

**BACWA EXECUTIVE BOARD MEETING**  
**Thursday, March 25, 2010, 9:00 a.m. – 3:00 p.m.**

**HANDOUTS**

Handout Packet is available on the BACWA website ([www.BACWA.org](http://www.BACWA.org)).

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## **AGENDA**

### **Executive Board Meeting**

Thursday, March 25, 2010  
9:00 a.m. – 12:00 p.m.  
12:00 p.m. – 3:00 p.m.

SFPUC - 1145 Market Street, SF, CA  
Monthly Meeting 3<sup>rd</sup> Floor  
Budget Workshop 8<sup>th</sup> Floor

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

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

#### **REPORTS (9:10 a.m. – 9:55 a.m.)**

1. Committee Reports Question and Answers.
2. Proposition 50 Grant Disbursements Status Report.
3. Executive Director Report.
4. Executive Board Reports.

#### **CONSENT CALENDAR (9:55 a.m. – 10:00 a.m.)**

5. Approval of February 2010 Treasurer's Report.
6. Approval of Minutes from February 25, 2010 BACWA Executive Board Meeting.
7. Chair Authorized Actions (None).

#### **BOARD ACTION ITEMS (10:00 a.m. – 10:30 a.m.)**

8. Election of BACWA Vice Chair.
9. Approval of a Resolution recognizing Doug Craig for service to BACWA. File 12,125.
10. Approval of BACWA 2009 Mercury Watershed Permit Group Report, File 12,127
11. Approval of BACWA Cost Allocation Policy for Programs of Special Benefit, File 12,128.
12. Approval of BACWA Contracting Policies Revision 1, File 7010.1.
13. Approval to fund UCD Biosolids Research and Biosolids Committee Representative's conference attendance. Not to exceed \$13,000. (BACWA) File 12,126.

#### **BOARD DISCUSSION ITEMS (10:30 a.m. – 11:45 a.m.)**

14. CIWQS Sanitary Sewer Overflow White Paper.
15. Urban Stormwater Diversion White Paper.
16. Designation Letter for BACWA Board Member and Alternates.

#### **REVIEW ACTION ITEMS (11:45 a.m. – 12:00 p.m.)**

**BUDGET WORKSHOP (12:00 p.m. – 3:00 p.m.)**

Meeting Location: 1145 Market Street, 8<sup>th</sup> Floor

**NEXT REGULAR MEETING**

The next regular meeting is scheduled for April 22, 2010, 9:00 to 12:00 at the EBMUD Plant Lab Library in Oakland.

**ADJOURNMENT (3:00 p.m.)**

*Handout Packet will be available by noon on March 23, 2010 on the BACWA website ([www.BACWA.org](http://www.BACWA.org)).*

## Report to BACWA Board from AIR Committee (March 2010)

<b>Document Control</b>	Prepared by Sarah Merrill (Project Engineer) Reviewed by Stephanie Cheng (Committee Chair)
<b>Committee Request for Board Action</b>	None at this time.
<b>Committee Agenda Items</b>	None at this time.

### Recent Committee Actions:

<b>Recent Committee Actions</b>	<ul style="list-style-type: none"> <li>BACWA Mandatory GHG Reporting Workshop was held on February 17, 2010 at the SFPUC Offices in San Francisco. Attendee feedback was that the workshop was helpful. The AIR Committee will continue to host this workshop for public agencies as this regulation continues to change.</li> <li>The AIR Winter 2010 Newsletter was circulated in February. Several AIR Committee members contributed interesting articles for this issue.</li> <li>The AIR Committee has updated their website for easier member use. The revised website includes: a POTW-relevant grant tracking page, searchable email archive, committee document archive, and AIR calendar. Feel free to view our site upgrades.</li> </ul>
<b>AIR Website</b>	<a href="http://bacwa.org/Committees/AirIssuesRegulations/tabid/67/Default.aspx">http://bacwa.org/Committees/AirIssuesRegulations/tabid/67/Default.aspx</a>
<b>For more information</b>	Please feel free to contact Sarah Merrill at <a href="mailto:sarah.merrill@ch2m.com">sarah.merrill@ch2m.com</a> .

### News and Updates:

<b>ARB. Updates to Mandatory Reporting Rule</b>	<ul style="list-style-type: none"> <li>March 23 – Public workshop to discuss proposed revisions to the Mandatory Reporting Rule to align with federal reporting requirements and support CARB’s proposed cap-and-trade program.</li> </ul>
<b>Summary</b>	<ul style="list-style-type: none"> <li>Most significant change for POTWs is the proposed lowering of the reporting threshold for from 25,000 metric tons (MT) CO<sub>2</sub>e to 10,000 MT CO<sub>2</sub>e. Third party verification for facilities &lt;25,000 MT would not be required.</li> <li>Changes would apply to 2011 emissions reports submitted in 2012.</li> <li>Changes will be brought before Board for consideration in October 2010 along with the cap-and-trade regulation.</li> </ul>
<b>Website</b>	<a href="http://www.arb.ca.gov/cc/reporting/ghg-rep/ghg-rep.htm">http://www.arb.ca.gov/cc/reporting/ghg-rep/ghg-rep.htm</a>

<b>EPA, H<sub>2</sub>S Potential Re-Listing</b>	<ul style="list-style-type: none"> <li>The EPA is announcing that it is considering lifting the Administrative Stay of the reporting requirements for hydrogen sulfide.</li> </ul>
<b>Summary</b>	<ul style="list-style-type: none"> <li>With the re-listing of H<sub>2</sub>S as a toxic chemical, this will then open up H<sub>2</sub>S to regulation and reporting requirements. This will include: adding H<sub>2</sub>S back into Section 313 Emergency Planning and Community Right-to-Know Act (EPCRA) regulations and including it in the TRI reporting requirements</li> <li>AIR Committee is evaluation the need to comment on this proposed action. Deadline is April 27, 2010.</li> </ul>
<b>Website</b>	<a href="http://www.epa.gov/TRI/lawsandregs/hydrogensulfide/">http://www.epa.gov/TRI/lawsandregs/hydrogensulfide/</a>

**BACWA AIR  
Committee  
Meetings**

**Most recent AIR meeting - Wednesday, March 17<sup>th</sup>, 2010**  
**Next AIR Meeting – Wednesday, May 19<sup>th</sup>, 2010**  
**CH2M HILL Oakland Office, 10:00am – 11:30am**

# Biosolids Committee

## Report to BACWA Board

Committee Meeting Date: March 19, 2010  
Executive Board Meeting Date: March 25, 2010

Prepared By : Greg Baatrup, Committee Chair

### Committee Request for Board Action:

1. None

### Business Discussed and Action Items from Committee Meeting:

Business	Action Item	Due Date
SFPUC Community Gardens Compost distribution event and the challenges presented by the Center for Food Safety.  Get data on SFPUC Compost as compared to other commercial compost and include in Compost White Paper	Continue to monitor for impacts to SFPUC and other composting programs.  Identify Fact Sheet and get proposals for testing and authoring Fact Sheet(s). Present to Executive Board for funding	Ongoing  May 2010
Research Funding Request - UC Davis has conducted studies on Green Waste compost to determine whether VOCs released from compost operations are reactive and whether they would be precursors to ozone formation. Several agencies in California are volunteering funding to offset UC Davis costs. Currently the Air Districts which impose limits on VOCs assume they are all equally reactive and that all cause ozone formation. This appears to be a gross overestimate	Request approval of funding to complete the research on behalf of Bay Area agencies.	March 2010
Budget Items – The committee members felt Fact Sheets that summarize the Biosolids White Paper and present published facts on relative risks of Biosolids Management Options would assist BACWA agencies as they engage the community leaders, public, and the media.	Identify Fact Sheet(s) and get proposals for authoring paper(s). Present to Executive Board for funding	May 2010

### Other Issues of Note:

- Regional Project Update –15 SOQs were received February 19th from vendors who have relevant expertise and experience to develop a project. The project Steering Committee will decide the next steps, including whether to proceed with an RFP from

the qualified vendors at their next meeting on March 18th. More information can be found at their website [www.BayAreaBiosolids.com](http://www.BayAreaBiosolids.com).

- Liz Ostoich announced she will no longer attend BACWA Meetings and is leaving the wastewater industry to start a business in Southern California. Layne Baroldi will fill in for Liz.
- After losing a bid to have an unfavorable September 2009 9th Circuit Court of Appeals ruling overturned by the full appeals court, attorneys for Los Angeles and Orange County sanitation agencies and the city of Los Angeles, have petitioned the U.S. Supreme Court to take up their case against Kern County's Measure E. According to new stories, if the court takes the case, he said, it won't be heard until next year.

The only remaining federal claim against Kern County is that its voter-approved ban on spreading sewage sludge on farmland violates the interstate commerce clause of the U.S. Constitution. In addition to the commerce clause issue, Los Angeles claims that Measure E violates the recycling goals enacted by the California Integrated Waste Management Act and that Kern County overstepped its police powers in enacting and enforcing Measure E's ban on sludge spreading. These are state matters and will be taken up in a state court.

- It was reported that Enertech has approval to restart the dryer component of the Rialto facility after 3 months of being offline to resolve waste discharge issues.

Next Committee Meeting: May 19, 2010 at the EBMUD Lab Library

# Collection System Committee Report to BACWA Board

March 19, 2010

From: Rich Cunningham, Committee Chair

Prepared By: Monica Oakley

## Committee Request for Board Action:

- (1) Accept presentation on CIWQS SSO database evaluation (separate agenda item) and provide input for preparation of draft white paper.

## Highlights of New Items Discussed and Action Items

### Rain Gauges

The collection systems committee invited Jeff Blum of E2 to discuss the pros and cons of different types of rain gauges at the March 4 committee meeting. Jeff brought sample equipment to show the working parts and discuss pros and cons. This information was in preparation for an extended discussion at the May committee meeting about how to determine storm event frequencies from actual storm events and compare with design storms (for use in reporting of SSOs, and in potential enforcement actions as allowed by the SSO WDR).

### USA Marking of Sewer Laterals

Apparently 17 states have been successful in promulgating a *requirement* that municipal government agencies mark private sewer laterals prior to construction on private property. Common Ground Alliance (CGA), the local entity trying to push this requirement in California, is having a meeting at the PG&E Center in San Ramon on March 25 (9:30-1:30), and Bay Area collection system agencies are encouraged to attend and speak out against such a requirement in California. Public Works agencies are often members of CGA although it also has contractors as members. Andy Morrison of Union Sanitary District has been active in following the CGA developments, reporting to BACWA members, and encouraging members to join the organization to increase the membership and participation of municipal entities that would be affected.

### Potential Changes to Method for Submitting SSO Annual Report

Regional Water Board (RWB) staff do not use the CIWQS database in their own SSO enforcement actions because they do not trust the information. As a result, they are relying heavily on the SSO Annual Reports submitted to them by Region 2 collection system agencies. RWB staff have indicated a desire to change the method of reporting. For example, they intend to ask agencies for their 2009 information in an Excel spreadsheet, and apparently Johnson Lam is developing a separate web-based database for use in Region 2 for next year's reports. Committee members requested that a template be developed for this purpose and committee leaders are working on options for this, including RWB staff in the discussion.

**Announcement:** Local and statewide CWEA committees provide ongoing training for collection system agencies on a variety of topics. CWEA has an events calendar on the website that's pretty up to date with the upcoming workshops.

**Next BACWA Collection Systems Committee Meeting:** Thursday, April 8, 2010, 1:30-3 PM, at the Boy Scouts Facility in San Leandro.

## Report to BACWA Board

Prepared By: Jim Ervin

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

Town of Yountville – Adoption in March, second issuance.

East Bay MUD – March.

Permit Amendment for Copper and Cyanide - March

Rhodia Inc, Martinez – March

Novato Sanitary District – after March

**Water Board Staff Updates:** Most permits scheduled for adoption in February 2010 were delayed one month.

- There will be a “Permit Bubble” coming up in mid-2011. The bubble arrives every several years. Of 17 permits outstanding, 14 are due for renewal after June 2011. Water Board staff will attempt to issue some permits early to soften the impact. Water Board may not exchange Admin Draft permits prior to renewal during the bubble period.

- Water Board Performance Measures: Water Board staff is evaluated based on number of permits renewed on time, number of inspections, and number of MMP violations addressed. Typically one staff member can renew 3 to 4 permits per year. Loss of personnel has had an adverse affect. Staff does not get credit for general BPAs or SSOs.

- Permit applications: Water Board review of permit applications takes 3 months if all information is available. When submitting applications, you must provide at least a full year of data and your RPA must include identification of a mixing zone for Water Board staff to begin work on the permit. The State SIP is very clear in describing the data required for permitting.

- Blending Policy: Bay Keeper and Our Children’s Earth commented on the EBMUD permit regarding blending. Water Board staff is working on getting a better definition of No Feasible Alternatives (NFA) analysis from EPA Region 9. EPA wants to put out a blending policy. Lila Tang would like to talk with Bay Area blending agencies to discuss what dollar cost is “feasible” and level of use of receiving water with respect to storm events.

**Training on Dioxin Blanket Permit Amendment – 12 March:** This training was held at EBMUD.

**Mercury Watershed Permit 2009:** Permittee inputs for 2009 were received by Monica Oakley by the February 12<sup>th</sup> deadline. BACWA annual group report of mercury pollution prevention activities is due 1 April. The aggregate mass load went up slightly from 4.5 kg/year to 4.8, against a total POTW load of 17 kg/year. Part of this might be due to the fact that this was the first full year of reporting. Average concentrations went down, indicating that mercury pollution prevention measures aimed at dental facilities may be having an effect.

A BACWA report on special studies for adaptive management is also due 1 April. BACWA submitted its Risk Reduction program input on 1 March and is now awaiting feedback. The Risk Reduction program will be coordinated by the Aquatic Science Center with BACWA and WSPA acting as partners in providing some of the funding to State DPH to run the program.

**Enterococcus Basin Plan Amendment** Regional Board Hearing will be on 14 April. Comments are due 22 March. Table 3-2 is still included. This table adds enterococcus to marine water requirements for beach protection. All marine dischargers will get entero limits if designated with REC-1 beneficial use. EPA continues to recommend e. coli for freshwater dischargers. Dischargers with shellfish (SHELL) receiving water designation will get limits for Total Coliform. Also, if water is being recycled (Title 22), Total Coliform must be used.

Dischargers will be required to meet a geometric mean of 35 for enterococcus for REC 1 beneficial use. The max limit for entero of 104 only applies to beach postings; otherwise, there will be no max limit in Bay Area.

POTW concerns are that 1) Footnotes in the BPA are too prescriptive. 2) Agencies that blend during wet weather can test for fecal coliform, but not total coliform or entero. Turbidity tends to cause false positive readings. 3) Intermittent wet weather dischargers have similar problems. They cannot run total coliform analysis within the required holding time and cannot apply a geometric mean on a single sample. 4) Generally speaking, total coliform is a poor indicator



of water quality.

Lila Tang would like to see specific examples of compliance problems with the proposed bacteria limits.

Permits committee members will email inputs for comments to Amy Chastain, Arleen and Jim by 17 March.

**Next BACWA Permits Committee Meeting**

Tuesday, April 13, 2009, from 1:00 PM to 3:00 PM at EBMUD Wastewater Treatment Plant Library. .

Grant Disbursement Summary to Date (Mar. 25, 2010)											
Bay Area Integrated Regional Water Management (IRWM) Prop 50 Grant											
Agr. No.	Implementing Agency	Project Title	DWR Proj. No.	Max. State Grant Funds by Project	Grant Funds Invoiced to date	Paid by DWR to date	DWR Retention	Admin Funds Rec'd by BACWA	Funds paid out to date	Payable as of this date	Total Paid and Payable
1	Contra Costa Water District	Regional Intertie (VFDs)	1	500,000.00	0.00	0.00	0.00		0.00	0.00	0.00
		BACWA Admin	16	15,625.00	5,754.42	3,683.13	(409.24)	8,683.13			
2	East Bay Municipal Utility District	Reg. Conservation Outreach	2	250,000.00	250,000.00	225,000.00	(25,000.00)		225,000.00	11,049.39	236,049.39
		California WaterStar Initiative -	3	525,000.00	0.00	0.00	0.00				
		New Business Guidebook Pilot	4	75,000.00	0.00	0.00	0.00				
		Richmond Adv Recycling	8	2,127,600.00	1,831,681.03	0.00	0.00				
		BACWA Admin	16	46,875.00	17,263.25	11,049.39	(1,227.71)	46,875.00			
3	City of Redwood City	Redwood City Recycled WP	5	972,800.00	972,800.00	0.00	0.00		0.00	3,683.13	3,683.13
		BACWA Admin	16	15,625.00	5,754.42	3,683.13	(409.24)	15,625.00			
4	City of Palo Alto	Mt.View-Moffett Recycl WP	6	972,800.00	972,800.00	875,520.00	(97,280.00)		864,895.00	3,683.13	868,578.13
		BACWA Admin	16	15,625.00	5,754.42	3,683.13	(409.24)	15,625.00			
5	Santa Clara Valley Water District (& San Jose)	Reg. Conservation Outreach	2	125,000.00	125,000.00	112,500.00	(12,500.00)		80,625.00	0.00	80,625.00
		South Bay Adv Recycl WTP	7	2,934,600.00	0.00	0.00	0.00				
		BACWA Admin <sup>3</sup>	16	31,875.00	2,263.25	0.00	0.00	31,875.00			
SJ	City of San Jose	BACWA Admin for SCVWD <sup>3</sup>	16	15,000.00	15,000.00	11,049.39	(1,227.71)	15,000.00	0.00	11,049.39	11,049.39
6	North Coast County WD (& SFPUC)	Pacifica Recycled Water Proj	9	744,400.00	0.00	0.00	0.00		0.00	0.00	0.00
		BACWA Admin <sup>3</sup>	16	10,625.00	754.42	0.00	0.00	10,625.00			
SF	S.F. Public Utilities Comm <sup>4</sup>	Reg. Conservation Outreach	2	297,550.00	297,550.00	267,795.00	(29,755.00)		231,545.00	26,049.39	257,594.39
		BACWA Adm for Reg.Consrv	16	31,250.00	11,508.83	7,366.26	(818.47)	31,250.00			
		BACWA Admin for NCCWD <sup>3</sup>	16	5,000.00	5,000.00	3,683.13	(409.24)	5,000.00			
SOL	Solano Co. Water Agency	Reg. Conservation Outreach	2	50,000.00	50,000.00	45,000.00	(5,000.00)		45,000.00	0.00	45,000.00
7	North Marin Water District	North Marin Recycled Water	10	244,550.00	244,550.00	193,304.05	(21,478.23)		188,562.19	576.74	189,138.93
		BACWA Admin	16	9,375.00	3,452.65	2,209.88	(245.54)	9,375.00			
8	Zone 7 Water Agency	Reg. Conservation Outreach	2	60,000.00	60,000.00	54,000.00	(6,000.00)		720,000.00	3,683.13	723,683.13
		Mocho GW Demin Project	11	740,000.00	740,000.00	666,000.00	(74,000.00)				
		BACWA Admin	16	15,625.00	5,754.42	3,683.13	(409.24)	15,625.00			
9	Marin Municipal Water District	Reg. Conservation Outreach	2	200,000.00	200,000.00	180,000.00	(20,000.00)		173,625.00	2,209.88	175,834.88
		Direct Installation HET Prog	12	366,800.00	219,688.35	0.00	0.00				
		BACWA Admin	16	9,375.00	3,452.65	2,209.88	(245.54)	9,375.00			
10	Montara Water & Sanitary District	Groundwater Exploration Project	13	37,100.00	37,100.00	33,390.00	(3,710.00)		33,390.00	736.63	34,126.63
		BACWA Admin	16	3,125.00	1,150.88	736.63	(81.85)	3,125.00			
11	Alameda County Water District	Reg. Conservation Outreach	2	60,000.00	60,000.00	54,000.00	(6,000.00)		43,375.00	3,683.13	47,058.13
		Alameda Creek Phase 2 Fish	14	600,000.00	253,745.81	0.00	0.00				
		BACWA Admin	16	15,625.00	5,754.42	3,683.13	(409.24)	15,625.00			
12	Sonoma Valley County Sanit. Dist.	Sonoma-Napa Marsh RWP	15	366,800.00	0.00	0.00	0.00		0.00	2,209.88	2,209.88
		BACWA Admin	16	9,375.00	3,452.65	2,209.88	(245.54)	9,375.00			
Grand Total				12,500,000.00	6,406,985.84	2,765,439.13	(307,271.01)	243,058.13	2,606,017.19	68,613.81	2,674,631.00

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

92,070.65

65,477.86 2.Admin funds include \$152,250 in upfront funding to pay for admin costs.

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

3/22/2010

		Bay Area IRWMP Regional Goals							Bay Area Regional Assessment Criteria				Prop 50 Program Preferences					Prop 50 Statewide Priorities								
Project Number	Project Name	Sustainability	Supply Reliability	Hydrologic Function	Water Quality - Drinking Water	Water Quality - Receiving Water	Env. Resources	Public Health, Safety, Property	Funding Match	Regionalism	Partnerships	Meets Objective of Multiple FADs	Integration	Supply Reliability	Water Quality	Pollution to Habitat	DAC Benefits	Reduce Conflict	TMDL	WMI	NPS Pollution Control	Bay/Delta Water Quality	Task Forces	Env. Justice	CALFED Goals	Listed Functional Area
11	Bay Area Regional Water Conservation Program (SCVWD)	◐	●	·	○	○	·	·	●	●	◐	·	·	●	·	·	○	○	○	○	○	○	·	○	●	1 WS-WQ
26	Developing and Implementing Options for Mitigating Risks of Public Health Impacts of Eating Fish (Clean Estuary Partnership)	◐	·	·	·	◐	○	●	·	●	●	●	●	·	◐	●	●	·	◐	●	·	◐	·	●	○	2 WW-RW
79	Recycled Water Program for North Marin WD & Novato Sanitary District – Phase 1 (North Marin Water District)	◐	●	·	·	◐	○	◐	●	○	○	●	○	●	○	○	·	○	○	○	·	○	●	·	●	2 WW-RW
84	Regional Desalination Feasibility Study (EBMUD)	·	●	·	◐	◐	·	○	●	●	◐	·	·	●	◐	·	·	·	·	·	·	·	●	·	●	1 WS-WQ
104	South Bay Advanced Recycled Water Treatment Facility Project (SCVWD)	◐	◐	·	·	●	◐	◐	●	◐	◐	●	●	●	●	●	○	●	○	○	·	○	●	·	●	2 WW-RW
N3	Green Infrastructure Sub-Regional Capacity Building Project	◐	○	○	·	●	◐	◐	●	●	●	●	●	○	●	●	●	○	○	●	●	·	●	●	◐	3 FP-SM
N4	Regional Water Recycling Outreach Project	◐	◐	○	·	○	○	·	●	●	◐	●	●	◐	○	○	·	·	○	·	·	·	●	·	●	2 WW-RW
N6	Disadvantaged Communities Watershed Program	●	○	○	·	○	○	○	●	●	●	●	●	○	○	◐	●	·	○	●	○	·	●	●	·	4 WM-HP&R
N7	Evaluating Regional Ecosystem Restoration Using Steelhead Trout	○	·	○	·	◐	●	·	●	●	●	●	●	·	◐	●	·	·	○	●	·	·	●	·	●	4 WM-HP&R
N8	Flood and Waterways Infrastructure Analysis and Communication Tool	○	○	·	○	·	○	●	●	●	◐	●	●	○	○	○	○	·	·	○	·	·	●	○	·	3 FP-SM

**DIRECTOR'S REPORT TO THE BOARD**  
Prepared for the March 25, 2010 Executive Board Meeting  
February 20, 2010 – March 21, 2010

**A. Executive Board & Administrative Matters**

<i>Finance Committee</i>	The Executive Director (ED) and Assistant Executive Director (AED) prepared materials for the March 25, 2010 Executive Board (EB) budget workshop, including a comparison of the fiscal year (FY) 2009-2010 budget to actual and projected year end revenues and expenses, and a draft budget for the coming fiscal year. Progress was made working with EBMUD to develop new processes for requesting and tracking financial transactions. BACWA expects to begin implementing the new processes before the end of the fiscal year with full implementation to occur by June 30, 2010. These changes are expected to generate long-term improvements to efficiency and accuracy of BACWA's financial management.
<i>Administrative</i>	All BACWA members were notified that membership dues for the coming year will not be increased. Statements of Economic Interest were requested from BACWA Executive Board members, and procedures for ensuring compliance with state law in this matter were refined.

**B. Regulatory Affairs & Developments**

<i>Mercury Risk Reduction</i>	On March 1 BACWA submitted a report outlining a plan to meet the risk reduction requirements of the mercury watershed permit. On March 4, the Aquatic Science Center (ASC) Board approved incorporating risk reduction projects into its work plan. This action is a first step towards using the ASC as fiscal agent/contracting authority for this project. We are still awaiting formal Water Board staff feedback on the proposal and will proceed to develop a formal scope of work and contract with CDPH after they respond.
<i>PCB TMDL Implementation</i>	Little progress has been made on this issue this past month due to other priorities. Options have been identified and will be discussed with the EB in the coming months.
<i>Urban Stormwater Diversion</i>	Options for next steps were prepared and are included in this month's Executive Board packet.
<i>Water Regulation</i>	<ul style="list-style-type: none"><li>• At the Water Board's request, the March 15<sup>th</sup> joint meeting was cancelled because of staff unavailability. The next meeting is scheduled for <b>April 19, 2010</b>.</li><li>• The ED attended the March 10, 2010 Water Board meeting, at which the EBMUD main treatment plant permit and a permit to incorporate cyanide and copper site-specific objectives into eleven NPDES permits were adopted.</li><li>• A brief summary of the Basin Plan Amendment to add water bodies and beneficial uses was prepared and distributed to the EB. Comments are due <b>April 12, 2010</b>.</li><li>• A draft of BACWA comments on the Basin Plan Amendment to add water quality objectives for enterococcus was prepared and will be submitted on <b>March 22, 2010</b>.</li></ul>

- The State Board is holding a public meeting on **April 6** to discuss the shellfish beneficial use. The Board is seeking to develop an approach that creates statewide water quality standards, better defines the use, distinguishes between commercial and recreational use, better defines the geographic extent of recreational shellfish harvesting, and that creates flexibility in how the standards for recreational use are implemented.
- The Water Board has scheduled a meeting on **April 28** to discuss the model for fate and transport of selenium in the North Bay.

*Emerging  
Contaminants*

BACWA is working with Tri-Tac representatives to develop a draft scope of work to support TDC Environmental in tracking and responding to pesticide and other regulatory developments that affect POTWs. Interest in jointly funding a scope of work was expressed by Summit Partner members at the March 1 meeting.

There will be a meeting of the SFEI emerging contaminants workgroup on **March 26**. Topics relevant to the POTW community include a white paper on CECs in Bay Area wastewater, a draft of which has been distributed for review. The ED will provide a report to the EB on relevant topics discussed at the next EB meeting. SFEI has indicated that additional funding is necessary to complete the white paper.

*Misc.*

The ED attended a meeting of the San Francisco Estuary Partnership. The SFEP has a new strategic plan that includes objectives related to wastewater and that overlap with BACWA's stated goals. Some of these objectives include (1) fostering regional pollution prevention programs that reduce pollutants as measured by the Regional Monitoring Program, (2) increasing shared knowledge of the vision and needs of the estuary by developing educational programs, (3) remediating legacy pollutants, (3) supporting and promoting new methods of water use conservation, and (4) increasing local adaptation measures to address climate change impacts.

## C. Committee Affairs

*Committees*

The committees provided the ED with draft budgets and workplans to for the 2010-2011 fiscal year, which have been incorporated into the draft budget. The next committee chair meeting has been scheduled for **May 20**. BACWA is contacting consultants to solicit scopes of work to create a BACWA energy committee/workgroup.

*Workshops &  
Trainings*

The Blanket Permit training held on March 12 by the Lab and Permits committee was very well-attended (approximately 60 attendees). The Lab committee is holding an ethics training on **March 23**.

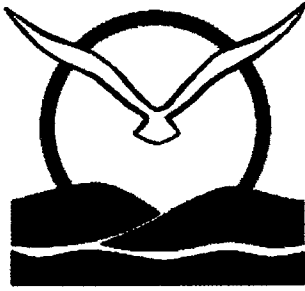
## D. Membership

*Member Communications* Circlepoint is preparing a draft scope of work to assist BACWA with communications for the coming year. The objectives outlined by BACWA and Circlepoint include developing an e-newsletter, making organizational and some aesthetic improvements to the website, and developing standards to improve consistency in how the BACWA logo and images are used in communications materials. Circlepoint was selected by CASA to develop a "Wastewater Strategic Communications and Image Campaign." BACWA discussions with Circlepoint indicate that there will be opportunities for BACWA to customize and use tools developed by the CASA campaign on a regional level.

An outline is being developed for the Annual Report which will build on last year's successful reformatting of the report. A draft is expected to be available for the Board's review sometime in May.

## E. Upcoming Meetings & Deadlines

- March 22, 2010: Comments on Basin Plan Amendment to adopt a water quality objective for enterococcus due.
- March 23, 2010: Lab Committee Ethics Training
- March 25, 2010: BACWA EB Meeting
- March 26, 2010: SFEI Emerging Contaminants Workgroup Meeting
- April 1, 2010: Mercury Watershed Report due
- April 6, 2010: State Water Board SHELL Meeting
- April 7, 2010: SSO WDR Task Force Call
- April 7, 2010: Bay Area Pollution Prevention Group Meeting
- April 7, 2010: Water Recycling Committee Meeting
- April 8, 2010: Collection Systems Committee Meeting
- April 8, 2010: Tri-Tac Meeting
- April 9, 2010: North Bay Watershed Association Conference
- April 12, 2010: Comments on Basin Plan Amendment to add water bodies and beneficial uses to the Basin Plan.
- April 13, 2010: Permits Committee Meeting
- April 14, 2010: Laboratory Committee Meeting
- April 19, 2010: Joint BACWA EB/Water Board Staff Meeting
- April 21, 2010: Infoshare Meeting
- April 22, 2010: BACWA EB Meeting
- April 28, 2010: Selenium TMDL Advisory Committee Meeting



# **Bay Area Clean Water Agencies**

**A Joint Powers Public Agency**

**P.O. Box 24055, MS 702**

**Oakland, California 94623**

March 11, 2010

MEMO TO: BACWA Executive Board

FROM : Gary Breaux, Director of Finance  
East Bay Municipal Utility District

SUBJECT: Treasurer's Report for the Month of February 2010

Attached is the Treasurer's report for the Bay Area Clean Water Agencies (BACWA), including the following enterprises: The Bay Area Integrated Regional Water Management Plan (Prop50), Air Issues and Regulation Group (AIR), the Bay Area Pollution Prevention Group (BAPPG), the Water Quality Attainment Strategies (WQA), the Clean Estuary Partnership (CEP), and Regional Water Recycling (RWR), California Wastewater Climate Change Group (CWCCG). Water/Wastewater Operator Training (WOT), Water Conservation Campaign (WCC). The report covers cash transfer, cash receipts and expenditures during the month of February 2010.

For BACWA, during the month, contribution income of \$1,500.00 was received and \$1,266.32 was transferred from Prop50. Expense of \$32,623.72 was paid. The month end total members' account balance decreased from \$579,811.09 to \$549,953.69.

For BACWA Training, the balance remained at \$250,000.00.

For BACWA Legal Reserve, the balance remained at \$300,000.00.

For BACWA Operating Reserve, the balance remained at \$153,500.00.

For Prop50, during the month, members' contribution income of \$0 was received. Expense of \$58.65 was paid and \$1,266.32 was transferred to BACWA. The month end account balance decreased from \$238,795.90 to \$237,470.93.

For the AIR fund, during the month, members' contribution income of \$0 was received. Expense of \$34,519.26 was paid. The month end account balance decreased from \$49,850.03 to \$15,330.77.

For BAPPG, during the month, members' contribution income of \$633.00 was received. Expense of \$18,503.50 was paid. The month end account balance decreased from \$93,058.18 to \$75,187.68.

For WQAS/CBC Emergency Reserve, the balance remained at \$400,000.00.

For WQAS Technical Action, the balance remained at \$250,000.00.

For CBC Operating Reserve, the balance remained at \$162,000.00.

For WQA, members' contribution income of \$500.00 was received. Expense of \$8,481.25 was paid. The month end account balance decreased from \$299,346.78 to \$291,365.53.

For CEP, during the month, no income was received and no expense was paid. The month end account balance remained at \$0.

For RWR, during the month, no income was received and no expense was paid. The month end account balance remained at \$16,494.11.

For CWCCG, during the month, no income was received and no expense was paid. The month end account balance remained at \$2,558.85.

For WOT, during the month, members' contribution income of \$28,000.00 was received. Expense of \$40,539.10 was paid. The month end account balance decreased from \$62,298.75 to \$49,759.65.

For WCC, during the month, no income was received and no expense was paid. The month end account balance remained at \$3,602.34.

GB: gt  
Attachments



**BAY AREA CLEAN WATER AGENCIES  
TREASURER'S REPORT  
FOR THE MONTH ENDED February 28, 2010**

	FY09-10 Budget	Encumbrance	Accrual/Carry forward	FY09 Rev. Received In FY10	Actual		FY10 Revenue YTD	Budg YTD %
					Revenue Current Month	Revenue Cumul YTD		
<b>BACWA</b>								
<b>REVENUES &amp; FUNDING</b>								
Principals' Contributions	450,000	450,000			-	450,000	450,000	100%
Associate & Affiliate Contributions	159,000	159,000			1,500	170,095	170,095	107%
Other Receipts	30,000			0	-	0	-	0%
Fund Transfer	124,150	91,461		-	1,266	98,450	98,450	
Interest Income	25,000	0		4,335	-	9,337	5,001	20%
<b>TOTAL REVENUE &amp; FUNDING</b>	<b>788,150</b>	<b>700,461</b>		<b>4,335</b>	<b>2,766</b>	<b>727,882</b>	<b>723,546</b>	<b>92%</b>
<b>PROJECT ELEMENTS</b>								
<b>FY09-10</b>	<b>Budget</b>	<b>Encumbrance</b>	<b>Accrual/Carry forward</b>	<b>FY09 Inv. Paid In FY10</b>	<b>Expenditures Current Month</b>	<b>Expenditures Cumul YTD</b>	<b>FY10 Expendtr YTD</b>	<b>Budg YTD %</b>
<b>BACWA Committees</b>	<b>165,000</b>	<b>80,020</b>	<b>61,175</b>	<b>45,298</b>	<b>1,325</b>	<b>89,389</b>	<b>44,091</b>	<b>27%</b>
Collections System	20,000	20,000	8,793	7,858	-	20,661	12,803	64%
Permit Committee	20,000	20,000	3,776	3,698	-	17,272	13,574	68%
Media Relations Joint Committee	60,000	16,000	30,557	13,302	-	21,532	8,229	14%
Water Recycling Committee	10,000	-	-	-	-	-	-	0%
Biosolids Committee	10,000	-	15,000	17,240	-	-	-	0%
InfoShare Groups	20,000	20,000	3,050	3,200	-	10,865	7,665	38%
Laboratory Committee	5,000	2,695	-	-	-	495	495	10%
Miscellaneous Committee Support	20,000	1,325	-	-	1,325	1,325	1,325	7%
<b>Technical Support</b>	<b>138,000</b>	<b>89,000</b>	<b>33,861</b>	<b>14,584</b>	<b>2,745</b>	<b>36,131</b>	<b>21,548</b>	<b>16%</b>
Water Quality Support	40,000	89,000	20,025	4,023	-	4,023	-	0%
Expert Consultants	98,000	13,836	13,836	10,561	2,745	32,109	21,548	22%
<b>Legal Support</b>	<b>30,000</b>	<b>24,000</b>	<b>37,987</b>	<b>15,914</b>	<b>-</b>	<b>22,989</b>	<b>7,075</b>	<b>24%</b>
Regulatory Support	20,000	14,000	-	-	-	6,155	6,155	31%
Legal Support for Permit & Appeals			30,889	14,601	-	15,097	495	#DIV/0!
Legal Support of Other WQ Issues	10,000	-	3,203	-	-	-	-	#DIV/0!
Executive Board Support (JPA)	15,150	5,000	3,895	1,312	-	1,737	425	4%
<b>Collaboratives and Sponsorships</b>	<b>10,000</b>	<b>5,000</b>	<b>5,564</b>	<b>564</b>	<b>250</b>	<b>5,814</b>	<b>5,250</b>	<b>35%</b>
Miscellaneous Collaborative Support		-	-	-	-	-	-	0%
PSSEP			5,000	-	-	-	-	
CPSC	5,000	5,000	-	-	-	5,000	5,000	100%
PSI	150	-	564	564	250	814	250	167%
<b>Communications and Reporting</b>	<b>125,000</b>	<b>25,500</b>	<b>7,938</b>	<b>150</b>	<b>5,091</b>	<b>6,458</b>	<b>6,308</b>	<b>5%</b>
BACWA Annual Report	20,000							
BACWA Website Development/Maintenance	45,000	23,500	7,938	150	5,091	6,458	6,308	0%
Needs & Capability Assessment	25,000							
Implement Information Management Strategy	25,000							
Electronic Newsletter	10,000							
<b>Special Programs</b>	<b>35,000</b>	<b>35,000</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>35,000</b>	<b>35,000</b>	<b>100%</b>
Contribution to BAPPG Enterprise	35,000	35,000		-	-	35,000	35,000	100%
<b>CEP Administration</b>	<b>0</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>78</b>	<b>78</b>	<b>#DIV/0!</b>
CEP Administration								
<b>General BACWA Support</b>	<b>25,000</b>	<b>18,207</b>	<b>11,642</b>	<b>10,903</b>	<b>3,547</b>	<b>27,949</b>	<b>17,046</b>	<b>68%</b>
Contingency	20,000	14,660	11,642	10,903	-	24,402	13,499	67%
BACWA Members' Meeting	5,000	3,547		-	3,547	3,547	3,547	71%
<b>TOTAL PROGRAMS</b>	<b>533,150</b>	<b>276,727</b>	<b>158,167</b>	<b>87,413</b>	<b>12,958</b>	<b>223,809</b>	<b>136,396</b>	<b>26%</b>
<b>Administrative Expenses</b>	<b>255,000</b>	<b>250,739</b>	<b>70,000</b>	<b>41,812</b>	<b>14,841</b>	<b>138,656</b>	<b>96,844</b>	<b>38%</b>
Executive Director	150,000	147,000	10,984	10,984	10,833	69,660	58,676	39%
Assistant Executive Director	50,000	50,000	6,873	6,873	3,891	37,719	30,846	62%
EBMUD Administrative Service & Audit	40,000	40,000	50,000	23,318	-	23,318	-	0%
Administrative Expenses	10,000	10,000		637	117	4,221	3,583	36%
Insurance	5,000	3,739		-	-	3,739	3,739	75%
<b>PROJECT TOTALS</b>	<b>788,150</b>	<b>527,466</b>	<b>228,168</b>	<b>129,224</b>	<b>27,798.88</b>	<b>362,465</b>	<b>233,241</b>	<b>30%</b>
<b>BALANCE</b>	<b>0</b>			<b>(124,889)</b>	<b>(25,033)</b>	<b>365,417</b>	<b>490,306</b>	

	Budgeted FY 10	Encumbrance	Accrual/ Carryforward	Actual		Rev./Expend Cumul YTD	FY10 Rev./Expend	Budg YTD %
				FY09 Revenue/Expend	Rev./Expend Current Month			
WQA Contributions	538,815	450,000		-	500	504,904	504,904	94%
WQA Interest/ Misc	15,000			3,794	-	7,771	3,977	27%
WQA Contract Expenses	470,300	164,263	227,795	121,993	5,799	236,271	114,278	24%
Fact Sheet on BPA or TMDLs			10,273	13,152	-	35,284	22,132	#DIV/0!
Water Quality Studies and Analysis	295,000	55,000		-	5,799	22,825	22,825	8%
CBC Reporting	25,000	22,880		-	-	989	989	4%
Expert Consultant Support	20,000		217,522	108,842	-	115,450	6,609	33%
Wet Weather Program	55,000	20,000		-	-	0	-	0%
Climate Change Program	50,300	50,000		-	-	50,000	50,000	99%
Contingency	25,000	16,383		-	-	11,724	11,724	47%
WQA Administrative Expenses	83,515	83,515		4,946	-	89,059	84,113	101%
<u>WQA Balance</u>				(5,299)		187,344	310,490	
CEP Contributions	-			-	-	0	-	
CEP Interest/Misc	-			1,435	-	2,043	608	
CEP Contract Expenses	-	-	10,000	102,299	-	228,297	125,998	
CEP Administrative Expenses	-	4,000		717	-	123,438	122,721	
<u>CEP Balance</u>					-	(349,692)	(248,111)	
Air Contributions	91,399	91,649		-	-	80,132	80,132	88%
Air Interest/Misc				240	-	452	211	#DIV/0!
Air Contract Expenses	86,899	86,899	59,450	59,447	34,519	116,902	57,455	66%
Air Administrative Expenses	4,345	4,345		1,486	-	6,285	4,799	110%
<u>Air Balance</u>					(34,519)	(42,603)	18,090	
BAPPG Contributions	65,005	65,505		-	633	65,750	65,750	101%
BAPPG Interest/ Misc				291	-	683	392	#DIV/0!
BAPPG Contract Expenses	72,965	55,184		8,659	16,756	53,581	44,921	62%
Our Water Our World	10,000	10,000		-	-	10,000	10,000	100%
Copper Outreach to Bay Area Plumbing	5,000		7,000	5,053	-	5,053	-	0%
Mercury Training and Outreach	8,800	8,800		-	1,088	4,719	4,719	54%
Amalgam Separator List	2,500	2,465	2,500	2,500	2,465	4,965	2,465	99%
Cyanide Training for Inspectors	500			-	-	0	-	0%
Statewide Pharmaceutical Collection Event	8,165	8,165		-	-	10,166	10,166	125%
Pharmaceutical Partnership w/Teleosis	5,000	5,000		-	-	0	-	0%
FOG Spanish Radio Ads	10,000	10,000		-	10,000	10,000	10,000	100%
FOG Training	1,500			-	-	0	-	0%
FOG Asian Outreach	2,500			-	-	0	-	0%
FOG Turkey Fryer Outreach	2,000	2,000		-	-	1,880	1,880	94%
FOG BMP Handout for Restaurants	5,000			-	-	0	-	0%
Agency Coordination and Production of P2 Week	2,000	1,754		-	354	1,829	1,829	91%
Emerging Issues	10,000	7,000		1,106	2,850	4,969	3,863	39%
BAPPG Administrative Expenses	3,601	3,601		1,349	-	4,956	3,607	100%
<u>BAPPG Balance</u>				(16,123)		7,896	17,614	
Prop50 Contributions				-	-	151,922	151,922	
Prop50 Interest/Misc				373	-	4,683	4,310	
Prop50 Contract Expenses	99,000	99,000		-	-	7,924	7,924	8%
Prop50 Administrative Expenses				1,669	1,325	5,200	3,531	
<u>Prop50 Balance</u>				(1,325)	(1,325)	143,481	144,776	

	Budgeted FY 10	Encumbrance	Accrual/ Carryforward	Actual		Rev./Expendtr Cumul YTD	FY10 Rev./Expend	Budg YTD %
				FY09 Revenue/Expenditure	Rev./Expend Current Month			
RWR Contributions				-	-	0	-	
RWR Interest/Misc				67	-	128	61	
RWR Contract Expenses				-	-	-	-	
WRF				-	-	0	-	
White Paper				-	-	0	-	
RWR Administrative Expenses				-	-	0	-	
RWR Balance					-	128	61	
CWCCG Contributions				-	-	0	-	
CWCCG Interest/Misc				66	-	83	17	
CWCCG Contract Expenses			12,233	11,613	-	11,613	-	
CWCCG Administrative Expenses				1,170	-	1,268	98	
CWCCG Balance					-	(12,798)	(80)	
WOT Contributions				-	28,000	118,360	118,360	
WOT Interest/Misc				174	-	361	187	
WOT Contract Expenses				-	40,500	81,000	81,000	
WOT Administrative Expenses				417	39	1,023	606	
WOT Balance					(12,539)	36,698	36,941	
WCC Contributions		56,500		-	-	25,000	25,000	
WCC Interest/Misc				14	-	40	26	
WCC Contract Expenses			25,000	23,563	-	23,563	-	
WCC Administrative Expenses				1,278	-	1,278	-	
WCC Balance					-	200	25,026	
IRWMP Contributions				-	-	0	-	
IRWMP Interest/Misc				-	-	0	-	
IRWMP Contract Expenses				-	-	0	-	
IRWMP Administrative Expenses				-	-	0	-	
IRWMP Balance					-	0	-	

All Project Revenue Total:

Adjustment: Fund Transfer In

Adjusted Revenue Total:

All Project Expense Total:

Adjustment: Fund Transfer Out

Adjusted Expense Total:

1,690,194	1,679,404
(87,860)	(87,860)
<b>1,602,334</b>	<b>1,591,544</b>
(1,354,123)	884,291
87,860	87,860
<b>(1,266,263)</b>	<b>972,151</b>

Note: CWCCG \$106,000 received in FY07

Note:

1 BAPPG has revised their budget in December 08. The new budget will be in TR in the 2nd half of the fiscal year 2009.

2 WCC encumbrance is higher than the contract budget, this is due to the additional Underground Advertising contracts in the amount of \$485K.

# PROJECT ACCOUNT ACTIVITY

For the Month Ended 2-28-10

	BACWA	BCTWRNG	BCLWGLR	BCWOPR	Prop50	AIR	BAPPG	WQEMGR	WQTACT	CBCOPR	WQA	CEP	RWR	CWCCG	WOT	WCC	RESERVE	Total
Beginning Cash Balance 7/1/09	888,735.77	-	-	-	93,990.01	57,933.99	67,292.37	-	-	-	916,020.92	349,692.49	16,365.64	15,357.11	13,061.89	3,402.63	120,000.00	2,542,852.82
CASH ACCOUNT BALANCE 1/31/10	579,811.09	250,000.00	300,000.00	153,500.00	238,795.90	49,850.03	93,058.18	400,000.00	250,000.00	162,000.00	299,346.78	-	16,494.11	2,558.85	62,298.75	3,602.34	120,000.00	2,981,316.03
Receipts - February	-	-	-	-	-	-	633.00	-	-	-	500.00	-	-	-	28,000.00	-	-	29,133.00
Members' Contributions	1,500.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,500.00	-
Associate & Affiliate Contributions	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Receipts	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Interest Income	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Receipts	1,500.00	-	-	-	-	-	633.00	-	-	-	500.00	-	-	-	28,000.00	-	-	30,633.00
Disbursements - February	16,957.43	-	-	-	-	34,519.26	19,503.50	-	-	-	8,481.25	-	-	-	40,500.00	-	-	118,981.44
Consultant Services	15,866.29	-	-	-	58.85	-	-	-	-	-	-	-	-	-	39.10	-	-	15,764.04
Administrative Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Cash Distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Disbursements	32,623.72	-	-	-	58.85	34,519.26	19,503.50	-	-	-	8,481.25	-	-	-	40,539.10	-	-	134,725.48
Other Activity - February	1,266.32	-	-	-	(1,266.32)	-	-	-	-	-	-	-	-	-	-	-	-	-
Cash Transfers	1,266.32	-	-	-	(1,266.32)	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Other Activity	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Receipts - Fiscal Year-To-Date:																		
Members' Contributions	450,000.00	-	-	-	136,542.11	80,132.00	30,750.00	-	-	-	388,906.00	-	-	-	88,360.00	25,000.00	-	1,198,690.11
Associate & Affiliate Contributions	168,595.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	168,595.00
Other Receipts	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Interest Income	8,950.39	-	-	-	4,691.36	452.11	684.22	-	-	-	7,781.88	2,042.80	128.62	83.05	361.50	40.01	-	25,215.92
Total Receipts	627,545.39	-	-	-	141,233.47	80,584.11	31,434.22	-	-	-	396,687.88	2,042.80	128.62	83.05	88,721.50	25,040.01	-	1,393,801.03
Disbursements - Fiscal Year-To-Date:																		
Consultant Services	158,522.10	-	-	-	7,923.75	116,902.00	52,569.34	-	-	-	193,451.36	228,296.92	-	-	11,613.16	81,000.00	-	873,841.22
Administrative Services	119,535.58	-	-	-	3,620.93	1,939.82	1,906.07	-	-	-	5,544.30	1,166.85	-	-	1,268.13	864.61	-	137,223.97
Other Expenditures	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Disbursements	278,057.68	-	-	-	11,544.68	118,841.82	54,475.41	-	-	-	198,995.66	229,463.77	-	-	12,881.29	81,964.61	-	1,011,065.19
Transfers - Fiscal Year-To-Date:																		
Cash Transfers	(640,045.78)	250,000.00	300,000.00	153,500.00	(1,266.32)	(4,344.95)	31,950.00	400,000.00	250,000.00	162,000.00	(779,517.43)	(122,271.52)	-	-	-	-	-	0.00
Total Transfers - Year To Date	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

ENDING CASH BALANCE 2/28/10

OUTSTANDING ENCUMBRANCE

UNOBLIGATED CASH BALANCE 2/28/10

BACWA: Bay Area Clean Water Agencies  
 IRWMP: Bay Area Integrated Regional Water Management Plan I  
 Prop50: Bay Area Integrated Regional Water Management Plan I  
 AIR: Air Quality Regulation Group  
 BAPPG: Bay Area Pollution Prevention Group  
 WQA: Water Quality Attainment Strategies  
 CEP: The Clean Estuary Partnership  
 RWR: Regional Water Recycling  
 CWCCG: California Wastewater Climate Change Group  
 WOT: Water/Wastewater Operator Training  
 WCC: Water Conservation Campaign

# MINUTES

## Executive Board Meeting

Thursday, February 25, 2010  
9:00 a.m. – 2:00 p.m.

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

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### ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Dave Tucker, Chair (City of San Jose); Doug Craig, Vice-Chair (Central Contra Costa Sanitary District); Mike Conner (East Bay Dischargers Association), Tommy Moala (San Francisco Public Utilities Commission), Dave Williams (East Bay Municipal Utility District)

Other Attendees: Amy Chastain (BACWA), Jim Kelly (Central Contra Costa Sanitary District); Bhavani Yerrapotu (San Jose), Kirsten Struve (San Jose), Arleen Navarret (San Francisco Public Utilities Commission), Natalie Sierra (San Francisco Public Utilities Commission), Greg Baatrup (Fairfield-Suisun Sewer District), Ben Horenstein (EBMUD) Jen Jackson (EBMUD), Monica Oakley (Oakley Water Strategies), Tom Hall (Eisenberg Olivieri Associates), Denise Conners (Larry Walker Associates); Alexandra Gunnell (BACWA)

### PUBLIC COMMENT

There were no public comments.

### CONSENT CALENDAR

1. Approval of January 2010 Treasurer's Report.
2. Approval of Minutes from January 28, 2010 BACWA Executive Board Meeting.
3. Chair Authorized Actions
  - a. Sanitary Sewer Overflow Posting Information. Task authorization in the amount of \$4,750 for Oakley Water Strategies to compile and distribute information about member agencies' SSO posting practices, using an existing as-needed assistance contract (File No. 11,814).
  - b. Attachment G Training. Task authorization in the amount of \$4,900 for Oakley Water Strategies to assist the Lab and Permits Committees offer a training on the new dioxin compliance and standard provisions recently incorporated into all NPDES permits, using an existing as-needed assistance contract (File No. 11,814).
  - c. Sanitary Sewer Overflow Best Practices Manual Printing. Reimbursement of costs totaling \$1,324.78 to CVCWA, approved by Chair on January 26, 2010.

The Executive Director reviewed **agenda items 1 through 3** on the consent calendar. The Executive Board (EB) discussed the earned interest line of the Treasurer's Report and requested that more detailed information about interest be provided ad part of the Budget Workshop on March 25, 2010.

*Dave. Williams moved to approve all items on the consent calendar. Doug Craig seconded. The motion carried unanimously.*

## REPORTS

The ED solicited questions or comments for **agenda item 4**, regarding the **February Grant Disbursement Summary for the IRWM Prop 50 Grant**. The EB requested that information about the current account balance remaining for administration costs be provided at the March 25, 2010 BACWA Executive Board meeting.

The ED introduced **agenda item 5** and invited committee chairs and the Board to provide comments or questions concerning the **Committee Reports**.

- The BAPPG report and a report from O'Rourke Media Relations on FOG Outreach were included in the Handout Packet for review. The EB asked the BAPPG Chair, Jen Jackson, about funding for regulatory support regarding pesticide tracking. She clarified that BAPPG's \$5,000 contribution has been used to support Tri-Tac's work and stated that additional funding is needed to ensure that wastewater interests are represented.
- The EB would like to see a proposal from Kelly Moran to address POTW issues and will consider this matter when drafting 2010-2011 Budget.
- The Biosolids committee report and the Biosolids Annual Report to Solano County were included in the Handout Packet for review. The Biosolids Committee Chair, Greg Bastrup, provided further background on the UC Davis Green Waste Compost VOC's study described in the committee report. This study, led by Peter Green of UC Davis, includes a statewide proposal to look at Biosolids composting. Approximately \$25,000 of the \$50,000 necessary to fund the Biosolids portion of the project has been secured. The ED and Biosolids Chair will provide more information about this project to the Board over the next few weeks and possibly bring forward a proposal for funding to the BACWA Board for approval on March 25, 2010.
- The Permits committee report was included in the Handout Packet for review. Monica Oakley expressed concern that Novato Sanitary District will not be able to see an administrative draft prior to the RWQCB issuing a Tentative Order for their NPDES Permit renewal. This will be discussed at the March 19, 2010 BACWA Board meeting with the RWQCB.

For **agenda item 6** The ED referred to the monthly **Executive Director Report** that was included in the Handout Packet, and highlighted the following items:

- The AIR GHG Mandatory Reporting Workshop held on February 17, 2010 had more than twenty attendees.
- The results from the survey distributed to members following the annual meeting have been summarized and included in the packet. Based on the feedback it appears that everyone attends annual meeting for different reasons, the newsletter will need to be distributed via e-mail, and BACWA should focus on website improvements. The ED explained BACWA's current resources for website improvements and explained that the ED and AED continue to research service and support provider options.
- A training for members on the new Attachment G is scheduled for March 12, 2010.
- The ED notified the Board that she will solicit feedback via e-mail regarding the agenda items for the March 19, 2010 meeting with the RWQCB, and also mentioned that the Summit Partner's meeting is scheduled for March 1, 2010.

#### **Agenda item 7, Executive Board Reports:**

- Dave Tucker noted that the next SFEI/Aquatic Science Center (ASC) joint meeting is scheduled for March 4, 2010 and that the ASC agenda includes a discussion on Mercury Risk Reduction.
- Ben Horenstein provided a synopsis of the Stormwater Diversion meeting that occurred on February 24, 2010 which included members of BASMAA, BACWA and the RWQCB.

The ED directed the Board's attention to the draft policy revisions included in the packet, "Contracting Policies" and "Cost Allocation Policy for Programs of Special Benefit", revised as requested by the **Finance Committee** during the January 11, 2010 meeting (**Agenda Item 8**). Feedback should be directed to the ED and final versions of the policies will be brought back for Board adoption on March 25, 2010.

#### **BOARD DISCUSSION ITEMS**

The Board discussed the following items:

**Agenda item 9, BACWA Officer Succession** - Doug Craig will step down from his position at CCCSD as of March 30, 2010, and Jim Kelly will perform interim duties. Dave Tucker will continue to represent San Jose on the BACWA Board until June 2010 and then Bhavani Yerrapotu and Kirsten Struve will assume BACWA responsibilities.

The EB briefly discussed how any **RMP Rate increase** may be difficult for agencies in FY 2010-2011. (**Agenda Item 10**)

The California Energy Commission (CEC) has asked for assistance with developing criteria for proposal selection to award \$25 million in project funding. The ED and Bhavani Yerrapotu will work together to form a workgroup to discuss **Energy Issues Affecting Wastewater Treatment Plants**, and will identify consultant support for this effort if necessary. (**Agenda item 11**)

Monica Oakley provided a verbal **Mercury Watershed Permit: Annual Mercury Reporting & Risk Reduction Update** to the Board for **agenda item 12**. Initial estimates show a slight increase in annual loading over last year, but the mass aggregate load is still less than 5 kg. March 1, 2010 is the deadline for reporting out on Risk Reduction plan, and the ED will circulate the report to the Board prior to submitting it to the RWQCB. The Board discussed the need to articulate a clear goal for these efforts.

The ED introduced **agenda item 13**, by requesting clarification on the **purpose and future projects of the Clean Bay Collaborative**. Board feedback included: attain BACWA long term regulatory goals by developing roadmaps cooperatively with the RWQCB; not just for collaborative RWQCB projects, but a way to address member needs including training and bulk purchasing. The Board will continue discussions at the budget workshop on March 25, 2010, and SFPUC will investigate availability of room for the BACWA Board meeting and following Budget WS on 3/25/10.

For **agenda item 14**, Arleen Navarret will submit a comment letter for the **Enterococcus Basin Plan Amendment**, and will continue to work with Richard Looker, Bhupinder Dhaliwal, and Mike Connor to address this issue. Dan Jackson of EBMUD, and Jim Ervin with San Jose, will be included in correspondence. The Board expressed support for utilizing the “As Needed” consultant contracts to support these efforts.

#### **REVIEW ACTION ITEMS**

Action items were reviewed by the AED and revised as requested by attendees. See page 5.

#### **CLOSED SESSION**

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

#### **NEXT REGULAR MEETING**

The next regular meeting is scheduled for March 25, 2010, 9:00 to 12:00, immediately followed by the BACWA budget workshop; location to be determined.

#### **ADJOURNMENT**

The meeting adjourned at 2:00 p.m.



**February 25, 2010 BACWA Executive Board Meeting Action Items**

<b><i>Subject (Lead)</i></b>	<b><i>Task</i></b>	<b><i>Deadline</i></b>	<b><i>Update</i></b>
Prop 50 (AED, ED & B. Campbell)	Provide balance information, specifically remaining Admin Funding, at March BACWA Board meeting.	3/25/10	
Permits (ED)	Discuss Admin Draft Review concerns with RWQCB at March meeting.	3/15/10	
Kelly Moran, UP3 (BAPPG Chair & ED)	Consider drafting proposal to bring before BACWA Board; include this in BACWA Budget WS discussion in March.	3/25/10	
RWQCB/ BACWA Meeting (ED & Board)	Circulate Agenda, provide feedback to ED.	3/5/2010	
Contracting and Cost Allocation Policy Revisions (ED & Board)	Send revision requests, concerns to ED and include on March Agenda for adoption by BACWA Board	3/25/10	
Succession (Board & ED)	Continue conversations to address Vice Chair Vacancy	3/25/10	
Risk Reduction (ED & Board)	Circulate draft report, provide feedback to ED and submit to RWQCB on March 1. Discuss with RWQCB at March meeting.	3/1/10 3/19/10	
Energy (B. Yerrapotu & ED)	Draft plan for workgroup formation; circulate to BACWA members/committees; assist in planning, facilitating workgroup meeting.	none	
Budget WS (A. Navarret & ED)	Investigate availability at SFPUC for 3/25 board meeting and Budget WS.	3/18/2010	
Enterococcus (A. Navarret)	A. Navarret to prepare comment letter and continue to work with Richard Looker. Keep EBDA, SJ, EBMUD, and CCCSC informed of progress. If necessary, utilize BACWA As Needed Support contracts.	3/22/2010	



## BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 8

FILE NO.: \_\_\_\_\_

MEETING DATE: March 25, 2010

**TITLE: Election of BACWA Vice-Chair**

☒ MOTION \_\_\_\_\_ ☐ RESOLUTION \_\_\_\_\_

**RECOMMENDED ACTION**

Election of a Vice Chairman for BACWA to succeed Doug Craig for the remainder of FY 2009-10.

**SUMMARY**

Section 7 of the JPA states that the Association shall have a Chairman and Vice Chairman chosen by the Executive Board, from the members of the Executive Board, for a term of one year coinciding with the fiscal year. The Vice Chairman shall serve as Chairman in the absence of the regularly elected Chairman.

As described in BACWA policies and procedures, the Chair signs contracts, approves invoice payments, convenes and manages meetings of the Executive Board, and serves as a member of the Finance Committee. The Vice Chair also serves as a member of the Finance Committee and has historically succeeded the Chair at the end of his term.

**Past Chairs and Vice Chairs:**

Timeframe	Chair	Vice-Chair
2000 – 2002	Chuck Weir	Jim Kely
2002 – 2004	Jim Kelly	Michael Carlin
2004 – (Feb.) 2005	Michael Carlin	Dave Williams
(Mar.) 2005 – (July) 2005	Dave Williams	Bill Keaney
(July) 2005 – (June) 2006	Bill Keaney	Chuck Weir
(July) 2006 – (May) 2007	Bill Keaney	Dave Williams
(June) 2007 – (June) 2008	Dave Williams	Dave Tucker
(July) 2008 – March 2010	Dave Tucker	Doug Craig

**FISCAL IMPACT**

This resolution has no fiscal impact.

**ALTERNATIVES**

This action does not require consideration of alternatives.

*Attachments:* None.

Submitted: Amy Chastain

Executive Director Approval: /s/ Amy Chastain



## BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 9

FILE NO.: 12,125

MEETING DATE: March 25, 2010

**TITLE: Resolution Recognizing Doug Craig for Service to BACWA**

☐ MOTION \_\_\_\_\_ ☒ RESOLUTION \_\_\_\_\_

**RECOMMENDED ACTION**

Adopt a resolution recognizing Doug Craig for his service to the Bay Area Clean Water Agencies and the San Francisco Bay wastewater community.

**SUMMARY**

Doug Craig, former BACWA Executive Board member, is retiring after more than two decades of employment with the Central Contra Costa Sanitary District. Mr. Craig served on the BACWA Board since 2006, including as Vice Chairman starting in 2008. This Board Action formally expresses the Board's appreciation for Mr. Craig's contributions.

**FISCAL IMPACT**

This resolution has no fiscal impact.

**ALTERNATIVES**

This action does not require consideration of alternatives.

*Attachments:*

1. Resolution of the Bay Area Clean Water Agencies Honoring the Distinguished Service of Doug Craig

Submitted: Amy Chastain

Executive Director Approval: /s/ Amy Chastain

# **A Resolution Honoring the Distinguished Service of**

*Doug Craig*

**March 25, 2010**

**WHEREAS**, the Bay Area Clean Water Agencies (BACWA) was formed in 1984 as a public Joint Powers Authority with the mission of developing a regional understanding of the San Francisco Bay Estuary's watershed protection and enhancement needs through reliance on sound science, environmental, and economic information; *and*

**WHEREAS**, the Central Contra Costa Sanitary District (CCCSD) is a BACWA founding member and Principal; *and*

**WHEREAS**, Doug Craig has served CCCSD for more than twenty years, during which time the District received numerous awards, including the National Association of Clean Water Agencies' 2007 Peak Performance Platinum Award and the Clean Water Environment Association's 2008 Large Treatment Plant of the Year Award; *and*

**WHEREAS**, Doug represented CCCSD on the BACWA Executive Board since 2006, including as Vice-Chair from 2008 through 2010, during which time his strategic perspective and strong management skills ensured that meetings were both effective and efficient; *and*

**WHEREAS**, Doug represented BACWA as a Board member of the Aquatic Science Center, and supported focused coordination among regulators, environmental groups, and publicly-owned treatment plants to develop solutions to Bay Area environmental and regulatory issues, *and*

**WHEREAS**, Doug has ensured that BACWA's efforts and policies were well-supported by sound science, and brought to bear CCCSD's scientific expertise to help resolve important environmental and wastewater issues related to selenium and polychlorinated biphenyls; *and*

**WHEREAS**, under his leadership at CCCSD, BACWA successfully partnered with the Solano Community College to train hundreds of students to become wastewater treatment plant operators; *and*

**WHEREAS**, Doug's thoughtful and professional demeanor have endeared him to his many colleagues at BACWA and CCCSD; *and*

**WHEREAS**, given the abundance of lakes on golf courses in Northern California and Doug's renown reputation on the tee box, some regulators are pushing for establishing a golf ball TMDL.

**NOW, THEREFORE, BE IT RESOLVED**, that the BACWA Board of Directors hereby honors and thanks Doug Craig for his service to BACWA, its member agencies, and the San Francisco Bay Estuary.

David M. Tucker  
Chair, BACWA Executive Board



## BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 10

FILE NO.: 12,127

MEETING DATE: March 25, 2010

### TITLE: BACWA 2009 Mercury Watershed Permit Group Report

☒ MOTION \_\_\_\_\_ ☐ RESOLUTION \_\_\_\_\_

### RECOMMENDED ACTION

Approve the BACWA 2009 Mercury Watershed Permit Group Report to the San Francisco Bay Regional Water Quality Control Board.

### SUMMARY

This report was prepared to fulfill the requirements of the Waste Discharge Requirements for Municipal and Industrial Wastewater Dischargers of Mercury to San Francisco Bay (Order No. R2-2007-0077, NPDES No. CA0038849) and will be submitted to the Water Board by Wednesday, April 1, 2010. The group reporting format allows the wastewater community and the Water Board to easily compare the total mass of mercury emitted by publicly-owned treatment works (POTWs) to the group permit limit and the mercury TMDL wasteload allocations.

This report summarizes the process used to determine the 2009 municipal group mass emission of 4.8 kg/yr, and compares it with the 2008 mass emission of 4.5 kg/yr, and the group mass permit limit of 17 kg/yr (this permit limit will decrease to 14 kg/year in nine years and to 11 kg/ year in 19 years) . As compared to 2008, approximately 50% of municipal agencies emitted less mercury and approximately 50% emitted more. Approximately 72% of agencies had a higher average flowrate and approximately 61% had a lower average mercury concentration than last year. In 2009, data from all 12 months were used to compute the total mass emission, in comparison to 2008, when only March through December data were used to represent the 12-month calendar year.

A draft BACWA 2009 Mercury Watershed Permit Group Report was issued for review on March 11, 2010. Comments were received from nine BACWA members (compared to 12 last year), and were incorporated into a final document.

### FISCAL IMPACT

This motion has no fiscal impact.

### ALTERNATIVES

This action does not require consideration of alternatives.

#### *Attachments:*

BACWA 2009 Mercury Watershed Permit Group Report

Submitted: Jim Ervin, Permits Committee Chair

Executive Director Approval: /s/ Amy Chastain



**Bay Area Clean Water Agencies**

# **2009 Mercury Watershed Permit Group Report**

April 1, 2010

Prepared by Oakley Water Strategies, Inc.

## Bay Area Clean Water Agencies

### 2009 Mercury Watershed Permit Group Report

April 1, 2010

#### Introduction

On November 1, 2007 the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) adopted the mercury watershed permit, also known as National Pollutant Discharge Elimination System (NPDES) Permit No. CA0038849, Regional Water Board Order No. R2-2007-0077. The purpose of the mercury watershed permit was to implement requirements associated with the mercury Total Maximum Daily Load (TMDL), which was adopted by the Regional Water Board in August 2006 and approved by the State Water Resources Control Board (State Water Board) in July 2007. The mercury watershed permit established limitations and requirements on the discharge of mercury from current municipal and industrial NPDES permittees which discharge treated wastewater to San Francisco Bay or its tributaries. This group report is for municipal permittees associated with the watershed permit.

The mercury watershed permit became effective on March 1, 2008 after the approval of the United States Environmental Protection Agency (USEPA), and superceded all existing mercury requirements in existing individual wastewater permits to ensure consistent, complete, and coordinated implementation of the TMDL's requirements.

#### Watershed Permit Group Reporting Requirements

One of the requirements indicated in the watershed permit was for agencies to report mercury mass loads and source control activities on an annual basis. The permit allowed permittees to report this information either individually, or as part of a group. The Bay Area Clean Water Agencies (BACWA) opted to form a group and invite municipal permittees to participate. If permittees desired to participate in a group process, they needed to notify the Regional Water Board by February 1, 2010 (deadline for annual Self-Monitoring Report, or SMR) of this intent.

Electronic forms for BACWA group participants were prepared to facilitate the reporting process for both participants and the organizer. These electronic forms were developed in MS Excel based on the forms in the watershed permit, and were emailed to potential group participants with a readily available email address on December 1, 2009. The due date for submittal of data under the group reporting program was February 15, 2010. However, since February 15 was a holiday, the forms were allowed to be submitted on Tuesday, February 16, 2010.

#### Data Collection and Compilation

The annual reporting forms were organized into three parts as follows:

- Part 1 – Basic Information
- Part 2 – Mercury Data
- Part 3A – Source Control Information
- Part 3B – Specific Source Control Checklist

Reporting forms for Part 1 and Part 2 were drawn directly from the mercury watershed permit. The reporting form for Part 3A is identical to mercury watershed permit Part 3. This form was re-numbered in order to incorporate an additional form (Part 3B), which was developed by BACWA and distributed to permittees for the 2009 report in order to obtain more consistent and complete information about source control. The need for this additional form was identified during compilation of the 2008 BACWA Group Report.

Completed forms were received from all 37 of the municipal agencies included in the mercury watershed permit. An additional two entities are listed in the permit as serving domestic customers but are not municipal government agencies. One of these entities, Seafirth Estates Company, is no longer an independent discharger. The Seafirth Estates wastewater treatment plant was decommissioned after two pump stations were installed to transfer sewage to Sanitary District No. 5 of Marin County's Paradise Cove Treatment Facility. The Regional Water Board recorded that the Seafirth Estates plant had ceased operation by October 5, 2009. For the purposes of this 2009 BACWA Group Report, the mass load for Seafirth Estates Company is included independent from the Paradise Cove facility, with a mercury load estimated for nine months of the year. All subsequent mercury loading from this collection system is included in the Paradise Cove facility effluent.

Data were received from group participants by email, fax, and regular mail. Data received by email were in a PDF or MS Excel format. Signed certification pages (in Part 1) were received from all participating agencies. The forms received are shown in **Appendix A**. The distribution of participating municipal permittees in the BACWA group is shown in **Table 1**.

**Table 1. BACWA Group Participants**

Municipal Permittees Participating in BACWA Group		Municipal Permittees Not Participating in BACWA Group
<ul style="list-style-type: none"> <li>American Canyon, City of</li> <li>Benicia, City of</li> <li>Burlingame, City of</li> <li>Calistoga, City of</li> <li>Central Contra Costa Sanitary District</li> <li>Central Marin Sanitation Agency</li> <li>Crockett Community Services District – Port Costa</li> <li>Delta Diablo Sanitation District</li> <li>East Bay Dischargers Authority</li> <li>East Bay Municipal Utilities District</li> <li>Fairfield-Suisun Sewer District</li> <li>Las Gallinas Valley Sanitary District</li> </ul>	<ul style="list-style-type: none"> <li>Pinole, City of</li> <li>Rodeo Sanitary District</li> <li>Saint Helena, City of</li> <li>San Francisco, City and County of, SF Int'l Airport (sanitary plant)</li> <li>San Francisco (Southeast Plant), City and County of</li> <li>San Jose/Santa Clara, Cities of</li> <li>San Mateo, City of</li> <li>Sausalito-Marín City Sanitary District</li> <li>Sewerage Agency of Southern Marin</li> <li>Sonoma Valley County Sanitation District</li> <li>South Bayside System Authority</li> <li>South San Francisco and San Bruno, Cities of</li> </ul>	<ul style="list-style-type: none"> <li>East Brother Light Station, Inc.</li> <li>Seafirth Estates Company</li> </ul>



Municipal Permittees Participating in BACWA Group	Municipal Permittees Not Participating in BACWA Group
<ul style="list-style-type: none"> <li>• Marin County (Paradise Cove), Sanitary District No. 5 of</li> <li>• Marin County (Tiburon), Sanitary District No. 5 of</li> <li>• Millbrae, City of</li> <li>• Mt. View Sanitary District</li> <li>• Napa Sanitation District</li> <li>• Novato Sanitary District</li> <li>• Palo Alto, City of</li> <li>• Petaluma, City of</li> </ul>	<ul style="list-style-type: none"> <li>• Sunnyvale, City of</li> <li>• US Naval Support Activity, Treasure Island</li> <li>• Vallejo Sanitation and Flood Control District</li> <li>• West County Agency</li> <li>• Yountville, Town of</li> </ul>

Although most Bay Area municipal permittees normally report data electronically through the Electronic Reporting System (ERS), most agencies provided flow data and mercury concentrations rather than checking the box on the form that data are reported through the ERS without supplying data.

Data submitted by BACWA group participants included all mercury concentration data collected throughout the 2009 calendar year, which were also averaged by month, as well as daily flowrates for sampling days, and a computed annual mass emission. All computations for group participants were checked for accuracy and usage of proper formulas for calculations at a minimum. As indicated in the mercury watershed permit, if data were not available for every month that discharge occurred, an estimated annual mass emission was computed by normalizing the available data over all applicable months.

### Estimated Mercury Mass Loads for 2009

The estimated annual mercury mass emission was determined for all municipal permittees listed in the mercury watershed permit. For the two entities that neither participated in the BACWA group nor report to ERS, the individual permittee mass limit from the watershed permit was used as a conservative estimate of actual annual mass emission. These mass limits were used for two very small permittees, namely the Seafirth Estates Company (discussed above), and the East Brother Light Station, Inc. Results for each permittee and the sum for the group are shown in **Table 2**.

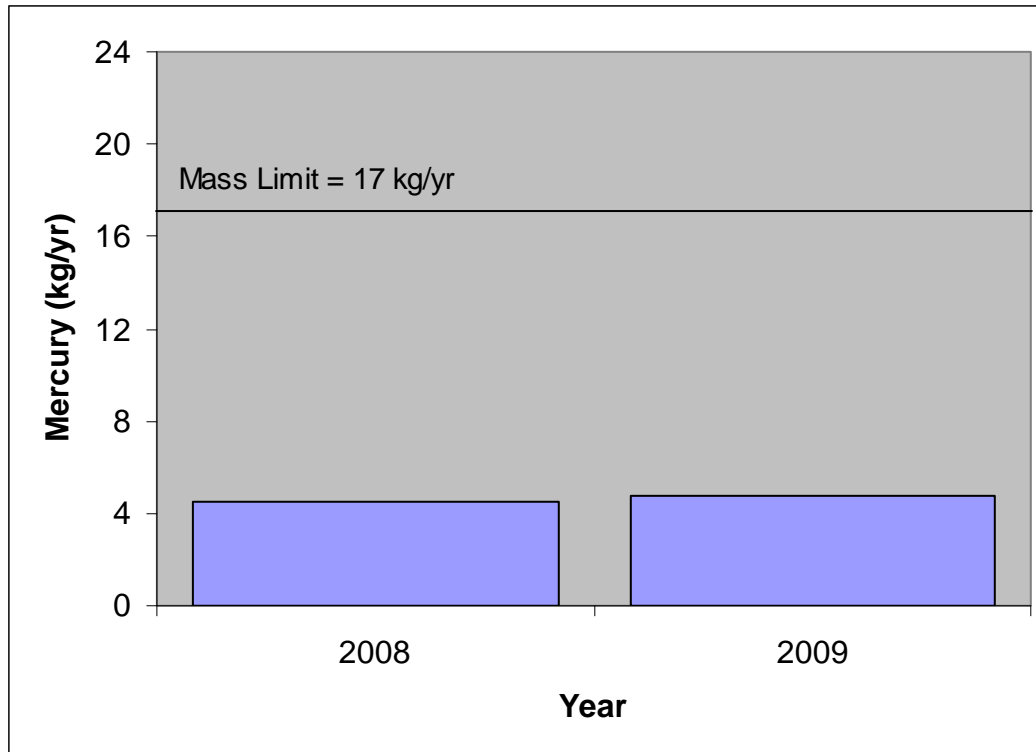
**Table 2. Estimated Weighted Annual Mass Emission for Municipal Permittees**

Municipal Permittee	2009 Annual Mass Emission (kg/yr)	Notes on Computations Conducted for This Report
American Canyon, City of	0.0054	Used agency data and calculations.
Benicia, City of	0.0197	Used agency data and calculations.
Burlingame, City of	0.0229	Used agency data and calculations.
Calistoga, City of	0.0010	Used agency data and calculations.
Central Contra Costa Sanitary District	0.6488	Used agency data and calculations.
Central Marin Sanitation Agency	0.0974	Used agency data and calculations.
Crockett Community Services District (Port Costa)	0.0001	Computed weighted annual mass

<b>Municipal Permittee</b>	<b>2009 Annual Mass Emission (kg/yr)</b>	<b>Notes on Computations Conducted for This Report</b>
		emission from data provided.
Delta Diablo Sanitation District	0.0641	Used agency data and calculations
East Bay Dischargers Authority	0.8723	Used agency data and calculations.
East Bay Municipal Utility District	0.7398	Used agency data and calculations.
East Brother Light Station, Inc.	0.00001	Used agency mass limit since no data readily available.
Fairfield-Suisun Sewer District	0.0565	Used agency data and calculations.
Las Gallinas Valley Sanitary District	0.0445	Used agency data and calculations.
Marin County (Paradise Cove), Sanitary District No. 5 of	0.0000244	Used agency data and calculations.
Marin County (Tiburon), Sanitary District No. 5	0.0036	Used agency data and calculations.
Millbrae, City of	0.0265	Used agency data and calculations.
Mt. View Sanitary District	0.0176	Used agency data and calculations.
Napa Sanitation District	0.0236	Used agency data and calculations.
Novato Sanitary District	0.0666	Used agency data and calculations.
Palo Alto, City of	0.0817	Used agency data and calculations.
Petaluma, City of	0.0418	Used agency data and calculations.
Pinole, City of	0.0269	Used ERS data.
Rodeo Sanitary District	0.0100	Used ERS data.
Saint Helena, City of	0	Used agency data and calculations.
San Francisco, City and County of, SF Int'l Airport	0.0023	Used agency data and calculations.
San Francisco (Southeast Plant), City and County of	0.3254	Used agency data and calculations.
San Jose/Santa Clara, Cities of	0.2865	Used agency data and calculations.
San Mateo, City of	0.2960	Used agency data and calculations.
Sausalito-Marín City Sanitary District	0.0379	Used agency data and calculations.
Seafirth Estates Company	0.00027	Used agency mass limit since no data readily available.
Sewerage Agency of Southern Marin	0.0601	Used agency data and calculations.
Sonoma Valley County Sanitation District	0.0049	Used agency data and calculations.
South Bayside System Authority	0.1561	Used agency data and calculations.
South San Francisco and San Bruno, Cities of	0.0680	Used agency data and calculations.
Sunnyvale, City of	0.0637	Used agency data and calculations.
US Naval Support Activity, Treasure Island	0.0046	Used agency data and calculations.
Vallejo Sanitation and Flood Control District	0.2846	Used agency data and calculations.
West County Agency	0.3429	Used agency data and calculations.
Yountville, Town of	0.0017	Used agency data and calculations.
<b>TOTAL</b>	<b>4.8</b>	

### Interpretation of Estimated Mass Load Results

The estimated annual mass emission for 2009 is 4.8 kg/yr, which is lower than the mass limit in the watershed permit of 17 kg/yr. The estimated, weighted annual mass emission for 2008 was 4.5 kg/yr. These results are illustrated in **Figure 1**, below.



**Figure 1. Estimated Annual Mercury Mass Emissions for Municipal Dischargers to San Francisco Bay Compared to the Annual Mass Limit**

The total for 2009 is estimated to be slightly higher than the total for 2008, although the difference may be related to the estimation process, and is not necessarily representative of an upward trend in mercury emissions to the Bay. Several additional years of data are needed to accurately identify mass loading trends.

The annual mass emission for 2008 was estimated based on weighted annual average calculations, since reporting only included data collected between March and December of that year, which were then normalized over twelve months. Accordingly, as noted in the 2008 group report, mass loadings for January and February, which are normally the wettest months of the year with higher than average flows in comparison to the other ten months, may not have been accurately represented by the March-December data. If actual January and February data had been used, it is possible that the 2008 group mass emission would have been slightly higher.

Wastewater flows contribute directly to the computation of mass loads, and precipitation is generally correlated with flows, so changes in precipitation are expected to influence the mass emission estimate. California continued to experience drought conditions in 2008 and 2009, which may have contributed to the low group mass emissions for both of these years.

Four agencies did report that elevated wet weather flows in January, February and October of 2009 resulted in higher mercury concentrations and/or loads. One agency suggested that elevated mercury influent concentrations may have been the result of the higher flows washing additional solids out of the sanitary sewers. Two agencies attributed potentially higher mass loadings to a large storm during the October sampling period. One of these agencies noted that the estimation

process most likely resulted in an overestimate of mass loading, as the higher mercury samples recorded during this storm event were then used to characterize longer periods of discharge.

The average of all mercury concentrations reported by BACWA group participants in the 2009 reporting period was approximately 5% less than the average of those reported by participants in the 2008 reporting period. Overall, the estimated annual flow for all municipal agencies in 2009 was approximately 8% greater than the estimated flow for these agencies in 2008.

Approximately 50% of municipal agencies had a lower mercury mass emission and approximately 50% higher, compared to 2008. For total effluent flows, 25% of municipal agencies reported lower estimated total flows in comparison to 72% reporting higher flows (one agency reported the same flows both years). For mercury concentration, 61% reported lower average concentrations, while 39% of participating agencies reported higher average concentrations for 2009.

Based on these comparisons of 2008 and 2009 data, it is expected that mercury loads will continue to be variable among agencies from year to year. A number of additional years of data will be needed in order to identify specific trends. It is also of note that of the estimated 1,220 kg/yr of mercury discharged to San Francisco Bay<sup>1</sup>, the municipal agency contribution is 4.8 kg/yr, or 0.4% of the total mass emission to the Bay.

### Source Control Activities

Permittees participating in the BACWA group conducted numerous source control activities during the reporting period, as shown in **Table 3** on the following page. Highlights of the source control activities are as follows:

- Dental Amalgam Programs
- Thermometer and/or Thermostat Exchanges
- Fluorescent Light Recycling
- Household Hazardous Waste Collection
- Public Outreach/ Education
- Controls for Vehicle Service Facilities
- Battery Recycling
- Reduction of Mercury in Laboratory Waste
- Hospital/Medical Clinic Mercury Inspections and/or Related Source Reduction Activities

A checklist of possible source control activities was developed and provided to group participants as Part 3B of the reporting forms (as described above) in December 2009. As expected, this checklist resulted in more consistent reporting of source control activities.

Most agencies reported that the amount of mercury reduced from waterways from source control programs was not known, since it is very difficult, for example, to estimate the number of mercury thermometers collected that would not have made it into the sewer. However, agencies that were involved in the collection of household hazardous waste were sometimes able to quantify the mass of mercury collected. The highest of these specific estimates was 145 lbs (66 kg) of mercury, collected at the Household Hazardous Waste Facility at Central Contra Costa Sanitary District during 2009. Several agencies contribute funds for the operation of that facility. In addition, the

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<sup>1</sup> Source: *Mercury in San Francisco Bay, Total Maximum Daily Load (TMDL) Proposed Basin Plan Amendment and Staff Report*, California Regional Water Quality Control Board, San Francisco Bay Region, September 2004.

City of Calistoga estimated that 1.5 grams per month per dentist of mercury mass loading could be avoided through dental amalgam program activities.

With respect to dental amalgam programs implemented across the region, BACWA has developed a methodology to evaluate the collective efforts of Bay Area municipal agencies with respect to the two metrics identified in the mercury watershed permit (the percent of dental offices participating in a dental program, and the quantity of dental amalgam collected). The general methodology was shared with Regional Water Board staff in early 2009. Following their feedback, a survey was created for all municipalities to complete, asking detailed questions about their dental program. Of the 39 agencies surveyed, 36 surveys were returned. The information is being used to develop an estimate as of 2009 for both of those metrics. The methodology draft results are currently being reviewed by BACWA representatives and will be provided to the Regional Water Board in 2010.

More source control programs were implemented in 2009 in comparison to 2008. For example, in 2008, 56% of the participating agencies reported they had dental amalgam programs underway and in 2009 this number increased to 84%. Some common elements of the mercury amalgam programs include development of legislation, identifying and contacting dentists in the service area, providing information and resources to dentists regarding amalgam separators and best management practices, and enforcement activities (such as inspections). Stephanie Hughes is assisting BACWA in coordinating dental amalgam programs for the region.

A large amount of public education also occurred during 2009 throughout the Bay Area. In addition to efforts by individual agencies, the Bay Area Pollution Prevention Group (BAPPG), a committee of BACWA, coordinated regional dental outreach pollution prevention activities. In particular, the BAPPG estimates they will have presented mercury pollution prevention information to at least 445 dental hygienist/assistant students by the end of the 2009 – 2010 school year.

In January 2009, the BAPPG held a one-day Dental Office Inspection Training Seminar at the Regional Board Office in Oakland for municipal agency staff. Training was provided on how to effectively conduct a dental office inspection. The training was a follow-up to a previous BAPPG workshop on Creating a Dental Amalgam Program. More than 90 people from Bay Area agencies attended this training. BACWA created a fact sheet that can be used by all interested Bay Area municipalities for dental amalgam outreach, and the fact sheet is attached to this report. BACWA also developed several other materials for agencies new to dental outreach to utilize in their programs, such as dental office self-certification form to indicate the use of Best Management Practices (BMPs). In addition, BAPPG maintains a list of International Organization for Standardization (ISO)-certified dental amalgam separators. BAPPG also maintains a website: <http://www.baywise.org/>, which includes mercury pollution prevention information and resources for residents and businesses (specifically dentists).

In addition to the reported source control activities, many agencies in the Bay Area recycled their wastewater for irrigation of turf and landscaping, industrial uses, and agriculture. This recycled water does not enter San Francisco Bay, yet most agencies didn't consider this specifically as a source control program in their individual reports.

**Table 3. Mercury Source Control Activities By Agency**

Municipal Agency Listed in Watershed Permit	Mercury Source Control Projects Underway or Planned, as Reported by Agencies to BACWA a = project was completed or underway in 2009 (and may be continuing) b = project is planned for the near future						
	Dental Amalgam Program	Fluorescent Light Recycling	Household Hazardous Waste Collection	Public Outreach/ Education	Thermometer and/or Thermostat Exchange	Vehicle Service Facilities	Other
American Canyon, City of	a,b	a	a	a,b	a	b	
Benicia, City of	b	a	a	a		(1)	
Burlingame, City of	a,b	a	a	a	a	a	(2) a
Calistoga, City of	a						
Central Contra Costa Sanitary District	a	a	a	a	a	a	(3,4,5) a,b
Central Marin Sanitation Agency	a,b	a	a (6)	a	a	a	
Crockett Community Services District (Port Costa)		a	a	a	a	a	
Delta Diablo Sanitation District	a,b	a	a	a	a	a	
East Bay Dischargers Authority	a,b	a,b	a,b	a	a,b	b	(4,5) a,b
East Bay Municipal Utility District	a,b			a	a	a	(4) a
East Brother Light Station, Inc. (7)							
Fairfield-Suisun Sewer District	a		a	a			
Las Gallinas Valley Sanitary District	a,b	a	a	a	a	a	(8) a
Marin County (Paradise Cove), Sanitary District No. 5 of	a,b			a,b	a		
Marin County (Tiburon), Sanitary District No. 5	a,b			a,b	a		
Millbrae, City of	a,b	a		a	a		(8) a
Mt. View Sanitary District	a,b	a	a	a	a	a	
Napa Sanitation District	a			a	a		(9) a,b
Novato Sanitary District	a,b	a	a	a	a	a,b	(8) a
Palo Alto, City of	a,b	a,b	a,b	a,b	a,b	a,b	(10) a,b
Petaluma, City of	a,b	a	a			a	
Pinole, City of	a,b	b	a	a	a	a	(5) b
Rodeo Sanitary District	a,b	a		a	a		(8) a
Saint Helena, City of							
San Francisco, City and County of, SF Int'l Airport		a	a		a		(11) b
San Francisco (Southeast Plant), City and County of	a	a	a	a	a,b		(3,4) b
San Jose/Santa Clara, Cities of	a	a	a	a	a		
San Mateo, City of	a,b	a	a	a	a		

Municipal Agency Listed in Watershed Permit	Mercury Source Control Projects Underway or Planned, as Reported by Agencies to BACWA <b>a = project was completed or underway in 2009 (and may be continuing)</b> <b>b = project is planned for the near future</b>						
	Dental Amalgam Program	Fluorescent Light Recycling	Household Hazardous Waste Collection	Public Outreach/Education	Thermometer and/or Thermostat Exchange	Vehicle Service Facilities	Other
Sausalito-Marin City Sanitary District	a,b	a,b	b	a,b			(8) a,b
Seafirth Estates Company (7)							
Sewerage Agency of Southern Marin	a,b	a,b		a,b	a,b		(8) a,b
Sonoma Valley County Sanitation District	a,b		a	a		a	
South Bayside System Authority	a,b			a	a		
South San Francisco and San Bruno, Cities of	a,b	a,b		a,b	a,b	a	
Sunnyvale, City of	a,b	a,b	a,b	a,b	a,b	a,b	
US Naval Support Activity, Treasure Island		a	a	a	a		
Vallejo Sanitation and Flood Control District	a,b	a,b		a,b	a,b	a	
West County Agency	a	a	a	a	a	a	
Yountville, Town of		a	a	a			(4) a,b

- (1) Vehicle maintenance facilities were offered a choice of cementing floor drains or receiving an industrial discharge permit. All chose cementing floor drains. New facilities will be captured.
- (2) A sewer science course was given in the science class of Burlingame High School with over 400 students in attendance.
- (3) Public school pollution prevention audits, outreach, or other source reduction programs were completed, underway, and/or planned for the near future.
- (4) Hospital/medical clinic mercury inspections and/or related source reduction activities were completed, underway, and/or planned for the near future.
- (5) Reduction of mercury laboratory waste was completed, underway, and/or planned for the near future.
- (6) Household hazardous waste collection is handled by the County of Marin in cooperation with Marin Sanitary Service. The permittee provides public education and outreach advertising for the collection facilities.
- (7) This permittee serves domestic customers but is not a municipal government agency.
- (8) A battery recycling program was completed, underway, and/or planned for the near future.
- (9) A dental mercury source control study and schedule were under development and were expected to be implemented in 2010.
- (10) A mercury switch replacement program was underway in 2009 with plans to continue it.
- (11) A water reclamation project is in the planning stages.

## **Summary and Conclusions**

The weighted annual average mercury mass load for all municipal permittees to San Francisco Bay for 2009 is calculated to be 4.8 kg/yr. This mass load is comparable to that estimated for the 2008 calendar year (4.5 kg/yr), considering the uncertainties in the estimation process. Annual mass emission estimates for both 2008 and 2009 are lower than the 17 kg/yr limit.

Agencies participating in the BACWA group conducted many mercury source control programs, and in some cases quantified the amount of mercury collected. For example, the Central Contra Costa Sanitary District reported that 145 pounds of mercury were collected at the Household Hazardous Waste Facility at Central Contra Costa Sanitary District during 2009. However, many agencies reported that they could not yet determine the amount of mercury reduced from waterways as a result of source control programs.

In 2009, BACWA worked with its member agencies to continue development of the dental amalgam programs around the San Francisco Bay Area. The percentage of agencies participating in this Group Report that were implementing dental amalgam programs increased from 56% in 2008 to 84% in 2009.

BAPPG, a BACWA committee, also continues to work on region-wide mercury pollution prevention projects. It is estimated that BAPPG will have educated at least 445 dental hygienist/assistant students in the 2009-2010 school year regarding effective mercury management practices. The group also maintains a comprehensive pollution prevention website that includes extensive resources for residents and businesses regarding mercury. Individual dischargers as well as BAPPG plan to continue to increase mercury pollution prevention activities throughout 2010.





## BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 11

FILE NO.: File 12,128

MEETING DATE: March 25, 2010

**TITLE: Cost Allocation Policy for Programs of Special Benefit**

☒ MOTION \_\_\_\_\_ ☐ RESOLUTION \_\_\_\_\_

**RECOMMENDED ACTION**

Approve a policy allocating costs for BACWA programs of special benefit.

**SUMMARY**

BACWA policies and procedures describe how BACWA can support programs of General and Specific Benefit, which are defined in Section 1 of the BACWA JPA as follows:

Programs of General Benefit: Programs that benefit all member agencies in the same general proportions assumed in the cost allocation formula.

Programs of Specific Benefit: Programs whose benefits are significantly greater for some member agencies than for others and whose costs are allocated to agencies in accordance with the programs' benefits.

This policy describes how costs incurred by BACWA for administration of programs of special benefit will be allocated. It is consistent with current BACWA practices and federal guidance on indirect cost recovery. An indirect cost recovery rate equivalent to 5% of a program's direct costs or budget shall be applied to special programs to ensure that BACWA recovers indirect costs related to administering those programs. This rate may be adjusted at the Board's discretion to take into account the special circumstances of a particular program.

**FISCAL IMPACT**

There are no direct impacts resulting from this policy as it primarily codifies BACWA's current practices.

**ALTERNATIVES**

This action does not require consideration of alternatives.

*Attachment:*

1. Cost Allocation Policy for Programs of Special Benefit

**Submitted:** Amy Chastain, Executive Director

**Executive Director Approval:** /s/ Amy Chastain



<b>TITLE</b>	<b>Cost Allocation Policy for Programs of Special Benefit</b>
<b>DATE</b>	March 25, 2010
<b>PURPOSE</b>	The purpose of this policy is to describe the general approach taken by the Executive Board of the Bay Area Clean Water Agencies (BACWA) to ensure that costs related to the administration of programs of special benefit are properly apportioned to those programs. It describes the principles that guide the Executive Board in determining how such costs will be allocated to programs of special benefit and provides guidelines for establishing appropriate indirect cost recovery rates for programs of special benefit.
<b>DEFINITIONS</b>	<p><u>Direct Costs</u>: Those costs that are readily identifiable and can be directly charged to a particular project.</p> <p><u>Indirect Costs</u>: Those costs that are incurred for common or joint objectives that cannot be identified readily and specifically with a particular project.</p> <p><u>Programs of Special Benefit</u>: Programs that benefit some member agencies more than others and whose costs are allocated to agencies in accordance with the programs' benefits.</p> <p><u>Indirect Cost Recovery Rate</u>: The ratio of indirect costs to direct costs, expressed as a percentage and used to calculate the indirect costs to BACWA of administering programs of special interest.</p>
<b>APPLICABILITY</b>	<p>This policy applies to BACWA's programs of special benefit.</p> <p>This policy is adopted pursuant to Section 5.c. of the Joint Powers Agreement, which authorizes the Executive Board to adopt bylaws, rules for conduct of meetings, and operating procedures.</p>
<b>REFERENCES &amp; BACKGROUND</b>	<p>This policy is consistent with current BACWA practices and federal guidance on indirect cost recovery. California does not publish standard guidance on indirect cost charges applicable to state grants and contracts. Each agency or grant program provides specific guidance on eligible costs and allowable overhead and administrative charges.</p> <p>The federal Office of Management and Budget (OMB) Circular A-87, "Cost Principles and Procedures for Developing Cost Allocation Plans and Indirect</p>

Cost rates for Agreements with the Federal Government” (herein referred to as OMB A-87) provides the general basis for this policy. OMB A-87 establishes principles and standards for determining costs for federal awards carried out through grants, cost reimbursement contracts, and other agreements with State and local governments. OMB A-87 outlines a “Simplified Method” for indirect cost recovery that allocates indirect costs by (1) classifying the grantee’s total costs for the base period as either direct or indirect, and (2) dividing the total allowable indirect costs by an equitable distribution base. The distribution base may be total direct costs excluding capital expenditures and other distorting items.

Applying the Simplified Method described in OMB A-87 results in an indirect cost recovery rate of 5%. BACWA’s financial statements for the past two fiscal years (FY07-08, FY08-09) indicate that BACWA’s general and administrative costs averaged 5% of all costs for 2007, 2008, and 2009. The policy described below incorporates this rate but provides the Executive Board with flexibility to adjust this rate based on the particular circumstances of each project.

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## **POLICY**

- BACWA’s policy is to recover the direct costs and indirect costs related to programs of special benefit. BACWA’s indirect cost recovery rate is 5% of a program’s direct costs or budget.
  - For special programs with budgets of less than \$200,000 per year, the Executive Board may determine that administrative direct costs are de minimis and only recover indirect costs.
  - For special programs in which BACWA is acting as an interagency service provider so that the majority of direct costs are those related to carrying out grants and contracts for the benefit of the program participants, the indirect cost recovery rate will be applied to the first \$200,000 of the direct costs, and may be decreased or waived above \$200,000.
  - BACWA may adjust the indirect cost recovery rate based on the particular circumstances of each program of special benefit.
  - BACWA will apply the indirect cost recovery rate to all applicable programs on an annual basis, or a more frequent basis if appropriate.
  - BACWA will review this policy regularly to ensure that the actual allocations adequately cover BACWA’s costs and are appropriate for the level of benefit received.
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## BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 12

FILE NO.: File 7010.1

MEETING DATE: March 26, 2010

**TITLE: BACWA Contracting Policies, Revision 2**

☒ MOTION \_\_\_\_\_ ☐ RESOLUTION \_\_\_\_\_

**RECOMMENDED ACTION**

Approve a revision to the BACWA Contracting Policies, originally adopted by the BACWA Board on June 23, 2005.

**SUMMARY**

On June 23, 2005 the BACWA Board adopted a policy for Consulting Services Contracting, File 7010. This policy was created to address the needs of the organization which had grown from executing a total of eleven consultant contracts in the fiscal year 1995-1996, to a total of forty in the fiscal year 2005-2006. In 2008-2009 BACWA and its related enterprises executed approximately eighty-five agreements, of which 40% were for amounts less than \$5,000 per contract. This policy revision will expedite the execution of small contracts by delegating authority to the Executive Director to approve contracts totaling less than \$5,000 that are specified in the BACWA Board approved budget and workplan, and by authorizing the BACWA Chair to approve contracts totaling less than \$10,000.

**FISCAL IMPACT**

No direct fiscal impact is expected from this action.

**ALTERNATIVES**

This action does not require consideration of alternatives.

*Attachments:*

1. Contracting Policies, Revision 2.

**Submitted:** Amy Chastain, Executive Director

**Executive Director Approval:** /s/ Amy Chastain



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<b>TITLE</b>	<b>Contracting Policies</b>
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<b>DATE</b>	Adopted June 23, 2005 (File 7010), March 25, 2010 (rev1)
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<b>PURPOSE</b>	The purpose of this policy is to identify who may enter into contracts on behalf of BACWA, and to establish the policies and procedures that apply to those contracts.
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<b>DEFINITIONS</b>	<p><i>Single Source:</i> A procurement in which two or more vendors can perform the services required, but one vendor is selected over the others for reasons such as expertise or previous experience with similar contracts.</p> <p><i>Informal Competition:</i> A procurement in which information about the scope of services requested and the potential vendors' fees and qualifications are communicated informally via email, telephone, and/or facsimile transmissions.</p> <p><i>Request for Proposals:</i> A description of the services sought and a solicitation to prospective contractors to submit proposals on how they would provide those services, and at what price.</p>
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<b>APPLICABILITY</b>	<p>These consulting services contracting policies apply to all contracts, except for contracts for Executive Director and Assistant Executive Director services.</p> <p>This policy is adopted pursuant to Section 5.c. of the Joint Powers Agreement, which authorizes the Executive Board to adopt bylaws, rules for conduct of meetings, and operating procedures.</p>
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<b>REFERENCES &amp; BACKGROUND</b>	
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<b>POLICY</b>	<p>See Attached:</p> <ul style="list-style-type: none"><li>(1) Consulting Services Contracting Policy, Amended March 29, 2005</li><li>(2) Contracting Authority &amp; Bid Policy</li></ul>
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File 7010 – As Amended in March 29, 2005

BAY AREA DISCHARGERS ASSOCIATION (Association)

CONSULTING SERVICES CONTRACTING (CSC)

CSC will be implemented in accordance with the following considerations in order to perform the purposes of the Joint Powers Agreement (JPA) and provide continuity to Association activities:

1. CSC shall be in accordance with procedures of the State of California to reflect the regional nature and purposes of the JPA.
2. CSC by the Association will include a provision to terminate for convenience on 30 days notice. This provision is based on the nature of Association annual budgeting and to assure conservation and effectiveness of limited resources to address Executive Board decisions.
3. The Association does not employ staff. At the direction of the Executive Board, as a substitute for staff, staff like functions will be performed by Association agencies or contracted for long term through CSC in order to provide continuity and professionalism to accomplish the purposes of the JPA. Services performed under this provision shall include day to day administrative and technical support and be incorporated into the annual work plan and budget.
4. CSC to provide support for significant projects or technical support with a value of more than \$100,000 shall be open to consideration of all qualified candidates.
5. CSC shall provide diversification to reflect the public constituency of Association participating agencies.
6. Multi-year contracts will be approved annually by the Board after the Board has appropriated the funds for the multi-year contract through the approval of the annual budget.
7. Although the current Executive Director was selected through a competitive process, the CSC does not apply to the Executive Director's and Assistant Executive Director's contract.

## CONTRACTING AUTHORITY & BID POLICY

March 29, 2005, revised March 25, 2010

<b>Annual Contract Value</b>	<b>Contracting Authority</b>	<b>Competition Requirements</b>	<b>Contract Terms &amp; Limitations</b>	<b>Amendment Guidelines</b>
Less than \$5,000	Executive Director Approval <sup>1</sup>	Single Source <sup>2</sup>	Contract term may not exceed one fiscal year. Must be consistent with and specified in the Board-approved budget and work plan.	Any amendment requires approval of the Executive Board.
Less than \$10,000	Chair of the Executive Board Approval <sup>1</sup>	Single Source <sup>2</sup>	Contract term may not exceed one fiscal year.	Chair may approve an amendment increasing the total contract amount by no more than 25%.
Less than \$50,000	Executive Board Approval	Single Source <sup>2</sup>	Contract term may not exceed three years.	Executive Board may approve an amendment increasing the total contract amount by no more than 25%.
\$50,000 to \$99,999.99	Executive Board Approval	Informal Competition <sup>2</sup>	Contract term may not exceed three years.	Executive Board may approve an amendment increasing the total contract amount by no more than 25%.
Greater than or equal to \$100,000	Executive Board Approval	Request for Proposals <sup>3</sup>	Contract term may not exceed four years.	Executive Board may approve an amendment increasing the total contract amount by no more than 25%.

1. On a monthly or more frequent basis, the Executive Director will report to the Executive Board all contracts which were approved by either the Chair of the Executive Board or the Executive Director.
2. When single source or informal competition is used, the Executive Director will report to the Executive Board the reasons that a particular vendor was selected over others.
3. For all contracts of \$100,000 or more, BACWA will issue a request for proposals (RFP). The RFP will be developed by the Executive Director and publicly noticed. A committee comprised of the Executive Director, and at least one Committee Chair shall review the proposals received and recommend a vendor to the Executive Board based on their review.



## BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 13

FILE NO.: File 12,126

MEETING DATE: March 25, 2010

**TITLE: University of California Davis Biosolids Research Funding**

☒ MOTION \_\_\_\_\_ ☐ RESOLUTION \_\_\_\_\_

### RECOMMENDED ACTION

Authorize a distribution of funds to the University of California at Davis in an amount not to exceed \$10,000 to support Biosolids research. Concurrently authorize the Biosolids Committee to access \$3,000 from the Miscellaneous Committee Support line of the budget for conference attendance.

### SUMMARY

The Biosolids Committee requests authorization to provide \$10,000 in support for a research project that will provide a timely and low-cost appraisal of the potential for biosolids emissions to contribute to ozone formation. UC Davis is conducting this research to examine greenhouse gas emissions from composting, which has the potential to impact BACWA member agencies' biosolids management.

### FISCAL IMPACT

The BACWA FY09-10 budget currently has \$10,000 available under the BACWA Committees, Biosolids line item to fund the UC Davis research. The \$3,000 requested by the Committee for conference attendance is available in the BACWA Miscellaneous Committee Support budget line item, which currently has an available balance of \$18,675.

The Water Environment Research Foundation is considering providing funding for the outstanding amount needed for this research project. In the event that BACWA support becomes unnecessary, the conference costs will be funded by the Biosolids Committee budget line.

### ALTERNATIVES

No other bids (formal or informal) were considered as the BACWA contracting policies authorize a sole source selection process for contracts under \$50,000.

#### *Attachments:*

1. Biosolids Research Support Proposal

**Submitted:** Greg Baatrup, Biosolids Committee Chair

**Executive Director Approval:** /s/ Amy Chastain



# **Biosolids Research Support Proposal**

March 3, 2010

## **Proposed Project**

This project will provide a timely and low-cost appraisal of the potential for biosolids emissions to contribute to ozone formation.

## **Background**

Currently, air quality management districts throughout California are regulating diverse facilities for emissions of Volatile Organic Compounds (VOCs), an ozone precursor. Existing studies on compost emissions have focused on total VOC and ammonia emissions, attempting to answer the questions of: 1) whether compost piles give off VOCs and ammonia, and 2) how much VOC and ammonia might be emitted for every pound of feedstock sent to a compost facility.

Research has determined that greenwaste composting does not emit significant ammonia, but suggests that it does emit VOCs, in some cases at reasonably high rates. Regulators assume that because VOCs are being emitted, ozone will be formed. This assumption may reasonably be challenged. Previous studies have concentrated on the amount of emissions. The types of VOC emissions (the source profile, or 'fingerprint') coming off many sources have not been adequately tested. The assumption that a given source contributes to ozone formation should to be evaluated before regulators implement new rules which will raise operating costs. Moreover, there is no way to know the new rules will actually result in cleaner air: if a large amount of low reactivity VOCs is replaced by a smaller amount of sufficiently high reactivity VOCs, more ozone would be formed.

## **Relevance to BACWA Membership**

Understanding greenhouse gas emissions from a variety of biosolids end uses is a critical piece of information that we do not yet have as an industry. Several BACWA agencies send a portion of their material to Synagro's Central Valley Compost facility in Merced and/or have contemplated composting as an option. Understanding any potential limitations to this end use (such as the ability to use compost in the Central Valley or San Joaquin air management districts) is critical as agencies move forward with decisions on how to best manage their biosolids. In addition, this research provides a unique opportunity to BACWA agencies to begin developing relationships with local, esteemed universities that have an interest in biosolids related research. UC Davis recently completed research to quantify triclosan in biosolids; by establishing a formal relationship with the university, we may open new doorways to further research of interest to members. This is a strategy that has been pursued very successfully in Southern California and falls in line with the BACWA business plan, which stated the following, "[BACWA will] [e]stablish partnerships with universities or other research institutions to develop collaborative approaches to issues of importance of members."

## **Funds Requested**

At this time, the project requires approximately \$55,000 worth of funding. As of this writing, seven entities, representing agencies or companies, have agreed to participate in this research and have pledge a total of \$32,500. A statewide effort to recruit additional participants continues and WERF has expressed interest in providing the outstanding funding.

Several BACWA agencies could directly benefit and many could indirectly benefit from knowledge that will come from this research. In the event that the WERF funding does not

materialize, the Biosolids Committee would like to use \$10,000 from their budget to support this research. As this amount represents the entirety of their budget for the 2009-2010 fiscal year, additional support from BACWA would be necessary in order for the Committee to send a representative to a conference, which they typically do annually. They estimate that the conference costs would be approximately \$3,000. Currently the BACWA Miscellaneous Committee Support budget line item has an available balance of \$18,675.

## PROJECT MEMORANDUM

<b>Project Name:</b>	Stormwater Diversion White Paper	<b>Date:</b>	March 12, 2010
<b>Client:</b>	BACWA	<b>Project Number:</b>	8243A.00
<b>Prepared By:</b>	Steve McDonald		
<b>Reviewed By:</b>	Lorien Fono, Elisa Garvey		
<b>Subject:</b>	Alternatives for Project Completion – Phase 1; Next Steps		
<b>Distribution:</b>	Ben Horenstein, Nadia Borisova		

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The purpose of this memorandum is to present an approach to wrap up the activities under the current budget to complete Phase 1 of the BACWA Stormwater Diversion White Paper. Also, this memorandum presents several options that go beyond the current scope and budget, and that may be desirable considering the timing of the pending BASMAA members' area-wide permit requirements for diversions.

The outstanding issues to be addressed include comments received at the February 24, 2010 Steering Committee meeting. These comments ranged from relatively minor changes and additions, to comments that would require significantly more effort to address. Many of these comments go beyond the current scope of effort for Phase 1.

In addition, through the process of developing the White Paper, both BACWA and Carollo have identified additional evaluations that would contribute to the usefulness of the White Paper, or further advance the understanding of the feasibility of implementing stormwater diversions in the Bay Area.

The following approach is recommended for wrapping up the activities under the current Phase 1 budget:

- Address minor inconsistencies in report.
  - Rewrite to clarify that diversions don't count as BMPs
  - Reevaluate white paper to minimize bias toward diversion
  - Other minor internal inconsistencies
- First flush – Emphasize the following: the “first flush” diversion approach is simply a concept and has not been implemented; SMURRF is very different from a diversion approach as SMURRF is not a POTW. SMURRF is a “super” stormwater BMP.
- Revise the cost analysis, including the comparison of diversions to stormwater collection and treatment.
- Submit final White Paper.

The following are options for considering under a further authorization. They efforts and associated costs have been grouped based on related activities, and are additive. These include:

### Option 1 - \$24K

- Address major comments received from BACWA, and at February 24 meeting. These

include:

- Discuss how the SoCal drivers are different from NorCal
- Discuss of biosolids/cross-media impacts
- Follow up with Orange County to see what stormwater quality data has been collected, and review and summarize for later comparison to Bay Area site-specific data.
- Expand research and discussion on site-specific process impacts, including the “seeding” of soil bacteria in AS processes.
- Revise discussion of antibacksliding
- Research and prepare summary table that includes the agencies responsible for wastewater treatment, stormwater treatment and collection, and individual wastewater, stormwater and collection system agencies

#### **Option 2 - \$9K**

- Conduct Stakeholder Meeting – Research, prepare presentation materials, attend and facilitate meeting, and prepare meeting minutes. (Note; this is not recommended at this time, as it is not likely to result in significant benefits in terms of additional input/comments.)

#### **Option 3 - \$12K**

- Develop a checklist for wastewater utilities that will support the decision making process for implementing a diversion project.

#### **Option 4 - \$45K**

- Coordinate with BASMAA, BACWA, and one member agency to identify a candidate location for a diversion pilot project. Using the information developed in the White Paper and the decision checklist, use this candidate location to illustrate the process of determining if a pilot diversion project “makes sense” for the selected location.

#### **Option 5 - (\$50K to \$100K).**

- Support BASMAA on the implementation of the pilot diversion projects, and represent BACWA interests and expertise. This may include assisting in preparation of the September deliverables under the area-wide stormwater permit. It could also include providing technical assistance in the development of a pilot diversion monitoring plan that will provide information on several critical issues including:
  - What is the watershed benefit (quantified)
  - Are there impacts on liquids treatment processes and effluent water quality
  - Are there impacts on solids processes and biosolids quality
- (Note the budget is based on an “allowance” approach, as the scope has not been fully determined at this time).

**BACWA Stormwater Diversion White Paper - Alternatives for Next Steps**  
**Carollo Engineers**  
**LABOR AND BUDGET ESTIMATE**  
17-Mar-10

Option	Task Description	Carollo Labor						Total Carollo Labor Cost	ODCs	Total Cost
		P HSM	PM EG	PE LF	GR	WP	Total Hours			
1	Address major BACWA comments	15	40	40	6	6	107	\$24,063		\$24,063
2	Stakeholder Meeting	8	12	12	6	0	38	\$8,746	\$50	\$8,796
3	Develop Decision Checklist for BACWA members	9	20	20	2	0	51	\$12,121	\$50	\$12,171
4	Identify Candidate Location for Diversion	30	75	75	8	4	192	\$44,628		\$44,628
5	Support Diversion Implementation	60	170	170	16	4	420	\$97,600	\$100	\$97,700

Legend:

P Partner-in-Charge(Senior Process Professional)  
PM Project Manager (Lead Project Professional)  
PE Project Engineer (Professional)  
GR Graphics Technician  
WP Word Processing/Support Staff

HSM Steve McDonald  
EG Elisa Garvey  
LF Lorien Fono