



Executive Board Meeting Minutes

March 18, 2016

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Laura Pagano (San Francisco Public Utilities Commission); Jim Ervin (San Jose); Mike Connor (East Bay Dischargers Authority); Vince De Lange (East Bay Municipal Utility District); Lori Schectel (Central Contra Costa Sanitary District).

Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Heidi Sanborn	CPSC
Holly Kennedy	HDR
Jim Graydon	Brown & Caldwell
Karin North	Palo Alto
Melody La Bella	CCCSD
Tom Hall	EOA
Jean-Marc Petit	CCCSD
Nirmela Arsem	EBMUD
David Williams	BACWA
Lorien Fono	BACWA
Sherry Hull	BACWA

PUBLIC COMMENT

None.

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER

The Chair noted that Mike Connor of EBDA has been recognized for the Oro Loma Horizontal Levy Project. Mike was honored along with Jeremy Lowe, Peter Baye. He also mentioned the work of Save the Bay, and especially Jason Warner of Oro Loma for building the infrastructure needed to support the project. EBDA will brief the local congressional members on the project in May 2016.

CONSENT CALENDAR

1. February 19, BACWA Executive Board Meeting Minutes
2. January 2016 Treasurer's Reports

Consent Calendar items 1 and 2 were approved in a motion made by Mike Connor and seconded by Jim Ervin. The motion carried unanimously.

A Board Member asked that a Summary of the Financial Reports be included in the Handout in the future.

OTHER BUSINESS-POLICY/STRATEGIC

Agenda Item 3 – Discussion: Nutrients

a. Regulatory

- i. HDR Quarterly Update – Notes from the March 10, 2016 CMG Meeting were included in the Handout on Pages 16-19. HDR gave an update to the Board showing the schedule along with progress on invoicing against the budget which is well below what was predicted at this point. They noted that finding the line between Optimization and Upgrade is difficult and Optimization is appearing to be not inexpensive. A very preliminary view of the content of the draft reports was provided. Since the last report HDR has created an approach for presenting optimization alternatives and costs in facility reports. There was a discussion about how to present costs, and in what level of detail, and whether costs should be benchmarked against those in other regions, for example, Chesapeake Bay. They have also set a baseline for their no increase in net loading analysis. They have prepared a preliminary draft of the first plant report which will include multiple strategies, facility needs, and estimated costs, which still needs to be vetted by the agency. Next step is to complete Wave 1 Plants and receive comments before moving onto Wave 2 Plants and additional data requests.
- ii. Nutrient Strategy Team Meeting – The Executive Director gave an overview of the first Nutrient Strategy Team meeting, and provided a presentation on the issues the wastewater community will need to address when considering the next Watershed Permit. Ideas that were discussed included a permit reopener with a higher level of funding for scientific studies, early actions to remove nutrients Regional Planning, and any other offers in lieu of the no increase in net loading that the Regional Water Board is planning for the next permit reissuance. It was suggested that BACWA send out a survey to its members to determine their preferences with regard to negotiating the next permit, and the possibility of reopening the permit to extend the end date.
- iii. Updated Calendar of Activities – A Schedule of Activities to meet Watershed Permit Requirements for Studies was included in the Handout on Page 20. The Regulatory Program Manager reviewed the calendar. A request for information on Capital Improvement Plans and recycled water will be distributed with the facilities reports, and a member's workshop is then planned for the summer to discuss the parameters used for the facility reports. Facility reports will be circulated to all agencies for review and sign-off and a progress report is due to the Water Board on July 1st, 2016. The 2016 Annual Report is due on October 1st, 2016. The final report on Optimization/Upgrade Studies is expected in early 2017, well before the Watershed Permit deadline of July 2018.

b. Technical Work

- i. Technical Review of Nutrient Documents – An email regarding access to raw data and the Review of Technical Documents RFP were included in the Handout on Pages

21-36. The Executive Director requested that the Board members identify a selection committee. Review of proposals and interviews are scheduled for the week of March 28th. Based on Board input, the selection committee will consist of Vince De Lange of EBMUD, Jim Ervin of San Jose, and Laura Pagano of SFPUC.

c. Governance Structure -

- i. Debrief on Planning Subcommittee Meeting #17 – A Meeting Summary of Planning Subcommittee Meeting #17 was included in the Handout on Pages 37-43.
- ii. Debrief on Steering Committee #8 – The Agenda for the March 11, 2016 meeting and the Program Coordination FY16-17 Workplan was included on Pages 44-64 along with a [link](#) to the NMS Meeting materials. EBMUD staff are working on a proposal to EPA to supplement funding to the NMS. The Steering Committee accepted the BACWA proposal to fund the NMS Program Coordinator. The Executive Director referred to the Org Chart on Page 50. Continuation of the program will be reviewed after the first year and will depend on an adequate return on the investment achieved during the one year pilot effort.. The Peer Review beginning on Page 58 was highlighted with an emphasis on #'s 2 and 15.
- iii. NMS Calendar – The Nutrient Management Strategy Calendar from March 2016 through March 2017 was included in the Handout on Pages 65-68. The Executive Director gave an overview of the calendar.

Agenda Item 4 – Discussion: Joint Water Board Meeting Debrief – Minutes from the February 29, 2016 Joint Water Board Meeting was included in the Handout on Pages 69-71. The Regulatory Program Manager gave an overview of the minutes. It was noted that comments on the Assessment Framework report will be posted on the Regional Water Board's website. The Water Board will look into getting BACWA access to the raw scientific data used in the report and manuscript.

Agenda Item 5 – Discussion: SSO White Paper – An email on the Status Update on UC Berkeley Wheeler Institute Citizen Suit Report was included in the Handout on Pages 72-73, along with a [link](#) to the SSO White Paper Draft. BACWA will make the final report available on its website.

Agenda Item 6 – Discussion: Microplastics Update – An article and two emails on microplastics were included in the Handout on Pages 74-78, along with a [link](#) to a paper on Transport & Fate of Microplastic Particles in Wastewater Treatment Plants. The Chair will reply to Clean Water Acton regarding the development of a project framework for Reducing Microplastics in the SF Bay Draft Concept prior to the EPA's RFP in April. Karin North will include the draft concept for a grant proposal on source reduction in the BAPPG Committee Agenda for its next meeting in April. EBMUD gave an update on its work on microplastics. They have researched sampling options, collected samples, verified the method and noted that the method needs to be changed, since the digestion step does not appear to break down natural fibers such as hair and toilet paper. They compared the samples after digestion to source samples and noted that

there is a resemblance to toilet paper fibers. Their first conclusions are 1) 24-hour sampling is possible; 2) more aggressive digestion is needed; and 3) Ramans Spectroscopy is best for positive identification of plastic particles versus natural fibers, but it is very expensive. The Board extended thanks to EBMUD for pulling so many agencies together to accomplish this work. SFEI will be sponsoring a microplastics workshop on June 29th to develop the RMP's microplastic monitoring and science strategy, and the ED will request that a representative of the BACWA workgroup be on the agenda.

Agenda Item 7 – Discussion: Vacaville Dues – An explanation of the City of Vacaville's request to become a BACWA member, along with a copy of the relevant BACWA Policy was included in the Handout on Pages 79-81. The Executive Director noted that the Agency has chosen to withdraw their request to become a BACWA member. This brings up the question of policy on BACWA membership for out-of-Region agencies. The Executive Director will bring a proposed policy to the Board.

OTHER BUSINESS-OPERATIONAL

Agenda Item 8 – Presentation: CPSC Update – Heidi Sanborn thanked BACWA for support from the wastewater community in the Bay Area. There have been major successes internationally in the transition to a “circular economy” of producer responsibility for waste products, with Mexico offering a model of a successful producer-funded pharmaceutical disposal program. CPSC is working to further the concept in the U.S. and has developed the National Stewardship Action Council in order to advocate for a regulatory pathway for these initiatives. CPSC sees the Bay Area as ground zero in the fight for safe disposal of medications and sharps. Alameda County was the first in the nation to implement a take-back ordinance in 2012. Multiple communities in the Bay Area have either passed or are attempting to pass ordinances requiring manufacturers of medications to help expand options for free, safe disposal of medication in those communities. Los Angeles County in California and Cook County in Illinois, representing more than 15 million residents, are considering ordinances that establish sustainably financed medication take-back programs. Los Angeles is also including needles. The recent concerns with opioid poisonings is adding fuel to the discussions. The Board inquired what Kaiser's position is since many wastewater facility employees are insured with Kaiser. Heidi noted that it is difficult in the absence of an ordinance removing liability for having disposal units on their property for any organization to move forward with implementation. She encouraged everyone to do what they can to drive local policy. BAPPG will work on a Comment Letter for BACWA in opposition to AB 45, which transfers responsibility to Cities for picking up pharmaceuticals as household hazardous waste.

Agenda Item 9 – Discussion: FY17 Budget Planning – An updated FY 2017 Draft Budget was included in the Handout on Pages 82-84. The Executive Director noted some minor changes since the last draft and noted that a final budget will be presented to the Board for approval at

the April meeting. He then asked the Board for direction on three options the AIR Committee is considering in FY17: 1) the Committee would go back to being a Special Program and BACWA would only provide invoicing services to the Committee; 2) the Committee and BACWA will continue with the three year phase in; or 3) the Committee will become a full BACWA Committee in FY17 and BACWA will forgo the funds from Committee members. The Board indicated they would prefer for the Committee to become a full BACWA Committee in FY17. The Executive Director will inform the Committee Chair of the preference and will update the Budget to reflect the change.

Agenda **Item 10** – Discussion: Bay Area Regional Reliability Task Force – A letter from BACWA of acceptance to participate in the Drought Task Force was included in the Handout on Page 85.

Mike Connor moved that Roger Bailey be appointed the BACWA Representative to the Drought Task Force with himself as alternate. Vince De Lange seconded the motion and the motion carried unanimously.

Agenda **Item 11** – Discussion: CEC Comment Letter – A BACWA Comment Letter was included in the Handout on Pages 86-88. There was a discussion about State Water Boards staff's misunderstanding about how their proposed Pilot Monitoring Project would be funded. They intend to attend the April 15 RMP meeting on CECs to better understand the San Francisco Bay Area CECs program.

Agenda **Item 12** – Discussion: Drought/Recycling -

- a. Prop 1 update – The Regulatory Program Manager gave an update on the Prop 1 Grant. The Regulatory Program Manager noted that the kickoff meeting will be on Tuesday, March 22, 2016. There was a discussion about Santa Clara Valley Water District's role in the proposal, and that they are planning to fund similar work.

Agenda **Item 13** – Discussion: Alternative Monitoring Program – A BACWA Comment Letter was included in the Handout on Pages 89-92 along with a [link](#) to the Regional Water Board's Order No.R2-2016-0008. It was noted that the Regional Water Board staff supported position.

Agenda **Item 14** – Discussion: Administration of Prop 84 Grant – A string of emails regarding the Administration of the Prop 84 Grant were included in the Handout on Pages 93-95. The Executive Director summarized the status of the Prop 84 Grant. He asked for Board direction on the proposal to move the administration of the grant from EBMUD and BACWA to ABAG. This is a no-cost proposal.

Mike Connor moved that BACWA approve the move of administration of the grant from EBMUD and BACWA to ABAG. The motion was seconded by Vince De Lange. The motion carried unanimously.

REPORTS

Agenda **Item 15** – Committee Report – BACWA Committee Reports were included in the Handout on Pages 95-115.

AIR Committee: A report from the March 9, 2016 meeting was included in the Handout on Page 96.

BAPPG: A flyer announcing the next BAPPG meeting was included in the Handout on Page 97. An invitation to the next BAPPG meeting was extended to the Permits and Lab Committees. The Regulatory Program Manager indicated that she would include the meeting flyer in the next BACWA Bulletin.

Biosolids Committee: No meeting.

Collections Committee: A report from the March 10, 2016 meeting was included in the Handout on Pages 98-99.

Asset Management InfoShare Group: No meeting.

Lab Committee: A report from the March 9, 2016 meeting was included in the Handout on Page 100.

Operations and Maintenance InfoShare Group: A report from the February 24, 2016 meeting was included in the Handout on Page 101.

Permits Committee: A report from the March 8, 2016 meeting was included in the Handout on Pages 102-103.

Pretreatment Committee: No meeting.

Recycled Water Committee: A report from the March 2, 2016 meeting was included in the Handout on Pages 104-105.

Agenda **Item 16** - Discussion: Member Highlights - Executive Board Representatives (Board) were given an opportunity to provide updates from each of the Principal agencies. 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: No comments.

EBMUD: No comments.

Central Contra Costa: The agency's Board authorized the General Manager and Staff to establish an agreement to develop a satellite treatment plant producing recycled water for irrigation at a Country Club golf course. It was suggested that CCCSD might hold a workshop to help other agencies proceed with similar projects. It was also noted that customers may have a problem with agencies providing recycled water in similar exclusive agreements with golf courses, and that golf course irrigation may not be the highest use for the water. However, in this case, the cost will be covered by the Country Club and not CCCSD.

San Francisco: SFPUC received an EPA 308 letter Request for Information related to flooding concerns.

San Jose: San Jose will have their Compliance Evaluation Inspection on Thursday March 24. They were given a 4-page checklist of items to look for.

Palo Alto: Integrated Regional Planning – Pilot Program, already funding a portion. It was suggested that BACWA request that a representative of the Water District be asked to give a presentation to BACWA on their plans to increase recycled water and lead the planning effort in the Lower South Bay.

DSRSD: No comments.

Petaluma: No comments.

Agenda **Item 17** - The **Executive Director's Report**, along with the Board Calendar, BACWA Action Items, were included in the Handout on Pages 106-115.

It was noted that 54 of the 55 action items from FY16 have been completed.

Agenda **Item 18** - The **Regulatory Program Manager (RPM) Report** was included in the Handout on Pages 116-117.

Agenda Item 19 - Other BACWA Representative Reports – BACWA Representative were given an opportunity to provide updates. No actions were taken based on the reports.

- a. RMP-TRC: Rod Miller; Laura Pagano – No report.
- b. RMP Steering Committee: Karin North; Jim Ervin – No report
- c. **Summit Partners: Dave Williams** – An email regarding the April 4 Clean Water Summit Meeting was included in the Handout on Page 118. The Executive Director asked the Board to send any ideas for the Agenda to him.
- d. **ASC/SFEI: Laura Pagano; Dave Williams** – A [link](#) to the Agenda and Draft Minutes of the March 11, 2016 ASC/SFEI Joint Board meeting was included in the Handout. No report.
- e. Nutrient Governance Steering Committee: Ben Horenstein; Jim Ervin – No report.
- f. **SWRCB Nutrient SAG: Dave Williams** – An email regarding the CASA Nutrient Workgroup Meeting Summary / Next Steps was included in the Handout on Pages 119-120. The State Water Board intends to pursue a statewide narrative objective (for wadeable streams) with numeric translators, and with a preferred program of implementation that promotes a coordinated watershed management approach.
- g. SWRCB Focus Group – Bacterial Objectives: Lorien Fono; Amy Chastain – No report.
- h. SWRCB Focus Group – Mercury Amendments to the State Plan: Tim Potter – No report.
- i. Nutrient Technical Workgroup: Eric Dunlavey – No report.
- j. NACWA Taskforce on Dental Amalgam: Tim Potter – No report.
- k. BAIRWMP: Cheryl Munoz, Linda Hu, Dave Williams – No report.
- l. NACWA Emerging Contaminants: Karin North, Melody La Bella – No report.
- m. CASA Statewide Pesticide Steering Committee: Melody La Bella – No report.
- n. **CASA State Legislative Committee: Lori Schectel** – Hertzberg Bill – CASA is still opposing the bill that requires POTWs to move to zero Ocean Discharge and full water recycling.

Senator Herzberg has indicated he no longer wants to meet with CASA on further amendments.

- o. **CASA Regulatory Workgroup** – The CASA Regulatory Workgroup Water Committee chair provided an Agenda from the March 10, 2016 CASA – EPA Joint Collaboration Meeting, which was included in the Handout on Page 121. One major topic for future meetings is whole effluent toxicity regulation. EPA has provided their final comments to the State Water Board on their Toxicity Plan. EPA discussed their headquarters’ push on nutrients and possible opportunities for funding. They are also interested in consistency in mixing zones, and eliminating barriers to innovation.
- p. **RMP Microplastics Liaison: Nirmela Arsem** – No report.
- q. **ReNUWIt: Mike Connor; Ben Horenstein** – No report.
- r. **AWT Certification Committee: Maura Bonnarens** – No report.
- s. **Bay Area Regional Reliability Project: Mike Connor; Roger Bailey** – No report.

SUGGESTIONS FOR FUTURE AGENDA ITEMS: None.

ANNOUNCEMENTS:

The next regular meeting of the Board is scheduled for **April 15, 2016 from 9:00 am – 12:30 pm** at the **SFPUC, Hetch Hetchy Room, 13th Floor, 525 Golden Gate Ave, San Francisco, CA.**

The meeting adjourned at 12.58 pm.