



Executive Board Meeting Minutes

July 15, 2016

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Laura Pagano (San Francisco Public Utilities Commission); Jim Ervin (San Jose); Dave Stoops (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> |
|----------------------|-----------------------|
| Amanda Roa | Delta Diablo |
| Bhavani Yerrapotu | Sunnyvale |
| Doug Wallace | EBMUD |
| Jean-Marc Petit | CCCSD |
| Karin North | City of Palo Alto |
| Lori Schectel | CCCSD |
| Tom Hall | EOA |
| Justin Waples | CCCSD |
| Holly Kennedy | HDR |
| Alina Constantinescu | LWA |
| Jennifer Keeny | PME |
| Meg Herston | FFSD |
| David Williams | BACWA |
| Lorien Fono | BACWA |
| Sherry Hull | BACWA |

PUBLIC COMMENT

None.

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER

A Board Member requested that Item #14, Member Highlights be taken out of order.

CONSENT CALENDAR

1. June 17, 2016, BACWA Executive Board Meeting Minutes – The approved minutes will be placed on the BACWA website.

2. May, 2016 Treasurer’s Reports and Financial Summary – A Financial Summary Report was included in the Packet on **Pages 12-22**. A copy of the FY16 Budget as of May 31, 2016 (92% 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.

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

AUTHORIZATIONS & APPROVALS

3. Approval: Biennial Review of Conflict of Interest Code – A Board Action Request was included in the Packet on **Pages 21-35**. The Executive Director gave an overview of the request noting that nothing in the structure of BACWA has changed since the last review.

Item 3 was approved in a motion made by Roger Bailey and seconded by Ben Horenstein. The motion carried unanimously.

4. Approval: Annual Nutrient Watershed Permit Payment – A Board Action Request was included in the Packet on **Pages 36-38**. The Executive Director gave an overview of the request noting that funds should be available for the payment within two months.

Item 4 was approved in a motion made by Ben Horenstein and seconded by Roger Bailey. The motion carried unanimously.

OTHER BUSINESS-POLICY/STRATEGIC

Agenda **Item 5** – Discussion: Nutrients

a. Regulatory

- i. Opt/Upgrade Workshop Debrief – The Agenda was included in the Packet on **Page 39**. Additionally a [LINK](#) to the presentations was provided. The Executive Director noted that a second workshop is being planned but there is no date yet. A Board Member commented that the first workshop was well-designed. A second workshop will be held later in the year and may include Regional Water Board staff. The consultant noted that good questions were raised, e.g. impacts to solids facilities and odor control, which will result in them being more attentive to outlining ancillary benefits and impacts in the reports.
- ii. Watershed Permit Survey – The results of the Survey on Watershed Permit Options, were included in the Packet on **Page 40-48**. The Executive Director summarized the narrative. There may be a need for a process to determine if there is a consensus on moving forward with negotiations for the next watershed permit. One additional question was suggested for future surveys: if there is a dominant agreement to move forward with more science funding, would your agency stay in or opt out? The Executive Director went on to discuss the projected schedule and the consensus was for internal discussions to continue regarding additional funding for earmarked projects on beneficial uses. The Executive Director will also convene the Nutrient Strategy Team to begin a compilation of earmarked projects.

- iii. No Net Loading Increase (NNLI) – HDR gave a presentation [LINK](#) on the estimated costs of NNLI in the next Watershed Permit. Criteria included an effluent target set to 2015 Group Annual Report loads and with a time horizon of 2025. There was a discussion that the time horizon may need to be longer, which will be discussed by the CMG. Assumptions included a 10% increase to both flow and load designed for reliability to meet NNLI. One outcome of the analysis is that some agencies will have stranded assets from projects to achieve NNLI if they are then required to fully upgrade for nutrient removal. Additionally, an item on the relevance of phosphorous removal will be added to the Agenda for the next Joint Water Board meeting. The Board asked the Executive Director to obtain legal advice on the application of anti-degradation to inform ongoing discussions on the no net loading increase concept and to request more information from the Water Board on their thinking on the subject.
- b. Technical Work
 - i. Technical Document Review Update –The Executive Director gave an overview of the status of the review. The consultant will produce a report by July 22nd. The consultant has requested an additional \$5,000 for work that was out of the scope of the original contract, and the Board concurred. The Executive Director will prepare a transmittal letter to the Regional Water Board to address next steps of the “test drive”.
- c. Governance Structure -
 - i. Planning Subcommittee Meeting # 20 – A Meeting Summary, along with a Science Program Update, were included in the Packet on **Pages 49-75**. The Executive Director gave an overview of the minutes. Key issues were funding and the long term picture of nutrients. There was a discussion on sources for additional funding, particularly federal sources. The Board asked the Executive Director to put the issue on a future Board Agenda and identified agency contacts who might provide insight into lobbying for federal funding.

Agenda **Item 6** – Discussion: Proposed Selenium Water Quality Criteria – An email from the Regional Water Board, an email from the EPA, and a copy of the EPA proposal were included in the Packet on **Pages 76-78**. The Executive Director gave an overview, including how the proposed selenium water column criterion is higher than the water concentration in the South Bay and Lower South Bay. The issue is on the Agenda for the next Joint Meeting with the Water Board. All stakeholders are concerned about compliance if the criterion is applied as an end-of-pipe objective, although the North Bay TMDL will likely provide protection for agencies that are covered (from EBMUD north). A strategy will be developed following the Joint Meeting with the Water Board.

Agenda **Item 7** – Discussion: Water Board Joint Meeting Agenda – A copy of the Draft Agenda for the July 18, 2016 Joint Meeting with the Water Board was included in the Packet on **Page 79**. The Executive Director gave an overview of the Agenda and asked the Board to provide

feedback. There were no comments.

Agenda **Item 8** – Discussion: Pardee Technical Seminar Key Topics – A list of potential topics for the 2016 BACWA Technical Seminar at Pardee was included in the Packet on **Pages 80-81**. The Executive Director gave an overview of the list and asked the Board to provide feedback on issues that do not rise to the level of priority. The Executive Director will provide a Draft Agenda at the August Board meeting. There was discussion of how much time is need for the seminar. It was suggested that the Board hold a workshop several weeks in advance to reduce the time needed at the Pardee site.

OTHER BUSINESS-OPERATIONAL

Agenda **Item 9** – Discussion: Microplastics Workshop Debrief – A copy of the Agenda and supporting documents and a [LINK](#) to a Fact Sheet, were included in the Packet on **Pages 82-100**. There was consensus that visual analysis is not sufficient to positively identify plastic particles, and that reliable analysis is expensive. Concern was expressed about the continuing availability of incorrect data. The Board asked that the issue be added to the next Board meeting Agenda and it will also be addressed at the next RMP Steering Committee meeting.

Agenda **Item 10.a** – Discussion: Proposition 1 Proposal – A draft pre-proposal was included in the Packet on **Pages 101-108**. The Regulatory Program Manager gave a description of the two proposed phases for the research. The first phase will be funded by the Santa Clara Valley Water District irrespectively of whether they get supplemental funding from Proposition 1, and includes a pilot treatment wetland and advanced oxidation process to be built at the Water District. The second phase will look at full scale implementation and impacts on the Bay.

Agenda **Item 10.b** – Discussion: State General Order on Recycled Water – A list of 96-011 enrollees was included in the Packet on **Page 109**. The Board supports the BACWA Recycled Water Committee in developing a proposal for how the Regional Water Board should enroll 96-011 permittees into the State General Order. The enrollment must be completed by June 7 2019.

Agenda **Item 10.c** – Discussion: Hertzberg Bill Update – A letter from Senator Hertzberg was included in the Packet on **Pages 110-111**. This issue will continue to be an issue for wastewater agencies in the future since the Senator plans to reintroduce the Bill next year.

Agenda **Item 10.d** – Discussion: Expert panel research recommendations on DPR – A letter from the National Water Research Institute on Expert Panel Draft Key Research Recommendations Related to the Development of Uniform Water Recycling Criteria for Direct Potable Reuse in the State of California was included in the Packet on **Pages 112-114**. The panel found there was no need for additional research but there are some areas of research that would enhance the

understanding and acceptability of DPR. But any additional research should not hold up the regulations.

Agenda **Item 11** – Discussion: Bay Area Regional Reliability Task Force – The EBMUD Environmental Affairs Officer, Doug Wallace, gave a presentation [LINK](#) to the Board. He provided some background on the study along with goals, priorities, framework, funding, participation, and next steps. There was a discussion about the lack of recycled water projects being considered by BARR. It was suggested that Doug Wallace return in six months to give an update.

Agenda **Item 12** – Discussion: Multiple Membership Requests for Information – A list of potential requests for information was included in the Packet on **Page 115**. The Regulatory Program Manager noted that BACWA is currently requesting information on Recycled Water and Capital Improvement Projects. The Biosolids Survey and the Sewer Rate Survey will be distributed later this summer. She requested input on the POTW Budget Survey and the Board supported it. There are currently no plans for another Private Sewer Lateral Survey.

REPORTS

Agenda **Item 13** – Committee Reports – BACWA Committee Reports were included in the Handout on **Pages 116-124**.

AIR Committee: A report from the June 15, 2016 meeting was included in the Packet on **Page 116**. BAPPG: No meeting.

Biosolids Committee: No meeting.

Collections Committee: The new Chair of the Committee was introduced. There was a meeting on July 14th and the report will be included in the August Packet.

InfoShare - Asset Management: No meeting.

InfoShare – Operations & Maintenance: A report from the June 29, 2016 meeting was included in the Packet on **Page 117**. The Chair of the Committee attended and noted that the Committee is working well. They are hoping for even more participation in the future.

Lab Committee: No meeting.

Permits Committee: A report from the July 12, 2016 meeting was included in the Packet on **Pages 118-119**.

Pretreatment Committee: A report on the June 22, 2016 Pretreatment Training by EED Environmental was included in the Packet on **Pages 120-124**.

Recycled Water Committee: There was a meeting on July 13th and the report will be included in the August Packet. There was a discussion on recycled water vs. Optimization/Upgrade for nutrients only.

It was noted that a member of the Regional Water Board staff is retiring and BACWA will circulate a card through committees.

Agenda **Item 14** - 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: Oro Loma's Ecotone Project should be online by winter since they are laying pipe and connecting it to their secondary system. They are investigating the potential to discharge to the canal rather than redirecting the Ecotone effluent to the plant headworks.

EBMUD: Attended a meeting on loss of wetlands and sea level rise. There is consideration of whether biosolids can be used to support marshlands to enhance the shoreline. Will provide minutes of the meeting to the Board and a draft document on the wetland deficits in the Bay. The Summit Partners is looking to develop an online format for information sharing. EBMUD is looking at providing additional funding, along with others who may be interested, for research into the development of a nutrient trading program.

Central Contra Costa: They are celebrating their 70th anniversary on July 16th from 10 am to 12:30 pm at their plant with an Open House and Tours. They are developing their Master Plan for Energy. The residential fill station utilization has dropped in half this year. They are funding SFEI's South Bay Study for two years at \$98,000 per year for two years.

San Francisco: The EPA is still very interested in the San Francisco collection system. An effluent pipe leak recently developed. There was nothing new in the reissuance of the Oceanside Permit.

San Jose: They will shut down dissolved air floatation (DAF) tanks soon to accommodate a major Plant Master Plan digester rebuild project. One consequence of this project is that the filtration process may be shut down for one or more day-long periods of time. Water Board will be notified of any required shutdowns well in advance. They are beginning their first major Capital Improvement Project and are closed for tours through the end of 2016. A delegation from China has contacted them and asked for recommendations for tours of Bay area POTWs.

Delta Diablo: Board passed an MOA for a garbage hauler which will to use the hauler's feed stock in their digesters. They received a DOE grant to test a gasifier (low temp pyrolizer).

Palo Alto: Broke ground on dewatering facility. Began a feasibility study on an RO facility. There is an RMP Steering Committee meeting on July 19, 2016 and a 3% fee increase will be discussed.

Sunnyvale: They are finalizing their Master Plan this month.

Fairfield Suisun: Embarking on a biosolids to liquid fertilizer project.

Agenda **Item 15** - The **Executive Director's Report**, along with the Board Calendar, and BACWA Action Items, were included in the Packet on **Pages 125-134**. It was noted that 89 of the 97 action items from FY16 have been completed.

Agenda **Item 16** - The **Regulatory Program Manager (RPM) Report** was included in the Packet on **Page 135**.

Agenda **Item 17 - 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** – The Summit Partners, with CASA as the lead, is investigating the creation of a Statewide database on a variety of topics of interest to POTWs.
- d. **ASC/SFEI: Laura Pagano; Dave Williams** – there will be a Board meeting on July 22, 2016 when a new slate will be elected.
- 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: Mike Connor; Ben Horenstein – No report.
- r. AWT Certification Committee: Maura Bonnarens – No report.
- s. Bay Area Regional Reliability Project: Roger Bailey; Mike Connor – No report.

SUGGESTIONS FOR FUTURE AGENDA ITEMS: 1) Identify contacts or lobbyists to help with federal funding of Science Plan. 2) Microplastics.

ANNOUNCEMENTS:

The next regular meeting of the Board is scheduled for **August 19, 2016 from 9:00 am – 12:30 pm** at the **EBMUD Treatment Plant, Lab Library, 2020 Wake Ave., Oakland, CA.**

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 12:44 pm.