



MINUTES

Executive Board Meeting

Thursday, September 23, 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: Ben Horenstein, Acting Chair (East Bay Municipal Utility District); Jim Kelly (Central Contra Costa Sanitary District); Mike Connor (East Bay Dischargers Association); Rod Miller (San Francisco Public Utilities Commission); Kirsten Struve (City of San Jose).

Other Attendees: Margaret Orr (Central Contra Costa Sanitary District); Gail Chesler (Central Contra Costa Sanitary District); Karl Royer (East Bay Dischargers Association); Dave Williams (East Bay Municipal Utility District); Jen Jackson (East Bay Municipal Utility District); Jim Ervin (City of San Jose); Amanda Roa (Delta Diablo Sanitation District); Tom Hall (Eisenberg Olivieri Associates, Inc.); Monica Oakley (Oakley Water Strategies); Tom Grovhoug (Larry Walker Associates); Denise Conners (Larry Walker Associates); Jackie Kepke (CH2M Hill); Amy Chastain (BACWA); Alexandra Gunnell (BACWA); Tom Boer (Barg Coffin), Kathryn Oehlschlager (Barg Coffin)

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 BAPPG committee report was included in the handout packet and Jen Jackson provided an update on the following items:
 - H.R. 5809, the Safe Drug Disposal Act 2010 passed in U.S. House of Representatives to amend the Controlled Substances Act and allow for some instances of pharmaceutical take-back.
 - Concern has been raised about a WERF sponsored study on classifying products as dispersible and disposable. It was noted that BACWA may want to comment on the scientific validity of this research.
 - In a recent pretreatment update provided by EPA Assistant Administrator for Water Programs, Pete Silva, it was noted that Tetra Tech audits will look be looking at and encouraging the establishment of agencies' pharmaceutical collection programs. It was also mentioned that national dental pretreatment requirements may be forthcoming.
- Lab Committee representative, Nirmela Arsem briefed the Board on the National Environmental Monitoring Conference (NEMC) that she attended in August. Conference topics included technological challenges associated with beach monitoring requirements, cost accounting for environmental labs, and alternate test procedures.

EPA representatives were among the featured speakers and presentations are available on the NEMC website. It was noted that the National Environmental Laboratory Accreditation Conference (NELAC) Institute is promoting certification of utility labs and the sample collection process, both of which can be costly and labor intensive to obtain and maintain.

- The Permit committee report was included in the packet and reviewed by Committee Chair, Jim Ervin. To date, sixty-two people had registered for the RPA/Dilution workshop to be held on September 24, and it is likely that the attendance will reach full capacity for the facility. It was noted that in the future if a larger venue is needed Gail Chesler could assist with reservations at Central Contra Costa Sanitation District (CCCSD).

For **agenda item 2**, the **Proposition 50 Grant Disbursements Status Report** prepared by Brian Campbell (EBMUD) was included in the packet.

Under **agenda item 3**, The Executive Director (ED) referred to the **Executive Director Report** included in the meeting handout packet and fielded questions from meeting attendees.

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

- A summary of Central Contra Costa Sanitation District's educational program was distributed by Jim Kelly and reviewed. This topic will be added to a future board meeting agenda for discussion. Jim Kelly will send an electronic version of the summary to the ED.
- Dave Williams and Kirsten Struve attended a preliminary meeting for Aquatic Science Center (ASC) strategic plan development. This meeting was held to frame the process and prepare for the full day session that is planned for the spring of 2011. Opportunities for merging ASC and San Francisco Estuary Institute (SFEI) efforts were also discussed.
- As a follow up to discussions at the Pardee Technical Seminar held earlier this month, Ben Horenstein informed the Board that Maura Bonnarens (EBMUD) has agreed to assist with the development of an emergency response workshop or workgroup. The ED will contact her to initiate the planning process.
- The BACWA Executive Board (Board) was informed of Union Sanitary District's recent Regional Water Quality Control Board inspection, and concern was raised that agencies not attending the Collection Systems committee meetings may not be receiving valuable information to prepare them for upcoming inspections. This issue will be added to the October Board meeting agenda for further discussion with the Collections Systems Committee Chair.
- It was noted that Kirsten Struve will serve as a representative to the Regional Monitoring Program (RMP) Steering Committee, and they are still seeking a representative from a smaller agency.

The following **Chair and Executive Director Authorized Actions**, were listed under **agenda item 5**.

- a) Contract with Adammer for As Needed BACWA Website Technical Support, \$1,250; File 12,240.
- b) Purchase Order for Big Apple Catering to provide General BACWA Meeting Services;

\$1,000; File 12,241.

- c) Contract with CH2M Hill for Energy Issues Support, \$9,997; File 12,235.
- d) Contract with Patricia McGovern Engineers for SHELL Issue Paper, \$5,000; File 12,237.
- e) Authorization to utilize Oakley Water Strategies As Needed Contract for NPDES Permit Workshop support; \$6,950; File 12,162.
- f) Membership contribution to the Federal Water Quality Coalition (FWQC), \$5,000; File 12,259.

For **agenda item 5.f**, the Chair approval form was included in packet and reviewed. *A motion to endorse actions taken by the Chair and ED was made by Jim Kelly, and seconded by Rod Miller. The motion carried unanimously.*

For **agenda item 6**, the **July 2010 and August 2010 Treasurer's Reports** were included in the packet for information purposes only. It is expected that the Treasurer's Report for July – September 2010 will be generated in a new automated format for adoption at the October Board meeting. The Finance Committee requested that a meeting should be scheduled to review the new report.

CONSENT CALENDAR

*Consent calendar **agenda items 7 and 8** were approved in a motion made by Jim Kelly and seconded by Ben Horenstein. The motion carried unanimously.*

- 7. Approval of Minutes from July 29, 2010 BACWA Executive Board Meeting.
- 8. Resolution authorizing BACWA to apply to the California Department of Water Resources for Proposition 84 funding on behalf of Bay Area Integrated Water Management Plan participants; File 12,262.

Agenda item 9, a resolution adopting a vision statement for the use of wastewater as a resource for the San Francisco Bay Area, was removed from consent and may be brought back to the Board for approval after further review and revisions have been made.

BOARD DISCUSSION ITEMS

Under **agenda item 10, nutrients and ammonium** issues were discussed. As indicated in the Executive Director's Report to the Board, the ED and Mike Connor will be attending the meeting of the San Francisco Bay numeric nutrient endpoint (NNE) stakeholder advisory group, scheduled for October 4, 2010. Gail Chesler of CCCSD and Tom Hall of EOA will also be attending. Gail Chesler and Tom Grovhoug briefed the board on their attendance of the National Association of Clean Water Agencies (NACWA) Nutrient Summit held earlier this month, and recommended that BACWA continue to work with NACWA to address concerns regarding the development of nutrient discharge regulations for San Francisco Bay Area POTWs. The comment letter from Regional Water Quality Control Board Region 2 (RWQCB) to Region 5, included in the board packet, was also discussed. The ED will work with Jim Kelly, Ben Horenstein and Mike Connor to develop a comment letter from BACWA on the Tentative Order issued by the Central Valley Regional Water Quality Control Board to Sacramento Regional County Sanitation District. Monica Oakley and Tom Hall may

also be assisting. The ED will consider including on the October Board agenda, approval for BACWA to fund assistance provided by Limo Tech for this effort. It was also suggested that BACWA may want to work with SFEI to develop a biological model.

For **agenda item 11**, Jackie Kepke and the ED continue to work together to plan the **Energy Workshop** that will likely take place in early 2011. Information about the Strass Plant in Austria will be presented and suggested venues, that could accommodate at least 200 attendees, included the California Public Utilities Commission (CPUC), RWQCB, and the Woods Institute. The ED will provide updates to Margaret Orr Kirsten Struve and Ben Horenstein as the planning process continues.

The Board met in Closed Session with legal counsel to discuss potential litigation pursuant to Government Code Section 54956.9(b).

The Board reported out from closed session that no direct action related to litigation is to be taken at this time.

The next regular meeting is scheduled for **October 28, 2010**, 9:00 to 12:00 at the EBMUD Plant Lab Library in Oakland.

The meeting adjourned at 12:00 p.m.