



Regulatory Program Manager's Report to the Board

October 18 – November 28, 2012

Prepared for the November 29, 2012 Executive Board Meeting

WATERSHED PERMIT REISSUANCE/PCB DATA: Met with Regional Board staff to go over their response to comments prior to the release of the next draft TO. Facilitating discharger-led interlaboratory study and efforts to obtain data from previous studies. BACWA lab committee members have also convened workgroup to improve method protocol.

DRAFT POLICY FOR TOXICITY ASSESSMENT AND CONTROL: Policy adoption is delayed until February State Board meeting. Continued to investigate different options for dropping acute toxicity from permits once Toxicity Policy is adopted and convened workgroup to address acute toxicity and IWC. Discussed alternatives with toxicity lab staff at member agencies. Discussed the impact of phasing on Region 2 with CASA.

CECs: Will coordinate efforts to begin article for the Pulse on Region 2 CEC prevention and control efforts. Working with CASA to guide how Blue Ribbon panel CEC monitoring recommendations are implemented.

STATE BOARD REALIGNMENT: Participated in conference call with NPDES stakeholder leads to work out framework of response. Solicited volunteers from permits and lab committees to participate in initiative.

MEETINGS ATTENDED: Resource Alignment Teleconference (10/24), RMP Steering Committee (10/29), Pardee Technical Seminar(11/5-7), Tri-TAC (11,8), Permits Committee (11/13), Lab Committee (11/14), NNE Stakeholder workshop (11/19), Meeting with RB staff on Watershed TO (11/19).

NEXT MONTH

- Toxicity: Work with CASA on phasing proposal. Meet with RB staff to role out acute/IWC Region 2 package.
- Adoption of Hg/PCB Watershed TO. Will put together 1-pg summary on risk reduction for summit partners meeting.
- Coordinate efforts on CECs – Pulse article and outcome of Blue Ribbon Panel Recommendations
- Help TED coordinate Annual Meeting



CHAIR AUTHORIZATION REQUEST

FILE NO.: 12,836

DATE: October 24, 2012

TITLE: Chair Authorization for Agreement with Univision for BAPPG FOG Outreach, Hispanic Radio Public Service Announcements

RECOMMENDED ACTION

BACWA Chair authorization for an agreement with Univision, in an amount not to exceed \$8,000, to air radio ads, online streaming ads, and public service announcements about proper FOG disposal during the period of October 31, 2012 – June 30, 2013.

SUMMARY

This BAPPG project will air 112 paid radio and audio streaming ads, and 90 free public service announcements (PSAs) in Spanish informing Bay Area residents about proper FOG disposal through January 1, 2012. The stations may be able to air additional PSAs as the broadcast schedule permits.

This project is in the BAPPG fiscal year 2012-2013 workplan and budget approved by the BACWA Executive Board.

This project will be managed by Sharon Newton of the City of San José.

FISCAL IMPACT

This project is included in the approved Fiscal Year 2012-2013 BAPPG budget and workplan, and sufficient funds are available for this work.

ALTERNATIVES

This action does not require consideration of alternatives.

Attachments:

1. Univision BAPPG FOG 2012-13, 12,836 Scope of Work

Project Scope for FY 2012/13

Title	HISPANIC RADIO OUTREACH (emphasis on Fats, Oils, & Grease)
Purpose	Presentation of behavior and awareness messages about FOG disposal to Bay Area Hispanic audiences.
Background	<ul style="list-style-type: none"> • Bay Area Hispanic audiences constitute 22% of the Bay Area population. • Outreach to Hispanic audiences requires specialized language and cultural skills. • Products developed and services implemented through BAPPG's Hispanic Radio Outreach project provide these specialized services at significant savings for BAPPG members.
Scope	<ul style="list-style-type: none"> • 119 paid spots (67 radio and 52 online) with a guarantee of 90 free PSAs throughout the broadcast schedule of Thanksgiving week and the 2 weeks around the end-of-year holidays. • Possible – additional free PSAs worked into the broadcast schedule. • Possible – post Baywise web banner on the Univision web page and feature FOG information provided by BAPPG on the Univision Facebook page.
Products	1.) Final report produced by Univision.
Budget	\$8,000
Project Champion	Sharon Newton, City of San José



BACWA TASK AUTHORIZATION FOR AS-NEEDED SERVICES

The Bay Area Clean Water Agencies (BACWA) uses contract consultants to carry out all of its functions. To ensure that the agency can be flexible and responsive, it engages some consultants on an “as-needed” basis, meaning that work is performed only when requested. When completed, this form constitutes approval of a new task under an existing “as-needed” contract. BACWA policies require the Executive Director to approve all tasks under \$5,000; the Chair to approve all tasks over \$5,000 but below \$10,000; and the Executive Board to approve all tasks over \$10,000. The consultant, the Executive Director, and the Assistant Executive Director shall work together to complete/update this form as tasks are authorized. No work shall begin on any task until this form has been completed.

Consultant: RMC

Contract Number: 12,733

Contract Amount: \$20,000

	Date Approved	Amount Approved	Description	Budget Line	Amount Spent	Approved By
1.	7/17/12	\$4,950	Toxicity Policy Cost Estimate	CBC Tech	\$4,941.23	JMK
2.	8/17/12	\$4,970	SSS WDR MRP Amendment Response	CBC Other/ Contingency	\$4,928.29	JMK
3.	11/16/12	\$1,500	NPDES Permit Petition Assistance	CBC Other/ Contingency	\$0	JMK
4.						
	BALANCE	\$8,580.00		TOTAL	\$9,869.52	

Attachments (*attach longer descriptions if appropriate*):

1. Scope for Task Authorization No 3.

Bay Area Clean Water Agencies
Professional Services by RMC Water and Environment

Task Authorization No. 3: NPDES Permit Petition Assistance

Scope of Work

November 16, 2012

The Bay Area Clean Water Agencies (BACWA) desires to remove certain NPDES Permit petitions from abeyance with the State Water Resources Control Board because issues have been resolved. Under this Task Authorization, RMC will assist the Executive Director in compiling information and conducting activities to (1) determine which petitions to remove from abeyance, (2) assist with communications for applicable BACWA members, and (3) prepare documentation to support the removal of petitions from abeyance. Activities under this task will be conducted as directed by the BACWA Executive Director and as budget permits.



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 8

FILE NO.: N/A

MEETING DATE: November 29, 2012

TITLE: Appointment of BACWA Representatives to Aquatic Science Center Board

☒ MOTION _____ ☐ RESOLUTION _____

RECOMMENDED ACTION

Take the following actions for BACWA participation on the Aquatic Science Center (ASC) Board:

- 1) approve the recommendation made at Pardee, to designate Laura Pagano and Dave Williams as BACWA Representatives to the ASC Board;
- 2) approve the recommendation made at Pardee, to designate and Kirsten Struve and Jim Ervin as BACWA Alternates to the Aquatic Science Center Board.
- 3) designate a third alternate, if necessary.

SUMMARY

The ASC is a Joint Powers Authority created by the State Water Resources Control Board and the BACWA to assist with the efficient delivery of financial, scientific, monitoring, and information management support functions for the Bay Area. 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 the BACWA Board was asked to consider making changes to their representation. Under the new structure BACWA has agreed to allocate one of their seats to the Sacramento Regional County Sanitation District and needs to determine who will serve as their remaining two representatives and alternates. Currently BACWA is represented by Dave Williams, Kirsten Struve and Laura Pagano.

At the BACWA Board Meeting of September 27, the BACWA Board deferred action on naming its Aquatic Science Center (ASC) Board members, and requested that the matter be agendized for the October 25th meeting. The matter was agendized for the October 25th meeting, where it was deferred to be discussed at the Pardee Technical Seminar, so that more time could be devoted to discuss other opportunities BACWA members have to participate in the ASC and the Regional Monitoring Program (RMP). The matter was discussed at the Pardee Technical Seminar and, at the Board's request, the matter is agendized for consideration. At Pardee it was recommended that Dave Williams and Laura Pagano should continue to serve as the BACWA Representatives, with Jim Ervin and Kirsten Struve as Alternates. It is unclear whether BACWA needs to designate a third alternate.

FISCAL IMPACT

This action has no fiscal impact.

ALTERNATIVES

This action does not require consideration of alternatives.



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 9

FILE NO.: 12,854

MEETING DATE: November 29, 2012

TITLE: Approve agreement with LWA for Nutrient Framework Development support, not to exceed \$15,000 in FY 2012-13; File 12,854

☒ MOTION

☐ RESOLUTION

☐ DISCUSSION

ACTION UNDER CONSIDERATION

Execute an agreement with Larry Walker Associates (LWA) to provide an evaluation of the Nutrient Watershed Permit Concept in an amount not to exceed \$15,000 for Fiscal Year 2012-13.

SUMMARY

At the Pardee Technical Seminar on November 6, 2012, the Board listened to and discussed a presentation by LWA on Nutrient Watershed Permit Concepts. Based on that presentation and discussion, BACWA presented the Nutrient watershed Permit to the RWQCB on the following day, with the concept that we were brainstorming ideas. The RWQCB indicated the current permit-by-permit approach was working, although they have been considering how a TMDL-like approach would work. They had not considered a Nutrient Watershed Permit to date; they asked some clarifying questions, and asked if we had considered some potential risks. As a result, BACWA agreed to have a concept paper prepared that evaluated the pros and cons the current permit-by-permit approach, a TMDL-like approach, and the Nutrient Watershed Permit approach.

The proposed "Comprehensive Evaluation of the Nutrient Watershed Permit Concept" will address questions and concerns raised by BACWA Board members and Regional Water Board staff at the Pardee Technical Seminar, and subsequent to the Pardee Meeting. The Evaluation will also further define the permitting options to ensure BACWA members know what may be expected under each alternative.

LWA is proposed to conduct this effort, with assistance and direction from the IED and the RPM. The Scope of Work (Attachment 1) proposes to conduct the work in two steps:

- Prepare Draft Evaluation of Watershed Permit Concepts and revise after review (Estimated cost: \$7,000)
- Present Concept Paper to BACWA Board and revise memo to respond to comments (Estimated Cost: \$4,000)

Also, the LWA attendance and presentation at the October 25, 2012 BACWA Board Meeting and at the Pardee Technical Seminar was not in the first approved Scope, and they are requesting that be added to this Scope (\$3,000).

FISCAL IMPACT

Funding Option 1

BACWA has an existing contract with LWA for As Needed Technical Support funded by the BACWA and CBC Fiscal Year 2012-13 budgets. The original contract value is \$15,000 and to date, no tasks have been authorized under this agreement. The BACWA Board could authorize use of this existing

contract for the attached scope of work, leaving \$0 remaining on the LWA As Needed service agreement for the rest of the fiscal year.

Funding Option 2

The BACWA Board could authorize execution of new agreement with LWA for this work. The \$15,000 in the current LWA As Needed agreement would not be used for this work and would remain available for tasks that may arise through the end of the fiscal year (June 30, 2013).

ALTERNATIVES

This action is consistent with BACWA's contracting policy and does not require a consideration of alternatives.

Attachments:

1. Scope of Work and Rate Sheet

Attachment 1

Comprehensive Evaluation of the Nutrient Watershed Permit Concept Proposed Scope of Work

Task 1 – LWA will prepare a draft memo that describes advantages and disadvantages, addresses RWQCB/BACWA questions/concerns and furthers the thinking regarding the following regulatory approaches:

- Individual NPDES Permits with MOU
- Watershed Permit with MOU
- Watershed Permit with BPA
- TMDL-Like Action with BPA (Implemented under either a Watershed Permit or Individual Permits)

This draft memo would build off the work completed to-date by LWA and HDR, notes from Pardee Technical Seminar, and subsequent conversations with RWQCB Staff and BACWA principals and representatives.

Each approach will be described in greater detail to explain the possible benefits of implementation (PRO Analysis). The factors considered in the PRO Analysis will include structure, timing(s), efficiencies to be achieved, permit contents, opportunities for pooling special study resources, commitments by regulated and regulatory agencies, protection from unachievable regulatory requirements, exit strategies, prospects for total or partial agency participation, approach for engaging BACWA Associate members, and ability to address common SF Bay issues and sub-regional issues.

Questions and concerns raised in recent meetings by RWQCB staff and NPDES Permittees will also be addressed (CON Analysis) as well as those raised by this Task. The questions/concerns considered in the CON analysis will include equitable cost sharing, increased costs, loss of local agency control, increased demand on staff resources, risk of pursuing the concept, uncertainty of EPA/SWRCB approvals, detours caused by 3rd party intervention, ability to change course, sub-regional issues, and others as identified.

The draft memo will be submitted to the BACWA Principals and representatives for review. LWA will incorporate comments into a final draft for consideration by the BACWA Executive Board.

Cost Estimate: \$7,000

Task 2 – LWA will present the final draft memo findings to the BACWA Executive Board, address Executive Board concerns/questions, and finalize memo for submittal to RWQCB staff. LWA will attend two meetings to discuss the draft and final memo.

Cost Estimate: \$4,000

Presentation Services and Expenses – The work effort for the “Comprehensive Evaluation of the Nutrient Watershed Permit Concept” is estimated at \$11,000. In addition, LWA incurred un-scoped costs of approximately \$3,000 to make a presentation at the October 25, 2012 BACWA Board Meeting and to make a presentation at the November 6, 2012 Pardee Technical Seminar.

Cost Estimate: \$3,000

LARRY WALKER ASSOCIATES

Rate Schedule

Effective July 1, 2011 – June 30, 2013

PERSONNEL

**Rate
\$/Hour**

Principals

Ashli Cooper Desai	\$244.00
Tom Grovhoug	\$256.00
Larry Walker	\$256.00
Mack Walker	\$244.00
Brian Laurenson	\$244.00

Associates

Karen Ashby	\$225.00
Denise Connors	\$225.00
Betsy Elzufon	\$225.00
Chris Minton	\$225.00
Mitch Mysliwec	\$225.00
Claus Suverkropp	\$225.00

Senior Staff

Kristine Corneillie	\$198.00
Karen Cowan	\$198.00
Diana Engle	\$198.00
Sandy Mathews	\$198.00
Mike Troughon	\$198.00
Rebecca Winer-Skonovd	\$198.00
Gorman Lau	\$198.00

Project Staff

Alina Constantinescu	\$175.00
Rachel Warren	\$175.00
Airy Krich-Brinton	\$160.00
Kate Lundberg	\$160.00
Michael R. Marson	\$160.00
Hope M. Taylor	\$160.00
Amy Storm	\$160.00
Jeff Walker	\$160.00
Michelle Boeckx	\$140.00
Kathryn Walker	\$140.00
Steve Maricle	\$140.00
Reni Keane-Dengel	\$140.00
Jeannette Sager	\$140.00
Bryant Alvarado	\$140.00
Patrick Wong	\$140.00
Danielle Moss	\$140.00
Amber Shiau	\$130.00
Greg Reide	\$105.00
Alyssa Glimm	\$75.00
Adriana Stovall	\$75.00
Mashon Jones	\$75.00

REIMBURSABLE COSTS

Travel:

Local mileage	• Current IRS rate
Transportation	• Actual expense
Auto rental	• Actual commercial rate
Fares	• Actual expense
Room	• Actual expense
Subsistence ⁽¹⁾	• 48.00 per day

The rate for each meal as follows: ⁽¹⁾

Breakfast	\$9.00
Lunch	\$13.00
Dinner	\$21.00
Incidentals	\$5.00

Report Reproduction and Copying:

- Actual outside expense
- \$0.08 per black and white copy, in-house
- \$0.89 per color copy, in-house
- \$1.95 per binding, in-house

Special Postage and Express Mail:

- Actual expense

Other Direct Costs:

- Actual expense

Daily Equipment Rental Rates:

- Special equipment – negotiated by project
- All single parameter field meters (pH, EC, D.O., Turbidity) \$25.00 each
- Multi-parameter field meters \$35.00
- Peristaltic Sampling Pump \$35.00
- Professional grade GPS unit \$25.00
- Digital Flow Meter \$45.00
- Digital Fluorometer \$45.00
- Multi-parameter Data Sonde (with telemetry)
 - first day \$200.00
 - each additional day \$40.00

Subcontractors:

Actual expense plus 10% fee

Note: ⁽¹⁾ Charged when overnight lodging is required.



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 10

FILE NO.: 12,680

MEETING DATE: November 29, 2012

TITLE: Approve revised scope of work for existing agreement with SFEI for Nutrient Strategy Development support in FY 2012-13; File 12,680

☒ MOTION

☐ RESOLUTION

☐ DISCUSSION

ACTION UNDER CONSIDERATION

Approve revised scope of work to reallocate funds in the existing agreement with the San Francisco Estuary Institute (SFEI) to provide Nutrient Strategy Development assistance in Fiscal Year 2012-13.

SUMMARY

At the Pardee Technical Seminar, Dave Senn presented a summary of SFEI's work to date on Nutrients in the San Francisco Bay and Suisun Bay in particular. He also presented recommended next steps, which included, synthesizing data from the Lower South Bay, additional Suisun Bay Synthesis on N:P, NH₄:NO₃ and ecological stoichiometry (and how this might apply Bay-wide), and developing a box model approach to apply in Suisun Bay and Lower South Bay that would allow for quantitative synthesis and lay necessary groundwork for modeling the entire bay. Also, the BACWA Board suggested developing a decision tree that would describe how the proposed study plan, and more broadly the overarching Nutrient Strategy, will inform key management decisions and assist in prioritizing on-going studies. Dave Senn also stated that there were enough funds to complete the current Suisun Bay Synthesis by the end of this December, and that there was \$115,000 of funds that have been earmarked for modeling, but work was not expected to begin on the Modeling effort until mid to late February, 2013. This presents BACWA with an opportunity to start the recommended next steps and the decision tree now.

To facilitate starting the next steps now, Dave Senn was asked to prepare a Scope of work for the next steps (see attachment) that could initially be funded from the \$115,000 of BACWA funds that were earmarked for Modeling. The attached scope is divided into two sections:

- Part 1 develops the scopes for the detailed studies, which is estimated to cost \$15,000 and
- Part 2, which is the detailed work, is currently estimated at ~\$537,000.

The Board is being asked to approve Part 1 today and to reallocate \$15,000 from the funds earmarked for modeling to fund this effort. It is anticipated that Part 1 will be completed by mid-January, and authorization and funding for Part 2, in part or in whole, would be considered at that time.

FISCAL IMPACT

This action has no direct fiscal impact since funds have already been obligated in the original agreement and this is only a request to reallocate those funds to a revised scope of work. Part 2 could require use of reserves.

ALTERNATIVES

This action does not require a consideration of alternatives.

Attachments: Scope of Work

ATTACHMENT

Scope of work Developing Next Steps

Part 1: Develop scopes of work consistent with priority science needs, through discussions with BACWA, Regional Board, other stakeholders, and science collaborators.

Cost: up to 15k

Schedule: Completion by Mid-January

Note: Developing the Scope of Work will include to some degree working toward the deliverables, including searching for reports and datasets and narrowing down specific aims, which will ultimately shape the deliverables and the final product.

1.a Decision Tree scope:

Meet with BACWA and Regional Board to identify major management questions and considerations, and identify approach for developing decision tree, and appropriate deliverable(s) for informing/directing next steps.

1.b Lower South Bay (LSB) Synthesis scope:

1.b.i Meet with LSB dischargers, BACWA, and Regional Board to identify major topics/issues, management questions, historical and recent data sets or reports from the discharge and receiving water side.

1.b.ii Meet with USGS-Menlo Park to identify data availability for water quality measurements and for benthos.

1.b.iii Meet with USGS-Sac to obtain dissolved O₂ data from Dumbarton and elsewhere in LSB

1.b.iv Develop/revise scope.

1.c Suisun Synthesis II scope:

1.c.i Meet with Regional Board, BACWA, IEP, and other stakeholders to clarify critical synthesis/review needs related to N:P, NH₄:NO₃ and ecological stoichiometry ideas.

1.c.ii Identify potential expert co-author(s) for reviewing the ecological stoichiometry literature, literature on nutrients selecting for phytoplankton community composition and variations in cellular N:P in individual species.

1.c.iii Meet with regional experts (J Cloern, A Jassby, W Kimmerer, R Kudela) to identify possible approaches for analyzing Suisun Bay and Delta data, including phytoplankton community composition, to rigorously/statistically test competing explanations for shifts in phytoplankton community composition.

1.c.iv Develop/revise scope

1.d LSB and Suisun nutrient/phytoplankton modeling scope: Tools for quantitatively synthesizing data, assessing relative importance of major processes (light limitation, clam grazing, flushing, NH₄ inhibition, and other stressors), sensitivity analysis and parameterization to inform larger model development, analyzing basic future scenarios.

(note: not included in the above cost estimate...approx. additional 5k for scope development for this, which can be covered by RMP model planning funds)

1.d.i Meet with Regional Board, BACWA, and other groups to narrow list of management questions and spatial/temporal scales.

1.d.ii Meet with regional scientists (biogeochemists/phytoplankton ecologists, and hydrodynamicists) to translate management questions into modeling needs, and the hydrodynamic and biogeochemical components that need to be included to achieve modeling goals.

1.d.iii Develop/revise scope

Part 2: Carrying out detailed projects scoped above

Note: Estimated costs are very rough and just meant to convey an initial ballpark estimate of the amount of effort that would be involved. Refined cost estimates come out of scope development.

2.a Decision tree

Timeline = January-March, 2013

Rough cost estimate = 12k

2.b Lower South Bay synthesis

Timeline = February-July, final = August, 2013

Estimated cost = 75k

2.c Suisun Synthesis II

Timeline = March-October, 2013, final = December

Rough cost estimate = 100k

2.d Develop and apply models for LSB and Suisun

Timeline = February 2013-January 2014

Rough cost estimate = 350k (150k model development, 200k SFEI staff time for calibration/sensitivity analysis, and scenario analysis)



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 11

FILE NO.: N/A

MEETING DATE: November 29, 2012

TITLE: Sewer Service Charge Survey

☒ DISCUSSION

☐ MOTION

☐ RESOLUTION

RECOMMENDED ACTION

Review support provided by Paul Causey to maintain the BACWA Sewer Service Charge Survey and discuss opportunities to expand his services.

SUMMARY

At the August 23rd BACWA Executive Board meeting the BACWA Board requested that Paul Causey attend an upcoming fall Board meeting and provide briefing from on the Sewer Service Charge Survey he administers. A summary of the BACWA survey is shown on Attachment 1. Paul also requested the NACWA survey be provided to the Board (Attachment 2). Attachment 2 shows how BACWA might expand the value of the survey. These two attachments will be the basis of Paul's presentation.

FISCAL IMPACT

This action has no fiscal impact as this is currently a discussion item only.

ALTERNATIVES

This action does not require consideration of alternatives.

Attachments:

1. BACWA Sewer Service Charge Survey Program Description, November 2012
2. NACWA 2012 Service Charge Index

Bay Area Clean Water Agencies Sewer Service Charge Survey Program Description

November 2012

The BACWA Sewer Service Charge Survey is a monthly survey of 127 municipal and special district agencies that impose sewer services charge on their customers and businesses in the greater San Francisco nine County Bay Area. In addition, twenty-six (26) consultants and regulators also receive copies of the survey after requesting to be placed on the distribution list. The survey provides comparative information, submitted voluntarily, by each agency of their monthly single-family residential charges, monthly property tax revenues, number of single-family residential connections and the single-family residential connection fee.

The survey also includes information regarding the county of operation, the treatment agency responsible for treating the agencies wastewater and the effective dates for all charges and fees. The survey is an EXCEL based spreadsheet that allows for the review, evaluation and use of the data by all participants of the survey. The EXCEL spreadsheet allows the user to select and reduce the data to include agencies or services of particular interest such as by county, by agency names or by full or satellite services using the filter functions of EXCEL.

The survey has been prepared monthly basis since the early 1990s when the survey was supported by a one of the survey agencies. The last agency to voluntarily support the survey preparation was the City of Redwood City. This was prior to a decision by the BACWA Board to continue the survey when the Redwood City representative was unable to solicit voluntary support from any of the other survey agencies. BACWA has been providing the management and administration of the survey since August 2011.

Because the survey is voluntary, BACWA includes a strong disclaimer of the information and substance of the survey as follows:

This survey tool does not replace or in anyway function as a substitute for the annual survey of agencies' treatment works that is compiled by the State Water Board. This survey tool is strictly a benchmarking tool with voluntary participation by agencies and the information contained in this survey is provided by the participating agencies. The Bay Area Clean Water Agencies (BACWA) provides no warranty, expressed or implied, including the warranties of merchantability and fitness for a particular purpose, as to the accuracy, reliability or completeness of data or content that is contained in this survey tool. BACWA neither guarantees nor assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information or content contained in this survey tool. For more detailed information about the rates or fees of a specific agency, please contact the agency directly.

The information in the survey receives no manipulation or evaluation prior to the monthly distribution other than the update of individual agency information as reported to the Administrator after approval of changes by the Boards or Councils of the individual agency.

Recently, the Survey Administrator has been asked to begin the development of a library of agency documents related to the ratemaking and rate setting processes. The documents currently accumulated include Proposition 218 notices, rate resolutions, rate ordinances and sewer service charge evaluations and reports. These documents have yet to be made available to all agency participants but will remain in the library until technical details are developed regarding the sharing procedures for these documents.

The Administration and Management Services by Causey Consulting are provided on a time and materials basis at a rate of \$75.00 per hour and generally require 3 to 5 hours per month for the mechanical update and transmittal of the survey to all participants. The time required varies depending upon the number of changes reported each month. The greatest number of changes occurs in July and January of each year as the agencies modify and change their rates and fees.

The nature and character of the sewer service charge survey has not changed substantially since its inception. Minor changes such as adding property tax receipts received by each agency and number of residential connections were added but no other major changes were made. The attached list of questions were recently discussed with the BACWA Executive Director and are possible changes that the Board might wish to consider to better understand or advance the value of the survey.

Attached for information is a copy of the first page of the October 31, 2012 survey that provides an example of the information and data that is included in the survey. We are prepared to discuss any of the above information and also potential changes to the survey that might enhance the value to all users of the survey information.

BACWA Sewer Survey Program

November 23, 2012

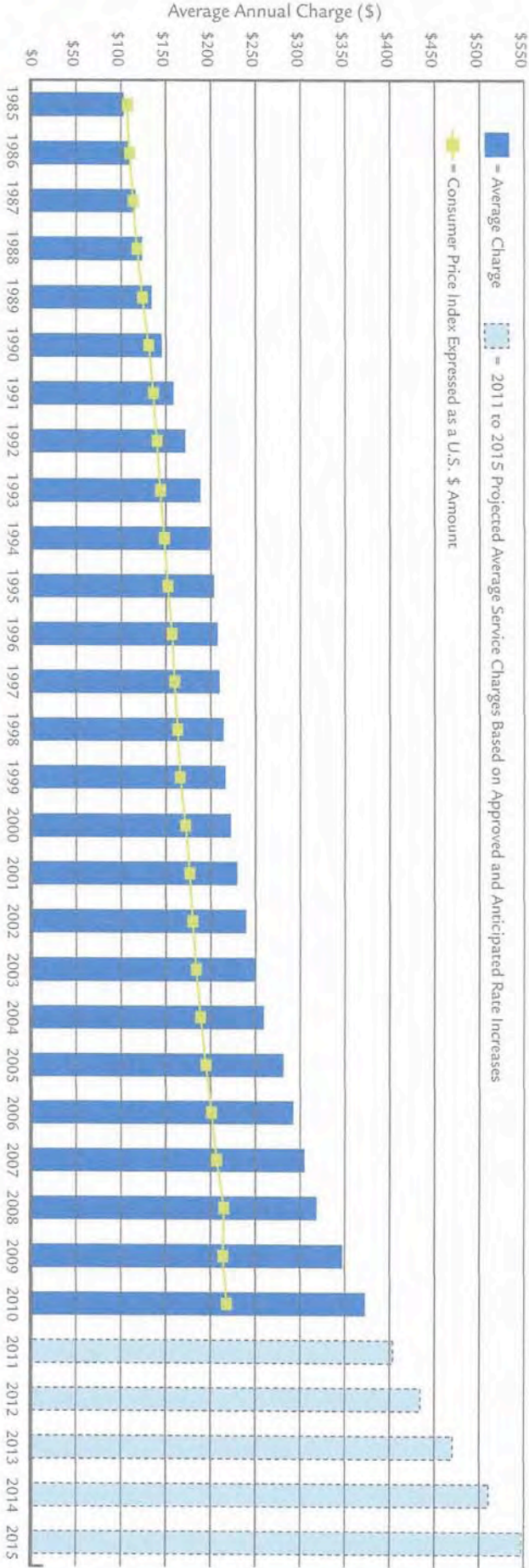
Survey Questions

1. Describe current operation of the survey?
2. Discuss the current use of the MailEnable System? Do we want to change this?
3. Where to place the legal document library? How to make available to users only? Do we want to add legal opinions on rates?
4. What changes would he like to see? More active management of survey rather than passive?
5. Need for user survey of use and issues?
6. Should agency statistics be added to the survey i.e. pop, miles, treatment, PS, employees, # customers, #parcels, billing type (flat, volumetric, other?), enabling legislation, collection methods, etc? Total customer costs (rate + tax+ other rev)?
7. Desire for any commercial information in the survey?
8. Interested in Service Charge Annual Graph? Annual Sewer Service Charge Report to BACWA Board?
9. Improve update methods and documentation?
10. Value of connection fee information to the survey?

Bay Area Single Family Residential User Charges (fixed rate per month unless otherwise noted; annual or bimonthly rates converted to monthly)

Agency	County	Regional System / Subsystem	SFR Rate Effective Date	"Full Service" (WW Treatment & Collection, etc.)	WW Treatment, etc. excluding WW Collection	"Satellite" WW Collection Only	Property Tax/month, other fees, i.e. ad valorem	Winter Water Use (per avg hcf)	Last Verified	Number of SFR Connections	SFR Connection Fee	Connection Fee Effective Date
Airport-Larkfield-Wikiup	Sonoma	SCWA	07/01/10	\$ 49.50					11/9/09	1,932	\$ 9,500.61	7/1/2010
Alameda (City)	Alameda	EBMUD Special Dist 1	07/01/07			\$ 14.37			8/7/07		\$ 895.00	
Albany	Alameda	EBMUD Special Dist 1	07/01/10			\$ 27.47			1/4/11	3,720	\$ 1,168.00	7/1/2010
Almonte SD	Marin	Sewerage Agency of Southern Marin	07/12/10	\$ 33.33					8/2/06	787		
Alto SD	Marin	Sewerage Agency of Southern Marin	07/01/11						8/2/06	517		
American Canyon	Napa		03/01/08	\$ 36.79					4/2/08	4,217	\$ 8,343.00	1/1/2004
Antioch	Contra Costa	Delta Diablo SD	07/01/11		\$ 19.87				2/11/11	30,255	\$ 5,033.00	7/12/2008
Bay Point	Contra Costa	Delta Diablo SD	07/01/11	\$ 29.17					2/11/11	4,960	\$ 3,940.00	7/12/2008
Belmont	San Mateo	SBSA	07/01/07					5.00	8/6/07	8,272	\$ 1,750.00	7/1/2007
Belvedere	Marin	Tiburon SD	07/01/11	\$ 145.66					2/10/12	1,126		
Benicia	Solano		07/01/06	\$ 41.33					1/30/07	8,227	\$ 7,500.00	10/2005
Berkeley	Alameda	EBMUD Special Dist 1	07/01/06			\$ 23.17			7/2/08	29,283	\$ 3,636.00	7/1/2005
Bodega Bay PU District	Sonoma											
Bolinas Community PUD	Sonoma		07/01/05	\$ 48.92								
Brentwood	Contra Costa			\$ 19.00								
Brisbane	San Mateo		01/01/07	\$ 26.18					5/2/07	1,499	\$ 2,523.00	8/18/2006
Burbank SD	Santa Clara	San Jose/Santa Clara tributary systems	07/01/06	\$ 22.49	\$ 27.34				7/18/07			
Burlingame	San Mateo		07/01/08	\$ 72.77					10/14/08	9,000	\$ 209.00	7/1/2008
Burlingame Hills SMD	San Mateo		07/01/12	\$ 132.92					8/1/12	436	\$ 3,920.00	1/1/2012
Calistoga	Napa		12/01/11	\$ 56.63					7/31/12	1,018	\$ 21,939.01	1/1/2012
Castro Valley SD (CVSan)	Alameda	East Bay Dischargers Authority	07/01/12	\$ 21.66					7/1/12	16,000	\$ 11,999.00	7/1/2012
Central Contra Costa SD	Contra Costa		07/01/11	\$ 28.42			\$ 6.00		4/23/12	133,000	\$ 5,465.00	7/5/2011
Central Marin Sanitation Agency (CMSA)	Marin	Central Marin Sanitation Agency	07/01/07		\$ 17.92				7/13/07	55,515	\$ 4,616.00	
Concord	Contra Costa	Central Contra Costa SD	07/01/11	\$ 27.17					8/2/11	38,748	\$ 4,705.00	7/1/2011

Average Annual Sewer Service Charge 1985-2010



Projected Rate Increases 2011-2015

	2011	2012	2013	2014	2015
Average Annual Increase (%)	6.5%	7.4%	7.4%	7.4%	6.5%
Average Service Charge (Projected \$)	401.81	434.19	470.91	510.13	547.44
Change from Previous Year (\$)	27.44	32.38	36.72	39.22	37.31
# of Total Responses	154	149	146	143	137
# of Responses with Numeric Estimates	105	95	83	73	64
Approved	59%	22%	17%	10%	5%
Planned	18%	43%	42%	42%	42%
No Change	14%	7%	3%	5%	7%
Uncertain	10%	28%	38%	43%	46%

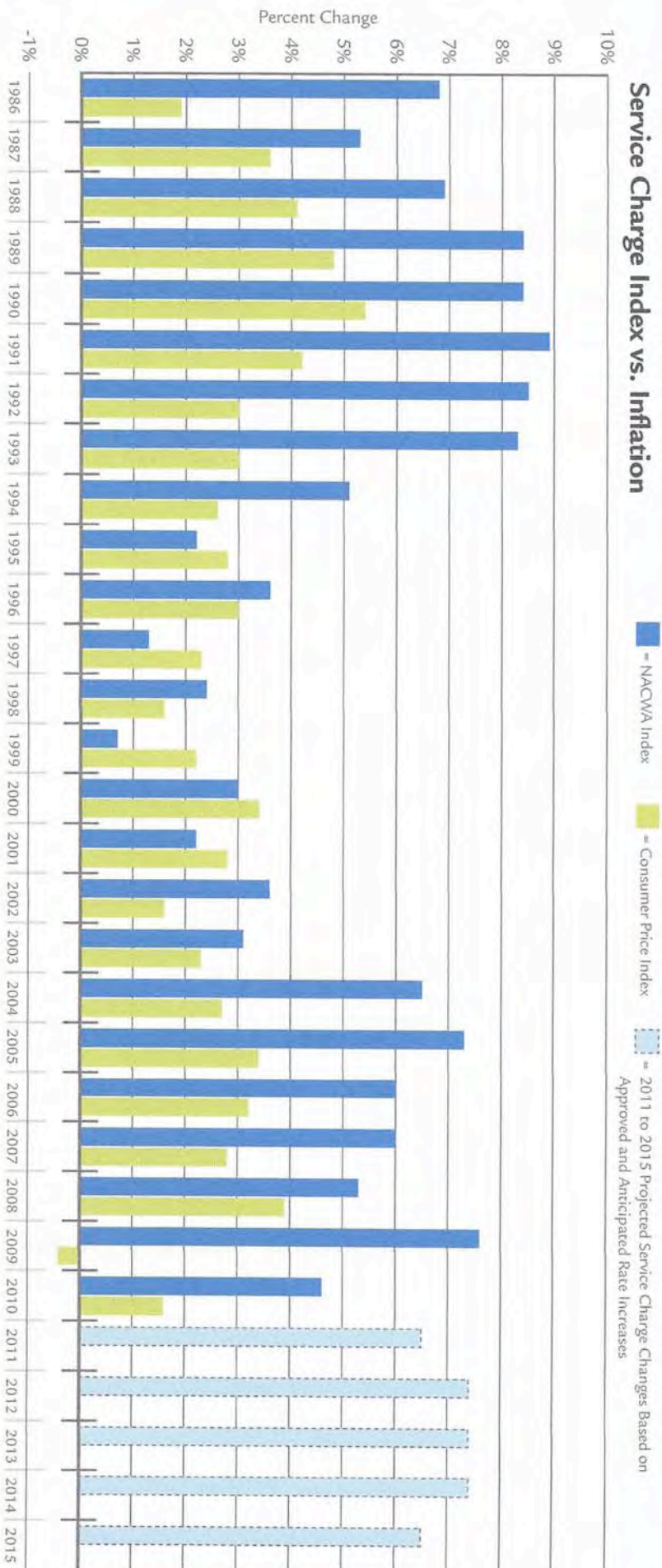
Distribution of Projected 2011-2015 Rate Increases



Note 3: All agencies in the <0% to 0% category reported no change in rates (0%).
 Note 4: Agencies indicating planned or expected future rate changes, but providing no numeric estimates, are not shown in distribution above.

2010 Service Charge Index

Service Charge Index vs. Inflation



	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
NACWA Index	106.8	112.4	119.9	130.1	141.0	153.7	166.7	183.1	193.4	197.8	201.7	203.9	207.8	209.8	216.4	223.5	232.6	242.8	254.5	276.3	286.9	299.4	315.2	340.4	364.3
Change from Previous Year	6.8%	5.3%	6.9%	8.4%	8.4%	8.9%	8.5%	8.3%	5.1%	2.2%	3.6%	1.3%	2.4%	0.7%	3.0%	2.2%	3.6%	3.1%	6.5%	7.3%	6.0%	6.0%	5.5%	7.6%	4.6%
Average Service Charge (Projected \$)	109.69	115.51	123.17	133.65	144.84	157.88	171.33	188.12	198.68	203.22	207.28	209.49	213.52	215.61	222.31	229.63	238.95	249.44	261.48	283.91	294.98	307.60	323.89	349.90	374.37
Change from Previous Year (\$)	6.95	5.82	7.99	10.35	11.25	12.84	13.84	13.78	10.32	4.23	6.44	2.88	4.89	1.90	6.41	4.47	8.45	7.69	16.10	18.79	17.23	16.47	17.53	23.57	17.13
Change to Consumer Price Index	1.9%	3.6%	4.1%	4.8%	5.4%	4.2%	3.0%	3.0%	2.6%	2.8%	3.0%	2.3%	1.6%	2.2%	3.4%	2.8%	1.6%	2.3%	2.7%	3.4%	3.2%	2.8%	3.8%	-0.4%	1.6%
Total Responses	158	157	163	166	169	171	175	184	194	199	205	208	214	224	234	238	221	233	223	213	203	196	197	173	181
Total Responses in Both Previous and Current Year	155	157	157	163	166	169	171	170	182	189	195	202	204	210	218	227	215	198	200	188	177	173	164	160	143

Note 1: The value of the annual Service Charge Index is based on all responses received. The base year, 1985 has been indexed to the value of 100.

Note 2: The annual percent change in the index and change from previous year in service charge are based on the responses of those agencies that responded in both the previous year and current year using the same calculation method. Index values and average service charges include all respondents.

Additional information on the NACWA index, past year's surveys, and regional summaries of the data from the 2010 NACWA Index are available on NACWA's website at www.nacwa.org/utilitymanagement



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 13d

FILE NO.: N/A

MEETING DATE: November 29, 2012

TITLE: BACWA Opportunities Subcommittee

☒ DISCUSSION

☐ MOTION

☐ RESOLUTION

RECOMMENDED ACTION

Consider next steps to follow up on the presentation made by Gary Darling at the October 25th Board meeting regarding BACWA opportunities, including the potential creation of a subcommittee to lead investigation efforts.

SUMMARY

At the October 25th BACWA Executive Board meeting Gary Darling presented ideas for expanding BACWA's work and proposed the formation of a subcommittee to investigate the concept (see Attachment 1, slide from his presentation). At the Pardee Technical Seminar earlier this month, the Board reiterated their interest in increasing member involvement and suggested soliciting feedback from Associate and Affiliate members. Suggested strategies for engaging more members included exploring collaborative/co-funded Nutrient efforts or other programs of special benefit, increased communication with the Executive Director through individual meetings or Director's Breakfasts, and creation of ex-officio Board representative positions. As a follow up to Gary's presentation and Pardee discussions, the Board is being asked to provide direction to the Executive Director and Chair to move forward on this matter.

FISCAL IMPACT

This action has no fiscal impact as this is currently a discussion item only.

ALTERNATIVES

This action does not require consideration of alternatives.

Attachments:

1. Fundamental Questions, slide from Gary Darling 10/24 presentation

Fundamental Questions:

- Is there a desire for BACWA to establish new visions and strategies to be proactive on issues that are not currently addressed?
 - set the agenda in terms of regional issues to be addressed (speak as one voice)
 - educational and public outreach campaigns
- Is BACWA willing to set up a subcommittee to study:
 - legal aspects
 - financial aspects
 - governance aspects
 - political aspects
 - summarize the benefits and risks
 - poll the existing members





BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 12

FILE NO.: N/A

MEETING DATE: November 29, 2012

TITLE: NPDES Permit Petition Dismissal

☒ DISCUSSION

☐ MOTION

☐ RESOLUTION

RECOMMENDED ACTION

Review summary on status of BACWA permit appeals and provide direction to the Executive Director regarding dismissal of appeals from abeyance.

SUMMARY

At the request on the RWQCB, BACWA agreed to review the permit appeals that were on file and to determine if some of them could be dismissed. These NPDES permit appeals were discussed at the February 23, 2012 and March 22, 2012 BACWA Board meetings. At the February 23rd Board meeting, a spreadsheet (Attachment 1) showing recommendations for what to do with the petitions (prepared by RMC) was presented. The BACWA Board requested that the Executive Director (ED) obtain information from Melissa Thorne to answer the question: "Is there any reason we should not dismiss the petitions and if so, be specific as to why not?" Melissa prepared a memo/spreadsheet (Attachment 2) indicating dismissing certain petitions was appropriate and other petitions may be dismissed later, depending on the permit renewal process outcome. The number of petitions Melissa Thorne recommended to keep on file was more than recommended in the RMC spreadsheet.

After this information was presented to the BACWA Board at the March 22nd meeting BACWA Board members were inclined to dismiss the most petitions as appropriate, AFTER discussing the plan with all co-petitioners. Little progress has been made on dismissing petitions since that time. The next step is to contact the co-petitioner agencies, explain what BACWA plans to do, and make sure they do not have concerns. Before this, another first step would be for the BACWA principals to dismiss all their petitions before or contemporaneously contacting Associate Members. Then, the petitions could either be removed either en masse or one by one as the contacts with co-petitioners are made. Per Melissa Thorne, the dismissal process is a simple and low cost effort; importantly, the issues that are dismissed are dismissed without prejudice, so they could be brought up in a future appeal. It was suggested that once the Associate Members were contacted, a follow-up letter should be sent confirming the agreed upon plan of action.

The most recent spreadsheet RMC prepared on the status of the appeals is shown in Attachment 1. It indicates that BACWA should wait on removing appeals from abeyance for a couple of agencies. Since some time has elapsed since that spreadsheet was prepared in December 2012, the current status of those agencies is as follows:

- Central Contra Costa Sanitary District – There are no issues remaining since the new NPDES permit was adopted on February 8, 2012.
- Central Marin Sanitation Agency – There are no issues remaining since the new NPDES permit was adopted on June 13, 2012.

- City of Pinole (Pinole/Hercules) – There are no issues remaining since the new NPDES permit was adopted on August 8, 2012.
- San Francisco PUC - There are no issues remaining since the SFPUC BACWA Board member indicated at the February 23, 2012 BACWA Board meeting that SFPUC would like to dismiss their petition.

BACWA Board input is requested to confirm this course of action. If confirmed, the IED will work with Melissa Thorne and RMC dismiss the appeals and report progress to the Board on a monthly basis.

FISCAL IMPACT

BACWA currently has As Needed agreements with Downey Brand (Melissa Thorne) and RMC with remaining unobligated funds. The IED or Chair could authorize use of these agreements to continue to address this matter.

ALTERNATIVES

This action does not require consideration of alternatives.

Attachments:

1. RMC Evaluation of NPDES Permit Appeal Petitions Being Held in Abeyance
2. Melissa Thorne BACWA Petitions Spreadsheet

Evaluation of NPDES Permit Appeal Petitions Being Held in Abeyance

DRAFT -- Information is current as of December 15, 2011.

Agency Name	Joint Petition with Agency ¹	SWRCB/ OCC No. ²	Date Petition Filed	Issues Appealed ³	Summary of Issues Resolved ⁴	Issues Remaining	Recommended Action	Notes
Benicia, City of	Unknown	A-1422	9/17/01	dioxin, mass limits, dilution, mercury, CEQA	Dioxin - R2-2010-0054 Mass Limits - R2-2007-0077 Dilution - No harm is expected from 10:1 dilution instead of actual dilution (ammonia is not addressed in this permit). CEQA - This issue is moot with resolution of the other issues.	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	-- Petition A-1473 (SFIA) was used to evaluate CEQA issue. -- CEQA issue was used as leverage for dioxin issue.
Burlingame, City of	Unknown	A-1907	2/29/08	dioxin TEQ, blending	Dioxin - R2-2010-0054 Blending - No harm is expected for this issue alone.	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	-- Petition A-1906 (West County Agency) was used to evaluate blending issue. -- Blending issue was appealed because used proposed regulations to require actions, but RWB has been very reasonable with these actions.
Central Contra Costa Sanitary District	No	A-1399(a)	7/20/01	dioxin, mass limits, toxicity, dilution credits	Dioxin - R2-2010-0054 Mass Limits - R2-2007-0077 Toxicity - Numeric limit was converted to narrative triggers in 2007 permit. Dilution - No harm is expected from 10:1 dilution instead of actual dilution (ammonia is not addressed in this permit).	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA.	-- Other petitions were used to evaluate issues in this petition.
Central Contra Costa Sanitary District	Unknown	A-1829(a)	2/22/07	dioxin TEQ, copper, mercury	Dioxin - R2-2010-0054 Mercury - R2-2007-0077	Copper	Wait to discard petition until after current permit is renewed, on current Regional Water Board schedule for adoption in February 2012 .	-- Other petitions were used to evaluate issues in this petition. -- The SSO was not used for copper limits in this permit. This issue is expected to be resolved with next permit renewal in February 2012) because current Central San TO contains copper limits based on SSO. Leverage should be retained until then, however.
Central Marin Sanitation Agency	Unknown	A-1828(b)	2/22/07	dioxin TEQ, copper, mercury	Dioxin - R2-2010-0054 Mercury - R2-2007-0077	Copper	Wait to discard petition until after current permit is renewed, on current Regional Water Board schedule for adoption in June 2012 .	-- Other petitions were used to evaluate issues in this petition. -- The SSO was not used for copper limits in this permit. This issue is expected to be resolved with next permit renewal (June 2012) because Central San has same issue and current TO contains copper limits based on SSO. Leverage should be retained, however.

Agency Name	Joint Petition with Agency ¹	SWRCB/ OCC No. ²	Date Petition Filed	Issues Appealed ³	Summary of Issues Resolved ⁴	Issues Remaining	Recommended Action	Notes
Contra Costa County S.D. No. 5, Port Costa (now Crockett Community Services District)	Unknown	A-1905	2/29/08	mercury, daily limits, compliance schedules	Mercury - R2-2007-0077 Daily Limits - This issue does not warrant an appeal because no harm is expected. Compliance Schedules - R2-2010-0054	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	-- Other petitions were used to evaluate issues in this petition. -- Compliance schedule issue was for dioxin.
Delta Diablo Sanitation District	Unknown	A-2007	4/9/09	dioxin TEQ, daily limits, compliance schedules	Dioxin - R2-2010-0054 Daily Limits - This issue does not warrant an appeal because no harm is expected. Compliance Schedules - R2-2010-0054	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	-- Other petitions were used to evaluate issues in this petition. -- Compliance schedule issue was for dioxin.
Fairfield-Suisun Sewer District	Unknown	A-2013(a)	5/7/09	dioxin TEQ, daily limits	Dioxin - R2-2010-0054 Daily Limits - This issue does not warrant an appeal because no harm is expected.	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	-- Other petitions were used to evaluate issues in this petition.
Marin County (Tiburon), Sanitary District No. 5 of	Unknown	A-1939	8/6/08	dioxin, daily limits, compliance schedules, blending	Dioxin - R2-2010-0054 Daily Limits - This issue does not warrant an appeal because no harm is expected. Compliance Schedules - R2-2010-0054 Blending - No harm is expected for this issue alone.	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	-- Other petitions were used to evaluate issues in this petition. -- Blending issue was appealed because used proposed regulations to require actions, but RWB has been very reasonable with these actions.
Millbrae, City of	Unknown	A-1950	9/9/08	dioxin, daily limits, compliance schedules	Dioxin - R2-2010-0054 Daily Limits - This issue does not warrant an appeal because no harm is expected. Compliance Schedules - R2-2010-0054	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	-- Other petitions were used to evaluate issues in this petition. -- Compliance schedule issue was for dioxin.
Palo Alto, City of	No	A-2014	5/7/09	dioxin TEQ, daily limits, compliance schedules	Dioxin - R2-2010-0054 Daily Limits - This issue does not warrant an appeal because no harm is expected. Compliance Schedules - R2-2010-0054	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and Palo Alto of this action by BACWA.	-- Other petitions were used to evaluate issues in this petition. -- Compliance schedule issue was for dioxin.

Agency Name	Joint Petition with Agency ¹	SWRCB/ OCC No. ²	Date Petition Filed	Issues Appealed ³	Summary of Issues Resolved ⁴	Issues Remaining	Recommended Action	Notes
Pinole, City of	Unknown	A1835(a)	4/13/07	dioxin, copper, mercury, daily limits, dilution, blending	Dioxin - R2-2010-0054 Mercury - R2-2007-0077 Daily Limits - This issue does not warrant an appeal because no harm is expected. Dilution - No harm is expected from 10:1 dilution instead of actual dilution. (Ammonia is not addressed in this permit.) Blending - No harm is expected for this issue alone.	Copper	Wait to discard petition until after current permit is renewed, on current Regional Water Board schedule for adoption in August 2012 .	-- Other petitions were used to evaluate issues in this petition. -- The SSO was not used for copper limits in this permit. This issue is expected to be resolved with next permit renewal August 2012) because Central San has same issue and current TO contains copper limits based on SSO. Leverage should be retained, however. -- Blending issue was appealed because RWB used proposed regulations to require actions, but RWB has been very reasonable with these actions.
Rodeo Sanitary District	Unknown	A-1424	10/18/01	dilution, improper limits, CEQA	Dilution - No harm is expected from 10:1 dilution instead of actual dilution. (Ammonia is not addressed in this permit.) Improper Limits - It's expected that this issue refers to dioxin and/or mercury limits, which have been resolved through R2-2010-0054 and R2-2007-0077. CEQA - This issue is moot with resolution of the other issues.	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	-- Other petitions were used to evaluate issues in this petition. -- The "improper limits" issue was appealed in conjunction with other issues, so some issues may be missing from the list for this POTW. -- There has been turnover at this District since 2001 and it's very possible that the current staff are not even aware of this petition.
San Francisco (City & County/ S.F.I.A.)	Yes	A-1473	4/19/02	dioxin, mass, daily, Cu, 44-DDE, dieldrin, PPP, CEQA	Dioxin - R2-2010-0054 Mass Limits - R2-2007-0077 Daily Limits - This issue does not warrant an appeal because no harm is expected. Copper - Resolved with SSO; current permit Cu limits are fine and based on SSO. 4,4-DDE and Dieldrin - Resolved with 2005 SIP changes (no effluent limits if above WQO in receiving water and all effluent non-detect). PPP - Pollution Prevention Plans are no longer required per se (only the annual reports), which are not causing harm, and PMPs are only now required consistent with SIP requirements. CEQA - This issue is moot with resolution of the other issues.	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. Since joint petition, may need joint correspondence with POTW.	

Agency Name	Joint Petition with Agency ¹	SWRCB/ OCC No. ²	Date Petition Filed	Issues Appealed ³	Summary of Issues Resolved ⁴	Issues Remaining	Recommended Action	Notes
San Francisco (City & County/ S.F.I.A.)	No	A-1877	9/9/07	dioxin, mercury, pesticides, compliance schedules	Dioxin - R2-2010-0054 Mercury - R2-2007-0077 Pesticides - May be local issue; or may have been added as lower priority issue. Compliance Schedules - R2-2010-0054	None, or pesticides (maybe)	Decide whether BACWA wants to continue a petition for pesticides issue. If pesticides in this context not a BACWA issue, notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA.	-- Pesticides in the permit all had reasonable potential (RP), and therefore effluent limits are required by SIP. The RP may have been due to the stormwater runoff influence since the sanitary plant and the industrial plant (which accepts first flush stormwater) are sometimes used interchangeably. This is not really a regional issue. -- It's also possible that, since the pesticide values reported are so high, that more sensitive methods would result in lower concentrations being measured.
San Francisco (Southeast Plant)	Yes	A-1493	7/19/02	dioxin, mass, daily, mercury, 44-DDE, dieldrin, PPP, CEQA	Dioxin - R2-2010-0054 Mass Limits - R2-2007-0077 Daily Limits - This issue does not warrant an appeal because no harm is expected. Mercury - R2-2007-0077 Copper - Resolved with SSO; current permit Cu limits are fine and based on SSO. 4,4-DDE and Dieldrin - Resolved with 2005 SIP changes (no effluent limits if above WQO in receiving water and all effluent non-detect). PPP - Pollution Prevention Plans are no longer required per se (only the annual reports), which are not causing harm, and PMPs are only now required consistent with SIP requirements. CEQA - This issue is moot with resolution of the other issues.	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. Since joint petition, may need joint correspondence with POTW.	
San Jose/ Santa Clara, Cities of	No	A-2015	5/7/09	dioxin TEQ, daily limits, compliance schedules	Dioxin - R2-2010-0054 Daily Limits - This issue does not warrant an appeal because no harm is expected. Compliance Schedules - R2-2010-0054	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA.	
San Mateo, City of	Unknown	A-1898	11/30/07	dioxin, mercury, daily limits, compliance schedules, blending	Dioxin - R2-2010-0054 Mercury - R2-2007-0077 Daily Limits - This issue does not warrant an appeal because no harm is expected. Compliance Schedules - R2-2010-0054 Blending - No harm is expected for this issue alone.	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	-- Other petitions were used to evaluate issues in this petition. -- Blending issue was appealed because used proposed regulations to require actions, but RWB has been very reasonable with these actions.

Agency Name	Joint Petition with Agency ¹	SWRCB/ OCC No. ²	Date Petition Filed	Issues Appealed ³	Summary of Issues Resolved ⁴	Issues Remaining	Recommended Action	Notes
Sausalito - Marin City Sanitary District	Unknown	A-1879(a)	9/9/07	dioxin, blending, other limits, compliance schedules, PMP	Dioxin - R2-2010-0054 Blending - No harm is expected for this issue alone. Other Limits - Not significant outstanding BACWA issues; see notes column. Compliance Schedules - R2-2010-0054 PMP - Pollution Prevention Plans are no longer required per se (only the annual reports), which are not causing harm, and PMPs are only now required consistent with SIP requirements.	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	-- Other petitions were used to evaluate issues in this (BACWA) petition. -- POTW petition was consulted for "other limits" issue, as follows: -- chlordane - RP was found based on one data point. No harm is expected, and local issue. -- mercury - resolved by R2-2007-0077 -- selenium - resolved by changing analytical method so there is no salinity interference.
Sewer Agency of Southern Marin	No	A-1878	9/9/07	dioxin, mercury, cyanide, PMP	Dioxin - R2-2010-0054 Mercury - R2-2007-0077 Cyanide - Resolved with letter from Regional Water Board dated August 8, 2008 activating alternative limits based on SSO. PMP - Pollution Prevention Plans are no longer required per se (only the annual reports), which are not causing harm, and PMPs are only now required consistent with SIP requirements.	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	
South Bayside System Authority	Unknown	A-1826(b)	2/22/07	dioxin TEQ, copper, mercury	Dioxin - R2-2010-0054 Copper - It appears copper should not be on the list for this POTW because current permit has good copper limits based on SSO. Mercury - R2-2007-0077	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	-- Other petitions were used to evaluate issues in this petition. -- Copper limits in current permit are: Avg. Monthly Effluent Limit of 67 µg/L Max. Daily Effluent Limit of 109 µg/L
South San Francisco/ San Bruno, Cities of	Unknown	A-1907	2/29/08	dioxin, compliance schedules, blending	Dioxin - R2-2010-0054 Compliance Schedules - R2-2010-0054 Blending - No harm is expected for this issue alone.	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	-- Other petitions were used to evaluate issues in this petition. -- Blending issue was appealed because used proposed regulations to require actions, but RWB has been very reasonable with these actions.
Sunnyvale, City of	Unknown	A-2042	9/8/09	dioxin, daily limits, compliance schedules	Dioxin - R2-2010-0054 Daily Limits - This issue does not warrant an appeal because no harm is expected. Compliance Schedules - R2-2010-0054	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA. If joint petition, contact POTW first before taking action because may need joint correspondence.	-- Other petitions were used to evaluate issues in this petition.

Agency Name	Joint Petition with Agency ¹	SWRCB/ OCC No. ²	Date Petition Filed	Issues Appealed ³	Summary of Issues Resolved ⁴	Issues Remaining	Recommended Action	Notes
West County Agency	No	A-1906	2/29/08	dioxin, mercury, daily limits, compliance schedules, blending	Dioxin - R2-2010-0054 Mercury - R2-2007-0077 Daily Limits - This issue does not warrant an appeal because no harm is expected. Compliance Schedules - R2-2010-0054 Blending - No harm is expected for this issue alone.	None	Notify State Water Board (SWB) to discard petition, and notify Regional Water Board and POTW of this action by BACWA.	-- Blending issue was appealed because used proposed regulations to require actions, but RWB has been very reasonable with these actions.

¹ This evaluation was prepared using 7 out of the 25 petitions, which was generally viable since many issues are recurring. "Unknown" is used in this column for the petitions which were not used in this evaluation.

² The list of petitions in this table was retained from the Downey Brand Table in file "WEST-1070832-v1-BACWA Appeal short spreadsheet.DOC". Some of the petitions are for two permits ago and the permit since the one listed is not shown in the table (although it may have been appealed -- example is Rodeo Sanitary District).

³ The issues in this column were retained from the Downey Brand Table in file named "WEST-1070832-v1-BACWA Appeal short spreadsheet.DOC". (The petitions were not checked for accuracy.)

⁴ R2-2010-0054 is the blanket permit amendment for new Regional Standard Provisions, AKA Attachment G, which now contains compliance provisions for dioxin. R2-2007-0077 is the mercury watershed permit.

BACWA Petitions Spreadsheet

<u>Name:</u>	<u>SWRCB/ OCC No.</u>	<u>Date Petition Filed:</u>	<u>Abeyance Expiration Date</u>	<u>Issues Appealed</u>	<u>Recommended Action</u>
Benicia [R2-2008-0014]	A-1422	9/17/2001 (2008 permit not appealed)	10/24/2013	Dioxin TEQ, mercury, selenium, copper, nickel, dieldrin, 44-DDE, mass limits, dilution, PMP, mass offsets, CEQA	Maintain or Dismiss¹ – Last permit not appealed, many limits resolved. – This permit is up for review soon and may have similar issues in the renewal. Policy decision.
Burlingame [R2-2008-0008]	A-1907	2/29/2008 (current permit)	2/28/2013	Dioxin TEQ, copper, 4,4-DDE, alpha-BHC, dieldrin, cyanide, dilution, blending, PMP, mass offsets, Prohib. A.5, improper RP	Maintain This permit is up for review soon and may have similar issues in the renewal.
Central Marin Sanitation Agency (BACWA) [R2-2007-0007]	A- 1419(a) A-1828(b)	2001 2/22/2007	02/22/2013	Dioxin TEQ, copper, mercury, mass and daily limits, dilution	Maintain This permit is up for review soon and may have similar issues in the renewal.

¹ A recommendation of dismissal includes contacting the discharger to confirm dismissal is acceptable to them, and drafting a letter to the State Board explaining reasons for dismissal and stating that this is not a waiver of these issues in the future should they arise again.

Central Contra Costa Sanitation District [R2-2007-0008]	A-1399(a) A-1829(a)	7/20/2001 2/22/2007 (previous 2 permits)	02/22/2013	Dioxin TEQ, mass limits, copper, mercury, toxicity, dilution credits	Dismiss - New permit adopted in February 2012 that can be appealed by March 9 th if needed
Contra Costa Dt. No. 5 [R2-2008-0005]	A-1905	2/29/08 (current permit)	2/28/2013	Mercury; daily limits, compliance schedules of same	Dismiss - All mercury related and resolved by Order No. R2-2007-0077 (unless BK petition still pending) ²
Delta Diablo [R2-2009-0018]	A-2007	4/9/2009 (current permit)	4/9/2013	Dioxin TEQ; daily limits, compliance schedules of same	Dismiss - All dioxin related issues presumably resolved by Order No. R2-2010-0054
Fairfield-Suisun Sewer District (BACWA) [R2-2009-0039]	A-2013(a)	5/7/2009 (current permit)	5/7/2013	Dioxin TEQ; daily limits, compliance schedules of same	Dismiss - All dioxin related issues presumably resolved by Order No. R2-2010-0054
Marin (SASM) [R2-2007-0056]	A-1398 A-1878	7/1/01 9/9/2007 (current permit)	8/23/2013	Dioxin TEQ, mercury, cyanide, PMP, RP for ammonia, mass limits for mercury, compliance schedules	Maintain This permit is up for review soon and may have similar issues in the renewal.

² Because SF Baykeeper appealed the Mercury Watershed Permit, BACWA continued to appeal mercury requirements in individual permits.

Marin Co. Sanitary Districts - No. 5 [R2-2008-0057]	A-1939	8/6/2008 (current permit)	8/6/2012	Dioxin TEQ, daily limits, compliance schedules, and blending	Maintain - New permit adopted for other plant (Paradise Cove) in April 2011, not appealed, but appears blending was addressed. May maintain this until new Tiburon permit adopted.
Millbrae [R2-2008-0071]	A-1950	9/9/2008 (current permit)	8/6/2012	Dioxin TEQ; daily limits, compliance schedules for same	Dismiss - All dioxin related issues presumably resolved by Order No. R2-2010-0054
City of Palo Alto [R2-2009-0032]	A-2014	5/7/2009 (current permit)	5/7/2013	Dioxin TEQ; daily limits, compliance schedules for same	Dismiss - All dioxin related issues presumably resolved by Order No. R2-2010-0054
Pinole [R2-2007-0024]	A1835(a)	4/13/2007 (current permit)	04/13/2013	Dioxin TEQ, copper, mercury, daily and mass limits, dilution, blending	Maintain This permit is up for review soon and may have similar issues in the renewal.
Rodeo [R2-2006-0062]	A-1424	10/18/2001 (current 2006 permit not appealed)	10/24/2013	Mercury, cyanide, dilution, improper limits, PMP, offsets, blending, Prohib. A.5, CEQA	Maintain or Dismiss This permit is up for review soon and may have similar issues in the renewal. Policy decision.

San Francisco (City & County/ S.F.I.A.) [R2-2002-0045, R2- 2007-0060]	A-1473 A-1877	<i>Joint Petition</i> 4/19/2002 9/9/2007 (current permit)	4/19/2013 9/7/2013	Dioxin TEQ, mercury, mass, daily, Copper, 4,4- DDE, dieldrin, other pesticides, PPP, CEQA, compliance schedules	Maintain This permit is up for review soon and may have similar issues in the renewal.
San Francisco (South East & Bayside) [R2-2008-0007]	A-1493	<i>Joint Petition</i> 07/19/02 (current 2008 permit not appealed)	10/4/2013	Dioxin TEQ, mass, daily, mercury, 44- DDE, dieldrin, PPP, CEQA	Dismiss - All dioxin related issues presumably resolved by Order No. R2-2010-0054 - All mercury related and resolved by Order No. R2- 2007-0077 (unless BK petition still pending) – Other limits appear to have been removed
San Jose/Santa Clara [R2-2009-0038]	A-2015	5/7/2009 (current permit)	5/7/2013	Dioxin TEQ; daily limits, compliance schedules for same	Dismiss - All dioxin related issues presumably resolved by Order No. R2-2010-0054
San Mateo [R2-2007-0075]	A-1397 A-1898	7/1/2001 11/30/2007 (current permit)	11/30/2013	Dioxin TEQ, mercury, daily limits, compliance schedules, blending	Maintain This permit is up for review soon and may have similar issues in the renewal.

Sausalito – Marin [R2-2007-0054]	A-1879(a)	9/9/2007 (current permit)	9/7/2013	Dioxin TEQ, blending, other limits for cyanide, mercury, selenium, chlordane, RP for ammonia, CDO, compliance schedules, PMP	Maintain This permit is up for review soon and may have similar issues in the renewal.
So. San Francisco/ San Bruno (North Bayside System) [R2-2008-0094]	A-1548	2/21/03 (current 2008 permit not appealed)	02/21/2013	Dioxin TEQ, compliance schedules, blending	Maintain or Dismiss This permit is up for review soon and may have similar issues in the renewal. Policy decision.
South Bayside System Authority [R2-2007-0006]	A-1826(b)	2/22/2007 (current permit)	2/22/2013	Dioxin TEQ, copper, mercury	Maintain This permit is up for review soon and may have similar issues in the renewal.
Sunnyvale [R2-2009-0061]	A-2042	9/8/2009 (current permit)	9/8/2013	Dioxin TEQ; daily limits, compliance schedules of same	Dismiss - All dioxin related issues presumably resolved by Order No. R2-2010-0054
West County Agency/Richmond [R2-2008-0003]	A-1906	2/29/2008 (current permit)	02/28/2013	Dioxin TEQ, mercury, cyanide, CDO, selenium, heptachlor, 4,4,-DDD, daily limits, compliance schedules, blending	Maintain This permit is up for review soon and may have similar issues in the renewal.

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BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 15

FILE NO.: N/A

MEETING DATE: November 29, 2012

TITLE: Planning for BACWA Annual Member Meeting

☒ DISCUSSION

☐ MOTION

☐ RESOLUTION

RECOMMENDED ACTION

Provide guidance on the following aspects of planning for the BACWA Annual Member Meeting: date; location; and agenda.

SUMMARY

Each year BACWA members are invited to participate in the BACWA Annual Member Meeting. Historically it has been scheduled for the fourth Thursday in January. Meetings have been held at EBMUD downtown Oakland more recently the Boy Scouts facility in San Leandro to accommodate an increase in attendance (approximately 100). The 2013 meeting is tentatively scheduled for January 24th. The California Endowment Conference Center in downtown Oakland has been reserved for the 2013 meeting because of its larger capacity (120 max), affordability (free), and accessibility (walking distance from 12th Street BART station).

The agenda from last years' annual meeting is attached for your information and use. Bruce Wolfe is available to participate in the Regulatory Briefing, but neither Alexis Strauss nor Nancy Wu from the EPA is available, although David Smith, manager of the EPA's Region 9 NPDES and Stormwater Program is available.

Some of the hot topics of last year remain hot and are good candidates for the agenda:

- Nutrients
- Whole effluent Toxicity

And some have come to the forefront and are also worthy of consideration:

- Hg/PCB Watershed Permit renewal and the P2 success story;
- The SSO WDR MRP and BACWA's work to shape the direction of the MRP revisions;
- Possible increase in member dues for 2013-14.

There were several other topics on the agenda last year that could be updated. Also, a dialogue could be initiated with the Associate Members about increasing their participation in ongoing nutrient discussions and opportunities for increased engagement BACWA efforts. The annual meeting might not be the right time, as we would need to have the managers there for the presentation to be most useful.

At this time, guidance is requested to confirm the date, location and agenda for the annual meeting.

FISCAL IMPACT

This action has no fiscal impact.

ALTERNATIVES

This action does not require consideration of alternatives.

Attachments:

1. 2011-2012 Annual Meeting Agenda
2. 2010-2011 Annual Meeting Agenda



ANNUAL MEMBER MEETING

January 26, 2012

Boy Scouts Facility
1001 Davis Street, San Leandro, CA

WELCOME

8:30 a.m. – 9:00 a.m.

Amy Chastain, *BACWA Executive Director*

REGULATORY BRIEFING

9:00 a.m. – 9:45 a.m.

Alexis Strauss, *US Environmental Protection Agency*
Bruce Wolfe, *San Francisco Regional Water Board*

INTEGRATED PLANNING FOR CLEAN WATER ACT REQUIREMENTS

9:45 a.m. – 10:15 a.m.

Adam Krantz, *National Association of Clean Water Agencies*

CHANGES IN WHOLE EFFLUENT TOXICITY REGULATION

10:15 a.m. – 10:45 a.m.

Roberta Larson, *California Association of Clean Water Agencies*

NUTRIENTS: IMPLICATIONS FOR BAY AREA AGENCIES

10:45 a.m. – 12:30 p.m.

David Senn, *San Francisco Estuary Institute*
Tom Mumley, *San Francisco Regional Water Board*
Dave Clark, *HDR*

LUNCH

12:30 p.m. – 1:00 p.m.

ARLEEN NAVARRET AWARD PRESENTATION

1:00 p.m. – 1:15 p.m.

Ben Horenstein, *BACWA Chair*

DEVELOPMENTS IN WASTEWATER AS A RESOURCE

1:15 p.m. – 2:00 p.m.

Climate Change Adaptation: *Jeremy Lowe, ESA PWA*
Biosolids to Energy: *Caroline Quinn, Delta Diablo San. District*
Recycled Water: *Cheryl Munoz, BACWA Recycled Water Committee*



B A C W A
BAY AREA
CLEAN WATER
AGENCIES

Members Meeting

Thursday, January 27, 2011, 8:30 a.m. – 1:30 p.m.
Boy Scouts Facility, 1001 Davis Street, San Leandro, CA 94577

8:30 a.m. – 9:00 a.m.

Welcome & Introduction

Ben Horenstein, BACWA Chair
Amy Chastain, BACWA Executive Director

9:00 a.m. – 9:40 a.m.

U.S. EPA & SF Water Board Priorities

Alexis Strauss, Water Division Director, Region IX EPA
Bruce Wolfe, Executive Officer, SF Water Board

9:40 a.m. – 11:00 a.m.

Nutrients – A Changing Bay

Mike Connor, EBDA (moderator)

- Regulatory Overview
Tom Grovhoug, Larry Walker & Assoc.
- Bay Science Summary
Dr. Richard Dugdale, Romberg Tiburon Center, SFSU
- Agency Planning Efforts
Phil Bobel, City of Palo Alto & Jim Kelly, CCCSD

11:00 a.m. – 12:00 p.m.

Regulatory Updates, Session I

- SSO WDR and Collection System Updates
Andy Morrison, Union Sanitary District
- WET Policy & Reporting Changes
James Ervin, City of San Jose
- Safer Consumer Products Regulation
Kelly Moran, TDC Environmental

12:00 p.m. – 12:30 p.m.

Lunch

12:30 p.m. – 1:30 p.m.

Regulatory Updates, Session II

- Quantifying Bay Area Dental Mercury Reductions
Stephanie Hughes, Consulting Engineer
 - PCBs Permitting & Analysis
Francois Rodigari, EBMUD
 - Air & Climate Change Update
Jackie Kepke, CH2MHill
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