



# Executive Board Meeting Minutes

November 19, 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); Eric Dunlavey (City of San Jose).

### Other Attendees and Guests:

<u>Name</u>	<u>Agency/Company</u>
Aaron Winer	West County Wastewater District
Amanda Roa	Delta Diablo
Andrew Damron	Napa Sanitation District
Azalea Mitch	San Mateo
Blake Brown	CCCSD
Courtney Mizutani	Mizutani Environmental
Craig Centis	City of Millbrae
Diane Griffin	Dublin San Ramon Services District
Diana Lin	SFEI
Don Gray	EBMUD
Dave Richardson	Woodard & Curran
Amit Mutsuddy *	City of San Jose
Erin Amoueyan	Jacobs
Jennifer Dymant	BACWA
Kevin Cesar	City of Millbrae
Lorien Fono	BACWA
Mary Cousins	BACWA
Mary Lou Esparza	CCCSD
Melody Tovar	City of Sunnyvale
Meg Herston	FSSD
Mike Connor	Consultant
Rion Merlo	Hazen
Robert Wilson	City of Santa Rosa
Ryujiro Tsuchihashi	Jacobs Engineering Group
Sarah Deslauriers	Carollo Engineers
Samuel Feldman-Crough	EBMUD
Sean McNeil	City of Santa Rosa
Talyon Sortor	FSSD
Tom Hall	EOA
Tim Potter	CCCSD
Tyree Jackson	City of Oakland

\*Attended the meeting briefly and was not present to vote on any approvals.

**Eileen White started meeting at 9:02**

**ROLL CALL, INTRODUCTIONS, AND TELECONFERENCE ETIQUETTE**

**PUBLIC COMMENT** - Amy Chastain shared that the RWB issued a clean-up abatement order to City of San Francisco.

**CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER** - Agenda 12 may be taken out of order.

**1 Resolution to continue teleconferencing Executive Board meetings (AB361)** - BACWA Executive Director shared that resolution would allow us to meet by teleconference & adhere to Brown Act regulations. The resolution is for 30 days so BACWA might need to convene a special meeting to adopt the resolution if time between Board meetings exceeds 30 days. This resolution will be included in future meeting packets.

*Resolution item 1: 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.*

**CONSENT CALENDAR**

**2 September 17, 2021 BACWA Executive Board meeting minutes**

**3 October 13, 2021 Nutrient Strategy Team Meeting**

**4 September 2021 Treasurers Report**

*Consent Calendar Items 2, 3 and 4: A motion to approve was made by Amy Chastain (SF Public Utilities Commission) and seconded by Eric Dunlavey (City of San Jose). The motion was approved unanimously.*

**APPROVALS AND AUTHORIZATIONS**

**5 Approval: FY21 BACWA Annual Report** - BACWA Executive Director explained the Annual Report to the group. FY21's Annual Report aligns with BACWA's new strategic plan, and the body of the report provides links to BACWA resources and work products.

*Approval Item 5: A motion to approve was made by Amy Chastain (SF Public Utilities Commission) and seconded by Jackie Zipkin (East Bay Dischargers Authority). The motion was approved unanimously.*

**6 Approval FY21 BACWA Audit Report** - BACWA Executive Director explained that this is the annual financial audit produced by Lance Soll Lunghard via EBMUD.

**Approval Item 6:** *A motion to approve was made by Lori Schectel (Central Contra Costa Sanitary District) and seconded by Eric Dunlavey (City of San Jose). The motion was approved unanimously.*

**7 Approval: SFEI Phase 2 PFAS Contract** - BACWA Executive Director explained that we have wrapped up Phase 1 of the PFAS Regional Study. BACWA Executive Director and Regulatory Program Manager are working with SFEI and member agencies to prepare a scope for Phase 2. Areas of study will include sampling facility influent, effluent, and biosolids, as well as residential sewer-sheds, industrial facilities, and groundwater under biosolids land disposal sites. Diana Lin from SFEI shared that Phase 2 is larger in scope than Phase 1, with more types of PFAS analysis. This is a request to allow BACWA ED to negotiate a contract at a specified maximum level effort of \$247,000 with SFEI before the next board meeting. The final contract will be presented at the December 2021 BACWA Board meeting.

**Approval Item 7:** *A motion to approve was made by Lori Schectel (Central Contra Costa Sanitary District) and seconded by Amy Chastain (SF Public Utilities Commission). The motion was approved unanimously.*

## **POLICY/STRATEGIC**

**8 Discussion: PFAS In Sportfish Workshop** - BACWA ED shared that the agenda for a sportfish workshop event is in the packet. Diana Lin from SFEI shared that SF bay sportfish were found to have PFAS levels above the protective thresholds for human health. The goal of the workshop is to engage communities that are marginalized and reliant on fish for subsistence. SFEI is requesting a BACWA sponsorship in the amount of \$3k to \$5k. General discussion followed about how to involve scientists and general public on PFAS safety. Attendees noted that communicating pollutant-by-pollutant risk is a difficult task when the target audience is the general public. If the Board agrees to sponsor the event, BACWA logo would be on workshop materials and BACWA would provide feedback on agenda.

**Action item** - *BACWA Staff will coordinate more discussion among members and bring final thoughts back to December 17, 2021 BACWA Executive Board meeting.*

**9 Discussion: Nutrients**

### **a. Technical Work**

**i. NMS Review Update - Mike Connor Presentation** - Mike Connor shared a presentation on his review of key SFEI 2021 science documents, including the source apportionment report and modeling work on nutrient exports out the Golden Gate. Mike

reviewed his slides and his research with group and finished with evolving recommendations. Some key points included the importance of showing long data sets (such as DO in the Lower South Bay) and the possibility of modifying South Bay Salt Pond operation to improve water quality. Group discussion followed.

**BREAK**

**b. Regulatory**

**i. Debrief from Nutrient Discussion at Orinda meeting** – BACWA ED shared major take-aways from discussion with Water Board at Orinda meeting. The 3<sup>rd</sup> watershed permit should be issued on-time (in spring 2024) and a one-Bay approach is on the table for load cap aggregation. Water Board is open to reevaluating load cap calculations and proposes a workshop to discuss alternatives. Key questions on key tenets that were discussed with the Water Board and the answers were presented.

*Action Item* – BACWA ED to share the slides with BACWA community.

**ii. Russian River trading program** - Sean McNeil (City of Santa Rosa) presented on Nutrient Trading in the Laguna de Santa Rosa. He provided background information on the City's Laguna WWTP and watershed, along with a brief history of regulations, and their nutrient offset program / water quantity trading framework His recommendations to BACWA were to (1) consider how to use Trading Ratios to incentivize certain types of projects; (2) establish early on what sort of credit-generating activities would be permitted; (3) establish a mechanism to approve credits; and (4) credit life should be based on the pollutant being traded. General group discussion followed.

**c. Governance Structure**

**i. October 6, 2021 Planning Subcommittee meeting notes** - provided in packet.

**ii. November 3, 2021 Planning Subcommittee meeting notes** – provided in packet.

**10 Discussion: BACWA Comments on AMR Tentative Order** - BACWA RPM summarized background and discussion around the letter submitted. Revised order should be available for review around December 8, 2021.

**11 Discussion: Review of Climate Change Survey results** - BACWA RPM shared slides that summarized one answer from the climate change questionnaire about vulnerability and adaptability. The responses to sea level rise projections were summarized, showing a diversity of approaches among respondents. General group discussion followed.

*Action Item* – Obtain status update on SFEI / Silvestrum shallow groundwater rise assessment

**12 Discussion: Planning for meeting with BAAQMD leadership** - BACWA ED discussed with Sarah Deslauriers how best to engage BAAQMD leadership. BACWA ED suggested a special meeting to engage with BAAQMD leadership. The adoption hearing for Regulation 2 is going to be on December 15, 2021. BACWA group would like to see POTWs categorized essential businesses and asked for talking points around this issue to provide to Air District Board members. Group discussed ways to engage and work with BAAQMD.

***Action Item** – BACWA staff to share Regulation 2 / essential public service talking points with BACWA group. BACWA members will identify BAAQMD Board members for this outreach messaging. **Action Item** – Schedule a meeting with BAAQMD leadership to discuss longer-term issues such as BAAQMD staffing shortages.*

## **OPERATIONAL**

**13 Discussion: Meeting Schedule 2022** - BACWA ED shared slide of BACWA Executive Board Meeting schedule in 2022. The January 21<sup>st</sup>, 2022 meeting moved to January 14<sup>th</sup> 2022 due to CASA conference. Group decided that BACWA Annual meeting will be May 6<sup>th</sup>. Group decided that Pardee Technical Seminar will be on September 8 & 9<sup>th</sup>, 2022.

***Action item:** BACWA Staff to schedule these events.*

**14 Discussion: Annual Meeting Planning - venue and speakers**

**15 Informational: FY23 Budget planning and adoption schedule** - BACWA ED shared that schedule is in the packet.

**16 Informational: BACC Update** - BACWA AED shared that BACC agencies have submitted their quantities & deliver details spreadsheet and currently the database is being updated.

**17 Informational: Committee leadership appreciation** - BACWA ED shared that BACWA would be giving out Committee leadership a box of See's Chocolates this year.

**18 Discussion: Strategic Plan Proposed Update** - BACWA ED shared that a proposed update to the Strategic Plan is in the packet and will be discussed at the December meeting.

***Action item** - BACWA Staff will bring back to December 17, 2021 BACWA Executive Board meeting for further discussion.*

**19 Discussion: Guiding principles on funding for collaboratives** – BACWA ED shared that we would discuss this item at the next meeting. The Board requested that the document provide criteria for decision making on funding collaboratives.

*Action items – BACWA staff to develop additional details regarding the guiding principles, and bring back to the December 17, 2021 Executive Board meeting for further discussion.*

**REPORTS**

**20 Committee Reports**

**21 Member highlights** - BACWA RPM noted that the City of Oakland has joined as a BACWA member.

**22 Executive Director Report**

**23 Board Calendar and Action Items**

**24 Regulatory Program Manager Report**

**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; Amit Mutsuddy

**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, Eric Hansen

- n. RMP Microplastics Liaison Artem Dyachenko**
- o. Bay Area Regional Reliability Project Eileen White**
- p. WateReuse 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**
- v. California Water Quality Monitoring Council Lorien Fono**

**SUGGESTIONS FOR FUTURE AGENDA ITEMS**

**NEXT MEETING**

**The next meeting of the Board is scheduled for December 17, 2021**

**ADJOURNMENT**

**1:12 PM**