



# Executive Board Meeting Minutes

May 19, 2017

## ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Laura Pagano (San Francisco Public Utilities Commission); Jim Ervin (San Jose); Michael Connor (East Bay Dischargers Authority); Eileen White (East Bay Municipal Utility District); Roger Bailey (Central Contra Costa Sanitary District).

## Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Amanda Roa	Delta Diablo
Tom Hall	EOA
Greg Baatrup	FSSD
Lissa MacVean	SFEI
David Senn	SFEI
Alina Constantidescu	Larry Walker & Associates
Levi Fuller	DSRSD
Chad Davisson	Ironhouse Sanitary District
Jim Smith	EBMUD
Mike Falk	HDR
Samuel Bruce	AECOM
Yuyun Shang	EBMUD
Amit Mutsuddy	San Jose
Ryan Merlo	HDR
Eric Dunleavy	San Jose
David Williams	BACWA
Lorien Fono	BACWA
Sherry Hull	BACWA

## **PUBLIC COMMENT**

None.

## **CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER**

None.

## **CONSENT CALENDAR**

1. April 21, 2017, BACWA Executive Board Meeting Minutes – The approved minutes will be posted on the BACWA website.
2. March, 2017 Treasurer’s Reports and Financial Summary – A Financial Summary Report was included in the Packet. A copy of the FY17 Budget as of March 31, 2017, (75% of the fiscal year) was included. It, along with the Summary, provides the Board with a concise overview of the

Fund Balances and the current status of the Annual Budget and points out any variances in the budget to date. The Executive Director noted that the Funds Report now includes a report on the Alternative Investments and, because those investments are less liquid than previous investments, this new report is included to provide a check on BACWA liquidity.

*Consent Calendar items 1 and 2 were approved in a motion made by Michael Connor and seconded by Jim Ervin. The motion carried unanimously.*

### **AUTHORIZATIONS & APPROVALS**

**3.** Approval: BACWA Chair & Vice-Chair Nomination and Election – A Board Authorization Request was included in the Packet. Section 7 of the Joint Powers Agreement establishing BACWA states that the agency shall designate a Chair and Vice Chair, chosen by the Executive Board, from the members of the Executive Board. These positions each have a one year term that coincides with BACWA’s fiscal year. Historically, most BACWA Chairs and Vice Chairs are asked to serve for two consecutive terms. In FY17, Laura Pagano served as Chair and Jim Ervin served as Vice-Chair. The second year of their term ends on June 30, 2017. The Executive Director asked for nominations.

*In a motion made by Laura Pagano and seconded by Michael Connor, Jim Ervin was nominated to serve as Chair for the term beginning July 1, 2017. The motion carried unanimously.*

*In a motion made by Michael Connor and seconded by Laura Pagano, Lori Schectel was nominated to serve as Vice-Chair for the term beginning July 1, 2017. The motion carried unanimously.*

**4.** Approval: FY18 BACWA Succession Plan – A Board Action Request and the FY18 BACWA Succession Plan were included in the Packet. The Executive Director gave an overview of the proposed changes to the BACWA Leadership for FY18.

*Item 4 was approved in a motion made by Michael Connor and seconded by Eileen White. The motion carried unanimously.*

**5.** Approval: Increase to SHughes Pesticide Agreement. A BAR and Amendment to the FY17 Agreement. The Executive Director gave an overview of the request.

*Item 5 was approved in a motion made by Michael Connor and seconded by Eileen White. The motion carried unanimously.*

**6.** Approval: FY18 Agreements – Amendments – A Board Action Request and Amendments were included in the Packet. The Executive Director noted that the amendments extend the

expiration date of the Executive Director, the Assistant Executive Director Agreement, and the Regulatory Program Manager agreements to June 30, 2018 and amend the amounts as approved in the FY18 BACWA Budget approved April 21, 2017.

- a. DRW Engineering - Executive Director Amendment
- b. Sherry Hull - Assistant Executive Director Amendment
- c. Lorien Fono – Regulatory Program Manager

*Item 6 was approved in a motion made by Michael Connor and seconded by Jim Ervin. The motion carried unanimously.*

**7. Authorizations:** Notice to the Board of Executive Director Authorizations – Executive Director Authorizations made since the last Board meeting were included in the Packet. The Executive Director noted that the amendments extend the expiration date of three Agreements to June 30, 2018 and amend the amounts as in the FY18 BACWA Budget approved April 21, 2017.

- a. FY 18 Downey Brand Amendment – Regulatory Legal Support
- b. FY18 Day Carter Murphy Amendment – Executive Board Legal Support
- c. FY18 Cayuga Information Systems – IT Support

## **OTHER BUSINESS-POLICY/STRATEGIC**

Agenda **Item 8** – Discussion: Nutrients

a. Regulatory

- i. Optimization/Upgrade Workshop Draft Agenda – A Draft Agenda for the second BACWA Optimization/Upgrade Workshop was included in the Packet. The Executive Director gave an overview of the agenda. Several additions to the agenda were suggested. With those additions, it was also suggested that the time be adjusted to begin at 10 am and end at 3 pm.
- ii. 2<sup>nd</sup> Watershed Permit Update – An email to the participants in the 1<sup>st</sup> Watershed Permit, along with an overview of the process and a projected cost analysis, was included in the Packet. The Executive Director gave an overview of his outreach to POTW's regarding their support for the 2<sup>nd</sup> Watershed Permit. The Executive Director has received responses from eighteen of the thirty-seven to date and all have been affirmative in their support of the 2<sup>nd</sup> Watershed Permit. He will continue the outreach, and schedule a Nutrient Strategy Team meeting in the next few weeks. The Board expressed concern about the possibility that the science program could become never-ending, bleeding into other issues. It was suggested that BACWA ask the Regional Water Board to articulate the direction of the Science Plan, and ask SFEI to provide details on where the funds provided for the Science Plan will go. The Board suggested that other questions pertaining to the 2<sup>nd</sup> permit, be discussed at a meeting of the Nutrient Strategy Team. There was a discussion about whether

BACWA Principal contributions to the Nutrient Surcharge should be based on nitrogen loads, rather than split equally.

b. Technical Work -

- i. Debrief on the Nutrient Technical Workgroup Meeting – The Agenda from the NMS Nutrient Technical Workgroup Meeting, along with a Summary of Feedback from the Meeting, was included in the Packet. Additionally, a [LINK](#) to the Program Plan Draft was included.
- ii. SFEI Presentation on Dissolved Oxygen – Lissa MacVean of SFEI gave a presentation [LINK](#) on Dissolved Oxygen. There was a discussion about the importance of salt pond management.
- iii. Dissolved Oxygen Workshop Debrief – An overview of the plan to build a scientific basis for assessing DO-related habitat quality, along with a Draft overview on Objectives for a DO Workshop, was included in the Packet.

c. Governance Structure -

- i. Planning Subcommittee Meeting # 26 Debrief –The Agenda and Minutes of the meeting were included in the Packet. The Executive Director gave an overview of the meeting.
- ii. Steering Committee Meeting #13 Draft Agenda – A Draft Agenda for the 13<sup>th</sup> Steering Committee Meeting was included in the Packet.

**Agenda Item 9** – Discussion: Water Board Joint Meeting Debrief – The Agenda and Meeting Summary were included in the Packet. The Executive Director gave an overview of the agenda. The Regulatory Program Manager outlined the action items including providing toxicity redline top issues to the Water Board staff; memorializing progress on Rule 11-18 issues; 303 (d) list update; status of the feasibility of a Basin Plan update to address chlorine residual permitting; Tribal and subsistence fishing beneficial Uses; near shore discharges; and cannabis growers.

**Agenda Item 10** – Discussion: BAAQMD Regulatory Update – The Agenda from a joint meeting between BACWA and BAAQMD on the impact of proposed Rule 11-18, along with the BAAQMD 2017 Clean Air Plan, was included in the Packet. Phase 1 POTW's will be moved to Phase 2, there will be updates to influent concentrations and to emission factors that are used to calculate risk factors. The BAAQMD will provide a letter outlining these changes. Another meeting with BAAQMD staff is planned for June 1. It will be primarily technical in nature. The Annual AIR Committee Meeting with BAAQMD is tentatively scheduled for June 21, 2017.

**Agenda Item 11** – Discussion: Toxicity -

- i. BACWA's Next Steps on the State Toxicity Provision – A [LINK](#) to the Final CASA Redline document was included in the Packet.
- ii. BACWA's Toxicity Workshop Planning – A Draft Agenda for a BACWA Toxicity Workshop was included in the Packet. BACWA is planning to schedule the workshop sometime in the late summer or fall.

Agenda **Item 12** – Discussion: Comment Letter on the SRF Intended Use Plan – A proposed Comment Letter to the SWRCB on the SRF Intended Use Plan was included in the Packet. It was suggested that the Regulatory Program Manager determine how many BACWA agencies have “ready-to-go” recycled water projects.

Agenda **Item 13** – Discussion: Basin Plan Amendment for Chlorine Residual Update – An email from the BACWA Executive Director to Regional Water Board staff regarding the possibility of a Basin Plan Amendment for Chlorine Residual limit was included in the Packet. The Executive Director gave an overview of the issues, as well as the timeline for getting a Basin Plan Amendment adopted and incorporated into permits. The next joint meeting with the Water Board staff will be at the end of August, and BACWA will present a draft scope of work for the Basin Plan amendment then if not sooner.

#### **OTHER BUSINESS-OPERATIONAL**

Agenda **Item 14** – Discussion: Update on the Wastewater Operator Training Program – A Proposal from Solano Community College for the provision of services, along with an analysis of the specifics of the Proposal, was included in the Packet. The Executive Director introduced the members of the Executive Committee of the Bay Area Consortium for Water and Wastewater Education (BACWWE) and noted that BACWA acts solely as an agent for BACWWE, invoicing participants and paying invoices, and the funds are a pass-through. He also gave an overview of the program and the current status of relationships with the community colleges involved.

Agenda **Item 15** – Discussion: Executive Board Meeting Format – The Executive Director asked the Board, based on the length of previous Executive Board Meetings, if they are interested in extending the time for the meetings and including lunch. The Board agreed that if the agenda demands a longer meeting, the format could be extended through the lunch hour with lunch provided.

#### **REPORTS**

Agenda **Item 16** – Committee Reports – BACWA Committee Reports were included in the Packet.

AIR Committee: No meeting.

BAPPG: A comment letter from BACWA to the EPA on the Evaluation of Existing Regulations was included in the Packet. Two screen shots reflecting the old and new Baywise website were included in the Packet.

Biosolids Committee: No meeting.

Collections Committee: No meeting.

InfoShare - Asset Management: No meeting.

InfoShare – Operations & Maintenance: No meeting.

Lab Committee: A Presentation on Environmental Proficiency Testing that was provided to the Committee at a training was included in the Packet. The TNI issue is very impactful. The issue will be added to the Manager’s Roundtable agenda for the meeting on June 22<sup>nd</sup> and the agenda for the Joint Meeting with the Water Board at the end of August.

Permits Committee: A Report from the May 9, 2017 was included in the Packet. Additionally, two letters from FWQC to the EPA were included in the Packet.

Pretreatment Committee: No meeting.

Recycled Water Committee: A Report from the May 3, 2017 was included in the Packet.

Agenda **Item 17** - Discussion: Member Highlights - Executive Board Representatives (Board) were given an opportunity to provide updates from each of the Principal agencies. Non-principal members were also given an opportunity to report out on behalf of their agencies. No actions were taken on the report-outs.

**EBDA**: Oro Loma won the Bay Hero Award.

**EBMUD**: Recently met with Baykeeper which supports continues science investment. A rate increase will go into effect for FY18 and FY19. They have done 60 complete shutdowns this year to accommodate construction.

**Central Contra Costa**: The Board adopted rate adjustments. An RFP is out for solids gasification project, and an RFI is out on their P3 project.

**San Francisco**: Continues to get more clarity from the EPA on their interest in SFPUC’s system.

**San Jose**: An article appeared on KCET: “Little Fish in Big Trouble” related to fresh water flush. There is construction now and it will be increasing in the future which will result in up to 100 shutdowns for the year.

**Delta Diablo**: Vince De Lange will start as the General Manager on May 30, 2017.

**Fairfield Suisun**: Had a demonstration of the application of LysteGro.

Agenda **Item 18** - The **Executive Director’s (ED) Report** for April 2017, along with the Board Calendar, and BACWA Action Items, were included in the Packet. It was noted that 96 of the 97 action items from FY16 and 53 of the 63 action items from FY17 have been completed.

Agenda **Item 19** - The **Regulatory Program Manager (RPM) Report** for April 2017 was included in the Packet.

Agenda **Item 20 - Other BACWA Representative Reports** – BACWA Representative were given an opportunity to provide updates. No actions were taken based on the reports.

a. RMP-TRC: Rod Miller; Laura Pagano – No report.

b. RMP Steering Committee: Karin North; Leah Walker; Jim Ervin – No report.

- c. **Summit Partners:** Dave Williams; Laura Pagano – An email noting the next meeting was included in the Packet. A meeting is scheduled for May 30, 2017.
- d. ASC/SFEI: Laura Pagano; Dave Williams; Karin North – No report.
- e. Nutrient Governance Steering Committee: Jim Ervin; Mike Connor – No report.
- f. **SWRCB Nutrient SAG:** Dave Williams – An SAP Meeting document and agenda, along with a [LINK](#) to the SWRCB website on the issue, were included in the Packet.
- g. SWRCB Focus Group – Bacterial Objectives: Lorien Fono; Amy Chastain – No report.
- h. SWRCB Focus Group – Mercury Amendments to the State Plan: Tim Potter; Dave Williams; Laura Pagano – No report.
- i. Nutrient Technical Workgroup: Eric Dunlavey – No report.
- j. NACWA Taskforce on Dental Amalgam: Tim Potter – No report.
- k. BAIRWMP: Cheryl Munoz, Linda Hu, Dave Williams – No report.
- l. **NACWA Emerging Contaminants:** Karin North, Melody La Bella – A CEC Workshop document and agenda were included in the Packet.
- m. CASA Statewide Pesticide Steering Committee: Melody La Bella – No report.
- n. CASA State Legislative Committee: Lori Schectel – No report.
- o. CASA Regulatory Workgroup – Lorien Fono - No report.
- p. RMP Microplastics Liaison: Nirmela Arsem – No report.
- q. ReNUWI: Mike Connor; Karin North – No report.
- r. AWT Certification Committee: Maura Bonnarens – No report.
- s. Bay Area Regional Reliability Project: Roger Bailey; Mike Connor – No report.
- t. WateReuse Working Group: Cheryl Munoz – No report.

**Agenda Item 21 - SUGGESTIONS FOR FUTURE AGENDA ITEMS.**

It was suggested that BACWA invite Andy Gunther to speak on Climate Change. San Jose suggested that the next meeting be held at their facility.

**Agenda Item 22 - ANNOUNCEMENTS:**

The next regular meeting of the Board is scheduled for **June 16, 2017 from 9:00 am – 12:30 pm** at the **SFPUC, Hetch Hetchy Room, 13<sup>th</sup> Floor, 525 Golden Gate Ave., San Francisco, CA**

To receive a copy of any materials provided to the Board at a BACWA Executive Board meeting contact Sherry Hull at [shull@bacwa.org](mailto:shull@bacwa.org).

The meeting adjourned at 12:40 pm.