

**California Regional Water Quality Control Board
San Francisco Bay Region
EXECUTIVE OFFICER'S REPORT
A Monthly Report to the Board and Public**

April 2006

*The next regular scheduled Board meeting is April 12, 2006.
See <http://www.waterboards.ca.gov/sanfranciscobay/> for latest details and agenda*

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Full Speed Ahead on NPDES Permits (Lila Tang)

At the January and March Board meetings, USEPA stated its expectations for us to eliminate our NPDES permit backlog. Recognizing our budget cutbacks over the past few years, the Board directed staff to develop a strategy with USEPA to address the problem. After two more meetings with USEPA staff since the March Board meeting, we have a final strategy and reissuance schedule in place that is acceptable to USEPA.

The strategy involves a commitment for a certain number of permit reissuances or rescissions over the next four semi-annual milestones:

Permit Actions	Milestone
11	June 2006 (from April)
19	December 2006
13	June 2007
9	December 2007

USEPA has committed to providing contractor support to help draft many of the permits. This support will begin mid-April with contractor-supported permits starting to come before the Board in September. Cash overtime incentives are in place for Board staff, who have already been hard at work for the past three months writing and negotiating permits. Currently we are on schedule to meet the June 2006 milestone.

A schedule of upcoming NPDES permit actions, revised from the one presented with the March agenda package, is on the Board's website at <http://www.waterboards.ca.gov/sanfranciscobay/programs.html#npdes>. Based on Board member interest, the schedule currently posted includes a description of the reasons for the revisions to the schedule presented to the Board in March. In the future, we will update this schedule monthly with a brief status of each reissuance in progress, as a way to inform both the Board and the public of our activities.

Tesoro's Pittsburg Coke Terminal (Rico Duazo)

During last month's Board meeting, the Board heard testimony from staff, Tesoro, the City of Pittsburg, Baykeeper, and concerned local citizens regarding Tesoro's operations at its marine coke loading terminal in Pittsburg. The main issues were the discharge of fugitive wind-borne coke dust from the facility and its effects on stormwater runoff and the local surroundings, and the need to use Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Technology (BCT) at the facility to control stormwater runoff.

As directed by the Board, I have issued a letter requiring Tesoro to submit a technical report identifying corrective actions, with implementation schedules, to achieve BAT/BCT standards at the facility. Based on Tesoro's workplan, I may issue or recommend that the Board adopt an enforceable order to incorporate necessary tasks and schedules to ensure full compliance. The letter required the report to be submitted by May 15, 2006.

Upon Tesoro's request, Board staff met again with Tesoro on March 20. Staff was informed at that meeting that the wind-borne coke dust problems would be corrected by mid-2008. Until then, Tesoro also plans to propose interim measures to control coke dust. We expect to see these interim and final measures with implementation schedules in the technical report we required from Tesoro.

I also met with State Senator Tom Torlakson, State Assemblyman Joe Canciamilla, and representatives of Tesoro, the City of Pittsburg, the Bay Area Air Quality Management District and the Contra Costa County Board of Supervisors on March 22 in Sacramento. At that meeting, Tesoro again stated that it would cover or close the coke piles at the Pittsburg facility by 2008. Sometime in April, Tesoro plans to enter into a Memorandum of Understanding with the City to specify what will be done at the facility and when. One important outcome of the meeting was that we identified the key players that we will work with to ensure the facility consistently meets its requirements.

San Francisco Bay Mercury Coordination Meeting (Carrie Austin)

On February 22, the San Francisco Estuary Institute (SFEI) and the Regional Monitoring Program (RMP) sponsored the third annual San Francisco Bay Mercury Coordination Meeting. Carrie Austin presented "Completing the SF Bay Mercury TMDL," and also announced the availability of the Guadalupe River Watershed Mercury TMDL project report for review by interested parties. Carrie reports that this was the largest Mercury Coordinating Meeting to date. SFEI and the RMP are also sustaining The San Francisco Bay Mercury News, a semi-annual newsletter available online at <http://www.sfei.org/newsletter%20signups.html>.

Codornices Creek -- Steelhead in Berkeley? (Dale Hopkins)

New inspiration and enthusiasm, if any were needed, for continuing watershed management, restoration, and monitoring activities within the Codornices Creek watershed arrived on March 2

and 3 when three large steelhead trout (*Oncorhynchus mykiss*) were seen spawning upstream of Masonic Avenue. Their size (the largest approximately 24" in length) and coloration indicated that these are true ocean-run steelhead rather than land-locked rainbow trout, who are making their way up into this urban stream to lay their eggs and reproduce. The spawning was recorded in a video, which can be viewed online at www.urban creeks.org or www.five creeks.org.

Although Codornices Creek, which runs from the Berkeley hills down through Berkeley and Albany to Golden Gate Fields, is a small urban watershed only 1.5 square miles in size, it is a significant model for activities by both humans and fish. Numerous organizations and neighborhood groups have been active in the Codornices Creek Watershed over the years, removing invasive vegetation and planting natives, restoring creek reaches between San Pablo Avenue and Interstate 80, and monitoring existing creek conditions. In fall 2005, a Codornices Creek Watershed Council was formed to be an inclusive, consensus-based forum where organizations, community groups, agencies, and watershed residents can communicate and work collaboratively for a healthy watershed. With funding provided through the San Francisco Bay Salmonid Habitat Restoration Fund, a part-time Watershed Coordinator was hired to work with the Council. The Coordinator will work with the Council in the coming months to clarify its role, acquire funding for future projects, and help to ensure long-term restoration success of the Watershed.

Two restoration projects are planned for implementation in summer and fall 2006, one upstream of 5th Street by the Waterways Restoration Institute and another downstream of Albina Avenue by the Urban Creeks Council (UCC). The latter seeks to allow migration of salmonids upstream of Albina Avenue, where currently a 3-foot jump poses a complete passage barrier, and to decrease creek bank erosion. The project will employ natural creek channel design and soil bioengineering techniques. The location was prioritized for restoration in the Codornices Creek Watershed Restoration Action Plan. The Plan and restoration project are currently funded through a Proposition 13 grant that is managed by Wil Bruhns of the Watershed Division.

Monitoring of Codornices Creek's water quality, habitat, and fish population also continues. A recent report on UCC's monitoring activities of 2005 includes information on basic water quality parameters, polycyclic aromatic hydrocarbons, pool embeddedness, and the creek's first population estimate of *O. mykiss*. The report is available online at <http://www.urban creeks.org/ccwrap-document.html>. [Thanks to Emma Gutzler of Urban Creeks Council and Pam Boyle, Codornices Creek Watershed Council coordinator for information in this item.]

Bay-Friendly Landscaping Workshop (Carol Thornton)

On March 2, Carol Thornton attended "Bay-Friendly Landscaping: Sustainable Landscape Design and Construction" presented by Alameda County's Stop Waste organization. Bay-Friendly Landscaping is an approach to design, construction and maintenance of landscapes to support the integrity of the Bay watershed. It involves seven principles:

- Landscaping in harmony with the natural conditions of the San Francisco Bay watershed.
- Reducing waste and recycling materials.
- Nurturing healthy soils while reducing fertilizer use.
- Conserving water, energy and topsoil.
- Using integrated pest management to minimize chemical use.
- Reducing stormwater runoff.
- Creating wildlife habitat.

The workshop presented case studies; information on bioswales; guidelines for incorporating sustainable practices; and a wide variety of resources (trainings, technical assistance, tools, and grants) for professionals, city staff and county residents. The case studies presented the details of implementation and the challenges faced when trying to institute unfamiliar practices. There will be a training and certification program next year for landscape maintenance professionals.

Bay-Friendly Landscaping provides resources for and complements the efforts by municipalities and Board staff to reduce impacts to creeks from urban stormwater runoff. Bay-Friendly Landscaping reinforces the concept of "low-impact development". The practices, if implemented, would go above and beyond our current stormwater permit requirements.

Island Ponds Breaching (Paul Amato)



On March 7, Board staff Dale Bowyer and Paul Amato attended the breaching of the levee between Coyote Slough and Salt Pond A19 in the Alviso Salt Pond complex in South San Francisco Bay. On March 20, Chair Muller and I attended a celebration of the levee breaching; also present were Senator Diane Feinstein and many local dignitaries. These events were the result of a joint effort between the U.S. Fish and Wildlife Service (Service) and the Santa Clara Valley Water District (District) to restore former Salt Ponds A19, A20, and A21, known as the Island Ponds, back to tidal marsh. The Service is required to restore nine acres for impacts to tidal marsh resulting from the Initial Stewardship Plan, which was approved by the Board in 2004 to improve water quality in the Salt Ponds prior to discharge into the South Bay, and in preparation for long-term implementation of the South Bay Salt Ponds Restoration Project. The District is required to restore 30 acres for impacts to instream tidal wetlands from periodic sediment removal projects under its 10-year Stream Maintenance Program and approximately 35 acres for impacts from the Lower Guadalupe Flood Control Project, both approved by the Board in recent years.

In all, five levee breach locations have been excavated between the Island Ponds and Coyote Slough to restore the tidal regime and eventually restore tidal marsh at the 475-acre site. Historic levee construction for salt production separated the ponds from tidal influence, caused subsidence of the pond bottoms, and resulted in the formation of a gypsum crust, precluding tidal marsh vegetation. It is expected that the site will be restored to tidal marsh over the next 15 years as sediments deposit in the ponds and native tidal marsh vegetation like alkali bulrush, cord grass, and pickleweed, colonize the pond bottoms and create vital habitat for a variety of species, including threatened and endangered species.

Restoration efforts at the Island Ponds represent a significant step towards implementing the South Bay Salt Ponds Restoration Project. With that in mind, there has been close coordination among staff from the Service, the District and their consultants, the Board, U.S. Army Corps of Engineers, U.S. EPA, National Marine Fisheries Service, California Department of Fish and Game, and California Coastal Conservancy. A Mitigation Monitoring Plan is being implemented to monitor tidal marsh development and wildlife at the site.

Alviso Slough Inspection (Paul Amato)

In response to a complaint, Board staff will perform a joint inspection of Alviso Slough April 7, with the Santa Clara Valley Water District, the Blue Whale Sailing School, and the South Bay Yacht Club. The School and Club's facilities are located in South San Francisco Bay on Alviso Slough in northern San Jose. Staff will inspect for alleged water quality violations resulting from discharges from abandoned boats, illegal docks, spray painting, and dredging and filling.

Board staff previously responded to a December 2002 complaint from the Blue Whale Sailing School alleging that the South Bay Yacht Club illegally discharged human waste, diesel fuel, and sunken abandoned boats to Alviso Slough. Board staff conducted two site inspections in early 2003 but were unable to confirm alleged water quality violations. Other agencies that have responded to recent complaints about these facilities include the California Department of Fish and Game, State Lands Commission, and the City of San Jose's Code Enforcement, Police and Fire Departments.

San Francisco Bay Conservation and Development Commission (BCDC) staff inspected the Blue Whale Sailing School in July and September 2005, and the South Bay Yacht Club, also in September 2005. In January of this year, BCDC staff sent enforcement letters to both facilities, as well as registered owners of boats at or adjacent to these facilities, requiring corrective measures within 125 days for illegally moored boats and unauthorized structures in BCDC jurisdiction. We will keep you posted on any significant developments from these inspections.

Hookston Station Update (Chuck Headlee)

On March 10, Board staff approved the Baseline Risk Assessment for the Hookston Station site in Pleasant Hill. Groundwater contamination extends offsite beneath a residential neighborhood, and the Baseline Risk Assessment is a key tool in determining cleanup necessary at the site. The responsible parties first submitted a draft Baseline Risk Assessment in March 2005. Board staff issued a fact sheet in May 2005 and convened a public meeting in June 2005, during a thirty-day comment period. Board staff reviewed the draft document with help from the state Department of Health Services' Environmental Health Investigation Branch (EHIB). In response to our comments as well as public comments received on the March 2005 draft, a revised version was submitted in October 2005 and again made available for public comment. On February 24, after consideration of the comments received and numerous discussions with Board staff and EHIB, the responsible parties submitted a final product that fully addresses potential maximum exposure and conforms to standard guidance. Board staff prepared a summary of comments received from all parties, and our responses to those comments were attached to the approval.

Results from the Baseline Risk Assessment will be used along with results from the Remedial Investigation to prepare a cleanup plan, which will evaluate remedial actions for the Hookston Station site. This cleanup plan is due July 10.

Board staff is also updating the site's Community Relations Plan while the cleanup plan is being prepared. As one of our next steps, Board staff plans to host an open-house workshop in early June to meet with the public regarding the results of the risk assessment and indoor-air sampling, and the status of the cleanup plan.

We continue to oversee several other potential release sites, upgradient of the Hookston Station site, which are in various stages of investigation. Several constituents, including PCE and MTBE, have

been identified on these sites that did not originate on the Hookston Station site. Responsible parties for these sites will be required to conduct additional investigation and cleanup, as appropriate.

Central Station – West Oakland (Mark Johnson)

Since my last update in November, Board staff has approved cleanup plans for two parcels at this west Oakland Brownfield site, and cleanup work is now proceeding. Contamination at the two parcels is modest, and cleanup involves mainly soil removal in a few locations and in-situ groundwater cleanup in one location. Because of significant community interest in the remediation of the site, Board staff is conducting a comprehensive public participation program. In November, Board staff, after a 30-day public comment period, conducted a meeting on proposed cleanup plans for the two parcels. Board staff hosted a community meeting to present the proposed cleanup plans and invite community comments and questions. Public comments received were incorporated into the cleanup plans, and Board staff approved the plans in late January.

The site's developers have begun implementing the two cleanup plans, and work should continue over the next few months. Board staff will continue to keep the community informed of site activities via fact sheets, work notices, and community meetings. We expect to receive draft cleanup plans for other parcels at the site within the next few months. Construction of the first phases of redevelopment is planned to begin this summer.

The Central Station site is a significant Brownfield property roughly 29 acres in size. It is an elongated set of parcels located adjacent to the 880 freeway in west Oakland. The site includes the former Oakland Train Station, which has been closed for many years. The historic station building still stands and will be preserved and incorporated into this residential Brownfield redevelopment project as a museum for the community. The City has approved redevelopment of the site into 1,300 to 1,500 residential units, with 15% of the homes selling below market rate (affordable housing component). We will continue to keep the Board informed of cleanup progress on this site.

All Cleanup Program Roundtable in San Diego (Stephen Morse)

On April 4-6, nearly 200 Water Board staff from various site cleanup programs around the State will meet in San Diego for a three-day roundtable. The session will include staff from all four cleanup programs: underground storage tanks (UST), spills/leaks/investigations/cleanups (SLIC), Department of Defense (DOD), and land disposal and waste containment (aka landfills). Staff from the State Board and each of the Regional Water Boards will attend; our office will send nearly 30 staff. The purpose of the first-ever session is to discuss current issues and topics that affect all the cleanup programs. (Traditionally, each program has its own separate roundtable meetings.) Below is a listing of the key roundtable topics:

- Public participation
- Legal framework
- Regional perspectives on cleanup
- Site investigation
- Risk assessment
- Vapor intrusion
- Institutional controls
- Future of the cleanup programs

In-house Training

Our March training was on electronic document management at the Board, including document storage (Fortis and our FTP site), databases (CIWQS and Geotracker), and related topics. Our April training will be a comparison of how various Bay Area public agencies implement their respective environmental enforcement programs. Brownbag seminars included a March 10 session on groundwater cleanup and protection activities at the Board (a recap of a recent regulatory update by Stephen Hill and Alec Naugle).

Staff Presentations and Outreach

Presentations at CASQA

On March 10, Tom Mumley, Richard Looker, and I participated at the quarterly meeting of the California Stormwater Quality Association (CASQA). Tom Mumley made a presentation on "The San Francisco Bay Mercury and PCB TMDLs: Urban Runoff Source Analysis, Waste Load Allocations, and Implementation Strategies." Richard Looker gave a presentation on "Copper Regulatory Strategies for the San Francisco Bay Region, Urban Runoff Elements." I served on a panel with State Board member Jerry Secundy and Los Angeles Water Board Executive Officer Jonathan Bishop that discussed "Plans for Improving TMDLs." All three sessions generated considerable constructive discussion, and a number of attendees requested electronic copies of Tom's and Richard's presentations.

ReEnvisioning the Delta Symposium

On March 16, Keith Lichten spoke on the impacts of urbanization on stormwater quality at "ReEnvisioning the Delta: the hub of California's future," a symposium at UC Berkeley that considered the implications of the ongoing urbanization of the Sacramento-San Joaquin Delta. The symposium included presentations by state and local elected officials on Delta land use planning; hydrologists, engineers, and planners on levee safety and flood management; and a look forward to ideas of how future development in the Delta might take place.