



Executive Board Meeting Minutes

November 20, 2020

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Lori Schectel (Central Contra Costa Sanitary District); Amit Mutsuddy (City of San Jose); Eileen White (East Bay Municipal Utility District); Amy Chastain (San Francisco Public Utilities Commission); Jackie Zipkin (EBDA).

Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Eric Dunlavey	City of San Jose
Lorien Fono	BACWA
Mary Cousins	LWA
Jennifer Dymont	BACWA
Tom Hall	EOA
Jen Jackson	City of San Francisco
Karin North	City of Palo Alto
Jessica Gauger	CASA
Talyon Sortor	Fairfield-Suisun Sewer District (FSSD)
Alicia Chakrabarti	EBMUD
Mike Falk	HDR, Inc.
Jeff Carson	Dublin San Ramon Services District
Wynn Morgan	City of Burlingame WWTP
Jared Voskuhl	CASA
Chad Davisson	Ironhouse Sanitary District
Teresa Herrera	Silicon Valley Clean Water
Azalea Mitch	San Mateo
Andrew Damron	Napa Sanitation District
Ramana Chinnakotla	City of Sunnyvale
Amada Roa	Delta Diablo
Kevin Cesar	City of Millbrae
Don Gray	EBMUD
Melody LaBella	Central Contra Costa Sanitary District
Mary Lou Esparza	Central Contra Costa Sanitary District
Elisa Lee	Woodard & Curran
Sarah Deslauriers	Carollo

Amit Mutsuddy started meeting at 9:03

ROLL CALL - taken

PUBLIC COMMENT – None

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER

Item 13 : Draft agenda for meeting with BAAQMD Managers. Presenter Sarah Deslauriers is available between 10-11am.

CONSENT CALENDAR

- 1 October 16, 2020 BACWA Executive Board Meeting Minutes
- 2 October 26 Special BACWA Executive Board Meeting Minutes
- 3 September 2020 Treasurer's Reports

Consent Calendar Items 1, 2 and 3: A motion to approve was made by Jackie Zipkin, EBDA, and seconded by Lori Schectel, EBDA. The motion was approved unanimously.

APPROVALS AND AUTHORIZATIONS

- 4 Approval: BACWA Annual Report

Item 4: A motion to approve was made by Eileen White, EBMUD, and seconded by Amy Chastain, SFPUC. The motion was approved unanimously.

5. Approval: Audit Report

Item 5: A motion to approve was made by Lori Schectel, CCCSD, seconded by Jackie Zipkin, EBDA. The motion was approved unanimously.

POLICY/STRATEGIC

- 6 Discussion: Region 2 PFAS Study Update

BACWA RPM referred to the SFEI Study regarding PFAS sampling and analysis plan (SAP) in packet. The SAP was provided to State Water Board staff for comment. State Water Board staff returned comments on study design and directed that a discharger from the tri-valley area be added. This discharger will be DSRSD. A few other changes were made and these changes are reflected in a new version of the study. Sampling has begun at the POTWs and should be finished by first week of December.

7 Discussion: PFAS Pollution Prevention

Phase 2 of PFAS study to be developed with the goal of identifying major sources of PFAS that could suggest management actions.

Jen Jackson (San Francisco Department of Environment) has been working on reducing PFAS in foodware \ packaging and these efforts have caused positive market shifts. The group discussed other efforts in labeling and legislation, and highlighted the importance of partnering with other groups and NGOs on PFAS efforts. Labeling and building an awareness will help reduce PFAS, but source control is ultimately the best option because conventional wastewater treatment and dilution don't remove PFAS, they just move it around. Source control will also be important for the viability of potable reuse. Jessica Gauger (CASA) explained that labeling legislation is hard, so many considerations including message and scope. There can be lots of opposition and there is a limited # of bills and # of hearings per year, so this bill may or may not be introduced into the next legislative session. There is a lot of interest from several associations and NGOs to be proactive and seek PFAS legislation. Labeling or other types of disclosure are a prerequisite to source control; currently there is no way to tell if products contain PFAS. Some PFAS compounds are FDA-approved and so do not appear on safety data sheets. The current DTSC work plan includes PFAS in carpet and food packaging, but the DTSC process is slow.

CASA and Clean Water Action are considering organizing a PFAS Policy Roundtable with several groups in mid-January 2021. Group agreed on importance of public awareness and source control.

8 Discussion: Nutrients

BACWA ED summarized key dates and several meetings over the next few months on nutrients. Graphic presented to explain nutrient groups with BACWA member participation.

a. Regulatory

i. Next steps with Water Board - BACWA ED shared that at the November 30, 2020 meeting with Regional Water Board Staff, they will discuss load caps based on antidegradation. Not all members agree that load caps are scientifically justified, but the group felt the more important goal was to seek flexibility regarding implementation, rather than fight over the justification for load caps. Implementation questions identified by the group included (1) understanding the cost of implementing load caps – what improvements are agencies already planning in order to meet the anticipated load caps? (2) how will science inform implementation of the load caps, once the science work is further along? (3) How can we structure the load caps to avoid the “unintended consequence” of having an antidegradation-based load cap trigger major capital improvements? (4) Can subembayments be defined in a way that will ensure compliance with load caps during the term of the 3rd watershed permit, or perhaps even longer?

BREAK 10:40 AM

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- i. Next Steps with Water Board - BACWA ED and Eric Dunleavy continued by summarizing next steps with Regional Water Board. The Regional Water Board is contemplating a Basin Plan standards action in addition to the 3rd watershed permit, which will be discussed at the December 17th meeting of the Nutrient planning subcommittee. The Board offered support for collecting information on membership on nutrient planning and implementation to inform negotiations on Watershed Permit.

Action item: Develop nutrient planning and implementation survey

- ii. NST agenda 12/3 – BACWA ED shared NST agenda in the packet. The agenda will be updated with input from above item.

b. Technical Work

- i. Changing nitrogen inputs to the northern San Francisco Estuary report - BACWA ED shared that link to report is in packet. Recommended it be reviewed.

- ii. Update on RFP – BACWA ED stated that deadline was extended, and selection committee is reviewing 4 submissions. Meeting on December 9th to determine next steps.

Action Item: BACWA ED to bring recommendation to board meeting in December.

- iii. NTT formation – ED shared graphic showing different Nutrient groups and their purpose.

c. Governance Structure

- i. December 17th meeting to discuss nutrient BPA and permitting - BACWA ED stated the purpose of the meeting is to talk in depth on permitting and how it will be informed by the science.

9 Discussion: Debrief from Chlorine Residual Basin Plan Amendment adoption – BACWA ED spoke briefly on presentation on Basin Plan Amendment, which was adopted at the November 18th Regional Water Board hearing. The Regional Water Board is open to a blanket permit amendment to incorporate into permits, but lacks staff resources at this time.

10 Discussion: Vulnerability Assessments for Climate Change – BACWA ED & RPM met with the Regional Water Board and shared conversation from last board meeting regarding POTWs' vulnerability assessments for different climate change scenarios. The Regional Water Board is updating an information request, and BACWA will work with a handful of agencies to help test-drive questions. General group discussion followed.

11 Discussion: Toxicity update - comments at adoption and NPDES implementation - BACWA ED explained that the State Water Board will be considering adoption of the toxicity provisions at its December 1, 2020 meeting. No changes were made based on our comments. Jared Voskuhl added some information on the *Ceriodaphnia* special study, working with their counsel to determine the purpose of

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some new language, and implementation dates. BACWA ED is developing talking points for people testifying on December 1, 2020.

Action Item BACWA ED to send talking points to Board

12 Discussion: Nov 30 Draft agenda for Joint meeting with RWB – BACWA ED summarized draft meeting agenda and stated that it would be updated based on conversations today.

13 Discussion: Draft agenda for meeting with BAAQMD Managers - Sarah Deslauriers summarized purpose of BAAQMD and BACWA AIR Committee regular meetings. Next meeting is December 7, 2020 from 3-4pm and Sarah will follow up with BACWA members on meeting.

14 Discussion: Emergency management Roundtable (fires, PSPS, COVID) – City of San Jose asked how POTWs were dealing with power reliability. Agencies shared power review methods and backup generator grant applications. Agencies are concerned about COVID-19 rates rising and how that will impact staffing. Agency management is asking staff to follow CDC guidelines but are expecting the increase in COVID-19 cases to continue. Generally, agencies are allowing remote work for those who can and rotating staff for those who have to come into workplace.

15 Informational: Support for BABC proposal for Prop 68 OPC grant - BACWA ED item 15 should say BCDC

OPERATIONAL

16 Discussion: Draft Strategic Plan – BACWA ED said one board member submitted comments and asked if others would be submitting comments. BACWA ED asked for comments before December 9, 2020 so that they could be presented at December 18, 2020 EB meeting.

17 Discussion: BACWA Power Supply Reliability Infoshare draft agenda – BACWA ED working on a draft agenda and asked for presenters.

Action item: BACWA ED said she would be sending out a doodle poll to set meeting date in January.

18 Discussion: Website Policy – BACWA ED shared new website policy and summarized plan to review policies going forward.

19 Discussion: Committee leadership appreciation - BACWA ED we normally invite committee leadership to December lunch. BACWA ED asked for ideas from agencies on how to show appreciation. People discussed pros and cons of door dash, masks, plaques, and certificates in frame.

Action item: BACWA Staff to talk to explore options to show committee leadership appreciation.

20 Discussion: Annual Meeting Planning - agenda and technical support – BACWA ED reviewed agenda that is in the packet with the attendees. BACWA ED reached out to a couple of online facilitators

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to run the annual online meeting. Cost was estimated at \$2000. BACWA ED also asked that the December 18 meeting end later than 12:30 because there are two important presentations.

REPORTS

- 21 Committee Reports - In the packet
- 22 Member Highlights - In the packet
- 23 Executive Director Report - In the packet
- 24 Board Calendar and Action Items - In the packet
- 25 Regulatory Program Manager Report - In the packet
- 26 Other BACWA Representative Reports
 - a. RMP Technical Committee Mary Lou Esparza, Yuyun Shang, Samantha Engelage
 - b. RMP Steering Committee Karin North; Robert Wilson; Eric Dunlavey
 - c. Summit Partners Lorien Fono; Lori Schectel
 - d. ASC/SFEI Lorien Fono; Eileen White
 - e. Nutrient Governance Steering Committee Eric Dunlavey; Eileen White; Lori Schectel
 - e.i Nutrient Planning Subgroup Eric Dunlavey
 - e.ii NMS Technical Workgroup Eric Dunlavey
 - f. SWRCB Nutrient SAG Lorien Fono
 - g. NACWA Taskforce on Dental Amalgam Tim Potter
 - h. BAIRWMP Cheryl Munoz; Linda Hu; Lorien Fono
 - i. NACWA Emerging Contaminants Karin North; Melody LaBella
 - j. CASA State Legislative Committee Lori Schectel
 - k. CASA Regulatory Workgroup Lorien Fono
 - l. ReNUWIt Jackie Zipkin; Karin North
 - m. ReNUWIt One Water Jackie Zipkin, Eric Hansen

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- n. RMP Microplastics Liaison Artem Dyachenko
- o. Bay Area Regional Reliability Project Eileen White
- p. WaterReuse Working Group Cheryl Munoz
- q. San Francisco Estuary Partnership Eileen White; Lorien Fono
- r. CPSC Policy Education Advisory Committee Colleen Henry
- s. California Ocean Protection Council Lorien Fono
- t. Countywide Water Reuse Master Plan Karin North, Pedro Hernandez
- u. CHARG - Coastal Hazards Adaptation Resiliency Group Jackie Zipkin

19 SUGGESTIONS FOR FUTURE AGENDA ITEMS

None.

NEXT MEETING

The next meeting of the Board is scheduled for December 18, 2020

ADJOURNMENT

1:06 PM