

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

MEETING DATE: May 12, 2021

ITEM: **3**

SUBJECT: **Minutes for the April 14, 2021, Board Meeting**

**April 14, 2021 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 (510) 313-0610.

Note: **Bold text** in paragraphs for each item represent topics Board members focused on and were discussed more extensively than others.

Item 1 – Roll Call and Introductions

Chair James McGrath called the meeting to order at 9:01 a.m. via Zoom Virtual Meeting Platform.

Board Members Present	Board Members Absent	Status
Chair James McGrath		QUORUM
Vice-Chair Jayne Battey		
William Kissinger		
Alexis Strauss Hacker		
Andrew Gunther		

From the Toxics Division, Staff Ron Goloubow introduced new Scientific Aid Ava Castanha.

Item 2 – Public Forum

No speakers

Item 3 – Minutes of the March 10, 2021 Board Meeting

Motion to approve: Board Member Andrew Gunther

Second: Board Member William Kissinger

Ayes: McGrath, Battey, Kissinger, Hacker, Gunther

Nos: none

ITEM APPROVED

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

Board Member Gunther encouraged all the Board Members to look at the article published by SFEI, Sediment for Survival, and provided his feedback on the research.

Board Member Alexis Hacker expressed her appreciation for the staff's work as Earth Day nears.

Board Member William Kissinger echoed Board Member Hacker's comment.

Vice Chair Battey briefed the Board on two items. San Mateo County has a new climate resiliency and mitigation team called One Shoreline that is hosting informational meetings. ABAG (Association of Bay Area Governments) has been focusing on climate change as it relates to issues such as housing, transportation and community protection, among others, and she is looking forward to more coordination with them.

Chair McGrath reported that he will be having a conversation with Chair of the State Water Resources Control Board on priority setting for both the State Board and regional boards. He solicited input from the Board members on issues that should be included. Chair McGrath attended a Watershed Council meeting last month which focused on water quality and resilience issues near San Pablo and Wildcat creeks. He echoed Board Member Gunther's comments on sediment and shared his thoughts on the problem. Chair McGrath mentioned active legislation on homelessness and adaptation, and shared details on his efforts in these areas and how the regional board can support.

State Board Member Tam Doduc informed the Board that the Governor reappointed the Chair of the State Water Resources Control Board, Joaquin Esquivel. She provided an update on the State Board's strategic document, which will include input from the regional boards. State Board Member Doduc shared information on a special workshop taking place next week on the issue of Sacramento River temperature management. She thanked Executive Officer (EO) Michael Montgomery and staff for meeting with State Board staff and Sustainable Conservation on the Statewide Restoration General Order and provided a brief update on the status of the Order. Lastly, she briefed the Board on a public workshop that focused on municipal trash cleaning offsets as it relates to the Statewide trash TMDL (Total Maximum Daily Load).

Vice Chair Battey thanked State Board Member Doduc for representing the region's interests at State Board.

Chair McGrath shared his concern about scalability and metrics as it relates to the trash issue in the region.

EO Montgomery expressed his excitement about State Board Member Doduc's update on the trash offset issue. He updated the Board on the status of the Municipal Regional Stormwater Permit. He shared progress on the conversation with State Board about the region's priorities. EO Montgomery agreed that the Board should hear a more in-depth presentation on the recently published Sediment for Survival report. He highlighted items from the EO Report, including press inquiries related to bacteria levels at Point Reyes National Seashore, updates on the WDRs (Waste Discharge Requirements) for Confined Animal Facilities and grazing waivers, and a status update on Prosperity Cleaners.

Chair McGrath shared his concerns on dredging as it relates to federal listing of endangered species. He also asked for details about the Republic Services violation from the EO Report. Assistant Executive Officer (AEO) Lisa Horowitz-McCann provided a reply.

Vice Chair Battey asked for details about the Lehigh violation from the EO Report. Division Chief (DC) Bill Johnson provided a reply. Vice Chair Battey requested this item be expanded in as an EO Report item.

Board Member Hacker raised the notion of advocating for Supplemental Environmental Projects in cases where large settlements are proposed, particularly if they take place in communities with environmental justice needs.

Board Member Kissinger asked for more information about a leak that occurred in the Sausalito Waste Treatment Plant. EO Montgomery provided a reply about the Water Board's engagement.

Item 5 – Streamlining and Considerations for Enforcement

Chair McGrath administered the oath to persons testifying.

5A. City of St. Helena, City of St. Helena Wastewater Treatment and Reclamation Plant and Wastewater Collection System, St. Helena, Napa County

EO Montgomery provided background on the tentative order. Eric Sanders from the St. Helena facility was available to answer questions. Board Member Hacker raised two points from the order. The first related to the results of the reasonable potential analysis. The second related to the SSO (Sanitary Sewer Overflow) rate.

Vice Chair Battey commented on the work being done as it relates to reusing water. She encouraged staff to support water reuse where possible.

Board Member Gunther commented on St. Helena's previous method of processing wastewater with algae and asked for clarification about the change to a new method utilizing activated sludge. Eric Sanders provided a reply.

5B. Sonoma County Water Agency, Stream Maintenance Program, Sonoma County

EO Montgomery provided background on the item and invited Staff Nicole Fairley to share more details. Staff Fairley first shared an edit to the tentative order, then gave a brief overview to the Board.

Board Member Gunther asked for clarification about the concept of ecological uplift. Staff Fairley provided a reply. They continued with a conversation about short- and long-term outcomes of the program.

Chair McGrath shared a brief history of his interactions with these types of programs and thanked Nicole for her work.

Vice Chair Battey asked if ultimately all the region's counties will be involved in the program. DC Keith Lichten provided a reply.

5C. Resolution on Hearing Panels for Administrative Civil Liabilities

EO Montgomery provided background on the resolution, which is a follow up from an item in March's meeting.

Attorney Yuri Won recommended the motion include changes made by Staff Fairley.

Chair McGrath asked for a motion including the proposed edits.

Motion to approve: Vice Chair Battey

Second: Board Member Kissinger

Ayes: McGrath, Battey, Kissinger, Hacker, Gunther

Nos: none

ITEM APPROVED

Break at 10:12 a.m.

Back in session at 10:22 a.m

Item 6 – Estuary Blueprint - the Comprehensive Conservation and Management Plan for the San Francisco Estuary

EO Montgomery introduced AEO Thomas Mumley, who provided background on the item and introduced Caitlin Sweeney, Director, San Francisco Estuary Partnership (SFEP). Caitlin Sweeney made a presentation to the Board.

Board Member Gunther shared his thoughts about how the last 30 years of progress can educate the next 30 years. He asked about the connection, particularly as it relates to data used to evaluate the Blueprint's success, between SFEP and SFEI (San Francisco Estuary Institute). Caitlin Sweeney provided a reply on both the comment and the question. AEO Mumley contributed to the discussion on the progress of the collaborative nature of the program and provided additional details on its history.

Vice Chair Battey asked about how the work of SFEP relates to and is integrated with Plan Bay Area 2050. Caitlin Sweeney provided a reply. Vice Chair Battey asked EO Montgomery about staff's involvement in the Plan Bay Area 2050 document. He provided a reply. Vice Chair Battey concluded by stressing the importance of regional consensus given the potential for a federal infrastructure bill. Caitlin Sweeney highlighted the Implementation Strategy of Plan Bay Area 2050.

Chair McGrath reiterated Board Member Gunther's comment on the need to institutionalize corporate memory and make the data accessible online. He brought up the implementation of sandy beaches and expressed his appreciation for SFEP's effort in funding low-impact development measures.

Item 7 – Correspondence

None

Item 8 – Closed Session – Personnel

The Board did not meet in closed session for Personnel in this meeting

Item 9 – Closed Session – Litigation

The Board did not meet in closed session for Litigation in this meeting

Item 10 – Closed Session – Deliberation

The Board did not meet in closed session to deliberate in this meeting.

Item 11 – Adjournment

EO Montgomery concluded with a preview of the May Board Meeting.

Vice Chair Battey motioned to adjourn, and Board Member Kissinger seconded.

The meeting was adjourned at 11:08 AM

