



Executive Board Meeting Minutes

February 15, 2019

ROLL CALL AND INTRODUCTIONS

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

Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Amanda Roa	Delta Diablo
Azalea Mitch	San Mateo
Karin North	City of Palo Alto
Richard Luthy	Stanford University
Mike Falk	HDR Engineering
Eric Dunlavey	San Jose
Greg Baatrup	Fairfield/Suisun
Aren Hansen	Brown & Caldwell
Jim Graydon	Woodard & Curran
David Williams	BACWA
Lorien Fono	BACWA
Sherry Hull	BACWA

PUBLIC COMMENT

None.

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER – The Executive Director asked if anyone wished to take an item out of order or if any BACWA Representative wished to present a report or request BACWA direction on an issue out of order. Item # 4.a.ii, Optimization/ Upgrade Brochure & Presentation Update, was taken out of order. Item # 13, Future of ReNUWIt in the post-National Science Foundation era, was taken out of order.

CONSENT CALENDAR

1. December 21, 2018, BACWA Executive Board Meeting Minutes – The approved minutes will be posted on the BACWA website.
2. November and December 2018 Treasurer’s Reports and Financial Summary – A Financial Summary Report, along with Treasurer’s Reports for November and December 2018, were included in the Packet. A copy of the FY18 Budget as of December 31, 2018, (50% 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: A motion to approve was made by Eileen White and seconded by Jacqueline Zipkin. The motion was approved unanimously.

APPROVALS & AUTHORIZATIONS

3. Approval: BACWA Policy on Contracting – A Board Action Request and Draft Policy were included in the Packet. The Executive Director gave an overview of the policy noting two changes from the previous draft policy.

Item 3. A motion to approve was made by Jacqueline Zipkin and seconded by Eileen White. The motion was approved unanimously.

OTHER BUSINESS-POLICY/STRATEGIC

Agenda **Item 4** – Discussion: Nutrients

a. Regulatory

- i. 2nd Administrative Draft Update – Provision language markup was included in the Packet along with a [LINK](#) to a Review of the 2nd Administrative Draft, a [LINK](#) to the Administrative Draft with Comments, a [LINK](#) to an Early Actors Template, and a [LINK](#) to Factors Impacting Nutrient Loads by 2024. The Executive Director gave an overview of the process to date, status of the 2nd Administrative Draft, and next steps. The scheduled Permit adoption date is May 8, 2019.
- ii. Optimization/Upgrade Brochure & Presentation Update – HDR Engineering gave a presentation that included an overview of the updated brochure. Following a few changes, the Board agreed that 1,000 copies of the brochure should be printed and distributed to member agencies. There was also an overview of the PowerPoint presentation and the Board made suggestions for changes. The presentation will be available to all member agencies on the BACWA website.
- iii. Science Plan Update to Regional Water Board Staff – A copy of the letter of transmittal and a [LINK](#) to a Science Plan update were included in the Packet. The Executive Director gave an overview.
- iv. UC Berkeley Publication on Decision-Making Strategy for Nutrients – A [LINK](#) to the Publication was included in the Packet. The Executive Director gave an overview and noted that several BACWA Members were interviewed for the publication.
- v. EPA Trading Policy – An EPA memorandum on nutrient trading, and email from FWQC were included in the Packet. The Executive Director gave an overview and noted that BACWA will continue to explore trading during the term of the 2nd Watershed Permit.

b. Governance Structure –

- i. Nutrient Management Strategy Planning Subcommittee Meeting #37 Debrief – The Agenda and Minutes from the meeting were included in the Packet. The Executive

Director gave an overview noting in particular that the USGS cruise will be terminating in summer 2019. The Science Manager continues to explore options for continuing the program. The Science Manger also continues to pursue collaborators for FY20 projects.

Agenda **Item 5** - Discussion: Regional Water Board Joint Meeting Debrief – A Draft Agenda was included in the Packet. The Regulatory Program Manager gave an overview of the meeting noting that the Water Board hopes to see agency contributions to a Pulse article on pollutant sources, and supports a study of background levels of bacteria to be used in calculating effluent bacteria limits. The RPM noted that the bacteria study would be agendized for the March Executive Board meeting.

Agenda **Item 6** - Discussion: NPDES Permit Compliance Report – The report submitted to the Water Board on January 23, 2019 was included in the Packet. The Executive Director gave an overview.

Agenda **Item 7** - Discussion: CASA Comments on and Edits to the Draft SWRCB Vulnerability Census – CASA’s Comments on SWRCB’s Proposed Census of the Wastewater Sector on Preparing for Climate Change Impacts was included in the Packet. The Executive Director gave an overview.

Agenda **Item 8** - Discussion: Regulatory Issues Matrix Updates – A [LINK](#) to the most recent Regulatory Issues Matrix was included in the Packet. The Executive Director noted its availability on the BACWA website. The Regulatory Program Manager will add one more update in the Spring for a total of three each year. A Board Member suggested adding the RMP Multiyear Plan to the Matrix.

Agenda **Item 9** - Discussion: Toxicity Meeting with State Water Board Staff – A Draft Agenda for the Wastewater Stakeholder Meeting on Proposed Toxicity Provisions held on February 7, 2019 was included in the Packet. The Regulatory Program Manager attended the meeting and noted that the issues discussed are listed. The POTW representatives will provide State Water Board staff will additional information, as requested, and schedule a followup meeting in April.

Agenda **Item 10** – Discussion: BACWA Pesticide Comment Letters – A [LINK](#) to three BACWA Comment Letters on Pesticides was included in the Packet.

OTHER BUSINESS-OPERATIONAL

Agenda **Item 11** – Discussion: BACWA 2019 Annual Meeting Debrief – The 2019 BACWA Annual Meeting Survey was included in the Packet. The Executive Director gave an overview and asked for Board input. The Board made several suggestions that staff will implement in 2020.

Agenda Item 12 – Discussion: BACWA FY20 Draft Budget – A FY20 Proposed Budget Planning/Adoption Timeline and a DRAFT FY20 Budget were included in the Packet. The Executive Director gave an overview and asked the Board if they had any questions or comments. It was noted that after the 2nd Watershed Permit is adopted, and after the first annual report under the permit, the Nutrient Surcharge will switch from being based on TN to Inorganic Nitrogen, and from a Permit Year, to a Water Year (October 1st to September 30th) basis.

Agenda Item 13 – Discussion: Future of ReNUWIt in the post-National Science Foundation era – Richard G. Luthy of the Engineering Research Center for Re-inventing the Nation’s Urban Water Infrastructure (ReNUWIt) at Stanford University, gave a presentation. It can be viewed [HERE](#). Mr. Luthy noted that ReNUWIt is in the eighth year of a ten year program funded by the National Science Foundation, and it is looking to continue its role by facilitating discussions about the Nation’s water future, and “One Water”. ReNUWIt is requesting BACWA’s participation in planning for the future.

Agenda Item 14 – Discussion: Advanced Quantitative Precipitation Information (AQPI) Project Revisited – A [LINK](#) to the project was included in the Packet. The Executive Director gave an overview of the history and status. They currently have short term funding and they are working to establish a JPA for long term funding and are requesting non-financial BACWA support. They are looking for agency participation to support ongoing maintenance of the sensor installations. A coalition of water entities (stormwater, flood control, and drinking water agencies) is supporting the AQPI project. BACWA is willing to assist the coalition in expressing the value of the project to the Regional Water Board but would not be seeking any specific regulatory relief for wastewater agencies who may choose to participate in the project.

Agenda Item 15 – Discussion: Association Comment Letters on Draft ELAP Regulations – A [LINK](#) to BACWA’s and four other Association Comments Letters was included in the Packet.

Agenda Item 16 – Discussion: BACWA Representation to Coastal Hazards Adaptation Resiliency Group – An email announcing the launch of CHARG was included in the Packet. A Board Member gave an overview of the program and noted that it is primarily made up of flood control agencies. She currently serves on the Steering Committee and asked if BACWA would also like a seat on the Committee. She volunteered to also represent BACWA on the Steering Committee and the Board approved. Jacqueline Zipkin will serve as the BACWA Representative to CHARG.

Agenda Item 17 – Discussion: BACWA Contribution to RMP Pulse Article – The Regulatory Program Manager gave an overview. BACWA will work with SFEI and the Regional Water Board to develop an article on pollutant sources.

Agenda Item 18 – Discussion: BayCAN Meeting Debrief – The Agenda from the February 14,

2019 meeting was included in the Packet. The Executive Director and a Board Member gave a report on the meeting noting of particular interest was the presentation by the insurance industry and bond rating industry. Because of climate change there will be changes forth coming in both industries. Insurance will begin offering specialized policies for those communities impacted by climate change, similar to earthquake insurance, while bond rating companies will begin taking climate change preparedness into consideration when rating communities.

Agenda Item 19 – Discussion: Draft BACWA Policies: – Three Draft Policies were included in the Packet: Succession Planning, Category of Membership, and Budgeting. The Executive Director gave an overview of the policies and asked the Board for input. No changes were suggested.

Agenda Item 20 – Discussion: Sewer Survey Update – A [LINK](#) to the updated Survey data was included in the Packet. The Regulatory Program Manager reminded agencies that results are available on the BACWA website.

Agenda Item 21 - Discussion: 2020 BACWA Annual Meeting Date – The ED/AED gave the Board information about possible dates for the BACWA Annual Meeting in January 2020 and requested Board input. The Executive Board indicated it preferred January 10, 2020.

REPORTS

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

AIR Committee: No meeting. It was noted that an RFP will be issued for consultant support in FY20.

BAPPG Committee: A report from the February 6, 2019 meeting was included in the Packet. It was noted that one of the consultants providing services to the committee has dissolved as an organization, and therefore BAPPG will need to issue an RFP for support in FY20.

Biosolids Committee: No meeting.

Collections Committee: A report from the January 24, 2019 meeting was included in the Packet.

Lab Committee: No meeting.

Operations & Maintenance – InfoShare Group: A report from the January 23, 2019 meeting was included in the Packet.

Permits Committee: No meeting.

Pretreatment Committee: No meeting.

Recycled Water Committee: A report from the January 15, 2019 meeting was included in the Packet.

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: No report.

EBMUD: No report.

Central Contra Costa County: No report.

San Francisco: No report.

San Jose: Dealing with high flows due to the weather.

Delta Diablo: No report.

Palo Alto No report.

San Mateo: No report.

Fairfield/Suisun: No report.

Agenda **Item 24** - The **Executive Director's (ED) Report** for December 2018 and January 2019 along with the Board Calendar, and BACWA Action Items, were included in the Packet. It was noted that 70 of 72 action items from FY19 have been completed.

Agenda **Item 25** - The **Regulatory Program Manager (RPM) Report** for December 2018 and January 2019 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, Nirmela Arsem – No report.
- b. RMP Steering Committee: Karin North; Leah Walker; Eric Dunlavy – No report
- c. Summit Partners: Dave Williams; Lori Schectel – No report.
- d. **ASC/SFEI:** Eileen White; Dave Williams; Amit Mutsuddy; Karin North – A Draft Agenda for the January 25, 2019 meeting, along with a [LINK](#) to the Draft Strategic Plan, were included in the Packet. The Executive Director gave an overview.
- e. Nutrient Governance Steering Committee: Eric Dunlavy; Eileen White; Lori Schectel; Jacqueline Zipkin – No report.
 - i. Nutrient Planning Subgroup: Eric Dunlavy
 - ii. NMS Technical Workgroup: Eric Dunlavy
- f. SWRCB Nutrient SAG: Dave Williams – No report.
- g. NACWA Taskforce on Dental Amalgam: Tim Potter – No report.
- h. **BAIRWMP:** Cheryl Munoz, Linda Hu, Dave Williams - A LINK to the January 28, 2019 IRWMP Coordinating Committee Meeting, along with a copy of the BAIRWMP Round 1 (Prop 84) Draft Expenditure Summary were included in the Packet. The Executive Director noted that the biggest issue now is dealing with disadvantaged communities and that the AQPI effort is continuing.
- i. NACWA Emerging Contaminants: Karin North, Melody La Bella – No report

- j. **CASA State Legislative Committee:** Lori Schectel – The Chair noted that the last date for the California State Legislature to introduce bills is February 22, 2019. One that is expected is a new bill that will require the reduction of discharges to the ocean and Bay. CASA is also supporting legislation that would improve standards for the dispersibility of wipes. And there will like be legislation regarding microplastics and microfibers.
- k. CASA Regulatory Workgroup – Lorien Fono - No report.
- l. ReNUWIt: Jackie Zipkin; Karin North – No report.
- m. RMP Microplastics Liaison: Nirmela Arsem – No report.
- n. AWT Certification Committee: Maura Bonnarens – No report.
- o. Bay Area Regional Reliability Project: Eileen White– No report
- p. WateReuse Working Group: Cheryl Munoz – No report.
- q. San Francisco Estuary Partnership – Eileen White; Dave Williams – No report.
- r. CPSC Policy Education Advisory Committee – Doug Dattawalker – No report.
- s. California Ocean Protection Council – Lorien Fono – No report.

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

ANNOUNCEMENTS: A Tour of the Codiga Center followed the adjournment of the meeting. The next regular meeting of the Board is scheduled for **March 15, 2019 from 9:00 am to 12:30 pm at EBMUD, 2nd Floor Large Training Room, 375 11th Street, 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 12:10 pm.