

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

MEETING DATE: September 8, 2021

**ITEM: 4**

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

**July 14, 2021 Board Meeting**  
**Adopted on September 8, 2021**

Note: Copies of orders, resolutions, and minutes are posted on the Regional Water Board's website ([www.waterboards.ca.gov/sanfranciscobay](http://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 9:04 a.m. via Zoom Virtual Meeting Platform.

**Board Members Present**

Chair James McGrath

Alexis Strauss Hacker

Andrew Gunther

Donald Young

**Board Members Absent**

Vice-Chair Jayne Battey

William Kissinger

**Status**

QUORUM

Division Chief (DC) Xavier Fernandez introduced the new Supervisor of the new Agricultural Lands Section, Laurie Taul.

Supervisor Kevin Lunde introduced Staff Lindsay Whalin, who will lead the Sediment Management and Dredging program.

Executive Officer (EO) Michael Montgomery shared news that the Toxics Cleanup Division will be adding six new positions to work on the Site Cleanup Program.

**Item 2 – Public Forum**

Kelly Abreu, Mission Peak Conservancy, spoke about stormwater monitoring and enforcement as it relates to critical infrastructure and water supply in southern Alameda County. Chair McGrath asked Kelly to share with the Executive Officer details of any correspondence he has had with the County.

**Item 3 – Minutes of the June 9, 2021 Board Meeting**

Motion to approve: Board Member Young

Second: Board Member Hacker

Ayes: McGrath, Hacker, Gunther, Young

Nos: none

ITEM APPROVED

#### **Item 4 – Chair’s, Board Members’ and Executive Officer’s Reports**

Board Member Gunther shared his thoughts on the recent heat wave in the Pacific Northwest and its impact on the local environment.

Board Member Hacker shared news on the vessel that had run aground near the Marin coast. She also highlighted news that the State Lands Commission has received new funding to address abandoned vessels in the Delta.

Board Member Young had nothing to report.

Chair McGrath shared that he and Vice Chair Battey attended a video conference put on by the Bay Area Regional Collaborative on adapting to sea level rise. He provided details of a tour he went on at Wildcat Creek to see newly completed restoration. Chair McGrath talked about a follow up call he had with Amy Worth regarding shoreline resiliency for Highway 37. He updated the Board on a call he, Vice Chair Battey and EO Montgomery had with State Water Board (SWB) Chair Joaquin Esquivel related to regional and state priorities.

EO Montgomery applauded SWB and the Regional Water Board’s staff for their work on the Draft Racial Equity Resolution and other related activities. He highlighted the EO Report item on drought, in particular the work with Marin Municipal Water District, and an event that he and Board Member Gunther attended to support Caltrans’ Cleanup California program. Last, he shared that there is positive movement as it relates to infrastructure and restoration funding in the region.

#### **Item 5 – Uncontested Items**

**5A. East Bay Municipal Utility District, Orinda Water Treatment Plant – Reissuance of NPDES Permit**

Chair McGrath administered the oath to persons testifying.

EO Montgomery provided background on the item.

Chair McGrath asked for a motion.

Motion to approve: Board Member Gunther

Second: Board Member Hacker

Ayes: McGrath, Hacker, Gunther, Young

Nos: none

ITEM APPROVED

## **Item 6 – Sediment for Survival: A Strategy for the Resilience of Bay Wetlands in the Lower San Francisco Estuary**

EO Montgomery provided background on the item and DC Fernandez introduced Scott Dusterhoff, Senior Scientist and Lead Geomorphologist, San Francisco Estuary Institute. Scott Dusterhoff made a presentation on the Sediment for Survival report.

Board Member Hacker asked for feedback on alternatives to deep ocean disposal of Bay sediment for the upcoming year. DC Fernandez provided a reply that detailed conversations are currently going on between the Water Board and the Army Corps of Engineers (ACOE). Board Member Hacker and DC Fernandez continued the discussion.

Board Member Gunther asked if the cost of not having wetlands created by Bay sediment is factored into the ACOE analysis. DC Fernandez responded that it is not, and that this question has been raised through comments with the ACOE. Board Member Gunther and DC Fernandez continued their discussion. Board Member Hacker and Assistant Executive Officer (AEO) Thomas Mumley contributed to the conversation.

Board Member Gunther spoke about the slow progress being made in regard to beneficial reuse of Bay sediment and questioned if a more ambitious approach is warranted. EO Montgomery gave a few options for near term opportunities but stressed much of the Federal policymaking is out of the Water Board's control. DC Fernandez contributed to the conversation.

Chair McGrath shared experiences working with beneficial reuse of sediment in the Bay and how they related to various political and regulatory challenges. DC Fernandez contributed some examples of current projects the Water Board is working on related to the regulatory hurdles discussed by Chair McGrath.

Board Member Gunther asked if staff could provide a list of potential bottlenecks that, if addressed, could increase the rate of sediment reused for beneficial purposes around the Bay. DC Fernandez and EO Montgomery responded that they could share the relevant information on barriers that can be addressed at the regional level. Scott provided additional context on what activities the ACOE is currently discussing to address bottlenecks.

Board Member Hacker asked that the Board receive a dredging update toward the end of the year. EO Montgomery provided an affirmative reply.

Break: 10:41 a.m.

Return: 10:57 a.m.

## **Item 7 - Nature-Based Wastewater Treatment: Learning from the Oro Loma Horizontal Levee**

EO Montgomery provided background on the item and introduced Jackie Zipkin, East Bay Dischargers Association, and Angela Stiegler, University of California, Berkeley. Angela Stiegler and Jackie Zipkin made a presentation on the topic.

Kelly Abreu, Mission Peak Conservancy, provided feedback from his experience with ecotone levees and stressed the need to be mindful of alternative approaches.

Board Member Hacker inquired about the potential for piloting biosolids in building horizontal levees. Jackie Zipkin provided a reply.

Board Member Gunther asked about the long-term performance of the woodchip environment. Angela provided a reply based on the brief history of the current project. Board Member Gunther asked about the effect sea level rise will have on the performance of the levee. Angela Stiegler said there is no anticipated impact. Board Member Gunther, Angela Stiegler and Jackie continued the discussion.

AEO Mumley shared background on the staff's approach to the topic.

EO Montgomery asked which agencies would be the best to align processes with to streamline permitting. Jackie Zipkin said the Resource agencies and the ACOE.

Chair McGrath asked if less energy can be used by skipping the nitrogen removal step. Angela Stiegler replied that the step is important, simple and insures denitrification.

Board Member Gunther gave concluding remarks about the need to be bold in order to attain the necessary transformation in the landscape of the Bay.

Chair McGrath gave concluding remarks that tied the history of the topic with the future.

## **Item 8 – Correspondence**

None

## **Item 9 – Closed Session – Personnel**

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

## **Item 10 – Closed Session – Litigation**

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

## **Item 11 – Closed Session – Deliberation**

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

## **Item 12 – Adjournment**

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

**The meeting was adjourned at 12:02 PM**