# BACWA EXECUTIVE BOARD MEETING Thursday, July 28 2011, 9:00 a.m. – 12:00 p.m.

# **HANDOUTS**

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

<u>Pages</u>	Handout Title	Agenda Item#
1	Agenda	
2-3	AIR Committee Report	1
4	BAPPG Report	1
5	Collection Systems Committee Report	1
6	Lab Committee Report	1
7-8	Permits Committee Report	1
9-10	Recycled Water Committee Report	1
11	Prop 50 Grant Disbursement Summary, July 2011	2
12-14	Executive Director Report	3
15-17	Meeting Minutes from BACWA Executive Board Meeting of June 23, 2011, File 14,506	6
18-23	May 2011 Treasurer's Report	7
24-27	Board Action Request – Authorize contract with Stephanie Hughes for dental amalgam reporting, \$17,000, File 12,489	8.a.
28-33	Board Action Request – Authorize contract with Day Carter Murphy for Prop 84 legal support, \$30,000, File 12,490	8.b.
34 – 36	Board Action Request – Authorize contracts with Amy Chastain for BACWA Executive Director services, \$139,740, File 12,491	8.c.

<u>Pages</u>	Handout Title	Agenda Item #
37-42	Nutrient Progress Report	9
43-48	Nutrient Topic Paper Proposals	9
49-54	Nutrient Next Steps Memoranda	9
55-57	BACWA Executive Board Meeting Schedule	10
58-60	BACWA Board and Chair Contact List	10



# **Executive Board Meeting Agenda**

**Thursday, July 28, 2011, 9:00 a.m. – 12:00 p.m.** EBMUD Lab Library, 2020 Wake Road, Oakland, CA

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

**PUBLIC COMMENT** (9:05 a.m. - 9:10 a.m.)

### **PRESENTATION: Suisun Bay Monitoring Program** (9:10 a.m. – 9:40 a.m.)

Val Conner, Science Manager State and Federal Contractors Water Agency

### **REPORTS** (9:40 a.m. – 10:20 a.m.)

- 1. Committee Reports
- 2. Proposition 50 Grant Disbursements Status Report
- 3. Executive Director Report
- 4. Executive Board Reports
- 5. Chair & Executive Director Authorized Actions

### **CONSENT CALENDAR** (10:20 a.m. - 10:30 a.m.)

- 6. Minutes from June 23, 2011 BACWA Executive Board Meeting
- 7. May 2011 Treasurer's Report
- 8. Contracts:
  - a. Stephanie Hughes; technical assistance for dental amalgam reporting, not to exceed \$17,000 (FY11-12) File 12,489.
  - b. Day, Carter, Murphy; legal support for Prop 84 contracts, not to exceed \$30,000 (FY11-12) File 12,490.
  - c. Amy J. Chastain; Executive Director Services, not to exceed \$134,508 (FY11-12) and \$139,740 (FY12-13) File 12,491.

#### **OTHER BUSINESS:**

- 9. Nutrient Discussion (10:30 a.m. 11:45 a.m.)
  - Progress Report
  - Topic Papers
  - Recommended Next steps
- 10. Board Meeting Schedule (11:45 a.m. 12:00 p.m.)

### **NEXT REGULAR MEETING**

The next regular meeting is scheduled for August 25, 2011 from 9:00 a.m. to 12:00 p.m. at the EBMUD Treatment Facility, Lab Library, 2020 Wake Blvd., Oakland, CA.

### ADJOURNMENT (12:00 p.m.)

# Report to BACWA Board from AIR Committee (July 2011)

Document Control	Prepared by Divya Bhargava (Project Engineer) Reviewed by Randy Schmidt (Committee Chair)
Committee Request for Board Action	None at this time.
Committee Agenda Items	None at this time.

Recent Commi	ttee Actions:
Recent Commi Recent Committee Actions	<ul> <li>Committee Meeting was held on July 20, 2011 at SFPUC's Oceanside Wastewater Treatment Plant Site</li> <li>The meeting included our standard regulatory presentation, followed by a presentation and tour of SFPUC's FOG and bio-energy/fuels renewable programs</li> <li>Our meeting included a presentation by AIR Chair Randy Schmidt on CARB's proposed updates for the Cap &amp; Trade program and Mandatory Reporting</li> <li>We also discussed SF BCDC's Bay Plan Amendments and how it could potentially impact the POTW's</li> <li>It was decided that a group meeting will be scheduled with BAAQMD regarding compliance challenges with Regulation 9 Rule 7 (for boilers, steam generators, and</li> </ul>
	<ul> <li>process heaters). Before that Randy Schmidt will draft a letter from the BACWA AIR Committee to Brian Bateman (BAAQMD Engineering Director)</li> <li>We also discussed the proposed AB 752 bill regarding planning for sea level rise and the potential requirement for potentially impacted special districts and cities that administe state-granted coastal public lands to develop a plan that addresses mitigation for sea level rise impacts to infrastructure and habitat protection. Bill's status: in committee; first hearing date TBD.</li> <li>During the second half our meeting, there was an interesting presentation and tour by Karri Ving and Natalie Sierra of SFPUC, which showed how they convert FOG from restaurants &amp; households into biodiesel using a patented technology.</li> </ul>
	<ul> <li>Air Committee will continue to track air quality regulations in FY 2011/12 through the following means and continue to collaborate with the CWCCG regarding climate change regulations and activities.</li> <li>Quarterly meetings: <ul> <li>The next BACWA AIR meeting is scheduled for Wednesday, October 19th, 2011.</li> <li>CCCSD is reviewing the possibility of hosting the meeting at their site, otherwise the meeting will be held at the CH2M HILL offices in Oakland.</li> </ul> </li> </ul>
	<ul> <li>The first quarterly meeting of 2012 is scheduled to be conducted at the San Jose/Santa Clara Water Pollution Control Plant</li> <li>Newsletter(s): We would continue to prepare the BACWA AIR newsletter annually</li> <li>Website: We would continue to keep the website updated with the current issues</li> <li>AIR Issues Matrix: We will keep updating the AIR Matrix regularly to incorporate any new issues and to keep members up to date with the current issues</li> </ul>
AIR Website	http://bacwa.org/Committees/AirIssuesRegulations.aspx

# Report to BACWA Board from AIR Committee (July 2011)

Wednesday, October 19, 2011 Venue: TBD Next AIR

Committee

Meeting:

# BAPPG Committee Report to BACWA Board

Meeting Date: July 28, 2011

Prepared By: Sarah Scheidt, City of Sunnyvale

**BAPPG Committee Chair** 

## **Project Updates**

Project	Update	Completion Date
P2 Week Posters	BAPPG's P2 poster will be based off an EBMUD billboard. The final poster will be finalized in late July.	September 2011
Copper	BAPPG's consultant presented at five outreach / educational events for Outreach to Bay Area Plumber Unions and Community College Plumbing Programs.	July 2011
	BAPPG will develop a factsheet on copper algaecides used in pools, spas, and fountains.	August 2011
Mercury Outreach	Outreach to community colleges project complete, 12 educational events to dental staff training programs occurred.	July 2011
Regional Bay Protection & Behavior Change Campaign	Meeting July 18 <sup>th</sup> discussing how to develop the regional brand – using a consultant or engaging the public in the brand development through a contest. Also discussing funding, and seeking agency commitments for Steering Committee and Working Group participation.	July 2011 - ongoing
Chinook Book Ads	The Chinook Book is an annual green coupon book published in two editions: one for the South Bay and one for the East Bay. BAPPG insert an add focusing on avoiding a clog disaster (see attached). The coupons last a year, providing numerous opportunities for users to see our ad. The new books will be released in the fall, but ads are purchased and placed in the spring.	Fall 2011
General P2	BAPPG is collecting agency information to submit to the Regional Board for consideration of the Dr. Teng Chung Wu Pollution Prevention Award.	August 2011

### **Next BAPPG Meeting**

August 3, 2011, 10am - 12 pm, 1515 Clay Street, Oakland, CA, Second Floor, Room 12

# **Collection Systems Committee Report to BACWA Board**

July 21, 2011

From: Andy Morrison, Committee Chair

Prepared By: Andy Eggleston

**Committee Request for Board Action:** 

None.

### **Highlights of New Items Discussed and Action Items**

### **USEPA Stakeholder Process for Federal SSO Rule**

The USEPA held a one-and-a-half day workshop in Washington, DC on July 14 and July 15 to solicit stakeholder input on the potential development of a Federal rule to regulate Sanitary Sewer Overflows (SSOs) and to address peak wet-weather issues. There was some overlap in the issues raised during this workshop and those that have been discussed as part of the State-wide Sanitary Sewer System Waste Discharge Requirements (SSS WDR) development and revision processes. Common issues include: a zero-SSO goal and why this is not realistic, how to appropriately addresses de minimus spill volumes, and if and how NPDES permits should regulate collection systems operations and maintenance activities.

### Status of CIWQS Data Quality Review Committee

State Water Board staff has asked for volunteers from BACWA and the Central Valley Clean Water Association (CVCWA) to assist them in preparing a new Discharger's Guide for the SSO section of CIWQS. The project presents a new opportunity to incorporate collection system agency perspective and experience into the State Water Board's SSO Reduction Program. The first meeting with volunteers from CVCWA's collection system committee is planned for September. Several people have volunteered to participate on BACWA's behalf.

Separately, CIWQS now includes a new reporting tool that produces a report of SSO data for similarly-typed systems around the state. This tool is currently available for legally-responsible officials (LROs), and it is expected to be made public in the near future. It was suggested that LROs check reports for their agency before the tool is made public.

### Changes to State-wide SSS WDR

The State Water Board received over 1,100 individual comments on the proposed revisions to the SSS WDR. Recent communications with State Water Board staff indicate that responses to these comments, as well as a second draft of the proposed revisions, will likely be available by mid-September. A workshop has been scheduled for November, and staff expects that the WDR will be included in an adoption hearing in January. The State Water Board is expected to post an official schedule of activities related to the SSS WDR revision process on the program's website during the week of July 25.

# **Discussion of Computerized Maintenance Management System**

Members of the Committee shared information about the Computerized Maintenance Management Systems (CMMS) they are using. We will be following up with a more detailed survey to capture details such as: versions of software being used, pros and cons of functionality, cost, integration with GIS software or other systems, interdepartmental coordination, staffing requirements, and applicability to program management decisions. Results of the survey may be used to facilitate inter-agency information sharing and problem-solving related to CMMS.

### **Next BACWA Collection Systems Committee Meeting**

The next committee meeting is scheduled for Thursday, September 8, 2011 at the Boy Scouts facility in San Leandro.

# Lab Committee – Report to BACWA Board

Reporting Date: July 21, 2011

Executive Board Meeting Date: July 28, 2011 Prepared By: Kenneth Lee, Committee Chair

# **Committee Request for Board Action:**

None

# **Business Discussed and Action Items:**

Business	Action Item
PCB Congener Data Submittal request by Executive Director	BACWA Executive Director has requested the PCB congener data from the first sampling round to be submitted for analysis. Data from samples submitted to EBMUD for EPA 1668C analysis by BACWA members will be coordinated and provided by EBMUD.
CIWQS PET Tool Update v2.4	Permittee Entry Template (PET) Tool Version 2.4 was released mid June. It was an optional upgrade; 254 new parameters were added including the 209 PCB Congeners. Initial assessment indicated that the new tool would not allow successfully data entry for PCB Congeners due to inadequate data qualifiers, specifically data qualifiers for coeluted PCB congeners. BAWCA members should upload Method 1668C lab result as a PDF attachment through eSMR for dischargers using CIWQS (as specified in Region 2's 5/17/2011 letter). For dischargers submitting paper reports, a photocopy of the Method 1668C lab report is sufficient.

# **Permits Committee –**

Reporting Date: 7/12/11

Executive Board Meeting Date: 7/28/2011

**Report to BACWA Board** 

Committee Chair: Jim Ervin

### Committee Request for Board Action: None.

### **Upcoming Permits/Permit Amendments –**

July – USS-POSCO Industries, American Canyon

Sept – Hayward Marsh (USD & EBDA)

### **BACWA Comments on recent permits:**

- 1. Chevron Inc: BACWA (Amy) submitted comment on the Tentative Order for Chevron, Inc. Richmond Refinery. The TO used the California Toxics Rule as a basis to calculate copper limits instead of accepting limits calculated using a Water Quality Based Effluent Limit (WQBEL) based on the Copper Site Specific Objectives (SSOs) that were approved by Water Board in 2007. BACWA pointed out that monitoring findings that led to development of the copper SSOs and metals translators qualifies as new information and an exemption to anti-backsliding requirements in accordance with CWA section 402(o)(2)(b). In response to BACWA and Chevron comments, Water Board changed the TO copper limits.
- 2. American Canyon: The most recent Water Board response to comments for American Canyon permit reissuance included an added requirement as a staff change that discharger evaluate "concentration of all priority pollutants that were detected above or within one order of magnitude of the applicable water quality criteria." A similar non-substantive administrative change had been added to MRP language earlier in 2011 but not noticed by dischargers. These changes add requirements on dischargers and the basis for evaluating pollutants within an order of magnitude of criteria is questionable. There could also be problems with evaluation of PCBs and Dioxins against criteria. For these reasons Amy will propose an August meeting with Water Board staff to discuss.

**PCBs TMDL:** The latest update of the PET tool now allows reporting of PCBs congeners electronically via eSMR. However, BACWA reminded dischargers that, per agreement by Water Board staff, dischargers will continue to report PCBs 1668 results by attaching a pdf copy of lab results to the routine eSMR report through 2011.

Amy requested that dischargers send spreadsheets of PCBs 1668 results so she can pass to EBMUD to assess how everyone should report congener data when it comes time to report directly to eSMR.

**eSMR:** The second group of agencies will submit eSMR reports (for the reporting month of June) by end of July.

- An eSMR User Group holds monthly web-based meetings to discuss technical problems. So far, Region 2 dischargers have had only minor technical problems. eSMR reporting seems to be going fine.
- The loss of ERS presents two issues for BACWA: 1) how to maintain access to ERS 10 to 15-year historical pollutant data, and 2) how to continue to populate on-going pollutant data from dischargers. The simplest short-term solution is to continue to maintain the ERS data base at some location. SFEI is a logical candidate that could provide the hardware and some staff support for database management. The data is of great value for environmental management decisions regarding POTWs, but how sould BACWA fund this and is SFEI the right organization to maintain it? Tom Hall agreed to provide some ideas and specs concerning used of data.

**WET (Toxicity) Policy:** BACWA representatives, Jim Ervin, Margaret Orr, and Laura Pagano, and Dr. Dan Gallagher met with State Water Resources Control Board staff and Dr. Debra Denton on 7 July. (This was a follow-up from a meeting with Board members on 18 April.) Much of the discussion focused on the statistical error rate using the TST method of evaluation and real world impact of the current proposed State-wide Toxicity Policy.

- State Board staff will hold a public workshop on 8 August 2011 (not yet announced).
- Staff is aiming to present a revised Toxicity Policy to the Board during the December meeting and hopes to have adoption of the policy in early 2012.
- Staff requested that the BACWA members return to Sacramento in August or September to discuss exactly why
  the IC25 method is as good as or better than TST then the may include IC25 as an option in the final policy.
  BACWA Permits committee members feel that Phil Markel (LACSD) and Scott Ogle or Steven Clark (PERL labs)
  would be good experts to bring into this discussion.

**Federal Dental Amalgam Standards:** BACWA commented to EPA on 17 June about the new standards. Monica Oakley drafted a letter that BACWA will recommend be signed by Water Board opposing the proposed standard as the regulating agency that oversees existing dental amalgam source control efforts and also a Mercury TMDL implemented via a Mercury Watershed Permit that never identified Dental Amalgam control as a significant means to reduce mercury in the Bay. This was discussed with Lila Tang at last permits meeting.

Numeric Nutrient Endpoint: An RMP nutrient outreach education meeting was held on 29 June.

**Next BACWA Permits Committee Meeting:** Tuesday, August 9th, 2011, at EBMUD Plant Library.

# Recycled Water Committee Report to BACWA Board

July 21, 2011

Prepared By: Cheryl Muñoz Committee Chair

Committee Requests for Board Action:

None.

**Business Discussed and Action Items:** 

Duciness	Discussion					
Business	Discussion					
BAIRWMP Updates	<ul> <li>BAIRWMP Updates</li> <li>Planning Grant</li> <li>The State budget has been signed; \$600k has been awarded to MMWD to update the BAIRWMP. The Request for Proposals for consultant services will be released in the next few weeks.</li> <li>Linda Hu (EBMUD), Amy Chastain (BACWA), and Cheryl Muñoz (SFPUC) will work as a team representing BACWA and be involved in planning activities.</li> <li>Implementation Grant</li> <li>The participating agencies should receive final grant award letters in August.</li> <li>When final award letters are received, participants will need to update their project work plans, schedules and budgets from the original requests back in January.</li> <li>Contribution amounts were proposed for administrative, legal and BACWA costs associated with the Prop 84 IRWM grant for agencies to review. The gradation is finer than 2010 proposal stage (5 tiers vs. 2 tiers) to keep agencies in all five program areas within 1% of their grant amounts. Participants will be emailed information, followed-up by phone calls.</li> </ul>					
Legislative/Regulatory Updates	<ul> <li>Title XVI update</li> <li>The Bay Area Coalition is seeking another authorization and has sent a letter to Congress.</li> <li>Coalition is working with USBR on funds for feasibility projects.</li> <li>CA Recycled Water Legislative/Regulatory Update</li> <li>Nothing to report this month.</li> </ul>					
FY 10-11 Committee Projects	BACWA Agencies Recycled Water Use and Uses Assessments  The Committee members that they would like the time frame to be calendar year to match data prepared for State reporting purposes. They indicated that they would not be able to have FY10-11 information available until the fall – another reason why calendar year would work better.  An "instruction" sheet accompany the spreadsheet so there won't be any confusion regarding what information is being requested and					

	how to report it.
	<ul> <li>General discussion on the Spreadsheet and questionnaire</li> <li>When the information has been compiled from the survey and the questionnaire, the Committee will work with San Francisco Regional Board staff to prepare a presentation for the Region 2 Board.</li> <li>Discussions and recycled water data review for the preparation of the "State of the Estuary" report with the Bay Institute staff conference has been completed. The report should be out next month.</li> </ul>
	Recycled Water Irrigation Guide
	The Committee is waiting for a contract to be executed with the WateReuse Foundation, one of the project partners to begin work.
	Regional Recycled Water Outreach
	<ul> <li>Eric Rosenblum from Envirospectives, Inc. proposed that the BACWA agencies consider participation in a regional recycled water outreach program.</li> </ul>
	The City of San Jose has \$300,000 for regional outreach included in their Prop. 84 project funding. USBR and the WateResue Foundation are potential partners in a regional outreach effort.
	The outreach effort would: 1) identify target audiences; 2) identify demographics; 3) a profile audience; 4) develop messages; and 5) would include social educators in the area.
	The research component can be completed for \$300,000, but if the project goes forward on a regional level, implementation could be around \$1M and additional sponsors for in-kind services would be sought.
Other Items	DWR Commercial Industrial Institutional (CII) Task Force
	<ul> <li>The CII Task Force is part of the 20x2020 legislation. A report will be prepared for the legislature on Best Management Practices (BMPs) for CII customers that will include recycled water BMPs.</li> </ul>
	<ul> <li>Once a draft is put out, there will be a very quick review period of one to two weeks. The Committee may want to review the draft.</li> </ul>
Next RW Committee Meeting	Wednesday, August 3, 2011 from 10:00 am to 12:00 pm EBMUD Headquarters, 4 <sup>th</sup> Floor Conference Rooms A/B

	Grant Disbursement Summary to Date (July 21, 2011) 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		Paid by DWR to date	DWR Retention	Admin <sup>2</sup> 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) BACWA Admin	1 16	<b>500,000.00</b> 15,625.00	<b>499,999.59</b> 7,142.85	<b>499,999.63</b> 6,428.56	0.04 (714.28)	15,625.00	495,803.20	0.00	495,803.20
2	East Bay Municipal Utility District	Reg. Conservation Outreach California WaterStar Initiative - New Business Guidebook Pilot Richmond Adv Recycling	2 3 4 8	250,000.00 525,000.00 75,000.00 2,127,600.00	250,000.00 0.00 0.00 2,127,600.00	250,000.00 0.00 0.00 2,127,600.00	0.00 0.00 0.00 0.00		2,396,885.69	0.00	2,396,885.69
3	City of Redwood City	BACWA Admin  Redwood City Recycled WP  BACWA Admin	16 5 16	46,875.00 <b>972,800.00</b> 15,625.00	21,428.55 <b>972,800.00</b> 7,142.85	19,285.69 <b>972,800.00</b> 6,428.56	(2,142.85) 0.00 (714.28)	46,875.00 15,625.00	978,759.11	469.45	979,228.56
4	City of Palo Alto	Mt.View-Moffett Recycl WP BACWA Admin	6 16	<b>972,800.00</b> 15,625.00	<b>972,800.00</b> 7,142.85	<b>972,800.00</b> 6,428.56	0.00 (714.28)	15,625.00	965,858.13	2,745.43	968,603.56
5	Santa Clara Valley Water District (& San Jose)	Reg. Conservation Outreach South Bay Adv Recycl WTP BACWA Admin <sup>3</sup>	2 7 16	125,000.00 2,934,600.00 31,875.00	0.00 6,428.55	125,000.00 0.00 5,785.69	0.00 0.00 (642.85)	31,875.00	98,910.69	0.00	98,910.69
SJ	City of San Jose	BACWA Admin for SCVWD <sup>3</sup>	16	15,000.00	15,000.00	13,500.00	(1,500.00)	15,000.00	7,000.00	6,500.00	13,500.00
6	North Coast County WD (& SFPUC)	Pacifica Recycled Water Proj BACWA Admin <sup>3</sup>	9	744,400.00 10,625.00	0.00 2,142.85	0.00	0.00 (214.28)	10,625.00	0.00	1,928.56	1,928.56
SF	S.F. Public Utilities Comm	Reg. Conservation Outreach BACWA Adm for Reg.Consrv BACWA Admin for NCCWD <sup>3</sup>	2 16 16	297,550.00 31,250.00 5,000.00	<b>297,550.00</b> 14,285.70 <b>5,000.00</b>	<b>297,550.00</b> 12,857.13 4,500.00	0.00 (1,428.57) (500.00)	31,250.00 5,000.00	242,045.00	51,612.13	293,657.13
SOL	Solano Co. Water Agency	Reg. Conservation Outreach	2	50,000.00	50,000.00	50,000.00	0.00	-,	45,000.00	5,000.00	50,000.00
7	North Marin Water District	North Marin Recycled Water BACWA Admin	10 16	<b>244,550.00</b> 9,375.00	<b>244,550.00</b> 4,285.71	<b>244,550.00</b> 3,857.14	0.00 (428.57)	9,375.00	241,750.47	281.67	242,032.14
8	Zone 7 Water Agency	Reg. Conservation Outreach Mocho GW Demin Project BACWA Admin	2 11 16	<b>60,000.00</b> <b>740,000.00</b> 15,625.00	<b>60,000.00</b> <b>740,000.00</b> 7,142.85	<b>60,000.00</b> <b>740,000.00</b> 6,428.56	0.00 0.00 (714.28)	15,625.00	806,428.56	0.00	806,428.56
9	Marin Municipal Water District	Reg. Conservation Outreach Direct Installation HET Prog BACWA Admin	2 12 16	<b>200,000.00</b> 366,800.00 9,375.00	<b>200,000.00</b> 311,894.35 4,285.71	200,000.00 280,704.92 3,857.14	0.00 (31,189.44) (428.57)	9,375.00	478,187.05	0.00	478,187.05
10	Montara Water & Sanitary District	Groundwater Exploration Project BACWA Admin	13 16	<b>37,100.00</b> 3,125.00	<b>37,100.00</b> 1,428.57	33,390.00 1,285.71	(3,710.00) (142.86)	3,125.00	33,390.00	1,285.71	34,675.71
11	Alameda County Water District	Reg. Conservation Outreach Alameda Creek Phase 2 Fish BACWA Admin	2 14 16	60,000.00 600,000.00 15,625.00	<b>60,000.00</b> <b>600,000.00</b> 7,142.85	60,000.00 600,000.00 6,428.56	0.00 0.00 (714.28)	15,625.00	655,803.56	0.00	655,803.56
12	Sonoma Valley County Sanit. Dist.	Sonoma-Napa Marsh RWP BACWA Admin	15 16	366,800.00 9,375.00	269,322.36 4,285.71	242,390.12 3,857.14	(26,932.24) (428.57)	9,375.00	246,247.26	0.00	246,247.26
		Grand Total		12,500,000.00	7,932,901.89	7,859,641.70	(73,260.19)	250,000.00	7,692,068.74	69,822.96	7,761,891.70

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

<sup>114,285.59</sup> 

<sup>102,857.03 (11,428.56)</sup> 

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

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



# Director's Report to the Board

June 18, 2011 - July 22, 2011

Prepared for the July 28, 2011 Executive Board meeting

### A. ORGANIZATIONAL DEVELOPMENTS

- *Financial*. The Executive Director (ED) and Assistant Executive Director (AED) completed the end-of-year close including processing all final invoices. End of year financial information should be available from EBMUD at the August Executive Board meeting. Invoices for Fiscal Year 2011-2012 were prepared and sent and the ED and AED prepared the budget.
- *Strategic Planning*. The ED completed a draft of the "refreshed" strategic plan and revised the adopted workplan appropriately. The revised workplan also incorporates the amended budget.
- *Communications*. The ED prepared and sent the July electronic newsletter. The July newsletter was the most-viewed one (38% of recipients, or 369 people, viewed it) to date. Future newsletter efforts will focus on expanding the distribution list, soliciting member feedback potential improvements, and profiling more member agency successes. The response since its inception in November 2010 has been very positive.
  - The ED began working with CirclePoint on the Annual Report layout. The report is expected to be available in December. The content and tone are the same as in previous years. Changes are being made to the format to reduce waste (no plastic, booklet format instead of letter-sized) and printing costs. The ED and CirclePoint are also working on creating a database of BACWA images to use in all communications, which will eliminate the costs of stock photos and improve the regional feel of all communications. Agencies can assist by sending the ED contact information for the heads of their communications teams.
- *Other*. The ED met with a technology consultant to discuss ways to improve BACWA's file storage and protection.

### **B. REGULATORY AFFAIRS**

- Mercury. A BACWA team, led by Tim Potter, completed and sent a letter to regarding their
  forthcoming dental amalgam rulemaking. The letter was routed through a broad group of
  entities, including BAPPG, Tri-TAC/CASA, NACWA and the California Dental Association
  (CDA). BACWA representatives also encouraged the Regional Water Board to send a similar
  letter.
  - The ED reached out to the CDA who is interested in partnering on education and outreach after EPA's rule is finalized. The ED also worked with BAPPG and O'Rorke to revise and ready an op-ed on dental mercury amalgam to be finalized and sent when EPA publishes its draft rule.
- *PCB TMDL Implementation*. Reporting protocols were highlighted in the July BACWA enewsletter. The ED is coordinating with EBMUD, the Permits Committee and Laboratory Committee to prepare for the first set up 1668c results to be completed and a preliminary analysis of the results conducted. The mercury/PCBs watershed permit is set to expire December 31, 2012. The ED is working with others to prepare a set of revisions that BACWA would like to see with the goal of presenting a proposal to the Regional Water Board at Pardee.
- *Selenium*. No new developments.
- *Nutrients.* The ED attended the June 29 workshop and June 30 follow-up meeting, worked with HDR to develop topic paper outlines and formulate next steps, and met with Regional Water Board staff to discuss next steps. HDR will present more details on these issues at the

July 28 meeting. The ED also communicated with agency representatives in Texas and Colorado to share information about the development of nutrient regulations and limitations in those areas.

- *e-SMR Transition*. In the previous fiscal year, BACWA engaged EOA to attend e-SMR User Group meetings and act as a liaison between the User Group and the BACWA Permits Committee. Informed by their attendance at those meetings and participation in broader discussions about the ERS to e-SMR transition, EOA has identified possible next steps for BACWA to consider, either together or in concert: (1) Continue participation in the e-SMR User Group to relay BACWA member concerns and keep BACWA member agencies apprised of developments; (2) Develop a plan to ensure that historical ERS data is maintained and available for POTW and Regional Water Board access and queries; (3) Develop a plan to ensure that data being uploaded to e-SMR is readily available for POTW and Regional Water Board access.
- Sanitary Sewer Overflow Waste Discharge Requirements. No new developments have occurred with respect to the draft order as the State Board is still reviewing comments.
- Whole Effluent Toxicity Policy. BACWA representatives met with State Water Board staff regarding the WET policy. A complete update will be provided by attendees during the July Board meeting.
- *Permits*. The ED communicated with Permits Committee representatives and Regional Water Board staff regarding changes made to permit reporting. Specifically, new language requires that agencies compare priority pollutant results to applicable water quality objective. If the results are within one order of magnitude of the objective the results must be reported in the permittee's monthly DMR. BACWA will prepare a comment letter on the Hayward permit outlining our concerns about this change and will try to resolve the issue with Water Board staff in early September.

### C. COLLABORATIONS

- *Energy*. No new developments.
- *Baywide P2 Campaign*. The ED participated in another meeting regarding a regional education and behavior change campaign. BASMAA is expected to approve a \$15,000 contribution to this effort on July 28, 2011. The San Francisco Estuary Partnership has agreed to serve as the fiscal agent for this project and contribute its administrative services as an inkind donation. A subsequent meeting will be scheduled for September.
- *IRWMP*. The final award from the Department of Water Resources (DWR) for \$30 million in Proposition 84 funds is expected this summer. The ED prepared a memorandum on Proposition 84 and BACWA's role is included in the meeting materials for the July 28 Executive Board meeting.
- *Climate Change*. The program manager for the California Wastewater Climate Change Group, Jackie Kepke, has accepted a new position and will no longer be with CH2MHill. Her replacement is Dr. Zeynep Erdal, a Senior Technologist in CH2M HILL's Water Business Group. Dr. Erdal is the company's Wastewater Technology leader for the West Region Most recently she has led organics management planning and renewable energy recovery projects.

The ED is working with EBMUD's Alicia Chakrabarti to convene a small group of interested staff from the member agencies to discuss climate change adaptations actions to date. The

- hope is to come to the BACWA Executive Board with information and recommendations for possible next steps in August or September.
- *Other*. The ED was invited to join the San Francisco Planning and Urban Research Association's Water Policy Advisory Committee. The ED will also participate in a conference call of the Clean Water America Alliance's Urban Water Sustainability Council in early August.

### MEETINGS

- August 3: BAPPG
- August 9: Permits Committee
- August 10: Laboratory Committee
- August 10 -13: CASA San Diego Conference
- August 25: BACWA Executive Board
- September 1: Tri-TAC (Sacramento)
- September 7: BAPPG
- September 8: Collection Systems Committee
- September 20-21: State of the Estuary Conference (Oakland)
- October 12-14: Pardee Retreat



# **Executive Board Meeting Minutes**

**Thursday, June 23, 2011, 9:00 a.m. – 12:30 p.m.** EBMUD, 2020 Wake Avenue, Oakland, CA

#### **ROLL CALL AND INTRODUCTIONS**

<u>Executive Board Representatives</u>: Ben Horenstein, Chair (East Bay Municipal Utility District); Laura Pagano (San Francisco Public Utilities Commission); Jim Kelly (Central Contra Costa Sanitary District); Mike Connor (East Bay Dischargers Authority); Bhavani Yerrapotu (City of San Jose).

Other Attendees: Dave Williams (East Bay Municipal Utilities District); Stephanie Cheng (East Bay Municipal Utilities District); Margaret Orr (Central Contra Costa Sanitary District); Sharon Newton (City of San Jose); Jim Ervin (City of San Jose); John Newby (City of San Jose); Melody Tovar (City of San Jose); Amanda Roa (Delta Diablo Sanitary District); Tom Hall (Sunnyvale/Eisenberg Olivieri Associates, Inc.); Tom Mumley (San Francisco Regional Water Quality Control Board); Monica Oakley (RMC Environmental); Kevin Kennedy (HDR Engineering); Pete Talbot (HDR Engineering); Mike Faulk (HDR Engineering); 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 attendees were invited to elaborate on their reports or field questions.

The Field Automation Practices document developed by the Collection Systems committee was included with their report, will be uploaded to the BACWA website and featured in the next monthly e-newsletter.

For **agenda item 2**, the **Proposition 50 Grant Disbursements Status Report** was included in the meeting handout packet.

For **agenda item 3**, the **Executive Director's Report**, was included in the meeting handout packet. As noted in the report BACWA has been requested to become a partner for the Clean Water America Alliance's Urban Water Sustainability Leadership Conference, October 3-5, in Milwaukee.

BACWA Executive Board (Board) members were invited to share any items of interest under **agenda item 4**, **Executive Board Reports**, including information about meetings that were attended by BACWA representatives this month.

During the Summit Partners meeting on June 27<sup>th</sup>, 2011, Greg Kester provided an update on possible regulations proposed by CalRecycle for FOG transported by truck. He has met with the California State Water Resources Control Board (SWRCB) to discuss surrounding issues and Greg will be meeting with CalRecycle to continue discussions. Tom Howard, Executive Director of the SWRCB, was the guest speaker at this month's meeting. He explained that he is working to address fragmentation between the SWRCB and regional water boards, and while POTW regulations are not among his top priorities at this time, he is hoping to finalize some efforts addressing toxicity, chlorine residuals, cadmium, constituents of emerging concern (CEC's), and general waste discharge requirements (GWDR). It was motioned during the BACWA meeting that a Hoover Commission report on fragmentation between SWRCB and regional boards was released five years ago.

Central Contra Costa Sanitary District reported that during a recent meeting refinery representatives expressed willingness to partner with BACWA to work on TMDL development.

San Francisco Public Utilities Commission (SFPUC) is planning to submit comments regarding their Phase II general permit renewal to address concerns about municipal separate storm sewer systems

(MS4s) areas. As a result of SWRCB's review of historical CIWQS records, SFPUC received notice of a potential PAH violation in 2000, which turned out to be the result of an erroneous entry in database. Meetings with the RWQCB have confirmed that SFPUC permits have regulatory jurisdiction over Mission Bay Development construction. SFPUC received notice that, contrary to recommendations from their last EPA inspection, sanitary sewer overflows are not considered a hazardous material spill and do not need to be reported as such.

The Aquatic Science Center (ASC) is investigating the possibility of combining their governing board with the San Francisco Estuary Partnership (SFEP) board.

BACWA Executive Board (Board) members expressed interest in sponsoring a workshop to discuss how agencies are planning to address the impacts of sea level rise. This will topic will be added to the July Board meeting agenda for further discussion.

### **CONSENT CALENDAR**

Consent calendar **agenda items 6 through 9** were approved in a motion made by Mike Connor and seconded by Jim Kelly. The motion carried unanimously.

- 6. Minutes from May 26, 2011 Executive Board Meeting.
- 7. April 2011 Treasurer's Report.
- 8. HDR Amendment 1 to extend termination date of Nutrient Support contract to December 31, 2011.
- 9. Authorize contracts to implement Fiscal Year 2011 2012 BACWA and Special Programs budgets and workplans
  - a. RMC Water and Environment for As Needed Technical support, not to exceed \$40,000 (FY11-12) File 12,436;
  - b. Larry Walker & Associates for As Needed Technical support, not to exceed \$30,000 (FY11-12) File 12,448;
  - c. EOA, Inc for As Needed Technical support, not to exceed \$20,000 (FY11-12) File 12,449;
  - d. Circle Point for Communications support, not to exceed \$30,000 (FY11-12) File 12,437;
  - e. CH2M Hill for AIR Committee support, not to exceed \$80,790, contingent upon receipt of AIR Committee member contributions, (FY11-12) File 12,439;
  - f. Stephanie Hughes for BAPPG Mercury and Copper Outreach support, not to exceed \$11,000 (FY11-12) File 12,470.

Interest was expressed in better understanding the rates and staffing of various consultants engaged to provide support to BACWA. This information will be provided at a future Board meeting. A revised schedule for the HDR agreement will also be provided at July meeting and a discussion of utilizing the Paul Causey contract to gather additional information from POTWs will be added to the July meeting agenda. A reminder about how to sign up to receive sewer database e-mails will be sent to the Board.

#### **OTHER BUSINESS**

For agenda item 10, a Nutrient Discussion was led by HDR. Revised presentation slides were

distributed along with a progress report. Monthly progress reports will be distributed to the Board, and will include Gantt chart. Comments on the draft presentations received by HDR by COB today will be incorporated and a revised presentation that will be sent to the Board on Monday. HDR will return at the July Board meeting to provide an update on the project.

For agenda item 11, a Regional Campaign Update & Request for Support was provided by Melody Tovar, Deputy Director for the City of San Jose Watershed Protection Division. Though the City of San Jose did not receive the grant from EPA they are still moving forward to develop the San Francisco Bay Protection & Behavior Change Campaign. A \$5,000 contribution will be made by SFEP and the group is seeking \$15,000 each from BACWA and BASMAA to support initial brand development. A briefing sheet and letter of support from Tom Mumley were distributed.

Jim Kelly made a motion to approve BACWA becoming a partner and contributing \$15,000. The motion was seconded by Laura Pagano and passed unanimously.

A request was made that CSJ report back in the coming months to update Board on progress of this effort.

For agenda item 12, the Appointment of an Ad Hoc Executive Board Committee to Negotiate Executive Director Consulting Agreement, Ben Horenstein moved to recommend the appointment of the BACWA Executive Board Chair and Vice Chair to the ad hoc committee. The motion was seconded by Mike Connor and passed unanimously.

#### **CLOSED SESSION**

Personnel exception pursuant to Government Code section 54957 to consider public employee evaluation: Executive Director.

Conference with Ad Hoc Executive Board Committee regarding Executive Director Consulting Agreement, pursuant to Government Code section 549957.6.

The next regular meeting is scheduled for July 28, 2011, 9:00 a.m. to 12:00 p.m. at the EBMUD Lab Library, 2020 Wake Road, Oakland, CA.

The meeting adjourned at 12:30 p.m.

July 8, 2011

MEMO TO:

Bay Area Clean Water Agencies Executive Board

MEMO FROM:

Gary Breaux Director of Finance, East Bay Municipal Utility District

SUBJECT:

Eleven Month Treasurer's Report

As required by section eight of the Joint Powers Agreement establishing the Bay Area Clean Water Agencies (BACWA) and California Government Code Sections 6500 et seq., attached is the BACWA Treasurer's Report for the period covering **July 1, 2010 through May 31, 2011** (first eleven months of the Fiscal Year 2010-2011). This report covers expenditures, cash receipts, and cash transfers for the following BACWA funds:

- Bay Area Clean Water Agencies (BACWA),
- BACWA Training Fund (Trng Fnd),
- Air Issues and Regulation Group (AIR),
- Bay Area Pollution Prevention Group (BAPPG),
- BACWA Legal Reserve Fund (Legal Rsrv),
- Water Quality Attainment Strategy (WQA CBC),
- BACWA Operating Reserve Fund (BACWAOpRes),
- Regional Water Recycling (RWR),
- BACWA Reserve (Reserve),
- Water/Wastewater Operator Training (WOT),
- WQA Emergency Reserve Fund (WQA Emerg),
- WQA Tech Action Fund (TechAction),
- CBC Operating Reserve Fund (CBC OpRsrv), and
- Prop50 Bay Area Integrated Regional Water Mgmt (PRP50)

# Fund Balances as of month end 5/31/11

DESCRIPTION	BEGINNING FUND BALANCE 7/1/10	TOTAL RECEIPTS	TOTAL DISBURSEMENTS	ENDING FUND BALANCE 5/31/11	OUTSTANDING ENCUMBRANCES	UNOBLIGATED FUND BALANCE 5/31/11
BACWA	334,476	690,142	419,566	605,052	178,522	426,530
TRNG FND	250,000	1,387		251,387	2	251,387
AIR	2,592	86,051	62,059	26,584	28,734	(2,149)
BAPPG	49,131	80,369	100,814	28,687	7,032	21,655
LEGAL RSRV	300,000	1,664	-	301,664	=	301,664
WQA CBC	64,897	457,329	300,809	221,418	168,164	53,254
BACWAOPRES	153,500	848	2,562	151,785		151,785
RWR	16,516	92	<b>₽</b> 1	16,608		16,608
RESERVE	120,000	-	-	120,000	*	120,000
WOT	55,288	152,483	114,500	93,270	4	93,270
WQA EMERG	400,000	2,219	-	402,219	-	402,219
TECHACTION	250,000	1,387	-	251,387	Ξ.	251,387
CBC OPRSRV	162,000	899		162,899	8	162,899
PRP50	18,148	1,552,616	704,237	866,527	69,881	796,647
	2,176,549	3,027,485	1,704,546	3,499,488	452,333	3,047,156

# **BACWA Revenue Report for May 2011**

	REVENUE TYPE	AMENDED	CU	RRENT PERIOD			YEAR TO I	DATE		
DEPARTMENT		BUDGET	DIRECT	INVOICED	JVS	DIRECT	INVOICED	JVS	ACTUAL	UNOBLIGATED
Bay Area Clean Water Agencies	Administrative & General	-	Į.	9	2	2	-	2	-	(*)
Bay Area Clean Water Agencies	BDO Member Contributions	450,000	5	9	-	-	450,000	-	450,000	(m)
Bay Area Clean Water Agencies	BDO Other Receipts				-	8	73,158	(73,158)	-	143
Bay Area Clean Water Agencies	BDO Fund Transfers	5.0	=	-	-		-	74,216	74,216	(74,216)
Bay Area Clean Water Agencies	BDO Interest Income	15,000	-	~			-	3,926	3,926	11,074
Bay Area Clean Water Agencies	BDO Assoc.&Affiliate Contr	159,000	μ.	×	:-::		162,000	-	162,000	(3,000)
BACWA TOTAL		624,000		3		-	685,158	4,984	690,142	(66,142)
BACWA Training Fund	Administrative & General	100	-		-		1-	-	3	-
BACWA Training Fund	BDO Interest Income	100	-	-	; <del>-</del> :		0.75	1,387	1,387	(1,387)
TRNG FND TOTAL		=	-	2		-		1,387	1,387	(1,387)
AIR-Air Issues&Regulation Grp	Administrative & General	-	-	5		j.	-	120	5	-
AIR-Air Issues&Regulation Grp	<b>BDO Member Contributions</b>	83,400	=	<b>a</b> 1	120	-	84,828	-	84,828	(1,428)
AIR-Air Issues&Regulation Grp	BDO Other Receipts	-	-	=	=		1,000	-	1,000	(1,000)
AIR-Air Issues&Regulation Grp	BDO Interest Income	-	-	300				223	223	(223)
AIR TOTAL		83,400	<u>=</u>	-	12	-	85,828	223	86,051	(2,651)
BAPPG-BayAreaPollutnPreventGrp	Administrative & General	=	iīī			-		-	2	-
BAPPG-BayAreaPollutnPreventGrp	BDO Member Contributions	80,505	-	100	175	<del></del>	30,005	-	30,005	50,500
BAPPG-BayAreaPollutnPreventGrp	BDO Other Receipts	50,000	-		97	-	<u>-</u>	50,000	50,000	-
BAPPG-BayAreaPollutnPreventGrp	BDO Fund Transfers	9	9	-		-	50,000	(50,000)	-	-
BAPPG-BayAreaPollutnPreventGrp	BDO Interest Income	3,079	-	( <del>-</del> )				364	364	2,715
BAPPG TOTAL		133,584	-		:=:	-	80,005	364	80,369	53,215
BACWA Legal Reserve Fnd	Administrative & General	-	-	)	072	-	į.	-	=	
BACWA Legal Reserve Fnd	BDO Interest Income	#		: <del>:=</del> :	877		a	1,664	1,664	(1,664)
LEGAL RSRV TOTAL		-	-		-	-		1,664	1,664	(1,664)
WQA-WtrQualityAttainmntStratgy	Administrative & General	ē	-	•	-	12	2	(2)	**	*
WQA-WtrQualityAttainmntStratgy	BDO Member Contributions	450,000	-		-	-	450,500	-	450,500	(500)
WQA-WtrQualityAttainmntStratgy	BDO Other Receipts	=			17:	-	9,637	(4,000)	5,637	(5,637)
WQA-WtrQualityAttainmntStratgy	BDO Interest Income	8,000	-		-		-	1,192	1,192	6,808
WQA CBC TOTAL		458,000	-		-	(=	460,137	(2,808)	457,329	671
BACWA OperatingRsrve Fnd	Administrative & General			-	(6)	-	2	*	-	- 2
BACWA OperatingRsrve Fnd	BDO Interest Income		: :=	3.5		-		848	848	(848)
BACWAOPRES TOTAL		-	: :=	5 OFF	+		9 #	848	848	(848)

# **BACWA Revenue Report for May 2011**

公然的 对新国际的 新语的 阿里斯	A SECURIO NA APARES DE MAS	AMENDED	CU	PRRENT PERIOD		YEAR TO DATE				
DEPARTMENT	REVENUE TYPE	BUDGET	DIRECT	INVOICED	JVS	DIRECT	INVOICED	JVS	ACTUAL	UNOBLIGATED
Regional Water Recycling	BDO Interest Income		-	-	-	-		92	92	(92)
RWR TOTAL		-	-	•	-	-	-	92	92	(92)
WOT - Wtr/Wwtr Operat Training	Administrative & General		*	*	-	*	1.5			
WOT - Wtr/Wwtr Operat Training	BDO Member Contributions	~	-	96	-	(m.)	142,000	4,000	146,000	(146,000)
WOT - Wtr/Wwtr Operat Training	BDO Other Receipts	=		6,000	(4)	~	6,000	-	6,000	(6,000)
WOT - Wtr/Wwtr Operat Training	BDO Interest Income	2	-	120	-	-	-	483	483	(483)
WOT TOTAL				6,000	-	-	148,000	4,483	152,483	(152,483)
WQA Emergency Resrve Fnd	Administrative & General	**	-	-	-	-	-	-	ā	-
WQA Emergency Resrve Fnd	BDO Interest Income	2 2	-				-	2,219	2,219	(2,219)
WQA EMERG TOTAL		•	•		1/2		-	2,219	2,219	(2,219)
WQA Tech Action Fund	Administrative & General		-		· -		=	-	-	-
WQA Tech Action Fund	BDO Interest Income	-	:=:			-	=	1,387	1,387	(1,387)
TECHACTION TOTAL		<u> </u>	-	( <b>*</b> )	-			1,387	1,387	(1,387)
CBC Operating Resrve Fnd	Administrative & General	5	•	x =	4	밀	2	-	=	:=
CBC Operating Resrve Fnd	BDO Interest Income	<b>2</b>	175		-		9	899	899	(899)
CBC OPRSRV TOTAL		( <b>-</b> )	)=	( <del></del>	=	.=		899	899	(899)
Prop50BayAreaIntegRegnlWtrMgmt	Administrative & General	*	-	14	-	-				
Prop50BayAreaIntegRegnIWtrMgmt	BDO Interest Income	-	-	-	-	-	-	1,028	1,028	(1,028)
Prop50BayAreaIntegRegnIWtrMgmt	BDO Administrative Expense	*		9	2	-	7,511	12,482	19,993	(19,993)
Prop50BayAreaIntegRegnIWtrMgmt	Contra Costa Regional Intertie	=	-	9	-	121	268,602	181,397	450,000	(450,000)
Prop50BayAreaIntegRegnIWtrMgmt	Regional Conservation	-	-		=	-	104,255	-	104,255	(104,255)
Prop50BayAreaIntegRegnIWtrMgmt	EBMUD Richmond RWP	:=:	-	(E)	=	-	266,327	-	266,327	(266,327)
Prop50BayAreaIntegRegnIWtrMgmt	Redwood City RWP	-	17	S.=.	F-	1.5	-	-		-
Prop50BayAreaIntegRegnIWtrMgmt	Mocho GW Demin Project	-	-	0 <b>%</b>	*	( <del>*</del> )	74,000	-	74,000	(74,000)
Prop50BayAreaIntegRegnIWtrMgmt	Direct Install HET	-	:=	2.50	=	(#)	82,985		82,985	(82,985)
Prop50BayAreaIntegRegnlWtrMgmt	Alameda Creek Phase 2 Fish		5 <del>-</del>	100	÷			311,629	311,629	(311,629)
Prop50BayAreaIntegRegnlWtrMgmt	Sonoma - Napa Marsh RWP	-	-	242,399	÷	-	242,399	-	242,399	(242,399)
PRP50 TOTAL		-	-	242,399	2		1,046,080	506,536	1,552,616	(1,552,616

# **BACWA Expense Report for May 2011**

		AMENDED	AMENDED CURRENT PERIOD				YEAR TO DATE					
DEPARTMENT	EXPENSE TYPE	BUDGET	ENC	PV	DA	JV	ENC	PV	DA	J۷	OBLIGATED	UNOBLIGATED
Bay Area Clean Water Agencies	BC-Collections System	25,000	(792)	792	-	-	8,709	16,292	-	-	25,001	(1)
Bay Area Clean Water Agencies	BC-Permit Committee	25,000	(2,201)	2,201	-	3.5	8,148	16,854	-	-	25,002	(2)
Bay Area Clean Water Agencies	BC-Water Recycling Committee	11,000	*	-	3.00	(200	11,000	7.	(8)		11,000	. Š
Bay Area Clean Water Agencies	BC-Biosolids Committee	10,000	*	-	(*)	::-	*:	~		-		10,000
Bay Area Clean Water Agencies	BC-InfoShare Groups	25,000	2	90	794	-	12,474	12,526		7	25,000	
Bay Area Clean Water Agencies	BC-Laboratory Committee	7,000	ū.	-			-		4,685	=	4,685	2,315
Bay Area Clean Water Agencies	BC-Miscellaneous Committee Sup	10,000	-			24	140	-	2,931	+	2,931	7,069
Bay Area Clean Water Agencies	TS-Media Relations Support	25,000	(8,273)	8,273	-21	-	2,799	22,201	(*)	+	25,000	· e
Bay Area Clean Water Agencies	TS-Consultant Support	100,000	(14,621)	14,621		V.	43,822	35,678	(40)	-	79,500	20,500
Bay Area Clean Water Agencies	LS-Regulatory Support	20,000	(509)	509	-	-	4,299	5,701	3,878	-	13,878	6,122
Bay Area Clean Water Agencies	LS-Executive Board Support	10,000		1.0	0.70		5,000	2	*	-	5,000	5,000
Bay Area Clean Water Agencies	CAS-CWAA	10,000		150	575	100	-	ŝ	10,000	-	10,000	T#
Bay Area Clean Water Agencies	CAS-PSSEP	20,000	-	-	( <del>-</del>		970	-	-	-	-	20,000
Bay Area Clean Water Agencies	CAS-CPSC	5,000	-	100	(00)		(7)	5	5,000	-	5,000	-
Bay Area Clean Water Agencies	CAS-PSI	500	140	140		•	375	5	500		500	ıñ
Bay Area Clean Water Agencies	CAR-BACWA Annual Report	20,000	(4)	-		*	9#3	8,000	1,633	=	9,633	10,367
Bay Area Clean Water Agencies	CAR-BACWA Website Development/	70,000	(557)	557	1	*	9,277	16,473	2,871	-	28,621	41,379
Bay Area Clean Water Agencies	AS-BACWA Admin Expense	8,000	-	100	1,145	-	-	=	3,223	-	3,223	4,777
Bay Area Clean Water Agencies	CAR-Other Communications	15,000	121		120	2	13,590	4,410	194	-	18,194	(3,194)
Bay Area Clean Water Agencies	SP-BAPPG Contribution	50,000	-	-		=	-	-	50,000	-	50,000	=
Bay Area Clean Water Agencies	GBS-Contingency	15,000	-	2		=	-	×	2,320	-	2,320	12,680
Bay Area Clean Water Agencies	GBS- Meeting Support	10,000	*	-	2	<u> </u>	438	562	6,884	-	7,884	2,116
Bay Area Clean Water Agencies	AS-Executive Director	130,000	(10,833)	10,833	-	2	21,667	108,333	-	-	130,000	-
Bay Area Clean Water Agencies	AS-Assistant Executive Directo	70,000	(4,703)	4,703	- 2	12	18,991	49,209	121	=	68,200	1,800
Bay Area Clean Water Agencies	AS-EBMUD Administrative Servic	44,000	-	1.5	1	8	18,308	25,469	323	-	43,777	223
Bay Area Clean Water Agencies	AS-Insurance	5,000		S	5	=	-	3	3,740	2	3,740	1,260
Bay Area Clean Water Agencies	WQA-CE-Technical Support	(*)	-	ce.	7.	3	-	3	-	-		2
Bay Area Clean Water Agencies	BDO Contract Expenses	:=:	-	(100)	*	5	(0)	7.		-		2
BACWA TOTAL		740,500	(42,489)	42,489	1,145	•	178,522	321,708	97,858	3	598,088	142,413
AIR-Air Issues&Regulation Grp	BDO Administrative Expense	4,038	-	100		*	-	=	4,038	-	4,038	-
AIR-Air Issues&Regulation Grp	BDO Contract Expenses	86,755	(28,221)	28,221	=	¥	28,734	58,021	350	-	86,755	5
AIR TOTAL		90,793	(28,221)	28,221	÷	=	28,734	58,021	4,038		90,793	=
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Fog	21,800	-	g	9	2	13	14,787	2,318		17,118	4,682
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Mercury	9,500	(3,175)	3,175	2	2	1,689	7,751	12	-	9,440	60
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Pesticides	16,000	(1,000)	1,000	2	9	1,960	4,040	10,000	-	16,000	=
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Copper	4,000	(840)	840	-	ě	1,210	2,850	12	-	4,060	(60)
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Pharmaceutical	4,999	(800)	800			1,600	3,399	72	-	4,999	2
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-General P2	46,500	(26,220)	26,220	-	ā	(5)	44,999	1,420	-	46,419	81
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Emerging Issues	5,000	-	+		28	185	=	175		(E	5,000
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Other	8,396	-	-		5	560	3,440		-	4,000	4,396
BAPPG-BayAreaPollutnPreventGrp	BDO Administrative Expense	5,810		Ξ.	9	90	196	:e:	5,810		5,810	-
DAFFG-DayAlear ollulli leveliloid												14,159

# **BACWA Expense Report for May 2011**

		AMENDED CURRENT PERIOD					YEAR TO DATE					<b>的最小化长</b> 。
DEPARTMENT	EXPENSE TYPE	BUDGET	ENC	PV	DA	JV	ENC	PV	DA	JV	OBLIGATED	UNOBLIGATED
WQA-WtrQualityAttainmntStratgy	WQA-CE-Technical Support	191,728	(22,163)	22,163	828	ä	147,351	87,336	828	*	235,515	(43,787)
WQA-WtrQualityAttainmntStratgy	WQA-CE-Collaborations & Sponso	50,000	0.75	- 3	-	8	020	9	50,000	-	50,000	-
WQA-WtrQualityAttainmntStratgy	WQA-CE-Trainings	7,190	(7)	7.	-	3	-	=	-	=		7,190
WQA-WtrQualityAttainmntStratgy	WQA-CE-Commun. & Reporting	65,000	(4,641)	4,641	-	ä	13,731	6,269	24	-	20,000	45,000
WQA-WtrQualityAttainmntStratgy	WQA-CE-Program Mgmt	39,000	181	-		π	0.7	ä	(V <sub>2</sub> )	2	S¥3	39,000
WQA-WtrQualityAttainmntStratgy	WQA-CE-Other	103,430	(570)	750	-		7,082	12,028	83,538	2	102,648	782
WQA-WtrQualityAttainmntStratgy	BDO Administrative Expense	21,810	+:	=	-	=		-	60,810	-	60,810	(39,000)
WQA CBC TOTAL		478,158	(27,373)	27,553	828	*	168,164	105,633	195,175	2	468,973	9,185
BACWA OperatingRsrve Fnd	BDO Contract Expenses	2=	4	2	*	:-		-	2,562		2,562	(2,562)
BACWA OPRES TOTAL		0€	¥	¥	-	9	*	-	2,562	-	2,562	(2,562)
WOT - Wtr/Wwtr Operat Training	BDO Administrative Expense	2,500	_	3	2	<b>14</b>	2	-	2,500	-	2,500	5
WOT - Wtr/Wwtr Operat Training	BDO Contract Expenses	81,000	_	2		41	₽	-	112,000	-	112,000	(31,000)
WOT TOTAL		83,500	-	ä		327	2	-	114,500	-	114,500	(31,000)
Prop50BayAreaIntegRegnIWtrMgmt	BDO Administrative Expense	8,000	(45)	45	-	(6)	64	1,936	1,525	1,058	4,583	3,417
Prop50BayAreaIntegRegnlWtrMgmt	BDO Contract Expenses	78,017	-			-	69,817	8,200	-	-	78,017	=
Prop50BayAreaIntegRegnlWtrMgmt	Contra Costa Regional Intertie	0.0	-	-	269,072	3.0	8	-	269,072	176,731	445,803	(445,803)
Prop50BayAreaIntegRegnlWtrMgmt	Regional Conservation	(*)	-	-	20,000	127	8	-	20,000	-	20,000	(20,000)
Prop50BayAreaIntegRegnlWtrMgmt	Redwood City RWP	06	-	-	-	1.00	=		=	99,556		(99,556)
Prop50BayAreaIntegRegnlWtrMgmt	N. Marin RWP	E	π.		(70)		8		-	24,455	24,455	(24,455)
Prop50BayAreaIntegRegnlWtrMgmt	Direct Install HET	75		-	83,735	-	9	-	83,735	47.000	00,100	(83,735)
Prop50BayAreaIntegRegnIWtrMgmt	Agency Prefunding Admin Exp	7	5	-	-	2		:43	× ×	17,968		(17,968)
PRP50 TOTAL		86,017	(45)	45	372,807	-	69,881	10,136	374,332	319,768	774,118	(688,101)



## BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 8.a.

**FILE NO.:** File 12,489

MEETING DATE: July 28, 2011

TITLE: Contract with Stephanie Hughes to Continue Mercury Watershed Permit Dental Amalgam Program Support

X	MOTION	□ RESOLUTION
$\triangle$	MOTION	□ KESULUTION

### RECOMMENDED ACTION

Authorize agreement with <u>Stephanie Hughes</u>, in an amount not to exceed <u>\$17,000.00</u>, to continue support <u>for compliance with the Mercury Watershed Permit's Dental Amalgam Program requirements</u> during the period of August 1, 2011 – June 30, 2012.

### **SUMMARY**

This agreement will allow Stephanie Hughes to continue to assist BACWA members fulfill the dental amalgam program requirements of the Mercury Watershed Permit. The permit mandates that member agencies development, implement, and document the success of dental amalgam programs. A report summarizing the programs and their results must be submitted to the Water Board by June 2012.

In December 2008, BACWA retained Stephanie Hughes to provide technical support to meet these requirements. The first phase of work, which was completed in 2010, involved developing methodologies for determining (1) whether 85% of dental offices generating mercury amalgam are participating in amalgam control programs and, (2) the mass of mercury diverted from POTWs as a result of these programs. This second phase of work will result in the final report to be submitted in June 2012 in fulfillment of the permit requirements.

This project is being conducted under the supervision of the BACWA Executive Director and Melody LaBella, CCCSD.

### FISCAL IMPACT

This project was included in the FY 2011- 2012 budget and workplan.

### **ALTERNATIVES**

BACWA procurement policies do not require consideration of alternatives because the contract value is less than \$50,000.

#### Attachments:

1. 12,489 SHughes CBC Hg Report 11-12



May 16, 2011

Melody LaBella BAPPG Chair Central Contra Costa Sanitation District 5019 Imhoff Place Martinez, CA 94553 mlabella@centralsan.dst.ca.us

Subject: Proposal to Support Bay Area Mercury Watershed Dental Requirements – Phase II

Dear Melody,

I am pleased to provide this proposal to BACWA to coordinate Phase II for regional compliance with the dental source control requirement of the Mercury Watershed Permit. Attached you will find the scope of work as well as a budget estimate to complete the work. The work is expected to commence in August, so either a contract modification or a new contract would need to be complete by then.

We propose to complete the work by June 30, 2012. As in the initial work, I will serve as the project manager and primary contact for the project while Tom Barron will provide key technical support.

We look forward to working with you on this project.

Sincerely,

Stephanie Hughes, ChE P.E.

Stephanie Gughes

### PROPOSED BACWA DENTAL TECH SUPPORT – FY 2011-12

The regional mercury watershed permit requires that by June 30, 2012, Bay Area agencies report the amount of amalgam diverted from the sewer system from the dental amalgam programs. Further, the permit requires that by March 1, 2013 that there be 85% dental office participation in voluntary or mandatory POTW amalgam programs. The consultant team of Stephanie Hughes and Thomas Barron propose to complete the following task to support these compliance requirements.

In Fall 2011, we will gather data from individual member agencies and use that information to update of regional results relative to the two metrics. For the 36 agencies that provided information in Fall 2009, we will return their past surveys to them and simply ask them to either update or confirm the existing information. For the 3 agencies that did not submit the 2009 survey, we will send them the previous survey to complete.

By re-surveying in Fall 2011, this will provide sufficient time for data evaluation and follow-up communications with agencies so that we may provide a draft analysis to BACWA by February 2012. Upon review by BACWA, we will incorporate edits, and prepare a final analysis of both metrics that can be submitted by the June 30, 2012 deadline.

It is likely, based on agency communications, that the regional requirement of 85% dental participation rate will be achievable by Fall 2011. If so, this effort will allow BACWA to submit a single report, in June 2012, to comply with both dental metrics in the permit.

The budget and schedule assume that there will be follow-up communications with up to 10 agencies, to resolve questions or obtain clarity regarding survey responses, and that technical support questions may arise when communicating with member agency staff.

### **Deliverables and Schedule**

- Submit surveys to each agency via email (by September 26, 2011)
  - o Request responses by Friday October 14, 2011
- Submit draft work products to BACWA QC reviewers (by February 28, 2011)
  - o Excel spreadsheet
  - o Draft report
- Submit final work products to BACWA (by Friday June 1, 2012)
  - o Excel spreadsheet (to be held internally by BACWA)
  - o Final Report (for submittal to the Regional Board by June 30th)
  - o Executive Summary (for submittal to the Regional Board by June 30th)
- One meeting (or conference call) with BACWA QC reviewers
- One meeting with Regional Board

### **Budget**

The estimated budget for 2011-2012 dental technical support is \$17,000. Spreadsheet attached.

# **Stephanie E. Hughes, ChE P.E.**

# **COST ESTIMATE**

1445 Emory Street San Jose, CA 95126 Phone: 408-499-9271

Email: steifehughes@yahoo.com

DATE: PROJECT#

16-May-2011 BCW-06

FOR:

Dental Tech

Support -

Phase II

DESCRIPTION					AMOUNT
	ODC	Hughes \$160/hr	<b>Barron</b> \$160/hr	Total Hours	
Task 1 Compile Update of Member Data	\$0	20	14	34	\$5,440
Task 2 Update Model and Metric Results	\$0	8	16	24	\$3,840
Task 3 Draft and Final Documentation	\$0	8	8	16	\$2,560
Task 4 Regional Board and POTW Communication	\$40	20	12	32	\$5,160

**TOTAL COST ESTIMATE** \$ 40.00 \$ 8,960.00 \$ 8,000.00

\$17,000



## BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 8.b.

**FILE NO.:** File 12,490

MEETING DATE: July 28, 2011

TITLE: Contract with Day, Carter, Murphy to Assist with Proposition 84 Agreements

X	MOTION		RESOLUTION	

### RECOMMENDED ACTION

Authorize agreement with <u>Day, Carter, Murphy</u>, in an amount not to exceed <u>\$30,000</u>, to provide legal advice related to agreements between BACWA, DWR and Local Project Sponsors for Proposition 84 funds, for the period of <u>August 1, 2011 – June 30, 2012</u>.

### **SUMMARY**

In late summer or early fall of 2011, the California Department of Water Resources (DWR) will award BACWA \$30 million in Proposition 84 funds as grant funding for Bay Area Integrated Regional Water Management Plan projects. The terms of the contract between DWR and the agencies receiving project funding (Local Project Sponsors) will need to be finalized over the next six to eight months and will require legal counsel. This contract will enable BACWA to obtain legal review of the DWR terms as soon as they are available.

See the attached memorandum for more information on BACWA's role in Integrated Regional Water Management Planning, Proposition 50 and Proposition 84.

### FISCAL IMPACT

This project was not included in the Fiscal Year 2011-2012 budget or workplan because the award has not yet been made. BACWA is currently negotiating with LPS regarding advance funding for administrative costs such as this one and expects to have funding in hand before authorizing any work under this contract.

### **ALTERNATIVES**

BACWA procurement policies do not require consideration of alternatives because the contract value is less than \$50,000.

### Attachments:

- 1. Memorandum from Executive Director Regarding the IRWMP
- 2. Scope of Work

### **EXHIBIT A**

### SCOPE OF WORK

Professional Services by **Day Carter & Murphy LLP**Fiscal Year 2011-12

Day Carter & Murphy LLP agrees to provide legal advice and counsel to BACWA related to BACWA's award of a Proposition 84 funded Integrated Regional Water Management Plan (IRWMP) grant from the California Department of Water Resources (DWR). These services shall only be provided, upon written request of the BACWA Executive Director or the project manager, Brian Campbell, and shall not exceed \$30,000. Services may include, but shall not be limited to the following:

- Review of draft agreements between DWR and BACWA;
- Drafting and review of agreements with individual project proponents;
- Other support for the Executive Director and Project Manager as needed, in reaching mutually acceptable terms with all parties.

{00935736}

EXHIBIT A
Page 1 of 1

### **EXHIBIT B**

## HOURLY RATES/REIMBURSABLE EXPENSES

James M. Day Jr.	\$340.00 per hour
Ralph R. Nevis	\$320.00 per hour
Joshua L. Baker	\$275.00 per hour
E. Ryan Stephensen	\$260.00 per hour



### **MEMORANDUM**

TO: BACWA EXECUTIVE BOARD

FROM: AMY CHASTAIN, EXECUTIVE DIRECTOR

**SUBJECT: PROPOSITION 84 GRANTS** 

**DATE:** JULY 28, 2011

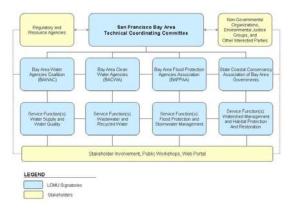
The Bay Area Clean Water Agencies preliminarily has been awarded \$30 million by the California Department of Water Resources (DWR) to fund projects included in the region's Integrated Regional Water Management Plan (IRWMP). The purpose of this memorandum is to provide the BACWA Executive Board with information about the IRWMP, the DWR grants, BACWA's roles and responsibilities, and the anticipated schedule for activities related to this award.

### INTEGRATED REGIONAL WATER MANAGEMENT PLAN

DWR administers grant programs, including Proposition 50 and Proposition 84, that require applicants to participate in an Integrated Regional Water Management Planning process. This requirement is in response to a 2002 Senate Bill intended to encourage local agencies to work cooperatively to manage local and imported water supplies to improve the water quality, quantity and reliability. In response to this requirement, the San Francisco Bay Area created the Bay Area Integrated Regional Water Management Plan (IRWMP).

The Bay Area IRWMP has four Functional Areas: (1) Water Supply and Quantity; (2) Wastewater and Recycled Water; (3) Flood Protection and Stormwater Management; and (4) Watershed Management, Habitat Restoration and Protection (See Figure 1). BACWA is the lead for the Wastewater and Recycled Water Functional Area and a signatory to a Letter of Mutual Understanding between participating agencies. To be eligible for DWR funding an agency must ensure that their project meets certain criteria and has been approved by the IRWMP water management entity (Bay Area IRWM Coordinating Committee) for inclusion in the Plan.

Figure 1: IRWMP Coordinating Committee Organizational Chart



#### **PROPOSITION 50**

In November 2002, California voters passed Proposition 50 (Prop 50) (the Water Security, Clean Drinking Water, Coastal and Beach Protection Act), which provides \$500 million to fund competitive grants for protects consistent with an adopted IRWMP. In 2006, BACWA agreed to be the applicant for a Bay Area Prop 50 grant. The region was awarded \$12.5 million for 15 projects involving 12 agencies. To date, more than \$7 million has been disbursed.

To minimize BACWA's liability as the single grant applicant, several protective measures were taken. First, the agencies implementing the projects, Local Project Sponsors (LPS), provided funding in advance of any payment from DWR for BACWA's legal and administrative costs. Second, the agreements with the Local Protect Sponsors contain provisions protecting BACWA from financial liability in the event that any project is not completed. BACWA's expenses – which are fully reimbursed by the LPS – include legal counsel, consultant assistance preparing and submitting reports and invoices, accounting services, and non-itemized expenses that are recouped through an indirect costs charge. Time spent by the Executive Director and Assistant Executive Director on Proposition 50 – related activities is also fully reimbursed.

#### **PROPOSITION 84**

Proposition 84 (Prop 84) (the Safe Drinking Water, Water Quality, and Supply, Flood Control, River and Coastal Protection Bond Act) was passed in 2006 and provides \$1 billion for IRWM planning and implementation. In September of 2010 the BACWA Executive Board adopted a resolution agreeing to serve as the applicant and authorizing the BACWA Chair to execute all agreements necessary to implement any award. In May of this year, DWR recommended that the Bay Area IWRM proposal receive \$30 million. The final award is expected in July or August, and grant agreements are expected to be executed in late winter or early spring of 2012.

A draft of BACWA's budget for administering the Prop 84 grant is below. These administrative costs are a fully reimbursable part of the grant and will be recovered upon payment of invoices by DWR. In order to minimize BACWA's liability, the Local Project Sponsors will provide advance funding (approximately \$100,000). These funds will be used by BACWA to pay for administrative expenses incurred prior to payment of the first invoice by DWR.

Table 1: Draft Prop 84 Administrative Budget

No. Agencies: 18 No. Projects: 14

DWR Total: \$30,093,592

Consultant	\$166,000	
Grant Manager	177,000	EBMUD staff
Admin. Assistance	72,000	
Accounting	56,000	
Legal	48,000	
BACWA Direct Costs	104,000	Includes ED, AED time
BACWA Indirect Costs (5%)	19,000	Consistent with BACWA's IDC policy
Total	642 000	

Total | 642,000

**Table 2: Draft IRWMP Projects** 

	2: Draft IRWINIP Projects			
	Project Title	Local Project Sponsor	Project Cost	Grant Funds
1	CCCSD-Concord Recycled Water Pipeline	Central Contra Costa Sanitary District	\$4,200,000	\$1,030,000
2	Central Dublin Recycled Water Distribution Project	Dublin San Ramon Services District	\$4,100,000	\$1,130,000
3	East Bayshore Phase 1A -Interstate 80 Pipeline	East Bay Municipal Utility District	\$2,186,000	\$741,000
4	Peacock Gap Recycled Water Extension Project	Marin Municipal Water District	\$10,136,000	\$500,000
5	NMWD Novato North Service Area Project	North Bay Water Reuse Authority	\$11,392,000	\$500,000
6	Las Gallinas VSD Novato So.S.A Hamilton Field, Stage 1	North Bay Water Reuse Authority	\$11,631,000	\$500,000
7	Napa State Hospital Pipeline Construction Stage 1 Project	North Bay Water Reuse Authority	\$3,057,000	\$500,000
8	Sonoma Valley Recycled Water Project, Stage 1	North Bay Water Reuse Authority	\$5,000,000	\$500,000
9	Harding Park Recycled Water Project	S.F. Public Utilities Comm.	\$8,436,000	\$2,114,000
10	South Bay Water Recycling Industrial Expansion Project	City of San Jose	\$5,503,000	\$2,485,000
11	Regional Conservation Program	Solano County Water Agency	\$15,391,557	\$8,952,685
12	Sears Point Wetland and Watershed Restoration	Coastal Conservancy	\$18,306,981	\$1,250,000
13	Bair Island Restoration	Coastal Conservancy	\$3,185,375	\$1,250,000
14	South Bay Salt Pond 16A/17 Habitat Restoration	Coastal Conservancy	\$9,300,000	\$1,250,000
15	San Pablo Spine & Regional Green Infrastructure Project	S.F. Estuary Partnership (SFEP)	\$4,220,882	\$2,315,882
16	Hacienda Avenue Green Street Improvement	City of Campbell	\$4,632,555	\$1,999,999
17	Napa Valley Rainwater Harvesting	Napa Co. FCWCD	\$328,335	\$250,000
18	WQ Improvement, Flood Mgt and Ecosystem Proj in DACs	S.F. Estuary Partnership	\$2,881,615	\$2,082,026
19	Grant Administration	Bay Area Clean Water Agencies	\$863,000	\$743,000
		Total	\$124,751,300	\$30,093,592



## BACWA EXECUTIVE BOARD ACTION REQUEST

AGEN	AGENDA NO.:				
FILE NO.:	12,491				
MEETING DATE:	July 28, 2	011			

TITLE:	<b>Contract with Am</b>	v Chastain for	Executive Dire	ector Services.

X	MOTION		RESOLUTION	
_	111011	_	TEDOLIC TION	

### RECOMMENDED ACTION

Approve a motion terminating the existing contract with Amy Chastain and approving a new contract for Fiscal Years 2011-2012 and 2012-2013.

### **SUMMARY**

On June 23, 2011 the BACWA Board appointed an ad hoc committee to negotiate a new contract with the Amy Chastain, to continue engaging her in providing Executive Director (ED) Services to BACWA. The committee recommends that the Board approve the attached contract and scope of work, which will replace the existing contract, effective immediately.

This contract increases the annual compensation provided for these services as described below. The increase in compensation is recommended for two reasons. First, the scope of services provided by the ED has expanded to include more project management and statewide/national representation than contemplated by the existing contract and than undertaken by the ED in previous years. In particular, the Executive Board understands that ongoing efforts to develop and implement a nutrient regulatory strategy require more engagement, leadership and time of the Executive Director.

Second, this increase in compensation reflects that, since the effective date of the current contract, compensation has not been adjusted for either cost of living or performance, even though the contract entitles the ED to both. In January 2009, September 2010 and June 2011 the Executive Board conducted evaluations of the ED's performance and found the ED's performance fully met and often exceeded expectations. The CPI increased 2.7% in 2009 and 1.5% in 2010.

Fiscal Year	Monthly	Annualized	% Annualized
	Payments	Total	Increase
			(over previous year)
2009 – 2010	\$10,833	\$130,000	NA
2010 – 2011	\$10,833	\$130,000	0%
(Jan.) 2011 – (July) 2011	\$10,833	\$130,000	0%
(Aug) 2011 – (Dec.) 2012	\$11,645	\$134,058	3%
2012 – 21013	\$11,645	\$139,740	4%

### FISCAL IMPACT

The budget for ED services for the 2011 - 2012 Fiscal Year is \$135,500, so this action is consistent with the approved budget.

### **ALTERNATIVES**

This action does not require consideration of alternatives.

### Attachment:

1. Scope

## Exhibit A BACWA EXECUTIVE DIRECTOR

#### **SCOPE OF SERVICES**

The Consultant shall serve, in a full-time capacity, as the Executive Director of the Bay Area Clean Water Agencies (BACWA), providing professional services at the direction of the BACWA Executive Board. These services include, but are not limited to the following:

## 1. Financial/Administrative Management

- Develop and maintain sound financial practices,
- Prepare an annual budget that implements the Board's goals and objectives,
- Manage contracts to stay within budget,
- Ensure that compliance with applicable rules and regulations,
- Oversee BACWA's role as fiscal agent for State and other grants,
- Maintain official records and documents, and ensure compliance with federal, state and local regulations.

#### 2. Board, Committee, and Member Functions

- Organize and facilitate Executive Board meetings,
- Coordinate committees and provide chairs with all necessary support,
- Assist the Executive Board in maintaining beneficial relationships with regulatory agencies,
- Plan and execute the Executive Board fall retreat and the Annual Member Meeting,
- Prepare annual workplan with Executive Board and Committee input,
- Prepare annual report as required by the Joint Powers Agreement,
- Promote active and broad participation by volunteers in all areas of the organization's work.

#### 3. Communication/Representation

- Represent BACWA at key forums including, but not limited to, meets of the Regional and State Water Boards, Integrated Regional Water Management Plan Coordinating Committee, Aquatic Science Center, Regional Monitoring Program, Summit Partners, California Association of Sanitation Agency, and the National Association of Clean Water Agencies,
- Maintain and improve the BACWA website,
- Prepare monthly member newsletter,
- Respond to press and public inquiries.

#### 4. Program Management

- Maintain a working knowledge of significant developments and trends in the field,
- Act as a lead in communicating with regulatory agencies on issues of importance to BACWA,

- Prepare, or assist in preparing, comment letters on behalf of BACWA members regarding technical and regulatory issues,
- At the direction of the Executive Board, carry out technical, regulatory, and scientific projects to benefit BACWA members.

#### REIMBURSABLE EXPENSES

BACWA shall reimburse the Executive Director for all reasonable, work-related expenses, including the following, consistent with BACWA's policies and procedures:

- Direct expenses incurred on behalf of the agency (e.g., copies, catering, etc.);
- Travel to meetings and workshops as a representative of BACWA;
- Costs of attending professional conferences on behalf of BACWA including the following:
  - Two California Association of Sanitation Agencies conferences;
  - The National Association of Clean Water Agencies' National Environmental Policy Conferences;
  - Any such other conferences authorized, in writing, by the Board Chair on case-by-case basis.

## **Progress Report #2**

## (June Accounting Period – May 22 through June 25, 2011))

## **Task 1 - Tactical Planning**

Subtask 1.1 – Kick-Off Meeting (April 25, 2011)

Activities:
Finalized Meeting Report
Deliverables submitted:
Draft Meeting Report
Next Steps:
None

#### Subtask 1.2 – Work Plan

Activities:
Continued to develop a conceptual approach to an expanded Nutrient
Development Strategy

Deliverables submitted:	
None	

## Next Steps: Revise Nutrient Regulatory Development Strategy based on further

discussions with Executive Director and Board members

Finalize Work Plan based on further discussions with Executive Director and Board members and review of budget status

Subtask 1.3 – Regional Monitoring Program Nutrient Workshop (June 29, 2011)

#### Activities:

Reviewed Presentation Outlines (2) with Board on May 26, 2011

Reviewed Workshop Presentations (2) with Board on June 23, 2011

#### Deliverables submitted:

Draft Presentation (2)

## Next Steps:

Finalize 2 Workshop Presentations

Deliver 2 Workshop Presentations on June 29, 2011

## **Subtask 1.4 – Executive Board Meeting Attendance**

#### Activities:

Attended a brief Executive Board regarding Project status at May and June meetings

Collected feedback on specific deliverables

#### Deliverables submitted:

Executive Board Meeting briefing on June 23, 2011.

Progress Report #1 (through June 1, 2011)

## Next Steps:

Brief Board on project progress at July 28 Board meeting

Discuss topic papers summaries at July 28 Board meeting

# NUTRIENT STRATEGY DEVELOPMENT PROJECT TASK 2 – PLANNING SUPPORT

#### **Subtask 2.1 – Topic Papers**

#### Activities:

Developed NNE Literature Review - Comment Letter Addendum

Introduced Topic Papers (3) at June Board meeting

#### Deliverables submitted:

NNE Literature Review – Comment Letter Addendum

#### *Next Steps:*

Draft Topic Paper outlines (modeling, cost, and regulatory)

Draft Topic Papers (modeling, cost, and regulatory)

Obtain comments and finalize Topic Papers (modeling, cost, and regulatory)

## Subtask 2.2 – NNE SAG, Suisun Bay MPW, and RMP Monitoring Assistance

### Activities:

Attended 2 formal meeting

Attended 2 informal meetings

See HDR meeting attendance table below

#### Deliverables submitted:

Meeting reports for 2 meetings attended

#### <sup>a</sup>Meeting key outcomes described in meeting reports

#### *Next Steps:*

No meetings scheduled at this time other than RMP Workshop (June 29) and RMP Nutrient Strategy Meeting (June 30)

Monitor NNE and SWAMP activities

#### Meetings Attended By HDR Staff

Meeting Date	BACWA	NNE	SWAMP	RMP Nutrient Strategy	Comment
			Forma	Meetings / Works	hops
May 26, 2011	<b>V</b>				Kennedy presented NNE Literature Review comments
June 23, 2011	~				Talbot presented Progress Report #1, Kennedy K. and Falk discussed RMP workshop presentations.
			Informal (Pro	oject Coordination	Meetings
June 1, 2011	<b>V</b>				Kennedy K., Reardon, and Talbot met with Amy C. at EBMUD to discuss project strategic planning approach
June 6 & 7, 2011	~				Kennedy K., Reardon, Clark, Talbot, Kennedy H. discussed strategic planning approach

## TASK 3 – PROJECT MANAGEMENT AND QUALITY ASSURANCE/QUALITY **CONTROL (QA/QC)**

Activities:
Prepared Invoice, Status (Financial) and Progress Reports
Developed expanded format (invoice; progress and financial reports)

Deliverables submitted:	
June invoice and financial and progress reports	

Ì	Next Steps:			
	Submit future invoices and reports in expanded formats			

## **Project Schedule**

- RMP Nutrient Workshop June 29, 2011
- RMP Nutrient Session June 30, 2011
- Next BACWA Executive Board Meetings
  - o July 28, 2011
  - o August 25, 2011
  - o September 22, 2011

## **Meeting Report**

Meeting Name:	BACWA Executive Board Meeting
Meeting Sponsor:	BACWA
Date and Location:	May 26, 2011 / EBMUD Orinda Facility
BACWA /HDR Attendees <sup>1</sup> :	See BACWA Meeting Minutes / HDR-Kennedy

Program Relevance <sup>2</sup> :		
NNE Literature Review		
RMP Nutrient Strategy Workshop		
Purpose of Meeting <sup>3</sup> :		
Request Executive Board comments and input		

Relevant Information Presented <sup>4</sup> :
NNE Literature Review Comment Letter
RMP Workshop Outlines (2)

Recommendation/Conclusion:
(if any) <sup>5</sup>
Received preliminary comments; established deadline for NNE Literature Review Comment Letter
Received input and direction Re: RMP Workshop Presentations

<sup>&</sup>lt;sup>1</sup> List of persons who were in attendance from HDR and/or BACWA.

<sup>&</sup>lt;sup>2</sup> Reason why BACWA was in attendance.

Regular meeting or reason why this specific meeting is was held.
 Summarize any important or relevant information presented.

<sup>&</sup>lt;sup>5</sup> Were any significant conclusions reached? Are there recommendations BACWA should consider as a result of this meeting?

Meeting Name: BACWA Executive Board Meeting	
<b>Meeting Sponsor:</b>	BACWA
<b>Date and Location:</b>	June 23, 2011 / EBMUD WWTP Library
BACWA /HDR Attendees <sup>6</sup> :	See BACWA Meeting Minutes / HDR-Talbot, Kennedy, and Falk

Program Relevance <sup>7</sup> :
Progress status – presentation of standard report template (Progress Report #1)
Discussion of RMP Nutrient Workshop presentations (2)
Purpose of Meeting <sup>8</sup> :
Receive input and direction from Executive Board regarding progress status reports and workshop
presentations

Relevant Information Presented <sup>9</sup> :
Draft RMP Nutrient Workshop Presentations (2)

Recommendation/Conclusion:
$(if any)^{10}$
Received input and direction; presentations revised and re-circulated prior to workshop.

6 453106.159649.020 Page 42 of 60

<sup>&</sup>lt;sup>6</sup> List of persons who were in attendance from HDR and/or BACWA.

<sup>&</sup>lt;sup>7</sup> Reason why BACWA was in attendance.

<sup>&</sup>lt;sup>8</sup> Regular meeting or reason why this specific meeting is was held. <sup>9</sup> Summarize any important or relevant information presented.

<sup>10</sup> Were any significant conclusions reached? Are there recommendations BACWA should consider as a result of this meeting?

## **Unit Cost for Converting POTWs to Advanced Treatment**

## Nutrient Strategy Development Project Proposed Topic Paper Outline (Version 3.0) July 21, 2011

**Topic:** Description of the estimated costs for converting BACWA publicly owned treatment

works (POTWs) to advanced treatment.

Audience: BACWA Executive Board

**Purpose:** To describe the estimated capital and operations and maintenance costs associated with

advanced treatment.

Author: Michael Falk, HDR

Proposed Use: Establish a common understanding amongst BACWA regarding capital and operations

and maintenance costs associated with converting existing POTWs to advanced

treatment.

**Schedule:** Draft topic paper submitted to BACWA by August 25, 2011 for review and comment.

Final topic paper anticipated to be completed prior to September 22, 2011.

#### **Proposed Topic Paper Outline**

#### Introduction

Background

Treatment levels currently provided by BACWA POTWs

Define secondary and advanced treatment levels (Levels 1 to 5 from WERF Sustainability

Report)

Nitrogen cycle and nutrient requirements

What equipment/basins would be required to convert secondary plants to advanced treatment plants?

Increase in basin size, pumps, blowers, chemicals, etc.

New unit processes

#### **Methods**

Sources of information for development of unit cost ranges

Sacramento Regional (High Purity Oxygen) Master Plans (CCCSD, Napa, Delta Diablo)

**WERF Sustainability Report** 

**Hampton Roads Sanitation District** 

Chesapeake Bay

Florida

#### **Results and Discussion**

What key factors govern the range in unit cost values? Plant capacity (e.g., economy of scale)

Secondary treatment process technology

Permit structure (e.g., is the plant overly sized to account for a maximum day event?) Land availability and constraints

Peak flows

**Energy cost** 

Chemical cost

Solids treatment train

Provide table with an example of unit costs to expand different secondary treatment plants to advanced treatment

Trickling filter/contact stabilization

Activated sludge process

High purity oxygen

Conventional aeration

Impact of conversion from secondary treatment to advanced nutrient removal (assuming land availability)

Potential uses and benefits associated with unit cost

Gain better understanding of cost ramifications for meeting various treatment levels Assists in the decision matrix about whether to support the regulatory process underway

**Summary and Conclusions** 

## The Utility of Water Quality Modeling for San Francisco Bay

## Nutrient Strategy Development Project Proposed Topic Paper Outline (Version 3.0) July 21, 2011

**Topic:** Description of the recommended first steps for water quality modeling

in San Francisco Bay

Audience: BACWA Executive Board; potentially State and Regional Water Resources Control Boards

**Purpose:** To lay out an initial development framework of a water quality model of San Francisco

Bay and to identify the associated data needs to support model calibration

Author: Jim Fitzpatrick, HDR | HydroQual

Proposed Use: To initiate the development of a BACWA model development framework. This

framework may be presented to SWRCB and RWRCB as a methodology for developing

the "cause and effect" model required by the NNE.

**Schedule:** Draft topic paper submitted to BACWA by August 25, 2011 for review and comment.

Final topic paper anticipated to be completed prior to September 22, 2011.

#### **Proposed Topic Paper Outline**

#### Introduction

Brief early history of modeling in the US

Uses for models

Cause and effect relationships

Focus research to better understand cause and effect relationships

Water quality management:

impacts of various load sources, load reduction targets (TMDLs), anticipated

improvement timeline, "What If" scenarios

NNE – need for the development of a "cause and effect" model of SFB

#### **Modeling Components**

Development of a Conceptual Site Model (CSM) – site specific cause and effects

Hydrodynamics – transport, salinity, density stratification

Water quality – eutrophication (nutrients, phytoplankton, dissolved oxygen)

Elements of the CSM for SFB

**Nutrients** 

Light

Zooplankton

Benthic filter feeders

Residence time – lateral transport

Potential linkage to primary indicators (as developed in the NNE)

Data requirements

Water column

Sediment nutrient flux
Zooplankton and benthic filter feeder biomass

#### **Review of SFB Models and Data**

Hydrodynamics – existing 1-D, 2-D, and 3-D models

Water quality – process models

Previous applications of 1-D process models of the Bay

Current 2-D phytoplankton-zooplankton-benthos model of the Bay

Water quality data – existing water column and benthos data

#### Conclusions and Recommendations for Development of a SF Bay Modeling Framework

Costs and lessons learned from other US estuarine modeling studies Phased approach

> Succession of evolving hydrodynamic and water quality models Spatial refinements Process refinements

Phase I model

U-P 2-D hydrodynamic model Eutrophication model state-variables and processes calibration approach

## **Nutrient Management Regulatory Issues and Discharge Permitting**

## Nutrient Strategy Development Project Proposed Topic Paper Outline (Version 3.0) July 21, 2011

**Topic:** Discussion of nutrient management regulatory issues and NPDES discharge permit

conditions for point source wastewater utilities.

Audience: BACWA Executive Board (potentially State and Regional Water Resources Control

Boards)

**Purpose:** To characterize the unique challenges posed by nutrient management regulatory

requirements for municipal dischargers and to outline appropriate discharge permitting

structures for practical, technically achievable, and affordable compliance.

Author: David L. Clark, HDR

Proposed Use: Establish a common understanding of the potential impacts of nutrient management

regulatory requirements for BACWA utilities. Develop a foundation for a nutrient regulatory strategic planning process to define for the BACWA Executive Board, BACWA members, and BACWA staff. Characterize potential discharge permit conditions which facilitate reasonable compliance (and potentially engage with State and Regional Water

Resources Control Boards).

**Schedule:** Draft topic paper submitted to BACWA by August 25, 2011 for review and comment.

Final topic paper anticipated to be completed prior to September 22, 2011.

#### **Proposed Topic Paper Outline**

#### Introduction

Background

Summarize national and regional nutrient regulatory trends

March 16, 2011 EPA Office of Water Memorandum

"Working in Partnership with States to Address Phosphorus and Nitrogen Pollution through Use of a Framework for State Nutrient Reductions"

Summarize nutrient criteria litigation

Potential approaches for establishing nutrient objectives (reference, empirical stress response, and sausa effect)

stress-response, and cause-effect)

Identify issues for municipal wastewater utilities

California and San Francisco Bay

Summarize California estuary and San Francisco Bay numeric nutrient endpoints Nutrient Discharge Permitting

Summarize NPDES discharge permitting requirements for municipal wastewater dischargers

#### **Nutrient Management for San Francisco Bay**

Discuss current understanding of San Francisco Bay water quality and watershed loadings (to the extent that existing information allows)

Wastewater point sources and nonpoint sources

Spatial and temporal variability

**Numeric Nutrient Endpoints** 

Protecting water quality and beneficial uses

Cause and effect relationships

Response variables v. numeric nutrient criteria

#### **Wastewater Treatment Technology**

Characterize the capabilities of advanced treatment for nitrogen and phosphorus reduction

Discuss treatment process performance

Variability and reliability of low nutrient performance

Introduce contemporary issues

Nutrient speciation and bioavailability

#### **Discharge Permitting and Compliance Issues**

Appropriate nutrient discharge permit structures

Innovative watershed management approaches

Avoiding structures that result in noncompliance

Implementation planning

Adaptive management

Compliance schedules

#### Informing the Regulatory Dialog on Nutrient Management

Engage the Regional Control Boards and EPA

Foster a common understanding of nutrient issues for dischargers and accurate information on treatment technology

Promoting constructive dialogs on nutrient regulatory management issues

Technical briefings focused on key subjects for wastewater dischargers

Advanced treatment technology exchange

Water quality variances, restoration criteria, adaptive management, etc.

Model NPDES discharge permits

Avoiding dysfunction dialogs on nutrient issues

Lessons learned from other locations nationally

Include areas with nutrient criteria litigation

#### **Summary and Conclusions**

Summary of nutrient regulatory and permitting issues

Characterize reasonable potential discharge permit conditions

Describe significant technical, economical, and political hurdles associated with potential permit conditions



## Memo

To:	Amy Chastain, BACWA Executive Director		
From:	Pete Talbot and Kevin Kennedy	Project:	Nutrient Regulatory Project
CC:	Executive Board member, HDR team members		
Date:	July 21, 2011	Job No:	159649
Re:	Need for Updated SF Bay Nutrient Load Estimation		

The purpose of this memorandum is to provide the background information and basis for BACWA undertaking additional work on the development of nutrient source load estimates for the SF Bay.

#### What nutrient load estimation work was included in the initial HDR scope of work?

HDR's original scope included the preparation of an infrastructure implications topic paper as part of Task 2. The scope requires that the topic paper include effluent nutrient loading estimates to the SF Bay with and without potential POTW nutrient limits. However, the scope does not include load estimates for non-POTW sources.

#### What is the current status of this work?

To date, two sets of SF Bay nutrient loads have been reviewed and commented on, and one set of SF Bay nutrient loading estimates (including both point and nonpoint sources) have been developed and submitted to the NNE Literature Review authors. More specifically, HDR:

- Reviewed the preliminary load estimates contained in the NNE Literature Review.
- Compiled the load estimates into a single set and submitted this set to the NNE Literature Review Technical Team on behalf of BACWA.
- Is developing a preliminary flow and nutrient load estimate associated with ocean exchange.
- Is reviewing improved nutrient load estimates for wastewater, stormwater and atmospheric deposition to South San Francisco Bay (South of the Bay Bridge) (McKee, L.J., and Gluchowski, D., 2011) and will provide these comment to the author on behalf of BACWA.
- Is preparing a white paper describing infrastructure implications associated with estimated effluent nutrient loading to the SF Bay with and without potential nutrient limits.

The load estimate work required in the original scope will be completed when the topic paper is completed in August. Once comments are received from the BACWA Executive Board, the paper will be finalized, probably in September. Submission of this paper, along with two other topic papers will conclude the work effort under the current scope.

#### What else needs to be done and why?

The need for the development of a scientifically accurate and defensible set of nutrient source loads for the SF Bay was recognized by the authors of the NNE Literature and Data Gap Review document. Significant new information is now available to HDR and BACWA that would permit the development of a modern estimate of POTW related loads. In addition with more recent flow and water quality monitoring it should be possible to develop more accurate estimates of loadings from the Sacramento-San Joaquin Delta. Although atmospheric nutrient deposition directly to the waters of SF Bay have been estimated to be relatively small (~5%), recent studies funded by SCCWRP should be used to verify or revise this estimate. Other loading sources which could benefit from an analysis of more recent studies and data sources include: watershed stormwater, exchange with the Pacific Ocean and groundwater.

The need to update all loading estimates is important to BACWA, so that BACWA's POTW effluent loadings can be put into context with other nutrient loading sources. For example, the SF Bay nutrient load estimates presented by SFEI at the June 29<sup>th</sup> Nutrient Workshop did not include estimates for Delta or ocean exchanges. Thus, POTWs were indicated to be the primary load contributor (POTW load contribution in the range of 60 % according to SFEI compared to a range of 20% according to BACWA). An ocean or Delta load estimate was also not included in the South San Francisco Bay data set described in the *Improved nutrient load estimates for wastewater, stormwater and atmospheric deposition to South San Francisco Bay (South of the Bay Bridge)* (McKee, L.J., and Gluchowski, D., 2011),

At present, neither BACWA nor the NNE and RMP Nutrient Strategy Programs have a fully developed set of SF Bay source load estimations. Scientifically based and mutually agreed upon nutrient source load estimates are necessary prerequisites for subsequent steps and informed decision making as the SF Bay nutrient regulatory process proceeds. Steps will likely include identification of NNE and RMP Nutrient Strategy stakeholders, further development of the NNE assessment framework (e.g., establishing cause and effect relationships), development of hydrodynamic/nutrient models, assignment of regulatory responsibilities, and so forth.

#### What is the next step for BACWA?

Authorize the development of scientifically based nutrient source load estimates for the SF Bay and its distinct subregions. These source flows and nutrient load contributions should be developed and analyzed in a manner that allows a better understanding of their statistical variability. These load estimates would be a first step, with subsequent updated load estimates being developed when significant new data become available.

#### **REFERENCES**

McKee, L.J., and Gluchowski, D., 2011. Improved nutrient load estimates for wastewater, stormwater and atmospheric deposition to South San Francisco Bay (South of the Bay Bridge). A Watershed Program report prepared for the Bay Area Clean Water Agencies (BACWA). San Francisco Estuary Institute, Oakland CA.

HDR Engineering, Inc.	2121 N. California Blvd, Suite 475	Phone (925) 974-2500	Page 2 of 2
453106159649.014	Walnut Creek, CA 94596-7334	Fax (925) 974-2533	
		www.hdrinc.com	



## Memo

To:	Amy Chastain, BACWA Executive Director		
From:	Pete Talbot and Kevin Kennedy	Project:	Nutrient Regulatory Project
CC:	Executive Board member, HDR team members		
Date:	July 21, 2011	Job No:	159649
Re:	Ongoing Program Monitoring Assistance		

The purpose of this memorandum is to provide the background information and basis for BACWA to continue to participate and monitor the Numerical Nutrient Endpoint Stakeholders Advisory Group (NNE), Suisun Bay Monitoring Plan Workgroup (SWAMP), and Regional Monitoring Program Nutrient Workgroup (RMP Nutrient Strategy).

#### What program monitoring work was included in the initial HDR scope of work?

HDR's original scope included attendance at up to nine meeting related to the NNE, SWAMP, or RMP Nutrient Strategy. In addition to attendance, HDR was to provide a written description of program status as part of the monthly progress reports and discuss recommended next steps with the BACWA Executive Board.

#### What is the current status of this work?

As shown in the table below, HDR staff has attended a total of twelve meetings related to BACWA and the NNE, SWAMP, and RMP Nutrient Strategy.

#### What else needs to be done and why?

Proposed future meeting dates for the NNE, SWAMP, and RMP Nutrient Strategy Programs have not been finalized at this time. However there have been discussions regarding meetings in the near future for both the NNE and RMP Nutrient Strategy.

Specific efforts identified to occur within the next few months include the following:

- **NNE:** Work towards the development of a NNE workplan. Likely efforts to include (1) prioritizing recommendations from the completed literature review and data gaps analysis, (2) assembling the priorities into a coherent strategy and identifying next steps, (3) identifying cooperating institutions, and (4) investigating potential sources of funding.
- RMP Nutrient Strategy: Development of a conceptual model. The model would be used to
  provide a common ground for discussions of nutrient processes within the SF Bay and would be
  the foundation for the design of the monitoring program. The conceptual model proposal is
  scheduled to be distributed prior to the September NNE Technical Review Committee Meeting.

HDR Engineering, Inc.	2121 N. California Blvd, Suite 475	Phone (925) 974-2500	Page 1 of 2
453106159649.016	Walnut Creek, CA 94596-7334	Fax (925) 974-2533	
		www.hdrinc.com	

It is highly recommended that BACWA continue to be actively involved with the development of both the NNE and RMP Nutrient Strategy Programs and continue to monitoring activities related to the SWAMP. Moreover, as requested by Martha Sutula, BACWA should consider expanding their involvement to include preparing preliminary drafts (strawmen) for specific categories of the NNE workplan (e.g., regulatory framework, load estimations, and implementation) and monitoring activities specific to hydrodynamic/nutrient model development.

#### Meetings Attended By HDR Staff

Meeting Date	BACWA	NNE	SWAMP	RMP Nutrient Strategy	Comment
			Forma	Meetings / Works	hops
February 4, 2011		<b>V</b>			NNE Literature Review (Initial Draft)
February 24, 2011	~				Executive Board Meeting. Introduction to HDR (Reardon, Kennedy, and Falk)
March 11, 2011			<b>V</b>		Meeting with HDR (Kennedy and Neethling) and CCCSD (Margaret Orr and Jim Kelly) to discuss SWAMP
March 23, 2011				~	Kennedy attended the RMP technical review committee meeting
April 22, 2011				~	Kennedy attended the RMP technical review committee meeting
April 25, 2011	~				Kick-Off Meeting (Kennedy, Falk, Clark, Neethling, Fitzpatrick, Liu)
April 28, 2011			<b>V</b>		Meeting at Oakland RWQCB Office to discuss sampling protocol and lecture from Dugdale
May 19, 2011			<b>V</b>		SPARROW Model Webinar (Jim Fitzpatrick)
May 20, 2011		<b>/</b>			NNE Literature Review (Final Draft)
May 26, 2011	~				Kennedy presented NNE Literature Review comments
June 23, 2011	<b>V</b>				Talbot, Kennedy, and Falk attended Executive Board Meeting – presented progress status report and obtained Nutrient Workshop presentation comments and direction.
June 29, 2011				~	Reardon and Gallagher attended and presented at the RMP Nutrient Workshop

#### What is the next step for BACWA?

Authorize continued participation and monitoring of the NNE, SWAMP, and RMP Nutrient Strategy Programs for the next 6 months.



## Memo

$\overline{}$	_		
To:	Amy Chastain, BACWA Executive Director		
From:	Pete Talbot and Kevin Kennedy	Project:	Nutrient Regulatory Project
CC:	Executive Board members, HDR team members		
Date:	July 21, 2011	Job No:	159649
Re:	Development of a BACWA Nutrient Regulatory Strate	egy	

The purpose of this memorandum is to provide the background information and basis for BACWA undertaking additional work on the development of an overall nutrient regulatory strategy.

#### What strategy development work was included in the initial HDR scope of work?

HDR's original scope included some preliminary strategy work in Task 1 associated with the nutrient management regulatory process for San Francisco Bay. (The scope also required attendance at a number of relevant meetings and the preparation of four technical papers.) The scope required that HDR "present and describe a preliminary strategy to respond to potential nutrient effluent limits." HDR submitted and discussed a preliminary strategy at the Project Kickoff Meeting held on April 25, 2011. This strategy was based on (1) HDR's prior experience with nutrient regulatory processes taking place in other areas of the country, (2) the knowledge HDR gained from attending five meetings in March and April, and (3) some brief HDR discussions with the BACWA Executive Director and Executive Board members. No working sessions or consensus building efforts were completed in developing the preliminary strategy.

#### What is the current status of this work?

Most of the work required in the original scope has been completed, much of it after the April 25, 2011 kickoff meeting. The work has included attendance at two BACWA Executive Board meetings and six other meetings related to nutrient regulations in the SF Bay; preparation of two comment letters regarding the Numerical Nutrient Literature Review; and preparation and delivery of two presentations at the Regional Monitoring Program Nutrient Workshop on June 29, 2011. HDR is now preparing three other topic papers regarding (1) the regulatory process, (2) POTW infrastructure implications and costs for nutrient removal, and (3) the role of modeling in the nutrient regulatory process. HDR will complete the topic papers in August. Once comments are received, the papers will be finalized, probably in September. Submission of these papers will conclude the current scope of work.

#### What else needs to be done and why?

Significant new information is now available to HDR and BACWA regarding the nutrient regulatory process that was not available when the preliminary strategy was developed during Task 1. For example, the RWQCB vision is emerging, with indications that they expect to impose nutrient limitations within the next two permit cycles (approximately 10 years). It is also clear that the science behind any future regulations is still being developed and that the nutrient regulatory process will be a complicated, multi-year effort involving the RWQCB, the RMP (SFEI), SCCWRP, and BACWA. While BACWA has a vision and

HDR Engineering, Inc.	2121 N. California Blvd, Suite 475	Phone (925) 974-2500	Page 1 of 2
453106159649.015	Walnut Creek, CA 94596-7334	Fax (925) 974-2533	
		www.hdrinc.com	

mission for its organization, it does not have a documented, consensus vision of the science required to support the regulations or of BACWA's desired role in the regulatory process. Since BACWA is a joint powers agency with more than sixty agency members, there are a variety of opinions among the JPA membership about the appropriate role for BACWA in the regulatory development process. BACWA's role could range from a minimalist, very reactive approach, to a highly involved, proactive approach.

Defining BACWA's vision for the required science and its desired role in the regulatory development process are necessary prerequisites for subsequent development of a mission, a set of goals, and the specific objectives and actions that flow from that vision and role. The actions coupled with budget and timeframe information would comprise the overall work plan for BACWA during the nutrient regulatory development process.

#### What is the next step for BACWA?

Implement an accelerated, focused nutrient regulatory strategic planning process to define for the BACWA Executive Board, BACWA members, and BACWA staff. Develop a general direction and regulatory process vision for the next three to five years and the highest priority actions BACWA should undertake over the next 12 to 24 months.

# 2012 BACWA EXECUTIVE BOARD REGULAR MONTHLY MEETING SCHEDULE

DATE	TIME
January 26, 2012 (Annual Member Meeting)	8:00 – 1:30
February 23, 2012	9:00 – 12:00
March 22, 2012	9:00 – 12:00
April 26, 2012	9:00 – 12:00
May 24, 2012	9:00 – 12:00
June 28, 2012	9:00 – 12:00
July 26, 2012	9:00 – 12:00
August 23, 2012	9:00 – 12:00
September 27, 2012	9:00 – 12:00
October 23 – 26, 2012 (Pardee Tech Seminar)	TBD
November 15, 2012	9:00 – 12:00
December 20, 2012 (Holiday Lunch)	9:00 – 2:00

Revised: July 24, 2011 Page 55 of 60

#### CASA 2011 Conferences (2012 calendar not yet available)

#### MID-YEAR CONFERENCE

January 12-14 JW Marriot-Desert Springs Palm Desert, CA (888) 538-9459

#### D.C. CONFERENCE

March 14 - 16 Hotel Monaco Washington, D.C. (800) 649-1202

### SPRING CONFERENCE

April 27 - 29 Hyatt Regency Sacramento, CA (800) 633-7313

## 56<sup>th</sup> ANNUAL CONFERENCE

August 10 - 13 Mission Bay Hilton in San Diego, CA (800) 445-8667

#### **WEF 2012 Conferences and Seminars**

#### **Utility Management Conference**

Hyatt Regency Miami Miami, Florida January 30 — February 2, 2012

#### Residuals and Biosolids Conference

Raleigh Convention Center Raleigh, North Carolina March 25 – 28, 2012

## 3<sup>rd</sup> IWA – WEF Wastewater Treatment Modeling Seminar

Monte-Sainte-Anne, Quebec, Canada March 25 – 27, 2012

#### Odors and Pollutants Conference

Kentucky International Convention Center Louisville, Kentucky April 15 — 18, 2012

#### Collection Systems Conference

St. Louis Convention Center St. Louis, Missouri June 3 – 6, 2012

#### **Stormwater Conference**

Baltimore, Maryland July 20112

Revised: July 24, 2011 Page 56 of 60

## NACWA 2012 Conferences

#### **2012 Winter Conference**

February 12 – 15, 2012 <u>Omni Los Angeles Hotel at California Plaza</u> Los Angeles, California

### **National Environmental Policy Forum**

April 22 – 25, 2012 <u>Washington Marriott</u> Washington, D.C.

#### **National Pretreatment & Prevention Workshop**

May 9 - 11, 2012 Pensacola, Florida

### **Summer Conference & 42nd Annual Meeting**

July 15 – 18, 2012 Philadelphia, Pennsylvania

## **Developments in Clean Water Law Seminar**

November 2012 Location TBD

Aquatic Science Center Board Meetings (2012 calendar not yet available)

Revised: July 24, 2011 Page 57 of 60

#### BACWA EXECUTIVE BOARD CONTACTS LIST FOR 2011 – 2012

**East Bay Municipal Utilities District** P.O. Box 24055

Oakland, CA 94623-1055

Chair – Ben Horenstein bhorenst@ebmud.com (510) 287-1846

Alternate – Dave Williams Director of Wastewater dwilliam@ebmud.com (510) 287-1496

San Francisco Public **Utilities Commission** 1155 Market Street San Francisco, CA 94103

Vice Chair – Tommy Moala Assistant General Manager tmoala@sfwater.org (415) 554-2465

Alternate – Laura Pagano Regulatory Compliance **Specialist** lpagano@sfwater.org (415) 554-3109

**Central Contra Costa Sanitary District** 5019 Imhoff Place Marinez, CA 94553

Jim Kelly General Manager jkelly@centralsan.dst.ca.us (925) 229-7386 (925) 676-7211 fax

Alternate – Margaret Orr **Director of Plant Operations** morr@centralsan.dst.ca.us (925) 229-7284 (925) 689-1232 fax

City of San Jose 700 Los Esteros Rd San Jose, CA 95134 Bhavani Yerrapotu **Environmental Services Division** Manager Bhavani.Yerrapotu@sanjoseca.gov (408) 945-5321

Alternate – Kirsten Struve Kirsten.Struve@sanjoseca.gov (408) 945-5180

**East Bay Dischargers** Association 2651 Grant Avenue

San Lorenzo, CA 94580

Mike Connor General Manager mconnor@ebda.org (510) 278-5910 (510) 427-1990 cell

Alternate – Karl Royer kroyer@ebda.org

#### BACWA COMMITTEE CONTACTS LIST FOR 2011 – 2012

#### **AIR Committee**

Chair – Randy Schmidt
Senior Engineer
CCCSD
rschmidt@centralsan.dst.ca.us
(925) 229-7333

Vice Chair – Nohemy Revilla SFPUC nrevilla@sfwater.org

Consultant - Jim Sandoval
CH2M Hill
1737 North First Street, Suite 300
San Jose, CA 95112-4524
Home Office:
910 3rd St.
Santa Cruz, CA 95060
Jim.Sandoval@CH2M.com

Mobile: (510) 610-9301 Office: (831) 425-7142 Fax: (510) 622-9011

#### **Biosolids Committee**

Chair – Matt Krupp
Plant Master Plan Project Planner
City of San Jose - Environmental
Services Department
200 East Santa Clara Street, 10th Floor
San Jose, CA 95113
matt.krupp@sanjose.gov
(408) 945-5182

Vice Chair – Zachary Kay Biosolids Coordinator City of Santa Rosa 4301 Llano Road Santa Rosa, CA 95407 zkay@srcity.org (707)543-3374

#### **BAPPG**

Chair – Sarah Scheidt Sunnyvale sscheidt@ci.sunnyvale.ca.us

Vice Chair – Catherine Allin Millbrae callin@ci.millbrae.ca.us

#### **Collection Systems Committee**

Chair – Andy Morrison
Collection System Manager
Union Sanitary District
andy morrison1@unionsanitary.com
(510) 477-7542

Consultant – Monica Oakley RMC Water & Environment 2001 N. Main Street, Suite 400 Walnut Creek, CA 94596 moakley@rmcwater.com (925) 627-4100

Fax: (925) 627-4101

# **Maintenance and Operations Information Sharing Groups**

Consultant – Mike Barnes Kennedy / Jenks Consultants 303 Second Street, Suite 300 South San Francisco, CA 84107 <u>MikeBarnes@KennedyJenks.com</u> (415) 243-2150 Mobile: (925) 683-4224

# **Engineering Information Sharing Group**

Consultant – Greg Chung Kennedy / Jenks Consultants 2191 East Bayshore Road, Suite 200 Palo Alto, CA 94303 (650) 852-2815

Fax: (650) 856-8527

#### **Laboratory Committee**

Chair – Kenneth Lee
Laboratory Services Manager
SFPUC – Water Quality Division
750 Phelps Street
San Francisco, CA 94124
klee@sfwater.org
(415) 920-4965

Fax: (415) 643-4872

#### **Permit Committee**

Chair – Jim Ervin
Supervising Environmental Services
Specialist
City of San Jose, Environmental
Services
700 Los Esteros Rd
San Jose, CA 95134
james.ervin@sanjoseca.gov
408-945-5124

Fax: 408-946-2039

Consultant – Monica Oakley (see Collection Systems Committee)

#### **Water Recycling Committee**

Chair – Cheryl Munoz SFPUC Water Resources Division 1145 Market Street, 4th Floor San Francisco, CA 94103 cmunoz@sfwater.org 415-934-5711

Vice Chair – Linda Hu
Office of Water Recycling
EBMUD
<a href="mailto:lhu@ebmud.com">lhu@ebmud.com</a>
(510) 287-1691

Fax: (510) 287-1530