AGENDA

Wednesday, October 8, 2008
9:00 a.m.

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

Approximate Time

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 May 14, 2008 Board Meeting

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

ENFORCEMENT

Administrative Civil Liabilities

5. Storybook Mountain, Calistoga, Napa 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 (Continued from the September Board Meeting) [Michelle Rembaum-Fox 622-2387, mrembaumfox@waterboards.ca.gov]

Adopted Order No. R2-2008-0088

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
6. **Eagle Marine, Martinez, Contra Costa 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 (Continued from the September Board Meeting) [Michelle Rembaum-Fox 622-2387, mrembaumfox@waterboards.ca.gov]

**PLANNING**

7. **Proposed Amendment to the Water Quality Control Plan** (Basin Plan) for the San Francisco Bay Region to Establish New Water Quality Objectives and a Total Maximum Daily Load and Implementation Plan for Mercury in Waters of the Guadalupe River Watershed – Hearing to Consider Adoption of the Proposed Basin Plan Amendment [Carrie Austin 622-1015, caustin@waterboards.ca.gov]

Adopted Order No. R2-2008-0089

A. Tentative Resolution with Proposed Basin Plan Amendment
B. Proposed Basin Plan Amendment Showing Changes since 02/08
C. Revised Staff Report
   1. Staff Report
   2. Staff Report (Oversized Figures)
D. Responses to Comments (Showing Changes to Supporting Staff Report since 02/08)
E. Comment Letters
F. May 8, 2008 Testimony Hearing Transcript

**NPDES PERMIT AND CEASE AND DESIST ORDER**

8a. **Sonoma Valley County Sanitation District**, Sonoma, Sonoma County – Reissuance of NPDES Permit [Tong Yin 622-2418, tyin@waterboards.ca.gov]

Adopted Order No. R2-2008-0090

Transmittal Letter
CEQA Exemption Form

8b. **Sonoma Valley County Sanitation District**, Sonoma, Sonoma County – Issuance of Cease and Desist Order [Tong Yin 622-2418, tyin@waterboards.ca.gov]

Adopted Order No. R2-2008-0091

**OTHER BUSINESS**
9. **Sanitary Sewer Overflow Reduction Program** – Status Report
   [Michael Chee 622-2333, mchee@waterboards.ca.gov]  (Continued)

10. **Correspondence**

11. **Closed Session – Personnel**
    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** – November 12, 2008
**Water Board Members**

<table>
<thead>
<tr>
<th>Name</th>
<th>City of Residence</th>
<th>Appointment Category</th>
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</thead>
<tbody>
<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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<tr>
<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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<tr>
<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>Municipal Government</td>
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<td>Vacancy</td>
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<td>County Government</td>
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<td>Vacancy</td>
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**Water Board Staff**

- **Executive Officer**
  - Bruce H. Wolfe

- **Executive Assistant Coordinator**
  - Mary E. Tryon

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

- **Permits Division**
  - Lila Tang, Chief
  - Bill Johnson, Section Leader
  - Christine Boschen, Section Leader

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

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 http://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.
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
San Francisco Bay Region  

Summary of Board Actions Taken at the Regular Meeting  

September 10, 2008  

Enforcement Action  

Administrative Civil Liabilities  

Adopted Order No. R2-2008-0082  Adopted Administrative Civil Liability for  
Alum Rock School District, San José, Santa Clara County in the amount of $9,175. $4,575 may be used for a supplemental environmental project.  

Adopted Order No. R2-2008-0083  Adopted Administrative Civil Liability for  
Willowbrook Feeds, Petaluma, Sonoma County in the amount of $24,200  

Complaint No. R2-2008-0049  Hearing waived for Administrative Civil Liability for Nicasio Rock Quarry, Nicasio, Marin County in the amount of $11,700  

Adopted Order No. R2-2008-0084  Adopted Administrative Civil Liability for  
Dr. Collin Mbanugo, Leona Heights Sulfur Mine, Oakland, Alameda County in the amount of $200,000  

Waste Discharge Requirements  

Adopted Order No. R2-2008-0079  Rescission of NPDES Permit and Issuance of  
New Waste Discharge Requirements for GE-Hitachi Nuclear Energy Americas, LLC, Vallecitos Nuclear Center, Sunol, Alameda County  

Adopted Order No. R2-2008-0080  Issuance of New Waste Discharge Requirements for the Alhambra Creek Sediment Removal Project for City of Martinez, Martinez, Contra Costa County  

Site Cleanup Requirements  

Adopted Order No. R2-2008-0081  Adoption of Final Site Cleanup Requirements for  
SHH, LLC, for the property located at 37445 Willow Street, Newark, Alameda County
Other

Award Presentation Presented 2008 Dr. Teng-chung Wu Pollution Prevention Award in Recognition of Exceptional Accomplishments in Pollution Prevention in the San Francisco Bay Area to the City of San Francisco Public Utilities Commission

Items Continued

Item Continued  **Storybook Mountain, Calistoga, Napa 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

Item Continued  **Domaine Mumm, Rutherford, Napa 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

Item Continued  **Eagle Marine, Martinez, Contra Costa 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