



Executive Board Meeting Minutes

Thursday, March 23, 2012, 9:00 a.m. – 2:30 p.m.

EBMUD Operations Center
2020 Wake Avenue, Oakland, CA

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Ben Horenstein, Chair (East Bay Municipal Utility District); Laura Pagano (San Francisco Public Utilities Commission); Mike Connor (East Bay Dischargers Authority); Ann Farrell (Central Contra Costa Sanitary District); Bhavani Yerrapotu (City of San Jose).

Other Attendees: Dave Williams (East Bay Municipal Utility District); Brian Campbell (East Bay Municipal Utilities District); Jim Kelly (Central Contra Costa Sanitary District); Jim Ervin (City of San Jose); Karl Royer (East Bay Dischargers Authority); Amanda Roa (Delta Diablo Sanitation District); Denise Conners (Larry Walker Associates); Monica Oakley (RMC Water and Environment); Holly Kennedy (HDR Engineering); Don Yee (San Francisco Estuary Institute); Rachel Allen (San Francisco Estuary Institute); Amy Chastain (BACWA); Alexandra Gunnell (BACWA).

PUBLIC COMMENT

There were no public comments.

PRESENTATION

Under **agenda item 1**, the Executive Director (ED) presented background information on selenium regulatory issues for POTW's in the Bay Area as an introduction to **Don Yee's presentation, an update on the Selenium Effluent Characterization Study conducted by San Francisco Estuary Institute (SFEI)**.

Agenda item 2, a presentation on **Recycled Water Statutory Re-Write by Bobbi Larson of WasteReuse** was removed from the agenda.

CONSENT CALENDAR

*Consent calendar **agenda items 3 - 5** were approved in a motion made by Bhavani Yerrapotu and seconded by Laura Pagano. The motion carried unanimously.*

3. February 23, 2012 BACWA Executive Board Meeting minutes
4. January 2012 Treasurer's Report
5. Amendment 1 to agreement with SFEI for Selenium Sampling and Analysis; no cost extension to December 31, 2012; File 12,314

REPORTS

Committee Reports for **agenda item 6** were included in the meeting handout packet and attendees were invited to elaborate on their reports or respond to questions.

As noted in the Permits/Lab Committee Report, in response to the Nutrients 13267 letter, the Permits Committee will be distributing a form to gather agency-specific information by April 6. This will be used to develop a sampling plan that will be submitted to the Regional Water Quality Control Board (RWQCB) by April 30, 2012. It was suggested that BACWA may want to consider

developing reporting template.

The Board requested that committee representatives attending conferences funded by BACWA provide a written report upon their return.

BACWA Executive Board members were invited to share any items of interest under **agenda item 7, Executive Board Reports.**

- Dave Williams updated attendees about continued efforts to merge the Aquatic Science Center (ASC) and San Francisco Estuary Institute (SFEI) boards and noted that BACWA will need to appoint representative to replace positions previously held by Kirsten Struve and Amy Chastain. In response to financial constraints, the indirect cost rate for administrative services provided by SFEI to ASC may increase for fiscal year 2012 – 2013.
- Central Contra Costa Sanitary District informed attendees that they are continuing to dedicate considerable time and effort to meet the deadlines and requirements of their NPDES permit while still addressing staffing changes.
- San Francisco Public Utilities Commission (SFPUC) held a meeting with RWQCB staff to discuss the impact of upcoming regulations on their facility improvement plans. As reported by the local media, SFPUC is working to replace seals on their north shore pipeline.
- San Jose (SJ) is reorganizing personnel and Jim Ervin will be filling the role of Environmental Health and Safety Officer. As part of a Power Purchase Agreement (PPA), San Jose has installed a 1.4 megawatt fuel cell at their treatment facility. To assist with master plan auditing requirements, SJ may be requesting information from contacts at other Principal agencies.
- East Bay Dischargers Authority is currently working on master planning.
- Board members were asked to notify the ED of their availability for a joint meeting with RWQCB on April 16th.

For **agenda item 8, the Executive Director's Report**, was included in the meeting handout packet and reviewed by the ED. Meeting attendees were given the opportunity to discuss the contents of the report. The ED distributed the final version of the 2011 Mercury Watershed Permit Group Report to attendees.

The following **Chair & Executive Director Authorized Actions** were made since the February 23, 2012 BACWA Board Meeting (**Agenda item 9**).

- a. Executive Director Authorization for Lab Committee Chair to incur travel expenses to attend PITTCON; \$3,015.00.
- b. Chair Task Authorization, using as-needed contract for RMC, to prepare regional nutrient sampling plan; \$10,000.

Agenda item 10, Amendment 1 to Day, Carter, Murphy Prop 84 agreement to increase contract total to \$50,000 was approved in a motion was made by Ben Horenstein and seconded by Karl Royer. The motion passed unanimously.

For **agenda item 11**, the Board **authorized the Chair to retain services of James M. Kelly for interim Executive Director Services**. *The motion was made by Bhavani Yerrapotu, seconded by Ben Horenstein, and passed unanimously.* It was noted that legal counsel has reviewed the agreement.

For **agenda item 12, Chair/Executive Director authorization to contribute \$50,000 for pesticides analysis to the SWAMP Suisun Bay Workplan Effort**, the Board requested that the interim Executive Director conduct further research into this issue and bring it back to the next Board meeting for approval. It was suggested that other Suisun Bay dischargers may be invited to contribute.

For **agenda item 13, NPDES Permit Petition Dismissal** materials were included in the handout packet and discussed. The Chair, ED and interim ED will consult with co-petitioners and return to the Board in April with a recommendation and any formal request to dismiss petitions.

Under **agenda item 14**, the Executive Director provided **Regulatory Updates on the following issues: Mercury/PCBs Watershed Permit; Whole Effluent Toxicity Permit; Triennial Review; and Nutrients**. Issue summaries were included in the handout packet and reviewed.

For the **Mercury/PCBs Watershed Permit**, it was mentioned that BACWA may want to consider addressing the risk reduction requirement during the triennial review, and continue discussions about this requirement at the 2012 Pardee Technical Seminar. BACWA may also want to consider their role in providing a draft of the Mercury/PCBs watershed Permit.

Jim Ervin will continue to serve as the BACWA representative on the Tri-TAC / CASA **Whole Effluent Toxicity (WET) Permit** workgroup. It was mentioned that BACWA may want to develop a comment letter template.

The Chair, Mike Connor, ED, and interim ED will work together to outline technical support needs for the upcoming **Triennial Review**, and whether a member survey would help determine priorities.

Under the topic of **Nutrients** outstanding issues and concerns were discussed, including the following.

- Developing an understanding of the direction that nutrient issues may take for SFPUC and CCCSD, how that relates to other BACWA agencies and possible implications;
- preparing for upcoming regulatory decisions;
- clarifying the specifics of and timeframe for deliverables from San Francisco Estuary Institute;
- determining how BACWA provides support for Suisun Bay dischargers in conjunction with serving the rest of the BACWA member agencies;
- considering the issues from an engineering/ facilities planning perspective; and
- investigating inclusion of this issue in the triennial review and possibly amending the Basin Plan to codify nutrient limits that would be implemented in agency permits.

The Chair took a moment to convey Board appreciation to Amy Chastain for her outstanding performance and significant contributions as BACWA Executive Director.

For **agenda item 15, FY 2012 – 2013 Budget Discussion**, the Chair provided a presentation and distributed supporting materials to attendees. Recommended revisions will be incorporated into a final budget that will be presented to the Board for approval in April.

The next regular BACWA Board meeting will be held on April 26, 2012 at the EBMUD Treatment Plant Operations Center from 9 a.m. – 12 p.m.

The meeting adjourned at 2:30 p.m.