

*STATE OF CALIFORNIA*

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

MEETING DATE: January 21, 2015

ITEM:       **5**

SUBJECT:    **EXECUTIVE OFFICER'S REPORT**

# EXECUTIVE OFFICER'S REPORT: *January 2015*

A Monthly Report to the Board and Public

**NEXT MEETING:** January 21, 2015

**WEBSITE:** <http://www.waterboards.ca.gov/sanfranciscobay/>

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## **Restoration of Alameda Naval Air Station Wetlands (Yemia Hashimoto)**

In 2014, the Navy broke ground on a 37-acre, \$28 million project to remediate a historical landfill and burn pit at Site 1 of the former Alameda Naval Air Station (Photo 1). Site 1 is located on the northwestern tip of Alameda Island, where the Oakland Inner Harbor joins San Francisco Bay. Site 1 served as the Air Station's principal waste disposal area, including the disposal of radioactive materials and solvents, from 1943 to 1956. Since 1956, the area has been used as a firing range and an aircraft runway and contains seasonal wetlands that will be removed and restored as part of Site 1's remediation.

Specifically, the project includes the excavation of contaminated material and the placement of a soil landfill cap, as "clean" closure of the landfill is infeasible. One of the more interesting engineering features of the project is the installation of an Open Cell® Waste Isolation Bulkhead presented in the photo as the gray colored and scalloped structure located along the shoreline. Similar to a sheet pile wall, the bulkhead was pounded into place to about 20 foot depth. It will protect the Bay from any residual contamination by effectively containing the waste left in place behind the bulkhead. Recent work includes continued "hot spot" waste removal and the concurrent placement of the landfill cap. The target for project completion and returning the 37 acres to recreational use is late 2015. We will keep the Board updated on project progress.



**Photo 1.** *Former Alameda Naval Air Station Site 1.*

### **Watershed Month Activities (A.L. Riley)**

We promoted December as “Watershed Month”, thanks to the support of our two in-house Watershed Stewardship Program California Conservation Corps/Americorps members, Rebecca Nordenholt and Corie Hlavaty. On December 5, we hosted a workshop on protecting and improving water quality in streams with plants using soil bioengineering. We were joined by 16 participants from the Richmond-based Green Collar Corps, the Point Reyes National Park Service, the Palo Alto Acterra Environmental Center, and the Marin Municipal Water District. On December 6, we held a joint workshop with the City of Richmond for property owners with creeks in their backyards. The workshop was held at a creek restoration site in Booker T. Anderson Park, which made it possible to have a working session on soil bioengineering strategies. We also conducted a half day restoration project with the El Cerrito-based Montessori Family School on Codornices Creek in Albany on December 10. This is the third year students and parents have assisted with planting riparian vegetation along this important steelhead stream.

### **Cullinan Ranch Restoration and Levee Breach**

On January 6, Naomi Feger and I participated in the onsite celebration of the restoration of Cullinan Ranch in the San Pablo Bay National Wildlife Refuge and the breach of a levee at Cullinan Ranch that reintroduces tidal flow to over 1200 acres of formerly diked farmlands for the first time in over 100 years. Since it was diked, these 1200 acres have subsided 3 to 8 feet, so, initially, the site will provide open water and subtidal habitat and recreation while sediment naturally washes in and settles on the site and becomes tidal wetlands. In anticipation of sea level rise, the remaining levees that surround the site and protect Highway 37 along the site's

southern boundary have been sloped at a gradual 10:1 slope to better allow the migration of wetland plants and species upland over time.

Approximately 300 acres of Cullinan Ranch remain to be connected to the Bay. As reported in the September 2014 Executive Officer's Report, dredged material is being placed and contoured on this acreage to raise its level. Once enough material has been placed and contoured, these 300 acres will be reconnected to the Bay and will have a "head start" in becoming tidal wetlands due to their improved elevation.

Both components of Cullinan Ranch's restoration are being implemented consistent with the Board's 2010 waste discharge requirements. We will keep the Board informed of the ongoing progress of the Cullinan Ranch restoration.

### In-house Training

We had no in-house training in December. Our January training will be "Water Board 101," a comprehensive overview of applicable laws, regulations, and policy for recently-hired staff.

### State Board Policies and Permits under Development

The following is a list of statewide policies and permits under development. This table is an abbreviated version of what is routinely distributed as part of the State Board Executive Director's Report. The text in the table is largely unedited except for the deletion of extraneous information.

The full report can be found at

[http://www.waterboards.ca.gov/board\\_info/agendas/2014/dec/121614\\_edrpt.pdf](http://www.waterboards.ca.gov/board_info/agendas/2014/dec/121614_edrpt.pdf)

Policy/Significant General Permit	Status
Antidegradation Policy	The State Water Board is considering preparation of an Implementation Plan Appendix to the existing Antidegradation Policy or an additional policy, to address application of the Antidegradation Policy to groundwater. Focused stakeholder meetings were held in October and November 2013. The work team, composed of members from the State Water Board and Regional Water Boards, convened on April 21, June 27, August 15, and November 14, 2014, to consider stakeholder comments and work on the framework for the Implementation Plan or policy. State Water Board executive management and Board briefings are projected for January/February 2015, and additional focused stakeholder group meetings are planned to take place in February/March 2015. Web page link: <a href="http://www.waterboards.ca.gov/plans_policies/antidegradation.shtml">http://www.waterboards.ca.gov/plans_policies/antidegradation.shtml</a>
Onsite Wastewater Treatment Systems Policy Implementation	The final draft of the Local Agency Management Plan (LAMP) Guidance document is under review. The document is scheduled to be finalized in February 2015.
Trash WQC Plan	Statewide water quality control plans are to be amended to address trash in

Amendments	water ways. The draft plan and staff report were released for public comment on June 10, 2014. A Board workshop took place on July 16, 2014. The revised amendment was posted on December 31, 2014, for public review. Staff anticipates Board consideration on March 17, 2015.
Ocean Plan Amendment: desalination and brine provisions	State Board staff is preparing amendments to the Ocean Plan to address impacts to marine life from desalination facilities and brine discharges. Staff released a draft staff report for public comment on July 3, 2014. A Board workshop was held on August 6, 2014, and a Public Hearing on August 19, 2014. Staff anticipates releasing the amendments for public review in February 2015 and Board consideration in April 2015.
Composting Operations Statewide General Order	Staff released the draft EIR and proposed General Order for public review on January 7, 2015, with a public workshop to be scheduled for February 2015.
Mercury TMDL (Reservoirs)	Staff from Regions 2 and 5 are developing a TMDL and implementation plan to address fish mercury impairments in 74 reservoirs around the state. Focused stakeholder group meetings were held in 2014. In addition, staff has met with the reservoir operators several times to discuss and develop ideas and criteria for water chemistry and fisheries management studies and pilot tests. Staff are preparing the staff report.
Wetland Area Protection and Dredge and Fill Permitting Policy - Phase I	Selected stakeholder meetings were held in April 2013 to receive comments on specific issues related to the Preliminary Draft Wetland Policy posted online January 28, 2013. Separate meetings were held with representatives of the business, utilities, environmental advocacy and Central Valley Joint Ventures stakeholder groups. State Water Board staff will consider these comments in preparing the draft Wetland Policy, which is scheduled for public release in March 2015.
Bacteria Standards for Ocean and Inland Surface Waters	The State Water Board is developing proposed statewide bacteria water quality objectives and a proposed control program to protect human health in waters designated for water contact recreation (REC-1) from the effects of pathogens. The bacteria objectives are proposed to be adopted as amendments to the Statewide Inland Surface Waters, Enclosed Bays and Estuaries Plan (currently under development) and the California Ocean Plan. Staff plans to release draft documents for public review and comment in Spring 2015. State Board Web site: <a href="http://www.waterboards.ca.gov/bacterialobjectives/">http://www.waterboards.ca.gov/bacterialobjectives/</a>
Statewide Storm Water Construction General Permit Reissuance	State Water Board staff is preparing a draft permit for the reissuance of the existing Construction General [Storm Water] Permit, also referred to as the CGP. Regional Water Board staff and stakeholder input is being gathered, which includes suggested changes to the existing permit. Executive management is reviewing the changes.
Nutrient Numeric Endpoints Tools	Staff is working with technical advisory groups to produce an implementation strategy document. U.S. EPA has contracted to have nutrient numeric endpoint protocol updated with results of case studies and lessons learned. This year, staff will organize a stakeholder advisory group and a science advisory group and will expand a regulatory advisory group for

	nutrients in perennial wadeable streams. A Stakeholder Advisory Group Meeting was held on December 9, 2014.
Aquatic Pesticide General Permit - Weed Control	Staff is proposing that the Board amend the permit to: (1) add three agencies to the permit's list of public entities or mutual water companies that are excepted from meeting receiving water limitations for acrolein or copper per SIP section 5.3; (2) modify the Department of Water Resources' SIP exception to add additional water bodies managed by the department for which the existing exception does not apply; (3) add the pesticide active ingredients calcium hypochlorite and sodium hypochlorite to the permit; and (4) add a delegation from the Board to the Executive Director that allows the addition of: (a) pesticide active ingredients to the permit that are newly registered by DPR; and (b) dischargers that have fulfilled the requirements to obtain a SIP exception. Staff posted the draft order on December 12, 2014 for a 30-day comment period. The Board will consider the item at its March 3, 2015 meeting.
Toxicity Amendments to the Inland Surface Waters, Enclosed Bays, and Estuaries Plan	The draft toxicity amendments, revised staff report, and response to public comments received in summer 2012 are currently under review. Another comment period will begin once these documents are released which is anticipated for March 2015. Board consideration is anticipated for May 2015.
Listing Policy Update	A suite of amendments to the Listing Policy is currently under review. These amendments will be presented to the State Water Board for consideration in February 2015.
Phase II Small Municipal Separate Storm Sewer System (MS4) Permit Amendment	State Water Board staff is developing implementation language to be inserted into the proposed amendment of Attachment G (titled Region-specific Total Maximum Daily Loads Implementation Requirements) in the existing Phase II Small MS4 Permit. The proposed revision of Attachment G will undergo the public process beginning early 2015 and the revisions will be incorporated through a State Water Board permit action to amend the permit.
Nonpoint Source (NPS) Implementation and Enforcement Policy Amendments	The NPS Implementation and Enforcement Policy (NPS Policy) is being updated to preclude the use of prohibitions of waste discharge for addressing NPS discharges for those land uses (e.g.; irrigated lands) already covered under other regulatory mechanisms (e.g.; waivers of waste discharge requirements) for which discharger enrollment fees are being assessed. Staff anticipates releasing a draft of the NPS Policy amendments in Winter 2015.

### Penalties Proposed (Lila Tang)

The table below shows a new proposed settlement of enforcement out for public comment. There are also three complaints issued in September and November 2014 in which Board staff and the dischargers are in settlement discussions. These are all available at [http://www.waterboards.ca.gov/sanfranciscobay/public\\_notices/pending\\_enforcement.shtml](http://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement.shtml).

<b>Proposed Settlements</b>			
The following are noticed for a 30-day public comment period. If no significant comments are received by the comment deadline, the Executive Officer will sign an order implementing the settlement.			
<b>Discharger</b>	<b>Violation</b>	<b>Penalty Proposed</b>	<b>Comment Deadline</b>
CEMEX Construction Materials Pacific, LLC, in Sunol	Late discharge reports and violations of settleable solids discharge limit.	\$39,000	January 12, 2015

The State Board Office of Enforcement includes a statewide summary of penalty enforcement in its Executive Director Report at [http://www.waterboards.ca.gov/board\\_info/eo\\_rpts.shtml](http://www.waterboards.ca.gov/board_info/eo_rpts.shtml).