California Regional Water Quality Control Board
San Francisco Bay Region

Linda S. Adams
Secretary for Environmental Protection

Arnold Schwarzenegger
Governor

Internet Address: http://www.waterboards.ca.gov/sanfranciscobay
1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300 • FAX (510) 622-2460

AGENDA

Wednesday, June 10, 2009
9:00 a.m.

Elihu M. Harris Building
First Floor Auditorium
1515 Clay Street
Oakland, CA 94612

Approximate Time[1]

9:00 a.m. 1. **Roll Call and Introductions**

2. **Public Forum**

Any person may address the Water Board regarding a matter within the Board's jurisdiction that is not related to an item on this Meeting agenda. Comments will generally be limited to three minutes, unless otherwise directed by the Chair. Comments regarding matters that are scheduled for a future Meeting will generally be prohibited. The public is encouraged to visit the Board's website [http://www.waterboards.ca.gov/sanfranciscobay/public_notices/public_notice.shtml] or contact Board staff to determine whether a matter has been scheduled for a future Meeting.

3. **Minutes of the February 11, 2009 Board Meeting**

4. **Chairman's, Board Members', and Executive Officer's Reports**

5. **Consideration of Uncontested Item (See Notes)**

*A. **Union Pacific Railroad Company, for the property located at Southern Pacific Rail Spur, Ravenswood Industrial Area, East Palo Alto, San Mateo County** – Rescission of Site Cleanup Requirements [Mark Johnson 622-2493, mjohnson@waterboards.ca.gov]

Staff Summary Report

[1] The "approximate time" indicated is an estimate of when the agenda item is expected to be considered by the Board. The Board will follow these times as closely as possible. However, the estimates are provided for convenience and are not legally binding on the Board.

ENFORCEMENT

Administrative Civil Liability Order

6. **Miller Dismantler, Oakland, Alameda County** – Hearing to Consider Administrative Civil Liability for Late Submittal of Annual Monitoring Report Required Under the Statewide NPDES General Permit for Discharges of Storm Water Associated with Industrial Activity
[Laurent Meillier 622-3277, lmeillier@waterboards.ca.gov]

Staff Summary Report

OTHER BUSINESS

7. **Enforcement** – Information Item on Standard Hearing Procedures for Administrative Civil Liability Cases
[Brian Thompson 622-2422, brthompson@waterboards.ca.gov]

Staff Summary Report
Standard Hearing Procedure
ACL Fact Sheet

8. **The San Jose/Santa Clara Water Pollution Control Plant Master Plan** – Status Report [Bruce Wolfe 622-2314, bwolfe@waterboards.ca.gov]

Staff Summary Report

9. **The Role of Local Governments' Waste Ordinances and Regulations in Water Quality Protection** – Status Report
[Bruce Wolfe 622-2314, bwolfe@waterboards.ca.gov]

Staff Summary Report

10. **Correspondence**

11. **Closed Session – Personnel**
11:30 – 12:30 p.m. The Board may meet in closed session to discuss personnel matters. [Authority: Government Code Section 11126(a).]

12. **Closed Session – Litigation**
The Board may meet in closed session to discuss whether to initiate litigation. [Authority: Government Code Sections 11126(e)(1) and 11126(2)(B)-(C).]

13. **Closed Session – Deliberation**

The Board may meet in closed session to consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence. [Authority: Government Code Section 11126(c)(3).]

14. **Adjournment to the next Board meeting** – July 8, 2009

NOTES ON WATER BOARD AGENDA

Agenda Annotations – *Uncontested item, expected to be routine and non-controversial. Recommended action will be taken at the beginning of the meeting without discussion. Any interested party, Board member or the Executive Officer may request that an item be removed from the Consideration of Uncontested Items, and it will be taken up in the order indicated by the agenda.

Availability of Agenda Items –Tentative orders and their accompanying materials are available one week before the meeting at www.waterboards.ca.gov/sanfranciscobay. Copies of agenda items may be obtained at the Board's office after 9 a.m. on the Thursday preceding the Board meeting from the staff member indicated on the agenda.

Conduct of Board Meetings – Items may not be considered in numerical order. Board meetings are accessible to people with disabilities. Individuals who require special accommodations should contact the Executive Assistant at 622-2399 at least 5 working days before the meeting. TTY users may contact the California Relay Service at 800-735-2929 or voice line at 800-735-2922.

Anyone intending to make a presentation using slides, overheads, computer graphics, or other media must coordinate with the staff member for the agenda item in advance of the meeting. Presentation materials must be consistent with and not extend beyond the scope of oral testimony. Power point slides will not be made part of the record unless the Board views them during its meeting. All those addressing the Board should identify themselves for the record. Additional information on making presentations to the Board is available at www.swrcb.ca.gov/sanfranciscobay/public_notices/public_notice.shtml

At any time during the regular session, the Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based on evidence introduced in a hearing. [Government Code section 11126(a), (d) and (q)]

Administrative Civil Liabilities and Mandatory Minimum Penalties – A discharger may waive the right to a hearing on an agenda item for an ACL or MMP. If there is a waiver, no hearing will be held unless new, substantial information is made available that was not considered during the public comment period.

Petition of Board Actions – Any person adversely affected by a Water Board action may petition the State Water Resources Control Board for review of that action. Pursuant to section 2050(c) of Title 23 of the California Code of Regulations, such a petition shall be limited to substantive issues or objections that were raised before the Water Board at the Board meeting or in timely submitted written correspondence delivered to the Water Board. A petition must be received by the State Board within 30 days of Water Board action. Copies of the law and regulations applicable to filing petitions for review will be provided upon request. See Title 23 of the California Code of Regulations, sections 2050 – 2068.

Contributions to Board Members – All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit before the Board must submit a statement to the Board disclosing any contribution of $250 or more to be used in a State, federal, or local election, made by the action supporter or opponent or his or her agent, to any Board member within the past 12 months.

All permit applicants and all persons who actively support or oppose adoption of waste discharge requirements or an NPDES permit pending before the Board are prohibited from making a contribution of $250 or more to any Board member for 3 months following a Board decision on a permit application.

Water Quality Certification – To obtain information regarding pending Section 401 Water Quality Certification applications, call 622-2300. (Rev. 7-08)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - San Francisco Bay Region
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Water Board Members

Name	City of Residence	Appointment Category
John Muller, Chair	Half Moon Bay	Irrigated Agriculture
Terry F. Young, Vice Chair	Oakland	Recreation, Fish & Wildlife
Shalom Eliahu	Lafayette	Water Supply
James McGrath	Berkeley	Water Quality
Steven M. Moore	Sausalito	Industrial Water Use
William E. Peacock	Redwood City	Undesignated (Public)
Rameshwar Singh	San José	Water Quality
Vacancy		Municipal Government
Vacancy		County Government

Water Board Staff

Executive Officer
Bruce H. Wolfe

Assistant Executive Officers
Thomas Mumley
Dyan Whyte

Counsel to the Board
Dorothy Dickey
Yuri Won

Executive Assistant
Mary E. Tryon

Management Services Division
Anna Torres, Chief

Communications Coordinator
Sandia Potter

Planning and TMDL Division
Wilfried Bruhns, Chief
Naomi Feger, Section Leader
James Ponton, Section Leader
Susan Gladstone, Section Leader

Watershed Management Division
Shin-Roei Lee, Chief
Dale C. Bowyer, Section Leader
William Hurley, Section Leader
Christine Boschen, Section Leader

Groundwater Protection/ Waste Containment Division
Terry Seward, Acting Chief
Terry Seward, Section Leader
John E. Kaiser, Section Leader
Alec Naugle, Section Leader
Keith Lichten, Section Leader

Permits Division
Lila Tang, Chief
Bill Johnson, Section Leader
Gina Kathuria, Section Leader

Toxics Cleanup Division
Stephen Hill, Chief
John D. Wolfenden, Section Leader
Anders G. Lundgren, Section Leader
Chuck Headlee, Section Leader
Mary Rose Cassa, Section Leader

The primary responsibility of the Water Board is to protect and enhance the quality of regional surface water a groundwater for beneficial uses. This duty is carried out by formulating, adopting, and implementing water quality pla for specific water bodies, by prescribing and enforcing requirements on waste dischargers, and by requiring cleanup water contamination and pollution. Specific responsibilities and procedures of the Board are outlined in the Porter-Cologne Water Quality Control Act.

Meetings of the Water Board normally are held on the second Wednesday of each month in the Elihu M. Harris Sta Office Building, First Floor Auditorium, 1515 Clay Street, Oakland. They are scheduled to begin at 9:00 a.m.

The purpose of the meetings is to provide the Board with an opportunity to receive testimony and information fro concerned and affected parties and to make decisions after considering the evidence presented. A public forum is he at the beginning of each general meeting where persons may speak on matters within the Board's jurisdiction that a not specific agenda items. The Board welcomes information on pertinent problems, but comments at the meeti should be brief and directed to specifics of the case to enable the Board to take appropriate action. Written commer must be received prior to the Board meeting by the date indicated by staff. Verbal testimony made at the Board meeti should only summarize the written material.

Tape recordings are made of each Board meeting and these tapes are retained in the Board's office for two years. Anyone desiring copies of these tapes may, at their own expense, arrange to have duplicate tapes made by contacting the Executive Assistant at (510) 622-2399. A copy of the written transcript may be obtained by calling California Reporting, LLC at (415) 457-4417.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
San Francisco Bay Region

Summary of Board Actions Taken at the Regular Meeting

May 13, 2009

Waste Discharge Requirements

Adopted Order No. R2-2009-0044	Amendment of Waste Discharge Requirements Order No. 01-036 for **Santa Clara Valley Water District, U.S. Army Corps of Engineers, and City of San José, Guadalupe River Flood Control Project, Santa Clara County**

NPDES Permit

Public Hearing	Held Hearing to Receive Testimony on Revised Tentative Order for **Municipal Regional Stormwater NPDES Permit – Municipalities and Flood Management Agencies in Alameda County, Contra Costa County, San Mateo County, Santa Clara County, and the Cities of Fairfield, Suisun City, and Vallejo in Solano County**

Minutes

Adopted Minutes	Adoption of Minutes as Submitted for **January 14, 2009 Board Meeting**