

**California Regional Water Quality Control Board
San Francisco Bay Region
EXECUTIVE OFFICER'S REPORT**

A Monthly Report to the Board and Public

May 2005

The next regularly scheduled Board meeting is May 18, 2005.

See <http://www.waterboards.ca.gov/sanfranciscobay/> for latest details and agenda

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Grants Update (Carrie Austin)

There are several state and federal grant programs currently underway that benefit water quality in the Bay Region.

Agricultural Water Quality and 319h Nonpoint Source Grant Programs

The AWQGP provides 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 USEPA 319h funds. Statewide funding totals \$46.4 million and includes Proposition 50 for implementation projects, Proposition 40 for surface water quality monitoring programs, and 319h for implementation projects.

The statewide solicitation for grant proposals was released in early September 2004 and 69 eligible proposals were submitted in November 2004 to the State Water Board. Eligible proposals totaled \$39.4 million. Remaining funds will be included in a future solicitation. In March the State Water Board awarded four Prop 40 monitoring proposals, and sixteen Prop 50 implementation proposals.

Awards in our Region included:

- Prop 50 – \$535K – San Mateo County Resources Conservation District –
Improve Coastal Water Quality
- Prop 40 – \$500K – San Francisco Estuary Institute –
Monitoring and Evaluation in Napa County

In June the State Water Board will consider an additional award in our Region:

- U.S. EPA 319h – \$350K – Tomales Bay Rangeland Pathogens TMDL

Proposition 50 Integrated Regional Water Management Grant Program.

The Department of Water Resources and State Water Board are jointly administering IRWM grants. Approximately \$380 million is available statewide for IRWM in two cycles. The \$160 million solicitation for the first cycle of IRWM grant proposals was released in March 2005. Proposals to develop IRWM plans are due May 12. This is a single-step application process and awards are expected in October. Concept proposals for up to \$50 million each (totaling about \$140 million) for implementation projects are due July 14. By December selected concepts will be invited to submit full proposals. The remaining \$220 million is expected to be awarded next year.

2005-06 Consolidated Grants.

The State Water Board is now developing the guidelines for two groups of related grant programs to run concurrently in 2005-06. The initial proposal is:

Group 1	Source	Funding (millions)
Coastal Non-Point Source Pollution Control	Prop 50	\$33
Nonpoint Source Pollution Control	Prop 40	\$19
319(h)	U.S. EPA	\$ 4.5
AWQGP	Props 40 & 50	\$14
Urban Storm Water	Prop 40	\$14
Group 2	Source	Funding (millions)
Integrated Watershed Management	Prop 40	\$47
CALFED Drinking Water	Prop 50	\$3.4
CALFED Watershed	Prop 50	\$6
Total		\$142

The Consolidated Grants Program proposals will be a two-step process -- first, a concept proposal, and then full proposals. We expect two funding cycles with the first awards in June 2006.

Board staff works with the State Water Board and the other agencies on development of solicitation guidelines, including how grant proposals should be prioritized in each grant program. Once proposals have been submitted, Board and other agency staff comment on the appropriateness and likely success of the proposals. However, the decision on which proposals receive awards is made by the State Water Board.

Update on Tomales Bay Pathogens TMDL (Dyan Whyte)

Last month's Board meeting was the first hearing in a two-step process to establish a TMDL to control pathogen discharges in the Tomales Bay watershed and protect the public from exposure to waterborne diseases. At this informational hearing, staff gave an overview of the Tomales Bay

pathogens TMDL, stakeholders had an opportunity to comment, and Board members provided direction and raised a number of questions.

On April 15, the public comment period on the proposed TMDL and associated regulatory action closed. We received eighteen comment letters. We are carefully considering all written and oral comments and working closely with legal counsel, U.S. EPA, and State Water Board staff to evaluate whether there are areas in which the TMDL can be modified to address some of the issues raised. We also plan to meet with stakeholders on May 17 at the Tomales Bay Watershed Council's monthly meeting to discuss their comments and our draft responses. A TMDL adoption hearing is currently scheduled for the June 15 Board meeting. The agenda package for the June meeting will contain responses to all written and oral comments received a proposed Basin Plan amendment, the proposed TMDL, and a supporting report with revisions made since the April hearing clearly denoted. At the June meeting, stakeholders will again be invited to comment on new revisions to the proposals. The Board will then be asked to consider comments, staff responses and recommended revisions, and establish the TMDL by adopting the proposed Basin Plan amendment.

State Water Board Developing Enforcement Plan (Bruce Wolfe)

Governor Schwarzenegger's Action Plan for California's Environment and Cal/EPA's Strategic Vision established a statewide management priority of improving enforcement. To address this management priority, in November 2004, Cal/EPA released an Enforcement Initiative, which called for a number of actions by Cal/EPA's boards and departments to strengthen their enforcement efforts. Dr. Alan Lloyd, Cal/EPA Secretary, also sent a letter to the State Water Board in March 2005 identifying measures to improve the Board's enforcement program.

As such, the State Water Board is developing an enforcement plan for the coming year, designed to implement the Governor's Action Plan, Cal/EPA's Enforcement Initiative, and Dr. Lloyd's recommendations. We have commented on the draft plan and will be working with the State Board to implement it once it is finalized.

This plan and its implementation should benefit us by improving statewide consistency and coordination in the agency's approach to enforcement; providing guidance on how best to prioritize enforcement, ensuring that multi-media and cross-program enforcement proceeds more efficiently, and providing more State Board assistance in tracking and carrying out timely enforcement. We anticipate an increase in efforts to address fraud and unpermitted activities, more consistency in the collection and response to complaints, and broader use and public reporting of data used in enforcement. One recommendation is that all regions develop a Web-based water quality report card that includes enforcement priorities, top violators, and the actions underway to respond.

I'll keep the Board informed of the development of the Enforcement Plan and what actions Board staff will be taking to implement it.

Notice of Violations Issued to Three San Mateo County Cities (Habte Kifle)

As part of last month's municipal stormwater compliance status report, we informed the Board that we issued Notice of Violations (NOVs) February 24 to Foster City, Half Moon Bay and San Bruno. The NOVs were the result of the three cities failure to submit by November 15, 2004, a draft site design review and analysis of local standards and guidance, opportunities for revision, and any proposed revised standards and guidance that would result in reduced impacts to water quality and

beneficial uses. These actions were requested in their municipal stormwater permits, specifically the requirements for the new development and redevelopment program. In late April, Foster City and San Bruno submitted the required technical reports. Half Moon Bay notified us that it would submit the required technical report on May 10. Half Moon Bay attributes the delay due to the process and limited resources to perform the City Land Use Plan and standards updates.

All permittees are expected to incorporate the revised site design standards and guidance into their local policies and implement water quality protection measures by November 15, 2005.

Control Measure Implementation for New/Redevelopment in Santa Clara Valley (Sue Ma)

This report updates March's report on San Jose's implementation of ~~their~~its stormwater permit's requirements for new and redevelopment control measures.

At the end of March, the Santa Clara countywide stormwater program submitted, as allowed in their Permit, a proposal for an alternative Group 2 Project (any project creating 10,000 square feet or more of new impervious surface) definition that would allow the implementation of requirements for these smaller projects to be phased in. The program proposes to require stormwater treatment controls immediately for certain land use categories and by August 2006 for all other projects that create 10,000 square feet or more of new impervious surface.

Board staff negotiated with the program to enlarge the land use categories where treatment controls are required immediately to include all surface parking lots 10,000 square feet or greater, gas stations, and auto wrecking yards. With these revisions, staff supports this phased implementation date approach because it will provide consistency with other Bay Area countywide stormwater programs. As such, we have prepared and are circulating a draft amendment of the Santa Clara program's stormwater permit that reflects this phased approach for Group 2 Projects. We anticipate bringing this permit amendment to the Board for its consideration in June.

Consistent with Santa Clara program's proposal, the City of San Jose has drafted revisions to its Post-Construction Urban Runoff Management Policy. These revisions were scheduled to be considered by the San Jose City Council at its May 10 meeting. Given the consistency of approach, I sent a letter on May 6 expressing my support for the Council's adoption of the proposed revisions.

New/Redevelopment Hydromodification Requirements for Santa Clara Valley (Jan O'Hara)

This report updates February's report on the Santa Clara countywide stormwater program's implementation of its permit's requirements to address runoff-related impacts from new and redevelopment projects.

Under the countywide stormwater permit, municipalities must submit a plan for controlling runoff-related impacts from certain development projects within the municipalities' jurisdictions. Since February, staff has met with representatives of the program and the City San Jose to negotiate the details of a phased implementation approach to the runoff-related requirements and address the program's concerns about consistency with other Bay Area countywide stormwater programs. In general, we are now in agreement on the first, or interim, phase of the implementation plan, that would direct implementation until the Board approves the plans from other counties. San Jose staff presented the agreed-upon approach to its council in April, and Larry Kolb testified before the council to emphasize the importance of having such a plan in place. As such, we have prepared and

are circulating a draft amendment of the Santa Clara program's stormwater permit that approves this phasing of the implementation plan. We anticipate bringing this permit amendment to the Board for its consideration in June as part of the amendment to incorporate a phased approach for Group 2 Project control measures.

Annual Meeting of the Regional Monitoring Program for Trace Substances (Tom Mumley)

The 2005 Annual Meeting of the Regional Monitoring Program (RMP) was held on May 10. In addition to presentations on RMP highlights, the Meeting included presentations by Tom Mumley on *Mercury and PCBs TMDL Implementation*, Dyan Whyte on *TMDLs for Bay Tributaries*, and Karen Taberski on *What We Have Found in the Bay Area Surface Water Ambient Monitoring Program*. I provided closing remarks focusing on the progress this science-based effort has made over the past ten years in ensuring the RMP provides the data necessary to make informed decisions about the Bay's water quality. Further details on the RMP will be part of the presentation by Dr. Mike Connor, San Francisco Estuary Institute's Executive Director, at the May Board meeting.

Sonoma Baylands Wetland Restoration Project Workshop (Andree Breaux)

A workshop on the Sonoma Baylands Wetland Restoration Project organized by Board staff was held at BCDC offices May 2 to determine what kind of additional remedial actions, if any, should be implemented at the nine-year old restoration site, and what are the "lessons learned" for future wetland restoration projects. The workshop consisted of presentations by involved agency staff and consultants with followup questions and recommendations by the Monitoring Review Team. The results will be posted on the website of the San Francisco Bay Wetland Restoration Program after they are compiled and reviewed by the Monitoring Review Team. For further information, contact Andree Breaux at abreaux@waterboards.ca.gov.

Stem Cell Institute and Mission Bay Project (Larry Kolb)

On May 6, it was announced that the permanent headquarters for the California Institute for Regenerative Medicine (often called the stem cell institute) will be in San Francisco. A major factor in the decision was the existing and projected biomedical infrastructure in San Francisco, including the UC San Francisco Medical Center.

The Medical Center is building a research campus at the 302-acre Mission Bay site, where the Board was lead agency in the Brownfields cleanup of the one-time railyard and industrial area. 42 acres have already been deeded to the Medical Center, and it has indicated a desire to purchase another 14 acres. Other biotech companies are relocating to Mission Bay, and the free office space the City offered the Institute is also in the Mission Bay area.

I believe the decision on the Institute headquarters is yet another testimonial to the success of the Mission Bay project, and the Board's successful oversight of its cleanup that made this reuse possible.

Valero Refinery and City of Benicia Forming a Water Recycling Partnership (Gina Kathuria)

Valero Refinery and the City of Benicia are partnering in an effort to maximize use of available water resources. This partnership is born of two compatible goals: Valero needs additional process water to increase production and Benicia wants to reduce demand on water supplies. As a result, Benicia is proposing to provide its Wastewater Treatment Plant's (WTP) effluent to Valero to utilize as process water.

The project entails delivering 2 million gallons per day of the WTP's effluent to Valero. The potential exists to utilize approximately 70% of the WTP's effluent, which otherwise would be discharged to the Carquinez Strait. To meet Valero's high water quality requirements, treatment by reverse osmosis, at an approximate cost of \$20 million, will be required.

Freeing up an additional 2 million gallons per day of water for use by Benicia totals approximately 2,240 acre feet of water annually, or an amount sufficient to supply the needs of 4,480 homes for one year.

We are currently involved in the planning and design phases of this project. The project elements include constructing a reverse osmosis plant and determining the appropriate NPDES permitting requirements (e.g., effluent limits, toxicity monitoring, special studies) for the discharge of the reverse osmosis by-product. In the near future, we hope to support this project through an amendment of Benicia's NPDES permit.

Hetch Hetchy Water System Upgrades (Wil Bruhns)

On May 5th, Board staff attended an all day workshop where the San Francisco Public Utilities Commission (SFPUC) outlined its plans to upgrade the Hetch Hetchy water system. This system takes water from the Sierra, combines it with water from local reservoirs in Alameda and San Mateo Counties, and distributes the water to about 2.3 million people in the Bay Area. The SFPUC is planning on major upgrades of the system over approximately the next 10 years, using more than \$4 billion of bond funds.

The workshop was for agencies, like the Board, that will have to approve various portions of the project. For example, the Board will need to approve any Bay Region wetland fills as part of the project, and also wastewater discharges during various construction activities. Major projects that we anticipate needing to permit include the Calaveras Dam replacement in Alameda County, along with new pipelines and other water system structures associated with the Calaveras and San Antonio Reservoirs. A new pipeline is also planned along the southern edge of the Bay. In San Mateo County, upgrades are planned for Lower Crystal Springs Dam and other facilities. SFPUC is willing to fund staff time to be involved early on in the permitting process and to expedite any necessary approvals.

Board staff will keep you informed as this project progresses. Currently, environmental documents are being prepared, along with specific engineering plans. Public information meetings are also starting this month.

Water Quality Spotlighted at Annual Geological Society Meeting

(Mary Rose Cassa / Alec Naugle)

The Cordilleran Section of the Geological Society of America (GSA) and the Pacific Section of American Association of Petroleum Geologists (AAPG) held their joint annual meeting at San Jose's Fairmont Hotel over the weekend of April 29 – May 1.

Topics of direct relevance to our region included the following:

- Groundwater-Surface Water Interactions in the San Francisco Bay Area
- Flood Plain Restoration and Stream Channel Processes

- The Hydrobiogeochemical Cycle of Mercury
- 3-D mapping of Santa Clara Valley Geology and Hydrology
- Past and Future Earthquakes in the Bay Area and Region

Alec Naugle organized and chaired the session on groundwater and surface water interactions. Presentations addressed nitrate sources and impacts in coastal San Mateo County and the Livermore Valley, management of groundwater and storm water to restore Lake Merced water levels, seepage from the Russian River to underlying groundwater aquifers, and background groundwater quality results from public supply wells in the Petaluma and Sonoma Valleys.

Mary Rose Cassa gave a presentation on how the Water Board manages groundwater plumes that threaten the Bay-Delta and tributaries such as the Napa River. She also presented a poster entitled *Groundwater-Surface Water Interaction: An Emerging Issue in Regulatory Decision-Making*, which highlights efforts of the Water Board's work group on Groundwater-Surface Water Interaction.

Laurent Meillier served as a judge for the poster session entitled *Alaskan Energy Resources: New Assessments and Related Geological, Geophysical, and Geochemical Studies*.

Anne Senter presented a poster on her senior project at San Francisco State University, entitled *Soil Moisture, Root Density, and Plant Community Associations for Evaluating Hydrologic Restoration in Northeastern Sierra Nevada Meadows*.

Recommendations from a workshop and technical panel that Jill Marshall convened in 2004 to evaluate critical uncertainties in gravel augmentation and river restoration were presented by Leonard Sklar, a professor at San Francisco State University, in the session entitled *Recent Advances in the Science of Floodplain and Channel Processes Restoration*.

In-house Training

Our April training was on managing time and clutter. Our May training will involve a field trip on San Francisco Bay to examine factors affecting estuarine productivity. We also had an April 27 noontime seminar on the recovery of light floating product (or LNAPL) from bedrock environments.

Outreach and Presentations

Society for Environmental Toxicology and Chemistry Meeting (SETAC)

Richard Looker gave a presentation at the 15th Annual Northern California SETAC Meeting held at the University of California, Berkeley campus on May 3-4. The meeting was titled "*Evaluating Sublethal Effects of Toxicants on Organisms*". Richard's presentation to government officials, local dischargers, and students was on the San Francisco Bay Mercury TMDL.

Bike to Work Day

I gave the keynote talk at the April 29 kick-off preparation meeting for this year's Bike to Work Day in Alameda County. This year's Bike to Work Day, which will be May 19, is the County's twelfth annual and is being billed as the "No Pollute Commute." In addition to highlighting the benefits to staff morale and retention through active support of Bike to Work Day, I emphasized how increased use of bikes and other alternative commute methods benefits the Bay Area's water quality.