



# Executive Board Meeting Minutes

September 17, 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
Allan Briggs	Hazen & Sawyer
Amanda Roa	Delta Diablo
Armando Lopez	Union Sanitary District
Blake Brown	CCCSD
Craig Centris	City of Millbrae
David Senn	SFEI
Diane Griffin	Dublin San Ramon Services District
Don Gray	EBMUD
Dave Richardson	Woodard & Curran
Eric Dunlavey	City of San Jose
Jared Voskuhl	CASA
Jennifer Dymant	BACWA
Jennifer Harrington	VFWD
Jim Graydon	Woodward & Curran
Lorien Fono	BACWA
Mary Cousins	BACWA
Mary Lou Esparza	CCCSD
Matt Fabry	City of San Mateo
Melody Tovar	City of Sunnyvale
Mike Connor	Consultant
Mira Chokshi	SFPUC
Niranjana Rajagopalan	Jacobs Engineering Group
Ryujiro Tsuchihashi	Jacobs Engineering Group
Sarah Deslauriers	Carollo Engineers
Sergio Ramirez	West Bay Sanitary District
Teresa Herrera	Silicon Valley Clean Water
Tom Hall	EOA
Tim Potter	CCCSD

**Amit Mutsuddy started meeting at 9:01**

## ROLL CALL, INTRODUCTIONS, AND TELECONFERENCE ETIQUETTE

**PUBLIC COMMENT** -none

**CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER** - none

**CONSENT CALENDAR**

- 1 August 20, 2021 BACWA Executive Board meeting minutes**
- 2 August 25, 2021 Nutrient Strategy Team Meeting**
- 3 August 31, 2021 BACWA Joint Meeting with Regional Water Board minutes**
- 4 July 2021 Treasurers Report**

**Consent Calendar Items 1, 2, 3 and 4:** *A motion to approve was made by Jackie Zipkin (East Bay Dischargers Authority) and seconded by Amit Mutsuddy (City of San Jose).*

**APPROVALS AND AUTHORIZATIONS**

- 5 Approval: BACWA AED contract amendment for BACC support rate increase**

**Approval Item 5:** This amendment incorporates a new hourly rate for work to support BACC. *A motion to approve was made by Lori Schectel (CCCSD) and seconded by Jackie Zipkin (East Bay Dischargers Authority). The motion was approved unanimously.*

- 6 Approval: SFEI Contract Amendment for Phase 1 PFAS Study**

**Approval Item 6:** *A motion to approve was made by Eileen White (East Bay Municipal Utility District) and seconded by Amit Mutsuddy (City of San Jose). The motion was approved unanimously.*

**POLICY/STRATEGIC**

- 7 Discussion: Nutrients**

- a. Technical Work**

- i. FY21 Science Program Overview and recent work products** - David Senn, SFEI, presented. David introduced the SFEI-NMS Team and collaborators, and thanked BACWA steering committee members for participating. David summarized the NMS FY2021 program plan and gave an overview of modeling work. He explained that most of the field work planned for FY2021 was completed as planned. Some modeling and synthesis work was deferred, and there are several reports available from the modeling team. For example, a Source Apportionment Report is now available in draft form, as well as a work product related to export and mixing (water age) for flows exiting the Golden Gate. Links were provided to recent deliverables.

**ii. FY22 Science Program** - Dave explained that the Bay phytoplankton growth is typically light-limited, but there are specific places and times where a nutrient limitation may occur, such as the shoals of the East Bay. The science team continues to work on developing better geochemical rate information and characterizing zooplankton grazing rates, including clam grazing. The field campaign for FY22 will include fast-boat transects as well as moored sensors, with a focus on estimating Gross Primary Productivity (GPP).

**BREAK**

**b. Regulatory**

**i. Discussion of R2 science needs for WSP 3.0** - Lorien Fono, BACWA Executive Director, shared a presentation from BACWA's joint meeting with the Water Board on 8/31/2021. Lorien presented slides and questions for the Water Board regarding what the three geographical designations are, how to engage partners in the investigation, how to move alternative projects forward and how to engage partner organizations. Lorien finished with a summary of the 4 science needs questions for the Water Board and science team. A group discussion followed.

**Action item: BACWA Executive Director to circulate questions to BACWA members for feedback at the next NST meeting to prepare to meet with the Water Board in late October.**

**ii. August 25 NST meeting debrief and discussion of next steps**

This discussion was tabled to the next NST meeting, now scheduled for Oct 13.

**iii. Review of draft Key Tenets**

This discussion was tabled to the next NST meeting, now scheduled for Oct 13.

**c. Governance Structure**

**i. Modeling advisory group planning update** - David Senn, SFEI, shared that the planning subcommittee met to work out timeline and what their approach would be. They are also identifying a chair and the key participants in the group with the goal of their first meeting being in late fall or early January.

**ii. August 30, 2021 Planning Subcommittee meeting notes** - notes were included in the packet.

**8 Discussion: AMR Admin Draft Update** - Mary Cousins, BACWA RPM, summarized key elements of the administrative draft order and negotiations. RPM also shared

that BACWA and the Water Board negotiated a level of total funding at \$320,000, which will be memorialized in the permit amendment Fact Sheet. There were no objections from the meeting attendees to the funding amount. A discussion on how to allocate the costs of supplemental CEC monitoring between agencies is still needed. The BACWA RPM shared several options: one option could be to reflect actual savings as closely as possible vs. similar dischargers should pay a similar amounts. A discussion followed about how to divide up the funding. The RPM will reach out to agencies to explain the proposed cost allocation. The tentative order will be released soon, with comments due 30 days later.

**9 Discussion: Biosolids regulation and collaboration on biosolids white paper -**

Lorien Fono, BACWA Executive Director, shared that there was a workshop earlier this week regarding biosolids in the Baylands that will be inundated due to sea rise. There is a need to disambiguate between biosolids in agriculture vs biosolids in wetlands.

***Action item: BACWA Executive Director to communicate updates on White Paper resulting from the Workshop.***

**10 Informational: Chlorine Residual Blanket Permit Amendment Adoption Hearing -**

Mary Cousins, BACWA RPM, reported that the adoption hearing has been moved to Tuesday October 12, 2021. Board members will give oral comments supporting the amendment at the meeting. The package with amendment has gone to the OAL, and after that it will go to the EPA. RPM will do outreach at Lab Committee and Permits Committee to share the changes in the reporting requirements.

***Action item – BACWA Staff to work with Board members to submit a thank you message at hearing. RPM to share changes with BACWA committees.***

**11 Discussion: PFAS Special Study Phase 2 update -**

Lorien Fono, BACWA Executive Director, shared the 6 agencies that are volunteering to participate in upstream sampling opportunities to better understand important PFAS sources. BACWA and SFEI will be collaborating with UCI who is doing a complimentary project looking at residential/commercial sources, the meeting with the State Water Board to get approval for the work. A SOW and Phase 2 contract will be brought to the Board at a future meeting.

**Lunch (1 hour)**

**OPERATIONAL**

**12 Discussion: FY23 Nutrient Surcharge Allocation -**

Lorien Fono, BACWA Executive Director, presented a 5 year proposed NMS payment and nutrient surcharge graph. BACWA front loaded our payments for the first 3 years and the payments for the next 2 years should be less than \$2.2m per year, which would allow BACWA to begin to reduce the Nutrient Surcharge.

BACWA Executive Director offered to review alternative allocation models among the BACWA principals and seek feedback from members. A general discussion followed.

**13 Discussion: Bruce Wolfe Scholarship fund** - Lorien Fono, BACWA Executive Director, shared there is an EBDA Board resolution in the packet, and Jackie Zipkin, EBDA, summarized that EBDA is going to set up a scholarship via the CASA education foundation. The proposed funding model was \$4000 from BACWA and \$1000 EBDA, for \$5000 each year for 5 years.

Board was supportive of funding scholarship, but interested in expanding eligibility to disadvantaged communities.

**Action item – BACWA Executive Director to work with EBDA on scholarship criteria.**

**14 Discussion: One Water Contribution** - Lorien Fono, BACWA Executive Director, shared One Water request for contribution to support workshop series. A general discussion followed about funding level and program outcomes, and how those relate to BACWA's priorities.

**Action item – BACWA Executive Director to ask One Water for contribution list.**

**15 Informational: BACC Update** - Jennifer Dymont, BACWA AED, shared that BACC chemical purchase survey for FY2022-23 was sent out early this week and it is due by the end of September.

**16 Discussion: Annual Meeting Planning - venue and speakers** - Lorien Fono, BACWA Executive Director, went over a list of potential speakers for the event and suggestions for speakers followed.

**Action item – BACWA ED to follow up with speakers.**

**17 Discussion: Arleen Navarret Award process kickoff** - Lorien Fono, BACWA, Executive Director, shared that there is a draft application in the packet. BACWA ED asked for volunteers to be on the selection committee and several attendees volunteered.

**Action item – BACWA ED to follow up with volunteers and previous award recipient.**

**18 Discussion: Program for Orinda - October 28/29** - Lorien Fono, BACWA, Executive Director, shared a program outline that is in the packet. We are still waiting to decide if meeting will be in person or not. A site visit is planned for 9/21 to look at facilities and technology options for hybrid meeting. (Updated after the meeting to add that the facilities are well suited to a hybrid meeting, so we're tentatively moving ahead with that plan).

**Action item – BACWA ED to update board after the site visit.**

## PRESENTATION

**19 Discussion: Climate change planning priorities - presentation by Andy Gunther**

Board Member Andy Gunther and meeting attendees engaged in an open discussion about climate change planning, including both emissions and adaptation planning. Points of discussion included the importance of a positive working relationship between the Regional Water Board and BACWA; the importance of sediment availability; the outsized importance of transportation infrastructure in setting boundaries; and the impacts of rainfall vs. sea level rise for different member agencies.

One of the major barriers for BACWA members is the difficulty of working with County and federal flood protection agencies, which in some cases are under-staffed, under-resourced, or unwilling to engage in regional partnerships. Board Member Gunther stated that he is willing to support BACWA in engaging with these stormwater and flood protection agencies, if needed.

**REPORTS**

**20 Committee Reports** - BACWA ED shared committee reports are in the packet.

**21 Member highlights** - BACWA Agencies shared their vaccine requirements and COVID protocols.

**22 Executive Director Report** - BACWA ED shared committee reports are in the packet. ED was invited to represent the POTW community at the California Water Quality Monitoring Council. This is not anticipated to be a resource-intensive role.

**23 Board Calendar and Action Items** - BACWA ED shared report is in the packet.

**24 Regulatory Program Manager Report** - BACWA RPM shared report is in the packet.

**25 Other BACWA Representative Reports**

**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

