



Executive Board Meeting Minutes

June 18, 2021

ROLL CALL AND INTRODUCTIONS

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

Other Attendees and Guests:

<u>Name</u>	<u>Agency/Company</u>
Aaron Winer	West County Wastewater District
Azalea Mitch	City of San Mateo
Blake Brown	CCCSD
Don Gray	EBMUD
Eric Dunlavey	City of San Jose
Jennifer Dymant	BACWA
Jim Graydon	Woodard & Curran
Justin Irving	Hazen & Sawyer
Karin North	City of Palo Alto
Lorien Fono	BACWA
Michael Connor	Consultant
Robert Wilson	City of Santa Rosa
Sarah Deslauriers	Carollo Engineers
Talyon Sortor	Fairfield-Suisun Sewer District
Vicki Sherman	City of Redwood City

Amit Mutsuddy started meeting at 9:04

ROLL CALL - taken

PUBLIC COMMENT - none

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER - none

CONSENT CALENDAR

- 1** May 21, 2021 BACWA Executive Board meeting minutes
- 2** May 24, 2021 NST meeting minutes
- 3** June 2, 2021 Joint meeting with R2 Water Board meeting minutes

4 April 2021 Treasurer's Reports

Consent Calendar Items 1, 2, 3 and 4: A motion to approve was made by Jackie Zipkin (East Bay Dischargers Authority) and seconded by Lori Schectel (Central Contra Costa Sanitary District). The motion was approved unanimously.

APPROVALS AND AUTHORIZATIONS

5 Approval: CIEA No-cost Extension for FY22

Approval Item 5: A motion to approve was made by Eileen White (East Bay Municipal Utility District) and seconded by Lori Schectel (Central Contra Costa Sanitary District). The motion was approved unanimously.

6 Approval: SGA Amendment # 3 for FY22 BAPPG Support - \$30,000

Approval Item 6: A motion to approve was made by Jackie Zipkin (East Bay Dischargers Authority) and seconded by Eileen White (East Bay Municipal Utility District). The motion was approved unanimously.

7 Approval: Amendment # 2 Carollo Contract for FY22 BABC Support - \$120,000

Approval Item 7: A motion to approve was made by Amy Chastain (San Francisco Public Utilities Commission) and seconded by Amit Mutsuddy (City of San Jose). The motion was approved unanimously.

8 Approval: Stephanie Hughes pesticides regulatory support FY22 Contract -\$60,000

Approval Item 8: A motion to approve was made by Lori Schectel (Central Contra Costa Sanitary District) and seconded by Amit Mutsuddy (City of San Jose). The motion was approved unanimously.

9 Approval: Amendment #1 for FY22 NMS Reviewer Contract - \$50,000

Approval Item 9: A motion to approve was made by Lori Schectel (Central Contra Costa Sanitary District) and seconded by Amit Mutsuddy (City of San Jose). The motion was approved unanimously.

10 Authorization: EDAR for QAS \$4,680 FY22 Contract - The ED authorized a contract to provide TNI training to the Laboratory Committee.

11 Discussion: Post pandemic meeting transition phasing - Executive Director discussed Brown Act exemption for videoconference meetings is likely expiring on Sept 30 and how to transition back to in person meetings. Agencies shared their current in person meeting guidelines and challenges of holding large hybrid meetings where some participants are in person and some remote by teleconference. General discussion about Pardee Meeting in fall followed and group decided to explore a facility closer to the bay area, and make a decision at a subsequent meeting. Whether future Executive Board meetings will be held via videoconference or in person will be decided on a month-by-month basis depending on facility availability.

Action item – BACWA staff to inquire if EBMUD Watershed Headquarters facility is available October 28 & 29th

POLICY/STRATEGIC

12 Discussion: Nutrients

a. Regulatory

i. NST meeting recap - direction on trading - Executive Director shared points from NST meeting. Discussed implications of subembayment aggregate load caps, how to calculate compliance with future load caps and what to do when agencies exceed their load cap. Discussion on whether BACWA should investigate nutrient credit / trading scheme and how can regulators incentivize nature-based solution / recycled water projects followed.

ii. HDR Data Analysis update Executive Director shared that an NST meeting would be scheduled shortly to go over HDRs data analysis. Jackie Zipkin shared that she was asked to give presentation on horizontal levee at Oro Loma at Regional Water Board Meeting in July, and confirmed messaging related to nature-based systems challenges with other Board members.

BREAK

b. Technical Work Executive Director discussed the 4 Modeling Uncertainty Workshops that wrapped up in May. Michael Connor summarized workshops and important findings. There was a discussion about the differences in how to approach modelling uncertainty in North vs. South California.

i. Modeling uncertainty May 28 workshop debrief.

c. Governance Structure

i. May 18, 2021 PSC Meeting Notes - included in packet

ii. June 2, 2021 PSC Meeting Notes - included in packet

iii. June 11, 2021 Steering Committee – Executive Director shared that the Regional Water Board is developing a writeup of the science needs to support a Basin Plan Amendment related to nutrients. Writeup is targeted fall 2021. Next fiscal year \$2.2M is anticipated from BACWA to the NMS, so there will be no more “frontloading” of NMS payments. SFEI will develop a list of projects to conduct should additional funding become available. USGS has approved continued support for R/V Peterson availability to SFEI, SFEI to negotiate a long term contract.

13 Discussion: Engagement with Air District - Comments on Regulation 2 – Executive Director shared that letter in packet was sent to Air District. General group discussion followed about engagement with Air District members on BACT, as well as the next meeting with Air District members.

14 Discussion: Chlorine Residual Permit Amendment Admin Draft - The Regional Water Board has prepared an administrative draft of a blanket NPDES permit amendment to implement the Basin Plan amendment that was adopted in November 2020. Executive Director shared a timeline slide. BACWA agencies were asked to provide comments and compiled comments will be submitted to Water Board by June 25th. The order is expected to be adopted in the fall.

15 Discussion: Alternative monitoring/CEC funding model and cost sharing - Executive Director shared the key elements to updating the 2016 Alternative Monitoring & Reporting Requirements from the Water Board. Shared timeline and new order should go into effect in 2022. An agreement on monitoring reductions and cost sharing needs to be reached in time for the RMP to send out invoices by Fall 2021.

16 Discussion: Triennial review - BACWA comments - Executive Director shared triennial review timeline and key issues that BACWA will support, as well as comment letter is due on July 8, 2021. Discussion followed about what issues BACWA wanted to stress in the letter. Letter will be circulated for review prior to submission.

Action item: *BACWA staff to share letter prior to submission date.*

17 Discussion: Four-party agreement on IRWMP funds Executive Director shared that group is deciding how to use additional funds. Group agreed with a proposal they should assist tribal environmental groups and disadvantaged community engagement. Members would like to know how the money will be spent and ensure that group selected is speaking for their community. More updates to come.

18 Discussion: Collaboration with Sonoma County Land trust and BABC on biosolids white paper - Executive Director said updated outline is in the packet. Board member expressed concern that the material to be discussed in the white paper may be too complex to be conveyed within a 10-15 page limit. The BABC Program Coordinator will be in touch with the agency staff who volunteered to review the white paper to discuss next steps.

19 Discussion: PFAS Study Schedule Update - Executive Director shared the PFAS tasks and outcome on a timeline slide. The final quality-reviewed data will be distributed to Phase I study participants and there will be a presentation in early July. PFAS Phase II study concepts will be presented at September BACWA Executive Board Meeting to inform the development of the Phase II sampling plan. A contract for SFEI to develop and conduct the Phase II sampling plan will be brought before the Board in September.

Action item: *BACWA staff to bring draft PFAS fact sheet to July Executive Board Meeting*

20 Informational: SSS-WDR Informal Staff Draft Update – Executive Director shared that RPM is working on a comment letter on behalf of BACWA, and CASA is finalizing a redline of the SSS WDR to submit to the state Water Board by the June 30 deadline. Comment letter will be sent out soon to the Board for review.

OPERATIONAL

21 Informational: BACC Update - AED shared that BACC agencies are setting up their individual contracts with chemical companies and invoices are being paid. A year-end meeting is scheduled for August 24, 2021. Agencies have expressed concerns over liquid chlorine supply and Thatcher is going to have a meeting with BACC agencies on tentatively June 28th to discuss the issue. AED shared email from Thatcher with the group. Chlorine hypochlorite suppliers have stated that they will not have difficulty meeting their contractual obligations. General discussion about chlorine supply followed.

22 Informational: Succession Planning Executive Director referred to document in the packet.

REPORTS

23 Committee Reports - Executive Director referred to packet.

24 Member highlights - EBMUD will be holding their first Executive Board Meeting in-person in 15 months. Discussion followed on return to work, proof of vaccine and rate of vaccination. Most agencies seem to be bringing staff back in the fall for 2-3 days a week and many have developed telecommuting policies.

25 Executive Director Report - Executive Director referred to packet.

26 Board Calendar and Action Items - Executive Director referred to packet.

27 Regulatory Program Manager Report - Executive Director referred to packet.

29 Other BACWA Representative Reports

30 a. RMP Technical Committee Mary Lou Esparza, Yuyun Shang, Samantha Engelage

b. RMP Steering Committee Karin North; Amanda Roa; 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; Florence Wedington

i. NACWA Emerging Contaminants Karin North; Melody LaBella

j. CASA State Legislative Committee Lori Schectel

k. CASA Regulatory Workgroup Lorien Fono; Mary Cousins

l. ReNUWit Jackie Zipkin; Karin North

m. ReNUWit One Water Jackie Zipkin

n. RMP Microplastics Liaison Artem Dyachenko

o. Bay Area Regional Reliability Project Eileen White

p. WateReuse Working Group Cheryl Munoz

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- 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

31 SUGGESTIONS FOR FUTURE AGENDA ITEMS

Climate change and sea level rise adaptation.

NEXT MEETING 12:29 PM

The next meeting of the Board is scheduled for July 16, 2021.

ADJOURNMENT 12:01 PM