

BACWA EXECUTIVE BOARD MEETING
Thursday, September 23, 2010, 9:00 a.m. – 12:00 p.m.

HANDOUTS

Handout Packet is available on the BACWA website (www.BACWA.org).

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AGENDA

Executive Board Meeting

Thursday, September 23, 2010
9:00 a.m. – 12:00 p.m.

EBMUD Plant Lab Library
2020 Wake Ave., Oakland, CA

ROLL CALL AND INTRODUCTIONS (9:00 a.m. – 9:05 a.m.)

PUBLIC COMMENT (9:05 a.m. – 9:10 a.m.)

REPORTS (9:10 a.m. – 10:00 a.m.)

1. Committee Reports Question and Answers.
2. July and August Treasurer's Reports (informational item)
3. Proposition 50 Grant Disbursements Status Report.
4. Executive Director Report.
5. Executive Board Reports.
6. Chair & Executive Director Authorized Actions
 - a. Contract with Adammer for As Needed BACWA Website Technical Support, \$1,250; File 12,240.
 - b. Purchase Order for Big Apple Catering to provide General BACWA Meeting Services; \$1,000; File 12,241.
 - c. Contract with CH2M Hill for Energy Issues Support, \$9,997; File 12,235.
 - d. Contract with Patricia McGovern Engineers for SHELL Issue Paper, \$5,000; File 12,237.
 - e. Authorization to utilize Oakley Water Strategies As Needed Contract for NPDES Permit Workshop support; \$6,950; File 12,162.
 - f. Membership contribution to the Federal Water Quality Coalition (FWQC), \$5,000; File 12,259.

CONSENT CALENDAR (10:00 a.m. – 10:15 a.m.)

7. Approval of Minutes from July 29, 2010 BACWA Executive Board Meeting.
8. Resolution authorizing BACWA to apply to the California Department of Water Resources for Proposition 84 funding on behalf of Bay Area Integrated Water Management Plan participants, File No. 12,163.
9. Resolution adopting a vision statement for the use of wastewater as a resource for the San Francisco Bay Area, File No. 12,164.

OTHER BUSINESS (10:15 a.m. – 11:00 a.m.)

10. Nutrients/Ammonium
11. Energy Workshop

CLOSED SESSION (11:00 a.m. – 11:55 a.m.)

The Board will meet in Closed Session with legal counsel to discuss potential litigation pursuant to Government Code Section 54956.9(b).

REPORT OUT FROM CLOSED SESSION (11:55 a.m.)

NEXT REGULAR MEETING

The next regular meeting is scheduled for **October 28, 2010**, 9:00 to 12:00 at the EBMUD Plant Lab Library in Oakland.

ADJOURNMENT (12:00 p.m.)

Handout Packet will be available by noon on September 22, 2010 on the BACWA website (www.BACWA.org).

**BAPPG Committee Report to
BACWA Board**

Meeting Date: September 23, 2010
Prepared By: Sharon Newton, City of San Jose
BAPPG Committee Chair

Project Updates

Project	Update	Completion Date
Product Stewardship Institute's Annual Forum	BACWA provided funding for Melody LaBella's (CCCSD) attendance at the Product Stewardship's Annual Forum on July 20 & 21, 2010. See attached for Melody's trip report.	July 2010
Outreach/Training for Dental Hygienists & Assistants	Stephanie Hughes updated the program presentation and flyer and scheduled presentations at Contra Costa College, Santa Rosa Community Colleges, City College of San Francisco, and the College of Marin College (tentative). [Project Lead: Melody LaBella – CCCSD]	August 2010
P2 Week Posters	1,500 P2 Week Posters, designed by Union Sanitary District staff, featuring the Flush Green message were printed and distributed to BAPPG members. The final poster is attached. [Project Lead: Mike Auer, Union Sanitary District.]	September, 2010
EcoMetro Guide Ads	BAPPG placed two ads in the South Bay and East Bay Chinook Book (The New EcoMetro Guide). The ads, created using existing artwork from the No Drugs Down the Drain campaign, direct residents to BayWise.org for disposal information. EcoMetro Guides are coupon books for "green" services and products that remain in circulation for one year. The 2011 Chinook Books have been published and are currently being distributed. The No Drugs Down the Drain ad is located in the resource section of the books. See attached example. [Project Lead: Karin North]	Fall 2010
Pharmaceuticals	BAPPG will begin working with the Teleosis Institute to develop two sets of brochures for hospice care workers to distribute to patients and their families - one set upon entering hospice and another for end of life. [Project Lead: Karin North]	Fall 2010

Next BAPPG Meeting

October 6, 2010, 10am – 12pm, 1515 Clay Street, Oakland, CA, Second Floor, Room 10

Attachments

Product Stewardship Annual Forum - Trip Report
Pollution Prevention Week Poster
Chinook Book (Eco Metro Guide) Advertisement

**Product Stewardship Institute's 6th National Forum – July 20-21, 2010
Trip Report by Melody LaBella, Central Contra Costa Sanitary District**

This year's Forum involved facilitated discussions (a PSI specialty) with numerous networking opportunities. Representatives from Canada and Europe were invited and in attendance to share in lessons they learned in developing their extended producer responsibility (EPR) systems. PSI senior staff led four high-level workshops that included brief presentations followed by brainstorming sessions that were intended as catalysts for follow-up discussions throughout the year.

The conference started with a broad overview of US product stewardship laws, legislative trends, and recent developments, referencing the full range of product categories. The four workshops were as follows:

**Day 1 Forum Workshop #1: 8:30 to 12:30 AM
Introduction & Lessons Learned From Product Stewardship**

This session focused on lessons learned from legislation across all products (especially electronics, lamps, thermostats, auto switches, batteries and paint).

Presentations (press control and click on the links below to view):

[Introduction: Lessons Learned from Product Stewardship - Scott Cassel, PSI](#)
[Overview of Product Stewardship in Canada - Neil Hastie, Encorp Pacific \(Canada\)](#)
[Reflections on Key Lessons Learned - Theresa Stiner, IA DNR](#)
[Reflections on Key Lessons Learned from the EU - Ofira Varga](#)

**Day 1 Forum Workshop #2: 1:30 pm – 5:30 PM
Framework Approaches to Product Stewardship**

This session focused on the viability of harmonizing product policy, with a focus on framework legislation (vs. legislating EPR product-by-product). Interesting take-away was that some products work better with framework legislation than others. In almost every case and in every country, the surrounding circumstances (the product, the product chain's level of interest, local government support, public demand, etc.) needed to be considered in crafting the ultimate solution.

Presentations (press control and click on the links below to view):

[Program Harmonization and Framework Approaches - Scott Cassel, PSI](#)
[Overview and Discussion of Maine's Framework Law - Carole Cifrino, ME DEP, Rep. Melissa Walsh Innes, ME Legislature, Matt Prindiville, NRCM](#)

Day 2 Forum Workshop #3 – 8:30 to 12:30 AM

Exploring Options for a Battery Stewardship Program

PSI is exploring the potential for a national battery dialogue that aims to increase the recycling of rechargeable batteries, harmonize state programs and laws in the US (and possibly in North America), and explore management options for alkaline batteries, among other topics. Prior to the Forum, PSI interviewed key stakeholders from different sectors, including manufacturers, retailers, government, the waste industry, and other interested groups to build a common understanding of the issues and potential solutions from diverse perspectives, and sent participants a draft [Battery Stewardship Briefing Document](#) based on the interviews and other research. Interesting take aways included: single-use batteries are called “primary” and rechargeable batteries are called “secondary” and the battery industry is not currently motivated to recycle primary batteries, because it is currently more expensive to recycle than to start from new materials. Need legislation.

Presentations (press control and click on the links below to view):

[Strategies to Maximize the Collection and Recycling of Secondary Batteries - Carl Smith, Call2Recycle®](#)
[Primary Batteries Sustainability - Michael Babiak \(Energizer\)](#)

Day 2 Forum Workshop #4: 1:30 pm – 3:30 pm

Packaging Stewardship: Exploring Options for Managing Packaging Waste

This session featured 10-minute introductions from presenters experienced or engaged in created EPR for product packaging. Ontario and Quebec are beginning to shift their curbside recycling programs from shared financial responsibility to full producer responsibility systems. Experts from the US and Canada led a facilitated discussion on which materials are most problematic (plastics #3-#7), how to best cover local government costs and reduce overall program costs, how beverage container legislation and recycling programs factor in, how to assign responsibility and drive packaging design improvements and how each stakeholder's role might change under a producer-financed system.

Presentations (press control and click on the links below to view):

[Setting the stage: Why EPR for Packaging? - Resa Dimino, NYS Department of Environmental Conservation](#)
[Setting the stage: Why EPR for Packaging? - Jen Holliday, Chittenden County Solid Waste District, VT](#)
[The Importance of Recovering Secondary Materials - Mike Schedler, NAPCOR](#)
[Ontario's Move to 100% Producer Responsibility for Packaging - Derek Stephenson, StewardEdge Inc.](#)

Additional background materials can be found here:

<http://www.productstewardship.us/displaycommon.cfm?an=1&subarticlenbr=720>

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 BAY AREA POLLUTION
PREVENTION GROUP

A Committee of Bay Area Clean Water Agencies

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East Bay 2011

11th Heaven Yoga C-296

ADress Change C-272

All Sun 22

Ace Hardware C-350, C-351, C-352

Actual Cafe C-202

Adagia Restaurant C-157, 7

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Amanda's C-177

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Amy's Kitchen C-86, C-87, C-88

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Annie's Annuals & Perennials C-331

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biokleen C-152a

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Botanical Gardens - UC Berkeley C-330

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Choice Organic Tea C-140

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City of Oakland 10, 41, 47, 66, 267

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Clean Green Collision C-305, 222

Cock-a-doodle Café C-184

Coffee Mill C-205, 172

Cole Coffee C-206

Complete Garden Supply C-335

Contra Costa Certified Farmers

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Contra Costa Green Business Program 10

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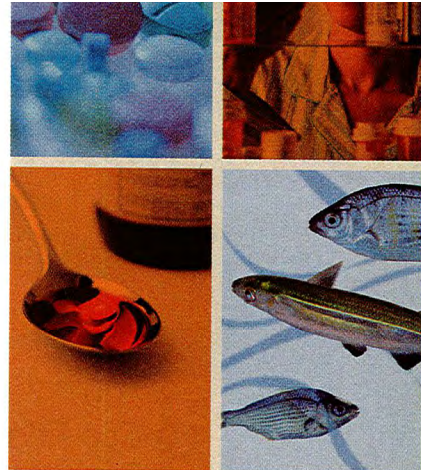
Crackerjacks C-264

Crossroads Trading Company C-273

Crystal Body Deodorant C-145

Culina C-185

Cycle Sports C-314



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BAY AREA POLLUTION
PREVENTION GROUP

Committee Request for Board Action: None.**Upcoming Permits –**

Nov - Mount View Sanitary District WWTP

EPA Rulemaking: (three proposed rules, continued from July)

- a. NPDES Electronic Reporting Rule. EPA is working on development of an Electronic Reporting system. At this point, the new rule will apply to non-delegated states. California will be unaffected since it is a delegated state.
- b. SSOs and Blending. BACWA (collection system committee)/TriTAC/SCAAP commented by the 2 August deadline. The comments focused on SSO management, vice prohibitions. Major comments were that States should run the NPDES program and that prohibitions against SSOs are counterproductive. Sewer systems have to be designed to a maximum design flow based on probable storm events.
- c. Amendments to CWA to require “sufficiently sensitive analytical methods.” Comments were due on August 9th. BACWA did not comment since California Region 2 is already following this policy, however, City of Benicia, CCSD, and LACSD provided comments.

State Water Board draft policy: Whole Effluent Toxicity (WET) Assessment and Control Policy. San Jose and CASA/TriTAC each commented to State Board by the August 7th deadline. Both comment letters challenged the proposed policy use of numeric limits for WET tests. Both letters also provided examples described how use of the proposed Test of Significant Toxicity methodology will lead to false positive measurements of whole effluent toxicity. In effect, this policy creates a statistical certainty that many POTWs will periodically be cited for numeric exceedences, and be required to investigate toxicity, that in reality, did not exist.

This initial comment opportunity was in advance of a formal comment period. We anticipate that public notice for comment will be sent in the next few months. Permits committee is considering holding a BACWA workshop to review member agency WET testing requirements and Toxicity Identification Evaluation (TIE) experience. It would be useful to compile specific Bay Area WET requirements and experiences:

- a. Member agencies have a wide variety of WET testing permit requirements. Several different organisms are used. At least 4 different analytical labs perform these tests around Bay Area
- b. Those agencies that have conducted TIE procedures in recent years, e.g. San Jose, Sunnyvale, and CCSD, have found the procedure to be very expensive and results are generally inconclusive.

Next Step: Jim Ervin sent an email solicitation to Permits Committee to submit WET information for compilation. BACWA may also consider submission of a joint comment letter with Regional Board when the time comes.

Pretreatment Reporting (NPDES Permit Attachment H)

Tim Potter is leading the effort, with representatives from 7 BACWA agencies to revise permit Attachment H. A kick-off meeting was held with Water Board staff on 13 July. The Attachment H workgroup reviewed initial draft changes on 12 August. The final BACWA revised draft will be sent to Michael Chee on Water Board staff during the week of 20 September.

eSMR: State Board is requiring the Region II Water Board to develop an implementation plan by end of 2010 for adoption of eSMR:

- a. Small dischargers that have not installed LIMS laboratory database systems will feel pressure to do so. Mt. View POTW is considering purchase of a LIMS. BACWA may want to consider coordination of a group buy.
- b. State Board, Jarma Bennet, is soliciting input for data system specifications for a future RFP to build a data entry tool for eSMR. BACWA members, or Region II staff, may want to review or comment. Mike Pelucci, Yuba City has developed an Access tool. Azyura company, Darlene Reddaway, is working on a software system to respond to the anticipated State board RFP. The ultimate customer for any data entry tool or data system that works with eSMR will be Regional Board staff since they define permit limits.
- c. Current major short coming of the eSMR database system is lack of a permit limit ID/permit limit builder that will automatically identify exceedances. State Board may develop a fix for this problem, but ultimately, from

State Board perspective, this is a problem that each of the nine regional boards have to address.

d. The goal of SF Regional Board is to have all major dischargers using the new eSMR system by end of 2011.

NPDES Permit Renewal Training Workshop: BACWA training on RPA / Dilution planned for September 24th.

Next BACWA Permits Committee Meeting

Tuesday, Oct 12, 2010, from 1:00 PM to 3:00 PM at EBMUD Wastewater Treatment Plant Library. .

Grant Disbursement Summary to Date (Sept 23, 2010)											
Bay Area Integrated Regional Water Management (IRWM) Prop 50 Grant											
Agr. No.	Implementing Agency	Project Title	DWR Proj. No.	Max. State Grant Funds by Project	Grant Funds Invoiced to date	Paid by DWR to date	DWR Retention	Admin ² Funds Rec'd by BACWA	Funds paid out to date	Payable as of this date	Total Paid and Payable
1	Contra Costa Water District	Regional Intertie (VFDs)	1	500,000.00	500,000.00	181,397.33	(50,000.00)		176,731.44	0.00	176,731.44
		BACWA Admin	16	15,625.00	6,621.24	5,959.11	(662.12)	15,625.00			
2	East Bay Municipal Utility District	Reg. Conservation Outreach	2	250,000.00	250,000.00	225,000.00	(25,000.00)		1,889,049.85	2,340.41	1,891,390.26
		California WaterStar Initiative -	3	525,000.00	0.00	0.00	0.00				
		New Business Guidebook Pilot	4	75,000.00	0.00	0.00	0.00				
		Richmond Adv Recycling	8	2,127,600.00	1,831,681.03	1,648,512.93	(183,168.10)				
		BACWA Admin	16	46,875.00	19,863.71	17,877.33	(1,986.37)	46,875.00			
3	City of Redwood City	Redwood City Recycled WP	5	972,800.00	972,800.00	972,800.00	0.00		978,759.11	0.00	978,759.11
		BACWA Admin	16	15,625.00	6,621.24	5,959.11	(662.12)	15,625.00			
4	City of Palo Alto	Mt.View-Moffett Recycl WP	6	972,800.00	972,800.00	972,800.00	0.00		965,858.13	2,275.98	968,134.11
		BACWA Admin	16	15,625.00	6,621.24	5,959.11	(662.12)	15,625.00			
5	Santa Clara Valley Water District (& San Jose)	Reg. Conservation Outreach	2	125,000.00	125,000.00	112,500.00	(12,500.00)		80,625.00	4,377.33	85,002.33
		South Bay Adv Recycl WTP	7	2,934,600.00	0.00	0.00	0.00				
		BACWA Admin ³	16	31,875.00	4,863.71	4,377.33	(486.37)	31,875.00			
SJ	City of San Jose	BACWA Admin for SCVWD ³	16	15,000.00	15,000.00	13,500.00	(1,500.00)	15,000.00	0.00	13,500.00	13,500.00
6	North Coast County WD (& SFPUC)	Pacifica Recycled Water Proj	9	744,400.00	0.00	0.00	0.00		0.00	1,459.11	1,459.11
		BACWA Admin ³	16	10,625.00	1,621.24	1,459.11	(162.12)	10,625.00			
SF	S.F. Public Utilities Comm	Reg. Conservation Outreach	2	297,550.00	297,550.00	267,795.00	(29,755.00)		231,545.00	31,418.22	262,963.22
		BACWA Adm for Reg.Consrv	16	31,250.00	13,242.47	11,918.22	(1,324.25)	31,250.00			
		BACWA Admin for NCCWD ³	16	5,000.00	5,000.00	4,500.00	(500.00)	5,000.00			
SOL	Solano Co. Water Agency	Reg. Conservation Outreach	2	50,000.00	50,000.00	45,000.00	(5,000.00)		45,000.00	0.00	45,000.00
7	North Marin Water District	North Marin Recycled Water	10	244,550.00	244,550.00	244,550.00	(0.00)		241,750.47	0.00	241,750.47
		BACWA Admin	16	9,375.00	3,972.74	3,575.47	(397.27)	9,375.00			
8	Zone 7 Water Agency	Reg. Conservation Outreach	2	60,000.00	60,000.00	54,000.00	(6,000.00)		720,000.00	5,959.11	725,959.11
		Mocha GW Demin Project	11	740,000.00	740,000.00	666,000.00	(74,000.00)				
		BACWA Admin	16	15,625.00	6,621.24	5,959.11	(662.12)	15,625.00			
9	Marin Municipal Water District	Reg. Conservation Outreach	2	200,000.00	200,000.00	180,000.00	(20,000.00)		374,451.90	468.08	374,919.98
		Direct Installation HET Prog	12	366,800.00	219,688.35	197,719.52	(21,968.84)				
		BACWA Admin	16	9,375.00	3,972.74	3,575.47	(397.27)	9,375.00			
10	Montara Water & Sanitary District	Groundwater Exploration Project	13	37,100.00	37,100.00	33,390.00	(3,710.00)		33,390.00	1,191.82	34,581.82
		BACWA Admin	16	3,125.00	1,324.25	1,191.82	(132.42)	3,125.00			
11	Alameda County Water District	Reg. Conservation Outreach	2	60,000.00	60,000.00	54,000.00	(6,000.00)		589,334.11	0.00	589,334.11
		Alameda Creek Phase 2 Fish	14	600,000.00	600,000.00	540,000.00	(60,000.00)				
		BACWA Admin	16	15,625.00	6,621.24	5,959.11	(662.12)	15,625.00			
12	Sonoma Valley County Sanit. Dist.	Sonoma-Napa Marsh RWP	15	366,800.00	0.00	0.00	0.00		0.00	3,575.47	3,575.47
		BACWA Admin	16	9,375.00	3,972.74	3,575.47	(397.27)	9,375.00			
Grand Total				12,500,000.00	7,267,109.14	6,490,810.56	(507,695.91)	250,000.00	6,326,495.01	66,565.55	6,393,060.56

Notes: 1. BACWA Administration Costs invoiced and paid to date:

105,939.76

92,070.65

3. Reimburse SFPUC and San Jose for Admin Costs until reimbursement = \$80k then pay SCVWD & NCCWD

2.Admin funding = \$152,250 in upfront funding plus grant check deductions.

9/20/2010

DIRECTOR'S REPORT TO THE BOARD

Prepared for the September 23, 2010 Executive Board Meeting
July 25, 2010 – September 20, 2010

A. Executive Board & Administrative Matters

Financial & Administrative Matters

The Executive Director (ED) and Assistant Executive Director (AED) worked closely with EBMUD accounting staff to finalize the transition to a new chart of accounts, for which implementation began in June. We also reviewed and provided feedback on newly automated reporting formats, and finalized the annual audit and end of year balances for all BACWA funds.

The ED and AED organized and prepared materials for the annual BACWA retreat at Pardee.

B. Regulatory Affairs & Developments

Mercury Risk Reduction

BACWA is still working with ASC and other participants to finalize agreements necessary to implement the risk reduction project required by the San Francisco Bay Regional Water Quality Control Board (Water Board). CDPH completed a preliminary risk assessment, and we are waiting for Bay Area Stormwater Management Agencies Association (BASMAA) to ensure that the project and administration meets EPA granting requirements, as an EPA grant will be providing some of BASMAA's contribution towards this work. The ED is still working with the Western States Petroleum Association to solicit contributions from other NPDES permit holders.

PCB TMDL Implementation

In August BACWA provided Water Board staff with a draft permit amendment consistent with the approach agreed upon earlier this summer. On September 9, the ED and consultants met with Water Board staff to discuss their proposal to calculate performance-based effluent limits using TSD procedures rather than the methodology used for the mercury watershed permit, which BACWA proposed. The new limits proposed by the Water Board for plants with secondary treatment are an AMEL of 8,600 pg/L and an MDEL of 17,000 pg/L. Those proposed for advanced are an AMEL of 320 pg/L and an MDEL of 490 pg/L. If these limits are acceptable, Water Board staff hopes to notice the draft permit in October and have it approved by the Water Board at their December meeting.

On September 2, the ED and Chair participated in a Federal Water Quality Committee call coordinated by Fred Andes to discuss the implications of and concerns about EPA's proposed rulemaking that would de facto approve the use of a low-detection limit method for PCBs (1668C). BACWA has elected to join the FWQC for this year in order to support development of these comments.

Sanitary Sewer Overflows

BACWA prepared and submitted comments on the draft Cease & Desist Order (CDO) issued by the Water Board to the City of San Bruno related to that agency's SSOs. The comments were similar to those submitted in response to a draft CDO issued to Pacifica.

On September 9, the ED and Collection Systems Committee representatives met with Water Board staff to discuss proposed changes to SSO reporting requirements. There was substantial agreement regarding the changes. BACWA

is preparing a revised version of the section 13267 letter that will implement these changes and will provide these to the Water Board shortly. The ED will provide a summary of these changes to the BACWA Board once they are finalized. The Collection Systems Committee briefed members on the changes at the September 9 meeting and will coordinate with Water Board staff to prepare trainings and/or materials to educate members on the changes. The changes will take effect in 2011 and include submittal of Annual Reports in an electronic format, inclusion of a list of planned and undertaken capital improvement projects, and requiring program audits to be reported biennially rather than annually.

*Stormwater
Diversion*

A final draft of this White Paper was prepared by Carollo and distributed to the BACWA Executive Board for review. Comments received will be incorporated and the final version is expected to be completed in October.

Misc.

CIOWS: The ED is working with Water Board staff and the Permits and Laboratory Committees to understand the impacts of switching from the Regional Board's ERS to the State Board's e-SMR reporting systems for compliance with NPDES effluent limits. The ED contacted Darlene Reddaway, who is working with San Jose. Ms. Reddaway believes that her system – Waterbits – can be used by POTWs and the State and Regional Water Boards to facilitate reporting.

Nutrients: The first meeting of the San Francisco Bay numeric nutrient endpoint stakeholder advisory group is scheduled for October 4, 2010. Mike Connor and the ED will attend this meeting and will brief the Executive Board afterwards.

SFEI Steering Committee: Kirsten Struve has volunteered to represent large POTWs on the SFEI steering committee. A designee for small POTWs still needs to be identified; the ED is reaching out to members to solicit their involvement.

Aquatic Science Center: The ED, Dave Williams and Kirsten Struve attended a strategic planning meeting for the ASC on September 2.

Water Board Meeting: The ED attended the September 8 Regional Water Board meeting. At this meeting the 2010 Dr. Teng-chung Wu Pollution Prevention Award was presented to six Marin County wastewater agencies (Central Marin Sanitation Agency, Las Gallinas Valley Sanitation District, Novato Sanitary District, Sewerage Agency of Southern Marin, Sanitary District No. 5, and Sausalito-Marín City Sanitary District) for their county-wide education program. Honorable mention was given to the City of Livermore for its creative public outreach, which features murals of whales and dolphins on East Bay Discharger Authority buildings in Livermore, San Lorenzo, and San Leandro.

C. Committee Affairs & Regional Collaboration

Committees

The ED assisted CH2MHill prepare and distribute a survey to members on their energy issues and needs.

The ED participated in BAPPG's planning for FY 2011-2012 projects.

*Workshops &
Trainings*

The Permits and Laboratory Committees will be holding a workshop on reasonable potential analysis and dilution studies on September 24. The ED coordinated with them to plan for and publicize the workshop.

IRWMP

The ED attended the Integrated Regional Water Management Plan's Coordinating Committee (CC) meeting on August 23. The CC is requesting that BACWA serve as the applicant for Prop 84 funding, the application for which is due January 2011.

The ED met with Brian Campbell to review Prop 50 accounts and discuss Prop 84. The ED also met with Jennifer Krebs of the San Francisco Estuary Partnership (SFEP) to discuss the possibility of SFEP serving as the Prop 84 applicant.

Other

The ED attended the August 25 SFEP Implementation Committee meeting.

Paul Causey is still coordinating with Redwood City to take over management of the rate database and will provide an update at the November Board meeting.

D. Membership

*Member
Communications*

The ED and AED worked with CirclePoint to make changes to the BACWA main page. The ED updated out of date content on the website and is continuing to outline necessary changes to make the website more functional for members and aesthetically pleasing.

The ED was briefed by CirclePoint on the communications plan that they developed for CASA and will continue to follow developments and integrate into BACWA's communications as appropriate.

The ED continued to prepare and circulate e-Updates for members. To date, only positive feedback on these updates has been received. In early September, CirclePoint created templates for the e-Updates which the ED and AED are considering.

E. Upcoming Meetings

- September 21: Regional Monitoring Program Technical Review Committee Meeting
- September 24: RPA/Dilution Studies Workshop
- September 27 – 29: Bay-Delta Science Conference
- October 5: Regional Monitoring Program Annual Meeting
- October 6: BAPPG Meeting
- October 7: Collection Systems Committee Meeting
- October 13: Regional Water Board Meeting
- October 13: Laboratory Committee Meeting

- October 19: Regional Monitoring Program Steering Committee Meeting
- October 27: BAMI Meeting
- October 28: BACWA Executive Board Meeting



BACWA CHAIR / EXECUTIVE DIRECTOR AUTHORIZATION REQUEST

FILE NO.: 12,259

DATE: September 13, 2010

TITLE: Approval of \$5,000 membership contribution to join the Federal Water Quality Coalition.

RECOMMENDED ACTION

Chair authorization of a \$5,000 membership contribution to join the Federal Water Quality Coalition in the Fiscal Year 2010-2011.

SUMMARY

The Federal Water Quality Coalition (FWQC) is a group of industrial companies, municipalities, agricultural entities and trade associations that are directly affected by, or have members that are directly affected by, regulatory requirements imposed under the Clean Water Act. The Coalition participates in federal and regional water quality rulemakings, initiatives and guidance development, through negotiation and written comments. These activities are managed by the Coalition's Coordinator, Fred Andes of the law firm of Barnes & Thornburg.

The FWQC has retained an expert to assist with the development of comments on EPA's draft Methods Update Rule, which proposes new and revised 40 CFR Part 136 test procedures for analysis of pollutants in wastewater samples under the Clean Water Act. The MUR would make Method 1668C an approved test method for PCBs. This method has a much lower detection limit than the currently used Method 608, and raises technical and economic concerns for BACWA member agencies. BACWA is joining the FWQC in order to participate in the development of these comments and to ensure that Bay Area concerns and issues are incorporated where appropriate.

FISCAL IMPACT

Support for the FWQC is not provided for in the Fiscal Year 2010-2011 workplan or budget. However, funds are available in the Clean Bay Collaborative budget "Other" line item, for which \$100,000 is currently budgeted. To date, there have been no expenses incurred against this budget line.

ALTERNATIVES

No other alternatives were considered as the BACWA contracting policies authorize a sole source selection process for contracts under \$50,000.

Approved By: 	Date:
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**BAY AREA CLEAN WATER AGENCIES
TREASURER'S REPORT
FOR THE MONTH ENDED July 31, 2010**

BACWA	FY10-11 Budget		Actual			FY11 Revenue YTD	Budg YTD %
			FY09 Rev. Received	Revenue Current Month	Revenue Cumul YTD		
<u>REVENUES & FUNDING</u>							
Principals' Contributions	450,000		0	90,000	90,000	90,000	20%
Associate & Affiliate Contributions	160,500		0	12,000	12,000	12,000	7%
Other Receipts	73,158		0	-	0	-	0%
Fund Transfer	37,842		0	-	0	-	0%
Interest Income	15,000		0	2,122	2,122	2,122	14%
TOTAL REVENUE & FUNDING	736,500		0	104,122	104,122	104,122	14%
<u>PROJECT ELEMENTS</u>							
	FY10-11 Budget	Obligated	Actual			FY11 Expendtr YTD	Budg YTD %
			FY09 Inv. Paid In FY10	Expenditures Current Month	Expenditures Cumul YTD		
BACWA Committees	113,000	0	8,156	-	8,156	-	0%
Collections System	25,000		3,509	-	3,509	-	0%
Permit Committee	25,000		2,854	-	2,854	-	0%
Water Recycling Committee	11,000		-	-	-	-	0%
Biosolids Committee	10,000		-	-	-	-	0%
InfoShare Groups	25,000		1,680	-	1,680	-	0%
Laboratory Committee	7,000		-	-	-	-	0%
Miscellaneous Committee Support	10,000		113	-	113	-	0%
Technical Support	125,000	0	3,267	-	3,267	-	0%
Media Relations Support	25,000		-	-	-	-	0%
Consultant Support	100,000		3,267	-	3,267	-	0%
Legal Support	37,448	7,448	882	-	882	-	0%
Regulatory Support	27,448	7,448	882	-	882	-	0%
Executive Board Support	10,000		-	-	-	-	0%
Collaboratives and Sponsorships	35,500	-	-	10,000	10,000	10,000	28%
CWAA	10,000		-	10,000	10,000	10,000	100%
State of the Estuary	20,000		-	-	-	-	0%
CPSC	5,000		-	-	-	-	0%
PSI	500		-	-	-	-	0%
Communications and Reporting	105,000	0	9,558	-	9,558	-	0%
Annual Report	20,000		-	-	-	-	0%
Website Development/Maintenance	70,000		9,558	-	9,558	-	0%
Other Communications	15,000		-	-	-	-	0%
Special Programs	50,000	0	-	-	-	-	0%
Contribution to BAPPG Enterprise	50,000		-	-	-	-	0%
General BACWA Support	25,000	-	5,255	-	5,255	-	0%
Contingency	15,000		5,000	-	5,000	-	0%
Meeting Support	10,000		255	-	255	-	0%
TOTAL PROGRAMS	490,948	7,448	27,118	10,000	37,118	10,000	2%
Administrative Support	257,000	4,000	16,445	-	16,445	-	0%
Executive Director	130,000		10,833	-	10,833	-	0%
Assistant Executive Director	70,000		4,868	-	4,868	-	0%
EBMUD Financial Service & Audit	44,000	4,000	-	-	-	-	0%
Administrative Expenses	8,000		743	-	743	-	0%
Insurance	5,000		-	-	-	-	0%
PROJECT TOTALS	747,948	11,448	43,563	10,000	53,563	10,000	1%
BALANCE	(11,448)		(43,563)	94,122	50,559	94,122	

	Budgeted		Actual			FY10 Rev./Expend	Budg YTD %
	FY 10	Obligated Exp	FY09 Revenue/Expenditu	Rev./Expend Current Month	Rev./Expendtr Cumul YTD		
CBC Contributions	450,500		-	69,812	69,812	69,812	15%
CBC Interest/ Misc	8,000		-	1,459	1,459	1,459	18%
CBC Contract Expenses	456,347		178,530	-	178,530	-	0%
Technical Support	191,727	16,727	178,530	-	178,530	-	0%
Collaborations & Sponsorships	50,000		-	-	0	-	0%
Trainings	7,190		-	-	0	-	0%
Commun. & Reporting	65,000		-	-	0	-	0%
Program Management	39,000		-	-	0	-	0%
Other	103,430	3,430	-	-	0	-	0%
CBC Administrative Expenses	21,810		-	-	0	-	0%
CBC Balance			(178,530)	71,271	(107,258)	71,271	
Air Contributions	84,828		-	7,428	7,428	7,428	9%
Air Other Receipts			-	-	0	-	
Air Interest/Misc			-	14	14	14	
Air Contract Expenses	86,755	5,965	-	-	0	-	0%
Air Administrative Expenses	4,038		-	-	0	-	0%
Air Balance				7,442	7,442	7,442	
BAPPG Contributions	80,005		-	2,548	2,548	2,548	3%
BAPPG Other Receipts	50,000		-	-	0	-	0%
BAPPG Interest/ Misc	3,079		-	102	102	102	3%
BAPPG Contract Expenses	116,195	-	-	-	0	-	0%
FOG	21,800		-	-	0	-	0%
Mercury	9,500		-	-	0	-	0%
Pesticides	16,000		-	-	0	-	0%
Copper	4,000		-	-	0	-	0%
Pharmaceuticals	4,999		-	-	0	-	0%
General P2	46,500		-	-	0	-	0%
Emerging Issues	5,000		-	-	0	-	0%
Other	8,396		-	-	0	-	0%
BAPPG Administrative Expenses	5,810		-	-	0	-	0%
BAPPG Balance				2,650	2,650	2,650	
Prop50 Contributions			(488,147)	-	(488,147)	-	
Prop50 Other Receipts			-	-	0	-	
Prop50 Interest/Misc			-	618	618	618	
Prop50 Contract Expenses		78,017	5,510	-	5,510	-	
Prop50 Administrative Expenses		2,000	235	167	402	167	
Prop50 Balance			(493,892)	450	(493,442)	450	
WOT Contributions			-	13,500	13,500	13,500	
WOT Other Receipts			-	-	0	-	
WOT Interest/Misc			-	95	95	95	
WOT Contract Expenses			-	-	0	-	
WOT Administrative Expenses	2,500		98	-	98	-	
WOT Balance			(98)	13,595	13,497	13,595	

PROJECT ACCOUNT ACTIVITY

For the Month Ended 7-31-10

	BACWA	BCTWRNG	BCLWGLR	BCWOPR	Prop50	AIR	BAPPG	WQEMGR	WQTACT	CBCOPR	WQA	RWR	CWCCG	WOT	WCC	RESERVE	Total
Beginning Cash Balance 7/1/10	368,403.33	250,000.00	300,000.00	153,500.00	741,260.92	2,592.18	50,376.29	400,000.00	250,000.00	162,000.00	258,430.00	16,516.27	2,562.29	57,385.59	3,607.18	120,000.00	3,136,634.05
CASH ACCOUNT BALANCE 6/30/10	368,403.33	250,000.00	300,000.00	153,500.00	741,260.92	2,592.18	50,376.29	400,000.00	250,000.00	162,000.00	258,430.00	16,516.27	2,562.29	57,385.59	3,607.18	120,000.00	3,136,634.05
Receipts-July																	
Members' Contributions	90,000.00	-	-	-	(488,147.22)	7,428.00	2,548.00	-	-	-	69,812.00	-	-	13,500.00	-	-	(304,859.22)
Associate & Affiliate Contributions	12,000.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	12,000.00
Other Receipts	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Interest Income	2,121.91	-	-	-	617.63	13.53	101.64	-	-	-	1,459.34	-	-	94.54	-	-	4,408.59
Total Receipts	104,121.91	-	-	-	(487,529.59)	7,441.53	2,649.64	-	-	-	71,271.34	-	-	13,594.54	-	-	(288,450.63)
Disbursements-July																	
Consultant Services	37,118.04	-	-	-	5,510.25	-	-	-	-	-	178,529.61	-	-	-	-	-	221,157.90
Administrative Services	16,444.67	-	-	-	402.01	-	-	-	-	-	-	-	-	97.76	-	-	16,944.44
Cash Distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Disbursements	53,562.71	-	-	-	5,912.26	-	-	-	-	-	178,529.61	-	-	97.76	-	-	238,102.34
Other Activity-July																	
Cash Transfers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Other Activity	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Receipts - Fiscal Year-To-Date:																	
Members' Contributions	90,000.00	-	-	-	(488,147.22)	7,428.00	2,548.00	-	-	-	69,812.00	-	-	13,500.00	-	-	(304,859.22)
Associate & Affiliate Contributions	12,000.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	12,000.00
Other Receipts	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Interest Income	2,121.91	-	-	-	617.63	13.53	101.64	-	-	-	1,459.34	-	-	94.54	-	-	4,408.59
Total Receipts	104,121.91	-	-	-	(487,529.59)	7,441.53	2,649.64	-	-	-	71,271.34	-	-	13,594.54	-	-	(288,450.63)
Disbursements - Fiscal Year-To-Date:																	
Consultant Services	37,118.04	-	-	-	5,510.25	-	-	-	-	-	178,529.61	-	-	-	-	-	221,157.90
Administrative Services	16,444.67	-	-	-	402.01	-	-	-	-	-	-	-	-	97.76	-	-	16,944.44
Other Expenditures	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Disbursements	53,562.71	-	-	-	5,912.26	-	-	-	-	-	178,529.61	-	-	97.76	-	-	238,102.34
Transfers - Fiscal Year-To-Date:																	
Total Transfers - Fiscal Year To Date	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ENDING CASH BALANCE 7/31/10	418,962.53	250,000.00	300,000.00	153,500.00	247,819.07	10,033.71	53,025.93	400,000.00	250,000.00	162,000.00	151,171.73	16,516.27	2,562.29	70,882.37	3,607.18	120,000.00	2,610,081.08
																	<u>2,610,081.08</u>

**BAY AREA CLEAN WATER AGENCIES
TREASURER'S REPORT
FOR THE MONTH ENDED August 31, 2010**

BACWA	FY10-11 Budget		Actual			FY11 Revenue YTD	Budg YTD %
			FY09 Rev. Received	Revenue Current Month	Revenue Cumul YTD		
<u>REVENUES & FUNDING</u>							
Principals' Contributions	450,000		0	270,000	360,000	360,000	80%
Associate & Affiliate Contributions	160,500		0	90,000	102,000	102,000	64%
Other Receipts	73,158		0	-	0	-	0%
Fund Transfer	37,842		0	-	0	-	0%
Interest Income	15,000		0	-	2,122	2,122	14%
TOTAL REVENUE & FUNDING	736,500		0	360,000	464,122	464,122	63%
<u>PROJECT ELEMENTS</u>							
	FY10-11 Budget	Obligated	Actual			FY11 Expendtr YTD	Budg YTD %
			FY09 Inv. Paid In FY10	Expenditures Current Month	Expenditures Cumul YTD		
BACWA Committees	113,000	75,000	8,156	1,841	9,996	1,841	2%
Collections System	25,000	25,000	3,509	-	3,509	-	0%
Permit Committee	25,000	25,000	2,854	-	2,854	-	0%
Water Recycling Committee	11,000		-	-	-	-	0%
Biosolids Committee	10,000		-	-	-	-	0%
InfoShare Groups	25,000	25,000	1,680	-	1,680	-	0%
Laboratory Committee	7,000		-	-	-	-	0%
Miscellaneous Committee Support	10,000		113	1,841	1,954	1,841	18%
Technical Support	125,000	95,000	3,267	-	3,267	-	0%
Media Relations Support	25,000	25,000	-	-	-	-	0%
Consultant Support	100,000	70,000	3,267	-	3,267	-	0%
Legal Support	37,448	22,448	882	-	882	-	0%
Regulatory Support	27,448	17,448	882	-	882	-	0%
Executive Board Support	10,000	5,000	-	-	-	-	0%
Collaboratives and Sponsorships	35,500	-	-	5,000	15,000	15,000	42%
CWAA	10,000		-	-	10,000	10,000	100%
State of the Estuary	20,000		-	-	-	-	-
CPSC	5,000		-	5,000	5,000	5,000	100%
PSI	500		-	-	-	-	0%
Communications and Reporting	105,000	52,250	9,558	-	9,558	-	0%
Annual Report	20,000	8,000	-	-	-	-	0%
Website Development/Maintenance	70,000	26,250	9,558	-	9,558	-	0%
Other Communications	15,000	18,000	-	-	-	-	0%
Special Programs	50,000	0	-	-	-	-	0%
Contribution to BAPPG Enterprise	50,000		-	-	-	-	0%
General BACWA Support	25,000	1,000	5,255	-	5,255	-	0%
Contingency	15,000		5,000	-	5,000	-	0%
Meeting Support	10,000	1,000	255	-	255	-	0%
TOTAL PROGRAMS	490,948	245,698	27,118	6,841	43,959	16,841	3%
Administrative Support	257,000	245,999	16,445	10,833	27,278	10,833	4%
Executive Director	130,000	130,000	10,833	10,833	21,667	10,833	8%
Assistant Executive Director	70,000	68,200	4,868	-	4,868	-	0%
EBMUD Financial Service & Audit	44,000	44,000	-	-	-	-	0%
Administrative Expenses	8,000		743	-	743	-	0%
Insurance	5,000	3,799	-	-	-	-	0%
PROJECT TOTALS	747,948	491,696	43,563	17,674	71,237	27,674	4%
BALANCE	(11,448)		(43,563)	342,326	392,885	436,448	

	Budgeted	Obligated Exp	Actual			FY10 Rev./Expend	Budg YTD %
	FY 10		FY09 Revenue/Expenditu	Rev./Expend Current Month	Rev./Expendtr Cumul YTD		
CBC Contributions	450,500		-	273,856	343,668	343,668	76%
CBC Interest/ Misc	8,000		-	-	1,459	1,459	18%
CBC Contract Expenses	456,347		178,530	7,678	186,208	7,678	2%
Technical Support	191,727	61,724	178,530	7,678	186,208	7,678	4%
Collaborations & Sponsorships	50,000		-	-	0	-	0%
Trainings	7,190		-	-	0	-	0%
Commun. & Reporting	65,000		-	-	0	-	0%
Program Management	39,000		-	-	0	-	0%
Other	103,430	13,930	-	-	0	-	0%
CBC Administrative Expenses	21,810		-	-	0	-	0%
CBC Balance			(178,530)	266,178	158,919	337,449	
Air Contributions	84,828		-	48,000	55,428	55,428	65%
Air Other Receipts			-	-	0	-	
Air Interest/Misc			-	-	14	14	
Air Contract Expenses	86,755	86,755	-	5,965	5,965	5,965	7%
Air Administrative Expenses	4,038		-	-	0	-	0%
Air Balance				42,035	49,477	49,477	
BAPPG Contributions	80,005		-	17,573	20,121	20,121	25%
BAPPG Other Receipts	50,000		-	-	0	-	0%
BAPPG Interest/ Misc	3,079		-	102	102	102	3%
BAPPG Contract Expenses	116,195	22,420	-	-	0	-	0%
FOG	21,800		-	-	0	-	0%
Mercury	9,500	6,940	-	-	0	-	0%
Pesticides	16,000	10,000	-	-	0	-	0%
Copper	4,000	4,060	-	-	0	-	0%
Pharmaceuticals	4,999		-	-	0	-	0%
General P2	46,500	1,420	-	-	0	-	0%
Emerging Issues	5,000		-	-	0	-	0%
Other	8,396		-	-	0	-	0%
BAPPG Administrative Expenses	5,810		-	-	0	-	0%
BAPPG Balance				17,675	20,223	20,223	
Prop50 Contributions			(488,147)	(128,017)	(616,164)	(128,017)	
Prop50 Other Receipts			-	-	0	-	
Prop50 Interest/Misc			-	618	618	618	
Prop50 Contract Expenses		78,017	5,510	-	5,510	-	
Prop50 Administrative Expenses		2,000	235	167	402	167	
Prop50 Balance			(493,892)	(127,567)	(621,459)	(127,567)	
WOT Contributions			-	35,500	49,000	49,000	
WOT Other Receipts			-	-	0	-	
WOT Interest/Misc			-	-	95	95	
WOT Contract Expenses			-	-	0	-	
WOT Administrative Expenses	2,500		98	-	98	-	
WOT Balance			(98)	35,500	48,997	49,095	

PROJECT ACCOUNT ACTIVITY
For the Month Ended 8-31-10

	BACWA	BCTWRNG	BCLWGLR	BCWOPR	Prop50	AIR	BAPPG	WQEMGR	WQTACT	CBCOPR	WQA	RWR	CWCCG	WOT	WCC	RESERVE	Total
Beginning Cash Balance 7/1/10	368,403.33	250,000.00	300,000.00	153,500.00	741,260.92	2,592.18	50,376.29	400,000.00	250,000.00	162,000.00	258,430.00	16,516.27	2,562.29	57,385.59	3,607.18	120,000.00	3,136,634.05
CASH ACCOUNT BALANCE 7/31/10	418,962.53	250,000.00	300,000.00	153,500.00	247,819.07	10,033.71	53,025.93	400,000.00	250,000.00	162,000.00	151,171.73	16,516.27	2,562.29	70,882.37	3,607.18	120,000.00	2,610,081.08
Receipts-July																	
Members' Contributions	270,000.00	-	-	-	(128,016.97)	48,000.00	17,573.00				273,856.00	-	-	35,500.00	-	-	516,912.03
Associate & Affiliate Contributions	90,000.00	-	-	-													90,000.00
Other Receipts	-	-	-	-													-
Interest Income	-	-	-	-													-
Total Receipts	360,000.00	-	-	-	(128,016.97)	48,000.00	17,573.00	-	-	-	273,856.00	-	-	35,500.00	-	-	606,912.03
Disbursements-July																	
Consultant Services	6,840.56	-	-	-	-	5,964.83	-	-	-	-	7,678.25	-	-	-	-	-	20,483.64
Administrative Services	10,833.33	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10,833.33
Cash Distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Disbursements	17,673.89	-	-	-	-	5,964.83	-	-	-	-	7,678.25	-	-	-	-	-	31,316.97
Other Activity-July																	
Cash Transfers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Other Activity	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Receipts - Fiscal Year-To-Date:																	
Members' Contributions	360,000.00	-	-	-	(616,164.19)	55,428.00	20,121.00				343,668.00	-	-	49,000.00	-	-	212,052.81
Associate & Affiliate Contributions	102,000.00	-	-	-													102,000.00
Other Receipts	-	-	-	-													-
Interest Income	2,121.91	-	-	-	617.63	13.53	101.64	-	-	-	1,459.34	-	-	94.54	-	-	4,408.59
Total Receipts	464,121.91	-	-	-	(615,546.56)	55,441.53	20,222.64	-	-	-	345,127.34	-	-	49,094.54	-	-	318,461.40
Disbursements - Fiscal Year-To-Date:																	
Consultant Services	43,958.60	-	-	-	5,510.25	5,964.83	-	-	-	-	186,207.86	-	-	-	-	-	241,641.54
Administrative Services	27,278.00	-	-	-	402.01	-	-	-	-	-	-	-	-	97.76	-	-	27,777.77
Other Expenditures	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Disbursements	71,236.60	-	-	-	5,912.26	5,964.83	-	-	-	-	186,207.86	-	-	97.76	-	-	269,419.31
Transfers - Fiscal Year-To-Date:																	
Total Transfers - Year To Date	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ENDING CASH BALANCE 8/31/10	761,288.62	250,000.00	300,000.00	153,500.00	119,802.10	52,068.88	70,598.93	400,000.00	250,000.00	162,000.00	417,349.48	16,516.27	2,562.29	106,382.37	3,607.18	120,000.00	3,185,676.14
																	3,185,676.14

MINUTES

Executive Board Meeting

Thursday, July 29, 2010
9:00 a.m. – 12:00 p.m.

EBMUD Plant Lab Library
2020 Wake Ave., Oakland, CA

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Arleen Navarret, Chair (San Francisco Public Utilities Commission) Ben Horenstein, Vice-Chair (East Bay Municipal Utility District); Jim Kelly (Central Contra Costa Sanitary District); Mike Connor (East Bay Dischargers Association); Bhavani Yerrapotu (City of San Jose).

Other Attendees: Dave Williams (East Bay Municipal Utility District); Brian Campbell (East Bay Municipal Utility District); Kirsten Struve (City of San Jose); Jim Ervin (City of San Jose); Gail Chesler (Central Contra Costa Sanitary District); Sharon Newton (City of San Jose); Rich Cunningham (City of Albany); Greg Baatrup (Fairfield Suisun Sewer District); Guy Moy (Union Sanitary District); Cheryl Davis (San Francisco Public Utilities Commission); Catherine Curtis (San Francisco Public Utilities Commission); Monica Oakley (Oakley Water Strategies); Denise Conners (Larry Walker Associates); Jackie Kepke (CH2M Hill); Paul Causey; Amy Chastain (BACWA); Alexandra Gunnell (BACWA).

PUBLIC COMMENT

There were no public comments.

REPORTS

Committee reports, agenda item 1, were included in the meeting handout packet and Committee Chairs were given the opportunity to provide further clarification, as requested by meeting attendees.

- The Biosolids committee report was included in the handout packet. The Board inquired about the committee's efforts to track waste to energy and sludge regulations. Jim Kelly will work with the Biosolids committee chair to draft a comment letter. The AIR committee is also tracking this issue.
- The Collection Systems committee report was included in the meeting handout packet and the following items were discussed.
 - The Board requested that the committee provide future updates on the flushable wipes legislation that is being sponsored by state Assembly member Jared Huffman.
 - The Board acknowledged their appreciation for the opportunity to review the San Francisco Regional Water Quality Control Board (RWQCB) draft letter on sanitary sewer overflow (SSO) reporting. BACWA will consider adding this as an agenda item for discussions with the RWQCB at Pardee.
 - The committee prepared comments on the Pacifica Cease and Desist Order (CDO). The committee will discuss strategies for BACWA to provide assistance to agencies that may be facing similar situations, and return to the Board with

recommendations. This issue may be added to the agenda for further discussion at Pardee.

- It was noted that reports from both the Permit and Lab committees included updates on the State Water Resources Control Board's (SWRCB) preliminary draft of the Whole Effluent Toxicity (WET) Assessment and Control Policy and the Environmental Protection Agency's (EPA's) proposed amendments to the Clean Water Act on the use of "sufficiently sensitive" analytical methods. The Board suggested that the committee chairs work together to coordinate their efforts on these issues and coordinate with CASA/Tri-Tac commenting efforts.

For **agenda item 2**, Brian Campbell referred to the **Proposition 50 Grant Disbursements Status Report** included in the packet and explained that payment has been received from the Department of Water Resources for all invoices submitted to date. Money is being disbursed to the local project sponsors (LPS).

The Prop 84 regional grant application will need to be submitted by end of January. By September the grant Coordinating committee will need to determine who will serve as the applicant. The ED will work with Brian Campbell to explore BACWA's involvement with this process and return to the Board with additional information. This may be added to the Pardee agenda for discussion.

The ED referred to the **Executive Director Report** included in the meeting handout packet for **agenda item 3**, and reviewed the following items:

- BACWA is unlikely to receive supplemental Prop50 funding to support the risk reduction project. The ED will continue to work with Bay Area Stormwater Management Agencies Association (BASMAA) and Western States Petroleum Association (WSPA) to identify funding and will provide an update at the next Board meeting.
- The annual report has been completed and updates to the BACWA website will be live within the next few weeks. The ED will send another E-update to members and this format will likely serve as a template for an upcoming newsletter. Circle Point presented the CASA communications plan to the ED and the ED will inform the Board about any aspects of the plan that may be applicable to BACWA.
- The ED is working with a consultant to draft an issue paper on the impact of shellfish beneficial use regulations.

Under **agenda item 4, Executive Board Reports**, Executive Board members were invited to share any items of interest.

- A draft of EBMUD's stormwater report has been circulated and will be submitted to the RWQCB. The report suggests that the costs and benefits of diversion are site specific.
- Several board members and the ED attended the NACWA conference in San Francisco last week. The theme was sustainability and wastewater as a resource. It was suggested that BACWA investigate how conference topics may relate to BACWA's current discussions about energy issues and future planning. CCCSD will send a BACWA representative to the upcoming NACWA-sponsored nutrient summit.

CONSENT CALENDAR

5. Approval of June 2010 Treasurer's Report.
6. Approval of Minutes from June 24, 2010 BACWA Executive Board Meeting.
7. Chair Authorized Actions
 - a. BAPPG, authorization for National Product Stewardship Conference attendance, \$1,030; File 12,233.

Mike Connor moved to approve all items on the consent calendar. Jim Kelly seconded.

Jim Kelly requested meeting with the ED discuss the changes to the financial processes. It was also noted that the cover letter reference to "April" was incorrect. There was also a request to include the check register and revenue report in the handout packet.

The motion carried unanimously.

BOARD ACTION ITEMS

The Executive Board approved all of the following Board Action Items in one motion made by Mike Connor and seconded by Jim Kelly. Discussions for each item are noted below. The motion carried unanimously.

Under agenda item 8, the board approved execution of contract with Stephanie Hughes for BAPPG training and outreach support services for Fiscal Year 2010-11, File 12,224.

It was noted that this contract with Stephanie Hughes provides support for BAPPG outreach and training efforts while agenda item 10 allows BACWA to utilize Stephanie Hughes' services to assist with meeting mercury reporting permit requirements.

For agenda item 9, the Board approved execution of a contract with Paul Causey for sewer service charge database maintenance support for Fiscal Year 2010-2011, File 12,232,

The Board noted BACWA's appreciation for those agencies and individuals that have provided this valuable service thus far.

Under agenda item 10 the Board approved Amendment 1 to the Stephanie Hughes contract for Mercury TMDL Dental Amalgam support for an increase of \$5,000 for Fiscal Year 2010-2011, File 11,598.

BAPPG and the project manager will determine if additional work will be necessary once the report has been submitted to the RWQCB and feedback has been received. It was requested that the ED discuss BACWA's contracting rates with Stephanie Hughes.

BOARD DISCUSSION ITEMS

The following items were presented and discussed.

For agenda item 11 Sharon Newton presented *San Jose's Communications Plan and Opportunities for Collaborations*. The communications plan was distributed and summarized. It was suggested

that the information contained in document could be useful for all agencies and may provide a common starting point for developing their own plan. Jackie Kepke can provide the former BACWA Media Relations committee contact list to Sharon Newton so that she can investigate possible collaboration opportunities. Sharon Newton may return to the Board with specific recommendations for how BACWA could support collaborative efforts in the future.

Cheryl Davis, the Chair of BAYWORK, and Catherine Curtis a BAYWORK Executive Committee member, presented **agenda item 12, *BAYWORK: How Bay Area Utilities Are Attacking Workforce Development Challenges***. Presentation slides were distributed and reviewed. Individual member agencies have been invited to participate in the program and possible opportunities for BACWA support include becoming a signatory agency and co-sponsoring workshops. The ED will continue discussions with Cheryl Davis.

Jackie Kepke was available to answer questions about **agenda item 13, the Energy Workgroup**. The proposal from CH2M Hill and scope were included in the handout packet. The information gathering portion of scope could include surveying members using a questionnaire in addition to conducting interviews. The Board recommended that Chair approve a contract for under \$10,000, and the agreement could be amended for 25% increase during special Board meeting if necessary.

Agenda item 14, Support for Clean Water America Alliance September 2010 Dialogue, *Managing One Water* was not discussed due to time constraints. The ED will work with the Chair on this matter and will send follow up e-mail to Board.

For **agenda item 15, Tri-TAC's Comments on Federal Sanitary Sewer Overflow & Peak Flow Regulation Changes** a recent version of the letter was distributed and discussed. It is likely that all Summit Partner members will sign the final version. Concerns and requests for revision should be sent to Gail Chesler by close of business Friday, July 30, 2010.

A draft agenda for **agenda item 16, the Pardee Technical Seminar**, was reviewed by the ED. Recommendations from the Board included: removal of hearts, pluses and deltas discussion; scheduling a post dinner discussion on Thursday evening to finalize Friday's agenda with the RWQCB; decreasing time allotted for energy discussion; consolidation of the annual review, SWOT, and future planning/goals discussions; devoting all day on Thursday to regulatory issues; and starting at 9:00 a.m. on Wednesday.

The ED performance review could be conducted on Wednesday evening. The Board will provide recommendations for the format and process to the Chair.

The ED will send a draft Pardee agenda to the Board and committee chairs to illicit feedback.

REVIEW ACTION ITEMS

Action items from the meeting will be distributed to meeting attendees with the draft meeting minutes.

NEXT REGULAR MEETING

The next regular meeting is scheduled for **September 23, 2010**, 9:00 to 12:00 at the EBMUD Plant Lab Library in Oakland.

ADJOURNMENT

The meeting adjourned at 12:00 p.m.



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 8

FILE NO.: 12,262

MEETING DATE: September 23, 2010

TITLE: Resolution authorizing BACWA apply for Proposition 84 funding on behalf of the Bay Area Integrated Water Management Plan participants.

MOTION _____ RESOLUTION _____

RECOMMENDED ACTION

Approval of a resolution authorizing BACWA to apply to the California Department of Water Resources for Proposition 84 funding on behalf of Bay Area Integrated Regional Water Management Plan (IRWMP) participants.

SUMMARY

The coordinating committee for the IRWMP requested that BACWA serve as the applicant for Proposition 84 funds on behalf of IRWMP participants, as BACWA did for Proposition 50 funds. This issue was discussed at a meeting of the BACWA Executive Board on September 15, 2010 and the Board expressed its willingness for BACWA to serve in this capacity. This resolution codifies the Board's decision and expressly provides the BACWA Chair and Executive Director with the authority to pursue Proposition 84 funds on behalf of the IRWMP project proponents.

FISCAL IMPACT

This action has no immediate fiscal impact that needs to be considered.

ALTERNATIVES

This action does not require consideration of alternatives.

Attachments:

1. Resolution

Submitted: _____

Executive Director Approval: /s/ Amy Chastain

BAY AREA CLEAN WATER AGENCIES

RESOLUTION AUTHORIZING BACWA TO APPLY THE STATE OF CALIFORNIA FOR PROPOSITION 84 FUNDING ON BEHALF OF IRWMP PROJECT PROPONENTS.

WHEREAS, in 2003, the Bay Area Clean Water Agencies (BACWA) signed a Letter of Mutual Understanding (LOMU) agreeing to participate in and assist with the development of the San Francisco Bay Area's Integrated Regional Water Management Plan (IRWMP) by leading the development of the Wastewater and Recycled Water Functional Area Document; *and*

WHEREAS, consistent with the LOMU and with the intent of helping BACWA member agencies obtain funding for recycled water and other projects, BACWA applied for funding from the State of California Department of Water Resources (DWR) under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (California Water Code Section 79500 *et seq.*); *and*

WHEREAS, in 2006 DWR awarded BACWA \$12.5 million in funding for Bay Area IRWMP projects pursuant to Agreement No. 4600007654 between BACWA and the State; *and*

WHEREAS, the Bay Area is now eligible for up to \$138 million in funding from the Safe Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84); *and*

WHEREAS, BACWA finds that it can benefit its members and help implement the Bay Area IRWMP by serving as the Proposition 84 grant applicant on behalf of the participants of the Bay Area IRWMP.

NOW, THEREFORE, BE IT RESOLVED that the Executive Board of BACWA hereby authorizes that application be made to DWR to obtain an IRWM grant pursuant to Proposition 84 and to enter into an agreement to receive the grant for the Bay Area Prop 84 Implementation Proposal. The Executive Director of BACWA is hereby authorized and directed to prepare the necessary data, conduct investigations, and file such application with DWR. The Chair of BACWA is hereby authorized to execute a grant agreement with DWR and other agreements as necessary to implement the award.

CERTIFICATION

The undersigned Chair and Executive Director of the Bay Area Clean Water Agencies hereby certify that the foregoing Resolution was duly adopted at a noticed meeting of the Executive Board of Bay Area Clean Water Agencies held on September 23, 2010.

Ben Horenstein, Acting Chair

Amy Chastain, Executive Director



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 9

FILE NO.: 12,263

MEETING DATE: September 23, 2010

TITLE: Resolution regarding wastewater as a resource in the San Francisco Bay Area

MOTION _____ **RESOLUTION** _____

RECOMMENDED ACTION

Approval of a resolution resolution expressing BACWA's support for a vision of wastewater as a resource in the San Francisco Bay Area.

SUMMARY

BACWA and its member agencies seek out and engage in activities that do not merely lessen the impacts of wastewater discharges on the San Francisco Bay estuary, but that provide a net environmental and economic benefit. Examples of these activities include maximizing water recycling, utilizing biogas to reduce fossil fuel demands, and developing food waste recovery programs. BACWA principals and member agencies are also exploring innovative partnerships with universities and other agencies to develop a vision to guide the Bay Area wastewater community in expanding these and other programs that recognize municipal wastewater as a valuable resource that can reduce demands on already-scarce resources.

In adopting this resolution the BACWA Board is expressing its support for these activities and its desire to facilitate them.

FISCAL IMPACT

This action has no immediate fiscal impact that needs to be considered.

ALTERNATIVES

This action does not require consideration of alternatives.

Attachments:

1. Resolution

Submitted: _____

Executive Director Approval: /s/ Amy Chastain

BAY AREA CLEAN WATER AGENCIES

RESOLUTION EXPRESSING BACWA'S SUPPORT FOR A VISION OF WASTEWATER AS A RESOURCE IN THE SAN FRANCISCO BAY AREA

WHEREAS, San Francisco Bay Area publicly owned treatment works (POTWs) discharge several hundred billions of gallons of treated wastewater annually; *and*

WHEREAS, technological advances together with the pressing challenges of climate change, water scarcity, and escalating energy costs have created opportunities for recovery of valuable products from wastewater, including clean water, renewable energy, fertilizer and other useful materials; *and*

WHEREAS, BACWA wishes to see Bay Area agencies emerge as leaders in innovation and implementation of recovering the valuable resources contained in sewage.

NOW, THEREFORE, BE IT RESOLVED that the Executive Board of BACWA hereby expresses its support for a vision for the Bay Area in which systems for resource recovery from wastewater will be developed and deployed to maximize the value of recovered water, energy, and materials, thereby contributing to the development of vibrant, self-sufficient economies and healthy ecosystems around the Bay.

CERTIFICATION

The undersigned Chair and Executive Director of the Bay Area Clean Water Agencies hereby certify that the foregoing Resolution was duly adopted at a noticed meeting of the Executive Board of Bay Area Clean Water Agencies held on September 23, 2010.

Ben Horenstein, Acting Chair

Amy Chastain, Executive Director



California Regional Water Quality Control Board

San Francisco Bay Region



Linda S. Adams
Secretary for
Environmental Protection

1515 Clay Street, Suite 1400, Oakland, California 94612
510.622.2300 • Fax 510.622.2460
www.waterboards.ca.gov/sanfranciscobay

Arnold Schwarzenegger
Governor

June 4, 2010

Ms. Kathy Harder (*sent by email to kharder@waterboards.ca.gov*)
Central Valley Regional Water Quality Control Board
11020 Sun Center Dr., Suite 200
Rancho Cordova, CA 95670-6114

Subject: Comments on “Issue Paper - Aquatic Life and Wildlife Preservation Related Issues - Proposed NPDES Permit Renewal for Sacramento Regional County Sanitation District Sacramento Regional Wastewater Treatment Plant”

Dear Ms. Harder:

San Francisco Bay Regional Water Board staff have reviewed the Issue Paper and offer the following comments:

We believe that the **current** discharge from the Sacramento Regional Wastewater Treatment Plant (SRWTP) discharge may be impairing the aquatic life beneficial use in Suisun Bay, and possibly upstream, by having a detrimental effect on primary productivity and phytoplankton species composition. SRWTP is the largest publicly-owned treatment plant in the Delta and is estimated to contribute up to 90% of the annual ammonia load to the Sacramento River (Jassby 2008). Several monitoring, modeling and isotope studies tracking ammonia from SRWTP to Suisun Bay have recently been conducted. Although these results have not been finalized, preliminary results indicate that ammonia discharged from SRWTP has transformed the downstream Delta from a nitrate- to an ammonia-dominated system, and that it is the main source of ammonia to Suisun Bay (presentations at 2009 Ammonia Summit).

One of the primary hypotheses for the pelagic organism decline (POD) is a decline in food availability for POD species. Declines in diatom blooms in Suisun Bay have been well documented by the Interagency Ecological Program (IEP) and others. Studies on the relationship between nutrients and primary productivity in the estuary indicate that ammonia levels in Suisun Bay reduce both nitrate uptake and primary production rates (Wilkerson et al 2006, Dugdale et al 2007). Since, in general, diatoms are more sensitive to elevated levels of ammonia than other phytoplankton species, this nutrient regime may encourage the growth of less nutritious or harmful algae blooms. An increase in flagellates and cyanobacteria has been documented in the Delta. However, this increase was not accompanied by an increase in zooplankton or pelagic fish species (Lehman 2010, Brown 2010). A recent paper (Glibert 2010) shows significant correlations between the form and concentration of nutrients discharged from SRWTP, nutrient concentrations and form in Suisun Bay, changes in phytoplankton and zooplankton assemblages in Suisun Bay, and the decline of POD species, including the threatened delta smelt.

We recognize that multiple interacting stressors, including ammonium, flow, turbidity, diversions, salinity, habitat, contaminants and introduced species may be influencing the POD. However, as noted, based on the above results, we believe that SRWTP's current discharge may be impairing the aquatic life beneficial use in Suisun Bay. The Issue Paper states, "(t)he removal of ammonia is both technically feasible and commonly employed by most dischargers in the Central Valley Region." Due to the potential effect of SRWTP's current discharge on primary production in the northern estuary, and the fact that the discharge is to a drinking water source, we believe that all reasonable and feasible measures should be taken to reduce ammonia loads as quickly as possible. At the discharge's current level of treatment, we are also concerned about its loadings of copper, pyrethroids and CECs to the estuary.

The Issue Paper states that, "many of the key studies (to answer questions relating to SRWTP's discharge, primary productivity and the POD) are not yet complete and will not be available in time for consideration by the Central Valley Water Board as part of the SRCSD's final permit." We believe that the results from these studies and additional studies, funded by SRCSD, to address the major research needs (especially research topics 1, 2, 4, 7 and 8) outlined by the CALFED expert panel, which was assembled to address this issue (Meyer et al 2009), should be used to inform decisions on the permit. We also suggest that toxicity identification evaluations (TIEs) with native organisms, including diatoms, would be useful in resolving toxicity issues.

A followup meeting is planned in September, possibly with the same CALFED panel. We anticipate that recommendations will come out of this meeting identifying the specific studies that should be conducted to provide greater certainty concerning the role of SRWTP's discharge on primary production in the estuary. We would like to work with Region 5 staff to set up this meeting, in coordination with IEP, to make it useful for decisions on the SRWTP permit.

In conclusion, we urge Region 5 to take all necessary actions to assure that Suisun Bay beneficial uses are fully protected. We look forward to working with Region 5 staff to resolve these important water quality concerns. Please contact Karen Taberski at 510-622-2424 (ktaberski@waterboards.ca.gov) or Dyan Whyte at 510-622-2441 (dwhyte@waterboards.ca.gov) with questions on this topic and to work on setting up the September meeting.

Sincerely,

Bruce H. Wolfe
Executive Officer

Referenced Studies:

Ammonia Summit at the Central Valley Regional Water Quality Control Board. August 18-19, 2009. Foe, C. "Preliminary ammonia results from an ongoing monitoring program." Guerin, M. "Fate and transport modeling of ammonia in the Delta using DSM2."

Brown, T. Phytoplankton community composition: The rise of the flagellates. IEP newsletter. Spring 2010.

Dugdale, R.C., F.P. Wilkerson, V.E. Hogue, and A. Marchi. The role of ammonium and nitrate in spring bloom development in San Francisco Bay. *Estuar. Coast. Shelf Sci.*, **73**: 17-29 (2007).

Glibert, P. Long-term changes in nutrient loading and stoichiometry and their relationships with changes in the food web and dominant pelagic fish species in the San Francisco Estuary. *Reviews in Fisheries Science* (2010) (in press).

Jassby, A. Phytoplankton in the upper San Francisco Estuary: Recent biomass trends, their causes and their trophic significance. *San Francisco Estuary and Watershed Sci.*, **6**(1) (2008)

Lehman, P.W., S.J. The, G.L. Boyer, M.L. Nobiga, E. Bass, and C. Hogle. Initial impacts of *Micocystis aeruginosa* blooms on the aquatic food web in the San Francisco Estuary. *Hydrobiologia* 637:229-248 (2010).

Meyer, J.S., P.J. Mulholland, H.W. Paerl and A.K. Ward. A framework for research addressing the role of ammonia/ammonium in the Sacramento-San Joaquin Delta and the San Francisco Bay Estuary Ecosystem. CALFED Science Program (2009).

Wilkerson, F.P. R.C. Dugdale, V.E. Hogue, and A. Marchi. Phytoplankton blooms and nitrogen productivity in the San Francisco Bay. *Estuaries and Coasts* **29**: 401-416 (2006).