



## Executive Board Meeting Minutes

Friday, March 21, 2014, 9:00 a.m. – 12:00 p.m.  
EBMUD Lab Library, 2020 Wake Ave., 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); Jim Ervin (San Jose); Ben Horenstein (East Bay Municipal Utility District); Curt Swanson (Central Contra Costa Sanitary District).

Other Attendees: Karri Ving (San Francisco Public Utilities Commission); Manon Fisher (San Francisco Public Utilities Commission); Tim Potter (Central Contra Costa Sanitary District); Melody LaBella (Central Contra Costa Sanitary District); Bhavani Yerrapotu (Sunnyvale); Amanda Roa (Delta Diablo Sanitation District); Karin North (Palo Alto); Denise Conners (Larry Walker Associates); Tom Hall (EOA); Monica Oakley (RMC); Holly Kennedy (HDR); Jim Graydon (Brown & Caldwell); Arvind Akela (CDM Smith); Andre Gharagozian (Carollo Engineers); Lorien Fono (Patricia McGovern Engineers); David Williams (BACWA); Alexandra Gunnell (BACWA).

### PUBLIC COMMENT

Jim Graydon notified attendees that the application period for the CASA Education foundation scholarship is now open and they will be accepting applications until May 16<sup>th</sup>. Two \$5,000 scholarships will be awarded to students that are pursuing an undergraduate education in engineering, environmental science, public administration, or other related fields, and who show an interest in serving the clean water industry. Detailed information can be found on the CASA website. Jim Graydon will send the website link to BACWA for distribution to its members.

### CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER

None.

### CONSENT CALENDAR

1. February 21, 2014 BACWA Executive Board Meeting Minutes
2. December 2013 Treasurer's Report
3. Resolution to Adopt Updated Integrated Regional Water Management Plan (IRWMP); File 13,158.
4. Consolidation of BACWA Reserve Funds.
5. Contract for BAPPG Social Marketing Support, not to exceed \$17,998.00; File 13,159.

Agenda **items 3 and 5** were pulled from the Consent Calendar for discussion.

*Consent Calendar **items 1, 2, 4** were approved in a motion made by Curt Swanson and seconded by Laura Pagano. The motion carried unanimously.*

The Executive Director (ED) explained that under agenda **item 3** the Board was being asked to approve a **Resolution to Adopt Updated Integrated Regional Water Management Plan (IRWMP); File 13,158**. *Jim Ervin made a motion to approve item 3 and Ben Horenstein seconded the motion. The item received unanimous approval from the Board.*

For **item 5**, BAPPG Committee Chair, Kari Ving, provided additional information to support the request for Board approval of a contract for **BAPPG Social Marketing Support, not to exceed \$17,998.00; File 13,159**. The RFP was distributed to four agencies and only one responded. The contract will be funded by unspent funds from the BAPPG FY 2014 Budget. *The item was approved in a motion made by Ben Horenstein and seconded by Laura Pagano. The motion carried unanimously.*

## REPORTS

**Committee Reports** were included in the handout packet for agenda **item 6**.

Lorien Fono, BACWA's Regulatory Program Manager (RPM), reviewed the AIR committee report that was included in handout packet. The Board suggested including a discussion about BACWA's relationship with the California Air Resources Board on an upcoming BACWA Board meeting agenda.

The Collection Systems committee report was included in the handout packet. In response to Board inquiry, the ED will investigate which agencies are supporting the Wheeler Institute's white paper on citizen lawsuits and circulate that information to the Board to help decide if BACWA should consider funding the initiative in the upcoming fiscal year.

Tim Potter, Permits Committee Chair reviewed the committee report that was included in the handout packet. He noted that the reference to the removal of South San Francisco's no feasible alternatives analysis requirement was incorrect and should be taken out of the report.

Tim also informed attendees that the next Pretreatment Committee meeting is scheduled for April 14<sup>th</sup>.

The RPM reviewed the Recycled Water committee report, included in the handout packet, and noted that Cheryl Munoz and Linda Hu are planning to continue the process of preparing a proposal to submit for Prop 84 Round 3 expedited projects for grant funding for Bay Area recycled water projects.

Executive Board representatives (Board) were given an opportunity to provide updates from each of the Principal agencies under agenda **item 7, Executive Board Reports**. Non-principal members were also given an opportunity to report out on behalf of their agencies.

Curt Swanson reported that Central Contra Costa Sanitary District (CCCSD) has submitted their optimization and upgrade reports as well as their overview report in accordance with the Nutrient requirements in their NPDES permit. He also notified attendees that he is retiring and that Roger Bailey, GM at CCCSD, will take over his position on the BACWA Board. The Board expressed their gratitude for his contribution to BACWA.

Laura Pagano informed attendees that the San Francisco Public Utilities Commission (SFPUC) was able to mitigate contamination from the large fire in Mission Bay on March 11<sup>th</sup> by utilizing their

stormwater diversion capabilities. She also noted that Treasure Island's NPDES permit requires that they participate in the Regional Monitoring Program (RMP) and they will be working with the San Francisco Estuary Institute (SFEI) and the SF Bay Water Board to resolve any outstanding compliance issues.

Ben Horenstein reported that the East Bay Municipal Utility District (EBMUD) is currently reviewing the results of their recent California Occupational Safety and Health Administration inspection.

Karin North informed attendees that Palo Alto has received the administrative draft of their NPDES permit and have three days to comment. She will contact the ED if they want to request support from BACWA.

The **Executive Director's March Report** was included in the handout packet for agenda **item 8** and David Williams highlighted the following items:

- He has asked Rob Collison provide a presentation on Zeolite anammox at the April Board meeting.
- BACWA may want to consider working with CASA/Tri-TAC on the development of a private sewer lateral strategy. The Board requested that the ED work with Monica Oakley and the Collection Systems Committee to investigate this further and return to the Board with additional information.
- Information on BACWA's commitment to support EBMUD's EPA grant was included with the ED Report, and Ben Horenstein agreed to follow up with the ED to confirm what would be needed from BACWA.
- NACWA's database contains information about which agencies currently have trading in their permits and that information may be useful if BACWA develops a Nutrient Lesson's Learned workshop.
- SFEI/ASC's Executive Director recruitment efforts are still ongoing.

The **Regulatory Program Manager (RPM) Report** was included in the handout packet and reviewed by Lorien Fono under agenda **item 9**. She noted that the SFEI program tracking table was included as an attachment to her report. The Board requested that David Senn present the Suisun Synthesis report at an upcoming Board meeting. Once completed, the report will be posted on the Nutrients section of the BACWA website.

No **Chair and Executive Director Authorized Actions** were taken since the February 21, 2014 Board meeting (agenda **item 10**).

## **OTHER BUSINESS**

For agenda **item 11**, the **FY2015 Budget DRAFT** was included in the handout packet and the following items were reviewed:

- The ED explained that he had spoken with AIR Co-Chairs, Randy Schmidt and Nohemy Revilla, about restructuring the AIR committee and the Board requested that he continue to investigate the possibility of incorporating it as a BACWA committee in FY 2016.
- The Lab Committee has requested an additional \$2,000 to fund QA/QC training. The Board supported the increase but requested that the committee investigate partnering with CWEA on this effort.
- The Board inquired if additional funds needed to be allocated to address specific regulatory issues. Dave Williams clarified that the ED and RPM would be providing regulatory support and if additional support was needed, technical consultant contracts could be funded by the general Technical Support line item.
- The ED explained that the approved budget would be amended to include carry forward items and suggested that the amended budget would be brought back to the Board for formal approval. He also confirmed that unspent funds would not be carried forward for contracts where the scope of work had been completed, and any work under the existing scope that has not been initiated in the current fiscal year should be reviewed to determine whether it would be carried forward into the next fiscal year. The Board agreed but reserved the option to consider exceptions to these guidelines.
- InfoShare Group survey responses were included in the packet and reviewed. Meeting attendees provided additional feedback from each of their agencies and the Board suggested reducing the line item to \$10,000 to continue the same level of support for BAMII and reduce support for the Ops and Engineering groups. The ED will investigate whether CWEA may be able to provide support for the Ops and Engineering groups.
- BAPPG representatives provided a presentation on their workplan. Concern was raised about the revenue that will be lost as a result of incorporating BAPPG as a BACWA committee. The ED noted that he will propose opportunities for increasing BACWA revenue by increasing membership, later in the meeting, and the Board reiterated their commitment to provide continued financial support for BAPPG in future years. It was noted that the Baywise web site needed to reflect that BAPPG was now part of BACWA and thus there would be only two sponsors of the website, BACWA and BASMAA. The issue of BAPPG commenting on proposed legislation was also discussed and it was decided to discuss further at a future Board meeting.
- Items listed under Collaboratives section of the draft budget were reviewed and no changes were made. The Board suggested scheduling a presentation from ReNUWIt representative, Christian Nilsen, for an upcoming Board meeting.

**Nutrients** related issues were discussed under **agenda item 12**. The Board requested that the ED attend the upcoming SF Bay Water Board hearing on April 9<sup>th</sup> to provide verbal **comments on the Nutrient Watershed Permit Tentative Order**. The ED noted that the draft request for proposal (RFP) for **Nutrient Optimization and Upgrade Studies** was distributed to consultants for feedback. The RFP will be posted on the BACWA website. All members were notified about the estimated dues for FY2015 and a follow up e-mail was sent to those agencies impacted by the Nutrient Permit to explain permit requirements that will be addressed by utilizing funds from the nutrient surcharge. It was suggested that once the permit is adopted another e-mail should be sent to permittees specifying which requirements BACWA is planning to address and which permit requirements each agency will be responsible for fulfilling independently. The Board also requested

the development of a matrix showing estimated dues for BACWA members in FY 2015 and subsequent years. The ED will move forward with converting the Nutrient Negotiating Team into a **Nutrient Management Group for oversight of Regulatory requirements**. He distributed an updated list of POTWs and satellite collection system agencies by subembayment, noted the number of agencies that would benefit from becoming BACWA members, and explained that he will be reaching out to those non-member agencies. Any suggestions for revision to the subembayment table should be sent to the ED.

Under item **12.b., Nutrients Technical Work**, the ED and RPM presented a Simplified Technical Overview Power Point slide show that could be used by members. The Board suggested adding the estimated dues matrix; additional suggestions for revision should be sent to the RPM and ED. The final version will be uploaded to the BACWA website and distributed to members.

**Nutrients Governance Structure** related issues were discussed under agenda **item 12.c.** The ED will notify the Nutrient Permit Negotiating Team of the BACWA Board's recommendation to designate Ben Horenstein and Bhavani Yerrapotu as **BACWA's Nutrient Task Force Representatives**, and Roger Bailey and Gary Darling as alternates. A discussion of **Nutrients Program Coordination** will be added to an upcoming Board meeting agenda.

The **ReNUWIt proposals** were discussed under agenda **item 13.** Board members expressed varying levels of interest and concerns about BACWA providing support for both the ReNUWIt pilot trailer and system's level vision proposals. The Board requested allocating twenty minutes of the April 18<sup>th</sup> Board meeting agenda to continue this discussion.

Discussions on agenda **item 14, Risk Reduction**, and agenda **item 15, Stormwater Diversions**, were postponed due to time constraints and will be included on the April 18<sup>th</sup> Board meeting agenda.

For agenda **item 16**, the ED explained that BACWA has been invited to participate in a **class action lawsuit against flushable wipes** manufacturers. The city attorney for San Francisco and EBMUD's legal counsel both reviewed the draft complaint and did not identify any concerns about BACWA participation, though it was noted that allocating BACWA time this effort could divert BACWA resources from higher priority issues. SFPUC will forward the information to their District Attorney's office for their consideration and BACWA will distribute the information in the next newsletter so member agencies can determine if they would like to participate in the legal action.

The ED and RPM provided an **Update on the IRWMP Regional Project Proposal for Prop 84** under **item 17** and informed the Board that BACWA is moving forward with preparing the regional proposal for submittal.

Under **item 18**, the Board requested editing the draft **Guidelines for Representing BACWA** so that in the section “For Individuals”, each reference to “In your role as a BACWA representative” should include the following clarifying language (shown below in italics):

“In your role as a BACWA representative, *explicitly or implicitly,*”

The revised guidelines will be brought back for Board approval on April 18<sup>th</sup>.

The Executive Board Chair recommended extending future Board meetings to 12:30 and the meeting adjourned at 12:30 p.m.