AGENDA

Wednesday, December 10, 2008
9:00 a.m.

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

Approximate Time

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 August 13, 2008 Board Meeting

4. Chairman’s, Board Members’, and Executive Officer’s Reports

5. Consideration of the Uncontested Items Calendar (See Notes)

*A. Categorical Exception to the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California for Discharges from Drinking Water Systems, San Francisco Bay Region – Adoption of Resolution [Xavier Fernandez 622-5685, xafernandez@waterboards.ca.gov]

Final Order #: R2-2008-101
Staff Summary Report, Tentative Resolution, and Attachments

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.

Preserving, enhancing, and restoring the Bay Region's waters for over 55 years
*B. San Francisco Public Utilities Commission, Drinking Water Transmission System, Alameda, Santa Clara, and San Mateo Counties – Issuance of New NPDES Permit
[Xavier Fernandez 622-5685, xafernandez@waterboards.ca.gov]

Final Order #: R2-2008-102
Staff Summary Report, Tentative Order and Attachments

PLANNING

6. Proposed Amendment to the Water Quality Control Plan (Basin Plan) for the San Francisco Bay Region to Establish a Total Maximum Daily Load (TMDL) for Sediment in Sonoma Creek and an Implementation Plan for the TMDL and Related Habitat Enhancement Goals – Hearing to Consider Adoption of Proposed Basin Plan Amendment
[Tina Low 622-5682, tlow@waterboards.ca.gov]

Final Order R2-2008-0003

Staff Summary Report
Appendix A: Tentative Resolution with Exhibit A, Proposed Basin Plan Amendment
Appendix B: Proposed Basin Plan Amendment, showing changes
Appendix C: Supporting Staff Report, showing changes
Appendix D: Supporting Staff Report, Draft Final December 2008
Appendix E: Response to Comments
Appendix F: Comment Letters
Appendix G: April 2008 Hearing Transcript

SITE CLEANUP REQUIREMENTS

7. Advalloy, Inc., East Charleston, Inc., and Fairchild Semiconductor Corporation, for the property located at 844 East Charleston Road, Palo Alto, Santa Clara County – Adoption of Final Site Cleanup Requirements
[Laurent Meillier 622-3277, lmeillier@waterboards.ca.gov]

Staff Summary Report, Tentative Order and Attachments

OTHER BUSINESS

8. Web-Based Wetland Tracker Pilot Project – Status Report
[Andrée Greenberg 622-2324, agreenberg@waterboards.ca.gov]
9. Correspondence

10. Closed Session – Personnel
The Board may meet in closed session to discuss personnel matters. [Authority: Government Code Section 11126(a)].

11. 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)].

12. 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)].

13. Adjournment to the next Board meeting – January 14, 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)
Water Board Members

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

Curtis T. Scott, 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 and groundwater for beneficial uses. This duty is carried out by formulating, adopting, and implementing water quality plans for specific water bodies, by prescribing and enforcing requirements on waste dischargers, and by requiring cleanup of 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 State 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 from concerned and affected parties and to make decisions after considering the evidence presented. A public forum is held at the beginning of each general meeting where persons may speak on matters within the Board’s jurisdiction that are not specific agenda items. The Board welcomes information on pertinent problems, but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take appropriate action. Written comments must be received prior to the Board meeting by the date indicated by staff. Verbal testimony made at the Board meeting 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 Shorthand Reporting at (415) 457-4417.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
San Francisco Bay Region

Summary of Board Actions Taken at the Regular Meeting

November 12, 2008

NPDES Permit
Adopted Order No. R2-2008-0094  Adoption of NPDES Permit Reissuance for Cities of South San Francisco and San Bruno, South San Francisco and San Bruno Water Quality Control Plant and Collection System, South San Francisco, San Mateo County

Site Cleanup Requirements
Adopted Order No. R2-2008-0093  Adoption of Site Cleanup Requirements for Pete’s Stop, Mr. Cuong Chon Huynh, Dung V Ha and Kieu Tuyet Huynh (as Trustees for the Dung V Ha and Kieu Tuyet Huynh AB Living Trust), and Mr. Peter Sialaris, for the property located at 290 Keyes Street, San Jose, Santa Clara County

Adopted Order No. R2-2008-0095  Adoption of Site Cleanup Requirements and Rescission of Order Nos. 95-235, 97-124, and 97-125 for City of Richmond, United States Department of Defense – Department of the Navy for Former Point Molate Naval Fuel Depot, Richmond, Contra Costa County

OTHER BUSINESS
Adopted Resolution No. R2-2008-0096  Adoption of Resolution Approving the Strategic Workplan for Actions to Protect Beneficial Uses of the San Francisco Bay/Sacramento-San Joaquin Delta Estuary

Status Item  Staff Report and Public Testimony on Sanitary Sewer Overflow Reduction Program

Minutes
Adopted Minutes  Adoption of Minutes as Submitted for the July 8 and 9, 2008 Board Meeting