



MINUTES

Executive Board Meeting

Thursday, May 27, 2010
9:00 a.m. – 12:00 p.m.

EBMUD Plant Lab Library
2020 Wake Ave., Oakland, CA

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Dave Tucker, Chair (City of San Jose); Arleen Navarret, Vice-Chair (San Francisco Public Utilities Commission); Jim Kelly (Central Contra Costa Sanitary District); Rich Currie (East Bay Dischargers Association); Ben Horenstein (East Bay Municipal Utility District).

Other Attendees: Dave Williams (East Bay Municipal Utility District); Brian Campbell (East Bay Municipal Utility District); Jen Jackson (East Bay Municipal Utility District); Kirsten Struve (City of San Jose); Sharon Newton (City of San Jose); Natalie Sierra (San Francisco Public Utilities Commission); Rich Cunningham (City of Albany); Monica Oakley (Oakley Water Strategies); Tom Hall (Eisenberg Olivieri Associates); Denise Conners (Larry Walker Associates); Amy Chastain (BACWA); Alexandra Gunnell (BACWA).

PUBLIC COMMENT

There were no public comments.

CLOSED SESSION

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

REPORT OUT FROM CLOSED SESSION

The Board instructed ED to develop contract and scope for approval at June Executive Board meeting.

REPORTS

Committee reports, agenda item 1, were included in the meeting handout packet and Committee Chairs were given the opportunity to provide further clarification, as requested by meeting attendees.

- The BAPPG report was included in the meeting handout packet and the following items were discussed:
 - Sharon Newton is the BAPPG Vice Chair and will be assuming the role of Chair in June 2010.
 - An example of EcoMetro Guide advertisement, approved by the BACWA Chair, was provided.
 - The FY10-11 BAPPG budget includes funding for a consultant to advise the committee on Green Chemistry issues. Concern was raised about whether BACWA may benefit from Green Chemistry representation since Kelly Moran would not be able to assume that role, due to her participation in the Green Chemistry Blue Ribbon Science Panel.

- The Collection System committee report was included in the meeting handout packet and the following items were discussed:
 - The Collections System Committee Chair will contact Gail Chesler to debrief on CCCSD's recent visit from the Association of the Nonwoven Fabrics Industry (INDA). BAPPG will be creating a poster based on the "Flush Green" flyer, presented at by the Collections System committee at the April 2010 Executive Board meeting.
 - Monica Oakley distributed to the Board a "May26, 2010, DRAFT Examples of Procedures and Graphics Used in Posting Sanitary Sewer Overflows for the Public". This will be reviewed and discussed at the next Collections System committee meeting.
 - The Board would like to continue to be updated on committee discussions surrounding the comparing actual storm events to design storms, and suggested inviting John Larson to an upcoming Executive Board meeting to obtain additional information on this issue.
 - USEPA is considering proposing modifications to SSO and blending regulations. An announcement was included in a pre-publication version of the Federal Register today.

For **agenda item 2**, it was noted that the **Proposition 50 Grant Disbursements Status Report** has been included in the packet.

The ED referred to the **Executive Director Report** included in the meeting handout packet for **agenda item 3**, and highlighted the following items:

- The ED will solicit feedback from Biosolids and other applicable committees as work continues with BAPPG to develop a CEC Fact Sheet.
- Work on the Risk Reduction plan is proceeding.
- The Board requested that once a consultant is in place to maintain the Bay Area Sewer Service Charges database, Prop 218 notices and actual rate ordinances should be included.
- The Board suggested that a Reasonable Potential Analysis workshop should include information for attendees about preparing for permit renewals.
- The June Executive Board meeting agenda will include a discussion of SWRCB proposed regulations concerning Shellfish beneficial use, specifically SHELL.
- The RWQCB/BACWA meeting is scheduled for June 18, 2010 at the EBMUD Orinda facility.

Under **agenda item 4, Executive Board Reports**, Executive Board members shared the following items of interest:

- The Woods Institute Waste Water as a Resource workshop, held on May 21, 2010 was attended by Ben Horenstein, Bhavani Yerrapotu, Mike Connor, Dale Ihrke, Phil Bobel and several other BACWA member agencies. Craig Criddle of Stanford University assembled this forum to discuss opportunities for wastewater resource recovery. It was noted that WERF has ongoing efforts related to this topic, and it was suggested that

BACWA may want to investigate this as an opportunity to foster relationships with academia.

CONSENT CALENDAR

5. Approval of April 2010 Treasurer's Report.

It was noted that the cover letter of the Treasurer's Report incorrectly states that the CWCCG account balance has decreased, rather than increased.

6. Approval of Minutes from April 22, 2010 BACWA Executive Board Meeting.

7. Chair Authorized Actions

- a. BAPPG Eco Metro Guide Advertising

Arleen Navarret moved to approve all items on the consent calendar. Jim Kelly seconded. The motion carried unanimously.

BOARD ACTION ITEMS

The Executive Board took action on the following agenda items:

Under **agenda item 8, a motion to authorize funding the update of the Integrated Regional Water Management (IRWM) Plan projects, File 12,168**, was moved by Ben Horenstein. Jim Kelly seconded.

It was confirmed that the CBC funds referenced in the Board Approval Request form (BAR) are unobligated.

The motion carried unanimously.

Agenda item 9, BACWA and Special Programs FY 2010-11 Budgets and Workplan, File 12,167, was approved in a motion made by Jim Kelly and seconded by Arleen Navarret.

It was noted that funding for Delta Ammonia issues was not included in the workplans, however funds are available in the budget which could be used to support this effort during the year, if the need arises.

The motion carried unanimously.

Under **agenda item 10**, a motion was made for **Executive Board Chair and Vice Chair Nominations for FY 2010-11, File 12,169**. Arleen Navarret was nominated to serve as Chair and Ben Horenstein was nominated as Vice Chair. Approval was moved by Jim Kelly, and seconded by Rich Currie.

The Board will consider whether to recommend a one or two year term next year or during discussions at the Pardee Technical Seminar.

The motion carried unanimously.

The ED will contact Board members to determine BACWA representation for the Aquatic Science Center. Arleen Navarret and Ben Horenstein will provide recommendations to the Board regarding BACWA representation on the RMP Steering Committee and the SFEI Board.

Approval of **Agenda item 11, the CH2M Hill AIR Amendment 1, authorizing a \$5,000 increase for FY 2009-10, File 11,819** was moved in a motion made by Arleen Navarret, and seconded by Ben Horenstein. The motion carried unanimously.

Agenda items 12 – 16, FY 2010-11 Consultant Contracts to Implement BACWA and Special Programs FY 2010-11 Budgets and Workplan were moved in one motion by Ben Horenstein, and

seconded by Arleen Navarret. As approved by this motion the following contracts will be executed:

Agenda item 12: Oakley Water Strategies Committee and As-Needed Support Contract for FY 2010-11; File 12,162

Agenda item 13: Larry Walker & Associates Technical and As-Needed Support Contract for FY2010-11; File 12,163

Agenda item 14: EOA, Inc. As-Needed Technical Support Contract for FY 2010-11; File 12,164

Agenda item 15: Day Carter Murphy General Legal Counsel Contract for FY 2010-11; File 12,165

Agenda item 16: Downey Brand Legal Counsel Contract for FY 2010-11; File 12,166

The motion carried unanimously.

BOARD DISCUSSION ITEMS

The Board discussed the following items:

For **agenda item 17** a “**Summary Review of SF Bay Selenium TMDL Technical Work Products, Memo from CH2M Hill, May 6, 2010**” was included in the packet and discussed.

It was suggested that despite cost, fish tissue samples should be taken every year. The ED will contact CH2M Hill to request further clarification on the “error-prone assumptions and conservative choices” referenced in the memo. Jim Kelly will notify the ED if a consultant support contract is needed to continue this work.

The ED provided a **BACWA Energy Workgroup Update** for **agenda item 18**. CH2M Hill has been preliminarily selected to support this work. The ED has requested additional information from CH2M Hill and will distribute that to the Board once it is available. It was suggested that this topic should be included on the Pardee meeting agenda.

Business and strategic planning were also proposed as topics that could be discussed at the Pardee Technical Seminar, confirmed for September 14 – 17, 2010. The ED will consider whether the joint RWQCB meeting should take place on September 16 or September 17, and will investigate the possibility of cancelling one of the upcoming Executive Board meetings scheduled for 2010.

Natalie Sierra initiated a discussion of the **CalRecycle Proposed Rule, agenda item 19**. A handout including “Draft FAQ’s about Anaerobic Digestions Activities at Publicly Owned Treatment Works” and “CalRecycle – Proposed Draft Guidance on POTWs” was distributed and reviewed. This topic will be added to the agenda for the next Summit Partners meeting.

A book about the San Francisco Bay is being published by University of California Press (a nonprofit group). The ED will provide additional information about this project and funding request.

It was suggested that future Executive Board meeting agendas should be revised to include more time for discussion of Committee reports. A discussion of federal SSO regulations will be included on the June Executive Board meeting agenda.

REVIEW ACTION ITEMS

Action items from the meeting will be distributed to meeting attendees with the draft meeting minutes.

NEXT REGULAR MEETING

The next regular meeting is scheduled for June 24, 2010, 9:00 to 12:00 at the EBMUD Plant Lab Library in Oakland.

ADJOURNMENT

The meeting adjourned at 12:00 p.m.