

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

MEETING DATE: April 13, 2022

**ITEM:** 3

**SUBJECT:** Minutes for the March 9, 2022 Board Meeting

**March 9, 2022 Board Meeting**  
**Adopted April 13, 2022**

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**

Meeting called to order at 9:01 a.m. at Elihu H. Harris Building, First Floor Auditorium.

<b>Board Members Present</b>	<b>Board Members Absent</b>	<b>Status</b>
Chair James McGrath		QUORUM
Vice-Chair Jayne Battey		
William Kissinger		
Alexis Hacker		
Dr. Andrew Gunther		
Donald Young		

Interim Executive Officer (EO), Thomas Mumley, introduced the new Executive Assistant, Julie Haas.

Supervisor Ron Goloubow introduced Michelle Thompson who joined the Toxics Cleanup Division as an Environmental Scientist.

Supervisor John Wolfenden introduced Ellen Mills who joins the Toxic Cleanup Division as a Water Resource Control Engineer.

Supervisor Laurie Taul introduced Nicole Fairley who transferred from the Watershed Division to the Planning Division as a Water Resource Control Engineer specializing in creek restoration and fisheries protection.

## **Item 2 – Public Forum**

Bill McNicholas with Save Marinwood Plaza Now commented that he wants to see the Marinwood Plaza cleaned up, sees the discharger delaying, and wants the site developed. He commented that documents are missing off of GeoTracker.

Stephen Nestel with Save Marinwood Plaza Now commented that he is frustrated that he has to come back to the Board to get action, toxic waste removed. He stated that the discharger has been given opportunities to miss the deadlines and the community and clean water is suffering.

Jackie Zipkin with East Bay Discharges Association and Bay Area Clean Water Agencies, announced their establishment of the Bruce Wolfe Honorary Scholarship targeted at students who are non-male, black, indigenous or people of color.

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

Chair McGrath asked for a motion to approve the minutes.

Motion: Board Member Gunther

Second: Board Member Kissinger

Ayes: All

Nos: none

ITEM APPROVED

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

Board Member Gunther commented on last month’s description of the climate assessment information in the Executive Officer’s Report and complimented staff for focus and commitment along with permittees.

Board Member Hacker commented about the American Challenger running aground off Marin County waters and that the Coast Guard, Department of Fish and Wildlife, and US Environmental Protection Agency (US EPA) secured funding to remove it. US EPA also surveyed the area and plans a debris cleanup along the coast.

Board Member Battey reported that there is so much good work related to climate action and organizations are still overwhelmed by the scale of the problem. She said we should promote the message that everyone can and must do something about it. She also said she was inspired by the introductions and educational backgrounds of new staff.

Chair McGrath mentioned the Chair’s meeting in May, which will be in person, and that the planners want to have Vice-Chairs attend, are planning an item about what can be

done about water supply, and how water management and forest management inter-relate.

State Water Board Member Laurel Firestone, representing for State Water Board Member Sean Maguire, announced workshops for Water Data Month. She mentioned they will cover analysis and reporting related to efficient water use for every drinking water system, drought funding, equity in impacted communities related to water. She said the State Water Board is having a workshop to discuss the status of the Sacramento River, specifically related to temperature, fisheries, tribal issues and environmental justice. She also said the State Water Board will consider an amendment to Intended Use Plan for use of new budgeted money (state and federal). The SAFER program held first Advisory Group meeting. Sanitary Sewer Systems Waste Discharge General Order was considered at a workshop in February and will be before State Water Board soon. Water and wastewater rearranges programs are moving forward. Finally, she said staff held a CEQA Scoping Meeting for the Water Quality Control Plan amendments on copper and zinc.

Interim EO Mumley highlighted the Executive Officer's Report items on groundwater rise and environmental justice issues related to groundwater and soil contamination cleanup, and the status of Marinwood Plaza site cleanup. Board Member Gunther said the groundwater rise issue is very complicated and asked for an informational item on the Board's agenda regarding our understanding and actions. Board Member Hacker asked about the location of the violation reported on page eight and EO Mumley responded in San Ramon area. Chair McGrath echoed Board Member Gunther's ask about groundwater rise issues and specifically is interested in what studies do we need to understand and address the issues. Board Member Kissinger asked when the remedy to deal with soil contamination through demolition was originally approved. Alec Naugle responded that it was approved in a former order in 2017 and was expected to be remediated in 2020.

Interim EO Mumley announced that this is the last virtual Board Meeting; the April Board Meeting is planned to be in the auditorium in the Board office in Oakland. He reported that eventually the option for a hybrid meeting will be set up, either in the building or at an alternative location.

He also announced that Terry Seward, Division Chief of the Groundwater Protection Division, is retiring and this is his last week in the office. He said he has worked for the Water Board for 30 years and complimented his leadership protecting groundwater and supporting staff morale. Division Chief Seward commented that it has been a privilege to work for the Water Board, he appreciates the Board's commitment to water quality protection and strong support of staff and thanked his division staff for their hard work. Interim EO Mumley also recognized Marnie Ajello, State Water Board attorney assigned to this Board, as she is leaving to pursue a position in Boston.

**Item 5 – Award Presentation- Watershed Collaboration Award - National Association of Clean Water Agencies Recognizes Water Board and Bay Area Clean Water Agencies for Revised Chlorine Effluent Limits**

Interim EO Mumley introduced the award and background, explaining that Eileen White, Director of Wastewater of East Bay Municipal Utilities District, nominated and secured the award for the Board. Eileen White made a presentation about the award which nationally recognizes the innovative and effective collaboration between the Board and the Bay Area Clean Water Agencies. She said that this sets a national model and that she enjoys working with staff and complimented their expertise and collaborative style.

Chair McGrath administered the oath.

**Item 6 – Consideration of Uncontested Items**

**6A. City of Calistoga, Dunaweal Wastewater Treatment Plant and Wastewater Collection System, Calistoga, Napa County**

**6B. West Contra Costa Sanitary Landfill, Richmond, Contra Costa County**

Interim EO Mumley introduced the items. Board Member Hacker offered commendations to the Calistoga facility for its upgrades to manage their system. Chair McGrath commented that the problems of the landfill are disturbing, such as fill on top of the landfill and indications of leakage out. He said he is disappointed with facility management and expects the requirements to be met on time.

Chair McGrath asked for a motion to approve the uncontested items.

Motion: Board Member Kissinger

Second: Board Member Young

Ayes: McGrath, Battey, Hacker, Gunther, Kissinger, Young

Nos: none

ITEM APPROVED

**Item 7 – Informational Item- Planning Stream Projects for Communities with Flood Damages**

Interim EO Mumley asked Watershed Division Chief Keith Lichten to introduce the item. Division Chief Lichten introduced the item and provided background on A.L. Riley's expertise, introduced the circulars, and summarized what A.L. Riley will talk about. A.L. Riley made the presentation.

Tom Kendall with US Army Corps of Engineers explained how the Corps is adjusting their planning process for consistency with the planning guidance in the circular. Rick Thomasser with Napa County Flood Control District commented on their experience

with biotech engineering and described the Napa River Flood Control Project. John Bourgeois with Valley Water presented on the South San Francisco Bay Shoreline Project.

Board Member Gunther requested a set of findings about the newer designs and approaches that have now been tested as effective and demonstrate environmental and multi-benefit value. He said this is another illustration of collaborative science and appreciates how staff uses and evidenced based approach to innovating. He complimented A.L. Riley's contributions to these changes in flood control designs and implementation. A.L. Riley responded that it takes time for a new paradigm to sink in but agrees that new approaches are becoming standard engineering design and expanding to more projects. Chair McGrath further noted the importance of this evolution of flood protection, his involvement and A.L. Riley's

Chair McGrath stated that the meeting concluded at 11:38 am and the Board will be going into closed session on personnel at 12:30 pm.

**Item 8 – Closed Session – Personnel**

**Item 9 – Closed Session – Litigation**

**Item 10 – Closed Session – Deliberation**

**Item 11 – Adjournment**

The meeting was adjourned at 4:45 pm.