



# Executive Board Meeting Minutes

March 20, 2015

## ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Mike Connor, Chair (East Bay Dischargers Authority); Laura Pagano (San Francisco Public Utilities Commission); Jim Ervin (San Jose); Ben Horenstein (East Bay Municipal Utility District); Tim Potter (Central Contra Costa Sanitary District).

### Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Amanda Roa	Delta Diablo
Christine Corneillie	Larry Walker Associates
Bhavani Yerrapotu	Sunnyvale
Denise Connors	Larry Walker Associates
Holly Kennedy	HDR
JB Neethling	HDR
Karin North	Palo Alto
Meg Herston	Fairfield-Suisun Sewer District
Melody La Bella	Central Contra Costa Sanitary District
Noel Enoki	San Jose
Peter Law	EBMUD
Rion Merlo	HDR
Scott Klein	EBMUD
Tricia McGovern	PME
Tom Hall	EOA
David Williams	BACWA
Sherry Hull	BACWA
Lorien Fono	BACWA

## PUBLIC COMMENT

None.

## CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER

None.

## CONSENT CALENDAR

1. February 20, 2015 BACWA Executive Board Meeting Minutes
2. January, 2015 Treasurer's Report

Prior to the vote, the AED informed the Board that there was a change to Item #3, the Board Meeting Minutes, in the final sentence under the Pretreatment Committee Report.

*Consent Calendar items 1 and 2 were approved in a motion made by Tim Potter and seconded by Laura Pagano. The motion carried unanimously.*

## REPORTS

**Committee Reports** were included in the handout packet for agenda **item 3. Pages 14-26**

Finance Committee: BACWA Treasurer, Scott Klein, along with Peter Law from EBMUD Finance Department informed the Board on fund investment alternatives available to BACWA for excess funds. It was noted that while the incremental increase in income is small, the additional risk is also small. The Board asked the ED and AED to work with the Treasurer to develop a proposal for investment of \$500,000 of BACWA reserves for 3 years.

*A motion made was by Laura Pagano and seconded by Jim Ervin to develop a proposal for investing \$500,000 of BACWA reserves for 3 years... The motion carried unanimously.*

AIR Committee: No Meeting

BAPPG: Report in Handout.

Reported on San Francisco Safe Drug Disposal Ordinance which requires manufacturers to develop and fund a take-back program. Board of Supervisors passed both readings of their pharma Ordinance unanimously.

Biosolids Committee: Report in Handout.

Collections Committee: No Meeting

InfoShare Group: Report in Handout. Both the Maintenance and Operations Group will be receiving more support from BACWA starting in FY 16.

Lab Committee: Report in Handout.

Permits Committee: Report in Handout. A date has been set to meet with the Water Board to talk about the proposed dry weather discharge prohibition modifications.

Pretreatment Committee: No Meeting

Recycled Water Committee: Report in Handout.

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. No actions were taken on the report-outs.

EBDA: The Santa Clara Water District met with WB staff to discuss recycled water alternatives and what could be done with the resultant brine. Toxicity and resource agency concerns are potential stumbling blocks for increasing recycling. An adaptive management approach is being considered.

EBMUD: Currently renewing their permit. Blending is the only significant issue in the permit. EBMUD's preference is not to be required to undertake a no feasible alternative analyses.

Central Contra Costa: Attended a meeting in D.C. regarding Flushable Wipes. The direction is to have more product labeling outreach and new guidelines. CCCSD is working with the State and Federal Contractors Water Association and other stakeholders on the future scientific studies for Suisun Bay.

San Francisco: The Oceanside permit is close to being finalized. Still dealing with the recycled water plant. The EPA proposed a tiered solution which is very complicated and they are still in negotiations.

The **Executive Director's Report** was included in the handout packet for agenda **item 5 (Page 27-34)** and most of the items are included later in today's Agenda.

It was noted that 3 action items remain incomplete from fiscal year 2013-14 and 48 of the 59 action items from fiscal year 2014-15 have been completed.

The **Regulatory Program Manager (RPM) Report under agenda item 6 (Pages 35-37)** was included in the handout packet and most items are included later in today's Agenda. LACSD was required to take first flush at 1/10" of rain in addition to dry weather flows.

**Other BACWA Representative Reports** were given an opportunity to provide updates under **agenda Item 7, Other BACWA Representative Reports**. No actions were taken based on the reports.

- a. RMP-TRC: Rod Miller – The NTW meeting is scheduled for April 22, 2015 which conflicts with the Special Board Meeting on Nutrient Strategy. The Special Board Meeting will be rescheduled.
- b. RMP Steering Committee: Karin North; Jim Ervin – No report.
- c. Summit Partners: Dave Williams – At the last meeting a strategy session was held. . Two key outcomes: 1) it remains beneficial to meet periodically with the leadership of the various organizations that impact the wastewater community; and 2) the Summit Partners will reduce their meetings to twice per year however the Executive Directors of the 5 organizations will participate in bi-monthly coordination meetings via conference call.
- d. ASC/SFEI: Laura Pagano; Dave Williams – There are discussions on how best to expand the Board and maintain a balanced representation of managers, dischargers, scientists, and environmental groups. Also discussing term limits for Board members. The current chair will be stepping down so a new chair will be voted on by the Board.
- e. Nutrient Governance Steering Committee: Ben Horenstein; Jim Ervin – No report.
- f. SWRCB Nutrient SAG: Dave Williams – No report.
- g. SWRCB Focus Group – Bacterial Objectives: Lorien Fono; Amy Chastain – No report.

- h. SWRCB Focus Group – Mercury Amendments to the State Plan: Tim Potter – A meeting is planned and will reconvene the POTW Group. Tim will participate to monitor.
- i. Nutrient Technical Workgroup – Eric Dunlavey – No report.
- j. NACWA Taskforce on Dental Amalgam – Tim Potter – No response to Comment submitted. Will be on the NACWA Agenda in May.

#### **OTHER BUSINESS**

Agenda **Item 8** –Board Approval of Change of Start Date for CSUS-CCP Agreement (Page 46-51). The Executive Director summarized the history. Funds will be deducted from the FY16 Permit requirement for an \$880k contribution to support scientific studies.

*Agenda Item 8 was approved in a motion made by Jim Ervin and seconded by Tim Potter. The motion carried unanimously.*

Agenda **Item 9** –Board Approval of Amendment to Agreement with Whitley Burchett for Recycled Water Committee Projects (Pages 52-56). The request is for \$14,000 to pull together the Proposal and update the Recycled Water Survey to prepare for FY16.

*Agenda Item 8 was approved in a motion made by Laura Pagano and seconded by Tim Potter. The motion carried unanimously.*

Agenda **Item 10** –Discussion: FY16 Final Draft Budget (Pages 57-59). The Executive Director reviewed the changes since the last Board Meeting and clarified the Actuals for 2015 Tech Support line item.

Agenda **Item 11** –Discussion- BACWA Annual Report FY13 &FY14 – Receipt by Board (Pages 60-68). The BACWA JPA requires an Annual Report to Principles. It was asked if accomplishments could be grouped for better visibility. In the future the Annual Report will be distributed before the Annual Meeting.

*Agenda Item 8 was approved in a motion made by Ben Horenstein and seconded by Jim Ervin. The motion carried unanimously.*

Agenda **Item 12** –Presentation – Laboratory Committee Chair, Noel Enoki provided the Board with a short report on his attendance at PittCon 2015. The highlights were that there were approximately 900 vendors in attendance with 1600 booths and 2,000 presentations. The staff overseeing the update of Standards Methods are looking for recruits to update the manual. Noel will take that to the Lab Committee.

Agenda **Item 13** – Discussion – IRWMP/Prop84 Round 3 (Pages 69-81). The DWR released draft guidance for applying for 2015 grants. At this time the requests are not drought specific. The proposed projects for the Bay Area Nutrient proposal were discussed. The Chair suggested adding nutrient optimization through an auction. It was agreed that BACWA would keep all projects from last year; incorporate recycling into the proposal; and keep optimization in play.

The Board asked the ED to contract with Brian Campbell for IRWM proposal development assistance.

Agenda **Item 14** – Discussion – Report out from Joint Meeting with Water Board (Pages 82-87).

- a. Toxicity – The RPM reported no change. They continue to improve the database.
- b. Recycled Water Permitting – There continues to be discussion on the ability to use the Region 2 permitting 96-011 for new projects. Based on feedback to date the WB is inclined to require use of the new state permitting approach for any new recycled water projects..
- c. SSO Enforcement Options – After getting an initial favorable reaction from WB staff, the decision came back that the enforcement approach proposed by BACWA would not be acceptable.

Agenda **Item 15** - Discussion – Nutrients

a) Technical Work

i) Assessment Framework – this will be discussed at the Nutrient Technical Workgroup meeting on April 22<sup>nd</sup>.

ii) LSB POTW Report Out on Technical Needs – Still many open questions: What scientific information is needed? How will focusing on the LSB impact future permit conditions? What will be the predictability of the model? How is the information being communicated to other BACWA agencies? Will there be one voice and a big strategic approach or will individual agencies try to negotiate themselves? Where does each agency stand? Where should there be pushback? Should a BACWA position be developed? Is there a difference between the principles' position vs. the other agencies? It was noted that the Water Board does not advocate premature action. What are the options; where is BACWA on no net loading; what is the value of healthy Bay information? What does BACWA offer; what is the national baseline for shallows; is the data there to support NNL in the Bay; is it there to support NNL in the South Bay? The sense is that the Water Board has already arrived at a decision.

Does the solution help? The Water Board will want to show containment or progress. Which will depend on the scientific community. Can loads be increased? Can the Water Board justify no net increase in loading? Are there impairment signs in the Bay? What organisms are we trying to protect.

Issues for the Science Plan: no timeline; no total budget, priorities, objectives. Does stopping nutrients stop growth? If so, immediately? Do they regenerate? The Plan must provide consequences for the Water Board to consider: how much money, what does it accomplish? Are the DO standards correct? Should an adaptive management approach be considered? What about developing a trading framework/concept?

Should the issue be reframed: develop and begin saving for implementing a long term regional optimum wastewater management plan. Should the future include direct potable reuse?

Long term benefits: wetland treatment; CEC removal; nutrient trading, resource recovery, energy.

These are issues that should be discussed at the Special Board meeting on nutrients. Should the scope of that meeting include a special study of beneficial uses?

b) Regulatory

i) Consultant Team Update: They now have full participation in the Data Collection. Next step is site visits beginning the first week of April and continuing into September, 2015 which will include: sidestream treatment status; a focus on individual plants; plus how to address capacity impacts of optimization for nutrient reduction and definition of low and medium costs. The budget continues to be on track. The Scope and Evaluation Plan was approved by the Water Board on February 17, 2015. A question that remains is will the cost of no net loading be pulled together from the study? It was agreed to request the consultant team to provide the overall cost if no net loading is implemented.

ii) Permitting Options: will be discussed at the Special Board meeting.

c) Governance Structure

(1) Program Coordinator Update – there is money in the 5-year plan to help support a Nutrient Program Coordinator should the Steering Committee wish to pursue.

Agenda **item 16** – Discussion: PCB Petition (Pages 88-100). – Nothing has changed – continue to keep in abeyance.

Agenda **item 17** – Discussion: Bay Planning Coalition (Page 101) – BACWA has partnered with BPC on past times of mutual interest. They would like to list BACWA as a member and in-kind sponsor. The consensus is to say yes.

Agenda **item 18** – Discussion: Risk Reduction (Pages 102-110) – RPM. – A copy of the RFP is in the Handout. The Board agreed that it should be posted.

Agenda **item 19** – Discussion: Update on BACWA Website Development. AED and RPM gave a short online overview of the most recent changes. When the final adjustments are made by the developers, a link will be sent to the Board prior to publishing.

Agenda **item 20** – Discussion: Water GAP Analysis/Climate Change (Pages 111-123). RPM – The RPM will draft a comment letter.

Agenda **item 21** – Discussion: Reminder of Requirements for Training & Filings (Page 124). AED

reminded the Board that the California Fair Political Practices Commission (FPPC) requires that all designees submit a copy to BACWA annually of their Statement of Economic Interests (California Form 700) with a wet signature, prior to the April 1<sup>st</sup> deadline. Designees are also required to submit the Statement of Economic Interests within 30 days of assuming office and leaving office.

Additionally a biennial, 2-hour Ethics Training course is mandatory for all Designees.

**SUGGESTIONS FOR FUTURE AGENDA ITEMS:**

None

The meeting adjourned at 12:40 pm

The next regular meeting of the Board is scheduled for **April 17, 2015** from 9:00 am – 12:30 pm at the **SFPUC, Hetch Hetchy Room, 13<sup>th</sup> Floor, 525 Golden Gate Ave., San Francisco, CA.**