

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

MEETING DATE: May 12, 2021

Item: 4

Executive Officer's Report

Executive Officer’s Report May 5, 2021

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In-house Training: Implicit Bias (Carrie Austin)

In April, our In-House Training topic was implicit bias, which is stereotypes that affect how we think, feel, and behave unconsciously. It was an opportunity to interact with some of our Southern California colleagues as this was a joint training with the Los Angeles Regional Water Board. The dynamic rapper and Morehouse University professor Dr. Bryant Marks trained us over Zoom. He educated us about disproportionate exposure; that is, how our larger society shapes our understanding. For example, did you know that the [Statue of Liberty was created to celebrate freed slaves, not immigrants](#)? Or do you know the [origin of the word "California"](#)?

We covered difficult topics of how our society perceives race, gender, age and ethnicity. Our minds are built to be efficient and quickly categorize information. This is problematic when it—unconsciously and incorrectly—affects how we interact with others. Dr. Marks provided five promising practices for reducing implicit bias: (1) individuation, get to know people as individuals; (2) perspective taking, adopt the perspective of a member of a group toward whom bias exists; (3) counter-stereotypic imaging, imagine in detail characteristics counter to stereotypes; (4) stereotype replacement, identify moments of discretion and ask yourself how to make your biases irrelevant; (5) positive contact, interact with and/or develop genuine relationships with several out-group members.

Thank you to Sunny Grunloh in the Toxics Division who was our lead organizer. Next month, our training topic is effective communication with stakeholders.

Wildfire Response Plan and 2020 Wildfire Recovery (Demir Worthington and Brian Thompson)

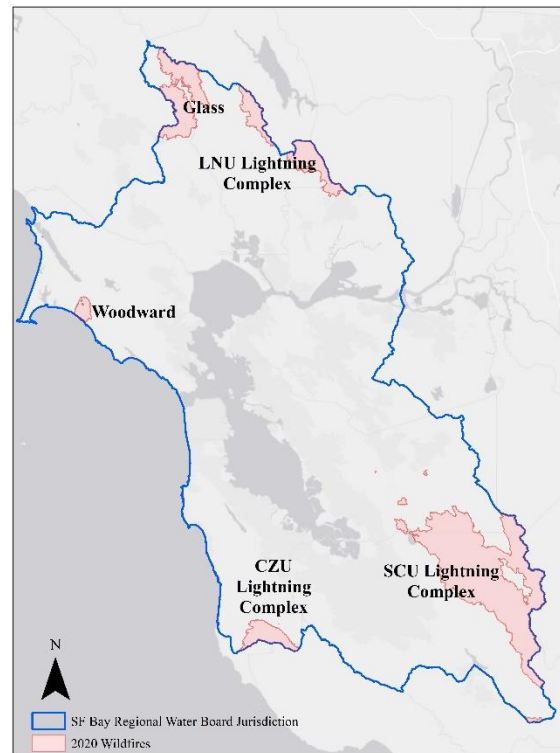
From August through October 2020, five wildfires burned approximately 400,000 acres within the San Francisco Bay Region, threatening life, property, and water quality. We are continuing to build on our experience with wildfire response and recovery, and knowing that climate change is increasing the frequency and magnitude of wildfires, we have developed a three-phase plan for wildfire related activities: (1) upon notice of a significant wildfire, (2) during active wildfire suppression, and (3) throughout efforts to return services and restore watershed health.

1. Upon Notice of a Significant Wildfire, Assemble Response Team:

Staff will be assigned roles consistent with the incident command system, and communications will be consolidated within a core team that will meet regularly. The number of staff, roles assigned, and frequency of meetings will be scaled to the size of the incident. In 2020, our team consisted of an executive liaison, operations manager, planning coordinator, staff lead for each of the five wildfires, and representative to assist local agencies.

2. During Active Wildfire Suppression, Track Wildfires and Assess Impacts:

Our team will track wildfire movement, identify threats to water resources and regulated facilities, advise unified command of threats, and assess damage within burn areas. In 2020, we helped develop a statewide Geographic Information Systems tool to assist our wildfire tracking and damage assessments, with maps and graphics. The tool plots CalFire wildfire boundaries with Water Board data (e.g., regulated facilities, impaired water bodies, sensitive habitats, and public lands).



3. Throughout Efforts to Return Services and Restore Watershed Health, Assist Recovery:

Most Water Board work starts once wildfires are contained and no longer considered a risk to life and property. Our team will prioritize water quality threats based on factors, such as burn intensity, topography, and proximity of burned structures to surface water. We will advise local agencies and stakeholders on recovery efforts, such as tree removal and watershed restoration projects, and encourage practices that minimize sediment and pollutant discharges. In 2020, we helped impacted facilities return to compliance, issued emergency permits for restoration projects, identified hazardous waste prior to debris removal, and issued waivers for debris disposal at landfills.

Preparing for wildfire response is part of adapting to climate change and having a wildfire response plan ensures that we are ready for the dry seasons ahead. How we respond to wildfires in the future will vary based on the circumstances, below are summaries of our response in 2020:

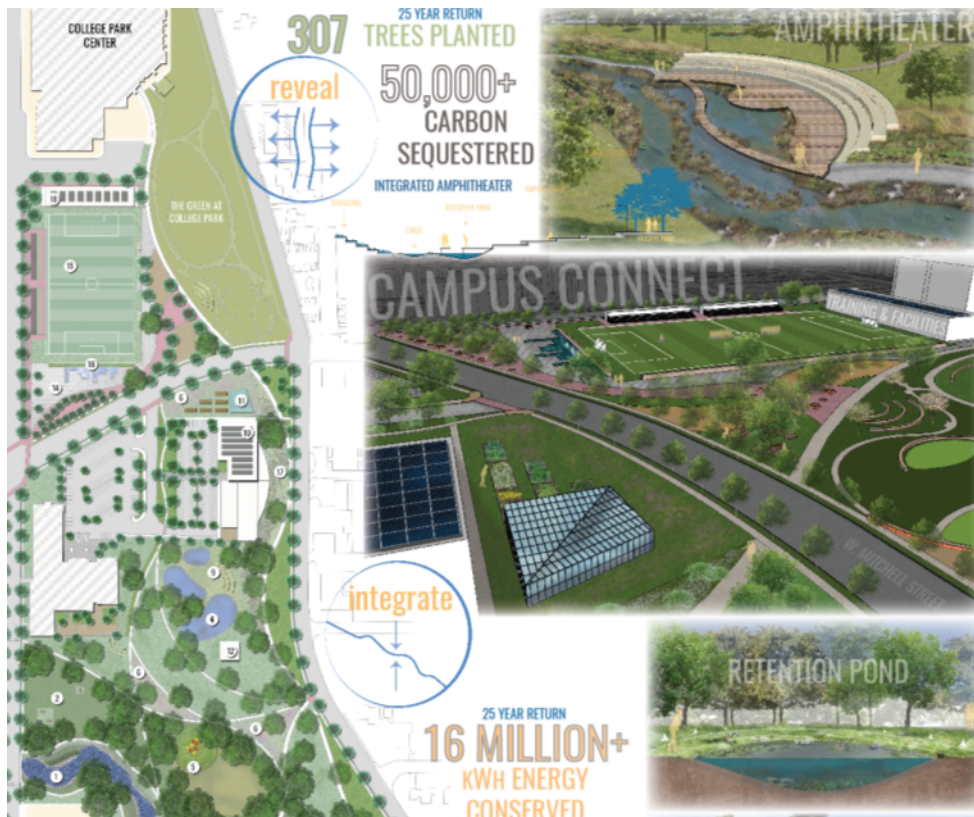
- **SCU Lightning Complex** - Wildfires threatened five drinking water reservoirs, and we worked with the local water management agencies and public landowners on drinking water sampling and erosion control plans.
- **LNU Lightning Complex** and **Glass** - Wildfires damaged wineries and facilities regulated under the industrial stormwater general permit. We advised local agencies and environmental non-profits on water quality monitoring, stormwater permit compliance, and funding opportunities.
- **CZU Lightning Complex** - Wildfires burned part of the Pescadero-Butano Watershed, which is impaired by sediment. We assisted the local Resource Conservation District and local landowners with ground stabilization and expedited permitting for watershed recovery projects.
- **Woodward** - Wildfire damaged the Point Reyes National Seashore and Bear Creek Watershed, which provides critical habitat for steelhead trout. We advised the National Park Service on recovery actions to protect against erosion and limit invasive plant species within vegetative regrowth.

U.S. EPA Campus RainWorks Challenge Winners Announced (Keith Lichten)

On April 19, U.S. EPA announced the winners of its [9th Annual Campus RainWorks Challenge](#). The Challenge is a design competition for interdisciplinary teams of college and university students, who develop green stormwater infrastructure designs that address urban runoff pollution and showcase the environmental, economic, and social benefits of green infrastructure practices. The challenge educates students and fosters a dialogue about the role of multi-benefit green stormwater infrastructure practices by bringing them into the curriculum. This year, 57 student teams from 39 different academic institutions across 26 states submitted designs in two categories: master plans and demonstration projects. Since 2012, more than 750 teams have participated in the Challenge. Teams receive a modest cash award, and their advisor receives a small amount of funding to support further green infrastructure research and training.

Winning teams came from the University of Texas at Arlington—largely a commuter school—for a campus master plan and the University of Pennsylvania, for a demonstration project design at a high school serving a historically marginalized community in West Philadelphia. Past entries from schools in California have come from schools including UC Berkeley, UC Davis, and Cal Poly San Luis Obispo. Overall, the competition both spurs and reflects an increasing understanding of and sophistication in using green stormwater infrastructure tools.

Watershed Management Division Chief Keith Lichten served as a judge for the competition, representing the Water Boards and the Environmental and Water Resources Institute of the American Society of Civil Engineers.



May 2020 Enforcement Actions (Brian Thompson and Jessica Watkins)

The following tables show the proposed and settled enforcement actions since April's report. As the proposed settlements are pending and could come before the Regional Water Board, ex parte communications are not allowed. Please refer to the following webpage for more information on the details of the alleged violations and proposed settlements: [Region 2 Pending Enforcement Liabilities and Penalties](#).

Proposed Settlements

The following are noticed for a 30-day public comment period. If no significant comment is received by the deadline, the Executive Officer will sign an order implementing the settlement.

Discharger	Violation(s)	Proposed Penalty	Comment Deadline
City of East Palo Alto	Discharge limit violation.	\$3,000	May 6, 2021
477 Market LLC	Discharge limit violations.	\$33,000 ¹	May 7, 2021
FMC Corporation	Discharge limit violations.	\$6,000	May 7, 2021
Intuit Inc.	Discharge limit violation.	\$3,000	May 10, 2021
California Department of Transportation	Discharge limit violations.	\$9,000	May 19, 2021
Hibiscus Properties LLC	Discharge limit violations.	\$24,000	May 19, 2021
Lennar Homes of California, Inc.	Discharge limit violations.	\$6,000 ²	May 19, 2021
SUMCO Phoenix Corporation	Discharge limit violations.	\$12,000	May 24, 2021
Raytheon Company	Discharge limit violations.	\$3,000	May 24, 2021

¹ Includes \$24,000 to supplement Regional Monitoring Program studies. The Regional Monitoring Program is managed by the San Francisco Estuary Institute to collect water quality information in support of management decisions to restore and protect beneficial uses of the Region's waters.

² Includes \$6,000 to supplement Regional Monitoring Program studies.

Settled Actions

On behalf of the Board, the Executive Officer approved the following:

Discharger	Violation(s)	Imposed Penalty	Supplemental Environmental Project
Univar USA, Inc.	Discharge limit violation.	\$3,000	None
Treasure Island Development Group	Discharge limit violations.	\$3,000	None
Windy Hill PV Five CM, LLC	Discharge limit violations.	\$3,000	None
SJ Park Almaden LLC	Discharge limit violation.	\$3,000	None
Daly City Serramonte Center, LLC	Discharge limit violations.	\$9,000	\$4,500 ¹
S&B Milpitas, LLC	Discharge limit violations.	\$6,000	None
Martinez Refining Company LLC	Discharge limit violations.	\$120,000	\$60,000 ²
Republic Services, Inc. and West Contra Costa Sanitary Landfill, Inc.	Failure to comply with waste discharge requirements and industrial stormwater general permit.	\$460,600	\$223,300 ³

¹ The penalty includes \$4,500 to supplement Regional Monitoring Program studies.

- ² The penalty includes \$60,000 to supplement Regional Monitoring Program studies.
- ³ The penalty includes \$223,300 to supplement Regional Monitoring Program studies.

401 Water Quality Certification Applications Received (Abigail Smith)

The table below lists those applications received for Clean Water Act section 401 water quality certification from March 12 through April 7, 2021. A check mark in the right-hand column indicates a project with work that may be in BCDC jurisdiction.

Project Name	City/Location	County	May have BCDC Jurisdiction
Point Eden U-Haul Development	Hayward	Alameda	✓
Vallecitos Channel Maintenance	Unincorporated	Alameda	
Restoration of Marshall Tavern Inn	Marshall	Marin	
Shady Lane Sewer Removal	Ross	Marin	
Residential Development to Connect Two Properties at 114 and 78 Circle Rd	San Rafael	Marin	
Greenwood Bay HOA Fishing Pier and Pedestrian Bridge Repair	Tiburon	Marin	✓
Dry Creek Road Improved Fire Access	Napa	Napa	
SR 29 and SR 221 Interchange Construction and Soscol Creek Bridge Widening	Napa	Napa	
R19-03 Sulphur Creek Willow Installation	St. Helena	Napa	
NPS NHL Tugboat Hercules Berthing and Gangway Improvements	San Francisco	San Francisco	✓
1 Lagoon Dock Expansion	Redwood City	San Mateo	✓
Replacement of Oyster Point Marina Entrance Navigation Aids	South San Francisco	San Mateo	✓
ADA Boat Access at Vasona Lake County Park	Los Gatos	Santa Clara	

Project Name	City/Location	County	May have BCDC Jurisdiction
Soil Sampling for the Palo Alto Tide Gate Replacement	Palo Alto	Santa Clara	✓
Bit 25 Repair - AMPORTS Pier Work	Benicia	Solano	✓
First and F Street Emergency Bridge Replacement	Petaluma	Sonoma	
SCWA SMP Routine Maintenance in Petaluma and Sonoma	Petaluma and Sonoma	Sonoma	
Haystack 1 - Nathanson and Castle Creek Bank Restoration	Sonoma	Sonoma	
Haystack 2 - Nathanson Creek Bank Stabilization	Sonoma	Sonoma	