

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

MEETING DATE: December 15, 2021

Item: 5

Executive Officer's Report

Executive Officer’s Report December 8, 2021

Items in this Report (Author[s])

Table of Contents

Executive Officer’s Report	i
Turk Island Landfill Development (Vic Pal)	1
Lower Walnut Creek Restoration Project Breach Ceremony (Agnes Farres).....	3
Interim Cleanup at Kinder Morgan Pipeline Release in Walnut Creek (David Tanouye)	6
Enforcement Actions (Brian Thompson and Jessica Watkins)	8
401 Water Quality Certification Applications Received (Abigail Smith).....	9

Turk Island Landfill Development (Vic Pal)

Water Board staff are overseeing the cleanup and site preparation of a 6.3-acre parcel known as Parcel C at the Turk Island Landfill in Union City (Figure 1). Parcel C was used for disposal of municipal solid waste from 1963 to 1970. Wastes were initially deposited directly on the native clay surface and eventually capped with approximately four feet of cover soil. Parcel C is separated from the adjacent 47-acre, closed Turk Island landfill on the west and a previously clean-closed 3.2-acre parcel on the east, which now contains single family homes.

The 6.3-acre Parcel C is proposed to be clean-closed by excavating all waste material buried at the site, placing the excavated waste material from Parcel C into the adjacent 47-acre landfill, and then filling the excavation with imported fill material suitable for residential development and raising the grade to match the surrounding grades. After clean closure, the property will be subdivided into 33 lots for single-family homes. Turk Island Ventures LLC is the developer. Pre-construction cleanup of the site is expected to begin in April 2022. The Parcel C development is fully entitled and approved by Union City, the land use agency with jurisdiction over the project. Union City has approved grading plans and has issued a grading permit for the project. To provide a margin of safety, the Landfill perimeter's gas monitoring network will be amended to add gas monitoring probes between Parcel C and the 47-acre landfill to ensure landfill gas or vapors from the landfill does not impact the development.

As shown on Figure 1, the 47-acre landfill lies between Parcel C and the Bay and the associated wetlands area. To plan against future sea level rise the finished lot elevation at Parcel C will be a minimum of 12 feet above mean sea level (MSL), with finished floor elevations ranging from 13.6 MSL to 16 MSL. The landfill thus provides a measure of protection to the development from projected sea level rise.



Figure 1. Site Location map

Lower Walnut Creek Restoration Project Breach Ceremony (Agnes Farres)

On October 29, Assistant Executive Officer Lisa Horowitz-McCann and Senior Environmental Scientist Agnes Farres attended the levee breach ceremony for the Lower Walnut Creek Restoration Project. As two large excavators removed tons of dirt to breach the levee, the waters of Suisun Bay once again flowed into a 232-acre marsh after a 100-year absence (watch a short video of the [breach](#)). The ceremony commemorated two decades of work, including: obtaining Congressional approval to deauthorize the U.S. Army Corps of Engineers (Corps) flood control project and return the creek to local control; acquiring property; raising \$24.5 million in funding; and completing the first phase of restoration. About 250 people attended and speakers included local elected officials and representatives from the Contra Costa Flood Control District (Flood Control District), John Muir Land Trust, and the San Francisco Bay Restoration Authority. Speakers acknowledged the Bay Restoration Regulatory Integration Team's (BRRIT's) role in permitting this Project. Agnes Farres is the Water Board's BRRIT representative.



Photo 1. Suisun Bay enters the Project site as two excavators breach the levee.

The Lower Walnut Creek watershed historically was dominated by extensive wetlands, meandering creeks, and grassy plains. The marshes, sloughs, and meadows provided habitat and food for many wildlife species including grizzly bear, elk, clapper rail, and steelhead. Over the past 150 years, urban development, diking and filling of wetlands, and channelization of streams has changed the watershed dramatically and much of the historical habitat has been lost. In the 1940s and 1950s, Walnut Creek was channelized by neighboring landowners to improve stormwater conveyance. In the 1960s, the Corps widened the creek and constructed levees for flood control. The Flood Control District was formed to own and maintain the channel in perpetuity. Soon it became clear that more frequent, impactful, and costly dredging was required to maintain the channel.

The Flood Control District determined that dredging was not sustainable and worked to develop a restoration project to transform the channel into a sustainable system that provides wildlife habitat, flood protection benefits, and enhanced resilience to sea level rise. Beginning in August 2019, the Flood Control District worked with the BRRIT to permit a project to enhance and restore tidal wetlands and adjacent habitats along the southern shoreline of Suisun Bay and from the mouth of Walnut Creek upstream along Walnut and Pacheco creeks, covering about four miles and over 300 acres. The Project included lowering and breaching the existing flood protection levees along Walnut and Pacheco creeks to restore tidal wetlands, excavating new tidal channel networks, constructing seasonal ponds and a new setback levee for flood protection, removing invasive species, and planting native vegetation to improve habitat quality, diversity, and connectivity, benefit native and special status species, and provide sustainable flood management.



Photo 2. Newly excavated tidal channel network waiting to be connected to Walnut Creek. About six miles of orange fencing was installed and inspected and maintained daily to protect and exclude salt marsh harvest mouse from the Project construction areas.

We issued a Clean Water Act Section 401 Water Quality Certification for the Project in October 2020 and construction started and was completed this year, though the Project was anticipated to require two construction seasons. Another portion of the Project site will be breached in the next few weeks. For the Project's next phase, the BRRIT is working with the John Muir Land Trust to permit the construction of public access improvements in 2022. Public access features will include an extensive network of trails, wildlife observation areas, several non-motorized boat launches, and an interpretive/education center.

Interim Cleanup at Kinder Morgan Pipeline Release in Walnut Creek (David Tanouye)

Late last year Water Board staff responded with USEPA and CA Fish & Wildlife to a petroleum spill from an underground Kinder Morgan pipeline release (Site) in Walnut Creek. Since February 2021, the Water Board has been the lead regulatory agency directing the investigation and cleanup efforts associated with the approximately 1.2-mile long impacted area. Recently soil, soil vapor, and groundwater sampling has focused on two known areas of contamination as shown on the attached Figure 2) The Broadway Release Area, where the pipeline leak occurred and which is located along the eastern side of South Broadway Avenue between Rudgear Road and Newell Avenue; and 2) The Confluence Area located about one mile away from the release area and south of Ygnacio Valley at the intersection of Walnut Creek and San Ramon Bypass Channel.

The initial data collected during the investigation indicates that high petroleum concentrations are primarily located at the two source areas described above and have not impacted private or municipal water supply wells. However, the complete characterization of Site contamination is ongoing due to the many access agreements needed for sampling on private and public property. To initiate cleanup in the two known source areas, we recently sent Kinder Morgan a letter requiring them to evaluate remedial actions for the Broadway Release Area and Confluence Area where petroleum levels remain elevated in surface water and the subsurface. We expect interim cleanup activities to begin in late spring or early summer of next year and will keep the Board informed of progress on the Site investigation and cleanup.

Enforcement Actions (Brian Thompson and Jessica Watkins)

There were no proposed or settled enforcement actions since November's report.

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 October 18 through November 9, 2021. The right-hand column indicates whether a project with work may be in BCDC jurisdiction.

Project Name	City/Location	County	May have BCDC Jurisdiction
ZOA Outfall Replacement	Fremont	Alameda	-
South Bay Salt Pond Restoration Eden Landing Ecological Reserve Phase 2	Hayward	Alameda	Yes
Dock 1 Emergency Pile Repairs	Oakland	Alameda	Yes
Mission Valley Rock Sediment Removal	Suisun	Alameda	-
Turner Dam San Antonio Reservoir Geotechnical Investigation	Sunol	Alameda	-
District Outfall Monitoring Improvement	Martinez	Contra Costa	Yes
Ameresco Keller Canyon RNG LLC Construction of Natural Gas Processing Facility and Pipeline	Pittsburg	Contra Costa	-
Point Orient Wharf Removal	Richmond	Contra Costa	Yes
Walnut and Grayson Creeks Desilting	Unincorporated	Contra Costa	Yes
Corte Madera Creek Flood Risk Management	Kentfield	Marin	Yes
Tiscornia Marsh Habitat Restoration Geotechnical Exploration Offshore Cone Penetration Testing	San Rafael	Marin	Yes
Stabilize 1939 Alcatraz Wharf	Alcatraz Island	San Francisco	Yes
Pier 3 Pile Repairs	San Francisco	San Francisco	Yes
Emergency Slip Out Repair on Higgins Canyon Road	Half Moon Bay	San Mateo	-
Marina Lagoon Routine Maintenance	San Mateo	San Mateo	Yes

Project Name	City/Location	County	May have BCDC Jurisdiction
Poplar at Golf Course Trash Capture	San Mateo	San Mateo	Yes
San Andreas Dam Geotechnical Investigation	Unincorporated	San Mateo	-
Hacienda and Deep Gulch Remediation	San Jose	Santa Clara	-