

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD SAN
FRANCISCO BAY REGION

MEETING DATE: July 12, 2023

ITEM: 3

SUBJECT: Minutes for the June 14, 2023 Board Meeting

June 14, 2023 Board Meeting
ADOPTED

Note: Copies of orders, resolutions, and minutes are posted on the Regional Water Board's website (www.waterboards.ca.gov/sanfranciscobay). Recordings of Board meetings are also available through our website and the following link, [CAL-SPAN](#). Written transcripts of Board meetings may be obtained by contacting California Reporting, LLC, at kate.barr@californiareporting.com.

Item 1 – Welcome and Roll Call

Meeting called to order at 9:03 a.m. at Elihu H. Harris Building, First Floor Auditorium.

Board Members Present	Board Members Absent	Status
Chair Jayne Battey	Letty Belin	QUORUM
Vice-Chair Alexis Strauss-Hacker		
William Kissinger		
Dr. Andrew Gunther		
Donald Young		

Item 2 – Public Forum

The following speakers provided testimony during the open forum:

- Bill McNicholas, Cleanup Marinwood Plaza Now Oversight Committee
- Eric Buescher, San Francisco Bay Keeper

Item 3 – Minutes of the of May 10, 2023 Board Meeting

Chair Battey noted two spelling changes for the May 10 Board meeting minutes. First, on page 1, O-v-e-r-s-i-t-e should be O-v-e-r-s-i-g-h-t and on page 3 Corp. should be C-o-r-p-s and then asked by a show of hands for the board to approve the May 10 minutes with the noted edits.

Ayes: Vice Chair Hacker, Board Member Kissinger, Board Member Gunther, Board Member Young

Nos: none

Abstained: Jayne Battey

By show of hands the minutes of the May 10, 2023, Board Meeting were approved.

Item 4 – Consideration of Uncontested Items

4A. General Waste Discharge Requirements for Discharges from Dry Dock Operations – Reissuance of General National Pollutant Discharge Elimination System (NPDES) Permit

4B. City of Pinole, Pinole-Hercules Water Pollution Control Plant and Wastewater Collection System, Pinole, Contra Costa County – Reissuance of NPDES Permit

4C. The Pittsburg Owner LPV, LLC, Pittsburg Generating Station, Pittsburg, Contra Costa County – Rescission of NPDES Permit

Executive Officer White introduced the items and recommended that the Board adopt all three of the uncontested calendar items with the following edit to the General Waste Discharge Requirements for Discharges from Dry Dock Operations, item 4A: change the deadline for the Sediment Stressor Identification Report required in Monitoring and Reporting Program section 7.3, on page E-13 of the tentative order, from October 1, 2027, to January 5, 2028. This change would be consistent with the Response to Comments and the change made to the Monitoring and Reporting Program Table E-5.

Chair Battey asked for board member questions which were addressed by Bill Johnson, NPDES Division Manager, and then asked for a motion and a second followed by a vote to approve the uncontested items.

Motion: Vice Chair Hacker

Second: Board Member Kissinger

Board Clerk Haas called the vote.

Ayes: all

Nos: none

The board orders were APPROVED with the date change in Item 4A noted above.

Item 5 – Informational Item - Update on Wetlands Regional Monitoring Program

Executive Officer White introduced the Wetlands Regional Monitoring Program (WRMP) informational item noting the collaborative effort led jointly by the San Francisco Estuary Partnership and the San Francisco Estuary Institute. She then introduced Xavier Fernandez, Division Manager of Planning, who introduced Sasha Harris-Lovett of the San Francisco Estuary Partnership. Sasha made a presentation on how the WRMP works, and Christina Toms, Water Resource Engineer at the San Francisco Bay Regional Water Board, made a presentation on the WRMP Priority Monitoring Site Network.

Item 6 – Chair’s, Board Members’ and Executive Officer’s Reports

Chair Battey asked for reports from each of the Board Members, starting with Sean Maguire, State Water Board Liaison. State Board Liaison Maguire gave an update on funding in the State. Board Member Young then gave an update on the Association of Bay Area Government meetings he attends.

Executive Officer White shared highlights from the Executive Officer’s Report noting the May 25, 2023, U.S. Supreme Court decision in Sackett v EPA that significantly reduces the scope of the Clean Water Act and diminishes the federal government’s ability to

protect wetlands throughout the U.S., particularly in the west. She noted, this ruling does not weaken California's more stringent wetlands protections. Under the state's Porter-Cologne Water Quality Control Act, the State and Regional Water Boards retain regulatory authority for protecting wetlands. The ruling effectively will require California to increasingly rely on its own regulatory wetlands protection programs and deprive the state of expertise previously provided by the U.S. Army Corps of Engineers.

Item 7 – Closed Session – Personnel

The Board did not meet in closed session for Personnel in this meeting.

Item 8 – Closed Session – Litigation

The Board did not meet in closed session for Litigation in this meeting.

Item 9 – Closed Session – Deliberation

The Board did not meet in closed session to deliberate in this meeting.

Item 10 – Adjournment 10:31 am

The next meeting is scheduled for July 12, 2023, at 9:00 am in the Auditorium of the Elihu Harris building in Oakland, CA.