



San Francisco Bay Regional Water Quality Control Board

May 10, 2017 Board Meeting
Draft Minutes for Board Consideration

ADOPTED June 14, 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 9:09 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 Cecilia Ogbu, Newsha Ajami, William Kissinger, James McGrath, Terry Young, and Jayne Battey.

Division Chief Anna Torres introduced new Staff Information Systems Analyst Wes Wong. Senior Environmental Specialist Xavier Fernandez introduced new Water Resource Control Engineer Nicole Fairley.

Item 2 – Public Forum

No parties requested to speak.

Item 3 – Minutes of the March 8, 2017, and April 12, 2017, Board Meetings

Executive Officer Bruce Wolfe recommended adoption of the Minutes from the March 8, 2017, and April 12, 2017, Board Meetings.

Vice Chair McGrath moved for adoption of the Minutes; Board Member Battey seconded the motion.

Ayes: Ajami, Kissinger, McGrath, Young, Battey

Nos: None

ITEMS ADOPTED

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

Vice Chair McGrath discussed the need for a vision, governance structure, and needs assessment to address sea level rise and climate change. Chair Young discussed the recent Board Chairs’ meeting. She highlighted a discussion regarding Proposition 218, the need to incorporate climate change into all of our work, and the application of 21st century technology in our work.

Mr. Wolfe gave an overview of this month’s Executive Officer’s Report. He highlighted the sustainable groundwater and Bayfront Canal items. He also described the work of the San Francisco Bay Joint Venture. Vice Chair McGrath asked for more information regarding the Valero final enforcement action. Chair Young asked about the referral of Prosperity Cleaners to the Board’s Enforcement Unit.

Consideration of Uncontested Items

Item 5A - East Bay Dischargers Authority (EBDA), EBDA Common Outfall, San Leandro; City of Hayward, Hayward Water Pollution Control Facility and Collection System, Hayward; City of San Leandro, San Leandro Water Pollution Control Plant and Collection System, San Leandro; Oro Loma Sanitary District and Castro Valley Sanitary District, Water Pollution Control Plant and Collection System, San Lorenzo; Union Sanitary District, Raymond A. Boege Alvarado Wastewater Treatment Plant and Collection System, Union City; Livermore-Amador Valley Water Management Agency; Alameda County – Reissuance of NPDES Permit

Item 5B – Dublin San Ramon Services District (DSRSD), Livermore-Amador Valley Water Management Agency, East Bay Dischargers Authority; DSRSD Wastewater Treatment Plant and Collection System; Dublin, Alameda County – Reissuance of NPDES Permit

Item 5C – City of Livermore, Livermore-Amador Valley Water Management Agency, East Bay Dischargers Authority; City of Livermore Water Reclamation Plant and Collection System; Livermore, Alameda County – Reissuance of NPDES Permit

Item 5D – Sebastiani Vineyards, Green Acres Ranch, Sonoma County – Rescission of Waste Discharge Requirements Order No. 85-099

Item 5E – City and County of San Francisco and the Sunol Valley Golf and Recreation Company, Sunol Valley Golf Course, Sunol, Alameda County – Rescission of Water Reclamation Requirements Order No. 88-037

Because the Chair received speaker cards for Item 5A, Mr. Wolfe recommended adoption of items 5D and 5E and subsequently hearing testimony on items 5A, 5B, and 5C.

Vice Chair McGrath moved for adoption of items 5D and 5E; Board Member Ajami seconded the motion.

Mr. Wolfe provided background on the facilities covered by items 5D and 5E. Board Member Ajami asked about future requirements for the facilities.

Ayes: Ogbu, Ajami, Kissinger, McGrath, Young, Battey

Nos: None

ITEMS ADOPTED

Specific to Item 5A, Lorien Fono, representing the Bay Area Clean Water Agencies, discussed issues with regulating chlorine residuals in wastewater. She suggested that the Basin Plan could be amended to address these issues. Dr. Mike Connor, EBDA General Manager, gave an overview of EBDA's wastewater system and discussed possible future management strategies for the system.

Specific to Item 5B, Levi Fuller, representing Dublin San Ramon Service District, discussed existing and possible future recycled water projects. Chair Young asked about ways to follow up in the Basin Plan.

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

Board Member Ajami moved for adoption of items 5A, 5B, and 5C; Board Member Kissinger seconded the motion.

Ayes: Ogbu, Ajami, Kissinger, McGrath, Young, Battey

Nos: None

ITEMS ADOPTED

Waste Discharge Requirements

Item 6 - City of Santa Clara and Related Santa Clara, LLC, Santa Clara All-Purpose Landfill, Santa Clara, Santa Clara County – Updated Waste Discharge Requirements and Rescission of Order No. R2-2002-0008

Division Chief Terry Seward introduced the item. Senior Engineering Geologist Keith Roberson gave the presentation to the Board. He described the development project, requirements of the updated WDRs, comments received on the tentative order, and staff's responses. Board Member Kissinger asked about leachate quality and collection. Vice Chair McGrath asked about the role of the Santa Clara County Department of Public Health.

Ruth Shikada, assistant city manager for the City of Santa Clara, discussed the public-private partnership aspects of the project. She presented the vision for the project. Steven Eimer, representing the developer, Related Santa Clara LLC, described the phasing of the project and the investigations and evaluations conducted to date. Jeff Ludlow, principal engineering geologist with Langan Associates, discussed the project's multiple mitigation and remediation systems and how they will provide layers of protection.

Vice Chair McGrath asked about side wall containment. He also asked about sea level rise resiliency. Board Member Kissinger asked for more details on groundwater elevations and the location of pilings. Board Member Battey asked about noticing to future tenants and the balance between affordable housing and providing jobs. Chair Young asked about risks, seismic requirements and review, and financial assurances. Board Member Ajami asked about notification to residents.

Mr. Wolfe recommended adoption of Item 6.

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

Ayes: Ogbu, Ajami, Kissinger, McGrath, Young, Battey

Nos: None

ITEM ADOPTED

Other Business

Item 7A – Why the City of Napa Did Not Flood in 2017; How an Environmentally-Designed Flood Control Project Worked – Information Item

Senior Engineer Leslie Ferguson gave the presentation to the Board. She described the history of the project, some of its key features, and its benefits to water quality. Rick Thomasser with the Napa County Flood Control District described how well the project performed this past winter. Board members asked a number of questions and applauded staff for their efforts over the years.

Item 7B - Audit of Compliance with Clean Water Act Section 401 Water Quality Certification Mitigation and Monitoring Requirements in the North Bay – Information Item

Environmental Scientist Abigail Smith gave the presentation to the Board. She provided background on the Board's water quality certification program, the audit process, and its results. In addition, she described the types of monitoring conducted at sites, the types of reports commonly required, and next steps. Board members noted support for the effort. Board Member Battey suggested that it would be valuable to highlight examples of successful mitigation projects.

Item 8 – Correspondence

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

Item 10 – Closed Session – Litigation

The Board met in closed session to discuss significant exposure to litigation and whether or not to initiate litigation. [Authority: Government Code sections 11126(e)(1) and 11126(e)(2)(A)-(C)]

CLOSED SESSION at 12:43 p.m.; RECONVENED at 2:08 p.m.

Item 12 - Adjournment

Meeting adjourned at 3:42 p.m. until the next Board Meeting – June 14, 2017