
San Francisco Bay Regional Water Quality Control Board

**December 16, 2015 Board Meeting
Draft Minutes for Board Consideration**

ADOPTED January 13, 2016

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 9:07 a.m. in the Elihu M. Harris Building, First Floor Auditorium.

Board Members Present

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

Board Members Absent

William Kissinger

Status

QUORUM

Executive Officer Bruce Wolfe introduced new Board Member Cecilia Ogbu. Senior Scientist Kevin Lunde introduced Americorps contractors Melissa Orozco and Brendan Martin.

Assistant Executive Officer Dyan Whyte and Chair Young presented an award to Legal Counsel Yuri Won upon her promotion. They praised and thanked her for her work for the Board and wished her well in her new position at the State Board, working in water rights.

State Board Member Steve Moore complimented the Board and noted that the focus on collaboration is unparalleled in the State as is the quality of the work. He updated the Board about ways to integrate water management and water supply reliability into the Board's decisionmaking. He also noted that the guidelines for Proposition 1 stormwater funding were adopted by the State Board yesterday. He discussed aspects of the stormwater strategy under development.

Item 2 - Public Forum

No parties requested to speak.

Item 3 - Minutes of the September 9, 2015 Board Meeting

Mr. Wolfe recommended adoption of the Minutes from the September 9, 2015, Board Meeting.

Vice Chair McGrath moved for adoption of the Minutes; Board Member Ogbu seconded the motion.

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

Nos: none

ITEM ADOPTED

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

Board Member Muller acknowledged a letter in the correspondence file complementing staff's work in assisting the Central Coast Regional Water Board 3 on spill response. Board Member Ajami discussed a project undertaken by Stanford students related to San Francisquito Creek. She also summarized what was discussed at a recent a Water Summit she attended at the White House. Vice Chair McGrath noted that he kayaked to the Sonoma Baylands with Board Member Kissinger and described the restoration history of the area. He also noted that he had met with numerous parties to discuss ideas for possible legislation. He discussed the possibility of the Bay Conservation and Development Commission and the Board working together to develop a regional mitigation plan. Mr. Wolfe described the U.S. Fish and Wildlife Services' Tidal Marsh Recovery Plan. He also discussed the recently published *Baylands Ecosystem Habitat Goals Science Update 2015* and climate change issues. Chair Young noted that the January Board Meeting will include the annual election of the chair and vice chair. Board members Muller and Kissinger agreed to serve as the nominating group. Chair Young reported on meetings with people interested in the Selenium TMDL, both before and after the Board's adoption of the TMDL at the November Board meeting. She reported that on the Board Chairs' call, additional time will be spent amongst the Regional Board chairs to discuss priorities. She noted that State Board staff is looking at a process to modify Board Member compensation. She reported that on December 10 she attended the Bair Island levee breach with Mr. Wolfe.

Mr. Wolfe gave an overview of this month's Executive Officer's Report. He discussed the history of the Bair Island restoration. He highlighted the Executive Officer Report items relating to Department of Defense cleanups and the addition of the new potential supplemental enhancement project that could help fund the Regional Monitoring Program. Chair Young confirmed that there are no pending applications for flood control work that need to be undertaken to prepare for this years projected EL Nino storms. Mr. Wolfe also updated the Board on permitting progress on major flood control projects. In response to a question from Chair Young, he described staff's work in investigating complaints of sewerage overflows in San Francisco and coordination with U.S. EPA. Vice Chair McGrath noted his support for settlement of the OG Property enforcement action noted in the Executive Officer's Report.

Consideration of Uncontested Item

Item 5A – Eco Services Operations LLC, Martinez Plant, Martinez, Contra Costa County –
Reissuance of NPDES Permit

Mr. Wolfe recommended adoption of Item 5A.

Board Member Muller moved for adoption of Item 5A; Board Member Ajami seconded the motion.

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

Nos: none

ITEM ADOPTED

RECESS at 10:36 a.m.; RECONVENED at 10:51 a.m.

Item 6 – 2015 Triennial Review of the San Francisco Bay Basin Water Quality Control Plan (Basin Plan) – Adoption of Resolution and Prioritized List of Basin Planning Projects

Staff Engineer Richard Looker gave the staff presentation. He presented the results of the Triennial Review of the Basin Plan. He described the process and the priority projects that emerged as an outcome of the review. Board Member Ajami asked about the ranking criteria. Mr. Looker clarified the scoring system. Chair Young asked about temperature limits to protect salmonids. She proposed further testing our ranking system to make sure the final project list makes sense. Board Member Ajami asked about ‘bundling the projects’ in order to more efficiently evaluate their merits. Board Member Lefkovits asked whether we should be shooting bigger. Vice Chair McGrath discussed the mercury project to emphasize that the work often is much broader than the Basin Plan and that in some instances a Basin Plan amendment may not be needed. Board Member Ajami asked about funding mechanisms.

David Williams, Executive Director of the Bay Area Clean Water Agencies, addressed the Board and expressed support for the top high priority projects. Chair Young asked a question about how the priority projects may relate to the Region’s shallow water discharge prohibition.

Chris Malan, representing the Living Rivers Council, addressed the Board and showed a video of Tolay and Salvador Creek. She urged the Board to elevate the priority for the flow projects to include a narrative in the Basin Plan to include flow objectives. Patrick Sweetland, representing Daly City, addressed the Board and expressed support for the Lake Merced project and described the multiple aspects and benefits of stormwater reuse.

Vice Chair McGrath noted support for the process and the top six priorities. He also expressed support for staff to consider working on flow objectives if funding could be obtained from the State Board, and he noted that it should be a higher priority.

Mr. Wolfe recommended adoption of Item 6.

Board Member Ajami moved for adoption of Item 6; Vice Chair McGrath seconded the motion.

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

Nos: none

ITEM ADOPTED

Item 7 – Case Prioritization in the Site Cleanup Program – Status Report

Senior Engineer Cheryl Prowell gave the presentation to the Board. She introduced the Site Cleanup Program and provided background on previous approaches to prioritize the program's cases. She described the prioritization system and provided two real examples of how the cases are ranked. She concluded by discussing how the new prioritization system is changing the Site Cleanup Program.

Board Member Ajami asked for clarification on the scoring and scaling. Chair Young expressed discomfort about equal weighting of the three elements for cost recovery cases. She also suggested that an element be added to address other beneficial uses (e.g., surface water impacts). She also questioned the "willingness to cleanup" criteria. The Board members reviewed the slides with all the ranked sites depicted and asked multiple questions. Vice Chair McGrath noted appreciation for the transparency and analytical process. Board Member Lefkovits asked about how parties involved in real estate transactions play a role. Mr. Wolfe responded and described the role the Board often plays in property transactions. He also described the role of local agencies in the investigation and cleanup process.

This item was for informational/discussion purposes and no action was taken.

Item 8 – Correspondence

Mr. Wolfe discussed the letter from Richard McMurtry on homeless encampment trash management issues. Chair Young noted her support for Mr. McMurtry's suggestion to make sure the homeless encampment programs of the cities establish pollution prevention goals.

Item 11 – Closed Session – Personnel

The Board convened a close session for purposes of discussing personnel matters at 12:42 p.m.

Item 12 - Adjournment

Meeting adjourned at 3:15 p.m. until the next Board Meeting – January 13, 2016