



# Special Executive Board Meeting Minutes Joint Meeting with Regional Water Board Staff

November 30, 2020

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## 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>
Lorien Fono	BACWA
Mary Cousins	BACWA
Rich Breuer	State Water Board
Michael Montgomery	Regional Water Board
Tom Mumley	Regional Water Board
Bill Johnson	Regional Water Board
Robert Schlipf	Regional Water Board
James Parrish	Regional Water Board
Don Gray	East Bay Municipal Utility District
Karin North	City of Palo Alto
Jennie Pang	San Francisco Public Utilities Commission
Eric Dunlavey	City of San Jose
Tom Hall	EOA

**PUBLIC COMMENT** – None.

**OTHER BUSINESS** – A recent meeting of the BACWA Executive Board was [zoom-bombed](#). Going forward, the virtual meeting information will not be posted online. Member of the public may attend by requesting a link via email.

### AGENDA ITEMS

Agenda **Item 1** – Discussion: COVID-19 Response

Representatives from BACWA agencies briefly shared how they are coping with the recent increase in COVID-19 case rates, which includes an increasing case load amongst agency employees and their households. Several agencies are working directly with County public health departments or with universities on surveillance monitoring. The Regional Water Board (RB2) staff noted that they will be teleworking through at least June 2021. RB2 staff have been re-assigned to contract tracing and 10% furloughed. Fewer in-person inspections are being performed.

**Agenda Item 2 – PFAS**

The group discussed the status of the regional PFAS study, now that sampling for Phase 1 is wrapping up. The group discussed the idea of tailoring Phase 2 to support potential management actions related to PFAS source control. For example, Phase 2 could involve sampling smaller sewersheds to better characterize loading from residential vs. industrial sources. BACWA members are participating in statewide effort to control PFAS in industrial and consumer products, including labeling requirements. RB2 cannot endorse or lobby for legislation. RB2 staff will be involved in development of the Phase 2 work plan over the coming months.

**Agenda Item 3 – Toxicity**

The adoption hearing for the toxicity provisions is December 1<sup>st</sup>, and BACWA will be providing oral testimony. If and when the provisions are adopted, they will become effective only after OAL and EPA approval, which will take at least 4-6 months. RB2 staff are drafting a revised version of the sample toxicity language for NPDES permits in this region, which is expected to include the option to perform surveillance monitoring in lieu of some routine monitoring. The surveillance monitoring samples would use a higher effluent concentration than compliance monitoring, but would not be used for compliance purposes. This revised draft will be circulated and discussed at the December Permits committee meeting.

**Agenda Item 4 – Chlorine Basin Plan Amendment**

The group discussed implementation of the recently adopted Chlorine Basin Plan Amendment. RB2 is open to implementation via a blanket permit amendment, but the NPDES division does not have immediate staff availability for this work. It may take 8-12 months for the amendment to go into effect, as it must be approved by the State Water Board, OAL, and EPA.

**Agenda Item 5 – Alternate Monitoring Requirements Overhaul**

Once the new toxicity policy goes into effect (see Item 3), the Alternate Monitoring Program will require an overhaul. BACWA has completed a member survey regarding monitoring frequencies and costs, and will present the results at the December Permits committee meeting. Additional engagement with RB2 staff will occur in the coming months to assess which monitoring requirements can be reduced in frequency while still meeting program goals.

**Agenda Item 6 – Climate Change Adaption**

RB2 staff have developed a revised draft survey regarding climate change vulnerability and adaptation. POTWs, but not satellite collection systems, will be included in the first round of the survey. 2-4 BACWA members will be completing a “trial run” of the survey before it is distributed to all agencies. RB2 staff are also working with State Water Board staff on a related effort to include risk assessment language in the new SSS-WDR. The RB2 survey will be released significantly earlier (early 2021) than the new SSS-WDR (mid-2021 or beyond).

**Agenda Item 7 – Climate Change Adaption**

The group discussed RB2’s planned Basin Plan standards action, which would complement the

load caps envisioned for the 3<sup>rd</sup> watershed permit. The nutrient standards action would not include numeric water quality objectives for nutrients (though water quality objectives for DO may be included as part of the assessment framework), but would outline the overall approach of how RB2 plans to use load caps to prevent degradation. The standards action may be included in the next Basin Plan triennial review. BACWA and RB2 staff will be discussed details related to the standards action at the next December 17<sup>th</sup> planning subcommittee meeting.

Karin North shared the City of Palo Alto's experience with planning for nutrient removal upgrades; the City's preliminary costs for upgrading the secondary treatment process at the plant have tripled to \$128M. Their experience suggests that upgrades will be more expensive and more time-consuming than initially planned. Palo Alto will share information about the planned Membrane Aerated Biofilm Reactor (MABR) with RB2 staff.