

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

**STAFF SUMMARY REPORT: Eileen M. White
MEETING DATE: September 11, 2024**

ITEM: 7

**San Francisco Bay Regional Water Quality Control Board Strategic Workplan –
Status Update on Fiscal Year 2023/24 Performance Measures – Informational Item**

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DISCUSSION

This item provides a status update on the implementation of our San Francisco Bay Regional Water Quality Control Board Strategic Workplan (Strategic Workplan) for fiscal year (FY) 2023/24. The Strategic Workplan was developed to provide an overview of what we do and to create transparency about our work for the public we serve. It describes our overarching organizational priorities, and the water quality programs we implement to achieve our mission to preserve, enhance, and restore the quality of the San Francisco Bay Region's water resources for the protection of the environment, public health, and beneficial uses.

The Strategic Workplan includes organizational priorities and actions, priorities by program and associated targets and milestones, and performance measures and targets tracked by the State Water Board. We implemented our programs with a focus on the priorities included in the Strategic Workplan and a goal of achieving our targets and milestones. Appendix A contains the tables from the Strategic Workplan annotated with FY 23/24 status updates.

Below is a summary of our progress in addressing our three overarching organizational priorities: climate action, environmental justice and racial equity, and workforce planning and development. For our water quality programs, we highlight key accomplishments organized by the Workplan categories: Plan and Assess, Regulate, Clean Up, and Enforce.

Climate Action

We continued efforts to incorporate climate actions into all our program activities and utilize our authority to advance climate adaptation planning, coordination, technical assistance, and permitting, including the following:

- We participated in multi-agency and stakeholder groups, such as the San Francisco Estuary Partnership, the San Francisco Bay Restoration Authority, the Bay Restoration Regulatory Integration Team and its Policy and Management Committee, the Bay Area Regional Collaborative, and Bay Adapt, to develop long-range planning efforts and support specific projects to facilitate San Francisco Bay shoreline resilience and adaptation to projected sea level rise. We also continued to participate in local efforts, such as the [Resilient SR-37](#)

[Partnership, Oakland Alameda Adaptation Committee](#), and [San Francisco Waterfront Resilience Program](#).

- We executed a Memorandum of Understanding with six regional and state public agencies committing to a joint work program to address increased threats of flooding and sea level rise in the nine county San Francisco Bay Area region. The agencies participating in the agreement include the Association of Bay Area Governments, the Bay Area Air Quality Management District, the California State Coastal Conservancy, Caltrans District 4, the Metropolitan Transportation Commission, the San Francisco Bay Conservation and Development Commission, and the San Francisco Bay Regional Water Quality Control Board. The memorandum is intended to align the partners efforts, expertise, and core functions to deliver priority, multi-benefit projects to reduce flooding risks in vulnerable communities along the San Francisco Bay shoreline.
- To highlight the Bay Restoration Regulatory Integration Team's work and our work supporting nature-based solutions to adapt to rising tides, the Board held its April meeting in the field, at Heron's Head Park and India Basin, on San Francisco's southern waterfront, providing a demonstration of cleanup, nature-based adaptation, and coordination with underserved communities.
- We prepared an amendment of waste discharge requirements for 19 bayfront and oceanfront landfills and 8 industrial facilities requiring them to identify long-term flood protection strategies by evaluating the potential and predicted impacts of climate change, specifically groundwater rise, sea level rise, and extreme climate events based on the latest state guidance and emerging science. We approved the Long-Term Flood Protection Plans submitted in response to similar requirements adopted in October 2022 for 16 bayfront landfills; we encouraged collaboration with other sites and projects within the Operational Landscape Units and requested revisions to several of the plans to address deficiencies.
- In the past 24 months we required vulnerability assessments at over a dozen active shoreline cleanup sites to evaluate the need for additional actions. We also incorporated vulnerability assessment into our low-threat case closure process on more than 20 cases in the past year. We continue to update our mapping tool to identify vulnerable cleanup sites using the latest research and California Ocean Protection Council's sea level rise predictions.

Racial Equity and Environmental Justice

We prioritized program activities to protect water quality and beneficial water uses in communities that have experienced historical racism and environmental injustice, including the following:

- We participated in coordinated multi-agency efforts with U.S. EPA, CalEPA, the Department of Toxic Substances Control, and others to engage in racial equity and environmental justice work such as the ongoing clean-up of contamination at the former Hunters Point Naval Shipyard in San Francisco.

- We continued to coordinate with Native American Tribes on a Basin Plan Amendment to designate water bodies with the Tribal Tradition and Culture¹ and Tribal Subsistence Fishing² Beneficial Uses.
- We continued to work with underserved communities to assess water quality of creeks in their neighborhoods and developed an [interactive map of pathogen results](#). The map provides easy access for community members to view water quality results for creeks in their neighborhood.
- We identified that 113 of our 802 Site Cleanup Program cases are in environmental justice communities. We engaged with environmental justice advocates in several disadvantaged communities to listen to their concerns and discuss our site cleanup progress. We continued to prioritize these and track cleanup progress with the goal of ensuring that cases are moving forward so that possible health and environmental exposures are identified and addressed as quickly as possible. In the past 24 months we evaluated 65 percent of the cases and closed 9 and required remediation at 9 others. To date we have not found any cases with unmitigated vapor intrusion exposure or migrating groundwater plumes.

Workforce Planning and Development

We continued to promote and maintain an environment that attracts, retains, and engages a talented, diverse, and inclusive workforce in support of our mission, including the following:

- We conducted several in-house training courses: a course on Improving Relations with State Water Board, a course on Water Quality Standards, a course on Wetland Regulation, and a course on Records Retention and Management.
- Although the budget deficit and associated restrictions have reduced our ability to attend conferences, we still managed to attend and present at local conferences and participate or present virtually for other external venues. We continued to share our experience and expertise, collaborate with others, and learn from the growing body of knowledge and passion within our extended community.
- We continued to implement organizational measures that promote and value employee contributions, employee wellness, racial equity, diversity and inclusion, and a learning culture, including supporting opportunities for staff to complete job-related training, supporting staff participation in CalEPA employee affinity groups, and providing a hybrid work environment to minimize commuting time.

¹ Tribal Tradition and Culture: Uses of water that support the cultural, spiritual, ceremonial, or traditional rights or lifeways of California Native American Tribes, including, but not limited to, navigation, ceremonies, or fishing, gathering, or consumption of natural aquatic resources, including fish, shellfish, vegetation, and materials.

² Tribal Subsistence Fishing: Uses of water involving the non-commercial catching or gathering of natural aquatic resources, including fish and shellfish, for consumption by individuals, households, or communities of California Native American Tribes to meet needs for sustenance.

- We, like many others, are reinventing the office as we adjust to a hybrid work environment and are adapting as we learn new strategies for creating, maintaining, and strengthening work relationships as we continue to build our team. Programs such as the creation of an onboarding initiative to integrate cohorts of new staff through four in-person events with educational talks, informal lunches, and even fun activities like a Pi Day pie potluck add to our cohesion and sense of community. Ongoing events like the annual summer picnic and winter celebration continue to bring staff together for stronger relationships and cross pollination.

Program Accomplishments

Plan and Assess

- We continued to encourage and seek beneficial use of dredged sediment for wetlands restoration and sea level rise resilience, including overseeing the U.S. Army Corps of Engineers' strategic placement pilot project and participating as a partner with the Bay Conservation and Development Commission in a U.S. EPA funded project to develop a regional sediment management strategy.
- We, in partnership with the State Water Resources Control Board, completed preparation of the [2024 Integrated Report](#).
- We continued our collaborative multi-agency engagement on State Highway 37 planning for climate change resilience, with the goal of developing a resilient phased adaptation project that will achieve both transportation and environmental goals.

Regulate

- We continued our collaborative Nutrient Management Strategy with the Bay Area Clean Water Agencies to improve knowledge of the fate and potential adverse consequences of nutrients in San Francisco Bay. We also released a draft of the Third Nutrient Watershed Permit, responded to public comments, and prepared a package for Board consideration at the July 10, 2024, Board Meeting resulting in the Board adopting the Nutrient Watershed Permit requiring for the first time nutrient reductions for all wastewater treatment plants discharging into San Francisco Bay. The permit was based on many years of monitoring and research with the San Francisco Bay Regional Water Board's partners. The Board's historic decision of adopting the permit requiring significant investments to reduce nutrient discharges to the bay will protect the West Coast's largest estuary which is home to over seven million people.
- The Board reissued 13 National Pollutant Discharge Elimination System (NPDES) permits, and we inspected 32 NPDES wastewater discharge facilities and 16 wastewater discharge to land facilities.
- We implemented the Statewide General Waste Discharge Requirements for Winery Process Water, enrolling 11 wineries and conducting outreach.

- We continued to engage in collaborative efforts that promote increases in recycled water in the Region. A great example of these collaborations is the coordination with BACWA to convene stakeholders for a workshop at the Elihu Harris State building in September 2023, focused on enhancing interagency collaboration for Bay Area water reuse, identifying and prioritizing regional regulatory actions, such as potentially adopting a regional general permit or revising Basin Plan policies, and participating in the State and Regional Water Boards' Recycled Water Roundtable meetings, where we have presented on the oversight and permitting of multi-family residential dual plumbing systems.
- We issued more than 215 Water Quality Certifications and Notices of Applicability under general orders for projects discharging fill to creeks, wetlands, and the Bay, and the Board reissued programmatic maintenance authorizations for the East Bay Regional Park District, Marin County, and the City of Livermore, facilitating regular operation and maintenance of creeks and flood management facilities. This included coordination with numerous Bay Area municipalities on emergency projects to address the adverse effects of the 2023/24 heavy storms.
- We continued our work on the Municipal Regional Stormwater NPDES Permit (MRP). The Board adopted an amendment to the MRP allowing greater flexibility for affordable housing projects and a new alternative compliance option for urban runoff treatment controls. We also participated in workgroups and technical advisory groups to help guide development of plans and reports to monitor low impact development water quality controls, monitor the effectiveness of trash controls, and develop reports on permittees' best management practices to address discharges associated with unsheltered homelessness and discharges associated with firefighting activities.
- We participated in the regional board subcommittee and worked with State Board and regional board staff to develop language, including San Francisco Bay region-specific Total Maximum Daily Load (TMDL) requirements, for the reissuance of the Statewide Small and Non-traditional Municipal Stormwater Permit.
- We continued our work with Caltrans, municipalities adjacent to Caltrans right-of-way, and interested stakeholders, including Save the Bay, to reduce trash. We reviewed workplans and reports, conducted field inspections of more than 1,200 acres of Caltrans right-of-way, and will provide an update to the Board on Caltrans' compliance with the trash reduction benchmarks and requirements in their 2019 trash control cease-and-desist order at the Board's December 2024 meeting. We also continued to engage with Caltrans on their studies of trash control effectiveness.
- In the Land Disposal Program, which has 11 active landfills and 58 closed landfills, and includes regulatory oversight of abandoned mines, compost operations, and designated waste management units at industrial sites (such as petroleum refineries and chemical plants), we completed 54 landfill inspections and 12 inspections at other types of land disposal facilities.

Clean Up

- We continued progress on ensuring the safe reuse of former military bases. We closed military cleanup sites at the former Alameda Naval Air Station and privatized military cleanup cases at the former San Francisco Nike Battery 93 in San Rafael, Lennar Mare Island in Vallejo, and the Parks Reserve Forces Training Area in Dublin. We directed the Department of Defense facilities to evaluate climate change impacts when evaluating the effectiveness of soil and groundwater cleanup.
- The Site Cleanup Program (SCP) currently has 630 active cases that we manage and 170 inactive cases that we are systematically reviewing to determine if they should be re-activated, closed, or remain inactive. We exceeded our FY 23/24 performance targets by 50 percent for cases closed and cases moved to remediation. Additionally, of cases that have been sufficiently investigated, 91 percent have human health exposure controlled and 88 percent have groundwater migration controlled.
- A major driver of work for the SCP Program is the threat to human health due to vapor intrusion of contamination from soil vapor to indoor air. More than half of our cleanup cases have soil vapor contamination from vapor-forming chemicals such as tetrachloroethene which was commonly used at dry cleaners for decades. During the year we continued to prioritize vapor intrusion evaluations and accelerate vapor intrusion mitigation actions within days to weeks of discovery for sites with residences and commercial tenants.
- We completed compliance evaluations for per and poly-fluoroalkyl substances (PFAS) at 90 percent of the sites subject to State Board investigation orders issued in 2019, 2020, and 2021 for airports, landfills, and chrome plating facilities. In addition, we developed a PFAS investigation framework for potential source sites, an investigation plan for sites suspected of contributing to PFAS-affected drinking water supply wells, and an informational PFAS web page.
- The Underground Storage Tank (UST) program has about 200 active cases. We met or exceeded our FY 23/24 performance targets for cases closed and cases moved to remediation. Much of the program's work is driven by, and in support of, affordable housing and commercial redevelopment.

Enforce

- We resolved 35 enforcement cases with penalties totaling \$818,310. These cases addressed wastewater treatment plant discharges above effluent limits, a discharge of chlorinated potable water, a system operation and maintenance violation, and reporting violations under the construction stormwater general permit. Settlements suspended \$415,000 of the penalties upon completion of supplemental environmental projects. We also triaged complaints and spills and assisted regulatory programs with administrative enforcement.

APPENDICES:

- A. San Francisco Bay Regional Water Quality Control Board Strategic Workplan
Priorities and Performance Measures and Targets
- B. The San Francisco Bay Regional Water Quality Control Board Action Plan for
Environmental Justice and Racial Equity

Appendix A

San Francisco Bay Regional Water Quality Control Board
Strategic Workplan Priorities and Performance Measures and Targets

Appendix B

The San Francisco Bay Regional Water Quality Control Board Action Plan for
Environmental Justice and Racial Equity