

Clean Estuary Partnership

Annual Report

Fiscal Year July 2001- June 30, 2002

July 28, 2003

Clean Estuary Partnership Annual Report Fiscal Year July 2001- June 30, 2002

I. Introduction

This report presents a summary of the activities undertaken by the Clean Estuary Partnership (CEP)¹ during the Fiscal Year July 1, 2001, through June 30, 2002 (also referred to as “Year Zero” or “FY01-02”). This was the initial year of activity for the CEP, a collaboration among the San Francisco Bay Regional Water Quality Control Board (RWQCB), the Bay Area Clean Water Agencies (BACWA), and the Bay Area Stormwater Management Agencies Association (BASMAA). Work focused upon establishing the partnership, hiring a program coordinator, and beginning development of a budget and work plan. This report describes the goals and accomplishments for FY01-02, and presents a summary of revenues and expenditures. For additional information about the Clean Estuary Partnership, please visit www.cleanestuary.org.

II. Goals and Objectives for Fiscal Year 2001-2002

The overall goal of for FY01-02 was to establish the program, secure funding, hire key staff, and begin program development. In order to achieve this goal, the CEP pursued several objectives:

- Hire interim staff to assist with FY01-02 activities;
- Finalize and execute the Memorandum of Understanding among the collaborating parties;
- Establish the management structure for the CEP and identify members of the Executive Management Board and three support committees;
- Conduct a formal solicitation process to identify and hire a Program Coordinator to manage the CEP;
- Establish funding;
- Develop Program Budget and Workplan

The activities undertaken to achieve each of these objectives are described below.

¹ During the initial year of the program, the name was changed from the Water Quality Attainment Strategies Program (WQASP) to the Clean Estuary Partnership (CEP). For simplicity, this report will use the name CEP throughout.

III. Accomplishments

A. Engage Interim Staff

The collaborating organizations decided to engage a consulting team as interim staff to support FY01-02 activities. A Request for Proposals (RFP) for *Interim Assistance services for the development of Water Quality Attainment Strategies including Total Maximum Daily Loads (TMDL project)* was noticed and distributed on July 5, 2001. Proposals were received on July 23, 2001, and the team of Beth Goldstein, P.E., Hydroconsult Engineers, Inc., and Fred Krieger, Berkeley Environmental and Applied Research, with website support from Rollout Consulting, were selected. Ms. Goldstein and Mr. Krieger were referred to as the Interim Program Coordinators.

A 90-day contract was signed on July 31, 2001 between Hydroconsult Engineers, Inc., and the Bay Area Clean Water Agencies (BACWA), and work commenced thereupon. The period of interim assistance was subsequently extended to coincide with the hiring of a Program Coordinator.

B. Finalized MOU between BACWA, BASMAA, and RWQCB.

The initial rationale, intention, and agreement among BACWA, BASMAA, and the RWQCB regarding the CEP are described in a Memorandum of Understanding (MOU). The MOU was in draft form at the beginning of FY01-02, and needed to be finalized to serve as the foundation for the program. The draft MOU was reviewed and discussed at several meetings among the representatives of the signatory agencies, with the bulk of revisions to the document focused on developing a procedure for adding new signatories. It was agreed that this could occur only with consensus of the original three signatories. Potential additional parties were identified, as were various possible levels of participation. Other items added to the MOU included language regarding how participation in the Program did not relieve any party's other obligations, and a mechanism for program funding and in-kind contributions (described in more detail below).

- The MOU was signed by the Chairperson of BACWA (Charles Weir, General Manager, East Bay Dischargers Authority), the Chairperson of BASMAA (Donald Freitas, Program Manager, Contra Costa Clean Water Program), and the Executive Director of the Regional Water Quality Control Board, San Francisco Bay Region (Loretta Barsamian). The MOU became fully executed on September 19, 2001.

C. Develop Initial Program Description

1. Program Website

A website was developed to facilitate internal and external communication between the Program team participants, associates, and interested members of the public.

The interim program coordinators designed, established and maintained a website that was located at www.hydroce.com/wqasp. The website was designed to provide general program-related information to the public, and also to facilitate the distribution of documents and information amongst the Program team participants (Table 1). The website was therefore designed to have both public and password-secured private areas.

	CEP Public Site	CEP Private Site (in addition to public site)
Content	<ul style="list-style-type: none">• Hiring information• Descriptive content• Current news and events• Meeting Agendas and Minutes	<ul style="list-style-type: none">• Hiring decision communications• Project plans• Interim Work Products• Action items and work assignments
Benefits	<ul style="list-style-type: none">• Provide public service to Bay Area by providing information to everyone• Offer marketing and public relations opportunities	<ul style="list-style-type: none">• Share information in a centralized place• Address confidentiality needs

Table 1: Structure and general content of the initial CEP web site.

2. Program Structure

Over the course of several meetings among representatives of the signatory agencies, and independent interviews of these representatives by the interim coordinators, an organizational structure for the Program was prepared. Key aspects of the proposed structure included:

- The CEP will be directed by an Executive Management Board made up of one senior staff member from each of the signatory organizations. The CEP will be

managed and administered by a Program Coordinator who is not part of the signatory organizations, and who will report to and be directed by the EMB.

- Technical, Administrative, and other committees (as necessary) will support the EMB. The Technical Committee will review and recommend for approval the technical products prepared by the Program Coordinator (and contractors). The Administrative Committee will manage contractor selection, contracts, finances, public participation & outreach, and information management. The Program Coordinator will coordinate and support these committees. The Committee Chairs will lead specific efforts and report back to the EMB.
- These committees may have subcommittees as needed. Technical Advisory Panel(s) (as necessary) will report to the Technical Committee. A Peer Review Team will report to the EMB as necessary.

3. Populate Executive Management Board and Committees

At the November 26, 2001 Program Meeting, each MOU signatory officially designated their representative to the EMB. Designees to the Finance committee (subsequently renamed the Administrative Committee) were also made at this meeting. This was the first official meeting of the EMB. The official members of the EMB were:

- Loretta Barsamian, Chair — Regional Water Quality Control Board, San Francisco Bay Region
- Donald Freitas, Vice-Chair — Bay Area Storm Water Management Agencies Association
- Charles V. Weir — Bay Area Clean Water Agencies

A Chair was named for the Administrative (Freitas) and Technical (Weir) Committees, to be convened, populated, and vice-chairs selected at future EMB meetings. The term of each EMB and committee chair and vice-chair was set at one year. Each EMB Committee member provided at least one alternate. Finally, it was determined that all EMB meetings are public, and that the EMB can go into Executive Session to discuss personnel matters (e.g., the selection of a Program Coordinator).

4. Program Workplan

A draft workplan for the program, including a list of pollutants to be addressed, was prepared by the interim coordinators for inclusion with the Request for Proposals for Program Coordinator. The draft workplan included in the RFP described tasks in the following broad Program areas: Administration, Workplan Development, TMDL Development, Implementation Planning, Basin Planning, Implementation, and Monitoring.

D. Establish Initial Budget and Funding Agreement

The development of program budget and funding was an important task for FY01-02. A preliminary annual budget of \$1.5 million for FY02-03 was developed and included in the draft work plan distributed with the Program Coordinator RFP. It was envisioned the CEP would operate at this funding level for five years, at which point the program would undergo critical review.

Several options for funding this budget were discussed by the EMB. The goal of these discussions were to designate each signatory's level of financial responsibility for FY01-02 and beyond, and to define how to account for "in-kind" (non-cash) contributions to the Program. Various options for cost sharing amongst the original MOU parties and other potentially interested parties (particularly the Western States Petroleum Association) were discussed. An agreement was reached that BACWA and BASMAA would each provide 40% of the program budget, and WSPA was requested to provide 20%. For FY01-02, BASMAA/BACWA contributions were \$150,000, while WSPA agreed to provide \$75,000.

E. Hiring the Program Coordinator

The interim coordinators prepared a draft Request for Proposals, including a job description, a draft program workplan and budget, and a timeline for proposal preparation. This document (*San Francisco Bay Area Water Quality Attainment Strategies Program: Request for Proposals for Program Coordinator*) was reviewed and approved for distribution by the EMB. This RFP was finalized and advertised.

A procedure was established by the EMB to review proposals, interview applicants, select a contractor, and negotiate contracts. This procedure included:

- Initial screening for completeness and compliance with requirements by the RFP selection committee and interim coordinators;
- Background checks (calling of references) by interim coordinators;
- Scoring and ranking of proposals by RFP selection committee;
- Interviews with EMB;
- Final selection by EMB

The RFP was distributed on November 4th, 2001 and four firms submitted proposals by the deadline of December 3rd, 2001. The four firms included Applied Marine Sciences, ENRTIX, Tetra Tech, and URS. All four firms were determined to have submitted complete proposals and to be qualified. Interviews with the four proposers were conducted at the Regional Board's offices on December 17th, 2001. Scoring was completed and a final selection was made directly following the interviews. A decision

was reached to hire Dr. Andrew Gunther of Applied Marine Sciences, Inc., as the Program Coordinator. A contract with the Program Coordinator was signed on January 24, 2002. The services of the interim coordinators were retained through the end of February to facilitate transition to the new Program Coordinator.

F. Establish Mission and Refine Program Structure

The Program Coordinator conducted a series of interviews with EMB members and their key staff members. Based upon these discussions, several draft documents were developed for review, including (1) a mission statement for the CEP, (2) a set of operating policies, (3) a set of operating procedures, and (4) a description of the EMB Committee structure, with suggested membership and initial agenda items. These draft materials were reviewed and discussed at a CEP strategic planning workshop held March 25, 2002 and formally adopted by the EMB at their April 22, 2002 meeting.

The mission statement adopted by the EMB is "...to use sound science, adaptive management, and public collaboration to develop and implement technically valid and cost-effective strategies including TMDLs that result in identifiable, sustainable water quality improvements for San Francisco Bay."

The formally constituted Administrative Committee's first meeting was May 18, 2002. The Committee met again on June 10, 2002. The EMB identified Information Dissemination and Public Outreach as an area of responsibility for the Administrative Committee, and the Committee established a subcommittee to address these issues (the first meeting of this subcommittee did not occur until FY02-03). The Administrative Committee also established an Administrative calendar for the CEP. The Administrative Committee selected the second Monday of the month at 10:30 AM as their standard meeting time.

The first meeting of the Technical Committee was June 4, 2002.

G. Program Planning

With the adoption of a mission statement and committee structure, the work of the CEP turned toward developing and implementing a program plan. The Coordinator was directed to develop a plan and budget for FY02-03, immediately identify and implement several high priority projects, and begin development of a 5-year plan.

The initial priority project was to assist the Regional Board with some administrative tasks related to completion of the mercury TMDL. Two key items were to (1) revise the formatting and references in the source assessment and (2) collate and respond to comments submitted previously. The EMB authorized the Program Coordinator, at the March EMB meeting, to provide technical assistance to the RWQCB staff with these

tasks. The EMB also prepared and delivered written comments to CALFED on the Ecosystem Restoration Program funding decisions made public in April, as several approved projects had implications for water quality attainment strategies in San Francisco Bay.

The Program Coordinator prepared a draft conceptual framework for the 5-year Work Plan for EMB review at their May meeting. Extensive comments were provided, with the conclusion that the draft framework required significant revision. An outline of a Work Plan for FY02-03 was also developed for review by the EMB in May, and it was agreed that additional time would be required to prepare a work plan suitable for adoption by the EMB. Due to procedural delays in establishing a FY02-03 technical program and associated budget and since not all of the FY01-02 funds appropriated for program operations had been expended, in June a no-cost extension to the Program Coordinator's contract was approved to allow program planning to continue. A FY02-03 work plan and budget was available for adoption in July 2002.

The original web site prepared by the interim program coordinators was transferred over to the new Internet domain (cleanestuary.org, cleanestuary.com, cleanestuary.net). A preliminary site design was established and put into operation to provide general information about the CEP. Development began on an information management plan for the CEP, under the direction of the Administrative Committee.

IV. Financial Report

This section presents a brief summary of revenue and expenditures for the CEP in FY01-02. Reported numbers are based on cash accounting practices.

A. Revenue

In FY01-02, the total revenue for the CEP was \$439,592.33. This total included \$390,730.01 in participant contributions, \$2,092.32 in interest, and \$46,770 in contributions receivable in FY01-02 that were not delivered until after the close of the Fiscal Year (Table 2).

B. Expenditures

During FY01-02 the Program incurred \$300,281 in expenses. These expenses were paid out to four subcontractors and the East Bay Municipal Utility District, as outlined in Table 3. Table 3 also indicates the expenditure of funds relative to Key Program Tasks. In June 2002, the Executive Management Board of the CEP approved a no cost extension of the FY01-02 contract with AMS, until September 2002, to allow time to develop a FY02-03 work plan and budget. Unspent funds (\$79,582) in AMS' FY01-02 contract were encumbered to cover their work during the months of July and August 2002. FY01-02 ended with an unspent balance of \$92,541.52 and an accounts receivables of \$46,770, for a total of \$139,311.52. These funds were carried forward into FY02-03.

Participant Contributions	\$390,730.01
Interest Earned	\$2,092.32
Receivables (Alameda County)	\$46,770
Total Revenue	\$439,592.33
Total Expenditures	(\$300,281)
FY 01/02 Unspent Funds	\$139,311.52

Table 2: Clean Estuary Partnership Financial Analysis for FY01-02

Program Task	Program Participant/Contractor					
	EBMUD	Birrer	O'Rourke	HEC	AMS	Total
Program Management & Coordination			\$14,642	\$54,854	\$91,006	\$160,502
Information Management					\$7,831	\$7,831
Strategic Planning & Workplans					\$86,710	\$86,710
Technical Scopes & Contingency					\$18,900	\$18,970
Program Administration	\$1,900	\$24,368				\$26,268
Total	\$1,900	\$24,368	\$14,642	\$54,854	\$204,516	\$300,281

Table 3: Clean Estuary Partnership Expenditures for FY01-02