



Executive Board Meeting Minutes

July 20, 2018

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Lori Schectel (Central Contra Costa Sanitary District); Amit Mutsuddy (San Jose); Laura Pagano (SFPUC); Eileen White (East Bay Municipal Utility District); Jacqueline Zipkin (East Bay Dischargers Authority).

Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Amanda Roa	Delta Diablo
Amy Chastain	SFPUC
Bhavani Yerrapotu	Sunnyvale
Courtney Mizutani	Carollo
David Senn	SFEI
Eric Dunlavey	San Jose
Greg Baatrup	Fairfield Suisun
Holly Kennedy	HDR
Joanne Brasch	CPSC
Karin North	City of Palo Alto
Karri Ving	SFPUC
Sarah Deslauriers	Carollo
Tom Hall	EOA, Inc.
Jimmy Dang	Oro Loma
Yuyun Shang	EBMUD
Jim Graydon	Woodard Curran
Peter Kistenmacher	Black & Veatch
Mallika Ramanathan	Brown & Caldwell
David Williams	BACWA
Lorien Fono	BACWA
Sherry Hull	BACWA

PUBLIC COMMENT

None.

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER – Item 7.a.iii, Proposal for Water Board Workshop and Report Brochure Development was taken out of order before Item 4; Item 7.b, Update on Nutrient Management Strategy Science Plan & Funding, was taken out of order; Item 16, California Product Stewardship Council Update, was taken out of order.

CONSENT CALENDAR

- 1.** June 15, BACWA Executive Board Meeting Minutes – The approved minutes will be posted on the BACWA website.
- 2.** May 2018 Treasurer’s Reports and Financial Summary – A Financial Summary Report was included in the Packet. A copy of the FY18 Budget as of May 31, 2018, (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. 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 is also provided.

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

APPROVALS & AUTHORIZATIONS

- 3.** Approval: Annual Nutrient Watershed Payment & Voluntary Payment of Nutrient Science Funding – A Board Action Request, Letter of Request and Invoice were included in the Packet.

Item 3: A motion to approve was made by Jacqueline Zipkin and seconded by Eric Dunlavey. The motion was approved unanimously.

- 4.** Approval: Amendment to HDR FY18 Optimization/Upgrade Report Agreement– A Board Action Request and Proposal were included in the Packet. The Executive Director asked HDR to summarize the Proposal.

Item 4: A motion to approve was made by Eileen White and seconded by Laura Pagano. The motion was approved unanimously.

- 5.** Approval: Carollo FY19 Consulting Agreement for AIR Committee Support – A Board Action Request, Original Agreement and Amendment were included in the Packet. The Executive Board discussed the value of the consultant support.

Item 5: A motion to approve was made by Laura Pagano and seconded by Jaqueline Zipkin. The motion was approved unanimously.

- 6.** Receipt: Agreement with Solano Community College for FY19 (Fall 2018 & Spring 2019) – A Board Action Request, a signed Agreement, and a list of proposed classes for Fall 2018 were included in the Packet. The Executive Director noted that the agreement meets the criteria for Chair approval. Therefore Item 6 is a Receipt and does not require Board approval.

OTHER BUSINESS-POLICY/STRATEGIC

Agenda **Item 7** – Discussion: Nutrients

a. Regulatory

- i. Nutrient Strategy Team Update – The Executive Director gave the Board an update noting that the meeting will follow the current Executive Board meeting and that Water Board Staff will attend.
- ii. Final Update on Optimization/Upgrade Report – A [LINK](#) to the final report was included in the Packet. HDR noted that the final report was submitted to the Water Board before the deadline. They are now collecting data for the final Group Annual Report which is due on October 1, 2018, for which they plan to have a draft by the end of August. HDR will prepare for the workshop at the Water Board and will prepare the Brochure.
- iii. Proposal for Water Board Workshop and Report Brochure Development – This item was taken out of order before Item 4. HDR provided an overview of their Proposal for providing an Optimization/Upgrade workshop for Water Board Staff, and the development of a Brochure for a high level and graphical overview of the Optimization/Upgrade Report for use by the BACWA membership. Board members discussed the importance of impact on rate payers as context in the brochure. HDR will provide a PowerPoint presentation to accompany the brochure.
- iv. Summary of Nutrient Surcharges for BACWA Members for FY19 – A spreadsheet showing the calculated Nutrient Surcharges for FY19 was included in the Packet. The Executive Director noted that the spreadsheet also showed approximate Nutrient Surcharges beginning in FY20 under the 2nd Watershed Permit when all BACWA Members will be charged based on the running average of three years daily total nitrogen discharge from the Annual Report. In response to a question from a Board member, the RPM noted that the surcharge is based on the three years ending two years before the current date. The Executive Director will follow up at Pardee with options for changes to BACWA Reserves.

b. Technical Work -

- i. Update on Nutrient Management Strategy Science Plan & Funding – The TRC Recommendations table, dated June 14, 2018, was included in the Packet. Dr. David Senn provided an update on the Science Program, with particular emphasis on funding priorities. SFEI has hired two new employees to work on the program and are diversifying their approach. Their work continues to inform permit issues. BACWA requested input from the Science Manager regarding reduced funding from the RMP. While the impact would not likely be felt this year, there are projects that would probably not be completed long term due to the reduced funding. The Board and members discussed other options for funding and the Board agreed that it would support the RMP funding levels with the request that any SEP projects that are funded be nutrient focused. The Board suggested an additional BACWA representative to the RMP Technical Committee be identified.

c. Governance Structure –

- i. Planning Subcommittee Meeting #32 Debrief – The Summary of the July 5, 2018 meeting was included in the Packet. The Executive Director noted the key discussion issues of RMP Funding and Subembayment boundaries. The Board supports science-based subembayment boundaries.

Agenda **Item 8** - Discussion: Water Board Joint Meeting Draft Agenda – A Draft Agenda for the August 23, 2018 meeting and a [LINK](#) to the Ecological Rights Foundation’s Intent to File Suit Under the Clean Water Act was included in the Packet. The Regulatory Program Manager gave an overview of the agenda. The agenda includes a discussion of the update of the SWRCB’s SSS WDR. Under that agenda item BACWA plans on discussing the Intent to File Suit received by one of its members and the added liability to our members, associated with 3rd party lawsuits, by including the State’s SSS WDR regulation in the Federal NPDES Permit. Language has been suggested, by the member who received the Intent to File Suit, which makes it clear that the SSS WDR is not part of the NPDES Permit. That language will be reviewed by the BACWA Board at the August 17, 2018 BACWA Executive Board Meeting.

Agenda **Item 9** – Discussion: Pre-Pardee Technical Seminar Draft Program – A Pre-Pardee Technical Seminar Draft Program and a Pardee Technical Seminar Draft Program were included in the Packet. The Executive Director gave an overview of the Pre-Pardee Program. The Board suggested that the AIR issues be prioritized as issue-specific with case studies supporting those issues, keeping in mind that there are conflicting requirements from State agencies in addition to Regional agencies. The Executive Director will agendize the issue of collaboration between State agency air and water regulators at the next meeting of the Summit Partners.

Agenda **Item 10** – Discussion: Countywide Water Reuse Master Plan Meeting – An email *Invitation to Participate - Stakeholders Task Force for the CWRMP*, along with a copy of the letter of invitation from SCVWD and a list of the invitees, was included in the Packet. The Board discussed who should attend and, while other Board members may attend to represent their agencies, one Board member plans to attend to represent BACWA.

Agenda **Item 11** – Discussion: AIR Committee/BAAQMD Annual Meeting Draft Agenda – The Agenda for the August 6, 2018 meeting was included in the Packet. Sarah Deslauriers and Courtney Mizutani from Carollo gave an overview of the agenda and noted that the meeting will be more a workshop highlighting discussion vs a presentation. The Board made some suggestions for changes to the Agenda. Since it is expected that three or more BACWA Board members will attend, the meeting will be posted.

Agenda **Item 12** – Discussion: Joint Water Board/BAAQMD Case Study Review – The Executive Director noted that pertinent information from case studies will be reviewed at the Executive Board meeting and Pre-Pardee meetings scheduled for August and September. The Regulatory Program Manager gave an overview of the Agencies who have issues they would like to have

discussed. The Board reiterated that the focus should be on systemic issues with the case studies supporting those concerns. Following review of the systemic issues and the case studies supporting those issues, the BACWA Board will determine if there is sufficient documentation to warrant holding a joint meeting with the Water Board and BAAQMD.

Agenda **Item 13** – Discussion: State Water Board SSS WDR Update – An email from CASA and an email from the State Water Board, along with a [LINK](#) to the Amended MRP and a [LINK](#) to the WDR for Redlining were included in the Packet. The Regulatory Program Manager gave an overview of the redline effort.

Agenda **Item 14** – Discussion: Water Board Hearing on Wetlands Policy – An Announcement of the SF Bay Water Board Workshop on August 14, 2018 and a summary of BACWA Agency Wetlands information were included in the Packet. The Executive Director asked the Board to provide comments. The Regulatory Program Manager gave a presentation on the policy, the reasons for the update, BACWA’s efforts to date, and several options for additional BACWA comments. The Board supported all comment options. Two Board members volunteered to testify at the hearing. BACWA will also deliver additional information on agency planned projects to the Regional Water Board.

Agenda **Item 15** – Discussion: Requests for Letter of Support for Title XVI WIIN Funding– A letter of support for DSRSD and a draft letter of support for the City of Palo Alto were included in the Packet. The Executive Director noted that the letter to DSRSD had already been provided. The Executive Director asked if the Board supported providing letters of support to other agencies. The Board concurred that BACWA should provide a support letter to any member agency that requests one.

OTHER BUSINESS-OPERATIONAL

Agenda **Item 16** – Discussion: California Product Stewardship Council Update – Ms. Joanne Brasch from CPSC gave a presentation on CPSC’s efforts, particularly around producer responsibility and sharps and needles. The presentation can be seen at this [LINK](#). She noted that, in addition to the current financial support, BACWA can provide additional support with legislative bills and the provision of data and pictures. A member of the BACWA BAPPG Committee suggested that BACWA add a representative to the CPSC Policy and Education Advisory Committee (PEAC).

Agenda **Item 17** – Discussion: BACWA Committee Leadership Succession Update for FY19 – A list of Committee Chairs, Co-Chairs and Vice-Chairs for FY19, showing changes, was included in the Packet. The Executive Director noted the changes.

Agenda **Item 18** – Discussion: Options for Supporting the Bay Area Biosolids Coalition – Karri Ving updated the Board on the status of the BABC’s consideration for becoming a Project of Special Benefit under BACWA. The Steering Committee will meet in August and she will report back to BACWA following that meeting. BACWA would provide administrative, invoicing, and contracting support. She noted that BACWA had recently provided such support for a special research project with UC Merced and thanked BACWA for that assistance. She noted that the BACWA Biosolids Committee has a different focus (facility tours and education) and would likely continue for the time being. The Executive Director offered to provide a draft agreement. The BACWA Board thanked the BABC for their work.

Agenda **Item 19** – Discussion: Operations & Maintenance Committee Meeting Attendance – A Survey on O&M Meeting Topics was included in the Packet. The Regulatory Program Manager asked those in attendance to encourage their O&M employees to attend the Committee meetings. She will send out a short survey on meeting topics and include a list of Committee members.

Agenda **Item 20** – Discussion: BACWA's Biosolids Survey Update – The BACWA Biosolids Survey for 2018 was included in the Packet. The Regulatory Program Manager noted that it is a follow up to the 2016 Survey so the questions are similar.

Agenda **Item 21** - Discussion: Update on Permit Requirements for Risk Reduction – The Request for Proposals was included in the Packet. The Executive Director gave an overview and noted that the RFP spells out milestones prior to remittance of lump sum payments.

REPORTS

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

AIR Committee: A report from the June 8, 2018 meeting was included in the Packet.

BAPPG Committee: No meeting.

Biosolids Committee: No meeting.

Collections Committee: No meeting.

InfoShare - Asset Management: No meeting.

InfoShare – Operations & Maintenance: No meeting.

Lab Committee: A report from the June 13, 2018 meeting was included in the Packet along with a presentation on Document Control from the July 11, 2018 meeting.

Permits Committee: A report from the July 10, 2018 meeting was included in the Packet.

Pretreatment Committee: No meeting.

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: A reminder of the Happy Hour planned following the NST meeting as a send off for Mike Connor.

EBMUD: No report.

Central Contra Costa: Recently received their 20th consecutive NACWA award for full compliance. Noted that a representative from a post-consumer recycle non-profit from Paris France had recently toured their facility.

San Francisco: No report.

San Jose: Continued construction is on-going at the plant. They hosted a tour of EBMUD staff showing that they are updating an old digester and replacing the foundation to meet seismic codes. Co-Gen has started, the engines will arrive in November from Germany. They have awarded a design-build project to Jacobs.

Delta Diablo: They received a \$4M grant from CalRecycle for a co-digestion project.

Sunnyvale: No report.

Fairfield Suisun: No report.

Palo Alto: No report.

Agenda **Item 24** - The **Executive Director's (ED) Report** for June 2018, along with a CASA email and Scope on the Toxicity White Paper, the Board Calendar, and BACWA Action Items, were included in the Packet. It was noted that 64 of 66 action items from FY18 have been completed. The Executive Director reminded the Board that they had previously approved funds in the amount of \$15,000.00 for support of the CASA Toxicity Study contingent on support in the form of an overview panel comprised of individuals from the State and SCWRP, plus contingent on the financial participation of other entities. The Executive Director noted that the project has been revitalized, with a reduction in scope to a White Paper. He confirmed with the Board that they still wanted BACWA to contribute proportional funding for preparation of the White Paper.

Agenda **Item 25** - The **Regulatory Program Manager (RPM) Report** for June 2018 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: Mary Lou Esparza – No report.
- b. RMP Steering Committee: Karin North; Leah Walker; Eric Dunlavey – No report
- c. Summit Partners: Dave Williams; Lori Schectel – No report.

- d. **ASC/SFEI:** Laura Pagano; Dave Williams; Amit Mutsuddy; Karin North – A [LINK](#) to the Draft Strategic Plan, and a [LINK](#) to the Executive Director Report were included in the Packet.
- e. Nutrient Governance Steering Committee: Eric Dunlavey; Eileen White; Bhavani Yerrapotu; Lori Schectel – No report.
 - i. Nutrient Planning Subgroup: Eric Dunlavey
 - ii. NMS Technical Workgroup: Eric Dunlavey
- f. SWRCB Nutrient SAG: Dave Williams – No report.
- g. SWRCB Focus Group – Mercury Amendments to the State Plan: Tim Potter; Dave Williams; Laura Pagano – No report
- h. NACWA Taskforce on Dental Amalgam: Tim Potter – No report.
- i. BAIRWMP: Cheryl Munoz, Linda Hu, Dave Williams - No report.
- j. NACWA Emerging Contaminants: Karin North, Melody La Bella – No report
- k. CASA State Legislative Committee: Lori Schectel – No report.
- l. CASA Regulatory Workgroup – Lorien Fono - No report.
- m. ReNUWIt: Jackie Zipkin; Karin North – No report.
- n. RMP Microplastics Liaison: Nirmela Arsem – No report.
- o. AWT Certification Committee: Maura Bonnarens – No report.
- p. Bay Area Regional Reliability Project: Eileen White– No report
- q. WateReuse Working Group: Cheryl Munoz – No report.
- r. San Francisco Estuary Partnership – Eileen White; Dave Williams – No report
- s. CPSC Policy Education Advisory Committee – Doug Dattawalker – No report.
- t. California Ocean Protection Council – Lorien Fono – No report.

Agenda Item 27 - SUGGESTIONS FOR FUTURE AGENDA ITEMS.

Sea Level Rise – BAYCAN.

ANNOUNCEMENTS:

The next regular meeting of the Board is scheduled for **August 17, 2018 from 9:00 am – 12:30 pm** at the **SFPUC, Hetch Hetchy Room, 13th Floor, 525 Golden Gate Ave., San Francisco, 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 12:31 pm.