

REGIONAL WATER QUALITY CONTROL BOARD - SAN FRANCISCO BAY
BOARD MEETING MINUTES
November 28, 2001

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Item 1 - Roll Call and Introductions

The meeting was called to order on November 28, 2001 at 9:14 a.m. in the State Office Building Auditorium, First Floor, 1515 Clay Street, Oakland.

Board members present: John Muller, Chair; Clifford Waldeck, Vice-Chair; Kristen Addicks; Josephine De Luca; Shalom Eliahu; and Mary Warren.

Board members absent: Doreen Chiu and William Schumacher. (Note: Mr. Schumacher arrived at 10:06 a.m.)

New staff persons were introduced. Ron Gervason introduced Laura Speare; Lila Tang introduced Tong Yin; John Wolfenden introduced Cherie McCaulou.

Item 2 - Public Forum

There were no public comments.

Item 3 - Minutes of the October 17, 2001 Board Meeting

The minutes, as supplemented, were adopted by the Board.

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

Clifford Waldeck, Shalom Eliahu, and John Muller reported attending the WQCC meeting in Palm Springs. They also participated in a tour of the Chevron Refinery in Richmond.

Mr. Muller appointed a nominating committee to recommend candidates for Chair and Vice-Chair in the year 2002.

Dorothy Dickey reported attending an environmental law conference held in Yosemite.

Mr. Muller read a Resolution of Appreciation in honor of Teng-Chung Wu for his 36 years of service to the Board. Dr. Wu thanked staff members, the Board, and the regulated community for their support during his tenure at Region 2.

Loretta Barsamian said several parties petitioned the State Board regarding the permit amendment recently adopted by the Regional Board for the Santa Clara Valley Urban Runoff Pollution Prevention Program. She raised the question of whether the Board should adopt a blanket amendment for other municipal stormwater permits.

Stephen Hill reported on staffs' efforts in East Palo Alto to resolve problems regarding arsenic-impacted soil.

Ms. Barsamian noted litigation concerning the Sonoma Valley County Sanitation District's NPDES permit had settled.

Ms. Barsamian said the State Board presently was considering Napa Sanitation District's petition regarding the District's NPDES permit.

Ms. Barsamian reported the Board received an award from the Friends of the San Francisco Estuary for implementation of the Comprehensive Conservation Management Plan.

Mr. Muller and Ms. Barsamian noted there would be fewer updates to the San Francisco Bay Area Power Plant Construction Summary.

Item 5 - Uncontested Calendar

Ms. Barsamian said there was supplemental material for Item 5A. She recommended placing Item 21 (Ultramar, Golden Eagle Refinery) on the uncontested calendar. With the above changes, she recommended adoption of the uncontested calendar.

Motion: It was moved by Mrs. De Luca, seconded by Mrs. Warren, and it was unanimously voted to adopt the uncontested calendar as recommended by the Executive Officer.

Item 6 – U.S. Army Corps of Engineers, Sacramento District, Hamilton Air Force Base Landfill 26, Novato, Marin County – Cleanup and Abatement Order for Corrective Action at Landfill 26

James Ponton gave a staff presentation that covered both Items 6 and 7. He said methane gas released from Landfill 26 had impacted a housing development located nearby, and had threatened to impact groundwater. Mr. Ponton said the landfill is a former refuse disposal site that was capped with a low permeability cover at the time it was closed. He believed a build-up of methane gas could be attributed to a collection of gas beneath the low-permeability cover and the saturated condition of the landfill waste.

Mr. Ponton said the tentative Cleanup and Abatement Order requires the discharger to (1) control landfill gas releases and (2) investigate and remediate adverse groundwater impacts. He said the tentative order sets out dates by which six specific tasks must be completed. Mr. Ponton said the tentative Time Schedule Order (Item 7) establishes civil liabilities that may be imposed if tasks are not completed.

Mr. Ponton said the required tasks would take a number of years to complete. As an interim measure, he said the discharger would install a gas collection trench between the landfill and the nearby housing development.

Mr. Eliahu asked whether the trench would intercept gas migrating towards the development. Mr. Ponton replied affirmatively.

Mr. Waldeck asked if the gas collection trench would help protect people living near the landfill. Mr. Ponton also replied affirmatively.

Mr. Muller asked if methane gas releases had created a serious health hazard. Mr. Ponton said evidence found so far did not show a serious health hazard has been created.

Tom Roth, Field Representative for Congresswoman Lynn Woolsey, spoke in support of the tentative orders.

Mrs. De Luca thanked Mr. Roth for Congresswoman Woolsey's help in resolving the landfill problems. She noted the tentative orders reflected a collaborative effort among parties working towards a common goal.

[Mr. Schumacher arrived at 10:06 a.m.]

Jim McAlister, U.S. Army Corps of Engineers, spoke in support of the tentative orders.

Jerry Vincent, U.S. Army Corps of Engineers; Thom Gamble, Shea Homes; Brian Hayle, attorney representing Shea Homes; spoke in support of the tentative orders.

Elena Belsky, San Francisco BayKeeper, suggested the Landfill Corrective Action Investigation Work Plan required in the Cleanup and Abatement Order be started immediately.

Mr. Eliahu asked whether groundwater contaminants might migrate from the landfill into the Bay. Mr. Ponton responded.

Mrs. Addicks asked when the gas collection trench would be constructed. Mr. Ponton replied construction would begin soon.

Mr. Schumacher and Mr. Ponton discussed technology that was current at the time the landfill was constructed.

Ms. Barsamian recommended adoption of Item 6.

Motion: It was moved by Mrs. Warren, seconded by Mrs. De Luca, to adopt the tentative order as recommended by the Executive Officer.

Roll Call:

Aye: Mrs. Addicks, Mrs. De Luca, Mr. Eliahu, Mr. Schumacher, Mr. Waldeck, Mrs. Warren and Mr. Muller

No: none

Motion passed 7 – 0.

Item 7 – U.S. Army Corps of Engineers, Sacramento District, Hamilton Air Force Base Landfill 26, Novato, Marin County – Time Schedule Order Prescribing Potential Administrative Civil Liability for Tasks Contained in Cleanup and Abatement Order

Discussion of this item is included under Item 6.

Ms. Barsamian recommended adoption of Item 7.

Motion: It was moved by Mrs. Warren, seconded by Mrs. De Luca, to adopt the tentative order as recommended above by the Executive Officer.

Roll Call:

Aye: Mrs. Addicks, Mrs. De Luca, Mr. Eliahu, Mr. Schumacher, Mr. Waldeck, Mrs. Warren, and Mr. Muller

No: none

Motion passed 7 – 0.

Item 8 – City and County of San Francisco, San Francisco International Airport, Water Quality Control Plant, San Mateo County – Hearing to Consider Imposition of a Cease and Desist Order for Discharge of Partially Treated Wastewater to Waters of the State (To Be Heard With Item 20)

This Item is discussed after Item 20.

Item 9 – JASCO Chemical Corporation, 1710 Villa Street, Mountain View, Santa Clara County – Hearing to Consider Mandatory Minimum Penalty for Discharge of Partially Treated Wastewater to Waters of the State

Loretta Barsamian said JASCO signed a waiver of its right to a hearing on the proposed MMP. She noted no Board action was necessary. Ms. Barsamian said the discharger agreed to pay a Mandatory Minimum Penalty in the amount of \$6,000.

Item 10 – City of Benicia, Wastewater Treatment Plant, Benicia, Solano County – Hearing to Consider Mandatory Minimum Penalty for Discharge of Partially Treated Wastewater to Waters of the State

Loretta Barsamian said the City of Benicia signed a waiver of its right to a hearing on the proposed mandatory minimum penalty. She noted no Board action was necessary. Ms. Barsamian said the amount of the MMP was \$18,000, of which \$3,000 would be used for a supplemental environmental project.

Item 11 – City and County of San Francisco, Bayside CSO, Wastewater Treatment Plant, San Francisco, San Francisco County – Hearing to Consider Mandatory Minimum Penalty for Discharge of Partially Treated Wastewater to Waters of the State

Loretta Barsamian said the City and County of San Francisco signed a waiver of its right to a hearing on the proposed mandatory minimum penalty. She noted no Board action

was necessary. Ms. Barsamian said the amount of the MMP was \$3,000, all of which would be used for a supplemental environmental project.

Item 12 – Novato Sanitary District, Wastewater Treatment Plant, Novato, Marin County
– Hearing to Consider Mandatory Minimum Penalty for Discharge of Partially Treated Wastewater to Waters of the State

Loretta Barsamian said Novato Sanitary District signed a waiver of its right to a hearing on the proposed mandatory minimum penalty. She noted no Board action was necessary. Ms. Barsamian said the amount of the MMP was \$6,000, of which \$3,000 would be used for a supplemental environmental project.

Item 13 – Las Gallinas Valley Sanitary District, Wastewater Treatment Plant, San Rafael, Marin County
– Hearing to Consider Mandatory Minimum Penalty for Discharge of Partially Treated Wastewater to Waters of the State

Loretta Barsamian said Las Gallinas Valley Sanitary District signed a waiver of its right to a hearing on the proposed mandatory minimum penalty. She noted no Board action was necessary. Ms. Barsamian said the amount of the MMP was \$12,000, of which \$3,000 would be used for a supplemental environmental project.

Tom Hall, representing Las Gallinas Valley Sanitary District, noted zinc violations were due to the water district's corrosion control practices. Dr. Hall said Las Gallinas would like to work with Board staff to develop a new zinc limit before it's permit is reissued.

Item 14 – Sewerage Agency Mid-Coastside, Wastewater Treatment Plant, Half Moon Bay, San Mateo County
– Hearing to Consider Mandatory Minimum Penalty for Discharge of Partially Treated Wastewater to Waters of the State

Loretta Barsamian said Sewerage Agency Mid-Coastside signed a waiver of its right to a hearing on the proposed mandatory minimum penalty. She noted no Board action was necessary. Ms Barsamian said the amount of the MMP was \$30,000, of which \$3,000 would be used for a supplemental environmental project.

Item 15 – Vallejo Sanitation and Flood Control District, Wastewater Treatment Plant, Vallejo, Solano County
– Hearing to Consider Mandatory Minimum Penalty for Discharge of Partially Treated Wastewater to Waters of the State

Loretta Barsamian said Vallejo Sanitation and Flood Control District signed a waiver of its right to a hearing on the proposed mandatory minimum penalty. She noted no Board action was necessary. Ms. Barsamian said the amount of the MMP was \$15,000, of which \$3,000 would be used to prepare a supplemental environmental project.

Board members participated in a general discussion about mandatory minimum penalties and supplemental environmental projects.

Ms. Barsamian said the law places a \$3,000 limit on the amount of mandatory minimum penalties that may be used to develop supplemental environmental projects.

Craig Johns, Partnership for Sound Science in Environmental Policy, suggested the law should be changed so that more dollars could be directed to supplemental environmental projects.

Mr. Waldeck asked why the mandatory minimum penalty legislation was enacted. Ms. Barsamian noted there had not been consistency among the regional boards on enforcement activities.

Mrs. Warren asked why regional boards send mandatory minimum penalty funds to the State Board to be placed in its Cleanup and Abatement Account. Ms. Barsamian said the law requires the procedure. However, she noted regional boards could apply to the State Board to receive CAA money to fund public health projects.

Item 16 – Equilon Enterprises, Martinez Refinery, Martinez, Contra Costa County – Reissuance of NPDES Permit

Keyvan Moghbel gave an overview of issues common to all of the NPDES permits under consideration. He described regulatory requirements in the California Toxics Rule, the State Implementation Plan, and the Basin Plan.

Mr. Moghbel said Equilon discharges about 6.7 million gallons of wastewater a day through an outfall in the Carquinez Strait. He described one issue in Equilon’s tentative order that remained under contention: whether dilution credits should apply to bioaccumulative pollutants. Mr. Moghbel said staff does not recommend dilution credits be applied to such pollutants. He pointed out the pollutants bioaccumulate in aquatic organisms.

Mr. Eliahu asked about water quality objectives used in the calculation of reasonable potential analysis. Shin-Roei Lee responded.

Mrs. Addicks asked about water quality objectives applicable to selenium. Staff responded.

Keith Howard, attorney representing Equilon, expressed concern that dilution credits were not included in the calculation of effluent limits for bioaccumulative pollutants. He suggested staff further review available data.

Susan Paulsen, Flow Science Incorporated, described a study involving dilution analyses. She concluded dilution credit should apply to bioaccumulative pollutants.

Mr. Eliahu asked staff about the study described by Ms. Paulson. Mr. Moghbel questioned assumptions upon which the study was based. He also noted the importance of limiting the mass of bioaccumulative pollutants.

[The Board took a break at 11:16 a.m. and resumed at 11:30 a.m.]

Dan Glaze, Equilon, noted the amount of PCBs involved in the refinery’s discharge was very small.

Craig Johns, Partnership for Sound Science in Environmental Policy, discussed assimilative capacity of receiving waters for bioaccumulative pollutants.

Ms. Barsamian noted staff resources have been used to develop TMDLs rather than to conduct dilution studies. She pointed out the tentative order includes interim limits for bioaccumulative pollutants on the 303(d) list. She said final limits would be determined through the TMDL process.

Jonathan Kaplan, WaterKeepers, noted the Basin Plan provides that dilution credits not exceed a ratio of 10:1. He opposed making the dilution cap more lenient.

Ms. Barsamian reviewed the discussion of assimilative capacity of receiving waters addressed in the Tosco Remand Order.

Ms. Barsamian recommended adoption of the tentative order.

Motion: It was moved by Mrs. De Luca, seconded by Mr. Waldeck, and it was voted to adopt the tentative order as recommended by the Executive Officer.

Roll Call:

Aye: Mrs. Addicks, Mrs. De Luca, Mr. Eliahu, Mr. Schumacher, Mr. Waldeck, Mrs. Warren, and Mr. Muller

No: none

Motion passed 7 – 0.

Item 17 – The Dow Chemical Company, Western Division, Pittsburg Plant, Pittsburg, Contra Costa County – Reissuance of NPDES Permit

Joe Damas gave the staff presentation. He said Dow Chemical discharges about 240,000 gallons per day of treated wastewater into New York Slough through an outfall 100 feet offshore. He said Dow also discharges industrial stormwater to New York Slough at three locations.

Mr. Damas said the tentative order classifies Dow as a major discharger. He recommended the classification not be changed until sufficient data is available to assess the discharger's threat to water quality.

Ms. Barsamian recommended adoption of the tentative order as supplemented.

The Board unanimously voted to adopt the tentative order as supplemented and recommended by the Executive Officer.

Item 18 – City of Millbrae, Water Pollution Control Plant, Millbrae, San Mateo County – Reissuance of NPDES Permit

Ken Katen gave the staff presentation. He said the City of Millbrae Water Pollution Control Plant discharges about 2.13 million gallons a day and has a 3 million gallon a day

design capacity. Mr. Katen noted the tentative order included an interim effluent limit for copper, interim mass limit for mercury, and required testing for chronic toxicity.

Mr. Schumacher asked if the interim mass limit in the tentative order would affect population growth. Mr. Katen said the design capacity of the water pollution control plant would limit growth before the interim mass limit would have an impact.

Mr. Eliahu asked about the interim copper limit. Mr. Katen responded.

Craig Justice, City of Millbrae, expressed concern about interim mercury and copper limits.

Tom Hall, representing Bay Area Clean Water Agencies, suggested the interim limit for copper be raised. Ms. Barsamian said the interim copper limit was based on the copper limit contained in the previous permit, and the plant's past performance indicated the plant could comply.

Mr. Katen explained how the mercury interim mass limit was calculated.

Mr. Schumacher and Mr. Waldeck noted the importance of incorporating flexibility into the tentative order to allow for population growth and an increase in commercial activities.

Ms. Barsamian and Shin-Roei Lee said the tentative order does allow for such growth.

Mr. Hall discussed requirements for monitoring and chronic toxicity contained in supplementals to the tentative order.

Ms. Barsamian recommended adoption of the tentative order as supplemented.

Motion: It was moved by Mrs. De Luca, seconded by Mr. Eliahu, and it was unanimously voted to adopt the tentative order as supplemented and recommended by the Executive Officer.

[The Board took a lunch break at 12:54 p.m. and resumed at 1:20 p.m.]

Item 19 – West County Agency, West County Wastewater District, and City of Richmond Water Pollution Control Plant, Richmond, Contra Costa County – Reissuance of NPDES Permit

Jenny Chen made the staff presentation. She said the West County Agency is a joint powers authority that includes the West County Wastewater District and the City of Richmond Municipal Sewer District. She noted each operated a secondary level treatment plant. She said wastewater from both plants is combined and discharged into central San Francisco Bay. She described comments received in response to the tentative order and staffs' response.

Mrs. Warren asked what would happen to the NPDES permit if either plant changed ownership.

Ms. Barsamian said the permit follows the plants and would not change even if ownership of the plants did.

Tom Hall, representing Bay Area Clean Water Agencies, opposed including interim mass limits in the tentative order.

Ms. Barsamian recommended adoption of the tentative order as supplemented.

Motion: It was moved by Mr. Waldeck, seconded by Mr. Schumacher, and it was unanimously voted to adopt the tentative order as supplemented and recommended by the Executive Officer.

Item 20 – City and County of San Francisco, San Francisco International Airport, Water Quality Control Plant, San Mateo County – Reissuance of NPDES Permit

James Nusrala gave the staff presentation. He said the water quality control plant discharges about 0.88 million gallons a day of treated wastewater into lower San Francisco Bay through a submerged diffuser about 5,300 feet offshore. He described effluent limits set out in the tentative order.

Sam Mehta, San Francisco International Airport, noted his agency submitted written comments earlier.

Mr. Waldeck asked if the airport was in the process of building a new wastewater treatment plant.

Mr. Mehta replied airport management decided not to build a new plant because economic conditions had changed since the events of September 11.

Ms. Barsamian recommended adoption of the tentative order.

Motion: It was moved and seconded, and it was voted to adopt the tentative order as recommended by the Executive Officer.

Roll Call:

Aye: Mrs. Addicks, Mrs. De Luca, Mr. Eliahu, Mr. Schumacher, Mr. Waldeck, Mrs. Waarren, and Mr. Muller

No: none

Motion passed 7 – 0.

Item 8 – City and County of San Francisco, San Francisco International Airport, Water Quality Control Plant, San Mateo County – Hearing to Consider Imposition of a Cease and Desist Order for Discharge of Partially Treated Wastewater to Waters of the State (To Be Heard With Item 20)

This Item was heard immediately after Item 20.

James Nusrala gave the staff presentation. He referenced a 1995 order that required the discharger to construct additional treatment units so that it would consistently meet

effluent limits. He said the discharger did not comply with the order, but rather reported 81 violations since March 1995.

Mr. Nusrala said the tentative cease and desist order establishes a new schedule requiring the discharger to take corrective actions to improve plant reliability. He said final corrective actions must be completed by January 15, 2005.

Mr. Muller asked if effluent violations commonly are caused by laboratory sampling errors. Mr. Nusrala replied the airport has not shown any documentation proving that sampling errors caused the violations.

Mr. Eliahu noted the discharger did not comply with the 1995 order. Ms. Barsamian said the tentative cease and desist order requires the discharger to upgrade its plant according to a specified schedule.

Mrs. Addicks asked if the discharger would be fined for effluent violations that occurred under the 1995 order. Ms. Barsamian said penalties for violations under the 1995 order present a separate issue. She said the Board might impose penalties for the violations at another time.

Gretchen Nicholson, Deputy City Attorney representing San Francisco International Airport, requested the tentative cease and desist order not be issued. She reviewed reasons why violations under the 1995 order had occurred. She said the airport had taken corrective actions to prevent future problems.

Ms. Barsamian said the tentative order sets out a schedule for plant upgrades so that the treatment plant would be more reliable.

Mrs. Addicks asked whether the airport appealed the terms of the 1995 order. Ms. Nicholson replied the airport did not appeal.

Mrs. Addicks asked whether communication between the staff of the airport and the Board had broken down. Ms. Nicholson replied staff have been in constant communication. Shin Roei Lee noted Board staff had been told of the airport's changing plans regarding plant upgrades.

Baljit Boparai, San Francisco International Airport, talked about the airport's efforts to upgrade the plant.

Mr. Waldeck asked why the airport is experiencing budget problems. Ms. Nicholson explained the airport's budget process.

Mrs. Addicks asked whether the runway expansion project also had been placed on hold due to changed economic conditions.

Kandace Bender, San Francisco International Airport, said the runway project was moving forward.

David Lewis, Save The Bay, recommended the Board adopt the tentative order. He thought the timelines to achieve compliance were too lenient. He reiterated the fact that the airport had not met the compliance schedule contained in the 1995 order.

Jonathan Kaplan, WaterKeepers, concurred with Mr. Lewis. Mr. Kaplan discussed effluent limits for mercury.

Sam Mehta, San Francisco International Airport, said actions had been taken to correct problems resulting in violations, and he recommended the Board not adopt the tentative order.

Ms. Barsamian said today's testimony from airport staff would be considered when staff assess penalties for violations that occurred under the 1995 order. She said the supplemental to the tentative order changes interim compliance dates for various tasks but still requires a final completion date of January 15, 2005.

Mr. Schumacher questioned whether required tasks could be completed within the time required. Ms. Barsamian noted the discharger could choose among several options when taking corrective actions. She said the tentative order does not specify a particular course of action.

Mr. Schumacher asked for clarification on the tentative order. Dorothy Dickey responded.

Mr. Waldeck asked about the consequences if the Board did not approve the tentative cease and desist order.

Ms. Barsamian said adoption of the cease and desist order would strengthen the order adopted under Item 20 that reissues the NPDES permit.

Mr. Muller noted the discharger was given a chance to comply with the 1995 order. At this time, he said a cease and desist order would be a reasonable way to ensure compliance with the order adopted under Item 20.

Mrs. Addicks concurred with Mr. Muller. She noted the discharger was willing to spend money on runways but not on its sewer plant.

Mrs. De Luca said the cease and desist order would create a deterrent to further violations.

Ms. Barsamian recommended adoption of the tentative order as supplemented.

Motion: It was moved by Mrs. De Luca, seconded by Mr. Eliahu, and it was voted to adopt the tentative order as supplemented and recommended by the Executive Officer.

Roll Call:

Aye: Mrs. Addicks, Mrs. De Luca, Mr. Eliahu, Mr. Schumacher, Mr. Waldeck, Mrs. Warren, and Mr. Muller

No: none

Motion passed 7 – 0.

Item 21 – Ultramar, Golden Eagle Refinery, Martinez, Contra Costa – Amendment of NPDES Permit

This Item was considered under Item 5 - Uncontested Items Calendar. No testimony was given for this item.

Item 22 – 2002 Water Quality Assessment and 303(d) List of Impaired Water Bodies in the San Francisco Bay Region – Adoption of Resolution Allowing Executive Officer to Transmit Recommendations to the State Water Resources Control Board

Steve Moore gave the presentation. He said staff prepared a list of recommended changes to the 303(d) list for the San Francisco Bay area. He said these changes: (1) add water bodies and pollutants to the list; (2) remove water bodies and pollutants from the list; and (3) refine the list to indicate specific pollutants instead of pollutant classes. He said the Regional Board is being asked to adopt a resolution allowing the Executive Officer to transmit the recommended changes to the State Board.

Ms. Barsamian said the State Board, after receiving recommendations from all the regional boards, would adopt a statewide 303(d) list. She said the list would be transmitted to USEPA.

Mr. Moore noted staff also have developed a preliminary watch list for waterbodies and pollutants in the San Francisco Bay area. He said the watch list is used when information is not adequate to draw a conclusion as to impairment. He noted information would be gathered on waterbodies and pollutants placed on a watch list in order to determine whether impairment has occurred.

Alex Lantsberg, Alliance For A Clean Waterfront, spoke in support of including Mission Creek and Islais Creek on the proposed 303(d) list.

Cynthia Royer, City of Daly City, did not believe there was analytical data to support placing four beaches – Fort Funston, Ocean, China, and Sharp Park – on the proposed 303(d) list. She suggested the beaches be placed on the watch list.

Craig Johns, Partnership for Sound Science in Environmental Policy, did not believe dioxin should be listed as an impairing pollutant in San Francisco Bay. He thanked staff for developing a preliminary watch list.

Angela El-Telbany and Adele Ho, City of San Pablo, opposed placing all urban creeks in the region on a watch list for trash impairment. They thought the category was overbroad and noted the City's successful actions to prevent and remove trash from creeks within its jurisdiction.

[Mrs. Addicks left at approximately 3:25 p.m.]

[Mrs. Warren left at approximately 3:30 p.m.]

Jean Choi, The Ocean Conservancy, and Jonathan Kaplan, WaterKeepers, expressed concern that the proposed 303(d) list removes copper and nickel as impairing pollutants in segments of the Bay. They recommended the proposed 303(d) list include trash impairment in waterbodies. Further, Mr. Kaplan addressed the issue of trash impairment in urban creeks.

Tom Hall, representing Bay Area Clean Water Agencies, spoke in support of the fact that the proposed 303(d) list removes copper and nickel as impairing pollutants in segments of the North Bay.

Ms. Barsamian said the proposed removal of copper and nickel from northern segments of the San Francisco Estuary is conditioned upon staffs' timely receipt of an action plan.

Ms. Barsamian recommended adoption of the tentative resolution.

Motion: It was moved by Mrs. De Luca, seconded by Mr. Schumacher, and it was unanimously voted to adopt the tentative resolution as recommended by the Executive Officer.

Adjournment

The meeting was adjourned at 3:40 p. m.