



Executive Board Meeting Agenda

Friday, March 21, 2014, 9:00 a.m. – 12:00 p.m.
EBMUD Lab Library, 2020 Wake Ave., Oakland, CA

<u>Agenda Item</u>	<u>Time</u>	<u>Page #</u>
ROLL CALL AND INTRODUCTIONS	9:00 a.m. – 9:03 a.m.	
PUBLIC COMMENT	9:03 a.m. – 9:05 a.m.	
CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER	9:05 a.m. – 9:07 a.m.	
CONSENT CALENDAR	9:07 a.m. – 9:10 a.m.	3 – 6
1. February 21, 2014 BACWA Executive Board Meeting Minutes		
2. December 2013 Treasurer’s Report		7 – 12
3. Resolution to Adopt Updated Integrated Regional Water Management Plan (IRWMP); File 13,158.		13 – 16
4. Consolidation of BACWA Reserve Funds.		17
5. Contract for BAPPG Social Marketing Support, not to exceed \$17,998.00; File 13,159.		18 – 44
REPORTS		
6. Committee Reports	9:10 a.m. – 9:25 a.m.	45 – 51
7. Executive Board Reports	9:25 a.m. – 9:40 a.m.	
8. Executive Director Report	9:40 a.m. – 9:50 a.m.	52 – 74
• Long term PSL strategy		
• Stochastic permitting		
• BACWA in-kind support of EBMUD’s EPA grant		
• Water Quality Trading Alliance		
• CASA’s ULC priorities		
• ASC/SFEI Update		
9. Regulatory Program Manager Report	9:50 a.m. – 10:00 a.m.	75 – 76
• SFEI progress on BACWA contracts		
10. Chair & Executive Director Authorized Actions - None		
OTHER BUSINESS		
11. <u>Discussion</u> : FY2015 Budget DRAFT	10:00 a.m. – 10:30 a.m.	77 - 145
• Info Share Groups Feedback		
• BAPPG Workplan		
• AIR Committee		
• Collaboratives		
12. <u>Discussion</u> : Nutrients		
a. Regulatory	10:30 a.m. – 10:50 a.m.	
i. Review of comments on Tentative Order		
ii. Review of draft Op/Upgrade Scope of Work and next steps		146 – 161
iii. Formation of a Management Group for oversight		162 – 163

<ul style="list-style-type: none"> of Regulatory requirements iv. Summary of BACWA membership and participation in regional reporting v. Sonoma Permit Ammonia Limits 		
<ul style="list-style-type: none"> b. Technical Work <ul style="list-style-type: none"> i. Simplified Technical Overview for use by Membership ii. Assessment Framework 	10:50 a.m. – 11:00 a.m.	
<ul style="list-style-type: none"> c. Governance Structure <ul style="list-style-type: none"> i. Update on BACWA/Water Governance Task Force ii. Designation of BACWA’s Nutrient Task Force Representatives iii. Program Coordination 	11:00 a.m. – 11:10 a.m.	164
13. <u>Discussion:</u> ReNUWIt Proposals	11:10 a.m. – 11:20 a.m.	165 - 168
14. <u>Discussion:</u> Risk Reduction	11:20 a.m. – 11:30 a.m.	169 – 170
15. <u>Discussion:</u> Stormwater Diversions	11:30 a.m. – 11:40 a.m.	
16. <u>Discussion:</u> Flushable Wipes Legal Action	11:40 a.m. – 11:45 a.m.	171 – 203
17. <u>Discussion:</u> Update on IRWMP Regional Project Proposal for Prop 84	11:45 a.m. – 11:55 a.m.	
18. <u>Approval:</u> Guidelines for Representing BACWA	11:55 a.m. – 11:59 a.m.	204 – 206
SUGGESTIONS FOR FUTURE AGENDA ITEMS	11:59 a.m. – 12:00 p.m.	
<p>NEXT REGULAR MEETING</p> <p>The next regular meeting of the Board is scheduled for April 18, 2014 from 9:00 am – 12:00 pm at the SFPUC Hetch Hetchy Room, 13th Floor, 525 Golden Gate Ave., San Francisco.</p>		
ADJOURNMENT	12:00 p.m.	



Executive Board Meeting Minutes

Friday, February 21, 2014, 9:00 a.m. – 12:00 p.m.
SFPUC 525 Golden Gate Ave., San Francisco, CA

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Mike Connor, Chair (East Bay Dischargers Authority); Laura Pagano, Vice Chair (San Francisco Public Utilities Commission); Jim Ervin (San Jose); Ben Horenstein (East Bay Municipal Utility District); Curt Swanson (Central Contra Costa Sanitary District)

Other Attendees: Marla Jurosek (San Francisco Public Utilities Commission); Amy Chastain (San Francisco Public Utilities Commission); Cheryl Munoz (San Francisco Public Utilities Commission); Vince De Lange (East Bay Municipal Utility District); Amanda Roa (Delta Diablo Sanitation District); Karin North (Palo Alto); Denise Conners (Larry Walker Associates); Tom Hall (EOA); Monica Oakley (RMC); Holly Kennedy (HDR); Arvind Akela (CDM Smith); Eric Caesares (Carollo Engineers); David L. Sedlak (ReNUWIt); Mike Kiparsky (ReNUWIt); Christian Nilsen (ReNUWIt); Sasha Harris-Lovett (ReNUWIt); Robert Collison (Collison Engineering); Olivia Chen; Lorien Fono (Patricia McGovern Engineers); Dave Williams (BACWA); Alexandra Gunnell (BACWA).

PUBLIC COMMENT

None.

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER

CONSENT CALENDAR

Agenda items 1 – 3 were approved in a motion made by Laura Pagano and seconded by Ben Horenstein. The motion carried unanimously.

1. December 20, 2013 BACWA Executive Board Meeting Minutes
2. November 2013 Treasurer's Report
3. FY2014 Contribution to BASMAA from BAPPG for IPM Partnership Program, \$10,000; File 13,150

The Board inquired about the portion of IPM Partnership Program efforts focused on wastewater. Amanda Roa noted that several agencies use it to support their pesticide outreach efforts and BAPPG will provide additional information on the program when they review their 2015 workplan at the March 21st BACWA Board meeting.

REPORTS

Committee Reports were included in the handout packet for **agenda item 4**.

Executive Board representatives (Board) were given an opportunity to provide updates from each of the Principal agencies under **agenda item 5, Executive Board Reports**.

Curt Swanson reported that Central Contra Costa Sanitary District (CCCSD) are on schedule to submit their optimization and reduction report to the San Francisco Regional Water Quality Control Board (SF Bay Regional Water Board) as required by their NPDES permit. Their copepod studies will be conducted between March and June; one will be conducted by the University of California, Davis, and the other study will be done in partnership with the state and federal water contractors.

Laura Pagano informed attendees that the San Francisco Public Utilities Commission (SFPUC) is collaborating with ReNUWIt to do an analysis on their Living Machine.

Jim Ervin of San Jose reported that all three Lower South Bay dischargers have applied for their NPDES permit renewal.

The **Executive Director's (ED) December Report** was included in the handout packet for **agenda item 6** and reviewed by Dave Williams.

The **Regulatory Program Manager (RPM) Report** was included in the handout packet and reviewed by Lorien Fono under **agenda item 7**.

The following **Chair and Executive Director Authorized Actions** were taken since the December 20, 2013 Board meeting, listed under **agenda item 8**, and supporting information was included in the handout packet.

- a. Executive Director Authorization to execute agreement with O'Rorke, Inc. for BAPPG Partnership with Air District campaign support not to exceed \$2,000; File 13,135.
- b. Executive Board Chair Authorization for Federal Water Quality Coalition FY14 dues, \$5,000; File 13,151.
- c. Executive Board Chair Authorization to Utilize As Needed Contract with HDR for Nutrients Assistance, \$9,999; File 12,976.

OTHER BUSINESS

For **agenda item 9, David Sedlak** and his team from ReNUWIt provided a **presentation** on "Decision Support for Assessment of Nutrient Control in San Francisco Bay". Copies of the presentation were distributed to attendees. He clarified that the estimated cost for each module is \$100,000 per year and that they would be seeking funding from multiple stakeholders. He explained that the "Systems-Level Vision" module could provide an opportunity to initiate a dialogue among the various stakeholders. The product would be a white paper that could be taken to the next round of discussions among those stakeholders. The Board will continue discussions on BACWA's participation at the March 21st Board meeting.

Under **agenda item 10, Annual Member Debrief**, results from the follow up survey were included in the packet and the Board requested a review of the attendee feedback when planning the 2015 Annual Meeting later this year.

Under **agenda item 11** the ED reviewed the February Joint Water Board/BACWA meeting. It was noted that it may not be necessary to include future Joint meeting minutes in the handout packets.

For **agenda item 12**, the Regulatory Program Manager provided an update to the Board on efforts to develop an **IRWMP Regional Project Proposal for Prop 84**. She reviewed the updated grant application process timeline and noted that a conference call will be scheduled for the week of March 10th to review the strawman proposal. Update on the proposal will be presented to the

BACWA Board at the March 21st meeting. In response to a request from the Board the ED will provide an estimate of how much time the RPM has spent to support this effort.

For **agenda item 13, FY2015 Budget Planning**, the ED Reviewed the draft budget that was included in the packet. BAPPG will review their workplan at the March meeting. Karin North explained that BAPPG funds are not used in support of stormwater initiatives, including their contribution to BASMAA's Our Water Our World program for which BAPPG's portion is directed toward wastewater initiatives. The Board also requested that BAPPG provide information on how they assess the effectiveness of their campaigns, and to provide an update on work done by Kelly Moran to address Pyrethroid that is being funded by BACWA's contribution to CASA. In response to concerns raised by the Board, the ED will outline some options to be considered in future years to recoup the loss of \$30,000 in revenue that will result from incorporating BAPPG as a BACWA Committee. For the Info Share Groups, the ED will reach out to group participants to see if there is someone willing to be a "champion" for continuing each of the Info Share Groups and each Board representatives will inquire with their staff about their level of participation and interest, and whether members would be willing to Chair the groups with support from the RPM. The ED will also contact the AIR Co-Chairs to investigate incorporating AIR as a BACWA committee. He will also research the overlap between the California Wastewater Climate Change Group (CWCCG) efforts and the AIR Committee. Additional information on proposed Collaboration and Sponsorships will be provided at the March 21st meeting, including benefits of membership, lists of other contributors and Board members. The ED explained that Nutrients optimization and upgrade studies would be funded by the Nutrient Surcharge and those agencies that pay the surcharge would be included in the report showing fulfillment of their permit obligation. He also noted that BACWA is still discussing risk reduction efforts with the SF Bay Regional Water Board. The Permits committee did not have any feedback regarding proposed sewer survey enhancements and the ED will consider reducing the proposed budget for this item. A 5 Year Projection handout was distributed by the ED and reviewed.

Under **agenda item 14, Nutrients**, the ED reviewed the schedule of optimization and upgrade studies. The Nutrient Negotiating Team will review the scope and provide feedback. Consultants will also be asked for feedback on the draft Request for Proposal (RFP). BACWA will further review and revise the RFP as needed and provide it to the SF Bay Regional Water Board for their input before finalizing and soliciting proposals. As part of the effort to manage the preparation of the required reports, the plan is to assemble a small team of BACWA reps who will work with the ED in managing the multi-year consultant contract for preparation of the optimization and upgrade reports.

On the Governance effort, the Governance Task Force, consisting of the Water Board and BACWA reps, has finalized a Charter for the formation of a broad stakeholder comprised Steering Committee that will oversee the conduct of the technical investigations under the Nutrient Management Strategy. The Charter was included in the packet and was reviewed by the ED. Mike Connor and Dave Williams have been representing BACWA. The first meeting of the Steering Committee is scheduled for April 22nd and BACWA will need to determine at the March 21st Board meeting who will serve as their two representatives. The draft Nutrient Permit comment letter was included in packet. It is due March 10 and feedback should be directed to the RPM.

Due to time constraints, discussions on **Risk Reduction (item 15)**, **Stormwater Diversions (item 16)**, and **2014 BACWA Executive Board Calendar (item 17)** were postponed to the March 21st meeting. Tom Hall noted that BASMAA has requested POTW cost data, estimating how much POTWs would charge to accept diverted stormwater. BASMAA will be submitting their report to the SF Bay Regional Water Board by March 15th. Tom indicated that any cost data would be appreciated and should be sent to him.

The next regular monthly BACWA Board meeting is scheduled for, **March 21, 2014 at the EBMUD Treatment Plant Lab Library, 2020 Wake Ave, Oakland.**

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

March 17, 2014

MEMO TO: Bay Area Clean Water Agencies Executive Board 
MEMO FROM: D. Scott Klein, Controller, East Bay Municipal Utility District
SUBJECT: Six 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, 2013 through December 31, 2013** (six months of Fiscal Year 2013-2014). 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 12/31/13

DESCRIPTION	BEGINNING FUND BALANCE 07/1/13	TOTAL RECEIPTS	TOTAL DISBURSEMENTS	ENDING FUND BALANCE 12/31/13	OUTSTANDING ENCUMBRANCES	UNOBLIGATED FUND BALANCE 12/31/13
BACWA	669,142	650,968	219,309	1,100,800	349,374	751,426
TRNG FND	248,247	339	-	248,587	-	248,587
AIR	12,894	78,424	29,535	61,783	48,805	12,978
BAPPG	51,748	78,450	20,585	109,613	20,360	89,253
LEGAL RSRV	303,928	415	-	304,344	-	304,344
WQA CBC	369,481	684,019	144,651	908,848	800,051	108,797
BACWAOPRES	152,925	209	-	153,134	-	153,134
RWR	16,733	23	-	16,756	-	16,756
RESERVE	120,000	-	-	120,000	-	120,000
WOT	48,062	145,087	80,000	113,148	-	113,148
PRP84	59,109	8,060,408	6,222,861	1,896,655	47,707	1,848,948
WQA EMERG	405,238	554	-	405,791	-	405,791
TECHACTION	253,274	346	-	253,620	-	253,620
CBC OPRSRV	164,121	224	-	164,346	-	164,346
PRP50	157,852	14,481	9,354	162,979	23,680	139,299
	3,032,754	9,713,946	6,726,296	6,020,404	1,289,979	4,730,426

BACWA Revenue Report for December 2013

DEPARTMENT	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE			UNOBLIGATED
			DIRECT	INVOICED	JVS	DIRECT	INVOICED	JVS	
Bay Area Clean Water Agencies	BDO Member Contributions	450,000	-	-	-	494,061	-	494,061	(44,061)
Bay Area Clean Water Agencies	BDO Other Receipts	-	-	-	-	-	(9,987)	(9,987)	9,987
Bay Area Clean Water Agencies	BDO Fund Transfers	10,675	-	-	-	-	11,163	11,163	(488)
Bay Area Clean Water Agencies	BDO Interest Income	3,000	-	-	-	-	1,231	1,231	1,769
Bay Area Clean Water Agencies	BDO Assoc.&Affiliate Contr	159,000	-	-	-	154,500	-	154,500	4,500
BACWA TOTAL		622,675	-	-	-	648,561	2,407	650,968	(28,293)
BACWA Training Fund	BDO Interest Income	-	-	-	-	-	339	339	(339)
TRNG FND TOTAL		-	-	-	-	-	339	339	(339)
AIR-Air Issues&Regulation Grp	BDO Member Contributions	78,340	-	-	-	78,384	-	78,384	(44)
AIR-Air Issues&Regulation Grp	BDO Interest Income	-	-	-	-	-	40	40	(40)
AIR TOTAL		78,340	-	-	-	78,384	40	78,424	(84)
BAPPG-BayAreaPollutnPreventGrp	BDO Member Contributions	80,000	-	-	-	28,372	50,000	78,372	1,628
BAPPG-BayAreaPollutnPreventGrp	BDO Interest Income	-	-	-	-	-	78	78	(78)
BAPPG TOTAL		80,000	-	-	-	28,372	50,078	78,450	1,550
BACWA Legal Reserve Fnd	BDO Interest Income	-	-	-	-	-	415	415	(415)
LEGAL RSRV TOTAL		-	-	-	-	-	415	415	(415)
WQA-WtrQualityAttainmntStragy	Administrative & General	-	-	-	-	1,500	-	1,500	(1,500)
WQA-WtrQualityAttainmntStragy	BDO Member Contributions	675,000	-	-	-	668,658	-	668,658	6,342
WQA-WtrQualityAttainmntStragy	BDO Other Receipts	-	-	-	-	3,232	9,987	13,219	(13,219)
WQA-WtrQualityAttainmntStragy	BDO Interest Income	1,000	-	-	-	-	642	642	358
WQA CBC TOTAL		676,000	-	-	-	4,732	10,629	684,019	(8,019)
BACWA OperatingRsrv Fnd	BDO Interest Income	-	-	-	-	-	209	209	(209)
BACWAOPRES TOTAL		-	-	-	-	-	209	209	(209)

BACWA Revenue Report for December 2013

DEPARTMENT	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE			UNOBLIGATED
			DIRECT	INVOICED	JVS	DIRECT	INVOICED	JVS	
Regional Water Recycling	BDO Interest Income	-	-	-	-	-	23	23	(23)
RWR TOTAL							23	23	(23)
WOT - Wtr/Wwtr Operat Training	BDO Member Contributions	160,500	-	-	-	-	145,000	145,000	15,500
WOT - Wtr/Wwtr Operat Training	BDO Interest Income	-	-	-	-	-	87	87	(87)
WOT TOTAL		160,500					145,000	145,087	15,413
Prop84BayAreaIntegRegnWtrMgmt	BDO Fund Transfers	-	-	-	-	-	(488)	(488)	488
Prop84BayAreaIntegRegnWtrMgmt	BDO Interest Income	-	-	-	-	-	393	393	(393)
Prop84BayAreaIntegRegnWtrMgmt	Administrative Support	-	67,238	-	-	-	143,122	143,122	(143,122)
Prop84BayAreaIntegRegnWtrMgmt	Water Efficient Landscape Reba	-	-	-	-	-	3,647,671	3,647,671	(3,647,671)
Prop84BayAreaIntegRegnWtrMgmt	Novato North Area Proj.	-	31,250	-	-	-	31,250	31,250	(31,250)
Prop84BayAreaIntegRegnWtrMgmt	Napa St Hospital Stage 1	-	31,250	-	-	-	31,250	31,250	(31,250)
Prop84BayAreaIntegRegnWtrMgmt	Harding Park RWP	-	-	-	-	-	2,008,300	2,008,300	(2,008,300)
Prop84BayAreaIntegRegnWtrMgmt	South Bay Salt Pond Habitat Re	-	1,201,750	-	-	-	1,201,750	1,201,750	(1,201,750)
Prop84BayAreaIntegRegnWtrMgmt	Regional Green Infrastructure	-	104,151	-	-	-	156,005	178,934	(178,934)
Prop84BayAreaIntegRegnWtrMgmt	WQ Improve Flood Mgmt & EP	-	-	-	-	-	248,077	190,361	(190,361)
Prop84BayAreaIntegRegnWtrMgmt	Water Efficient LRP	-	57,471	-	-	-	57,471	57,471	(57,471)
Prop84BayAreaIntegRegnWtrMgmt	Bay Friendly Landscape TP	-	39,205	-	-	-	39,205	39,205	(39,205)
Prop84BayAreaIntegRegnWtrMgmt	Weather Based Irrigation Cntrl	-	15,863	-	-	-	15,863	15,863	(15,863)
Prop84BayAreaIntegRegnWtrMgmt	High Efficiency Toilet & UR	-	134,148	-	-	-	134,148	134,148	(134,148)
Prop84BayAreaIntegRegnWtrMgmt	High Efficiency Toilet & UI	-	183,415	-	-	-	183,415	183,415	(183,415)
Prop84BayAreaIntegRegnWtrMgmt	Napa Co. Rainwater HP	-	7,126	-	-	-	7,126	7,126	(7,126)
Prop84BayAreaIntegRegnWtrMgmt	Conservation Program Admin	-	20,752	-	-	-	20,752	20,752	(20,752)
Prop84BayAreaIntegRegnWtrMgmt	Watershed Partnership TA	-	25,235	-	-	-	25,235	50,108	(50,108)
Prop84BayAreaIntegRegnWtrMgmt	Flood Infrastructure Mapping T	-	3,457	-	-	-	3,457	3,457	(3,457)
Prop84BayAreaIntegRegnWtrMgmt	Pescadero Integrated FRAH	-	41,188	-	-	-	41,188	41,188	(41,188)
Prop84BayAreaIntegRegnWtrMgmt	Restoration Guidance, San FC	-	11,534	-	-	-	11,534	11,534	(11,534)
Prop84BayAreaIntegRegnWtrMgmt	SF Estuary Steelhead IMP	-	49,405	-	-	-	49,405	49,405	(49,405)
Prop84BayAreaIntegRegnWtrMgmt	Watershed Program Adminstrtn	-	4,277	-	-	-	4,277	14,192	(14,192)
PRP84 TOTAL			2,028,715				8,060,503	8,060,408	(8,060,408)
WQA Emergency Reserve Fnd	BDO Interest Income	-	-	-	-	-	554	554	(554)
WQA EMERG TOTAL							554	554	(554)
WQA Tech Action Fund	BDO Interest Income	-	-	-	-	-	346	346	(346)
TECHACTION TOTAL							346	346	(346)
CBC Operating Reserve Fnd	BDO Interest Income	-	-	-	-	-	224	224	(224)
CBC OPRSRV TOTAL							224	224	(224)
Prop50BayAreaIntegRegnWtrMgmt	BDO Interest Income	-	-	-	-	-	224	224	(224)
Prop50BayAreaIntegRegnWtrMgmt	Administrative Support	-	14,257	-	-	-	14,257	14,257	(14,257)
PRP50 TOTAL			14,257				14,257	14,481	(14,481)

BACWA Expense Report for December 2013

DEPARTMENT	EXPENSE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE			OBLIGATED	UNOBLIGATED
			ENC	PV	DA	ENC	PV	DA		
Bay Area Clean Water Agencies	Overpayment Refund	-	-	-	-	-	7,341	-	7,341	(7,341)
Bay Area Clean Water Agencies	BC-Collections System	26,000	(1,784)	1,784	-	9,324	250	-	25,250	750
Bay Area Clean Water Agencies	BC-Water Recycling Committee	41,552	-	-	-	9,910	-	-	9,910	31,642
Bay Area Clean Water Agencies	BC-Biosolids Committee	5,000	-	-	-	-	-	-	-	5,000
Bay Area Clean Water Agencies	BC-InfoShare Groups	25,000	-	-	-	25,000	-	-	25,000	-
Bay Area Clean Water Agencies	BC-Laboratory Committee	5,000	-	-	-	-	-	-	-	5,000
Bay Area Clean Water Agencies	BC-Miscellaneous Committee Sup	106,368	65,000	-	-	107,783	30,137	-	137,919	(31,551)
Bay Area Clean Water Agencies	LS-Regulatory Support	2,000	-	-	-	598	1,402	-	2,000	-
Bay Area Clean Water Agencies	LS-Executive Board Support	2,000	-	-	-	2,000	-	-	2,000	-
Bay Area Clean Water Agencies	CAS-CPSC	5,000	-	-	-	-	5,000	-	5,000	-
Bay Area Clean Water Agencies	CAS-PSI	500	-	-	-	-	-	-	-	500
Bay Area Clean Water Agencies	CAR-BACWA Annual Report	5,000	-	-	-	-	-	-	-	5,000
Bay Area Clean Water Agencies	CAR-BACWA Website Development/	7,820	-	-	-	1,500	-	-	6,326	1,494
Bay Area Clean Water Agencies	AS-BACWA Admin Expense	3,000	-	-	-	-	-	-	1,117	1,883
Bay Area Clean Water Agencies	CAR-Other Communications	5,199	-	-	-	-	-	-	73	5,127
Bay Area Clean Water Agencies	SP-BAPPG Contribution	50,000	-	-	-	-	-	-	50,000	-
Bay Area Clean Water Agencies	GBS-Contingency	31,100	-	-	-	-	-	-	-	31,100
Bay Area Clean Water Agencies	GBS- Meeting Support	13,000	(81)	81	503	402	6,910	(100)	7,810	5,190
Bay Area Clean Water Agencies	AS-Executive Director	175,000	-	-	-	116,667	58,333	-	175,000	-
Bay Area Clean Water Agencies	AS-Assistant Executive Directo	75,000	-	-	-	40,525	32,475	-	73,000	2,000
Bay Area Clean Water Agencies	AS-EBMUD Administrative Servic	40,000	(7,829)	7,829	-	29,118	10,882	(6,885)	36,617	3,383
Bay Area Clean Water Agencies	AS-Insurance	4,000	-	-	-	-	-	-	4,321	(321)
Bay Area Clean Water Agencies	BDO-CAS-Stanford ERC	10,000	-	-	-	-	-	-	-	10,000
Bay Area Clean Water Agencies	CAS-Afleen Navaret Award	1,000	-	-	-	-	-	-	-	1,000
Bay Area Clean Water Agencies	CAS-FWQC	5,000	-	-	-	-	-	-	-	5,000
BACWA TOTAL		643,539	55,305	9,695	503	349,374	142,955	33,339	568,684	74,856
AIR-Air Issues&Regulation Grp	Administrative Support	3,900	-	-	-	-	-	-	3,900	-
AIR-Air Issues&Regulation Grp	BDO Contract Expenses	74,440	-	-	-	48,805	47,335	(21,700)	74,440	-
AIR TOTAL		78,340	-	-	-	48,805	47,335	(17,800)	78,340	-
BAPPG-BayAreaPollutnPreventGrip	BAPPG-CE-Fog	17,000	-	-	-	-	-	-	-	17,000
BAPPG-BayAreaPollutnPreventGrip	BAPPG-CE-Mercury	2,500	-	-	-	-	-	-	-	2,500
BAPPG-BayAreaPollutnPreventGrip	BAPPG-CE-Pesticides	10,000	-	-	-	-	-	-	-	10,000
BAPPG-BayAreaPollutnPreventGrip	BAPPG-CE-Pharmaceutical	9,998	-	-	-	-	-	-	-	9,998
BAPPG-BayAreaPollutnPreventGrip	BAPPG-CE-General P2	1,500	-	-	-	-	-	-	-	1,500
BAPPG-BayAreaPollutnPreventGrip	BAPPG-CE-Emerging Issues	21,437	4,999	-	-	4,999	-	-	15,672	10,765
BAPPG-BayAreaPollutnPreventGrip	BAPPG-CE-Other	11,500	-	-	-	4,999	-	(3,028)	4,999	6,501
BAPPG-BayAreaPollutnPreventGrip	Administrative Support	4,275	-	-	-	-	-	-	4,275	-
BAPPG-BayAreaPollutnPreventGrip	BAPPG-CE-Multi-Pollutant	19,000	4,999	-	-	10,362	5,638	-	16,000	3,000
BAPPG TOTAL		97,210	4,999	-	-	20,360	5,638	13,700	40,946	61,264
WQA-WtrQualityAtainmntStratgy	WQA-CE-Technical Support	896,902	4,187	25,813	-	765,101	114,601	-	879,703	47,199
WQA-WtrQualityAtainmntStratgy	WQA-CE-Collaborations & Sponso	30,000	-	-	-	-	-	30,000	30,000	-
WQA-WtrQualityAtainmntStratgy	WQA-CE-Commun. & Reporting	6,000	-	-	-	-	-	-	-	6,000
WQA-WtrQualityAtainmntStratgy	WQA-CE-Other	33,800	-	-	-	34,950	50	-	35,000	(1,200)
WQA CBC TOTAL		966,702	4,187	25,813	-	800,051	114,651	30,000	944,703	51,999

BACWA Expense Report for December 2013

DEPARTMENT	EXPENSE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE			OBLIGATED	UNOBLIGATED
			ENC	PV	DA	ENC	PV	DA		
WOT - Wtr/Wtr Operat Training	Administrative Support	2,500	-	-	-	-	-	2,500	-	
WOT - Wtr/Wtr Operat Training	BDO Contract Expenses	158,000	-	-	-	-	-	77,500	80,500	
WOT TOTAL		160,500	-	-	-	-	-	77,500	80,000	
Prop84BayArealntegRegnWtrMgmt	Administrative Support	-	-	160	-	600	400	-	3,966	
Prop84BayArealntegRegnWtrMgmt	BDO Contract Expenses	-	-	-	47,107	-	24,345	-	71,453	
Prop84BayArealntegRegnWtrMgmt	Harding Park RWP	-	-	2,008,300	-	-	-	-	2,008,300	
Prop84BayArealntegRegnWtrMgmt	Regional Green Infrastructure	-	-	104,151	-	-	-	-	156,005	
Prop84BayArealntegRegnWtrMgmt	WQ Improve Flood Mgmt & EP	-	-	-	-	-	-	(197,743)	197,743	
Prop84BayArealntegRegnWtrMgmt	Water Efficient LRP	-	-	-	-	-	-	-	183,820	
Prop84BayArealntegRegnWtrMgmt	Bay Friendly Landscape TP	-	-	-	-	-	-	-	17,082	
Prop84BayArealntegRegnWtrMgmt	Weather Based Irrigation Cntrl	-	-	-	-	-	-	-	81,230	
Prop84BayArealntegRegnWtrMgmt	High Efficiency Toilet & UR	-	-	-	-	-	-	-	863,210	
Prop84BayArealntegRegnWtrMgmt	High Efficiency Toilet & UI	-	-	-	-	-	-	-	1,035,085	
Prop84BayArealntegRegnWtrMgmt	High Efficiency Clothes Washis	-	-	-	-	-	-	-	1,401,879	
Prop84BayArealntegRegnWtrMgmt	Napa Co. Rainwater HP	-	-	-	-	-	-	-	15,001	
Prop84BayArealntegRegnWtrMgmt	Conservation Program Admin	-	-	-	-	-	-	-	50,363	
Prop84BayArealntegRegnWtrMgmt	Watershed Partnership TA	-	-	25,235	-	-	-	36,290	126,676	
Prop84BayArealntegRegnWtrMgmt	Stream Restoration in North BD	-	-	-	-	-	-	30,250	179,741	
Prop84BayArealntegRegnWtrMgmt	Flood Infrastructure Mapping T	-	-	3,457	-	-	-	10,520	12,568	
Prop84BayArealntegRegnWtrMgmt	Stormwater Improvements & PBP	-	-	-	-	-	-	-	30,326	
Prop84BayArealntegRegnWtrMgmt	Pescadero Integrated FRAH	-	-	41,188	-	-	-	62,592	62,592	
Prop84BayArealntegRegnWtrMgmt	Restoration Guidance, San FC	-	-	11,534	-	-	-	11,534	11,534	
Prop84BayArealntegRegnWtrMgmt	SF Estuary Steelhead MP	-	-	49,405	-	-	-	122,239	122,239	
Prop84BayArealntegRegnWtrMgmt	Watershed Program Adminstrtn	-	-	4,277	-	-	-	25,326	35,241	
PRP84 TOTAL				2,247,706		47,707	24,745		6,270,569	
Prop50BBayArealntegRegnWtrMgmt	Administrative Support	-	-	-	975	25	-	-	1,000	
Prop50BBayArealntegRegnWtrMgmt	BDO Contract Expenses	-	-	-	22,705	4,073	-	-	26,778	
Prop50BBayArealntegRegnWtrMgmt	EBMUD Ca. Waterstar Initiative	-	-	-	-	-	-	(7,322)	-	
Prop50BBayArealntegRegnWtrMgmt	EBMUD Richmond RWP	-	-	-	-	-	-	(8,448)	-	
Prop50BBayArealntegRegnWtrMgmt	Redwood City RWP	-	-	-	-	-	-	-	3,285	
Prop50BBayArealntegRegnWtrMgmt	Mt. View-Moffat RWP	-	-	-	-	-	-	(5,561)	-	
Prop50BBayArealntegRegnWtrMgmt	N. Marin RWP	-	-	-	-	-	-	1,971	1,971	
PRP50 TOTAL					23,680	4,098	26,587	(21,331)	(33,034)	



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 3

FILE NO.: 13,158

MEETING DATE: March 21, 2014

TITLE: Approve Resolution to Adopt the San Francisco Bay Area Integrated Regional Water Management Plan Update

MOTION

RESOLUTION

DISCUSSION

ACTIONS UNDER CONSIDERATION

Approve a resolution for BACWA to adopt the updated Bay Area Integrated Regional Water Management Plan (IRWMP)

SUMMARY

Since 2003, BACWA has represented the functional area of wastewater-recycled water and has been one of the four entities developing and overseeing implementation of the Bay Area IRWM Plan. BACWA developed a wastewater and recycled water functional area document with its own resources and previously contributed \$25,000 towards a similar cost share agreement to support implementation of the Plan. On May 27, 2010 the BACWA Board approved a \$60,000 contribution to update and support continued implementation of the Plan, to ensure that member agencies would continue to be eligible for Proposition 84 and 1E funding. Updates to the plan have been completed and the BACWA representatives to the IRWMP group recommend that BACWA approve a resolution to adopt the updated plan.

The Bay Area IRWMP is a multi-agency, nine-county effort to coordinate and improve water supply reliability, protect water quality, manage flood protection, maintain public health standards, protect habitat and watershed resources, and enhance the overall health of San Francisco Bay. The objectives of the IRWMP are to foster regional collaboration, improve coordination and communication among Bay Area entities responsible for water and habitat related issues, build public support for vital projects, and improve the region's ability to compete for funding.

In late 2003, BACWA was one of approximately twenty agencies that signed a Letter of Mutual Understanding (LOMU), agreeing to participate in and assist with development of the Bay Area IRWMP. The LOMU identified BACWA as one of four entities on the IRWMP governing body (called the Coordinating Committee) and as the lead in developing the Functional Area Document for wastewater and recycled water projects, which was approved by BACWA in 2006.

IRWMP has been updated to reflect new DWR requirements and to ensure that Bay Area projects are eligible for the \$138 million of IRWM grant funding provided by Proposition 84 for the Bay Area, and the \$300 million available for stormwater management projects provided by Proposition 1E.

FISCAL IMPACT

Approval of this resolution will enable BACWA to be eligible for IRWM Prop 84 grant funds.

IRWMP Update Resolution
March 21, 2014

ALTERNATIVES

This action does not require consideration of any alternatives.

ATTACHMENTS

1. Resolution to Adopt the San Francisco Area Integrated Regional Water Management Plan Update

**ADOPTING THE SAN FRANCISCO BAY AREA
INTEGRATED REGIONAL WATER MANAGEMENT PLAN UPDATE**

WHEREAS, the State electorate approved multiple statewide bond measures since 2000, including Propositions 50 and 84, to fund water and natural resource projects and programs, including Integrated Regional Water Management (IRWM); and

WHEREAS, the benefits of integrated planning for water resources management activities include increased efficiency or effectiveness, enhanced collaboration across agencies and stakeholders, and improved responsiveness to regional needs and priorities; and

WHEREAS, state statute and guidelines required that an IRWM Plan be adopted by the governing boards of participating agencies before IRWM grant funds would be provided for water resources management projects that are part of the IRWM Plan; and

WHEREAS, several of the participating agencies in the Bay Area jointly submitted an IRWM grant application for state consideration where a condition for funding required the Bay Area IRWM Plan to be adopted by January 1, 2007; and

WHEREAS, the Bay Area agencies that received funding in previous grant rounds did adopt the Bay Area IRWM Plan before such funds were received; and

WHEREAS, more recent state statutes and guidelines require that the Bay Area IRWM Plan be updated before agencies may receive future IRWM grant funding; and

WHEREAS, a grant was received to update the Bay Area IRWM Plan, that Plan having been completed in the fall of 2013 and submitted to the Department of Water Resources in January 2014; and

WHEREAS, a series of workshops were held on the initial Bay Area IRWM Plan and recently the Plan Update to provide stakeholders, including Bay Area local governments, an opportunity to ask questions, provide comments and make recommendations; and

WHEREAS, the Draft Bay Area IRWM Plan Update was posted on the internet and made available for public comment; and

WHEREAS, the Bay Area IRWM Plan Update before the Board for consideration incorporates changes based on comments received during the public review period in the areas of environmental justice, technical project data, and other elements of the Plan; and

WHEREAS, the Bay Area IRWM Plan Update provides an implementation framework that calls for tracking accomplishments, developing lists of prioritized projects and periodically updating the Bay Area IRWM Plan as conditions warrant, providing funding and resources are available to carry out these activities; and

WHEREAS, adoption of the Bay Area IRWM Plan Update does not entail a direct commitment of resources and implementation of each project, as such will be the responsibility of the project proponent and any applicable project partners, and there is no joint commitment or responsibility by the Bay Area IRWM Plan Update participants to implement any or all of the projects; and

WHEREAS, the IRWM Plan Update is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines §15262 and §15306 because the IRWM Plan Update consists of basic data collection that would not result in the disturbance of any environmental resource and involves planning studies for possible actions that the participating agencies have not yet approved; and

WHEREAS, the IRWM Plan Update is meant to be complementary to participating agencies' individual plans and programs and does not supersede such plans and programs, and adoption of the IRWM does not prohibit or effect in any way a participating agencies' planning efforts separate from the IRWM Plan; and

NOW THEREFORE, BE IT RESOLVED that the BACWA Executive Board does hereby adopt the 2013 Bay Area IRWM Plan Update. In taking this action, the Board acknowledges that the resultant 2013 Bay Area IRWM Plan identifies several projects of BACWA members as high priority projects worthy of grant funding. The 2013 IRWM Plan includes projects from the BACWA adopted Functional Area Document as well as additional wastewater and recycled water projects. BACWA agrees with this priority and shares the interests of the other stakeholders in the success of the Bay Area IRWM Plan.

ADOPTED this 21st day of March, 2014, by the BACWA Executive Board.

CERTIFICATION

The undersigned Chair and Executive Director of the Bay Area Clean Water Agencies hereby certify that the foregoing Resolution was duly adopted at a noticed meeting of the Executive Board of Bay Area Clean Water Agencies held on March 21, 2014.

Dr. Michael S. Connor, BACWA Executive Board Chair

David R. Williams, BACWA Executive Director



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 4

FILE NO.: 11,896

MEETING DATE: March 21, 2014

TITLE: Consolidation of Reserve Funds

MOTION

DISCUSSION

RESOLUTION

RECOMMENDED ACTION

Authorize consolidation of existing reserve funds into three operating accounts

SUMMARY

On September 24, 2009 the BACWA Board approved a resolution (File 11,896) to create six new accounts from the current unobligated funds. At the 2013 Pardee Technical Seminar the Board recommended consolidation of these reserve funds. The table below lists the accounts that would be BACWA and CBC accounts, their current balances (as of December 2013), the estimated balances resulting from the consolidation, and the proposed target reserves (as discussed at Pardee). At the end of every fiscal year excess funds will be transferred from BACWA and WQA CBC accounts to reserve accounts.

March 2014 Proposed Consolidation of BACWA/CBC Reserve Funds

<i>FUND</i>	<i>Dec 2013 Balance</i>	<i>Proposed Consolidation Result</i>	<i>Target Amount</i>
BACWA	\$ 1,100,800	\$ 1,093,934	Operating Budget
BACWAOPRES	\$ 153,134	\$ 160,000	¼ Operating Budget (\$160,000)
WQA CBC	\$ 908,848	\$ 908,848	Operating Budget
Legal (LEGAL RSRV)	\$ 304,344	\$ 300,000	\$300,000
CBC OPRSRV	\$ 164,346	\$ 1,196,688	\$400,000
TRNG FND	\$ 248,587	\$ -	0
WQA EMERG	\$ 405,791	\$ -	0
TECHACTION	\$ 253,620	\$ -	0
RESERVE	\$ 120,000	\$ -	0

FISCAL IMPACT

There is no direct fiscal impact from this action.

ALTERNATIVES

N/A



EXECUTIVE BOARD AUTHORIZATION REQUEST

AGENDA NO.: 5

FILE NO.: 13,159

MEETING DATE: March 21, 2014

TITLE: BACWA Executive Board Approval to Execute Agreement with O’Rorke Inc. for BAPPG Social Marketing and Outreach Support

MOTION _____ RESOLUTION _____

RECOMMENDED ACTION

Authorize the execution of a competitively bid contract with O’Rorke Inc. for BAPPG Social Marketing and Outreach support in an amount not to exceed \$17,998 for fiscal year 2013-14.

SUMMARY

This contract will provide support for public outreach, graphic design, media relations, and administrative support for placement and payment of advertising services for the Bay Area Pollution Prevention Group. The consultant will support BAPPG Project Leads in creating effective outreach messages and search for new opportunities to inspire behavior change in target groups.

Scope of Work:

- 1) **Develop 12-month Integrated Outreach Strategy:** Many BAPPG outreach campaigns are well defined from past years. The consultant will work with BAPPG to integrate these campaigns into a larger social marketing strategy.
- 2) **Ongoing Advertising Administration:** The consultant shall assume administrative responsibilities for the placement and payment of advertising; funding for advertisements will be provided through a separate line within the BAPPG Operating Budget.
- 3) **As Needed Media Relations and Language Translations:** The consultant shall work closely with BAPPG staff to cultivate relationships with media within the San Francisco Bay area with the goal of increasing media coverage about water pollution prevention. The consultant must be able to provide print and audio language translations for Spanish, Korean, Cantonese and other languages as needed.

Social Marketing Outreach efforts will be carried out under the supervision of Melody LaBella of CCCSD, Karri Ving of SFPUC and Karin North of the City of Palo Alto.

FISCAL IMPACT

Funds are available for this agreement and have been allocated for this project within the following BAPPG FY 2013-14 budget line items:

- Dental Amalgam Vendor List: \$2,500
- Local Cable Advertising \$2,000
- No Drugs Down the Drain \$4,999
- Pharmacy Bags \$4,999
- Dioxin Partnership with Air District \$2,000
- Baywise Website Training \$2,000
- Commercial Buildings \$1,500

- Unplanned Issues \$5,002

ALTERNATIVES

This contract was put out to bid and is consistent with BACWA contracting policies.

Attachments:

Exhibit A: Scope of Work & Cost Estimate for 2013-14 Agreement with O'Rorke Inc, File 13,159.

ORORKE INC.

POLLUTION PREVENTION PUBLIC OUTREACH AND GRAPHIC DESIGN SUPPORT

BAY AREA POLLUTION PREVENTION GROUP

MARCH 05, 2014

Manon Fisher
SFPUC Wastewater Enterprise
3801 3rd Street, Ste. 600
San Francisco, CA 94124

Ms. Manon:

O'Rorke, Inc. is pleased to submit our proposal to the Bay Area Pollution Prevention Group (BAPPG) in response to the request for proposals for Pollution Prevention Public Outreach and Graphic Design Support. We look forward to the opportunity to work with the BAPPG project leads to provide public outreach, graphic design, media relations and administrative support for placement and payment of advertising services to BAPPG's target audiences.

Why should you hire O'Rorke?

BAPPG's campaign goals are a perfect fit with our long-standing work on regional and state-wide norm-changing and social marketing campaigns. Not only do we bring extensive experience with government communications protocols and working on water pollution prevention projects to the table, we have a keen understanding of how to work efficiently and effectively on BAPPG's behalf. We have proven advertising, social marketing, web development, media relations and language translation skills, as well as water infrastructure, efficiency and quality issues through work with BASMAA, BACWA, the Los Angeles County Sanitation Districts, the San Francisco Public Utilities Commission and East Bay Municipal Utilities District, and many more.

Proven experience

Our proven experience producing successful campaigns that have led to significant results place us in a unique position to provide you with innovative strategies, real time responses, and top-notch creative that speaks for themselves. Our depth of experience with water-related communications, advertising and marketing tells our story—we know BAPPG's target audiences and issues and how to move people to adopt specific behaviors to generate desired results. O'Rorke staff members have also presented on pollution prevention campaigns, as well as media, messaging and social media at several California Water Environment Association Conferences.

We look forward to the opportunity to work with you and apply our expertise and commitment on your behalf. All materials and enclosures being forwarded in response to this solicitation have been included in this document.

Regards,

Tracy Keough, Managing Principal
tracy@ororkeinc.com

55 Hawthorne Street, Suite 710
San Francisco, CA 94105
(415) 543-1426



Task 1 – Develop 12-month Integrated Outreach Strategy

O’Rorke specializes in strategic development of social marketing campaigns along with providing basic communications services for government agencies, including market research, community capacity- and consensus-building, website design and development, grassroots community and business outreach, public forums, ribbon cuttings, project kick-offs, conferences, launch events, award-winning creative work, and a full range of production for television, radio, print, outdoor and online media. In addition, O’Rorke provides media planning and buying services, as well as aggressive media relations, speaker placement, in-language phone banking and ethnic and in-language outreach.

One of the challenges BAPPG faces is that, with a limited budget, it can be difficult to create an ongoing, cohesive identity that will reinforce the values and ultimately desired behavior change. We recommend taking a very strategic approach to ensure audiences are being targeted with multiple messages throughout the year, either through advertising, social media, media relations and community outreach.

a) Conduct 1-hour workshop to inform development of strategic outreach plan

O’Rorke will manage logistics for and help facilitate a one-hour (or longer) workshop with the BAPPG Steering Committee and Project Leads to develop a strategy for the year-long outreach plan and help prioritize target behaviors, audiences, media and available resources (staff and budget). The strategy will include a draft implementation schedule.

Depending on how many people participate and the number of priority behaviors identified, we may recommend briefly dividing into break-out groups to engage each participant on a deeper level to glean as much insight as possible and also ensure a greater likelihood of collective buy-in down the road. This will help us prioritize target audiences and behaviors for the final strategy. Alternatively, or in addition, we might conduct a brief pre-workshop survey to collect a base of information about individual agency priorities and desires going into the workshop; this could save time during the limited period of the workshop.

b) Incorporate effective use of Community-Based Social Marketing

We will be completely focused on changing target behaviors and shifting social norms. While awareness and education are critical contributors, results are based on the behavior itself. Part of our task is to develop a comprehensive understanding of the barriers to behavior change, as well as incentives that might entice target audience members to change their behavior. Because we have been working on water pollution prevention in the Bay Area for many years, we already bring to the table a thorough understanding of these barriers and incentives, but we will include some exploration of them in the workshop, or pre-workshop survey, as well.

As you will read in the tasks below, O’Rorke works to solve problems, and we employ any and all marketing, outreach and communication methods that enable target audiences to absorb and apply the messages we are delivering – that includes social marketing and community-based social marketing.

Task 2 – Ongoing Advertising Administration

As one of the few truly full-service marketing, advertising, communications and evaluation firms, O’Rorke can strategically plan, develop, and implement comprehensive outreach campaigns: from market research and analysis; to grassroots feet-on-the-street outreach; to development and implementation of a special media event; to design and production of television and radio spots that can also be adapted into online rich media ads.

a) Allocate 33% of the total contract amount for advertising in local theaters, papers, Facebook, web banners and other venues.

Negotiating and placing advertising are a major part of what we do for clients and have been part of our project-based work for the BAPPG over the years. Allocating 33 percent of the budget for this project is easily done; we will use information gleaned from the workshop (as outlined in Task 1) to prioritize media selections and messages to maximize effectiveness within the campaign budget.

No media method is too large or too small for O’Rorke—we’ve utilized everything from neighborhood newspapers to web ads to billboards on the side of the highway to major network television spots to get messages out. Our job is to seek out the options that make the most sense for our clients, taking into account budget, target area and target audience. We work closely with media reps to ensure that our advertising targets the right demographics and psychographics, allowing us to put forth media plans that will get the best results. Our clients range from small city projects to the regional Spare the Air campaign, so we are uniquely prepared to bring success to any project. Our seasoned media buyer is highly skilled in negotiating bonuses as part of our media buys and has been known to ultimately generate bonus value exceeding 30 percent of the original buy!

Although it is premature to discuss media plan specifics, O’Rorke has had great success recently with Pandora, the internet radio service, and with placement of online, mobile and tablet ads and may recommend exploring this outlet. These newer methods are increasingly a key way to reach busy target audiences while print and more traditional methods are a good way to reach an older population. We’ve also taken our social media work a step further by “boosting” strong Facebook posts into paid placements that reach fans of a page and their friends, and we understand how to manage this and other social media advertising platforms on a day-to-day basis. This strategy has proven to be a solid way to build a larger social media audience. We also know how to tailor web-based advertising to cross multiple platforms, from phones to tablets to desktops, and how to make them work in tandem with one another.

b) Receive approval for all ads and ad scheduling by the project team before placement.

Prior to ad placement, O’Rorke will meet with the BAPPG project team to identify project goals and establish appropriate timelines for approval and scheduling. O’Rorke will develop a comprehensive media plan including a placement timeline in advance of ad placement; the plan will include a list of feedback and approval periods for each ad. O’Rorke will develop ad concepts for client review and then refine the selected concept for final client approval.

Only after client approval are any ads booked and placed. After the placement of ads, O’Rorke will provide the BAPPG project team with proof of placement.

c) Interact with advertising venues to schedule and confirm ad placement and duration of run.

Interacting with advertising venues to confirm that buys are being run appropriately is standard practice for O’Rorke. We have a seasoned media buyer who has excellent relationships with outlets in the region. We will monitor the buy throughout the campaign, and we will negotiate make-goods if needed. Our buyer also closely monitors online campaigns and handles optimizations (to ensure best possible ad performance) throughout an ad flight.

d) Ensure accurate billing and timely payment.

Our business and billing practices are beyond reproach. O’Rorke will adhere to production schedules to ensure timely execution of scopes of work and completion of final deliverables. We closely monitor budgets for all subcontractor activities along with our own. To do this, we use a double-entry accounting system capable of tracking individual client budgets. We utilize a proprietary in-house service-hour tracking system, which allows us to monitor client activity on a daily, weekly, and monthly basis.

e) Provide a balance of the advertising budget and current contract balance with each billing cycle and copies of paid invoices itemizing where ad placement occurred.

Clients receive detailed monthly invoices showing all service hours with narrative time descriptions. All client-approved direct costs, including those of our partner subcontractors, are also itemized with detailed backup.

f) Upon request, the consultant will provide a detailed report on ad placement in each outreach venue listing which ads ran, total run dates and cost.

O’Rorke routinely creates spreadsheets for media buys which include cost, run dates, and details of the buy, such as:

- Number of spots booked
- Number of impressions booked
- Ad sizes/production details
- Value-add (if bonuses are received)

We can update this periodically or monthly based on BAPPG's needs.

Task 3 – Web Content

O'Rorke's vast experience in website redesign and creative development makes us uniquely prepared to assist BAPPG as needed in developing and maintaining web content to make the website more user friendly. O'Rorke will work with staff to determine next steps for the website and can help the BAPPG project staff on any scale, whether you are making only basic web changes, adding new photos, or creating a full-scale website overhaul with interactive graphics and new content (or anything in-between).

While we can drive people to the baywise.org website, we need to ensure that the site will contain the best content. To this end, we will conduct an audit at the commencement of this project and make recommendations about ways the content could be enhanced. We can assist with development of this additional content, and we can work with BAPPG members to generate initial copy, refining it to ensure consistency of voice. We also will explore ways to make the existing content more accessible.

O'Rorke will work with BAPPG to develop a cohesive online media strategy that will weave together the multiple outreach and advertising campaign elements to place a larger focus on pollution prevention in the region.

Given the available budget and the high functionality of your current website, we also would recommend using social media sites as place for supplemental information on your campaigns and services. Social media presents an opportunity to engage residents in an interactive discussion about pollution prevention, as long as the BAPPG is prepared to provide ongoing resources to maintain these services. We will work with your staff to explore how best to utilize these sites and assist developing a scope that will help the BAPPG determine what role, if any, such sites should play in either the initial roll-out campaign or on an ongoing basis.

We have a vast knowledge and experience in initial web design and development as well as transitioning existing websites to new vendors. For the SFPUC, O'Rorke was tasked with designing and developing the innovative SFGreasecycle.org site. Prior to the official campaign launch, website hits increased exponentially; the highest daily tally was 442, and on launch, it reached 10,700 hits.

Ranging from numerous small scale campaign and multilingual landing page creation to a complete website overhaul, as we managed and implemented a website overhaul for the Los Angeles County, Department of Public Works—Waterworks Districts, O’Rorke will meet with program staff to determine which website path of action is best to increase environmental program visibility and reach target audiences.

Task 4 – Media Relations

Our approach to media relations will be similar to our approach to advertising, and wherever appropriate, we will tie the two together. Part of the outreach plan will include a section focused on media relations that maps out recommended pitches for the coming year; these will be incorporated into the schedule.

Our participation in the monthly PIP meetings keeps us up-to-date on what is going on with the broader program and gives us an opportunity to report on activities and results of this program. We also will look to these meetings to generate additional ideas for pitches; we may have a pitch scheduled around “trash,” but the specific concept for the pitch could come out of these meetings.

O’Rorke will:

a) work closely with BAPPG staff to cultivate relationships with the media.

O’Rorke’s relationship with BACWA stretches back to 1998, when there was a joint regional media relations campaign with BASMAA and BACWA. We understand water issues, and we understand Bay Area media. For the statewide No Drugs Down the Drain Campaign, O’Rorke worked with agencies and media throughout California to bring attention to this important issue. We will employ similar successful strategies to ensure a collaborative approach with the BAPPG project team and potentially other vested partners.

To that end, and in conjunction with the BAPPG project team, we will develop a media relations plan that will help establish BAPPG as a source for water pollution information in the region. Our initial recommendation includes the development of various pitches throughout the campaign to bolster coverage and increase awareness. As our ongoing coverage for BASMAA (and our previous work for BACWA and BAPPG) shows, we seek to capitalize on the best possible story ideas to further our clients’ goals. We also provide a voice of reason, helping clients to understand what will and won’t have “legs” with the media.

b) work with staff to develop and maintain a comprehensive outreach resource list that includes local community newsletters and outreach opportunities specific to the San Francisco Bay Area.

Alongside BAPPG staff, O'Rorke will develop and maintain a comprehensive outreach resource list including local community newsletters and other outreach opportunities specific to the San Francisco Bay Area. This kind of boots-on-the-ground media relations is key to community-based social marketing. O'Rorke has several projects throughout the San Francisco Bay Area that have required building relationships with communities and homeowner associations.

In 2013, we conducted grassroots outreach for Zero Waste Marin to increase participation in waste reduction behaviors. Working with the JPA board and five different haulers as well as the County and a local task force, O'Rorke created a regional campaign focused on reducing food waste and increasing food scraps participation, with clear visuals showing which items are universally accepted into residents' green bins. In addition to running a traditional advertising campaign, O'Rorke also overhauled the Zero Waste Marin website home page, developed a new tagline and conducted extensive grassroots outreach to local schools, community groups and homeowner associations.

In addition to homeowner associations and community group meetings, there are ample outreach opportunities throughout the San Francisco Bay Area such as farmers markets, festivals and fairs that allow you to geo-target messages and strategize outreach to certain areas. Some outreach opportunities we may recommend exploring are:

- North Beach Festival
- Annual Cloverdale Citrus Fair
- San Mateo Harvest Festival
- Marin Farmers Market

We have the experience and know-how to build a comprehensive resource list that includes traditional methods of outreach and nontraditional opportunities for BAPPG.

Finally, BAPPG members and partners may have assets available to help promote the campaigns. O'Rorke will conduct a mini-audit with the project team to identify possible free media opportunities available and will subsequently manage placement if they arise.

Task 5 – Language Translations

O'Rorke recognizes the diversity within the San Francisco Bay Area and the need for in-language materials to maximize outreach efforts. O'Rorke will work with InterEthnica, a marketing firm specializing in outreach to multicultural audiences, to produce print and audio language translations in Spanish, Korean, Cantonese, and other languages as determined by BAPPG staff.

In addition to in-language print materials, O’Rorke recommends extending your reach to non-English speakers online as well in future campaign years, as more and more people rely on the Internet—often via mobile devices—as their information source. We are well versed in creating cost-efficient in-language landing pages that link to in-language materials. For the Bay Area Air Quality Management District’s *Spare the Air* campaign, we created an English landing page with four language options that not only re-directs users to the preferred language site for viewing, but also provides them links to in-language facts and tips.

O’Rorke used findings from the 2008 Castaic Lake Water Agency phone survey to inform the decision to implement a Spanish-language campaign that went beyond the web. We developed in-language door hangers and bus shelters with calls-to-action that resonate among the Latino audience. Two years in, findings showed a 28 percent increase in Hispanic respondents’ concern for water supply.

We are currently developing multilingual materials for the City of Irvine Environmental Programs, including a multilingual landing page and a recycling- and energy-themed one-sheet with easy-to-adopt tips in Farsi, Korean, and Mandarin Chinese.

Samples A

CLIENT: Los Angeles County Waterworks Districts

CLIENT PROJECT MANAGER: Greg Evan, Senior Civil Engineer

PHONE NUMBER: (626) 300-3338

DESCRIPTION:

During the summer of 2007, the driest season on record, O’Rorke developed and implemented a water efficiency program for the Los Angeles County Waterworks Districts (Waterworks). Utilizing social marketing techniques, the campaign targeted Malibu and Antelope Valley communities to provide residents and businesses with easy steps to reduce water usage. O’Rorke additionally provided crisis counsel to deal with possible water shortages, water rationing and potential disruptions in service.



To ascertain motivators, O’Rorke developed a survey to determine how the community used water and perceived their water situation. Using this data, we developed the “Three Easy Ways” campaign, which utilized a child actor demonstrating how easy it is for residents to fix leaks and adjust sprinkler, as well as the benefits of using native drought-tolerant plants.

O’Rorke launched the program with a hard-hitting media event at a Home Depot, highlighting water use tips and promoting the store’s new native plant section. The event generated coverage in all targeted local outlets, including a follow-up story in the *LA Times*. Advertising ran on cable television, as front page “flags” and full page ads in local and regional newspapers, in movie theatres, on regional radio and on billboards. Online advertising has utilized community websites, newspapers, Facebook and Google AdWords.

In 2010, O’Rorke updated the “Three Easy Ways” campaign with a new television spot, print ads, billboards, gas station pump top ads and website redesign. Reinforcing the momentum, O’Rorke created, developed and launched a user-friendly website for the Waterworks that included the updated “Three Easy Ways” campaign messaging along with interactive tools to keep the communities informed and engaged in water conservation.

By 2013 the program has expanded to include school education outreach and a new plan that targets hard-to-reach audiences in Malibu, Topanga, Val Verde and Acton through homeowner association meetings. At these homeowner association meetings we stressed the connection between water runoff and pollution prevention and the easy ways people can reduce water runoff to prevent stormwater and ocean pollution. **The results are impressive: residents have reduced water use by 24 percent since 2007, a decade ahead of the state’s 20 percent reduction goal by 2020.**

This spring, O’Rorke is launching a drought-focused water efficiency campaign in response to the state-wide drought declaration. The campaign includes media outreach, billboards, radio, TV, Facebook and Pandora ads.

CLIENT: Los Angeles County Office of Sustainability

CLIENT PROJECT MANAGER: Howard Choy, General Manager

PHONE NUMBER: (323) 267-2006

DESCRIPTION:

In May 2012 O’Rorke launched and managed the communications and outreach for Los Angeles County’s Commercial PACE program. O’Rorke was tasked with developing public outreach and training materials to educate and increase awareness about new alternative financing options. We continue to contribute strategy on targeting audiences; develop new collateral including business cards, folders, audience specific one-sheets and multiple PowerPoint presentations; and led to the re-design, development, and implementation of lapace.org.



As part of the initial team, O’Rorke collaborated and led other team agencies on a standardized communications path to clearly identify and educate potential participants. O’Rorke navigated the complexities of this financing program by creating communication protocols and FAQ documents, simplifying the program to increase potential participation and awareness. O’Rorke created, augmented, and maintained a database of contacts used to track the progress of team outreach and maintain constant communication with interested parties. Early on we identified the need for audience-specific outreach efforts and designed multiple PowerPoint presentations, and we continue to provide new materials as audiences and needs are realized.

In January 2013 we launched the refreshed site for Los Angeles County’s Commercial PACE program (lapace.org). With a modest \$30,000 budget, our team designed, programmed, and managed all aspects of content development and website navigation. Our ability to deliver this and other online marketing tools at a significant cost savings was instrumental in allowing LA County to achieve their goals within budget. This spring, O’Rorke is conducting a large-scale website update with new graphics and web content to keep the program current

O’Rorke also managed all event logistics for the March 2013 statewide PACE symposium, including save-the-date and invitation e-designs and distribution, invitation lists, securing a location, and ensuring overall event success. O’Rorke designed an innovative event landing page to enable online registration. The symposium brought together municipalities, contractors, investors, and property owners to discuss PACE implementation and best practices. EPA Region 9 Administrator Jared Blumenfeld and California Energy Commissioner Andrew McAllister provided the keynote.

In January 2014, we managed the media relations for the ribbon cutting held at the Hilton Los Angeles/Universal City, featured Mayor Garcetti celebrating the completion of the largest property assessed clean energy project in the nation. For this event, we secured a variety of coverage ranging from a segment on KABC-TV to two articles in *The Los Angeles Daily News* to multiple articles on online blogs and trade publications.

CLIENT: Bay Area Air Quality Management District

CLIENT PROJECT MANAGER: Kristine Roselius

PHONE NUMBER: (415) 749-4647

DESCRIPTION:

From 1998 to 2002 and from 2004 to now, O’Rorke has handled media relations and advertising for the BAAQMD—with annual budgets ranging over \$1 million—including strategy development, qualitative research, creative production, media planning and buying, coordination of promotions and event presence, and pitching media placements on Spare the Air days. Over the last few years, with general awareness about Spare the Air hovering around 82 percent, O’Rorke has conducted more targeted campaigns to zero in on those audiences with a strong propensity to make the desired behavior changes – the low-hanging fruit. While we have executed a variety of campaigns over the years, below are some of our most recent success stories.

Our approach grew from traditional advertising and media relations in 1998 to include collaborations with MTC, BART and up to 30 transit operators for the “Ride Free on Spare the Air Days.” We even secured a gratis license directly from U2’s Bono to use the song “Beautiful Day” in TV ads for two consecutive years. By the campaign’s end, riding free was so synonymous with Spare the Air that we needed to conduct outreach to untether them.



In 2010, seeking ways to engage with a younger audience – ages 17–35 – for the summer Spare the Air campaign, O’Rorke worked closely with the Air District to develop a strategy focusing on this audience, complete with customized creative and innovative methods of outreach – such as texting and social media – and taking the opportunity to reach a previously underserved demographic with a host of Spare the Air messages.

The cornerstone of the campaign was a partnership with concert and event producer Live Nation. Under the moniker Spare the Air Nation, O’Rorke reached Bay Area concertgoers at five select concerts via digital and printed venue signage, a branded Spare the Air parking lot for carpoolers, and a custom-designed, interactive booth dubbed the “Clean Air Lounge.”

More recently, O’Rorke directed the media outreach for the 2012 Winter Spare the Air media season, which garnered **a publicity value of over \$7.5 million and generated major coverage in broadcast (TV and radio), print, and online outlets.**

Following O’Rorke’s successful marketing efforts for Spare the Air and Winter Spare the Air over the past three years, the number of Winter Spare the Air Alerts email sign-ups jumped from 50,000 to more than 100,000, and phone alerts grew from zero to over 15,000!

Finally, BAAQMD looked to us to execute four high-profile conferences from 2005-2010. For each, O’Rorke secured underwriting; handled marketing and media outreach; and oversaw event logistics. In advance of the passage of AB 32 and SB 375, the 2005 Climate Symposium marked BAAQMD’s 50th Anniversary and was one of the first large-scale regional summits in the country to bring together businesses and jurisdictions to coordinate actions that would reduce GHG. We took it up a

notch for the 2006 Climate Protection Summit by securing Vice President Al Gore to deliver the keynote during the height of “An Inconvenient Truth.” In 2009, O’Rorke coordinated a conference – co-sponsored by ABAG and MTC – at the Fox Theatre in Oakland, with prize-winning author Thomas Friedman and then-California Attorney General Jerry Brown. In 2010, we secured Arianna Huffington and “Green Economy” advocate Van Jones for the CAPCOA Climate Change Forum.

CLIENT: Bay Area Clean Water Agencies / Bay Area Pollution Prevention Group

CLIENT PROJECT MANAGER: David Williams (BACWA) / Melody LaBella (BAPPG)

PHONE NUMBER: (925) 765-9616 (BACWA) / (925) 229-7370 (BAPPG)

DESCRIPTION:

O’Rorke has worked with BACWA in some capacity since 1997 when the Regional Media Relations Campaign was a joint BASMAA/BACWA project.



When that campaign split, O’Rorke continued to do project-basis work for BACWA and its program, the Bay Area Pollution Prevention Group. This work included placement of radio and online ads on varied topics such as fats, oils and grease disposal and—notably—the No Drugs Down the Drain campaign (NDDD). For NDDD O’Rorke handled statewide pitch efforts in 2008 and regional pitching in the years following.

Our efforts for NDDD included significant materials development (press advisories, releases and fact sheets) and organization of two press conferences. These efforts paid off: NDDD was well-covered statewide. Extensive media coverage called attention to the important issue of how medications should be disposed. In 2009, our Bay Area pitch culminated in a press conference with State Senator Loni Hancock, who inaugurated a new drug disposal location at the State Building in Oakland. This was covered by the Oakland Tribune, the Marin Independent Journal, KCBS and numerous other Bay Area media outlets.

O’Rorke was hired by BAPPG in 2010 to completely revamp the BayWise.org website, which serves both the BACWA and BASMAA.

For years, though the infrastructure existed, the site remained underutilized. With funds from BACWA, BAPPG brought O’Rorke in to develop a look for the site and create ways to make the site a go-to spot for stormwater and wastewater information. O’Rorke did just that. We designed an easy-to-navigate homepage in pleasing colors, calling out key areas of interest. We revamped our eco-home graphic (initially developed for the SFPUC) to be a clickable page with information on everything from proper disposal of cooking grease to pharmaceuticals.

Once the new site launched, O’Rorke embarked on a modestly-funded advertising and media relations effort. The media relations aspect focused on spring cleaning, calling out the site as a key resource for residents. Ads were placed online on Facebook, SFGate.com and with Placecast. The result was a total success: **visits to the site quadrupled during the time of the campaign compared to the same time period the previous year.**

Now the site is routinely used as a call-to-action in media pitches. In 2012, O’Rorke also expanded the eco-home for BASMAA to include additional stormwater-related information on the site.

CLIENT: Bay Area Stormwater Management Agencies Association (BASMAA)

CLIENT PROJECT MANAGER: Sharon Gosselin or Geoff Brosseau

PHONE NUMBER: (650) 365-8620

DESCRIPTION:

Since 1997, O’Rorke has created a yearly media plan and developed pitch strategies for this regional stormwater pollution prevention organization. (NOTE: Early on, this project was a joint venture between BASMAA and BACWA; the website Baywise.org still is and O’Rorke was brought in as contractor to oversee the re-design of that.)

Each year, O’Rorke works with BASMAA Regional Media Relations project manager Sharon Gosselin to develop a workplan. This includes pitch strategies, but has also included long-term media-related tasks such as development of an internal stock photo archive to have photos at the ready to be distributed with press releases. O’rorke also monitors regional media daily to seek out response opportunities for BASMAA and we’ve had success in placing letters to the editor and opinion pieces as a result of this proactive approach.

Another hallmark of O’Rorke’s tenure as media contractor has been the pitching partnerships we’ve cultivated for BASMAA. Over the last several years, O’Rorke has brought the Bay Area Air Quality Management District and the agencies together on several pitches, including a joint effort to highlight that cars pollute in a multitude of ways. This effort, called “Spare the Air & Water, Too,” picking up the name of the District’s highly successful summertime air pollution awareness campaign, garnered significant media attention in 2000. As part of the pitch, O’Rorke contracted for an airplane to carry a banner with the air and water message on it. The plane flew around the region during peak driving times and coincided with O’Rorke’s pitch, giving the issue a high profile. In recent years, O’Rorke’s work for BASMAA has focused on trash as a priority pollutant. We pitched the Baseline Litter Survey which quantified the annual amount of litter in the region and achieved an enormous amount of press coverage, including stories in the *San Jose Mercury News*, the Huffington Post, KGO-AM, KCBS-AM, KPIX-TV, CBS Los Angeles, InsideBayArea.com and many other outlets.

Our most recent pitch for BASMAA has focused on the Integrated Pest Management Advocates Program, an in-store campaign to help consumers make better, less-toxic gardening product choices. The project manager was interviewed on KBAY radio, we placed the story with numerous Patches in the region and we are in the process of securing other interviews now.

Samples B

CLIENT: Bay Area Air Quality Management District

CLIENT PROJECT MANAGER: Kristine Roselius

PHONE NUMBER: (415) 749-4647

DESCRIPTION:

For more than 15 years, O’Rorke has worked with the Air District on a wide range of media relations and advertising efforts including their *Spare the Air Every Day (STA)* campaigns—with annual budgets ranging over \$1 million—including strategy development, qualitative research, creative production, media planning and buying, coordination of promotions and event presence, and pitching media placements on STA days. Each year, we work with research experts to not only measure the success of the STA campaigns but to delve into findings to help inform future campaigns and to ensure our methods reach the desired audiences. We annually conduct surveys annually but we also employ focus groups for more qualitative findings and to test messaging and creative. Research conducted by True North informed all campaigns launched below.

Spare the Air Every Day (STA)

Our first *Spare the Air* campaigns were designed to target members of the general commuting public; our approach grew from traditional advertising and media relations in 1998 to include collaborations with MTC, BART and up to 30 transit operators for the “Ride Free on Spare the Air Days” campaign. We even secured a gratis license directly from U2’s Bono to use the song “Beautiful Day” in TV ads for two consecutive years. By the campaign’s end, riding free was so synonymous with Spare the Air that we needed to conduct outreach to untether them.



In 2010, tasked with targeting notoriously difficult-to-reach residents ages 17-35, we knew we had to adjust our approach. After testing the creative among over 100 young adults, O’Rorke developed customized age-relevant creative and innovative methods of outreach. Recognizing that young adults couldn’t be targeted using traditional media methods, we expanded our media buy to include texting and social media advertising in addition to TV, print and online placements. Our media buyer also brokered a partnership with Live Nation and under the moniker Spare the Air Nation, reached young Bay Area concertgoers via strategically placed digital and printed venue signage, a branded parking lot for carpoolers, and a custom-designed, interactive “Clean Air Lounge.” We also developed a co-branded webpage solely for the purpose of the campaign.

O’Rorke took over management of the Spare the Air Employer Program in 2012 and has continued its successful strategies to maintain relationships with thousands of Bay Area employers while exploring new, potentially more productive strategies to reach this unique audience. Currently, we are preparing to support the anticipated passage of the Commuter Benefits Program (SB 1339 signed by Governor Brown in 2012), a mammoth collaborate effort between BAAQMD and MTC.

O'Rorke stretches the Air District's advertising budgets through negotiation of significant bonus placements; the 2013 STA campaign was no exception, receiving over 21% in added value. Our buys are also structured to take advantage of seasonal trends and commuter habits. This summer, we ran two intensive ad flights and took a hiatus for the month of July and early August—when many people in the Bay Area take vacations. By strategically limiting outreach to social media during this time, we were able to cluster the campaign to maximize reach and frequency rather than have a more diluted campaign during the entire season.

CLIENT: San Francisco Public Utilities Commission

CLIENT PROJECT MANAGER: Karri Ving

PHONE NUMBER: (415) 695.7366



DESCRIPTION:

O’Rorke has conducted numerous public outreach campaigns for the San Francisco Public Utilities Commission (SFPUC) over the years. From 2007 to 2012, O’Rorke worked with the SFPUC on their SFGreasecycle program and other efforts to reduce FOG in San Francisco’s sewer system.

In 2007, O’Rorke began by conducting focus groups in English, Spanish and Chinese to help ensure that our creative comps and program name were culturally appropriate and resonated equally with these unique segments of the San Francisco population. The results from the discussion also helped inform the development of the 53-page Biofuel Program Social Marketing Plan, which created a blueprint for outreach to both the residential community and food service establishments (FSEs or restaurants). The resulting campaign encouraged both residents and businesses to donate used cooking oil to produce biofuels to power the City’s 100 percent biodiesel fleet.

From 2008 – 2011, O’Rorke worked with our partner InterEthnica on Chinese and Spanish translations and multicultural outreach. We produced material for distribution during the Chinese New Year celebration and supported SFPUC’s engagement with Supervisor David Chiu as he walked throughout Chinatown to inform businesses of the importance of properly disposing of FOG. This targeted outreach to the Chinese Community helped both residents and restaurant owners and employees to better understand the program.

In 2010 and 2011, O’Rorke developed materials that supported the City’s grassroots outreach to educate restaurants about the then-upcoming grease removal device ordinance that would require restaurant owners and operators in the city to reassess their grease capturing equipment. To publicize the ordinances, O’Rorke planned four workshops for restaurant owners and managers between 2010 and 2011. We managed on site logistics for these events, held at Scoma’s Restaurant on the San Francisco waterfront, the Jewish Community Center of San Francisco in Lower Pacific Heights, The Four Seas Restaurant in Chinatown and the Women’s Building in the Mission. The events were held outside of typical lunch and dinner service hours to accommodate restaurant owner and manager schedules, and were extremely well-attended. The ordinance passed with the support of the Golden Gate Restaurant Association.

Samples C

CLIENT: Bay Area Air Quality Management District

CLIENT PROJECT MANAGER: Kristine Roselius

PHONE NUMBER: (415) 749-4647

DESCRIPTION:

For more than 15 years, O’Rorke has worked with the Air District on a wide range of media relations and advertising efforts including their *Winter Spare the Air (WSTA)* campaigns. Our outreach efforts for the *WSTA* campaign have concentrated on education – informing Bay Area residents about the need for a wood burning rule. This rule, adopted in 2008, shifted the formerly-encouraged voluntary action of not burning firewood or firelogs during *WSTA* Alerts to a requirement supported with enforcement and regulatory penalties.



O’Rorke produced materials incorporating a strong call-to-action to residents to Check Before You Burn and sign up for Air Alerts via e-mail and phone. Within two years of the rule adoption to ban wood burning on high pollution days, our outreach campaign led the number of *WSTA* Alerts email sign-ups to jump from 50,000 to more than 100,000, and phone alerts went from zero to 15,000!

Building on the success of the past two years’ outreach efforts, for the 2010-2011 campaign O’Rorke opted to emphasize the negative health impacts of wood smoke and to employ local and multicultural outreach mechanisms. O’Rorke expanded in-language outreach to Cantonese, Mandarin, Tagalog and Vietnamese-speaking populations and facilitated a photo shoot to allow for development of more culturally relevant creative customized for certain communities.

O’Rorke conducted research into the demographics of zones heavily impacted by wood smoke in order to determine placement of in-language bus ads, billboards and digital creative. As in previous years, all ads included the Check Before You Burn call-to-action and phone number. Adapting to the growing sophistication of the Air District’s phone alert system, O’Rorke tailored all ads to specifically call out the language of the target audience, many of which are included in our portfolio. We also launched SpareTheAirNow.org—a landing page that provides seasonal updates and calls-to-action in four languages.

In 2013, O’Rorke sought to further emphasize the negative health impacts of wood smoke through multicultural outreach mechanisms. We continued to develop culturally-relevant creative for diverse communities and expanded outreach to include Punjabi advertising. We also conducted additional research on hot-spot areas and adapted our media buy using locally-tailored messages to have a greater presence in those areas. As part of our media relations campaign, we pitched and responded to a record-tying 30 *WSTA* Alerts, garnering over \$10 million in publicity value this season.

CLIENT: San Francisco Public Utilities Commission

CLIENT PROJECT MANAGER: Tyrone Jue

PHONE NUMBER: (415) 554-3247

DESCRIPTION:

O’Rorke has conducted numerous media relations and social marketing campaigns for the San Francisco Public Utilities Commission (SFPUC) over the years—many addressing behavior change surrounding water pollution prevention and others to involve and engage residents and businesses on infrastructure changes.



In 2008, we worked on the Wastewater Master Plan Public Participation Project. We used survey and focus group research to create a highly visible and successful campaign, which included media placements such as billboards, bus ads, and a citywide mailer in three languages. In Phase I of the project, the SF PUC received over 8,000 responses from the public on the sewer project. We are currently implementing the second phase, a civic engagement effort to explore ways to fix “the city under the City.”

O’Rorke also managed all aspects of advertising—including content, design and media buying—for the Chloramines Conversion and helped engage neighborhoods throughout San Francisco to provide input on the Recycled Water Master Plan Update.

We also developed and implemented a groundbreaking outreach and education plan for water quality and conservation issues. We explored multiple methods of reaching residents—including media relations—and the plan ultimately centered on a series of books about the impact of everyday activities—gardening, home repair, automotive maintenance, and housecleaning—on water usage and pollution. Our strategy was to present the consumer’s interest up front—a gardener will read a book on gardening, but not one on water pollution—with the water message secondary. The books featured high-quality artwork, lively design, and an innovative “fan out” style.



The books were translated into five languages and more than 7,000 copies were given away to San Francisco residents in the first few years. Overwhelming numbers of survey respondents said the books increased their knowledge of the causes of water pollution and how to prevent it. The books are now used by nearly every Bay Area water pollution prevention program.

Samples D

CLIENT: Bay Area Air Quality Management District

CLIENT PROJECT MANAGER: Kristine Roselius

PHONE NUMBER: (415) 749-4647

DESCRIPTION:

For more than 15 years, O’Rorke has worked with the Air District on a wide range of media relations and advertising efforts including their *Spare the Air Every Day (STA)* campaigns.

Earlier this year, O’Rorke facilitated the development and launch of a new marketing campaign for the Summer 2013 *Spare the Air Every Day* Program to encourage solo commuters to consider alternatives to driving to work alone. Dubbed the “URL” campaign, it focuses on quality of life improvement commute concepts experienced by commuters who take transit, carpool, bike or walk to work, instead of driving alone, and turned them into URL statements, such as:

www. Clean out your in box before work.com

www. Your commute is now your gym.com

www. Finally finish that novel.com

All URLs point to the O’Rorke- developed www.STACommuteTips.org, which provides a list of commute programs and incentives available where you live and work. By working with agencies throughout the Bay Area, we consolidated information in one streamlined website, giving residents easy access to information that will ultimately reduce the number of solo drivers on the road each day. We designed our advertising buy to target these solo commuters, with a heavy emphasis on radio and traffic ads, news websites, and digital billboards near major roadways.

O’Rorke also currently manages the Air District’s social media presence for the *STA* campaigns. We’ve more than doubled the Air District’s fan base on Twitter and Facebook, and have expanded their presence on FourSquare, YouTube, Instagram, Pinterest and Quora. We provide strategic guidance and work collaboratively with Air District staff to develop original content for these channels, while also tracking and reporting on impressions and audience interactions. For the “URL” campaign, images and ad content were tailored for distribution through the Air District’s social media channels to reinforce the quality of life messages at the core of our marketing effort.

The campaign has been an overwhelming success and we are now in the process of developing additional artwork executions to expand marketing efforts to reach multicultural audiences.

CLIENT: San Mateo County Transit Authority

CLIENT PROJECT MANAGER: Mika Miyasato

PHONE NUMBER: (650) 622-7855



DESCRIPTION:

In 2013, the San Mateo County Transit Authority and partners tasked O’Rorke with developing and launching a pilot program called *Connect, Redwood City!* that offers various transportation options to encourage people to reduce single-occupancy driving and, subsequently, reduce greenhouse gas emissions. O’Rorke implemented a targeted marketing strategy to promote the convenient, affordable, and stress-free travel options to residents, visitors, and commuters when travelling to, from, and around Redwood City.

O’Rorke strategized and designed the innovative *Connect, Redwood City!* program name and creative logo to emphasize the program’s purpose—offering multi-modal transportation options to connect people to their destinations. The program launched with a media event at the Redwood City Caltrain Station highlighting the available bike share, car share, vanpool, and transit alternatives available to help residents, visitors and commuters travel to their destinations. O’Rorke also secured further partnerships for co-branding and advertising opportunities with like-minded organizations to promote *Connect, Redwood City!*

O’Rorke also developed and launched an innovative, yet cost-sensitive, landing page, ConnectRedwoodCity.com. The landing page contained pertinent, informative descriptions of each of the transportation options as well as external links to *Connect, Redwood City!* partners including: Bay Area Bike Share, ZipCar, SamTrans, Caltrain, the City of Redwood City, San Mateo County, the Peninsula Traffic Congestion Relief Alliance, the Metropolitan Transportation Commission, the San Mateo County Transportation Authority, and the City/County Association of Governments of San Mateo County.

Our on-target creative was used in traditional print, online, outdoor and transit advertising as well as non-traditional forms of outreach such as window clings for the participating car share program, magnets for the vanpool vehicles, recumbent bicycle outreach, and extensive social media promotion through the program partners.

Within the first week following the campaign launch, the ConnectRedwoodCity.com website received over 762 visits from over 600 unique visitors.

Samples E

CLIENT: San Francisco Department of the Environment

CLIENT PROJECT MANAGER: Donnie Oliveira

PHONE NUMBER: (415) 606-8039

DESCRIPTION:

Over the past two decades, O'Rorke has conducted multiple social marketing programs for various environmental departments that are now under the auspices of the San Francisco Department of the Environment (SFE). For the purposes of this proposal, we've highlighted the Blue Cart/Green Cart campaign, which ran from 2007 – 2010 and again in 2013.

To help San Francisco achieve its goal of 75 percent waste diversion by 2010, O'Rorke employed a mix of traditional media to launch a waste reduction campaign. The 2007 campaign targeted San Francisco's diverse residents via TV and print ads in English, Spanish and Chinese, as well as bus queens and shelters, all of which stressed the ease of recycling and composting. Recycling and collection numbers spiked as a result, and food scraps collection increased 44 percent over previous months. As of May 2009, diversion rates were at 72 percent.



In 2010, O'Rorke modified our campaign to include rich media online ads in addition to traditional formats such as TV, print, outdoor and grassroots placements. We also advocated for targeting a more specific audience—male sports fans—during March Madness and Spring Training in March/April. This seemingly risky move paid off in the form of enormous increases in tonnage numbers: food scrap collection jumped a whopping 26 percent, the highest the department had experienced to that point, and recycling numbers increased by 7.5 points, the net highest in more than two years.

After taking a hiatus for a couple years, SFE decided to go back to the successful Blue Cart/Green Cart campaign to infuse some life into recycling and composting activity. Our Fall 2013 campaign featured the original Blue Cart/Green Cart TV spots along with new Pandora mobile and audio ads that reminded residents about the importance of using the blue and green carts.

To-date, three other agencies have “borrowed” and adapted the TV spots, with the approval of SFE. In addition, the TV spots are part of the United Nations Environmental Programs’ [Creative Gallery on Sustainability Communications](#).

CLIENT: Los Angeles County Waterworks Districts

CLIENT PROJECT MANAGER: Greg Evan, Senior Civil Engineer

PHONE NUMBER: (626) 300-3338

DESCRIPTION:

During the summer of 2007, the driest season on record, O’Rorke developed and implemented a water efficiency program for the Los Angeles County Waterworks Districts (Waterworks) to achieve a 20 percent reduction in water use before the year 2020. Utilizing social marketing techniques, the campaign targeted Malibu and Antelope Valley communities to provide residents and businesses with easy steps to reduce water usage. Our successful campaign already led to a 24 percent reduction in residential water use, a decade ahead of the 2020 goal. O’Rorke additionally provided crisis counsel to deal with possible water shortages, water rationing and potential disruptions in service.



To ascertain motivators, O’Rorke developed a survey to determine how the community used water and perceived their water situation. Using this data, we developed the “Three Easy Ways” campaign, which utilized a child actor demonstrating how easy it is for residents to fix leaking faucets and sprinklers aimed at sidewalks, as well as the benefits of using native drought-tolerant plants.

O’Rorke launched the program with a hard-hitting media event at a Home Depot, highlighting water use tips and promoting the store’s new native plant section. The event generated coverage in all targeted local outlets, including a follow-up story in the *LA Times*. Advertising ran on cable television, as front-page “flags” and full-page ads in local and regional newspapers, in movie theatres, on regional radio and on billboards. Online advertising has utilized community websites, newspapers, Facebook and Google AdWords.

In 2010, O’Rorke updated the “Three Easy Ways” campaign with a new television spot, print ads, billboards, gas station pump top ads and a website redesign. Reinforcing the momentum to encourage water efficiency, O’Rorke created, developed and launched a user-friendly website for the Waterworks that included the updated “Three Easy Ways” campaign messaging along with interactive tools to keep the communities informed and engaged in water conservation.

By 2013, the program has expanded to include school education outreach and a new plan that targets hard-to-reach audiences in Malibu, Topanga, Val Verde and Acton through homeowner association meetings. At these homeowner association meetings we stressed the connection between water runoff and pollution prevention and the easy ways people can reduce water runoff to prevent stormwater and ocean pollution. **The results are impressive: residents have reduced water use by 24 percent since 2007, a decade ahead of the state’s 20 percent reduction goal by 2020.**

This summer, O’Rorke is launching a drought-focused water efficiency campaign in response to the state-wide drought declaration. The campaign includes media outreach, billboards, radio, TV, Facebook and Pandora ads.

Table 1 Rates

Please see below supplement for staff rates and total breakdown by task.

	Description	Rate Basis	Rate
1	Client Consultation	Per hour	\$125-\$180
2	Campaign Design	Per hour	\$125-\$180
3	Graphic Design	Per hour	\$150
4	Copywriting	Per hour	\$180
5	Technical writing	Per hour	\$180
6	Press check/Print proof	Per hour	\$125
7	Travel/Mileage rate	Per mile	Included in hourly rates
8	Electronic photo editing	Per hour	\$150
9	Archive disk	Per disk	Included in hourly rates
10	Clip Art, stock (royalty free)	Per item	\$0 - \$300
11	Custom photography	Per picture	\$75 - \$750
12	Electronic file transfer	Per transfer	Included in hourly rates
13	Illustration	Per hour	\$150
14	Print design/layout	Per hour	\$150
15	Scanning/imaging	Per hour	\$100
16	Translation services	Per hour	.25-.28 per word
17	Web audit/evaluation	Per hour	\$125-\$180
18	Web design	Per hour	\$50
19	Movie development-story/script creation, animation and graphics	Per hour	\$125-\$180
20	Multi-cultural marketing- adapting campaigns to address the interests of various community groups	Per hour	\$125-\$180
21	Bill Insert creation (assume no new photographs needed)	Full color 7x11 inch final cut size	\$750 - \$1,500
22	Campaigns / Paid Media		At cost plus 10% Agency Commission

O'Rorke Hourly Rates & Sample Budget Breakdown	
Tracy Keough / Managing Director	\$180
Grier Mathews / Supervisor	\$162
Abbi Hertz / Supervisor	\$162
Emiko Hashisaki / Supervisor	\$162
Julia Fishman / Supervisor & Media Buyer	\$162
David Libby / Supervisor & Social Media Specialist	\$162
Angela Anderson / Graphic Designer	\$150
Rachel Zaokopny / Media Manager	\$125
Connie Zhang / Media Coordinator	\$100

Task 1 - Develop 12 Month Integrated Outreach Strategy	\$3,308
Task 2 - Ongoing Advertising Administration (Of the total, \$5,940 are Advertising Paid Media / Hardcosts)	\$8,940
Task 3 - Web Content	\$3,000
Task 4 - Media Relations	\$2,000
Task 5 - Language Translations	\$750
Total	\$17,998

Committee Request for Board Action: None

Meeting held at BAAQMD headquarters in San Francisco.

21 attendees, including 2 on the phone; 11 BACWA member agencies represented, plus one outside agency

Meeting with BAAQMD staff

The meeting featured presentations by BAAQMD staff. Links to presentations are below.

1. [GHG Climate Protection Resolution](#) by Sigalle Michael, Senior Environmental Planner
2. [Reciprocating IC Engine \(RICE\) NESHAP Rule](#) by Kevin Oei, Air Quality Engineer II
3. [Boiler Emission Limit Summary](#) by Kevin Oei
4. [How to Expedite Your Permit Application](#) by Greg Stone, Supervising Air Quality Engineer

A key component of the meeting was the presentation by Greg Stone on expediting permit applications. He mentioned that the BAAQMD has a new division director who is concerned about the backlog. The BAAQMD has since reduced its backlog by 90 percent. Still, agencies should plan on a 3-4 month turnaround for receiving a new permit. There was a discussion about options to expedite that timeframe. BACWA's suggestions and Greg Stone's responses are below:

Suggestion #1 - Option for POTWs to pay higher fees to get their permit to the front of the line.

As I indicated in the meeting, I do not think we will be able to implement higher fees for faster service. At the very least, it would require a rule change. It has been discussed in the past, and we have not decided to include that as an option under Regulation 3. We would not be able to offer it strictly to POTWs, and I do not think we have the resources to guarantee faster service if the demand is high.

Suggestion #2 - Assignment of fewer BAAQMD permit engineers that specifically cover all POTWs (i.e., having resource-specific engineers).

The Engineering Division is in the process of reorganizing. Perhaps we can re-assign POTWs to a smaller group of permit engineers. This could also serve to improve consistency, as identified in the 3rd suggestion item. However, I cannot guarantee that will happen, but the timing could work out favorably. As we discussed, we are in the process of implementing a training program within the Engineering Division. This, along with continuing to update the Permit Handbook and BACT/TBACT Workbook, will improve consistency among permit engineers when permitting similar equipment.

Suggestion #3 - Greater consistency in the permit conditions specified among POTWs (i.e., permit condition and thresholds that are equivalent from site to site).

We will probably never reach a point when all permit limits at POTWs are the same, because of the varied permitting history of each facility. Existing limits and permit conditions were established over a long period of time, with many different permit applications, based on the BACT levels, regulatory and compliance issues that were in effect at the time of permitting. With that said, I think it is reasonable to expect similar limits when permitting similar equipment at different facilities at the same time. Our Director and Managers are striving for greater consistency among permit engineers. This is a high priority for us, and I think that will be less of a problem for you in the future. However, I do not see us having the resources to conduct a comprehensive review of all POTW permit conditions in an effort to make them consistent with one another.

Regulatory Update

- There was no time during the meeting to go over most of the CH2M HILL presentation, but the slides are available for review: http://bacwa.org/Portals/0/Users/142/42/142/2014Feb26-AIR_Mtg.pdf

Next Steps

- The committee was concerned that BAAQMD was not sufficiently aware of other regulatory pressures when drafting regulations. CH2M HILL will draft a letter to the BAAQMD, on behalf of BACWA AIR, regarding cross-media issues. A draft of this letter will be available for discussion at the April 16th BACWA AIR Committee meeting and will specifically address the following concerns:
 - Nutrient removal contributing to increased GHG emissions
 - Conflicts between air quality regulations pushing POTWs to flare biogas and GHG regulations encouraging POTWs to increase the use of biogas as a renewable fuel
 - Encouraging incentives for green infrastructure
- CH2M HILL will request (via e-mail) sample Climate Action Plans to be shared amongst BACWA AIR Members.

Budget

- Approximately \$47,000 of \$74,441 spent through February 21st for FY14

Next BACWA AIR Committee Meeting: 4/16/14 at CCCSD in Martinez.

Committee Request for Board Action: None

Highlights of New Items Discussed and Action Items

Tech Topics Ranking Finalized

At the January 2014 BACWA Collection Systems Committee meeting, members brainstormed topics they would like to see discussed at future meetings. At the February 2014 meeting, committee members voted on the topics. Attached to this report you will find the results of the voting. The second topic, “burps on private property”, was discussed at the March 2014 committee meeting. Root control will be discussed at the April meeting and may also be discussed in subsequent meetings due to the complexity and omnipresence of the issue.

Agencies Shared Information About Minor “Burps” on Private Property

This topic was one of the highest ranked Tech Topics by committee members in February 2014, and a round robin discussion was held at the March 6 committee meeting. Discussion included what agencies consider to be a threshold for reporting, and a small amount of time was spent discussing liability issues. A common theme emerged for reporting, namely that if a small release occurred in a house, typically due to an air pressure differential in the sewer, then that incident is generally not reported as a sanitary sewer overflow (SSO). In that case, the release in a house may be caused by a blocked vent, which is not a failure of the public collection system but is rather a homeowner (private system) responsibility. All other back-ups are generally reported in CIWQS.

Some agencies try to prevent the air pressure differential altogether by adjusting the pressure used in the public portion of the line, or by using a different angle for the cleaning nozzle, or by changing the type of nozzle used. One agency blocks the lateral at the right-of-way with a plug rather than have a burped toilet. They drop the plug in from the cleanout and do this routinely for line segments with known problems, but not for all laterals.

State Water Board Released Annual Report (FY2012-2013)

Currently 1,093 collection systems in California are registered in CIWQS. The San Francisco Bay Area has 132, or 12% of the enrollees. Reporting has stabilized over the last 3 years. Enrollees are now at 92% spill and no-spill reporting, and 93% SSMP compliance statewide. A total of 148 notices of violation were sent to enrollees that failed to complete and certify some or all the elements of the SSMP. Of those, 128 returned to compliance and 8 requested additional time. The remaining 12 have been referred to the State Water Board Office of Enforcement. Most SSOs (91%) are still small – less than 1,000. The Bay Area was the second highest region in number (28%) and volume (27%). Of the top 20 highest volume of SSOs reported by enrollees for the year, 12 of the agencies were in the Bay Area.

Changes Coming to CIWQS Reporting of SSOs

CIWQS is being updated with new features, including an ability to do a batch loading of Category 3 SSOs (<1,000 gal to land), auto-fill tables are being corrected, and other minor changes. A beta version is currently being tested. Also, as of March 6, 2014, there were seven SSOs \geq 50,000 gal which will now require a Technical Report. The State Water Board has received three technical reports so far. All three reports were deemed very well done, but they were very different. State Water Board staff are considering doing a template for the reports.

Next Collection System Committee Meeting

Our next committee meeting will be held on April 3 at 1:30 PM, at the Boy Scouts facility in San Leandro.

BACWA Collection Systems Committee
Voting for 2014 Tech Topics
February 2014

Tech Topic	Score
Efficiency and Efficacy of root control - measurement, chemicals, perceived community impacts, etc.	21
Is an internal (within building) "burp" an SSO? Maybe include information on back-ups in general, and maybe touch on liability issues.	17
Private lateral insurance program - Daly City (110 sign-ups so far and owners with known pre-existing conditions are excluded), West Bay SD (no claims in first 30 days and no pre-existing assessment) at least	16
Use of handheld devices in the field, integrated with CMMS	12
CCTV data management and quality control, old vs. new, different methods	12
SSMP updates - whole package maybe include audit	11
SSO reporting - how to calculate volume - share ideas	11
Micro-monitoring - flow monitoring in low flow areas, small developments (flow isolation)	9
Smoke testing - pros, cons, and alternatives to it	9
Invite Regional Water Board or State Water Board staff to share their information	8
Dealing with homeowners' associations (HOAs) and mobile home parks (large residential private systems)	7
Vendors to demo Redzone, Electroscan	4
Palo Alto presentation on salinity intrusion to sewer	2
Roundtable for how agencies are actually using CMMS	2
Maintaining a system during drought conditions	2
Discussion on the future of collection systems - what we will need in the future - tools and financing	0

Laboratory Committee –
Report to BACWA Board

Laboratory committee meeting on: 12 March 14
Executive Board Meeting Date: February 14
Committee Chair: Nirmela Arsem

Committee Request for Board Action: None

13 attendees representing 10 BACWA member agencies as well as Vacaville and LWA attended the meeting.

Focus topic – Date review and approval:

- Members reported that when accepting contract laboratory reports, it is important to review the signed copy of the report as well as electronic deliverables of the same report, because there could be discrepancies between the reports. If only the signed copy were to be reviewed, then unintended data errors will show in CIWQS.
- There was discussion about MDL, ML and RL and how to handle the data when a sample is diluted. The definition of each may vary from program to program and needs to be carefully reviewed. Contract laboratories not familiar with SIP requirement may not handle ML according to SIP guidelines which will lead to erroneous qualifiers.
- Agencies are generally not using standard checklists for data review; however, after examining the example check list distributed, some found that implementing a structured approach will be helpful.
- There was general interest among members to provide training in data review.

Sampling guidelines:

- The nutrient TO directs to collect 24-hour composite samples for orthophosphate. The discussion was on finding agreement with the sampling requirement and Method Update Rule directive to filter dissolved orthophosphate samples within 15 minute of sampling. The consensus was to consider the end of composite sampling as the beginning of sample collection time and filter samples in field within 15 minutes of collection. Where this is not possible, laboratories will filter samples as soon as they are received in the laboratory and note the reason in logbooks.
- Field pH analysis: It was reported that BACWA members are reviewing the need for laboratory certification for field analysis of pH to comply with the 15 minute holding time requirement; no decision has been made.

ELAP:

- Laboratories continue to experience long delays, as much as a year, between audits and receipt of the final updated Field of Testing (FOT) from ELAP. WCWD and SASM were audited by ELAP in the last two months.
- California ELAP has voluntarily withdrawn from the nation accreditation program, NELAC. Those laboratories in California that were certified under NELAC through ELAP have been picked up by either Nevada or Oregon. According to the information provided by ELAP during the ELTAC (Environmental Laboratory Technical Advisory Committee) meeting on March 11, ELAP will honor NELAC certificates until end of 2014 and provide refunds to laboratories that had to seek NELAC accreditation from other states.

Bioassay:

- Some members have experienced difficult with chronic bioassay using Ceriodaphnia. While survival is 100%, reproduction results are lower. It does not appear to be the bacterial infection noticed a few years ago. Members need to watch out for this potential problem.

Focus topics:

- Next meeting focus topic will be 'Alternate Test Procedure' approval.
- A suggested future topic is 'laboratory safety practices'

Next BACWA Laboratory Committee Meeting: Wednesday, April 9, 2014, at EBMUD Laboratory Library.

Committee Request for Board Action: None

**30 attendees representing 25 BACWA member agencies
Regional Water Board Staff in attendance**

Report out from Regional Water Board Staff (Lila Tang)

- Dylan Garner has left the Water Board to work for the City of San Francisco. This departure has diminished the Regional Water Board’s capacity for participating in P2 activities. Bill Johnson will serve as co-chair of BAPPG until the position is filled. Bill’s active participation will be more limited than Dylan’s.
- Lila’s group will be adding a staff member to work on collection systems, although the addition of the staff person may allow them to reallocate how work is conducted. The new person might be assigned to do more work with pretreatment programs in the region.
- Lila believes the State Water Board’s initiatives on pretreatment programs are targeting other regions where pretreatment programs may be lacking. State Board staff has not contacted Regional Board staff about this initiative.
- The State Water Board is growing, but that is mostly due to taking on former DPH staff due to the drinking water program transfer.
- No significant program initiatives are planned except for adopting and implementing the Nutrient Watershed Permit.

Adoption of Permits/Permit Amendments:

April - South San Francisco/San Bruno – The Regional Water Board said they would remove the no feasible alternatives analysis requirements.
Nutrient Watershed Permit (discussed later)

May – Sonoma Valley County Sanitation District – The Regional Water Board has imposed performance-based ammonia limits of 1.8mg/l (monthly max) to make sure that they continue to nitrify. This should not be a compliance issue for Sonoma, although they previously had higher WQBELs. These requirements are part of the shallow water discharger exception in the Basin Plan. Discussed ways to change the shallow water prohibition (particularly to promote wetlands). Lila commented that the best way to do so is likely by expanding the exceptions to the prohibition in the Basin Plan rather than attempt to change the prohibition.
Palo Alto – Rescheduled for June but will likely be pushed back.

Executive Board Report-out

- David Sedlak from ReNUWIT gave a presentation on what they can offer to BACWA. The proposal had four main elements: (1) Wetlands studies; (2) Recycled Water expansion potential; (3) Source control through separating toilets; (4) Facilitation of regional strategy discussions.
- BACWA will be voting on a budget at its April Meeting. The Budget will likely include a 2 percent increase in dues, as well as a Nutrient Surcharge which will total \$300K this year, and will increase over two years to \$800K where it will remain through FY18. BACWA principles will pay 2/3 of the surcharge, with associates paying the remainder based on nutrient loads. This surcharge will fund the group activities under the Nutrient Watershed Permit including scientific studies, optimization and upgrade reports and the annual report.
- Dave Williams is currently soliciting feedback on the optimization/upgrade scope from the consultant community. The next step will be to gather representatives from the BACWA membership, similar to the negotiating team, to help provide ongoing review of the process over the next 3 years.
- IRWMP – The Governor’s drought plan has allocated 42% of the remaining Proposition 84 funds to drought relief projects, although it’s unclear how this will be implemented in each region. BACWA is proceeding with its nutrient-themed proposal, which includes an anamox/zeolite pilot, mobile process testing units, restoration of the Hayward Marsh, and moored sensors for the bay. Recycled water may be part of proposal depending on what DWR decides to do about proceeding with the application process.

Nutrients

- *Tentative Order* – BACWA submitted its [comment letter](#). The Regional Water Board [also received comments](#) from the Water Contractors, CVCWA, BayKeeper and the EPA. Lila reported that the Water Contractors commented that they want to be involved in the studies (which they are invited to do through the governance structure) and discussed the impairment of Suisun Bay. BayKeeper commented that the Regional Water Board should identify and remove institutional hurdles to water recycling, they want more clarity on what is expected in the optimization and upgrade work plans, and they want the Regional Board to look for ways to close the funding gap for the scientific studies. Palo Alto is the only BACWA member we know of that submitted a substantive letter, whose purpose was to outline the ways in which their facility differs from others in the region, and discuss how transitioning to anaerobic digestion from biosolids incineration will impact effluent nutrient loads. The permit adoption will be on 4/9, and a revised tentative order will be posted at least a week before that.
- *Governance* – The Regional Water Board is sending out invitations to stakeholders to sit on the steering committee. There are about fifteen potential participants, including IEP, USGS, the Water Contractors, Sac Regional, NGOs, National Fish and Wildlife, NOAA, stormwater, agriculture, BACWA and the Water Boards. BACWA will be the only entity with 2 voting seats. The first official steering committee meeting will be 4/22.
- *CCCSD's nutrient removal studies* – CCCSD has completed its permit-required optimization and upgrade studies. They found that 40% ammonia removal will cost \$7M and total nitrification will cost \$115M +/-, with higher costs for denitrification (up to \$239M) depending on the final limits. The optimization option identified could limit CCCSD treatment plant operations to respond to stressors and higher flows so it would require further evaluation before implementing. The summary reports are posted at bacwa.org/nutrients.

State Water Board Industrial General Permit (IGP):

- This IGP impacts agencies that do not direct all the stormwater that contacts the treatment plant areas to their headworks. These agencies are required to be covered under the current IGP and will need coverage under the new IGP. The permit includes a more structured enforcement response, but still contains water quality action levels, rather than limits. The adoption hearing for the permit is 4/1.

Non-Regulatory Basin Plan Amendment

- Naomi asked BACWA to help them update the POTW descriptions of the Basin Plan. A copy of the information spreadsheet was distributed at the meeting and will be distributed via the permits committee email list. Updates should be sent to Dave Williams.
- Dave is also collecting information about satellite collection systems agencies for BACWA's informational purposes. The Regional Water Board has the results of a collection system questionnaire, and the collection systems committee did a survey a few years ago. Dave will distribute his list to the committee for updates as well.
- Karin pointed out that the RMP also needs an updated list of POTWs for its CECs monitoring effort.

Informational Items/Announcements

- *LA Water Board is planning to adopt permits with chronic toxicity limits based on the TST* – There was no update on this item. However, Karin brought up that PERL is offering to do training to explain factors involved in the differential cost associated with different test species. For example, species that are more variable will need more replicates to reduce false positives. Mike Connor brought up the possibility of doing a group buy within BACWA of a single test species.
- *Stormwater Diversion Update* – Tom Hall is looking for a ballpark estimate on what POTWs would charge to accept stormwater diversions. The answer is highly variable, and depends both on the treatment fee (at least \$3-5K per MG) and a possible connection fee which would be set by the agency that runs the collection system.
- Two articles were briefly discussed: [Phytoplankton Composition](#) and [Sea Level Rise](#).

Next BACWA Permits Committee Meeting: Tuesday, April 1st, 2014, at EBMUD Plant Library - *please note the change of date.*

Committee Request for Board Action: None.

21 attendees (incl. 7 on phone) representing 10 BACWA member agencies, 2 water agencies.

Notes from the meeting are posted [online](#).

Round 2 Prop 84 Updates

Agencies' comments on Round 2 Grant Agreement (DWR-ABAG) and/or local project sponsor (LPS) (ABAG-Local Agency) Agreement are due to Jennifer Krebs by April 4, 2014. The goal is to sign and complete LPS agreements by the first week of July, 2014.

Round 3 Prop 84 Updates

The Governor's drought relief bills were passed and signed, so DWR is expediting \$200M of the remaining \$475 Proposition 84 for drought relief projects. There may be two deadlines – one for drought relief projects and one for other projects. Or, there may be two separate rounds of funding (referred to as 3A and 3B). Projects for round 3A will need to be "shovel-ready", meaning those that can break ground, or even deliver recycled water, this year. It's unknown whether there will be a drought relief component to 3B – it will likely be a function of whether or not it rains. If not, it's possible the 3B pot will be allocated to drought relief as well.

The draft guidelines for the drought-expedited projects is expected from DWR by March 14, which should help clear up some of the unknowns. Proposals may be due by August 1, with agreements signed by the end of this calendar year. There is a question about the start date for reimbursable costs. Project proponents are asking DWR to make it early enough, or even retroactive, so that agencies can get started as soon as possible and not get held up by the agreement execution date. They are also looking into whether they can add drought relief projects to Round 2.

The group went through the Bay Area recycled water projects that had been submitted to Linda and Cheryl by member agencies to identify which ones would be good candidates for round 3A. Linda and Cheryl will work to put together a final list for the project submittal.

BAIRWMP Updates

The May 11 deadline to adopt the IRWMP was previously reported to be for Round 2 and 3 awardees and applicants, but is actually just for Round 1 awardees. Round 2 and 3 awardees won't be bound to adopt the IRWMP until they sign an agreement, but there's no benefit in waiting. New projects can be added to the IRWMP after May. The process is not difficult, but proponents need to let Linda and Cheryl know and the projects will have to go through the CC.

Recycled Water Committee Projects and Budget for FY15

Recycled Water Landscape Guide

The draft Recycled Water Landscape Guide received 600 comments from 50 respondents. They got a lot of requests to put together a summary guide, and there are some extra funds remaining that could be used for this. They are aiming for May for completion. Committee members requested another look at the draft before it is finalized.

Recycled Water Survey

The last recycled water survey was completed in 2011. There was a discussion of its value to BACWA, particularly since some members don't also include water agencies. Most committee members feel that there is value to having the information from the wastewater perspective. The Water Agencies need to update the Urban Water Management Plan so it may be possible to consolidate information from that. This would mean waiting until 2016. This information is going to probably be gathered as part of the nutrient upgrade/optimization study required by the Nutrient Watershed Permit. It was decided that the recycled water data would be obtained by piggybacking on one of these other efforts.

There are no additional budgetary requests for FY15.

Next BACWA Recycled Water Committee Meeting: April 2, 2014 from 10:00 am to 12:00 pm, 6th Floor Conference Room at EBMUD Headquarters



Executive Director's Report to the Board

March 2014

NUTRIENTS: Completed a variety of tasks and activities associated with BACWA's interests on nutrients and collaborating with the Water Board including:

- Worked with the facilitator and the WB staff to prepare for the 1st Governance Steering Committee meeting scheduled for April 22nd.
- Participated in conference calls with the BACWA Team to organize the IRWM Prop 84 nutrient theme regional proposal due March 31st.
- participated in the IRWM Project Selection Committee conference call
- reviewed the HDR draft Scope of Work that could be utilized in an RFP for conducting the Optimization and Upgrade studies required by the watershed permit and set the next BACWA Negotiating Team meeting to review the scope and assemble a contract management group to assist in overseeing the conduct of the required studies
- Worked with the RPM and Nutrient Negotiating Team to prepare and finalize the BACWA comment letter on the Nutrient TO.
- Coordinated with BACWA members on the need to identify representatives for the Governance Steering Committee
- met with consultant to discuss a possible workshop on Nutrient Lessons Learned for the fall of 2014
- discussed the Optimization/Upgrade studies with a variety of consultants potentially interested in proposing on the work.

BACWA BOARD MEETING:

- Worked with the AED in preparing for the March BACWA Board agenda including reviewing the agenda with the chair.
- Attended the BACWA February Board meeting and worked with the AED in preparing minutes and action summary.
- Prepared for and conducted a Special Board meeting on March 14th to obtain feedback on a number of pressing Board issues.
- Continuing to track all action items to completion.

ASC/SFEI:

- Participated in conference calls regarding Governance committee activities
- Coordinated with the Interim Executive Director on a variety of BACWA issues including how SFEI could assist in the permit requirement for analyses of sea level rise.
- chaired the quarterly ASC/SFEI Board meeting

FINANCE:

- responded to comments received on the draft BACWA budget presentation and prepared a follow-up presentation on the budget for approval by the Board at the April meeting.
- worked with the AED on the consolidation of the BACWA reserve accounts and prepared for approval at the March Board meeting.

CASA:

- Coordinated with the CASA Executive Director on planning for and conducting the Utility Leadership Committee meeting via conference call.
- participated in the CASA Board meeting via conference call
- attended the CASA DC Conference as a member of the CCCSD Board.

PERMITS COMMITTEE: Attended the Monthly Recycled Water Committee meeting and participated in the discussion of prioritizing projects for the new fast tracked effort to distribute IRWM funds for drought relief.

COLLABORATION:

- Coordinated with the CASA ED on topics on mutual interest (i.e. nutrients, toxicity, utility leadership committee)
- Attended the quarterly Summit Partners meeting to discuss a variety of topics including recycling, pyrethroids, Tri-TAC, Collection System of the Future, Wheeler Institute proposal on SSOs, flushable wipes, and discussion with new SWRCB member Dee Dee D'Adamo.
- discussed the issue of participation on a class action lawsuit on flushable wipes with NACWA and CASA

ADMISTRATION:

- Signed off on invoices, reviewed correspondence, prepared for upcoming Board meeting, responded to inquiries on BACWA efforts, oversaw updating of web page and provided general direction to BACWA staff.
- Provided written report of avoidance of conflicts of interest associated with current elected position.
- Worked with the RPM in the preparation of the monthly BACWA newsletter.

MISCELLANEOUS MEETINGS/CALLS:

- David Senn on nutrient issues
- Paul Gilbert Snyder on Prop 50 and Prop 84
- BACWA chair and Committee chairs on items that arose during the month
- Water Board staff on coordinating the nutrient activities
- Jim Kelly as the new Interim Executive Director of SFEI
- discussed the watershed permit with a number of consultants interested in participating in the optimization and upgrade studies.
- other misc calls and inquiries regarding BACWA activities
- Tom Hall on storm water diversion request for information on costs
- meeting with Kerrie Romanow of SJ regarding update various BACWA issues

Attachments:

- 1) Status on Action Items from February 21, 2014 BACWA Executive Board Meeting
- 2) BACWA Board Calendar (outline of upcoming meeting agenda items) – BODCAL
- 3) BACWA in-kind support of EBMUD's EPA grant
- 4) Water Quality Trading Alliance
- 5) CASA's ULC priorities

**February 21, 2013 BACWA Board Meeting
Action Items**

Number	Subject (Lead)	Task	Deadline	Status
2014.02-49	BAPPG FY2015 Workplan (BAPPG Chair or Committee Representative)	Include review of BAPPG workplan on 3/21 Board meeting agenda.	3/21/2014	Completed (Added to Bodcal)
2014.02-50	ReNUWIt Nutrient Control Assessment Proposal (ED)	Include discussion to consider support of ReNUWIt's Nutrient Control Assessment proposal on 3/21 Board meeting agenda.	3/21/2014	Completed (Added to Bodcal)
2014.02-51	Annual Member Meeting (ED)	Include review feedback from 2014 Annual Member Meeting in planning process for 2015 meeting.	9/2014	Completed (Added to Bodcal)
2014.02-52	Regional Prop 84 Proposal (ED)	Include update on resources expended to date on 3/21 Board meeting agenda.	3/21/2014	Completed (Added to Bodcal)
2014.02-53	FY2015 Budget (ED)	Include the following for discussion on the 3/21/2014 Board meeting agenda: <ul style="list-style-type: none"> • options for recouping loss of BAPPG member contributions in future years • review feedback from agency staff regarding Info Share Groups • review feedback from AIR Co-Chairs regarding incorporation of AIR as BACWA committee and provide information about possible overlap with CWCCG • provide supporting information for Collaboration/Sponsorship budget items (benefits, members, contributors) 		Completed (Added to Bodcal)
2014.02-54	Nutrient Task Force Representatives (ED)	Identify two BACWA representatives for the Nutrient Task Force at the 3/21/2014 Board meeting.	3/21/2014	Completed (Added to Bodcal)
2014.02-55	Stormwater Diversion (Tom Hall)	Postpone discussion from 2/21 Board meeting agenda to 3/21. Agencies to send cost estimates to BASMAA.	3/21/2014 3/15/2014	Completed (Added to Bodcal)
2014.02-56	Risk Reduction (RPM)	Postpone discussion from 2/21 Board meeting agenda to 3/21.		Completed (Added to Bodcal)

Action Items Remaining from Previous BACWA Executive Board Meetings

Number	Subject (Lead)	Task	Deadline	Status
2013.12-110	BACWA Representation (ED/Board)	Board to provide feedback on proposed guidelines and ED will revise as necessary.	2/21/2014	Completed
2013.12-112	Water Operator Training Contract (ED)	Work with BACWA legal counsel to determine if current contract between Solano and BACWA addresses BACWA financial liability concerns.	2/21/2014	Pending
2013.12-115	ReNUWIt (ED)	Develop draft MOU/MOA to consider BACWA participation in the mobile pilot laboratory project.	2/21/2014	Pending

FY14: 54 of 56 Action Items completed.

FY13: 67 of 67 Action Items completed.



Board Calendar thru December 2014

As of Thursday, March 20, 2014 at 9:10 AM

DATE	ASSIGNMENT	STATUS NOTES
4/18/2014 Monthly Board Mtg Items due: 4/11 Connor; Pagano; Horenstein; Ervin; Swanson Williams; Fono; Gunnell	<u>Consent</u> Previous Board Meeting Minutes (AED) Monthly Treasurer's Report (EBMUD Accounting) <u>Reports</u> Committee Reports (Committee Chairs) Board Reports (Executive Board) ED Report (ED) RPM Report (RPM) Chair/ED Authorizations (AED)	5m 40m
	<u>Other Business: Authorizations</u> FY2015 Budget Approval (ED/AED)	
	<u>Other Business: Discussions</u> Quarterly Update from CWCCG (S. Deslauriers) Zeolite Anammox (R. Collison)	
5/2/2014 Joint Meeting Items due: ? Connor; Pagano; Horenstein; Ervin; Swanson Water Board Staff Williams; Fono	<u>Other Business: Discussions</u> Pardee Date (ED)	
5/16/2014 Monthly Board Mtg Items due: 5/9 Connor; Pagano; Horenstein; Ervin; Swanson Williams; Fono; Gunnell	<u>Consent</u> Previous Board Meeting Minutes (AED) Monthly Treasurer's Report (EBMUD Accounting) <u>Reports</u> Committee Reports (Committee Chairs) Board Reports (Executive Board) ED Report (ED) RPM Report (RPM) Chair/ED Authorizations (AED)	5m 40m
	<u>Other Business: Authorizations</u> Approval of FY2015 Contracts (AED) Approval of FY2014 Amendments (AED)	
	<u>Other Business: Discussions</u>	
6/20/2014 Monthly Board Mtg Items due: 6/13 Connor; Pagano; Horenstein; Ervin; Swanson Williams; Fono; Gunnell	<u>Consent</u> Previous Board Meeting Minutes (AED) Monthly Treasurer's Report (EBMUD Accounting) <u>Reports</u> Committee Reports (Committee Chairs) Board Reports (Executive Board) ED Report (ED) RPM Report (RPM) Chair/ED Authorizations (AED)	5m 40m
	<u>Other Business: Authorizations</u>	

DATE	ASSIGNMENT	STATUS NOTES
	Chair / Vice Chair Nomination & Election (Board/AED) Approval of FY2015 Contracts (AED) Approval of FY2014 Amendments (AED)	
	<u>Other Business: Discussions</u> Quarterly Update from CWCCG (S. Deslauriers)	
7/?/2014 Joint Meeting Items due: ? Connor; Pagano; Horenstein; Ervin; Swanson Water Board Staff Williams; Fono	<u>Other Business: Discussions</u>	
7/18/2014 Monthly Board Mtg Items due: 7/11 Connor; Pagano; Horenstein; Ervin; Swanson Williams; Fono; Gunnell	<u>Consent</u> Previous Board Meeting Minutes (AED) Monthly Treasurer's Report (EBMUD Accounting) <u>Reports</u> Committee Reports (Committee Chairs) Board Reports (Executive Board) ED Report (ED) RPM Report (RPM) Chair/ED Authorizations (AED)	5m 40m
	<u>Other Business: Authorizations</u>	
	<u>Other Business: Discussions</u> Board Meeting Calendar for Jan-Dec 2015 (AED) ReNUWIt Update (B. Horenstein/ M. Connor)	
8/15/2014 Monthly Board Mtg Items due: 8/8 Connor; Pagano; Horenstein; Ervin; Swanson Williams; Fono; Gunnell	<u>Consent</u> Previous Board Meeting Minutes (AED) Monthly Treasurer's Report (EBMUD Accounting) <u>Reports</u> Committee Reports (Committee Chairs) Board Reports (Executive Board) ED Report (ED) RPM Report (RPM) Chair/ED Authorizations (AED)	5m 40m
	<u>Other Business: Authorizations</u>	
	<u>Other Business: Discussions</u> Pardee Technical Seminar Planning (ED/AED)	
9/?/2014 Joint Meeting Items due: ? Connor; Pagano; Horenstein; Ervin; Swanson Water Board Staff Williams; Fono	<u>Other Business: Discussions</u>	
9/19/2014 Monthly Board Mtg Items due: 9/12 Connor; Pagano; Horenstein; Ervin; Swanson	<u>Consent</u> Previous Board Meeting Minutes (AED) Monthly Treasurer's Report (EBMUD Accounting) <u>Reports</u> Committee Reports (Committee Chairs) Board Reports (Executive Board) ED Report (ED)	5m 40m

DATE	ASSIGNMENT	STATUS NOTES
Williams; Fono; Gunnell	RPM Report (RPM) Chair/ED Authorizations (AED) <u>Other Business: Authorizations</u> <u>Other Business: Discussions</u> Pardee Technical Seminar (ED/AED) Quarterly Update from CWCCG (S. Deslauriers) Regulatory Issue Matrix, Updated (RPM) Annual Member Meeting Planning (ED)	
10/22 – 10/24 Pardee Technical Seminar Items due: 10/15 Connor; Pagano; Horenstein; Ervin; Swanson Williams; Fono; Gunnell	<u>Other Business: Discussions</u>	<i>No Board Actions Permitted</i>
11/??/2014 Joint Meeting Items due: ? Connor; Pagano; Horenstein; Ervin; Swanson Water Board Staff Williams; Fono	<u>Other Business: Discussions</u>	
11/21/2014 Monthly Board Mtg Items due: 11/14 Connor; Pagano; Horenstein; Ervin; Swanson Williams; Fono; Gunnell	<u>Consent</u> Previous Board Meeting Minutes (AED) Monthly Treasurer's Report (EBMUD Accounting) Annual Audit Report (EBMUD Accounting) <u>Reports</u> Committee Reports (Committee Chairs) Board Reports (Executive Board) ED Report (ED) RPM Report (RPM) Chair/ED Authorizations (AED) <u>Other Business: Authorizations</u> <u>Other Business: Discussions</u> ReNUWIt Update (B. Horenstein/ M. Connor) Annual Member Meeting Planning (ED)	10m <i>plus previous month (Aug2013)</i> 40m
12/19/2014 Monthly Board Mtg Items due: 12/12 Connor; Pagano; Horenstein; Ervin; Swanson Williams; Fono; Gunnell	<u>Consent</u> Previous Board Meeting Minutes (AED) Monthly Treasurer's Report (EBMUD Accounting) <u>Reports</u> Committee Reports (Committee Chairs) Board Reports (Executive Board) ED Report (ED) RPM Report (RPM) Chair/ED Authorizations (AED) <u>Other Business: Authorizations</u> <u>Other Business: Discussions</u> Quarterly Update from CWCCG (S. Deslauriers) Annual Member Meeting Planning (ED) FY2016 Budget Planning	5m 40m

CURRENTLY UNSCHEDULED AND SIGNIFICANT

- Approval of Annual Report FY12 & FY13
- Defining BACWA Priorities/Revisit Strategic Plan
- BACWA Membership Engagement Opportunities
- Tech Seminar/Workshop: CCCSD Cogen explosion, SFPUC force main leak and repair, and BACWA member pilot plants.
- Chlorine Residual Analyzer Investigation
- Suggestions for Monthly Meeting Guest Speakers/Presenters: ie. Jim McGrath, State Water Board; ?
- CEC's (Kelly Moran)
- Strategy Development for Triennial Review (Permits Committee/Board)

BOARD COMMITTEES WITH NO MEETINGS CURRENTLY SCHEDULED

-

From: Shang, Yuyun [<mailto:yshang@ebmud.com>]
 Sent: Wednesday, September 11, 2013 5:03 PM
 To: Lorien Fono
 Cc: Dave Williams
 Subject: RE: draft letter of support for EBMUD proposal

Yes, I assumed 2 persons from BACWA, each at \$250/hr for 25 hours to prepare and attend these meetings. Let me know if I should change it.

Headsup: I'll send the draft proposal for a quick review shortly.

Thanks!

Yun

From: Lorien Fono [<mailto:lfono@pmengineers.com>]
 Sent: Wednesday, September 11, 2013 4:53 PM
 To: Shang, Yuyun
 Cc: David Williams
 Subject: Re: draft letter of support for EBMUD proposal

Yun, I'm only seeing \$37,500 worth of support from BACWA from the spreadsheet. Is the \$12,500 under hosting meetings with collaborators our cost?

----- Original Message -----

From: [Shang, Yuyun](mailto:yshang@ebmud.com)
To: [Lorien Fono](mailto:lfono@pmengineers.com)
Sent: Wednesday, September 11, 2013 3:03 PM
Subject: RE: draft letter of support for EBMUD proposal

Below is my cost breakdown by project task for BACWA's \$50K match. Please let me know if you have any changes to be made.

Thanks.

Table 1. Project Task, Output, Lead Partner, Budget (Grant & Match) and Schedule

Work Element	Output (only listed deliverables)	Lead Partner	EPA Grant to EBMUD and Its Sub-recipients (\$850,000)				Match (\$900,000)		Quarter
			EBMUD	HDR	SFEI	ReNUWI t	EBMUD	Partners	
Task 1. Project Administration		EBMUD	\$130,000				\$130,000	\$12,500	1-8
1.1 Manage project, coordinate effort, track progress, cost and budget, invoice etc.		EBMUD	\$80,000				\$80,000		1-8
1.2 Host meetings with collaborators	8 workshops with collaborators (2-hr each)	EBMUD (all)						\$12,500	1-8

1.3 Provide progress updates to EPA staff	12 bimonthly progress reports and 5 project review meetings with EPA staff	EBMUD							1-8
1.4 Prepare task and final project reports	4 project reports (Tasks 2&3 and Final reports) to EPA	EBMUD	\$50,000				\$50,000		3, 4, 8
Task 2. Select Sidestream Treatment Technologies for Testing		HDR	\$6,000	\$40,000			\$6,000	\$10,000	1-2
2.1 Compile a list of POTWs that generate high nutrient sidestreams; sidestream origins and characteristics (flow, chemical composition, potential toxicity etc.)		BACWA					\$10,000 by BACWA		1-2
2.2 Conduct a comprehensive literature review of viable technologies	A literature review and technology evaluation report	HDR		\$28,000					1-2
2.3 Identify knowledge/implementation gaps, develop technology selection criteria		EBMUD (all)	\$3,000	\$6,000			\$3,000		1-2
2.4 Select at least 3 viable technologies (including anammox) for bench and pilot testing [milestone]		EBMUD (all)	\$3,000	\$6,000			\$3,000		1-2
Task 3. Conduct Bench and Pilot Testing		EBMUD, SFPUC, DDSD	\$425,000			\$60,000	\$325,000	\$300,000	1-8
3.1 Develop a QAPP	A QAPP report	EBMUD (SFPUC, DDSD)	Cost included in Task 1.4					Cost included in the match	3
3.2 Conduct sidestream treatment tests at multiple WWTPs									1-8
3.2.1 Bench test anammox (3 processes)		SFPUC						\$200,000 by SFPUC	1-6
3.2.2 Pilot test two anammox processes		EBMUD	\$275,000				\$175,000		1-6

	3.2.3 To be determined (scale-up or test other viable technologies) from Task 2.4 and/or Tasks 3.2.1 and 3.2.2.		EBMUD , DDSD	\$150,000			\$60,000	\$150,000	\$100,000 by DDSD	4-8
3.3	Evaluate test results [milestone]	A report presenting test results	EBMUD (SFPUC , DDSD)	Cost included in Task 1.4						6
	<i>Work Element</i>	<i>Output</i> (only listed deliverables)	<i>Lead Partner</i>	<i>EPA Grant to EBMUD and Its Sub-recipients (\$850,000)</i>				<i>Match (\$900,000)</i>		<i>Quarter</i>
				<i>EBMUD</i>	<i>HDR</i>	<i>SFEI</i>	<i>ReNUWI t</i>	<i>EBMUD</i>	<i>Partners</i>	
	Task 4. Estimate Cost and Benefit of Sidestream Treatment		HDR	\$15,000	\$100,000			\$15,000	\$55,000	6
4.1	Estimate nutrient load reductions to the SFB assuming suitable sidestream treatment were implemented at full-scale by SFB POTWs [milestone]	Results to be included in the Final project report	HDR (SFEI, BACWA)	\$3,000	\$25,000			\$3,000	\$2,500 by BACWA; \$25,000 by EBDA	6
4.2	Estimate planning level sidestream treatment costs (both capital & O&M) [\$/lb N removed]		HDR (BACWA)	\$12,000	\$75,000			\$12,000	\$2,500 by BACWA; \$25,000 by EBDA	6
	Task 5. Model Water Quality Improvement to the SF Bay		SFEI	\$6,000		\$50,000		\$6,000	\$2,500	6-7
5.1	Develop modeling scenarios to be investigated	Results to be included in the Final project report	BACWA (all)	\$3,000				\$3,000	\$2,500 by BACWA	6
5.2	Conduct hydrodynamic and water quality modeling on selected scenarios—using SFEI's nutrient SFB model		SFEI	\$3,000		\$50,000		\$3,000		6-7
	Task 6. Develop Best Regional POTW Nutrient Management Approach for SFB to Identify Cost-effective, Technically-sound nutrient solutions to the SFB		BACWA (all)	\$18,000				\$18,000	\$20,000 by BACWA	6-8

From: Lorien Fono [<mailto:lfono@pmengineers.com>]
Sent: Wednesday, September 11, 2013 1:24 PM
To: David Williams; Shang, Yuyun
Cc: Alexandra Gunnell
Subject: draft letter of support for EBMUD proposal

Dave, attached is a draft letter of support for EBMUD's sidestream treatment proposal. It would be great if you could review it today, since Yuyun needs it tomorrow.

Thanks
Lorien

Lorien Fono, Ph.D., P.E.
BACWA Regulatory Program Manager
Patricia McGovern Engineers
lfono@pmengineers.com
510-684-2993



September 11, 2013

Ms. Luisa Valiela
San Francisco Bay Water Quality Improvement Fund
EPA Region 9 (WTR-3)
75 Hawthorne Street
San Francisco, CA 94105

SUBJECT: LETTER OF SUPPORT - EPA-R9-WTR3-13-001 (CFDA 66.126)

Dear Ms. Valiela:

Bay Area Clean Water Agencies (BACWA) is pleased to partner with East Bay Municipal Utility District (EBMUD) and other San Francisco Bay Area agencies on the proposed project, "Reducing Nutrients in San Francisco Bay through Additional Wastewater Treatment Plant Sidestream Treatment" being considered for grant funding through the San Francisco Bay Water Quality Improvement Fund (SFBWQIF). BACWA is a joint powers agency whose members own and operate publicly-owned treatment works (POTWs) and sanitary sewer systems that collectively provide sanitary services to over 6.5 million people in the nine county San Francisco Bay Area. BACWA members are public agencies, governed by elected officials and managed by professionals charged with protecting the environment and public health.

Historically, the San Francisco Bay has not been adversely affected by nutrients, and most of our members' wastewater treatment plants were not designed to remove nutrients. However, there are signs that the San Francisco Bay's historic resilience may be weakening. BACWA has been engaged in both developing the science surrounding potential nutrient impacts to the San Francisco Bay, as well as working with regional regulators to develop needed policy and management responses. It is envisioned that our member agencies will need to investigate the feasibility of nutrient removal within the next several years and therefore it is in our members' interest to explore the feasibility of sidestream nutrient treatment technologies such as described in this proposal.

BACWA is uniquely poised to play a coordinating role in this project since we can leverage our existing lines of communication between our member agencies. BACWA plans to support this effort by participating in the following tasks:

- Compile a list of POTWs that generate high nutrient sidestreams along with key information regarding the origins and characteristics (flow, chemical composition, potential toxicity etc.) of these sidestreams.
- Estimate planning level sidestream treatment costs (both capital & O&M)..

September 11, 2012

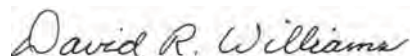
Page 2 of 2

- Develop a model to assess water quality improvements in the San Francisco Bay resulting from sidestream treatment.
- Develop an interactive management tool to identify cost-effective, technically-sound, and integrated multi-agency solutions to attain a range of load reductions for the San Francisco Bay

We anticipate that the in-kind support provided by BACWA for this project will be worth at least \$50,000.

BACWA's members have a strong interest in innovative nitrogen removal technologies and we are committed to partnering with EBMUD and others on this important effort. If you have any questions on BACWA's portion of the project, please contact me at (925) 765-9616, or dwilliams@bacwa.org. We appreciate the opportunity to be a participant in this proposal and look forward to working with you on this important project.

Sincerely,



David Williams
Executive Director
Bay Area Clean Water Agencies

cc: BACWA Executive Board

NATIONAL WATER QUALITY TRADING ALLIANCE

Founding Member Pledge

Overview of the Alliance's Mission and Goals

The National Water Quality Trading Alliance seeks to advance the science, law and policy underlying water quality trading (WQT) and to develop and enhance related market opportunities, while serving as a practical resource for WQT managers and practitioners.

Our goals are to enhance and promote informed communication, coordination, certainty and comfort in the application of WQT at all levels. We intend to achieve these goals by supporting comprehensive and coherent government rules and policies on trading; promoting the development of existing state and regional trading markets and the establishment of new markets; providing a platform to advance the science and ecological effectiveness of WQT; and serving as a catalyst and champion for the new strategic partnership between EPA and USDA.

Member Benefits

The Alliance will provide the following core areas of service and leadership to its members:

- Monitor, report on, and provide incisive commentary regarding federal and state WQT developments;
- Maintain high-level, ongoing dialogue with EPA, USDA and key state partners on WQT, involve members in this dialogue, and provide regular updates on developments, trends and issues;
- Manage and provide access to a repository of WQT information (i.e., federal and state trading laws and policies, key project documents, lawsuits and decisions);
- Host an annual meeting of members; and
- Provide an annual report on the state of WQT in the U.S.

In addition to these core benefits, the Alliance may pursue additional opportunities and needs, such as developing model state trading legislation and/or regulation, providing testimony to Congress or commenting on federal or state rules, at the direction of members in the "advocacy" tier (as described below).

Committee Structure

We anticipate forming the following member committees to target key areas of our mission and goals:

- ① **Private Market Development:** Private investment is critical to the success and sustainability of any environmental market, thus the Alliance's efforts will be appropriately informed and directed by the perspectives of its members who participate in WQT markets as credit buyers and sellers.

- ① Rule of Law: Approximately 13 states have trading laws and policies in place; others are still evaluating demand and need. The Alliance will monitor state trading developments, as well as those at the federal level, with a dual goal of (a) promoting consistent and defensible approaches, and (b) leveling the “learning curve” from state to state by sharing the broad and diverse perspectives of its members. The Alliance will also focus its attention on overcoming administrative impediments to WQT (for example, where a state has a strong WQT law or policy in place but agency staff at the state or local level do not have the background, skills, training or comfort to apply the law or policy in practice).
- ① Communication and Outreach: By fostering communication and collaboration – both internally among a diverse membership of WQT practitioners and externally with key policymakers and interested stakeholders – the Alliance will allow its members to identify and overcome WQT-related challenges and engage in WQT-related opportunities more effectively.
- ① Science Policy: The Alliance will seek to encourage greater private investment in, and public approval of, WQT markets by working in concert with federal and state agencies and other organizations to advance the scientific record and rationale for WQT.

Tiered Membership

The Alliance values the diverse perspectives and interests of its members. Toward this end, the Alliance welcomes participation from all stakeholders that share the Alliance’ mission and goals, including market entrepreneurs, managers and participants, federal and state agencies, local clean water agencies, industries, agriculture and forestry, NGOs, financial institutions, WQT consultants, and other interested stakeholders.

To accommodate a diverse membership, the Alliance will offer the following tiered memberships.

- Subscriber: This tier is designed for members that want access to the “core benefits” described under the “Member Benefits” section above, but do not want to – or are limited in their ability / authority to – participate in the “advocacy” component of the Alliance’s mission.
- Advisor: This tier is designed for the Alliance’s federal and state agency partners.
- Advocate: This tier is designed for members that want access to, and a voice in, all components of the Alliance’s mission, including advocacy.

Membership Fee

The cost of membership for Founding Members – those enrolling during the first quarter of the Alliance’s initial membership term (Jan. 1, 2014 – March 31, 2014) – is \$3,500. Founding Members will have the opportunity to vote on initial organizational matters such as structure and governance, the nature and scope of the Alliance’s basic member services, and the project “agenda” for the initial term.

Membership Pledge

I support the mission and goals of the National Water Quality Trading Alliance and agree to participate as a Founding Member. I understand that the cost of membership for the initial membership term (Jan. 1, 2014 – Dec. 31, 2014) is \$3,500.

Name:

Title:

Organization:

Tier (check one): Subscriber
 Advisor
 Advocate

I understand that Troutman Sanders will represent the Alliance and that my participation in the Alliance does not create an individual attorney-client relationship with the law firm. I acknowledge and consent to Troutman Sanders’ continued representation of individual members of the Alliance and agree not to seek disqualification of Troutman Sanders from representing any other individual members solely on the basis of my participation in the Alliance.

Signature: _____

Utility Leadership Committee
2014 Priorities Action Plan

Draft 2-20-14

1. **Position CASA agencies as partners in drought response: Lead: CASA Staff**

The drought California is facing presents many challenges and also opportunities. CASA member agencies can be part of the solution through full resource recovery. Examples of ongoing actions CASA is undertaking are:

- Advocate for additional funding for recycled water projects at the federal and state levels
 - Zero interest SRF loans with 30-year term
 - Inclusion of designated funding for water recycling in the water bond
 - Support passage of a federal Recycling Infrastructure Financing and Innovation Act.
- Pursue implementation of the administrative actions to facilitate recycled water (submitted jointly by WateReuse CA and CASA to the Governor on January 17th), and subsequently updated, including:
 - Work with the Legislature to provide tax rebates or other incentives to industries that use recycled water.
 - Make more money available for small construction grants to help businesses and homeowners connect to recycled water systems.
 - Expedite adoption of permits for all new or expanded groundwater recharge projects using recycled water.
 - Except when a totally new use of recycled water is proposed, delegate to local agencies the responsibility to approve plans for connecting customers to recycled water systems, for both irrigation and dual-plumbed buildings.
 - Promote the use of biosolids for reclamation activities on fire ravaged land and to reduce the potential severity of future forest fires. High temperature wildfires can adversely impact the water holding capacity, soil porosity and moisture infiltration rate of the soil. Biosolids return organic matter, nutrients, and biomass to fire impacted land which reduces runoff and allows it to become a productive and living soil again much more quickly than it otherwise would. Due to the inherent properties of biosolids and its soil improvement properties, vegetation can grow even under drought stress. This allows native species to outperform invasive species which in contrast tend to dry out and become ready fuel by early summer, thereby reducing the potential severity and likelihood of future fires.

- Promote biosolids land application which reduces the need to irrigate on ag land, golf courses, landscapes, etc.). Biosolids improve soil tilth, add organic matter, and increase the water holding capacity of soil. This allows crops on agricultural land, as well as grass on golf courses and parks, and crops in community gardens to perform well even in drought conditions.

2. Facilitate development of direct potable reuse of recycled water projects. Lead: CASA staff.

CASA seeks to have recycled water fully recognized as a raw water supply source and not a waste. CASA was a strong supporter of recent legislation directing the California Department of Public Health to move forward with developing regulations for direct potable reuse. In 2014, CASA will:

- Provide input to the expert panel and CDPH staff through its two representatives on the Direct Potable Reuse Advisory Committee.
- Support consolidation of the permitting of potable reuse projects at the State Water Board by transferring the Drinking Water Program from CDPH (as proposed by the Governor) and transferring permitting responsibility from the individual Regional Water Boards.
- Continue to advocate for reasonable regulation of runoff from surface impoundments containing recycled water to facilitate winter storage and increase use for agricultural irrigation.

3. Educate CASA members regarding opportunities for harvesting and marketing of materials. Lead: Energy Workgroup

Request that the Energy Workgroup develop a system for identifying opportunities for resource recovery (including methane gas production, phosphorous recovery, e-fuels, etc.) from wastewater facilities and to communicate this information to the membership. This includes enhanced biogas production through the receipt of hauled in organic waste and the productive use of the increased energy as a result. That use can include on-site power production, direct injection into the pipeline, conversion to transportation fuel, etc.

4. Develop a focused strategy on nutrients. Lead: Regulatory Workgroup

CASA continues to work both internally with the CASA membership and externally with the State Water Board to develop a better approach to addressing nutrients. One goal of this effort is to avoid the “typical” regulatory scenario of establishing unrealistically low numeric endpoints without regard for the complex and site specific nature of the problem to be solved. In recent months, CASA has convened a workshop of California POTWs discharging to rivers and streams (those entities that would be most impacted by the forthcoming Policy for Nutrients for Inland Surface Waters) to discuss an outcomes-based watershed alternative to nutrient management in California. This “CASA Alternative” has been further refined and explored in several meetings with State Water

Board staff, who have generally acknowledged the need for a different approach to nutrients given the complexity of the issue. Staff have also seemed receptive to the possibility of pursuing a more site-specific, watershed based approach.

The most immediate need, also acknowledged by State Water Board staff and a priority in the early months of 2014, is to develop a coordinated and robust stakeholder effort that includes all interested parties, preferably modeled after successful efforts on the regional level (i.e. the Bay Area nutrient steering committee or the CV-SALTS process). CASA is in the process of developing a stakeholder process charter as well as the requisite goals and objectives that will guide technical work. Having this in place early in the process will allow for all nutrient management options to be on the table until work is completed, and provide a reliable structure for the wastewater community to participate in and co-lead the nutrient policy development process. CASA will also continue to explore the relationship between the Nutrient Policy and other regulatory policies that are being developed in 2014, such as the Biological Objectives Policy. Finally, CASA will continue to work with partners at the federal level (such as the Water Environment Federation, Johnson Foundation at Wingspread, the Environmental Defense Fund, and NACWA) to coordinate holistic watershed approaches to nutrients and attempt to increase understanding of the regulatory and strategic challenges inherent in nutrient management.

The nutrients issue is also a prime candidate to “test” or demonstrate the need for consideration of a regulatory paradigm shift away from reliance on numeric water quality objectives and toward a more data-driven, site-specific, and generally more inclusive/participatory approach, also a priority for the ULC. The issue of nutrients continues to be discussed and explored through CASA’s regulatory workgroup (formerly Tri-TAC), which will receive monthly updates on the process and have the opportunity to provide feedback on key issues as the nutrient policy development moves forward.

5. Develop information regarding constituents of emerging concern (CECs) that can be used by CASA members in permit negotiations, public information, etc. Lead: Regulatory Workgroup

The issue of constituents of emerging concern continues to arise in multiple contexts. Some CASA members, particularly those in the Los Angeles region, have been required to conduct extensive sampling of CECs despite the absence of approved methods, the incomplete information regarding environmental impacts, and the lack of any standards or thresholds for these constituents. POTWs are participating in the State Water Board-led expert panel effort to gather additional data through a pilot monitoring program to help answer some of these questions. CASA also remains involved in critical work with WERF and USEPA to fill data gaps and inform risk assessment for trace organics in land applied biosolids. The ULC requests the Regulatory Workgroup to provide information regarding the status of the State’s CEC efforts and how that information can inform CASA’s strategy for addressing these issues.

6. Facilitate emerging technologies. Lead: Science & Research Workgroup.

The Science and Research Workgroup (SRW) was formed to ensure CASA and its members have their fingers on the pulse of regulatory initiatives and the science conducted or needed to support it. The SRW will identify research needed to advance innovative technology that can benefit our members and to ensure regulations are based on credible science. The SRW is comprised of members with a diverse set of expertise with many contacts throughout the California and national University and research communities.

7. Move to a new paradigm for addressing regulatory issues in which CASA and the regulatory agencies are pooling resources to solve problems. Lead: Regulatory Workgroup.

This is perhaps one of CASA's highest ongoing priorities for 2014 and beyond because it can be incorporated into (and indeed, can affect the outcome of) the majority of our advocacy efforts. Fortunately, state agencies seem to be trending toward this more participatory and open approach, stressing early stakeholder involvement and the sharing of ideas to address issues prior to the adoption of policies that are unworkable or contain unrealistic standards. Examples of this approach include:

- CASA's early involvement in development of the Nutrient Policy including crafting an alternative approach, forming a stakeholder group with specific goals and objectives, and generally working to ensure that the policy will not simply be another set of unattainable water quality standards.
- CASA's work with CalRecycle and the State Water Board to ensure that a wastewater facility receiving hauled in organic waste is regulated solely under the jurisdiction of the State Water Board via the entity's NPDES permit, and not also as solid waste facilities. This collaboration of stakeholders and multiple state agencies to produce a common sense result to be codified in regulation epitomizes the new paradigm we seek to replicate in other settings.
- CASA's work with USEPA and state agencies to increase the use of biosolids for mine reclamation, providing a "win-win" for local agencies seeking to beneficially use their biosolids and state and federal regulatory authorities seeking innovative solutions to ongoing environmental problems. CASA has worked proactively and successfully with USEPA Region 9, USDA, and our members to utilize biosolids to reclaim superfund mine sites. This is an ongoing effort, expected to expand in 2014, but for which continued regulatory and legislative support is needed.
- CASA's early involvement with State Water Board efforts related to developing a strategy for addressing groundwater quality and quantity. This includes stakeholder meetings to decide how best to approach groundwater anti-degradation and crafting the future role of the state in regulating both groundwater quality and quantity.

- CASA’s involvement on the Tri-TAC pesticide steering committee, which worked with multiple state agencies and pyrethroid pesticide manufacturers to develop analytical methods for pyrethroids in influent, effluent, and biosolids and then execute a survey of POTWs to determine their concentrations in each. As an outcome of that effort the State and Regional Water Boards are planning to introduce a priority plan for fiscal year 14-15 which would designate the authority to mitigate water quality impacts to the Department of Pesticide Regulation (DPR). This approach is consistent with our primary message throughout this process that DPR is the correct regulatory agency and not the SWRCB through limits in NPDES permits. CASA will remain engaged with the Water Boards and DPR to ensure we are included in this strategy.

As with nutrients, the pursuit of a regulatory paradigm shift that increases the participation of all members of the wastewater community very early in policy development processes, and that identifies and incorporates the unique needs of POTWs across the state, will be a priority for CASA and specifically the CASA Regulatory Workgroup.

8. Strengthen and enhance partnerships with other associations to help achieve common goals. Lead: CASA Staff

Strategic goal #3 of CASA’s Strategic Plan is: “Key partnerships are established that will further CASA’s ability to achieve its vision and accomplish its mission.” CASA has embarked on a number of initiatives for strengthening its existing partnerships. Among these are:

- Collaboration on the national recycled water survey involving ACWA, CASA, WaterReuse, NACWA and the Western Recycled Water Coalition.
- Joint submittal of drought response recommendations with WaterReuse CA.
- Collaboration with NACWA, WEF and WERF on advancing the recommendations included in *The Water Resources Utility of the Future: A Blueprint for Action.*”
- Including representatives from our partners on CASA conference programs and committees, including WaterReuse CA and WERF (participation in CASA Science & Research Workgroup), ACWA (joint reception at DC conference, President John Coleman addressed CASA conference in January); Bioenergy Association of CA (Julia Levin spoke at January conference).
- Collaboration on biosolids research and advocacy with the regional biosolids associations such as the Northwest Biosolids Management Assoc., the North East Biosolids and Residuals Assoc., the Mid-Atlantic Biosolids Assoc., NACWA, as well as the W2170 research group of USDA, and the Water Environment Technology Center.
- Participation by CASA staff and leadership in a variety of partner events, including the WEF Nutrient roadmap development, WERF Research Conference, BAC committees and WaterReuse CA legislative committee.

- Jointly funding initiatives such as the SSO WDR training, the Layperson's Guide to Wastewater, and the Wheeler Institute citizen suit research effort.

New areas of potential partnership include working together with ACWA re water conservation, energy conservation, and volumetric pricing. CASA is contemplating a joint effort with ACWA to encourage energy aggregators for demand reduction programs to maximize opportunities for peak energy demand-response due to the expected loss of hydropower during the drought. Wastewater facilities often have the ability to go off the grid during peak energy demand periods and operate using on-site energy produced through the generation of methane during anaerobic digestion. POTWs can often store enough biomethane and to enact operational changes to allow them to avoid importing power from the grid during these critical periods. In addition there are numerous energy efficiency and technological innovation opportunities at POTWs.

9. Develop a strategy for consistent messaging regarding CASA issues and provide materials for member agencies to use in outreach. Leads: Communications Workgroup, CASA staff.

In August 2013, CASA's Executive Board approved the Strategic Communication Plan. Request that the Communications Workgroup work with CASA staff to develop specific implementation tasks to improve the content, frequency and consistency of messaging. An important element of this strategy is the development of additional Fact Sheets on key issues that can be used by member agencies in their outreach and advocacy efforts. CASA currently has Fact Sheets on biosolids, nutrients and energy.

10. Address the challenges facing CASA agencies in recruiting and training qualified personnel, particularly engineers and operators. Lead: Program Committee, Associates Committee.

CASA's primary role with regard to these workforce issues is to continue to educate its members regarding the recruitment and training issues and match them up with resources to assist with the issue, such as the California Water Environment Association operator education and training programs, the CASA Education Foundation (scholarship program), community college based programs such as the Bay Area Consortium for Water and Wastewater Education, California State San Marcos and other academic institutions. An initial useful step would be to obtain descriptions of the partnership programs already developed and make these available to CASA members who may wish to pursue similar ventures within their regions



Regulatory Program Manager's Report to the Board

February 22 2013 – March 17 2014

Prepared for the March 21, 2013 Executive Board Meeting

NUTRIENT WATERSHED PERMIT SUPPORT: Reviewed tentative order and drafted comment letter on nutrient watershed permit. Incorporated member comments into letter.

REVIEW OF SFEI INVOICES FOR NUTRIENT STUDIES CONTRACT: Reviewed invoices submitted by SFEI for nutrient scientific studies. See attachment.

PROP 84 BACWA REGIONAL SUBMITTAL SUPPORT: Arranged and facilitated conference calls with the nutrients project element technical leads Coordinated information from each project element. Attended February Bay Area Coordinating Committee meeting.

RISK REDUCTION FOR MERCURY/PCBs: Phone call with Janis Cook of Region 5 to look for opportunities for BACWA to contribute to risk reduction efforts. Regions 2 and 5 are interested in using BACWA as a contracting agency to provide grants to community-based organizations. See write-up in board packet.

BUDGET: Assisted in putting together a list of BACWA accomplishments for annual dues letter to memberships. Drafted email explaining purpose of the Nutrient Surcharge.

MEMBER TENTATIVE ORDERS: Reviewed Sonoma County Valley Water District's Tentative Order. The Regional Water Board has imposed performance-based for ammonia of 1.8 mg/L (average monthly) as part of the exception to the Basin Plan's prohibition of shallow discharges. Sonoma does not anticipate it will have a compliance problem.

BACWA BULLETIN: Drafted and distributed March BACWA Bulletin.

COMMITTEE SUPPORT: Drafted agendas and Board Report for Permits Committee meetings. Drafted meeting notes and Board Report for Recycled Water Committee. Drafted Board report for AIR committee.

MEETINGS ATTENDED: Bay Area IRWMP CC meeting (2/24), AIR Committee (2/26), Permits Committee (3/11), Recycled Water Committee (3/12), BACWA Prop 84 telecon (3/13)

SF Bay Nutrient Strategy FY2014 Status (Contract with SFEI)

Updated 3/17/2014

Total Spent of \$675,000

\$187,851.19

Task	Description	Upcoming Deliverable	Original Date	Updates
11	Lower South Bay Synthesis	Draft Report	December 2013	Expected in March 2014
12	Suisun Synthesis I	Final Report	December 2013	Delivered March 2014
4 (FY13)	Suisun Synthesis II	Draft Report	April 2014	Expected in Q3 2014
13	Nutrient Science Plan	Draft Plan	February 2014	Expected in Q2 2014
22	Moored Sensor Program	Draft Summary	April 2014	
	Characterizing Phytoplankton			
23	Community Composition	Draft Report	April 2014	
	Nutrient Monitoring Program			
24	Development	Draft Plan	March 2014	TAG will begin meeting in Q2 2014
	Conceptual Model of Nutrient			
3 (FY13)	Exchange through Golden Gate	Draft Report	July 2013	Delivered February 2014

			<u>2013 Actuals (6/2013)</u>	<u>Notes</u>	<u>2014 Approved Budget</u>	<u>2015 DRAFT Budget</u>	<u>Notes</u>
REVENUES							
	Dues		\$579,000		\$609,000	\$621,180	
	Principals' Contributions		\$420,000	EMBUD \$30K In-kind	\$450,000	\$459,000	2% increase (\$91,800)
	Assoc. & Aff. Contributions		\$159,000		\$159,000	\$162,180	2% increase (\$7,650 Assoc, \$1,530 Affil)
	Fees		\$449,000		\$675,000	\$975,000	
	Clean Bay Collaborative		\$449,000		\$675,000	\$675,000	no increase from 2014
	Nutrient Surcharge		-		-	\$300,000	
	Other		\$18,027		\$14,000	\$10,500	
	Interest Income		\$4,464		\$4,000	\$4,000	
	Special Program Admin Fees		\$13,563		\$10,000	\$6,500	loss of BAPPG admin fee
	TOTAL REVENUES		\$1,046,027		\$1,298,000	\$1,606,680	
EXPENSES							
	Labor		\$379,269		\$340,000	\$375,000	
	Executive Director		\$222,670	Jim Kelly AND Dave Williams	\$175,000	\$178,500	2% increase
	Assistant Executive Director		\$68,487		\$75,000	\$76,500	2% increase
	Regulatory Program Manager		\$88,112		\$90,000	\$120,000	allow 2% increase in rate
	Committees		\$102,312		\$121,000	\$145,000	
	Collections System		\$25,007		\$26,000	\$26,000	
	Permit Committee		\$3,467	RMC SSO Enforcement	\$0	\$0	
	Water Recycling Committee		\$733		\$10,000	\$1,000	
	Biosolids Committee		\$2,832		\$5,000	\$5,000	
	InfoShare Groups		\$11,825	\$9,295 meetings (4 Ops/Maint, 1 Eng); \$2,530 As Needed Tech	\$25,000	\$25,000	ED to investigate options; consider decrease to \$20K? (9 meetings + \$2,900 As Needed)
	Laboratory Committee		\$0		\$5,000	\$5,000	
	BAPPG		\$50,000		\$50,000	\$81,000	
	Pretreatment		\$0		\$0	\$1,000	
	Legal		\$5,981		\$4,000	\$4,000	
	Regulatory Support		\$5,451		\$2,000	\$2,000	
	Executive Board Support		\$530		\$2,000	\$2,000	

			<u>2013 Actuals (6/2013)</u>	<u>Notes</u>	<u>2014 Approved Budget</u>	<u>2015 DRAFT Budget</u>	<u>Notes</u>
	Collaboratives		\$52,500		\$36,500	\$65,500	DW - inquire w/ Board if they want to contribute \$1K every other year
		CWAA (US Water Alliance)	\$1,000		\$0	\$0	
		State of the Estuary	\$20,000		\$0	\$20,000	
		A. Navarret Award	\$0		\$1,000	\$0	
		FWQC (Fred Andes)	\$10,000	FY2012 and 2013	\$5,000	\$5,000	
		CPSC (Ca Product Stewardship Council)	\$5,000		\$5,000	\$5,000	
		PSI (Product Stewardship Institute)	\$500		\$500	\$500	
		Stanford ERC (ReNUWit)	\$10,000		\$10,000	\$10,000	
		CWCCG	\$0		\$15,000	\$25,000	
		WEF - Layperson's Guide	\$6,000		\$0	\$0	
	Communication		\$10,946		\$13,020	\$9,500	
		Annual Report	\$0		\$5,000	\$1,000	
		Website Development/Maintenance					
		web host	\$600		\$600	\$600	
		cloud file storage	\$720		\$720	\$720	
		web editing	\$6,982		\$5,000	\$5,000	
		web tech	\$1,193		\$1,500	\$1,500	
		e-mail	\$0		\$0	\$480	
		Other Communication					
		newsletter application	\$194		\$200	\$200	
		Media relations support	\$657		\$0	\$0	
		Regional Outreach Campaign	\$600		\$0	\$0	
	Meetings		\$9,870		\$13,000	\$15,600	
		EB Meetings	\$2,320	monthly catering, 2 orinda meetings; 1 WB meeting	\$1,000	\$2,500	
		Annual Meeting	\$1,546	free rental of Calendow; no lunch served	\$7,000	\$7,000	
		Pardee	\$4,366		\$5,000	\$5,000	
		Misc.	\$1,638	CS CMTE Boy Scouts rental; Summit Partners	\$0	\$1,100	summit partners
	Administration		\$79,335		\$47,000	\$50,000	
		EBMUD Financial Service & Audit	\$40,000		\$40,000	\$40,000	
		Administrative Expenses	\$5,388		\$3,000	\$5,500	
		Insurance	\$3,860		\$4,000	\$4,500	
		ED Recruitment	\$30,087	Koff/Hanson Bridgett	\$0	\$0	

				2013 Actuals (6/2013)	Notes	2014 Approved Budget	2015 DRAFT Budget	Notes
	Technical Support			\$271,441		\$816,000	\$1,416,000	
		Nutrients						
			consultant tech support	\$6,161	HDR	\$30,000	\$0	
			SFEI	\$183,271		\$675,000	\$880,000	
			Additional Work Needed Under Permit	\$0		\$0	\$100,000	
			Nutrient Program Coordination	\$0		\$0	\$0	to be considered by Board
			Sac Permit	\$0		\$10,000	\$0	
			Sampling Plan			\$0	\$0	
			consultant tech support	\$44,200	LWA	\$20,000	\$0	
			consultant tech support	\$2,800	Jim Kelly	\$15,000	\$0	
			Collaboration Strategy Dev	\$11,919	Leapfrog - Kayla Kirsch	\$0	\$0	
			Permit Report Assistance				\$100,000	
			Optimization / Upgrade Studies				\$250,000	
							\$50,000	
		General Tech Support					\$0	
		ERS Transition - SFEI		\$0		\$0	\$0	
		WW as a Resource		\$0		\$0	\$0	
		Selenium		\$0		\$20,000	\$0	
		Infrastructure		\$0		\$0	\$0	
		PCBs		\$0		\$0	\$0	
		Whole Effluent Toxicity		\$4,950	RMC	\$10,000	\$0	
		Chemicals of Concern (K. Moran/CASA support)		\$15,000		\$15,000	\$15,000	
		Risk Reduction		\$0		\$15,000	\$15,000	
		Rate database		\$3,140		\$6,000	\$6,000	consider enhancements, otherwise decrease to \$5K?
		Hg Emissions Report		\$0		\$0	\$0	
		Triennial Review - EOA		\$0		\$0	\$0	
		Contingency		\$0	2013 actuals shown in specific line items above	\$64,900	\$0	
		TOTAL EXPENSES		\$911,654		\$1,455,420	\$2,080,600	
		NET INCOME BEFORE TRANSFERS		\$134,373		-\$157,420	-\$473,920	
		TRANSFERS FROM RESERVES		-\$134,373		\$157,420	\$473,920	
		NET INCOME AFTER TRANSFERS		\$0		\$0	\$0	

InfoShare Groups Survey

Mike Barnes distributed a survey to all members of each of the three InfoShare Groups: Bay Area Maintenance InfoShare (BAMI); Operations InfoShare (Ops); and Engineering InfoShare. All were asked to respond to the following six questions. There were a total of eight responses: seven responses for BAMI and a single response suggesting that all three groups be combined. The responses are shown below and identified by agency.

Hi All

It is becoming increasingly difficult to schedule the Info Sharing Group Meeting on a date to get a sufficient number of attendees to make the meeting worthwhile. The 4th Wednesday of the month worked well for years, but that is no longer the case. I wanted to get your input about the group to see what can be done to improve attendance. Also I wanted to check to make sure it's still worthwhile to continue the meetings. The suggested agenda topics are declining, which may be a sign that the group is not as valuable as it was in the past. Please take a few minutes to fill out the short survey below and return to me.

1. Is it worthwhile to continue the meeting?
2. The intent is for the group to meet quarterly. Is this frequency appropriate? If not, please suggest a frequency.
3. How many meetings per year will you realistically attend?
4. The meetings traditionally have been the 4th Wednesday of the month, which was generally a clear date for most attendees. However, this has not worked lately. Is the 4th Wednesday a good day for you to meet?
5. If the 4th Wednesday is a not a good day, please suggest other general days that would work. (The meetings are hard to schedule, so it's best to have a set day for the meetings.)
6. Would it be helpful if the meetings were scheduled in advance for an entire year?

Please let me know if you have any questions.

Regards,

Mike

Bay Area Maintenance InfoShare (BAMI) Responses

Union SD

1. The BAMI meeting is one of the most important meetings I attend
2. Quarterly seems fine
3. Hard to say how many meetings I can make, it depends on scheduling conflicts
4. 4th Wednesday is OK
5. Scheduling the meeting out a year would be better
6. Maybe we should do some recruiting

Fairfield-Suisun SD

1. Yes the meetings are worthwhile. I believe the whole idea behind the meetings is information sharing between municipalities and this provides a platform accomplish that.

2. Quarterly
3. Probably 3, depending on conflicts as they occur.
4. The 4th Wednesday of the month works when planned well in advance.
5. Any day Tuesday through Thursday will work for me. But again, the further out it is scheduled ahead of time the better.
6. Yes that would help.

Mike if attendance is lacking start looking at the topics of discussion. If the topics only cover a select few plants, people are less inclined to attend. Pick topics that all the attendees have a shared interest in.

EBDA

1. Yes. Networking is important and much information can be gained from talking about plant issues with the group.
2. Yes. As long as the meeting is scheduled well in advance.
3. 3-4 if they are scheduled in advance.
4. The fourth Wednesday is a good day for me.
5. Advance schedule is the key for me.
6. I prefer as much advance scheduling. Possibility at the end of each year the Group can discuss future scheduling for the upcoming year.

Sunnyvale

1. Yes, I find good value in the meetings
2. Quarterly is fine with me, or we could try every 4 months!
3. Hard to say, 2-3 for sure
4. 4th Wednesday is fine with me!
5. N/A
6. Yes I think that would be advantageous with our busy schedules.

Delta Diablo

Meeting w/ other facility managers has been valuable. Great for bouncing ideas off of each other, sharing experiences (valuable and not so), and asking some sensitive questions in an open, honest and non judgmental environment.

1. Yes
2. Yes-Quarterly
3. Even though the past year has been difficult I try to make all of them. This is one of the few meetings I actually want to attend.
4. Yes
5. N/A
6. Absolutely

Central Marin

I agree with everyone else, the meetings are highly valuable and hopefully will continue. Quarterly meetings scheduled in a year in advance would be beneficial. Realistically, I will likely attend three meetings per year. I like Wednesday but would also be in favor of Tuesday or Thursday meetings. Hopefully this survey will be enough to spur better attendance at least in the near future.

Don't let these meetings die, they are too valuable

Thank you for your effort

EBMUD

Subject: BAMI - A Valuable Forum

I concur strongly with my colleagues regarding the value and benefits that these meetings provide. In addition to the regularly scheduled meetings, we utilize this network for in-between one-on-one or group information sharing that never sees the light of day on an agenda or meeting minutes. These topics within and outside the meetings include: industry specific process equipment experiences, references for service providers, methods or techniques related to compliance with environmental or safety regulations, organizational development improvements, budget development, expenditure control, and labor-management issues.

Abandoning this 15+ year commitment to support the Maintenance leadership at our member facilities would be disheartening and demoralizing to a group of professionals that our agencies expect to make good decisions, stay current with the latest industry trends, and provide reliable and effective service to the benefit of our organizations. Operations groups have many opportunities to attend local, regional, and national conferences and workshops that offer much support for their specific discipline. There are few similar opportunities for the maintenance trades to share information in such venues. BAMI has provided this valuable venue for maintenance folks and fostered strong relationships among the representative leaders.

Several improvements have been suggested here to bolster the interest and attendance which I believe are steps in the right direction. However, the value cannot be determined purely with a statistical attendance number, but it is better understood through the commitment and passion you see in these emails. Given the level of interest I see from the group, I believe we will all become even more engaged now that we understand that the program's future is in jeopardy.

Thank You for Your Consideration,

Sunnyvale suggestion to combine all three InfoShare Groups and Mike Barnes' follow up response.

Mike Barnes wrote:

Thanks for the input. Some interesting suggestions worth consideration; each has pros and cons. In general, if all three groups were combined, it would be different. It might be better, it might be worse. It all depends on what BACWA hopes to achieve with the groups. To assist with possible BACWA consideration with the suggestions, I have included some background and observations after working with each of the groups, and assuming the general goals are still to share info and to network. My thoughts are included in the email.

Thanks

Mike

Sunnyvale wrote:

Sending this to you and BACWA ED and AED since this may not be in the bigger plans for BACWA, but something to consider as a longer term strategy.

1) I think there is value in merging the three info groups into one. We would get more interaction and often times for mid to small plants like ours, roles are so merged and interchangeable that all of my managers and I have our fingers in all aspects of running a Plant. Even for larger plants I think it is valuable that engineers/operators and maint. folk hear of other things going around impacting the other operating divisions, not just their own.

Pros:

- 1. There have been occasions when all three groups have talked about the same topic, such as alternative energy and asset management. In these instances I can see value in having all three groups together.*
- 2. There are also folks like yourself that overlapping responsibilities within all three groups, and thus are interested in all.*
- 3. In addition, having all three groups together has the potential for each group to better understand the challenges the other groups face, which could promote better understanding of others.*

Cons

- 1. More often than not, the discussions within the groups are specific to that group's interests and challenges. Others outside the group would not find them interesting.*
- 2. On many occasions folks have discussed problems that have occurred, some of which were internal mistakes. The groups have learned a lot from the mistakes of others. Group members have been willing to admit to mistakes since they are with peers, and feel safe talking about sensitive issues. I don't think these discussions would occur if folks from the other groups would be in the room.*
- 3. I've been told that the operations and maintenance folks initially met together, and then split into two separate groups due to differing interests. This occurred before I began facilitating the groups.*
- 4. The people within the groups are different and may simply not get along well enough to share info freely at a common meeting*
- 5. At times a good camaraderie has developed within the group since all have similar interests. During these times, the group thrived and was well attended. This would not likely develop with the size and diversity if all three groups are combined.*

2) Perhaps an all day (or at least 5 to 6 hours with lunch included) worth of information presentations/ discussions once every three to four months would be worth the time for driving up and getting home after the meeting.

Some challenges with this: 1. People seem to be having trouble finding 4 hours to attend the meetings. The engineering group reduced their meeting time to 2.5 hours. 2. The 10 to 2 window generally allows people to avoid rush hour traffic. Adding an hour on each end will more likely bump people into traffic.

3) Schedule them at the beginning of the year like BACWA EB meetings are so they are on calendars *I think this is a good idea. The summer vacation season and Nov and Dec holidays present challenges, but this is the case no matter what we do.*

4) Recruit a core group of people perhaps 2 from engineering/2 from ops and 2 from maint. that can be organizing group to work with Mike to get topics/speakers and presentations lined up. I could commit two people from sunnyvale to be part of this group (one being myself and my maint or ops manager as well)

I think this is a good idea

5) Would be good to have someone from the permits/lab/air/bio-solids committee to come and give us a quick update on any "hot topics" that could impact us (not in 5 or 6 years, but things that are going to impact like in the next 6 months to a year) since there is always something that is hot and now.

Probably of more interest to the engineers rather than the operation and maintenance folks based on past discussions at the meetings.

6) Guest/consultant presentations like we have had on and off are always a good idea to add to the list of topics.

The presentations by members and/or others within the agencies have almost always turned out well, and I actively seek these. We have had a few outside presenters, but the challenge it to make sure they don't give a sales pitch. In general, the groups have preferred to limit attendance by outsiders, so I have only invited outsiders when they had a specific expertise that the group is very interested in.

Thanks for considering.

To: InfoShare Groups
From: Dave Williams

Subject: RE: Info Sharing Group Survey

To: Info Share Group Participants,

BACWA is in the midst of preparing the FY 15 budget. As you might expect, there is more demand for service from the organization than there is budget to accommodate the demand. As such The Board reviews the activities of the various efforts that it supports via dues and tries to ensure that our limited budget is spent on efforts that have high value for the membership.

The Info Share Groups have been on-going for several years. Although individually folks have expressed interest in the Groups, recently the setting of meetings has become difficult and the attendance has fallen off. Each of the other committees/groups within BACWA has a champion in the form of a chair/vice chair of the group. These positions are rotated annually with the vice chair moving up to the chair position and a new vice chair being named. The combination of having folks willing to step up and take a leadership role in orchestrating and reporting on a group's activities combined with good attendance at schedule activities is a measure of the whether or not there is high return on the investment in supporting the group or committee.

The Board is interested in knowing if someone in the Operations Info Share Group is willing to take on the role of champion. This means attendance at all meetings, assisting in setting agendas, arranging logistics, keeping abreast of key issues and activities within the sphere of interest of the group, attending the monthly BACWA Board meetings and reporting out on the group's activities, etc.

As BACWA is preparing the FY 15 budget, please let me know if you are willing to take on the role of chair for the Operations Info Share Group.

David R. Williams
Executive Director
Bay Area Clean Water Agencies (BACWA)
Cell: 925-765-9616
Email: dwilliams@bacwa.org

BAMI Group Inquiry from Sunnyvale

Sent: Wednesday, March 19, 2014 1:47 PM

To: BAMI Group

Subject: Planning level cost estimates

Hello BAMI group,

Here is the perfect example of why this group is so beneficial! I am looking to estimate the cost of a new CMMS/Asset Management system for the City of Sunnyvale. I realize these could be two separate packages, but could also be a combo package. If I could get some feedback from others that have gone through this in recent years I would truly appreciate it. Just looking for planning level estimates.

We are looking for the following information:

- Software purchase price
- Consultant costs for development and implementation
- Annual license fees
- A rough estimate of staff time/duration
- Estimate FTE for ongoing support or if you utilize outside resources

If you would also add the size of your facility by the following it would help in comparisons.

- Type of facility EG: Water, Wastewater etc.
- MGD
- Total # of Assets
- Do you account for linear assets?

Thanks for your time and support!

Ops Info Share Group – E-mail List

CCCSD: Alan Weer; Angela Taliani; Melody LaBella

San Francisco: Dale Posey; Tommy Moala; Tony Flores

San Jose: Joanna De Sa; Hugh Logan

EBMUD: Dave Freitas; Kathy Fagan

EBDA: Mike Connor; Ray Busch (Hayward); Dean Wilson (San Leandro); Paul Zolfarelli (Oro Loma); Dave Livingston (Union SD)

Delta Diablo SD: Dennis Laniohan; Joaquin Gonzalez; Steve Dominguez

Sunnyvale: Bhavani Yerrapotu (byerrapotu@ci.sunnyvale.ca.us); Bryan Berdeen

Fairfield-Suisun SD: Brian Hawley; Greg Baatrup; Richard Althouse; Talyon Sortor

Dublin San Ramon SD: Levi Fuller

Vallejo SFCD: Dan Ferguson;

West County WD: Brian Hill

Central Marin: Chris Finton;

American Canyon: Peter Lee;

Sac Regional: Prabhakar Somavarapu;

Sac Area Sewer District: Glenn Bielefelt; Mick Berklich

Maintenance Info Share Group – E-mail List

San Francisco: Christina Ting; Dale Posey; John Powell; Larry Spillane; Christine Spencer; Tony Flores

EBDA: David Stoops; Dave Port (Union SD); Kevin Kolte (Livermore); Ric Pipkin (Union SD); Scott Vonderlieth (Oro Loma)

EBMUD: Ike Bell;

CCCSD: khuff@centralsan.dst.ca.us

SJC: Amit Mutsuddy;

Sunnyvale: Bhavani Yerrapotu; Dan Hammons

West County WD: Craig Gridley;

Dublin San Ramon SD: Dan Lopez;

Fairfield-Suisun: Greg Baatrup; Kirk Howard

Central Marin: Mike Cadreau;

Delta Diablo SD: Mike Dixon;

Sac Regional: sorianor@saccounty.net

Sac Area Sewer District: Glenn Bielefelt; Mike Mulkerin; Dean Wyley

Engineering Info Share Group – E-mail List

EBDA: Bill Halsted (Oro Loma); Darren Greenwood (Livermore); Jason Warner (Oro Loma); Jesse Gill (Union SD); jhwaxdeck@ci.livermore.ca.us; Sami Ghossain (Union SD)

San Francisco: Bonnie Jones; Brian Henderson; Jon Loiacono

San Jose: David Tucker;

CCCSD: Justin Waples; Paul Seitz;

EBMUD: Vince DeLange

Central Marin: Brian Thomas; Jacky Wong, Jason Dow

Palo Alto: Phil Bobel;

Sunnyvale: Bhavani Yerrapotu

Sausalito Marin City: Bob Simmons; Kevin Rahman

Delta Diablo SD: Caroline Quinn; Dean Eckerson

Novato SD: Craig Deasy

Dublin San Ramon SD: Garry Lee; Judy Zavadil; Rhodora Biagtan

Fairfield-Suisun SD: Greg Baatrup; Hamid Sarvi; Talyon Sortor

West County WD: Ken Cook;

Novato SD: Sandeep Karkal;

South Bayside SA: Teresa Herrera;

Napa SD: Tim Healy

Sac Area Sewer District: Mike Mulkerin;

Bay Area Pollution Prevention Group (BAPPG) 2014/2015 Workplan

Pollutant/Driver	Projects	Description	Project Managers	Budget
Mercury (Regulatory)	Outreach to Dental Assistants/ Hygienists & Demolition Contractors	Continue regional training/outreach campaign to multiple professional groups, including dental assistants/hygienists and demolition contractors.	Marion Fisher, SFPUC Stephane Olson, DuhinSR Melody Labella, CCCSD	\$4,000
Copper (Regulatory)	Training and Outreach to Professional Organizations to Reduce Copper Pipe Corrosion	Continue regional training/outreach campaign to multiple professional groups, including plumbers and building inspectors.	Marion Fisher, SFPUC Stephane Olson, DuhinSR Karin North, Palo Alto Melody Labella, CCCSD	\$4,000
Dioxin (Regulatory)	Partnership with Air District	Partner with the Bay Area Air Quality Management District to support their annual "Spare the Air" campaign that seeks to reduce wood burning. October.	Karl Ving, SFPUC Karin North, Palo Alto	\$2,000
Nutrients (Regulatory)	Literature Review	Conduct literature on any source control measures that could be employed to reduce sources of ammonia and/or nitrogen to the wastewater stream.	Marion Fisher, SFPUC Karin North, Palo Alto Melody Labella, CCCSD	\$4,000
FOG (Regulatory) (Operations)	Asian Holiday Outreach	Prepare radio spots and other Asian language outreach for the Lunar New Year holiday season. Explore partnering with SFPUC Chinese New Year coordinators to use event as a forum to point people to Baywise for information.	Marion Fisher, SFPUC	\$6,000
	East Real Foods Festival	Outreach for the East Real Foods Festival scheduled in September at Jack London Sq.	Robert Wilson, Petaluma Marie Kuka, EBMD Darcy Axton, Napa Joe Neugebauer, WCWD Dylan Garner	\$1,000
	Regional Holiday Outreach w/ Spanish	Utilize Unavision to promote FOG pollution prevention messages in both English and Spanish during the Thanksgiving to Christmas timeframe.	Jennifer Seguin, San Jose Paul Prange, San Jose	\$8,000
	Commercials on Comcast/Local cable	Explore and develop concept for commercials regarding proper handling of food grease on local cable stations. Identify various available videos that can be reformatted and placed on the Baywise site; include the SF Greasecycle.org video. Thanksgiving timeframe.	Robert Wilson, Petaluma Marion Fisher, SFPUC Nadia Boriova, EBMD Jennifer Seguin, San Jose	\$2,000
Pharmaceuticals (Pre-regulatory)	Hospice	Continue regional training/outreach campaign to multiple professional groups, including nursing students and hospice workers on proper pharmaceutical disposal.	Jennifer Seguin, San Jose Paul Prange, San Jose Marion Fisher, SFPUC Karin North, Palo Alto Melody Labella, CCCSD	\$4,000
	SB 727 Support (Product Stewardship)	Work with CPSC to provide support for SB 727 through letters of support, meetings with legislators, etc.	Susan Heiland, SBESA Darcy Axton, Napa Jackie Dawson, Summyvale Stephane Olson, DuhinSR Dylan Garner, WCWD Karin North, Palo Alto Melody Labella, CCCSD	\$0
	No Drugs Down the Drain	Online regional campaign encouraging proper pharmaceutical disposal (October timeframe).	Jennifer Seguin, San Jose Paul Prange, San Jose Karin North, Palo Alto Karl Ving, SFPUC	\$4,952
Pesticides (Regulatory)	"Our Water Our World" Program	Continue the regional "Our Water Our World" IPM Partnership between BAPPG and BASMAA, which encourages the use of less-toxic pesticides through the use of shelf talkers, product lists, regional events and trade shows, advertising and the OWOV website. Funding for this program has traditionally been 50% BAPPG and 50% BASMAA. October.	Jennifer Kaiser, Vallejo Robert Wilson, Petaluma	\$10,000
	Permethrin/ Fipronil Outreach	Educate Pet Stores - Partner with Pet Care industry (dog washes, vets, pet smart, groomers, FLEABUSTERS.) School Partnerships, nontoxic head lice and nit removal, scabies, bed bugs. October.	Paul Prange, San Jose Susan Heiland, SBESA Jennifer Seguin, San Jose Melody Labella, CCCSD	\$4,000
	Grow It! Guide	Get tally of agencies that need "Grow It! guide" and work with SFPUC communications to get electronic version	Karl Ving, SFPUC Marion Fisher, SFPUC	\$0
Multi-Pollutant Campaigns (SSO)	Toilets Aren't Trash Cans! Outreach to Parent Groups, Multi-Family Buildings, Neighborhood Associations and Hospital/Long-term Care Facilities	Promote the toilet is not a trashcan message. Print handout(s) (developed in 11/12) and distribute to target audiences and for daycare centers. Submit info articles to parent magazines. Develop materials and educate parents groups about multiple pollutant issues. Develop a "dirty dozen" poster, targeted for young kids.	Nadia Boriova, EBMD Andrew Aho, Rubeo Jackie Dawson, Summyvale Paul Prange, San Jose	\$3,000
Miscellaneous (Regulatory) (Public Outreach)	Agency Coordination of P2 Week	August: Agency coordination of regional outreach during P2 week (3rd full week of September). Outreach could include an online campaign or development/printing of a P2 Week poster.	Mike Auer, USD Jackie Dawson, Summyvale Melody Labella, CCCSD	\$5,000
	Comment Letters	Draft press releases and comment letters on regulatory and legislative issues as needed.	Mike Auer, USD Karin North, Palo Alto Melody Labella, CCCSD	\$4,000
	Maintenance of BAPPG website	Hire a consultant to provide maintenance and development of www.BayWise.org for use in public outreach campaigns.	Robert Wilson, Petaluma Marion Fisher, SFPUC	\$3,000
	Available P2 speakers & Presentations	Budget for training BAPPG members on how to post and update the Baywise.org website and to generate "Guidelines for Updating Baywise."	Susan Heiland, SBESA Dylan Garner, SFRWB Paul Prange, San Jose Marie Kuka, EBMD	\$2,000
		Develop a list of speakers for a variety of P2 topics and presentations and post list to Baywise.	Catherine Allen, Milbrae	\$0
	PSI and CPSC Representation	Provide BACWA/BAPPG representation to the Product Stewardship Institute and the California Product Stewardship Council.	Susan Heiland, SBESA Jennifer Seguin, San Jose Paul Prange, San Jose Dylan Garner, SFRWB (Melody Labella, CCCSD) (Karin North, Palo Alto)	\$0

Bay Area Pollution Prevention Group (BAPPG) 2014/2015 Workplan

Pollutant/Driver	Projects	Description	Project Managers	Budget
Triclosan (Pre-regulatory)	Creative Outreach Collateral Needed	Develop social marketing campaign targeting outreach toward specific products and consumer groups	Jackie Dawson, Sunnyvale Karin Wang, SFDC Diana Garner, Pacifica Dylan Garner	\$3,000
Metals/oils (Pre-regulatory)	Mobile surface cleaners	Partner with BASMAA to develop cleaning certificates for mobile surface cleaning permits. Expand CCCSD's current certification program to a regional program.	Karin Wang, SFDC Tim Potter, CCCSD	\$0
Alkyl Phenol Ethoxylates (Pre-Regulatory)	Commercial Laundry	Hospitals, prisons, schools, etc. Identify sources then propose outreach.	Paul Prangin, Palo Alto	\$3,000
Emerging Constituents	Research and Tracking	Micro-plastics, Alternative flame retardants, NPCC, Nano-everything	Susan McIsaac, SESA Aarna Chatterjee, Hayward Dylan Garner	\$3,000
Unplanned Issues	Unplanned Issues Budget	The purpose of this budget item is to respond to emerging issues/needs throughout the fiscal year. Possible expenditures include media outreach, literature searches, website enhancement, training costs, etc.	Mike Auer, USD	\$15,000
Projects Budget				\$80,952

US Water Alliance

About Us

Imagine a world where water is viewed, managed and valued as one resource. A world where the silo thinking that has kept clean water, drinking water, stormwater and water reuse interests segregated erodes away – and a movement toward meeting future challenges on a watershed basis, with a focus on sustainability and green cities emerges in its place. Changing the water paradigm – this is the vision of the U.S. Water Alliance (formally known as Clean Water America Alliance).

The 501(c)(3) nonprofit U.S. Water Alliance (Alliance) is working today to explore the complex issue of water sustainability and plan for the future by improving public awareness that advances holistic, watershed-based approaches to water quality and quantity challenges. A broad cross-section of interests have come together through the Alliance to begin an important dialogue on the future – focusing on exploring and analyzing issues of critical importance to the nation’s ability to provide clean and safe waters to future generations, offering information and education to citizens and policy-makers on key issues, and recognizing organizations and individuals for innovation and outstanding achievements in the water quality and quantity arena.

Since its public launch in September 2008, the Alliance has worked with excitement and enthusiasm to identify and implement specific strategic programs and initiatives that support its essential objectives. We invite you to join us in realizing the promise and real value of this new organization.

Alliance Initiatives

Exploration & Analysis:

In the exploration and analysis arena, the U.S. Water Alliance seeks to identify, explore, and analyze issues of critical importance to the nation’s ability to provide clean and safe waters to future generations such as watershed planning and management; the challenges presented by climate change and infrastructure sustainability; and, the promise presented by green cities.

Education & Outreach:

As our cities, factories and farms become increasingly sophisticated, larger and interconnected, and as their impact on watersheds and climate grows more complex, the need for an integrated, holistic national water policy has never been more urgent.

The U.S. Water Alliance’s efforts in education focus on informing citizens and policy-makers by providing training, workshops and seminars, creating publications, initiating demonstration projects, convening policy briefings and developing educational materials.

Recognition

The U.S. Water Alliance recognizes organizations and individuals for outstanding achievements in water quality and quantity improvement (scientific, economic, technical, environmental, social, institutional, cultural or political) through its recognition initiative.

Become a Member

Your membership supports the U.S. Water Alliance’s work in exploring the complex issue of water sustainability. Recurring gifts – monthly, quarterly, or biannually – allow the U.S. Water Alliance to plan for future developments by improving public awareness that advances holistic, watershed-based approaches to water quality and quantity challenges. Our annual membership year is based on our fiscal year which runs from October 1- September 30th.

Membership Benefits

- Membership on the Business Advisory Council and/or the Urban Water Sustainability Council
- Recognition with your organization’s link on our website
- Invitation to observe our influential conferences and events
- Monthly e-newsletters on Alliance activities and relevant water news
- Special invitation to attend annual U.S. Water Prize Awards Ceremony
- Listing in our Annual Report to stakeholders
- Discounted webinars hosted by the Alliance

Board of Directors

The U.S. Water Alliance’s board harness an unmatched range of experience, knowledge and passion. They are truly the profession’s “best and brightest.”

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Control Department
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Kevin Shafer
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& Strategic Planning
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Chicago, IL

Todd Williams
Executive Vice President of

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U.S. EPA (Retired)
Falls Church, VA

Arlington, VA

Strategy and Development
Cardno, Americas Region
Barrington, IL

Mary Ann Dickinson
President/CEO
Alliance for Water Efficiency
Chicago, IL

Cornelius P. O’Leary
Adjunct Professor of Law
University of Connecticut
School of Law
Windsor Locks, CT

Roger Wolf
Director of Environmental
Programs
Iowa Soybean Association
Ankeny, IA

Brent Fewell
Vice President, Environmental
Compliance
United Water
Potomac, MD

Michele Pla
Principal
MPLA- Cleanwater
Consulting
Oakland, CA

Enrique Zaldivar
Director
Los Angeles Bureau of
Sanitation
Los Angeles, CA

Members

The U.S. Water Alliance is dedicated to working with individuals, organizations and entities throughout the country, both public and private, to forge a new vision for a sustainable water future. Alliance members are dedicated to supporting the exploration and analysis of critical clean water issues, providing meaningful information to citizens and policy-makers and recognizing organizations and individuals for outstanding innovation and achievements. The Alliance has two membership categories: Founding and Annual.

Founding Members – the first organizations to support the U.S. Water Alliance and provide assistance in developing the organization to what it is today.

Annual Members – organizations and individuals that support the U.S. Water Alliance and its mission.

For more information regarding member benefits please visit our [Becoming a Member](#) page.

Founding Members

- [AECOM](#)
- [Alexandria Renew Enterprise, VA](#)
- [American Public Works Association, DC](#)
- [Bay Area Clean Water Agencies, CA](#)
- [Black & Veatch Corp.](#)
- [Brown and Caldwell](#)
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- [California Association of Sanitation Agencies, CA](#)

- [Cardno ENTRIX](#)
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- [CH2MHill](#)
- [City & County of Honolulu Department of Environmental Services, HI](#)
- [City of Atlanta Department of Watershed Management, GA](#)
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- [Global Water Resources, Inc.](#)
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- [Gulf Coast Waste Disposal Authority, TX](#)
- [HDR Engineering, Inc.](#)
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- [Independence Water Pollution Control Department, MO](#)
- [Infilco Degremont/United Water](#)
- [Insituform Technologies, Inc.](#)
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- [JEA \(Electric, Water, and Sewer\), FL](#)
- [Jefferson County – Louisville, KY](#)

- [Kansas City Water Department, MO](#)
- [Little Blue Valley Sewer District, MO](#)
- [Louisville & Jefferson County Metropolitan Sewer District, KY](#)
- [Low Impact Development Center, DC](#)
- [Madison Metropolitan Sewerage District, WI](#)
- [Malcolm Pirnie, The Water Division of ARCADIS](#)
- [Metro Wastewater Reclamation District, CO](#)
- [Metropolitan Sewer District of Greater Cincinnati, OH](#)
- [Metropolitan Water Reclamation District of Greater Chicago, IL](#)
- [Milwaukee Metropolitan Sewerage District, WI](#)
- [MWH Americas Inc.](#)
- [National Association of Clean Water Agencies, DC](#)
- [National Association of Water Companies, DC](#)
- [National Rural Water Association, OK](#)
- [Northeast Ohio Regional Sewer District, OH](#)
- [Ostara Nutrient Recovery Technologies, Inc.](#)
- [PennWell Publishing Corporation](#)
- [Philadelphia Water Department, PA](#)
- [Pima County Regional Wastewater Reclamation Department, AZ](#)
- [San Francisco Public Utilities Commission, CA](#)
- [Sewerage and Water Board of New Orleans, LA](#)
- [Siemens Water Technologies Corp.](#)
- [Summit Water Development Group, LLC](#)
- [The Conservation Fund, VA](#)

- [Upper Trinity Regional Water District, TX](#)
- [Veolia Water North America](#)
- [Water & Wastewater Equipment Manufacturers Association, DC](#)

Annual Members

- [Abengoa Water](#)
- [Abtech Industries Inc.](#)
- [AECOM](#)
- [Alexandria Sanitation Authority](#)
- [Alliance for Water Efficiency](#)
- [American Farmland Trust](#)
- [American Public Works Association](#)
- [Aqua-Aerobic Systems, Inc.](#)
- [Association of Clean Water Administrators](#)
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- [Bay Area Clean Water Agencies](#)
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- [Connecticut River Watershed Council](#)
- [Council of Infrastructure Financing Authorities](#)
- [County of Los Angeles Sanitation Districts](#)
- [DC Water](#)

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 - [Digital Energy and Sustainable Solutions Campaign](#)
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- [United Water Inc. /Infilco Degremont](#)
- [Upper Trinity Regional Water District](#)
- [Veolia Water North America](#)
- [Water & Wastes Digest](#)
- [Water Environment Research Foundation](#)

**State of the San Francisco Estuary Conference
20/20 Vision: Past Reflections, Future Directions**

**October 29-30, 2013
Oakland Marriott at City Center**

Every two years, the Partnership brings a focus on the management and ecological health of the San Francisco Bay-Delta Estuary. The State of the Estuary Conference showcases the latest information about the estuary's changing watersheds, impacts from major stressors, recovery programs for species and habitats, and emerging challenges.

This year's theme, "**20/20 Vision: Past Reflections, Future Directions**," both celebrates the 20th anniversary of SFEP's Comprehensive Conservation and Management Plan, and focuses our attention on the many challenges ahead. Our expert speakers will discuss the Estuary's current and emerging issues— such as climate change and sea level rise, Delta inflows, contaminants, invasive species, and other threats to our fish and wildlife populations. Together, we will debate and discuss the actions needed as we anticipate the major changes coming to our Estuary. Presenters will also examine the ways in which government and decision-makers can better engage Bay Area communities in critical decision-making around these challenges.

The October 29th evening poster-session reception offers a chance to gather and talk informally with colleagues and other leaders engaged in current research and restoration activities.

Sponsors

Premier Sponsor

State Coastal Conservancy

Anchor Co-Sponsors

Bay Area Clean Water Agencies
Cargill
City of San Jose
Delta Science Program
Friends of the San Francisco Estuary
Regional Monitoring Program
San Francisco Public Utilities Commission
U.S. Environmental Agency

Co-Sponsors

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Balance Hydrologics, Inc.
Bay Area Stormwater Management Agencies Association
California Department of Fish & Wildlife
California Department of Water Resources
California State Lands Commission
Chevron
Citizens Committee to Complete the Refuge
Central Contra Costa Sanitary District
Contra Costa County Flood Control District
Delta Protection Commission
Ducks Unlimited
East Bay Municipal Utility District
East Bay Regional Park District
ESA
H. T. Harvey & Associates
Marin Audubon Society
Mountain Hardwear
Port of San Francisco
San Francisco Bay Conservation and Development Commission
San Francisco Bay Joint Venture
San Francisco Bay National Estuarine Research Reserve
San Francisco Estuary Institute
Santa Clara Valley Water District
Save the Bay
Sonoma County Agriculture Preservation and Open Space District
Sonoma County Water Agency
Sonoma Land Trust
U.S. Fish and Wildlife Service
Water Education Foundation
Western State Petroleum Association
Zone 7 Water Agency

SFEP Executive Council

The Comprehensive Plan called for the creation of an Executive Council to provide broad policy direction and have primary responsibility for putting the Plan into effect. There are five members of the Council: Regional Administrator, US EPA Region 9; Regional Director, US Fish and Wildlife Service Pacific Southwest Office ;the Secretaries of California EPA and the Resources Agency; and the Executive Director of the Association of Bay Area Governments. The

Executive Council meets when necessary to provide guidance and approves the annual work plan and budget.

Executive Council Members

John Laird, Secretary, California Resources Agency

Matt Rodriguez, Secretary, California Environmental Protection Agency

Len Lohofener, Regional Director, Pacific Southwest US Fish and Wildlife Service

Ezra Rapport, Executive Director, Assoc. of Bay Area Governments

Jared Blumenfeld, Regional Director, US EPA, Region 9

Federal Water Quality Coalition (FWQC)

Member Benefits

The Federal Water Quality Coalition (“FWQC”) is a group of industrial companies, municipalities, agricultural entities and trade associations. The Coalition’s members are directly affected by, or have members that are directly affected by, regulatory requirements imposed under the Clean Water Act. The Coalition participates in federal and regional water quality rulemakings, initiatives and guidance development, through negotiation and written comments. These activities are managed by the Coalition’s Coordinator, [Fred Andes](#) of the law firm of Barnes & Thornburg. The Coalition’s goal is to ensure that water quality programs are focused, flexible and founded on sound science.

Current Membership

- Alcoa, Inc.
- American Chemistry Council
- American Coke and Coal Chemicals Institute
- American Forest & Paper Association
- American Iron and Steel Institute
- American Petroleum Institute
- Association of Idaho Cities
- Auto Industry Forum
- City of Superior (WI)
- Coeur D’Alene Mines Corporation
- Edison Electric Institute
- Freeport-McMoRan Copper & Gold
- General Electric Company
- Hecla Mining Company
- Indiana Coal Council
- Mid America CropLife Association
- National Association of Home Builders
- Olin Corporation
- Orange County (CA) Sanitation District
- Pharmaceutical EHS Sustainability Council
- Rubber Manufacturers Association
- Utility Water Act Group
- Western Coalition of Arid States
- Weyerhaeuser Company

Current and Planned FWQC Activities

The FWQC's list of projects is constantly changing as projects are completed and new projects identified. The most current list and summary of FWQC activities is contained in the attached matrix.

The FWQC organizes teams of members to address specific interest areas. Individuals from our member organizations may join as many teams as they would like. Teams and activities are currently addressing the following issues:

- Ammonia Criteria
- Antidegradation Review
- Bioaccumulation Factors (BAFs)
- Climate Change & Water Quality
- Contaminated Sediments
- Construction & Development Controls
- Listing of Impaired Waters
- Mercury Criteria & Implementation
- Mixing Zone Restrictions
- NPDES Permitting Issues
- NPDES Permit Fees
- Nutrient Criteria & Control Requirements
- PCB Test Methods
- Selenium Criteria & Implementation
- Storm Water Permits
- TMDLs (Total Maximum Daily Loads)
- Use Attainability Analyses (UAAs)
- Water Quality Standards
- Whole Effluent Toxicity (WET)

The Coalition comments on many EPA and state activities concerning water quality issues, and Barnes & Thornburg hosts frequent conference calls for the various teams to discuss recent developments on those issues. If an issue is of particular concern to a group of members, Barnes & Thornburg often arranges meetings between members and agency personnel. In addition, Barnes & Thornburg sends regular e-mails to notify members of agency activities, meetings, comment deadlines, and other relevant events as they arise.

Dues Structure

FWQC members pay dues once each year; invoices are usually issued in January. The dues entitle members to participate in all FWQC activities, and benefit from all of the services described above, except for litigation, which is funded separately by those members that decide to participate in the specific case. Dues amounts are set by category; the four categories of members for dues purposes are large trade associations, small trade associations, individual companies, and municipal entities. If your organization is interested in joining the FWQC, you

should contact Fred Andes to find out what your dues amount would be. Mr. Andes can be reached at 312/214-8310, and at fandes@btlaw.com.

The Federal Water Quality Coalition is represented by attorneys in the Water Team at Barnes & Thornburg LLP. The B&T Water Team is a group of highly-experienced attorneys, based in the Chicago and Washington, D.C. offices of Barnes & Thornburg LLP, who are committed to serving the needs of clients facing clean water issues nationwide. This team is part of the B&T Environmental Department, a group of 18 dedicated environmental professionals throughout our offices. The Water Team members are:

- [Fred Andes](#), FWQC Coordinator Chicago (312) 214-8310 fredric.andes@BTLaw.com
- [Erika Powers](#) Chicago (312) 338-5904 erika.powers@BTLaw.com
- [Jeff Longsworth](#) Washington, DC (202) 408-6918 jeffrey.longsworth@BTLaw.com
- [Dave Ballard](#) Chicago (312) 338-5914 david.ballard@BTLaw.com
- [Charles Denton](#) Grand Rapids, MI (616) 742-3974 charles.denton@BTLaw.com
- [Susan Bodine](#) Washington, DC (202) 371-6364 susan.bodine@BTLaw.com
- [Mindy Boehr](#) Indianapolis, IN (317) 231-7798 mindy.boehr@BTLaw.com
- [Paul Drucker](#) Chicago, IL (312) 214-8806 paul.drucker@BTLaw.com
- [Glenn de Roziere](#), Webmaster Indianapolis, IN (317) 231-7394 glenn.deroziere@BTLaw.com
- Jeaninne Roraff, Information Mgr. Chicago, IL (312) 338-5912 jeannine.roraff@BTLaw.com

The goal of the B&T Water Team is to design solutions to clean water problems that will help its clients to achieve their strategic business or municipal objectives, while complying fully with legal and regulatory requirements.

The team draws on substantial, detailed knowledge of the clean water regulatory system, developed through years of practice in the water arena. Members of the team, which includes former regulators, have a wealth of experience representing businesses, industry sectors, municipalities, trade organizations, and issue-specific coalitions.

The team regularly tackles highly complex, cutting-edge issues such as obtaining permits in impaired waters, developing TMDLs for legacy contaminants (including mercury and PCBs), and advocating methods to ensure the application of sound science in the development and implementation of water quality standards and regulations.

Team members help clients find solutions to federal and state issues by applying their knowledge of, and extensive contacts with, staff and officials at U.S. EPA and other government agencies in Washington, D.C., as well as legislative staff.

Team members have been appointed to Federal Advisory Committees, including for TMDLs and Stormwater, and also manages the Federal Water Quality Coalition, recognized as a national voice of the regulated community on clean water issues.

Team members address difficult facility-specific issues “on the ground” in the states, by working with state agencies and U.S. EPA regional offices on those issues as they arise in regulatory, compliance and enforcement settings.

Team members also are involved in litigation across the country on regulatory, compliance, and enforcement matters at the federal and state levels, and have participated in numerous challenges to U.S. EPA and state rules and permitting decisions.

B&T Water Team services cover the broad range of water issues facing the regulated community, from policies and rulemaking to permitting and enforcement.

- Participation in developing federal and state policies and rules, including litigation
- Compliance counseling
- State and Federal Individual and General Permit negotiations, appeals, and enforcement
- Wet weather (CSO and storm water) rulemaking, permitting, and enforcement
- Preparing comments and challenging state lists of impaired waters
- Participation in the TMDL process, including legal challenges
- Antidegradation planning
- Assistance obtaining variances from water quality standards

2012-2013 ANNUAL REPORT



Driving a paradigm shift
in the way we manage
product waste.



CPSC
California Product
Stewardship Council SM

Dear Friends of the California Product Stewardship Council,

Since its inception in 2007, the California Product Stewardship Council (CPSC) has worked to build a strong statewide coalition of local government and private sector partners to educate Californians about making Extended Producer Responsibility (EPR) a reality in California. Our members represent nearly every jurisdiction and many businesses in California and provide a wide range of perspectives on how to foster stewardship to provide convenient recycling opportunities for the public, reduce the overall waste stream and recover valuable resources used to feed and expand California's manufacturing sector.

As we reflect on the past fiscal year, we celebrate our successes and lessons learned implementing California's new paint and carpet stewardship programs, as well as the implementation of the mercury thermostat legislation passed in 2008. We also see the promise of the years to come: we know from our research and relationships around the world that effective EPR programs are job creators which stimulate economic growth while also providing better use of resources and lessening the burden on local governments and ratepayers.

Once again, California has the opportunity to lead the nation by introducing and implementing innovative public policy and documenting the results; we encourage you to keep bringing your energy, ideas and support as we forward the emergence of Extended Producer Responsibility in California.

With Sincere Appreciation,



Lynn France
Chair, Board of Directors

FY 2012-2013 in Review

CPSC has an impressive record of accomplishments over the last fiscal year, including:

- Added three for-profit businesses (Ultimed, Inc., Providence Saint Joseph Medical Center, and Republic Services) to the CPSC Board of Directors to broaden our partnerships with private sector partners and chambers.
- Provided technical assistance to Alameda County in developing the nation's first pharmaceutical producer responsibility ordinance – with a 5-0 vote!
- Gained dozens of new supporters, including the California Refuse Recycling Council, the South Bay Cities Council of Governments, and the Sacramento Regional County Sanitation District.
- Partnered with local pharmacies and law enforcement to set up six new, sustainably funded pharmaceutical take-back sites in Sacramento and Yolo counties.
- Supported the roll-out of the paint stewardship program, which now has over 400 collection sites statewide! California local governments are expected to save millions once this program is fully implemented in 2015.
- Hosted and facilitated eight free public webinars: Four on the paint stewardship law; one on battery stewardship; two on sharps and mercury lamps co-hosted by EPA Region 9; and one webinar on how to utilize social media to our collective advantage to get the word out on EPR!
- Presented our fourth Annual Arrow Awards to recognize companies who are leaders in product stewardship in California.
- Advocated to pass AB1442 (Wieckowski), which allows pharmacies to use their existing pharmaceutical collection service to take back medications from the public, greatly reducing costs to collect this waste stream.
- Advocated for strong and enforceable regulations for mercury thermostats and Green Chemistry, and supported industry groups on paint and carpet program implementation.
- Achieved national and statewide press coverage by being featured on National Public Radio and Go Green National Radio, and in Waste Age Magazine, Waste and Recycling News, Diabetes Health magazine, the Sacramento Bee, and Sacramento News and Review.
- CPSC Board of Directors hosted our first annual "Dinner, Mixer and Fundraiser"!



May 2013 CPSC Joint Board Training with Directors of the California Resource Recovery Association and Keep California Beautiful.

Education & Outreach

Through our project work, CPSC has furthered EPR outreach and education to local elected officials, businesses and interested California consumers. CPSC staff presented to over 3,000 individuals at events hosted by organizations such as the California Refuse Recycling Council and the California Water Environment Association. In addition, CPSC presented on five national producer responsibility webinars for the North American Hazardous Materials Management Association (NAHMMA), the Solid Waste Association of North America, and the Product Stewardship Institute, educating stakeholders across the country on producer responsibility trends and pharmaceutical stewardship initiatives. CPSC's Executive Director delivered the keynote addresses at both the annual NAHMMA Northwest Chapter Conference in Troutdale, Oregon, and the Central Coast Sustainability Summit at UC Santa Barbara. CPSC also hosted a booth at the annual League of California Cities Exposition and spoke to over 30 local elected officials and city leaders, gaining new members and supporters.

CPSC EARNS STATEWIDE & NATIONAL RECOGNITION:



2012 Leaders in Product Stewardship Award
from the North American Hazardous Materials Management Association (NAHMMA).

From left to right, Dave Waddell, NAHMMA Board of Directors, and CPSC Board Members Kreigh Hampel (City of Burbank) and Lorraine Segala (Amazon Paint).



2012 Outstanding Policy Advancement Award
from the California Department of Resources Recycling and Recovery (CalRecycle).

From left to right, CPSC Executive Director Heidi Sanborn and Cheryl Williams, CalRecycle.

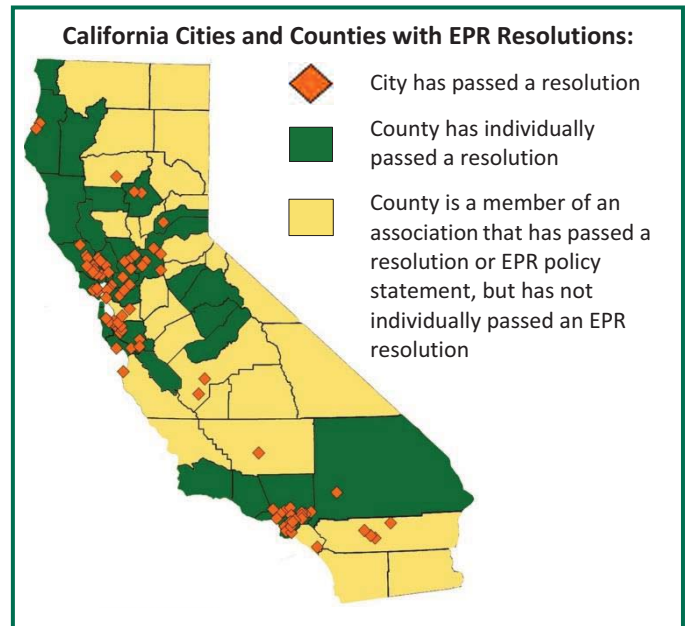
Expert Testimony

CPSC has built an extensive body of knowledge around producer responsibility, both domestically and internationally. Our leadership –both at the staff and board level– are called upon regularly to provide testimony to the legislature and state agencies on producer responsibility best practices. In February 2013, CPSC set the agenda for a Producer Responsibility Lunch and Learn event for legislators and staff from both the State Senate and Assembly, which was filled with over 30 attendees. Assemblymember Wesley Chesbro introduced the speakers and the topic, and the Executive Director gave an engaging presentation on “what’s up and what’s next” with producer responsibility legislation in California. In addition, CPSC has engaged and gathered feedback from its members throughout California to provide expert level implementation information, documenting what’s working and lessons learned on California’s new paint and carpet stewardship programs. CPSC believes that learning from others will provide California with a strong policy platform to develop producer responsibility program models, and continue to make bringing the best information from outside and inside California a priority to state decision makers.

Partnerships

CPSC is a coalition of local governments and their associations, non-government organizations, and businesses related to solid waste, recycling, resource conservation, environmental protection, water quality, and other cross-media issues. CPSC's powerful network of supporters represents 64 percent of the state population. 136 resolutions have been passed by California jurisdictions and organizations supporting producer responsibility.

- 37 of 58 California counties
- 109 city and town councils
- 43 local government associations
- 62 business supporters



Platinum



Edgar & Associates, Inc. is a lobbying firm and environmental engineering company specializing in solid waste management, recycling, composting, and renewable energy issues, representing locally based companies. Edgar & Associates provides representation for the California Refuse Recycling Council (CRRC) and the California Compost Coalition regarding regulatory issues, collection and hauling, and other policies that affect the solid waste industry. Edgar & Associates also hosts the Edgar Institute, an environmental professional collaboration in Midtown Sacramento, where CPSC's offices are located.

Republic Services, Inc. is a leading environmental management company providing solid waste collection and recycling services in 40 states and Puerto Rico. Republic is committed to partnerships that protect today's environment for a better tomorrow by reducing the generation of materials that cannot be reused or recycled and supporting recovery of materials into the economic mainstream thereby creating green jobs. Republic's Western Region Director, Mr. Johnnie Perkins, is on the CPSC Board of Directors supporting extended producer responsibility, particularly for products that can be dangerous to workers in the solid waste industry, such as medical sharps and fluorescent lights. Republic views the future of the waste industry through the lens of being respectful, responsible, resourceful and relentless in being an environmental partner that communities can count on.



Other Sponsors



Other sponsors include a broad range of businesses, such as Marin Sanitary Service, Amazon Environmental, Ultimed, Inc., ECS Refining, Waste Management, Inc., Los Angeles Fiber, Peninsula Packaging, Encorp Pacific, PSC Environmental Services, Clean Harbors Environmental Services and Visions Paint Recycling. A full list of sponsors can be found online at www.calpsc.org/about-cpsc/partners.



Presentations & Meetings

As the producer responsibility thought leader, CPSC is called upon by local government and industry leaders to conduct educational webinars, workshops and presentations, participate in interviews, and keynote at events.



52 Presentations



1 Radio Interview



8 Webinars



2 Workshops



4 Booths



2012 Recycling Build Infrastructure Now (BIN) Coalition Summit



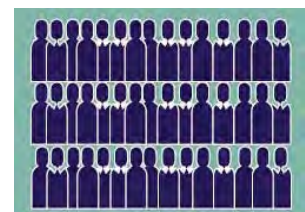
2012 California Resource Recovery Association (CRRA) Conference



2013 Northwest Chapter North American Hazardous Materials Management Association (NAHMMA) Conference

Information Exchange & Website

CPSC maintains a comprehensive public website for local jurisdictions, business and consumers to use as a highly informative resource for producer responsibility and product stewardship initiatives. CPSC also sends out a monthly e-newsletter to over 2,300 people with the latest news in producer responsibility resources and legislative updates.



2,300 Supporters!

Financial Information

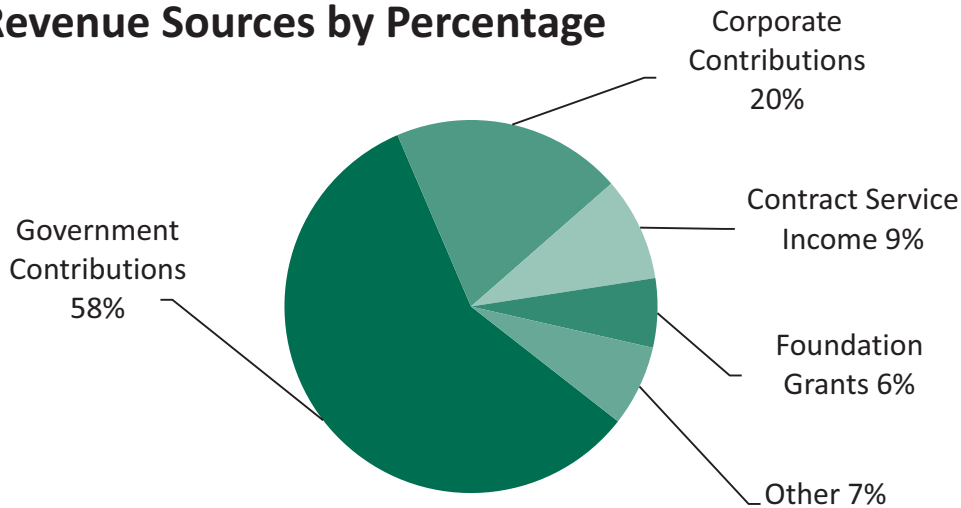
Financially, fiscal year 2012-2013 was a solid year for California Product Stewardship Council. We worked on projects with local governments and other not-for-profit organizations and received one grant from the Rose Foundation. We received general funding of \$207,000 from our local government associates and \$50,000 from our corporate partners. We received a total of \$367,000 in revenue and spent \$361,000. We spent 80% of our expenses on direct program work. We ended the year with a \$6,000 increase to our net assets to add to our reserves.

Our financial outlook for the upcoming fiscal year is even stronger with revenue budgeted at more than \$500,000. We are continuing to work on existing service contracts and anticipate receiving additional service contracts and sponsorships throughout the year. We also anticipate maintaining or increasing government and corporate contributions during this upcoming fiscal year. We will continue to apply a high percentage of our funding toward program expenses and keep fundraising and management expenses to a minimum. We have budgeted a small increase in net assets for the upcoming fiscal year.

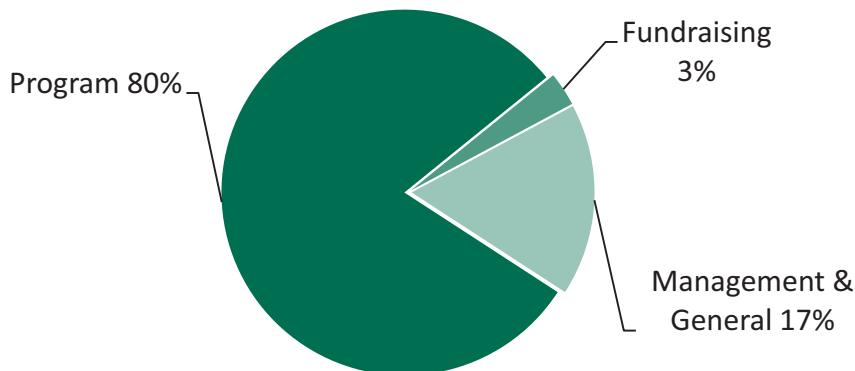
David Assmann
Treasurer, Board of Directors

Funding Sources & Efficiency

Revenue Sources by Percentage



Programmatic Efficiency



Business & Legislator Recognition



Above: Policy Assistant Kamika Dunlap with Alameda County Supervisor Nate Miley receiving the 2012 CPSC Legislative Leadership award for passing the first pharmaceutical EPR ordinance in the U.S.



Above: Senator Ellen Corbett with Kevin Hendrick, CPSC, receiving the 2012 CPSC Legislative Leadership Award for authoring battery stewardship legislation.



Left: Jim Cusick and David Wilkerson, Shaw Industries, receiving the 2012 CPSC Golden Arrow Award for Overall Excellence in Product Stewardship.

In Closing

CPSC is at a pivotal point in implementing EPR in California and documenting that it works. As we continue to advance extended producer responsibility policies, the work that needs to be done is greater than ever, and our funders are finally seeing the cost savings locally for all the programs we facilitated! Successful implementation of these programs will bring a cleaner environment and savings to taxpayers in the millions of dollars, but we need your help. Join our efforts to encourage manufacturers to design greener products and take them back at the end of their life. Your support will make a difference to California's environment, economy and future!

Producer Responsibility Addresses Multiple Issues

Solid waste

Hazardous waste

Resource depletion

Stormwater

Ocean litter

Climate change

Wastewater

Public health

Energy usage



CPSC

California Product
Stewardship Council SM

Heidi Sanborn, Executive Director

1822 21st Street, Suite 100
Sacramento, CA 95811

916.706.3420
info@CalPSC.org

www.CalPSC.org



facebook.com/CaliforniaPSC



twitter.com/CalPSC





Select Language



CPSC Voluntary Board Members

Lynn France - Chair
(term ending 9/21/14)



Program Manager
Environmental Services Dept.
City of Chula Vista
1800 Maxwell Rd
Chula Vista, CA 91911

[Lynn's Bio](#)

Sean Bigley - Vice Chair
(term ending 9/21/14)



Government Relations Analyst
City of Roseville
2005 Hilltop Cir
Roseville, CA 95747

[Sean's Bio](#)

David Assmann - Treasurer
(term ending 9/21/14)



Deputy Director
San Francisco Dept.
of the Environment
1455 Market Street, 12th Floor
San Francisco, CA 94103

[David's Bio](#)

Patty Garbarino - Secretary
(term ending 9/21/14)



President
Marin Sanitary Services
565 Jacoby St
San Rafael, CA 94901-5305

[Patty's Bio](#)

Debbie Basher
(term ending 9/21/14)

Tom Erickson
(term ending 9/21/15)



Solid Waste Division
City of San Jose
200 E. Santa Clara St,
Tower 10
San Jose, CA 95113

[Debbie's Bio](#)



CEO
UltiMed, Inc.
287 E. 6th St, Ste 380
St.Paul, MN 55101

[Tom's Bio](#)

Bahman Hajialiakbar P.E., M.S.
(term ending 9/21/15)

Kreigh Hampel
(term ending 9/21/14)



County of Los Angeles
Dept. of Public Works
Environmental Programs Division
900 S. Fremont Ave Annex,
3rd Floor
Alhambra, CA 91803-1331

[Bahman's Bio](#)



Recycling Coordinator
City of Burbank
Public Works Dept.
500 S. Flower St
Burbank, CA 91505

Doug Kobold
(term ending 9/21/15)

Kristina Miller
(term ending 9/21/15)



Waste Mgmt. Program Manager
Dept. of Waste Mgmt. & Recycling
County of Sacramento
9850 Goethe Rd
Sacramento, CA 95827



Landfill Agency Manager
Tehama County/Red Bluff
Landfill Mgmt. Agency
19995 Plymire Rd
Red Bluff, CA 96080

[Kristina's Bio](#)

Gretchen Olsen
(term ending 9/21/15)

Nancy Parris
(term ending 9/21/14)



Solid Waste Manager
City of Stockton
22 E. Weber Ave, Rm 301
Stockton, CA 95202

[Gretchen's Bio](#)



Director of Epidemiology &
Infection Prevention
Providence St. Joseph Medical Center
501 S. Buena Vista St
Burbank, CA 91505

[Nancy's Bio](#)

Johnnie Perkins
(term ending 9/21/14)

Lorraine Segala
(term ending 9/21/15)



Corporate Director,
Public Sector Solutions
Republic Services, Inc.
7025 N. Scottsdale Rd, Ste 200
Scottsdale, AZ 85253

[Johnnie's Bio](#)



CEO
Amazon Paint
779 Palmyrita Ave
Riverside, CA 92507

[Lorraine's Bio](#)

Board Recruitment

We encourage local government officials and private sector business representatives to submit an application to participate on the CPSC Board of Directors.

- [CPSC Prospective Board Member Survey](#)
- [CPSC Board Member Roles and Responsibilities](#)

[CPSC Mission](#) | [Privacy Statement](#) | [Contact CPSC](#)

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CPSC Funders

Platinum Partners (\$10K)

- Edgar Associates
- Republic Services
- Marin Sanitary Service

Gold Partners (\$5K - \$9,999)

- California Refuse Recycling Council
- CRRA
- Recology
- Green Cities California
- Waste Management
- Encorp

Silver Partners (\$2,500 - \$4,999)

- Amazon Select Paints
- Peninsula Packing Company
- Cal Recycle
- Carton Council
- UltiCare
- Marin Sanitary Service

Bronze Partners

- Ecology Action
- ECS Refining
- FlameKing
- Los Angeles Fiber
- Potential Industries Inc
- PSC Environmental Services, Inc.
- South San Francisco Scavenger Company, Inc.
- Visions Paint Recycling
- Zanker

Green Partners & Supporters

- A Green Plan
- Abbey Flooring
- Aces Waste Services
- Acrylatex
- Ag Plastics & Innovations
- Alima Pure
- Allied Waste, Daly City
- B & J Towing
- Buda*Star
- Burbank Green Alliance
- BuyGreen
- California Dream Week
- California Refuse Recycling Council

- California Resource Connections Inc.
- Call2Recycle
- Capital Ideas Development Corp., Inc.
- Capitol City Automotive, Inc.
- Center for Environmental Health
- Center for the Development of Recycling
- Clean Harbors Environmental Services
- Clean Water Action
- Comprehensive Medical Inc.
- Concord Disposal Service
- Condor Earth Technologies, Inc.
- CR&R Waste and Recycling Services
- Curbside, Inc.
- Davis Farmer's Market
- Discovery Bay Disposal Service
- Ditto Sustainable Brand Solutions
- Ecology Center
- EcoMom Alliance
- EcoNexus
- EcoSafe Cleaning
- Eco-Stream Sustainability Consulting
- Electronics Take Back Coalition
- Environmental Alternatives Consulting
- Environmental Defense Fund
- Environmental Innovations
- EU Green Consulting
- Executive Communications
- Focus Fusion Society
- Folsom EcoHousing
- General Environmental Management, Inc.
- Gill's Onions
- Going Green Radio Program
- Good News Reuse
- Grassroots Recycling Network
- Greenleaf Project Management
- GreenVision for Business, Inc.
- GreenWaste Recovery, Inc.
- Green Party of Los Angeles County
- Green Purchasing Institute
- Green Sangha
- Green Technology & Smart Media
- Hollinger & Associates, Inc.
- Interagan Technology Group
- Irvine Valley College
- Jason Grant Consulting
- Johnson's Environmental Products, Inc.
- Kaiser Chemical Dependency

- Keep California Beautiful
- KPS Consulting
- L2 Environmental
- Leadership Institute for Ecology & the Economy
- Long Beach Coalition for a Safe Environment
- Los Angeles/Orange County Environmental Training Center
- Main Street Moms
- Mediaplanet
- MindClick Sustainable Growth Management
- MKM Environmental
- Mt. Diablo Recycling
- Napa Recycling & Waste Services
- NBI Sustainable Work Environments
- NewLevel Group, LLC
- Nortech Waste, LLC
- North Bay Corporation/Redwood Empire Disposal
- Northern Recycling & Waste Services
- Oakley Disposal Service
- Pacific Ag Commodities Corporation
- Pacific Recycling Solutions
- Pegasus Building Services
- Pelican Products, Inc.
- Pena's Disposal Incorporated
- Pinerworks Architecture
- Pittsburg Disposal Service
- Product Policy Institute
- Product Stewardship Institute
- Plastic Pollution Coalition
- Reel Green Media
- Remediation Earth
- Rent-A-Green Box
- Reusable Packaging Association
- Reuse Alliance, California Chapter
- ReUse Arizona
- Reverse Logistics Association
- Rick Mauck and Associates
- Rinauro Consulting
- Rio Vista Sanitation Service
- S. Groner Associates (SGA)
- San Diego Convention & Visitors Bureau
- Science for Environmental Excellence Dedicated to Sustainability (SEEDS)
- SEI Solid Waste
- Sempiterno Solutions LLC
- Sierra Club - Bay Area
- Sierra Club - Canada
- Sierra Club - Napa
- Sierra Club - Zero Waste Committee

- Sierra Cost Management
- Silicon Valley Toxics Coalition
- SLV Redemption-Recycling Centers
- Special Waste Associates
- Staples
- State Agency Recycling Coordinator's Committee
- Supply Brothers, Inc.
- Sustain LA
- Sustainable Napa County
- Sustainable San Rafael
- Sustainability Solutions
- Takayama Consulting
- Tamalpais NatureWorks
- Teleosis Institute
- TerraCycle
- The Altum Group
- The Carpet Recyclers
- The Formary
- The Future 500
- The JBC Groups, LLC
- The Watershed Project
- Total Recycling Associates
- U.S. Green Chamber of Commerce
- Waste Management of Orange County
- YCC International
- Yuba Environmental Science Charter Academy

The Product Stewardship Institute (PSI) is a national, membership- based nonprofit committed to reducing the health, safety, and environmental impacts of consumer products across their lifecycles with a strong focus on sustainable end-of-life management. Headquartered in Boston, Mass., we take a unique product stewardship approach to solving waste management problems by encouraging product design changes and mediating stakeholder dialogues. With 47 state environmental agency members, along with hundreds of local government members from coast-to-coast, and 95 corporate, business, academic, non-U.S. government, and organizational partners, we work to design, implement, evaluate, strengthen, and promote both voluntary and legislative product stewardship initiatives across North America.

What We Do

Using the [Principles of Product Stewardship](#) as its guide, PSI offers the following services:

- Research, Pilot Projects, and Evaluation
- Facilitation and Consensus Building
- Legislative Tracking, Analysis, and Advocacy
- Build Product Stewardship Capacity through Education and Empowerment

Board of Directors

PSI is governed by an 11-member Board of Directors comprised of 7 representatives from state environmental agencies, and 4 representatives from local environmental agencies. The role of the Board of Directors is to assist the Executive Director in making decisions for the Institute on strategic matters, such as product focus areas, budget, organizational policies, fundraising options, and strategic alliances. The composition of the FY14 Board as of July 1, 2013, is as follows:

Jennifer Holliday, Chittenden County Solid Waste District, VT – President

Jen Holliday has worked in the environmental field since 1985 and has developed and managed the household hazardous waste program for the Chittenden Solid Waste District, the largest solid waste district in Vermont, since the program started in 1991. She has served on numerous advisory committees concerning solid waste in Vermont. Currently she serves as the Vice-Chair of the State of Vermont’s Advisory Committee on Mercury Pollution. Committee members are appointed by the governor to advise the Legislature and public on matters related to mercury pollution. Jen has been a strong advocate for product stewardship in Vermont including educating local and state government officials on product stewardship and lobbying for EPR legislation. She is a founding member and Chair of the Vermont Product Stewardship Council formed in 2008 to work on EPR initiatives in Vermont. On a national level, she has been an active participant in the PSI Paint Dialogue as well as collaborating with other product stewardship leaders in the United States and Canada on product stewardship initiatives. She

has served on the PSI Board of Directors since 2006 and on the Executive Board since 2007.

Tom Metzner, CT Department of Environmental Protection - Vice President

Tom Metzner has been an Environmental Analyst with the Connecticut Department of Environmental Protection since 1993. His primary responsibility is implementation of the Connecticut law covering the recycling of electronic waste. He also works on mercury product laws, household hazardous waste and producer responsibility initiatives. He earned a Masters Degree in Environmental Studies from Antioch New England Graduate School. Tom has served on the PSI Board of Directors since 2008 and on the Executive Board since 2009.

Theresa Stiner, IA Department of Natural Resources – Treasurer

Theresa Stiner is an Environmental Specialist Senior and has worked for the Iowa Department of Natural Resources since 1998. Theresa has worked with a variety of programs and issues including household hazardous materials, beverage container deposits, electronics recycling, mercury switches from vehicles, mercury thermostats, and fluorescent lamps. She has participated in various PSI dialogues including paint, pharmaceuticals, fluorescent lamps, and was involved in developing the model state legislation for mercury containing thermostats. Theresa is a charter member of the Midwest Product Stewardship Council Steering Committee and serves on the ASTSWMO Product Stewardship Taskforce. She has served on the PSI Board of Directors since 2008.

Abby Boudouris, OR Department of Environmental Quality

Abby Boudouris earned her undergraduate degree in Natural Resources from the University of Michigan and her Master's in Public Health from the University of North Carolina. Abby is a Senior Materials Management Policy Analyst at the Oregon Department of Environmental Quality (DEQ). Over the past 20 years at DEQ, Abby has worked in the Environmental Cleanup Program, the Hazardous Waste Technical Assistance Program and currently in the Solid Waste Program working on product stewardship, household hazardous waste, and waste prevention. Abby is the lead staff responsible for development of product stewardship policy at DEQ including oversight over the Oregon Paint Product Stewardship Program, the first paint stewardship program in the U.S. In 2012, Abby lead the development of the long-term strategy for [Materials Management in Oregon: 2050 Vision and Framework for Action](#).

David Galvin, King County Department of Natural Resources and Parks, WA

Dave Galvin is program manager for the Hazardous Waste Management Unit in King County (Seattle, Washington), part of the multi-agency "Local Hazardous Waste Management Program in King County. This program addresses household and small business hazardous wastes in the Seattle metropolitan area. Dave began working in this subject area in 1979 and was the one who coined the term "household hazardous waste. He was the founding president of the North American Hazardous Materials Management Association and is the current president of the Product Stewardship Institute's board. He has also worked on stormwater and combined sewer overflow controls, trace organic chemicals in wastewater, pesticide-reduction, and Endangered Species Act listings of salmon, along with his decades of attention to hazardous wastes.

Peter Pettit, NY Department of Environmental Conservation

Peter Pettit is a Professional Engineer and the Director of the Bureau Waste Reduction & Recycling within the NYS Department of Environmental Conservation (NYSDEC) and has been with the Bureau for over 25 years. He is responsible for; all NYSDEC outreach and education program efforts regarding waste reduction, reuse, recycling and composting, tracking and implementation of New York's Returnable Container Act (Bottle Bill), coordination of mercury product reduction and management programs, management of the Toxics in Packaging reduction program, and is responsible for NYSDEC's product stewardship and beneficial use determination programs. He also serves on the Board of Directors for several environmental organizations including; the New York Product Stewardship Council, the Toxics in Packaging Clearinghouse, the Northeast Recycling Council and the Northeast Waste Management Officials' Association. Peter is the NYS representative on the Interstate Mercury Education and Reduction Clearinghouse and a member of the ASTSWMO Product Stewardship Task Force, the NYS Mercury Advisory Committee and NYSDEC's Internal Mercury Task Force. He has a Master of Science Degree in Environmental Engineering and a Bachelor of Science Degree in Civil Engineering.

Becky Jayne, IL Environmental Protection Agency

Becky Jayne has worked at the Illinois Environmental Protection Agency since 1989, in the area of pollution prevention since 1997. Her primary focus area is product stewardship. She is a charter member of the Midwest Product Stewardship Council. She works with Illinois local governments to extend product stewardship to other products. Becky implements Illinois' mercury-containing product laws which ban sale and distribution of a large number of mercury products. Becky is active in the Quicksilver Caucus and chairs the QSC's dental amalgam workgroup. She represents Illinois on the Interstate Mercury Education and Reduction Clearinghouse. Becky has a Bachelor of Science in Forest Management from the University of Missouri.

Scott Klag, Metro Regional Government, OR

Scott Klag works as a Senior Planner for Metro, a directly elected regional government serving 1.5 million people in the Portland, Oregon metropolitan area. Scott has worked at Metro for many years developing and implementing a wide range of recycling and solid waste policies and programs. Over the past dozen years, Scott has been very active in product stewardship, currently serving on both the Board of the Product Stewardship Institute and as co-chair of the Northwest Product Stewardship Council. He has helped successfully pass product stewardship legislation in Oregon for e-scrap (Oregon E-cycles) and the country's first stewardship legislation for paint (PaintCare). This legislative session he working on making the paint program – passed as a pilot – permanent. Other stewardship legislative efforts include rechargeable batteries, mercury lighting and modernization of Oregon's Bottle Bill.

R. Fenton Rood, OK Department of Environmental Quality

Fenton Rood is the Director of Waste Systems Planning for the Oklahoma Department of

Environmental Quality. He has served as a senior manager in the regulatory programs for solid waste management and hazardous waste management. He also helped develop the Superfund program in Oklahoma.

For over twenty years he was involved in the organic foods business. He and his wife operated natural foods stores and restaurants. Additionally, he has a long history of activism through the Sierra Club. He earned a B.A. in Geography, and an M.P.H. in Environmental Health, both from the University of Oklahoma. He also teaches at OU in the departments of Geography and Environmental Sustainability, and Civil Engineering and Environmental Science, at University of Phoenix, and at Rose State College.

Cynthia Moore, WI Department of Natural Resources

Cynthia is currently Recycling Program Coordinator for the Wisconsin DNR where she oversees implementation and compliance with the state recycling laws, and works to promote reduction, reuse and recovery of waste materials through outreach, public/private partnerships and policy decisions. Her work with product stewardship issues began in 2001, with the signing of the original Carpet MOU. She was member of the Midwest Product Stewardship Policy Group that developed a framework for electronics recycling legislation in the Midwest, which ultimately served as the model for legislation in Minnesota, Wisconsin and Illinois. Cynthia was a charter member of the Midwest Product Stewardship Council, and is active in the state-based Product Stewardship committee (under the aegis of the Associated Recycling Organization of Wisconsin/AROW). Cynthia has a good practical understanding of product stewardship programs in the US and abroad, and understands how to translate the product stewardship message to the intended audiences. On the ground experiences in both policy and program implementation, along with her networking skills, Cynthia will make a useful board member.

Marilynn Cruz-Aponte, City of Hartford, CT

Marilynn has worked in solid waste policy development at the state and municipal levels as an assistant to Governor William O'Neill (1983-1991), and as Assistant Director of Public Works in two large, urban, municipalities in Connecticut (New Britain Pop.70,000 and now Hartford Pop. 124,000). She has also been a key designer of solid waste programs on a local level, including re-design and operations of curbside collection programs, design and construction of two transfer stations, and operations of a municipal bulky waste landfill. On behalf of Hartford Mayor Segarra, Marilynn took the lead in the State of CT to coordinate preparation and subsequent passage of the Mattress Stewardship Bill – the first in the nation. For the last 3 years, she has worked to bring a coalition together, with PSI facilitation expertise, to assess the problem, develop model legislation and finally advocate for passage.

Marilynn is currently the coordinator of the City of Hartford Landfill's closure and post-closure plan with the regional WTE. In 2008, Marilynn launched the first single-stream recycling pilot involving 5000 households in Connecticut, to demonstrate effectiveness in increasing diversion rates. Her experience in communications and marketing –both English and Spanish–has made it possible for her to educate stakeholders associated with the various solid waste efforts she

has undertaken. Marilyn has also had past board experience and fully understands the role of a Board of Directors member in setting the policy course for an organization and helping it thrive financially and politically, so as to achieve the mission of the organization.

Marilynn is a seasoned senior government manager, who for 23 years has formulated waste collection services and incurred disposal costs for a myriad of waste streams. These experiences and the associated expenditures have impacted her views regarding the role manufacturers have in product stewardship. Creating consumer purchasing habits that result in municipal disposal and environmental costs is not responsible nor is it possible for government to sustain. Marilyn is committed to expanding the products and the production processes that embrace stewardship and life-cycle design. She has an excellent grasp of the interrelationship between environmental policy, consumer behavior, business concerns and municipal operational costs, which will allow her to make meaningful contributions to the PSI board.

PSI Advisory Council

Summoning the talents, influence, and social conscience of product stewardship leaders is vital to effectively minimize the unintended impacts of consumer products. During the past decade, PSI has engaged companies in over 15 industry sectors, seeking their support in minimizing negative externalities throughout a product's lifecycle, from creating more sustainable products, to managing their post-use impacts. The organization has negotiated stakeholder agreements; conducted pilot projects; and helped change laws, policies, and programs around the most environmentally burdensome products.

To meet the growing challenges of the rapidly expanding product stewardship movement, PSI has assembled an Advisory Council comprised of leaders in business, government, academia, and other disciplines. This core group has proven successful in lending strategic advice, employing creative ideas to raise an organization's public profile and effectiveness, and harnessing financial resources to ensure that the national environmental movement continues to realize its potential for social, economic, and environmental gains. This group complements our Board of Directors, composed of seven state officials and four local officials, and will work with our 47 state government members, more than 200 local government members, and over 75 corporate, organizational, academic, and non-U.S. government partners.

Meet PSI's Founding Advisory Council Members!

Dr. Mike Biddle

President and Founder, [MBA Polymers, Inc.](#)

Dr. Mike Biddle is the President and Founder of MBA Polymers, Inc. Mike started MBA over 19 years ago - literally from his garage. He has since grown his company to what is now the world's leading multi-national company recovering plastics from end-of-life durable goods, such as

computers, electronics, business equipment, appliances and automobiles. MBA is headquartered in Richmond, California and has over 300 million pounds per year of processing capacity in the US, Europe and China to turn waste into plastics for use right back into the same types of products from which they came. Some of the largest manufacturers in the world use MBA's plastics to replace virgin plastics in their new products.

Mike worked for GE, Cummins and Dow, before striking out on his own in 1993. Mike received a B.S. in Chem. Eng., a Ph.D. in Polymer Science and Eng. and was a Sloan Fellow at Stanford University's Graduate School of Business. Mike has received numerous international awards. A few examples: the [2012 Gothenburg Award for Sustainable Business](#), the 2010 Economist Innovation Award, the 2006 Intel Tech Museum Environmental Award and was named a 2006 Tech Pioneer Award from the World Economic Forum. Mike also won the first Thomas Alva Edison Award for Innovation and the first Ascent Award for Entrepreneurship.

Kathleen Blanchard

President, [Intervale Associates](#)

Kathleen Blanchard, Ph.D., currently serves as president of Intervale, a Canada-based nonprofit that provides programs and services in the fields of conservation, heritage interpretation, rural development, and sustainable tourism. Kathleen has served on the Scientific Advisory Committee for Canada's Endangered Species Recovery Fund and for the World Conservation Union Commission on Education and Communication. From 1996 to 2002, she was president of Quebec-Labrador Foundation (Canada), Inc., a bi-national conservation organization, where she worked for 25 years.

She has also held various board and advisory positions with Canadian and U.S. conservation organizations, including the U.S. Environmental Protection Agency and the North American Association of Environmental Education. She has consulted for CBC television, U.S. Fish & Wildlife Service, Eastern Habitat Joint Venture, National Audubon Society, and other organizations. Kathleen brings a wealth of nonprofit leadership and advisory experience as well as a scientific understanding of the natural world, which bears the negative effects of various products.

Mark Buckley

VP Environmental Affairs, [Staples](#)

Mark Buckley directs Staples' global environmental commitment and sustainable business practices. He is responsible for driving the company's environmental leadership in five major areas: the development of more sustainable products and packaging, customer recycling solutions, internal waste reduction and recycling initiatives, the development of global carbon reduction and renewable energy strategies, and environmental education initiatives focused on sustainable business solutions for customers and associates. A 21-year Staples veteran, Mark was previously vice president of facilities management and purchasing at Staples where he directed company-wide recycling and energy conservation programs. He holds a Bachelors in biology from St. Anselm's College and is an active member of several environmental

organizations and a member of the Board of Earth Force, a national environmental education organization.

Kevin Dooley

Academic Director, [The Sustainability Consortium](#)

Dr. Kevin Dooley is a Professor of Supply Chain Management, and a Distinguished Scholar of the "Dean's Council of 100" at the W. P. Carey School of Business at Arizona State University. Kevin is a renowned expert in the application of complexity science in organizational improvement. He has published over 100 research articles and co-authored an award winning book, "Organizational Change and Innovation Processes." He is currently Academic Director for the Sustainability Consortium, an organization with over 60 industry members committed to improving consumer product sustainability. He has been awarded two patents on Centering Resonance Analysis, which is a novel form of network text analysis. He is also co-founder and CEO of Crawdad Technologies, LLC, a provider of text analysis software for academics.

Robert Giegengack

Professor Emeritus of Earth & Environmental Science, [University of Pennsylvania](#)

Robert Giegengack, Professor Emeritus of Earth & Environmental Science in the School of Arts and Sciences, has been on the faculty of the University of Pennsylvania since 1968. Robert established the undergraduate major in environmental studies at Penn in 1972, and has since been undergraduate advisor for this major as well as the geology major. Robert is also Faculty Director of the Master of Environmental Studies (MES) program, which currently enrolls approximately 150 students. He has also been Director of Penn's summer course in geologic field methods, based at the facility of the Yellowstone-Bighorn Research Association (YBRA) in Red Lodge, MT. Robert teaches courses in environmental analysis, paleoclimatology, environmental geology, university sustainability, and field geology. He has also developed a series of Academically Based Community-Service courses in urban environmental public health that focus on the hazard of lead-based paint in residential buildings, teenage smoking, and environmental triggers of asthma attacks. Robert studies geologic archives that enable paleoclimatologists to reconstruct the history of environmental change, primarily climate change, and has studied field archives of environmental change on every continent except Australia. Robert received a Bachelor of Arts and PhD in Geology from Yale University (1960, 1968), and his Masters in Geology from the University of Colorado (1962).

Ben Grossman

Co-President, [Grossman Marketing Group](#)

Ben Grossman currently serves as co-president of Grossman Marketing Group. He is also president of the Columbia Business School Alumni Club of Boston and is on the Environmental League of Massachusetts Corporate Council. Additionally, Ben has served as the director of his firm's Green Marketing & Sustainability Practice, launched in 2006. The group works with its clients to identify environmentally conscious business practices, helping them gain a competitive advantage and differentiate themselves in the market.

Ben worked as a strategy consultant for Fortune 500 clients, and started and sold his own sportswear and marketing firm. He frequently speaks on the topic of green marketing, including guest lectures at Columbia, Harvard, and Tufts universities, and is a regular blogger on green marketing and green business. He was also 2009 recipient of the New England Direct Marketing Association Prodigy Award. With a cache of environmental and business-oriented marketing experience, Ben will assist PSI in effectively reaching its varied audience.

Neil Hastie

President & CEO, [Encorp Pacific \(Canada\)](#)

Neil Hastie is President & CEO of Encorp Pacific (Canada), where he has worked since 1998. Founded in British Columbia in 1994, Encorp is an industry operated, non-profit, product stewardship corporation that acts on behalf of 1000+ brand owners of non-alcoholic and alcohol beverages. Additionally, Encorp manages the recycling of dairy containers on behalf of the Dairy Council of BC and manages end-of-life electronics on behalf of the Electronics Stewardship Association of BC.

Neil has working relationships with the product stewardship councils in British Columbia, California, and the Pacific Northwest. Encorp is a sustaining partner of PSI and a member of the executive committee of the Global Product Stewardship Council (Sydney, Australia) and of the Recycling Council of BC. Neil has worked in the retail industry for more than 35 years. During this period he held senior operating positions with several multi outlet chains. He holds a Bachelor of Science from Bishop's University (Quebec) and an MBA from York University (Toronto).

Dr. Nabil Z. Nasr

Director, [Golisano Institute for Sustainability](#)

Dr. Nabil Nasr is the Assistant Provost and Director of the Golisano Institute for Sustainability at the Rochester Institute of Technology (RIT). He is also founder of the Center for Remanufacturing and Resource Recovery (C3R) at RIT, which is a leading source of applied research and solutions in remanufacturing technologies. For over 25 years, Nabil has worked in the fields of sustainable production, remanufacturing, clean production, and sustainable product development, and is considered an international leader in research and development efforts in these disciplines. He has developed strong ties to industry through efforts to implement and improve sustainable design processes at hundreds of companies from diverse sectors. Nabil is the chair of the Advisory Expert Group on Sustainable Production and Eco-Innovation at the Organization for Economic Cooperation and Development's (OECD). In addition to his work with the OECD, he also served as an expert delegate for the U.S. government in several other international forums, including the Asia Pacific Economic Cooperation, the United Nations, and the World Trade Organization. Nabil has a Bachelor of Science in Industrial Engineering from Helwan University, a Masters in Industrial and Systems Engineering from Rutgers University, a Masters in Manufacturing Engineering from Penn State University, and a Ph.D. in Industrial and Manufacturing Engineering from Rutgers University.

Wendy Neu

Chairman, [Hugo Neu Corporation](#)

Wendy Kelman Neu, J.D., Chairman of Hugo Neu Corporation, joined the organization in 1980 and advocates for business and environmental integrity within the recycling industry, and for environmental and social justice grassroots organizations. She also serves on the board of the NY/NJ Baykeeper, striving to protect the ecological integrity of the Hudson-Raritan Estuary; is a trustee of the Natural Resources Defense Council; and is a co-chair of the E2 (Environmental Entrepreneurs) initiative on the East Coast.

Wendy has also chaired the Government Relations Committee for the Institute of Scrap Recycling Industries. In 2002, she helped lead efforts resulting in an economically viable New York City recycling program. In 1989 Wendy organized and expanded a nonprofit organization, Companion Animal Placement, supporting senior citizens and animal rescue. Wendy has proven an effective and compassionate leader and strategist in the materials reuse and recycling field.

Harold Siegel

President, [Excelsior Graphics, Inc.](#)

Harold Siegel is the President of Excelsior Graphics, Inc., a New York-based printing company he founded in 1977. Harold also serves as a Founding Board Member of the Printing Brokerage/Buyers Association, a worldwide membership graphic arts industry trade group and is Chairman of the New York Area Committee of the Heritage Foundation, a national political think tank based in Washington, D.C. In addition, Harold is a former member of the Board of Governors of the Friars Club, a New York show business, social, and philanthropic organization. Harold believes that business and environmental interests can be mutually beneficial, and has promoted environmental initiatives in his own printing business.

Tom Szaky

Founder and CEO, [TerraCycle, Inc.](#)

Tom Szaky is founder and Chief Executive Officer of TerraCycle, a company enabling consumers to collect traditionally nonrecyclable waste that is upcycled and recycled into thousands of varied consumer products and materials, later sold at the world's biggest retailers such as Wal-Mart and Target. TerraCycle, through partnerships with virtually all major CPG companies from Kimberly-Clark to Kraft Foods, operates in more than 13 countries.

Tom has won over 50 awards for entrepreneurship; blogs for Treehugger, the New York Times, and Inc Magazine; recently published a book called Revolution in a Bottle; and is the star of the National Geographic Channel special, "Garbage Moguls." Tom brings communication expertise, invaluable connections, and an enterprising spirit to sustainable business, materials recovery, and product creation.

John G. Waffenschmidt, Vice President of Environmental Science and Community Affairs, [Covanta Energy](#)

John G. Waffenschmidt is currently Vice President of Environmental Science and Community

Affairs at Covanta Energy, with responsibility for the development of community outreach policies and practices, reduction in waste stream toxicity, development of environmental justice policies and practices, and liaison with various academic and NGO organizations. He is currently a member of the Pennsylvania Environmental Justice Advisory Board and a board member of the Regional Plan Association, Long Island chapter. He has been named a BOCES Education Partner, a Bronze Telly Award Winner, and has received the Pennsylvania Governor's Award for Environmental Excellence. John was previously employed with the New York City Department of Sanitation, the U.S. Environmental Protection Agency, and the Bureau of Outdoor Recreation. John is a Certified Ecologist with the Ecological Society of America, holds a Bachelor of Science in social ecology from New Paltz State University of New York, and holds a Masters in environmental biology from Queens College.

Michele Whyte

Head of Sustainability & Quality - Consumer & Office Business, [3M](#)

Michele Whyte is 3M's Consumer & Office Business Sustainability & Quality Leader. Michele is responsible for developing business strategy, developing relationships with key stakeholders and customers, spearheading business sustainability communication strategy and driving global integration of sustainability into business processes. She has over 19 years experience in manufacturing operations, environmental engineering and compliance management, capital project management, Six Sigma, chemical regulatory affairs management, and new product development.

Michele is a strong, personal advocate of children and volunteers her time mentoring high-risk youth in the St. Paul Public schools system, teaching Christian education to youth, and coaching local youth sports programs. She has been involved in many industry associations including the Consumer Specialty Products Association, the Program Review Board for the Twin Cities United Way, The Kids in Need Foundation, and Metropolitan Minority Outreach Program. Michele has presented on sustainability at the National Council of State Governments Convention, the National Net Impact Convention, and the National Society of Women Engineers Convention. Michele holds a bachelor's degree in chemical engineering and a master in business administration.

Kathrin Winkler

Vice President, Corporate Sustainability and Chief Sustainability Officer, [EMC Corporation](#)

Kathrin Winkler is Vice President and Corporate Sustainability and Chief Sustainability Officer for EMC Corporation. Winkler provides the vision, strategy and leadership for the company's global sustainability initiatives. As CSO, her mission is to integrate sustainability principles into the corporate culture, the business strategy, and day-to-day operations.

Kathrin founded EMC's Engineering Green Team and its Design for Environment Program while Senior Director of the Hardware Engineering Group. Prior to joining EMC in 2003, Kathrin held senior positions at Renaissance Worldwide and Digital Equipment Corporation. Kathrin is a Director of EcoLogic Development Fund, a nonprofit organization dedicated to community-

based conservation in Central America. She is also a Director of the Green Grid, a non-profit open industry consortium dedicated to resource efficiency in business computing.

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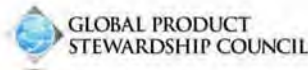
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Sustaining Partners



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SPECIAL OFFER!

PSI Partners can now receive a 20% discount on membership with the Global Product Stewardship Council. Contact PSI's Rachel Rose Below at rachel@productstewardship.us for more information.

Partner Testimonials:

"PSI is a fabulous network that connects government, environmental groups, and other businesses, and offers us a forum to express our views and understand those of others. Through PSI, our company can better understand business prospects and opportunities, monitor legislative developments, and form key relationships." -- Rich Abramowitz, Director of Public Affairs, Waste Management, Inc.

"PSI encouraged our industry to take responsibility for managing leftover paint from consumers. Instead of just pointing the finger, PSI offered an objective forum for discussion and fairly mediated the exchange of information. We now have a national model rather than different laws in each state." -- Alison Keane, Vice President for Government Affairs, American Coatings Association

"PSI is highly skilled at

Corporate Partners

All Battery Sales and Service
Amazon Environmental
American Beverage Association
Cactus LLC
Cascadia Consulting Group
Close the Loop
Electronic Products Recycling Association (EPRA)
Excelsior Graphics
Gracestone, Inc.
Hotz Environmental Services
International Bottled Water Association (IBWA)
Laurentide re/Sources, Inc.
MedReturn LLC
Ontario Electronic Stewardship
PSC Environmental Services
Purdue Pharmaceuticals
Recology, Inc.
Sharps Compliance Inc.
Steel Recycling Institute
StewardEdge
Verde Environmental Technologies, Inc.

organizing and facilitating multi-stakeholder meetings and striking the right balance in positions needed for sustainable solutions. They have integrity with all stakeholders and possess a rare blend of knowledge about technical issues as well as the process needed to reach agreement." -- John Segala, President, Amazon Environmental, Inc.

Organizational, Environmental, Academic, Individual, and Sole Practitioner Partners

Alliance of the Great Lakes
Bay Area Clean Water Agencies
Shirley and Howard Cassel
CERES
Citizens' Environmental Coalition
CLF Ventures
Coast Waste Management Association
Conference on Canadian Stewardship
Eco-Cycle
Electronics Recycling Coordination Clearinghouse
Envirotech
International Society of Sustainability Professionals
Illinois Counties Solid Waste Management Association
Joachim Quoden
Natural Resources Council of Maine
Natural Resources Defense Council
Nebraska Product Stewardship Coalition
Northwest Product Stewardship Council
North American Hazardous Materials Management Association (NAHMMA)
New Mexico Recycling Coalition
New York Product Stewardship Council
Oregon Association of Clean Water Agencies (OR ACWA)
Sustainable Purchasing Leadership Council
Recycle Across America
Recycling Council of Ontario
Resource Recycling
Toxics Action Center
U.S. Green Chamber of Commerce

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Join as a PSI Individual or Sole Practitioner Partner or Sustaining Partner

What does PSI do for its Partners?

- Provides valuable educational opportunities and the latest news on the product stewardship movement in the U.S. and across the globe.
- Presents opportunities to have your company or organization's voice heard in legislation development and discussions with others in industry and government.
- Offers numerous networking opportunities with our world-wide network of product stewardship experts.

PSI Individual and Sole Practitioner Partners acknowledge PSI's mission and our Principles of Product Stewardship.

Organizational and Academic Partner and Sustaining Partner Benefits:

Benefits	Partner	Sustaining Partner
Shape Public Policy		
Access to Dialogue Meetings and Work Groups.	-	✓
Recognition as a Product Sustainability Leader		
Recognition Opportunities.	Listed on PSI Website	Logo featured on PSI website, at meetings & forum, & on promotional materials
Share organizational news and events on PSI's website and in bi-weekly news updates	✓	✓
Access Product Stewardship Research and Information		
Product Stewardship News Updates (26 per year) - <i>The latest product stewardship information from the U.S. and abroad, including legislation.</i>	✓	✓
PSI Monthly Product Stewardship Briefing Calls (12 per year) - <i>Calls with PSI's government members and other partners featuring leading experts who brief you on the hottest product stewardship topics.</i>	✓	✓
Access to 12 Product Stewardship Listservs - <i>Our list serves reach thousands of professionals in industry, government, and beyond.</i>	✓	✓
Networking Webinars (12 - 18 per year) - <i>Educational webinars focused on cutting edge product stewardship topics.</i>	25% Discount	Free
Access to PSI's reports, research, and other resources	✓	✓

PSI Individual and Sole Practitioner Partnership Annual Fees:

Type of Partnership	Partner	Sustaining Partner
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"PSI is highly skilled at

Type of Partnership	Partner	Sustaining Partner
Sole Practitioner	\$250	\$500
Individual*†	\$50	N/A
	Join Now!	Join Now!

* Note that individual partners receive fewer benefits. No individual sustaining partner level is available.

† Note that those affiliated with a government agency, company, organization, or university must become a [Government Member](#) or [Corporate, Organizational, or Academic Partner](#).

Questions about joining PSI?

Contact Rachel Rose Belew at 617-236-4886 or rachel@productstewardship.us.

organizing and facilitating multi-stakeholder meetings and striking the right balance in positions needed for sustainable solutions. They have integrity with all stakeholders and possess a rare blend of knowledge about technical issues as well as the process needed to reach agreement." -- John Segala, President, Amazon Environmental, Inc.

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Engineering Research Center for Re-inventing the Nation's Urban Water Infrastructure (ReNUWIt)

We are an interdisciplinary, multi-institution research center whose goal is to change the ways in which we manage urban water. Our vision is of safe, sustainable urban water infrastructures enabled by technological advances in natural and engineered systems, and informed by a deeper understanding of institutional frameworks.

Our research team integrates the efforts of researchers trained in fields including environmental engineering, ecology, city planning, economics and law to develop innovative approaches to address the problems facing urban water systems. Working in close partnership with utilities, water service providers, equipment manufacturers and international research partners we convert great ideas into practical and sustainable solutions.

ReNUWIt is funded through the National Science Foundation's Engineering Research Center Program. Our partner institutions include Stanford University (lead), University of California at Berkeley, Colorado School of Mines, and New Mexico State University.

Leadership

Richard Luthy
Director
Stanford University
Civil and Environmental Engineering

David Sedlak
Deputy Director
UC Berkeley
Civil and Environmental Engineering

Jörg Drewes
Research Director
Colorado School of Mines
Civil and Environmental Engineering

Barbara Moskal
Education Director

Colorado School of Mines
Mathematical and Computer Sciences

Nirmala Khandan
Education Co-Director
New Mexico State University
Civil Engineering

Lisa Alvarez-Cohen
Diversity Director
UC Berkeley
Civil and Environmental Engineering

Kara Nelson
Graduate Education Director
UC Berkeley
Civil and Environmental Engineering

Jim Leckie
Post-Doc and International Director
Stanford University
Civil and Environmental Engineering

Laura Burns-Wood
Administrative Director
Stanford University

Pamela McLeod
Education and Outreach Manager
Stanford University

Christian Nilsen
Research & Industrial Liaison Officer
Stanford University

Juan Solis
Student Leadership Council President
New Mexico State University

Thrust Leaders

Bill Eisenstein
Urban Water Systems and Resource Management
UC Berkeley
Environmental & City Planning

Tzahi Cath
Engineered Systems
Colorado School of Mines
Civil and Environmental Engineering

Alexandria Boehm
Natural Systems
Stanford University
Civil and Environmental Engineering

Investigators

Lisa Alvarez-Cohen, UCB
Salim Bawazir, NMSU
Alexandria Boehm, Stanford
Tzahi Cath, CSM
Craig Criddle, Stanford
Yi Cui, Stanford
Shuguang Deng, NMSU
Jörg Drewes, CSM
Scott Fendorf, Stanford
Linda Figueroa, CSM
Harrison Fraker, UCB
David Freyberg, Stanford
Ashok Gadgil, UCB
Mengistu Geza, CSM
Slav Hermanowicz, UCB
Chris Higgins, CSM

Alex Horne, UCB
Arpad Horvath, UCB
Tissa Illangasekare, CSM
Nirmala Khandan, NMSU
Philip King, NMSU
Peter Kitanidis, Stanford
Rosemary Knight, Stanford
Jim Leckie, Stanford [12]
Bernd Leinauer, NMSU [13]
Richard Luthy, Stanford [14]
Reed Maxwell, CSM [15]
John McCray, CSM [16]
Barbara Moskal, CSM [4]
Junko Munakata-Marr, CSM [17]
Kara Nelson, UCB [7]
Martin Reinhard, Stanford [18]
Vince Resh, UCB [19]
Elizabeth Sattely, Stanford [20]
David Sedlak, UCB [2]
Josh Sharp, CSM [21]
Bob Siegrist, CSM [22]
Kathleen Smits, CSM [23]
David Sunding, UCB [24]
Buzz Thompson, Stanford [25]
Pei Xu, CSM

Science Advisory Board

The ReNUWIt Engineering Research Center highly values the input of our Science Advisory Board members throughout the year. In addition to an Annual Meeting that takes place at one of the four partner universities, we are constantly seeking insights from the Board to improve our research efforts and the quality of these efforts, to find ways to increase our global impact, and to identify areas in need of improvement and/or refocusing.-

At the 2013 Annual Meeting held the second week of January on the UC Berkeley campus, ReNUWIt teams presented a select number of projects for review. Board members provided thoughtful suggestions regarding the quality of science in our current research, possible ways to better integrate sub-projects into our core portfolio, and ways to model our future research such that adoption of new technologies and approaches for operating urban water systems will be viable.

ReNUWIt Science Advisory Board Members:

Rhodes Trussell, IAB Liaison, Trussell Technologies [rhodes.trussell@trusselltech.com]
Mike Kavanaugh, SAB Co-Chair, Geosyntec Consultants [MKavanaugh@Geosyntec.com]

Menachem Elimelech, Yale University [menachem.elimelech@yale.edu]
Desmond Lawler, University of Texas, Austin [dlawler@mail.utexas.edu]
Mark Rigali, Sandia National Laboratories [mjrugal@sandia.gov]
Vernon Snoeyink, University of Illinois [snoeyink@illinois.edu]
George Tchobanoglous, University of California, Davis [gtchobanoglous@ucdavis.edu]

Industrial Members and Innovation Partners

Our Industrial Members and Innovation Partners help us translate ideas from university research into professional practice. Their involvement is critical to our goal of transitioning to a more robust and sustainable urban water infrastructure. In other words, they “keep it real.”

Industrial Members

The Center’s Industrial Members currently include small and medium-sized companies, multinational corporations, and utilities. These leaders in the water area are highly engaged in Center activities through:

- Providing guidance on strategic planning and research
- Serving on an advisory board that conducts a biannual analysis of ERC activities
- Providing up-to-date knowledge
- Joint projects and test bed experimentation
- Sponsoring and supporting research efforts

Read the Industrial Members Program Description.

Download the Industrial Membership Form.

Read the Intellectual Property Management Plan.

MEMBERSHIP ELIGIBILITY

The ERC Membership Program welcomes membership by any corporation, company, partnership, sole proprietorship, utility, non-profit organization or any other legally recognized business entity, or any agency of government, government office, or government organization duly authorized by the United States Government or government of any State or Nation that agrees to support the ReNUWIt Program’s mission and the goals and makes an annual membership contribution to the ERC Membership Program.

GENERAL PROVISIONS

The organization and operation of the ERC Membership Program shall be in accordance with procedures established by Stanford and all applicable State and Federal laws. This ERC Membership Program does not use any NSF funding to support the cost of the activities

conducted under this Membership Program. The ERC Membership Program is governed by Stanford's published policies that can be found at: http://rph.stanford.edu/ia_context.html.

MEMBERSHIP CONTRIBUTIONS

The ERC Membership Program offers a multi-level membership structure that is based upon the number of full time employees within the member's corporate entity. The fee structure can be viewed here: Industrial Membership Form.

INDUSTRIAL MEMBERS

Aqua-Aerobic Systems
ARCADIS-Malcolm Pirnie
Arup
Aurora Water
Bay Area Clean Water Agencies
Bechtel Corporation
Carollo Engineers
El Paso Water Utilities Public Service Board
Geosyntec
Hatch Mott MacDonald
Kennedy/Jenks Consultants
Kishor Pumps
Los Angeles Department of Water and Power
National Water Research Institute
Orange County Water District
Palo Alto Water Quality Control Plant
Plum Creek Wastewater Authority
Santa Clara Valley Water District
Sonoma County Water Agency
Southern Nevada Water Authority
Town of Discovery Bay
Trussell Technologies
Veolia Water
Western Summit

Innovation Partners

Our Innovation Partners are non-profit and governmental organizations that may advise us in key areas necessary for urban water reinvention including how to advance decision making at

the systems level. These organizations are respected by decision makers and help promote dialogue on water use and governance of water resources. While not formally part of the Industrial Advisory Board, Innovation Partners serve as contacts to broader communities and stakeholders. These discussions are on-going and examples of such organizations with whom we have discussed our vision and mission in the last year include:

California Water Foundation

Imagine H2O

Innovation Center Denmark

Johnson Foundation at Wingspread

Regional Water Quality Control Board (San Francisco Bay)

San Francisco Estuary Institute

San Francisco Estuary Partnership

Stanford Department of Sustainability and Energy Management

Stanford Office of Technology Licensing

Stanford Technology Ventures Program

Sustainable Silicon Valley

Sarah Deslauriers' Billing Rate \$ 154.00 per hour
 ODC - PECE \$ 11.70 per hour
 IRS Travel Reimbursement Rate \$ 0.56 per mile

	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Meetings	2	8	2	4	8	4	2	8	2	4	8	2	54
Scoping Plan Update	2			2			2			2			8
Mandatory Reporting Rule	4			4			4			4			16
Cap & Trade Regulation	8			4			4			4			20
Cap & Trade Investment Plan	8			4			4			4			20
Cap & Trade Offset Protocols	2	2	2	2	2	2	2	2	2	2	2	2	24
State Legislation (non-energy)	1	1	1	1	1	1	1	1	1	1	1	1	12
Federal Regulations/Tailoring Rule	2	2	2	2	2	2	2	2	2	2	2	2	24
Federal Legislation	1	1	1	1	1	1	1	1	1	1	1	1	12
Coordination with Members/Partners	10	10	10	10	10	10	10	10	10	10	10	10	120
Coordination with Energy Workgroup	2	2	2	2	2	2	2	2	2	2	2	2	24
Coordination with NACWA	1	1	2	1	1	2	1	1	2	1	1	2	16
Misc Climate Change Policy Review	8	8	8	8	8	8	8	8	8	8	8	8	96
Project Management	2	2	2	2	2	2	2	2	2	2	2	2	24
ODC - Travel	\$ 84	\$ 384	\$ 84	\$ 84	\$ 84	\$ 84	\$ 84	\$ 384	\$ 84	\$ 84	\$ 84	\$ 84	\$ 1,608
ODC - PECE	\$ 620	\$ 433	\$ 374	\$ 550	\$ 433	\$ 398	\$ 527	\$ 433	\$ 374	\$ 550	\$ 433	\$ 374	\$ 5,499
Total	53	37	32	47	37	34	45	37	32	47	37	32	470
Projected Monthly Burn Rate (hrs/mth)	\$8,866	\$6,515	\$5,386	\$7,872	\$6,215	\$5,718	\$7,541	\$6,515	\$5,386	\$7,872	\$6,215	\$5,386	\$79,487

Projected Average
 Monthly Burn Rate
 41
 \$6,971

Actual Average
 Monthly Burn Rate
 47
 \$7,178

Actual Monthly Burn Rate (hrs/mth)	May-13	Jun-13	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14
	32.5	32	69.5	33	50.5	80.5	29	29.5	63
	\$5,005	\$4,928	\$10,703	\$5,082	\$7,777	\$12,397	\$4,466	\$4,543	\$9,702

CWCCG Contributions FY2015

BACWA \$25,000
 CASA \$25,000
 SCAP \$25,000
 CVCWA \$5,000

Exhibit B
Schedule of Rates and Charges

Key Staff	Rate/Hour
Sarah Deslauriers – Program Manager	\$ 154
Lydia Holmes – Principal-In-Charge	\$ 244
Steve McDonald – Regulatory/Permitting	\$ 265
Elisa Garvey – Regulatory	\$ 223
Penny Carlo – Regulatory/Permitting	\$ 223
Tom Mossinger – Permitting/Alternative Energy	\$ 244
Toby Weissert – Regulatory	\$ 223
Tom West – Integrated Regional Planning/Funding	\$ 244
John Pujol – Project Assistant	\$ 146

Other Direct Expenses – no mark-up of Other Direct Expenses is expected and include the following (effective January 1, 2014):

- Project Equipment Communication Expense (PECE): \$11.70/direct labor hour
- Mileage at IRS Reimbursement Rate: \$0.56 per mile
- Travel and Subsistence at cost

CRITERIA FOR DECISION MAKING ON REQUESTS FOR FUNDING COLLABORATIVE INITIATIVES OR SPONSORSHIPS

THRESHOLD CRITERIA

Are there funds available in the current fiscal year budget line item where these types of initiatives are specifically budgeted? ***If not, optional funding mechanisms should be identified.***

ADDITIONAL CRITERIA

1. Is the mission of the organization making the request or the specific initiative for which funding is sought sufficiently aligned with BACWA's mission or specific initiatives to warrant funding? ***It is preferable to have a linkage to BACWA's mission or initiatives.***
2. Will there be any direct benefit to BACWA or its membership? ***It is preferable to have a direct measurable benefit to BACWA or a majority of its membership.***
3. Will there be any accountability as to how the funds are spent? ***It is preferable to have some feedback mechanism, as to how specifically the funds were used.***
4. Is the request for a one time contribution or is it a recurring contribution; or is there an expectation of a recurring contribution? ***A one-time contribution is preferable.***
5. Are there identified upsides to BACWA making the contribution? ***Identified upsides which may warrant approving the request include furthering environmental protection, increasing public awareness of their role in pollution prevention, advancing technology associated with wastewater treatment, etc.***
6. Is the amount requested in-line with other BACWA contributions? ***If a request is greater than \$25,000 or cumulatively more than \$50,000, need to ensure compliance with BACWA policies and JPA requirements.***
7. In exchange for the contribution does BACWA gain a voice in the initiative or the activities of the organization? ***BACWA being offered a voice in the governance associated with the completion of the initiative or carrying out the mission of the organization is preferable.***
8. Is the request for use of discretionary funds a high priority relative to other such requests? ***If so, consideration should be given to approving the request assuming funds are available.***

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Request for Proposals

Bay Area Clean Water Agencies *Order for Municipal Wastewater Discharges of Nutrients to San Francisco Bay, NPDES Permit*

Introduction

Bay Area Clean Water Agencies (BACWA) seeks the services of a consulting engineering firm or team (Consultant) for a planning level study related to nutrient removal for BACWA member agencies with flows greater than or equal to one million gallons per day (mgd). This Request for Proposal (RFP) includes the information needed for proposal preparation and includes various attachments associated with proposal preparation and contractual requirements, including a sample agreement and sample labor hour matrix. The RFP and all attachments describe the scope requirements for the Project.

Background

BACWA is a local government agency created by a joint powers agreement in 1984. Our membership includes local clean water agencies that provide sanitary sewer services to the more than seven million people living in the nine county San Francisco Bay Area. BACWA was founded, and continues, to assist agencies in carrying out mutually beneficial projects, and to facilitate the development of scientific, economic and other information about the San Francisco Bay environment and the agencies that work to protect it and public health.

The San Francisco Bay estuary has long been recognized as nutrient-enriched. Despite this, the abundance of phytoplankton in the estuary is lower than would be expected due to a number of factors, including strong tidal mixing; high turbidity, which limits light penetration; and high filtration by clams. However, recent data indicate an increase in phytoplankton biomass and a small decline in dissolved oxygen concentrations in many areas of the estuary, suggesting that its historic resilience to the effects of nutrient enrichment may be weakening. The contributing factors for this include (1) natural oceanic oscillations that have increased benthic predators, thus reducing South San Francisco Bay's clam population and clam grazing; and (2) decreases in suspended sediment that have resulted in a less turbid environment and increased light penetration.

Under current conditions, phytoplankton growth and biomass accumulation are limited much of the time by lack of light, and biomass accumulation is further controlled by clam grazing. If these constraints continue to shift, increases in phytoplankton biomass could follow. Under this scenario, it may be necessary to limit the availability of essential nutrients.

Municipal wastewater treatment plants account for about 63 percent of the annual average total nitrogen load to San Francisco Bay. Several years may be needed to determine an appropriate level of nutrient control and to identify management actions necessary to protect San Francisco Bay beneficial uses.

The Regional Water Board has issued a Tentative Order, dated February 6, 2014, which represents the first phase of what is expected to be a multi-permit effort. The Order sets forth a regional framework to facilitate collaboration on studies that will inform future management decisions and regulatory strategies. The overall purpose of this phase is to track and evaluate treatment plant performance, fund nutrient monitoring programs, support load response modeling, and conduct treatment plant optimization and upgrade studies for nutrient removal. These studies will increase the understanding of external nutrient loads, improve load response models, support development of nutrient objectives, and increase the certainty that any required nutrient removal at treatment plants will produce the desired outcome. In the 2019 permit reissuance, the Regional Water Board anticipates considering establishment of performance-based effluent limits for nutrients and may require implementation of treatment optimization. The 2019 permit reissuance will also continue efforts to evaluate control measure scenarios as informed by load response modeling. In the 2024 and 2029 permit reissuances, the Regional Water Board anticipates using the information from studies conducted under earlier orders to require implementation of additional management actions, as needed.

Project Description

BACWA is seeking a consultant to conduct the optimization and facility upgrades planning studies. The two studies are described below.

SPECIAL STUDY 1: EVALUATION OF POTENTIAL NUTRIENT DISCHARGE REDUCTION BY TREATMENT OPTIMIZATION AND SIDESTREAM TREATMENT

The major Dischargers shall, individually or in collaboration with other Dischargers, evaluate options and costs for nutrient discharge reduction by optimization of current treatment works. The evaluation shall include the following:

- Describe the treatment plant, treatment plant process, and service area;
- Evaluate site-specific alternatives to reduce nutrient discharges through methods such as operational adjustments to existing treatment systems, process changes, or minor upgrades;
- Evaluate side-stream treatment opportunities;
- Describe where optimization, minor upgrades, and sidestream treatment have already been implemented;

- Evaluate beneficial and adverse ancillary impacts associated with each optimization proposal, such as changes in the treatment plant's energy usage, greenhouse gas emissions, or sludge and biosolids treatment or disposal;
- Identify planning level costs of each option evaluated; and
- Evaluate the impact on nutrient loads due to treatment plant optimization implemented in response to other regulations or requirements.

Dischargers that have recently completed optimization evaluations may use previously completed reports.

SPECIAL STUDY 2: EVALUATION OF POTENTIAL NUTRIENT DISCHARGE REDUCTION BY TREATMENT UPGRADES OR OTHER MEANS

The major Dischargers listed in Table 1 shall, individually or in collaboration with other Dischargers, conduct an evaluation to identify options and costs for potential treatment upgrades for nutrient removal.

The evaluation shall be conducted for each Discharger's treatment works or categories of like treatment works (e.g., high purity oxygen plants, conventional activated sludge plants, plants without anaerobic digestion). The evaluation must estimate nutrient reductions from treatment upgrades, and, at a minimum, shall entail the following:

- Describe the treatment plant, treatment plant process, and service area;
- Identify potential upgrade technologies for each treatment plant category along with associated nitrogen and phosphorous removal levels;
- Identify site-specific constraints or circumstances that may cause implementation challenges or eliminate any specific technologies from consideration;
- Include planning level capital and operating cost estimates associated with the upgrades and for different levels of nutrient reduction, applying correction factors associated with site-specific challenges and constraints;
- Describe where Dischargers have already upgraded existing treatment systems or implemented pilot studies for nutrient removal. Document the level of nutrient removal the upgrade or pilot study is achieving for total nitrogen and phosphorus;
- Evaluate the impact on nutrient loads due to treatment plant upgrades implemented in response to other regulations and requirements; and
- Evaluate beneficial and adverse ancillary impacts associated with each upgrade, such as changes in the treatment plant's energy use, changes in greenhouse gas emissions, sludge and biosolids treatment or disposal, and reduction of other pollutants (e.g., pharmaceuticals) through advanced treatment.

Dischargers that have recently completed upgrade evaluations may use previously completed reports.

Dischargers who have planned or are implementing facility upgrades or modifications to address the impacts of sea level rise and climate change alone, or as part of infrastructure renewal, shall also include in its nutrient removal evaluation consideration of the impacts of sea level rise and climate change on identified nutrient upgrade options.

In addition to the above upgrade evaluation, Dischargers may evaluate ways to reduce nutrient loading through alternative discharge scenarios, such as water recycling or use of wetlands, in combination with, or in-lieu of the upgrades to achieve similar levels of nutrient load reductions. This evaluation shall include ancillary benefits and adverse impacts associated with such alternative discharge scenarios such as the following:

- Reduction in potable water use through enhanced reclamation;
- Creation of additional wetland or upland habitat;
- Changes in energy use, greenhouse gas emissions, sludge and biosolids quality and quantities;
- Reduction of other pollutant discharges;
- Impacts to existing permit requirements related to alternative discharge scenarios; and
- Implications related to discharge of brine or other side streams associated with advanced recycling technologies.

Scope of Services

This section describes the nature and scope of engineering services to be provided for the completion of this Project for BACWA. The successful proposal will demonstrate the approach and qualifications for the entire project.

BACWA has prepared a scope of services necessary for completion of the Project, which is provided below. This scope of services shall be used as a basis for preparation of the proposal. Additional tasks or modifications to the scope of services that the Consultant feels will produce a more cost-effective project should be included in the proposal.

The project is divided into seven tasks that are described below:

- Task 1: Project Management and QA/QC
- Task 2: Scoping and Evaluation Plans
- Task 3: Data Collection and Synthesis
- Task 4: Special Study Number 1 – Evaluation of Potential Nutrient Discharge Reduction by Treatment Optimization and Sidestream Treatment
- Task 5: Special Study Number 2 – Evaluation of Potential Nutrient Discharge Reduction by Treatment Upgrades
- Task 6: Potential Nutrient Discharge Reduction by Other Means

- Task 7: Reporting

It is anticipated that BACWA will initially authorize only the scope of work for Task 2 services. Following approval of the Scoping and Evaluation Plans by the Regional Water Board, BACWA will negotiate and approve the remaining scope of services.

Prior to contract execution, BACWA will identify participating agencies. A listing of all the BACWA Member Agencies is listed in Attachment A. The table in Attachment A identifies whether each agency is considered a minor (≤ 1 mgd design flow) or major (> 1 mgd design flow) discharger. Only major dischargers are required to perform the special studies associated with this RFP. Some dischargers may elect to perform the studies on their own.

TASK 1: PROJECT MANAGEMENT AND QA/QC

Task 1.1 – Project Management

Consultant shall control the Project in terms of staffing, budget, schedule and scope, and promote communication within the project team including the participating agencies.

Items covered under this task include, but are not limited to:

- Kickoff meeting.
- Quarterly progress meetings at the BACWA Executive Board Meetings.
- Scope, budget and schedule management.
- Management and coordination of Consultant staff.
- Monthly invoicing and progress reports.

The Consultant shall also develop and implement a quality assurance and quality control (QA/QC) program during the course of executing this scope of work.

TASK 2: SCOPING AND EVALUATION PLANS

The initial steps in performing the special studies in Task 4 require a series of subtasks to scope the effort, develop an evaluation plan, and submit these documents to BACWA and the Regional Water Board for approval.

Task 2.1 - Scoping Plan

The Scoping Plan will identify the work necessary to meet the two special studies: i) optimize facilities for nutrient reduction and ii) determine necessary upgrades to meet nutrient discharge limits. The work will include the proposed approach provided by the selected Consultant in their proposal.

In order to set the basis for the upgrade study (Study 2), the following tiers of nutrient discharge limits will be used for average monthly conditions:

- Tier I: Total N 8 mg N/L and Total P = 1 mg P/L
- Tier II: Total N 3 mg N/L and Total P = 0.3 mg P/L_[HK1]

The limits for Tiers I and II are based on a petition filed by the National Research Defense Council (NRDC) in November 2007 for Rulemaking with the United States Environmental Protection Agency (USEPA). Tier I represents the least stringent and Tier II represents the most stringent of NRDC's proposed limits in their petition filed to the USEPA.

Task 2.2 - Evaluation Plan

An Evaluation Plan is required as part of the Tentative Order that includes a schedule describing how the work will be conducted to evaluate the potential nutrient discharge reduction by treatment optimization (Study 1) or by treatment upgrades (Study 2). The Evaluation Plan shall include sampling, as necessary, to support the proposed optimization study. In addition, the Evaluation Plan shall define the treatment works categories that will be evaluated to support the potential upgrades and alternative discharge scenarios.

TASK 3: DATA COLLECTION AND SYNTHESIS

This Task includes data collection and review, as well as synthesis of existing data, including development of descriptions of existing facilities.

Task 3.1: Data Collection and Review

The Consultant will review the influent and effluent nutrient data of participating agencies collected from the Water Code 13267 Letter issued by Regional Water Board Executive Officer (dated March 2, 2012) and compiled by San Francisco Estuarine Institute (SFEI). The consultant will work through the BACWA Executive Officer, who will act as the point contact person with participating agencies, to gather information necessary to complete the study. A data collection template will be prepared that each participating agency will receive and respond to. The requested material will include both data and facility information and shall build upon the influent and effluent data already collected and compiled. The material shall also include information requests about the existing facilities, current master plans, and other site specific questions (e.g., space constraints, excess tankage, etc.) necessary to conduct the studies.

Additional data may be requested, as required, to complete the studies.

Task 3.2 – Summary of Existing Facilities

The Consultant will use the information collected in Task 3.1 to develop descriptions of each treatment plant, treatment plant unit processes, and service area. The descriptions shall include the following, at a minimum:

- Service area description – defines the service area by number of service connections, area covered by the agency, etc.
- Current permit discharge requirements for BOD, TSS, and nutrients.
- Summary of current and future flows and loads, based on available data

- Process description of each unit process, including information such as number of unit processes, size, operational loadings at design, etc.
- Process flow diagram
- Current design capacity
- Plant footprint and summary of any space constraints

The Consultant will use the nutrient discharge information collected from the 13267 Letter to establish a baseline for existing levels of nutrient loadings that may be used to account for changes in loadings that result from optimization and upgrade efforts at treatment facilities.

Task 3.3 – Evaluate the Impact on Nutrient Loads in Response to Other Regulations or Requirements

Consultant shall identify how nutrient loads will increase or decrease due to process upgrades made in response to other regulations or requirements. For example, an upgrade from biosolids incineration to anaerobic digestion will result in an increase in nutrient loading to the effluent. On the other hand, some agencies have completed optimizations for treatment plant reliability and have seen an ancillary decrease in nutrient loads.

TASK 4 – SPECIAL STUDY NUMBER 1 - EVALUATION OF POTENTIAL NUTRIENT DISCHARGE REDUCTION BY TREATMENT OPTIMIZATION AND SIDESTREAM TREATMENT

The Consultant shall evaluate options and costs for nutrient discharge reduction by optimization of current treatment works, including the addition of sidestream treatment. For each participating agency, the following sub-tasks are to be completed.

Task 4.1 – Describe Existing Optimization, Minor Upgrades, and Sidestream Treatment

Based on the information collected and reviewed in Task 3, the Consultant shall summarize the past work already conducted for each plant to optimize their treatment works, including minor upgrades and sidestream treatment additions that may have achieved nutrient reductions. This will include modifications that have been completed as well as modifications that are already planned.

Task 4.2 – Evaluate Site-Specific Strategies for Process Optimization

The Consultant will use the data and information obtained under Task 3 to identify strategies to reduce nutrient discharge levels. Strategies could consider modest upgrades to the existing process, typically modifications that may require some equipment replacement, but no additional basin volume.

Consultant shall identify a list of up to five strategies that could be employed to optimize treatment works. For each participating agency, the list will be reviewed and likely strategies for success will be identified. Some typical options might include, but are not

limited to: i) split flow treatment, ii) return sidestream flow control, iii) additional chemicals, etc.

Task 4.3 – Evaluate Side-Stream Treatment Opportunities

Based on the information collected and reviewed in Task 3, the Consultant will evaluate the feasibility of implementing sidestream treatment into the existing treatment plant for the participating agencies. It is anticipated that the load removal is about 85 percent for either nitrogen or phosphorus.

For sidestream nitrogen treatment, the Consultant shall only consider removal. For sidestream phosphorus treatment, the Consultant shall consider both phosphorus removal and phosphorus recovery.^[HK2]

Consultant shall summarize the expected reduction in nutrient concentration as a result of sidestream treatment.

Task 4.4 – Evaluate Beneficial and Adverse Ancillary Impacts

The Consultant shall develop a list of beneficial and adverse ancillary impacts associated with each optimization strategy. These impacts shall include items such as nutrient effluent concentrations, energy usage, greenhouse gas emissions, space requirements, plant capacity, sludge production and quality, and others. Optimization options that re-purpose available capacity in existing facilities at current loadings will be noted as having an adverse impact in terms of reduced capacity.

Task 4.5 – Develop Capital and Operating Costs

For each optimization strategy identified in Subtask 4.1.2, the Consultant shall prepare planning level costs for any facility upgrades. Capital cost estimates shall be consistent with a Level IV estimate, per the American Association of Cost Engineers, Recommended Practice No. 17R-97, Class 4 and the American National Standards Institute definition of a “budget estimate”.

In addition to capital cost estimates, the Consultant shall also provide estimated annual costs (or savings) for energy and chemicals associated with the proposed optimization strategies. Consultant shall develop appropriate unit costs for energy and chemicals.

TASK 5 – SPECIAL STUDY NUMBER 2 - EVALUATION OF POTENTIAL NUTRIENT DISCHARGE REDUCTION BY TREATMENT UPGRADES

The purpose of this task is to evaluate options, constraints, and costs for treatment upgrades to meet the nutrient discharge tiers identified under Task 2.1.

Task 5.1 – Describe Existing Technology Upgrades and Pilot Studies

Based on the information collected and reviewed in Task 3, the Consultant shall summarize treatment upgrades already implemented by each participating agency to upgrade their treatment works for nutrient reductions, including minor and major upgrades, sidestream treatment additions, or pilot studies. In addition, the consultant shall summarize the level of nutrient removal the upgrade or pilot study is achieving for total nitrogen and phosphorus.

Task 5.2 – Identify Site-Specific Constraints

Based on the information collected and reviewed in Task 3, the Consultant shall identify any site-specific constraints or other circumstances that may limit the feasibility of a lower cost treatment upgrade for each participating agency. For example, some participating agencies have footprint constraints which may fatally flaw a particular treatment upgrade for their facility.

Task 5.3 – Identify Potential Upgrade Technologies

Consultant shall develop a set of standard plant-type categories and group each participating POTW into a category. Categories may include for example, high purity oxygen plants, conventional activated sludge plants, plants without anaerobic digestion, etc.

For each treatment plant category, the Consultant shall develop a list of potentially viable treatment upgrade technologies that meet the treatment tiers identified in Task 2.1. Consultant shall also develop high level evaluation criteria. The criteria will focus on, but not be limited to, nutrient removal requirements coupled with challenges identified in Subtask 5.2.

The treatment upgrades that best meet the evaluation criteria for each category, shall be carried forward for planning level cost estimating.

Task 5.4 – Evaluate Beneficial and Adverse Ancillary Impacts

The Consultant shall develop a list of beneficial and adverse ancillary impacts associated with each treatment plant upgrade carried forward for planning level cost estimating. These impacts shall include, but not be limited to nutrient effluent concentrations and loads, energy usage, greenhouse gas emissions, plant capacity, sludge and biosolids production and disposal, reduction of other pollutants (e.g., pharmaceuticals), and others.

Task 5.5 – Develop Capital and Operating Costs

For each upgrade identified in Subtasks 5.3, the Consultant shall prepare planning level costs. Capital cost estimates shall be consistent with a Level IV estimate, per the American Association of Cost Engineers, Recommended Practice No. 17R-97, Class 4 and the

American National Standards Institute definition of a “budget estimate”. The estimates should be accurate within a range of +40 percent to -20 percent.

In addition to capital cost estimates, the Consultant shall also provide estimated annual costs (or savings) for energy and chemicals. Consultant shall develop appropriate unit costs for energy and chemicals.

Task 5.6 – Evaluate Impacts of Sea Level Rise [HK3]

Consultant shall identify participating agencies that are vulnerable to the impacts of sea level rise. For each of those identified agencies, the Consultant shall identify the impacts of sea level rise on the identified treatment upgrades.

TASK 6 – POTENTIAL NUTRIENT DISCHARGE REDUCTION BY OTHER MEANS [HK4]

Per the Tentative Order, dischargers may also decide to evaluate strategies that reduce nutrient loadings separate from the special studies identified in the Tentative Watershed Permit (Tasks 4 and 5).

The Consultant shall incorporate information provided by participating agencies in appendices to the Report. No separate analysis of these strategies is to be included.

TASK 7 – REPORTING

This task includes the preparation of the Bay Area POTW Nutrient Optimization and Upgrade Master Plan. The report shall include the technical information developed in Tasks 2 through 4 and an executive summary.

Consultant shall prepare an annotated report outline for review and approval following completion of Task 3.

The Draft Report will be released to the participating agencies for a 30 day comment period. Following the comment period, the Consultant will work with BACWA to finalize the Report for submission to the Regional Water Board.

Project Schedule

The project shall be completed based on the major milestones as provided below.

Major Milestone	Date
Submit Scoping Plan to Regional Water Board	9/12/2014
Submit Evaluation Plan to Regional Water Board	10/24/2014
Prepare Standard Questionnaire for Data Collection and Information	12/15/2014
Participating agencies provide data and information	01/31/2015
Start Both Studies	2/01/2015
Quarterly BACWA Status Updates	April 2015, July 2015, October 2015, January 2016
Status Update – Regional Water Board	7/1/2016 and 7/1/2017
Annotated Report Outline	April 2015
Draft Report for Internal Review	November 2016
Final Report Due to Regional Water Board	July 1, 2017

Organization and Content of the Proposal

Suggested proposal outline.

Section	Contents
Cover Letter	Transmittal
1	Identification of Proposer
2	Project Overview
3	Project Approach
4	Project Team and Qualifications
5	Project Experience
6	Project Schedule
7	Fee Estimate (Separate)
8	Exceptions to Contract Terms and Conditions
A	Resumes of Key Staff

Proposal Evaluation Criteria

Standard Agreement

This is for BACWA to fill in and probably goes at the end of the document. This includes legal, insurance, etc.

Attachment A

A listing of all BACWA Member Agencies and whether they are considered minor (<1 mgd) or major (>1 mgd) dischargers is provided in Table A - 1.

Table A - 1. BACWA Member Agency Discharger Info

Discharger	Facility Name	Facility Address	Minor / Major
American Canyon, City of	Wastewater Treatment and Reclamation Facility	151 Mezzetta Court American Canyon, CA 94503 Napa County	Major
Benicia, City of	Benicia Wastewater Treatment Plant	614 East Fifth Street Benicia, CA 94510 Solano County	Major
Burlingame, City of	Burlingame Wastewater Treatment Plant	1103 Airport Boulevard Burlingame, CA 94010 San Mateo County	Major
Central Contra Costa Sanitary District	Central Contra Costa Sanitary District Wastewater Treatment Plant	5019 Imhoff Place Martinez, CA 94553 Contra Costa County	Major
Central Marin Sanitation Agency	Central Marin Sanitation Agency Wastewater Treatment Plant	1301 Andersen Drive San Rafael, CA 94901 Marin County	Major
Crockett Community Services District	Port Costa Wastewater Treatment Plant	End of Canyon Lake Drive Port Costa, CA 94569 Contra Costa County	Minor
Delta Diablo Sanitation District	Wastewater Treatment Plant	2500 Pittsburg-Antioch Highway Antioch, CA 94509 Contra Costa County	Major
East Bay Dischargers Authority (EBDA), City of Hayward, City of San Leandro, Oro Loma Sanitary District, Castro Valley Sanitary District, Union Sanitary District, Livermore-Amador Valley Water Management Agency, Dublin San Ramon Services District, and City of Livermore	EBDA Common Outfall	EBDA Common Outfall 14150 Monarch Bay Drive San Leandro, CA 94577 Alameda County	Major
	Hayward Water Pollution Control Facility		
	San Leandro Water Pollution Control Plant		
	Oro Loma/Castro Valley Sanitary Districts Water Pollution Control Plant		
	Raymond A. Boege Alvarado Wastewater Treatment Plant		
	Livermore-Amador Valley Water Management Agency Export and Storage Facilities		
	Dublin San Ramon Services District Wastewater Treatment Plant		
City of Livermore Water Reclamation Plant			
East Bay Municipal Utility District	East Bay Municipal Utility District, Special District	2020 Wake Avenue Oakland, CA 94607	Major

Discharger	Facility Name	Facility Address	Minor / Major
	No. 1 Wastewater Treatment Plant	Alameda County	
Fairfield-Suisun Sewer District	Fairfield-Suisun Wastewater Treatment Plant	1010 Chadbourne Road Fairfield, CA 94534 Solano County	Major
Las Gallinas Valley Sanitary District	Las Gallinas Valley Sanitary District Sewage Treatment Plant	300 Smith Ranch Road San Rafael, CA 94903 Marin County	Major
Marin County (Paradise Cove), Sanitary District No. 5 of	Paradise Cove Treatment Plant	3700 Paradise Drive Tiburon, CA 94920 Marin County	Minor
Marin County (Tiburon), Sanitary District No. 5 of	Wastewater Treatment Plant	2001 Paradise Drive Tiburon, CA 94920 Marin County	Major
Millbrae, City of	Water Pollution Control Plant	400 East Millbrae Avenue Millbrae, CA 94030 San Mateo County	Major
Mt. View Sanitary District	Mt. View Sanitary District Wastewater Treatment Plant	3800 Arthur Road Martinez, CA 94553 Contra Costa County	Major
Napa Sanitation District	Soscol Water Recycling Facility	1515 Soscol Ferry Road Napa, CA 94558 Napa County	Major
Novato Sanitary District	Novato Sanitary District Wastewater Treatment Plant	500 Davidson Street Novato, CA 94945 Marin County	Major
Palo Alto, City of	Palo Alto Regional Water Quality Control Plant	2501 Embarcadero Way Palo Alto, CA 94303 Santa Clara County	Major
Petaluma, City of	Municipal Wastewater Treatment Plant	950 Hopper Street Petaluma, CA 94952 Sonoma County	Major
Pinole, City of	Pinole-Hercules Water Pollution Control Plant	11 Tennent Avenue Pinole, CA, 94564 Contra Costa County	Major
Rodeo Sanitary District	Rodeo Sanitary District Water Pollution Control Facility	800 San Pablo Avenue Rodeo, CA 94572 Contra Costa County	Major
San Francisco (San Francisco International Airport), City and County of	Mel Leong Treatment Plant, Sanitary Plant	918 Clearwater Drive San Francisco International Airport San Francisco, CA 94128 San Mateo County	Major
San Francisco (Southeast Plant), City and County of	Southeast Water Pollution Control Plant	750 Phelps Street San Francisco, CA 94124 San Francisco County	Major
San Jose/Santa Clara Water Pollution Control Plant and Cities of San Jose and Santa Clara	San Jose/Santa Clara Water Pollution Control Plant	4245 Zanker Road San Jose, CA 95134 Santa Clara County	Major
San Mateo, City of	City of San Mateo Wastewater Treatment	2050 Detroit Drive San Mateo, CA 94404	Major

Discharger	Facility Name	Facility Address	Minor / Major
	Plant	San Mateo County	
Sausalito-Marín City Sanitary District	Sausalito-Marín City Sanitary District Wastewater Treatment Plant	#1 Fort Baker Road Sausalito, CA 94965 Marín County	Major
Sewerage Agency of Southern Marín	Wastewater Treatment Plant	450 Sycamore Avenue Mill Valley, CA 94941 Marín County	Major
Sonoma Valley County Sanitary District	Municipal Wastewater Treatment Plant	22675 8th Street East Sonoma, CA 95476 Sonoma County	Major
South Bayside System Authority	South Bayside System Authority Wastewater Treatment Plant	1400 Radio Road Redwood City, CA 94065 San Mateo County	Major
South San Francisco and San Bruno, Cities of	South San Francisco and San Bruno Water Quality Control Plant	195 Belle Air Road South San Francisco, CA 94080 San Mateo County	Major
Sunnyvale, City of	Sunnyvale Water Pollution Control Plant	1444 Borregas Avenue, Sunnyvale, CA 94089 Santa Clara County	Major
U.S. Department of Navy (Treasure Island)	Wastewater Treatment Plant	681 Avenue M, Treasure Island San Francisco, CA 94130-1807 San Francisco County	Major
Vallejo Sanitation and Flood Control District	Vallejo Sanitation and Flood Control District Wastewater Treatment Plant	450 Ryder Street Vallejo, CA 94590 Solano County	Major
West County Agency (West County Wastewater District and City of Richmond Municipal Sewer District)	West County Agency Combined Outfall	601 Canal Blvd. Richmond, CA 94804 Contra Costa County	Major

Thoughts on Managing the Regional Nutrient Contracts Required by the Watershed Permit

It is likely that the majority of the BACWA members will elect to participate in a regional effort to conduct the Optimization and Upgrades studies required by the Nutrient Watershed Permit as well as the Annual Trend Report. Given that these efforts will require interfacing with almost all of the BACWA POTW members; it seems prudent to assemble a cross section of the BACWA membership to assist in the oversight of the completion of these efforts.

The studies and reporting requirements will take place over several years. The day to day activities can be adequately handled by the BACWA staff, however a small (3-5 person) management group consisting of representatives from the BACWA membership would be helpful in overseeing progress and providing direction to the consultants engaged in completing the work.

Ideal candidates for the BACWA Nutrient Contract Management Group (CMG) should meet the following criteria:

- availability to set aside time to meet with the consultant team on a periodic basis
- experience in treatment plant facility planning
- must be a representative of a BACWA POTW that is included in the Watershed Permit
- mid level or higher position within their organization
- experience in managing consultant contracts
- at least one member of the CMG should represent a Principal agency in BACWA.
- experience in working with Water Board regulators
- ability to provide concise informative periodic presentations to the BACWA Board and the Water Board
- availability to answer questions from other BACWA POTW members on the conduct of the studies
- availability to periodically help BACWA staff and the consultant get needed information from BACWA POTW members to ensure the studies are complete and stay on schedule

-objectivity in reviewing information and recommendations for not only your own facility but other POTWs

BACWA has the existing Nutrient Negotiating Team in place that represents a cross section of the Bay Area POTWs with members being selected from among their colleagues within their geographical sub embayment. This seems to be a good starting place to solicit interest in being a member of the CMG. If there is not enough interest to assemble a 3-5 person group from the Negotiating Team, outreach can be made to others BACWA members to complete the makeup of the Team.

**San Francisco Bay Nutrient Management Strategy (NMS)
Steering Committee
Meeting 1
April 22, 2014
10:00 am – 3:00 pm**

Meeting Location
San Francisco Regional Water Quality Control Board (RWQCB)
1515 Clay St
Suite 1400
Oakland, CA 94612

Purpose of Meeting:

Start the NMS Steering Committee. Confirm governance of the NMS process. Discuss the proposed Steering Committee schedule for 2014. Identify and discuss key Steering Committee decisions to be made in Meeting 2.

Agenda Item		Presenters
1	Welcome and Introductions	Tom Mumley, Assistant Executive Officer – RWQCB, and Facilitator
2	Discussion: Purpose of Steering Committee and NMS	Naomi Feger – RWQCB, Steering Committee
3	Presentation and Discussion: DRAFT Charter	Facilitator, and Steering Committee
Lunch		
4	Near Term Steering Committee Decision-Making and Schedule for 2014	Naomi Feger RWQCB
5	Currently Funded Studies and Long Range Planning	David Senn, SFEI
6	Review – Action Items and Next Steps	Facilitator
7	Adjourn	

NOTES:

- ***Public comment periods will be accommodated at the end of each agenda item (excluding item 1). The duration of each comment period will be at the discretion of the meeting facilitator.***
- ***Breaks will be taken at the discretion of the meeting facilitator and the Steering Committee***

-----Original Message-----

From: Criddle, Craig [<mailto:ccriddle1@gmail.com>]

Sent: Thursday, March 13, 2014 10:49 AM

To: Olivia Chen

Cc: Dave Williams; Mike Connor

Subject: Re: Proposal to BACWA

Dear Olivia, Dave and Mike,

I now have more detailed budgets for a proposal: to BACWA and a second proposal for Prop 84.

For the BACWA proposal, we would propose an 18' trailer, with modest sensing and control. We'd likely begin with Perry's system, but we could also build a CANDO trailer, depending on what most interests the utilities.

This trailer could be operational by early 2015. Depending on funding, we could design and fabricate it during the summer for testing at the Resource Recovery Center in the Fall. In the presentation to the BACWA board, I indicated 150K. That was intended as a one year budget. The 2-year budget is 300K, assuming full salary. Unfortunately, as I look at the slides presented to the Board, this was now clear. If ReNUWIT kicks in funding for student support (quite possible) or we get a student with fellowship support, the number would go down significantly, as student pay is the major cost.

Craig

Decision Support for Assessment of Nutrient Control in San Francisco Bay







David L. Sedlak, Mike Kiparsky, Christian Nilsen, Sasha Harris-Lovett
*BACWA Board Meeting
 February 21, 2014*

Broadening Control Options

	Cost	Risk of Failure	Institutional Barriers
Optimization			
Upgrades			

Broadening Control Options

	Cost	Risk of Failure	Institutional Barriers
Optimization			
Upgrades			
Wetlands			
Water Reuse			
Source Control			

Broadening Control Options


	Cost	Risk of Failure	Institutional Barriers	Ancillary Benefits	Other Funding	Public Support
Optimization						
Upgrades						
Wetlands						
Water Reuse						
Source Control						

Caution: Entries based (only) on informed speculation


Scenarios

- **Nutrient Control by Dischargers**
 - Minimize costs and failures risk
 - Assess institutional issues
 - Coordinate with SF Bay science
- **Systems Vision for SF Bay**
 - Share costs/risks w/more stakeholders
 - Address other BACWA concerns

	Cost	Risk of Failure	Institutional Barriers
Optimization			
Upgrades			
Wetlands			
Water Reuse			
Source Control			



A Straw Man



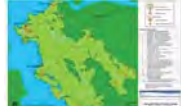
Wetlands for Nutrient Control

- **Objective: Assess Potential Costs and Risks**
 - Cost: evaluate existing and planned systems (e.g., Oro Loma, Sunnyvale); conduct spatial analysis
 - Risks: Workshop on institutional issues
 - Coordinate with SF Bay science
- **Timing/Deliverables**
 - Scoping report on feasibility in 2.5 yrs
- **Project Partners**
 - Eisenstein, Doremus, Harris-Lovett, Kiparsky, Sedlak
 - ESA/PWA, BACWA/RWQCB, SFEI



Enhancing Water Reuse

- **Objective: Assess Potential and Mechanism**
 - Market Assessment: Review existing/future reuse plans
 - Identify Mechanisms: Trading, compliance needs
 - Solicit feedback from potential partners
- **Timing/Deliverables**
 - Assessment of market potential/impediments in 2 years
- **Project Partners**
 - Kiparsky, Doremus, Harris-Lovett, Sedlak, Sunding, Truffer
 - BACWA/RWQCB, Water Agencies




Enhancing Water Reuse



Water Supply Management Program 2040


Nutrient Recovery

- **Objective: Assess Long-Term Prospects for Technology**
 - Literature Review: Identify existing and emerging technologies
 - Pathway Analysis: Technology pilots/demonstration
 - Institutional Assessment: Identify impediments, incentives
- **Timing/Deliverables**
 - Scoping study of best practices in 2 years
- **Project Partners**
 - Nelson, Eisenstein, Kiparsky, Mauer, Sedlak, Truffer
 - BACWA/RWQCB, Eawag

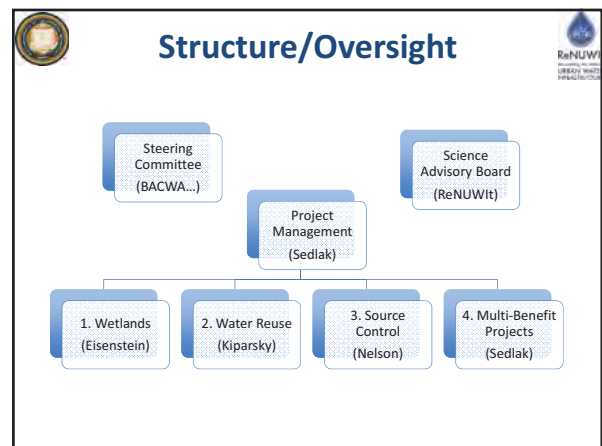


A Systems-Level Vision

- **Objective: Identify a Path Forward**
 - Stakeholder Engagement: Identify priority projects
 - Workshop: Identify potential partnerships/funding
 - Synthesis: Summarize options
- **Timing/Deliverables**
 - White paper in 18 months
- **Project Partners**
 - Sedlak, Eisenstein, Groves(R), Harris-Lovett, Kiparsky, Truffer
 - BACWA/RWQCB, Flood Control, CDFW, SBSP, SFEP, SFEI, Eawag



	Cost	Water Quality	Water Quantity	Energy	Other	Water Supply
Conductivity	Red	Green	Green	Green	Green	Green
Temperature	Red	Green	Green	Green	Green	Green
Salinity	Red	Green	Green	Green	Green	Green
Water Quality	Red	Green	Green	Green	Green	Green
Water Quantity	Red	Green	Green	Green	Green	Green





Qualifications



- **Expertise**
 - ReNUWIt System-Level Approach
 - Multidisciplinary Team
 - Track Record
- **Objectivity**
- **Motivation**




ReNUWIt
Re-engineering the Nation's
URBAN WATER
INFRASTRUCTURE




Center for
Resource
Efficient
Communities



eawag
aquatic research 000



Next Steps



- **Stage I: The Details**
 - Management Structure
 - Scope of Work
 - Budgets
- **Project Initiation**
- **Stage II (2 years)**

MERCURY/PCB RISK REDUCTION OPPORTUNITIES UPDATE

March 21, 2014 BACWA Board meeting

BACWA Lead: Lorien Fono

SUMMARY

The 2013 Mercury/PCB watershed permit requires participation in risk reduction programs as follows:

Dischargers shall continue to implement and participate in programs to reduce mercury and PCB-related risks to humans from consumption of San Francisco Bay/Delta fish. This requirement may be satisfied by a combination of related efforts through the Regional Monitoring Program or other similar collaborative efforts. Dischargers shall describe the progress of their efforts in the Annual Self-Monitoring Report. Alternatively, the Bay Area Clean Water Agencies (BACWA) may fulfill the annual reporting requirement by providing a summary of annual risk reduction program efforts for agencies that choose to participate through BACWA.

The Delta Mercury Exposure Reduction Program (MERP) is getting underway. Its stakeholders have expressed willingness to work with BACWA to provide an opportunity for BACWA to fulfill its permit obligations without becoming involved in the details of a public health campaign. Regional Water Board staff from Regions 2 and 5 have approached BACWA and asked if we would be willing to fund a community-based grant program, whereby NGOs run educational events targeted at specific at-risk demographics. The grant selection process would be run through the Delta MERP, but funding would come directly from BACWA. This would address the Regional Water Board's administrative difficulties with providing funds to these groups.

The Regional Water Board is waiting for BACWA to propose a dollar figure for our effort in this permit term. BACWA provided \$100,000 over the previous permit term. WSPA has stated its willingness to make a small contribution as well (\$10% of whatever BACWA proposes). BAASMA has stated that they are not willing to make further contributions, but their Municipal Regional Permit is being reissued this year and may include a renewed risk reduction requirement.

In the last permit cycle, \$100,000 was allocated to the community-based grants program, as follows:

Funded Groups	Total
APA Family Support Services	\$26,250
California Indian Environmental Alliance (CIEA)	\$26,250
Greenaction for Health and Environmental Justice	\$26,250
Kids for the Bay (KftB)	\$21,250
Total	\$100,000

The following are the recommendations for "next steps" from the 2012 Fish Project Final Report, pertaining to the Grant Program:

- Continue to target women ages 18-45, children (including students), families, fish consumers, anglers.
- Increase opportunities for collaboration among funded groups to share ideas and resources. Consider making some of these activities mandatory.
- Improve timeliness of developing educational materials and improve schedule, timing, and

Risk Reduction Update
March 11, 2014

coordination of activities. [Note: These points were mentioned because delays in completing the advisory brochure translations and evaluation tools were a problem for the funded group].

- Provide more evaluation support. Seek increased consistency in reporting practices among groups.
- Develop more in-depth training for funded groups to increase their technical knowledge and their ability to teach others.
- Revise and update evaluation reporting forms for consistency and clarity.
- Continue to provide funding for community based organizations to provide outreach and education in their communities.
- Seek to incorporate more interactive and activity centered components within training activities.
- Explore ways to incorporate longer-term follow up activities within funded group projects in order to document behavior change. This might require a longer time frame for the overall projects (e.g., 18 months rather than 12 months).

SUPPORTING MATERIAL

The documents related to the CDPH's risk reduction report from the previous permit are viewable here:

<https://bacwa.box.com/s/hurlfsb4c6eezlpjnhvx>

Delta Mercury Exposure Reduction Program Webpage:

http://www.waterboards.ca.gov/rwqcb5/water_issues/tmdl/central_valley_projects/delta_hg/hg_exposure_reduction/index.shtml

1 **GUTRIDE SAFIER LLP**
ADAM J. GUTRIDE (State Bar No. 181446)
2 SETH A. SAFIER (State Bar No. 197427)
3 KRISTEN G. SIMPLICIO (State Bar No. 263291)
835 Douglass Street
4 San Francisco, California 94114
Telephone: (415) 271-6469
5 Facsimile: (415) 449-6469

6 Attorneys for Plaintiff

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 COUNTY OF SAN FRANCISCO

9
10 JENNIFER DAVIDSON, an individual, on behalf of
herself, the general public and those similarly situated

11 Plaintiff,

12 v.

13 KIMBERLY-CLARK CORPORATION; KIMBERLY-
14 CLARK WORLDWIDE, INC.; KIMBERLY-CLARK
15 GLOBAL SALES LLC; AND DOES 1 THROUGH 50

16 Defendants

CASE NO.

UNLIMITED CIVIL CASE

CLASS ACTION COMPLAINT
FOR VIOLATION OF THE
CALIFORNIA CONSUMERS
LEGAL REMEDIES ACT;
FALSE ADVERTISING;
FRAUD, DECEIT, AND/OR
MISREPRESENTATION; AND
UNFAIR BUSINESS PRAC-
TICES

JURY TRIAL DEMANDED

19
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1 Jennifer Davidson, by and through her counsel, brings this Class Action Complaint
2 against Defendants Kimberly-Clark Corporation, Kimberly-Clark Worldwide, Inc., and
3 Kimberly-Clark Global Sales, LLC on behalf of herself and those similarly situated, for violations
4 of the Consumer Legal Remedies Act, false advertising, unfair trade practices, and fraud, deceit
5 and/or misrepresentation. The following allegations are based upon information and belief,
6 including the investigation of Plaintiff’s counsel, unless stated otherwise.

7 **INTRODUCTION**

8 1. Defendants deceptively market several lines of personal hygiene moistened wipes
9 (“wipes”) as “flushable.” They charge a premium for these wipes, as compared to both toilet
10 paper and to wipes that are not marketed as “flushable.” In fact, the allegedly “flushable” wipes
11 are not suitable for disposal by flushing down a toilet as they routinely damage or clog pipes,
12 septic systems, and sewage pumps; they do not disperse, disintegrate, or biodegrade like toilet
13 paper; and they are not regarded by municipal sewage systems as appropriate to flush down a
14 toilet. Defendants do not disclose any of these facts. Thus, Defendants mislead consumers into
15 believing that the products are suitable for disposal by flushing down a toilet and into paying a
16 premium price for the products that they would not otherwise pay. Defendants’ actions also
17 cause significant harm to municipal wastewater treatment systems. Defendants obtained
18 substantial profits from these deceptive sales. This action seeks to require Defendants to pay
19 restitution and damages to purchasers of the wipes, to remove the word “flushable” from their
20 packaging and marketing, and to affirmatively inform purchasers that the wipes are not suitable
21 for flushing down a toilet.

22 **PARTIES**

23 2. Jennifer Davidson (“Plaintiff”) is, and at all times alleged in this Class Action
24 Complaint was, an individual and a resident of San Francisco, California.

25 3. Defendant Kimberly-Clark Corporation is a corporation incorporated under the
26 laws of the Delaware, having principal places of business in Neenah, Wisconsin.

27 4. Defendant Kimberly-Clark Worldwide, Inc. is a corporation incorporated under
28 the laws of the Delaware, having principal places of business in Irving, Texas and Neenah,

1 Wisconsin.

2 5. Defendant Kimberly-Clark Global Sales, LLC is a corporation incorporated under
3 the laws of the Delaware, having principal places of business in Irving, Texas.

4 6. The true names and capacities of Defendants sued as Does 1 through 50 inclusive
5 are unknown to Plaintiff, who therefore sues said Defendants by such fictitious names pursuant to
6 section 474 of the California Code of Civil Procedure. Plaintiff will seek leave of Court to amend
7 this Class Action Complaint when said true names and capacities have been ascertained.

8 7. The Parties identified in paragraphs 3-5 of this Class Action Complaint are
9 collectively referred to hereafter as “Defendants” or “Kimberly-Clark.”

10 8. At all times herein mentioned, each of the Defendants was the agent, servant,
11 representative, officer, director, partner or employee of the other Defendants and, in doing the
12 things herein alleged, was acting within the scope and course of his/her/its authority as such
13 agent, servant, representative, officer, director, partner or employee, and with the permission and
14 consent of each Defendant.

15 9. At all times herein mentioned, Defendants, and each of them, were members of,
16 and engaged in, a joint venture, partnership and common enterprise, and acting within the course
17 and scope of, and in pursuance of, said joint venture, partnership and common enterprise.

18 10. At all times herein mentioned, the acts and omissions of Defendants, and each of
19 them, concurred and contributed to the various acts and omissions of each and all of the other
20 Defendants in proximately causing the injuries and damages as herein alleged.

21 11. At all times herein mentioned, Defendants, and each of them, ratified each and
22 every act or omission complained of herein. At all times herein mentioned, the Defendants, and
23 each of them, aided and abetted the acts and omissions of each and all of the other Defendants in
24 proximately causing the damages, and other injuries, as herein alleged.

25 **JURISDICTION AND VENUE**

26 12. This action is brought by Plaintiff pursuant, *inter alia*, to the California Business
27 and Professions Code, section 17200, *et seq.* Plaintiff and Defendants are “persons” within the
28 meaning of the California Business and Professions Code, section 17201.

1 13. The injuries, damages and/or harm upon which this action is based, occurred or
2 arose out of activities engaged in by Defendants within, affecting, and emanating from, the State
3 of California.

4 14. Defendants have engaged, and continue to engage, in substantial and continuous
5 business practices in the State of California, including in San Francisco County.

6 15. In accordance with California Civil Code Section 1780(d), Plaintiff concurrently
7 files herewith a declaration establishing that, in [], she purchased at least one Kimberly-Clark
8 product in San Francisco. (Plaintiff's declaration is attached hereto as Exhibit A.)

9 16. Plaintiff accordingly alleges that jurisdiction and venue are proper in this Court.

10 **SUBSTANTIVE ALLEGATIONS**

11 **(1) Defendants Market and Sell "Flushable" Wipes**

12 17. Defendants are manufacturers and marketers of consumer product goods,
13 particularly paper products, including toilet paper, tissues, paper towels, feminine hygiene
14 products, diapers, and baby wipes. Their products are widely available for purchase in
15 supermarkets, drug stores, and other retailers. Among their biggest brands are Kleenex, Scott,
16 Huggies, and Kotex. Other brands include Viva, Thick & Thirsty, Poise, Depends, and
17 Cottonelle.

18 18. Among the products manufactured by Defendants are a variety of pre-moistened
19 cloths, known as wet wipes, wipes, or moist towelettes, that can be used for personal hygiene,
20 child care needs, pet care, or cleaning. This case focuses on five such pre-moistened cloths
21 manufactured and marketed by Kimberly-Clark. These products are:

- 22 a. Kleenex® Cottonelle® Fresh Care Flushable Wipes & Cleansing Cloths
23 ("Cottonelle Wipes")
- 24 b. Scott Naturals® Flushable Moist Wipes ("Scott Wipes")
- 25 c. Huggies® Pull-Ups® Flushable Moist Wipes ("Huggies Wipes")
- 26 d. U by Kotex® Refresh flushable wipes ("Kotex Wipes")

27 In this complaint, these products will be collectively referred to as the "Flushable Wipes."

28 19. Through the use of intentional misrepresentations and selective omissions,

1 Defendants deceptively mislead consumers to believe that these products are in fact flushable.
2 None of the products are safe and appropriate for flushing down a toilet, as the “Flushable Wipes”
3 do not disintegrate or disperse quickly like toilet paper. Rather, even under optimal, lab-simulated
4 conditions, the Flushable Wipes take hours to begin to break down.

5 20. Specifically, as a result of the slow dispersement process, the Flushable Wipes,
6 when subjected to ordinary, consumer use, routinely (1) clog pipes; (2) do not properly break
7 down properly in septic tanks and cause damage septic pumps; and (3) cause blockages and
8 damage to municipal sewage lines and pumps, often due to proclivity of the Flushable Wipes to
9 tangle with each other, tree branches, rocks, and other non-flushable items, and form large masses
10 or ropes.

11 **(1)(a) All of Defendants’ Flushable Wipes Are Deceptively Advertised As “Flushable”**

12 21. All of the Flushable Wipes packages state that the product is “flushable” but the
13 Flushable Wipes are not, in fact, suitable for flushing down a toilet.

14 22. As defined by Webster’s Dictionary, “Flushable” means “suitable for disposal by
15 flushing down a toilet.”

16 23. Many objects and materials theoretically will pass from the toilet to the pipes after
17 one flushes, such as food scraps, jewelry, small toys, or cotton swabs, but that does not make such
18 objects or materials “flushable.” Rather, the word “flushable” means in reasonable usage not just
19 that the object or material will pass from the toilet to the pipes, but that the object or material is
20 *appropriate or suitable* to flush down a toilet for purposes of passing into the sewer or septic
21 system. For example, the Merriam-Webster dictionary gives the following as the sole definition
22 of “flushable: *suitable* for disposal by flushing down a toilet.” See <http://www.merriam->
23 [webster.com/dictionary/flushable](http://www.merriam-webster.com/dictionary/flushable), last visited Feb. 27, 2014 (emphasis added).

24 24. The Water Environment Federation (WEF), a nonprofit association of water quali-
25 ty professionals, has explained how Defendants are misusing the word “flushable”:

26 The industry reference for dispersability is two-ply toilet paper ... [which] starts
27 to break apart when the toilet is flushed and is indistinguishable in the wastewater
28 system in a matter of seconds...Anything labeled as flushable should start to
break apart during the flush and completely disperse within 5 minutes... Our
mantra is, ‘It’s not flushable if it’s not dispersible’ . . .

1 See <http://news.wef.org/stop-dont-flush-that/> (last accessed February 26, 2014) (internal quota-
2 tions omitted). WEF further reports that consumers flush nondispersible wipes because they are
3 “misabeled” as “flushable,” when they do not disperse like toilet paper. *Id.*

4 25. Municipal water facilities and water protection organizations, and related
5 associations are in agreement with WEF that the only product other than human excrement
6 suitable for disposal down a toilet is toilet paper. For example, the California Association of
7 Sanitation Agencies has stated:

8 Many personal hygiene wipes and cleaning products are marketed as being
9 “flushable.” But despite the confusing and misleading labels you should never
10 flush “flushable” or “disposable” products. No matter what a label says, the only
11 items you should flush are human waste and toilet paper. Just because something
12 disappears down your toilet doesn’t mean it won’t cause a problem in your sewer
13 pipe—or further down the line at wastewater treatment facilities. Items labeled as
14 “flushable” or “disposable” (even “bio-degradable” ones) can get caught on roots
15 in sewer pipes and contribute to blockages, back-ups, and overflows.

16 Dispose of them in the trash, not the toilet!

17 See <http://www.casaweb.org/flushable-wipes> (last accessed February 24, 2014).

18 26. San Francisco Public Utilities Commission officials have stated that with the ex-
19 ception of toilet paper and human waste, “Everything else should go in the trash” and should not
20 be flushed. See [http://www.sfexaminer.com/sanfrancisco/flushable-wipes-cause-problematic-
21 backups-at-local-sewage-plants/Content?oid=2514283](http://www.sfexaminer.com/sanfrancisco/flushable-wipes-cause-problematic-backups-at-local-sewage-plants/Content?oid=2514283) (last accessed February 24, 2014).

22 27. The East Bay Municipal Utility District states:

23 **Non-Flushable Wipes and Products**

24 *No matter if the label says "disposable" or "flushable," cleaning and personal hy-
25 giene products should never be flushed.*

26 “Disposable” or “flushable” wipes and other products don't breakdown in the
27 sewer. Instead, they get tangled and clumped in hair and debris creating massive
28 obstructions in the sewers. **Remember... your toilet is not a trash can!**

See [https://www.ebmud.com/water-and-wastewater/pollution-prevention/residential-pollution-
prevention](https://www.ebmud.com/water-and-wastewater/pollution-prevention/residential-pollution-prevention) (last accessed February 26, 2014).

29 28. The City of Carlsbad Wastewater Superintendent Don Wasko has stated:

They may be called flushable, but they can do severe damage to our sewer system
. . . These cloth wipes don’t break down in the sewer system the same way that

toilet paper does.

1
2 See <http://news.carlsbadca.gov/news/flushable-wipes-and-other-things-you-should-not-flush> (last
accessed February 24, 2014).

3 29. Wastewater treatment utilities outside of California have issued similar statemetns.
4 For example, in Contra Costa, Colorado, the Central Contra Costa Sanitary District has said that
5 the wipes are not flushable, and rather, “The reason they’re a problem is that they don’t break
6 down as quickly as toilet paper and that’s really the standard for flush-ability, as far as we’re
7 concerned.” See [http://sanfrancisco.cbslocal.com/2013/07/17/cleaning-wipes-used-in-homes-and-](http://sanfrancisco.cbslocal.com/2013/07/17/cleaning-wipes-used-in-homes-and-offices-clogging-bay-area-sewer-pipes/)
8 [offices-clogging-bay-area-sewer-pipes/](http://sanfrancisco.cbslocal.com/2013/07/17/cleaning-wipes-used-in-homes-and-offices-clogging-bay-area-sewer-pipes/) (last accessed February 24, 2014).

9 30. Similarly, Pima County, Arizona, issued a release that stated that, “Unfortunately,
10 disposable wipes are rarely, if ever, biodegradable in the sanitary sewer system. They just aren’t
11 in there long enough to break down.” See [http://www.insidetucsonbusiness.com/blogs/save-](http://www.insidetucsonbusiness.com/blogs/save-yourselfes-stop-flushing-flushable-wipes/article_e4db48de-312f-11e3-843e-001a4bcf887a.html)
12 [yourselfes-stop-flushing-flushable-wipes/article_e4db48de-312f-11e3-843e-001a4bcf887a.html](http://www.insidetucsonbusiness.com/blogs/save-yourselfes-stop-flushing-flushable-wipes/article_e4db48de-312f-11e3-843e-001a4bcf887a.html)
13 (last accessed February 24, 2014).

14 31. Despite the fact that wastewater treatment professionals and municipalities are in
15 broad agreement that Defendants’ Flushable Wipes are not suitable for flushing down a toilet
16 because it does not disperse like toilet paper and causes damage to pipes, septic tanks, and sewage
17 systems, Defendants market and advertise the Flushable Wipes in a way that is inconsistent with
18 this accepted definition of “flushable.”

1 32. For example, on the front of the Cottonelle Wipes package, Defendants advertise
2 the product as “FLUSHABLE MOIST WIPES” or as “flushable cleansing cloths.”



21
22 One of the packages falsely represents that the wipes are “SEWER AND SEPTIC SAFE.*” No
23 disclaimer appears to be associated with the asterisk. On the back of the package, Defendants
24 falsely represent that “Cottonelle Fresh Care Flushable Cleansing Cloths break up after flushing.”
25 On the backs of some packages of the Cottonelle Wipes, Defendants further state, “For best
26 results, flush only one or two cloths at a time,” but this warning does not appear on all packages,
27 such as the smaller, travel size package of wipes. Nowhere on the package do Defendants
28 disclose that the wipes are not suitable for disposal by flushing down a toilet, and rather, are not

1 regarded as flushable by municipal sewage systems as the Flushable Wipes routinely damage or
2 clog pipes, septic systems, and sewage pumps and do not disperse, disintegrate, or biodegrade like
3 toilet paper.

4 33. On the website for the Cottonelle Wipes, Defendants falsely inform consumers
5 that the “flushable wipes use a patented dispersible technology, which means that when used as
6 directed they break up after flushing and clear properly maintained toilets, drainlines, sewers,
7 pumps, and septic and municipal treatment systems.” See
8 <https://www.cottonelle.com/products/cottonelle-fresh-care-flushable-moist-wipes> (last accessed
9 February 6, 2014). The website goes on to claim that the Cottonelle Wipes are “Flushable”,
10 “Break up after flushing”, and are “Sewer- and septic-safe.” *Id.* Nowhere on the Cottonelle Wipes
11 website do Defendants disclose that the wipes are not suitable for disposal by flushing down a
12 toilet, and rather, are not regarded as flushable by municipal sewage systems as the Flushable
13 Wipes routinely damage or clog pipes, septic systems, and sewage pumps and do not disperse,
14 disintegrate, or biodegrade like toilet paper.

15 34. On the front of the Scott Wipes package, Defendants advertise the product as
16 “Flushable Cleansing Cloths” and falsely represent that the wipe “breaks up after flushing.”



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27 On the back of the package, Defendants further mislead consumers by informing them that “Scott
28 Naturals* Flushable Cleansing Cloths break up after flushing and are sewer and septic system

1 safe. For best results, flush only one or two cleansing cloths at a time.” No disclaimer appears to
2 be associated with the asterisk. The back of the package also falsely informs the consumer that
3 the “flushable” cloth is “Septic Safe” and “Breaks up after flushing.” Nowhere on the package do
4 Defendants disclose that the wipes are not suitable for disposal by flushing down a toilet, but
5 rather, are not regarded as flushable by municipal sewage systems as they routinely damage or
6 clog pipes, septic systems, and sewage pumps; and do not disperse, disintegrate, or biodegrade like
7 toilet paper.

8 35. On the front of the Huggies Wipes package, Defendants misleadingly describe the
9 product as “flushable moist wipes.”



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20 On the back, Defendants falsely represent that the wipes are “Septic Safe” and “Breaks up after
21 flushing,” and only advise “For best results, flush only one or two wipes at a time.” On the
22 website for the Huggies Wipes, Defendants claim the wipes are “sewer and septic safe and break
23 up quickly after flushing.” Nowhere on the package or website do Defendants disclose that the
24 wipes are not suitable for disposal by flushing down a toilet, and rather, are not regarded as
25 flushable by municipal sewage systems; routinely damage or clog pipes, septic systems, and
26 sewage pumps; and do not disperse, disintegrate, or biodegrade like toilet paper.

27 36. On the front of the Kotex Wipes package, Defendants represent that the product is
28 “flushable.”

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Defendants provide little additional information on the back, only reiterating that the product is “Flushable!” Nowhere on the package do Defendants disclose that the wipes are not suitable for disposal by flushing down a toilet, and rather, are not regarded as flushable by municipal sewage systems; routinely damage or clog pipes, septic systems, and sewage pumps; and do not disperse, disintegrate, or biodegrade like toilet paper.

37. In marketing products to be used as part of a bathroom routine (Cottonelle Wipes and Scott Wipes), as part of feminine hygiene (Kotex Wipes), and as part of potty training (Huggies Wipes), Defendants know that consumers will be more likely to purchase the product in addition to, or instead of, toilet paper if they believed the product could be flushed down the toilet. Thus, for all the Flushable Wipes, Defendants intend for consumers to rely on the fact that the representation that the product is “Flushable.” Defendants further intend for consumers to rely on the omissions that the Flushable Wipes are not suitable for disposal by flushing down a toilet, and that the wipes are not regarded as flushable by municipal sewage systems; routinely damages or clogs pipes, septic systems, and sewage pumps; and do not disperse, disintegrate, or biodegrade like toilet paper.

38. To induce consumers into relying on the false representation that the wipes are “flushable,” Defendants’ ad campaigns routinely inform consumers that the Flushable Wipes are

1 a useful part of good bathroom habit. For example, Defendants have run an advertising campaign
2 entitled “Let’s Talk About Your Bum,” consisting of a webpage and various commercials. The
3 campaign tells consumers that “bums deserve the ultimate in fresh and clean,” and the
4 commercials encourage consumers to use the Flushable Wipes in the bathroom. Similarly,
5 Defendants ran another commercial that featured a woman holding up both toilet paper and
6 Cottenelle Wipes, while her family debated whether the routine of using both in the bathroom
7 should be called “Southern hospitality,” the “clean getaway” or the “freshy fresh.” The result is
8 that consumers believe that the wipes are flushable like toilet paper, when in fact, they are not
9 suitable for flushing down a toilet.

10 39. Defendants’ marketing campaign has been extremely successful. In 2007,
11 Defendants reported to investors that sales for Defendants’ Cottonelle and Scott flushable wipes
12 “continued to grow at a strong double-digit rate.” *See* [http://www.cms.kimberly-](http://www.cms.kimberly-clark.com/umbracoimages/UmbracoFileMedia/2007%20Annual%20Report_umbracoFile.pdf)
13 [clark.com/umbracoimages/UmbracoFileMedia/2007%20Annual%20Report_umbracoFile.pdf](http://www.cms.kimberly-clark.com/umbracoimages/UmbracoFileMedia/2007%20Annual%20Report_umbracoFile.pdf)
14 (last accessed February 24, 2014). And sales of consumer wipes have increased nearly 5 percent
15 a year since they were introduced in 2007, and that rate is expected to grow. *See*
16 [http://www.contracostatimes.com/news/ci_24156213/popular-bathroom-wipes-blamed-sewer-](http://www.contracostatimes.com/news/ci_24156213/popular-bathroom-wipes-blamed-sewer-clogs)
17 [clogs](http://www.contracostatimes.com/news/ci_24156213/popular-bathroom-wipes-blamed-sewer-clogs) (last accessed February 24, 2014). In 2012, the “flushable wipes” market accounted for
18 14% of the \$4 billion a year pre-moistened wipes market, and it is predicted that the market will
19 grow six percent a year for the next few years. *See*
20 [http://www.washingtonpost.com/local/trafficandcommuting/flushable-personal-wipes-clogging-](http://www.washingtonpost.com/local/trafficandcommuting/flushable-personal-wipes-clogging-sewer-systems-utilities-say/2013/09/06/9efac4e6-157a-11e3-a2ec-b47e45e6f8ef_story.html)
21 [sewer-systems-utilities-say/2013/09/06/9efac4e6-157a-11e3-a2ec-b47e45e6f8ef_story.html](http://www.washingtonpost.com/local/trafficandcommuting/flushable-personal-wipes-clogging-sewer-systems-utilities-say/2013/09/06/9efac4e6-157a-11e3-a2ec-b47e45e6f8ef_story.html) (last
22 accessed February 24, 2014).

23 40. As a result of Defendants deceptive advertising, consumers believe that because
24 the Flushable Wipes disappear when flushed down the toilet, they are “flushable,” when in fact
25 the Flushable Wipes do not disperse like toilet paper, and by flushing the Flushable Wipes,
26 consumers risk damaging pipes, septic tanks, and sewage systems.

27 41. Because customers believe the wipes are suitable for flushing down a toilet and
28 purchase them for that convenience, Defendants are able to charge a premium for the Flushable

1 Wipes. For example, a 42-count package of Cottenelle Wipes costs \$4.99 at a Target in Albany,
2 California, whereas a 40-count package of Wet Ones, a popular brand of non-flushable wipes,
3 costs \$2.29. A 51-count package of Scott Naturals retails for \$6.01 on Amazon.com, also
4 considerably more than the Wet Ones, which sell for \$2.99 on that website.

5 42. Similarly, a 24 count package of Kotex Wipes retails for \$4.28 on Amazon.com,
6 whereas a 40 count package of Always® Clean Feminine Wipes, a non-flushable wipe, retails on
7 Amazon.com for \$3.27. And the Kotex Wipes are significantly more expensive than the non-
8 flushable Wet Ones.

9 43. A consumer can buy 420 Huggies Wipes for \$22.49 on Amazon.com. In contrast,
10 a 448 Huggies Soft Skin Baby Wipes, a non-flushable product manufactured by Defendants, sells
11 for \$11.97, half the cost of the “flushable” Huggies Wipes. Other non-flushable baby wipes are
12 similarly much lower priced. For example, a 448 count box of Pampers® Sensitive Wipes sells
13 for \$10.97 on Amazon.com. A 350 count package of the non-flushable Seventh Generation®
14 “Original Soft and Gentle Free & Clear Baby Wipes” sells for \$12.99 on Amazon.com.

15 44. If consumers knew that the Flushable Wipes were not suitable for flushing down a
16 toilet, they would not pay a premium, but rather, would opt to purchase the cheaper, non-
17 flushable items.

18 **(1)(b) All of Defendants’ Wipes Are Manufactured And Packaged the Same Way**

19 45. The Flushable Wipes are all manufactured using the same proprietary paper blend,
20 for which Defendants own the patent. While most paper and many wipes on the market are made
21 through a “wet-laid” process, whereby water is used to bind the fibers, Defendants use what is
22 known as “air-laid” process, which creates much stronger knots of fibers, and will not break down
23 easily when submersed in water. Defendants tout the benefits of their paper, claiming that their
24 patented dispersible technology allows them to be strong in the package and durable for wiping,
25 but to break up after flushing and to clear properly maintained toilets, drain-lines, sewers, pumps,
26 and septic and municipal treatment systems. *See* [http://www.kimberly-](http://www.kimberly-clark.com/safetoflush/faq/SafeToFlushFAQ.pdf)
27 [clark.com/safetoflush/faq/SafeToFlushFAQ.pdf](http://www.kimberly-clark.com/safetoflush/faq/SafeToFlushFAQ.pdf) (last accessed February 24, 2014.) In reality, the
28 paper is not suitable for flushing down a toilet, since it does not break up after flushing, and

1 routinely clogs pipes and pumps.

2 46. A consumer who purchases the Flushable Wipes will find, upon opening the
3 package, sheets of moist paper, dampened by a coating of wet lotion. Unlike toilet paper, which
4 is a dry paper product designed to fall apart in water, all of the Flushable Wipes are sold as pre-
5 moistened products, and thus, the paper used to make them is designed to withstand months of
6 soaking in a wet environment. Because weeks, months, or longer will pass between the time the
7 Flushable Wipe is manufactured and the time at which it is ultimately used by a consumer, the
8 paper used to manufacture the wipes must be strong enough to sit in a still, wet environment for
9 extremely long periods of time. Thus in creating the paper used to manufacture their Flushable
10 Wipes, Defendants must first consider whether the paper is strong enough to withstand months of
11 soaking in wet environment, suggesting that the wipes cannot possibly efficiently disperse when
12 placed in more water.

13 **(1)(c) All Defendants' Wipes Are Subject To The Same Flawed Test**

14 47. For consumers looking for more information on whether their products are truly
15 flushable, Defendants have created a Frequently Asked Questions page on their website. There,
16 they deceptively inform consumers all the Flushable Wipes “are labeled as flushable meet or
17 exceed the current industry guidelines for assessing the flushability of non-woven products.” *See*
18 <http://www.kimberly-clark.com/safetoflush/faq/SafeToFlushFAQ.pdf> (last accessed February 6,
19 2014).

20 48. The “industry guidelines” that Defendants claim their Flushable Wipes satisfy are
21 set by INDA, a lobbying association for manufacturers of flushable wipes, like Defendants.
22 INDA fights aggressively against governmental efforts to regulate the sale of flushable wipes or
23 use of the word “flushable”. The non-mandatory INDA guidelines encourage manufacturers of
24 flushable wipes to conduct a series of seven tests before labelling their products as “flushable.”
25 Closer look at those tests reveals flaws in their design and demonstrates that merely passing these
26 self-serving guidelines does not mean the wipes are flushable.

27 49. For example, Defendants note that their product passes test “FG502” known as the
28 “Slosh Box Disintegration Test.” According to Defendants’ website, the test “[a]ssesses the

1 potential for a product to disintegrate (or break up) when it is subjected to mechanical agitation in
2 water.” See <http://www.kimberly-clark.com/safetoflush/faq/SafeToFlushFAQ.pdf> (last accessed
3 February 24, 2014). To conduct the test, the test material is placed in a box of water. Testers
4 then agitate the water, often by simulating the swirl of a toilet flush or the movement of water in a
5 pipe, and time how long it takes for the test material to disintegrate. Defendants and INDA have
6 agreed that the standard for “passing” this test is not whether the product mimics the easily
7 flushable and dispersible toilet paper or even that the product will break down during a flush.
8 Rather, the test only requires that after **three hours of agitation** in the slosh box, more than **25%**
9 of the wipe passes through a 12.5 millimeter (roughly a half inch) sieve **80%** of the time. See
10 [http://www.njwea.org/pdf/2013-guidelines-for-assessing-the-flushability-of-disposable-](http://www.njwea.org/pdf/2013-guidelines-for-assessing-the-flushability-of-disposable-nonwoven-product.pdf)
11 [nonwoven-product.pdf](http://www.njwea.org/pdf/2013-guidelines-for-assessing-the-flushability-of-disposable-nonwoven-product.pdf) (last accessed February 24, 2014) (emphasis added). In other words, the
12 test is still *passed even if after more than **three hours of agitation**, nearly **three-quarters** of the*
13 *material is **unable** to pass through the pipe.*

14 50. When subject to the Slosh Box Disintegration Test, a typical piece of toilet paper
15 begins to break down as soon as the water in the slosh box begins to move, and is completely
16 disintegrated within in a few seconds. See [http://www.consumerreports.org/cro/video-hub/home--](http://www.consumerreports.org/cro/video-hub/home-garden/bed--bath/are-flushable-wipes-flushable/16935265001/22783507001/)
17 [garden/bed--bath/are-flushable-wipes-flushable/16935265001/22783507001/](http://www.consumerreports.org/cro/video-hub/home-garden/bed--bath/are-flushable-wipes-flushable/16935265001/22783507001/) (last accessed
18 February 21, 2014). Thus, when flushed down a toilet, toilet paper will likely break into particles
19 within seconds after flushing. (Id.) In comparison, the Flushable Wipes do not even begin to
20 disintegrate quickly. (Id.) Rather, Defendants’ own website reveals that they begin to break down
21 in 35 minutes, and take hours to completely disperse. See [http://www.kimberly-](http://www.kimberly-clark.com/newsroom/media_resources/safetoflush.aspx?print=true)
22 [clark.com/newsroom/media_resources/safetoflush.aspx?print=true](http://www.kimberly-clark.com/newsroom/media_resources/safetoflush.aspx?print=true) (last accessed February 21,
23 2014). Despite not dispersing like toilet paper, Defendants advertise and sell a wipe “flushable”
24 even if most of it is still in tact after hours of agitation.

25 51. While Defendants represent that the wipes’ rate of disintegration roughly mimic
26 the amount of time it takes for a wipe to reach the sewage treatment plant, wastewater utility
27 officials say that wipes can reach a sewage treatment pump in much less time, sometimes as
28 quickly as a few minutes. See

1 [http://www.washingtonpost.com/local/trafficandcommuting/flushable-personal-wipes-clogging-](http://www.washingtonpost.com/local/trafficandcommuting/flushable-personal-wipes-clogging-sewer-systems-utilities-say/2013/09/06/9efac4e6-157a-11e3-a2ec-b47e45e6f8ef_story.html)
2 [sewer-systems-utilities-say/2013/09/06/9efac4e6-157a-11e3-a2ec-b47e45e6f8ef_story.html](http://www.washingtonpost.com/local/trafficandcommuting/flushable-personal-wipes-clogging-sewer-systems-utilities-say/2013/09/06/9efac4e6-157a-11e3-a2ec-b47e45e6f8ef_story.html) (last
3 accessed February 24, 2014). Further, the moist lotion used in manufacturing the wipes results in
4 them traveling faster through sewer pipes than ordinary products. *See*
5 [http://www.woai.com/articles/woai-local-news-119078/disposable-wipes-causing-nightmare-for-](http://www.woai.com/articles/woai-local-news-119078/disposable-wipes-causing-nightmare-for-san-11718265/)
6 [san-11718265/](http://www.woai.com/articles/woai-local-news-119078/disposable-wipes-causing-nightmare-for-san-11718265/) (last accessed February 26, 2014).

7 52. Because the wipes are always intact after a few minutes, and largely intact even
8 after hours of agitation, they arrive at the sewage treatment pump intact, where they create the
9 problems described in paragraphs 57-68.

10 53. Nearly all the tests are further flawed as they do not simulate real-world
11 conditions. Sewer systems typically move sewage to the plant via gravity. (Id.) The flowing
12 water is not as hard on the wipes as the agitating water in some of Defendants' tests, meaning that
13 they will not break down as quickly in the pipes as they do in Defendants' lab simulated tests.
14 (Id.) For example, both the Slosh Box test described in paragraph 49 and FG505, the "Aerobic
15 Biodisintegration" test, assess the wipes' abilities to disintegrate under constantly agitated water.
16 *See* [http://www.njwea.org/pdf/2013-guidelines-for-assessing-the-flushability-of-disposable-](http://www.njwea.org/pdf/2013-guidelines-for-assessing-the-flushability-of-disposable-nonwoven-product.pdf)
17 [nonwoven-product.pdf](http://www.njwea.org/pdf/2013-guidelines-for-assessing-the-flushability-of-disposable-nonwoven-product.pdf) (last accessed February 24, 2014). Since the Flushable Wipes are unlikely
18 to be subjected to the same agitating water as they are subjected to in Defendants' lab, the tests
19 are not reliable predictors of whether the Flushable Wipes are suitable for flushing down a toilet.
20 The result is that many of the Flushable Wipes arrive at the sewage treatment plant in tact or
21 insufficiently broken down.

22 54. The tests are further flawed in that they fail to take into account the wipes
23 propensity for "ragging." After being flushed down the toilet, the Flushable Wipes have a
24 propensity to tangle amongst one another and with other debris, and form long ropes that can fill
25 sewer lines for tens of feet. *See*
26 [http://www.hsconnect.com/page/content.detail/id/590706/Concerns-on-wipes-no-laughing-](http://www.hsconnect.com/page/content.detail/id/590706/Concerns-on-wipes-no-laughing-matter.html?nav=5005)
27 [matter.html?nav=5005](http://www.hsconnect.com/page/content.detail/id/590706/Concerns-on-wipes-no-laughing-matter.html?nav=5005) (last accessed February 24, 2014). The tests however, assume that wipes
28 are passing through pipes and pumps one at a time, instead of in clumps of rags and ropes. For

1 example, while the Slosh Box Disintegration Test only considers what one wipe will do, there
2 will often be multiple wipes in a pipe at a time. The bigger the mass of wipes, the slower the
3 disintegration time. *See* [http://www.washingtonpost.com/local/trafficandcommuting/flushable-
6 personal-wipes-clogging-sewer-systems-utilities-say/2013/09/06/9efac4e6-157a-11e3-a2ec-
7 b47e45e6f8ef_story.html](http://www.washingtonpost.com/local/trafficandcommuting/flushable-
4 personal-wipes-clogging-sewer-systems-utilities-say/2013/09/06/9efac4e6-157a-11e3-a2ec-
5 b47e45e6f8ef_story.html) (last accessed February 24, 2014).

8 55. The test FG507, the Municipal Pump Test, which evaluates the wipes’
9 “compatibility” with municipal pumping systems, is flawed for the same reason. To conduct that
10 test, Defendants simply feed one wipe into the pump every ten seconds. *See*
11 http://www.kimberly-clark.com/newsroom/media_resources/safetoflush.aspx (last accessed
12 February 24, 2014). Because the wipes will likely entangle with other wipes and debris, the test
13 is a poor predictor of the wipes “compatibility” with municipal pumping systems.

14 **Because the Flushable Wipes Are Not Suitable For Flushing Down a Toilet, They Wreck**
15 **Havoc On Municipal Sewage Treatment Facilities**

16 56. Municipalities all over the country have experienced numerous problems from
17 Defendants’ Flushable Wipes.

18 57. In Bakersfield, California, crews of three or four workers must regularly visit the
19 city’s 52 sewage lift stations to cut up the balls of wipes that clog the lift stations. If they do not,
20 there is a risk that back flow damage will spill inside homes. Mike Connor, Street Superintendent at
21 Public Works in Bakersfield has stated “There’s no safe brand for disposables, none of them
22 break down.” *See* [http://www.turnto23.com/news/local-news/bakersfield-sewer-systems-keep-
24 getting-clogged-because-of-flushable-bathroom-wipes-092413](http://www.turnto23.com/news/local-news/bakersfield-sewer-systems-keep-
23 getting-clogged-because-of-flushable-bathroom-wipes-092413) (last accessed February 21, 2014).
25 The city has documented one of the clogs:
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10 58. In Orange County, California, the Sanitation District recorded 971 “de-ragging”
11 maintenance calls to remove wipes from ten pump stations in a single year at a cost of \$320,000.
12 [http://www.contracostatimes.com/news/ci_24156213/popular-bathroom-wipes-blamed-sewer-](http://www.contracostatimes.com/news/ci_24156213/popular-bathroom-wipes-blamed-sewer-clogs)
13 [clogs](http://www.contracostatimes.com/news/ci_24156213/popular-bathroom-wipes-blamed-sewer-clogs), last accessed February 24, 2014.

14 59. The San Francisco Public Utilities Commission has documented the pipe-clogging
15 wipes that the crews must break up:



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25 [http://www.sfexaminer.com/sanfrancisco/flushable-wipes-cause-problematic-backups-at-local-](http://www.sfexaminer.com/sanfrancisco/flushable-wipes-cause-problematic-backups-at-local-sewage-plants/Content?oid=2514283)
26 [sewage-plants/Content?oid=2514283](http://www.sfexaminer.com/sanfrancisco/flushable-wipes-cause-problematic-backups-at-local-sewage-plants/Content?oid=2514283), last accessed February 24, 2014. The city spends \$160,000
27 a year to remove wipes and debris. *Id.*

28 60. In 2012, thirty percent of the sewage overflows in Contra Costa County were

1 caused by “flushable wipes.” [http://articles.chicagotribune.com/2013-10-08/news/ct-tl-1010-s-](http://articles.chicagotribune.com/2013-10-08/news/ct-tl-1010-s-tinley-park-flushables-20131009_1_baby-wipes-flushable-toilet-paper)
2 [tinley-park-flushables-20131009_1_baby-wipes-flushable-toilet-paper](http://articles.chicagotribune.com/2013-10-08/news/ct-tl-1010-s-tinley-park-flushables-20131009_1_baby-wipes-flushable-toilet-paper), last accessed February 24,
3 2014. At one sanitation district in Contra Costa County, workers take apart pumps approximately
4 30 times a year to detangle debris. Before flushable wipes were introduced, such repairs were
5 necessary just six times a year. *See* [http://www.casaweb.org/news/unwelcome-junk-keeps-sewer-](http://www.casaweb.org/news/unwelcome-junk-keeps-sewer-line-workers-busy)
6 [line-workers-busy](http://www.casaweb.org/news/unwelcome-junk-keeps-sewer-line-workers-busy) (last accessed February 26, 2014).

7 61. In El Dorado Hills, California, a recent sewage spill was found to be caused in
8 large part by disposable wipes. The result was not only extra maintenance costs, but the city was
9 fined by the state for the spill. *See* [http://www.mtdemocrat.com/news/flushable-wipes-clog-](http://www.mtdemocrat.com/news/flushable-wipes-clog-pipes-trash-them-instead/)
10 [pipes-trash-them-instead/](http://www.mtdemocrat.com/news/flushable-wipes-clog-pipes-trash-them-instead/) (last accessed February 24, 2014).

11 62. Outside of California, the story is much the same. For example, the city of
12 Vancouver, Washington, has been forced to spend more than \$1 million over the last five years to
13 respond to problems creating from the increased use of “flushable” wipes. *See*
14 <http://www.kctv5.com/story/23508880/flushable-wipes-clog-sewer-lines> (last accessed February
15 26, 2014). In particular, the city has spent \$810,000 on new equipment, \$140,00 on electricity
16 wasted through inefficiencies created by running clogged pumps, \$480,000 in field labor to
17 unclog pumps, and about \$100,000 in engineering and administrative support. *See*
18 <http://news.wef.org/wipes-in-pipes-cause-costly-problems-for-water-resource-recovery-facilities/>
19 (last accessed February 26, 2014).

20 63. In Illinois, the Downers Grove Sanitary District spent \$30,000 last year to repair a
21 pump clogged by wipes, and additional \$5,000 to install vibration monitoring equipment to alert
22 staff to new blockages. *See* [http://news.wef.org/wipes-in-pipes-cause-costly-problems-for-water-](http://news.wef.org/wipes-in-pipes-cause-costly-problems-for-water-resource-recovery-facilities/)
23 [resource-recovery-facilities/](http://news.wef.org/wipes-in-pipes-cause-costly-problems-for-water-resource-recovery-facilities/) (last accessed February 26, 2014). Despite this upgrade, the wipes
24 continue to accumulate in the lift station, additional equipment may need to be installed. *Id.*

25 64. Outside of Washington, D.C., the Washington Suburban Sanitary Commission has
26 spent more than \$1 million over five years installing heavy duty grinders to try to address the
27 problem. [http://www.contracostatimes.com/news/ci_24156213/popular-bathroom-wipes-blamed-](http://www.contracostatimes.com/news/ci_24156213/popular-bathroom-wipes-blamed-sewer-clogs)
28 [sewer-clogs](http://www.contracostatimes.com/news/ci_24156213/popular-bathroom-wipes-blamed-sewer-clogs), last accessed February 24, 2014. In addition, the organization has started using a

1 modified shopping cart to catch the wipes before they reach the pumps and clog equipment,
2 which arrive intact at the treatment facility:



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10 65. Once at the municipal treatment plant, the wipes will clog pipes and pumps. It can
11 take hours to unclog them, and is very expensive. The city of Jacksonville Beach estimates that
12 the consumers are paying for the wipes multiple times – in plumbing costs and increased tax
13 expenditures. See [http://www.news4jax.com/news/officials-flushable-wipes-clog-pipes/-](http://www.news4jax.com/news/officials-flushable-wipes-clog-pipes/-/475880/23740904/-/t5h2vrz/-/index.html)
14 [/475880/23740904/-/t5h2vrz/-/index.html](http://www.news4jax.com/news/officials-flushable-wipes-clog-pipes/-/475880/23740904/-/t5h2vrz/-/index.html) (last accessed February 26, 2014). The city has released
15 a photo that demonstrates the extent to which the wipes have clogged the pumps:



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21 *Id.*

22 66. In Hillsborough, Florida, the sewage treatment facility has hooked ropes to pumps
23 that are plagued by clogs from the wipes. Every day, teams of plant maintenance mechanics and
24 other workers remove the wipes using the hooks, so that they can cut and untangle the wipes,
25 which resemble “mop strings”, using pliers, screwdrivers, and cutters.
26 [http://www.tampabay.com/news/humaninterest/flushable-bathroom-wipes-get-blame-for-sewer-](http://www.tampabay.com/news/humaninterest/flushable-bathroom-wipes-get-blame-for-sewer-clogs/2144911)
27 [clogs/2144911](http://www.tampabay.com/news/humaninterest/flushable-bathroom-wipes-get-blame-for-sewer-clogs/2144911) (last accessed February 21, 2014).

28 67. In San Antonio, Texas, the San Antonio Water System has said that flushable

1 wipes are clogging up sewers in ways in which sewer workers have never seen before. See
2 [http://www.woai.com/articles/woai-local-news-119078/disposable-wipes-causing-nightmare-for-](http://www.woai.com/articles/woai-local-news-119078/disposable-wipes-causing-nightmare-for-san-11718265/)
3 [san-11718265/](http://www.woai.com/articles/woai-local-news-119078/disposable-wipes-causing-nightmare-for-san-11718265/) (last accessed February 26, 2014). Sewer workers are responding to dozens of
4 clogs, and to repair, they retrieve large “rope like mass[es]” from the pipes. *Id.*

5 68. In Arkansas, the Jacksonville Wastewater Utility has found that wipes wreck the
6 most havoc on pumps, causing thousands of dollars in damages. Years ago, the town would
7 remove pump clogs once or twice a year, but since the flushable wipes have become popular
8 amongst consumers, the town must remove pump clogs several times a month. *See*
9 [http://www.arkansasmatters.com/story/wastewater-treatment-facilities-waging-war-with-](http://www.arkansasmatters.com/story/wastewater-treatment-facilities-waging-war-with-wipes/d/story/1ZNQd1uAZECshHMb5daErA)
10 [wipes/d/story/1ZNQd1uAZECshHMb5daErA](http://www.arkansasmatters.com/story/wastewater-treatment-facilities-waging-war-with-wipes/d/story/1ZNQd1uAZECshHMb5daErA) (last accessed February 26, 2014). The city spends
11 thousands a year in fixing pump clogs. *Id.*

12 69. Defendants repeatedly have insisted that these problems are caused by other non-
13 flushable products, and not their wipes. In response, Contra Costa sewer officials dyed several
14 kinds of wipes to see what happens once they enter the sewer system, and found that wipes
15 labeled “flushable” were still intact after traveling a mile through sewage pipes.
16 [http://www.contracostatimes.com/news/ci_24156213/popular-bathroom-wipes-blamed-sewer-](http://www.contracostatimes.com/news/ci_24156213/popular-bathroom-wipes-blamed-sewer-clogs)
17 [clogs](http://www.contracostatimes.com/news/ci_24156213/popular-bathroom-wipes-blamed-sewer-clogs), last accessed February 24, 2014.

18 **PLAINTIFF’S EXPERIENCE**

19 70. In 2013, Plaintiff desired to purchase moist wipes for household use. While
20 shopping for wipes at her local Safeway in San Francisco, California, Plaintiff came across
21 Defendant’s Scott Naturals® Flushable Moist Wipes. Seeing that the wipes had the word
22 “Flushable” on the front of the package and that the product was more expensive than other wipes
23 that did not have that word, she believed that the product had been specially designed to be
24 suitable for flushing down her toilet, without causing problems in her plumbing or at the water
25 treatment plant. (Several years prior to her purchase, Plaintiff had visited San Francisco’s sewage
26 treatment plant as part of a school trip, and she learned there that people frequently flush things
27 that should not be flushed, which causes many problems with the wastewater treatment.) She
28 reviewed both the front and back of the package and did not see anything that would lead her to

1 believe that the wipes were not in fact suitable for flushing. Because she believed it would be
2 easier and more sanitary to flush the wipes than to dispose of them in the garbage, she decided to
3 pay the higher price, and she purchased the Scott Wipes for a few dollars.

4 71. Plaintiff began using the wipes. She noticed that each individual wipe felt very
5 sturdy and thick, unlike toilet paper. She also noticed that the wipes did not break up in the toilet
6 bowl like toilet paper but rather remained in one piece. After several uses of the wipes, she began
7 to seriously doubt that they were truly flushable. So she stopped flushing the wipes and stopped
8 using the product altogether.

9 72. Plaintiff has not purchased any of Defendants' "flushable" products since.

10 73. Had Defendants not misrepresented (by omission and commission) the true nature
11 of their "Flushable" Products, Plaintiff would not have purchased Defendants' product or, at a
12 very minimum, she would have paid less for the product since she would not be obtaining the
13 benefit of being able to flush it.

14 CLASS ALLEGATIONS

15 74. Plaintiff brings this action against Defendants on behalf of herself and all others
16 similarly situated, as a class action pursuant to section 382 of the California Code of Civil
17 Procedure and section 1781 of the California Civil Code. Plaintiff seeks to represent a group of
18 similarly situated persons (the "Class"), defined as follows:

19 All persons who, between March __, 2010 and the present, purchased, in Cali-
20 fornia, any of the following products: Cottonelle® Fresh Care Flushable
21 Wipes & Cleansing Cloths, Scott Naturals® Flushable Moist Wipes, Huggies
22 ® Pull-Ups® Flushable Moist Wipes, and U by Kotex® Refresh flushable
23 wipes.

24 75. This action has been brought and may properly be maintained as a class action
25 against Defendants pursuant to the provisions of California Code of Civil Procedure section 382
26 because there is a well-defined community of interest in the litigation and the proposed class is
27 easily ascertainable.

28 76. Numerosity: Plaintiff does not know the exact size of the class, but it is estimated
that it is composed of more than 100 persons. The persons in the class are so numerous that the
joinder of all such persons is impracticable and the disposition of their claims in a class action

1 rather than in individual actions will benefit the parties and the courts.

2 77. Common Questions Predominate: This action involves common questions of law
3 and fact to the potential class because each class member's claim derives from the deceptive,
4 unlawful and/or unfair statements and omissions that led Defendants' customers to believe that
5 the Non-Flushable Wipes were flushable. The common questions of law and fact predominate
6 over individual questions, as proof of a common or single set of facts will establish the right of
7 each member of the Class to recover. Among the questions of law and fact common to the class
8 are:

9 a) Whether Defendants' Flushable Wipes are suitable for flushing down a
10 toilet;

11 b) Whether Defendants unfairly, unlawfully and/or deceptively failed to
12 inform class members that their Flushable Wipes were not flushable;

13 c) Whether Defendants' advertising and marketing regarding their Flushable
14 Wipes sold to class members was likely to deceive class members or was unfair;

15 d) Whether Defendants engaged in the alleged conduct knowingly, recklessly,
16 or negligently;

17 e) The amount of revenues and profits Defendants received and/or the amount
18 of monies or other obligations lost by class members as a result of such wrongdoing;

19 f) Whether class members are entitled to injunctive and other equitable relief
20 and, if so, what is the nature of such relief; and

21 g) Whether class members are entitled to payment of actual, incidental,
22 consequential, exemplary and/or statutory damages plus interest thereon, and if so, what is the
23 nature of such relief.

24 78. Typicality: Plaintiff's claims are typical of the class because, in 2013, she
25 purchased one of the Flushable Wipes, namely Defendants' Scott® Naturals Flushable Moist
26 Wipes, in reliance on Defendants' misrepresentations and omissions that they were flushable.
27 Thus, Plaintiff and class members sustained the same injuries and damages arising out of
28 Defendants' conduct in violation of the law. The injuries and damages of each class member

1 were caused directly by Defendants' wrongful conduct in violation of law as alleged.

2 79. Adequacy: Plaintiff will fairly and adequately protect the interests of all class
3 members because it is in her best interests to prosecute the claims alleged herein to obtain full
4 compensation due to her for the unfair and illegal conduct of which she complains. Plaintiff also
5 has no interests that are in conflict with or antagonistic to the interests of class members. Plaintiff
6 has retained highly competent and experienced class action attorneys to represent her interests
7 and the interests of the class. By prevailing on her own claim, Plaintiff will establish Defendants'
8 liability to all class members. Plaintiff and her counsel have the necessary financial resources to
9 adequately and vigorously litigate this class action, and Plaintiff and counsel are aware of their
10 fiduciary responsibilities to the class members and are determined to diligently discharge those
11 duties by vigorously seeking the maximum possible recovery for class members.

12 80. Superiority: There is no plain, speedy, or adequate remedy other than by
13 maintenance of this class action. The prosecution of individual remedies by members of the class
14 will tend to establish inconsistent standards of conduct for the Defendants and result in the
15 impairment of class members' rights and the disposition of their interests through actions to
16 which they were not parties. Class action treatment will permit a large number of similarly
17 situated persons to prosecute their common claims in a single forum simultaneously, efficiently,
18 and without the unnecessary duplication of effort and expense that numerous individual actions
19 would engender. Furthermore, as the damages suffered by each individual member of the class
20 may be relatively small, the expenses and burden of individual litigation would make it difficult
21 or impossible for individual members of the class to redress the wrongs done to them, while an
22 important public interest will be served by addressing the matter as a class action.

23 81. Nexus to California. The State of California has a special interest in regulating the
24 affairs of corporations that do business here. Defendants have more customers here than in any
25 other state. Accordingly, there is a substantial nexus between Defendants' unlawful behavior and
26 California such that the California courts should take cognizance of this action on behalf of a
27 class of individuals who reside anywhere in the United States.

28 82. Plaintiff is unaware of any difficulties that are likely to be encountered in the

1 management of this action that would preclude its maintenance as a class action.

2 **CAUSES OF ACTION**

3 **PLAINTIFF'S FIRST CAUSE OF ACTION**

4 **(Violation of the Consumers Legal Remedies Act, California Civil Code § 1750, *et seq.*)**
5 **On Behalf of Herself and the Class**

6 83. Plaintiff realleges and incorporates the paragraphs of this Class Action Complaint
7 as if set forth herein.

8 84. This cause of action is brought pursuant to the California Consumers Legal
9 Remedies Act, California Civil Code § 1750, *et seq.* (“CLRA”).

10 85. Defendants’ actions, representations and conduct have violated, and continue to
11 violate the CLRA, because they extend to transactions that are intended to result, or which have
12 resulted, in the sale or lease of goods or services to consumers.

13 86. Plaintiff and other class members are “consumers” as that term is defined by the
14 CLRA in California Civil Code § 1761(d).

15 87. The Flushable Products that Plaintiff (and others similarly situated class members)
16 purchased from Defendants were “goods” within the meaning of California Civil Code § 1761(a).

17 88. By engaging in the actions, representations and conduct set forth in this Class
18 Action Complaint, Defendants have violated, and continue to violate, § 1770(a)(2), § 1770(a)(5),
19 § 1770(a)(7), § 1770(a)(8), and § 1770(a)(9) of the CLRA. In violation of California Civil Code
20 §1770(a)(2), Defendants’ acts and practices constitute improper representations regarding the
21 source, sponsorship, approval, or certification of the goods they sold. In violation of California
22 Civil Code §1770(a)(5), Defendants’ acts and practices constitute improper representations that
23 the goods they sell have sponsorship, approval, characteristics, ingredients, uses, benefits, or
24 quantities, which they do not have. In violation of California Civil Code §1770(a)(7),
25 Defendants’ acts and practices constitute improper representations that the goods they sell are of a
26 particular standard, quality, or grade, when they are of another. In violation of California Civil
27 Code §1770(a)(8), Defendants have disparaged the goods, services, or business of another by
28 false or misleading representation of fact. In violation of California Civil Code §1770(a)(9),
Defendants have advertised goods or services with intent not to sell them as advertised.

1 Specifically, in violation of sections 1770 (a)(2), (a)(5), (a)(7) and (a)(9), Defendants' acts and
2 practices led customers to falsely believe that that their Flushable Products were suitable for
3 flushing down a toilet. In violation of section 1770(a)(8), Defendants falsely or deceptively
4 market and advertise that, unlike products not specifically denominated as flushable, its Flushable
5 Products are suitable for flushing down a toilet, when in fact none of the products are suitable for
6 flushing.

7 89. Plaintiff requests that this Court enjoin Defendants from continuing to employ the
8 unlawful methods, acts and practices alleged herein pursuant to California Civil Code
9 § 1780(a)(2). If Defendants are not restrained from engaging in these types of practices in the
10 future, Plaintiff and the other members of the Class will continue to suffer harm.

11 90. **CLRA § 1782 NOTICE. Irrespective of any representations to the contrary in**
12 **this Class Action Complaint, Plaintiff specifically disclaims, at this time, any request for**
13 **damages under any provision of the CLRA.** Plaintiff, however, hereby provides Defendants
14 with notice and demand that within thirty (30) days from that date, Defendants correct, repair,
15 replace or otherwise rectify the unlawful, unfair, false and/or deceptive practices complained of
16 herein. Defendants' failure to do so will result in Plaintiff amending this Class Action Complaint
17 to seek, pursuant to California Civil Code § 1780(a)(3), on behalf of himself and those similarly
18 situated class members, compensatory damages, punitive damages and restitution of any ill-gotten
19 gains due to Defendants' acts and practices.

20 91. Plaintiff also requests that this Court award her her costs and reasonable attorneys'
21 fees pursuant to California Civil Code § 1780(d).

22 **PLAINTIFF'S SECOND CAUSE OF ACTION**
23 **(False Advertising, Business and Professions Code § 17500, et seq. ("FAL"))**
24 **On Behalf Of Himself and the Class**

25 92. Plaintiff realleges and incorporates by reference the paragraphs of this Class
26 Action Complaint as if set forth herein.

27 93. Beginning at an exact date unknown to Plaintiff, but within three (3) years
28 preceding the filing of the Class Action Complaint, Defendants made untrue, false, deceptive
and/or misleading statements in connection with the advertising and marketing of their Flushable

1 Products.

2 94. Defendants made representations and statements (by omission and commission)
3 that led reasonable customers to believe that they were purchasing products that could be flushed
4 down the toilet without problem. Defendants deceptively failed to inform Plaintiff, and those
5 similarly situated, that their Flushable Wipes were not suitable for disposal by flushing down a
6 toilet, and that the Flushable wipes are not regarded as flushable by municipal sewage systems;
7 routinely damage or clog pipes, septic systems, and sewage pumps; and do not disperse,
8 distingrate, or biodgrade like toilet paper.

9 95. Plaintiff and those similarly situated relied to their detriment on Defendants' false,
10 misleading and deceptive advertising and marketing practices, including each of the
11 misrepresentations and omissions set forth in paragraphs 31-38, and 70, above. Had Plaintiff and
12 those similarly situated been adequately informed and not intentionally deceived by Defendants,
13 they would have acted differently by, without limitation, refraining from purchasing Defendants'
14 Flushable Wipes or paying less for them.

15 96. Defendants' acts and omissions are likely to deceive the general public.

16 97. Defendants engaged in these false, misleading and deceptive advertising and
17 marketing practices to increase their profits. Accordingly, Defendants have engaged in false
18 advertising, as defined and prohibited by section 17500, et seq. of the California Business and
19 Professions Code.

20 98. The aforementioned practices, which Defendants used, and continue to use, to
21 their significant financial gain, also constitute unlawful competition and provide an unlawful
22 advantage over Defendants' competitors as well as injury to the general public.

23 99. Plaintiff seeks, on behalf of those similarly situated, full restitution of monies, as
24 necessary and according to proof, to restore any and all monies acquired by Defendants from
25 Plaintiff, the general public, or those similarly situated by means of the false, misleading and
26 deceptive advertising and marketing practices complained of herein, plus interest thereon.

27 100. Plaintiff seeks, on behalf of those similarly situated, an injunction to prohibit
28 Defendants from continuing to engage in the false, misleading and deceptive advertising and

1 marketing practices complained of herein. The acts complained of herein occurred, at least in
2 part, within three (3) years preceding the filing of this Class Action Complaint.

3 101. Plaintiff and those similarly situated are further entitled to and do seek both a
4 declaration that the above-described practices constitute false, misleading and deceptive
5 advertising, and injunctive relief restraining Defendants from engaging in any such advertising
6 and marketing practices in the future. Such misconduct by Defendants, unless and until enjoined
7 and restrained by order of this Court, will continue to cause injury in fact to the general public
8 and the loss of money and property in that the Defendants will continue to violate the laws of
9 California, unless specifically ordered to comply with the same. This expectation of future
10 violations will require current and future customers to repeatedly and continuously seek legal
11 redress in order to recover monies paid to Defendants to which Defendants are not entitled.
12 Plaintiff, those similarly situated and/or other consumers nationwide have no other adequate
13 remedy at law to ensure future compliance with the California Business and Professions Code
14 alleged to have been violated herein.

15 102. As a direct and proximate result of such actions, Plaintiff and the other members of
16 the Class have suffered, and continue to suffer, injury in fact and have lost money and/or property
17 as a result of such false, deceptive and misleading advertising in an amount which will be proven
18 at trial, but which is in excess of the jurisdictional minimum of this Court.

19 **PLAINTIFF'S THIRD CAUSE OF ACTION**
20 **(Fraud, Deceit and/or Misrepresentation)**
21 **On Behalf of Herself and the Class**

22 103. Plaintiff realleges and incorporates by reference the paragraphs of this Class
23 Action Complaint as if set forth herein.

24 104. In 2013, Defendants fraudulently and deceptively led Plaintiff to believe that
25 Defendants' Flushable Wipes were suitable for flushing down a toilet. Defendants also failed to
26 inform Plaintiff that Defendants' Flushable Wipes were not suitable for disposal by flushing
27 down a toilet, and the wipes are not regarded as flushable by municipal sewage systems; routinely
28 damages or clogs pipes, septic systems, and sewage pumps; and do not disperse, disintegrate, or
biodgrade like toilet paper.

1 105. These omissions were material at the time they were made. They concerned
2 material facts that were essential to the analysis undertaken by Plaintiff as to whether to purchase
3 Defendants' Flushable Wipes.

4 106. Defendants made identical misrepresentations and omissions to members of the
5 Class regarding Defendants' Flushable Wipes.

6 107. In not so informing Plaintiff and the members of the Class, Defendants breached
7 their duty to her. Defendants also gained financially from, and as a result of, their breach.

8 108. Plaintiff and those similarly situated relied to their detriment on Defendants'
9 fraudulent omissions. Had Plaintiff and those similarly situated been adequately informed and
10 not intentionally deceived by Defendants, they would have acted differently by, without
11 limitation, not purchasing (or paying less for) Defendants' Flushable Wipes.

12 109. Defendants had a duty to inform class members at the time of their purchase of
13 that the Flushable Wipes were not suitable for flushing down a toilet, and the wipes are not
14 regarded as flushable by municipal sewage systems; routinely damage or clog pipes, septic
15 systems, and sewage pumps; and do not disperse, disintegrate, or biodegrade like toilet paper.
16 Defendants omitted to provide this information to class members. Class members relied to their
17 detriment on Defendants' omissions. These omissions were material to the decisions of the class
18 members to purchase the Flushable Wipes. In making these omissions, Defendants breached their
19 duty to class members. Defendants also gained financially from, and as a result of, their breach.

20 110. By and through such fraud, deceit, misrepresentations and/or omissions,
21 Defendants intended to induce Plaintiff and those similarly situated to alter their position to their
22 detriment. Specifically, Defendants fraudulently and deceptively induced Plaintiff and those
23 similarly situated to, without limitation, to purchase their Flushable Wipes.

24 111. Plaintiff and those similarly situated justifiably and reasonably relied on
25 Defendants' omissions, and, accordingly, were damaged by the Defendants.

26 112. As a direct and proximate result of Defendants' misrepresentations, Plaintiff and
27 those similarly situated have suffered damages, including, without limitation, the amount they
28 paid for the Flushable Wipes.

1 113. Defendants' conduct as described herein was willful and malicious and was
2 designed to maximize Defendants' profits even though Defendants knew that it would cause loss
3 and harm to Plaintiff and those similarly situated.

4 **PLAINTIFF'S FOURTH CAUSE OF ACTION**
5 **(Unfair, Unlawful and Deceptive Trade Practices,**
6 **Business and Professions Code § 17200, et seq.)**
7 **On Behalf of Herself and the Class**

8 114. Plaintiff realleges and incorporates by reference the paragraphs of this Class
9 Action Complaint as if set forth herein.

10 115. Within four (4) years preceding the filing of this Class Action Complaint, and at
11 all times mentioned herein, Defendants have engaged, and continue to engage, in unfair, unlawful
12 and deceptive trade practices in California by engaging in the unfair, deceptive and unlawful
13 business practices outlined in this Class Action Complaint. In particular, Defendants have
14 engaged, and continue to engage, in unfair, unlawful and deceptive trade practices by, without
15 limitation, the following:

16 a. deceptively representing to Plaintiff, and those similarly situated, the
17 Flushable Products were suitable for flushing down a toilet;

18 b. failing to inform Plaintiff, and those similarly situated, that the Flushable
19 Products were not suitable for disposal by flushing down a toilet, and the wipes are not regarded
20 as flushable by municipal sewage systems; routinely damage or clog pipes, septic systems, and
21 sewage pumps; and do not disperse, disintegrate, or biodegrade like toilet paper.

22 c. engaging in fraud, deceit, and misrepresentation as described herein;

23 d. violating the CLRA as described herein; and

24 e. violating the FAL as described herein.

25 116. Plaintiff and those similarly situated relied to their detriment on Defendants'
26 unfair, deceptive and unlawful business practices. Had Plaintiff and those similarly situated been
27 adequately informed and not deceived by Defendants, they would have acted differently by not
28 purchasing (or paying less for) Defendants' Flushable Wipes.

117. Defendants' acts and omissions are likely to deceive the general public.

1 118. Defendants engaged in these unfair practices to increase their profits.
2 Accordingly, Defendants have engaged in unlawful trade practices, as defined and prohibited by
3 section 17200, et seq. of the California Business and Professions Code.

4 119. The aforementioned practices, which Defendants have used to their significant
5 financial gain, also constitute unlawful competition and provide an unlawful advantage over
6 Defendants' competitors as well as injury to the general public.

7 120. Plaintiff seeks, on behalf of those similarly situated, full restitution of monies, as
8 necessary and according to proof, to restore any and all monies acquired by Defendants from
9 Plaintiff, the general public, or those similarly situated by means of the unfair and/or deceptive
10 trade practices complained of herein, plus interest thereon.

11 121. Plaintiff seeks, on behalf of those similarly situated, an injunction to prohibit
12 Defendants from continuing to engage in the unfair trade practices complained of herein.

13 122. The acts complained of herein occurred, at least in part, within four (4) years
14 preceding the filing of this Class Action Complaint.

15 123. Plaintiff and those similarly situated are further entitled to and do seek both a
16 declaration that the above-described trade practices are unfair, unlawful and/or fraudulent, and
17 injunctive relief restraining Defendants from engaging in any of such deceptive, unfair and/or
18 unlawful trade practices in the future. Such misconduct by Defendants, unless and until enjoined
19 and restrained by order of this Court, will continue to cause injury in fact to the general public
20 and the loss of money and property in that Defendants will continue to violate the laws of
21 California, unless specifically ordered to comply with the same. This expectation of future
22 violations will require current and future customers to repeatedly and continuously seek legal
23 redress in order to recover monies paid to Defendants to which Defendants are not entitled.
24 Plaintiff, those similarly situated and/or other consumers nationwide have no other adequate
25 remedy at law to ensure future compliance with the California Business and Professions Code
26 alleged to have been violated herein.

27 124. As a direct and proximate result of such actions, Plaintiff and the other members of
28 the Class have suffered and continue to suffer injury in fact and have lost money and/or property

1 as a result of such deceptive, unfair and/or unlawful trade practices and unfair competition in an
2 amount which will be proven at trial, but which is in excess of the jurisdictional minimum of this
3 Court. Among other things, Plaintiff and the class lost the amount they paid for the Flushable
4 Products.

5 125. As a direct and proximate result of such actions, Defendants have enjoyed, and
6 continue to enjoy, significant financial gain in an amount which will be proven at trial, but which
7 is in excess of the jurisdictional minimum of this Court.

8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiff prays for judgment as follows:

10 A. On Cause of Action Number 1 against Defendants and in favor of Plaintiff
11 and the other members of the Class:

- 12 1. for restitution and injunctive relief pursuant to California Civil
13 Code section 1780;
14 2 [Reserved]; and
15 3 [Reserved].

16 B. On Causes of Action Numbers 2 and 4 against Defendants and in favor of
17 Plaintiff and the other members of the Class:

- 18 1. for restitution pursuant to, without limitation, the California Busi-
19 ness & Professions Code §§ 17200, et seq. and 17500, et seq.; and
20 2. for injunctive relief pursuant to, without limitation, the California
21 Business & Professions Code §§ 17200, et seq .and 17500, et seq.;

22 C. On Cause of Action Number 3 against Defendants and in favor of Plaintiff
23 and the other members of the Class:

- 24 1. an award of compensatory damages, the amount of which is to be
25 determined at trial; and
26 2. an award of punitive damages, the amount of which is to be deter-
27 mined at trial.

28 D. On all causes of action against Defendants and in favor of Plaintiff, class

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members and the general public:

1. for reasonable attorneys' fees according to proof pursuant to, without limitation, the California Legal Remedies Act and California Code of Civil Procedure § 1021.5;
2. for costs of suit incurred; and
3. for such further relief as this Court may deem just and proper.

JURY TRIAL DEMANDED

Plaintiff hereby demands a trial by jury.

Dated: March 11, 2014

GUTRIDE SAFIER LLP



Adam J. Gutride, Esq.
Seth A. Safier, Esq.
Kristen G. Simplicio, Esq.
835 Douglass Street
San Francisco, California 94114

Attorneys for Plaintiff



BACWA POLICIES AND PROCEDURES

TITLE	Guidance for Representing BACWA
DATE	Adopted XXX
PURPOSE	To provide guidance to individuals, groups, and committees for representing BACWA's position on all issues including but not limited to regulatory, technical, financial, policy, and administrative matters.
BACKGROUND	<p>BACWA is JPA that represents its public agency membership on a wide array of issues that impact wastewater utilities in the San Francisco Bay Area. BACWA has limited personnel resources devoted to conducting the business of the association. It has an appointed Executive Board comprised of staff from its Principal member agencies and relies heavily on this Board, other volunteers from within its membership, and at times some outside consultants to represent BACWA's interests. Examples of long standing groups where BACWA has appointed representatives include: ASC/SFEI, RMP, Tri-TAC, and the Summit Partners. At times BACWA also designates individuals to represent BACWA's interests on ad hoc groups established to address a particular area of interest. Finally, BACWA has a committee structure wherein the leadership of the Committee may find themselves in a situation where they are formulating a position on an issue of interest to BACWA.</p> <p>In all of these situations it is important that the individuals or groups that are presenting BACWA's position are certain that the position they are proposing or supporting is indeed the position of the BACWA organization. Often the position of the organization is defined by a collective understanding that a certain position or direction is appropriate for the organization. For the purpose of this Guidance document, these are referred to as "Understood Positions" and can be established by 1) the wastewater industry as a whole; 2) the position of other organizations or leaders within the industry or; 3) by general discussion and agreement amongst the BACWA Board and membership. However when there is the potential for significant differing opinions on an issue within BACWA or when an issue involves financial commitment, the official position of BACWA is determined by a majority vote of the BACWA Board. For the purpose of this Guidance these positions are referred to as "Adopted Positions".</p> <p>The intent of these Guidelines is not to be overly bureaucratic or impede the</p>

normal process of interaction on behalf of the BACWA organization but rather to ensure that situations do not develop that put BACWA in an awkward position by having an individual or group put forth a position that is contrary to the best interest of BACWA as an association.

These Guidelines should be reviewed annually at the time a new Chair of BACWA is seated.

GUIDELINES

For Individuals

1. In your role as a BACWA representative, be aware of issues that may develop into the need for BACWA to take a position so that these issues can be raised early within the organization thereby allowing the time for a deliberation to take place to determine if indeed a BACWA position is warranted and if so whether it would be an Understood Position or an Adopted Position.
 2. If, while in the role of a BACWA representative, an individual finds themselves in a position wherein input is expected as part of the normal conduct of business, an Understood Position can and should be presented. At the earliest opportunity, a report back to BACWA should be made regarding the position that was presented.
 3. If, while in the role of a BACWA representative, an individual finds themselves in a position wherein it is judged by the BACWA representative to be an issue which may require an Adopted Position within BACWA, the individual should indicate that input would be needed from the BACWA Board before a response can be made. Every effort should be made to bring this issue to the Board's attention, within the constraints of the Brown Act, as early as possible to facilitate a timely response. If there is uncertainty as to what type of position may be required, the BACWA representatives should seek the advice of the BACWA Executive Director, if possible, prior to presenting any BACWA position or defer from stating a BACWA position until further discussed with the BACWA Board.
 4. Solicitations, requests for proposals, or other information, etc., other than routine requests (i.e. cost for catering or other minor administrative services), on the part of a BACWA representative that may lead to significant expenditures of funds or expectations
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of BACWA establishing a position on an issue should be avoided until discussed by the BACWA Board.

5. Individuals who are in leadership positions within BACWA may want to express their own or their agency's position on an issue. In doing so, it should be made clear whether they are expressing a BACWA position or some other position.

4.6. Any situation where a BACWA position has been presented by an individual should be reported at the BACWA monthly meeting.

For Groups or Committees

When acting as the leader of a group or committee, BACWA representatives should follow the same guidelines as stated for Individuals. In addition, leaders of groups or committees may find themselves in a time restricted situation that, despite their best efforts, there was not time to vet an issue with the BACWA organization and a response is required before a window of opportunity closes (e.g. deadlines for commenting on proposed regulations). In these situations the leadership should make every effort to solicit within the constraints of the Brown Act, -some feedback from BACWA (i.e. an email notification of a proposed comment letter, etc.). The leadership should also confer with the BACWA Executive Director as to the position being proposed. In the absence of feedback on a BACWA position, a position should be submitted after consultation with group or committee leadership and the Executive Director. Notification to the BACWA Board should take place thereafter as soon as practicable.
