



Executive Board Meeting Minutes

June 16, 2017

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Jim Ervin (San Jose); Jason Warner (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>
Tom Hall	EOA
David Senn	SFEI
Eric Dunleavy	San Jose
Heidi Sanborn	California Produce Stewardship Council
Karin North	City of Palo Alto
Bhavani Yerrapotu	City of Sunnyvale
Simret Yigzaw	San Jose
Jessica Donald	San Jose
Bryan Freyh	San Jose
David Williams	BACWA
Lorien Fono	BACWA
Sherry Hull	BACWA

PUBLIC COMMENT

None.

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER

Item # 12 may be taken out of order to accommodate the CPSC presentation.

CONSENT CALENDAR

1. May 19, 2017, BACWA Executive Board Meeting Minutes – The approved minutes will be posted on the BACWA website.
2. April 2017 Treasurer’s Reports and Financial Summary – A Financial Summary Report was included in the Packet. A copy of the FY17 Budget as of April 30, 2017, (83% 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 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 Jim Ervin and seconded by Jason Warner. The motion carried unanimously.

AUTHORIZATIONS & APPROVALS

- 3.** Approval: Stephanie Hughes BAPPG Committee Support FY18 – A Board Authorization Request was included in the Packet.
- 4.** Approval: O’Rorke BAPPG Committee Support FY18 – A Board Action Request was included in the Packet.
- 5.** Approval: TDC BAPPG Committee Support FY18 - A Board Action Request was included in the Packet
- 6.** Approval: Carollo AIR Committee Support – A Board Action Request was included in the Packet.
- 7.** Approval: Carollo Rule 11-18 Agreement Extension to FY18 – A Board Action Request was included in the Packet.
- 8.** Approval: CIEA Agreement Extension to FY18– A Board Action Request was included in the Packet.

Items 3 through 8 were approved in a motion made by Jim Ervin and seconded by Jason Warner. The motion carried unanimously.

- 9.** Approval: Appointment of BACWA Representative to ASC/SFEI Joint Board– A Board Action Request was included in the Packet. The Executive Director gave an overview of the request and explained that his term was up at the end of FY17.

Item 9. Lori Schectel nominated David Williams to another three-year term as BACWA Representative. Jason Warner seconded the nomination. The motion carried unanimously.

OTHER BUSINESS-POLICY/STRATEGIC

Agenda **Item 10** – Discussion: Nutrients

- a. Regulatory
 - i. Optimization/Upgrade Workshop Debrief – A Meeting Summary, a list of Attendees, and a **LINK** to the Presentations for the second BACWA Optimization/Upgrade Workshop were included in the Packet. The Executive Director gave an overview of the workshop. Meeting attendees provided positive feedback.

- ii. 2nd Watershed Permit Update – The Executive Director gave an overview of his outreach to POTW’s regarding their support for the 2nd Watershed Permit. The Executive Director noted that he has heard back from all 37 major and 3 minor POTW’s in the Watershed Permit except one. Thirty-seven are comfortable with the increase in support of science beginning in FY18, with only San Mateo and San Jose still reviewing. The Executive Director and representatives from two other POTW’s will request a meeting with San Mateo.

The issue of how the Principals will pay their portion of the Nutrient Surcharge was also discussed. San Jose indicated their participation in the 2nd Watershed Permit was closely linked to Principals agreeing to pay the Nutrient Surcharge based on total nitrogen similar to how the Associate and Affiliate member’s surcharge is calculated. Although each of the other four Principals indicated they had their preference on how the payment would be calculated, none indicated that they would not participate in the 2nd Watershed Permit if their Surcharge was based on total nitrogen.

The issue of “early actions” was also discussed. The Executive Director presented a graphic and calculation depicting how banking might occur. The concept is to include language in the 2nd Watershed Permit that would recognize “early action” on the part of any agency who voluntarily pursued efforts to reduce their nutrient loadings. The graphic showed that an agency would begin banking their nutrient load reduction from the time they actually implemented the reductions until the time that regulations were in effect that mandated reductions or no increases. An agency who had banked credits could continue to increase their loads up to the calculated level, based on projections made prior to the implementation of “early action”, they would have been discharging had they not undertaken “early action”. An agency could also choose to trade their banked loads if the regulations allowed for trading.

- iii. Optimization/Upgrade Studies Progress Update – A draft Progress Letter to the Water Board was included in the Packet. The Executive Director gave an overview of the letter and with the Board’s support, will submit it to the Regional Water Board staff.
- iv. Nutrient Strategy Team Meeting Debrief - A draft Letter of Intent that BACWA would like to see from the Water Board Executive Officer was included in the Packet. The Executive Director gave an overview of the history and progress on discussions with the Water Board staff and requested feedback from the Executive Board on several items including “early actions”, calculation of Nutrient Surcharge, and other key tenants of the 2nd Nutrient Watershed Permit. The Board provided several suggestions for changes to the letter which the Executive Director will incorporate.

b. Technical Work -

- i. HABs Workshop Debrief – Dr. David Senn from SFEI gave a presentation on the Harmful Algae Bloom Workshop that was held on May 31st and June 1st, 2017. He noted that there are staffing changes planned at the USGS and that the Steering Committee has requested continued congressional support for the USGS since they have historically provided good data, future major expenditures will be on monitoring, and HABs are a key priority. Following a quick overview of the Science Plan, he noted that there were two main questions to be addressed at the workshop: 1) what are the observations so far; and 2) what monitoring efforts are needed to understand if HABs are a problem and, if so, are nutrients causing it? The data presented at the workshop suggests that HABs are a concern and more data is needed.

c. Governance Structure -

- i. Steering Committee Meeting #13 Debrief – A meeting summary and a [LINK](#) to the NMS Steering Committee Meeting Materials were included in the Packet. The Executive Director gave an overview of the meeting and noted that the program plan for FY18 was approved.

Agenda **Item 11** – Discussion: Basin Plan Amendment for Chlorine Residual – A draft Scope and Rates were included in the Packet. Tom Hall has provided a proposal for the development of a scope and the Executive Director will execute an agreement with EOA under his authority.

OTHER BUSINESS-OPERATIONAL

Agenda **Item 12** – Discussion: CPSC Annual Update – Heidi Sanborn gave the BACWA Board an annual update on the California Product Stewardship Council. In addition to the California CPSC, Heidi Sanborn has participated in forming a national group pursuing the product stewardship agenda. 2017 is the tenth anniversary of the CPSC. They continue to work on issues such as disposal of medications and needles and would love to hear from POTW's if there are other issues they are finding that need to be dealt with. One area of frustration is new rules promulgated by the Pharm industry that places significantly more stringent rules on collection bins than those imposed by the DEA. CPSC feels that public opinion is moving towards the CPSC position on product stewardship, especially since proper medicine disposal is a public health concern as well as an environmental concern. CPSC greatly appreciates BACWA's support and is soliciting additional funding where possible from individual members. Their outreach materials can be tailored for any of the member agencies. Their website is www.calpsc.org which provides links to programs and social media. Additional links provided by CPSC are: <https://www.youtube.com/watch?v=x2Pei0SWe-M>
https://calpsc.org/mobius/cpsc-content/uploads/2016/04/SNR_CPSCAL_040116.pdf
https://calpsc.org/mobius/cpsc-content/uploads/2016/04/SNR_CPSCSC_040116.pdf

Agenda **Item 13** – Discussion: BAAQMD Annual Meeting DRAFT Agenda – A draft Agenda for the June 21, 2017 meeting was included in the Packet.

Agenda **Item 14** – Discussion: Planning for the Toxicity Workshop – A draft Agenda was included in the Packet. The workshop is scheduled for September 18th at the CCCSD Multi-purpose Room and a Save the Date invitation will be sent to BACWA members soon.

Agenda **Item 15** – Discussion: 2018 BACWA Executive Board Calendar – A draft Executive Board Meeting Calendar was included in the Packet.

Agenda **Item 16** – Discussion: Wastewater Operator Training Program Update – A meeting summary and supporting documents were included in the Packet. The Executive Director gave an overview of the status of the program. At the member's meeting on May 31, 2017 the members confirmed the Executive Board and approved a move back to Solano Community College.

Agenda **Item 17** – Discussion: Succession Planning Update on New Leaders – A list of BACWA Committee Leaders for FY18 was included in the Packet. The Executive Director thanked the Committee leadership, and noted that there were two changes since the Board approved the FY18 leadership, and there is still an opening for a Co-Chair of the InfoShare/Operations & Management Committee.

Agenda **Item 18** – Discussion: Collection Systems Memberships Options – Discussion on this item was deferred to a future meeting.

Agenda **Item 19** – Discussion: Sewer Rate Survey Update – A copy of the Survey, along with a LINK to the Survey results, was included in the Packet. The Regulatory Program Manager updated the members, asking them to look at the survey and make sure their agency is participating in the survey.

REPORTS

Agenda **Item 20** – Committee Reports – BACWA Committee Reports were included in the Packet.

AIR Committee: No meeting.

BAPPG: A Report from the June 7, 2017 meeting was included in the Packet.

Biosolids Committee: No meeting.

Collections Committee: A Report from the May 25, 2017 meeting was included in the Packet.

InfoShare - Asset Management: A Report from the May 17, 2017 meeting was included in the Packet.

InfoShare – Operations & Maintenance: A Report from the May 31, 2017 meeting was included in the Packet.

Lab Committee: A Report from the May 10, 2017 meeting was included in the Packet.

Permits Committee: No Meeting.

Pretreatment Committee: A Report from the May 16, 2017 meeting was included in the Packet.

Recycled Water Committee: No Meeting.

Agenda **Item 21** - 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: Have completed an RFP for a Nutrient Project and have submitted a permit application this week.

EBMUD: No report.

Central Contra Costa: Their 10-year Master Plan was approved by the Board.

San Francisco: No report.

San Jose: No report.

Sunnyvale: No report.

Palo Alto: No report.

It was reported that the State Board has issued the 303 (d) list with no changes to the regional list. The comment letter will be resubmitted.

It was also reported that CASA will be meeting with the State Water Board staff on 6/22/17 regarding the Toxicity Provisions.

Agenda **Item 22** - The **Executive Director's (ED) Report** for May 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 64 of the 72 action items from FY17 have been completed.

Agenda **Item 23** - The **Regulatory Program Manager (RPM) Report** for May 2017 was included in the Packet.

Agenda **Item 24 - 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 – A Summary of the May 30, 2017 meeting was included in the Packet.
- d. **ASC/SFEI**: Laura Pagano; Dave Williams; Karin North – An SFEI/ASC Governance Committee memo was included in the Packet.
- e. Nutrient Governance Steering Committee: Jim Ervin; Mike Connor – No report.

- f. **SWRCB Nutrient SAG:** Dave Williams – A LINK to a CASA presentation on wadeable streams was 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 – Several emails and a LINK to the EPA Final Rules on Effluent Limitation Guidelines and Standards for the Dental Category were included in the Packet. The Board thanked Tim Potter for his many years of work on this issue.
- 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. ReNUWIt: Mike Connor; Karin North – No report.
- r. AWT Certification Committee: Maura Bonnarens – No report.
- s. **Bay Area Regional Reliability Project:** Roger Bailey; Mike Connor – An email announcing a public meeting regarding the Drought Contingency Plan was included in the Packet.
- t. WateReuse Working Group: Cheryl Munoz – No report.

Agenda Item 25 - **SUGGESTIONS FOR FUTURE AGENDA ITEMS.** None.

ANNOUNCEMENTS:

The next regular meeting of the Board is scheduled for **July 21, 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.

The meeting adjourned at 12:23 pm.