



## Executive Board Meeting Minutes

Thursday, November 15, 2013, 9:00 a.m. – 12:00 p.m.  
EBMUD Lab Library, 2020 Wake Avenue, Oakland, CA

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### ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Mike Connor, Chair (East Bay Dischargers Authority); Laura Pagano, Vice Chair (San Francisco Public Utilities Commission); Curt Swanson (Central Contra Costa Sanitary District); Jim Ervin (San Jose); Ben Horenstein (East Bay Municipal Utility District).

Other Attendees: Amy Chastain (San Francisco Public Utilities Commission); Melody LaBella (Central Contra Costa Sanitary District); Brian Campbell (East Bay Municipal Utility District); David Sui (East Bay Municipal Utility District); Joan Louie (East Bay Municipal Utility District); Amanda Roa (Delta Diablo Sanitation District); Karin North (Palo Alto); Harry Saraydarian (North Bay Watershed Association); Holly Kennedy (HDR); Jim Kelly (JMK Engineering); Denise Conners (Larry Walker Associates); Tom Hall (EOA); Monica Oakley (RMC); Lorien Fono (Patricia McGovern Engineers); Dave Williams (BACWA); Alexandra Gunnell (BACWA).

### PUBLIC COMMENT

There were no public comments.

### CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER

The Executive Director requested moving the time certain for agenda item 13, IRWMP Update, from 10:00 a.m. to 11:00 a.m.

### CONSENT CALENDAR

For agenda **item 3, Fiscal Year 2012-13 Financial Reports** were distributed by East Bay Municipal Utility District accounting staff, David Sui and Joan Louie, who attended on behalf of BACWA's Treasurer. They notified the Executive Board members that the auditors did not find any items of concern during their annual audit.

*Agenda items 1 - 4 were approved in a motion made by Ben Horenstein and seconded by Laura Pagano. The motion carried unanimously.*

1. September 26, 2013 BACWA Executive Board Meeting Minutes
2. August 2013 Treasurer's Report
3. Fiscal Year 2012-13 Financial Reports
4. Amendment 2 for Avila Prop 50 Grant Administration support agreement to extend termination date to June 30, 2014; File 11,780.

### REPORTS

**Committee Reports** were reviewed under **agenda item 5**.

The Collection Systems Committee Report was included in the handout packet and reviewed by the Monica Oakley.

Executive Board representatives (Board) were given an opportunity to provide updates from each of the Principal agencies under **agenda item 6, Executive Board Reports.**

Curt Swanson reported that Central Contra Costa Sanitary District (CCCSD) is still working to complete Nutrient reports required by their NPDES permit.

Ben Horenstein of East Bay Municipal Utility District (EBMUD) reported that Jackie Kepke has been promoted to the position of Manager of Wastewater Environmental Services. Vince DeLange is now the Manager of Wastewater Engineering.

Laura Pagano of the San Francisco Public Utilities Commission (SFPUC) reported that Harlan Kelly, SFPUC's General Manager has accepted a position on the National Association of Clean Water Agencies Board.

Jim Ervin reported that the San Jose Plant Master Plan was expected to be approved by the Treatment Plant Advisory Committee yesterday.

Mike Connor of the East Bay Dischargers Authority (EBDA) provided an update about a presentation on Nutrients given by David Senn and Martha Sutula that he attended earlier this month.

The **Executive Director's (ED) October Report** was included in the handout packet for **agenda item 7** and reviewed by Dave Williams. He explained that the Interim Executive Director of the Aquatic Science Center/San Francisco Estuary Institute (ASC/SFEI), Meredith Williams, will be leaving her position to work with the Department of Toxic Substances Control. A subcommittee has been assembled to work with a recruiting firm to fill the vacancy. The Board requested that they receive information about potential candidates. The ED will update the Board, solicit feedback, and follow up with ASC/SFEI as necessary. It was noted that BACWA should investigate improving the BACWA representation process for participation in various groups. Amy Chastain noted that she has had good experience with consulting services provided by Compass Point. The ED also explained that he will be chairing the CASA's Utility Leadership Committee on behalf of CCCSD. The Board requested that he include those types of activities in future ED monthly reports. The ED relayed a request from NACWA to hear from any agencies that have been told by permit writers that they will not be affected by the Circuit Court 8 decision regarding blending as a bypass requiring a no feasible alternative analysis. Monica Oakley agreed to notify her clients of NACWA's request and Lorien Fono will work with Tim Potter to convey the message to the Permits Committee. The ED also noted that NACWA now has a searchable database of state and legislative regulatory actions called the NACWA State Action Track. The updated Board Calendar for the remainder of 2013 and calendar year 2014 was attached to the ED Report and the Board requested that it include a discussion of Fiscal Year 2015 membership dues.

The **Regulatory Program Manager (RPM) Report** was included in the handout packet and reviewed by Lorien Fono under **agenda item 8.** She notified attendees that Kevin Buchan of the Western States Petroleum Association is soliciting BACWA's participation in future studies related to the

North Bay Selenium TMDL. It was noted that South Bay agencies may be interested in participating. The RPM also explained that the Laboratory Committee has made changes to the PCB sampling/analysis/reporting protocol, including running more blanks prior to analyzing samples. EBMUD is no longer using the 1668C method and is now outsourcing to Frontier labs. More information can be obtained by contacting Lorien Fono.

The following **Chair and Executive Director Authorized Actions** were taken since the September 26, 2013 Board meeting, listed under **agenda item 9**, and supporting information was included in the handout packet.

- a. Executive Director Authorization to utilize current RMC As Needed agreement for SSO Enforcement support not to exceed \$4,895; File 12,984.

#### **OTHER BUSINESS**

For **agenda item 10**, the Board was asked to approve the ***Creation of a BACWA Pretreatment Committee***. *In a motion made by Jim Ervin and seconded by Curt Swanson the Board approved creation of the committee with four yes votes and one abstention.*

The Board noted that they would like to receive more regular reports from each of the BACWA committees. The RPM is assisting some committees with drafting their reports, and the ED with pass along the request to the Committee Chairs.

Under **agenda item 11** the Board *approved the **BACWA Contracting Policy Revision** in a motion made by Laura Pagano and seconded by Jim Ervin. The motion passed unanimously.* The Board expressed their appreciation to the ED for the improvements he made to the policy.

For **agenda item 12.a.i, Nutrients Technical Work, Future Funding of Science Plan**, the ED reported that David Senn of the San Francisco Estuary Institute (SFEI) is currently developing a five-year plan and expects to have it completed by spring of 2014. Then he distributed and reviewed a handout produced by David Senn outlining the Lower South Bay (LBS) Synthesis Major Topics.

The ED led a discussion for **agenda item 12.a.ii, Technical Symposium on Nutrients Debrief**. The Board noted that the symposium provided a valuable opportunity to convey the importance of nutrient issues to member agencies, as well as a venue for scientist to present information to the regulatory community. It was also suggested that the discussion portion of the meeting should be moved to earlier time on the agenda when planning the next workshop.

**Future Nutrient Workshops** were discussed under **agenda item 12.a.iii**. The Board suggested that a workshop on the Chesapeake Bay focused on lessons that could be learned from their experience could be valuable. The Chair requested that the Board review the suggested topics included in the Board packet and provide feedback to the ED.

The ED provided an update on the **BACWA/Water Board Steering Committee** for Nutrients under **agenda item 12.b.i**. Action items from the first meeting on October 10<sup>th</sup> were included in packet along with the current version of the organizational chart and an accompanying narrative

explanation. It was noted that it is still unclear where the Delta Stewardship Council would fit on the diagram. The ED reviewed the action items and the draft agenda for the next meeting, scheduled for November 20<sup>th</sup>, and noted that he is still awaiting feedback from the San Francisco Regional Water Board staff (Water Board). It was suggested that the ED obtain feedback from the Nutrient Watershed Permit Negotiating Team when developing the agenda for future Steering Committee meetings.

Under **agenda item 12.b.ii** the ED led a **Discussion of the Program Coordinator Concept**. He explained that this person would report to Steering Committee. Currently there is no money allotted to this position, so BACWA may be asked to provide funding. In response to a request from the Board, the ED will prepare a proposal for this position including structure, alternatives, and options for discussion at the December 20<sup>th</sup> BACWA Board meeting.

For **agenda item 12.c** the ED provided an update on **BACWA's Nutrient Watershed Permit Negotiating Team Activities**. New permit language is being drafted and circulated. The next internal meeting is scheduled for November 22<sup>nd</sup>. The team will meet with the Water Board on December 5<sup>th</sup> and then will hold another internal meeting on December 13<sup>th</sup>.

Under **item 13, IRWMP Update, Brian Campbell** and Harry Saraydarian presented an overview of the Bay Area Integrated Regional Water Management Plan (IRWMP) including opportunities for BACWA regional projects. The current BACWA representatives for the IRWMP Coordinating Committee were identified as Cheryl Munoz, Linda Hu and Brian Campbell, and it was noted that a replacement for Brian needs to be selected. The Board requested that the ED schedule a meeting on January 8<sup>th</sup> or 9<sup>th</sup> with Brian, Linda and Cheryl and invite BACWA members to investigate developing a proposal for a BACWA regional project.

For agenda **item 14, Innovation/Research/Regional Initiatives – BACWA's Role**, the Board decided to defer involvement in Isle TAG at this time and will revisit the opportunity at the end of 2014. The ED will schedule a presentation from ReNUWit, with an emphasis on anaerobic secondary treatment, for the February Board meeting.

The **Annual Member Meeting** was discussed under **item 15**. Based on attendee feedback on the 2013 meeting the Board recommended moving the meeting back to the Boy Scouts facility. The draft agenda, included in the handout packet, was reviewed and it was suggested that it may be too much to have all regulators presenting in a single hour. The ED will contact the AIR Committee to investigate incorporating a thirty minute AIR session into the agenda that could include a representative from the California Air Resources Board, Sarah Deslauriers from the California Wastewater Climate Change Group, and information on biogas and other offset opportunities. He will also consider including resource recovery in a session that would focus on looking at the future of POTWs and add an update on pyrethroids, possibly under the CEC agenda item. Suggested speakers included Baykeeper, Felicia Marcus, Jane Diamond from the US EPA, David Senn and Water Board staff.

Under **agenda item 16**, it was decided that Karin North, Mike Connor and the past award recipient, Rosey Jencks, would serve on the **Arleen Navarret Biennial Award Selection Committee**.

The next regular monthly BACWA Board meeting is scheduled for, **December 20, 2013** at the EBMUD Treatment Plant Lab Library.

The meeting adjourned at 12:00 p.m.