



Executive Board Meeting Minutes

June 21, 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); Amy Chastain (SFPUC).

Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Eric Dunlavey	San Jose
Amanda Roa	Delta Diablo
Jim Graydon	Woodard and Curran
Tom Hall	EOA
David Williams	BACWA
Lorien Fono	BACWA
Karin North	City of Palo Alto
David Senn	SFEI

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 25 was taken between items 3 and 4 to accommodate the schedule for the representative from DSRSD.

CONSENT CALENDAR

1. Item 1 - Public Employee Discipline/Dismissal/Release Gov't Code 94957(b)(1). The Executive Board met in closed session. There was no report-out.
2. May 17, 2019, BACWA Executive Board Meeting Minutes – The approved minutes will be posted on the BACWA website.
3. February 2019 Treasurer's Reports and Financial Summary – A Financial Summary Report, along with Treasurer's Reports for April 19, 2019, were included in the Packet. A copy of the FY19 Budget as of April 33, 2019, (83.3% 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 2 and 3: A motion to approve was made by Amit Mutsuddy and seconded by Eileen White. The motion was approved unanimously.

APPROVALS & AUTHORIZATIONS

4. Approval: Chair Authorization to Amend HDR Contract to update Group Annual Report – item pulled from agenda.

5. Approval: Extension of Biosolids Research Contract with Dr. Ryals. The ED described the no-cost extension of the contract with Dr. Ryals at UC Merced to complete the biosolids research that was begun in FY19. The FY19 Contract was included in the packet

***Item 5.** A motion to approve was made by Amy Chastain and seconded by Jackie Zipkin. The motion was approved unanimously.*

6. Approval: Extension of Chlorine Residual BPA Contract with EOA. The ED described the no-cost extension to the Contract with EOA. The original contract expires June 30, 2019, and the extension would go to June 30, 2020. There was a question about amending the contract in the future for additional work in the future. However, BACWA needs feedback about level of effort and timing for additional work, as well as coordination with the Regional Water Board.

***Item 6.** A motion to approve, was made by Eileen White and seconded by Amit Mutsuddy. The motion was approved unanimously.*

7. Approval: Approval of Contract with Carollo Engineers for FY20 AIR Committee Support. Carollo was selected through a competitive process to continue to provide support for the AIR Committee. A new contract and Scope of Work for FY 20 were included in the packet.

***Item 7.** A motion to approve, was made by Jackie Zipkin and seconded by Amit Mutsuddy. The motion was approved unanimously.*

8. Approval: FY20 Staff Consulting Amendments/Agreements. Extensions to the ED and RMP contracts for FY20 were included in the packet.

***Item 8.** A motion to approve, was made by Eileen White and seconded by Jackie Zipkin. The motion was approved unanimously.*

9. Approval: TDC Environmental, LLC FY20 Consulting Agreement Amendment for BAPPG Support. This is the first of four optional 1-year amendments to the contract for Pesticides regulatory support first entered into in FY19. The FY19 contract as well as an updated Scope of

Work were included in the packet. It was noted that there was an error in the BAR that the original contract was adopted June 15, 2018, not June 15, 2019 as written.

Item 9. A motion to approve, was made by Amy Chastain and seconded by Jackie Zipkin. The motion was approved unanimously.

10. Approval: Stephanie Hughes Consulting Agreement Amendment for BAPPG Support. This is the first of four optional 1-year amendments to the contract for Pesticides regulatory support first entered into in FY19. The FY19 contract as well as an updated Scope of Work were included in the packet.

Item 10. A motion to approve, was made by Jackie Zipkin and seconded by Eileen White. The motion was approved unanimously.

11. Approval: Selection of BACWA Chair & Vice-Chair for FY20

Item 11. A nomination of Lori Schectel for Chair was made by Amy Chastain and seconded by Amit Mutsuddy. A nomination of Amit Mutsuddy for Vice-Chair was made by Lori Schectel and seconded by Eileen White. Both nominations were approved unanimously.

OTHER BUSINESS-POLICY/STRATEGIC

Agenda **Item 12** – Discussion: Nutrients

a. Regulatory

- i. Nutrient Removal by Water Recycling – A [link](#) to the Request for proposals was provided in the packet. The deadline for proposals is June 28. A selection committee made up of BACWA staff, a BACWA Board member, and Recycled Water Committee leadership will decide to either choose a team based on the strength of the written proposal, or to conduct interviews with the proposing teams.
- ii. Nature Based Solutions Kickoff meeting – The ED and RPM had a pre-kickoff call with SFEI. Over the course of the project, SFEI will conduct quarterly meetings with the oversight group. However, there will be three meetings prior to the submission of the Scoping and Evaluation Plan on December 1, 2019. Members that are not officially part of the contract management group are welcome to attend meetings. Palo Alto requested that they be added to the group.
- iii. Group Annual Reporting Worksheet – HDR presented the reporting worksheet, provided at this link, to the permits and lab committees. The worksheet covers the period from the permit's effective date, July 1, 2019, through the end of the water

year, September 30, 2019. An updated worksheet for the Oct 1 2019 to Sept 30 2020 water year will be provided in October 2019.

- b. Technical Work
 - i. Update on the Nutrient Management Strategy Science Plan – provided as [link](#) in the packet and handouts. The Science Manager provided an update on the Science Plan and proposed funding allocation for different projects. See [link](#) for presentation. There was a discussion about continued USGS support for SF Bay monitoring. Their budget from the Federal Government is unlikely to be cut, therefore continued support for our region depends on USGS internal management decisions. Support for the NMS from the RMP is minimal this year, and BACWA representatives to the TRC will advocate for more funding, and for directing SEP funds to nutrient projects.
 - ii. Advance Funding for the Science Program – There was a discussion about the value of providing a larger share of the 5-year total of \$11M that BACWA is obligated to spend on the NMS, in the first few years of the permit. The intent would be to accelerate the pace of the science program so that scientific results would inform management decisions when negotiating the third watershed permit in 2023.
- c. Governance Structure –
 - i. Debrief from May 2019 Nutrient technical Workgroup meeting – There was a discussion about which studies will be funded.
 - ii. Nutrient Management Strategy Steering Committee Meeting #21. – The 2020 Program Plan (per 12.b.i, above) was the main topic of discussion at the meeting.

Agenda Item 13 - Discussion: Progress Report on the Chlorine Residual Basin Plan Amendment- Tom Hall reported that the effort is moving along well. There still needs to be interaction with Water board staff about whether to package other changes to Oil and Grease monitoring, and Bacterial Objectives for REC-1 Use in the Basin Plan Amendment. The Water Board needs to determine wither it is more efficient to do one or two Amendments. A Board member expressed concern about timing of packaging all the items together. The actual edits to the Basin Plan are not work-intensive, but the supporting information for the Staff Report could take a lot of resources. Key Water Board staff are going to be experiencing increased workload shortly, so wrapping up this effort quickly is important. Water Board staff in the Planning Division will be invited to participate at the next Joint Meeting with the Water Board.

Agenda Item 14 - Discussion: Debrief from Joint Meeting with the Water Board on 5/20/19 – The ED gave an overview of the summary that was included in the packet.

Agenda Item 15 - Discussion: Draft agenda for Joint Meeting with the Water Board on 7/18/19. The ED gave a summary of the draft agenda. The RPM noted that it includes an agenda item to discuss the recent Tentative Order for SSF/San Bruno that includes a requirement to adopt a private sewer lateral ordinance in exchange for continued bypass approval.

Agenda **Item 16** -Discussion: Debrief from SFEI Microplastics Workgroup Meeting on 5/22. There was a summary of the materials in the packet, including a BACWA talking points summary, the discussion on moving microplastics to the “moderate concern” level of the tiered risk framework for CECs, the draft Policy document from 5Gyres, as well as the meeting summary provided by [link](#) in the agenda. The Board requested that BAPPG take the lead in developing a BACWA Fact Sheet on Microplastics.

Agenda **Item 17** - Discussion: State Water Resources Control Board Toxicity Provisions Update. Material from CASA’s meetings with State Water Board members was included as a [link](#). The RPM gave an update on the State Water Board’s schedule for adopting the Provisions.

Agenda **Item 18** - Discussion: SSS WDR Listening Session Summary. The RPM gave a brief summary of the Water Board’s response to the Workshop listening sessions, and noted that CASA and the Water Board had met with the NGO community to find common ground.

Agenda **Item 19** - Discussion: Enterococcus sampling proposal – The ED gave an overview of the status of the proposal. Sampling will be conducted by SFPUC staff. The analysis will be conducted by Cel Analytical.

Agenda **Item 20** - Discussion: Update on Ethoxylated Surfactant study – The ED gave an update on the study. SFEI would like to recruit 8 volunteers based on a diversity of treatment processes and location. BACWA staff worked with SFEI and the Water Board on a process to select potential facilities. BACWA will help contact potential volunteers, identified by SFEI staff. An email was included in the packet addressing POTW volunteer selection.

OTHER BUSINESS-OPERATIONAL

Agenda **Item 21**- Discussion: Basis for Nutrient Surcharge in FY21 – The RPM presented a spreadsheet showing different alternatives for timeframes that will serve as the three-year rolling average for the nutrient surcharge for FY21. The Board agreed to use the most recent three years of data available. The ED then asked whether we should reduce the surcharge in FY21, or should we draw down reserves beginning this fiscal year. There was a discussion about the appropriate level of reserves. The ED will develop options for surcharge versus reserves spending over the permit term.

Agenda **Item 22** - Discussion: Short Term Utility Fire Prevention Power Outages – PG&E has been holding meetings about their plan to cut off power during high wind/high heat/low humidity periods. If conditions are in Tier 2 or 3 fire danger, PG&E will shut down power to the grid, including hospitals, utilities. They will be shutting down transmission lines which will impact people further afield from the fire danger areas. Some facilities are required to have backup power. It takes days to restart a power grid, and there are concerns that PG&E has inadequate plans for emergency facilities. BACWA could work to identify vulnerable plants, and

discuss public health impacts. We will revisit this item on future agendas.

Agenda **Item 23** - Discussion: State of the estuary Conference Agenda – The conference is looking for a moderator on the nutrient session. A Board member volunteered.

Agenda **Item 24** Discussion: Representative for ReNUWIt Stormwater meeting July 25/26 – They are looking for a representative to discuss stormwater use and capture at their planning meeting. Emails about this request were provided in the packet. A Board member volunteered.

Agenda **Item 25** - Discussion: Consideration of Support for the Bay Area Chemical Consortium – ED noted the documents in the packet and provided via link. He gave a history of BACC, the number of participant agencies and chemicals purchased by a group buy. DSRSD has been the administrator for this effort, and is asking BACWA to take over the administration, which involves putting together bid documents. The effort is logged by DSRSD and then reimbursed by participating agencies. The effort would be 300-400 hours per year for mainly administrative time. A Board member suggested adding chemical price trends, and adding additional chemicals. DSRSD noted they've saved approximately \$1M over 9 years from their participation in the program. The total cost from last year for the administration was \$35K, divided by 72 agencies. There was concern expressed that BACWA take this on when many of the participants in BACC aren't BACWA members. This process would begin in October 2019. This will be brought back to the July Executive Board meeting as an action.

Agenda **Item 26** - Discussion: Recruitment for BACWA Administrative Support – BACWA is moving forward with recruitment and CCCSD's HR department will assist.

Agenda **Item 27** - Discussion: Fire Reclamation Study Advisor – CASA is looking for participants from the agencies funding the biosolids fire reclamation study to serve on their advisory committee. Emails about this request were provided in the packet. The ED will ask staff from SFPUC, or extend the invitation to BABC.

Agenda **Item 28** - Discussion: BACWA speaker for Regional Monitoring Program Annual meeting – There was a discussion about options for the wastewater segment at the meeting. A BACWA Board member may give a history of wastewater. Someone from the Sedlak lab could give a presentation on contaminant removal through the RMP. A Board member volunteered to moderate the session.

Agenda **Item 29** - Discussion: Pre-Pardee planning – The ED gave a status update on key issues that face BACWA this summer. The consensus was to hold a regular meeting but to end later and order lunch to cover more items with less rush.

Agenda **Item 30** - Discussion: Public Policy Institute of California Request for Support – They are asking for regular annual support. Material related to this request was provided in the packet.

The Board declined to offer support, since much of their work doesn't have a clear wastewater nexus.

Agenda **Item 31** - Discussion: Committee Succession Plan – A list of committee leadership was provided in the packet. There was a discussion about providing staff to fill vacant leadership positions.

Agenda **Item 32** - Discussion: Meeting Schedule for FY20 – A schedule was included in the packet.

REPORTS

Agenda **Item 33** – Committee Reports – BACWA Committee Reports were included in the Packet.

AIR Committee: No meeting

BAPPG Committee: A report from the June 5, 2019 meeting was included in the packet.

Biosolids Committee: Committee on hiatus, and will be removed from this list in the future until the committee chooses to restart activities.

Collections Committee: No meeting.

Lab Committee: A report from the June 11, 2019 meeting was included in the Packet.

Operations & Maintenance – InfoShare Group: No meeting

Permits Committee: A report from the June 11, 2019 meeting was included in the Packet.

Pretreatment Committee: No meeting.

Recycled Water Committee: A report from the May 21, 2019 meeting was included in the Packet.

Agenda **Item 34** - 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.

Members :

CCCSD: Central San will receive an SRF loan for \$90 million to fund the construction of a solids handling facility. This loan is expected to save the agency \$20M. Lori Schectel will be making a presentation on collaborative decision making at the July 24 WEF Nutrient Symposium.

Agenda **Item 35** - The **Executive Director's (ED) Report** for May 2019 along with the Board Calendar, and BACWA Action Items, were included in the Packet. It was noted that 101 of 105 action items from FY19 have been completed.

Agenda **Item 36** - The **Regulatory Program Manager (RPM) Report** for May 2019 was included in the Packet.

Agenda **Item 37 - 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 Dunlavey – No report
- c. Summit Partners: Dave Williams; Lori Schectel – No report.
- d. ASC/SFEI: Eileen White; Dave Williams; Amit Mutsuddy; Karin North – A [link](#) was provided in the packet to the 2019-2024 Strategic Plan.
- e. Nutrient Governance Steering Committee: Eric Dunlavey; Eileen White; Lori Schectel; Jacqueline Zipkin – No report.
 - i. Nutrient Planning Subgroup: Eric Dunlavey
 - ii. NMS Technical Workgroup: Eric Dunlavey
- 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 Committee Meeting Summary Report from March 25, 2019 was included in the Packet.
- i. NACWA Emerging Contaminants: Karin North, Melody La Bella – No report
- j. CASA State Legislative Committee: Lori Schectel – No report.
- k. CASA Regulatory Workgroup – Lorien Fono – No report
- l. ReNUWI: 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. WaterReuse 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.
- t. Countywide Water Reuse Master Plan - Karin North; Pedro Hernandez – No report.
- u. BayCAN: Bay Area Climate Adaptation Network - David R. Williams; Lorien Fono – No report – SLR adaptation in Marin presentation was provided as a [link](#) in the packet.
- v. CHARG: Coastal Hazards Adaptation Resiliency Group – Jacqueline Zipkin – No report.

Agenda **Item 38 - SUGGESTIONS FOR FUTURE AGENDA ITEMS**. None.

ANNOUNCEMENTS: The next regular meeting of the Board is scheduled for July 19, 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 Lorien Fono at lfono@bacwa.org.

The meeting adjourned at. 12:48