



Executive Board Meeting

AGENDA

Friday, April 15, 2016, 9:00 a.m. – 12:30 p.m.

SFPUC, Hetch Hetchy Room, 13th Floor

525 Golden Gate Ave, San Francisco, CA

<u>Agenda Item</u>	<u>Time</u>	<u>Pages</u>
ROLL CALL AND INTRODUCTIONS	9:00 AM	
PUBLIC COMMENT	9:03 AM	
CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER	9:04 AM	
CONSENT CALENDAR 1 March 18, BACWA Executive Board Meeting Minutes 2 February, 2016 Treasurer's Reports	9:05 AM	3-10 11-17
AUTHORIZATIONS & APPROVALS 3 <u>Approval</u> : FY17 BACWA Budget & Workplan 4 <u>Approval</u> : Technical Document Review Contract	9:06 AM	18-31 32-39
OTHER BUSINESS - POLICY/STRATEGIC 5 <u>Discussion</u> : Nutrients <ul style="list-style-type: none"> a. Regulatory <ul style="list-style-type: none"> i. Opt/Upgrade Workshop ii. W/S Permit Membership Survey iii. CMG Updates b. Technical Work <ul style="list-style-type: none"> i. Science Plan Update c. Governance Structure <ul style="list-style-type: none"> i. Program Coordinator ii. Planning Subcommittee #18 Debrief 6 <u>Discussion</u> : Water Board Joint Meeting Draft Agenda 7 <u>Discussion</u> : BAAQMD Joint Meeting Draft Agenda 8 <u>Discussion</u> : Integrated Regional Pilot Planning Project 9 <u>Discussion</u> : Microplastics	9:10 AM	40-47 48-51 52-53 54 55 56-58
OTHER BUSINESS - OPERATIONAL 10 <u>Discussion</u> : Succession Planning FY17 11 <u>Discussion</u> : Drought/Recycling <ul style="list-style-type: none"> a. Prop 1 Proposal b. Surface Water Augmentation c. SB163 (Hertzberg) d. Recycled Water CCMP e. State-wide General Order 12 <u>Discussion</u> : Bay Planning Coalition Summit	11:10 AM	59-61 62-63 64-67 68-75 76-77 78 79-81

[LINK to Statewide General Order](#)

REPORTS		12:00 PM	
13	Committee Reports		82-85
14	Member Highlights		
15	Executive Director Report		86-95
16	Regulatory Program Manager Report		96
17	Other BACWA Representative Reports		
	a. RMP TRC	Rod Miller	
	b. RMP Steering Committee	Karin North; Jim Ervin	
	c. Summit Partners	Dave Williams	97-116
	d. ASC/SFEI	Laura Pagano; Dave Williams	117
	e. Nutrient Governance Steering Committee	Ben Horenstein; Jim Ervin	
	f. SWRCB Nutrient SAG	Dave Williams	
	g. SWRCB Focus Group – Bacterial Objectives	Lorien Fono; Amy Chastain	
	h. SWRCB Focus Group – Mercury Amendments to the State Plan	Tim Potter	
	i. Nutrient Technical Workgroup	Eric Dunlavey	
	j. NACWA Taskforce on Dental Amalgam	Tim Potter	
	k. BAIRWMP	Cheryl Munoz; Linda Hu; Dave Williams	
	l. NACWA Emerging Contaminants	Karin North; Melody LaBella	
	m. CASA Statewide Pesticide Steering Committee	Melody LaBella;	
	n. CASA State Legislative Committee	Lori Schectel;	
	o. CASA Regulatory Workgroup	Lorien Fono;	
	p. ReNUWit	Mike Connor; Ben Horenstein	
	q. RMP Microplastics Liaison	Nirmela Arsem;	
	r. AWT Certification Committee	Maura Bonnarens;	
	s. Bay Area Regional Reliability Project	Roger Bailey; Mike Connor	118-125
18	SUGGESTIONS FOR FUTURE AGENDA ITEMS	12:27 PM	
NEXT MEETING The next regular meeting of the Board is scheduled for May 20, 2016 from 9:00 am – 12:30 pm at the EBMUD Treatment Plant, Lab Library, 2020 Wake Ave, Oakland, CA.		12:28 PM	
ADJOURNMENT		12:30 PM	



Executive Board Meeting Minutes

March 18, 2016

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Laura Pagano (San Francisco Public Utilities Commission); Jim Ervin (San Jose); Mike Connor (East Bay Dischargers Authority); Vince De Lange (East Bay Municipal Utility District); Lori Schectel (Central Contra Costa Sanitary District).

Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Heidi Sanborn	CPSC
Holly Kennedy	HDR
Jim Graydon	Brown & Caldwell
Karin North	Palo Alto
Melody La Bella	CCCSD
Tom Hall	EOA
Jean-Marc Petit	CCCSD
Nirmela Arsem	EBMUD
David Williams	BACWA
Lorien Fono	BACWA
Sherry Hull	BACWA

PUBLIC COMMENT

None.

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER

The Chair noted that Mike Connor of EBDA has been recognized for the Oro Loma Horizontal Levy Project. Mike was honored along with Jeremy Lowe, Peter Baye. He also mentioned the work of Save the Bay, and especially Jason Warner of Oro Loma for building the infrastructure needed to support the project. EBDA will brief the local congressional members on the project in May 2016.

CONSENT CALENDAR

1. February 19, BACWA Executive Board Meeting Minutes
2. January 2016 Treasurer's Reports

Consent Calendar items 1 and 2 were approved in a motion made by Mike Connor and seconded by Jim Ervin. The motion carried unanimously.

A Board Member asked that a Summary of the Financial Reports be included in the Handout in the future.

OTHER BUSINESS-POLICY/STRATEGIC

Agenda **Item 3** – Discussion: Nutrients

a. Regulatory

- i. HDR Quarterly Update – Notes from the March 10, 2016 CMG Meeting were included in the Handout on Pages 16-19. HDR gave an update to the Board showing the schedule along with progress on invoicing against the budget which is well below what was predicted at this point. They noted that finding the line between Optimization and Upgrade is difficult and Optimization is appearing to be not inexpensive. A very preliminary view of the content of the draft reports was provided. Since the last report HDR has created an approach for presenting optimization alternatives and costs in facility reports. There was a discussion about how to present costs, and in what level of detail, and whether costs should be benchmarked against those in other regions, for example, Chesapeake Bay. They have also set a baseline for their no increase in net loading analysis. They have prepared a preliminary draft of the first plant report which will include multiple strategies, facility needs, and estimated costs, which still needs to be vetted by the agency. Next step is to complete Wave 1 Plants and receive comments before moving onto Wave 2 Plants and additional data requests.
- ii. Nutrient Strategy Team Meeting – The Executive Director gave an overview of the first Nutrient Strategy Team meeting, and provided a presentation on the issues the wastewater community will need to address when considering the next Watershed Permit. Ideas that were discussed included a permit reopener with a higher level of funding for scientific studies, early actions to remove nutrients Regional Planning, and any other offers in lieu of the no increase in net loading that the Regional Water Board is planning for the next permit reissuance. It was suggested that BACWA send out a survey to its members to determine their preferences with regard to negotiating the next permit, and the possibility of reopening the permit to extend the end date.
- iii. Updated Calendar of Activities – A Schedule of Activities to meet Watershed Permit Requirements for Studies was included in the Handout on Page 20. The Regulatory Program Manager reviewed the calendar. A request for information on Capital Improvement Plans and recycled water will be distributed with the facilities reports, and a member's workshop is then planned for the summer to discuss the parameters used for the facility reports. Facility reports will be circulated to all agencies for review and sign-off and a progress report is due to the Water Board on July 1st, 2016. The 2016 Annual Report is due on October 1st, 2016. The final report on Optimization/Upgrade Studies is expected in early 2017, well before the Watershed Permit deadline of July 2018.

b. Technical Work

- i. Technical Review of Nutrient Documents – An email regarding access to raw data and the Review of Technical Documents RFP were included in the Handout on Pages

21-36. The Executive Director requested that the Board members identify a selection committee. Review of proposals and interviews are scheduled for the week of March 28th. Based on Board input, the selection committee will consist of Vince De Lange of EBMUD, Jim Ervin of San Jose, and Laura Pagano of SFPUC.

c. Governance Structure -

- i. Debrief on Planning Subcommittee Meeting #17 – A Meeting Summary of Planning Subcommittee Meeting #17 was included in the Handout on Pages 37-43.
- ii. Debrief on Steering Committee #8 – The Agenda for the March 11, 2016 meeting and the Program Coordination FY16-17 Workplan was included on Pages 44-64 along with a [link](#) to the NMS Meeting materials. EBMUD staff are working on a proposal to EPA to supplement funding to the NMS. The Steering Committee accepted the BACWA proposal to fund the NMS Program Coordinator. The Executive Director referred to the Org Chart on Page 50. Continuation of the program will be reviewed after the first year and will depend on an adequate return on the investment achieved during the one year pilot effort.. The Peer Review beginning on Page 58 was highlighted with an emphasis on #'s 2 and 15.
- iii. NMS Calendar – The Nutrient Management Strategy Calendar from March 2016 through March 2017 was included in the Handout on Pages 65-68. The Executive Director gave an overview of the calendar.

Agenda Item 4 – Discussion: Joint Water Board Meeting Debrief – Minutes from the February 29, 2016 Joint Water Board Meeting was included in the Handout on Pages 69-71. The Regulatory Program Manager gave an overview of the minutes. It was noted that comments on the Assessment Framework report will be posted on the Regional Water Board's website. The Water Board will look into getting BACWA access to the raw scientific data used in the report and manuscript.

Agenda Item 5 – Discussion: SSO White Paper – An email on the Status Update on UC Berkeley Wheeler Institute Citizen Suit Report was included in the Handout on Pages 72-73, along with a [link](#) to the SSO White Paper Draft. BACWA will make the final report available on its website.

Agenda Item 6 – Discussion: Microplastics Update – An article and two emails on microplastics were included in the Handout on Pages 74-78, along with a [link](#) to a paper on Transport & Fate of Microplastic Particles in Wastewater Treatment Plants. The Chair will reply to Clean Water Acton regarding the development of a project framework for Reducing Microplastics in the SF Bay Draft Concept prior to the EPA's RFP in April. Karin North will include the draft concept for a grant proposal on source reduction in the BAPPG Committee Agenda for its next meeting in April. EBMUD gave an update on its work on microplastics. They have researched sampling options, collected samples, verified the method and noted that the method needs to be changed, since the digestion step does not appear to break down natural fibers such as hair and toilet paper. They compared the samples after digestion to source samples and noted that

there is a resemblance to toilet paper fibers. Their first conclusions are 1) 24-hour sampling is possible; 2) more aggressive digestion is needed; and 3) Ramans Spectroscopy is best for positive identification of plastic particles versus natural fibers, but it is very expensive. The Board extended thanks to EBMUD for pulling so many agencies together to accomplish this work. SFEI will be sponsoring a microplastics workshop on June 29th to develop the RMP's microplastic monitoring and science strategy, and the ED will request that a representative of the BACWA workgroup be on the agenda.

Agenda Item 7 – Discussion: Vacaville Dues – An explanation of the City of Vacaville's request to become a BACWA member, along with a copy of the relevant BACWA Policy was included in the Handout on Pages 79-81. The Executive Director noted that the Agency has chosen to withdraw their request to become a BACWA member. This brings up the question of policy on BACWA membership for out-of-Region agencies. The Executive Director will bring a proposed policy to the Board.

OTHER BUSINESS-OPERATIONAL

Agenda Item 8 – Presentation: CPSC Update – Heidi Sanborn thanked BACWA for support from the wastewater community in the Bay Area. There have been major successes internationally in the transition to a “circular economy” of producer responsibility for waste products, with Mexico offering a model of a successful producer-funded pharmaceutical disposal program. CPSC is working to further the concept in the U.S. and has developed the National Stewardship Action Council in order to advocate for a regulatory pathway for these initiatives. CPSC sees the Bay Area as ground zero in the fight for safe disposal of medications and sharps. Alameda County was the first in the nation to implement a take-back ordinance in 2012. Multiple communities in the Bay Area have either passed or are attempting to pass ordinances requiring manufacturers of medications to help expand options for free, safe disposal of medication in those communities. Los Angeles County in California and Cook County in Illinois, representing more than 15 million residents, are considering ordinances that establish sustainably financed medication take-back programs. Los Angeles is also including needles. The recent concerns with opioid poisonings is adding fuel to the discussions. The Board inquired what Kaiser's position is since many wastewater facility employees are insured with Kaiser. Heidi noted that it is difficult in the absence of an ordinance removing liability for having disposal units on their property for any organization to move forward with implementation. She encouraged everyone to do what they can to drive local policy. BAPPG will work on a Comment Letter for BACWA in opposition to AB 45, which transfers responsibility to Cities for picking up pharmaceuticals as household hazardous waste.

Agenda Item 9 – Discussion: FY17 Budget Planning – An updated FY 2017 Draft Budget was included in the Handout on Pages 82-84. The Executive Director noted some minor changes since the last draft and noted that a final budget will be presented to the Board for approval at

the April meeting. He then asked the Board for direction on three options the AIR Committee is considering in FY17: 1) the Committee would go back to being a Special Program and BACWA would only provide invoicing services to the Committee; 2) the Committee and BACWA will continue with the three year phase in; or 3) the Committee will become a full BACWA Committee in FY17 and BACWA will forgo the funds from Committee members. The Board indicated they would prefer for the Committee to become a full BACWA Committee in FY17. The Executive Director will inform the Committee Chair of the preference and will update the Budget to reflect the change.

Agenda Item 10 – Discussion: Bay Area Regional Reliability Task Force – A letter from BACWA of acceptance to participate in the Drought Task Force was included in the Handout on Page 85.

Mike Connor moved that Roger Bailey be appointed the BACWA Representative to the Drought Task Force with himself as alternate. Vince De Lange seconded the motion and the motion carried unanimously.

Agenda Item 11 – Discussion: CEC Comment Letter – A BACWA Comment Letter was included in the Handout on Pages 86-88. There was a discussion about State Water Boards staff's misunderstanding about how their proposed Pilot Monitoring Project would be funded. They intend to attend the April 15 RMP meeting on CECs to better understand the San Francisco Bay Area CECs program.

Agenda Item 12 – Discussion: Drought/Recycling -

- a. Prop 1 update – The Regulatory Program Manager gave an update on the Prop 1 Grant. The Regulatory Program Manager noted that the kickoff meeting will be on Tuesday, March 22, 2016. There was a discussion about Santa Clara Valley Water District's role in the proposal, and that they are planning to fund similar work.

Agenda Item 13 – Discussion: Alternative Monitoring Program – A BACWA Comment Letter was included in the Handout on Pages 89-92 along with a [link](#) to the Regional Water Board's Order No.R2-2016-0008. It was noted that the Regional Water Board staff supported position.

Agenda Item 14 – Discussion: Administration of Prop 84 Grant – A string of emails regarding the Administration of the Prop 84 Grant were included in the Handout on Pages 93-95. The Executive Director summarized the status of the Prop 84 Grant. He asked for Board direction on the proposal to move the administration of the grant from EBMUD and BACWA to ABAG. This is a no-cost proposal.

Mike Connor moved that BACWA approve the move of administration of the grant from EBMUD and BACWA to ABAG. The motion was seconded by Vince De Lange. The motion carried unanimously.

REPORTS

Agenda **Item 15** – Committee Report – BACWA Committee Reports were included in the Handout on Pages 95-115.

AIR Committee: A report from the March 9, 2016 meeting was included in the Handout on Page 96.

BAPPG: A flyer announcing the next BAPPG meeting was included in the Handout on Page 97. An invitation to the next BAPPG meeting was extended to the Permits and Lab Committees. The Regulatory Program Manager indicated that she would include the meeting flyer in the next BACWA Bulletin.

Biosolids Committee: No meeting.

Collections Committee: A report from the March 10, 2016 meeting was included in the Handout on Pages 98-99.

Asset Management InfoShare Group: No meeting.

Lab Committee: A report from the March 9, 2016 meeting was included in the Handout on Page 100.

Operations and Maintenance InfoShare Group: A report from the February 24, 2016 meeting was included in the Handout on Page 101.

Permits Committee: A report from the March 8, 2016 meeting was included in the Handout on Pages 102-103.

Pretreatment Committee: No meeting.

Recycled Water Committee: A report from the March 2, 2016 meeting was included in the Handout on Pages 104-105.

Agenda **Item 16** - Discussion: Member Highlights - Executive Board Representatives (Board) were given an opportunity to provide updates from each of the Principal agencies. Non-principal members were also given an opportunity to report out on behalf of their agencies. No actions were taken on the report-outs.

EBDA: No comments.

EBMUD: No comments.

Central Contra Costa: The agency's Board authorized the General Manager and Staff to establish an agreement to develop a satellite treatment plant producing recycled water for irrigation at a Country Club golf course. It was suggested that CCCSD might hold a workshop to help other agencies proceed with similar projects. It was also noted that customers may have a problem with agencies providing recycled water in similar exclusive agreements with golf courses, and that golf course irrigation may not be the highest use for the water. However, in this case, the cost will be covered by the Country Club and not CCCSD.

San Francisco: SFPUC received an EPA 308 letter Request for Information related to flooding concerns.

San Jose: San Jose will have their Compliance Evaluation Inspection on Thursday March 24. They were given a 4-page checklist of items to look for.

Palo Alto: Integrated Regional Planning – Pilot Program, already funding a portion. It was suggested that BACWA request that a representative of the Water District be asked to give a presentation to BACWA on their plans to increase recycled water and lead the planning effort in the Lower South Bay.

DSRSD: No comments.

Petaluma: No comments.

Agenda **Item 17** - The **Executive Director's Report**, along with the Board Calendar, BACWA Action Items, were included in the Handout on Pages 106-115.

It was noted that 54 of the 55 action items from FY16 have been completed.

Agenda **Item 18** - The **Regulatory Program Manager (RPM) Report** was included in the Handout on Pages 116-117.

Agenda Item 19 - Other BACWA Representative Reports – BACWA Representative were given an opportunity to provide updates. No actions were taken based on the reports.

- a. RMP-TRC: Rod Miller; Laura Pagano – No report.
- b. RMP Steering Committee: Karin North; Jim Ervin – No report
- c. **Summit Partners: Dave Williams** – An email regarding the April 4 Clean Water Summit Meeting was included in the Handout on Page 118. The Executive Director asked the Board to send any ideas for the Agenda to him.
- d. **ASC/SFEI: Laura Pagano; Dave Williams** – A [link](#) to the Agenda and Draft Minutes of the March 11, 2016 ASC/SFEI Joint Board meeting was included in the Handout. No report.
- e. Nutrient Governance Steering Committee: Ben Horenstein; Jim Ervin – No report.
- f. **SWRCB Nutrient SAG: Dave Williams** – An email regarding the CASA Nutrient Workgroup Meeting Summary / Next Steps was included in the Handout on Pages 119-120. The State Water Board intends to pursue a statewide narrative objective (for wadeable streams) with numeric translators, and with a preferred program of implementation that promotes a coordinated watershed management approach.
- g. SWRCB Focus Group – Bacterial Objectives: Lorie Fono; Amy Chastain – No report.
- h. SWRCB Focus Group – Mercury Amendments to the State Plan: Tim Potter – No report.
- i. Nutrient Technical Workgroup: Eric Dunlavey – No report.
- j. NACWA Taskforce on Dental Amalgam: Tim Potter – No report.
- k. BAIRWMP: Cheryl Munoz, Linda Hu, Dave Williams – No report.
- l. NACWA Emerging Contaminants: Karin North, Melody La Bella – No report.
- m. CASA Statewide Pesticide Steering Committee: Melody La Bella – No report.
- n. **CASA State Legislative Committee: Lori Schectel** – Hertzberg Bill – CASA is still opposing the bill that requires POTWs to move to zero Ocean Discharge and full water recycling.

Senator Herzberg has indicated he no longer wants to meet with CASA on further amendments.

- o. **CASA Regulatory Workgroup** – The CASA Regulatory Workgroup Water Committee chair provided an Agenda from the March 10, 2016 CASA – EPA Joint Collaboration Meeting, which was included in the Handout on Page 121. One major topic for future meetings is whole effluent toxicity regulation. EPA has provided their final comments to the State Water Board on their Toxicity Plan. EPA discussed their headquarters’ push on nutrients and possible opportunities for funding. They are also interested in consistency in mixing zones, and eliminating barriers to innovation.
- p. **RMP Microplastics Liaison: Nirmela Arsem** – No report.
- q. **ReNUWIt: Mike Connor; Ben Horenstein** – No report.
- r. **AWT Certification Committee: Maura Bonnarens** – No report.
- s. **Bay Area Regional Reliability Project: Mike Connor; Roger Bailey** – No report.

SUGGESTIONS FOR FUTURE AGENDA ITEMS: None.

ANNOUNCEMENTS:

The next regular meeting of the Board is scheduled for **April 15, 2016 from 9:00 am – 12:30 pm** at the **SFPUC, Hetch Hetchy Room, 13th Floor, 525 Golden Gate Ave, San Francisco, CA.**

The meeting adjourned at 12.58 pm.



MONTHLY TREASURER'S REPORT – FEBRUARY 2016

Fund Balances

BACWA has seven funds of which three are operating funds (BACWA, Legal, and CBC) and four are pass-through funds for which BACWA provides only contract administration services. The four pass-through funds are not of particular concern as these funds simply track expenses and revenues to ensure that receipts are adequate to pay all expected expenses.

BACWA Fund: This fund provides the resources for BACWA staff, its committees, and other administrative needs. The ending fund balance was \$1,262,403 which is significantly higher than the target reserve of \$160,000. However, \$208,454 of the ending fund balance is obligated to meet line item expenses for BAPPG Committee Support, Legal services, IT services, Board meeting expenses, accounting services and BACWA staff support. (Note: Additional amounts are “obligated” in the sense that we have budgeted for them and expect to incur expenses for some of them, but we have not written contracts or received services at this time.) This leaves an unobligated fund balance of \$1,053,948.

CBC Fund: This fund provides the resources for completing special investigations as well as meeting regulatory requirements. The ending fund balance was \$1,447,207 which is significantly higher than the target reserve of \$400,000. However, \$504,390 of the ending balance is obligated to meet line item expenses for completion of the Optimization/Upgrade Studies contract, the Risk Reduction contracts, and for technical support. (Note: Additional amounts are “obligated” in the sense that we have budgeted for them and expect to incur expenses for some of them, but we have not written contracts or received services at this time.)

Legal Fund: This fund provides for needed legal services. The ending balance was \$300,717 which is slightly higher than the target reserve of \$300,000.

Annual Budget

The BACWA Annual Budget includes all expected revenues as well as budgeted expenses. Transfers are made from the BACWA Fund and/or the CBC Fund to balance the Annual Budget if expenses exceed revenues and vice versa. It is therefore important to achieve the anticipated revenues and not exceed the budgeted expenses on an annual basis in order to maintain the BACWA and CBC Fund balances at the levels projected in the 5 Year Plan.

As of February, 2016 (at 67% of the FY) all revenues (97%) and expenses (63%) are tracking in accordance with the Annual Budget except the following which have either favorable or unfavorable variance:

Communications: Budget of \$5,288 and expenditures to date of \$2,883 resulting in a favorable variance of 55% due to a lower need for website and IT expenditures.

Legal Support: Budget of \$4,500 and expenditures to date of \$1,462 resulting in a favorable variance of 32% due to a low need for legal expenditures.

Committees: Budget of \$189,100 and expenditures to date of \$88,837 resulting in a favorable variance of 47% due to no need to tap the Committee Contingency line item and lower individual Committee expenditures.



Bay Area Clean Water Agencies

A Joint Powers Public Agency

Leading the Way to Protect our Bay

April 12, 2016

MEMO TO: Bay Area Clean Water Agencies Executive Board
MEMO FROM: D. Scott Klein, Controller, East Bay Municipal Utility District
SUBJECT: Eighth Month Treasurer's Report

As required by section eight of the Joint Powers Agreement establishing the Bay Area Clean Water Agencies (BACWA) and California Government Code Sections 6500 et seq., attached is the BACWA Treasurer's Report for the period covering **July 1, 2015 through February 29, 2016** (eight months of Fiscal Year 2015-2016). This report covers expenditures, cash receipts, and cash transfers for the following BACWA funds:

- Bay Area Clean Water Agencies (BACWA),
- BACWA Legal Reserve Fund (Legal Rsrv),
- Water Quality Attainment Strategy (WQA CBC),
- Air Issues and Regulation Group (AIR),
- Water/Wastewater Operator Training (WOT),
- Prop84 Bay Area Integrated Regional Water Mgmt (PRP84),
- Prop50 Bay Area Integrated Regional Water Mgmt (PRP50)

Fund Balances as of month end 02/29/16

DESCRIPTION	BEGINNING FUND BALANCE 07/1/15	TOTAL RECEIPTS	TOTAL DISBURSEMENTS	ENDING FUND BALANCE 02/29/16	OUTSTANDING ENCUMBRANCES	UNOBLIGATED FUND BALANCE 02/29/16
BACWA	1,006,959	650,071	394,628	1,262,403	208,454	1,053,948
LEGAL RSRV	300,000	717	-	300,717	-	300,717
CBC	1,243,029	1,279,497	1,075,318	1,447,207	504,390	942,818
AIR	10,171	54,351	23,582	40,940	28,418	12,522
GRAND TOTAL	2,560,159	1,984,636	1,493,528	3,051,267	741,262	2,310,005
WOT	45,463	124,672	71,500	98,635	-	98,635
TOTAL	45,463	124,672	71,500	98,635	-	98,635
PRP84	275,232	2,036,629	1,004,729	1,307,132	8,593	1,298,539
PRP50	561,537	20,289	442,522	139,304	7,360	131,944
TOTAL	836,769	2,056,918	1,447,251	1,446,436	15,953	1,430,483

BACWA Revenue Report for February 2016

FUND #	DEPARTMENT	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE				UNOBLIGATED
				DIRECT	INVOICED	JVS	DIRECT	INVOICED	JVS	ACTUAL	
800	BACWA	Principal's Contributions	468,180	-	-	-	-	468,180	-	468,180	-
800	BACWA	Assoc.& Affiliate Contr	171,639	-	4,680	-	-	174,759	-	173,199	(1,560)
800	BACWA	Administrative & General	-	-	-	-	1,793	-	(1,793)	-	-
800	BACWA	Non-Member Contributions (BAPPG)	3,600	-	-	-	-	-	3,600	3,600	-
800	BACWA	Fund Transfers	2,500	-	-	-	-	-	2,438	2,438	62
800	BACWA	Interest Income	1,500	-	-	-	-	-	2,654	2,654	(1,154)
BACWA TOTAL			647,419	-	4,680	-	1,793	642,939	6,899	650,071	(2,652)
804	LEGAL	Interest Income	-	-	-	717	-	-	717	717	(717)
LEGAL TOTAL			-	-	-	717	-	-	717	717	(717)
802	AIR	Member Contributions	50,000	-	-	-	-	48,080	-	48,080	-
802	AIR	Non-Member Contributions (AIR)	6,200	-	-	-	-	6,200	-	6,200	-
802	AIR	Interest Income	-	-	-	41	-	-	71	71	(71)
AIR TOTAL			56,200	-	-	41	-	54,280	71	54,351	(71)
805	WQA-CBC	Member Contributions	675,000	-	2,250	-	-	674,250	-	674,250	750
805	WQA-CBC	Nutrient Surcharge	686,779	-	150	-	-	600,608	-	600,608	86,171
805	WQA-CBC	Interest Income	-	-	-	-	-	-	4,639	4,639	(4,639)
WQA CBC TOTAL			1,361,779	-	2,400	-	-	1,274,858	4,639	1,279,497	82,282
GRAND TOTAL			2,065,398	-	7,080	758	1,793	1,972,077	12,326	1,984,636	78,842
810	WOT	BDO Member Contributions	146,000	-	1,500	-	-	124,500	-	124,500	21,500
810	WOT	BDO Interest Income	-	-	-	-	-	-	172	172	(172)
WOT TOTAL			146,000	-	1,500	-	-	124,500	172	124,672	21,328

BACWA Expense Detail Report for February 2016

	AMENDED	CURRENT PERIOD				YEAR TO DATE					
EXPENSE TYPE	BUDGET	ENC	PV	DA	JV	ENC	PV	DA	JV	OBLIGATED	UNOBLIGATED
LABOR											
AS-Executive Director	183,498	(30,583)	30,583	-	-	61,166	122,332	-	-	183,498	-
AS-Assistant Executive Directo	78,642	(6,310)	6,310	-	-	27,510	51,132	-	-	78,642	-
AS-Regulatory Program Manager	123,360	-	-	-	-	56,143	67,217	-	-	123,360	-
ADMINISTRATION											
AS-EBMUD Administrative Servic	40,000	(23,389)	23,389	-	-	16,611	23,389	3,576	(10,107)	33,469	6,531
AS-BACWA Admin Expense	7,500	-	-	23	-	-	-	3,861	-	3,861	3,639
AS-Insurance	4,500	-	-	-	-	-	-	4,152	-	4,152	348
MEETINGS											
GBS- Meeting Support	16,600	-	-	156	-	533	467	9,010	-	10,010	6,590
COMMUNICATION											
CAR-BACWA Website Development/	7,088	-	-	64	-	3,654	1,345	1,538	-	6,537	551
LEGAL											
LS-Regulatory Support	2,500	-	-	-	-	2,430	70	-	-	2,500	-
LS-Executive Board Support	2,000	-	-	-	-	608	1,392	-	-	2,000	-
COMMITTEES											
AIR-Air Issues&Regulation Grp	50,000	-	-	-	-	28,418	23,582	-	-	52,000	(2,000)
BC-BAPPG	86,000	11,605	3,395	8,000	-	39,799	29,626	30,500	-	99,925	(13,925)
BC-Biosolids Committee	3,100	-	-	-	-	-	-	446	-	446	2,654
BC-Collections System	10,000	-	-	-	-	-	-	750	-	750	9,250
BC-InfoShare Groups	1,000	-	-	238	-	-	-	737	-	737	263
BC-Laboratory Committee	6,000	-	-	-	-	-	-	2,291	-	2,291	3,709
BC-Permit Committee	1,000	-	-	-	-	-	-	-	-	-	1,000
BC-Pretreatment Committee	1,000	-	-	-	-	-	-	904	-	904	96
BC-Water Recycling Committee	1,000	-	-	-	-	-	-	-	-	-	1,000
BC-Miscellaneous Committee Sup	30,000	-	-	-	-	-	-	-	-	-	30,000
COLLABORATIVES											
CAS-Arleen Navaret Award	1,000	-	-	-	-	-	-	-	-	-	1,000
CAS-FWQC	5,000	-	-	-	-	-	-	5,000	-	5,000	-
CAS-Stanford ERC	10,000	-	-	-	-	-	-	10,000	-	10,000	-
CAS-CWCCG	35,000	-	-	-	-	-	-	35,000	-	35,000	-
BACWA TOTAL	705,788	(48,677)	63,677	8,481	-	236,872	320,552	107,765	(10,107)	655,082	50,706
TECH SUPPORT											
WQA-CE Addl Work Under Permit	100,000	-	-	-	-	-	-	15,810	(15,810)	-	100,000
WQA-CE-Technical Support	136,779	-	-	-	-	28,409	62,932	1,500	(31,762)	61,079	75,700
WQA-CE CASA Chem of Concern	15,000	-	-	-	-	-	-	-	-	-	15,000
WQA-CE Opt-Upgrade Studies	559,000	-	-	-	-	434,213	164,416	-	-	598,629	(39,629)
WQA-CE Risk Reduction	17,500	(3,006)	3,006	-	-	41,768	8,232	-	-	50,000	(32,500)
WQA-CE-Nutrient WS Permit Comm	880,000	-	-	-	-	-	-	870,000	-	870,000	10,000
WQA-CE-Program Mgmt	50,000	-	-	-	-	-	-	-	-	-	50,000
TECH SUPPORT (CBC) TOTAL	1,758,279	(3,006)	3,006	-	-	504,390	235,580	887,310	(47,572)	1,579,708	178,571
GRAND TOTAL	2,464,067	(51,682)	66,682	8,481	-	741,262	556,132	995,075	(57,679)	2,234,790	229,277
WOT											
Administrative Support	2,500	-	-	-	-	-	-	-	-	-	2,500
BDO Contract Expenses	-	-	-	-	-	-	-	71,500	-	71,500	(71,500)
	2,500	-	-	-	-	-	-	71,500	-	71,500	(69,000)

PROPOSITION Revenue Report for February 2016

DEPTID	DEPARTMENT	JOB	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE				UNOBLIGATED
					DIRECT	INVOICED	JVS	DIRECT	INVOICED	JVS	ACTUAL	
811	Prop84BayAreaIntegRegnlWtrMgmt	1011117	BDO Interest Income	-	-	-	-	-	-	645	645	(645)
811	Prop84BayAreaIntegRegnlWtrMgmt	1011142	Administrative Support	-	-	-	-	-	36,430	-	36,430	(36,430)
811	Prop84BayAreaIntegRegnlWtrMgmt	1011705	Regional Green Infrastructure	-	-	-	-	-	57,835	-	57,835	(57,835)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012209	Water Efficient LRP	-	-	-	-	-	118,381	-	118,381	(118,381)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012210	Bay Friendly Landscape TP	-	-	-	-	-	13,775	-	13,775	(13,775)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012211	Weather Based Irrigation Cntrl	-	-	35,155	-	-	38,651	-	38,651	(38,651)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012212	High Efficiency Toilet & UR	-	-	399,383	-	-	605,681	-	605,681	(605,681)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012213	High Efficiency Toilet & UI	-	-	343,226	-	-	413,764	-	413,764	(413,764)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012214	High Efficiency Clothes Washrs	-	-	417,807	-	-	620,062	-	620,062	(620,062)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012215	Napa Co. Rainwater HP	-	-	-	-	-	9,560	-	9,560	(9,560)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012216	Conservation Program Admin	-	-	-	-	-	17,670	-	17,670	(17,670)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012219	Flood Infrastructure Mapping T	-	-	-	-	-	49,944	-	49,944	(49,944)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012220	Stormwater Improvements & PBP	-	-	-	-	-	17,471	-	17,471	(17,471)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012222	Pescadero Integrated FRAH	-	-	-	-	-	2,041	-	2,041	(2,041)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012223	Restoration Guidance, San FC	-	-	-	-	-	17,333	-	17,333	(17,333)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012224	SF Estuary Steelhead MP	-	-	-	-	-	13,539	-	13,539	(13,539)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012225	Watershed Program Admnstrtn	-	-	-	-	-	3,848	-	3,848	(3,848)
	PROP 84 TOTAL			-	-	1,195,571	-	-	2,035,983	645	2,036,629	(2,036,629)
815	Prop50BayAreaIntegRegnlWtrMgmt	1011117	BDO Interest Income	-	-	-	-	-	-	477	477	(477)
815	Prop50BayAreaIntegRegnlWtrMgmt	1011142	Administrative Support	-	-	-	-	-	19,812	-	19,812	(19,812)
	PROP50 TOTAL			-	-	-	-	-	19,812	477	20,289	(20,289)
	GRAND TOTAL			-	-	1,195,571	-	-	2,055,795	1,122	2,056,918	(2,056,918)

PROPOSITON Expense Report for February 2016

DEPARTMENT	EXPENSE TYPE	AMENDED BUDGET	CURRENT PERIOD				YEAR TO DATE				OBLIGATED	UNOBLIGATED
			ENC	PV	DA	JV	ENC	PV	DA	JV		
Prop84BayAreaIntegRegnlWtrMgmt	BDO Fund Transfers	-	-	-	-	-	-	-	-	2,057	2,057	(2,057)
Prop84BayAreaIntegRegnlWtrMgmt	Administrative Support	-	-	-	-	-	-	-	191,317	-	191,317	(191,317)
Prop84BayAreaIntegRegnlWtrMgmt	BDO Contract Expenses	-	-	-	-	-	8,593	7,373	-	-	15,965	(15,965)
Prop84BayAreaIntegRegnlWtrMgmt	Regional Green Infrastructure	-	-	-	-	-	-	-	57,835	-	57,835	(57,835)
Prop84BayAreaIntegRegnlWtrMgmt	Water Efficient LRP	-	-	-	-	-	-	-	118,381	-	118,381	(118,381)
Prop84BayAreaIntegRegnlWtrMgmt	Bay Friendly Landscape TP	-	-	-	-	-	-	-	13,775	-	13,775	(13,775)
Prop84BayAreaIntegRegnlWtrMgmt	Weather Based Irrigation Cntrl	-	-	-	-	-	-	-	3,495	-	3,495	(3,495)
Prop84BayAreaIntegRegnlWtrMgmt	High Efficiency Toilet & UR	-	-	-	-	-	-	-	206,298	-	206,298	(206,298)
Prop84BayAreaIntegRegnlWtrMgmt	High Efficiency Toilet & UI	-	-	-	-	-	-	-	70,538	-	70,538	(70,538)
Prop84BayAreaIntegRegnlWtrMgmt	High Efficiency Clothes Washrs	-	-	-	-	-	-	-	202,255	-	202,255	(202,255)
Prop84BayAreaIntegRegnlWtrMgmt	Napa Co. Rainwater HP	-	-	-	-	-	-	-	9,560	-	9,560	(9,560)
Prop84BayAreaIntegRegnlWtrMgmt	Conservation Program Admin	-	-	-	-	-	-	-	17,670	-	17,670	(17,670)
Prop84BayAreaIntegRegnlWtrMgmt	Flood Infrastructure Mapping T	-	-	-	-	-	-	-	49,944	-	49,944	(49,944)
Prop84BayAreaIntegRegnlWtrMgmt	Stormwater Improvements & PBP	-	-	-	-	-	-	-	17,471	-	17,471	(17,471)
Prop84BayAreaIntegRegnlWtrMgmt	Pescadero Integrated FRAH	-	-	-	-	-	-	-	2,041	-	2,041	(2,041)
Prop84BayAreaIntegRegnlWtrMgmt	Restoration Guidance, San FC	-	-	-	-	-	-	-	17,333	-	17,333	(17,333)
Prop84BayAreaIntegRegnlWtrMgmt	SF Estuary Steelhead MP	-	-	-	-	-	-	-	13,539	-	13,539	(13,539)
Prop84BayAreaIntegRegnlWtrMgmt	Watershed Program Admnstrtn	-	-	-	-	-	-	-	3,848	-	3,848	(3,848)
PRP84 TOTAL		-	-	-	-	-	8,593	7,373	995,299	2,057	1,013,322	(1,013,322)
Prop50BayAreaIntegRegnlWtrMgmt	BDO Fund Transfers	-	-	-	-	-	-	-	-	381	381	(381)
Prop50BayAreaIntegRegnlWtrMgmt	BDO Contract Expenses	-	-	-	-	-	7,360	2,254	-	-	9,614	(9,614)
Prop50BayAreaIntegRegnlWtrMgmt	South Bay Advanced Regional RW	-	-	-	-	-	-	-	292,087	-	292,087	(292,087)
Prop50BayAreaIntegRegnlWtrMgmt	Pacifica RWP	-	-	-	-	-	-	-	74,440	-	74,440	(74,440)
Prop50BayAreaIntegRegnlWtrMgmt	Direct Install HET	-	-	-	-	-	-	-	36,680	-	36,680	(36,680)
Prop50BayAreaIntegRegnlWtrMgmt	Sonoma - Napa Marsh RWP	-	-	-	-	-	-	-	36,680	-	36,680	(36,680)
PRP50 TOTAL		-	-	-	-	-	7,360	2,254	439,887	381	449,882	(449,882)
		-	-	-	-	-	15,953	9,626	1,435,186	2,438	1,463,204	(1,463,204)



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 3

FILE NO.: 16-29

MEETING DATE: April 15, 2016

TITLE: Fiscal Year 2017 Budget & Workplan

☐ RECEIPT ☐ DISCUSSION ☐ RESOLUTION ☒ APPROVAL

RECOMMENDED ACTION

Approve the Budget and Workplan for the fiscal year covering July 1, 2016 through June 30, 2017

SUMMARY

The Joint Powers Agreement establishing BACWA requires approval of a budget and Workplan for the coming fiscal year's activities no later than June of the preceding fiscal year. This budget can be amended by the Executive Board at any time in the future.

Draft versions of the budget were reviewed first with the Finance Committee and then at the February 19, 2016 and the March 18, 2016 Executive Board meetings. This final iteration incorporates all changes received from the Board to date and is ready to be approved.

FISCAL IMPACT

The final budget has revenues of \$2,144,165 and expenses of \$1,799,548 resulting in an excess of \$344,617 for FY 17.

ALTERNATIVES

Do not approve the Budget and Workplan: This is not recommended as the budget has been reviewed on two occasions and needs to be approved prior to July 1, 2016.

Attachments:

FY 2017 Budget and Workplan

Approved: _____

Date: _____

Laura Pagano,
Chair, BACWA Executive Board

FY 2017
BACWA BUDGET

<u>BACWA FY16 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2016 Budget</u>	<u>FY2016 Budget Amended</u>	<u>FY2016 Actuals Feb 2016</u>	<u>Variance</u>	<u>FY 2017 DRAFT Budget</u>	<u>NOTES</u>
REVENUES & FUNDING							
Principals' Contributions		\$468,180	\$468,180	\$468,180	\$0	\$477,544	FY17: 2% increase.
Associate & Affiliate Contributions		\$171,639	\$171,639	\$173,199	\$1,560	\$175,072	FY17: 2% increase. FY16: 2 New Members & 1 Member Cancelled
Fees	Clean Bay Collaborative	\$675,000	\$675,000	\$674,250	-\$750	\$675,000	FY16: N. San Mateo has not paid CBC Fee of \$750.
	Nutrient Surcharge	\$600,000	\$600,000	\$600,608	\$608	\$800,000	Actual invoiced: \$600,608
	Other (SFEI Carryforward)		\$86,779				est. carryforward to FY17: \$TBD (curr bal \$28,409)
Other Receipts							
	AIR Committee Phase-in	\$50,000	\$50,000	\$48,080	-\$1,920	\$0	FY16: \$48,080 invoiced. FY17: Becomes a full BACWA Committee
	AIR Non-Member	\$6,200	\$6,200	\$6,200	\$0	\$6,350	Approx. 2% increase.
	BAPPG Non-Members	\$3,600	\$3,600	\$3,600	\$0	\$3,700	Approx. 2% increase.
	Other		\$0	\$15,810	\$15,810	\$0	Reimb. from EBMUD for Sidestream Study
Fund Transfer	Special Program Admin Fees	\$2,500	\$2,500	\$2,438	-\$62	\$2,500	WOT only
Interest Income	Funds	\$1,500	\$1,500	\$8,081	\$6,581	\$4,000	FY16: Actuals includes BACWA, Legal, AIR & Nutrients Funds
	Investments		\$0	\$924	\$924	\$0	Interest from Called CD
	Total Revenue	\$1,978,619	\$2,065,398	\$2,001,370	\$22,751	\$2,144,165	
EXPENSES							
	<u>Line Item Description</u>	<u>FY 2016 Budget</u>	<u>FY2016 Budget Amended</u>	<u>FY2016 Actuals Feb 2016</u>	<u>Variance</u>	<u>FY 2017 DRAFT Budget</u>	<u>NOTES</u>
Labor							
	Executive Director	\$183,498	\$183,498	\$122,332	\$61,166	\$189,370	3.2% CPI (SF/Oakland/San Jose Metro Area Dec 2015)
	Assistant Executive Director	\$78,642	\$78,642	\$51,132	\$27,510	\$85,000	8.08% increase - requested 8.2%
	Regulatory Program Manager	\$123,360	\$123,360	\$67,217	\$56,143	\$112,500	New contract for FY17 with L Fono
	Total	\$385,500	\$385,500	\$240,681	\$144,819	\$386,870	
Administration							
	EBMUD Financial Services	\$40,000	\$40,000	\$23,389	\$16,611	\$40,000	Accounting Services only
	Auditing Services (Maze)	\$0	\$0	\$3,576	-\$3,576	\$6,200	FY17: a separate line item from EBMUD Financial Services
	Administrative Expenses	\$7,500	\$7,500	\$3,861	\$3,639	\$7,500	Travel, Supplies, Parking, Mileage, Tolls, Misc.
	Insurance	\$4,500	\$4,500	\$4,152	\$348	\$4,500	
	Total	\$52,000	\$52,000	\$34,978	\$17,022	\$58,200	
Meetings							
	EB Meetings	\$2,500	\$2,500			\$2,500	6 of 10 meetings paid
	Annual Meeting	\$8,000	\$8,000			\$7,000	Catering & Venue
	Pardee	\$5,000	\$5,000			\$6,000	Catering & Venue
	Misc. (Summit Partners)	\$1,100	\$1,100			\$1,100	Holiday Lunch and Committee Chair Lunch
	Total	\$16,600	\$16,600	\$9,476	\$7,124	\$16,600	
Communication							
	Website Development/Maintenance	\$2,520	\$2,520			\$2,550	
	IT Support & Software	\$2,768	\$2,768			\$3,400	
	Total	\$5,288	\$5,288	\$2,883	\$2,405	\$5,950	

FY 2017
BACWA BUDGET

	<u>Line Item Description</u>	<u>FY 2016 Budget</u>	<u>FY2016 Budget Amended</u>	<u>FY2016 Actuals Feb 2016</u>	<u>Variance</u>	<u>FY 2017 DRAFT Budget</u>	<u>NOTES</u>
Legal							
	Regulatory Support	\$2,500	\$2,500	\$70	\$2,430	\$2,500	
	Executive Board Support	\$2,000	\$2,000	\$1,392	\$608	\$2,000	
	Total	\$4,500	\$4,500	\$1,462	\$3,038	\$4,500	
Committees							
	AIR	\$50,000	\$50,000	\$23,582	\$26,418	\$50,000	Full BACWA Committee beginning in FY17
	BAPPG	\$86,000	\$86,000	\$60,126	\$25,874	\$86,000	Includes CPSC @ \$10,000,
	Biosolids Committee	\$3,100	\$3,100	\$446	\$2,654	\$3,100	
	Collections System	\$10,000	\$10,000	\$750	\$9,250	\$1,000	FY16 Actuals Includes \$500 in Venue Costs from FY15
	InfoShare Groups	\$1,000	\$1,000	\$737	\$263	\$1,200	funds for 2 workgroups (Asset Mgmt & O&M)
	Laboratory Committee	\$6,000	\$6,000	\$2,291	\$3,709	\$6,000	
	Permit Committee	\$1,000	\$1,000	\$0	\$1,000	\$1,000	
	Pretreatment	\$1,000	\$1,000	\$904	\$96	\$7,000	Requested \$7,000 for specific training sessions
	Recycled Water Committee	\$1,000	\$1,000	\$0	\$1,000	\$1,000	
	Misc Committee Support	\$30,000	\$30,000	\$0	\$30,000	\$35,000	
	Total	\$189,100	\$189,100	\$88,837	\$100,263	\$191,300	
Collaboratives		\$1,722,500					
	Collaboratives						
	State of the Estuary (biennial)	\$0	\$0	\$0	\$0	\$20,000	Biennial in Odd Years
	Arleen Navarret Award	\$1,000	\$1,000	\$0	\$1,000	\$0	Biennial in Even Years
	FWQC (Fred Andes)	\$5,000	\$5,000	\$5,000	\$0	\$7,500	Dues raised to \$7,500 for FY16
	Stanford ERC (ReNUWit)	\$10,000	\$10,000	\$10,000	\$0	\$10,000	
	CWCCG	\$35,000	\$35,000	\$35,000	\$0	\$0	State-wide function, being absorbed by CASA
	Misc					\$3,000	new budget line item in recognition of unanticipated expenses
	Total	\$51,000	\$51,000	\$50,000	\$1,000	\$40,500	
Tech Support	Technical Support						
	Nutrients						
	Watershed	\$880,000	\$880,000	\$870,000	\$10,000	\$880,000	\$9,711 of FY16 requirement actually pd in FY15
	Additional work under permit	\$100,000	\$100,000	\$15,810	\$84,190	\$50,000	Reimb by EBMUD - Sidestream Analysis. FY17: Pilot
	Opt/Upgrade/Annual Reporting Studies	\$559,000	\$559,000	\$164,416	\$394,584	\$18,128	FY17: remainder of lump sum budget
	Nutrient Program Coordination	\$50,000	\$50,000	\$0	\$50,000	\$50,000	Prog Coord Pilot Study scheduled for FY17, starts in April 2016
	General Tech Support	\$50,000	\$136,779	\$64,432	\$72,347	\$50,000	SFEI agrmt bal: \$28,409.12. FY17: Assesmt Framework
	Chemicals of Concern	\$15,000	\$15,000	\$0	\$15,000	\$15,000	Pesticide Mgmt support
	Risk Reduction	\$17,500	\$17,500	\$8,232	\$9,268	\$32,500	Contracts executed for \$50k in FY16 to be paid over two years
	Total	\$1,671,500	\$1,758,279	\$1,122,890	\$635,389	\$1,095,628	
	TOTAL EXPENSES	\$2,375,488	\$2,462,267	\$1,551,207	\$911,060	\$1,799,548	
	NET INCOME BEFORE TRANSFERS	-\$396,869	-\$396,869			\$344,617	5 Year Plan: Est 2017: \$298,736
	TRANSFERS FROM RESERVES	\$398,669	\$398,669			\$0	
	NET INCOME AFTER TRANSFERS	\$1,800	\$1,800			\$344,617	

Budget & Workpan

FISCAL YEAR 2017



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INTRODUCTION

The Bay Area Clean Water Agencies (BACWA) is a joint public powers agency created by a 1984 Joint Powers Agreement (JPA) between the Central Contra Costa Sanitary District (CCCSD), the East Bay Dischargers Association (EBDA), the East Bay Municipal Utility District (EBMUD), the City of San Francisco, and the City of San Jose (collectively, “the Principal Agencies”). The JPA requires approval of an annual budget and workplan divided into three parts: overhead (Part A), general benefit programs (Part B), and special benefit programs (Part C).

The JPA requires that revenues for each fiscal year be equivalent to anticipated expenditures. Expenditures for Management & Administration (Part A), and General Benefit Programs (Part B) are funded by all BACWA members because these programs are carried out on behalf of all member agencies.

Since adoption of the Annual Budget for fiscal year 1984, and each fiscal year thereafter, the Executive Board has allocated Part A and Part B costs pursuant to authority provided in Section 10 of the Joint Powers Agreement among Member Agencies in the following manner (the “Allocation Method”):

a. a stated portion to the Original Signatory Members in equal shares; and b. the balance to Associate and Affiliate Members based on one or more of several factors consisting of the type of agency, size of plant, metals loadings, and total nitrogen loadings in the ratio that their share is to that of the total Associate and Affiliate Membership. On September 26, 2014 BACWA formally adopted this allocation through Executive Board Resolution R-2015-01. BACWA currently has two General Benefit Programs: the core BACWA program to support member agencies and the Clean Bay Collaborative. Expenditures for Special Benefit Programs (Part C) are funded by those agencies that elect to fund those programs because those benefits accrue primarily to those participating agencies.

In FY16 BACWA had four Special Benefit Programs: the Air Information and Resources Committee, Water Operator Training, Proposition 50 Administration, and Proposition 84 Administration. In FY17 BACWA will have three Special Benefit Programs due to the fact that the AIR Information and Resources Committee becomes a fully integrated BACWA Committee in FY17.

The purpose of this document is to fulfill the requirements of the JPA for Fiscal Year 2017 (FY 17). This workplan and budget specify the purpose of each of BACWA’s programs during FY 17, the methods by which they will be carried out, the products that will be developed, and the persons responsible for implementation. The schedule for implementation of these programs is July 1, 2016 through June 30, 2017.

STRATEGIC PLAN

BACWA adopted its first strategic plan and accompanying workplan in 2009 and subsequently refined it in 2011. The strategic plan states the mission, values and goals of the organization as demonstrated in the work undertaken annually by the agency.

Mission

Through leadership, science and advocacy, BACWA provides an effective regional voice for the clean water community's role in stewardship of the San Francisco Bay environment.

Values

Leadership
Environmental Stewardship
Collaboration
Transparency
Fiscal Responsibility
Member Service

Goals

Member Service

1. Members are informed of critical issues and activities.
2. Members comply with applicable rules and regulations.

Informed Regulation

3. Environmental regulations and policies reflect the best available scientific, technical, and economic information.
4. Regulations consider environmental, social and economic sustainability.

Environmental Stewardship

5. Members optimize the value available from wastewater.
6. Watershed management principles are applied to address San Francisco Bay management challenges.

MANAGEMENT AND ADMINISTRATION (PART A)

BACWA has administrative and management expenses that are necessary for the agency to carry out its non-program related core functions (JPA, Section 9). They include expenses related to financial management, insurance, and organizational support. Administration of BACWA is carried out by an Executive Director, Assistant Executive Director, and Regulatory Program Manager selected by the Executive Board. Treasurer services are provided by EBMUD who manages BACWA's finances and oversees the annual audit. The objective of these expenditures is to ensure effective, efficient, and transparent management of BACWA, which serves all of BACWA's goals.

Management & Administration				
Objective	Deliverables/Outcomes	Lead	FY 17 Budget	Budget Line
A. Effectively and efficiently manage BACWA as an organization (Labor, Meetings, and Administration)	A.1. Executive Board meetings	ED, AED	\$2,500	Mtg Expenses
	A.2. Monthly Treasurer Reports,	ED, AED, EBMUD	\$40,000	Financial Services
	A.3. Annual audit	ED, AED, Maze	\$6,200	Audit Services
	A.4. Compliance with organization legal requirements	ED, AED	\$2,000	EB Legal Support
	A.5. Insurance to manage organizational risk	ED, AED	\$4,500	Insurance
	A.6. Program Administration and Operations Support	ED, AED, RPM	\$124,656	ED (15%), RPM (10%) AED (100%),
	A.7. Miscellaneous Operational Expenses	ED, AED	\$7,500	Admin Exp
	A.8 Miscellaneous Meeting & Administrative Expenses	ED, AED	\$1,100	Admin Exp & Summit Partners
	A.9 Miscellaneous Meeting & Administrative Expenses	ED, AED	\$6,000	Admin Exp & Pardee
		TOTAL	\$194,456	

GENERAL BENEFIT PROGRAMS (PART B)

There are two aspects of BACWA's general benefit program: the core BACWA Member Agency program and the technically-focused Clean Bay Collaborative (CBC) program.

BACWA MEMBER AGENCY PROGRAM AND CLEAN BAY COLLABORATIVE (CBC) (PART B.1.)

The **BACWA Member Agency Program** serves the following of BACWA's goals: (1) Members are informed of critical issues and activities, (2) Members comply with applicable rules and regulations, and (3) Environmental regulations and policies reflect the best available scientific, technical, and economic information.

These goals are accomplished by providing member agencies with information on regulations, scientific and technical developments; forums for participating in policy discussions and collaborating on mutually beneficial projects; and opportunities to engage with the larger Bay Area environmental community. Program expenses include support for committee facilitation and special projects; member workshops and trainings; membership in state and national organizations that disseminate information to members; and communication expenses such as the website, newsletters, the annual report, and the annual meeting.

The purpose of the **CBC program** is to respond to current regulatory requirements and to develop scientific, technical and industry information to inform future regulations and policies affecting Bay Area POTWs and the environment. Program expenses include the costs of special studies and reports requested by regulatory agencies, policy strategy development and implementation, and collaborations with statewide organizations to do the same. The goals of the CBC are to ensure that (1) regulations and policies reflect the best available scientific, technical, and economic information; (2) regulations consider environmental, social and economic sustainability; (3) members optimize the value available from wastewater; and (4) watershed management principles are applied to address San Francisco Bay management challenges.

Bay Area Clean Water Agencies				
Objective(s)	Deliverables/Outcomes	Lead	FY17 Budget	Budget Line
A. Effectively and efficiently manage BACWA as an organization (Labor, Meetings, and Administration)	A.1. AIR Committee Support - Admin Support - Technical Support	Chair, AED, RPM, Consultant	\$50,000	AIR Comm.
	A.2. BAPPG Committee Support - Multiple Programs	Chair, AED, RPM, Consultants	\$86,000	BAPPG Comm.
	A.3. Biosolids Comm. Support - Misc. Expenses - Conference attendance	Chair	\$3,100	Biosolids Comm.
	A.4. Collection Systems Comm. Support - Misc. Expenses	Chair, AED, RPM	\$1,000	Collection Systems Comm.
	A.5. InfoShare Groups Support (Ops/Maint./Asset Mgmt.) - Misc. Expenses	Chair, RPM	\$1,200	InfoShare Comm.
	A.6. Laboratory Comm. Support - Technical Conference - Training Events - Misc. Expenses	Chair	\$6,000	Laboratory Comm.
	A.7. Permits Comm. Support - Misc. Expenses	Chair, RPM	\$1,000	Permits Comm.
	A.8. Pretreatment Committee, - Training - Factsheet - Misc. Expenses	Chair	\$7,000	Pretreatment Comm.
	A.9. Recycled Water Comm., Misc. Expenses	Chair, RPM	\$1,000	Recycled Water Comm.
	A.10 Misc. Committee Support		\$35,000	Misc. Comm. Spt

	A.11. Executive Director	Board Chair	\$160,964	ED (85%)
	A.12. Legal Support	ED	\$2,500	Reg. Legal Support
	A.13. Regulatory Program Manager	RPM	\$78,750	RPM (70%)
	A. 14. IT Support & Software (As Needed)	ED, AED	\$3,400	Communications
B. Increase direct communication with members regarding regulatory developments and BACWA accomplishments. (Communication, Meetings)	B.1. Annual Meeting	ED, AED	\$7,000	Meeting Support
	B.2. Website	ED, AED, Consultant	\$2,550	Communications
C. Encourage partnerships and relationships that further BACWA's strategic goals. (Collaboratives)	C.1. State of the Estuary	ED, AED	\$20,000	Collaboratives
	C.2. Arleen Navarret Award	ED, AED	\$0	Collaboratives
	C.3. Federal Water Quality Coalition	ED, AED	\$7,500	Collaboratives
	C.4. Stanford ERC (ReNUWit)	ED, AED	\$10,000	Collaboratives
	C.5. Misc.	ED, AED	\$3,000	Collaboratives
D. Further Nutrient related science and management goals for SF Bay and ensure compliance with Watershed Permit.	D.1. Watershed	ED, RPM, SFEI	\$880,000	Tech. Support
	D.2. Additional Work Needed Under Permit		\$50,000	Tech. Support
	D.3. Optimization / Upgrade Studies	ED, RPM, Consultant	\$18,128	Tech. Support
	D.4. Nutrient Program Coordination	ED, RPM, Consultant	\$50,000	Tech. Support
	D.5. General Tech Support	ED, RPM, SFEI	\$50,000	Tech. Support,
E. Advance understanding of the impacts of and controls for Chemicals of Concern.	E.1. Pesticide Management Support	ED, Consultant	\$15,000	Tech. Support
F. Ensure compliance with the Mercury/PCBs Permit.	F.1. Risk reduction contribution	ED, RPM	\$32,500	Tech. Support
G. Other	G.1. General Technical and Regulatory Support	ED, RPM	\$22,500	Tech. Support; RPM (20%)
		TOTAL	\$1,605,092	

SPECIAL BENEFITS PROGRAMS (PART C)

BACWA has three active special benefit programs: Proposition 50, Proposition 84 Administration, and Water Operator Training (WOT). The AIR Committee is transitioning to a regular BACWA Committee in FY17. Member dues for WOT are optional and are established on an annual basis by the WOT Program Members in conjunction with Solano Community College. Proposition costs are paid for by the agencies that receive the grants from the Department of Water Resources. Proposition 50 is nearing completion and will be finalized in FY17. Proposition 84 will continue until December, 2017. In FY17 BACWA will continue to be the grantee for the Propositions and will be responsible for processing disbursements, but DWR reporting and invoice prep will be transferred to ABAG.

WATER OPERATOR TRAINING (PART C.2.)

WATER OPERATOR TRAINING		
<u>Deliverables/Outcomes</u>	<u>Manager</u>	<u>FY 17 Budget</u>
Encourage development of a skilled workforce by offering classes.	Program Participant Reps; Solano Community College, AED	To be determined by member interest.

PROPOSITION 50 ADMINISTRATION (PART C.3)

PROPOSITION 50 ADMINISTRATIVE SUPPORT		
<u>Deliverables/Outcomes</u>	<u>Manager</u>	<u>FY 17 Budget</u>
Continue administration of Proposition 50 to fund projects that benefit the environment and BACWA members by ensuring timely generation of invoices and progress reports to DWR, and distribution of grant funds to participating agencies.	AED, ED	Expect no significant costs in FY 17. All remaining grant funds to be disbursed early in FY 17.

PROPOSITION 84 ADMINISTRATION (PART C.4)

PROPOSITION 84 ADMINISTRATIVE SUPPORT		
<u>Deliverables/Outcomes</u>	<u>Manager</u>	<u>FY 17 Budget</u>
Continue administration of Proposition 84 to fund projects that benefit the environment and BACWA members by ensuring timely generation of invoices and progress reports to DWR, and distribution of grant funds to participating agencies.	ABAG, AED, ED	Annual budget to be determined by DWR schedule.

FISCAL YEAR 2017 BUDGET

BACWA/CBC	2017 Budget	Notes
REVENUES	2,144,165	
BACWA Principals' Contributions	477,544	2% increase
BACWA Assoc. & Affil. Contributions	175,072	2% increase
Clean Bay Collaborative (CBC)	675,000	
Nutrient Surcharge	800,000	
AIR Non-Members	6,350	Approx. 2% increase
BAPPG Non-Members	3,700	Approx. 2% increase
Other/Special Program Admin Fees	2,500	WOT
Interest Income	4,000	Includes BACWA, AIR & Nutrient Funds
EXPENSES	1,799,548	
Labor	386,870	
Executive Director	189,370	3.2% increase - Annual CPI change for San Francisco-Oakland-San Jose
Assistant Executive Director	85,000	8.08% increase
Regulatory Program Manager	112,500	New contract for FY17 with L Fono
Administration	58,200	
EBMUD Financial Services	40,000	
Auditing Services (Maze)	6,200	
Administrative Expenses	7,500	
Insurance	4,500	
Meetings	16,600	
EB Meetings	2,500	
Annual Meeting	7,000	
Pardee	6,000	
Misc.	1,100	Summit Partners
Communications	5,950	
Website Development/Maintenance	2,550	
<i>Web Host</i>	600	Computer Courage
<i>File Storage</i>	750	Box.net
<i>Website Development/Maint.</i>	1,200	Computer Courage
IT Support & Software	3,400	
<i>IT Support (As Needed)</i>	2,600	Cayuga Information Systems
<i>E-mail</i>	500	MS Exchange/Office 365
<i>Other Communications</i>	300	Survey Monkey
Legal Support	4,500	
Regulatory Support	2,500	
Executive Board Support	2,000	
BACWA Committees	191,300	
AIR	50,000	
BAPPG	86,000	
Biosolids Committee	3,100	
Collections System	1,000	
InfoShare Groups	1,200	
Laboratory Committee	6,000	

Permit Committee	1,000	
Pretreatment Committee	7,000	
Recycled Water Committee	1,000	
Misc. Committee Support	35,000	
Collaboratives	40,500	
State of the Estuary	20,000	Biennial
Arleen Navarret Award	0	Biennial
FWQC	7,500	Dues raised to \$7,500 for FY17
Stanford ERC (ReNUWIt)	10,000	
CWCCG	0	State-wide function, absorbed by CASA
Misc.	3,000	New - Unanticipated expenses
Technical Support	1,095,628	
Nutrients	1,048,128	
<i>Watershed</i>	<i>880,000</i>	
<i>Additional Work Under Permit</i>	<i>50,000</i>	
<i>Optimization/Upgrade Studies</i>	<i>18,128</i>	
<i>Nutrient Program Coordination</i>	<i>50,000</i>	
General Technical Support	50,000	
CECs	15,000	
Risk Reduction	32,500	
TOTAL	344,617	Net Income

WOT	2017 Budget	Notes
<u>REVENUES</u>	132,500	
Participant's Contributions	132,500	Est. depends on member interest.
<u>EXPENSES</u>	132,500	
Contract expenses	130,000	Est. depends on member interest.
BACWA Indirect Expenses	2,500	Per BACWA Policy
TOTAL	0	

Prop 50 Admin	2012-2017 (est) Budget	Notes
<u>REVENUES</u>	265,245	
Grant Funds	250,000	Includes pre-funding
Interest	15,245	
<u>EXPENSES</u>	265,245	
Consultant	109,000	
BACWA Legal	50,000	
BACWA Staff - Direct	30,000	
BACWA Accounting	10,000	
Other Direct Costs	2,000	
EBMUD Grant Manager	55,000	

EBMUD Admin Support	0	
Indirect Costs	8,025	5% of BACWA's direct costs
Contingency	1,220	
TOTAL	0	

Prop 50 was extended to run through the end of December 2015. There will be some "clean up" to do in 2016 (closing out and reconciling all the accounts, etc). All reimbursable grant costs were expended prior to grant closure on 12/31/15. Any costs incurred after 12/31/15 are non-reimbursable and will be paid by project proponents.

Prop 84 Admin	2012-2017 (est) Budget	Notes
<u>REVENUES</u>	640,000	
Agencies' Pre-funding	100,000	
Grant Funds	540,000	
<u>EXPENSES</u>	640,000	
Consultant	200,000	Assist with DWR reporting and coord.
BACWA Legal	60,000	
BACWA Staff - Direct	10,000	
BACWA Accounting	15,000	
Other Direct Costs	20,000	Mailing, shipping , telecom, etc.
EBMUD Grant Manager	296,000	Includes allowable overhead
EBMUD Admin Support	5,400	
Indirect Costs	15,600	5% of BACWA's direct costs
Contingency	18,000	
TOTAL	0	

Prop 84 is more than 80% complete. As of March 31, 2016, almost \$24 million in grant funds have been disbursed. By mid-2016, routine grant management will be transferred from EBMUD to ABAG in order to more efficiently complete the remainder of the grant. The grant termination date is December 31, 2017. Through December 31, 2015, the Grant Admin project had expended \$452,600 of its \$640,000 budget.



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 4

FILE NO.: 16-28

MEETING DATE: April 15, 2016

TITLE: APPROVAL OF TECHNICAL DOCUMENT REVIEW AGREEMENT WITH LIMNOTECH

☐ RECEIPT

☐ DISCUSSION

☐ RESOLUTION

☒ APPROVAL

RECOMMENDED ACTION

Approve a 3 year Omnibus Agreement with LimnoTech not to exceed \$100,000 to provide technical support to BACWA as part of the Bay Area Nutrient Management Strategy (NMS).

SUMMARY

As part of the NMS, SFEI has produced a draft Science Plan which sets forth a 10 year effort to answer key scientific questions regarding the impacts of nutrients on the beneficial uses of the Bay. SFEI provides a Science Manager and staff as well as contracts with other scientists to conduct the needed studies identified in the Science Plan. Although BACWA has several volunteers who are engaged in monitoring the technical work being undertaken by the NMS science team, the time commitment and specialized expertise requires that outside assistance is needed in order to thoroughly review key technical documents that have been produced or are in production. For this reason BACWA is seeking to retain an outside expert to review key documents produced by the NMS science program from the perspective of a POTW. The independent review would help inform the BACWA membership on key aspects of the scientific reports as they relate to a public utility, pointing out areas of study or conclusions that have the potential to impact future management or policy decisions and assessing the scientific underpinnings of those conclusions and recommendations.

On February 28, 2016 BACWA solicited proposals from several consulting firms known to have the needed specialized expertise. A selection panel comprised of BACWA Board members evaluated the proposals and, based on criteria set forth in the requests for proposals, selected LimnoTech as the best firm to provide the needed services.

There are several technical documents that are being produced as part of the NMS. Staff are seeking an omnibus contract under which task orders will be issued to the consultant for review of specific documents and/or for providing other technical assistance. The Board would approve each task order. The proposed term of the agreement is 3 years. The first Task Order in the amount of \$38,000 is for the review of the Assessment Framework. Attached are the omnibus contract and scope of work for Task Order No. 1

FISCAL IMPACT

Funds for the first Task Order are currently available in the BACWA FY16 Budget under line item Nutrient – Additional Work Under Permit.

ALTERNATIVES

Do not fund the review: This alternative is not recommended since the Assessment Framework is a key document that will be utilized in determining the health of the Bay.

Reissue the Request for Proposal: This is not recommended since LimnoTech was deemed to have the needed qualifications for reviewing nutrient technical documents and proposed a cost that was within the recommended level of effort for the review of the Assessment Framework

Attachments:

Agreement

SOW

Rate Sheet

Other supporting documents

Approved:

Date:

Laura Pagano, Chair
BACWA

BAY AREA CLEAN WATER AGENCIES PROFESSIONAL SERVICES CONTRACT

This PROFESSIONAL SERVICES CONTRACT, effective April 15, 2016, is between Bay Area Clean Water Agencies (“BACWA”), a joint powers agency which exists as a public entity separate and apart from its Member Agencies, created January 4, 1984 by a Joint Powers Agreement between Central Contra Costa Sanitary District, East Bay Dischargers Association, East Bay Municipal Utility District, the City and County of San Francisco and the City of San Jose, with a mailing address of P.O. Box 24055, MS 59, Oakland, CA 94623, and LimnoTech (“Consultant”), a private corporation doing business at 501 Avis Drive, Ann Arbor, MI 48108 for professional services as described in any Exhibit A attached hereto.

In consideration of the mutual covenants, stipulations and agreements, the parties agree as follows:

Description and Standard of Services to be Performed

1. Consultant will perform the Services as described by and in accordance with Exhibit A in a manner acceptable to BACWA.
2. Consultant shall not contract with or otherwise use any subconsultants, subcontractors or other non-employee persons or entities (“Subconsultants”) to perform the Services without the prior written approval of BACWA. If Consultant and BACWA agree that Subconsultants shall be used, Consultant shall ensure Subconsultants’ compliance with all the terms and conditions of this agreement.
3. Consultant will exercise that degree of care in performing the Services in accordance with that prevailing among firms of comparable standing in the State of California (“Professional Standard”). Consultant will promptly correct or re-perform those Services not meeting the Professional Standard without additional compensation.
4. Consultant warrants that it is fully licensed, registered and otherwise fully authorized to perform the Services in the State of California to the extent applicable law requires such licensure, registration or authorization.
5. BACWA’s review, approval, acceptance, use, or payment for all or any part of the Services hereunder will not alter the Consultant’s obligations or BACWA’s rights hereunder, and will not excuse or diminish Consultant’s responsibility for performing all Services consistent with this Contract.

Payment for Services

6. BACWA is entering into an omnibus agreement up to a maximum amount payable of \$100,000.00 whereby BACWA would retain the consultant and call upon the consultant’s technical expertise on an as-needed basis via the use of Task Orders. Exhibit A provides the Scope of Work for Task Order No. 1. Recognizing the need for follow-on as-needed services for review of other documents and/or consultation on the NMS, subsequent Task Orders may be issued. For Task Order No. 1 BACWA will pay Consultant based on the rates in Exhibit B, up to a maximum amount payable of \$38,000.00. Consultant will not exceed the maximum amount payable without obtaining prior written approval from BACWA.
7. Consultant shall submit invoices monthly. Invoices shall include the hours charged by each employee, a brief description of the work performed, and a description of costs for which Consultant seeks reimbursement and which are specified in Exhibit B.
8. Payments under this Contract will be due thirty (30) days after BACWA’s receipt of invoices. BACWA may withhold from any progress or final payment any damages, backcharges or claims incurred or anticipated by BACWA to the extent caused by Consultant.

Document Ownership and Retention

9. Consultant will maintain all financial records relating to this Contract in accordance with generally accepted accounting principles and for at least three years following termination of this Contract. Consultant will grant BACWA and its representatives access upon request to all such records and all other books, documents, papers, drawings, and writings of Consultant that refer or relate to this Contract.
10. All drawings, specifications, reports, programs, manuals, and other work product of Consultant that result from this Contract (“Work Product”) will be considered the exclusive property of BACWA. Consultant agrees that it will not use, disclose, communicate, publish or otherwise make available to third parties any products, analyses, data, compilations, studies, proposals, technical or business information, and any other information related to the Services provided to BACWA without BACWA’s prior written approval.

Indemnification

11. To the fullest extent allowed by law, Consultant will indemnify, hold harmless, reimburse and defend BACWA, its Member Agencies, and each of their officers, directors, employees and agents from, for and against any and all claims, demands, damages, losses, expenses, liabilities and penalties, including but not limited to reasonable attorneys’ and expert witnesses’ fees, arising out of or relating to the Services but only to the extent caused by the negligent or other wrongful acts or omissions of Consultant or any person or entity for whose acts or omissions any of them are responsible, or by the failure of any such party to perform as required by this Contract.

Insurance

12. Consultant will purchase and maintain, at Consultant’s expense, the following types of insurance, covering Consultant, its employees and agents:
 - a. Workers’ Compensation Insurance as required by law, subject to a waiver of subrogation in favor of BACWA;
 - b. Employers Liability Insurance with a per accident value at \$1,000,000, Policy Limit of \$1,000,000 and Each Employee of \$1,000,000, subject to a waiver of subrogation in favor of BACWA.
 - c. Comprehensive General Liability Insurance covering personal injury and property damage with a combined single limit, or the equivalent, of not less than \$1,000,000.00 each occurrence, \$2,000,000.00 general aggregate, and naming BACWA as an additional insured.
 - d. Business Automobile Liability Insurance with combined single limit coverage of not less than \$1,000,000.00 aggregate for each claim, incident, or occurrence; and naming BACWA as an additional insured.

Assignment

13. Consultant will not assign or transfer any of its interest in this Contract, in whole or in part, without the prior written consent of BACWA. BACWA may assign this Contract and any rights relating to this Contract (including but not limited to its right to assert claims and defenses against Consultant) at BACWA’s discretion.

Independent Contractor

14. Consultant will perform the Services as an independent contractor. Although Consultant will perform its Services for the benefit of BACWA, and although BACWA reserves the right to determine the schedule for the Services and to evaluate the quality of the completed performance, BACWA does not control the means or methods of Consultant's performance. Consultant is solely responsible for determining the appropriate means and methods of performing the Services, and Consultant's liability will not be diminished by any review, approval, acceptance, use or payment for the same by BACWA or any other party.

Termination of Contract; Suspension of Services

15. This contract shall automatically terminate on April 16, 2019. Either party may also terminate this Contract in whole or in part at any time for its convenience. For a termination for convenience, the termination will be effective thirty (30) days following receipt of a written notice of termination by one party from the other. BACWA may terminate this Contract in whole or in part for cause, in which event the termination will be effective ten (10) days after Consultant's receipt of BACWA's written notice and Consultant's failure during that period to cure the default.

Dispute Resolution

16. Consultant will give prompt written notice to BACWA of any claim, dispute or other matter in question, but in no event will Consultant give such notice later than ten (10) days after Consultant's becoming aware of the event or circumstance giving rise to the claim, dispute or matter in question.
17. All claims, disputes and other matters in question between BACWA and Consultant arising out of or relating to this Contract will be subject to alternative dispute resolution. If both parties agree to arbitration it will be conducted in accordance with the Commercial Arbitration Rules of the American Arbitration Association then in effect. Notice of the demand for arbitration will be filed in writing with the other party to this Contract and with the American Arbitration Association. Any arbitration arising out of or relating to this Contract will include, by consolidation, joinder or joint filing, any other person or entity not a party to this Contract that is substantially involved in a common issue of law or fact and whose involvement in the consolidated arbitration is necessary to achieve a final resolution of a matter in controversy therein. This agreement to arbitrate will be specifically enforceable by any court with jurisdiction thereof.
18. A demand for dispute resolution by either party will be made within a reasonable time after the claim, dispute, or other matter in question has arisen, and in no event will it be made after the date when institution of court litigation based on such claim, dispute or other matter in question would be barred by the applicable period of limitations. For all claims by BACWA against Consultant, the applicable period of limitations will not commence to run, and any alleged cause of action will not be deemed to have accrued (whether such action is based on negligence, strict liability, indemnity, intentional tort or other tort, breach of contract, breach of implied or express warranty, or any other legal or equitable theory), unless and until BACWA is fully aware of all three of the following: (1) the identity of the party(ies) responsible, (2) the magnitude of the damage or injury and (3) the cause(s) of the damage or injury. The contractual limitations period and discovery rule provided herein applies in lieu of any otherwise applicable statute or related case law.
19. The failure of either party to enforce any provision of this Contract will not constitute a waiver by that party of that or any other provision of this Contract.

Severability

20. BACWA and Consultant agree that if any term or provision of this Contract is determined to be illegal, in conflict with any law, void or otherwise unenforceable, and if the essential terms and provisions of this Contract remain unaffected, then the validity of the remaining terms and provisions will not be affected and the offending provision will be given the fullest meaning and effect allowed by law.

Survival

21. All rights and obligations set out in this Contract and arising hereunder will survive the termination of this Contract (i) as to the parties' rights and obligations that arose prior to such termination and (ii) as is necessary to give effect to rights and obligations that arise after such termination but derive from a breach or performance failure that occurred prior to the termination.

This Contract constitutes the entire, legally binding contract between the parties regarding its subject matter. No waiver, consent, modification or change of terms of this Contract is binding unless in writing and signed by both parties.

The following documents are incorporated into and made a part of this Contract. Any conflicts between these documents and this Contract will be resolved in favor of this Contract.

Exhibit A – Scope of Work

Exhibit B – Hourly Rates/Reimbursable Expenses

CONSULTANT: LIMNOTECH

Corporate office: 501 Avis Dr, Ann Arbor, MI 48108

880 Apollo Street, Suite 337, El Segundo, CA 90245

Tax Identification No.

Consultant Signature

John Wolfe, Ph.D., PE, BCEE, Vice-President

Name, Title

Click here to enter a date.

Date

BACWA Signature

Laura Pagano, BACWA Chair

Name, Title

Click here to enter a date.

Date

EXHIBIT A
SCOPE OF WORK

Professional Services by LimnoTech

Task Order No. 1

LimnoTech will provide professional services to Bay Area Clean Water Agencies (BACWA) for review of the document prepared by SCCWRP for the San Francisco Bay Regional Water Quality Control Board entitled “Scientific Basis to Assess the Effects of Nutrients on San Francisco Bay Beneficial uses and its Appendices A, B, C, and D. The cost of the review shall not **exceed \$38,000.00**. Specific tasks to be completed as part of the review include the following:

1. Review key assumptions, critical referenced reports, conclusions and recommendations and report on the strengths and weaknesses of the document.
2. Identify major issues, data gaps, and important questions.
3. Identify conclusions and/or recommendations that cross over from being pure scientific presentations to making policy recommendations.
4. Identify where additional explanations from the authors is needed.
5. Suggest where additional studies or investigations are warranted.
6. Discuss policy and permit ramifications.
7. Provide BACWA guidance/advice on next steps given the desire to continue with the NMS collaborative process yet not accept premature or incomplete conclusions that could ultimately lead to management actions or regulations not rooted in sound science.

More details on completing the above 7 tasks should be in accordance with the narrative description as presented in the LimnoTech Proposal under section 3. Project Approach hereby made a part of this Scope of Work.

The work would include four biweekly conference calls with BACWA and one in-person meeting in the Bay Area with BACWA. A Final brief Report with key findings, conclusions and recommendations should be prepared. An estimate for additional in-person meetings should be provided on a per meeting basis.

EXHIBIT B

HOURLY RATES/REIMBURSABLE EXPENSES

BACWA is entering into an omnibus agreement whereby BACWA would retain the consultant and call upon the consultant's technical expertise on an as-needed basis.

Task Order #1:

Total cost for this work is \$38,000. The estimated budget breakdown is as follows:

Staff Rate (\$/hr)	Hours Labor	Cost
Wolfe	40	\$8,000
Bratton	75	\$15,000
Freedman	25	\$5,500
Dilks	25	<u>\$5,000</u>
		\$33,500
ODC		<u>\$4,500</u>
TOTAL		\$38,000

Although the staff listed above will provide the bulk, if not all, of the work on this first Task Order, it is expected that the consultant will undertake the work in a cost effective manner. To this end, the consultant may, as they deem appropriate, shift some labor hours and/or use less costly but qualified staff to undertake specific activities. Also, it is recognized that subsequent Task Orders may require other staff beyond those listed above. The rate structure for all other staff is as follows:

Labor Billing Rates

Effective January 1, 2016

<u>Category</u>	<u>Rate \$/hr.*</u>
Sr. Principal/Sr. Scientist	220
Principal / Officer/Sr. Scientist	200
Senior Engineer/Scientist	180
Senior Project Engineer/Scientist II	165
Senior Project Engineer/Scientist I	150
Project Engineer/Scientist III	140
Project Engineer/Scientist II	120
Project Engineer/Scientist I	110
Engineer/Scientist	100
Environmental Specialist	100
Field Supervisor	100
Clerical/Asst. Project Mgr.	70

*Rate schedules are based on calendar years, with an anticipated 2.5% annual escalator. Other direct costs (ODC) are in addition and will be billed separately itemized on invoices. For Task Order #1 only travel, and reproduction are anticipated. Subsequent Task Orders may require other expenses which will be detailed in any bid.

SURVEY OF BACWA MEMBERSHIP ON THE NUTRIENT WATERSHED PERMIT

Background

The Nutrient Watershed Permit took effect July 1, 2014. It sets forth requirements for the 37 POTWs covered by the Permit. These requirements are as follows:

1. Monitoring of individual plant nutrient loads (responsibility of each POTW)
2. Annual Report (BACWA responsible for submitting the reports)
3. Optimization/Upgrade Study (BACWA responsible for submitting report)
4. Funding the Science Program (BACWA responsible for annual funding in the amount of \$880k/yr)

To fund the requirements in # 2, 3, and 4 above, BACWA collects a Nutrient Surcharge. The FY 16 per agency Nutrient Surcharges are shown in Attachment A. This same amount will be collected in FY 17, 18 and 19. FY 19 ends on June 30, 2019. On July 1, 2019 the 2nd Nutrient Watershed Permit will take effect.

The 2nd Nutrient Watershed Permit

Since the 1st Nutrient Watershed Permit took roughly two years to negotiate, there have already been discussions with the Regional Water Board regarding the requirements of the 2nd Nutrient Watershed Permit. The Water Board has indicated the 2nd Permit will likely contain the following requirements:

1. Monitoring of individual plant nutrient loads (responsibility of each POTW)
2. Annual Report (BACWA likely would take on the responsibility for submitting the reports)
3. Continued funding for the Science Program at no less than \$880k/yr. (likely a continued responsibility of BACWA funded via the Nutrient Surcharge)
4. No net loading increase (NNLI) on nutrient discharges (responsibility of each POTW)

Concerns have been raised by the BACWA membership as to what a NNLI requirement would look like in the next permit and how would agencies go about ensuring that they met such a requirement. Preliminary discussions have indicated that NNLI may not be an agency specific load cap but rather an aggregate load cap perhaps by subembayment (i.e. Lower South Bay, South Bay, Central Bay, San Pablo Bay and Suisun Bay). The baseline would be the average of the 4 previous year loadings. If the NNLI cap for a subembayment was exceeded, individual POTW loads would be reviewed and reductions to get below the cap would need to be worked out within that

subembayment through individual POTW reductions or through trading with other POTWs in the subembayment.

Absent any POTW community alternative proposals to the Water Board, the above provision would be expected in the 2nd Watershed Permit. The Water Board feels they have the authority to impose a NNLI provision in the next watershed Permit under the Clean Water Act anti-degradation regulations.

Alternatives to NNLI

There have been two alternatives that have been discussed that may be acceptable to the Water Board for the next Watershed Permit in lieu of the inclusion on NNLI in the next permit. These two alternative are 1. The POTW community commits to early actions (i.e. treatment or other approaches) to reduce nutrient loadings. 2. Increase the funding for the Science Program.

Early Actions: Under this alternative, some POTWs would commit to reduce nutrient loadings. This alternative would like appeal to all regulators (i.e. SWRCB and EPA) and other stakeholders (i.e. NGOs) as well as the scientific community who has not voiced support for increasing loadings of nutrients due to the uncertainty of the resiliency of the Bay to handle an increasing nutrient load.

There are several questions that would need to be resolved if this alternative were pursued such as:

- what level of reductions would be needed in lieu of a NNLI provision?
- what POTWs would commit to the reductions?
- want level of incentives, if any, and the mechanisms for providing incentives would be needed from POTWs who did not participate in the load reductions?
- would load reductions in any subembayment be counted equally?

Increase Funding for the Science Program: Under this alternative the Nutrient Surcharge would be increased to a level that would provide significant more funding to the Science Program such that the Water Board would feel comfortable that the accelerated science warranted deferral of the NNLI provision in the next Watershed Permit. An advantage to this alternative is that it is aligned with BACWA's position that robust science should be the basis for any regulatory actions plus additional years spent in pursuit of more robust science would provide added time for other non-nutrient reduction driven projects, such as recycling and wetlands enchantment, to be implemented. It is not certain what level of funding would be persuasive or if all POTWs would support this alternative.

Current Situation

Discussions with the Water Board indicate that they are open to either of the two alternatives in lieu of a NNLI in the next permit. They have also indicated a desire to have more information on regional planning and opportunities for multiple benefit projects but they have not indicated that offering to do these types of studies would be enough to dissuade them from including the NNLI provision in the next permit.

The complexities associated with the Early Action alternative would require much more discussion with the Water Board to address the questions posed above. However, the alternative of Increased Funding for the Science is much more straight forward and basically involves resolving the question of how much funding would be required.

The 10 Year Science Program is now in its 2nd year and has available funding of roughly \$1.4M/yr. The Science Manager has developed a Science Plan that needs close to \$3M/yr. Even at the \$3M/yr. level, the San Francisco Estuary Science Plan funding is on the low end of other long term science plan funding levels that have been or are ongoing in other estuaries across the country.

The Water Board has provided some insight into answering the question of how much funding would be required. There is the sense that something close to doubling of the existing funding (\$880k) would be adequate to negate the need for the NNLI provision in the next permit. If the Nutrient Surcharge were increased from \$880k/yr. to \$1.5M/yr. (a 70% increase) the impact on the cost to your agency is shown in Attachment B. Comparing your current costs in Attachment A to Attachment B will give you a ball park assessment of the increase in cost to your agency for the Increase Funding for Science alternative.

Another consideration of the Funding alternative is the ability to implement that provision sooner rather than at the end of the 1st Nutrient Watershed Permit term i.e. June 30, 2019. The advantage of extending the permit term now is that the Water Board has expressed interest in doing so now, plus extending the permit term to say 2022 would buy certainty for all participating POTWs for another three years beyond the current permit term i.e. 2019. The disadvantage is that the increased funding would go into effect in 2017.

Membership Survey

BACWA has an internal group that is discussing the next watershed permit i.e. the Nutrient Strategy Team. There are varying opinions of the team members on the

negotiating approaches for the next watershed permit. Given the interest of the Water Board to consider an Increase Science Funding and given its relative ease of implementation, the BACWA Board has decided to poll the BACWA membership on their feelings on this particular alternative. To this end a survey has been developed that we are asking all the BACWA members, included in the watershed permit, to complete.

The survey is attached. Please complete by Friday May 13, 2016. Please address any questions on the survey to the BACWA Executive Director, David Williams at dwilliams@bacwa.org.

Thanks you in advance for your assistance.

The BACWA Board of Directors

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	ATTACHMENT A				ATTACHMENT B		
	Current NUTRIENT SURCHARGE for 1st Watershed Permit at \$880k/yr.				Nutrient Surcharge at \$1.5M/yr.		
	FY 2016	FY 2017	FY 2018	FY 2019			
CCCSO	\$80,000	\$106,667	\$106,667	\$106,667	\$200,000		
SFPUC	\$80,000	\$106,667	\$106,667	\$106,667	\$200,000		
EBDA	\$80,000	\$106,667	\$106,667	\$106,667	\$200,000		
EBMUD	\$80,000	\$106,667	\$106,667	\$106,667	\$200,000		
City of San Jose	\$80,000	\$106,667	\$106,667	\$106,667	\$200,000		
City of Palo Alto	\$27,120	\$36,050	\$36,050	\$36,050	\$67,595		
SVCW	\$24,544	\$32,626	\$32,626	\$32,626	\$61,174		
Delta Diablo	\$19,984	\$26,565	\$26,565	\$26,565	\$49,809		
San Mateo WWTP	\$17,390	\$23,116	\$23,116	\$23,116	\$43,343		
FSSD	\$15,370	\$20,431	\$20,431	\$20,431	\$38,309		
South San Francisco	\$13,498	\$17,943	\$17,943	\$17,943	\$33,643		
City of Sunnyvale	\$12,580	\$16,722	\$16,722	\$16,722	\$31,355		
CMSA	\$10,460	\$13,904	\$13,904	\$13,904	\$26,071		
West County Agency	\$9,852	\$13,096	\$13,096	\$13,096	\$24,555		
Vallejo Sanitation and Flood Control	\$9,794	\$13,019	\$13,019	\$13,019	\$24,411		
Napa Sanitation District	\$5,898	\$7,840	\$7,840	\$7,840	\$14,700		
City of Burlingame	\$5,320	\$7,072	\$7,072	\$7,072	\$13,260		
Pinole/ Hercules	\$4,026	\$5,352	\$5,352	\$5,352	\$10,035		
LGVSD	\$3,024	\$4,020	\$4,020	\$4,020	\$7,537		
Novato Sanitary District	\$2,926	\$3,890	\$3,890	\$3,890	\$7,293		
City of Millbrae	\$2,902	\$3,858	\$3,858	\$3,858	\$7,233		
SASM	\$2,788	\$3,706	\$3,706	\$3,706	\$6,949		
San Francisco International Airport	\$2,734	\$3,634	\$3,634	\$3,634	\$6,814		
City of Benicia	\$2,586	\$3,438	\$3,438	\$3,438	\$6,445		
Sausalito/Marin City Sanitary District	\$1,828	\$2,430	\$2,430	\$2,430	\$4,556		
Mt. View Sanitary District	\$1,554	\$2,066	\$2,066	\$2,066	\$3,873		
Sonoma County Water Agency	\$1,376	\$1,829	\$1,829	\$1,829	\$3,430		
City of Petaluma	\$822	\$1,093	\$1,093	\$1,093	\$2,049		
City American Canyon	\$768	\$1,021	\$1,021	\$1,021	\$1,914		
Sanitary District of Marin	\$734	\$976	\$976	\$976	\$1,829		
Rodeo	\$480	\$638	\$638	\$638	\$1,196		
Treasure Island	\$150	\$199	\$199	\$199	\$374		
Crockett Community Services	\$100	\$133	\$133	\$133	\$249		

**QUESTIONS FOR THE BACWA SURVEY ON INCREASE FUNDING
FOR THE SCIENCE**

Question #	Questions	Responses
1	Given the provisions stated in the memo being included in the 2nd Watershed Permit, would your agency likely continue with the BACWA coalition (the alternative being to negotiate your own separate nutrient permit provisions with the Water Board)	likely continue unlikely to continue unsure
2	Given the difference in costs to your agency for increasing the funding for the nutrient science program (Attachment B minus Attachment A Note: this is for a 70% increase in funding) it makes sense to pursue the increase funding for science alternative in lieu of having a NNLI requirement in the next watersehd permit	strongly agree agree indifferent somewhat disagree strongly disagree
3	Given the Water Board's interest at this time for increasing the funding for the science program, it makes sense to negotiate now for an extension of the existing permit (with the increase funding provision included) for another 5 years which roughly equals 3 more years of certainty of your agency	

		strongly agree agree indifferent somewhat disagree strongly disagree
4	In lieu of having a NNLI requiremnt in the next watershed permit, my agency would be willing to double its current Nutrient Surcharge (as shown in Attachment A) for the purpose of increasing funding for the science program.	strongly agree agree indifferent somewhat disagree strongly disagree
5	Even though it is more complex and would take time to get BACWA membership buy-in, my agency supports the Early Action alternative rather than increased funding for the science program	strongly agree agree indifferent somewhat disagree strongly disagree
6	My agency would seriously consider early actions to reduce nutrients with or without incentives offered by POTWs who do not pursue early actions	strongly agree agree indifferent

		somewhat disagree strongly disagree
7	BACWA should continue to pursue a negotiating position consisting of a combination of early actions and increased funding for the science and hopefully achieve a consensus amongst its members on a proposal in time to put an offer on the table prior to the expiration of the current watershed permit.	strongly agree agree indifferent somewhat disagree strongly disagree
8	BACWA should continue dialogue with the Water Board and wait and see what the 2nd draft of the watershed permit looks like before entering into negotiations	strongly agree agree indifferent somewhat disagree strongly disagree

Project: BACWA Nutrient Optimization and Upgrades Studies

Subject: Monthly CMG Call

Date: Friday, April 08, 2016

Location: Phone #: 866-583-7984; code: 355-0210-881#

<p>Attendees:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Greg Baatrup <input type="checkbox"/> Vince De Lange <input type="checkbox"/> Joanna De Sa <input type="checkbox"/> Teresa Herrera <input type="checkbox"/> Amanda Roa <input type="checkbox"/> Bhavani Yerrapotu <input type="checkbox"/> Jean-Marc Petit <input type="checkbox"/> Stephanie Harrison <input type="checkbox"/> Jason Warner <input type="checkbox"/> Nitin Goel 	<ul style="list-style-type: none"> <input type="checkbox"/> Mike Conner <input type="checkbox"/> Yuyun, Shang <input type="checkbox"/> JB Neethling <input type="checkbox"/> Holly Kennedy <input type="checkbox"/> Mike Falk <input type="checkbox"/> Rion Merlo <input type="checkbox"/> Lorien Fono <input type="checkbox"/> David R. Williams <input type="checkbox"/> Jim Graydon
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I. Review Agenda

II. Project Update

A. Status of plant report preparation, distribution, and comments

1. Reports Submitted Since Last Call:

a) CCCSD

2. Reports in Progress

a) Delta Diablo

b) Oro Loma

c) Livermore

d) American Canyon

e) Benicia

f) Hayward

3. Upcoming

a) EBMUD

b) San Jose

c) Fairfield Suisun

B. Data collection workbooks

1. CIP, no further comments anticipated?

2. Recycled water, status of additional information?

3. Group Annual Report

III. Member Agency Workshop

- A. Discussion

IV. Topics on Hold

V. Upcoming

- A. Complete and Submit Wave 1 Reports
- B. Next Board Meeting Briefing, June?

Project: BACWA Nutrient Optimization and Upgrades Studies

Subject: Monthly CMG Call

Date: Friday, April 08, 2016

<p>Attendees:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Greg Baatrup <input type="checkbox"/> Vince De Lange <input checked="" type="checkbox"/> Joanna De Sa <input type="checkbox"/> Teresa Herrera <input checked="" type="checkbox"/> Amanda Roa <input type="checkbox"/> Bhavani Yerrapotu <input checked="" type="checkbox"/> Jean-Marc Petit <input type="checkbox"/> Stephanie Harrison <input checked="" type="checkbox"/> Jason Warner <input type="checkbox"/> Nitin Goel 	<ul style="list-style-type: none"> <input type="checkbox"/> Mike Conner <input checked="" type="checkbox"/> Yuyun, Shang <input type="checkbox"/> JB Neethling <input checked="" type="checkbox"/> Holly Kennedy <input checked="" type="checkbox"/> Mike Falk <input type="checkbox"/> Rion Merlo <input checked="" type="checkbox"/> Lorien Fono <input checked="" type="checkbox"/> David R. Williams <input type="checkbox"/> Jim Graydon
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I. Summary of Key Decisions and Discussion Points

1. The draft plant report for Central Contra Costa Sanitary District was submitted during the week of April 4. CCCSD has approximately 3 weeks to review and comment.
2. The following plant reports are currently being prepared:
 - a) Delta Diablo
 - b) Oro Loma
 - c) Dublin San Ramon Services District
 - d) American Canyon
 - e) Hayward
 - f) Livermore
3. Of the plants listed above, 2 do not have recommended optimization strategies and 2 are not candidates for sidestream treatment.
4. HDR will be compiling a summary of recommendations for optimization and upgrades that will include costs as well as \$/gal and \$/lb nutrient removed. This will facilitate a quick comparison of the opportunities and costs for the various plants. It will also facilitate a determination of what constitutes "optimization." There was some concern that the cost of the optimization strategy recommended for CCCSD was more than what many thought would be categorized as optimization.
5. HDR is also tracking the optimization recommendations and will report to the CMG if the recommendations change based on comments from the respective agencies.
6. Targeting end of April to have all the Wave 1 (listed above) plant reports submitted.
7. A workshop is being schedule following Wave 1 to preview what agencies should be expecting and their responsibility to review, provide comments and sign off on the recommendations.
8. Data requests for the CIP and RW projects will be sent out later this month.
9. A data request for the 2016 Group Annual Report was sent out during the week of April 4th.

BACWA Recycled Water Survey 2015

Agency Name:

CURRENT AND PROJECTED FUTURE AMOUNT OF RECYCLED WATER BY USES (in acre-feet)

	Total Distributed	Confidence (see Note A)	Golf Course Irrigation	Landscape (see Note B)	Commercial (see Note C)	Industrial (see Note D)	Agricultural (see Note E)	Environmental Enhancement (see Note F)	Internal Use (see Note G)	GW Recharge for Indirect Potable Reuse	Surface Water Augmentation	Direct Potable Reuse	Other Non- potable Reuse (See Note I)	RO concentrate or other return flows (see Note H)	Comments
Type of RW (Secondary/Tertiary/both):															
Current 2015															
Future 2020															
Future 2025															
Future 2030															
Future 2035															
Future 2040															
Future 2045															

2015 MONTHLY RECYCLED WATER DISTRIBUTION DATA BY USER CATEGORY (in acre-feet)

	TOTAL		Golf Course	Landscape	Commercial	Industrial	Agricultural	Environ. Enhancemen	Internal Use	GW Recharge	Surface Water	Direct Potable	Other Non- potable	Return Flows	Comments
January															
February															
March															
April															
May															
June															
July															
August															
September															
October															
November															
December															
TOTAL															

Notes:

- A Confidence** = level of confidence in the values provided. 1 = includes only projects that are currently budgeted; 2 = includes projects that are in master plan; 3 = includes projects that are conceptual
- B Landscape** includes parks, sports fields, green belts, landscaped areas, excluding golf courses
- C Commercial** includes dual-plumbed projects, other uses at commercial facilities not included in other categories
- D Industrial** includes cooling towers, process water
- E Agricultural** includes irrigation, frost protection, agricultural reservoir augmentation
- F Environmental Enhancement** includes wildlife habitat, wetland/marsh applications, natural system restoration
- G Internal Use** includes facility process water, site irrigation, internal plumbing, fire protection
- H Return Flows** includes RO concentrate or other return flows to the wastewater treatment plant - please include in comments which use produces return flow:
- I Other non-Potable Reuse** includes salt water intrusion barrier, recreational impoundments, geothermal energy production

Planning Subcommittee Meeting No. 18

April 6, 2016

9:00 am – noon

Water Board Offices

Chair: Ian Wren

Agenda

- | | |
|---|-------|
| 1. Agenda Modifications (All) 2 min | 9:00 |
| 2. Review Outstanding Action items (DW) 5 min | 9:02 |
| 3. Science Program update (DS) 23 min | 9:07 |
| <i>i.</i> Staffing | |
| <i>ii.</i> Other | |
| 4. Priority Updates | |
| <i>i.</i> Report-Outs - 10 min | 9:30 |
| 1. Deltares trip report (DS) | |
| 2. Other issues | |
| <i>ii.</i> Current Issues – 70 mins | 9:40 |
| 1. Project prioritization in FY17 (DS) | |
| 2. EPA Water Quality Improvement Fund Proposal (IW/DS) | |
| 3. Program Coordinator Workplan & Strategic NMS planning (All) | |
| <i>iii.</i> NMS Calendar Review -10 min | 10:50 |
| 1. Review future SC and PS meeting schedules (DW/IW) | |
| 5. Other Updates – 20 min | 11:00 |
| 1. Status of revision to USGS Letter Agreement on Use of the retrofitted vessel (DS) | |
| 2. Current Situation with CCCSD on the ammonium paradox (BH) | |

3. Progress report on development of a monitoring program proposal for SC consideration **(DS)**
4. Status update on the Suisun Synthesis **(DS)**
5. R5 ammonia workshop **(IW)**
6. SC meeting minutes **(IW)**
6. Planning the next Subcommittee meeting – 20 min 11:20
 - i.* Review of Action items from meeting **(DW)**
 - ii.* Next steps **(ALL)**
7. Park Lot of Identified PS Future Agenda Items – 20 min 11:40
 - i.* Brainstorming and options for attracting additional funds for use on the Science Plan **(ALL)**
 - ii.* Brainstorming on future priorities for the PS **(ALL)**
8. Adjourn 12:00

DRAFT

Executive Board Special Meeting Agenda

SF Bay Regional Water Board / BACWA Executive Board Joint Meeting

May 3, 2016 10:00-12:00 PM

SF Bay Water Board, 1515 Clay Street, St. 1400 Oakland, CA

ROLL CALL AND INTRODUCTIONS – 10:00

PUBLIC COMMENT – 10:05

DISCUSSION/OTHER BUSINESS- 10:10

Topic	Goal	Time
1. Nutrients		10:15
<ul style="list-style-type: none"> a. Optimization and Upgrade studies b. Annual Reporting c. Assessment Framework technical review and next steps 	<ul style="list-style-type: none"> • Update on schedule and issues re: optimization and upgrade studies • RFI for recycled water data • Consultant developed data worksheet • Next steps on technical review by BACWA consultant 	
2. Collection Systems issues	<ul style="list-style-type: none"> • EMWD successfully defended against Riverwatch lawsuit 	11:10
3. Drought/Recycling	<ul style="list-style-type: none"> • Discuss Proposition 1 proposal concepts • State General Order – does the State plan to force existing Regional Permittees to obtain coverage? • BACWA comments on Surface Water Augmentation regulations • CCMP Update • SB163 (Hertzberg) – Discuss prohibition on discharge to the SF Bay 	11:15
4. Microplastics and CECs	<ul style="list-style-type: none"> • Update on BACWA's microplastics workgroup • Update from April 15 RMP meeting on Emerging Contaminants • Next steps on State Pilot CECs monitoring 	11:35
5. Risk Reduction	<ul style="list-style-type: none"> • Summer meeting for Risk Reduction progress updates 	11:50
6. Toxicity	<ul style="list-style-type: none"> • Updates from the State Water Board or EPA 	11:55

ADJOURNMENT

Potential Topics for Spring BACWA meeting with BAAQMD

Location and Date tbd.

1. Clean Air Plan/Regional Climate Protection Strategy

- a. How will BAAQMD prioritize control measures for criteria pollutants vs. control measures for GHGs?
- b. How will BAAQMD handle conflicting control measures?
- c. Can BAAQMD provide any details on implementation of suggested control measures?

2. Digester gas venting – how is this currently being regulated?

3. Health Risk Screening Assessments (HRSA)

- a. What are BAAQMD's plans to update health risk assessments for existing facilities, in accordance with the latest statewide guidance?
- b. Where does the meteorological data come from?
- c. When are sources combined to do the HRSA?
- d. What design parameters can a facility implement to limit risk values?

4. Hydrogen Sulfide regulation - What are BAAQMD's primary concerns with regards to H₂S? For example, are they more concerned with sulfur emissions from a combustion stack or from a fugitive source?

DRAFT CONCEPT #2- Reducing Microplastics in the SF Bay

Partners: Clean Water Fund, SFEI, BACWA, City of Palo Alto, SF PUC

GOAL: Reduce All Major Types of Microplastics Entering SF Bay- fibers, fragments, foam, pre-production plastics

OBJECTIVE (1) - Baseline Measurement- YEAR ONE

- Develop protocol for sampling wastewater effluent at larger facilities in the Bay
- Conduct sampling/ monitoring
- Characterize the microplastics discharged from the facilities
- Develop load measurement
- LEADS: SFEI and BACWA

OBJECTIVE (2) - Develop Policy, Education, and Technical Measures to Address the Problem- YEAR ONE

- Develop a working group for each category of microplastic- Cigarettes, Consumer products and packaging, Fibers, Foam, Pellets
- Each group develops policy and/or education and/or technical/ treatment strategies to reduce the particular type of micro-plastic pollution
- Each strategy is accompanied by an implementation plan-
- Identify the strategies that can be implemented in a 2 year time frame- those become the priorities for the program
- LEAD: Overall workgroup process Clean Water Fund- maybe SFEI? each workgroup will have a designated lead

OBJECTIVE (3) – Implement Strategies to Reduce Microplastic Pollution - YEARS 2 and 3

- Shop the strategies around to different potential partners and jurisdictions
- Implement at least one strategy for each microplastic problem

OBJECTIVE (4) - Measure the Effectiveness- YEAR 4

- Measure the effectiveness of each strategy implemented by repeating the baseline measurement in the location where the strategy is implemented
- LEAD: BACWA and SFEI

Examples of strategies that might be implemented

1) Fibers:

- Filtration/ source control
- Washing machines- partner with Whirlpool or big mfg on testing filtration systems that can be added to washing machines
- Controls at the treatment plant- bench scale pilot testing to remove microplastics- some combination of coagulation/ flocculants
- Treatment plant filtration- testing micro-filtration
- Filtration at industrial washing facilities
- Engage apparel companies in developing voluntary measures-
- Consumer engagement- create a corps of auditors that help educate consumers- perhaps distribute washing machine filters in a community and test the impact

2) Consumer products and packaging:

- Work with local agency that is capturing big trash from storm drain and evaluate impact on microplastics reduction in wastewater effluent

- Test ReThink Disposable method of reducing macro-plastic litter-

3) Foam

- Implement expanded polystyrene foam legislation in SF or other area and measure reduction

4) Pellets

- Identify areas with highest levels of pellet discharges in effluent and increase enforcement-

5) Cigarette butts- ?


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**BAY AREA CLEAN WATER AGENCIES
SUCCESSION PLANNING
Fiscal Year 2017
DRAFT**

A. BACWA Principal Representation

Agency	Representative	Title & Roles
EBMUD	Ben Horenstein	
	Vincent De Lange (Alternate)	
SFPUC	Laura Pagano	BACWA, Chair BACWA, Finance Committee BACWA, Ad Hoc Conflict of Interest Committee Joint ASC/SFEI, Board Representative
	Tommy Moala (Alternate)	
	Lori Regler (Alternate)	
	Amy Chastain (Alternate)	
City of San Jose	Jim Ervin	BACWA, Vice-Chair BACWA Finance Committee Joint ASC/SFEI, Board Alternate
	Joanna De Sa (Alternate)	
EBDA	Mike Conner	BACWA, Ad Hoc Conflict of Interest Committee
	David Stoops, EBDA (Alternate)	
	Jason Warner, Oro Loma (Alternate)	
CCCSD	Roger Bailey	
	Lori Schectel (Alternate)	
	Jean-Marc Petit (Alternate)	

Changes to Principal Representation require submission of Form 700

B. Other BACWA Representation

Agency	Representative	Successor	Notes
RMP Technical Committee	Rod Miller, SFPUC		
RMP Steering Committee	Karin North, Palo Alto Jim Ervin, City of San Jose		Dan Tafolla from VSFCDD is also a POTW member of the Committee
Summit Partners	Dave Williams Mike Connor		Executive Director
Joint SFEI/ASC Board	Laura Pagano Dave Williams		BACWA Chair Executive Director
			One seat on loan from BACWA to Sac Regional
Nutrient Governance Steering Committee	Ben Horenstein, EBMUD Jim Ervin, City of San Jose		BACWA Vice-Chair
SWRCB Nutrient SAG	Dave Williams		Executive Director
SWRCB Focus Group – Bacterial Objectives	Lorien Fono Amy Chastain, SFPUC		Regulatory Program Manager
SWRCB Focus Group – Mercury Amendments to the State Plan	Tim Potter, CCCSD		
Nutrient Technical Workgroup	Eric Dunlavey, City of San Jose		
NACWA Taskforce on Dental Amalgam	Tim Potter, CCCSD		
BAIRWMP	Cheryl Munoz, SFPUC Linda Hu, EBMUD Dave Williams		Executive Director
NACWA Emerging Contaminants	Karin North, Palo Alto; Melody LaBella, CCCSD		
CASA Statewide Pesticide Steering Committee	Melody LaBella, CCCSD		
CASA State Legislative Committee	Lori Schectel, CCCSD		
CASA Regulatory Workgroup	Lorien Fono		Regulatory Program Manager
ReNUWIt	Mike Connor, EBDA Ben Horenstein, EBMUD		
RMP Microplastics Liaison	Nirmela Arsem, EBMUD		
AWT Certification Committee	Maura Bonnarens, EBMUD		
Bay Area Regional Reliability Project	Mike Connor, EBDA Roger Bailey, CCCSD		

C. BACWA Committees

Committee	Chair	Vice Chair	Potential Succession Date	Comments
AIR	Nohemy Revilla, SFPUC (Co-Chair)	Randy Schmidt, CCCSD (Co-Chair)	7/2016 No change in FY17	Represents BACWA on CWCCG.
BAPPG	Robert Wilson, Petaluma, Chair James Parrish, Regional Water Board, Co-Chair	(Vice Chair)	7/2016	
Biosolids	Alicia Chakrabarti, EBMUD	Karla Guevarra, SFPUC	7/2016	No change in FY16
Collection Systems	Lenny Rather, Ora Loma San District	Erin Smith, City of Alameda	7/2016	
Info Share Ops/Maint	David Stoops, (EBDA), Co-Chair Ops/Maint		7/2016	
InfoShare Asset Mgmt	Dana Lawson (CCCSD) Co-Chair Asset Mgmt	Dillon Cowan (EBMUD) Co-Chair	7/2016	
Laboratory	Nirmela Arsem, EBMUD	Noel Enoki, San Jose	7/2016	Chair rotates each year among the five principals
Permits	Amada Roa, Delta Diablo San District	Eric Dunlavey, San Jose	7/2016	No Change in FY16
Pretreatment	Kirsten Struve, Palo Alto (Co-Chair)	Tim Potter, CCCSD (Co-Chair)	7/2016	TBD at April 14 meeting
Recycled Water	Rhodora Biagtan, DSRSD (Co-Chair)	Leah Walker, City of Petaluma (Co-Chair)	7/2016	Coordinates with IRWMP

Proposition 1 Recycled Water Research Proposal Concepts

A workgroup consisting of BACWA members and a representative from Santa Clara Valley Water District (SCVWD) held a conference call on 3/22 to discuss possible topics for a proposal to submit to the State Water Board for Proposition 1 funding for recycled water research. BACWA staff have also discussed project ideas with the San Francisco Estuary Institute. The following concepts were discussed:

Concept 1. Use of marshlands to treat reverse osmosis concentrate

Background

SCVWD's goal for recycled water production is 40,000 AF by 2025, and 50,000 AF by 2035. POTW effluent will be treated by reverse osmosis, resulting in a discharge composed of approximately 15% of the volume but most of the pollutants from the original effluent. NPDES permit compliance may not be possible using existing outfalls at build-out, when toxicity and NH₄ non-compliance are likely due to higher concentration effluent.

Research Questions

Could effluent and/or concentrate be beneficially reused to provide fresh and brackish water to "nourish" tidal wetlands or salt ponds?

- How to engineer a system to best support wetlands for habitat and sea level rise protection?
- How much nutrient and other pollutant removal is possible by tidal wetlands?
- What are the water quality impacts of RO concentrate on marshlands due to nutrients, priority pollutants, CECs, toxicity, and cyanide? How would priority pollutants and CECs accumulate in tidal wetlands after long-term effluent discharge?

The proposal would likely lay out phased approach as follows: 1) planning and literature review, 2) concentrate characterization for conventional and emerging contaminants, and 3) pilot study like Oro Loma. This project could be conducted in collaboration with SCVWD, which is in the process of retaining a consultant to look at RO concentrate management, and SFEI.

Concept 2. Impact of reduced flows on South Bay ecosystem

Background

Due to the ongoing drought, water conservation, and water recycling, freshwater flows to the South Bay are diminishing. It is not known at what point this trend will have an adverse impact on the LSB and South Bay.

Research Question

How much freshwater does LSB need to maintain beneficial uses? What water budgets are needed to maintain salinity gradients for the Baylands Goals?

- What will be the changes in flow pattern and salinity as smaller, denser, plumes enter the Bay? Refine existing models (both nearfield and regional circulation) and *in situ* measurements to assess the initial dilution of more concentrated (denser) wastewater plumes.

- What water quality impacts are expected as a result of higher pollutant concentrations from discharge of RO concentrate to the Bay?
- Develop flow-ecology relationships to protect desired beneficial uses

The proposal would likely be the first step of a larger, long-term regional planning and scientific effort to predict the impact of water management decisions in the LSB and South Bay. As a first step, computer models being developed for the Nutrient Management Strategy will have the capacity to simulate changes in salinity and circulation patterns in Lower South Bay for different levels of water recycling in South Bay communities.



April 7, 2016

Mike McKibben
State Water Resources Control Board
Division of Drinking Water
Michael.McKibben@waterboards.ca.gov

Subject: Surface Water Augmentation – Alternative Clause

Dear Mr. McKibben:

The Bay Area Clean Water Agencies (BACWA) and WaterReuse Association, Northern California Chapter (Chapter), appreciate the opportunity to provide comments on the proposed Surface Water Augmentation Reservoir Mixing Criteria (SWA Mixing Criteria).

BACWA is a joint powers authority, comprised of public utilities providing sanitary sewer services to 6.5 million people in the nine county Bay Area. BACWA is dedicated to working with our member agencies and the state and federal governments, as well as non-governmental organizations, to deliver the best information about the water quality and enhancement of the San Francisco Bay (see <http://bacwa.org/members/> for a list of BACWA agencies). The Chapter represents agencies and firms in the Greater San Francisco Bay Area involved in the recycled water industry. BACWA and the Chapter both provide a regional forum to share recycled water information and expertise to support and advance water recycling in the Greater Bay Area. BACWA and the Chapter encourage the State Water Resources Control Board (SWRCB) to consider all comments that promote and facilitate the implementation of recycled water projects while protecting public health and the environment.

In November 2015, BACWA and the Chapter surveyed their members to determine the volumes and flow rates from reservoirs that potentially would be subject to the SWA Mixing Criteria. The Bay Area agencies that responded operate 25 reservoirs. Although some of the reservoirs may be able to meet the theoretical 6-month retention time under conditions of full volume and minimum outflow, it is unlikely that the 6-month retention time can be met under normal operating conditions for many of these reservoirs. These include reservoirs operated by Contra Costa Water District, East Bay Municipal Utility District, San Francisco Public Utilities Commission, Santa Clara Valley Water District, City of Benicia, Marin Municipal Water District, and Sonoma County Water Agency.

A number of agencies in the Bay Area are studying indirect potable reuse (IPR) options through SWA. Requiring a reservoir hydraulic retention time of at least six months would eliminate the potential to be permitted as an IPR/SWA project. Our membership has identified an important need for the State Water Resources Control Board, Division of Drinking Water (SWRCB-DDW), to allow surface water reservoirs not meeting a standard hydraulic retention time to utilize an Alternative Clause to implement their Surface Water Augmentation projects, similar to the alternatives clause in the groundwater recharge regulations in Health & Safety Code Section 60320.130. BACWA and the Chapter encourage the SWRCB-DDW to include language

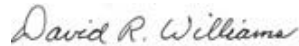
identifying this proposed alternative clause pathway in the next draft of the SWA Mixing Criteria regulations.

Should you have any questions about these comments, please feel free to contact David Williams at dwilliams@bacwa.org or Curtis Lam at clam@hydroscience.com.

Sincerely,

BACWA

**WaterReuse Association,
Northern California Chapter**



David R. Williams
Executive Director

Curtis Lam
President

Sherry Hull

From: Sherry Hull
Sent: Tuesday, April 12, 2016 4:02 PM
To: Sherry Hull
Subject: Surface Water Augmentation - Alternative Clause

From: McKibben, Michael@Waterboards [<mailto:MMcKibben@waterboards.ca.gov>]
Sent: Tuesday, April 12, 2016 3:38 PM
To: Sherry Hull <shull@bacwa.org>
Cc: Dave Williams <dwilliams@bacwa.org>; Curtis Lam <clam@hydrosience.com>; Lorien Fono <lfono@bacwa.org>
Subject: RE: Surface Water Augmentation - Alternative Clause

Mr. Williams, Mr. Lam, and Ms. Hull,

Thank you for your letter dated April 7, 2016, which expresses your desire to promote and facilitate the implementation of recycled water projects, as well as your specific concern that a strict theoretical retention time of six months may inhibit that desire. It should go without saying that the State Board shares your desire to increase the use of recycled water in a manner that is protective of public health and the environment. The State Board continues to consider options that will provide flexibility for an indirect potable reuse (IPR) project to fall within the scope of the Surface Water Augmentation (SWA) regulations while, at the same time, meeting all statutory mandates on the subject.

The result of the State Board's considerations, which pursuant to the Water Code must be approved by an Expert Panel, will be presented in proposed SWA regulations to be ultimately noticed in the California Regulatory Notice Register. In accordance with the Administrative Procedures Act, the proposed SWA regulations will be then be subject to a mandatory formal public comment period, where comments from any member of the public – supportive or otherwise – may be provided.

It should also be noted that the inability of a recycled water project to meet future established SWA regulations would not necessarily eliminate the potential for the project to be permitted as an IPR project or, depending on the outcome of the State Board's investigation into direct potable reuse (DPR), the ability of a project to be permitted as a DPR project.

Thank you for your continuing interest in this very important topic.

From: Sherry Hull [<mailto:shull@bacwa.org>]
Sent: Thursday, April 07, 2016 3:49 PM
To: McKibben, Michael@Waterboards
Cc: Williams, David@bacwa.org; Curtis Lam; Lorien Fono
Subject: Surface Water Augmentation - Alternative Clause

Dear Mr. McKibben,

On behalf of David Williams, Executive Director of BACWA, and Curtis Lam, President of WaterReuse Association, please find attached a Comment Letter on Surface Water Augmentation Reservoir Mixing Criteria.

Let me know if you have any questions or difficulty opening the attachment.

Best regards,
Sherry

Sherry Hull

Assistant Executive Director

Bay Area Clean Water Agencies

shull@bacwa.org

415-404-8303

AMENDED IN ASSEMBLY SEPTEMBER 3, 2015

AMENDED IN SENATE JUNE 2, 2015

SENATE BILL

No. 163

Introduced by Senator Hertzberg

February 4, 2015

~~An act to add Section 3000.5 to the Elections Code, relating to elections. An act to add Section 13557.5 to the Water Code, relating to water.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 163, as amended, Hertzberg. ~~Elections: vote by mail ballot.~~
Wastewater treatment: recycled water.

The California Constitution requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented. Existing law declares that the use of potable domestic water for certain nonpotable uses is a waste or an unreasonable use of water if recycled water is available, as determined by the State Water Resources Control Board, and other requirements are met.

Under existing law, the state board and the 9 California regional water quality control boards prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system (NPDES) permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act.

This bill would declare that the discharge of treated wastewater from ocean outfalls, except in compliance with the bill's provisions, is a waste and unreasonable use of water in light of the cost-effective opportunities to recycle this water for further beneficial use. This bill,

on or before January 1, 2026, would require a wastewater treatment facility discharging through an ocean outfall to achieve at least 50% reuse of the facility's actual annual flow, as defined, for beneficial purposes. This bill, on and after January 1, 2036, would prohibit the discharge of treated wastewater through ocean outfalls, except as backup discharge, as defined, and would require a wastewater treatment facility to achieve 100% reuse of the facility's actual annual flow for beneficial purposes. This bill, on and after January 1, 2022, would authorize a NPDES permit holder subject to these requirements to petition the state board for a partial exemption to the above-described requirements. This bill would require the state board to determine, after notice and opportunity for comment, whether the petition demonstrates that the NPDES permit holder cannot comply with these reuse requirements and would provide that an exemption from these reuse requirements is valid for a period of no more than 5 years, at which point the NPDES permit holder is required to reapply for an exemption or comply with these reuse requirements. This bill would prohibit a NPDES permit holder subject to these provisions from being eligible for state grants or loans if they receive a partial exemption to these reuse requirements, unless the state grant or loan is solely for the purpose of achieving compliance with these reuse requirements.

This bill would require a holder of a NPDES permit authorizing the discharge of wastewater through an ocean outfall as of January 1, 2016, to submit, on or before July 1, 2020, a prescribed plan to meet these provisions, directly or by contract, to the executive director of the state board and would require the plan to be updated on or before January 1, 2024. This bill, on or before January 1, 2017, and by January 1 every 5 years thereafter, would require the holder of a NPDES permit authorizing the discharge of wastewater through an ocean outfall to submit a report to the executive director of the state board summarizing the actions accomplished to date and the actions remaining and proposed to meet the requirements of these provisions. This bill would require the state board to submit a report to the Governor and the Legislature on the implementation of these provisions on or before July 1, 2021, and by July 1 every 5 years thereafter.

~~Existing law requires the vote by mail ballot to be available to any registered voter and requires an application for a vote by mail voter's ballot to be made in writing to the elections official having jurisdiction over the election between certain days before the election.~~

~~This bill would establish, until January 1, 2019, a vote by mail pilot program in the County of Los Angeles for statewide elections. The bill would require, as part of the pilot program, that the county elections official issue a vote by mail ballot to each registered voter for a qualifying election. The bill would also require the elections official, among other things, to engage in voter education efforts to increase voter awareness of the pilot program and to report on the voter turnout for qualifying elections to the Secretary of State and the Legislature on or before December 31, 2018.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. The Legislature finds and declares all of the*
- 2 *following:*
- 3 *(a) Severe drought conditions have persisted for the last three*
- 4 *years in California, and 2013 was the state's driest calendar year*
- 5 *on record.*
- 6 *(b) California's water supplies have dipped to alarmingly low*
- 7 *levels indicated by the very limited snowpack in the Sierra Nevada*
- 8 *Mountains, declining water levels in the state's largest water*
- 9 *reservoirs, reduced surface water flows in major river systems,*
- 10 *and historically low groundwater levels. These water supplies*
- 11 *continue to be severely depleted despite a limited amount of winter*
- 12 *precipitation in 2014.*
- 13 *(c) The duration of the drought is unknown, but based on the*
- 14 *projected impact of climate change on California's snowpack,*
- 15 *extremely dry conditions will likely continue beyond this year and*
- 16 *occur more regularly in the future.*
- 17 *(d) Continuous severe drought conditions present urgent*
- 18 *challenges across the state, including, but not limited to, water*
- 19 *shortages in communities and for agricultural production,*

1 *increased risk of wildfires, degraded habitat for fish and wildlife,*
2 *and threat of saltwater contamination in large fresh water supplies.*

3 *(e) Water reuse is one of the most efficient and cost-effective*
4 *ways to improve the drought resilience of California communities.*

5 *(f) The State Water Resources Control Board has established*
6 *goals of recycling 1,500,000 acre-feet of wastewater by 2020 and*
7 *2,500,000 acre-feet of wastewater by 2030. However, California*
8 *is not on track to meet the board's goals.*

9 *(g) The discharge of treated wastewater from ocean outfalls*
10 *constitutes waste and unreasonable use of water within the*
11 *meaning of Section 2 of Article X of the California Constitution,*
12 *in light of the opportunities to recycle this water for further*
13 *beneficial use.*

14 *(h) By prohibiting ocean discharges from wastewater treatment*
15 *plants, California could dramatically accelerate the adoption of*
16 *water recycling and thus increase water supply available for*
17 *beneficial use.*

18 *(i) Water recycling can reduce California's dependence on*
19 *diversions from surface rivers and streams that are subject to*
20 *variable climate and regulatory conditions.*

21 *(j) In addition to water supply benefits, requiring water recycling*
22 *for further beneficial use eliminates ocean wastewater discharges,*
23 *decreasing pollutant loadings to ocean waters and improving*
24 *coastal water quality, thereby benefitting the aquatic environment*
25 *and local economies that depend on those coastal resources.*

26 *SEC. 2. Section 13557.5 is added to the Water Code, to read:*

27 *13557.5. (a) The Legislature hereby finds and declares that*
28 *the discharge of treated wastewater from ocean outfalls, except*
29 *in compliance with the provisions of this section, is a waste and*
30 *unreasonable use of water within the meaning of Section 2 of*
31 *Article X of the California Constitution in light of the cost-effective*
32 *opportunities to recycle this water for further beneficial use,*
33 *including both potable and nonpotable uses.*

34 *(b) On or before January 1, 2026, each wastewater treatment*
35 *facility that discharges through an ocean outfall shall achieve at*
36 *least 50 percent reuse of the facility's actual annual flow for*
37 *beneficial purposes.*

38 *(c) On and after January 1, 2036:*

39 *(1) A wastewater treatment facility shall not discharge treated*
40 *wastewater through ocean outfalls, except as a backup discharge.*

1 A backup discharge may occur only during periods of reduced
2 demand for reclaimed water in the reuse system, such as a period
3 of wet weather.

4 (2) Each wastewater treatment facility shall achieve 100 percent
5 reuse of the facility's actual annual flow for further beneficial use.

6 (d) (1) A holder of a NPDES permit authorizing the discharge
7 of wastewater through an ocean outfall as of January 1, 2016,
8 shall submit, on or before July 1, 2020, a plan to meet the
9 requirements of this section, directly or by contract, to the executive
10 director of the state board that contains all of the following:

11 (A) An identification of all land acquisition and facilities
12 necessary to provide for treatment, transport, and reuse of treated
13 wastewater.

14 (B) An analysis of the costs to meet the requirements of this
15 section.

16 (C) A financing plan for meeting the requirements of this section,
17 including identifying any actions necessary to implement the
18 financing plan, such as bond issuance or other borrowing,
19 assessments, rate increases, fees, charges, or other financing
20 mechanisms.

21 (D) A detailed schedule for the completion of all necessary
22 actions.

23 (E) Supporting data and other documentation accompanying
24 the plan.

25 (2) On or before January 1, 2024, the plan described in
26 paragraph (1) shall be updated and submitted to the executive
27 director of the state board by the permit holder to include any
28 refinements or changes in the costs, actions, or financing necessary
29 to achieve full recycling of all wastewater and thereby eliminate
30 the ocean outfall discharge in accordance with this section or a
31 written statement that the plan is current and accurate.

32 (e) On or before January 1, 2017, and by January 1 every five
33 years thereafter, the holder of a NPDES permit authorizing the
34 discharge of wastewater through an ocean outfall shall submit to
35 the executive director of the state board a report summarizing the
36 actions accomplished to date and the actions remaining and
37 proposed to meet the requirements of this section. The report shall
38 include progress toward meeting the deadlines set forth in
39 subdivisions (b) to (d), inclusive, and specifically include the
40 detailed schedule for, and status of, the following:

- 1 (1) *Evaluation of reuse and disposal options.*
- 2 (2) *Preparation of preliminary design reports.*
- 3 (3) *Preparation and submission of permit applications.*
- 4 (4) *Construction initiation.*
- 5 (5) *Construction progress milestones.*
- 6 (6) *Construction completion.*
- 7 (7) *Initiation of operation.*
- 8 (8) *Continuing operation and maintenance.*

9 (f) (1) *On or before July 1, 2021, and by July 1 every five years*
10 *thereafter, the state board shall submit a report to the Governor*
11 *and the Legislature on the implementation of this section. The*
12 *report shall summarize the progress up to date, including the*
13 *increased amount of reclaimed water provided and potable water*
14 *offsets achieved, and shall identify any obstacles to continued*
15 *progress, including all instances of substantial noncompliance.*

16 (2) *A report to be submitted pursuant to paragraph (1) shall be*
17 *submitted in compliance with Section 9795 of the Government*
18 *Code.*

19 (g) (1) *On and after January 1, 2022, a NPDES permitholder*
20 *subject to the requirements of this section, may petition the state*
21 *board for a partial exemption to the requirements of this section.*
22 *The petition shall include the information required in subdivisions*
23 *(d) and (e), and shall demonstrate that the NPDES permitholder*
24 *cannot comply with the requirements of this section for one of the*
25 *following reasons:*

26 (A) *The state board has failed to adopt regulations that approve*
27 *the indirect potable reuse of wastewater.*

28 (B) *Upgrading the wastewater treatment plant to achieve*
29 *recycled water standards produces recycled water that costs more*
30 *than twice the cost per-acre foot as compared with other new*
31 *surface and groundwater supplies.*

32 (C) *The wastewater treatment plant has achieved water quality*
33 *standards for recycled water, but there is not sufficient demand*
34 *for this water within the region.*

35 (2) *The state board shall determine, after notice and opportunity*
36 *for comment, whether the petition demonstrates that the NPDES*
37 *permitholder cannot comply with the requirements of this section*
38 *pursuant to paragraph (1). If the state board approves the partial*
39 *exemption to the requirements of this section, that exemption shall*
40 *be valid for a period of no more than five years, at which point*

1 *the NPDES permit holder shall reapply for an exemption or comply*
 2 *with the requirements of this section.*

3 *(3) A NPDES permit holder subject to the requirements of this*
 4 *section shall not be eligible for state grants or loans if they receive*
 5 *a partial exemption to the requirements of this section pursuant*
 6 *to this subdivision, unless the state grant or loan is solely for the*
 7 *purpose of achieving compliance with the requirements of this*
 8 *section.*

9 *(h) As used in this section:*

10 *(1) "Actual annual flow" means the annual average flow of*
 11 *treated wastewater discharging through a facility's ocean outfall*
 12 *as determined by the state board using monitoring data available*
 13 *for calendar years 2009 to 2014, inclusive.*

14 *(2) "Backup discharge" means a surface water discharge that*
 15 *occurs as part of a functioning reuse system that has been*
 16 *permitted in accordance with the rules of the state board and that*
 17 *provides reclaimed water for irrigation or public access areas,*
 18 *residential properties, edible food crops, sea water barrier*
 19 *injection to protect groundwater resources, groundwater*
 20 *replenishment, industrial cooling, or other acceptable reuse*
 21 *purposes. "Backup discharge" may also include releases to the*
 22 *ocean on an emergency basis, as approved by a regional board,*
 23 *for a duration not to exceed 90 days and only in the quantities as*
 24 *are necessary in the event of a storm or other cause that impedes*
 25 *groundwater replenishment.*

26 ~~SECTION 1. Section 3000.5 is added to the Elections Code,~~
 27 ~~to read:~~

28 ~~3000.5. (a) A vote by mail pilot program shall be established~~
 29 ~~in the County of Los Angeles for any statewide election held~~
 30 ~~between January 1, 2017, and December 31, 2018, inclusive.~~

31 ~~(b) Notwithstanding Section 3001, the elections official for the~~
 32 ~~County of Los Angeles, in conjunction with the Secretary of State,~~
 33 ~~shall issue a vote by mail ballot to each registered voter in that~~
 34 ~~county for any statewide election held during the period specified~~
 35 ~~in subdivision (a).~~

36 ~~(c) Notwithstanding any other law, each of the following shall~~
 37 ~~apply to the vote by mail pilot program with respect to a statewide~~
 38 ~~election held during the period specified in subdivision (a):~~

1 ~~(1) The elections official is authorized to mail the vote by mail~~
2 ~~ballots together with other election materials issued by the county~~
3 ~~to reduce overall mailing expenses.~~

4 ~~(2) The elections official shall consider reducing or consolidating~~
5 ~~precincts in anticipation of a reduction in the number of voters~~
6 ~~who vote at precinct polling places, subject to the requirements of~~
7 ~~Sections 12223 and 12241.~~

8 ~~(3) The elections official is deemed to comply with the~~
9 ~~requirements of Section 14102 if the number of official ballots~~
10 ~~provided to each precinct is not less than 50 percent of registered~~
11 ~~voters in the precinct.~~

12 ~~(4) The elections official shall engage in voter education efforts~~
13 ~~to increase voter awareness of the vote by mail pilot program. As~~
14 ~~part of the voter education efforts, voters shall be encouraged, if~~
15 ~~they intend to vote at a polling place, to bring their vote by mail~~
16 ~~ballot to the polling place to streamline their voting process.~~

17 ~~(5) In addition to any other reporting requirements required by~~
18 ~~law, the elections official shall report on the voter turnout for the~~
19 ~~County of Los Angeles for any qualifying statewide election~~
20 ~~described in subdivision (a) to the Secretary of State and to the~~
21 ~~Legislature, in the manner provided by Section 9795 of the~~
22 ~~Government Code, on or before December 31, 2018.~~

23 ~~(d) This section shall remain in effect only until January 1, 2019,~~
24 ~~and as of that date is repealed, unless a later enacted statute, that~~
25 ~~is enacted before January 1, 2019, deletes or extends that date.~~

26 ~~SEC. 2. If the Commission on State Mandates determines that~~
27 ~~this act contains costs mandated by the state, reimbursement to~~
28 ~~local agencies and school districts for those costs shall be made~~
29 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
30 ~~4 of Title 2 of the Government Code.~~

Action 21: Recycled Water Action

Draft 4.7.16

TITLE: Expand use of recycled water.

ACTION DESCRIPTION: Applying the ‘right use of the right water at the right time and place’ approach, work with regional planning entities, wastewater agencies, drinking water agencies, municipalities, stakeholder groups, and others to reduce current regulatory, permitting, planning, and public perception barriers to the broader use of recycled water as a resource for augmenting or offsetting potable water supplies, reducing groundwater pumping, recharging aquifers, supplementing instream flow, enhancing wetland restoration projects, and other multi-benefit purposes. Recycled water refers to water treated to either non-potable or potable standards to provide a beneficial use.

Task 1: Increase coordination among municipalities, wastewater agencies, and drinking water agencies to expand incorporation of recycled water into local and regional water resources planning. Collaborate to identify opportunities for broader use of recycled water as well as ways to overcome challenges such as funding and planning gaps and regulatory and permitting constraints.

Milestone: Three meetings held by December 2018

Task 2: Promote and support existing public outreach activities and encourage sharing of outreach resources between municipalities, wastewater agencies, and drinking water agencies with water reuse outreach programs.

Milestone: Platform for sharing resources developed by December 2017 **BACKGROUND:** Recycled water use is an increasingly important part of the Bay Area’s water portfolio. Like most of California’s urban centers, until recently, most of the surface and ground water consumed by urban users in the Bay Area has been treated to drinking water standards, used once, treated again to remove pollutants, and discharged to the Bay from wastewater treatment plants. Efforts have been underway, however, to make more efficient use of the Bay Area’s potable water supply through the use of recycled water. The use of recycled water can provide benefits in several ways: 1) by offsetting potable supplies, such as the use of recycled water in place of drinking water for many purposes such as landscape or agricultural irrigation, refinery and power plant cooling, and recharging groundwater aquifers; or 2) by providing beneficial environmental uses, such as the creation and enhancement of marsh habitat and other restoration projects, and supplementing instream flow where other alternatives are not available; or 3) expanding water supplies by recharging groundwater aquifers with highly treated or purified wastewater, as is already done in many other areas of California (IPR), or directly incorporating purified wastewater into the surface storage and distribution system (DPR).

The “right use of the right water in the right time and place” approach provides a strategy for maximizing recycled water use given the current context of infrastructural, financial, and other limitations that may exist. This strategy can also apply to greywater and onsite reuse as well as green infrastructure and other multi-benefit projects (Actions 14, 20, and 27).

The 2013 Bay Area Integrated Regional Water Management Plan (BAIRWMP) has projected recycled water use to more than double over the next twenty years to 120,000 acre-feet per year, primarily through offset of potable supplies and beneficial environmental uses. Local wastewater agencies are working individually and through a number of partnerships to implement recycled water projects identified in the BAIRWMP. Partnerships such as Bay Area Clean Water Agencies (BACWA), North Bay Water Reuse Authority (NBWRA), Western Recycled Water Coalition (WRWC), and others have developed greater regional capacity for successful integrated planning. Yet barriers to broader use of recycled water still exist, including regulatory and permitting constraints, funding and planning gaps, public perception, and the need for further scientific research on the ramifications of expanding DPR.

For example, DPR offers an opportunity to significantly reduce the distance that purified water would need to be pumped, thereby reducing costs. It also has the potential to dramatically expand use of recycled water. Public acceptance is the most important element of adoption of DPR; one key to gaining public acceptance is aggressive source control of pharmaceuticals and other Constituents of Emerging Concern (CECs). Additional studies and evaluation of best practices for both protection of human health and safety and the environment, such as potential environmental impacts of Reverse Osmosis (RO) concentrate, may also help foster public support.

SFEP can assist regional partnerships like BACWA to convene municipalities, wastewater agencies, and other stakeholders in order to share resources and identify ways to reduce barriers to broader use of recycled water.

OWNERS: BACWA and SFEP (all tasks)

COLLABORATING PARTNERS: ABAG, BAWAC, NBWRA, WRWC, [WaterReuse Northern California Chapter](#), [WaterReuse California](#), wastewater and water supply agencies, and municipalities

This action is linked to Actions 14, 17, 20, 22, 23, 27, and other actions.

NOTICE OF POSTPONEMENT OF PUBLIC HEARING

The State Water Resources Control Board has postponed a Public Hearing to receive comments on proposed Water Reclamation Requirements for Recycled Water Use.

The Public Hearing was originally scheduled to commence on

Tuesday, April 19, 2016, at 9:00 a.m.

In the Coastal Hearing Room
Joe Serna Jr. - CalEPA Headquarters Building
1001 I Street, Second Floor
Sacramento, CA 95814

PLEASE TAKE NOTICE

The Public Hearing to receive comments on proposed Water Reclamation Requirements for Recycled Water Use scheduled to commence on April 19, 2016, pursuant to the January 21, 2016 [Notice of Public Hearing](#) is **POSTPONED**.

Note that the April 19, 2016 board meeting is not cancelled.

All material related to this hearing and any change in the date, time, and place of the public hearing will be noticed on the State Water Board website: http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/RecycledWater.shtml

IF YOU HAVE ANY QUESTIONS

Notification of new hearing date will be provided at a later date. Questions regarding this postponement may be addressed to Sherly Rosilela by telephone at (916) 341-5578 or by email at Sherly.Rosilela@waterboards.ca.gov.

April 11, 2016
Date

Jeanine Townsend
Clerk to the Board

Sherry Hull

From: Sherry Hull
Sent: Monday, April 11, 2016 9:12 PM
To: Sherry Hull
Subject: agenda item 12: BPC Spring Summit

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

From: John Coleman [<mailto:John@bayplanningcoalition.org>]
Sent: Wednesday, April 6, 2016 3:32 PM
To: Dave Williams <dwilliams@bacwa.org>
Cc: Brianne Riley <Brianne@bayplanningcoalition.org>; Betty Kwan <betty@bayplanningcoalition.org>; Jack Fischetti <jack@bayplanningcoalition.org>
Subject: BPC Spring Summit
Importance: High

Dave –

Thank you so much for agreeing to provide the Call To Action for our Infrastructure Panel at our Spring Summit on May 6th. The panel's moderator is Tom Guarino from PG&E, and the panelists will be Thanh Vuong (Port of Oakland), Allison Brooks (Bay Area Regional Collaborative), somebody from SFO and the City and County of San Francisco. Your role is to provide an overview of the impacts and options of climate change and sea level rise, and hopefully, this can be done in about 5 minutes. For your participation, we would include you as our guest during the conference.

What we need is your bio and photo, and one paragraph from your perspective of the issue.

All the best,

John A. Coleman
Chief Executive Officer
Bay Planning Coalition
1970 Broadway, Suite 940
Oakland, CA 94612
tel (510) 768-8310
fax (510) 291-4114
cell (510) 590-0238
www.bayplanningcoalition.org

Sherry Hull

From: Sherry Hull
Sent: Wednesday, April 13, 2016 10:00 AM
To: Sherry Hull
Subject: FW: Agenda item # 15: ED Report
Attachments: 2016 Spring Summit Flier.pdf

Importance: High

From: John Coleman [<mailto:John@bayplanningcoalition.org>]
Sent: Tuesday, April 12, 2016 3:59 PM
To: Dave Williams <dwilliams@bacwa.org>
Subject: BPC - Spring Summit
Importance: High

Dave -

I hope you're well. We are getting ready for Bay Planning Coalition's spring event—formerly the Decision Maker's Conference but now rebranded as the Spring Summit—which will be held this year on May 6th in Oakland. I am writing to ask if BACWA might participate again as an in-kind sponsor.

The theme this year is ***Bay Planning for the Next 33 Years: Risks, Rewards and Readiness***. Our revamped event will feature interactive conversations with key experts in the areas of dredging and beneficial reuse, sustainable waterfronts, and infrastructure. Specific topics of conversation will include **Measure AA**, **WRDA 2016**, and how **rising sea levels** will change the landscape of the Bay Area as we know it.

What we ask of in-kind sponsors is as follows: (1) Two targeted emails before May 22nd to your list of supporters/members/sponsors (we will provide the content to make this easy); and (2) listing of the Spring Summit on your website's upcoming events or calendar page. In return, we will list your **BACWA** as an in-kind sponsor in our program and on our website and provide you with a complimentary ticket. I have attached the Sponsorship Package, which includes more information.

Please let me know as soon as possible if this works for you so that we may include your organization in our printed event program.

All the best,



John A. Coleman
Chief Executive Officer
Bay Planning Coalition
1970 Broadway, Suite 940
Oakland, CA 94612
tel (510) 768-8310



2016
SPRING SUMMIT
 Bay Planning Coalition

Bay Planning for the Next 33 Years: Risks, Readiness & Rewards

Friday May 6, 2016

8:00 AM - 4:00 PM

Oakland Scottish Rite Center

CONVERSATION 1: *Can We Dig Ourselves Out of What's Coming? Dredging, Beneficial Reuse, and Measure AA*

Speakers include Bill Dutra, The Dutra Group; Davis Lewis, Save The Bay; Sam Schuchat, CA Coastal Conservancy; and Al Paniccia, USACE

CONVERSATION 2: *Planning for Probabilities: Preparing a Sustainable Bay Waterfront*

Speakers include Warner Chabot, SFEI; Kevin Conger, CMG Landscape Architecture; Kristina Hill, UC Berkeley; and David Smith, Stice & Block LLP

CONVERSATION 3: *Everything is Rising: Infrastructure for a Changing Bay*

Speakers include Allison Brooks, BARC; Diana Sokolove; and Thanh Vuong, Port of Oakland

Register Now!

Scan the barcode or visit: <http://wp.me/py5gC-7rl>



BAPPG Committee Report to BACWA Board

Meeting Date: April 6, 2016
Prepared By: Lorien Fono, BACWA RPM
BAPPG Chair: Robert Wilson

31 attendees representing 18 member agencies.

Committee Notes are available [online](#).

Committee Updates from BAPPG's General Committee Meeting on April 6, 2016:

- ***Steering Committee Update***
 - A. BAPPG is seeking a new vice-chair to replace Kathryn Gillick, who has left SFPUC.
 - B. Darcie Luce from the San Francisco Estuary Project (SFEP) met with the steering committee to discuss the CECs-related actions in the Comprehensive Conservation and Management Plan (CCMP).
 - C. Project leads are developing action plans for project contracts to assist in succession of project management. The funding for this effort comes from budget originally allocated to the Annual report, and triclosan outreach.
- ***Pesticides and CECs [Presentation](#)*** - Rebecca Sutton of SFEI gave a presentation for the RMP's CEC program. BAPPG members are invited to the CEC Workgroup meeting on 4/15, and the microplastics workshop on 6/29. SFEI staff have engaged with Patagonia outdoor gear, who are cognizant that fibers from their clothing may be ending up in the Bay, and will be attending the microplastics workshop. Dr. Sutton will be coordinating pharmaceutical monitoring this summer, so agencies that wish to monitor their effluent for a range of 100-200 constituents can do so through SFEI. The cost will be \$1,500-\$2000 per sample.

Consultants Kelly Moran and Stephanie Hughes gave a presentation on fipronil and imidacloprid. These compounds are both found in the environment at concentrations that may be of concern, and use is increasing. They are used for flea control on pets, as well as ant and termite control around homes. Previously only stormwater runoff has been considered as a route to the environment, but studies are showing that municipal sewage is also a source, possibly since these products are being washed off of pet owners' hands and are rinsed down the drain. DPR has become aware of the issues and is refusing to register pesticides that cause water pollution.

Stephanie Hughes distributed the [Pesticides Call to Action](#) flyer that describes opportunities for regulatory engagement. The Water Board Pesticide Plan, to be adopted in 2017, will have the following permit requirements for municipalities:

1. Public outreach and education
 2. Limit municipal pesticide use
 3. Regulatory Participation
 4. Conduct useful monitoring
- ***Project Updates –***
 - A. O'Rorke Projects – They have produced flyers for the Toilets aren't Trashcans campaign and will be asking BAPPG for feedback. They have also developed a food truck grease disposal outreach flyer, as well as No Drugs Down the Drain materials.
 - B. Website – The committee is looking for a new provider to make updates. The chair will work with BACWA to see how baywise.org can be managed in the future.

Date of Next BAPPG Meeting

BAPPG Steering Committee Meeting

May 11, 2016, 9:00am

Conference Call

Teleconference Number: 605-475-4350

Participant Code: 1210113#

BAPPG General Meeting

June 1, 2016: 10:00am-12:00pm

1515 Clay Street, Second Floor, Room 12

Oakland, CA

Committee Request for Board Action: None

15 attendees, representing 11 member agencies

Adoption of Permits/Permit Amendments:

- April - Calistoga** – Calistoga has an outfall that is used to discharge secondary effluent when their tertiary capacity is exceeded. The new order gives them higher limits for secondary discharge than tertiary for the first time. They requested a change from monthly to quarterly acute toxicity monitoring, and were turned down because they had one acute toxicity hit in the last five years.
- Petaluma** – Petaluma successfully argued against decreased BOD and TSS limits. They are happy with their TO and only have a few minor comments.
- Livermore/Amador Valley Wet Weather** – This order only covers an infrequently-used emergency wet weather discharge.
- May - Mt. View** – The TO contains requirements for extra nutrients monitoring in their marshlands due to concerns about algae and odors. It also requires enhanced reporting via a Marsh Management Plan.
- July - Napa** – They recently received their Administrative Draft.

Microplastics and CECs

- *Update from microplastics workgroup* – The NOAA method does not fully digest natural fibers such as toilet paper. They are looking to develop a more robust protocol. The RMP is hosting a microplastics workshop on 6/29.
- *Report-out from [April 6 BAPPG Meeting](#)* - Rebecca Sutton of SFEI gave a presentation for the RMP's CEC program. Dr. Sutton will be coordinating pharmaceutical monitoring this summer, so agencies that wish to monitor their effluent for a range of 100-200 constituents can do so through SFEI. The cost will be \$1,500-\$2000 per sample. Consultants Kelly Moran and Stephanie Hughes gave a presentation on fipronil and imidacloprid. These compounds are both found in the environment at concentrations that may be of concern, and use is increasing. Previously only stormwater runoff has been considered as a route to the environment, but studies are showing that municipal sewage is also a source, possibly since these products are being washed off of pet owners' hands and clothing and are rinsed down the drain. Stephanie Hughes distributed the [Pesticides Call to Action](#) flyer that describes opportunities for regulatory engagement.
- *State CECs Pilot Monitoring Plan* – There has been no update on the Plan since BACWA submitted its [comment letter](#) urging the State to work through the RMP. State Water Board staff had been under the impression that there was a separate pot of money to fund the monitoring they would like to conduct.
- *RMP CECs Meeting* – BACWA members are invited to participate in the RMP CECs meeting on April 15 to help guide the direction of future research. It was noted that this is the same day as the April Executive Board meeting.

Nutrients

- *Optimization/Upgrade Studies* – The consultant team is working to release the first wave of facility reports by the end of April. BACWA intends to host a member workshop later this spring to discuss the format and assumptions used to develop the facility reports.
- *Annual Reporting Data Template* – HDR distributed an Excel reporting template to all of the Points of Contact for the nutrient group annual report. The template was developed to ease data collection as many problems were encountered when trying to extract data from CIWQS last year.
- *Nutrient Strategy Team* – The Nutrient Strategy Team, made up of representatives from large and small POTWs from each subembayment, met in March to discuss how to proceed in planning to negotiate the next watershed permit. The ED is developing a member survey to get feedback about the member interest in reissuing the permit earlier with higher contributions to the scientific program, in exchange for putting off nutrient load caps for five years from the start of the higher funding level.
- *Technical Review of Scientific Documents* - BACWA is looking to hire a consultant to provide technical review of the documents produced as part of the Nutrient Management Strategy, as well as the Assessment Framework.
- *Recycled Water Request for Information* – The consulting team will be requesting information from agencies about their 2015 recycled water use, as well as plans to increase recycled water use in the future. The information will be used to estimate nutrient loads removed through consumptive use. Future recycled water plans will be categorized as either “budgeted”, “master planned”, or “conceptual”. The Recycled Water Committee endeavored to format the data request so that it can be used to satisfy the nutrient effort, the DWR and SWRCB requests for information, as well as Urban Water Management Plans. As it turns out the timing of the other data request are such that everything was unable to be coordinated seamlessly and the nutrient data request will go out first (along with facility reports from the optimization and upgrade study), with other requests to follow from SWRCB and DWR.

Drought/Recycling

- *Proposition 1 Proposal Concepts* – The two proposal concepts are to study 1) use of RO concentrate to nourish tidal wetlands; or 2) impacts of freshwater withdrawals from the South Bay and Lower South Bay. The Board will discuss these concepts at the next meeting when Santa Clara Valley Water District representatives will be in attendance. SFEI is interested in participating in a proposal for either concept. After the Executive Board meeting, BACWA will work with Regional Water Board staff to select a concept to pursue for grant funding (\$100-\$200K).
- *State General Order for Recycled Water* – In the April EO Report to the Board for Region 2 there was language implying that all recycled water permittees in the State would be rolled into the State General Order. This would be a large administrative burden on the Regions, and most permittees in Region 2 would prefer to continue under 96-011. BACWA will work to get more information about this possibility.
- *Surface Water Augmentation Regulations* – BACWA submitted a [comment letter](#) to the State Water Board that we would like to see an alternatives clause to allow agencies whose reservoirs don't have a six-month residence time to pursue surface water augmentation. The Water Board responded that this isn't an open comment period, but it was noted at the meeting that now is the best time to have an influence, before the draft regulations are released.
- *CCMP Update* – The Recycled Water Committee has worked with SFEP to rewrite the recycled water section in the CCMP. Now, instead of focusing on potable reuse, the focus is on using “the right water in the right place, at the right time”. The tasks have to do with collaborating to look for ways to overcome barriers to recycled water, and to share outreach materials.

Announcements

- *EMWD Lawsuit* – EMWD is first agency to [successfully defend itself](#) in a CWA lawsuit without settling.
- *SB163 (Hertzberg)* – Bill that is being developed will prohibit all wastewater discharges that ultimately reach the ocean, including discharges to SF Bay. The Senator is not interested in working on amendments with CASA, which has now taken an “oppose” position on the Bill.
- *Alternate Monitoring Program* – The [order](#) was adopted in March. Agencies that will opt in may start reducing their monitoring beginning in April. The surcharge is paid to the RMP in September.

Report out from the 3/19 Executive Board meeting

- Most items covered previously in the agenda.
- Heidi Sandborn of the CPSC gave a presentation at the March Executive Board meeting. BAPPG may provide letters of support for SB1129, which protects pharmacies that do pharmaceutical take-backs, AB2039, which requires producer responsibility for sharps, and against AB45, which includes pharmaceuticals in Household Hazardous Waste programs.

Next BACWA Permits Committee Meeting: Tuesday, May 10, 1-3pm, at EBMUD Plant Library. The committee chair will solicit more responses to the [poll](#) on alternative meeting venues and conference call-only meetings to plan the future of permits committee meetings.



Executive Director's April 2016 Report

NUTRIENTS:

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

- Attended and participated in conference calls as well as the 18th meeting of the Steering Committee's Planning Subcommittee and provided BACWA in-kind services by serving as scribe. Following the meeting prepared detailed meeting minutes and summary of action items.*
- Chaired the monthly CMG meetings with the main topic being the review of the progress and decisions affecting the cost estimates and level of details to include in the individual agency reports as part of the Optimization/Upgrade studies.*
- Coordinated with the OP/Upgrade consulting team on administrative issues.*
- Received proposals for technical assistance in reviewing documents produced as part of the Nutrient Management Strategy, convened the selection panel, reviewed the proposals and prepared a recommendation for Board approval.*
- Developed a survey to assess the support of the BACWA membership on various approaches to negotiating the next watershed permit.*

BACWA BOARD MEETING AND CONFERENCES:

- Worked with staff in preparing for the April BACWA Board meeting including reviewing the agenda with the Board Chair.*
- Prepared for and attended the BACWA monthly Board meeting in March.*
- Organized the next bi-monthly Joint Meeting with the Water Board in May.*
- Continuing to track all action items to completion.*

PERMIT COMMITTEE:

- Participated in a conference call with Clean Water Action to discuss a collaboration on submittal of a grant request to EPA under their Water Quality Improvement Fund to investigate reduction in microplastics in San Francisco Bay.*
- Attended the monthly Permit Committee meeting and discussed key issues of importance to the BACWA membership.*

ASC/SFEI:

- As a member of the Executive Committee, coordinated with SFEI Executive Director on Board activities.*
- Participated in the monthly Executive Committee conference call.*

CASA:



-Chaired the CASA nominating Committee and convened a panel of CASA members to prepare a slate of new directors for Board consideration and ultimate approval by the CASA membership.

SUMMIT PARTNERS:

-Participated in the bimonthly planning meeting of the Summit Partners executive directors.
-Attended the semi-annual Summit Partners meeting and discussed a verity of topics of interest to BACWA.

FINANCE:

-Reviewed the monthly BACWA financial reports with the AED.
-Continued coordinating with the AED in tracking the revenues coming in from the BACWA FY 16 member invoices.
-Worked with the AED to prepare the BACWA FY 17 budget.
-Presented the draft FY 17 Budget and 5 Yr. Plan at the monthly BACWA Board meeting.
-Received proposals for a new contract for the Regulatory Program Manager, convened a selection panel and prepared a recommendation for Board approval.

ReNEWIt:

Prepared a comment letter to the California Energy Commission voicing support for reconsideration of the ReNEWIt/SVCW grant proposal for anaerobic secondary research.

AIR COMMITTEE:

-Coordinated with the AIR Committee leadership on the progress for the AIR Committee becoming a full-fledged Committee of BACWA..

RECYCLED WATER COMMITTEE:

-Updated the BACWA representatives for the Bay Area Regional Reliability group.
-Participated in the discussion of determining the best project for submittal of a Prop 1 grant for funding a recycled water research project.
-Submitted a comment letter to the State Water Resources Control Board requesting consideration of alternatives in their proposed Surface Water Augmentation regulations.

LAB COMMITTEE:

-Coordinated with the Lab Committee Chair on progress on developing protocols for testing wastewater effluent for microplastics.

ADMINISTRATION:

-Held the monthly BACWA staff meeting to coordinate and prioritize activities.



B A C W A
B A Y A R E A
C L E A N W A T E R
A G E N C I E S

Executive Director
April 2016 Report

- Signed off on invoices, reviewed correspondence, prepared for upcoming Board meeting, responded to inquiries on BACWA efforts, oversaw updating of web page and provided general direction to BACWA staff.
- Worked with the RPM in the preparation of the monthly BACWA bulletin.
- Coordinated with the AED to plan activities and review duties, schedules, and priorities.
- Developed and responded to numerous emails and phone calls as part of the conduct of BACWA business on a day-to-day basis.

MISCELLANEOUS MEETINGS/CALLS:

- Paul Gilbert Snyder on Prop 50 and Prop 84
- BACWA Chair and Committee Chairs on items that arose during the month
- Water Board staff on coordinating the nutrient activities
- other misc calls and inquiries regarding BACWA activities
- participated in coordination calls with the HDR project manager
- responded to Board member's requests for information



BACWA ACTION ITEMS

Number	Subject	Task	Deadline	Status
Action Items from March 18, 2016 BACWA Executive Board Meeting				
2016.3-69	Assessment Framework	Follow up with Regional Water Board to see when comments on Assessment Framework will be posted (RPM)	3/31/2016	complete
2016.3-68	RPM RFP	Send RFP's to Selection Committee (AED)	3/25/2016	complete
2016.3-67	Integrated Regional Planning Pilot Project	Put on Agenda for next BACWA Executive Board meeting (AED)	3/25/2016	complete
2016.3-66	BAPPG Meeting on CEC Monitoring	Include in April BACWA Bulletin (RPM)	3/31/2016	complete
2016.3-65	Proposition 84	Develop agreement between BACWA & ABAG to transfer admin responsibilities (AED/Paul Gilbert-Snyer)	4/30/2016	pending
2016.3-64	Bay Area Regional Reliability Task Force	Correct the letter to change the BACWA Representative to Roger Bailey with Mike Connor as alternate (ED)	3/25/2016	complete
2016.3-63	AIR Committee Phase In	Notify Committee Chair that Board approved full BACWA Committee status in FY17 (ED) Update Budget (AED)	3/25/2016	complete
2016.3-62	Pharmaceutical take-back program	Develop BACWA Comment Letter through BAPPG Committee (Karin North) RPM	4/6/2016	pending
2016.3-61	Membership Policy	Develop policy for out of region agency membership (ED)	6/30/2016	pending
2016.3-60	Microplastics	SFEI workshop - obtain Agenda and post to BACWA website (AED)	4/15/2016	pending
2016.3-59	Microplastics	Provide Draft Concept to BAPPG for a Grant Proposal on source reduction (Karin North)	4/6/2016	pending
2016.3-58	Nutrient Program Coordinator	Provide funds to SFEI (ED/AED)	3/31/2016	complete
2016.3-57	Nutrient Strategy	Develop a Survey to Members re Permit extension preferences (ED/AED)	4/15/2016	completed
2016.3-56	Treasurer's Reports	Provide a Summary of the Treasurer's Reports at future meetings (ED/AED)	4/8/2016	completed
Action Items Remaining from Previous BACWA Executive Board Meetings				
2015.12-36	Microplastics	Develop Proposal for Consultant Assistance (Nirmela Arsem)	4/30/2016	pending

FY 16: 63 of 69 Action Items completed.
 FY 15: 90 of 90 Action Items completed.
 FY 14: 128 of 128 Action Items completed.
 FY 13: 67 of 67 Action Items completed.



BACWA BOARD CALENDAR

May 2016 to April 2017

DATE	AGENDA
5/3/2016	
Joint Meeting	Other Business: Discussions
Items due: ?	
Pagano; Connor; Horenstein;	
Ervin; Bailey	
Williams; Fono	
5/20/2016	Consent
Monthly Board Mtg	Previous Board Meeting Minutes (AED)
Items due: 5/13	Monthly Treasurer's Report (EBMUD Accounting)
Pagano; Connor; Horenstein;	
Ervin; Bailey	Authorizations & Approvals
Williams; Fono; Hull	Approvals: FY17 Agreements
	Approval: Officers: Chair & Vice-Chair
	Approval: BACWA Reps to ASC/SFEI Governing Board
	Approval: Admin of Prop 84 Grant Agreement with ABAG
	Other Business - POLICY/STRATEGIC
	Discussion: Biannual Update on CWCCG (SDeslauriers)
	Discussion: WB Joint Meeting Debrief
	Discussion: Pesticides Update (Kelly Moran)
	Other Business - OPERATIONAL
	Request for updated Board Designee Letters for FY17
	Review Brown Act with Board
	Reports
	Committee Reports (Committee Chairs)
	Board Reports (Executive Board)
	ED Report (ED)
	RPM Report (RPM)
6/?/16	
Nutrient Optimization/Upgrade Workshop	
Pagano; Connor; Horenstein;	Optimization/Upgrade Studies
Ervin; Bailey	Early Actions
Williams; Fono	
6/17/2016	Consent
Monthly Board Mtg	Previous Board Meeting Minutes (AED)
Items due: 6/10	Monthly Treasurer's Report (EBMUD Accounting)
Pagano; Connor; Horenstein;	
Ervin; Bailey	Authorizations & Approvals
Williams; Fono; Hull	Approvals: FY17 Agreements

Other Business - POLICY/STRATEGIC

Discussion: HDR Quarterly Update on Optimization/ Upgrade studies

Discussion: WB Joint Meeting Draft Agenda

Other Business - OPERATIONAL**Reports**

Committee Reports (Committee Chairs)

Board Reports (Executive Board)

ED Report (ED)

RPM Report (RPM)

7/?/16**BAAWMD Workshop**

Pagano; Connor; Horenstein;

Ervin; Bailey

Williams; Fono

7/?/2016**Joint Meeting**

Items due: ?

Pagano; Connor; Horenstein;

Ervin; Bailey

Williams; Fono

Other Business: Discussions

Presentation: Risk Reduction

7/15/2016 Consent**Monthly Board Mtg**

Items due: 7/8

Pagano; Connor; Horenstein;

Ervin; Bailey

Williams; Fono; Hull

Previous Board Meeting Minutes (AED)

Monthly Treasurer's Report (EBMUD Accounting)

Authorizations & Approvals

Approval: Annual Nutrient WS Payment

Approval: FY16 Closeout & FY17 Amended Budget

Approvals: FY17 Agreements

Other Business - POLICY/STRATEGIC

Discussion: Draft Agenda Pardee Technical Seminar

Discussion: RMP Update (Phil Trowbridge)

Discussion: WB Joint Meeting Debrief

Discussion: Risk Reduction Update

Other Business - OPERATIONAL**Reports**

Committee Reports (Committee Chairs)

Board Reports (Executive Board)

ED Report (ED)

RPM Report (RPM)

8/19/2016 Consent**Monthly Board Mtg**

Items due: 8/12

Previous Board Meeting Minutes (AED)

Monthly Treasurer's Report (EBMUD Accounting)

Pagano; Connor; Horenstein; Ervin; Bailey Williams; Fono; Hull	<p>Update on FY18 Invoicing</p> <p><u>Authorizations & Approvals</u></p> <p>Approval: Solano Comm College Agrmt - Fall 2016</p> <p><u>Other Business - POLICY/STRATEGIC</u></p> <p>Discussion: Draft Agenda Pardee Technical Seminar</p> <p>Discussion: WB Joint Meeting Debrief</p> <p><u>Other Business - OPERATIONAL</u></p>
	<p><u>Reports</u></p> <p>Committee Reports (Committee Chairs)</p> <p>Board Reports (Executive Board)</p> <p>ED Report (ED)</p> <p>RPM Report (RPM)</p>

8 or 9/?/2016	
Joint Meeting	<u>Other Business: Discussions</u>
Items due: ?	
Pagano; Connor; Horenstein; Ervin; Bailey Williams; Fono	

9/16/2016	
Monthly Board Mtg	<u>Consent</u>
Items due: 9/9	Previous Board Meeting Minutes (AED)
Pagano; Connor; Horenstein; Ervin; Bailey Williams; Fono; Hull	Monthly Treasurer's Report (EBMUD Accounting)
	<u>Authorizations & Approvals</u>
	<u>Other Business - POLICY/STRATEGIC</u>
	Discussion: Draft Agenda Pardee Technical Seminar
	Discussion: Annual Meeting Planning
	<u>Other Business - OPERATIONAL</u>
	<u>Reports</u>
	Committee Reports (Committee Chairs)
	Board Reports (Executive Board)
	ED Report (ED)
	RPM Report (RPM)

10/12-14/2016	
Pardee Technical Seminar	
Pagano; Connor; Horenstein; Ervin; Bailey Williams; Fono; Hull	

11/18/2016	
Monthly Board Mtg	<u>Consent</u>
Items due: 11/11	Previous Board Meeting Minutes (AED)
Pagano; Connor; Horenstein; Ervin; Bailey	Monthly Treasurer's Report (EBMUD Accounting)
	FY16 Annual Report & Audited Financials

Williams; Fono; Hull

Authorizations & Approvals

Other Business - POLICY/STRATEGIC

Discussion: Pardee Debrief & Survey

Discussion: Draft Agenda Joint Meeting with WB

Discussion: Biannual Update on CWCCG (SDeslauriers)

Other Business - OPERATIONAL

Discussion: Annual Meeting Planning

Reports

Committee Reports (Committee Chairs)

Board Reports (Executive Board)

ED Report (ED)

RPM Report (RPM)

12/?/2016

Joint Meeting

Other Business: Discussions

Items due: ?

Pagano; Connor; Horenstein;

Ervin; Bailey

Williams; Fono

12/16/2016 Consent

Monthly Board Mtg

Previous Board Meeting Minutes (AED)

Items due: 12/9

Monthly Treasurer's Report (EBMUD Accounting)

Pagano; Connor; Horenstein;

Ervin; Bailey

Williams; Fono; Hull

Authorizations & Approvals

Other Business - POLICY/STRATEGIC

Discussion: HDR Quarterly Update on Optimization/ Upgrade studies

Discussion: WB Joint Meeting Debrief

Other Business - OPERATIONAL

Discussion: FY18 Budget Planning Schedule

Discussion: Annual Meeting Planning

Reports

Committee Reports (Committee Chairs)

Board Reports (Executive Board)

ED Report (ED)

RPM Report (RPM)

1/?/2017

Annual Members Mtg

Pagano; Connor; Horenstein;

Ervin; Bailey

Williams; Fono; Hull

2/?/2017 Consent

Monthly Board Mtg

Previous Board Meeting Minutes (AED)

Items due: 2/12/15

Monthly Treasurer's Report (EBMUD Accounting)

Pagano; Connor; Horenstein;

Ervin; Bailey

Williams; Fono; Hull

Authorizations & Approvals

Approval: Solano Comm College Agrmt - Spring 2016

Other Business - POLICY/STRATEGIC

Presentation: CPSC Update (Heidi Sanborn)

Other Business - OPERATIONAL

Discussion: FY2017 Budget Planning

Discussion: Annual Meeting Debrief

Announcements

Pardee Seminar Dates

Reports

Committee Reports (Committee Chairs)

Board Reports (Executive Board)

ED Report (ED)

RPM Report (RPM)

3/?/2017**Monthly Board Mtg**

Items due: 3/?

Pagano; Connor; Horenstein;
Ervin; Bailey

Williams; Fono; Hull

Consent

Previous Board Meeting Minutes (AED)

Monthly Treasurer's Report (EBMUD Accounting)

Authorizations & Approvals**Other Business - POLICY/STRATEGIC**

Discussion: WB Joint Meeting Debrief

Discussion: HDR Quarterly Update on Optimization/ Upgrade studies

Discussion: Draft Agenda April Water Board Jt Mtg

Presentation: CPSC Update (Heidi Sanborn)

Other Business - OPERATIONAL

Discussion: Second Draft of FY17 Budget

Announcements

Conflict of Interest Filing Deadline - April 1st

Reports

Committee Reports (Committee Chairs)

Board Reports (Executive Board)

ED Report (ED)

RPM Report (RPM)

4/?/2017**Monthly Board Mtg**

Items due: 4/?

Pagano; Connor; Horenstein;
Ervin; Bailey

Williams; Fono; Hull

Consent

Previous Board Meeting Minutes (AED)

Monthly Treasurer's Report (EBMUD Accounting)

Authorizations & Approvals

Approval: FY18 Budget

Other Business - POLICY/STRATEGIC

Discussion: WB Joint Meeting Draft Agenda

Other Business - OPERATIONAL

Discussion: Succession Planning FY18

Reports

Committee Reports (Committee Chairs)

Board Reports (Executive Board)

ED Report (ED)

RPM Report (RPM)

- CURRENTLY UNSCHEDULED***
- * Aug 2017: Discussion: FY18 Arlene Navarrett Award
 - * BACWA Membership Engagement Opportunities
 - * Tech Seminar/Workshop: CCCSD Cogen explosion need to schedule
 - * SFPUC force main leak and repair, need to schedule
 - * Chlorine Residual Analyzer Investigation
 - * Suggestions for Monthly Meeting Guest Speakers/Presenters: i.e. Jim McGrath, State Water Board
 - * CEC's (Kelly Moran)



Regulatory Program Manager's Report to the Board

March 21 – April 12, 2016

Prepared for the April 15, 2016 Executive Board Meeting

NUTRIENT SUPPORT: Participated in CMG conference call. Worked with Recycled Water Committee on recycled water information request for the Optimization/Upgrade Studies.

BACWA BULLETIN: Drafted and distributed April BACWA Bulletin.

ALTERNATIVE MONITORING TENTATIVE ORDER: Communicated with member agencies about implementation. Plan to attend Lab Committee on 4/13 to answer questions about the Order.

PROPOSITION 1 PROPOSAL: Convened kick-off conference call with BACWA workgroup. Based on call, wrote up two proposed concept alternatives for proposals. Communicated with SFEI staff and Santa Clara Valley Water District staff to get their input on the proposal concepts.

COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN (CCMP): Scheduled and hosted conference call between Recycled Water Committee leadership and SFEP. Reviewed and commented on draft Recycled Water Action in CCMP.

BACWA INFORMATION SHARING TOOLS: Began to implement Google Groups embedding in BACWA websites.

COMMITTEE SUPPORT:

AIR – Developed and distributed survey on the future of the AIR committee.

Operations/Maintenance Infoshare – Developed and distributed survey on potential future meeting topics.

Permits – Attended meeting, and drafted agenda and Board Report for meeting.

Recycled Water – Worked with committee leadership to finalize and distribute comment letter on Surface Water Augmentation regulations.

Executive Board – Drafted agenda for joint meeting with Regional Water Board on 5/3. Contributed to meeting minutes for 3/19 Executive Board meeting, and 4/15 Executive Board meeting packet.

MEETINGS ATTENDED: BACWA Prop 1 Proposal Conference Call (3/22), CCMP Conference Call (4/4), BACWA Staff meeting (4/5), BAPPG (4/6), Permits Comm. (4/12), Lab Comm. (4/13).



Clean Water Summit Partners
1225 8th Street Suite 595
Sacramento, CA 95814
p: 916.446.0388

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

April 4, 2016
9:30 AM – 1:30 PM
Sutter Club
1220 9th Street, Sacramento, CA 95814

AGENDA

- 9.30 AM **Call to Order, Phil Scott, President, CWEA**
- Welcome and Introductions
 - Approval of [Minutes of September 14, 2015 Meeting](#)
 - Review and Adjust Agenda
- 9:40 AM **Utility of the Future**
- [Review and Discuss Proposed Priority Actions \(Larson, Link\)](#)
- 10:00 AM **Wheeler Institute Research Report on CWA Citizen Suits**
(Link)
- 10:15 AM **Update on Priority State Legislation**
- [SB 163 \(Hertzberg\): Ocean Discharge Ban](#)
 - Other Legislation
- 10:30 AM **Hot Topics Roundtable**
- Key issues for each association
- 11:00 AM **Break**
- 11:15 AM **Working Luncheon**
- Invited Guest: **Rebecca Sutton, Senior Scientist**
San Francisco Estuary Institute
Research on Microplastics and CECs
- 1:00 p.m. **Key Issue Updates**
- Toxicity (Williams)
 - Potable Reuse Operator Certification (Allan)
 - Industrial Stormwater Permit (Pastore)
- 1.30 PM **Adjourn**
- Next Meeting: September 2016
 - Hosted by SCAP

Clean Water Summit Partners Meeting Minutes
Monday, April 4, 2016
Sacramento Sutter Club, Sacramento Room

Call to Order

A meeting of the leaders from the state and regional clean water associations was called to order on April 4 at 9:30 a.m. by Phil Scott, President of CWEA. Present were:

First	Last	E-mail	Assn
Dave	Williams	dwilliams@bacwa.org	BACWA
Bobbi	Larson	blarson@casaweb.org	CASA
Adam	Link	alink@casaweb.org	CASA
Terrie	Mitchell	mittchell@sacsewer.com	CVCWA
Debbie	Webster	eofficer@cvcwa.org	CVCWA
Phil	Scott	pscott@westbaysanitary.org	CWEA
Elizabeth	Allan	eallan@cwea.org	CWEA
Gary	Parker	gparker@encinaipa.org	CWEA
Grace	Hyde	ghyde@lacs.org	SCAP
John	Pastore	jpastore@dudek.com	SCAP
Steve	Jepsen	sjepsen@dudek.com	SCAP
Rebecca	Sutton	rebeccas@sfei.org	SFEI

Approval of Minutes and Agenda

The minutes of the September 14, 2015 meeting were approved unanimously on motion by John Pastore, seconded by Elizabeth Allan.

The order of the agenda was modified to accommodate participant schedules.

Wheeler Institute Research Report on CWA Citizen Suits

Adam Link reported that the final Wheeler Institute report on Clean Water Act citizen suits is in nearly final form. He indicated it has been revised from the earlier draft released last fall to focus more on the empirical data and less on drawing conclusions. The group discussed the distribution of the report, and CASA staff agreed to develop some talking points so that the summit partners can respond with common messaging if contacted after the report is published. Dave Williams mentioned that the Bay Area regional water board has reviewed the report and is contemplating some changes in enforcement practices as a result.

Utility of the Future (UOTF) Priority Actions

Bobbi Larson presented the priority actions identified by the CASA Utility Leadership Committee for the initial phase of facilitating the utility of the future (UOTF) in California. Following a discussion, the group concurred with the four proposed phase I actions:

- Conduct agency self assessments of potential to develop renewable resources.
- Coordinate and encourage facility tours to inform and educate decision makers and the public.
- Secure funding and execute research demonstration project to reclaim fire ravaged land with biosolids.
- Create a webpage that highlights resource recovery projects and facilitates sharing of success stories and lessons learned.

With regard to the fourth action, the CW Summit partners will form a workgroup to develop the website and manage the content.

Hot Topics Roundtable

The associations highlighted some of their priority issues:

SCAP: SB 970 (Leyva) relating to funding for diversion of organics.

CWEA: AB 2890 (Committee on Environmental Safety) relating to operator certification.

BACWA: Microplastics, nutrients and watershed permit.

CASA: SB 163 (Hertzberg) which would ban ocean discharges; coordination with the Southern California Coastal Water Research Project; nutrient policy and freshwater watershed pilots.

CVWA: Environmental Laboratory accreditation program, CECs, CV SALTS

Guest Speaker: Rebecca Sutton, PhD, San Francisco Estuary Institute

Dr. Sutton gave a presentation on microplastics in San Francisco Bay. She summarized the results of monitoring conducted on behalf of the Regional Monitoring Program, which found that microplastic fibers pass through wastewater treatment plants and end up in the bay. About 80% of the microplastic fibers come from wastewater effluent. These microplastics may be ingested by aquatic organisms that mistake them for food. More research is needed to understand the effects of these contaminants.

Priority Legislation

Adam Link provided updates on SB 163 (Hertzberg) and SB 970 (Leyva).

Key Issue Updates

Toxicity: The group discussed the status of (1) the SCAP litigation, which is fully briefed and awaiting action by the court; (2) the state toxicity plan, which is expected to be released in May or June; and (3) the SCCWRP study on inter-laboratory variability.

Potable Reuse Operator Certification: Elizabeth Allan updated the group on the status of the potable reuse operator certification process, the AWWA California/Nevada section committee in which CWEA is participating. She provided flow charts on the potable reuse regulatory process and the AWWA voluntary certification project.

Industrial Stormwater Permit: John Pastore shared concerns regarding the proposed changes to the general industrial stormwater permit, which includes numeric action levels (NALs) that could be exceeded by POTWs subject to the permit. Comments on the permit are due April 7, and LACSD will share its draft comments with CASA staff in the event the Regulatory Workgroup wants to submit a similar letter.

Next Meeting: SCAP will host the next meeting, which will be held in September 2016.

The Executive Directors will determine the next meeting date via email.

The meeting adjourned at approximately 1:30 pm.

Clean Water Summit Partners Meeting Minutes
Monday, September 14, 2015
Sacramento Sutter Club, Sacramento Room

Call to Order

A meeting of the leaders from the state and regional clean water associations was called to order on September 14 at approximately 9:30 a.m. by Terrie Mitchell, Chair, CVCWA. Present were:

First	Last	E-mail	Assn
Kevin	Hardy	Khardy@encinajpa.com	CASA
Bobbi	Larson	blarson@casaweb.org	CASA
Adam	Link	alink@casaweb.org	CASA
Laura	Pagano	lpagano@sfwater.org	BACWA
Terrie	Mitchell	mitchellt@sacsewer.com	CVCWA
Debbie	Webster	eofficer@cvcwa.org	CVCWA
Phil	Scott	pscott@westbaysanitary.org	CWEA
Elizabeth	Allan	eallan@cwea.org	CWEA
Grace	Hyde	ghyde@lacs.org	SCAP
John	Pastore	jpastore@dudek.com	SCAP
Ken	Rubin	Ken.rubin@rubinmallows.com	Rubin Mallows Worldwide
Julia	Levin	jlevin@bioenergyca.org	Bioenergy Association of CA

Approval of Minutes and Agenda

The minutes of the March 2, 2015 meeting were approved unanimously on motion by John Pastore and second by Elizabeth Allen.

Utility of the Future (UOTF) Presentation / Discussion

Bobbi Larson and Terrie Mitchell introduced Ken Rubin of Rubin Mallows. Ken has been working on an update white paper to the NACWA "Utility of the Future" document released in 2013 that looks at what has been accomplished thus far and what is needed to accelerate innovation. Many issues were discussed including how to migrate to a more progressive regulatory structure, engaging NGOs (citing CASA's work with the Freshwater Trust as one example), and the notion of "social impact bonds." Laura Pagano and others echoed the need to generate a "strategic plan" for becoming a UOTF and the need to create a space for greater risk by utilities. Partners also discussed the need for greater leadership and education about what we do as wastewater utilities, and how this ties into survey efforts currently being completed by CASA and contemplated by the summit partners.

Guest Speaker: Wade Crowfoot, Senior Advisor to Governor Brown

Mr. Crowfoot spoke about a number of items pertinent to the clean water community, including expanding indirect and direct potable reuse opportunities, engaging on the healthy soils initiative, Proposition 218 rate reform efforts. He also suggested that our industry needs to get the word out about what we do in a number of areas, and the use of short "infographics" is an effective way to capture

decision makers' attention in a limited time. Mr. Crowfoot also suggested a "convening" of key decision makers to present all of the opportunities that wastewater entities can offer. He expressed particular interest in the use of biosolids on fire-ravaged lands in light of the recent wildfire problems in California.

Key Issue Updates

Federal Citizen Suit Legislation: Adam Link updated the group on the status of citizen suit reform legislation by Representative Duncan Hunter (H.R. 3353), the specifics of language in the bill as well as timeline and prospects for movement. The partners also discussed the status of the Wheeler Institute white paper, a draft of which should be available by the end of October.

Potable Reuse Operator Certification: Bobbi Larson and Elizabeth Allen updated the group on the status of the potable reuse operator certification process, including upcoming stakeholder meetings. Debbie Webster indicated that CVCWA and particularly some of the smaller agencies would like to be more directly involved with the process.

CalRecycle Regulations (POTW Exclusion): Adam Link and Bobbi Larson reported that after many years of work, CalRecycle regulations excluding POTWs accepting hauled-in organics from procuring a solid waste permit will go into effect January of 2016. All members expressed a big thanks to Greg Kester for his dedicated work on this issue.

AB 888 (Bloom): Adam Link provided an update on the status of CASA's sponsored legislation for 2015, AB 888 (Bloom) dealing with microbeads. The bill was adopted with some minor amendments related to "alternative products" that will likely need to be dealt with in future legislation. The bill is on the Governor's desk and signature is anticipated.

ADDED ISSUE: ELAP Stakeholder Group and Issues: Debbie Webster raised the issue of the recent effort to revamp the Environmental Lab Accreditation Program (ELAP), and Adam Link noted that Huy Do of the Los Angeles County Sanitation Districts is CASA's representative with that group. The partners discussed the need to raise issues associated with new requirements on smaller labs, and that CASA will be sending a letter raising some of these issues in the next couple weeks.

Next Meeting: CWEA will host the next meeting, which will be held in March 2016.

The Executive Directors will determine the next meeting date via email.

The meeting adjourned at approximately 1:30 pm.



April 4, 2016

TO: Clean Water Summit Partners

FROM: CASA Staff

SUBJECT: **Advancing the Utility of the Future in California**

Since its release two years ago, the UOTF blueprint has generated significant interest and helped to position wastewater utilities as producers of valuable renewable resources. Following a discussion among the summit partners about the UOTF annual report last September, the group agreed it is important to supplement the national UOTF initiatives with specific actions California can undertake to advance the UOTF.

At the January meeting of the CASA Utility leadership Committee (ULC), the committee brainstormed actions that could be taken by local agencies, the state, the federal government and CASA to advance the Utility of the Future. Staff reviewed the list and developed preliminary action plans for four of the items considered to be most feasible in the short term.

CASA staff will report to the CW Summit Partners the ULC's input and modify the draft as requested by the CW Summit partners on April 4.

Resources

Water Resources Utility of the Future: A Blueprint for Action:

<http://www.nacwa.org/images/stories/public/2013-01-31waterresourcesutilityofthefuture-final.pdf>

Water Resources Utility of the Future Annual Report 2015

<http://www.nacwa.org/images/stories/public/2015-09-10uotf.annual.report.pdf>

Advancing the Utility of the Future in California

Attachment 1

Utility Leadership Committee

January 22, 2016

Actions Local Agencies Can Take

- **Conduct a self-assessment of the agency's potential to produce renewable resources: recycled water, renewable fuel, electricity, biosolids, harvesting nutrients, etc. to help the state meet its goals for water supply, renewable energy and climate change.**
- **Schedule facility tours and other educational opportunities for legislators,** Governor's staff, and the media to inform and educate about the UOTF potential.
- Partner with other agencies on UOTF ideas where synergies exist –e.g., ocean dischargers take RO concentrate from other agencies' recycling efforts.
- Use consistent terminology and messaging to reinforce the UOTF brand.
- Look for projects that meet multiple needs/benefits– “think big”
- Use integrated planning to address regional needs/opportunities.
- Identify opportunities to partner with others to maximize use of energy generated at WWTPs.
- Pursue holistic watershed approaches to improve water quality where appropriate.

Actions the State Can Take

- Provide funding and financial incentives to help projects “pencil out’ and to test innovative and new technologies.
- **Fund research into the effectiveness of biosolids in restoring fire ravaged lands.**
- Adopt appropriate regulations for surface water augmentation for potable reuse by the December 2016 deadline and complete the expert panel work on direct potable reuse.
- Revise the biosolids land application general order to enhance and expand opportunities for biosolids application in support of the Healthy Soils Initiative.
- Ensure that the proposed Toxicity Plan does not mis-label wastewater as “toxic” which could undermine re-use and other drought solutions.
- Seek changes to laws and regulations including basin plans to revise language which characterizes wastewater as harmful, pollution, or a nuisance to reflect the resource recovery potential in wastewater.

Actions Congress/the Federal Government Can Take

- Provide funding and financial incentives to help projects “pencil out’ and to test innovative and new technologies.
- Encourage and facilitate the use of watershed solutions and trading, and remove statutory and regulatory barriers where needed.
- Extend NPDES permit terms beyond the current 5 years to allow both the states and regulated entities to focus resources on new ways of doing business and fostering innovation.
- Complete the pending risk assessment for biosolids.

Actions CASA can take

- Support/promote regional planning around UOTF ideas, which could also uncover synergies between individual agencies to collectively tackle UOTF projects
- Develop (e.g., with workshops, etc.) best practices for how agencies can foster a culture of innovation in California
- Secure funding from multiple sources for research to summarize studies on (1) review of impacts, or lack thereof, from constituents of interest and validity of allegations of adverse effects from land application of biosolids and (2) benefits from land application of biosolids, which agencies could use to develop biosolids land application options.
- **Create a webpage that highlights resource recovery projects and allows sharing of success stories and lessons learned.**
- Connect experts/technical resources with agencies considering projects to share expertise.
- Generate “blueprints” or models to describe what the UOTF looks like.
- Use consistent terminology and messaging to reinforce the UOTF brand.
- Continue to advocate for regulatory and policy changes to facilitate injection of methane into natural gas pipelines.
- Coordinate/integrate with WEF to recognize agency contributions to advancing the UOTF.
- Establish a team of volunteers with experience/expertise in renewable resource development to assist small agencies desiring to take steps to become UOTF.

Utility Leadership Committee (ULC) Priority Actions

Local Agency Action: Conduct Agency Self Assessments of Potential to Develop Renewable Resources

Summary: While traditional public health and environmental protection will always be central, the model for the utility of the future (UOTF) is evolving in new directions. It contemplates a new business approach where instead of simply collecting, treating, and disposing of municipal and industrial wastewater, the UOTF recognizes that its inputs are valuable resources. As such, its objectives are to separate, extract, reuse, or convert valuable water, energy and commodities from wastewater while using utility assets in innovative ways to reduce costs, increase revenues, and strengthen the local economy. There is no one model for becoming the UOTF. Rather, each agency will assess its potential and prioritize those programs that make sense economically, provide the most benefit to the community, and are feasible from both technical and regulatory perspectives.

Task	Activity	Persons Responsible	Start	End	Status
1	Survey CASA members and other utilities to identify examples or templates for conducting self assessments	CASA staff, Associates	April 2016	June 2016	
2	Create a model self assessment framework derived from the examples and templates	Lead: CASA Staff, Associates Review: ULC	June 2016	September 2016	
3	Develop communication tools to distribute self assessment and encourage agency participation	CASA Staff	September 2016	Ongoing	
4	Highlight completed agency self assessments in conference programs, newsletters, blogs, etc.	CASA Staff	January 2017	Ongoing	

Local Agency Action: Coordinate and Encourage Facility Tours to Inform and Educate Decision Makers and the Public

Summary: Tours and educational outreach are activities in which many CASA members already engage. The more specific action for local agencies (with CASA's assistance) is a proposal to develop a "day in the district" type approach to these tours, where CASA member agencies choose one specific day (coordinated initially by CASA) to promote and educate key constituents regarding the utility of the future. Similar past activities have included a "No Drugs Down the Drain" day and state legislative day in the district campaigns. This would not be exclusive of the regular opportunities to invite public officials and members of the public to tour wastewater facilities, but rather a focused complement to those ongoing efforts.

Task	Activity	Persons Responsible	Start	End	Status
1	Select date to promote and help coordinate a "day in the district" approach to touring and promoting wastewater facilities.	CASA Staff and ULC	April 2016		
2	Develop unified theme, communications, materials and strategy to promote the "day in the district" approach.	CASA Communications Workgroup	TBD*		
3	Communicate with CASA membership to distribute materials and encourage their participation in the event.	CASA Staff	TBD*		
4	Incorporate or integrate these materials with any existing materials produced by the District.	CASA Member Agencies	TBD*		
	Perform outreach to the media, members of the public, and key decision makers to encourage participation in	CASA Staff and CASA Members	TBD*		

	the event.	Agencies			
5	Host enhanced tours, events and outreach on the selected day.	CASA Members Agencies	TBD*		
6	Evaluate success of effort and potential for making the event annual.	CASA Staff and ULC	TBD*		

* Dates for subsequent tasks will be determined based on date selected for the day in the district events.

State Action: Secure Funding and Execute Research Demonstration Project to Reclaim Fire Ravaged Land with Biosolids

Summary: Fire ravaged land is subject to increased erosion, impaired ecology, contributes to impaired water quality, and experiences the destruction of soil quality. Biosolids will mitigate adverse impacts at fire-impacted sites, by increasing soil organic matter, nutrients, and water holding capacity. This will result in improved water quality, reduced erosion, enhanced terrestrial carbon sequestration, and the promotion of healthy forage production. Native vegetation should remain green through the fire intense summer season while invasive species generally dry out and become fuel by late spring. Such native vegetation, if established, will provide a break in future fires and preclude the fire from spreading unabated. The need is to identify and secure funding in order to execute research demonstration projects to quantify the extent of these benefits.

Task	Activity	Persons Responsible	Start	End	Status
1	Establish research project team consisting of researchers, regulators, and CASA members	CASA Staff	January 2016		Completed (specific members dependent on final location of work)
2	Find appropriate site at which to execute project	CASA Staff	February 2016		Toured Boggs Mountain State Park with CalFire/Will pursue
3	Confirm CASA members can provide needed biosolids and coordinate with applicators	CASA Staff	January 2016		

4	Secure funding to execute project	CASA Staff	January 2016	Ongoing	WERF declined to fund; exploring other sources
5	Execute project and produce report quantifying benefits	CASA Staff, Research Team, CASA members	TBD		

CASA Action: Create a Webpage that Highlights Resource Recovery Projects and Facilitates Sharing of Success Stories and Lessons Learned

Summary: Wastewater utilities are breaking new ground every day in their transformation to UOTFs. There is value in sharing information to assist agencies in developing their local programs—what works, pitfalls to avoid, financing options, etc. Conference programs and other communication mechanisms partially serve this goal, but there is a need for a dedicated clearinghouse to facilitate exchanging experiences and lessons learned.

Task	Activity	Persons Responsible	Start	End	Status
1	Discuss concept with Clean Water Summit Partners to gauge interest in collaborative effort	CASA Staff	April 2016	April 2016	
2	Based upon CW Summit input, develop a plan for hosting a shared the webpage/forum through CASA or another partner	CASA Staff, CW Summit partners	May 2016	July 2016	
3	Launch webpage, promote and encourage participation	CASA Staff, CW Summit partners	TBD		
4	Evaluate usefulness/success of site; recommend changes	CASA Staff, CW Summit Partners	TBD		

March 14, 2016

Submitted via Electronic Mail to Michael.Bedard@sen.ca.gov

The Honorable Bob Hertzberg
California State Senate
State Capitol, Room 4038
Sacramento, CA 95814

Subject: SB 163 (Hertzberg): CASA Feedback and Alternative Proposal

Dear Senator Hertzberg:

The California Association of Sanitation Agencies (CASA) appreciates the opportunity to work with you on SB 163 pertaining to recycled water and ocean discharge. Consistent with our previous discussions with you and your staff, CASA has been reaching out to our membership and representatives from the water and wastewater community to solicit feedback and input on potential alternatives to the existing language in the bill.

As noted in our previous comments (attached), CASA and the wastewater community as a whole are highly supportive of developing recycled water projects and increasing recycled water production and use in the future, and we truly appreciate your interest in finding ways to promote this vital renewable resource. Unfortunately, for the reasons set forth in our previous letter, the statewide ocean discharge prohibition currently contemplated by SB 163 is simply not feasible, practical, or cost effective.

As suggested at our last meeting, CASA has been actively working with our fellow associations and others in the recycled water community on possible alternative approaches related to the legislation. Several members of this group have had conversations with you or your staff regarding SB 163, and many have provided written feedback directly to your office. Based on our discussions, and input from several CASA members who would be impacted by the proposed recycled water mandate, we have developed an alternative to the approach currently outlined in the bill.

We feel the approach outlined below will make meaningful strides toward increasing recycled water production and use, including areas where wastewater is currently being discharged to the ocean, identifying barriers to implementation, and creating a roadmap for achieving the types of gains contemplated by SB 163. Importantly, it would accomplish these underlying goals without the monumental financial and logistical burdens that would be placed on water and wastewater agencies as a result of the mandate approach.

The concept is to convene a task force on "Water for the 21st Century" that would develop a roadmap for new water. The task force would be statewide in its scope, focusing on both ocean dischargers and inland dischargers, examining both potable and non-potable reuse, and identifying water-recycling issues relevant to inland and coastal areas as well as agricultural and urban interests. The task force would ultimately produce an action plan designed to increase recycled water production in California, meet the statewide water recycling goals and overcome any barriers preventing increases in recycled water production and beneficial use from being realized. This could also include a final task force report to the legislature that contains analysis and recommendations tied to the specific task force charges identified below.

Each of the items identified below is a critical component of developing recycled water supplies in the coming decades:

- 1) Overall ways to improve the feasibility of recycled water production and use, including indirect potable reuse (IPR) and direct potable reuse (DPR). This would include an examination of relevant regulations, programs and issues pertaining to communication and public acceptance. It would also include a look at a variety of end uses and distribution mechanisms, including irrigated agriculture, purple pipes, groundwater injection, and others;
- 2) Specific ways in which to better incorporate IPR and DPR into existing recycled water planning processes, in anticipation of the expansion of IPR in California and the pending DPR expert panel report and potential future regulations authorizing such reuse;
- 3) A look at several issues attendant to recycled water production and use, including environmental restoration opportunities, energy consumption and/or savings opportunities, and recycled water infrastructure's role in larger infrastructure planning approaches;
- 4) An analysis of the proximity of wastewater agencies to specific croplands and the opportunities to increase recycled water use with and without additional treatment for irrigated agriculture;
- 5) Analysis of existing and anticipated recycled water funding needs and opportunities, including an examination of alternative methods of financing recycled water projects, such as incorporating elements of private financing;
- 6) Examination of the estimated total cost to achieve statewide water recycling goals and how those funds will be procured;
- 7) Potential obstacles to increasing recycled water production, including but not limited to (1) the availability and variety of potential markets in various regions, (2) proximity of groundwater basins and reservoirs suitable for replenishment that can be used for indirect potable reuse, (3) authority to purvey recycled water by the wastewater agency, (4) pre-existing levels of treatment at a facility and existing recycled water distribution infrastructure, (5) susceptibility of the local community to development of purple pipes and other distribution infrastructure (e.g. new construction or established communities), (6) the need for continued discharge for brine disposal if advanced treatment is implemented for reuse, and (7) the current and projected future impacts of water conservation on recycled water supplies and ways to address these impacts;
- 8) The impact of water conservation on wastewater (and recycled water) production rates and potential;
- 9) The varying roles and responsibilities of water and wastewater agencies in recycled water production and distribution;
- 10) Potential water rights issues associated with recycled water production, distribution, and related issues, including but not limited to considerations in adjudicated basins and impacts on downstream users due decreased discharges;
- 11) How to integrate existing efforts to identify and promote opportunities for increased recycled water production and use, including but not limited to Urban Water Management Plans and recycled water master plans prepared by local agencies;
- 12) Elements that might be needed in an individual agency analysis of opportunities for expanded recycled water production, distribution and use, including but not limited to an identification of all land acquisition and facilities necessary to provide for treatment, transport, and reuse of treated wastewater, an analysis of the costs associated with those acquisitions and facilities, a financing plan identifying possible methods of funding such actions, a schedule for the completion of those actions, and any other supporting data and other documentation;

- 13) How to account for prior investments in recycled water infrastructure and existing recycled water production capacity's role in achieving goals;
- 14) Any issues identified in the "2002 Recycled Water Task Force" final report but not fully implemented or addressed;
- 15) The need for support for the widespread use of recycled water by the business and agricultural communities, as well as by the public at large (including for paying for the costs of the necessary infrastructure);
- 16) How on-site water treatment systems interact with the production and distribution of recycled water and what role it will play in achieving recycled water goals.

Many of the findings and declarations that would support convening such a task force are already identified in SB 163. These findings shape the role of the task force and the context in which the group would complete its action plan. These include (but are not necessarily limited to) the following statements:

- 1) Continuous severe drought conditions present urgent challenges across the state, including, but not limited to, water shortages in communities and for agricultural production, increased risk of wildfires, degraded habitat for fish and wildlife, and threat of saltwater contamination in large fresh water supplies;
- 2) Water reuse can be one of the most efficient and cost-effective ways to improve the drought resilience of California communities;
- 3) Existing discharge of treated wastewater from ocean outfalls presents significant opportunities to recycle additional water for further beneficial use;
- 4) Increasing the amount of recycled water produced by wastewater facilities with ocean outfalls could dramatically accelerate the adoption of water recycling in the state, and thus increase water supply available for beneficial use;
- 5) Increased water recycling, including at facilities currently utilizing ocean outfalls, can reduce California's dependence on diversions from surface rivers and streams that are subject to variable climate and regulatory conditions, and could potentially provide additional benefits;
- 6) The expansion of groundwater IPR, the establishment of statewide surface water augmentation regulations and the development of statewide regulations for DPR are critical to maximizing recycling and achieving California's goals;
- 7) Current information regarding the actual production and usage of recycled water in the state is insufficient to determine whether we are meeting the goals set forth by the State Water Board;
- 8) There is currently an insufficient understanding of the barriers to increasing recycled water production in the state and the potential for additional reuse in particular watersheds or regions;
- 9) Recent commitments to fund recycled water projects through Proposition 1 and low interest State Revolving Fund (SRF) loans are anticipated to result in 150,000 acre-feet per year of new recycled water supply in the coming years;
- 10) Many local agencies have already made substantial investments in recycled water production and distribution facilities;
- 11) The State Water Resources Control Board has established goals of recycling 1,500,000 acre-feet of wastewater by 2020 and 2,500,000 acre-feet of wastewater by 2030;
- 12) Many regulatory processes related to recycled water, including those that could increase or modify opportunities for a variety of production types and end uses, are currently under development.

Finally, we propose that the task force be jointly chaired by a member of the State Water Resources Control Board and the Director of the Resources Agency to demonstrate the

importance of recommendations that might ultimately be developed. The task force should include a broad cross section of stakeholders such as recycled water producers, recycled water suppliers, end users, nongovernmental organizations, local government, the business community, including developers, and relevant state agencies.

Funds to support the task force and offset any costs associated with assembling the task force and developing a report, action plan, and recommendations could come from Proposition 1 recycled water allocations (Chapter 9), and more specifically the identified portion of those funds that is specifically dedicated to research.

We appreciate your support for increasing recycled water production and use in the coming decades, and would like to work with you to develop this task force proposal into language that alleviates our concerns and results in legislation the water and wastewater community can collectively support. To the extent that any revisions to the bill more closely reflect this task force approach as opposed to the proposed mandate, we could commit to continuing to work with your office on this legislation. We would also appreciate the opportunity to discuss this proposal with you in person over the next few weeks.

Thank you for your consideration of our concerns, and we look forward to working with you.

Sincerely,



California Association of Sanitation Agencies



Irvine Ranch Water District (IRWD)



Association of California Water Agencies (ACWA)



WateReuse California



California Municipal Utilities Association (CMUA)



San Francisco Public Utilities Commission (SFPUC)



Inland Empire Utilities Agency (IEUA)

Las Virgenes - Triunfo Joint Powers Authority



Las Virgenes-Triunfo Joint Powers Authority



City of San Diego, Public Utilities Department

Sherry Hull

From: Sherry Hull
Sent: Monday, April 11, 2016 9:11 PM
To: Sherry Hull
Subject: Comments on Draft Delta RMP MOA
Attachments: ASC Delta RMP MOA [Modified Draft 20160329].docx

Follow Up Flag: Follow up
Flag Status: Flagged

From: Warner Chabot [<mailto:warnerc@sfei.org>]
Sent: Tuesday, March 29, 2016 10:03 AM
To: Jim Fiedler <JFiedler@valleywater.org>; Dave Williams <dwilliams@bacwa.org>; Salzman, Barbara <bsalzman@att.net>; Tucker, Dave <dwt58@verizon.net>; Creedon, Pamela <pamela.creedon@waterboards.ca.gov>
Cc: Lilian Dennis <ldennis@valleywater.org>; Phil Trowbridge <philt@sfei.org>
Subject: Fwd: Comments on Draft Delta RMP MOA

Dear Executive Committee:

Below is a memo from Phil Trowbridge. It summarizes his general responses and contains the revised MOA as an attachment. Please let Jim know if you have any further edits to suggest.

Dear Executive Committee-

In preparation for our phone call tomorrow at 11 AM, I have attached a modified version of the Delta RMP Memorandum of Agreement that was discussed at the the SFEI-ASC Board Meeting a few weeks ago. The document has been edited based on the feedback provided at the meeting (edits are shown in track changes). The call-in number for tomorrow is: 1.415.655.0381, Access Code 664-310-209#. Phil Trowbridge, the manager of the Delta RMP, will lead the call because I will be traveling at that time.

The following bullets are some context about the Memorandum of Agreement (MOA):

- ASC needs this MOA to avoid having different contracts with different agencies, which would be more restrictive. There are several Delta RMP Participants that must have a legal agreement with ASC in order to pay their fees. Without a common MOA, we will have multiple different contracts with different reporting and deliverables requirements. We are in that situation now. Both ASC and the Program Participants want a MOA to simplify the process.
-
- ASC Senior Managers do not have any concerns about meeting the obligations set forth in the MOA. We are not committing ASC to do any more than we have done for the Bay RMP for 24 years.
-
- Finally, having a multi-year MOA gives ASC some protection. ASC is making significant investments to manage the Delta RMP with no legal agreement to formalize this role.

I appreciate your thoughtful review of the MOA at the Board meeting and welcome any additional comments you may have. Please note that the document may change even more from this version because the Delta RMP Steering Committee members may have comments when they meet at the end of April.

Sherry Hull

From: Sherry Hull
Sent: Tuesday, March 22, 2016 9:58 PM
To: Sherry Hull
Subject: FW: BARR Drought Task Force - save the date
Attachments: BARR DCP TF Meeting Packet 1 - 04.15.16.pdf; BARR Drought Task Force Group

From: Wallace, Douglas [<mailto:dwallace@ebmud.com>]
Sent: Tuesday, March 22, 2016 2:41 PM
To: Mike Connor;
Subject: BARR Drought Task Force - save the date

Dear Task Force members,

Thank you for agreeing to participate in this important collaborative process. Please see the attachment for information about the first meeting, which will be held at EBMUD's Oakland office on **Friday, April 15**. I have also attached the list of participants, which may include some alternates. If you do not see your alternate listed and will be sending that person, please forward this information to them and cc: me so that I have their email address.

Please don't hesitate to call me if you have any questions before April 15.

Doug Wallace
Environmental Affairs Officer
East Bay MUD
(510) 287-1370

Bay Area Regional Reliability Drought Contingency Plan (DCP)

Drought Task Force Kickoff Workshop

DRAFT AGENDA

Friday, April 15, 2016 (9:00 am to 2:00 pm)

EBMUD Office (375 11th Street Oakland, Training Center)

NOTE: Please arrive at 9:00 am for refreshments and networking. The meeting will start promptly at 9:30 am.

Workshop Goal – Establish common understanding of BARR DCP participant perspectives and project expectations and outcomes.

- 9:00-9:30 Refreshments and networking
- 9:30–10:15 Welcome and Introductions
 - Task Force Members’ Perspectives (1 minute each) – To answer: What is your interest in the BARR DCP?
 - BARR Partners and Project Team
- 10:15–10:45 DCP Task Force Purpose, Expectations, and Process
- 10:45–11:00 BARR Framework and DCP Work Flow Approach
- 11:00–12:30 Setting the Context for the DCP – existing conditions, vulnerabilities, and opportunities
 - Overview
 - BARR Partners’ perspectives
- 12:30-1:00 Lunch break
- 1:00-2:00 Discussion on DCP Work Elements and Next Steps

Attachments

1. Drought Task Force members
2. BARR map (graphic)
3. Framework
4. Work flow diagram

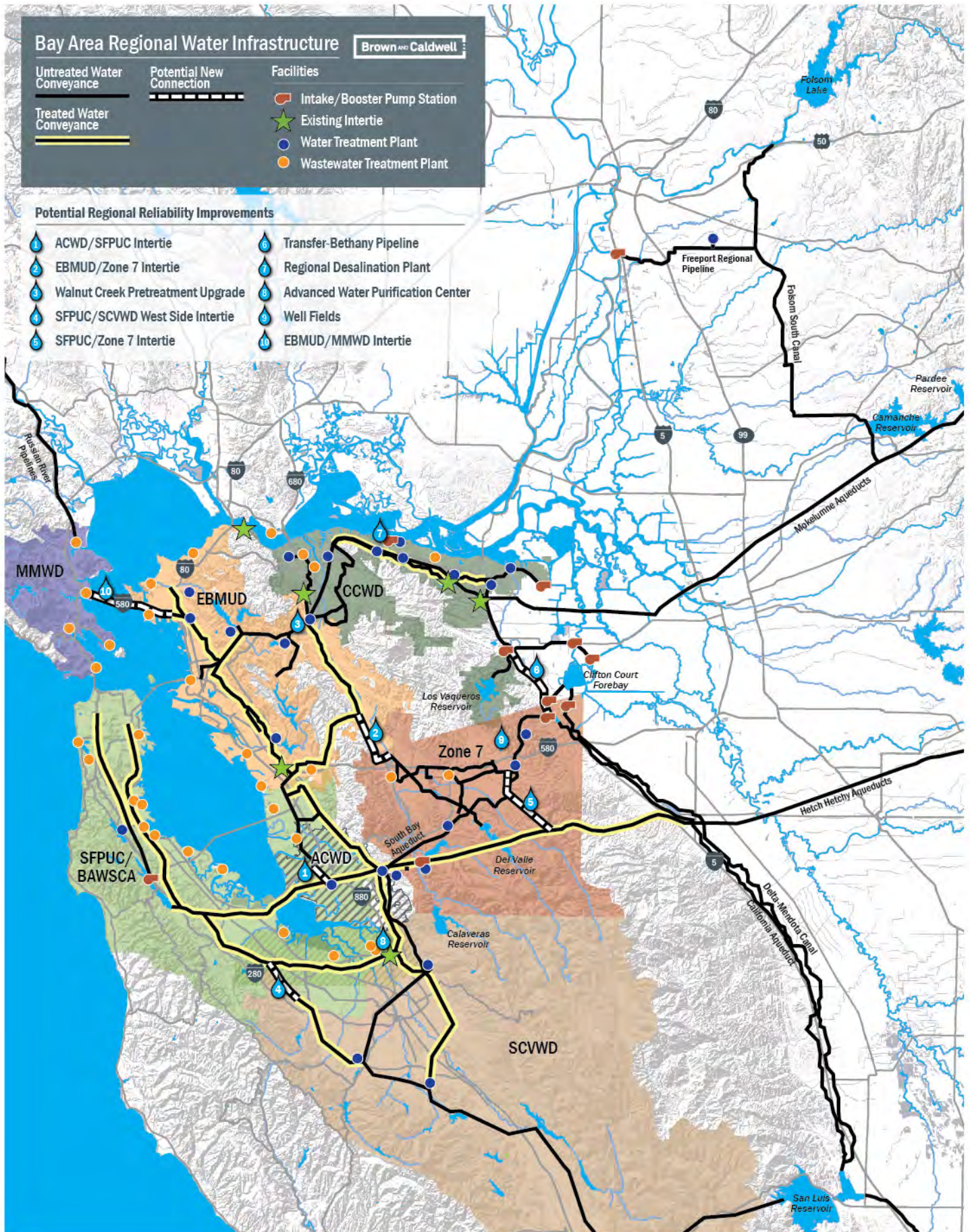
Confirmed Drought Task Force Participants

Organization Type	Organization Name/Address	Drought Task Force Representative(s)
Business	Bay Area Council 353 Sacramento St, 10th Floor, San Francisco, CA 94111 www.bayareacouncil.org	Adrian Covert, Policy Director, 415-981-6600, acovert@bayareacouncil.org
Business	Bay Planning Coalition 1970 Broadway, Suite 940, Oakland, CA 94612 http://bayplanningcoalition.org	Brianne Riley, 510-768-8314, brianne@bayplanningcoalition.org
Business	East Bay Leadership Council Water Task Force PO Box 4096, Walnut Creek, CA 94596 www.eastbayleadershipcouncil.com	Bob Whitley, 925-246-1880, bwhitley@whitleyburchett.com
Environmental	Alameda Creek Alliance P.O. Box 2626, Niles, CA 94356 www.alamedacreek.org	Jeff Miller, Executive Director, 510-499-9185, jeff@alamedacreek.org Ralph Boniello, Volunteer and Restoration Coordinator, ralph@alamedacreek.org
Environmental	California Sportfishing Protection Alliance 1248 East Oak Avenue #D, Woodland, CA 95776 1608 Francisco St., Berkeley, CA 94703 www.calsport.org	Chris Shutes, Water Rights Advocate, 510-421-2405, cshutes@calsport.org blancapaloma@msn.com
Environmental	Climate Readiness Institute 3115 Eton Avenue, Berkeley, CA 94705	Bruce Riordan, 510-665-4357, bruce@climatereadinessinstitute.org Maria Hjelm, 510-642-5979 (staff), climatereadiness@berkeley.edu
Environmental	Contra Costa County Climate Leaders PO Box 6993, Moraga, CA 94570 www.Cccclimateleaders.org	Lynda Deschambault, Executive Director, 925-631-0597, info@cccclimateleaders.org
Environmental	National Resources Defense Council 111 Sutter St., 20th floor, San Francisco, CA 94104 www.nrdc.org	Kate Poole, 415-875-6100, kpoole@nrdc.org
Environmental	Restore Hetch Hetchy PO Box 71502, Oakland, CA 94612 436 14th St, Suite 1126, Oakland, CA 94612 www.hetchhetchy.org	Spreck Rosekrans, Executive Director, 510-893-3400, spreck@hetchhetchy.org
Environmental	Sierra Club 12721 Brookpark Rd., Oakland, CA 94619 215 S. 19th St, San Jose CA 95116	Sonia Diermayer, Co-chair, Water Committee, 510-336-1102, sodier@mindspring.com
Environmental	Sierra Club, Loma Prieta Chapter 3921 East Bayshore Road, Suite 204, Palo Alto, CA 94303 215 S. 19th St, San Jose CA 95116	Katja Irvin, AICP, Water Committee Chair, 408-569-8214, Katja.irvin@sbcglobal.net
Environmental	Tuolumne River trust 312 Sutter St., #402, San Francisco, CA 94108 www.tuolumne.org	Peter Drekmeier, Policy Director, 415-882-7252, peter@tuolumne.org

Organization Type	Organization Name/Address	Drought Task Force Representative(s)
Environmental	Wholly H2O 363 17th Street, Suite 301, Oakland, CA 94612 www.Whollyh20.org info@whollyh2o.org	Elizabeth Dougherty, PhD, Director, 415-323-5966, eliz@whollyh20.org
Environmental/ Environmental Justice	Environmental Water Caucus 2613 6th Street, Unit D, Santa Monica, CA 90405 www.ewccalifornia.org	Conner Everts, Facilitator, Connere@gmail.com
Environmental Justice	Environmental Justice Coalition for Water PO Box 188911, Sacramento, CA 95818-8911 www.ejcw.org	Salote Soqo, M.Sc., Bay Area Program Coordinator, 707-786-3529, 916-432-3529, salote@ejcw.org
Public Policy	Pacific Institute 654 13th Street, Preservation Park, Oakland, CA 94612 www.pacinst.org	Heather Cooley, Water Program Director, 510-251-1600, hcooley@pacinst.org
Public Policy	PPIC	Caitrin Chappelle, chappelle@ppic.org Henry McCann, mccann@ppic.org
Public Policy	SPUR 654 Mission Street, San Francisco, CA 94105-4015 www.spur.org	Laura Tam, ltam@spur.org
Public Policy	Stanford University, Water in the West	Newsha Ajami, Director of Urban Water Policy, 650-724-8162, newsha@stanford.edu Patricia Gonzales, PhD Student
Regional Planning	ABAG	Miriam Chion, MiriamC@abag.ca.gov Michael Germeraad
Wastewater/Recycled Water Agencies	Bay Area Clean Water Agencies www.bacwa.org	Mike Connor, mconnor@ebda.org Roger Bailey, rbailey@centralsan.org
Wastewater/Recycled Water Agencies	Western Recycled Water Coalition www.westernrwc.org	Gary Darling, garyd@deltadiablo.org Angela Lowrey, angelal@deltadiablo.org Jane Strommer, jaynes@deltadiablo.org
Water/Wastewater Agencies	North Bay Watershed Association 220 Nellen Avenue, Corte Madera, CA 94925 www.nbwatershed.org	Judy Kelly, Executive Director, 415-945-1108, Judy.NBWA@gmail.com

Invited (but not confirmed)

Organization Type	Organization Name/Address	Drought Task Force Representative(s)
Business	Silicon Valley Leadership Group 2001 Gateway Place, Suite 101E, San Jose, CA 95110 www.slv.org	Carl Guardino, President and CEO, 408-501-7864, pclaassen@slvg.org
Environmental	California Water Impact Network (CWIN) 808 Romero Canyon Road, Santa Barbara, CA 93108 www.c-win.org	Carolee Krieger, Executive Director, 805-969-0824, Caroleekrieger7@gmail.com
Environmental	Foothill Conservancy 35 Court Street, Suite 1, Jackson, CA 95642 www.foothillconservancy.org	Cecily Smith, Executive Director, 209-223-5308, Cecily@foothillconservancy.org
Environmental	Planning and Conservation League 1107 9th Street, Suite 901, Sacramento, CA 95814 www.pcl.org	Howard Penn, Executive Director, 916-822-5631, pclmail@pcl.org Jonas Minton, Water Policy Advisor, 916-719-4049, jminton@pcl.org
Environmental	The Bay Institute Pier 39 Box #200, San Francisco, CA 94133 www.bay.org	Gary Bobker, bobker@bay.org
Environmental	The Nature Conservancy 201 Mission Street, 4th Floor, San Francisco, CA 94105 www.nature.org	415-777-0487, calweb@tnc.org
Environmental Justice	Clean Water Action 350 Frank H. Ogawa Plaza, Suite 200, Oakland, CA 94612 www.cleanwateraction.org	Jennifer Clary, Water Program Manager, Ofc: 415-369-9171, Cell: 707-483-6352, jclary@cleanwater.org
State Agency	State Coastal Conservancy 1330 Broadway, 13th floor, Oakland, CA 94612-2530 www.scc.ca.gov	Sam Schuchat, Executive Officer, 510-286-1015, Sam.schuchat@scc.ca.gov Matt Gerhart, Regional Manager, Matt.gerhart@scc.ca.gov
State Planning	Bay Area Regional Collaborative 101 Eighth Street, Oakland, CA 94607	Allison Brooks, Executive Director, 510-464-7942, abrooks@mtc.ca.gov
Stormwater	South Bay Stormwater	



BARR Framework

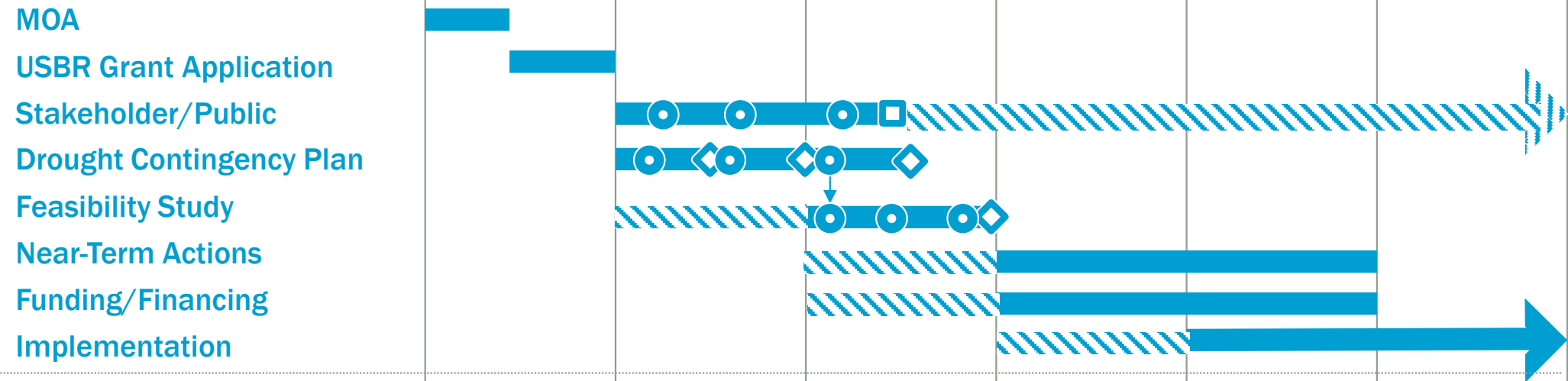
LEGEND

● Workshop

◆ Deliverable

□ Public Meeting

BARR



Funding



Regulatory



BARR DCP Work Flow Diagram

