

**California Regional Water Quality Control Board  
San Francisco Bay Region  
EXECUTIVE OFFICER'S REPORT**

A Monthly Report to the Board and Public

**March 2005**

*The next regularly scheduled Board meeting is March 16, 2005.*

See <http://www.waterboards.ca.gov/sanfranciscobay/> for latest details and agenda

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**Dramatic Decrease in Violations by Wastewater Treatment Plants (Greg Walker)**

Since mandatory minimum penalties (MMPs) were created by the Legislature over four years ago, the number of permit violations by wastewater treatment plants in our Region has declined by two thirds from what it was. Only one other region has shown such a dramatic decrease, and many other regions have actually shown an increase of violations during the same time period. These trends are in a report to the Legislature by the State Water Board

([http://www.swrcb.ca.gov/legislative/docs/enforcementrpt2004\\_13385o.pdf](http://www.swrcb.ca.gov/legislative/docs/enforcementrpt2004_13385o.pdf) ).

We believe the success in this Region is due to several factors: staff's aggressive MMP enforcement program; permit updates and modifications; plant operational improvements; improved violation

definition; and electronic reporting of discharge monitoring results. We have shared these conclusions with the State Water Board and other regions.

Since January 2000, we have issued over 100 MMPs, assessing \$2.2 million in fines. Most of this has been assessed against municipal wastewater treatment plant permittees. We believe this emphasis on enforcement of permit violations is an important consideration in the permittees' annual capital and operational improvements. Due to the time required for construction and modifications, the effectiveness of such improvements has become most apparent in the last year.

Permit updates and modifications have also reduced violations. Again, because of the emphasis on violations, permittees and Board staff have worked to modify permit limitations that were triggering violations that had no relation to water quality impacts. For example, in many permits, we have changed the limits that verify adequate effluent disinfection from applying to coliform bacteria to enterococci bacteria. The new limits are equally protective of the environment and are encouraged by the U.S. EPA. Importantly, they are easier for a permittee to meet and allow permittees to more effectively use their resources. Another example is the settleable solids limit, which is a holdover from outdated regulations. We have implemented interim permit changes that have reduced the frequency of violations of this limit. With the approval of the 2004 Basin Plan Amendment, we are now able to remove the outdated limit altogether.

Chlorine residual violations have been steadily and significantly reduced due to improved violation definition. We have modified permit limits for chlorine to allow for staff consideration of dechlorination records so as to eliminate false positives being considered violations. In addition, we now allow hourly instead of continuous measurements, because continuous measuring devices are less precise and more error prone. This has also reduced the number of false positive violations.

We have also found that electronic reporting has improved data quality and completeness, which improves the effectiveness and efficiency of our staff in reviewing monitoring reports and following up on violations. The State Water Board recognizes the value of electronic reporting, and is developing a system for implementation statewide starting this autumn in two smaller regions.

Since MMPs were created, several changes to the statute have taken place. These changes generally affect which violations are subject to MMPs but do not change the number of violations. For example, under certain conditions, it is possible to address several violations by only one MMP during the startup of treatment units or due to a single operational upset.

Although the number of violations has decreased, the number of required MMPs has not declined as dramatically. This means that MMPs are still required almost as often, but for much smaller penalties. However, enforcement resources have been cut, and the State Water Board has requested more funding for the Regional Water Boards to continue this important enforcement activity.

**Fall/Winter Marsh Restoration Suspended at Former Zeneca Site, Richmond ([Curtis Scott](#))**

On March 1, work on the Stege Marsh Habitat Restoration Project at the Zeneca Site in Richmond, required under Board Order, was suspended for the season. Suspension of work is a condition required under the U.S. Army Corps of Engineers permit in order to prevent disturbance of the endangered clapper rail during its breeding season. Based on biological monitoring during the fall/winter period, marsh restoration work has not negatively affected the rail, which was observed in

the area during the course of this season's work, and which currently appears to be nesting and breeding in the area. Marsh restoration work will be reinitiated and completed in the fall of 2005.

Work in the Stege Marsh this fall/winter season consisted of the removal of contaminated sediments from the saltwater marsh and a freshwater lagoon and backfilling with clean sediments. Because of delays stemming from the Site's public health issues, agency review and splitting the Site's regulatory oversight, and the subsequent poor working conditions during this year's heavy rains, the full original extent of the marsh restoration was not completed this season. The remainder of the restoration work, which includes final marsh contouring and re-vegetation, and sediment removal and in a second freshwater lagoon, will not be completed until fall/winter 2005 (after the clapper rail breeding season). Until then, the marsh has been temporarily stabilized in order to prevent erosion and surface water impacts.

While we have continued to work with the Habitat Restoration Project's developer and contractor to ensure that the Restoration Project is implemented in a manner protective of human and ecological health, and have addressed all issues raised by the public, some members of the local community continue to have concerns about how the work has been conducted. The Bay Area Residents for Responsible Development was successful in persuading the City of Richmond to seek Department of Toxic Substances Control (DTSC) oversight over the full extent of the former Zeneca Site. Staff will present to the Board a status update on the Site during the March Board meeting. The update will include a discussion of public health concerns and multi-agency oversight issues.

**Control Measure Implementation for New/Redevelopment in Santa Clara Valley ([Sue Ma](#))**

This updates last month's report on San Jose and Milpitas' implementation of their stormwater permit's requirements for new and redevelopment control measures.

*San Jose.* As noted last month, on February 8, I sent a letter to San Jose that discussed our one remaining major concern with its draft revised Post-Construction Urban Runoff Management Policy, which was scheduled for consideration by the San Jose City Council at its February 15 meeting. In response to our letter and further discussions with Board staff, San Jose staff made last minute changes to its draft revisions just prior to the Council meeting to address our concern. As a result, I was able to testify at the Council meeting in support of the draft revisions to the Policy. While the Council expressed some concerns over the new/redevelopment requirements of the City's stormwater permit, I indicated that we fully intended to continue working with the City on how it can effectively and efficiently implement the requirements. City staff also expressed confidence in working with us to meet the requirements. Based on these assurances, the Council adopted the revised Policy as submitted by its staff.

The Policy creates a new class of projects that may be exempted from having to provide alternative measures offsite (after a showing of impracticability has been established onsite). However, to address our concern that this exemption not be used too broadly, the City now limits the exemption to multi-storied commercial or industrial redevelopment projects, with site areas less than five acres, and only in specific geographical areas designated for density intensification.

*Milpitas.* Board staff met with Milpitas staff on January 28 and discussed ways to narrow the scope of exemptions provided for in Milpitas's Waiver Program, either with geographical representation or tighter definitions. Milpitas staff appeared receptive to all of Board staff's suggested changes. We will be meeting again with Milpitas staff this month to discuss their proposed revisions to the Waiver

Program to ensure that our concerns are fully addressed. We will continue to work with Milpitas and hope to bring closure to the issue this month.

Given the positive response to our concerns and the revisions to both San Jose and Milpitas' policies and waiver programs combined with the fact that their stormwater permit will be expiring early next year, we no longer intend to pursue an amendment of the permit at this time. I feel staff time and effort will be better served working on the upcoming regional permit for all Phase I municipal stormwater programs. The regional permit intends to provide consistency in requirements for all Phase I municipal programs in our Region.

**Oakland Estuary Oil Spill Update ([Shin-Roei Lee](#))**

On February 4, the U.S. Coast Guard and the California Department of Fish and Game, Office of Spill Prevention and Response responded to an oil spill detected in the Oakland Estuary. The spill was contained the next day. Upon investigation, it was found that about 500 gallons of jet fuel had leaked into storm drains tributary to the Estuary from a damaged pipeline owned and operated by Santa Fe Pacific Pipelines, a subsidiary of Kinder Morgan. About 26,000 gallons of the resulting oily water mixture has been recovered from the storm drain system. There have been minimal wildlife impacts in this incident. On February 15, Vic Pal of the Board's South Bay Watershed Division attended a coordination meeting with all agencies about the transition from the spill's emergency response phase to a long-term soil and groundwater cleanup phase. At the meeting, it was agreed that U.S. EPA will be the lead oversight agency and will consult with us and other agencies as needed. Related to this spill, on March 6, a Contra Costa Times article covered a number of recent spills associated with Kinder Morgan including this one. The article can be viewed at the following link: <http://www.contracostatimes.com/mld/cctimes/email/news/11073102.htm>

**Brownfield Memorandum of Agreement ([Chuck Headlee](#) and [Stephen Hill](#))**

The [Brownfield Memorandum of Agreement](#) (MOA) took effect on March 1, following its signing by Cal/EPA, DTSC, the State Water Board's Executive Director, and all nine Regional Water Boards' Executive Officers. As part of a July 2004 Brownfield initiative, CalEPA directed DTSC and the water boards to establish the MOA in order to encourage Brownfield restoration. Since then, we have been active in numerous workgroup meetings and two statewide workshops. We have also been instrumental in framing the document so that the Regional Water Boards retain a significant role in Brownfield cleanup and redevelopment projects. The final MOA reflects revisions in response to input from the general public, environmental groups, and industry. The MOA is a living document that can and will be revised as unforeseen issues arise. We believe that the MOA provides a framework for insuring that both the Regional Water Boards' and DTSC's concerns are addressed during Brownfield cleanup and redevelopment.

As signed, the MOA now:

- Applies to new Brownfield cases not covered by certain programs
- Requires a standard application by parties seeking DTSC or Water Board oversight
- Establishes specific criteria and procedures for determining the appropriate lead agency
- Defines a uniform site assessment process (for initial determination of site problems)
- Requires that cleanup directives meet the requirements of both agencies
- Defines clear roles and responsibilities for the non-lead agency
- Sets minimum requirements for public participation
- Sets review timeframes and requires the agencies to coordinate

Cal/EPA will be publicizing the newly approved MOA in several workshops in April. We will update you on MOA implementation in the future.

**Liability Relief for Brownfield Sites** (Chuck Headlee)

Later this month, staff at the Regional Water Boards and at DTSC will begin implementing a new Brownfield law that took effect in January 2005 ([AB 389, the California Land Reuse and Revitalization Act of 2004](#)). The Act provides qualified innocent landowners, bona fide purchasers, or contiguous property owners with immunity from liability for certain hazardous materials response costs or other damages. Federal law already provides this liability relief, which is intended to encourage the cleanup and redevelopment of Brownfield sites. In order to participate, applicants must meet all the following criteria:

- The owner cannot be responsible for the contamination;
- The property is located in an *urban infill* area - a vacant or underutilized property in a populated area;
- The property is not a state or federally-listed Superfund site; and
- The property is not an underground storage tank site impacted by petroleum.

Applicants must enter into an agreement with an oversight agency and cleanup the property as necessary. The Act requires specific public participation activities for properties overseen by water boards, including the requirement for Board hearings and community meetings held in the affected neighborhood. The Act also prescribes the various steps to be taken by an applicant and the oversight agency, similar to the state Superfund process.

Our staff has been involved in a series of meetings with Cal/EPA, DTSC, and other water boards to discuss implementation of the Act. Collectively, we developed a fact sheet, application form, and standard agreement (between applicants and the oversight agency) to implement the Act's provisions. These materials were recently posted on the [Cal/EPA website](#), and we expect to receive the first applications soon. Cal/EPA will hold a series of workshops on the Act in April, including an April 14 workshop in our building's auditorium. We will update you on our experiences with this new law.

**Potential Reform to Stormwater Fee Assessments** ([Shin-Roei Lee](#))

Proposition 218, approved by California voters in 1996, requires both property owner and voter approval for any increases in property-related fees. Fee assessments for water, sewer, and garbage collection services were specifically exempted from the two-thirds voter approval requirement of Proposition 218, but not fees to implement municipal stormwater programs.

In February 2003, Assemblymember Tom Harman introduced a bill in the Legislature to amend the California Constitution to exempt increases in fees for stormwater and urban runoff management programs from Proposition 218's voter approval requirements. However, it did not pass.

In the current legislative session, Assemblymember Harman has reintroduced his bill ([ACA 13](#)) to exempt increases in fees for flood control programs from voter approval requirements. There is indication that the Schwarzenegger Administration intends to add increases in fees for stormwater programs to this bill for exemption from voter approval requirements.

Proposition 218 hamstring local governments' ability to fully fund the prevention and treatment programs necessary to reduce stormwater and urban runoff pollution. The constitutional amendment proposed by the Harman bill would place before the voters the opportunity to create an additional resource for local governments looking to adequately fund stormwater and urban runoff management programs and to improve compliance with municipal stormwater permit requirements. We will continue to report on legislative efforts to exempt stormwater fee assessments from Proposition 218 requirements.

**Spotlight on Stormwater in the City of Richmond** ([Christine Boschen](#))

With thirty-five miles of coastline, the City of Richmond has the most waterfront property of any city in the Bay Area. Richmond is home to many industrial businesses, which range from “mom and pop” metal surface coating facilities to major oil refineries. Yet, Richmond is also actively developing residential housing, both in “Greenfields” (areas of previously undeveloped open space), and “Brownfields” (rehabilitating previously contaminated sites for housing and commercial uses). The California Department of Fish and Game Public Health Advisories on Fish Consumption (<http://www.dfg.ca.gov/mrd/fishcon1.html>) has more restriction warnings for fish caught in the Richmond Harbor Channel area, “...because of high levels of chemicals detected there,” than any other location in the San Francisco Bay.

Because of the broad range of city-controlled activities addressed in a municipal stormwater permit, a city’s stormwater program can have significant benefit on water quality. In Richmond’s case, a well-run stormwater program would significantly benefit both the Bay and the residents of Richmond. And, as we have seen in our oversight of the Zeneca site and other cleanup sites in the City, Richmond residents expect environmental accountability.

In reviewing Richmond’s recent annual reports on its stormwater program, Board staff noted some areas of strength, but many areas of required activities needing improvement. In response to the annual reports, Board staff has focused our municipal stormwater attention and oversight in 2004/05 on assisting the City’s stormwater program to achieve compliance.

To start this process, Board staff met with City staff in July to discuss overall issues with past annual report submittals. Then, utilizing our contract with TetraTech (funded by U.S. EPA), we performed a comprehensive audit of the City’s stormwater activities. The TetraTech audit, conducted in September 2004, proved to be an effective tool in identifying the stormwater program’s strengths and deficiencies, creating a “roadmap” for improvements the City should make.

City staff has demonstrated a willingness to make the needed improvements to its stormwater program, and have already begun the process to do so. Using the audit report’s “roadmap”, Board and City staffs are addressing program deficiencies, step-by-step. As a part of that, Board staff continues to work closely with City staff, in the form of conducting training presentations, joint site inspections, meetings, and on-going dialogue. The first area being addressed is the City’s Construction Inspection Program; others to follow will include stormwater compliance activities in the City’s Planning and Municipal Maintenance Departments.

City staff from the Industrial Pretreatment Program addressed their City Council during a February 22 workshop, presenting a detailed review of the TetraTech audit, and a proposal for restructuring the City’s stormwater program to adequately address Board concerns. The report was well received

by the Council. Progress has also been made in the construction oversight program. We anticipate that other City departments will follow suit in making needed improvements. Therefore, Board staff plans to return to the Board with a presentation in fall 2005, to report to the Board on the progress the City has made by that point in its overall stormwater program.

**Response to Complaint Raised at January Board Meeting ([Wil Bruhns](#))**

Dave Willis appeared before the Board during the January Board meeting's Public Forum. Mr. Willis complained that a number of agencies had not been responsive to creek flooding problems he has been experiencing at his residence in Sonoma County. He told the Board that water has been backing up onto his property due to the illicit installation of a bridge and dam by his neighbors. The Board instructed staff to look into Mr. Willis' complaint and report back.

Prior to Mr. Willis' appearance at the January meeting, Board staff had been very responsive to previous complaints made by Mr. Willis. During 2004, staff investigated Mr. Willis' previous complaints and learned that both the Sonoma County's Code Enforcement Unit and the California Department of Fish and Game had taken lead roles in responding to his neighbors' illicit activities in the creek channel. Because the County and the Department of Fish and Game had each already initiated enforcement actions against the neighbors, staff determined that additional enforcement action by the Board would be inefficient and redundant at the time. Also, the neighbors' illicit activities took place years prior to staff's being contacted by Mr. Willis, whereas, the County and the Department of Fish and Game had already been involved in the matter for several years.

The Department of Fish and Game has told Board staff that Mr. Willis had a number of other drainage problems on his property, and that he has also performed unauthorized excavation activities within the creek channel. These unauthorized activities may be, if not more so, responsible for changing the hydrodynamics of the creek and contributing to the flooding he blames on his neighbors.

Sonoma County has issued an enforcement order to Mr. Willis' neighbors, the Falveys, to remove rock fill that they had placed in Haraszthy Creek, a tributary to Sonoma Creek. The Falveys were also required to prepare a drainage plan to address the back up of water onto Mr. Willis' property. The County has told Board staff that the Falveys have met all the conditions of their enforcement order except the preparation of the drainage plan. According to the Falveys' engineer, this drainage plan cannot be completed because of complications/uncertainties resulting from Mr. Willis' own unauthorized excavation activities.

The Department of Fish and Game enforcement notice also required the Falveys to remove the fill and regrade the stream back to its natural grade. In a recent conversation with Board staff, Department of Fish and Game staff agreed with County staff's assessment that the Falveys' illicit channel work has been properly remediated.

It appears that the enforcement actions taken by the County and the Department of Fish and Game did not resolve Mr. Willis' concerns quickly enough and/or to his satisfaction because, according to Mr. Willis, the removal of the dam and the creek fill has not stopped the flooding of his property. According to the County, a drainage plan designed to fix the grade of the channel has not been able to be completed because of the disagreement between Mr. Willis and the Falvey's about the exact cause of the flooding on the Willis property.

We will continue to monitor the situation, but will look to the County and the Department of Fish and Game to continue their lead efforts to resolve problems at this site.

**Tomales Bay Watershed Pathogens TMDL** ([Dyan Whyte](#))

The proposed Basin Plan Amendment that would establish a Tomales Bay Watershed Pathogens Total Maximum Daily Load (TMDL) was released for a 45-day public review and comment period on March 4. Staff will be conducting two meetings with interested stakeholders during this 45-day comment period. On March 15, we will meet with interested members of the Tomales Bay Watershed Council, and on April 13, we will meet with the Marin-Sonoma Resource Conservation District.

A testimony hearing on the TMDL is scheduled as part of the April Board meeting. This hearing will serve as an opportunity for interested parties to comment on the proposed Basin Plan amendment and for the Board to ask questions of staff and stakeholders. Depending on the issues raised during the public comment period and the testimony hearing, an adoption hearing is scheduled as part of the June Board meeting. At this Board meeting, the Board will be asked to establish the TMDL by adopting the proposed Basin Plan amendment.

The Tomales Bay Watershed Pathogens TMDL, the proposed Basin Plan Amendment and other documents supporting the TMDL are available for review online at [www.waterboards.ca.gov/sanfranciscobay/direction.htm](http://www.waterboards.ca.gov/sanfranciscobay/direction.htm). All of these items will be included in the Board's April Board agenda package.

**Critical Coastal Areas Public Workshops** ([Dale Hopkins](#), [Carmen Fewless](#))

California's Critical Coastal Areas (CCA) Program is a state program that is one of the elements of the California Nonpoint Source Program Plan. Its aim is to identify sensitive coastal areas that are in critical need of protection from polluted runoff and to foster collaboration among local stakeholders and government agencies to better coordinate resources and focus efforts on pollution remediation. Under the lead of the California Coastal Commission, a statewide committee of State and Regional Water Boards, the Coastal Commission, and other stakeholders developed a list of 101 CCAs in four coastal regions of the State. In the San Francisco Bay Region (which includes San Francisco Bay), we have 32 identified CCAs: 11 along the San Mateo and Marin coasts and 21 within San Francisco Bay. Of these, five coastal and four Bay CCAs have been designated as high priority.

At least one pilot CCA will be selected in each of the four coastal regions. For each pilot, the CCA Program will form a team of local stakeholders (watershed groups, special interest organizations, and community members) and government agencies (state, federal, and local) to develop a community-based Watershed Assessment and Action Plan for addressing polluted runoff that threatens coastal resources within the CCA. Funding may be available for planning from the State Integrated Coastal Watershed Management (ICWM) grants program, which is offering up to \$500,000 for watershed planning efforts along the California coast that include one or more Areas of Special Biological Significance (a subset of CCAs).

Coastal Commission and Water Board staff are hosting two public workshops in early March to receive input on choosing a pilot from the high priority CCAs in our Region and to explain potential funding options. The workshops are scheduled for March 8 in Half Moon Bay at the Ocean Shore Train Depot and March 11 in Novato at the Bay Institute. More information on the workshops and



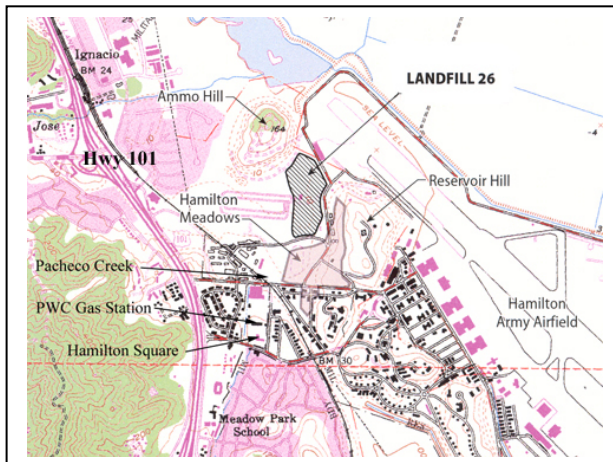
the CCA Action Plan, as well as maps and a list of the CCAs, is available at the Commission's website: <http://www.coastal.ca.gov/nps/cca-nps.html>.

**Cleanup Continues at Hamilton Army Airfield's Northern Parcels, Novato ([Laurent Meillier](#))**

The former Hamilton Army Airfield (HAAF) is a closed Department of Defense facility in Novato. Some of HAAF has been or is in the process of being redeveloped for housing and commercial uses, and a 300-acre wetlands restoration project. We reported last month on the restoration of the wetlands. In the northern areas of HAAF, several cleanup activities are still ongoing:

*Hamilton Square (former gas station)*

West Bay Builders successfully bid \$900,000 for this 2.7 acre Navy parcel. The site is located at the corner of Main Gate Road and C Street. Various releases of petroleum occurred at the former gas station. Cleanup of petroleum-impacted soils has been completed at the site except for residual petroleum hydrocarbons under the foundation of the existing building. Moderate levels of benzene, ethylbenzene and MTBE currently impact groundwater at the site. As a result of the residual petroleum hydrocarbons underneath the building, this site is subject to land use restrictions.



With the Board as lead and DTSC as support, West Bay Builders intends to further cleanup the site's residual petroleum hydrocarbons to allow for residential development. Up until such cleanup is completed, current land use restrictions will remain in place. However, assuming cleanup will be completed to levels protective of unrestricted use, Board staff expect that we can issue a No Further Action letter concurrently with modifications to the land use restrictions.

*Former Public Works Center Gas Station*

Located north of Hamilton Square, the Navy plans to test the temporary shutoff of the remediation system at this former gas station. The intent is to test the effectiveness of natural attenuation degrading the one-half mile long polluted groundwater plume emanating from this site and to demonstrate that further remediation by the current system is infeasible. We have issued a conditional approval for a twelve-month demonstration along with several caveats. Among those caveats is the need to restart the remediation system should it become apparent that the plume is unstable and is beginning to migrate. Several parameters have been established that can demonstrate plume stability, including various monitoring and notification requirements.

*Landfill 26*

Further to the north of these gas station sites is Landfill 26. I recently issued a Notice of Violation (NOV) to the U.S. Army Corps of Engineers (Corps) for failing to submit the Landfill's Corrective Action Investigation Workplan. Given that the Corps has had more than adequate time to plan for, fund, and execute the work, I believe this action is appropriate. This site is unique in that it is regulated under both a Cleanup and Abatement Order and Time Schedule Order. We consider investigations in the southern portion of the landfill related to control of methane migration fairly complete. However, the submittal of a Corrective Action Investigation Workplan addressing the

entire landfill is essential. The report will identify any data gaps that could impact the surrounding western, northern, and eastern areas of the landfill. Timely submittal of this and future reports will enable the project to move forward towards final completion. I expect that the NOV will bring the Corps back into compliance.

*Pacheco Creek Restoration Project*

Southwest of Landfill 26 is Pacheco Creek. Board staff is working with the City of Novato and Marin County officials as well as other environmental agencies on the restoration of a portion of Pacheco Creek. The focus of the restoration project is the removal of the concrete lining the channel that directs creek flow towards Pacheco Pond. This man-made channel was originally built in the early 1950s by the Corps to minimize bank erosion and flooding of its adjacent property. Board staff recently reviewed and conditionally approved the project as required under the existing land use restriction in effect for this area. The City and County will need to conduct a CEQA review and obtain approvals from several other regulatory agencies, including the Board, prior to initiating the project. A component of the restoration project is to monitor whether any contaminants are migrating from Landfill 26 into Pacheco Creek.

**Proposed Signing of the Record of Decision for Concord Naval Weapons Station's Site 17**  
**([Laurent Meillier](#))**

I intend to sign the Record of Decision (ROD) for the Concord Naval Weapons Station (Station) Site 17 at the end of March. This ROD is focused upon PAHs (Polycyclic Aromatic Hydrocarbons) and metals impacting soils. Site 17 is located within a 6,200-acre inland area of the Station, and is comprised of buildings that were used for forklift maintenance and battery service; two petroleum underground storage tanks; and an old septic tank. My signing of the ROD concurs with the Navy's proposal of no further action at Site 17 due to the low to non-detectable levels of pollutant impacts to soils, sediments, or groundwater above residential cleanup goals and/or ambient levels. As part of my approval of the ROD, the Navy is performing confirmatory sampling for petroleum hydrocarbons in soils and groundwater.

**Proposed Signing of the Record of Decision for Offshore Sediments, Naval Station Treasure Island, San Francisco** ([Alan Friedman](#))

I also intend to sign the Record of Decision (ROD) for Treasure Island's Installation Restoration Site 13 before the end of March. This ROD concerns the offshore sediments in a 538-acre area surrounding Treasure Island. The Navy, with concurrence of DTSC and Board staff, is proposing no further action in this area, based on the results of environmental data collected over a ten-year period. This data was used to determine the extent of contamination in the area's offshore sediments and to evaluate potential risks of those sediments to the offshore environment. It was determined that the sediments do not pose an unacceptable risk to either human health or the environment. The "no action" decision was released for public comment on April 1, 2004, and only minor comments were received. No significant changes to the "no action" recommendation were needed.

**In-house Training**

We had no in-house training in February. Our March training will be on meetings – making them efficient and effective. Recent noontime seminars have included a March 1 session on groundwater sampling and a March 2 session on enhanced anaerobic bioremediation of solvents at a federal site in Sunnyvale.

### **Staff Presentations and Outreach**

On January 25, Rebecca Tuden, Karen McDowell and Dale Hopkins organized a multi-agency boating educational workshop, *Getting Ship-Shape in Tomales Bay in 2005*, in Point Reyes Station. The workshop was part of the ongoing effort to reduce pathogen contamination in Tomales Bay, an impaired waterbody. Rebecca Tuden presented the results of a study identifying the need for adequate vessel sewage disposal facilities. The Gulf of the Farallones National Marine Sanctuary and the U.S. Coast Guard provided information on environmentally friendly boating and boating rules and regulations.

On February 16, Steve Moore made a presentation about the results of last year's Basin Plan Triennial Review to the Bay Planning Coalition's Water Quality Committee. The Bay Planning Coalition was active throughout the triennial review process in 2004, and the presentation included an in-depth discussion of potential Basin Plan amendments anticipated over the next three years.

On February 23 and 24, Mary Rose Cassa and Laurent Meillier joined 30 other science professionals from the Bay Area to help judge the 22nd Annual San Francisco Middle School Science Fair. More than 200 students in 6th, 7th, and 8th grades from throughout San Francisco won their school competitions and advanced to the City level. Winners of the San Francisco fair advance to the Bay Area Regional Science Fair and are eligible to advance to the National level.

On February 23, Chuck Headlee taught a class entitled, "Level of Information Necessary to Make Technical Decisions Regarding Site Cleanup and Closure". The class, co-sponsored by the State Water Board and U.S. EPA, gave guidance on how to perform more effective site investigations that allow quicker and better cleanup decisions. The class will be repeated in mid-March in Sacramento and then again in Southern California.

On February 23, Roger Brewer participated in a panel discussion at a Brownfield workshop sponsored by the Central Valley Water Board, DTSC, and the City of Sacramento Redevelopment Agency. He discussed the use of our Board's Environmental Screening Levels to rapidly identify potential environmental concerns at contaminated sites and ultimately expedite the cleanup and redevelopment of Brownfield sites.

On February 23, Richard Looker and Karen Taberski made presentations at a mercury coordination meeting sponsored by the San Francisco Estuary Institute. The meeting was attended by people involved in mercury research in San Francisco Bay as well as officials from local, state, and federal government agencies. Richard's presentation was entitled, "Regulatory Update for the San Francisco Bay Mercury TMDL". Karen's presentation was entitled, "Mercury Concentrations in Fish From San Francisco Bay Area Waterbodies".

On February 23, Dorothy Dickey presented a lecture on Water Board regulation of wetlands to the California Environmental Law class at the University of San Francisco's Law School. She led the class in a role playing exercise that resulted in a lively discussion of some various perspectives on legal issues concerning development in wetlands.

From February 28 through March 2, several Board staff and I spoke at the Water Environment Federation's 32<sup>nd</sup> Annual Pretreatment, Pollution Prevention and Stormwater Conference & Exhibition held in Monterey. The Conference theme was "The Superheroes of Pretreatment, Pollution Prevention, and Stormwater." In keeping with the theme, I gave the keynote speech about

the difficulties facing the State and Regional Water Boards, how these difficulties affect local agencies, the lack of recognition all public water quality “superheroes” get for their excellent job performance, and what we can do to address that. Steve Moore was also a keynote speaker and filled in for former Executive Officer Steve Ritchie to discuss the South Bay Salt Pond Restoration Project. His talk was entitled, "Learning from the Past and Restoring for the Future," and included relating restoration of wetlands and streams to the function of wastewater treatment plants, making the point that restoring wetland and stream functions increases treatment of urban pollutants. Tom Mumley served as a chairperson for a conference session titled, “TMDLs & Source Control Work Together.” Bill Johnson gave a presentation titled, “Controlling Urban Pesticide Runoff.” Other Board speakers included Laura Speare, our Urban Pesticide Pollution Prevention Project (UP3) Project Manager who spoke on, “Preventing Urban Pesticides Pollution: The UP3 Project and Other Bay Area Activities,” and Wil Bruhns, who spoke on, “Standardizing Municipal Stormwater Permit Provisions in the San Francisco Bay Area”.

On February 17, Steve Morse led a facility tour to several Board-regulated facilities in central Contra Costa County for staff from the State Water Board’s Division of Administrative Services and the State Department of Finance. The purpose of the tour was to familiarize these administrative staff with Water Board activities in the field. The facilities toured included Central Contra Costa Sanitary District’s Treatment Plant, Mountain View Sanitary District’s Treatment Plant, an ongoing underground tank cleanup, and Rhodia’s Peyton Slough restoration project on the Carquinez Strait.