**California Regional Water Quality Control Board**
**San Francisco Bay Region**

# EXECUTIVE OFFICER'S REPORT

A Monthly Report to the Board and Public

October 2004

***Items in this Report*** *(Author[s])*



**Wetland Restoration Begins at Campus Bay Site in Richmond** (Cecil Felix)

Wetland restoration at the Campus Bay (former Zeneca) site, reported on last month, remains prominent in local news. Previous and future cleanup at the site, conducted under the Board's 2001 order, is primarily oriented towards the upland portion of the site. However, the current phase of remediation would cleanup, enhance and restore over 20 acres of wetlands that lie along the Bay Trail adjacent to San Pablo Bay, and is not associated with upland cleanup. When restoration is completed, an important wetland habitat, capable of supporting a variety of wetland plants and wildlife, including the endangered California clapper rail, will be added to this heavily urbanized area.

Cleanup at the Campus Bay site continues to draw criticism from stakeholders, adjacent property owners, local legislators, and the press even though cleanup work this year focuses on the Board's requirement to cleanup and restore these wetlands and is not associated with a proposal for residential development on the upland portion of this former industrial facility. However, stakeholders have expressed concern.

After significant review and input by other agencies and the public, Board staff granted conditional approval September 30 to Cherokee Simeon Ventures (CSV) to commence wetland cleanup and restoration, consistent with the Board's 2001 order. The approval for CSV to proceed with the so-called Habitat Restoration Project was the last approval CSV needed, after already receiving project approval from the Army Corps of Engineers, the U.S. Fish and Wildlife Service, the Bay Conservation and Development Commission, the Department of Fish and Game, the City of Richmond, and the East Bay Regional Park District. Our approval was granted

only after CSV made numerous revisions to its restoration workplan in response to comments from the public and numerous agency staffs. The workplan approval also addressed comments made at a September 28 public meeting staff conducted after circulating the draft approval letter. The focus of the revisions were primarily to ensure protection of the local community from potential health-related impacts due to wind blown dust from the wetland cleanup and to address the manner and extent of monitoring of these wind and dust concerns. The final workplan approval contained conditions that were the result of a collaborative effort based on input from: the community, the City of Richmond, County Health, the Department of Toxics Substances Control (DTSC), the Bay Area Air Quality Monitoring District (District), and Cal/EPA.

Even with conditions added to protect the community, the approval to proceed with the wetland restoration still remains embroiled in controversy. Local businesses and stakeholders continue to express concerns about potentially being exposed to chemicals originating from the site that may be released during the restoration operations and have brought these concerns to attention of local legislators. The sensitivity of the wetland restoration work is so high that we have already received complaints on dust generation when no activities were occurring at the site. Staff is continuing outreach efforts on the wetland restoration, including speaking at the October 20 monthly meeting of the Citizens for Eastshore Park and conducting a public meeting the evening of October 27 to keep stakeholders informed on the status of project. Staff have also worked closely with CSV to establish a stronger outreach effort and two-way communications. For example, information on air monitoring results will be posted to a website as soon as they are available, signage around the site lists telephone contact numbers for the agencies, and CSV is conducting weekly lunch time update meetings with the stakeholders.

While the work being performed at the present is solely related to wetland restoration, considerable attention is being given to the adjacent upland portion of the facility due to CSV's proposal to change the site's current land use from industrial/commercial to residential. This proposal was developed after remediation of the upland area was over 90 percent complete for an industrial land use scenario. CSV's proposal is currently "on hold" awaiting further review by Board staff on whether the residential proposal can be recommended to the Board for approval. Staff does not expect to complete review of the residential proposal until early next year and would not expect to bring any recommendation to the Board until after the City of Richmond completes its environmental review of the land-use change. This could easily be at least a year.

This controversy also comes at a time when the California Performance Review and state agency brownfield regulatory oversight is under review. We anticipate this site may be a focal point for many of these issues. We have recently provided numerous decision-making documents on the project to the staff of the Assembly Committee on Environmental Safety and Toxic Materials, of which local Assemblymember Loni Hancock is a member. Assemblymember Hancock has been in contract with staff on this project and has also requested more information. We have received notice that a legislative hearing of this Committee will be held in the Richmond area November 6, and will focus on the Campus Bay cleanup.

**Hamilton Army Airfield Wetland Restoration Activities** (Naomi L. Feger)

A year ago in September, then-Governor Davis approved the early transfer of 630 acres of the former Hamilton Army Airfield to the State Coastal Conservancy for its eventual restoration as wetlands adjacent to San Pablo Bay in Novato. Earlier, in August 2003, the Board adopted Site Cleanup Requirements for the wetlands to ensure that appropriate actions were taken to

complete cleanup efforts and to facilitate this important San Francisco Bay wetland restoration project.

The Army has made significant progress completing much of the remaining site investigation activities. Currently, the Army is remediating one of the DDT-contaminated hotspot areas and is making plans to start the cleanup of the existing Coastal Salt Marsh.

The Hamilton Wetlands Restoration Project (HWRP), consisting of the State Coastal Conservancy and the Army Corps of Engineers, began construction activities to support the wetland restoration, including removal of all remaining structures, geotechnical analyses of existing levees, levee design, and grading of site soils to remove area-wide pesticides and PAHs. They are now working to develop the final wetland design and are coordinating with the Port of Oakland, the dredging community, and Congressional funding sources to ensure that sediment from the Port of Oakland's 50-foot project can be imported to Hamilton by the fall of 2005. It is now expected that the HWRP will be coming to the Board in summer 2005 for Waste Discharge Requirements for the beneficial use of the Port's excavated sediment.

**October Workshops on Controlling Sanitary Sewer Overflows** (Ann Powell)

In October, Water Board and Bay Area Clean Water Agency (BACWA) staff are jointly holding six workshops spread through out the Bay Area. The workshops' objective is to educate sewage collection system agency staffs about new electronic reporting and sewer system management requirements that we will be imposing in the coming months. We anticipate that representatives from over 100 collection system agencies will attend.

The workshops are one of several tasks in the Water Board's October 2003 Resolution on this new program. The Resolution established a collaborative program between the Water Board and BACWA to reduce sanitary sewer overflows (SSOs). In many cases, SSOs containing raw sewage adversely impact water quality and pose localized threats to human health. The other tasks in the collaborative program include developing:

- reporting guidelines,
- an electronic reporting system, and
- sewer system management plan guidelines.

With BACWA's active support, we have finalized the reporting guidelines and have also drafted sewer system management guidelines. Water Board staff engineer Johnson Lam developed an internet-based SSO e-Reporting System with the financial assistance of BACWA. The SSO e-Reporting System allows collection system agencies to report spills over the internet and provide more consistent reporting. This electronic system also allows us to assess spills regionally and thus focus enforcement efforts more effectively. Over the past few months, about 15 collection system agencies have pilot-tested this electronic system and submitted comments. We made adjustments where appropriate. Although the system is now fully functional, we will continue to accept comments until after completion of the six workshops. By December 1, 2004, we will issue a letter requiring that all collection system agencies use the e-Reporting System for reporting their SSOs.

Additionally, we will finalize the sewer system management plan guidelines with BACWA after the workshops, and establish requirements for the collection system agencies to develop and implement plans for their systems. This will occur in early 2005, at which time we expect to bring a more detailed status report to the Water Board.

**Upcoming Water Quality Grants and Program Update** (Carrie Austin)

On September 8, the State Board posted the Solicitation for Agricultural Water Quality Grant Program (AWQGP) and 319h Nonpoint Source Grant Program (319). Proposals are due November 10. The AWQGP will provide grants for projects that reduce or eliminate the discharge of polluted runoff from irrigated agricultural lands. Projects that address nonpoint source pollution from sources other than irrigated agriculture are also eligible for Federal 319h funds. Statewide funding includes:

- Proposition 40 - $11.4 million for surface water quality monitoring programs
- Proposition 50 - $29.5 million for implementation projects
- Federal 319h – approximately $5.5 million for implementation projects

The grants program has gone electronic – the new and improved grants website can be accessed at: http://www.swrcb.ca.gov/funding/index.html.

State Board staff conduct almost all grant communication via e-mail (it is easy to subscribe – instructions are at the website above). Guidelines and solicitations are posted on the website, and grant applications will be submitted electronically.

Another improvement to our grants program is use of a workgroup and stakeholder input to develop and publish grant program guidelines before releasing a solicitation for proposals. An interagency work group, comprised of staff from the State and Regional Water Boards and agricultural agencies, developed the AWQGP guidelines. Public workshops were held to obtain stakeholder input into the guidelines. We are using this same public process to develop guidelines for the upcoming Proposition 50 Integrated Regional Water Management Grant Program; the public comment period on these draft guidelines closed on September 30.

**Superfund Site Five –Year Reviews** (Keith Roberson and Derek Whitworth)

In late September, we completed five-year reviews of the cleanups at seven federal Superfund sites, all located in Santa Clara Valley. This action is part of an almost 20-year-old Cooperative Agreement with U.S. EPA where the Water Board is the lead regulatory agency at these federal Superfund sites. We concluded that the cleanup programs are still protective of human health and the environment at all seven sites, although several still need to reevaluate the vapor intrusion pathway from residual wastes. The seven sites are: Fairchild in San Jose; Teledyne and Spectra-Physics in Mountain View; and TRW, AMD 901 Thompson Place, AMD 915 DeGuigne Drive, and AMD 1165 East Arques Avenue in Sunnyvale.

Five-year reviews are required for federal Superfund sites and we complete them as a matter of policy at most of our other cleanup sites. The five-year review evaluates the implementation and performance of a site's cleanup program and determines if that program is still protective of human health and the environment. Extraction and treatment of polluted groundwater continues at five out of the seven sites. At two of the sites, Fairchild and TRW, groundwater extraction has been discontinued. At Fairchild, cleanup standards have been achieved in all areas except inside its protective sub-surface slurry wall. TRW is having great success with in-situ biodegradation of waste and plans to continue this approach. The vapor intrusion pathway, whereby volatile organic compounds may migrate from wastes in groundwater or soil into indoor air, has been reevaluated at three of the sites and found not to be a problem, but still needs to be reevaluated at the remaining four sites. This reevaluation was required due to new information on the toxicity of the solvent trichloroethylene and the lowering of detection limits for indoor air sampling. We do not expect a human health threat due to vapor intrusion to be found at these sites based on current groundwater data and recent results from other sites.

**EBMUD wins National Pretreatment Award** (Michael Chee)

The East Bay Municipal Utility District (EBMUD) has won the first place 2004 National Clean Water Act Recognition Award in the Pretreatment Category. This U.S. EPA award recognizes EBMUD's operation of its exemplary pretreatment program. EBMUD was honored at the annual Clean Water Act Recognition Awards ceremony during the Water Environment Federation's Technical Exposition and Conference in New Orleans, Louisiana on October 4, 2004.

U.S. EPA Region 9 will also be re-presenting the award to the EBMUD's Board of Directors in Oakland on October 26, 2004. Water Board staff will be part of this presentation as we supported EBMUD's bid for the award. We have also invited EBMUD to describe elements of its pretreatment and pollution prevention program to the Water Board as an information item early next year.

**Caltrans Awards Grant for Stormwater Management at Mountain Lake** (James D. Ponton)

As a follow-up to my March 2004 report on Mountain Lake in the Presidio of San Francisco, I am pleased to announce that Caltrans has awarded $650,000 in a Transportation Enhancement Grant (T-Grant) to the Presidio for improving stormwater management at Mountain Lake.

Mountain Lake is shallow, rich in dissolved nutrients, and is seasonally deficient in dissolved oxygen. This results in a condition called eutrophication. This condition, in part, is believed to be a result of pollution caused by pesticides and metals (i.e., lead, antimony, copper, and mercury) being discharged into the lake as stormwater runoff from Caltrans' storm drains draining nearby Highway 1.

CalTrans served as a state agency partner for the Mountain Lake stormwater project. It is envisioned that the grant enhancement dollars will be spent on environmental mitigation to address the water pollution due to highway runoff. CalTrans, the Presidio Trust, and theNational Park Service are currently assembling a project team for implementation of the T-Grant project with a "kick-off" meeting planned for the near future.

**Staff Testifies On Importance of Protecting Wetlands** (Abigail Smith)

On September 28, Abigail Smith of our North Bay Watershed Division, made a presentation to the City of Petaluma's Planning Commission. The Planning Commission was considering a General Plan amendment, which proposed mixed-density build-out of the last remaining significant undeveloped river front parcels in the City's downtown area. These parcels, currently in agricultural use, are situated within the Petaluma River flood plain, and contain a substantial amount of high value wetlands and complimentary riparian habitat. National and State Policy, as well as the City's General Plan, identify preservation and restoration of existing wetland habitat as a high priority.

Ms. Smith discussed the significance of these parcels and requested that an alternative be added to the General Plan amendment that would permit the City's Planning Department to evaluate opportunities to protect the wetland and riparian resources on these parcels. The Commission unanimously directed the Planning Department to look into the feasibility of protecting these parcels through recreational uses and open space.

**Terminal One Update, Richmond** (Mark Johnson)

On September 20, Ashland Chemical filed a petition with the State Board challenging our staff's approval of the City of Richmond's cleanup plan for this site. The City submitted the cleanup plan to comply with a site cleanup order adopted by the Board at its June meeting. The petition focuses on procedural issues. However, it appears that Ashland is actually contesting the remedial technology proposed by the City and its associated costs. Ashland believes that the same degree of cleanup can be achieved within the same time period using an alternative technology. While Ashland is not named as a discharger in the site cleanup order, it has indicated to staff that it may propose its own cleanup plan for the site.

This site is a former port terminal located on the Richmond waterfront. The City leased the facility to several tenants over the decades, including Ashland. Significant VOC and petroleum pollution is currently present on the property. The City is trying to redevelop the site for mixed use and has sued several past tenants including Ashland to cover some of the cleanup costs.

Staff have encouraged both sides to cooperate and bring this matter to mutual resolution. We have also met with City representatives to discuss options for dealing with Ashland's petition. We are awaiting responses from both parties.

**Marin Municipal Water District Desalination Project** (Gina Kathuria)

In November, the Marin Municipal Water District will begin construction of a $1.2 million pilot-scale desalination plant adjacent to San Pablo Bay. The pilot test will last for about 12 months, after which the plant will be decommissioned. The pilot plant will provide an opportunity for customers to tour and observe the desalination process, and taste the water. Past District studies demonstrate that in side-by-side blind taste testing, 95% of the public preferred the taste of desalinated Bay water to local tap water.

Desalination is a process that changes saltwater to drinkable water. The process produces two streams of water: brine (really, really salty water), and drinkable water. The pilot plant will take in about 100 gallons per minute of Bay water to produce about 50 gallons per minute of drinkable water. The process uses a combination of conventional filtration to remove solids, followed by two phases of reverse osmosis, which passes pure water but not salt through a membrane. During this pilot phase, the brine and unused drinkable water will be recombined and returned to the Bay.

The District intends to apply to the Department of Water Resources for a Proposition 50 grant for partial funding for the pilot plant, if possible, and the full-scale plant, if built. We will work with the District to monitor the pilot test, and to develop an NPDES permit for a full-scale plant if one is built.

**Air District to Regulate Refinery Wastewater Collection Systems** (Robert Schlipf)

On September 15, the Bay Area Air Quality Management District (District) amended its Regulation 8, Rule 8 to impose control measures on volatile organic compounds (VOCs) from refinery wastewater collection systems. This is an outgrowth of the Bay Area 2001 Ozone Attainment Plan that committed to examine refinery collection systems for cost-effective reduction measures of VOCs. These new regulations are expected to reduce VOC emissions by at least 2.1 tons per day from the five refineries in the Bay Area.

Water Board staff was invited and involved in the District's rule-making process to ensure there would be no negative impacts on water quality. This process was quite extensive as it involved numerous meetings with representatives of the District, Air Board, refineries and their

consultants, and environmental advocacy groups. While reduction of VOCs to the atmosphere will keep those VOCs in the wastewater going to the treatment plants, this incremental increase is not significant relative to the current organics loading in wastewater. Thus, there is expected to be little if any negative impact on the quality of the treated discharge to the Bay.

In refinery processes, VOCs become entrained in wastewaters discharged to collection systems. During transit through the collection system, VOCs volatilize and escape through openings such as manholes and drains. VOC emissions are of concern to the District because they contribute to exceedance of air ozone standards.

The District's next step is to assess VOC emissions and opportunities for reductions from various units at the treatment plants. These controls would have more potential for impacting the quality of the discharges to the Bay. A similar rule-making process would be needed, and we plan to be very involved to ensure it results in no adverse impacts to water quality.

**Approval of Partial Transfer of Hunters Point Shipyard Imminent** (James Ponton)
The U.S. Department of Navy (Navy) owns the now-closed, former Hunters Point Shipyard (HPS) in southeastern San Francisco. The Navy intends to cleanup HPS as necessary and transfer the property to other entities, most likely the City of San Francisco. The onshore portion of HPS is comprised of approximately 498 acres. HPS's Parcel A is slated for imminent transfer to the San Francisco Redevelopment Agency (SFRA). Parcel A consists of 75 acres of land and is bounded by the Bay View-Hunters Point neighborhood to its northwest.

Staffs of the U.S. EPA, the Department of Toxic Substances Control (DTSC), and the Water Board participated throughout the remedial investigation process at Parcel A and were consulted during the development of the Record of Decision (ROD) for Parcel A. U.S. EPA, DTSC, and the Water Board staffs concurred with the findings of the investigations at Parcel A and signed the ROD (no action alternative) for Parcel A on November 28, 1995.

The no action alternative ROD for Parcel A was based upon the conclusions that concentrations of hazardous substances in the soil at Parcel A are either within or below U.S. EPA's acceptable risk levels. For groundwater, complete exposure pathways to groundwater do not exist at Parcel A. Both the Navy and Water Board concur that groundwater beneath Parcel A is also not a potential source of drinking water.

Written confirmation/concurrence with the Parcel A transfer by U.S. EPA, DTSC, and the Water Board assuring that sufficient remedial action has been taken to protect human health and the environment is required under a conveyance agreement developed between the Navy and SFRA. I intend to provide this written concurrence with the transfer shortly.

**Groundwater Sustainability** (Sarah Raker and Alec Naugle)

Water Board staff Sarah Raker and Alec Naugle attended the Groundwater Resources Association's conference on "Managing Aquifers for Sustainability – Protection, Restoration, Replenishment and Water Reuse", held in Rohnert Park on September 23 and 24, 2004. The conference presented several important topics facing California's water supply:

- Overdraft of groundwater basins from California's increase in population over the last 50 years
- Decreases in groundwater recharge due to global climate change reducing the snow pack
- Increases of salt-water intrusion along California's coast due to over pumping
- Overdraft solutions including conjunctive use management and groundwater storage

- Increasing need for artificial recharge using treated wastewater effluent to enhance the groundwater supply
- Emerging contaminants of concern such as pharmaceuticals and endocrine disrupters, and more well-known contaminants, such as nitrate and total dissolved solids, in recycled wastewater
- Greater need for groundwater management plans that consider water demands from domestic well owners as well as municipalities and water agencies
- Improved awareness of the need to incorporate recharge area protection into land use planning and zoning decisions

The conference included a special panel to discuss the California Performance Review and its impacts on groundwater resources and regulations. Panelists included State Board member Richard Katz. A field trip was sponsored by the Sonoma County Water Agency to view their water projects located along the Russian River and a public session was held on Sonoma County's groundwater sustainability.

A couple of interesting controversies were highlighted during these events that are similar to concerns in our Region. First, Sonoma County's primary source of municipal drinking water (and for much of northern Marin County as well) is groundwater pumped from large-diameter wells adjacent to the Russian River. To replace the reduction in river flow that this pumping causes, 300,000 acre-feet of surface water stored in Lake Sonoma is released to the Russian River via the Dry Creek tributary. Unfortunately these releases cause excessive flow in Dry Creek that threaten salmonid survival. The dilemma of reducing Dry Creek flows while at the same time increasing groundwater pumping along the Russian River to meet growing population demands has led the Agency to consider constructing a very costly pipeline from Lake Sonoma to the Russian River to bypass Dry Creek.

Additionally, the panel discussions highlighted the controversies between landowners in the unincorporated area of Penngrove vs. the City of Rohnert Park. Penngrove landowners have seen groundwater levels decline one to two hundred feet in the past 30 years due to over-pumping. Meanwhile, Rohnert Park wants to annex additional county land to create subdivisions. At the same time, a recent court decision has frozen the amount of "imported" water available to the City of Rohnert Park. Thus, the only "sources" available to meet new subdivision demands are from water conservation or pumped groundwater. Landowners fear the latter and have filed suit to prevent the annexation of new land by the City until the City can demonstrate a sustainable water supply.

**Groundwater Ambient Monitoring and Assessment (GAMA) – North Bay** (Sarah Raker)

Water Board staff Sarah Raker and staff from the North Coast Water Board attended the kick-off meeting held September 14, 2004, in Santa Rosa for ambient groundwater monitoring being conducted in the Napa-Sonoma groundwater basins. The meeting was attended by many stakeholders from local government, the scientific community, and water supply agencies. The Groundwater Quality Monitoring Act of 2001 resulted in a plan to monitor and assess the quality of priority groundwater basins that account for over 90% of all groundwater used in the state. The Act expanded the existing GAMA program and is being funded through Proposition 50. The State Board contracted with the U.S. Geological Survey and Lawrence Livermore National Laboratory to collect groundwater samples from public water supply wells and evaluate the ambient water quality.

The new monitoring program will greatly improve our understanding of the status of groundwater quality in the Napa-Sonoma groundwater basins. Over 120 public supply wells will be sampled. Water samples will be analyzed for volatile organic compounds (VOCs), methyl tri butyl ether (MTBE), pesticides, age-dating parameters, wastewater parameters, and emerging contaminants such as perchlorate, pharmaceutical products, 1-4 dioxane, and N-nitrosodimethylamine (NDMA). Special projects will also be conducted to evaluate viruses along the Russian River, geothermal waters, saltwater intrusion, and volcanic rock characterization. Sampling began in August and the results will be available in March 2005. All GAMA data collected throughout the state will be publicly available on the Internet through the Water Boards' GeoTracker and USGS websites. More information on the GAMA program, including results of previous groundwater sampling conducted in the Livermore-Amador and Niles Cone groundwater basins, is on http://www.swrcb.ca.gov/gama/.

**State and Regional Water Board Staff Tours Former Mare Island Naval Shipyard**
(Gary Riley)

State and Regional Water Board Department of Defense (DOD) Remediation Program Managers from around the state traveled to Mare Island on September 27 to tour sites of environmental and redevelopment interest. The tour was an add-on to the Managers' regular DOD Roundtable Meeting in Sacramento. The cleanup at the Island is being performed by the Navy and two early transfer developers selected by the City of Vallejo (Lennar Mare Island and Weston Solutions).

Roundtable participants learned about the history of the facility and the Navy's current environmental cleanup progress from Jerry Dunaway, the Navy's Base Realignment and Closure Act Environmental Coordinator. Gary Riley of our staff provided an overview of the regulatory oversight program issues at the facility and was followed by presentations from Lennar Mare Island and its environmental contractor, CH2M Hill. CH2M-Hill presented a status report on cleanup and redevelopment plans for the 850-acre eastern early transfer parcel that comprises the Island's historic core as well as its industrial, educational, and residential areas. Weston Solutions provided the group with background on its landfill cleanup activities as the Navy's contractor, and on Weston's proposal (with the City of Vallejo) to create a regional dredged material disposal facility on the Island. Tour participants were then escorted to a number of cleanup and redevelopment sites on the Island where our staff provides regulatory oversight.

I anticipate a Revised Site Cleanup Requirements Order for Lennar Mare Island will come before you in the near future to update its cleanup schedule. Over the longer term, we expect to prepare Waste Discharge Requirements for the proposed dredged material disposal facility and bring them before you once Weston and the City of Vallejo submit a complete application.

**In-house Training**

Our September training consisted of an 8-hour health and safety refresher for staff whose work takes them to hazardous waste sites. Our October training will be on wastewater treatment technologies. Recent brown-bag topics include a September 15 session on the Napa River benthic macroinvertebrate sampling project by the Friends of Napa River.

**Staff Presentations**

On August 4, Keith Roberson gave a presentation in Glendale at the Groundwater Resources Association symposium on perchlorate. He spoke about perchlorate regulation in California, using the United Technologies Corporation site outside of San Jose as an example. On September 30, Keith presented an expanded version of the same talk in San Jose at a Pacific Industrial Business Association meeting. On October 19 – 21, Keith will also be speaking on perchlorate regulation in California at the U.S. EPA's Technical Support Program meeting in Sacramento on emerging contaminants.

On Sept 21, Elizabeth Morrison participated as a panel member at the Bay Planning Coalition's "Wetlands: Post-SWANCC Strategies and Solutions" seminar. The workshop focused on the status of State and Federal wetland regulations since the 2001 Supreme Court decision known as "SWANCC" on "isolated" wetlands and other waters that fall outside of Federal jurisdiction under the Clean Water Act. Ms. Morrison discussed how the Water Board will handle permitting of activities in these waters, which are still considered "waters of the State" under the Water Code.

On September 30, Roger Brewer made a presentation in San Jose on vapor intrusion and indoor air sampling at a Pacific Industrial Business Association meeting.

On October 4, Andree Breaux gave a presentation at the CalFed Conference in Sacramento on "Benthic Macroinvertebrates as Indicators of Riparian Habitats in Impacted Urban Streams". The presentation covered the results of four years of invertebrate data collected in San Leandro and Wildcat Creeks using protocols developed by the Aquatic Bioassessment Laboratory and used statewide in the State Board's Surface Water Ambient Monitoring Program (SWAMP). Co-authors were Monique Born of the Sustainable Land Stewardship Institute, Lynn Suer (formerly with the Water Board), Richard Looker (Water Board), and Steve Cochrane (San Francisco Estuary Project). Over the 4-year study many Water Board staff have helped with field work and data analysis.

On October 12, Gayleen Perriera gave a presentation at the California-Nevada-American Water Works Association's Water Quality and Capitol Idea Conference. Gayleen described the requirements of the Water Board's regional general permit for potable water treatment plants, ways to stay in compliance, and enforcement considerations for non-compliance.