

STATE OF CALIFORNIA

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

MEETING DATE: July 13, 2016

ITEM: **3**

SUBJECT: **MINUTES OF THE JUNE 8, 2016 BOARD MEETING**



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

San Francisco Bay Regional Water Quality Control Board

June 8, 2016 Board Meeting Draft Minutes for Board Consideration

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 9:04 a.m. in the Elihu M. Harris Building, First Floor Auditorium.

Board Members Present

Cecilia Ogbu
Steve Lefkovits
Newsha Ajami
William Kissinger
John Muller
Vice-Chair James McGrath
Chair Terry Young

Board Members Absent

Status

QUORUM

Item 1 – Roll Call and Introductions

Senior Engineer Cheryl Prowell introduced new Scientific Aid Hollund Rudolph.

Item 2 – Public Forum

No parties requested to speak.

Item 3 - Minutes of the May 11, 2016 Board Meetings

Executive Officer Bruce Wolfe recommended adoption of the Minutes from May 11, 2016 Board Meeting.

Legal Counsel Tamarin Austin requested that the Point Buckler and United Artists cases be removed from the closed session item since they were not discussed. Vice Chair McGrath suggested that the item also be modified to note that no decision or action was taken in regard to the Baykeeper litigation that was discussed in closed session. Vice Chair McGrath moved for adoption of the revised Minutes; Board Member Ogbu seconded the motion.

Ayes: Ogbu, Lefkovits, Ajami, Kissinger, Muller, McGrath, Young

Nos: none

ITEM ADOPTED

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

Board Member Muller discussed the City of Half Moon Bay's approach to managing stormwater and controlling erosion. Vice Chair McGrath discussed opportunities for restoration work on Sonoma Creek. He also talked about observations related to trash and the need to continue to work with local governments. Board Member Ajami discussed an opportunity to collaborate with NASA to obtain water quality information. Chair Young noted that she, along with Board Member Ogbu, met with staff to discuss implementation of the Municipal Regional Permit's trash provisions.

Mr. Wolfe gave an overview of this month's Executive Officer's Report. He also discussed the recent Chairs' call, next fiscal year's budget, and agenda topics for the Water Quality Coordinating Committee meeting scheduled for October 24-25. He also gave a brief overview of the status of the State Board's soon to be released plan for regulating dredge and fill activities. Mr. Wolfe responded to a number of questions from Board members regarding citizen complaints concerning odors at the Newby landfill. Vice Chair McGrath noted that with the passage of Measure AA it will be important to outreach to elected officials and work closely with resource agencies to get projects permitted.

Consideration of Uncontested Item

Item 5A – City of Palo Alto, Palo Alto Landfill, Santa Clara County – Update of Waste Discharge Requirements and Rescission of Order No. 99-026

Item 5B – Projects under the Voluntary Local Program administered by the Contra Costa Resource Conservation District, Contra Costa County – Issuance of General Waste Discharge Requirements

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

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

Vice Chair McGrath discussed some of the challenges with urban landfills. Chair Young highlighted the requirement for the landfill to investigate selenium in groundwater. She also complimented staff on Item 5B.

Ayes: Ogbu, Lefkovits, Ajami, Kissinger, Muller, McGrath, Young

Nos: none

ITEMS ADOPTED

Waste Discharge Requirements

Item 6 –General Waste Discharge Requirements for Confined Animal Facilities within the San Francisco Bay Region – Adoption of General WDRs

Staff Environmental Scientist Laurie Taul gave the presentation. Ms. Taul defined confined animal facilities (CAFs) and discussed the proposed approach for regulating CAFs. She also discussed key features of the Revised Tentative Order, water quality concerns associated with CAFs, and required waste management practices.

Board Member Muller asked about groundwater monitoring requirements. Board Member Ajami asked about Tier 3 facilities. Board Member Kissinger asked clarifying questions regarding watersheds for which facilities need to apply for coverage and the type of facilities that could be covered. Board Member Ajani asked for clarification on surface water monitoring requirements.

Chair Young recommended removing the statement “due to complexity” included on Page 2, definition 6C, under Tier 3, and on page 19, Section G6. Board members also requested that staff look into whether the permit could apply to zoos and animal parks if needed. Chair Young noted support of third party programs. She asked staff to state on the record what is expected of the requirement to ‘inspect the closest receiving water’. Water Board staff Jim Ponton responded. Ms. Taul noted how this explanation could be folded into the checklist. Chair Young also suggested that the website include information to help owners and operators understand whether they needed to apply for coverage. She suggested the term ‘third party group’ be changed to ‘third party program’. Mr. Wolfe and Board Member Ogbu pointed out a number of typographical errors that needed to be changed.

Michael Murphy, founder of the Sonoma County Horse Council, addressed the Board. He suggested that horses need to be considered livestock so that owners could get grants to upgrade facilities. He noted that he was willing to work to establish a third party program. Cherie Blatt, North Coast Water Board staff, noted support for the Order.

Mr. Wolfe reviewed the recommended changes to the Order. He recommended adoption of Item 6, as revised, and the mitigated negative declaration.

Board Member Muller moved for adoption of Item 6; Board Member Ajami seconded the motion.

Ayes: Ogbu, Lefkovits, Ajami, Kissinger, Muller, McGrath, Young

Nos: none

ITEM ADOPTED

Item 9 – CLOSED SESSION - Litigation

The Board met in closed session to discuss the following litigation:

San Francisco Baykeeper, Inc. v. California Regional Water Quality Control Board, San Francisco

Bay Region, et al. (Alameda County Superior Court No. RG15776089)

No decision was made and no actions were taken.

CLOSED SESSION at 12 p.m.; RECONVENED at 12:50 p.m.

Item 12 - Adjournment

Meeting adjourned at 12:50 p.m. until the next Board Meeting – July 13, 2016