



Executive Board Meeting Minutes

May 20, 2016

ROLL CALL AND INTRODUCTIONS

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

Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Alicia Chakrabarti	EBMUD
Amanda Roa	Delta Diablo
Denise Connors	LWA
Greg Baatrup	FSSD
Holly Kennedy	HDR
Kelly Moran	TDC Environmental
Lori Schectel	CCCSD
Melody LaBella	CCCSD
Nirmela Arsem	EBMUD
Sarah Deslauriers	Corollo
Tom Hall	EOA
Meg Herston	FSSD
Mary Lou Esparza	CCCSD
Karri Ving	SFPUC
Mallika Ramanathan	Brown & Caldwell
David Williams	BACWA
Lorien Fono	BACWA
Sherry Hull	BACWA

PUBLIC COMMENT

None.

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER

Items **13, 16** and **26.s** were taken out of order.

CONSENT CALENDAR

1. April 15, 2016, BACWA Executive Board Meeting Minutes –The approved minutes will be placed on the BACWA website.

2. March, 2016 Treasurer’s Reports and Financial Summary – The Executive Director noted that there are changes to the Financial Summary Report that were included in the Handout on **Pages 11-21**. A copy of the FY16 Budget as of March 31, 2016 (75% of the fiscal year) was included. It,

along with the Summary, provides the Board with a concise overview of the Fund Balances and the current status of the Annual Budget and points out any variances in the budget to date. The Board expressed its thanks for the Summary.

Consent Calendar items 1 and 2 were approved in a motion made by Roger Bailey and seconded by Michael Connor. The motion carried unanimously.

AUTHORIZATIONS & APPROVALS

3. Approval: BACWA Chair & Vice-Chair Nomination & Election – A Board Action Request was included in the Handout on **Page 22**. Section 7 of the Joint Powers Agreement establishing BACWA states that the agency shall designate a Chair and Vice Chair, chosen by the Executive Board, from the members of the Executive Board. These positions each have a one year term that coincides with BACWA’s fiscal year. Historically, most BACWA Chairs and Vice Chairs are asked to serve for two consecutive terms. In FY16, Laura Pagano served as Chair and Jim Ervin served as Vice-Chair. This one year term ends on June 30, 2016.

In a motion made by Ben Horenstein and seconded by Jim Ervin, Laura Pagano was nominated to continue as Chair for the term beginning July 1, 2016. The motion carried unanimously.

In a motion made by Roger Bailey and seconded by Michael Connor, Jim Ervin was nominated to continue as Vice-Chair for the term beginning July 1, 2016. The motion carried unanimously.

4. Approval: FY17 BACWA Succession Plan – A Board Action Request and the FY17 BACWA Succession Plan were included in the Handout on **Pages 23-26**. The Executive Director gave an overview of the proposed changes to the BACWA Leadership for FY17 and pointed out which Leaders represent the Principal Members. A correction was made to the Succession Plan.

Item 4, following the correction, was approved in a motion made by Michael Connor and seconded by Roger Bailey. The motion carried unanimously.

5. Approval: FY17 Agreements – Amendments – A Board Action Request and Amendments were included in the Handout on **Pages 27-29**. The Executive Director noted that the amendments extend the expiration date of both the Executive Director and the Assistant Executive Director Agreements to June 30, 2017 and amend the amounts as approved in the FY17 BACWA Budget approved April 15, 2016.

- a. DRW Engineering - Executive Director Amendment
- b. Sherry Hull - Assistant Executive Director Amendment

Item 5 was approved in a motion made by Roger Bailey and seconded by Jim Ervin. The motion carried unanimously.

6. Approval: FY17 Lorien Fono - Regulatory Program Manager Agreement – A Board Action Request and Agreement were included in the Handout on **Pages 30-33**. The Executive Director noted that BACWA submitted a Request for Proposals and Ms. Fono was chosen by the selection committee.

A motion to approve the item was made by Michael Connor and seconded by Jim Ervin. A motion to modify the motion to provide the Executive Director with discretion to increase the Not to Exceed amount by a maximum of 10% was made by Ben Horenstein. The modification was accepted.

Item 6, as modified, was approved in a motion made by Michael Connor and seconded by Jim Ervin. The motion carried unanimously.

7. Approval: Amendment No. 2 to Optimization/Upgrade Studies – A Board Action Request and Amendment were included in the Handout on **Pages 34-35**. The Executive Director gave an overview of the request. Prior to a motion, a Board member requested that the Item be postponed until after Agenda Item 9.

Following Item 9, Item 7 was approved in a motion made by Michael Connor and seconded by Jim Ervin. The motion carried unanimously.

8. Authorizations: Notice to the Board of Executive Director Authorizations – Executive Director Authorizations made since the last Board meeting were included in the Handout on **Pages 36-44**. The Executive Director noted that the amendments extend the expiration date of three Agreements to June 30, 2017 and amend the amounts as in the FY17 BACWA Budget approved April 15, 2016.

- a. FY 17 Downey Brand Amendment – Regulatory Legal Support
- b. FY17 Day Carter Murphy Amendment – Executive Board Legal Support
- c. FY17 Cayuga Information Systems – IT Support

OTHER BUSINESS-POLICY/STRATEGIC

Agenda **Item 9** – Discussion: Nutrients

- a. Regulatory
 - i. Opt/Upgrade Wave 1 Reports – The first wave of reports will be coming out at the end of June. A tentative schedule for delivery of the Draft Facility Reports was included in the Handout on **Page 45**. HDR gave a presentation on what the reports will contain, emphasizing that the information in the presentation is still in draft form. A Board member suggested adding the City of Benicia to the case studies. Also the Board requested that average flow, not permitted flow be used in calculating unit costs for the studies.

- ii. Opt/Upgrade Workshop – BACWA plans to hold a workshop in the summer of 2016 to assist members’ understanding of the reports. A Draft Agenda of the Workshop was included in the Handout on **Pages 46-47**. Following an overview, the Executive Director requested input from the Board on the Agenda. Board members suggested inviting only BACWA members to the first meeting and rescheduling inclusion of the Regional Water Board staff to a second workshop. The Executive Director will continue to work on scheduling the first workshop.
 - iii. Recycled Water/Capital Improvement Plan Survey – A copy of the BACWA Recycled Water Survey 2015, along with survey instructions and definitions, was included in the Handout on **Pages 48-50**.
- b. Technical Work
- i. Update on Document Review – An Agenda for the Assessment Framework Conference Call #1 was included in the Handout on **Page 51** along with a [Link](#) to a Low Cost Retrofit for Nitrogen Removal at Wastewater Treatment Plants in the Upper Long Island Sound Watershed. The Executive Director gave an overview of the consultant’s comments on strengths and weaknesses of the documents. The Board discussed several approaches to utilizing the information and asked the Executive Director to request a technically-focused analysis from the consultant that will be delivered to Regional Water Board staff.
 - ii. Lower South Bay Synthesis – A [Link](#) to the SFEI/ASC Lower South Bay Synthesis Report was included in the Handout.
- c. Governance Structure -
- i. Planning Subcommittee #19 Debrief – A Meeting Summary from the PS Meeting #19 on May 4, 2016, along with a Draft Agenda for the next NMS Steering Committee Meeting on June 10, 2016 and a Planning Budget for FY17, was included in the Handout on **Pages 52-61**. The Executive Director noted the highlights: The WB reported that they had discussed the concept of increased funding for the science with EPA who was open to further discussion on this approach; The Science Manager/Program Coordinator discussed the search for additional funding.
 - ii. Steering Committee Meeting No. 9 – The Agenda for the NMS Steering Committee Meeting on June 10, 2016 was included in the Handout on **Pages 62-63**.

Agenda **Item 10** – Discussion: Water Board Joint Meeting Debrief – Meeting Minutes from the May 3, 2016 Joint Meeting with the Water Board was included in the Handout on **Page 64-66**.

Agenda **Item 11** – Discussion: Biosolids Survey & Literature Review – A request from the BACWA Biosolids Committee was included in the Handout on **Page 67**. The Committee is requesting support and partial funding for a 2016 Biosolids Trend Survey. The survey results would be compiled under the direction of the Committee, with consultant support estimated at \$10,000. The Chair of the BACWA Biosolids Committee discussed the differences between the Southern California and Bay Area biosolids market and the benefits that would be derived from a survey of BACWA members. Additionally a member of the Committee requested a one-time

funding of \$20,000 for the development of Literature Review to look at alternatives for biosolids reuse when alternative daily cover at landfills are phased out. The benefit to the literature review would be to have all research in one place and provide a pool of academic resources.

*A motion was made by Michael Connor, and seconded by Lori Schectel, to approve the funding of \$10,000 for the Biosolids Survey. The **motion carried** with four yes votes and one no vote.*

Prior to considering the survey, it was suggested that it would be good to develop a measure that would provide feedback to the Board on the value of the survey to the membership. Perhaps monitoring the hits on the BACWA web site for accessing the data once posted. The Board expressed general support for the Literature Review request, but asked the Committee to return with more information on alternatives and the possibility of obtaining matching funds given that the information will be useful beyond just the Bay Area. Also the Board asked the Committee to strategize on how to address near term threats such as the CARB proposal to remove all organics, which includes biosolids, from landfills.

Agenda **Item 12** – Discussion: CV SALTS Bay Area Brine Disposal – A [Link](#) to the CV-SALTS Annual Report dated January 20, 2015 was included in the Handout. The Executive Director noted that it was brought to the Board’s attention by a member whose intent was to find out if anyone knows more about it as she was surprised to see brine lines to the Bay Area included in a slide presented by Scott Couch from DDW (SWRCB) at the WaterReuse CA Conference in March. It was noted that this issue is a very long term concern.

OTHER BUSINESS-OPERATIONAL

Agenda **Item 13** – Discussion: Semi-annual Update on CWCCG – Sarah Deslauriers gave a presentation to update the Board on CWCCG activities over the last six months. CWCCG expects to see a Scoping Plan update by sector in late 2016 or early 2017. It has been delayed waiting for the release of the Short Lived Climate Pollutants Plan. Organics are required to be eliminated from landfill by 2025, and existing POTW digester capacity is being looked at as a management alternative. CWCCG will be contacting agencies about a survey on liquid treatment trains to help educate CARB about which processes may be a major source of nitrous oxide. A copy of the presentation can be found on the BACWA website at <http://bacwa.org/document/cwccg-update-bacwa-5-20-16/>.

Agenda **Item 14** – Discussion: Drought/Recycling –

- a. Prop 1 Proposal – The Proposition 1 Recycled Water Research Proposal Concept was included in the Handout on **Page 68**. It discusses possible topics for a proposal to submit to the State Water Board for Proposition 1 funding for recycled water research. BACWA staff have also discussed project ideas with the San Francisco Estuary Institute and

Regional Water Board Staff. ReNUWIt has been working on CECs in the Oro Loma Ecotone Project and may take part in this proposal. The Concept involves the use of marshlands to treat reverse osmosis concentrate. Regional Water Quality Control Board staff are working to set up a meeting with State Water Board staff to discuss the proposal. BACWA and partners will deliver a 1-page description on proposal concept, to be refined after discussions with ReNUWIt. The City of San Jose asked to be included.

- b. State General Order - Mandatory enrollment of 96-011– A comment letter to the SWRCB from BACWA on the Proposed General Order on Recycled Water was included in the Handout on **Pages 69-71**.
- c. CCMP Draft Actions – A copy of CCMP Action 22 was included in the Handout on **Page 72**.

Agenda **Item 15** – Discussion: Bay Planning Coalition Summit – A [Link](#) to materials on the Bay Planning Coalition Summit from May 6, 2016 was included in the Handout.

Agenda **Item 16** – Discussion: Pesticides Update – A Pesticide Regulatory Update flyer was included in the Handout on **Pages 73-74**. Kelly Moran from TDC Environmental gave an update to the Board on her work on pesticides. She noted that State Law prohibits local regulation of pesticides, so that POTWs cannot address them in their pollution prevention efforts. BACWA’s work advocating to Department of Pesticide Regulation (DPR) is paying off. DPR hired two wastewater experts to join their staff. As a result the DPR is, for the first time, rejecting new pesticides using water quality concerns as a basis. There is promise in discussions with the EPA, which has not previously considered POTWs as a route for pesticides to surface waters. They are still using the discharge model but are working on moving to the conceptual model. The EPA has better authority than DPR over consumer products and reviews pesticides only every 15 years. The vision is to move pesticide pollution control upstream from the Clean Water Act (CWA) to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). But data is essential to continue this approach, which is why POTW engagement is critical. The Pesticide presentation can be seen on the BACWA website at <http://bacwa.org/document/pesticide-update-bacwa-5-20-16/>.

Agenda **Item 17** – Discussion: Microplastics – The Board received an update on the progress in studying microplastics. Identification of samples continues with some identified as oil and grease, others as toilet paper fibers. Suspected plastics are still being examined and have been sent out for analysis. They are working with the SFEI Microplastic Workgroup Expert Panel and have suggested several improvements: emphasize the importance of definitions; wastewater treatment plants are not necessarily the sole source of microplastics; source control is more important than end-of-pipe treatment; any study data should be open and defensible since there may be disagreements over how to identify and characterize microplastics. The workgroup has suggested a format for data reporting. Members of the Board indicated their appreciation for the efforts.

Agenda **Item 18** – Discussion: Report on Biocycle Panel about Co-digestion. The Chair of the BACWA Biosolids Committee gave a presentation on her trip to the Biocycle West Coast Conference where she gave a presentation on co-digestion. (I have asked Alicia to give me a paragraph that she would like included in the minutes for this).

Agenda **Item 19** – Discussion: Update on Projects of Special Benefit.

- a. Water Operator Training Program – An Update on the Bay Area Consortium for Clean Water Education (BACCWE), a BACWA Project of Special Benefit, was included in the Handout on **Page 75**. The Executive Director gave an overview of the changes forthcoming.
- b. Bay Area Biosolids to Energy – A [Link](#) to a Bay Area Biosolids to Energy presentation was included in the Handout. The Executive Director gave an overview and a Board member noted the potential for the group to become a BACWA Special Benefits group.

Agenda **Item 20** – Discussion: AIR Committee Support RFP – An RFP for AIR Committee Support beginning in FY17 was included in the Handout on **Pages 76-82**. The Regulatory Program Manager, who supports the AIR Committee, discussed the RFP. The RPM will facilitate the collection of submission and suggested that the selection committee be the AIR Committee Co-Chairs along with a BACWA Board member. Michael S. Connor agreed to be on the selection committee.

Agenda **Item 21** – Discussion: BAAQMD Joint Meeting Agenda – A Draft Agenda for the June 15, 2016 meeting the BAAQMD was included in the Handout on **Page 83**. The Regulatory Program Manager reviewed the Agenda. A Board member asked for an explanation of item #3. The RPM will investigate.

REPORTS

Agenda **Item 22** – Committee Report – BACWA Committee Reports were included in the Handout on **Pages 84-100**.

AIR Committee: No meeting.

BAPPG: No meeting.

Biosolids Committee: A report from the April 21, 2016 meeting was included in the Handout on **Page 84**.

Collections Committee: A report from the May 12, 2016 meeting, along with the results of the Private Sewer Lateral Survey, were included in the Handout on **Pages 85-94**. Additionally, the CCMP Action 26 was included on **Page 95**. The Regulatory Program Manager reported that the Committee does not plan to develop metrics for a well-performing collection systems since the project requires significant effort. The committee does not object if the Executive Board wishes to pursue this strategy with other resources. The issue will be added to a BACWA Executive Board meeting Agenda.

InfoShare - Asset Management: No meeting.

InfoShare – Operations & Maintenance: No meeting.

Lab Committee: Lab committee met two days before the Executive Board meeting and was not able to get a report into the handout packet in time.

Permits Committee: A report from the May 10, 2016 meeting was included in the Handout on **Pages 96-97**. The Regulatory Program Manager noted that the EPA has been in the process developing Selenium Criteria for the SF Bay Estuary for several years. This effort was the subject of litigation, which slowed down the process and led to the Regional Water Board development of the North Bay Selenium TMDL. The EPA plans to release its proposed criteria by the end of June 2016, which will be followed by a 60-day comment period. The fish tissue objective will likely be the same as their freshwater criteria, but it is unknown how they will translate it to a water column objective. This objective will be used in the development of a South Bay Selenium TMDL.

Pretreatment Committee: A report from the April 14, 2016 meeting was included in the Handout on **Pages 98-99**.

Recycled Water Committee: A report from the May 4, 2016 meeting was included in the Handout on **Page 100**.

Agenda **Item 23** - 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: WERF merged with WaterReuse Research Foundation. EBDA is on the Board along with three others from the Bay Area. There may be an opportunity for funding from WERF.

EBMUD: No comment.

Central Contra Costa: No comment.

San Francisco: No comment.

San Jose: No comment.

Agenda **Item 24** - The **Executive Director's Report**, along with the Board Calendar, and BACWA Action Items, were included in the Handout on **Pages 101-110**. It was noted that 63 of the 75 action items from FY16 have been completed.

Agenda **Item 25** - The **Regulatory Program Manager (RPM) Report** was included in the Handout on **Pages 111-112**.

Agenda **Item 26 - 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 –

- d. ASC/SFEI: Laura Pagano; Dave Williams –
- 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 – 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 – No report.
- o. CASA Regulatory Workgroup – No report.
- p. RMP Microplastics Liaison: Nirmela Arsem – No report.
- q. ReNUWIt: Michael Connor; Ben Horenstein – No report.
- r. AWT Certification Committee: Maura Bonnarens – No report.
- s. **Bay Area Regional Reliability Project:** Roger Bailey; Michael Connor – Meeting highlights from the Drought Task Force Kickoff on April 15, 2016 were included in the Handout on **Pages 113-122.**

Agenda **Item 27: SUGGESTIONS FOR FUTURE AGENDA ITEMS:** None.

ANNOUNCEMENTS:

The next regular meeting of the Board is scheduled for **June 17, 2016 from 9:00 am – 12:30 pm** at the **SFPUC, Hetch Hetchy Room, 13th Floor, 525 Golden Gate Ave., San Francisco, CA.**

Tom Hall commented that EPA has issued a proposal to update NPDES regulations. This would include some changes to whole effluent toxicity. This issue will be discussed in Permits committee and at the next joint meeting with the Regional Water Board.

To receive a copy of any materials provided to the Board at a BACWA Executive Board meeting contact Sherry Hull at shull@bacwa.org.

The meeting adjourned at 12:57 pm.