



Executive Board Meeting Minutes

Friday, April 18, 2014, 9:00 a.m. – 12:30 p.m.

SFPUC, 525 Golden Gate Ave., SF, CA

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); Roger Bailey (Central Contra Costa Sanitary District).

Other Attendees: Cheryl Munoz (San Francisco Public Utilities Commission); Michele Pla (San Francisco Public Utilities Commission); Joanna De Sa (San Jose); Tim Potter (Central Contra Costa Sanitary District); Melody LaBella (Central Contra Costa Sanitary District); Greg Baatrup (Fairfield-Suisun Sewer District); Bhavani Yerrapotu (Sunnyvale); Amanda Roa (Delta Diablo Sanitation District); Karin North (Palo Alto); Kevin Buchan (Western States Petroleum Association); Robert Collison (Collison Engineering); Denise Conners (Larry Walker Associates); Tom Hall (EOA); Monica Oakley (RMC); Mike Faulk; (HDR); Pete Talbot (HDR) Jim Graydon (Brown & Caldwell); Rion Merlo (Brown and Caldwell); Arvind Akela (CDM Smith); Eric Casares (Carollo Engineers); Steve McDonald (Carollo Engineers); Samantha Engelage (AMEC); Patricia McGovern (Patricia McGovern Engineers); Lorien Fono (Patricia McGovern Engineers); David Williams (BACWA); Alexandra Gunnell (BACWA).

PUBLIC COMMENT

None.

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER

The Executive Board Chair, Mike Connor, notified attendees that **agenda item 19.a.**, a discussion on the **Tentative Order for Palo Alto** would be moved to ahead of "Other Business" items on the agenda.

CONSENT CALENDAR

1. March 21, 2014 BACWA Executive Board Meeting Minutes
2. January 2014 Treasurer's Report

Consent Calendar items were approved in a motion made by Ben Horenstein and seconded by Jim Ervin. The motion carried unanimously.

REPORTS

Committee Reports were included in the handout packet for agenda **item 3.**

Lorien Fono, BACWA's Regulatory Program Manager (RPM), notified attendees that the AIR Committee is planning to submit a comment letter to the Bay Area Air Quality Management District (BAAQMD) regarding cross-media issues. The ED informed the Board that there is no formal policy outlining the process for review and signature authority for comment letters submitted by BACWA committees and Special Programs. The Board recommended that the process continue to be implemented on a case by case basis, such that when time permits, draft comment letters should be circulated to the Board for review and signed by the ED. When the comment period deadline does not allow for Board review, the ED should review the draft comment letter. It was agreed this AIR comment letter will be circulated to the BACWA Board for feedback. The RPM also noted that

CH2M will be reallocating AIR committee support services among their staff to allow them to continue to provide support to the committee with the funds remaining on this year's contract.

Melody LaBella reviewed the BAPPG Committee report that was included in the handout packet. SFPUC noted that their City Attorney is moving forward with investigating possible criminal and civil legal action against the wipes industry. CCCSD has met with the Solano County District Attorney to discuss this issue. Agencies interested in wipes litigation should contact BAPPG Chair, Karri Ving. Tim Potter will represent BACWA at the May 1st CWEA meeting on nondispersable wipes.

The Collection Systems Committee report was included in the handout packet and reviewed by Monica Oakley. She noted that flushable wipes litigation was discussed at their last committee meeting and also informed the Board that they have formed a workgroup to discuss the development of a private sewer lateral strategy.

Nirmela Arsem, Lab Committee Chair, reviewed the committee report included in the handout packet. The Board inquired if California's withdrawal from the National Environmental Laboratory Accreditation Program (NELAP) would affect any of our member agencies' labs. Nirmela clarified that POTW labs are certified under the California's Environmental Laboratory Accreditation Program (ELAP) not the national program and therefore will be unaffected by the change, though some private laboratories may be impacted.

Tim Potter, Permits Committee Chair reviewed the committee report that was included in the handout packet. He noted that the committee continues to serve as a conduit for informing member agencies about BACWA's nutrient related activities. Regulatory issues related to recycled water were also discussed at the last meeting; Amanda Roa and Amy Chastain will be leading efforts to follow up on this issue. Tim also informed attendees that the Pretreatment Committee met on April 14th.

Executive Board representatives (Board) were given an opportunity to provide updates from each of the Principal agencies under agenda **item 4, Executive Board Reports**. Non-principal members were also given an opportunity to report out on behalf of their agencies.

For Central Contra Costa Sanitary District (CCCSD) Roger Bailey, Tim Potter, and Melody LaBella informed attendees that they recently met with San Francisco Bay Regional Water Quality Control Board staff (SF Bay Regional Water Board) to discuss the optimization and upgrade reports and their overview report that they submitted in accordance with the Nutrient requirements in their NPDES permit. It was also noted that they are planning to work with Rob Collison to initiate a Zeolite Anammox pilot at their facility.

Jim Ervin reported that San Jose's NPDES permit writer will be visiting next week as they continue to work on their permit renewal. He also noted that they are now accepting reverse osmosis (RO) concentrate from the Silicon Valley Advanced Water Purification Center.

Laura Pagano informed attendees that the San Francisco Public Utilities Commission (SFPUC) has had recent visits from their permit writer as well. They had a recent CWA inspection of their

Oceanside facility and EPA will be inspecting the Southeast treatment plant next week. Laura informed the Board that Treasure Island will be joining BACWA.

Mike Connor, of the East Bay Dischargers Association (EBDA), reported that Oro Loma is working with Rob Collison on a Zeolite Anammox pilot at their facility. They are also moving forward with plans to construct a horizontal levee for a nitrogen removal pilot, and will be seeking IRWMP funding for this project.

The **Executive Director's April Report** was included in the handout packet for agenda **item 5** and David Williams highlighted the following items:

- NACWA has requested that BACWA send a letter of appreciation to Senator Boxer for her support for funding pilot communities under the EPA's Integrated Stormwater and Wastewater Planning Approach Framework. The Board confirmed that they would like BACWA to send a letter of support.
- The Operations Info Share Group has asked BACWA to submit a letter to the State Water Resources Control Board (SWRCB) requesting that they waive the recurring application fee for Operator-in-Training applicants. Currently an OIT application fee must be paid each time the intern/ student moves to a new plant. The BACWA Board supported submitting a letter to the SWRCB.
- The next Joint meeting with the SF Bay Regional Water Board staff will be scheduled in May.
- The ED will be on vacation from April 28th – May 9th.

The **Regulatory Program Manager (RPM) Report** was included in the handout packet and reviewed by Lorien Fono under agenda **item 6**. She noted that the SFEI program tracking table has been included as an attachment to her report. The Suisun Synthesis report has been posted on the Nutrients section of the BACWA website and the South Bay Synthesis report should be posted later this month. In response to a request from the Board, the RPM will add a section to the monthly e-newsletter highlighting "What's New" from the committees.

The following **Executive Director Authorized Actions** were taken since the March 21, 2014 Board meeting (agenda **item 7**)

- a. Executive Director Authorization of Amendment 1 to Downey Brand agreement for Regulatory Legal Counsel, an increase of \$500 for a new not to exceed amount of \$2,500; File 12,970.
- b. Executive Director Authorization for payment of Product Stewardship Institute 2014 membership dues, \$500; File 13,184.

It was noted that the Executive Director Authorization Request form for the Downey Brand agreement erroneously referenced an increase of \$5,000. The actual increase amount was for \$500.

OTHER BUSINESS

For **agenda item 8, the FY2015 Budget and Workplan** was included in the handout packet for Board approval and the following items were discussed.

- The ED noted that CWEA is polling three Bay area sections to see if they may be able to facilitate an alternate forum for the Operations and Engineering Info Share Groups. The Board supported the ED's suggestion to **revise the final FY2015 Budget and Workplan to increase the Info Share Group line item from \$10,000 to \$12,000**. This would provide consultant support for three meetings per year for the Bay Area Maintenance Info Share Group and three meetings per year for the Operations Info Share Group. Member participation for each of the two groups will be tracked over the next year and the ED will re-evaluate member interest when planning for fiscal year 2015-16. Sunnyvale offered to provide a member agency champion for both groups. The RPM will include upcoming meeting dates for the Info Share Groups in the e-newsletter.
- Funding for a Nutrients Program Coordinator is not included in the FY2015 Budget and Workplan but will likely be included in FY2016.

The FY2015 Budget and Workplan does not include funding for the ReNUWIt trailer pilot program or a contribution to the Wheeler Institute citizen lawsuit research project. The ED explained that the Board can amend the budget at any time during the fiscal year and that funding for the Wheeler Institute project could come from the current fiscal year under the CBC contingency line item. Further discussion of the Wheeler Institute project was deferred to later in the meeting.

In a motion made by Roger Bailey and seconded by Laura Pagano, the Board unanimously approved the revised FY2015 Budget and Workplan.

Guidelines for Representing BACWA were discussed under agenda **item 9**. The ED reminded the Board that the document would be circulated at the beginning of each fiscal year when transitions for Board and Committee Chairs/Vice Chairs were likely to occur. He clarified that instances where BAPPG representatives provide comments at county hearings are an example of BACWA representation that is addressed in the guidelines under "understood positions".

*A motion to approve the **Guidelines for Representing BACWA** was made by Roger Bailey and seconded by Ben Horenstein. The motion passed unanimously.*

For agenda **item 10, Rob Collison provided a presentation on Zeolite Anammox**. Agencies interested in implementing a pilot program at their facility should contact Rob Collison.

For **agenda item 11** the Board reviewed a **request for a \$2,500 contribution to SFEP for their Estuary News magazine** and expressed reservations about contributing at this time.

Under **agenda item 12**, the Board recommended that the Chair authorize a **\$5,000 contribution CASA for the Wheeler Institute citizen lawsuit research** project. They requested that the ED confirm the timeline for deliverables with CASA.

Under agenda **item 13, Nutrient** related issues were discussed.

Under item **13.a.i** the ED informed the Board that he attended the the **April 9th hearing** and provided verbal comments on the Nutrient Watershed Permit. He noted that the SWRCB requested a workshop to review the scope of the Optimization and Upgrade Studies.

Under **item 13.a.ii** the draft **scope for Optimization and Upgrade studies** was reviewed along with possible levels of effort needed to perform all the work included in the scope.

Under **item 13.a.iii** the list of **Contract Management Group (CMG)** members included in the handout packet was reviewed. The Board requested that the ED serve as the Chair and primary point of contact for the group. All questions about the Request for Proposal should be directed to the ED and answers will be disseminated to all consultants. It was noted that the Board could be invited to attend the CMG meetings.

For **item 13.a.iv** the list of POTWs and satellite agencies included in the handout packet was reviewed. It was noted that the Crocket sends a portion of its wastewater to the C&H plant, but that they have their own treatment plant as well. The draft summary letter was also reviewed and the Board recommended distributing it to BACWA members.

Under **item 13.b.i** the revised **Simplified Technical Overview** presentation slides were reviewed. The presentation will be distributed to BACWA members for their use.

For **items 13.c.i and 13.c.ii** the Board discussed the upcoming **Steering Committee** meeting and reviewed the list of **BACWA representatives** and alternates. All BACWA Steering Committee representatives and alternates will be attending the meeting.

Under **item 13.c.iii** it was noted that the need for a Nutrients **Program Coordinator** has been a topic of discussion with the WB staff.. The Board requested that it be included as a discussion item on the May Joint meeting agenda. The Board would like the ED to schedule a full day BACWA Board workshop to discuss BACWA's Nutrient strategy and other timely issues.

ReNUWIt Proposals were briefly discussed under agenda **item 14**. It was noted that ReNUWIt may not need the letter of support that they previously requested from BACWA, but they would appreciate if BACWA member agencies could be available to be interviewed by some of the graduate students participating in their program. The RPM will include information about the pilot trailer program in the upcoming newsletter. The Board requested that a discussion of both the pilot trailer program and the systems approach proposal be included on the agenda for the full day BACWA Board workshop.

Risk Reduction was discussed under agenda **item 15**. The RPM reviewed a proposal for grant funding from the Department of Public Health (DPH), and explained that DPH is requesting funding from BACWA and the Western States Petroleum Association (WSPA). The RPM work with Kevin Buchan, WSPA's Senior Coordinator for Bay Area Region and State Water Issues, to determine a final combined contribution amount from BACWA and WSPA for the life of the permit. Guidelines on the amount of the contribution were discussed.

Under agenda **item 16, Tom Hall** provided information on **Stormwater Diversions**. He explained that data contained in the March 15, 2014 Integrated Monitoring Reports Part C submitted by the County-wide Programs under the Regional Monitoring Program to the SF Bay Regional Water Board, show a significant cost associated with minimal levels of PCB removal. He noted that language in the Municipal Regional Stormwater Permit (MRP) and the PCB's TMDL may need to be reviewed. The report is available on the SF Bay Regional Water Board website and a link to the report will be posted on the BACWA website.

For agenda **item 17**, the ED provided an **update on the IRWMP Regional Project Proposal**. A summary of regional projects that will be submitted was distributed and reviewed. The ED informed the Board that there are funds remaining on BACWA's contract with Whitley Burchett and proposed that the funds should be applied to an amended scope that would support the preparation of Prop84 grant proposals. The Board expressed their support for the Recycled Water Committee to use \$12k of the unspent contract funds for the amended scope.

Costs Associated with Updating the Bay Area IRWMP were discussed under agenda **item 18**. The Board agreed that BACWA's support to fund cost overruns by Kennedy Jenks should be handled under the ED's discretion.

Under **item 19, Comments on Tentative Orders for Palo Alto and Benicia** were discussed. Concern was raised that proposed language in the Palo Alto permit, requiring that they file a petition with the Division of Water Rights, may hinder their ability to implement recycled water projects. The Board requested that the ED work with Monica Oakley and BACWA's legal counsel to draft a comment letter. The draft comment letter will be circulated to the Board and the Permits Committee for feedback prior to finalizing. Comments are due by April 28th. When the final letter is submitted BACWA will send a copy to the SWRCB.

Comments on the Benicia Permit are due May 12. The Board discussed concerns regarding dilution values included in the draft permit, and the need for a standardized dilution policy. The Board suggested that a discussion of dilution case studies should be included on an upcoming Permits Committee meeting agenda.

Under agenda **item 20**, the upcoming **NACWA Blending Forum** was discussed. The ED will inform NACWA that Ben Horenstein will be attending on behalf of BACWA.

The meeting adjourned at 12:30 p.m.

The next regular meeting of the Board is scheduled for May 16, 2014 from 9:00 am – 12:30 pm at the EBMUD Lab Library, 2020 Wake Ave., Oakland.