



MINUTES

Executive Board Meeting

Thursday, July 29, 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: Arleen Navarret, Chair (San Francisco Public Utilities Commission) Ben Horenstein, Vice-Chair (East Bay Municipal Utility District); Jim Kelly (Central Contra Costa Sanitary District); Mike Connor (East Bay Dischargers Association); Bhavani Yerrapotu (City of San Jose).

Other Attendees: Dave Williams (East Bay Municipal Utility District); Brian Campbell (East Bay Municipal Utility District); Kirsten Struve (City of San Jose); Jim Ervin (City of San Jose); Gail Chesler (Central Contra Costa Sanitary District); Sharon Newton (City of San Jose); Rich Cunningham (City of Albany); Greg Baatrup (Fairfield Suisun Sewer District); Guy Moy (Union Sanitary District); Cheryl Davis (San Francisco Public Utilities Commission); Catherine Curtis (San Francisco Public Utilities Commission); Monica Oakley (Oakley Water Strategies); Denise Conners (Larry Walker Associates); Jackie Kepke (CH2M Hill); Paul Causey; Amy Chastain (BACWA); Alexandra Gunnell (BACWA).

PUBLIC COMMENT

There were no public comments.

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 Biosolids committee report was included in the handout packet. The Board inquired about the committee's efforts to track waste to energy and sludge regulations. Jim Kelly will work with the Biosolids committee chair to draft a comment letter. The AIR committee is also tracking this issue.
- The Collection Systems committee report was included in the meeting handout packet and the following items were discussed.
 - The Board requested that the committee provide future updates on the flushable wipes legislation that is being sponsored by state Assembly member Jared Huffman.
 - The Board acknowledged their appreciation for the opportunity to review the San Francisco Regional Water Quality Control Board (RWQCB) draft letter on sanitary sewer overflow (SSO) reporting. BACWA will consider adding this as an agenda item for discussions with the RWQCB at Pardee.
 - The committee prepared comments on the Pacifica Cease and Desist Order (CDO). The committee will discuss strategies for BACWA to provide assistance to agencies that may be facing similar situations, and return to the Board with

recommendations. This issue may be added to the agenda for further discussion at Pardee.

- It was noted that reports from both the Permit and Lab committees included updates on the State Water Resources Control Board's (SWRCB) preliminary draft of the Whole Effluent Toxicity (WET) Assessment and Control Policy and the Environmental Protection Agency's (EPA's) proposed amendments to the Clean Water Act on the use of "sufficiently sensitive" analytical methods. The Board suggested that the committee chairs work together to coordinate their efforts on these issues and coordinate with CASA/Tri-Tac commenting efforts.

For **agenda item 2**, Brian Campbell referred to the **Proposition 50 Grant Disbursements Status Report** included in the packet and explained that payment has been received from the Department of Water Resources for all invoices submitted to date. Money is being disbursed to the local project sponsors (LPS).

The Prop 84 regional grant application will need to be submitted by end of January. By September the grant Coordinating committee will need to determine who will serve as the applicant. The ED will work with Brian Campbell to explore BACWA's involvement with this process and return to the Board with additional information. This may be added to the Pardee agenda for discussion.

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

- BACWA is unlikely to receive supplemental Prop50 funding to support the risk reduction project. The ED will continue to work with Bay Area Stormwater Management Agencies Association (BASMAA) and Western States Petroleum Association (WSPA) to identify funding and will provide an update at the next Board meeting.
- The annual report has been completed and updates to the BACWA website will be live within the next few weeks. The ED will send another E-update to members and this format will likely serve as a template for an upcoming newsletter. Circle Point presented the CASA communications plan to the ED and the ED will inform the Board about any aspects of the plan that may be applicable to BACWA.
- The ED is working with a consultant to draft an issue paper on the impact of shellfish beneficial use regulations.

Under **agenda item 4, Executive Board Reports**, Executive Board members were invited to share any items of interest.

- A draft of EBMUD's stormwater report has been circulated and will be submitted to the RWQCB. The report suggests that the costs and benefits of diversion are site specific.
- Several board members and the ED attended the NACWA conference in San Francisco last week. The theme was sustainability and wastewater as a resource. It was suggested that BACWA investigate how conference topics may relate to BACWA's current discussions about energy issues and future planning. CCCSD will send a BACWA representative to the upcoming NACWA-sponsored nutrient summit.

CONSENT CALENDAR

5. Approval of June 2010 Treasurer's Report.

6. Approval of Minutes from June 24, 2010 BACWA Executive Board Meeting.
7. Chair Authorized Actions
 - a. BAPPG, authorization for National Product Stewardship Conference attendance, \$1,030; File 12,233.

Mike Connor moved to approve all items on the consent calendar. Jim Kelly seconded.

Jim Kelly requested meeting with the ED discuss the changes to the financial processes. It was also noted that the cover letter reference to "April" was incorrect. There was also a request to include the check register and revenue report in the handout packet.

The motion carried unanimously.

BOARD ACTION ITEMS

The Executive Board approved all of the following Board Action Items in one motion made by Mike Connor and seconded by Jim Kelly. Discussions for each item are noted below. The motion carried unanimously.

Under agenda item 8, the board approved execution of contract with Stephanie Hughes for BAPPG training and outreach support services for Fiscal Year 2010-11, File 12,224.

It was noted that this contract with Stephanie Hughes provides support for BAPPG outreach and training efforts while agenda item 10 allows BACWA to utilize Stephanie Hughes' services to assist with meeting mercury reporting permit requirements.

For agenda item 9, the Board approved execution of a contract with Paul Causey for sewer service charge database maintenance support for Fiscal Year 2010-2011, File 12,232,

The Board noted BACWA's appreciation for those agencies and individuals that have provided this valuable service thus far.

Under agenda item 10 the Board approved Amendment 1 to the Stephanie Hughes contract for Mercury TMDL Dental Amalgam support for an increase of \$5,000 for Fiscal Year 2010-2011, File 11,598.

BAPPG and the project manager will determine if additional work will be necessary once the report has been submitted to the RWQCB and feedback has been received. It was requested that the ED discuss BACWA's contracting rates with Stephanie Hughes.

BOARD DISCUSSION ITEMS

The following items were presented and discussed.

For **agenda item 11** Sharon Newton presented ***San Jose's Communications Plan and Opportunities for Collaborations***. The communications plan was distributed and summarized. It was suggested that the information contained in document could be useful for all agencies and may provide a common starting point for developing their own plan. Jackie Kepke can provide the former BACWA Media Relations committee contact list to Sharon Newton so that she can investigate possible

collaboration opportunities. Sharon Newton may return to the Board with specific recommendations for how BACWA could support collaborative efforts in the future.

Cheryl Davis, the Chair of BAYWORK, and Catherine Curtis a BAYWORK Executive Committee member, presented **agenda item 12, BAYWORK: How Bay Area Utilities Are Attacking Workforce Development Challenges**. Presentation slides were distributed and reviewed. Individual member agencies have been invited to participate in the program and possible opportunities for BACWA support include becoming a signatory agency and co-sponsoring workshops. The ED will continue discussions with Cheryl Davis.

Jackie Kepke was available to answer questions about **agenda item 13, the Energy Workgroup**. The proposal from CH2M Hill and scope were included in the handout packet. The information gathering portion of scope could include surveying members using a questionnaire in addition to conducting interviews. The Board recommended that Chair approve a contract for under \$10,000, and the agreement could be amended for 25% increase during special Board meeting if necessary.

Agenda item 14, Support for Clean Water America Alliance September 2010 Dialogue, Managing One Water was not discussed due to time constraints. The ED will work with the Chair on this matter and will send follow up e-mail to Board.

For **agenda item 15, Tri-TAC's Comments on Federal Sanitary Sewer Overflow & Peak Flow Regulation Changes** a recent version of the letter was distributed and discussed. It is likely that all Summit Partner members will sign the final version. Concerns and requests for revision should be sent to Gail Chesler by close of business Friday, July 30, 2010.

A draft agenda for **agenda item 16, the Pardee Technical Seminar**, was reviewed by the ED. Recommendations from the Board included: removal of hearts, pluses and deltas discussion; scheduling a post dinner discussion on Thursday evening to finalize Friday's agenda with the RWQCB; decreasing time allotted for energy discussion; consolidation of the annual review, SWOT, and future planning/goals discussions; devoting all day on Thursday to regulatory issues; and starting at 9:00 a.m. on Wednesday.

The ED performance review could be conducted on Wednesday evening. The Board will provide recommendations for the format and process to the Chair.

The ED will send a draft Pardee agenda to the Board and committee chairs to illicit feedback.

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 **September 23, 2010, 9:00 to 12:00** at the EBMUD Plant Lab Library in Oakland.

ADJOURNMENT

The meeting adjourned at 12:00 p.m.