



# Executive Board Meeting Minutes

November 17, 2017

## ROLL CALL AND INTRODUCTIONS

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

### Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Amanda Roa	Delta Diablo
Andy Gunther	Center for Ecosystem Management & Restoration
Aren Hansen	Brown & Caldwell
Doug Dattawalker	Union San
Eric Dunlavey	San Jose
Jim Graydon	Woodward & Curran
Karin North	City of Palo Alto
Randy Schmidt	CCCSD
Robert Wilson	City of Petaluma
Simret Yigsaw	San Jose
Tom Hall	EOA, Inc.
David Williams	BACWA
Lorien Fono	BACWA
Sherry Hull	BACWA

## **PUBLIC COMMENT**

None.

**CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER** – Item 8, Scope of Work for Chlorine Residual Basin Plan Amendment, was moved up on the agenda.

## **CONSENT CALENDAR**

1. September 15, 2017, BACWA Executive Board Meeting Minutes – The approved minutes will be posted on the BACWA website.
2. August and September 2017 Treasurer’s Reports and Financial Summary – A Financial Summary Report was included in the Packet. A copy of the FY17 Budget as of September 30, 2017, (25% 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, a report on BACWA liquidity in also provided.

**Consent Calendar items 1 and 2:** A motion to approve was made by Mike Connor and seconded by Laura Pagano. The motion was approved unanimously.

### **APPROVALS & AUTHORIZATIONS**

**3.** Approval: Adoption of FY17 Audited & Annual Reports – A Board Authorization Request, a link to the FY17 Audited Financial Reports, along with the FY17 BACWA Annual Report, was included in the Packet. The Executive Director gave an overview.

*Items 3:* A motion to approve was made by Mike Connor and seconded by Laura Pagano. The motion was approved unanimously.

**4.** Authorization: Chair Authorization for Amendment to the EOA, Inc Agreement on Chlorine Residual BPA - A signed Chair Authorization Request, a previously signed Executive Director Authorization Request and Agreement, and an Amendment to the Agreement were included in the Packet. The Executive Director gave an overview of the request.

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

Agenda **Item 5** – Discussion: Climate Change Impacts in the Bay Area – The Executive Director introduced Andrew Gunther, Ph.D., founder of the Center for Ecosystem Management and Restoration (CEMAR), and noted that Dr. Gunther had received the Jean Auer Award at the State of the Estuary Conference in October 2017. Dr. Gunther gave a presentation beginning with the history of the atmospheric sciences, and the basics of our understanding of climate change due to carbon dioxide emissions. He showed graphs illustrating different scenarios of temperature increases and sea level rise. In response to a question from the Board on how he would prioritize future actions in the wastewater community, he suggested that agencies’ long-term decisions should be made based on the risk assessment related to sea level rise, and will include moving facilities away from shorelines. Dr. Gunther suggests this [LINK](#) for more information.

Agenda **Item 6** – Discussion: Nutrients

a. Regulatory

- i. Permit Language for Regional Study – The Executive Director gave a presentation on the process of developing permit language for non-grayscape nutrient removal alternatives, and asked the Board for input. Board members suggested the inclusion of replenishment of ground water, including as part of IPR projects; an exploration of the installation of oyster beds, horizontal levies, salt pond management for improved oxygen results; a list of regulatory hurdles; and resiliency by design. There was a discussion about level of effort for the project. The nutrient strategy team will be convened to further consider proposed permit language.
- ii. Permit Language for Banking Nutrient Reduction Credits – The Executive Director gave an overview of a proposed approach for developing nutrient reduction credits,

and asked for Board input. Board members suggested an emphasis on the absence of future penalties (i.e., not requiring further load reductions by an early-acting agency) vs. providing credits for early actions to decrease nutrient loads; and the exploration of other incentives for early actions. The Nutrient Strategy Team will convene to further discuss possible strategies.

- iii. Debrief from CMG Meeting – A Draft letter for Agency Acceptance of the Plant-Specific Findings for the Nutrient Optimization and Upgrade Study was included in the Packet. The Executive Director gave an overview of the letter and plans to provide a copy of the letter to member general managers. A Board member asked that some changes to the language be put on the agenda for the joint meeting with the Water Board staff in December.
  - iv. 3rd Annual Group Report – A [LINK](#) to the 3<sup>rd</sup> Annual Group Report was included in the Packet. The Executive Director gave an overview. Key findings were that both flows and nutrient loads were at their highest measured levels since monitoring began in 2012. A Board member asked to share BACWA’s work on the Optimization and Upgrade Studies, especially on costs, with CASA’s Regulatory Workgroup Water Committee. The Board agreed and asked to be copied on any correspondence.
- b. Technical Work -
- i. Assessment Framework – A [LINK](#) to the Scientific Basis to Assess Nutrient Impacts on San Francisco Bay Beneficial Uses Report (Scientific Basis Report), and a [LINK](#) to the journal article entitled *Novel analyses of long-term data provide a scientific basis for chlorophyll-a thresholds in San Francisco Bay*, were included in the Packet.
- c. Governance Structure –
- i. Debrief on Planning Subcommittee Meeting #28 – The Minutes from the October 20, 2017 meeting was included in the Packet. The Executive Director gave an overview of the discussion on funding of the Science Plan. Also of note was a discussion of a new model called the General Additive Model that utilizes a statistical approach to analyzing impairment indicators to assess the condition of a waterbody. The Science Manager will have access to the model for free which could inform the Science Plan.

**Agenda Item 7** – Discussion: Impact of Rule 11-18 – Central Contra Costa Sanitation Agency gave a presentation on their experience of the impact of changes to Rule 11-18. The Agency decided to do a baseline health risk assessment in order to plan their response to Rule 11-18, to develop best available data, to identify potential problems and pollutants for which there may be inexpensive fixes prior to completion of the risk reduction plan, and to provide documentation for any potential future disputes. No results are available yet.

**Agenda Item 8** – Discussion: Scope of Work for Chlorine Residual Basin Plan Amendment – A revised scope of work was included in the Packet. The Executive Director gave an overview of the changes, noting that he had worked with the consultant to arrive at the current scope, and requested Board input. *A motion to approve the current scope was made by Laura Pagano and seconded by Jim Ervin. The motion was approved unanimously.* The final scope is contingent

upon review and input from the Water Board staff.

Agenda **Item 9** – Discussion: Debrief from Ocean Litter Prevention Strategy Meeting – The Regulatory Program Manager gave an overview. The meeting was primarily NGO’s discussing macrolitter that ends up in the ocean. The POTW position remains that the best solutions will be pollution prevention based on science. BACWA will continue to participate and will work with the other wastewater association to comment on OPC’s priorities and the updated strategy document, once available.

Agenda **Item 10** – Discussion: Letter of Support for Measure AA Grant for San Leandro Wetlands Project – A Draft Support Letter was included in the Packet. The Executive Director gave an overview of the letter and asked if there was any Board input. The supported the letter.

Agenda **Item 11** – Discussion: Pardee Debrief & Participant Survey – The Pardee Survey was included in the Packet. The Executive Director gave an overview.

Agenda **Item 12** – Discussion: ReNEWIt Industrial Advisory Board Meeting Debrief – The two BACWA Members gave an overview of the meeting. The group is beginning to think of the long-term future of funding.

Agenda **Item 13** – Discussion: SAF-MBR Kickoff Meeting Debrief – A flyer from Silicon Valley Clean Water was included in the Packet. The Regulatory Program Manager gave an overview noting that it is the largest pilot of this technology in the world. SAF-MBR decreases biosolids generation, and increases the methane produced for cogeneration, on a smaller footprint compared to traditional activated sludge. It produces a high-quality effluent that is ideal feed water for an RO process aimed at potable reuse. SAF-MBR has no impact on nutrient concentrations, which would still need to be removed from RO concentrate.

Agenda **Item 14** – Discussion: Wastewater Technology Alliance Fact Finding Debrief – The Program for the fact-finding trip to Denmark was included in the Packet. The Executive Director gave an overview and other BACWA Members who attended noted energy efficiencies, lower costs, and simultaneous nitrification and denitrification.

Agenda **Item 15** – Discussion: CMSA Tentative Order – A Joint Agency Comment Letter sent to the RWQCB on October 23, 2017 was included in the Packet. The Executive Director gave an overview. The adoption hearing has been moved to January 2018 and the item will be on the December BACWA Board Meeting Agenda.

Agenda **Item 16** – Discussion: SFEP PSL Report – A LINK to the SFEP Sewer Lateral Ordinances was included in the Packet. The Executive Director gave an overview and will monitor the issue. The Board suggested that BACWA request provide future wastewater-related reports to BACWA for review prior to publication.

Agenda **Item 17** – Discussion: Sediment Quality Provisions – A LINK to the SWRCB Sediment Quality Provisions page was included in the Packet. The Regulatory Program Manager gave an overview of the issue. The State Water Board recently drafted Phase 3, which is an assessment framework for linking human health impacts from consuming sportfish to sediment impairment. The results will inform the direction of SFEI sediment studies. The issue is on the Agenda for the Joint meeting with the Water Board.

Agenda **Item 18** – Discussion: Draft Agenda for Joint Meeting with the Water Board – A Draft Agenda was included in the Packet. The Executive Director gave an overview.

### **OTHER BUSINESS-OPERATIONAL**

Agenda **Item 19** – Discussion: Annual Meeting Planning – A Draft Program for the meeting was included in the Packet. The Executive Director gave an overview and asked for Board input. Several suggestions for changes were made and the Executive Director will bring back the final agenda to the Board at the December Board meeting.

Agenda **Item 20** – Discussion: BAPPG RFP for Communications and Pesticide Regulatory Advocacy – The Executive Director gave an overview of the issue. Several BAPPG representatives suggested that the Committee has very limited resources and an RFP would be a waste of time and resources considering how few consultants can provide the necessary support. The Board suggested that a one-page Request for Qualifications be prepared by BACWA staff instead. It was also suggested that the BACWA Contract Policy be updated to only require competitive selection every five years for small contracts. The BAPPG representatives also requested that once the RFQ is completed the length of the new agreement be extended to five years.

Agenda **Item 21** – Discussion: Arleen Navarret Award Update – The Assistant Executive Director gave an update on the status of nominations. BACWA has received three nominations that will be reviewed by the Selection Committee which consists of two Board Members and a previous winner of the Award. The Nominee and the BACWA Board will be notified of the Selection Committee's decision on December 11, 2017 and the Award will be presented at the BACWA Annual Members' Meeting on January 19, 2018.

### **REPORTS**

Agenda **Item 22** – Committee Reports – BACWA Committee Reports were included in the Packet.

AIR Committee: A Report from the September 27, 2017 meeting was included in the Packet.

BAPPG: A Report from the October 4, 2017 meeting was included in the Packet. BAPPG will now host a new pesticides subgroup that will review pesticide regulatory advocacy comment letters.

Biosolids Committee: A Report from the October 19, 2017 meeting was included in the Packet.

Collections Committee: No meeting.

InfoShare - Asset Management: A Report from the August 16, 2017 meeting was included in the Packet.

InfoShare – Operations & Maintenance: No meeting.

Lab Committee: A Report from the October 11, 2017 meeting was included in the Packet.

Permits Committee: A Report from the September 12, October 17, and November 14, 2017 meetings was included in the Packet. The next meeting will be joint with the CASA Regulatory Workgroup on December 14. EPA staff will attend.

Pretreatment Committee: A Report from the October 17, 2017 meeting was included in the Packet.

Recycled Water Committee: No meeting.

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**: Reminded the Board that there is a search for a new General Manager going on.

**EBMUD**: No report.

**Central Contra Costa**: No report.

**San Francisco**: No report.

**San Jose**: No report.

**Sunnyvale**: No report.

**Palo Alto**: Scientists from the Nutrient Management Strategy will be giving a presentation in Palo Alto on November 20. All are invited to attend.

**Delta Diablo**: No report.

**Petaluma**: No report.

**Union San**: No report.

Agenda **Item 24** - The **Executive Director's (ED) Report** for August, September, and October 2017, along with the Board Calendar, and BACWA Action Items, were included in the Packet. It was noted that all 21 action items from FY18 have been completed. Also included in the Packet with the Executive Director's report was an email from the Department of Homeland Security regarding FY17 Bay Area Utilities Regional Resiliency Assessment Program, three DHS handouts, along with a LINK to a DHS document on the Program designed to identify vulnerabilities. The Board suggested they might attend a Board meeting in the future.

Agenda **Item 25** - The **Regulatory Program Manager (RPM) Report** for August, September, and October 2017 was included in the Packet.

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; Leah Walker; Jim Ervin – No report.
- c. Summit Partners: Dave Williams; Laura Pagano – No report.
- d. ASC/SFEI: Laura Pagano; Dave Williams; Karin North – The Executive Director noted that SFEI is moving toward obtaining support from foundations and to that end will be hiring a development manager to pursue foundation funds.
- e. Nutrient Governance Steering Committee: Jim Ervin; Mike Connor – 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; 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. WateReuse Working Group: Cheryl Munoz – No report.

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

**ANNOUNCEMENTS:**

The next regular meeting of the Board is scheduled for **December 15, 2017 from 9:00 am – 12:30 pm** at the **EBMUD Treatment Plant, Lab Library, 2020 Wake Ave., Oakland, CA.** **A Holiday Lunch is scheduled to follow from 12:30 pm to 2:00 pm.**

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 12:48 pm.