antonio Creek Wet Weather Facility.

Table 1: Stipulated Penalties for Sanitary Sewer Overflows to San Francisco Bay

	Alameda	Albany	Berkeley	Emeryville	Oakland	Stege Sanitary District
SSOs	5	1	4	1	40	3
Penalty	\$1,800	\$1,000	\$800	\$200	\$139,800	\$3,000

Contact Tracing Assignment for California State Workers

Contact tracing has long been used by public health departments to aid in slowing the spread of infectious diseases. It requires a large-scale effort that connects with individuals who test positive for COVID-19 and work with them, and people they have been in close contact with, to ensure they have access to confidential testing, as well as medical care and other services to help prevent the spread of the virus. To ensure a robust network of workers, the California Department of Public Health has request that 10,000 contact tracers be called in to support the effort.

The SF Bay Regional Water Board, as with in emergencies in the past, understood this call to action and responded swiftly and decisively. We were asked to procure 5 individuals willing to take on a 6- to 9-month reassignment with limited details up front. We are proud to report that 5 staff members volunteered their services, including 2 Water Resource Control Engineers, 2 Engineering Geologists and 1 Environmental Scientist.

We understand the impact of losing 5 members of staff during already trying time but are encouraged by their dedication to the greater goal. The Division Chiefs have already started on work plans to ensure the gaps are filled and our needs as a regulator are met.

For more information about the State-wide effort, visit www.californiaconnected.ca.gov.

June 2020 Enforcement Actions (Brian Thompson and Jessica Watkins)

The following tables show the settled enforcement actions since May's report. In addition, enforcement actions are available on our website at http://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement.shtml

Settled Action			
On behalf of the Board, the Executive Officer approved the following:			
Discharger	Violation(s)	Imposed Penalty	Supplemental Environmental Project
City of St. Helena	Discharge limit violations.	\$57,000	none

401 Water Quality Certification Applications Received (Abigail Smith)

The table below lists those applications received for Clean Water Act section 401 water quality certification from April 13 through May 12, 2020. 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
C&H Waterfront Facility Repairs	Crockett	Contra Costa	✓
Mill Creek Culvert Repair and Creek Restoration	San Ramon	Contra Costa	
MOTCO Operations and Pier Maintenance Dredging	Concord	Contra Costa	✓
2 Cliff Waterfront Improvements	Belvedere	Marin	✓
Conner Residence Pile Repair	Belvedere	Marin	✓
Silver Hills Road Culvert Replacement	Point Reyes Station	Marin	
El Campo piling repair project for subtidal habitat restoration	Tiburon	Marin	✓
Tiburon Glen Estates Residential Development	Tiburon	Marin	✓
27955 State Route 1 Headcut Repair at Parks Ranch	Tomales	Marin	
Circle K Convenience Store Development	American Canyon	Napa	✓
Napa Logistics Phase II Railroad Spur	American Canyon	Napa	
Hudson Spillway Modification	Napa	Napa	
Milliken Creek Routine Maintenance	Napa	Napa	
Routine Maintenance On the Following Creeks - Conn, Sage, and Chiles	Saint Helena	Napa	

Project Name	City/Location	County	May have BCDC Jurisdiction
Ferryboat Klamath Dredging	San Francisco	San Francisco	✓
Pier 64 Sediment Investigation	San Francisco	San Francisco	✓
Southeast Plant Building 042 Seismic Retrofit and Rehab	San Francisco	San Francisco	✓
Ravenswood Bay Trail Connection Supplemental Permitting	East Palo Alto	San Mateo	✓
Butano Canyon Bridge Replacement	Pescadero	San Mateo	
ADSRP Revision 4 to Phase 3 Drilling Program Plan for 50 New Boring Locations	Anderson Lake	Santa Clara	
Hale Creek Wall Removal	Los Altos	Santa Clara	
2021 Old Calaveras Road Single Family House Construction	Milpitas	Santa Clara	
Coyote Creek Trail - Mabury To Empire	San Jose	Santa Clara	
Google Bridge Construction	Sunnyvale	Santa Clara	✓
Lind Marine Mare Island Dry Dock Dredging	Vallejo	Solano	✓
MIDD Maintenance Dredging & Dry Dock Operations	Vallejo	Solano	✓