



Executive Board Meeting Minutes

Thursday, June 28, 2012, 8:30 a.m. – 12:00 p.m.

EBMUD Treatment Plant Lab Library
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); James Ervin (City of San Jose).

Other Attendees: Dave Williams (East Bay Municipal Utility District); Karl Royer (East Bay Dischargers Authority); Amanda Roa (Delta Diablo Sanitation District); Tom Hall (Sunnyvale/EOA); Andy Eggleston (RMC Water and Environment); Lorien Fono (Patricia McGovern Engineers); Dave Reardon (HDR); Denise Conners (Larry Walker Associates); Naomi Feger (San Francisco Regional Water Quality Control Board); Meg Sedlak (San Francisco Estuary Institute); David Senn (San Francisco Estuary Institute); Josh Dickinson (ReNUWIt); Jim Kelly (BACWA); Alexandra Gunnell (BACWA).

PUBLIC COMMENT

There were no public comments.

CLOSED SESSION

The BACWA Executive Board (Board) met in Closed Session to discuss personnel matters pursuant to California Government Code section 54957.

REPORT OUT FROM CLOSED SESSION

The Board authorized the Chair to execute a contract with Koff & Associates for Executive Director recruitment assistance, in an amount not to exceed \$25,000.

PRESENTATIONS

Under **agenda item 1**, Meg Sedlak of the San Francisco Estuary Institute (SFEI), presented an Overview of the Regional Monitoring Program (RMP) for Water Quality in the San Francisco Estuary. Included in the presentation was an update on current BACWA participation in the Steering Committee, Technical Review Committee and workgroups, and a request for additional input and involvement from BACWA representatives. The RMP special studies budget for 2011-2015 was reviewed; Meg Sedlak noted the areas that were still "TBD" and requested that the Board weigh in on priority research areas. A discussion of BACWA RMP representation will be added as a discussion item on a future BACWA Board meeting agenda. Meg Sedlak will send a schedule of upcoming RMP meetings to the Executive Director to be circulated to the Board and shared with BACWA members through the BACWA website or e-newsletter.

CONSENT CALENDAR

*Consent calendar **agenda items 2 – 5** were approved in a motion made by Ann Farrell and seconded by Ben Horenstein. The motion carried unanimously.*

2. May 24, 2012 BACWA Executive Board Meeting minutes
3. April 2012 Treasurer's Report
4. No cost time extension amendments to Fiscal Year 2011-12 agreements

- a. Amendment 1 to Larry Walker Associates As Needed agreement to extend the termination date to December 30, 2012; File 12,448
 - b. Amendment 1 to Circle Point As Needed agreement to extend the termination date to December 30, 2012; File 12,197
5. Agreements to implement BACWA and Special Programs Fiscal Year 2012-13 budgets and workplans
- a. RMC Water and Environment for Collection Systems Committee and As Needed Technical Support, not to exceed \$45,000; File 12,733
 - b. Larry Walker Associates for As Needed Technical Support, not to exceed \$15,000; File 12,734
 - c. EOA for As Needed Technical Support, not to exceed \$15,000; File 12,735
 - d. Circlepoint for Annual Report, Website, and As Needed Communications Support, not to exceed \$25,000; File 12,736
 - e. Kennedy Jenks for Info Share Group Support, not to exceed \$25,000; File 12,737
 - f. CH2M Hill for AIR Committee Support, not to exceed \$79,556; File 12,738
 - g. Alexandra Gunnell for Assistant Executive Director Services, not to exceed \$70,200; File 12,739

REPORTS

Committee Reports, for **agenda item 6**, were included in the meeting handout packet and attendees were invited to discuss the reports.

Andy Eggleston reported out for the Collection Systems Committee and noted that at their last meeting the committee discussed State Water Resources Control Board (SWRCB) proposed changes to the Sanitary Sewer System Waste Discharge Requirements (SSS WDR). Draft revisions are expected to be released in July, at which time the committee will consider submitting comments.

Jim Ervin reviewed the Permit Committee report included in the handout packet. Jim noted that Lila Tang of the San Francisco Regional Water Quality Control Board (SFRWQCB) attended last committee meeting and Jim agreed to provide her with suggested language to clarify PCB Source Control reporting requirements in annual Pollution Prevention (P2) reports.

Jim Kelly reported out for the Operations Information Sharing Group and noted that the group has been discussing SWRCB proposed revisions to operator training requirements. Proposed regulations appear to be more stringent than current requirements and comments are due by July 30th, 2012. Specific items of concern include the qualifying experience requirement and reciprocity. The ED will contact representatives of Clean Water Summit Partners to discuss the matter further and determine next steps.

Jim Kelly also reported out for the Biosolids Committee, notifying the Board that the committee is working to produce a fact sheet which will be circulated for Board review before it is finalized.

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

Ann Farrell of Central Contra Costa Sanitary District (CCCSD) reported that West Valley Sanitation District is being sued by River Watch for Sewer System Overflows. She also noted that she attended the Stakeholders Advisory Group (SAG) meeting and a copepod study meeting with Karen Taberski (SFRWQCB) and Valerie Conner of the State and Federal Contractors Water Agency, during which

there was mention of plan to conduct a study similar to, but more robust than the Swee Teh work. Ann has asked Mary Lou Esparza (CCCSD) and Bhupinder Dhaliwal to analyze the new study and review the Swee Teh work.

Dave Williams, BACWA representative to the Aquatic Science Center (ASC), provided an update on Nutrients Strategy Development governance concerns. As discussed at the joint BACWA/SFRWQCB meeting on June 18th, he has approached Rainer Hoenicke about ASC/SFEI assistance with the development of a governance structure. Governance consultant Layna Berstein is currently facilitating efforts to merge the ASC and SFEI governing boards, and Dave Williams will contact her to see if she or a colleague might be able to work with BACWA and SFRWQCB on development of a governance structure. Dave will continue to work with Ann Farrell and Mike Connor to move forward with this effort and will contact the Chair to authorize funding, as necessary.

Laura Pagano reported out for San Francisco Public Utilities Commission (SFPUC). SFRWQCB staff, Bill Johnson, Lila Tang and Derek Whitworth and representatives from the US Environmental Protection Agency Region 9 (EPA) visited SFPUC to discuss the north shore force main leak. SFPUC has already spent over \$1 million on divers, patching, but dye testing results indicate there may be additional leaks along the length of the pipe under the Embarcadero that may cost \$7 million to repair this summer. SFPUC and EPA representatives also met to discuss plans to clean up Yosemite Slough. SFPUC has been named along with many other Potentially Responsible Parties (PRPs), as the EPA believes that SFPUC SSOs containing hazardous discharge from the Bay Area Drum facility may have contributed to contamination of the site. Specific clean up responsibilities for individual PRPs have yet to be determined.

Ben Horenstein informed attendees that he and the ED were considering scheduling a workshop for Board members to increase their level of understanding of Nutrients Strategy Development issues. A full day at EBMUD Orinda Watershed meeting facility or CCCSD is preferred and the Assistant Executive Director (AED) will poll the Board to determine their availability.

For **agenda item 8**, the **Executive Director's Report** was included in the meeting handout packet and reviewed by the Executive Director. Meeting attendees were given the opportunity to discuss the contents of the report. The ED also highlighted the following issues/activities:

- Development of numeric endpoints for biological objectives in wading waters is impending.
- The ED plans to attend SWRCB meeting on July 18th and will circulate a draft testimony on the Sacramento Regional Sanitation District NPDES Permit for Board review. Ann Farrell suggested including comments on the Swee Teh work.
- Toxicity comments will be drafted before the end of the week and the ED will continue to coordinate efforts with California Association of Sanitation Agencies (CASA).
- The ED requested Board guidance regarding response to SWRCB proposed revisions to operator training requirements. Dave Williams will consult with Kurt Haunschild, Laura Pagano with discuss with Tommy Moala, and both will get back to the ED with input.
- An Isle Utilities Technology Approval Group (TAG) meeting is scheduled for September. The ED will contact Ann and Mike to discuss this opportunity.

The following **Chair & Executive Director Authorized Actions (agenda item 9)** were made since the May 24, 2012 BACWA Board Meeting.

- a. Chair Authorization to execute a contract with Patricia McGovern Engineers for Regulatory Program Manager services; not to exceed \$9,900; FY 2011-12; File 12,732
- b. Executive Director Authorization to utilize As Needed contract with EOA for assistance with Triennial Review; not to exceed \$3,000; FY 11-12; File 12,449

- c. Executive Director Authorization to utilize As Needed contract with Circlepoint for Biosolids Fact Sheet assistance; not to exceed \$3,800; FY 11-12; File 12,197
- d. Executive Director Authorization to amend Jen Jackson BAPPG Outreach agreement to extend the termination date to December 31, 2012; File 12,710
- e. Executive Director/Chair Authorization to execute agreements to implement BACWA and Special Programs Fiscal Year 2012-13 budgets and workplans
 - i. Downey Brand for As Needed Regulatory Legal Support, not to exceed \$2,000; File 12,740
 - ii. Day Carter Murphy for As Needed Executive Board Legal Support, not to exceed \$2,000; File 12,741
 - iii. Adammer for As Needed Website Support, not to exceed \$3,000; File 12,742
 - iv. Paul Causey for Sewer Rate Database Assistance, not to exceed \$6,000; File 12,743

OTHER BUSINESS

*For agenda item 10, the Board approved the **Amendment 2 to Day, Carter, Murphy agreement for Prop 84 legal assistance to increase the contract value to \$55,000 and extend the termination date to December 30, 2012**, in a motion made by Ben Horenstein and seconded by Laura Pagano. The motion passed unanimously.*

Under **agenda item 11 David Senn** provided an **update on Nutrients Strategy Development**. His presentation included an overview of current nutrient-related work in the Bay and it was noted that adding links to additional information about each study would be helpful. He also explained that the SAG is simultaneously serving as the RMP Nutrients workgroup. David provided a status update on his work and the schedule/outlook of current projects, during which he noted that the beta version of the nutrients website is now live at <http://bayareanutrients.aquaticscience.org/>. The link will be circulated to the BACWA Board and feedback should be directed to David. The Board expressed concern about whether the studies are being designed in a way that will ultimately provide regulators and POTWs with information that can guide decision-making. David requested that the BACWA Board and RWQCB staff provide feedback to him on structuring the deliverables of his work. In his quarterly project update, included in the meeting handout packet, David suggested that the BACWA Board consider taking funds originally intended to support “Task 3: Numeric models and budget: Suisun Bay and South Bay” and combining them with RMP money to support the RMP modeling plan (Biogeochemical modeling proposal outlined in his presentation and included in the handout packet). Ben Horenstein noted that he would like to see information about alternatives to the RMP modeling plan that includes pros and cons.

For **item 13** a longer discussion of **State Water Resources Control Board proposed changes to Operator Certification Requirements and potential comments** was postponed due to time constraints, though the ED provided a brief update to the Board in the ED Report and circulated the following website link, where more detailed information on the subject can be found. http://www.waterboards.ca.gov/water_issues/programs/operator_certification/index.shtml

A discussion of the **Pardee Technical Seminar, agenda item 14**, scheduled for September 4 – 6, 2012 was postponed due to time constraints. The ED will circulate a revised list of potential discussion items to the Board for their feedback.

Under agenda **item 15**, the Board received a **ReNUWIt Update from Joshua Dickinson**. Josh explained that the Engineering Research Center (ERC) for Re-inventing the Nation's Urban Water Infrastructure (ReNUWIt) was established with federal grant funding to look at alternative approaches to urban water infrastructure. Their annual meeting, held on May 21-22, was attended by BACWA representatives, Ben Horenstein and Mike Connor. More information about current projects can be found on their website (<http://urbanwatererc.org/>) and Josh can be contacted using the e-mail address listed on their most recent newsletter, which was included in the meeting handout packet. Josh inquired about partnership opportunities between BACWA and ReNUWIt. Ben Horenstein suggested that new technology aimed at addressing nutrients issues might provide a partnership opportunity and recommended that the first step would be for ReNUWIt to bring a concept paper on sidestream treatment to the BACWA Board for review.

The ED noted that the following topics have been suggested for a potential BACWA member workshop that could be scheduled for the Fall of 2012: CCCSD cogeneration system explosion; SFPUC force main leak; EBMUD AC pipe failures; and ReNUWIt.

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

The meeting adjourned at 12:00 p.m.