



Executive Board Meeting Minutes

Thursday, August 25, 2011, 9:00 a.m. – 2:00 p.m.
HDR, Inc., San Francisco Office
575 Market Street, Suite 700 94105

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Ben Horenstein, Chair (East Bay Municipal Utility District); Laura Pagano, acting Vice-Chair (San Francisco Public Utilities Commission); Jim Kelly (Central Contra Costa Sanitary District); , Rich Currie (East Bay Dischargers Authority); Kirsten Struve (City of San Jose).

Other Attendees: Andy Morrison (Union Sanitary District), Margaret Orr (Central Contra Costa Sanitary District); Jim Ervin (City of San Jose); Greg Baatrup (Fairfield-Suisun Sewer District); Kevin Kennedy (HDR Engineering); Pete Talbot (HDR Engineering); Holly Kennedy (HDR Engineering); Dave Clark (DHR Engineering); Monica Oakley (RMC); Tom Hall (EOA) Amy Chastain (BACWA).

PUBLIC COMMENT

There were no public comments.

REPORTS

Committee Reports, agenda item 1, were included in the meeting handout packet and attendees were invited to elaborate on their reports or field questions. Rich Currie requested more information about the Bay Behavior Campaign and the Executive Director (ED) provided a brief summary of that effort. Mr. Currie also noted that the distributor language in the pharmaceutical take-back bill mentioned in the BAPPG report had been removed. There was a brief discussion of the Tri-TAC electronic workshop to be held on September 1.

For **agenda item 2, the Proposition 50 Grant Disbursements Status Report** was included in the meeting handout packet. The ED noted that DWR has been invoiced for approximately 75% of the funds to date.

For **agenda item 3, the Executive Director's Report,** there were no questions about the report. The ED mentioned that fifteen tickets are currently available to the Executive Board for the State of the Estuary Conference.

For **agenda item 4, Executive Board Reports,** BACWA Executive Board members were invited to share any items of interest including information about meetings that were attended by BACWA representatives this month.

- Mr. Currie gave an update on the Hayward Marsh permit renewal: EPA commented on the permit, the coliform limit stayed the same despite the applicable beneficial use changing from REC1 to REC2, sampling will be required for four PAH compounds, a new dilution study will have to be conducted, and there is concern that the dilution credit for ammonia will be limited because of concerns about toxicity and the size of the mixing zone. Mr. Currie also reported that EBDA is conducting a peak flow study.
- Jim Kelly reported that CCCSD is still negotiating their permit and one issue that has arisen relates to permitting discharges during repairs.
- Kirsten Struve reported that she attended the RMP steering committee meeting and that there is an ASC meeting in September.
- Laura Pagano reported that SFPUC is investigating higher than normal toxicity and that the current accelerated monitoring requirements make conducting a TIE/TRE simultaneously challenging.

- Dave Williams reported that the ASC is still working on developing a strategic plan and that one proposal has been to keep ASC and SFEI as separate legal entities, but to have the Boards be identical. There was general support for this approach, although there is a legal question of the whether the Board can be comprised of non-JPA signatories.
- Ben Horenstein reported that EBMUD continues to deal with acute toxicity issues.

Under **agenda item 5, Authorized Actions**, Mr. Kelly raised the issue of responding to the State's draft Whole Effluent Toxicity Policy and asked whether the current BACWA effort is sufficient. The ED will consider whether a special meeting is required and will place this issue on the September Executive Board meeting agenda.

CONSENT CALENDAR

Mr. Kelly moved to approve **agenda items 6, 7 and 8**, Ms. Pagano seconded, Mr. Currie abstained, and the motion carried unanimously.

OTHER BUSINESS

For **agenda item 9, ASC Representation**, the ED explained that Mike Connor requested to be replaced on the Board. Ms. Pagano will take Mr. Connor's position. The Executive Director will investigate whether she can sit on the Board as Mr. Williams may not be able to in the future because of a scheduling conflict.

For **agenda item 10, Pardee Retreat**, the ED reminded everyone that the retreat is scheduled for October 11 through the 13. She will send out the draft agenda to the Board and asked that they think about the invitee list.

The ED and Chair introduced **agenda item 11, Facilitated Nutrients Discussion**, by reminding the Executive Board that, several months ago, the Regional Water Board expressed an interest in having BACWA take a leadership position regarding the nutrient issue broadly in the San Francisco Bay. The purpose of the discussion, to be facilitated by HDR, is to develop a proposal or framework for this effort to present to the Regional Water Board on September 23. HDR then lead a discussion about nutrient regulation and control in the San Francisco Bay.

The meeting adjourned at 2:20 p.m.