



## MINUTES Executive Board Meeting

Thursday, November 18, 2010  
9:30 a.m. – 12:00 p.m.

EBMUD Plant Lab Library  
2020 Wake Ave., Oakland, CA

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### ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Tommy Moala, Vice Chair (San Francisco Public Utilities Commission); Dave Williams (East Bay Municipal Utility District); Margret Orr (Central Contra Costa Sanitary District); Mike Connor (East Bay Dischargers Authority); Bhavani Yerrapotu (City of San Jose).

Other Attendees: Gail Chesler (Central Contra Costa Sanitary District); Jim Ervin (City of San Jose); Rod Miller (San Francisco Public Utilities Commission); Karl Royer (East Bay Dischargers Authority); Greg Baatrup (Fairfield Suisun Sewer District); Andy Morrison (Union Sanitary District); Tom Hall (Eisenberg Olivieri Associates, Inc.); Denise Conners (Larry Walker Associates); Kathryn Gies (West Yost Associates); Amy Chastain (BACWA); Alexandra Gunnell (BACWA).

### PUBLIC COMMENT

There were no public comments.

### REPORTS

**Committee Reports, agenda item 1**, were included in the meeting handout packet and Committee Chairs were given the opportunity to provide further clarification, as requested by meeting attendees.

For **agenda item 2**, the **Proposition 50 Grant Disbursements Status Report**, prepared by Brian Campbell (EBMUD), was included in the packet.

Under **agenda item 3**, the Executive Director (ED) referred to the **Executive Director's Report** included in the meeting handout packet and provided updates on a few items.

The ED will forward information on a December 14<sup>th</sup> meeting at EPA on the development of fish and wildlife selenium criteria for the San Francisco Bay.

The ED is continuing discussions with staff at the San Francisco Regional Water Quality Control Board (RWQCB) regarding implementation of the PCB TMDL. A draft amendment to the Watershed Permit is expected to be released by the RWQCB next week.

The first html electronic BACWA newsletter was sent to members at the beginning of November. Future editions are expected to follow each month. Feedback and content suggestions should be directed to the ED.

Executive Board (Board) members were invited to share any items of interest under **agenda item 4, Executive Board Reports**.

Central Contra Costa Sanitary District (CCCSD) is planning to submit comments regarding the USEPA proposed rules defining sewage sludge as solid waste, specifically as it pertains to mercury emissions resulting from incineration.

East Bay Municipal Utility District (EBMUD) is continuing to work with the RWQCB regarding removal of unidentified toxicants.

City of San Jose is also working to address toxicity issues for unidentified toxicants that are appearing intermittently. They will be releasing their master plan for public comment next week and are still looking into options for reducing odor.

San Francisco Public Utilities Commission (SFPUC) is also investigating odor control solutions for their master plan, including Cambi's thermal hydrolysis process and efforts undertaken by the District of Columbia Water and Sewer Authority (DC Water). The latest election results may affect staffing at SFPUC and Arleen Navarret officially retired on November 1, 2010.

East Bay Dischargers Authority (EBDA) is in process of renewing their National Pollutant Discharge Elimination System (NPDES) Permit. Mike Connor of EBDA will work with the ED to investigate the need for consultant support to address Selenium issues, and the December meeting agenda may include a contract for Board approval. A meeting is scheduled with PG&E for next week. Those agencies interested in having a representative attend the meeting should contact Mike Connor. It was also mentioned that the Recycled Water Committee may want to include Stanford's Dick Luthy and Heather Bischelas guest speakers at an upcoming committee meeting.

The following **Chair and Executive Director Authorized Actions** were listed under agenda **item 5**.

- a) Purchase Order for Jolly Whaler Printing and Cassie Prudhel to provide Regional FOG Outreach; \$2,300; File 12,294.
- b) Authorization for RMC/Oakley Water Strategies to provide assistance to the Executive Director and Laboratory and Permits Committee in responding to the State Water Board's draft Whole Effluent Toxicity Policy; \$3,200; File 12,162.

## **CONSENT CALENDAR**

*Consent calendar **agenda items 6, and 8 through 11** were approved in a motion made by Dave Williams and seconded by Tommy Moala. The motion carried unanimously.*

6. Minutes from October 28, 2010 BACWA Executive Board Meeting.
7. October 2010 Treasurer's Report.
8. Resolution recognizing Arleen Navarret for her service to the Bay Area Clean Water Agencies.
9. Contract with CH2MHill to present an energy management workshop; \$25,000; File 12,302.
10. Contract with O'Rorke for BAPPG Spring Cleaning outreach campaign; \$40,000; File 12,300.

**Agenda item number 7** was removed from the Consent Calendar and will be brought back for approval at December Board meeting.

## BOARD DISCUSSION ITEMS

Under **agenda item 11**, the **Draft Whole Effluent Toxicity (WET) Policy** was discussed. The State Water Resources Control Board (SWRCB) has extended the deadline for submitting comments on proposed revisions to the WET Policy to January 21, 2011. The California Association of Sanitation Agencies (CASA) has retained Peter Chapman to review technical aspects of policy and assist in making recommendations to the SWRCB. The ED worked with the Permits Committee Chair, Jim Ervin and Monica Oakley of RMC Environmental (RMC) to develop comment letter template that was distributed to applicable member agencies. BACWA will be included as a signatory on the comment letter developed by CASA and Tri-TAC. The ED will continue to work with the Permits Committee to develop talking points that will be circulated to member agencies.

Margaret Orr of CCCSD distributed and reviewed a *Toxicity Test Data Evaluation: "Road Test"* handout. Concerns were raised about statistical issues with the testing method that may produce false positives. RMC will be providing consultant support and the ED will work with the Permits and Lab Committees to encourage member agencies to perform the proposed TST evaluation using historical data. Discussions will continue between Tam Doduc of the SWRCB, the RWQCB staff and the ED at an upcoming meeting.

For **agenda item 12** the **Nutrient Strategy & Monitoring Workplan** included in the handout packet was discussed. CCCSD is planning to submit comments on this workplan. The ED will work with Margaret Orr of CCCSD to investigate supporting the RWQCB with design and implementation of this study. This item will also be added to the next joint BACWA/RWQCB meeting for discussion.

For **agenda item 13 Stormwater Diversions** were discussed. Executive summaries of reports produced by EBMUD and BACWA were included in the meeting handout packet. The ED will circulate the report from the Bay Area Stormwater Management Agencies Association (BASMAA) to the Board. Concern was raised about selection criteria that are being used to determine sites for stormwater diversion as required by the Municipal Regional Stormwater Permit (MRP). BACWA will continue to monitor this issue and add it to upcoming Board meeting agendas for discussion as needed.

Under **agenda item 14** the **eSMR Transition Plan and Support Proposal** included in the handout packet was discussed. The ED will work with the Permits Committee Chair, Jim Ervin, Mike Connor, and Margaret Orr to develop a scope for consultant assistance, and will work with the Chair for contract approval.

Instead of scheduling a **Finance Committee Meeting, agenda item 15**, a discussion of financial tracking and 2012 budget preparation will be included as an agenda item at an upcoming monthly Board meeting.

The next regular meeting is scheduled for **December 16, 2010, 9:30 to 11:30** at the EBMUD Plant **Ops Center** in Oakland. A holiday luncheon will follow.

The meeting adjourned at 12:00 p.m.