



Executive Board Meeting Minutes

Thursday, July 26, 2012, 9:00 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); Marla Jurosek (San Francisco Public Utilities Commission); Ann Farrell (Central Contra Costa Sanitary District); James Ervin (City of San Jose).

Other Attendees: Dave Williams (East Bay Municipal Utility District); Amanda Roa (Delta Diablo Sanitation District); Tim Potter (Central Contra Costa Sanitary District); Catherine Allin (City of Millbrae); Dan Stevenson (Sunnyvale); Monica Oakley (RMC Water and Environment); Kristine Corneillie (Larry Walker Associates); Lorien Fono (Patricia McGovern Engineers); Jim Kelly (BACWA); Alexandra Gunnell (BACWA).

PUBLIC COMMENT

There were no public comments.

CLOSED SESSION

Closed session postponed for future meeting.

CONSENT CALENDAR

*Consent calendar **agenda items 1 – 3** were approved in a motion made by Ben Horenstein and seconded by Ann Farrell. The motion carried unanimously.*

1. June 28, 2012 Executive Board Meeting minutes
2. May 2012 Treasurer's Report
3. Amendment 1 to agreement with EPC for Recycled Water Committee assistance to extend termination date to December 30, 2012; File 12,381.

Item 4, an agreement with Stephanie Hughes for BAPPG Copper and Mercury Outreach assistance, not to exceed \$16,000 in FY 2012-13, File 12,785, was pulled from the consent calendar for discussion. The Board inquired about whether this work would continue to need consultant support each year, or if eventually agency staff could take on this responsibility. BAPPG Committee Chair, Catherine Allin, and Tim Potter explained that this agreement provides additional support for member agencies' outreach efforts to meet POTW permit requirements for copper and mercury. Stephanie Hughes delivers consistent, accurate and reliable training and outreach to organizations that are not currently being reached by individual agencies. It was mentioned that in the future the need for consultant support may decrease, if there is increased staffing at member agencies or a sufficient knowledge base has been planted in the community.

Execution of the agreement was approved in a motion made by Ann Farrell and seconded by Marla Jurosek. The motion carried unanimously.

REPORTS

Committee Reports, for **agenda item 5**, were included in the meeting handout packet and attendees were invited to discuss the reports.

It was noted that the draft biosolids fact sheet was included in the handout packet. Feedback should be directed to Matt Krupp, Biosolids Committee Chair.

The Collection Systems committee report, included in the handout packet, was reviewed by Committee Chair, Dan Stevenson. EBMUD has written a letter to PG&E regarding responsibility for notifying the public about potential cross-bores. Ben Horenstein will provide a copy of the letter to the Collection Systems committee and BACWA will consider drafting a similar letter.

Permits Committee Chair, Jim Ervin, reviewed the report included in handout packet. He explained that the Sewer Authority Mid-Coastside permit may set a precedent for ocean dischargers' dilution allowances and it was noted that Laura Pagano may provide oral comment on behalf of SFPUC at the upcoming Water Board hearing in August. The Board is planning to continue discussions about 13276 data collection, consolidation, and submission at the upcoming BACWA Nutrients meeting on July 30th.

BACWA Executive Board members were invited to share any items of interest under **agenda item 6, Executive Board Reports**.

Ben Horenstein, of EBMUD, commented on the positive publicity received by the Alameda county pharmaceutical take back program, an effort championed by BAPPG, and suggested that other counties may be able to implement the same model.

Jim Ervin reported that San Jose is examining their Biosolids program and looking at bringing in turbines. He noted that Riverwatch has also filed complaint against San Jose.

Ann Farrell updated the Board that CCCSD submitted their Facility Plan and Site Characterization Work Plan to meet the Water Board's July 1st deadline. They have received comments from the Water Board and are currently drafting their response.

Marla Jurosek notified attendees that all SFPUC staff have moved into their new offices located at 525 Golden Gate.

Dave Williams, BACWA representative to the Aquatic Science Center (ASC) Board, provided update on consultant support for governance development. A bio for Leapfrog Consulting's Kayla Kirsch was distributed and reviewed. She was recommended by the consultant that ASC is using for their governance development assistance. It was suggested that she would first work with the Board to coalesce BACWA's vision and then provide the Board with an opportunity to determine if continuing to work with BACWA and the rest of the stakeholders to facilitate the governance development process could be useful. At which time a scope could be developed for her to work with the rest of the stakeholders and could possibly include her attending Pardee. Dave will obtain draft scope, circulate for Board review and may contact the Chair to execute a contract.

For **agenda item 7**, 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:

- The ED requested Board input on BACWA's role in assisting member agencies to meet Nutrient 13267 letter data submission requirements. He noted that BACWA may want to consider an initial review and analysis of the data. This discussion and consideration of

BACWA funding for nutrient-related efforts will be on the agenda for the BACWA Nutrient meeting scheduled for July 30th.

- The next Joint BACWA/RWQCB meeting has been tentatively scheduled for Aug 20th. The Board should confirm their availability with the ED.
- Isle technologies representatives will be available to attend the BACWA Board meeting and/or meet with BACWA representatives in September.

The **Regulatory Program Manager (RPM) Report for agenda item 8** was distributed and reviewed by Lorien Fono. As requested by the BACWA Board, she will follow up with Alyce regarding the status of the report on Risk Reduction. She noted that the State Board is developing biological objectives for wadable waters, which would involve comparing aquatic community metrics to reference conditions to determine possible impairment. The next stakeholder group meeting on this issue, scheduled for Sept 20th, may be an opportunity for BACWA involvement. Lorien will plan to attend the meeting and provide the Board with a summary. The Workplan for State Water Board Resource Realignment will be circulated to the BACWA Board to determine if they want to engage in this process. It was noted that the Board should expect to see an administrative draft of the Mercury/PCB Watershed Permit renewal in August, a tentative order is scheduled for October, with plans for adoption in December.

No **Chair & Executive Director Authorized Actions (agenda item 9)** were made since the June 28, 2012 BACWA Board Meeting.

OTHER BUSINESS

*For **agenda item 10**, the Board authorized execution of **agreement with Whitley Burchett for Recycled Water Committee IRWMP Update support, not to exceed \$49,910, FY 2012-13, File 12,786**, in a motion made by Marla Jurosek and seconded by Ben Horenstein. The motion passed unanimously.*

For **agenda item 11, Nutrients**, a letter from Baykeeper was included in packet and reviewed. It was noted that an amendment to extend termination date of BAWA's contract with HDR for Nutrient Program Monitoring support will be on July 30th agenda for Board approval. Notes from the Sacramento Regional Permit workshop were distributed by Jim Kelly and reviewed.

For **item 12, State Water Resources Control Board proposed changes to Operator Certification Requirements and potential comments** were discussed. A draft letter has been circulated to Board. The ED will continue to work with Ops Info Share Group and Mike Barnes on the letter and consider submitting a version, separate from the Summit Partners and CASA, that favors less stringent hands-on experience requirements and does not support the CWEA certification process. Comments must be submitted by Monday, July 30th.

Under agenda **item 13**, attendees discussed **Toxicity Testing (TST)**. Lorien provided a list of key issues in the RPM report, reviewed them and suggested adding 303d listing language that has been used in previous letters. Comments are due August 21st and a State Board workshop has been scheduled for that same day. Lorien plans to circulate a draft letter next week. Preliminary results from RMC's cost analysis suggest that smaller agencies may want to include the impact of increased costs in their comment letters. The Board should direct feedback to Lorien on talking points for Tuesdays meeting with the Water Board. Suggestions from attendees included the following: obtaining clarity on the removal of acute requirements; a single MDEL exceedence should not be a violation; species sensitivity/seasonal variability is an issue; toxicity is an indicator test to be used to

trigger further tests and should not be used to determine violations; instream waste concentration should be used regardless of whether you have dilution credit; setting a reasonable potential at 10% is arbitrary; the letter should include background information about the difference between the TST and previous testing, and the overall issue of the significant uncertainty of this method. Lorien will send draft discussion framework to the Board for their review and feedback. Jim will work with RMC to determine the next steps for their cost analysis efforts.

Under agenda **item 14, PCB Permit Renewal Process and Data Analysis** was discussed. Lorien reviewed the issue summary included in handout packet. The Board expressed support for continued efforts to work with regional Water Board staff and develop a contract with SFEI for assistance.

A discussion of the **Pardee Technical Seminar, agenda item 15**, scheduled for September 4 – 6, 2012 was postponed due to time constraints. The ED will circulate a revised list of potential discussion items and attendees to the Board for their feedback. Discussion of this topic will continue at the meeting on July 30th.

The next regular BACWA Board meeting is tentatively scheduled for August 23, 2012 at the EBMUD Treatment Plant Lab Library from 9 a.m. – 12 p.m.

The meeting adjourned at 12:00 p.m.