

BACWA EXECUTIVE BOARD MEETING
Thursday, August 23, 2012, 9:00 a.m. – 12:00 p.m.

HANDOUTS

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

<u>Pages</u>	<u>Handout Title</u>	<u>Agenda Item #</u>
1 – 2	Agenda	
3 –6	Meeting Minutes from BACWA Executive Board Meeting of July 26, 2012, File 15,007	1
7 – 12	June 2012 Treasurer’s Report	2
13 – 14	Board Action Request – Approval of Contribution to Tri-TAC Pyrethroid Working Group (PWG); \$15,000 in FY 2012-13.	3
15 - 17	Board Action Request – Approval of Contribution to Support Laypersons Guide to Wastewater; \$6,000 in FY 2012-13.	4
18 – 20	Executive Director Report	6
21 – 22	Regulatory Program Manager Report	7
23	Board Action Request – Designate BACWA Representatives for ASC Board	9
24 – 29	Board Action Request – Grant Executive Board Chair Authority to Execute Agreement with Kayla Kirsch of LeapFrog Consulting to Assist with Nutrients Strategy Governance Development.	10a
30 – 33	SFEI Project Status Report and Invoice for July 2012	10c
34 – 37	Invitation and Agenda for ReNUWIt Industrial Advisory Board Meeting October 25-26 in Golden, Colorado	13
38 – 39	Letter from SF RWQCB Re: Water Board Support for Nutrient Strategy Development and Implementation	14
40	Permits Committee Report	
41 – 42	FY 2012 – 13 BACWA and CBC Budget	
43 – 50	BACWA Resolutions for Unobligated Funds	



Executive Board Meeting Agenda

Thursday, August 23, 2012, 9:00 a.m. – 12:00 p.m.
EBMUD Lab Library, 2020 Wake Ave., Oakland, CA

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

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

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER (9:10 a.m. – 9:15 a.m.)

CONSENT CALENDAR (9:15 a.m. – 9:20 a.m.)

1. July 26, 2012 BACWA Executive Board Meeting minutes
2. June 2012 Treasurer's Report
3. Contribution to Tri-TAC Pyrethroid Working Group (PWG); \$15,000
4. Contribution to Support Layperson's Guide to Wastewater; \$6,000

REPORTS (9:20 a.m. – 10:00 a.m.)

5. Executive Board Reports
6. Executive Director Report
7. Regulatory Program Manager Report
8. Chair & Executive Director Authorized Actions - None

OTHER BUSINESS (10:00 a.m. – 10:45 a.m.)

9. Discussion: Designation of BACWA Representatives for Aquatic Science Center Board
10. Discussion: Nutrients
 - a. Chair Authorization of Agreement with Governance Development Facilitation Consultant
 - b. Orinda Special Meeting, September 2012
 - c. SFEI Project Status
11. Discussion: Dilution Policy-Ocean Plan
12. Discussion: Consider Rescheduling Pardee for November 5 – 7, 2012
13. Discussion: ReNUWI Industrial Advisory Board Meeting, October 25-26 in Golden, Colorado
14. Discussion: Debrief of Joint BACWA/RWQCB Meeting on August 20, 2012

CLOSED SESSION (10:45 a.m. – 11:55 a.m.)

The Board will meet in Closed Session to discuss personnel matters pursuant to California Government Code section 54957.

REPORT OUT FROM CLOSED SESSION (11:55 a.m. – 12:00 p.m.)

NEXT REGULAR MEETING

The next regular meeting of the Board is tentatively scheduled for September 27, 2012 at the EBMUD Treatment Plant Lab Library.

ADJOURNMENT (12:00 p.m.)



Executive Board Meeting Minutes

Thursday, July 26, 2012, 9:00 a.m. – 12:00 p.m.
EBMUD Treatment Plant Lab Library
2020 Wake Avenue, Oakland, CA

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Ben Horenstein, Chair (East Bay Municipal Utility District); Marla Jurosek (San Francisco Public Utilities Commission); Ann Farrell (Central Contra Costa Sanitary District); James Ervin (City of San Jose).

Other Attendees: Dave Williams (East Bay Municipal Utility District); Amanda Roa (Delta Diablo Sanitation District); Tim Potter (Central Contra Costa Sanitary District); Catherine Allin (City of Millbrae); Dan Stevenson (Sunnyvale); Monica Oakley (RMC Water and Environment); Kristine Corneillie (Larry Walker Associates); Lorien Fono (Patricia McGovern Engineers); Jim Kelly (BACWA); Alexandra Gunnell (BACWA).

PUBLIC COMMENT

There were no public comments.

CLOSED SESSION

Closed session postponed for future meeting.

CONSENT CALENDAR

*Consent calendar **agenda items 1 – 3** were approved in a motion made by Ben Horenstein and seconded by Ann Farrell. The motion carried unanimously.*

1. June 28, 2012 Executive Board Meeting minutes
2. May 2012 Treasurer's Report
3. Amendment 1 to agreement with EPC for Recycled Water Committee assistance to extend termination date to December 30, 2012; File 12,381.

Item 4, an agreement with Stephanie Hughes for BAPPG Copper and Mercury Outreach assistance, not to exceed \$16,000 in FY 2012-13, File 12,785, was pulled from the consent calendar for discussion. The Board inquired about whether this work would continue to need consultant support each year, or if eventually agency staff could take on this responsibility. BAPPG Committee Chair, Catherine Allin, and Tim Potter explained that this agreement provides additional support for member agencies' outreach efforts to meet POTW permit requirements for copper and mercury. Stephanie Hughes delivers consistent, accurate and reliable training and outreach to organizations that are not currently being reached by individual agencies. It was mentioned that in the future the need for consultant support may decrease, if there is increased staffing at member agencies or a sufficient knowledge base has been planted in the community.

Execution of the agreement was approved in a motion made by Ann Farrell and seconded by Marla Jurosek. The motion carried unanimously.

REPORTS

Committee Reports, for **agenda item 5**, were included in the meeting handout packet and attendees were invited to discuss the reports.

It was noted that the draft biosolids fact sheet was included in the handout packet. Feedback should be directed to Matt Krupp, Biosolids Committee Chair.

The Collection Systems committee report, included in the handout packet, was reviewed by Committee Chair, Dan Stevenson. EBMUD has written a letter to PG&E regarding responsibility for notifying the public about potential cross-bores. Ben Horenstein will provide a copy of the letter to the Collection Systems committee and BACWA will consider drafting a similar letter.

Permits Committee Chair, Jim Ervin, reviewed the report included in handout packet. He explained that the Sewer Authority Mid-Coastside permit may set a precedent for ocean dischargers' dilution allowances and it was noted that Laura Pagano may provide oral comment on behalf of SFPUC at the upcoming Water Board hearing in August. The Board is planning to continue discussions about 13276 data collection, consolidation, and submission at the upcoming BACWA Nutrients meeting on July 30th.

BACWA Executive Board members were invited to share any items of interest under **agenda item 6, Executive Board Reports**.

Ben Horenstein, of EBMUD, commented on the positive publicity received by the Alameda county pharmaceutical take back program, an effort championed by BAPPG, and suggested that other counties may be able to implement the same model.

Jim Ervin reported that San Jose is examining their Biosolids program and looking at bringing in turbines. He noted that Riverwatch has also filed complaint against San Jose.

Ann Farrell updated the Board that CCCSD submitted their Facility Plan and Site Characterization Work Plan to meet the Water Board's July 1st deadline. They have received comments from the Water Board and are currently drafting their response.

Marla Jurosek notified attendees that all SFPUC staff have moved into their new offices located at 525 Golden Gate.

Dave Williams, BACWA representative to the Aquatic Science Center (ASC) Board, provided update on consultant support for governance development. A bio for Leapfrog Consulting's Kayla Kirsch was distributed and reviewed. She was recommended by the consultant that ASC is using for their governance development assistance. It was suggested that she would first work with the Board to coalesce BACWA's vision and then provide the Board with an opportunity to determine if continuing to work with BACWA and the rest of the stakeholders to facilitate the governance development process could be useful. At which time a scope could be developed for her to work with the rest of the stakeholders and could possibly include her attending Pardee. Dave will obtain draft scope, circulate for Board review and may contact the Chair to execute a contract.

For **agenda item 7**, the **Executive Director's Report** was included in the meeting handout packet and reviewed by the Executive Director. Meeting attendees were given the opportunity to discuss the contents of the report. The ED also highlighted the following issues/activities:

- The ED requested Board input on BACWA's role in assisting member agencies to meet Nutrient 13267 letter data submission requirements. He noted that BACWA may want to consider an initial review and analysis of the data. This discussion and consideration of

BACWA funding for nutrient-related efforts will be on the agenda for the BACWA Nutrient meeting scheduled for July 30th.

- The next Joint BACWA/RWQCB meeting has been tentatively scheduled for Aug 20th. The Board should confirm their availability with the ED.
- Isle technologies representatives will be available to attend the BACWA Board meeting and/or meet with BACWA representatives in September.

The **Regulatory Program Manager (RPM) Report for agenda item 8** was distributed and reviewed by Lorien Fono. As requested by the BACWA Board, she will follow up with Alyce regarding the status of the report on Risk Reduction. She noted that the State Board is developing biological objectives for wadable waters, which would involve comparing aquatic community metrics to reference conditions to determine possible impairment. The next stakeholder group meeting on this issue, scheduled for Sept 20th, may be an opportunity for BACWA involvement. Lorien will plan to attend the meeting and provide the Board with a summary. The Workplan for State Water Board Resource Realignment will be circulated to the BACWA Board to determine if they want to engage in this process. It was noted that the Board should expect to see an administrative draft of the Mercury/PCB Watershed Permit renewal in August, a tentative order is scheduled for October, with plans for adoption in December.

No **Chair & Executive Director Authorized Actions (agenda item 9)** were made since the June 28, 2012 BACWA Board Meeting.

OTHER BUSINESS

*For **agenda item 10**, the Board authorized execution of **agreement with Whitley Burchett for Recycled Water Committee IRWMP Update support, not to exceed \$49,910, FY 2012-13, File 12,786**, in a motion made by Marla Jurosek and seconded by Ben Horenstein. The motion passed unanimously.*

For **agenda item 11, Nutrients**, a letter from Baykeeper was included in packet and reviewed. It was noted that an amendment to extend termination date of BAWA's contract with HDR for Nutrient Program Monitoring support will be on July 30th agenda for Board approval. Notes from the Sacramento Regional Permit workshop were distributed by Jim Kelly and reviewed.

For **item 12, State Water Resources Control Board proposed changes to Operator Certification Requirements and potential comments** were discussed. A draft letter has been circulated to Board. The ED will continue to work with Ops Info Share Group and Mike Barnes on the letter and consider submitting a version, separate from the Summit Partners and CASA, that favors less stringent hands-on experience requirements and does not support the CWEA certification process. Comments must be submitted by Monday, July 30th.

Under agenda **item 13**, attendees discussed **Toxicity Testing (TST)**. Lorien provided a list of key issues in the RPM report, reviewed them and suggested adding 303d listing language that has been used in previous letters. Comments are due August 21st and a State Board workshop has been scheduled for that same day. Lorien plans to circulate a draft letter next week. Preliminary results from RMC's cost analysis suggest that smaller agencies may want to include the impact of increased costs in their comment letters. The Board should direct feedback to Lorien on talking points for Tuesdays meeting with the Water Board. Suggestions from attendees included the following: obtaining clarity on the removal of acute requirements; a single MDEL exceedence should not be a violation; species sensitivity/seasonal variability is an issue; toxicity is an indicator test to be used to

trigger further tests and should not be used to determine violations; instream waste concentration should be used regardless of whether you have dilution credit; setting a reasonable potential at 10% is arbitrary; the letter should include background information about the difference between the TST and previous testing, and the overall issue of the significant uncertainty of this method. Lorien will send draft discussion framework to the Board for their review and feedback. Jim will work with RMC to determine the next steps for their cost analysis efforts.

Under agenda **item 14, PCB Permit Renewal Process and Data Analysis** was discussed. Lorien reviewed the issue summary included in handout packet. The Board expressed support for continued efforts to work with regional Water Board staff and develop a contract with SFEI for assistance.

A discussion of the **Pardee Technical Seminar, agenda item 15**, scheduled for September 4 – 6, 2012 was postponed due to time constraints. The ED will circulate a revised list of potential discussion items and attendees to the Board for their feedback. Discussion of this topic will continue at the meeting on July 30th.

The next regular BACWA Board meeting is tentatively scheduled for August 23, 2012 at the EBMUD Treatment Plant Lab Library from 9 a.m. – 12 p.m.

The meeting adjourned at 12:00 p.m.



Bay Area Clean Water Agencies

A Joint Powers Public Agency

Leading the Way to Protect our Bay

August 14, 2012

MEMO TO: Bay Area Clean Water Agencies Executive Board
MEMO FROM: D. Scott Klein, Controller, East Bay Municipal Utility District
SUBJECT: Twelve 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, 2011 through June 30, 2012** (twelve months of Fiscal Year 2011-2012). 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),
- Prop84 Bay Area Integrated Regional Water Mgmt (PRP84),
- 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 6/30/12

DESCRIPTION	BEGINNING FUND BALANCE 7/1/11	TOTAL RECEIPTS	TOTAL DISBURSEMENTS	ENDING FUND BALANCE 6/30/12	OUTSTANDING ENCUMBRANCES	UNOBLIGATED FUND BALANCE 6/30/12
BACWA	493,687	592,773	489,277	597,182	88,354	508,828
TRNG FND	251,387	1,020	5,000	247,407	-	247,407
AIR	26,584	88,896	112,108	3,372	717	2,655
BAPPG	19,711	79,675	57,888	41,498	5,105	36,394
LEGAL RSRV	301,664	1,235	-	302,900	-	302,900
WQA CBC	141,691	448,480	375,766	214,406	116,696	97,710
BACWAOPRES	151,785	623	-	152,408	-	152,408
RWR	16,608	68	-	16,676	-	16,676
RESERVE	120,000	-	-	120,000	-	120,000
WOT	93,270	150,392	176,000	67,662	-	67,662
PRP84	-	87,045	47,929	39,116	2,724	36,392
WQA EMERG	402,219	1,647	-	403,866	-	403,866
TECHACTION	251,387	1,029	-	252,416	-	252,416
CBC OPRSRV	162,899	667	-	163,566	-	163,566
PRP50	549,577	694,705	1,076,645	167,638	39,874	127,763
	<u>2,982,470</u>	<u>2,148,255</u>	<u>2,340,613</u>	<u>2,790,112</u>	<u>253,469</u>	<u>2,536,643</u>

BACWA Revenue Report for June 2012

DEPARTMENT	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE				UNOBLIGATED
			DIRECT	INVOICED	JVS	DIRECT	INVOICED	JVS	ACTUAL	
Bay Area Clean Water Agencies	BDO Member Contributions	450,000	-	-	-	-	421,500	(1,500)	420,000	30,000
Bay Area Clean Water Agencies	BDO Fund Transfers	25,000	-	-	-	-	-	11,395	11,395	13,605
Bay Area Clean Water Agencies	BDO Interest Income	5,000	-	-	-	-	-	3,128	3,128	1,872
Bay Area Clean Water Agencies	BDO Assoc.&Affiliate Contr	162,000	-	-	-	-	156,750	1,500	158,250	3,750
BACWA TOTAL		642,000	-	-	-	-	578,250	14,523	592,773	49,227
BACWA Training Fund	BDO Interest Income	-	-	-	-	-	-	1,020	1,020	(1,020)
TRNG FND TOTAL		-	-	-	-	-	-	1,020	1,020	(1,020)
AIR-Air Issues&Regulation Grp	BDO Member Contributions	84,828	-	-	-	-	83,754	5,000	88,754	(3,926)
AIR-Air Issues&Regulation Grp	BDO Interest Income	-	-	-	-	-	-	142	142	(142)
AIR TOTAL		84,828	-	-	-	-	83,754	5,142	88,896	(4,068)
BAPPG-BayAreaPollutnPreventGrp	BDO Member Contributions	80,505	-	-	-	-	28,759	50,746	79,505	1,000
BAPPG-BayAreaPollutnPreventGrp	BDO Interest Income	3,079	-	-	-	-	-	170	170	2,909
BAPPG TOTAL		83,584	-	-	-	-	28,759	50,916	79,675	3,909
BACWA Legal Reserve Fnd	BDO Interest Income	-	-	-	-	-	-	1,235	1,235	(1,235)
LEGAL RSRV TOTAL		-	-	-	-	-	-	1,235	1,235	(1,235)
WQA-WtrQualityAttainmntStratgy	BDO Member Contributions	450,000	-	-	-	-	447,497	-	447,497	2,503
WQA-WtrQualityAttainmntStratgy	BDO Other Receipts	114,751	-	-	-	-	-	-	-	114,751
WQA-WtrQualityAttainmntStratgy	BDO Interest Income	1,600	-	-	-	-	-	983	983	617
WQA CBC TOTAL		566,351	-	-	-	-	447,497	983	448,480	117,871
BACWA OperatingRsrve Fnd	BDO Interest Income	-	-	-	-	-	-	623	623	(623)
BACWAOPRES TOTAL		-	-	-	-	-	-	623	623	(623)

BACWA Revenue Report for June 2012

DEPARTMENT	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE			UNOBLIGATED	
			DIRECT	INVOICED	JVS	DIRECT	INVOICED	JVS		ACTUAL
Regional Water Recycling	BDO Interest Income	-	-	-	-	-	68	68	(68)	
RWR TOTAL		-	-	-	-	-	68	68	(68)	
WOT - Wtr/Wwtr Operat Training	BDO Member Contributions	150,000	-	-	-	-	156,746	(6,746)	150,000	-
WOT - Wtr/Wwtr Operat Training	BDO Interest Income	-	-	-	-	-	-	392	392	(392)
WOT TOTAL		150,000	-	-	-	-	156,746	(6,354)	150,392	(392)
Prop84BayAreaIntegRegnlWtrMgmt	BDO Interest Income	-	-	-	-	-	-	45	45	(45)
Prop84BayAreaIntegRegnlWtrMgmt	Agency Prefunding Admin Exp	-	-	22,000	-	-	65,500	21,500	87,000	(87,000)
PRP84 TOTAL		-	-	22,000	-	-	65,500	21,545	87,045	(87,045)
WQA Emergency Resrve Fnd	BDO Interest Income	-	-	-	-	-	-	1,647	1,647	(1,647)
WQA EMERG TOTAL		-	-	-	-	-	-	1,647	1,647	(1,647)
WQA Tech Action Fund	BDO Interest Income	-	-	-	-	-	-	1,029	1,029	(1,029)
TECHACTION TOTAL		-	-	-	-	-	-	1,029	1,029	(1,029)
CBC Operating Resrve Fnd	BDO Interest Income	-	-	-	-	-	-	667	667	(667)
CBC OPRSRV TOTAL		-	-	-	-	-	-	667	667	(667)
Prop50BayAreaIntegRegnlWtrMgmt	BDO Interest Income	-	-	-	-	-	-	1,374	1,374	(1,374)
Prop50BayAreaIntegRegnlWtrMgmt	Grant Administration	-	-	-	-	-	19,661	-	19,661	(19,661)
Prop50BayAreaIntegRegnlWtrMgmt	Contra Costa Regional Intertie	-	-	-	-	-	-	-	-	-
Prop50BayAreaIntegRegnlWtrMgmt	EBMUD Richmond RWP	-	-	-	-	-	-	-	-	-
Prop50BayAreaIntegRegnlWtrMgmt	Pacifica RWP	-	-	-	-	-	669,960	-	669,960	(669,960)
Prop50BayAreaIntegRegnlWtrMgmt	Montara Groundwater Project	-	-	-	-	-	3,710	-	3,710	(3,710)
Prop50BayAreaIntegRegnlWtrMgmt	Alameda Creek Phase 2 Fish	-	-	-	-	-	-	-	-	-
PRP50 TOTAL		-	-	-	-	-	693,331	1,374	694,705	(694,705)

BACWA Expense Report for June 2012

DEPARTMENT	EXPENSE TYPE	AMENDED BUDGET	CURRENT PERIOD				YEAR TO DATE				OBLIGATED	UNOBLIGATED
			ENC	PV	DA	JV	ENC	PV	DA	JV		
Bay Area Clean Water Agencies	BC-Collections System	25,000	(7,285)	7,285	-	-	51	24,949	-	-	25,000	-
Bay Area Clean Water Agencies	BC-Permit Committee	25,000	(6,841)	6,841	-	-	26	24,974	-	-	25,000	-
Bay Area Clean Water Agencies	BC-Water Recycling Committee	18,000	(667)	667	-	-	3,359	14,410	-	-	17,770	231
Bay Area Clean Water Agencies	BC-Biosolids Committee	5,000	1,515	2,285	-	-	1,515	2,285	-	-	3,800	1,200
Bay Area Clean Water Agencies	BC-InfoShare Groups	25,000	(5,995)	5,995	-	-	8,440	16,561	-	-	25,000	-
Bay Area Clean Water Agencies	BC-Laboratory Committee	7,000	-	-	-	-	-	-	2,151	-	2,151	4,849
Bay Area Clean Water Agencies	BC-Miscellaneous Committee Sup	61,000	(12,089)	7,940	-	349	13,530	27,920	12,000	349	53,799	7,201
Bay Area Clean Water Agencies	TS-Media Relations Support	-	-	-	-	-	-	-	-	-	-	-
Bay Area Clean Water Agencies	TS-Consultant Support	-	-	-	-	-	-	-	-	-	-	-
Bay Area Clean Water Agencies	TS-Regulatory Support	4,000	-	-	-	-	1,520	2,480	-	-	4,000	-
Bay Area Clean Water Agencies	LS-Executive Board Support	2,000	(476)	476	-	-	1,524	476	-	-	2,000	-
Bay Area Clean Water Agencies	CAS-CWAA	10,000	-	-	-	-	-	-	1,000	-	1,000	9,000
Bay Area Clean Water Agencies	CAS-CPSC	5,000	-	-	-	-	-	-	5,000	-	5,000	-
Bay Area Clean Water Agencies	CAS-PSI	500	-	-	-	-	-	-	500	-	500	-
Bay Area Clean Water Agencies	CAR-BACWA Annual Report	15,000	-	-	-	-	433	15,467	1,052	-	16,952	(1,952)
Bay Area Clean Water Agencies	CAR-BACWA Website Development/	10,750	(2,802)	2,802	-	2,285	1,978	7,522	1,220	2,285	13,005	(2,255)
Bay Area Clean Water Agencies	AS-BACWA Admin Expense	15,000	-	-	-	-	-	-	2,202	-	2,202	12,798
Bay Area Clean Water Agencies	CAR-Other Communications	5,000	-	-	-	-	-	-	-	-	-	5,000
Bay Area Clean Water Agencies	SP-BAPPG Contribution	50,000	-	-	-	-	-	-	-	50,000	50,000	-
Bay Area Clean Water Agencies	GBS-Contingency	88,950	-	-	-	4,478	-	-	25,000	4,478	29,478	59,472
Bay Area Clean Water Agencies	GBS- Meeting Support	17,000	(193)	193	-	-	238	762	8,846	-	9,846	7,154
Bay Area Clean Water Agencies	AS-Executive Director	139,000	(31,832)	31,832	-	-	37,859	132,914	-	-	170,773	(31,773)
Bay Area Clean Water Agencies	AS-Assistant Executive Directo	70,000	(12,014)	12,014	-	-	9,455	58,745	-	-	68,200	1,800
Bay Area Clean Water Agencies	AS-EBMUD Administrative Servic	40,000	-	-	-	8,427	8,427	31,573	-	8,427	48,427	(8,427)
Bay Area Clean Water Agencies	AS-Insurance	3,800	-	-	-	-	-	-	3,729	-	3,729	71
BACWA TOTAL		642,000	(78,678)	78,329	-	15,539	88,354	361,039	62,699	65,539	577,631	64,369
BACWA Training Fund	BDO Fund Transfers	-	-	-	-	-	-	-	-	5,000	5,000	(5,000)
TRNG FND TOTAL		-	-	-	-	-	-	-	-	5,000	5,000	(5,000)
AIR-Air Issues&Regulation Grp	Grant Administration	4,040	-	-	-	-	-	-	-	4,040	4,040	-
AIR-Air Issues&Regulation Grp	BDO Contract Expenses	80,790	(11,555)	11,555	-	-	717	107,568	500	-	108,785	(27,995)
AIR TOTAL		84,830	(11,555)	11,555	-	-	717	107,568	500	4,040	112,825	(27,995)
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Fog	20,800	-	-	-	-	3	18,996	81	-	19,080	1,720
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Mercury	8,500	(1,056)	871	-	-	1	6,854	-	-	6,855	1,645
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Pesticides	10,000	-	-	-	-	-	-	10,000	-	10,000	-
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Copper	9,000	(2,588)	2,773	-	-	273	5,822	-	-	6,094	2,906
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Pharmaceutical	7,499	-	-	-	-	-	-	-	-	-	7,499
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-General P2	1,500	-	-	-	-	80	1,420	-	-	1,500	-
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Emerging Issues	8,000	-	-	-	-	0	2,000	1,900	-	3,900	4,100
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Other	11,000	(2,159)	2,159	-	-	4,748	7,001	-	-	11,749	(749)
BAPPG-BayAreaPollutnPreventGrp	Grant Administration	3,815	-	-	-	-	-	-	-	3,815	3,815	-
BAPPG TOTAL		80,114	(5,803)	5,803	-	-	5,105	42,092	11,981	3,815	62,993	17,121

BACWA Expense Report for June 2012

DEPARTMENT	EXPENSE TYPE	AMENDED BUDGET	CURRENT PERIOD				YEAR TO DATE				OBLIGATED	UNOBLIGATED
			ENC	PV	DA	JV	ENC	PV	DA	JV		
WQA-WtrQualityAttainmntStratgy	WQA-CE-Technical Support	344,934	(60,894)	56,250	-	4,644	103,523	195,547	9,999	4,644	313,713	31,221
WQA-WtrQualityAttainmntStratgy	WQA-CE-Collaborations & Sponso	90,000	-	-	-	-	-	-	98,750	-	98,750	(8,750)
WQA-WtrQualityAttainmntStratgy	WQA-CE-Commun. & Reporting	47,000	(4,869)	4,869	-	-	11,618	35,382	-	-	46,999	1
WQA-WtrQualityAttainmntStratgy	WQA-CE-Other	100,000	-	-	-	-	1,555	21,446	10,000	-	33,001	66,999
WQA CBC TOTAL		581,934	(65,763)	61,119	-	4,644	116,696	252,374	118,749	4,644	492,462	89,472
WOT - Wtr/Wwtr Operat Training	Grant Administration	2,500	-	-	-	-	-	-	-	2,500	2,500	-
WOT - Wtr/Wwtr Operat Training	BDO Contract Expenses	140,000	-	-	-	-	-	-	173,500	-	173,500	(33,500)
WOT TOTAL		142,500	-	-	-	-	-	-	173,500	2,500	176,000	(33,500)
Prop84BayAreaIntegRegnlWtrMgmt	Grant Administration	-	(3,940)	3,940	45	-	2,724	47,276	653	-	50,653	(50,653)
PRP84 TOTAL		-	(3,940)	3,940	45	-	2,724	47,276	653	-	50,653	(50,653)
Prop50BayAreaIntegRegnlWtrMgmt	BDO Fund Transfers	-	-	-	-	-	-	-	-	21,500	21,500	(21,500)
Prop50BayAreaIntegRegnlWtrMgmt	Grant Administration	-	-	-	-	337	1,461	539	455	1,377	3,832	(3,832)
Prop50BayAreaIntegRegnlWtrMgmt	BDO Contract Expenses	-	(8,323)	6,715	-	1,608	38,413	25,291	-	1,608	65,312	(65,312)
Prop50BayAreaIntegRegnlWtrMgmt	Contra Costa Regional Intertie	-	-	-	-	-	-	-	50,000	-	50,000	(50,000)
Prop50BayAreaIntegRegnlWtrMgmt	Regional Conservation	-	-	-	-	-	-	-	18,500	-	18,500	(18,500)
Prop50BayAreaIntegRegnlWtrMgmt	EBMUD Richmond RWP	-	-	-	-	-	-	-	212,760	-	212,760	(212,760)
Prop50BayAreaIntegRegnlWtrMgmt	South Bay Advanced Regional RW	-	-	-	-	-	-	-	5,786	-	5,786	(5,786)
Prop50BayAreaIntegRegnlWtrMgmt	Pacifica RWP	-	-	-	-	-	-	-	673,117	-	673,117	(673,117)
Prop50BayAreaIntegRegnlWtrMgmt	Montara Groundwater Project	-	-	-	-	-	-	-	5,241	-	5,241	(5,241)
Prop50BayAreaIntegRegnlWtrMgmt	Alameda Creek Phase 2 Fish	-	-	-	-	-	-	-	60,469	-	60,469	(60,469)
PRP50 TOTAL		-	(8,323)	6,715	-	1,945	39,874	25,830	1,026,329	24,485	1,116,519	(1,116,519)



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 3

FILE NO.: 12,787

MEETING DATE: August 23, 2012

TITLE: Contribution to Tri-TAC Pyrethroid Working Group

MOTION

RESOLUTION

DISCUSSION

ACTION UNDER CONSIDERATION

Authorize contribution to CASA, in an amount not to exceed \$15,000.00, to support the Tri-TAC Pyrethroid Working Group (PWG) during Fiscal Year 2012-13.

SUMMARY

For several years BAPPG engaged TDC Environmental to provide regulatory support on the issue of pesticide registration to ensure that POTW issues and concerns are considered in the process. This support benefitted POTWs on a statewide and national level because BAPPG used TDC's expertise to generate comment letters for Tri-TAC and NACWA on issues such as nanosilver and pyrethroids registration. In 2011, per the BACWA Executive Board's request, a working group from Tri-TAC began efforts to generate statewide support for this work which resulted in CASA managing a larger and broader contract with TDC. In Fiscal Year 2011-12, BACWA's \$15,000 was combined with contributions from the following participants to support this effort: CASA - \$15,000; SCAP - \$13,500; NACWA - \$10,000; and CWEA - \$2,000. CASA will continue to manage the contract for this fiscal year, and TDC will still report to the Tri-TAC Pesticide Workgroup, which includes BACWA representatives.

FISCAL IMPACT

This project was included in the WQAS/CBC FY 2012- 2013 budget and workplan.

ALTERNATIVES

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

Attachments:

1. CASA invoice for PWG 2012-13, \$15,000



INVOICE

California Association of Sanitation Agencies

1215 K Street, Suite 2290

Sacramento, CA 95660

Federal Tax I.D. 68-0018896

DATE: AUGUST 6, 2012

TO James Kelly, Executive Director
Bay Area Clean Water Agencies
PO Box 24055, MS702.
Oakland, CA 94623
jkelly@bacwa.org

SHIP
TO

INVOICE NUMBER	PAYMENT TERMS
20130102PY	Due on receipt

DESCRIPTION	TOTAL
2012-2013 Pyrethroid Study Tri-TAC Stakeholders Contribution	\$15,000
2012-2013 Contribution in support of Kelly Moran of TDC Environmental LLC as paid consultant to work on behalf of wastewater agencies with the California Department of Pesticide Regulation, USEPA, and the pyrethroid working group (PWG) on the Registration Review of pesticides.	
NOTE: Tri-TAC provides project management. CASA serves as the administrative agent for the funding.	
TOTAL DUE	\$15,000

Thank you

Make all checks payable to CASA
Ensuring Clean Water For California



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 8

FILE NO.: 12,788

MEETING DATE: August 23, 2012

TITLE: Contribution to Support Laypersons Guide to Wastewater

MOTION

RESOLUTION

DISCUSSION

ACTION UNDER CONSIDERATION

Authorize contribution in an amount not to exceed \$6,000.00, to support the development of a Laypersons Guide to Wastewater during Fiscal Year 2012-13.

SUMMARY

In May 2012, Stan Dean of the Sacramento Regional County Sanitation District reached out to BACWA's Executive Director as well as John Pastore, Debbie Webster, Debbie Welch, Bobbi Larson, and Elizabeth Allen introducing the idea of the Water Education Foundation producing a Laypersons Guide to Wastewater. This e-mail and Stan's draft outline was included in the May 24th BACWA Executive Board meeting handout packet and reviewed at that meeting under the Executive Director's Report. This topic was also included on the July 31st Summer Partners meeting agenda and the attached letter from Bobbi Larson requesting funding of this project is a follow up from that discussion. Sacramento Regional County Sanitation District will be contributing \$10,000 and other associations have agreed to contribute.

FISCAL IMPACT

This project is not included in the BACWA/CBC FY 2012- 2013 budget and workplan, but funds are available under the contingency line items in both the BACWA and CBC budget.

ALTERNATIVES

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

Attachments:

1. Letter from Bobbi Larson re: Laypersons Guide to Wastewater



Clean Water Summit Partners
1215 K Street, Suite 2290
Sacramento, CA 95814
p: 916.446.0388
f: 916.231.2141

Summit Partners:
- Bay Area Clean Water Agencies (BACWA)
- California Association of Sanitation Agencies (CASA)
- Central Valley Clean Water Association (CVCWA)
- California Water Environment Association (CWEA)
- Southern California Alliance of Publicly Owned Treatment Works (SCAP)

Via Electronic Mail

August 3, 2012

TO: Clean Water Summit Partners

FROM: Bobbi Larson, Executive Director, CASA

SUBJECT: Request for Funding for Development of a *Laypersons Guide to Municipal Wastewater in California*

As a follow up to our discussion at the July 31, 2013 Clean Water Summit meeting, this memorandum describes the proposal for funding a *Layperson's Guide to Municipal Wastewater in California* and requests contributions from each of the summit partners.

The Issue

There is concern that policy makers and the general public in California lack a basic understanding of wastewater collection, treatment, and disposal. Wastewater costs continue to increase and affect ratepayers, and water issues in California are becoming more contentious. As a result, there is a need for better understanding of the basic infrastructure, legal and regulatory framework, and key policies affecting wastewater management as an important part of the State's water supply.

The Water Education Foundation (WEF) is a well-established and respected nonprofit organization that is highly effective at reaching out and education key policy makers in the state and makes high educational materials available to everyone. Among the publications produced by WEF is a set of "Layperson's Guides" on a variety of water related topics. Typically, they are about 20-30 pages in lengths with excellent writing and graphics suitable for a wide range of audiences. Unfortunately, there is no Layperson's Guide covering municipal wastewater.

WEF can produce a laypersons guide for about \$40,000. WEF staff includes professional journalists who take the lead in writing the text, but an advisory group is established to serve as subject matter experts and to review work products.

The Request

It is requested that each of the Clean Water Summit Partners (CASA, BACWA, SCAP, CVCWA, and CWEA) seek authorization to fund preparation of a *Laypersons Guide to Municipal Wastewater in California*. It is recognized that these organizations have different funding abilities, so the request is to seek authorization amounts that are consistent with the needs of the project and ability to pay. It is expected that at least \$10,000 will be obtained from individual wastewater utilities, leaving a target of \$30,000 remaining for the Summit Partners, or on average, \$6,000 each. Those summit partners with more financial capability are encouraged to seek authorization for more than \$6,000 in the event that not all associations can commit the desired amount.

Individual wastewater utilities are also encouraged to contribute to help offset the costs to the Summit Partners.

It is requested that authorization to fund the effort be obtained by the end of August 2012. If sufficient funding can be obtained, those agreeing to contribute would work together to make any adjustments to the exact contribution levels from each party. Then the intent would be to develop a funding agreement with WEF.

Key Contacts

- Stan Dean, Sacramento Regional County Sanitation District (916) 875-9101
- Bobbi Larson or Debbie Welch, CASA (916) 446-0388



Director's Report to the Board

July 20, 2012-August 17, 2012

Prepared for the August 23, 2012 Executive Board Meeting

NUTRIENT 13267 LETTER: BACWA is reporting using template developed by Jim Ervin; RB2 staff is planning to work with SEFI to get the submitted data into SFEI's system. Historical electronic data that is not in the State's system is to be submitted September 1, 2012.

SUISUN BAY/SWAMP STUDY: Follow-up phone calls and emails on study results to date and proposed studies for 2013 and SFEI studies that address CCCSD's permit requirements. Continued participation in a vigorous email string discussing results of 2012 study and need for follow-up studies.

NUTRIENT STRATEGY: Many conversations with D. Senn, RB2 staff, and BACWA members about strategy, project management, governance, next steps and funding.

RWQCB/BACWA MEETING: Set meeting for August 20, 2012 and prepared agenda with input from participants.

ANNUAL PARDEE TECHNICAL SEMINAR: Reschedule meeting due to conflicts. Will have half and full day meetings with RB2 to focus on key issues until Pardee can be scheduled.

REGULATORY PROGRAM MANAGER (RPM): See RPM report in the agenda packet.

SACRAMENTO REGIONAL NEW DRAFT NPDES PERMIT: Forwarded a summary of the SWRCB Sacramento Hearing to the Board.

DRAFT POLICY FOR TOXICITY ASSESSMENT AND CONTROL: See RPM's report for more information. Along with other BACWA principals and the RPM, met with SWRCB Members Steve Moore, Tam Dudak and Felicia Marcus to discuss our key concerns. Three SWRCB staff attended the meeting with Steve and Tam. Received request to sign a joint summit partners letter; reviewed letter and referred matter to the BACWA Board.

MEETINGS ATTENDED: Permits Committee, Air Committee, Ops Committee, Wastewater Summit Partners meeting, BACWA Nutrient Workshop, Meeting with RB2 Staff and Lorien Fono to review 1668C PCB data, and met with two SWRCB Board Members to discuss draft Policy for Toxicity Assessment and Control.

BIOSOLIDS FACT SHEET: Continued to work with the Biosolids Committee Chair to revise the draft biosolids fact sheet.

STATE BOARD PROPOSED REVISION TO OPERATOR TRAINING REQUIREMENTS: Worked with the Operations Info Share Group, Mike Barnes, and Principal's representatives to develop and submit

comments. Worked with Summit Partners to develop a letter that all Partners could support and sign. Letters were submitted to the SWRCB

TECHNOLOGY RESEARCH & DEVELOPMENT: ED has invited Representatives from Isle to attend the September 28, 2012 BACWA Board meeting; they have also offered to meet with agency representatives individually. ED request input from the BACWA Board on the type of presentation that would be appropriate by Isle on the 27th. The next Isle TAG meeting in California is tentatively scheduled in Orange County November 8th. Isle has offered to support BACWA representatives attending that meeting and allowing BAWCA representatives to have access to the Isle website to learn more processes that have been presented. Isle is also in the process establishing a California office recruiting staff.

MISCELLANEOUS:

- Answered miscellaneous questions of from the public.
- Discussions with Alex Parker regarding his request for POTW's to collaborate on a effluent/receiving water toxicity study proposal he has submitted to IEP.
- The next Summit Partners meeting is tentatively scheduled for November 1, 2012, and Dave Williams cannot attend. Can another BACWA Board Member attend?
- Reviewed CDPH SF Bay Fish Project Draft report

NEXT MONTH

FOLLOWUP ON SACRAMENTO REGIONAL PERMIT WORKSHOP: As needed.

SUISUN BAY ISSUES: Follow-up on July 2, 2012 Meeting; support north Bay POTW's.

RWQCB/ BACWA JOINT MEETINGS: Set up RWQCB/BACWA Meeting Schedule for October?

BAPPG: Follow up on flushable flyer and PCB annual reporting.

NPDES PERMIT PETITION DISMISSAL: Consult co-petitioners as they come up for renewal.

ANNUAL TECHNICAL SEMMINAR: Work with BACWA Executive Board establish a date and to develop an agenda.

NEXT MEETING: Hold at SFPUC's new offices?

AIR COMMITTEE: Work with Air Committee Leadership to develop fee and funding alternatives, and contact Air Board regarding a number of issues.

Hg/PCB WATERSHED PERMIT REISSUANCE: Follow-up on 1668C data with RB2; with Board concurrence, further develop round robin testing of 1668C PCB test, review and respond to pre-administrative draft of permit.

TECHNOLOGY RESEARCH & DEVELOPMENT: Follow up with Isle Utilities and the Orange County Sanitary District representative to their Technology Approval Group (TAG). Secure a copy of the May 15, 2012 TAG meeting notes and distributed to the BACWA Board. Consult with Board Members Farrell and Connor for guidance on next steps.

SCHEDULE GARY DARLING: Schedule Gary to come to an upcoming meeting to discuss alternative JPA governance structures.



Regulatory Program Manager's Report to the Board

June 27, 2012 - August 17, 2012

Prepared for the August 23, 2012 Executive Board Meeting

WATERSHED PERMIT REISSUANCE/PCB DATA: Analyzed PCB reported data from Bay Area Agencies for total PCBs and congener distribution. Solicited proposal for PCB interlaboratory study from SFEI and solicited comments from BACWA members. Communicated with USEPA regarding the status of method 1668C. Met with RWQCB staff to discuss Method 1668C in the new permit, PCB data and future direction. Discussed the possibility of reduced monitoring frequency and congeners. Contacted laboratories about potential cost reductions if fewer congeners were analyzed. Reviewed DPH Risk Reduction report.

DRAFT POLICY FOR TOXICITY ASSESSMENT AND CONTROL: Met with new State Water Board members Steve Moore and Felicia Marcus, and State Water Board staff to discuss comments on Draft Policy. Prepared and provided Member Template Letter to help member agencies draft their comment letters. Drafted BACWA comment letter on Draft Policy and responded to comments.

DILUTION: Prepared to meet with Regional Board Staff and testify at Board hearing regarding their decision not to use currents in granting Sewerage Agency Mid-coastline (SAM) dilution. Other agencies that are Ocean dischargers who are governed by the California Ocean Plan and therefore may be impacted by this decision are North San Mateo County Sanitary District and San Francisco Oceanside Plant. SAM chose not to contest their permit, therefore it was decided that BACWA should not engage the Regional Board regarding a consistent dilution policy at this time; direction is requested regarding when to begin engaging RB2 on this matter.

MEETINGS ATTENDED: Nutrients Special Meeting 7/30, Meeting with State Board members on Toxicity Policy 7/31, Permits Committee, Regional Water Board Permit Adoption Hearing 8/8, RWQCB/BACWA Meeting on PCB Data 8/16, Laboratory Committee Meeting.

UPCOMING REGULATORY DEVELOPMENTS:

- The State Water Resources Control Board is planning public workshops to discuss a proposed Statewide Mercury Policy (new fish tissue objectives and Mercury Control Program for Reservoirs). No action recommended at this time.
- State Board Resource Realignment – Will testify at 8/21 State Board Meeting that BACWA is interested in participating in Stakeholder process.

NEXT MONTH

- State Board Toxicity Workshop (8/21)
- State Water Board stakeholder meeting on Biological Objectives 9/20

- Continue to work with Regional Water Board on Hg and PCB Watershed Permit Reissuance and look for ways to reduce Agencies' monitoring burden.

- Facilitate BACWA's participation in State Board Realignment effort

.



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 9

FILE NO.: N/A

MEETING DATE: August 23, 2012

TITLE: Designation of BACWA Representatives for Aquatic Science Center Board

MOTION _____ RESOLUTION _____

RECOMMENDED ACTION

Designate two BACWA Representatives for the Aquatic Science Center Board.

SUMMARY

On July 1st, 2007 the State Water Resources Control Board and BACWA entered into a Joint Powers Agreement creating the Aquatic Science Center (ASC) and agreed to utilize the San Francisco Estuary Institute as its administrator. As stated in the agreement

The purpose of the ASC is to

- a. Establish a separate public agency to promote and deliver scientific support services to governmental and non-governmental organizations in central and northern California that foster scientific understanding needed to protect and enhance the San Francisco Estuary.
- b. Serve as a fiduciary agent, with the San Francisco Estuary Institute as the administrator, to assist with the efficient delivery of financial, scientific, monitoring, and information management support functions.

The Governing Board of Directors at a minimum composed of the following:

- a. Deputy Director, Division of Water Quality, State Water Resources Control Board;
- b. Executive Officer, San Francisco Bay Regional Water Quality Control Board;
- c. Executive Officer, Central Valley Regional Water Quality Control Board;
- d. Division Director, Water Division, U.S. EPA, Region IX; and
- e. Three directors appointed by BACWA.

Historically BACWA representatives have consisted of three BACWA Executive Board members and BACWA has designated three alternates from the remaining two Board members and the Executive Director. Earlier this year, efforts began to merge the SFEI and ASC governing boards and under the new structure BACWA has agreed to allocate one of their seats to the Sacramento Regional County Sanitation District. Now BACWA will need to determine their remaining two representatives. Currently BACWA is represented by Dave Williams, Kirsten Struve and Laura Pagano.

FISCAL IMPACT

This action has no fiscal impact.

ALTERNATIVES

This action does not require consideration of alternatives.



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 10a

FILE NO.: N/A

MEETING DATE: August 23, 2012

TITLE: Grant Executive Board Chair Authority to Execute Agreement for Assistance with Nutrients Strategy Governance Development

MOTION _____ RESOLUTION _____

RECOMMENDED ACTION

Grant the Executive Board Chair authority to execute an agreement with Kayla Kirsch of LeapFrog Consulting to assist with Nutrients Strategy Governance Development.

SUMMARY

As requested by the BACWA Board, Dave Williams has been working with Kayla Kirsch of Leapfrog Consulting to determine whether she may be able to assist with developing a governance structure for the Nutrients Strategy development process. The scope of work is still being finalized but it is estimated that the cost may exceed the Chair's contracting approval authority as outlined in BACWA's contracting policy. This Board action would allow the Chair to execute an agreement with Leapfrog once the scope is finalized and work could commence without the delay that could be caused by having to wait for formal Board approval of the agreement.

FISCAL IMPACT

The most recent draft scope of work estimates a not to exceed contract value of approximately \$12,000. This work was not specifically included in the BACWA/CBC workplan, but funds are available under the CBC fiscal year 2012-13 budget.

ALTERNATIVES

BACWA contracting policies allow for a sole source selection for contracts under \$100,000.

Attachments:

Draft Leapfrog Consulting Scope of Work

Alexandra Gunnell

Subject: FW: Revised Estimate
Attachments: Leapfrog ConsultingBACWARRevisedEstimate8.6.12.pdf; Leapfrog ConsultingBACWARRevisedEstimate8.6.12.doc; LeapFrog BAR 2012-08 DRAFT.docx

----- Forwarded Message -----

From: Kayla Kirsch <kayla@leapfrogconsulting.org>

To: "Williams, David" <dwilliam@ebmud.com>

Sent: Sunday, August 5, 2012 6:07 AM

Subject: Re: A question

Hello David,

As discussed, I have revised my estimate based on the changes suggested by BACWA Board members. Given that I will be traveling extensively in the next two weeks and we plan to get started in late August, I have attached a Word doc in addition to a pdf in the event that any revisions need to be made. We might want to add some extra time, especially prior to the retreat (e.g., meet and prepare, conference calls, conduct dry run, etc.).

I am looking forward to working with you!

With care,

Kayla

Kayla Kirsch
Leapfrog Consulting
4118 Lyman Road
Oakland, CA 94602
(510) 482-4049
kayla@leapfrogconsulting.org

Spirited visions • Grounded strategies • Creative leaps

Leapfrog Consulting

Spirited Visions • Grounded Strategies • Creative Leaps

DATE: August 6, 2012

TO: David R. Williams, Director of Wastewater
East Bay Municipal Utility District
PO Box 24055, MS 59
Oakland CA 94623-1055
Tel: 510-287-1587
Fax: 510-287-1715
email: dwilliam@ebmud.com

FROM: Kayla Kirsch, President
Leapfrog Consulting

RE: Revised Estimate for Phase One

It is my understanding that you seek a skilled consultant to co-design and facilitate a temporary 8-12 month "governance" or "oversite" structure to develop and manage a program of scientific studies related to water quality, with high-stakes implications in terms of permits for water treatment.

Within this structure, we will create a forum for stakeholders to gain some agreement of what studies will accomplish, what to look for, and how to ensure sound science. The overarching goal is to strengthen the organization of research across stakeholder studies (e.g, a team approach) and increase the efficacy of stakeholders' combined scientific research, thus reducing bias due to vested interests and better ensuring that the myriad of studies can collectively provide sound evidence about water quality. The final decision about water treatment permits will be made by the Regulatory Board.

This proposal is for Phase 1 of this project, which will involve the following:

1. Conduct one-hour interviews with each member of the five-member board and Executive Director to become familiar with the issues, and generate input about the design of the governance structure, which will inform the larger scope of work in Phase II. The interviews will be conducted by telephone and the Executive Director will participate in the interviews (primarily as observer) with Board members to get a better sense of the Board's multiple perspectives on the governance issue.
2. Present a summary of themes and ideas from interviews and facilitate an iterative design workshop to refine the 8-12 month process (including name of process/project, draft process map with timeline, etc.)
3. Support the BACWA Board to unveil its approach to moving forward on establishing a governance structure to the Regional Water Quality Control Board staff at BACWA's annual retreat at the EBMUD Pardee retreat center in the Sierra foothills near Valley Springs.

This short phase will enable Board and consultant to work together briefly, enabling the Board can evaluate Phase I and decided whether to retain and go forward with the consultant on Phase II.

Phase II will involve creating a "big tent" in which regional representatives, water contractors, NGOs, academics and other stakeholders pool their creativity and expertise to increase the efficacy of stakeholders' combined scientific research related to water quality and treatment. This is likely to involve a core group as a steering committee, with larger community engagement sessions for greater input.

Deliverables and Timeframe *(subject to change depending on retreat date)*

August-September

- Co-develop interview questions
- Conduct interviews with BAWQA Board and Executive Director
- Prepare summary and draft process map 1.0 for governance structure, based on interviews
- Present draft process and conduct iterative design workshop with BAWQA Board
- Draft process map 2.0 in preparation for annual retreat "unveiling"

October-November

- Attend and support Board during annual retreat to present and capture questions and feedback from Regional Water Quality Control Board staff
- Create digital chart reductions as needed from retreat

Cost for Professional Services

SERVICES	FEE
<ul style="list-style-type: none"> Preparation and coordination, interviews (Kayla – 1 day) 	\$ 2400
<ul style="list-style-type: none"> Analyze themes, prepare summary and draft process map 1.0 (Kayla – 1.25 day) 	\$ 3000
<ul style="list-style-type: none"> Conduct iterative design workshop with BAWQA Board members (Kayla - .5 day) 	\$ 1200
<ul style="list-style-type: none"> Create draft process map 2.0 and prepare for annual retreat (Kayla - .75 day) 	\$ 1800
<ul style="list-style-type: none"> Support governance structure unveiling at annual retreat (Kayla – 1 .25 day with travel) 	\$ 3000
<ul style="list-style-type: none"> Digital graphic chart reductions (\$50 per 4x8 chart, estimate 8 charts) 	\$ 400
TOTAL	\$ 11800

**Please note the expenses listed above are only an estimate. Invoices will include actual expenses incurred such as travel, lodging, and shipping billed at cost. Any additional services (meetings, sketches or changes thereto, etc.) you may request, and products ordered or that become necessary but are not reflected in this estimate, will be billed accordingly and in addition to the above amount. Chart reductions are \$50 per 4x8 chart.*

Materials

Leapfrog Consulting will supply large rolls of poster-bond paper, tape and felt pens for graphic recording. BAWQA will provide meeting space(s) with ample flat wall space (at least 12 feet) and at least 1 flip chart and stand, as well as refreshments and meals as appropriate.

General Guidelines

The following are some general guidelines that apply to all Leapfrog projects. Please contact Leapfrog Consulting about specific project guidelines you have that would help us work together.

1. Kayla Kirsch will be the contact person at Leapfrog Consulting for adjustments or additions to this memo of understanding to ensure smooth project implementation.
2. Leapfrog Consulting will bill BAWQA for completed work and will expect payment within 30 days. Please notify our office if you have any special billing requirements, such as the need for purchase orders.
3. Leapfrog Consulting, as a standard practice, accepts full responsibility for any mistakes it makes and will correct them at no charge on documents developed for the project. However, if BAWQA changes the specifications or deliverables above, resulting in additional work, we will bill the additional amount and expect to be compensated accordingly.

4. Leapfrog Consulting treats all work as confidential and all documents are the property of BAWQA and will not be used or shared by Leapfrog without explicit agreement. All charts and site material created during the project are the property of BAWQA.
5. Additional consulting/facilitation time and/or days will be billed at the daily rate (or a pro-rated amount if less than one day). Please note that one day is defined by an eight-hour workday.

The successful completion of this work depends on close communication between BAWQA and Leapfrog Consulting. If there are any changes to the services or deliverables in this MOU, please Kayla Kirsch as soon as possible to make appropriate amendments or revisions. Likewise, Leapfrog Consulting will contact BAWQA promptly about anything that would affect the delivery timeline or costs.

Cancellation Policy

If BAWQA decides to cancel within 15 days of the meeting with the intent to reschedule, no cancellation fee will be charged. If the meeting is cancelled within fifteen days BAWQA will be charged 50% of the consultant fees, or completed work to date, whichever one is greater, plus any non-refundable expenses. In case of consultant illness or other extenuating circumstances, Leapfrog Consulting will provide another consultant with comparable skills.

If this MOU for services meets your approval, please sign below and fax to Kayla Kirsch, Leapfrog Consulting, 510-550-4319 or email kayla@leapfrogconsulting.org.

Title	Date
BAWQA	
<i>Kayla Kirsch</i>	8/6/2012
Kayla Kirsch, President, Leapfrog Consulting	Date

Invoice

**San Francisco Estuary Institute
4911 Central Ave.
Richmond, CA 94804
EIN 94-2951373**

August 06, 2012
Project No: 1092.00
Invoice No: 1092005

Bay Area Clean Water Agency
PO Box 24055, MS702
Oakland, CA 94623

Project 1092.00 SF Bay Nutrient Strategy Support
attn: James Kelly

Professional Services from July 01, 2012 to July 31, 2012

Task	001	Project Administration and Reporting		
Professional Personnel				
		Hours	Rate	Amount
Sr Manager/Sr Scientist II				
Senn, Dave		31.00	139.91	4,337.21
Manager/Sr Scientist I				
Sedlak, Margaret		1.00	127.20	127.20
Sr Environmental/IT/GIS Analyst				
Novick, Emily		.25	68.51	17.13
	Totals	32.25		4,481.54
	Total Labor			4,481.54
			Total this Task	\$4,481.54

Task	002	Nutrient Strategy Development & Coordina		
Professional Personnel				
		Hours	Rate	Amount
Sr Manager/Sr Scientist II				
Senn, Dave		32.50	139.91	4,547.08
	Totals	32.50		4,547.08
	Total Labor			4,547.08
			Total this Task	\$4,547.08

Task	004	Synthesis of Science: Suisun Bay		
Professional Personnel				
		Hours	Rate	Amount
Sr Manager/Sr Scientist II				
Senn, Dave		23.00	139.91	3,217.93
Scientist II-III				
Jabusch, Thomas		8.00	102.77	822.16
Sr Environmental/IT/GIS Analyst				
Novick, Emily		13.50	68.51	924.89
	Totals	44.50		4,964.98
	Total Labor			4,964.98

Contact Lawrence Leung at 510-746-7356 or lawrence@sfei.org for questions.

Project	1092.00	SF Bay Nutrient Strategy Support	Invoice	1092005
			Total this Task	\$4,964.98

Billing Limits	Current	Prior	To-Date	
Total Billings	13,993.60	67,025.90	81,019.50	
Limit			350,000.00	
Remaining			268,980.50	
			Total this Invoice	\$13,993.60

Project Manager Emily Novick Date: 8/15/2012
 Emily Novick

SFEI Monthly Status Report

San Francisco Bay Nutrient Strategy Support

Report Period: July 1st – July 31st, 2012

SUMMARY

Work during this period included meetings with BACWA, other stakeholders, potential partners, and Regional Water Quality Control Board staff, work plan development for Suisun Bay synthesis, and continued data gathering and interpretation for Suisun.

WORK COMPLETED THIS PERIOD

Task 1 Project Administration and Reporting

- Project management tasks, including communications with BACWA board, preparing for and presenting at BACWA Board meeting on July 30th, and preparing an invoice and status report.
- Preparation of subcontracts for 2 chapters of Synthesis report to be written by Wim Kimmerer (on zooplankton ecology) and Mine Berg (on phytoplankton ecology)

Task 2.1 Form Stakeholder Advisory Group and facilitate review of strategy

- Revisions of nutrient strategy in response to comments

Task 2.3 Stakeholder Outreach and Coordination

- Meeting with and soliciting input from BACWA, stakeholders, and Regional Water Quality Control Board staff
- Suisun Bay / SWAMP meeting (July 2)
- Developing science and project priorities for 2013
- Meeting with researchers at Monterey Bay Aquarium Research Institute (MBARI) to discuss partnering on monitoring program in Bay (July 11).

Task 4.1 Synthesis Report and Study Plan for Suisun Bay

- Developing a workplan for Suisun Bay synthesis, and working with contractors to develop detailed outlines
- On-going analysis of water quality data in Suisun Bay

NEXT STEPS (90-DAY LOOK AHEAD)

- Continued data gathering and interpretation for Suisun Bay
- Moving forward with multiple components of the Suisun synthesis, such as science synthesis chapter (by SFEI) and additional chapters by Kimmerer and Berg
- Meetings and coordination with BACWA, Regional Board, and other stakeholders to continue development Nutrient Strategy
- Preparing for stakeholder meeting in early October 2012

SCHEDULE

Task 2 and 4 are generally proceeding on schedule.

BUDGET

Total expenditures during this 1 month billing period were \$13,993. Total billing to date is \$81,019, approximately 23% of the total contract.

Alexandra Gunnell

Subject: FW: Additional Info on Upcoming ReNUWIt IAB Meeting and Launch of Subcommittees
Attachments: IAB Meeting Agenda Oct 2012 v2.0.pdf

From: Joshua Dickinson <joshuamd@stanford.edu>

Date: Friday, August 17, 2012 11:01 AM

To: James Kelly <jkelly@bacwa.org>

Cc: "bhorenst@ebmud.com" <bhorenst@ebmud.com>, "mconnor@ebda.org" <mconnor@ebda.org>, 'Laura Pagano' <LPagano@sflower.org>

Subject: Additional Info on Upcoming ReNUWIt IAB Meeting and Launch of Subcommittees

Dear Jim,

As you know, the next meeting of the ReNUWIt Industrial Advisory Board will be held on October 25-26 in Golden, Colorado. Attached is a draft agenda for the event so that you can begin thinking about travel logistics. You and the BACWA Board are invited to attend. I'll be in touch soon with details about the hotel.

You will also note a session about smart water grids on Friday morning. We are looking for experiences from the IAB, so if you have some expertise you'd like to share for a few minutes please let me know.

As noted in our July newsletter, we are in the process of forming three subcommittees as part of the IAB. We are looking for volunteers, so please let me know if you have an interest in serving on any of the groups described below:

Communications

Focus:

1. Branding
2. Outreach
3. Internal Communications

Implementation and Development

Focus: Implementation of technology and financial sustainability of ERC;

1. Identify pathways to facilitate/support implementation of Technology Modules in the Marketplace
2. Support/Encourage member financial support
3. Identify sustainable funding for long term implementation of ERC

Workforce Development

Focus: Support education and workforce development

1. Identify and publish internship opportunities

2. Identify and publish job opportunities
3. Support the needs of the ERC Education & Outreach program

In the meantime, please reply to me with the following:

- a. Planning to attend the October IAB meeting for one or both days: Yes/No*
- b. If yes, would like to share organizational experience on the topic of smart water grids: Yes/No*
- c. Interest in volunteering on an IAB subcommittee: Yes/No; if yes, indicate subcommittee*

Thanks for your continuing support and we hope to see you in October.

Best regards,
Josh

Joshua M. Dickinson, P.E.
Director of Collaboration and Innovation
Engineering Research Center for Re-inventing the Nation's Urban Water Infrastructure

Stanford University
Yang & Yamazaki Environment & Energy Building, 473 Via Ortega, Room 119
Stanford, California 94305-4211

phone: 650.725.2172
email: joshuamd@stanford.edu
web: <http://urbanwatererc.org/>



Industrial Advisory Board Meeting

October 25-26, 2012

**Colorado School of Mines
Golden, Colorado**

Thursday, October 25

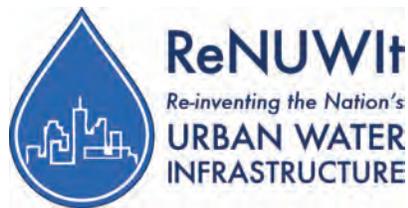
- 3:30 p.m. Leave Table Mountain Inn for TAXI [3457 Ringsby Ct., Denver, CO]
- 4:00 – 4:15 p.m. Welcome and Introductions [Dick Luthy, Stanford University]
- 4:15 – 4:30 p.m. What is an ERC? Brief Summary of ERC Vision & Mission [Luthy]
- 4:30 – 5:00 p.m. Role of the IAB [Rhodes Trussell and Nicole Poncelet-Johnson, IAB Chair and Co-Chair]
- 5:00 – 5:15 p.m. Overview of Year 2 SWOT Process [Josh Dickinson, Stanford University]
- 5:15 – 5:45 p.m. Tour of TAXI [Mickey Zeppelin, Zeppelin Development]
- 5:45 – 6:15 p.m. Reception
- 6:15 – 7:30 p.m. Dinner
- 7:30 p.m. Return to Table Mountain Inn

Friday, October 26

- 8:00 – 8:30 a.m. Coffee and Continental Breakfast

Technical Session: Smart Water Grids [8:30 – 11:00 a.m.]

- 8:30 – 9:00 a.m. Introduction to Smart Water Grids and Relevance to ReNUWIt [David Sedlak, UC Berkeley and Jörg Drewes, Colorado School of Mines]
- 9:00 – 9:45 a.m. Smart Water Grid Experiences from Industry [IAB members, TBD]
- 9:45 – 10:00 a.m. Smart Grid Lessons Learned from the Power Sector [EPRI]
- 10:00 – 10:20 a.m. Break



10:20 – 10:40 a.m. Smart Water Grid Innovations in Stormwater/Greywater [Marcus Quigley, Geosyntec]

10:40 – 11:00 a.m. Potential Directions of Future ReNUWIt Research in Smart Water Grids [Sedlak, Drewes]

Research Updates [11:00 a.m. – 12:00 p.m.]

11:00 – 11:20 a.m. Efficient Engineered Systems [Tzahi Cath, Colorado School of Mines]

11:20 – 11:40 a.m. Natural Water Infrastructure Systems [Ali Boehm, Stanford University]

11:40 – 12:00 p.m. Urban Systems Integration [Dave Sunding, UC Berkeley]

12:00 – 12:40 p.m. *Lunch Presentation [Water Infrastructure and Supply Efficiency [WISE] Program, Poncelet-Johnson]*

12:40 – 1:00 p.m. Introduction of IAB Subcommittees [Trussell, Poncelet-Johnson]

1:00 – 2:00 p.m. Subcommittee Breakouts
- Communications
- Implementation and Development
- Workforce Development
- SWOT

2:00 – 2:30 p.m. IAB Feedback on Working with ReNUWIt

2:30 – 3:00 p.m. Meeting Summary and Next Steps

3:00 p.m. Adjourn



Matthew Rodriguez
Secretary for
Environmental Protection

California Regional Water Quality Control Board San Francisco Bay Region

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • FAX (510) 622-2460
<http://www.waterboards.ca.gov/sanfranciscobay>



Edmund G. Brown Jr.
Governor

January 24, 2012
CIWQS Place IDs 213875, 219552,
and 270006

Bay Area Clean Water Agencies
Attn: Amy Chastain, Executive Director
P.O. Box 24055
Oakland, California 94623

Dear Ms. Chastain:

SUBJECT: Water Board Support for Nutrient Strategy Development and Implementation

We support the proposal by the Aquatic Science Center and the San Francisco Estuary Institute, *Nutrient Strategy Development and Implementation: A proposal to BACWA and the San Francisco Bay Regional Water Quality Control Board* (revised January 18, 2012), and we appreciate the Bay Area Clean Water Agencies' (BACWA's) support as well. The potential impacts of nutrient discharges on San Francisco Bay water quality in general, and ammonium discharges on Suisun Bay water quality in particular, are of increasing concern and not well understood. We believe this proposal will allow the Water Board and BACWA to take necessary next steps to inform future decisions, and we look forward to working closely with BACWA as we move forward.

Consistent with the proposal, our goal is to collect sufficient information for sound decision-making by February 2016, prior to considering the Central Contra Costa Sanitary District's NPDES permit for reissuance. We understand that the path to reach our goal is uncertain; therefore, we look forward to approaching these studies adaptively and seeking input from scientific experts and others with a stake in San Francisco Bay water quality. We recognize that the scope of future work will depend on the outcomes of our initial efforts. Therefore, we support the overall schedule set forth in the proposal, with the understanding that it could change.

We believe the proposal, which BACWA has agreed to fund, at least initially, provides the certainty we need to ensure that this important work will proceed without delay. Naturally, we assume that BACWA will fund future efforts as roughly outlined in the proposal. If not, we reserve our right and responsibility to require appropriate dischargers to submit necessary information pursuant to California Water Code § 13267. To ensure that adequate progress on the proposal continues through the coming years, we request that routine progress reports be submitted at least annually.

Please use Naomi Feger, the Water Board's Chief of Planning, as BACWA's contact for carrying out the proposal and for the nutrient strategy in general. She is reachable at NFeger@waterboards.ca.gov or 510-622-2328.

Preserving, enhancing, and restoring the San Francisco Bay Area's waters for over 60 years

Sincerely,



Digitally signed
by Bruce Wolfe
Date: 2012.01.24
15:33:15 -08'00'

Bruce H. Wolfe
Executive Officer

Cc: James Kelly, Central Contra Costa Sanitary District
Gary Darling, Delta Diablo Sanitary District
Ronald Matheson, Vallejo Sanitation and Flood Control District
David Senn, Aquatic Science Center / San Francisco Estuary Institute

Permits Committee –
Report to BACWA Board

Reporting Date: 8/16/12
Executive Board Meeting Date: 8/23/12
Committee Chair: Jim Ervin

Committee Request for Board Action: None.

Adoption of Permits/Permit Amendments –

Aug – Pinole-Hercules WPCP, Sewer Authority Mid-Coastside (SAM) - the SAM permit was adopted with less than full possible dilution allowance. However, BACWA opted not to comment since the agency decided not to contest the permit and the specific dilution issue was complex.

Residual Chlorine Meters: Permits Committee is considering two options to address compliance with the chlorine water quality objective of 0.0 while recognizing an on-line continuous meter detection limit. BACWA will propose to Water Board staff an clarification letter to the 2004 chlorine compliance strategy by arbitrarily establishing a continuous meter MDL of 0.05 mg/l. This policy would be protective since 0.05 mg/l free chlorine is well below the toxic threshold. A draft 2008 State Board study of on-line chlorine meters supports this strategy. Jim Ervin sent a copy of the 2008 chlorine meter study to Permits committee members.

Nutrients 13267: The first monthly / bi-monthly nutrient sampling event for all dischargers occurred early in July. The first nutrient 13267 report is due to Water Board in October. Some minor changes to the reporting template have been added. Some dischargers, such as SF Airport and Sonoma County have discovered that their unique combined influent flows or intermittent discharges will require explanation when they file the first quarterly report in October.

Toxicity Policy: Comments on the new draft State Wide Toxicity Policy are due 21 August. BACWA reps met with State Board members Steve Moore, Tam Doduc, and Felicia Marcus on 31 July. BACWA and CASA conference calls have been conducted to organize comments for the 21 August workshop. RMC (Monica Oakley) produced a cost analysis of the proposed policy. Lorien Fono sent a template comment letter to dischargers to help them draft comment letters.

Toxicity Workgroup: A fourth Toxicity Workshop planned as a visit to PERL Labs on 23 August. Some members would like Scott Ogle to discuss use of Zeolite as a technique for removing NH₃ during toxicity tests. PERL labs will also present its findings related to the impact of stalked ciliates on ceriodaphnia in Palo Alto effluent. The toxicity workgroup will continue to develop a generic TRE workplan template and a concept for a TRE expert review panel.

PCBs Reporting and Watershed Permit: The combined Mercury and PCBs Watershed Permit is due for reissuance in December 2012.

- Jim Ervin sent a red-line/strike-out suggested Watershed Permit to Robert in early August.
- Robert Schlipf reviewed POTW Method 1668 PCBs data and provided a summary to BACWA: Based on his evaluation all POTW and industrial dischargers are discharging about 0.8 kg/year. The Watershed Permit allocation is 2 kg/year.
- EBMUD (Francois and Nirmela Arsem) developed an analysis of reporting differences between the different contract labs – Vista and EBMUD.
- Lorien Fono developed an inter-laboratory comparison study of Method 1668 using selected Bay Area POTW effluent samples.
- SFEI (Jay Davis) has determined that PCB 11 is not found in fish tissue. PCB 11 is the most abundant PCBs congener found in some POTW effluents. Water Board staff has suggested that PCB11 could be dropped from POTW PCBs allocations for this reason.

Next BACWA Permits Committee Meeting: Tuesday, September 11th, 2012, at EBMUD Plant Library.

REVENUE AND EXPENSE ACCOUNT SUMMARY

BACWA	2013 Budget	Notes
REVENUES	597,000	No change from 2012 proj
Principals' Contributions	420,000	
Assoc. & Aff. Contributions	162,000	
Other	10,000	Carryforwards to be added later
Interest Income	5,000	
EXPENSES	653,220	
BACWA Committees	212,000	
Collections System	25,000	
Permit Committee	0	Moved to RPM
Water Recycling Committee	10,000	
Biosolids Committee	5,000	
InfoShare Groups	25,000	
Laboratory Committee	7,000	
Misc. Tech. & Reg	140,000	
<i>IRWMP Update assistance</i>	<i>40,000</i>	
<i>Regulatory Program Manager</i>	<i>100,000</i>	
Legal Support	4,000	
Regulatory Support	2,000	
Executive Board Support	2,000	
Collaboratives and Sponsorships	36,500	
CWAA	1,000	
State of the Estuary	20,000	
CPSC	5,000	
PSI	500	
Stanford ERC	10,000	
Communications and Reporting	30,720	
Annual Report	15,000	
Website Development/Maintenance	10,720	
<i>Power DNN</i>	<i>500</i>	
<i>Box.net</i>	<i>720</i>	
<i>Circlepoint (web)</i>	<i>8,000</i>	
<i>Adammer as-needed</i>	<i>1,500</i>	
Other Communications	5,000	
<i>I-contact</i>	<i>2,000</i>	
<i>Media relations support</i>	<i>3,000</i>	
Special Programs	50,000	
Contribution to BAPPG	50,000	
General BACWA Support	43,000	
Contingency	30,000	5% of revenues
Meeting Support	13,000	
<i>EB Meetings</i>	<i>1,000</i>	
<i>Annual Meeting</i>	<i>7,000</i>	
<i>Pardee</i>	<i>5,000</i>	

Administrative Support	277,000	
Executive Director	160,000	Assumes new ED @ 175k
Assistant Executive Director	70,000	
EBMUD Financial Service & Audit	40,000	
Administrative Expenses	3,000	
Insurance	4,000	
TOTAL	(56,220)	Will be funded through reserves or the projected 2012 surplus

CBC	2013 Budget	Notes
REVENUES	451,600	No change
Principals' Contributions	300,000	
Assoc. & Aff. Contributions	150,000	
Interest	1,600	
EXPENSES	521,000	
Technical Support	385,000	
Nutrients	325,000	
<i>SFEI 2012/2013</i>	<i>175,000</i>	
<i>Annual workshop</i>	<i>10,000</i>	
<i>To be determined</i>	<i>140,000</i>	
PCBs/Hg	15,000	Permit Rewrite
Whole Effluent Toxicity	30,000	
<i>Comments on draft policy</i>	<i>20,000</i>	
<i>Implementation Assistance</i>	<i>10,000</i>	
Risk Reduction	15,000	
Collaborations & Sponsorships	65,000	
CWCCG	50,000	
CECs	15,000	
Commun. & Reporting	26,000	
Hg Emissions Report	20,000	
Rate database	6,000	
Contingency	45,000	10% of revenues
TOTAL	(69,400)	Deficit funded through reserves



BACWA EXECUTIVE BOARD ACTION REQUEST

MEETING PACKET ITEM NO. _____

MEETING DATE September 24, 2009

TITLE APPROVE FILE 11,896 RESOLUTION ESTABLISHING FUNDS FOR BACWA UNOBLIGATED FUNDS AND APPROVAL OF FILE 11,897 RESOLUTION FOR WQAS UNOBLIGATED FUNDS.

MOTION _____ RESOLUTION _____

RECOMMENDED ACTION

Approve a resolution establishing funds for BACWA unobligated funds and a resolution for WQAS unobligated funds.

FISCAL IMPACT

Unobligated funds from BACWA and WQAS accounts will be transferred to establish new accounts.

BACWA Unobligated Funds will be transferred to the following accounts in the specified amounts:

- BACWA Training Fund amounting to \$250,000;
- BACWA Legal Reserve amounting to \$300,000;
- BACWA Operating Reserve amounting to \$153,500.

WQAS Unobligated Funds will be transferred to the following accounts in the specified amounts:

- WQAS/CBC Emergency Reserve amounting to \$400,000;
- WQAS Technical Action Fund amounting to \$250,000;
- CBC Operating Reserve amounting to \$162,000.

Balances remaining in the base accounts for BACWA and WQAS will fund the approved BACWA and WQAS/CBC budgets for fiscal year 2009-10, respectively.

At the close of each Fiscal Year, the unobligated and unspent money from that Fiscal Year, upon the close of the books and the completed audit, will be assigned to the BACWA Operating Reserve and the Clean Bay Collaborative Operating Reserve.

SUMMARY

At the close of each fiscal year since 1984 for BACWA and 2001 for WQAS, contributions have exceeded expenses resulting in the accumulation of unspent and unobligated funds in the base accounts for BACWA and WQAS. These resolutions allow for the creation of new accounts with these unspent funds. Funds in these new accounts can only be used when authorized a by BACWA Executive Board approval of a proposal, in the form of a Board Action Request, which defines the emergency, explains

Submitted By:

<p>_____ David W. Tucker, BACWA Executive Board Chair _____</p>

Contact the BACWA AED with questions about completing or submitting this form.

how the use of the funds is consistent with the BACWA Strategic Plan and the JPA, and specifies how the use of the funds will provide general benefits for BACWA members.

DISCUSSION

In October of 2008, the BACWA Executive Board began a strategic planning process. The BACWA Strategic Plan that was adopted on April 23, 2009, provided the basis for the development of the Business Plan. The BACWA and WQAS/CBC budgets for fiscal year 2009-10 were created in alignment with the objectives and priorities described in the Business Plan and approved by the BACWA Executive Board on May 28, 2009. The BACWA Committee Chairs and Finance Committee provided valuable feedback throughout the development of these plans and budgets. Although the establishment of these funds was not included in approved FY09-10 BACWA and WQAS/CBC budgets, the use of unobligated funds was discussed throughout the budget creation process. It has been the intention of the Board, at the recommendation of the Finance Committee, to create these accounts at the close of fiscal year 08-09. As indicated in the approved budgets a "BACWA Fund Transfer to Base Program" will obligate \$32,835 of the BACWA Operating Reserve to the BACWA 09-10 Budget, and a "WQA Fund Transfer to CBC" will designate \$88,815 of the CBC Operating Reserve for the WQAS/CBC 09-10 Budget.

The BACWA resolution proposes establishing the following separate funds with these accumulated monies that are intended to provide benefit to all BACWA members and be consistent with the Strategic Plan and the Joint Powers Agreement:

- **The BACWA Training Fund:** A fund to provide member workshops, specialized training, or participation in special programs or pursuits that are consistent with the BACWA mission and values;
- **The BACWA Legal Reserve:** A fund that allows BACWA to pursue a BACWA legal action or to participate in a large legal action focused on an issue or item of general interest to the BACWA membership;
- **The BACWA Operating Reserve:** A fund that can be used to augment the operating budget either to support a special program, support committees, or undertake some activity that was not contemplated at the time that the operating budget was developed, but is entirely consistent with the Strategic Plan and a item of general interest to the BACWA membership. This account allocates the remaining unobligated money in the BACWA account after the BACWA Training Fund and the BACWA Legal Fund have been set up at the close of FY 2008-09

The WQAS resolution proposes establishing the following three separate funds with these accumulated funds that are intended to provide benefit to all BACWA members and comply with the requirements of the NPDES permits:

- **The Unrestricted Water Quality Attainment Strategy/Clean Bay Collaborative Emergency Reserve:** would be available for any unplanned strategy development or program, legal analysis or action that could not wait until the following fiscal year to begin; and

APPROVE ADOPTION OF UNSPENT FUNDS RESOLUTIONS

September 24, 2009

Page 3 of 3

- **The Water Quality Attainment Technical Action Fund:** would be a special fund for BACWA Projects outside of the collaboration with the Water Board and could include special data analyses, research projects, reports or publications; and
- **Clean Bay Collaborative (CBC) Operating Reserve:** would provide funding for CBC projects that were in progress but needed additional resources, or for projects that were not planned for that particular fiscal year but for any number of reasons must be started and for which funding is not available out of the regular annual budget for the CBC. This account allocates the remaining unobligated money in the WQAS account at the close of the FY 2008-09 after the CEP is fully closed out and the funds are fully distributed to BACWA and BASMAA, and after the Unrestricted Water Quality Attainment Emergency Fund Reserve and the Water Quality Attainment Technical Action Fund have been established.

ALTERNATIVES

One alternative would be to not adopt the one or both resolutions, request further revisions, and put it on the agenda for Board approval in October. This is not recommended because the proposed version is consistent with the recommendations made by the Board at the Budget Workshop on May 15, 2009 and postponing adoption of these resolutions could delay execution of agreements that would rely on these funds.

Attachments:

11,896 BACWA Unspent Funds Resolution

11,897 WQAS Unspent Funds Resolution

BAY AREA CLEAN WATER AGENCIES

Resolution No. 11,896

RESOLUTION ESTABLISHING THE BACWA TRAINING FUND, LEGAL RESERVE AND OPERATING RESERVE FUNDS FROM BACWA UNOBLIGATED MONEY

WHEREAS, Every year, in accordance with the Joint Power Agreement (JPA) that established BACWA in 1984, BACWA develops an Annual Budget that includes revenues from the signatory agencies and the associates and affiliates member agencies, and BACWA develops an Operating Budget that allocates these revenues across programs of general benefit including the administration of BACWA; and

WHEREAS, Over at least the last five years the BACWA budget has not been fully spent, leaving unspent monies and unobligated monies to accumulate in the BACWA account where it has collected interest; and

WHEREAS, These unspent and unobligated funds are the accumulation of contributions from members and have always been intended to implement the purposes of the JPA and have always been intended to support programs of general interest; and

WHEREAS, The Strategic Plan as adopted by the BACWA Board on April 23, 2009 includes a mission statement, core values, and commitments and goals for BACWA, all of which are consistent with the purposes of BACWA as stated in the JPA; and

WHEREAS, BACWA proposes establishing the following separate funds with these accumulated monies that are intended to provide benefit to all BACWA members and be consistent with the Strategic Plan and the Joint Powers Agreement:

The BACWA Training Fund: A fund to provide member workshops, specialized training, or participation in special programs or pursuits that are consistent with the BACWA mission and values;

The BACWA Legal Reserve: A fund that allows BACWA to pursue a BACWA legal action or to participate in a large legal action focused on an issue or item of general interest to the BACWA membership;

The BACWA Operating Reserve: A fund that can be used to augment the operating budget either to support a special program, support committees, or undertake some activity that was not contemplated at the time that the operating budget was developed, but is entirely consistent with the Strategic Plan and a item of general interest to the BACWA membership.

NOW, THEREFORE, BE IT RESOLVED that the Executive Board of BACWA hereby establishes:

1. The BACWA Training Fund to which is allocated \$250,000 out of the unobligated money in the BACWA account. The money in the Training Fund can only be used for training purposes based on a proposal presented to the BACWA Board in the form of a Board Action Request that shows how the use of the training fund is consistent with the BACWA Mission and Strategic Plan and is of general interest to the members; and
2. The BACWA Legal Reserve to which is allocated \$300,000 out of the unobligated money in the BACWA account. The money in the Legal Fund can only be used for legal issues and actions which the BACWA Board agrees, in a closed session meeting at which a finding is made that the use of these funds provides benefits across the general membership of BACWA, to pursue; and
3. The BACWA Operating Reserve to which is allocated the remaining unobligated money in the BACWA account after the BACWA Training Fund and the BACWA Legal Fund have been set up at the close of FY 2008-09; and
4. At the close of each Fiscal Year, the unobligated and unspent money from that Fiscal Year, upon the close of the books and the completed audit, will be allocated to the BACWA Operating Reserve.

CERTIFICATION

The undersigned Secretary of the Bay Area Clean Water Agencies hereby certifies that the foregoing Resolution was duly adopted at a noticed meeting of the Executive Board of the Bay Area Clean Water Agencies held on September 24, 2009.

By:  _____

BAY AREA CLEAN WATER AGENCIES

Resolution No. 11,897

RESOLUTION ESTABLISHING UNRESTRICTED WATER QUALITY ATTAINMENT STRATEGY EMERGENCY RESERVE, WATER QUALITY ATTAINMENT STRATEGY TECHNICAL ACTION FUND, AND CLEAN BAY COLLABORATIVE OPERATING RESERVE FROM WQAS UNOBLIGATED MONEY

WHEREAS, San Francisco Bay Region NPDES permits issued after 1999 require individual publicly owned treatment plants (POTWs) that discharge to the San Francisco Bay watershed to contribute to the development of Total Maximum Daily Loads and Water Quality Attainment Strategies (WQAS); and

WHEREAS, In 2001 the Clean Estuary Partnership (CEP) was formed to develop TMDLs and WQAS and BACWA agreed to collect the individual POTW contributions to this program; and

WHEREAS, For each of the fiscal years 2001-02; 2002-03; 2003-04; 2004-05; 2005-06; 2006-07; 2007-08 BACWA collected \$600,000 from the Bay Area POTWs, of which between \$455,000 and \$475,000 were contributed each year to the Clean Estuary Partnership and the remaining funds were held by BACWA in a WQAS fund to support BACWA initiated water quality studies and strategies (see attachment A); and

WHEREAS, The Bay Area Stormwater Management Agencies Association and the Western States Petroleum Association also contributed to the CEP; and

WHEREAS, Over the years that the CEP operated, the full budget was not fully spent and often the full amount obligated in contracts was not spent, leaving unspent monies and unobligated monies to accumulate in the CEP account where it has collected interest; and

WHEREAS, These BACWA WQAS funds that were not fully spent and the unspent CEP funds that were given back to BACWA have accumulated in an account and collected interest; and

WHEREAS, In 2008, completed CEP contracts were closed out to free up unspent funds and together with CEP unobligated funds were redistributed to BASMAA and BACWA; and

WHEREAS, The last CEP project will be completed in the summer of 2009 allowing for the final close out and distribution of any money remaining in the CEP account to BACWA, which were deposited by BACWA in the WQAS account, and BASMAA; and

WHEREAS, BACWA has accumulated contributions to the WQAS fund from members and these contributions have always been intended to meet the needs of the NPDES permit requirements, to participate in the development of TMDLs and Water Quality Attainment Strategies, and to protect the interest of BACWA members and other POTWs in the Bay Region; and

WHEREAS, BACWA proposes establishing the following three separate funds with these accumulated monies that are intended to provide benefit to all BACWA members and comply with the requirements of the NPDES permits:

- **The Unrestricted Water Quality Attainment Strategy/Clean Bay Collaborative Emergency Reserve:** would be available for any unplanned strategy development or program, legal analysis or action that could not wait until the following fiscal year to begin; and
- **The Water Quality Attainment Technical Action Fund:** would be a special fund for BACWA Projects outside of the collaboration with the Water Board and could include special data analyses, research projects, reports or publications; and
- **Clean Bay Collaborative (CBC) Operating Reserve:** would provide funding for CBC projects that were in progress but needed additional resources, or for projects that were not planned for that particular fiscal year but for any number of reasons must be started and for which funding is not available out of the regular annual budget for the CBC.

NOW, THEREFORE, BE IT RESOLVED that the Executive Board of BACWA hereby establishes:

1. The Unrestricted Water Quality Attainment Strategy Emergency Reserve and allocates \$400,000 out of the unobligated money in the WQAS account. The Emergency Reserve can only be used with approval by the BACWA Board of a proposal, in the form of a Board Action Request, that defines the emergency, how the use of the funds is consistent with the BACWA Strategic Plan and the JPA, and how the use of the funds will provide general benefits for BACWA members; and
2. The Water Quality Attainment Technical Action Fund and allocates \$250,000 out of the unobligated money in the WQAS account. The Technical Action Fund can only be used with approval by the BACWA Board of a proposal, in the form of a Board Action Request, that details a specific technical project and provides an analysis that shows how this technical project will provide benefits across the general membership of BACWA; and
3. The Clean Bay Collaborative Operating Reserve and allocates the remaining unobligated money in the WQAS account at the close of the FY 2008-09 after the CEP is fully closed out and the funds are fully distributed to BACWA and BASMAA, and after the Unrestricted Water Quality Attainment Emergency Fund Reserve and the Water Quality Attainment Technical Action Fund have been set up; and
4. At the close of each Fiscal Year, the unobligated and unspent money from that Fiscal Year, upon the close of the books and the completed audit, will be assigned to the Clean Bay Collaborative Operating Reserve.

CERTIFICATION

The undersigned Secretary of the Bay Area Clean Water Agencies hereby certifies that the foregoing Resolution was duly adopted at a noticed meeting of the Executive Board of the Bay Area Clean Water Agencies held on September 24, 2009.

By:  _____