

San Francisco Bay Regional Water Quality Control Board

**June 11, 2014 Board Meeting
Draft Minutes for Board Consideration**

ADOPTED July 9, 2014

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 (415) 457-4417.

Item 1 - Roll Call and Introductions

Meeting called to order at approximately 9:00 am in the Elihu M. Harris Building, First Floor Auditorium.

Board Members Present

Newsha Ajami
William Kissinger
Margaret Abe-Koga (arrived
at 9:10 am)
John Muller
Vice-Chair James McGrath
Chair Terry Young

Board Members Absent

Status

QUORUM

Item 2 - Public Forum

No parties requested to speak.

Item 3 - Minutes of the April 9, 2014 Board Meeting

Executive Officer Bruce Wolfe recommended adoption of Item 3.

Board Member McGrath moved for adoption of Minutes; Board Member Ajami seconded the motion.

Ayes: Ajami, Kissinger, Muller, McGrath, Young

Nos: none (Board Member Abe-Koga had not yet arrived)

ITEM ADOPTED

Item 4 - Chairman's, Board Members', and Executive Officer's Reports

Board Member Ajami discussed her recent talk on water bond financing. Board Member McGrath asked staff to explore ways of improving the Board's website.

Chair Young summarized the Water Board Chairs' call. Board members discussed ways in which they may participate or give input on matters being considered by the State Board that has relevance to the Region, such as general permits. Chair Young requested that the

EO Report include a list of statewide priority projects underway. Mr. Wolfe suggested that there may be a regular State Board reporting forum that would also serve that same purpose. Board Member Abe-Koga suggested forming subcommittees to track and discuss statewide matters of interest. Vice Chair McGrath suggested the issue be raised at WQCC. Chair Young reported that yesterday she met with the Alameda RCD and NRCS staff along with Water Board staff to discuss regulatory options for permitting livestock ponds enhancement and restoration activities.

Mr. Wolfe reported that State Board Member Tam Doduc asked him to update the Board on a number of items since she could not attend. He reported on the status of the draft statewide trash policy, water rights curtailments statewide, the State Board's draft potable water permit, and the State Board's recently adopted recycled water general permit. Mr. Wolfe also gave an overview of this month's Executive Officer's Report. He noted that all permits have been issued for the Leona Heights Sulfur Mine cleanup, and construction should be starting soon. He informed the Board that on June 26 there will be a ceremony on the opening of the Bay Trail near the Hamilton wetlands restoration in Marin County.

Item 5 - Consideration of Uncontested Items

Item 5A – City of Benicia, Wastewater Treatment Plant and Wastewater Collection System, Benicia, Solano County – Reissuance of NPDES Permit and Rescission of Cease and Desist Order

Item 5B – City of Palo Alto, Palo Alto Regional Water Quality Control Plant and City of Palo Alto Wastewater Collection System, Palo Alto, Santa Clara County – Reissuance of NPDES Permit

Item 5C –Shell Oil Products and Equilon Enterprises LLC., Shell Martinez Refinery, for the property located at 3485 Pacheco Blvd., Martinez, Contra Costa County – Adoption of Site Cleanup Requirements

Item 5D – Cal Steel Coating and the U.S. Army Corps of Engineers, for the shoreline parcel adjacent to 2241 Clement Avenue and the Oakland Harbor Channel, Alameda, Alameda County – Rescission of Site Cleanup Requirements

Mr. Wolfe noted that there is a supplemental for 5C.

Scott Roylance, representing William Lyon Homes, addressed the Board. He expressed support for Item 5D and commended all parties, especially Board Staff Mark Johnson, for all the work done to move the project forward.

Mr. Wolfe recommended adoption of items 5A, 5C, and 5D.

Vice Chair McGrath moved for adoption of the items; Board Member Abe-Koga seconded

the motion.

Ayes: Ajami, Kissinger, Abe-Koga, Muller, McGrath, Young

Nos: none

ITEMS ADOPTED

Karin North, representing the City of Palo Alto, addressed the Board. She expressed support for Item 5B and thanked Board staff for its work on the permit.

Mr. Wolfe recommended adoption of Item 5B.

Vice Chair McGrath moved for adoption of Item 5B; Board Member Kissinger seconded the motion.

Ayes: Kissinger, Muller, McGrath, Young

Recuse: Ajami, Abe-Koga

Nos: none

ITEM ADOPTED

Basin Planning

Item 6 – Proposed Amendment to the Water Quality Control Plan for the San Francisco Bay Region to Establish a Total Maximum Daily Load (TMDL) for Fine Sediment in the Lagunitas Creek Watershed and an Implementation Plan to Achieve the TMDL and Related Habitat Enhancement Goals – Hearing to Consider Adoption of Proposed Basin Plan Amendment

Board Staff Mike Napolitano made the presentation. He gave an overview of the watershed and described problems for fish, recommended actions, and staff's response to comments.

The Board Meeting was interrupted by a fire alarm at 10:10 am. All meeting attendees were evacuated to the outside of the building. The meeting was reconvened at 10:38 am.

Vice Chair McGrath asked about development in the San Geranimo Creek Watershed and flood control issues. Mr. Napolitano provided background information on the watershed and discussed factors that must be considered prior to installing log jams. Board Member Muller discussed the evolution of our understanding of the significance of wood in streams. Chair Young complimented Mr. Napolitano on his work. Board Member Kissinger asked about sediment delivery from paved roads vs. unpaved roads. Mr. Napolitano described erosion processes and the assumptions related to estimates of sediment delivery rates. He also described activities to address actions identified as part of the roads inventory work. In response to questions from Board members, Mr. Napolitano described the basis for the load allocations. Vice Chair McGrath asked about incision processes downstream of dams. Mr. Napolitano described results of field studies in those areas.

Gregory Andrew, representing the Marin Municipal Water District (MMWD), addressed the Board. He read into the record a letter from the MMWD Board in support of the TMDL. Chair Young agreed to accept the letter into the record. Mr. Andrew also described roads and stream enhancement work conducted by MMWD and future planned work.

Terri Fashing, representing Marin County, addressed the Board. She described the County's programs and noted the consistency between its programs and the requirements of the Basin Plan amendment. She requested a streamlined permit process for stream bank restoration. She further noted that Marin County's statewide stormwater permit requirements should cover the work needed to inventory roads. She requested removal of the five year deadline to inventory roads. Chair Young and Board Member Kissinger asked for clarification. Mr. Wolfe noted that staff are working with the County to develop a stream maintenance program, which should streamline the permitting process. Mr. Wolfe noted that yesterday we received a letter from US EPA in support of the TMDL.

Mr. Wolfe recommended adoption of Item 6.

Board Member Muller moved for adoption of Item 6; Vice Chair McGrath seconded the motion.

Vice Chair McGrath summarized why he supported the staff recommendation.

Ayes: Ajami, Kissinger, Abe-Koga, Muller, McGrath, Young

Nos: none

ITEM ADOPTED

Item 7 – Proposed Amendment to the Water Quality Control Plan to Incorporate New Onsite Wastewater Treatment System (OWTS) Policy, Amend Wet Weather Overflow Policy, and Update Other Basin Plan Information – Hearing to Consider Adoption of Proposed Basin Plan Amendment

Board Staff Richard Looker made the presentation. He described the four elements of the Basin Plan amendment.

Vice Chair McGrath asked for clarification regarding permitting for winery wastewater. Chair Young noted she received a letter from the Solano County Board of Supervisors in which the County requested that the Board develop an alternative mechanism for permitting systems not covered under the OWTS Policy.

Laura Pagano, representing the San Francisco Public Utilities Commission, addressed the Board. She described the City of San Francisco's wastewater treatment system and projected upgrades. She noted support for the CSO policy updates included in the proposed amendment.

Matthew Geisert, representing the Solano County Environmental Health Division, expressed support for staff's stated commitment to develop a regulatory permitting process for winery wastewater disposal and other food processing facilities.

Robert Finebaum addressed the Board. He noted he served on the stakeholder committee for development of the OWTS Policy. He urged the Board explicitly not to require operating permits for alternative onsite wastewater treatment systems. Vice Chair McGrath asked for clarification about advanced systems. Board staff confirmed that there is nothing in the Basin Plan amendment that either mandates or prohibits operating permits.

Mr. Wolfe recommended adoption of Item 7.

Board Member Kissinger moved for adoption of Item 7; Board Member Ajami seconded the motion.

Ayes: Ajami, Kissinger, Abe-Koga, Muller, McGrath, Young

Nos: none

ITEM ADOPTED

Item 8 - Correspondence

Mr. Wolfe discussed Item 8's thank you letter from Hines, complementing Board Staff Max Shahbazian, John Wolfenden, and Stephen Hill for their work on a site in Sunnyvale.

Item 13 - Adjournment

Meeting adjourned at 12:33 pm until the next Board Meeting – July 9, 2014