

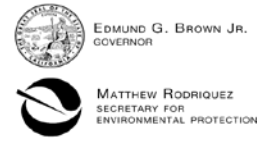
STATE OF CALIFORNIA

**REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

MEETING DATE: November 8, 2017

ITEM: **3**

SUBJECT: **MINUTES OF THE OCTOBER 12, 2017 BOARD MEETING**



San Francisco Bay Regional Water Quality Control Board

October 12, 2017 Board Meeting
Minutes for Board Consideration
ADOPTED November 8, 2017

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 9:05 a.m. in the Elihu M. Harris Building, First Floor Auditorium.

Table with 3 columns: Board Members Present, Board Members Absent, Status. Includes names like Terry Young, James McGrath, Cecilia Ogbu, Newsha Ajami, Steve Lefkovits, Jayne Battey, William Kissinger, and QUORUM.

Planning Section Leader Kevin Lunde introduced two Watershed Stewards Program members, Elizabeth Beckensten and Sophia Morales-Leon. Toxics Cleanup Section Leader Cheryl Prowell introduced Water Resource Control Engineer Kelly Archer. Groundwater Protection Section Leader Alec Naugle introduced Engineering Geologist Katrina Kaiser.

Executive Officer Bruce Wolfe presented an award to Vic Pal for 25 years of State service.

State Water Board member Tam Doduc reported on the following: the State Water Board recently adopted the State's Integrated Report and 303(d) lists for six Water Boards, including the SF Bay Water Board. The next State Water Board meeting will include consideration of the proposed policy on Cannabis Cultivation and of Waste Discharge Requirements to control waste from these facilities. The 2017 legislative session has wrapped up, and the Governor recently signed SB 231, which defines the term "sewer" to include all facilities needed to collect stormwater, and SB 574, which requires the State Water Board to adopt requirements for direct potable reuse to protect public health and the environment.

Mr. Wolfe opened a discussion to recognize retiring Assistant Executive Officer, Dyan Whyte, for her many years of service. Board Chair Terry Young read a "certificate of retirement" for Dyan. Board members, Mr. Wolfe, and Ms. Doduc made personal comments to Dyan about and in honor of her service.

Item 2 – Public Forum

Craig Johns, representing the Partnership for Sound Science in Environmental Policy, offered personal comments to Ms. Whyte, thanking her for her service and complementing her and the quality of staff from SF Bay Water Board. He congratulated the Board on the completion of the removal of the Suisun Bay mothball fleet. He commented on California Waterfix, noting that Phase II of its hearings are starting up in January and that his organization has submitted many comments. He said he is agnostic about whether it should be permitted or not but is not agnostic about changing the permit for diversion to include selenium monitoring; selenium monitoring must be included to know the amount of selenium coming from the Delta based on where the diversion is located. He said the State Water Board must require contractors to conduct enhanced evaluation of selenium impacts; the EIR ignored that, and he is working with Tetra Tech on some recommendations that he will share with Board staff.

Chair Young responded by asking Mr. Johns to please share the recommendations mentioned in his comments and suggested that he also coordinate with Board staff on the new requirements for selenium in the Regional Monitoring Program.

Item 3 – Minutes of the September 13, 2017 Board Meeting

Mr. Wolfe recommended adoption of the Minutes from the September 13, 2017, Board Meeting.

Chair Young moved for adoption of the Minutes; Vice Chair McGrath seconded the motion.

Ayes: Ajami, McGrath, Ogbu, Young,

Nos: None

ITEM ADOPTED

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

Chair Young acknowledged implications of the North Bay fires on business, permittees, and the public. She asked staff to review Board programs, upcoming deadlines, and enforcement actions to see how our requirements and authorities might create difficulty for affected parties. She asked that staff determine if we can provide more time on an ad hoc basis and take conditions into account. She requested a briefing to the Board on the fires.

Vice Chair McGrath mentioned the environmental impacts of fires (pH signal, sediment delivery, runoff changes) and that sediment TMDL assessments are no longer representative. He suggested Board staff must be able to respond quickly, especially regarding work for safety and in response to hazards like flooding.

Mr. Wolfe responded that staff does not want to put anyone into a difficult regulatory situation due to the fires. The primary staff focus will be on debris cleanup and making sure adequate disposal methods and sites are available for noxious fire debris and on sediment loading as a secondary impact. Board staff will work with counties and will consider how the

vineyard program and development of the winery general permit may need to consider more time for affected communities to recover. Mr. Wolfe also acknowledged support for colleagues at the North Coast Water Board and that some staff there had lost homes.

Vice Chair McGrath reported that he attended an industrial tour of Richmond's harbor facilities on September 28 and the Regional Monitoring Program's annual meeting on October 6. He commented that the Bay Region is very lucky to have an established monitoring program to bring good science into decision-making. He also met with the City of Berkeley to discuss Aquatic Park's future related to sea level rise, flooding, and stormwater discharge. He attended the State of the Estuary Conference and found it informative, particularly about the impacts of sea level rise, and satisfying to be with colleagues who have worked hard on behalf of the Bay. He specifically noted Andy Gunther's receipt of the Jean Auer Award.

Chair Young reported that, on August 23, she met with Board staff and members of the vineyard community, including representatives from the Wine Institute, United Wine Growers, and Gallo, about monitoring for the Vineyard Program. The vineyard representatives presented a proposal to combine remote sensing with on-the-ground measurements in lieu of instream monitoring. She also met with Save the Bay staff on September 26 and discussed their concerns about the Municipal Regional Stormwater Permit's 2017 trash control deadline and annual reports, CalTrans' trash compliance, and preparation for compliance evaluations of the Permit's trash requirements. Chair Young also commented that she had heard that Los Angeles is having challenges with implementation of the statewide industrial stormwater permit and was considering requiring municipalities to make industrial dischargers acquire permit coverage prior to issuing business licenses. Assistant Executive Officer Thomas Mumley noted that the Municipal Regional Stormwater Permit requires municipalities to insure industrial dischargers are complying with the industrial stormwater permit.

Mr. Wolfe gave an overview of this month's Executive Officer's Report. He noted that he will be presenting at an Environmental Justice Workshop sponsored by CalEPA next week. He also mentioned that he attended a meeting with Silicon Valley Clean Water to hear about their pilot testing of a new method of secondary wastewater treatment, Staged Anaerobic Fluidized-bed Membrane Bioreactor, which relies on anaerobic instead of aerobic treatment, potentially reducing energy needs and minimizing equipment and space needs. Board Member Ajami asked about the scale or level of treatment this method applies to as she is interested in treatment using less water in the future.

Uncontested Items

Item 5A – Shell Oil Products US and Equilon Enterprises LLC, Shell Martinez Refinery, Martinez, Contra Costa County – Reissuance of NPDES Permit

Mr. Wolfe recommended adoption of Item 5A. Vice Chair McGrath moved to approve and Board member Ajami seconded. Board members McGrath and Young both acknowledged comments from the Baykeeper regarding selenium.

Ayes: Ajami, McGrath, Ogbu, Young

Nos: None

ITEM ADOPTED

Other Business

Item 6 – Overview of Regional Water Board Proposed Priorities – Workshop on the Board’s Programs and Their Proposed Priorities for the 2017-2018 Fiscal Year

Toxics Section Leader Cheryl Prowell, on behalf of Division Chief Stephen Hill, described the programs and priorities of the **Toxics Cleanup Division**.

Board members commented about cleanup cases getting more complicated without getting additional resources to address them, said they want to hear an update on prioritization of cleanup cases, expressed appreciation for staff showing changes and explaining challenges, and said they are happy with work on vapor intrusion and groundwater programs pushing the envelope.

Division Chief Terry Seaward provided an overview of the programs and priorities in the **Groundwater Protection and Waste Containment Division**.

Board members commented that they support the focus on groundwater basin management and recognized staff’s work on petroleum metabolites. Chair Young requested a presentation on prioritization of groundwater basins. Mr. Wolfe responded with additional detail about staff efforts to develop salt and nutrient management plans, evaluate septic tank and other water quality issues for groundwater, find the regulatory tools to address groundwater problems, and consider stormwater capture to augment supply.

Division Chief Naomi Fager described the programs and priorities in the **Planning and TMDL Division**.

Board members commented about the wetland application of biosolids, the hydrology and sediment delivery issues related to sea level rise, using and leveraging cannabis positions for TMDL implementation, adapting wetland regulatory policies, development of the nutrient policy, and future cannabis regulation.

Chair Young asked if the Watershed Management Division and NPDES Division presentations could occur at next Board meeting in the interest of time and Mr. Wolfe concurred.

Item 7 – Correspondence

This item was for informational/discussion purposes and no action was taken.

No Closed Session was held.

Item 11 – Adjournment

Meeting adjourned at 12:47 p.m. until the next Board Meeting – November 8, 2017