



# Executive Board Meeting Minutes

April 21, 2017

## ROLL CALL AND INTRODUCTIONS

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

## Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Amanda Roa	Delta Diablo
Tom Hall	EOA
Linda Sawyer	Brown & Caldwell
Sarah Deslauriers	Carollo
Greg Baatrup	FSSD
Roger Bailey	CCCSD
Greg Kester	CASA
Rusty Holloman	SFEI
David Senn	SFEI
Nirmela Arsem	EBMUD
Vince De Lange	EBMUD
Amy Chastain	SFPUC
Denise Connors	Larry Walker & Associates
Ralph Eschborn	AECOM
David Williams	BACWA
Lorien Fono	BACWA
Sherry Hull	BACWA

## **PUBLIC COMMENT**

None.

## **CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER**

The Lab Committee Report was taken out of order as the first item on the Operational portion of the agenda.

## **CONSENT CALENDAR**

1. March 17, 2017, BACWA Executive Board Meeting Minutes – The approved minutes will be posted on the BACWA website.
2. February, 2017 Treasurer’s Reports and Financial Summary – A Financial Summary Report was included in the Packet. A copy of the FY17 Budget as of February 28, 2017, (67% 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 Executive Director noted that the Funds Report now includes a report on the Alternative Investments and, because those investments are less liquid than previous investments, this new report is included to provide a check on BACWA liquidity.

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

### **AUTHORIZATIONS & APPROVALS**

**3.** Approval: FY18 BACWA Budget & Workplan – A Board Authorization Request was included in the Packet. The Executive Director gave an overview of changes to the Budget since the last meeting.

*Item 3 was approved in a motion made by Michael Connor and seconded by Lori Schectel. The motion carried unanimously.*

**4.** Approval: Agreement with ABAG to Administer Proposition 84 – A Board Authorization Request was included in the Packet. The Executive Director gave an overview of the request.

*Item 4 was approved in a motion made by Eileen White and seconded by Lori Schectel. The motion carried with one abstention.*

**5.** Chair Authorization: Biosolids Research - A Chair Authorization was included in the Packet. The Executive Director gave an overview of the Authorization.

### **OTHER BUSINESS-POLICY/STRATEGIC**

Agenda **Item 6** – Discussion: Nutrients

a. Regulatory

- i. Layperson’s Guide to Nutrients – a LINK to the Guide was included in the Packet. The Executive Director gave an overview of the changes to the Guide.
- ii. 2<sup>nd</sup> Watershed Permit – The Executive Director gave an overview of potential key tenets and the schedule for the next Nutrient Watershed Permit. Based on informal input, there is wide support for increased contributions to science beginning in FY18. There will be continued discussions with the Water Board on increased contributions and voluntary actions, with BACWA working toward obtaining a statement from each member agency on a tentative commitment to increase funding for scientific studies in lieu of load caps for the next permit term. BACWA will request a letter of intent from the Regional Water Board memorializing this agreement regarding the 2<sup>nd</sup> Watershed Permit in the next three months. It was also suggested that BACWA request a statement of support for this approach from the EPA.

- iii. Interview with Bay Area Monitor – The Executive Director gave the Board an overview of his interview with the Bay Area Monitor, published by the League of Women Voters of the Bay Area Education Fund, regarding nutrients. An article is expected in the Fall edition of the Bay Area Monitor.
- b. Technical Work -
- i. Nereda Nutrient Removal Technology (Aerobic Granular Sludge) – A memo from AEDCOM was included in the Packet. They have obtained matching funding for a WRF study involving a demonstration project at FSSD and are soliciting contributions or participation from BACWA members for the project. The Executive Director gave an overview of the request including budget timing and requesting direction from the Board on if or how BACWA should be involved in new technology research. BACWA could act as a facilitator to provide pass-through funds from BACWA member participants and contributors and in return receive periodic updates on the technology. BACWA would also work with the Regional Water Board to get credit for any agency that participates in similar pilot projects in terms of “early actions” on nutrients. It was also suggested that BACWA contact ReNUWI to help BACWA plan future participation in new technology.
  - ii. Impacts on Bay of Sidestream Treatment – Rusty Holloman of SFEI gave a presentation on modeling the San Francisco Bay water quality and any improvements from sidestream treatment. His preliminary models show that sidestream treatment would have a measurable effect on nutrient concentrations in the South Bay, but the change in concentration in the North Bay would be negligible, since the preponderance of nutrient loads are derived from upstream in the Delta.
  - iii. Upcoming Workshops – A memo from SFEI regarding two upcoming NMS Technical workshops and a Draft Agenda for the BACWA Optimization/Upgrade Workshop #2 were included in the Packet. Dr. David Senn explained the process SFEI is using to plan the workshops so that there will be a balance between experts and stakeholders, without the discussion between the experts being overwhelmed. The Board requested that SFEI provide a report on the workshops. The Executive Director gave an overview of the Draft Agenda for the 2<sup>nd</sup> Optimization /Upgrade Workshop scheduled for June 7, 2017.
- c. Governance Structure -
- i. Planning Subcommittee Meeting # 25 Debrief – Minutes of the meeting and supporting documents, along with a [LINK](#) to the Delta Nutrient Forms & Ratios were included in the Packet. The Executive Director gave an overview of the meeting.

**Agenda Item 7 – Discussion: Toxicity**

- i. 303 (d) List – The BACWA Comment Letter was included in the Packet. The comments resulted in the Bay-wide listing for toxicity being moved from Category 5 to Category 3 which applies where there is insufficient information to determine beneficial use support, but data indicate that uses may be threatened.
- ii. Pacifica Permit - The BACWA Comment Letter was included in the Packet. The

- Regulatory Program Manger gave an overview of the letter and asked the Board for direction on a possible permit petition. The Board agreed not to petition the permit.
- iii. State Toxicity Provision – A Summary and a [LINK](#) to Toxicity Provisions were included in the Packet. The Executive Director noted that the lawsuit by SCAP against the EPA was dismissed on a jurisdictional basis. The State has begun the rollout of the new Provisions. The Regulatory Program Manager gave an overview of the Summary and will work with the Permits Committee on proposed sensitive species language suggestions and other sections where BACWA has a particular stake.
  - iv. Toxicity Workshop – A Draft Agenda was included in the Packet. With the new Provisions released the Board suggested a workshop. The Regulatory Program Manager asked for any comments on the agenda and suggestions for speakers.

Agenda **Item 8** – Discussion: Update on BAAQMD Regulations – A Summary of the March 23, 2017 meeting with BAAQMD, the BACWA Letter on POTW planning constraints, and a BAR requesting revisions to the Scope of Work in the Carollo Agreement on Rule 11-18 was included in the Packet. The Executive Director gave an overview of the previous meetings on March 9 and March 23 with BAAQMD. BAAQMD agreed to move facilities from Phase 1 to Phase 2 of the implementation schedule. BACWA will develop a proposal on updating emissions factors that will be delivered to BAAQMD staff. The Executive Director described how the change in focus away from diesel emissions to other toxic air contaminants of concern, and the opportunity to work with BAAQMD staff on updating emissions factors necessitated a new Scope of Work for the Carollo Agreement on Rule 11-18 which is a no-cost change. CCCSD offered to share their report on TBARCT and associated costs with other BACWA members.

*Item 4 was approved in a motion made by Michael Connor and seconded by Lori Schectel. The motion carried unanimously.*

Agenda **Item 9** – Discussion: Mercury Water Quality Objectives and Beneficial Uses – An email from the State Water Resources Control Board regarding a Public Meeting to consider Adoption of Mercury Provisions was included in the Packet.

#### **OTHER BUSINESS-OPERATIONAL**

Agenda **Item 10** – Discussion: CASA Climate Change Program – Sarah Deslauriers gave a Presentation [LINK](#). She noted that California Climate Policy is driving changes at POTW's through several different regulations, legislation, and other initiatives. POTWs are viewed as both a potential source of fugitive climate pollutants such as methane, as well as a means to offset fossil fuels use by using excess digester capacity to produce biogas.

Agenda **Item 11** – Discussion: Update on Regional and Statewide Biosolids Issues –Greg Kester from CASA gave a presentation [LINK](#). Greg gave an overview of recent successes in countering

local ordinances forbidding land application and biosolids. He listed various pieces of legislation and regulations that will make biosolids application in landfills increasingly difficult or impossible over the new ten years.

Agenda **Item 12** – Discussion: Bay Area Regional Reliability Study Update – A [LINK](#) to the Technical Memorandum 2 was included in the Packet. The BACWA Representative to BARR gave an update. The Task Force is focused on developing projects related to inter-ties (moving water) and working on the inclusion of recycled water.

Agenda **Item 13** – Discussion: Update on Microplastics Research – Objective for Effluent Monitoring for Microplastic was included in the Packet. SFEI is working on a research effort that includes microplastics concentrations in wastewater effluent as well as studies on microplastics in the San Francisco Bay, and BACWA will help them recruit one addition POTW volunteer that is needed.

Agenda **Item 14** – Discussion: Executive Board Meeting Format – The Executive Director asked the Board, based on the length of previous Executive Board Meetings, if they are interested in extending the time for the meetings and including lunch. Because the meeting was already overtime, this item will be included on the May agenda.

## REPORTS

Agenda **Item 15** – Committee Reports – BACWA Committee Reports were included in the Packet.

AIR Committee: A report from the March 15, 2017 meeting was included in the Packet.

BAPPG: A report from the April 5, 2017 meeting was included in the Packet.

Biosolids Committee: No meeting.

Collections Committee: A report from the March 23, 2017 meeting was included in the Packet.

InfoShare - Asset Management: No meeting.

InfoShare – Operations & Maintenance: No meeting.

Lab Committee: A Notice of Opportunity for Public Comment and Notice of Public Workshop from the SWRCB was included in the Packet. EBMUD provided an update on TNI, outlining the “asks.” They suggested that BACWA step in to make the requests at this point since the State Water Board seem to be going to TNI despite the problems that will threaten the viability of smaller labs. CASA indicated they may be interested in participating in commenting and suggested that BACWA contact them.

Permits Committee: A Report from the April 11, 2017 was included in the Packet.

Pretreatment Committee: No meeting.

Recycled Water Committee: No meeting.

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 report.

**EBMUD:** Eileen White joins the BACWA Executive Board as the new representative from EBMUD.

**Central Contra Costa:** No report.

**San Francisco:** No report.

**San Jose:** Long fin smelt spawn found in outlet.

**Delta Diablo:** Announced that Vince De Lange will be joining Delta Diablo as its General Manager.

**Fairfield Suisun:** No report.

Agenda **Item 17** - The **Executive Director's (ED) Report** for February 2017, along with the Board Calendar, and BACWA Action Items, were included in the Packet. It was noted that 96 of the 97 action items from FY16 and 50 of the 53 action items from FY17 have been completed.

Agenda **Item 18** - The **Regulatory Program Manager (RPM) Report** for February 2017 was included in the Packet.

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; Leah Walker; Jim Ervin – No report.
- c. **Summit Partners:** Dave Williams; Laura Pagano – No report.
- d. ASC/SFEI: Laura Pagano; Dave Williams; Karin North – No report.
- e. Nutrient Governance Steering Committee: Jim Ervin; Mike Connor – No report.
- f. **SWRCB Nutrient SAG:** Dave Williams – A [LINK](#) to the Index and a [LINK](#) to the Stakeholder Advisory on the SWRCB website were included in the Packet.
- g. SWRCB Focus Group – Bacterial Objectives: Lorien Fono; Amy Chastain – No report.
- h. SWRCB Focus Group – Mercury Amendments to the State Plan: Tim Potter; Dave Williams; Laura Pagano – 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 – Lorien Fono - No report.

- p. RMP Microplastics Liaison: Nirmela Arsem – No report.
- q. ReNUWI: Mike Connor; Karin North – No report.
- r. AWT Certification Committee: Maura Bonnarens – No report.
- s. Bay Area Regional Reliability Project: Roger Bailey; Mike Connor – No report.
- t. WaterReuse Working Group: Cheryl Munoz – No report.

**Agenda Item 20 - SUGGESTIONS FOR FUTURE AGENDA ITEMS.**

No items were suggested.

**Agenda Item 21 - ANNOUNCEMENTS:**

The next regular meeting of the Board is scheduled for **May 19, 2017 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](mailto:shull@bacwa.org).

The meeting adjourned at 12:45 pm.