



**BACWA**  
**BAY AREA**  
**CLEAN WATER**  
**AGENCIES**

**Executive Board Meeting**  
**AGENDA**  
**Friday, March 17, 2017, 9:00 a.m. – 12:30 p.m.**  
**EBMUD Treatment Plant, Lab Library**  
**2020 Wake Ave., Oakland, CA**

<u>Agenda Item</u>	<u>Time</u>	<u>Pages</u>
<b>ROLL CALL AND INTRODUCTIONS</b>	9:00 AM	
<b>PUBLIC COMMENT</b>	9:03 AM	
<b>CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER</b>	9:04 AM	
<b>CONSENT CALENDAR</b> 1 February 17, 2017, BACWA Executive Board Meeting Minutes 2 January 2017 Treasurer's Reports	9:05 AM	3-9 10-20
<b>APPROVALS &amp; AUTHORIZATIONS</b> 3 <u>Approval</u> : New Co-Chair for Biosolids Committee 4 <u>Chair Authorization</u> : Agreement with Computer Courage to transfer Baywise website to new platform	9:06 AM	21 22-33
<b>OTHER BUSINESS - POLICY/STRATEGIC</b> 5 <u>Discussion</u> : California Indian Environmental Alliance - New Beneficial Use Designations <b>CVCWA Comment</b> <b>BACWA Comment</b> 6 <u>Discussion</u> : Nutrients a. Technical Work i. Nareda Nutrient Removal Technology (Aerobic Granular Sludge) <b>Presentation</b> b. Governance Structure i. Steering Committee Meeting # 12 Debrief <b>Item 6 Materials</b> ii. Program Coordination FY 18 c. Regulatory i. Opt/Upgrade 2nd Workshop ii. Layperson's Guide to the Nutrient Watershed Permit <b>Presentation Guide</b> iii. Nutrient Trading Overview <b>Presentation</b> iv. CCCSD Permit Comment Letter v. Update on 2nd WS Permit <b>Presentation</b> 7 <u>Discussion</u> : Water Board Joint Meeting Debrief 8 <u>Discussion</u> : BAAQMD Workshop Debrief 9 <u>Discussion</u> : Toxicity i. April 11 Meeting with Water Board on Toxicity Plan ii. Pacifica Permit iii. EBDA Permit <b>Permit</b> iv. Toxicity Workshop 10 <u>Discussion</u> : Comment Letters i. 303 (d) List Comment Letter ii. Enforcement Policy iii. pH Monitoring iv. Climate Change Resolution Letter 11 <u>Discussion</u> : Microplastics Update <b>Update</b> 12 <u>Discussion</u> : FWQC Issues Matrix <b>Matrix</b>	9:10 AM 9:30 AM 10:35 AM 10:45 AM 11:05 AM 11:20 AM 11:35 AM 11:40 AM	34-37 38-39 40 41-43 44-45 46-47 48-58 59-61 62-64 65-70 71-73 74-75

<b>OTHER BUSINESS - OPERATIONAL</b>		<b>11:45 AM</b>	
13	<u>Discussion:</u> Final Draft of FY18 Budget	<b>Update</b>	<b>76-78</b>
14	<u>Discussion:</u> Revised Dates for Pardee Technical Seminar		
15	<u>Discussion:</u> Update on BARR Taskforce		
16	<u>Discussion:</u> Recycled Water - TO Policy & Strategy	<b>Presentation</b>	<b>79-80</b>
17	<u>Discussion:</u> Update on CWCCG		
<b>REPORTS</b>		<b>12:20 PM</b>	
18	Committee Reports	Rod Miller Karin North; Jim Ervin; Leah Walker Dave Williams Laura Pagano; Dave Williams Jim Ervin; Mike Connor Dave Williams Lorien Fono; Amy Chastain Tim Potter; Lorien Fono; David Williams Eric Dunlavey Tim Potter Cheryl Munoz; Linda Hu; Dave Williams Karin North; Melody LaBella Melody LaBella Lori Schectel Lorien Fono Mike Connor; Karin North Nirmela Arsem Maura Bonnarens, Roger Bailey; Mike Connor Cheryl Munoz;	<b>81-84</b>
19	Member Highlights		
20	Executive Director Report		<b>85-92</b>
21	Regulatory Program Manager Report		<b>93</b>
22	Other BACWA Representative Reports		
	a. RMP TRC		
	b. RMP Steering Committee		
	c. Summit Partners		
	d. ASC/SFEI		
	e. Nutrient Governance Steering Committee		
	f. SWRCB Nutrient SAG		
	g. SWRCB Focus Group – Bacterial Objectives		
	h. SWRCB Focus Group – Mercury Amendments to the State Plan		
	i. Nutrient Technical Workgroup		
	j. NACWA Taskforce on Dental Amalgam		
	k. BAIRWMP		
	l. NACWA Emerging Contaminants		
	m. CASA Statewide Pesticide Steering Committee		
	n. CASA State Legislative Committee		
	o. CASA Regulatory Workgroup		
	p. ReNUWit		
	q. RMP Microplastics Liaison		
	r. AWT Certification Committee		
	s. Bay Area Regional Reliability Project		
	t. WaterReuse Working Group		
<b>23 SUGGESTIONS FOR FUTURE AGENDA ITEMS</b>		<b>12:27 PM</b>	
<b>NEXT MEETING</b> The next regular meeting of the Board is scheduled for April 21, 2017 from 9:00 am – 12:30 pm at the SFPUC, Hetch Hetchy Room, 13th Floor, 525 Golden Gate Ave., San Francisco, CA		<b>12:28 PM</b>	
<b>ADJOURNMENT</b>		<b>12:30 PM</b>	

## ROLL CALL AND INTRODUCTIONS

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

## Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Amanda Roa	Delta Diablo
Amy Chastain	SFPUC
Bhavani Yerrapotu	Sunnyvale
Cathi Zammit	San Mateo
Cheryl Munoz	SFPUC
Craig Criddle	Stanford University
Dave Richardson	RMC
Ian Wren	SFEI
Jay Witherspoon	CH2M Hill
Karin North	Palo Alto
Robert Wilson	Petaluma
Tom Hall	EOA
Denise Connors	LWA
Vince de Lange	EBMUD
Daniela Brandao	CH2M Hill
Linda Sawyer	Brown & Caldwell
Doug Dattawalker	Union San
David Williams	BACWA
Lorien Fono	BACWA
Sherry Hull	BACWA

## PUBLIC COMMENT

None.

## CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER

None.

## CONSENT CALENDAR

1. December 16, 2016, BACWA Executive Board Meeting Minutes – The approved minutes will be posted on the BACWA website.

**2.** November and December, 2016 Treasurer’s Reports and Financial Summary – A Financial Summary Report was included in the Packet. A copy of the FY17 Budget as of December 31, 2016, (50% of the fiscal year) was included. It, along with the Summary, provides the Board with a concise overview of the Fund Balances and the current status of the Annual Budget and points out any variances in the budget to date.

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

### **AUTHORIZATIONS & APPROVALS**

**3.** Approval: BACWA Representatives –

- a. ReNUWIt Industrial Advisory Committee: The Chair called for nominations. Mike Connor nominated Karin North. Vince de Lange seconded the nomination. The Chair called for a vote and the motion to approve Karin North as a new BACWA Representative to ReNUWIt carried unanimously.
- b. Nutrient Governance Steering Committee and Planning Subcommittee: Mike Connor (EBDA) has volunteered to fill the BACWA Representative position with the Nutrient Governance Steering Committee. The Chair called for a vote and the motion to approve Mike Connor as a new BACWA Representative to the Nutrient Governance Steering Committee carried unanimously.
- c. RMP Steering Committee: Leah Walker (City of Petaluma) has volunteered to fill the BACWA Representative position with the RMP Steering Committee. The Chair called for a vote and the motion to approve Leah Walker as the new BACWA Representative to the RMP Steering Committee carried unanimously.

**4.** Approval: BACWA sponsorship of the NACWA National Policy Forum – A Board Authorization Request was included in the Packet. The Executive Director gave an overview of the request.

***Item 4 was approved in a motion made by Mike Connor and seconded by Lori Schectel. The motion carried unanimously.***

**5.** Approval: Proposal to Estimate the Economic Impact of BAAQMD Regulation 11, Rule 18 – A Board Authorization Request, along with supporting documentation, was included in the Packet. The Executive Director gave an overview of the request.

***Item 5 was approved in a motion made by Mike Connor and seconded by Lori Schectel. The motion carried unanimously.***

**6. Chair Approval: Addition of Subcontractor to TDC Agreement for Pesticide Regulation Tracking.** A Chair Authorization was included in the Packet. The Executive Director gave an overview of the Authorization. A Board member requested a copy of the subcontractor's resume and the Assistant Executive Director will send it to the Board.

## **OTHER BUSINESS-POLICY/STRATEGIC**

### **Agenda Item 7 – Discussion: Nutrients**

#### **a. Regulatory**

- i. Nutrient Strategy Team Meetings #2 and #3 – Agendas from the January 5, 2017 and the February 15, 2017 NST Meetings were included in the Packet. The Executive Director gave an overview of the meetings. The Executive Director will facilitate meetings between Regional Water Board staff and member agencies, so that agencies can better understand the alternatives for negotiating the subsequent watershed permit. The Executive Director will also reach out individually to associates to get their perspective on the possibility of increasing funding for scientific studies on nutrients.
- ii. Annual Science Workplan – A [LINK](#) to the Annual Science Workplan was included in the Packet. The Executive Director noted the link.

#### **b. Technical Work -**

- i. San Mateo Plant Upgrade Presentation – Cathi Zammit of San Mateo and Jay Witherspoon of CH2M Hill gave a presentation on the San Mateo Plant Upgrade [LINK](#). San Mateo is upgrading their plant to an MBR facility, which will remove nutrients and create an effluent that could be high-quality feed water for a future recycled water treatment facility. The cost for this upgrade was similar to that estimated for rehabilitating the current aging process units. Ms. Zammit provided an overview of the process, status, and cost, including changes to their rates; Mr. Witherspoon provided details of the technical approach. They also discussed the benefits of program management for their upgrade process.

#### **c. Governance Structure**

- i. Planning Subcommittee Meetings #23 and #24 – An Agenda and Meeting Notes from the January 4, 2017 meeting, and an Agenda from the February 1, 2017 meeting were included in the Packet. The Executive Director gave an overview of both meetings.
- ii. Program Coordination Update – Ian Wren, representing SFEI, gave a presentation on the status of the Program Coordination effort, reviewing the goals and major considerations of Wetland Treatment [LINK](#). Preliminary results suggest that wetland treatment for nutrient removal compares favorably from a cost perspective to conventional treatment, but many agencies do not have the land area to build treatment wetlands.

Agenda **Item 8** – Discussion: Update on the Stanford Codiga Resource Recovery Center. Dr. Craig Criddle of Stanford University gave a presentation on the Stanford Codiga Resource Recovery Center. The primary objective of the Center is to use innovative technology to realize a benefit from wastewater treatment in the form of energy and nutrient recovery. They are also studying real-time pathogen monitoring. He emphasized the need for a connection with and support from the wastewater industry and their desire to move from bench-scale to pilot and production level installations. BACWA offered to provide the BACWA logo as support. Board members suggested that the Executive Director investigate potential ways to incorporate their systems into future permit negotiations for the Nutrient Watershed Permit. Two members will put together a support proposal to present to the Board for review. It was suggested that a spring BACWA meeting might be held at the Codiga facility with a tour included.

Agenda **Item 9** – Discussion: Proposed Mercury Program and New Beneficial Uses – Background information, a comment letter from CWA, ACWA, and CMUA, an email with several attachments, and a draft BACWA Comment letter were included in the Packet. The State Water Board is proposing three new beneficial uses, as well as associated mercury water quality objectives. If one of the new beneficial uses, Tribal Subsistence, is designated in the Bay, that could lead to extremely low mercury effluent limits that agencies would have difficulty meeting. The Regulatory Program Manager gave a short presentation to tee up the discussion. [LINK](#) (1 to 10).

Agenda **Item 10** – Discussion: BAAQMD Rule 11-18 – The Regulatory Program Manager gave a short presentation to tee up the discussion. [LINK](#) (11 to 15). There is a workshop scheduled at the BAAQMD offices on March 9, 2017. An Agenda is forthcoming. The Board suggested it may be worthwhile to recommend to BAAQMD that POTWs, or all public agencies, should be addressed separately from industrial facilities. BACWA would then provide a uniform approach to conducting health risk assessments for POTWs.

Agenda **Item 11** – Discussion: SWRCB Enforcement Policy – A CASA email, a list of issues, and a matrix comparing penalty scenarios for a violation under the current and proposed enforcement policies were included in the Packet. BACWA had provided comments on the Enforcement Policy update, asking for an expanded stakeholder process. POTW representatives have met with State Water Board staff, but were not satisfied with their response to the POTW community's concerns. The Regulatory Program Manager gave a short presentation to tee up the discussion. [LINK](#) (16 to 19). The adoption has been postponed to March or later.

Agenda **Item 12** – Discussion: December Joint Meeting Debrief – Meeting notes were included in the Packet. The Executive Director gave an overview of the meeting.

Agenda **Item 13** – Discussion: March Joint Meeting Draft Agenda – A Draft Agenda was included in the Packet. The Executive Director asked the Board if there were any suggestions for changes. It was suggested that discussion on toxicity as part of the 303(d) list revisions, toxicity

requirements in EBDA's permit, and an update from the Feb 22 CEC State Water Board meeting update be added.

Agenda **Item 14** – Discussion: Litigation on NPDES Permit Shield – A NACWA letter regarding the Fola alert was included in the Packet. The Executive Director gave an overview.

Agenda **Item 15** – Discussion: NPDES Regulatory Compliance Annual Letter – A LINK to the NPDES Regulatory Compliance Letter was included in the Packet.

Agenda **Item 16** – Discussion: Regulatory Matrix Summary – A [LINK](#) to the Regulatory Matrix Summary was included in the Packet.

## **OTHER BUSINESS-OPERATIONAL**

Agenda **Item 17** – Discussion: FY18 BACWA Budget Planning – A copy of the FY18 Draft BACWA Budget and the 5/Year Plan were included in the Packet.

Agenda **Item 18** – Discussion: Annual Meeting Debrief – A copy of the Annual Meeting Survey results was included in the Packet. The Executive Director noted that overall members were pleased with the meeting and that most of the comments were on the venue. The ED and the AED will continue to search for a better venue for future meetings.

Agenda **Item 19** – Discussion: Outstanding Service Recognition – The Executive Director and the BACWA Chair presented an award to Ben Horenstein on his retirement from EBMUD and as a Principal Representative to the BACWA Executive Board, with sincere thanks for many years of service to BACWA including his service as Chair from 2010 to 2013.

## **REPORTS**

Agenda **Item 20** – Committee Reports – BACWA Committee Reports were included in the Packet.

AIR Committee: No meeting.

BAPPG: A report from the February 1, 2017 meeting was included in the Packet.

Biosolids Committee: A report from the January 26, 2017 meeting was included in the Packet.

Collections Committee: A report from the January 12, 2017 meeting was included in the Packet.

InfoShare - Asset Management: No meeting.

InfoShare – Operations & Maintenance: A report from the January 25, 2017 meeting was included in the Packet.

Lab Committee: A report from the February 8, 2017 meeting was included in the Packet.

Permits Committee: Reports from the January 10, 2017 and the February 14, 2017 meetings were included in the Packet. Pacifica has been given stringent chronic toxicity limits in its Tentative Order. BACWA will consider organizing a toxicity workshop in conjunction with Pacific Ecorisk as a Permits/Lab Committee meeting extension and will invite the EPA to attend. There is new language being incorporated into Attachment D of new Tentative Orders to implement the EPA's Electronic Reporting rule. The language appears to conflict with reporting requirements in the State SSS WDR. CCCSD will comment that it intends to follow the State WDR if there is uncertainty. CCCSD recommended that BACWA comment on its permit stating it's support for conducting nutrient science as part of the watershed permit and not in individual permits.

Pretreatment Committee: A report from the January 201, 2017 meeting was included in the Packet.

Recycled Water Committee: A report from the January 18, 2017 meeting was included in the Packet.

Agenda **Item 21** - 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 report.

**EBMUD:** No report.

**Central Contra Costa:** No report.

**San Francisco:** No report.

**San Jose:** No report.

**Delta Diablo:** No report.

**Palo Alto:** No report.

**Sunnyvale:** It was noted that the Director of Environmental Services retired from the City.

**Fairfield Suisun:** No report.

Agenda **Item 22** - The **Executive Director's Reports** for December 2016 and January 2017, along with the Board Calendar, and BACWA Action Items, were included in the Packet. It was noted that 94 of the 97 action items from FY16 and 35 of the 35 action items from FY17 have been completed.

Agenda **Item 23** - The **Regulatory Program Manager (RPM) Reports** for December 2016 and January 2017 were included in the Packet.

Agenda **Item 24 - 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 – No report.
- d. ASC/SFEI: Laura Pagano; Dave Williams – No report.
- e. Nutrient Governance Steering Committee: Ben Horenstein; Jim Ervin – No report.
- f. SWRCB Nutrient SAG: Dave Williams – A [LINK](#) to a presentation from the Biointegrity & Biostimulatory Project Stakeholder Outreach Meeting and a [LINK](#) to a Draft Workplan were included in the Packet.
- g. SWRCB Focus Group – Bacterial Objectives: Lorien 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 – No report.
- o. CASA Regulatory Workgroup – No report.
- 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: Roger Bailey; Mike Connor – An email regarding an update on the BARR was included in the Packet.
- t. WaterReuse Working Group: Cheryl Munoz – An update on the WaterReuse Working Group was provided. There will be a meeting with State Water Board staff on March 7.

Agenda **Item 25 - SUGGESTIONS FOR FUTURE AGENDA ITEMS:** A request for sharing information on funding sources and bond strategies was made. It was also suggested that the City of Petaluma provide a presentation on wetland treatment pros and cons.

#### **ANNOUNCEMENTS:**

The next regular meeting of the Board is scheduled for **March 17, 2017 from 9:00 am – 12:30 pm** at the **EBMUD Treatment Plant, Lab Library, 2020 Wake Ave., Oakland, CA**

The Assistant Executive Director reminded the Board Members to include BACWA as an additional Agency when filling out the Conflict of Interest Form 700's due on April 1, 2017. Since BACWA is not eligible for electronic filing, wet signature copies must be sent to BACWA.

To receive a copy of any materials provided to the Board at a BACWA Executive Board meeting contact Sherry Hull at [shull@bacwa.org](mailto:shull@bacwa.org).

The meeting adjourned at 12:35 pm.



## MONTHLY FINANCIAL SUMMARY REPORT January 2017

### **Fund Balances**

In FY 16 BACWA had seven funds of which three were operating funds (BACWA, Legal, and CBC) and four were pass-through funds for which BACWA provided only contract administration services. Beginning in FY17, with the AIR Committee becoming a regular BACWA committee supported by BACWA dues, the balance from the Pass-through AIR Fund has been consolidated into the BACWA Fund. The remaining three 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 on January 31, 2017 was \$1,438,313 which is significantly higher than the target reserve of \$160,000 which is intended to cover 3 months of normal operating expenses. \$330,470 of the ending fund balance is obligated to meet on-going operating line item expenses for BAPPG Committee Support, Legal services, IT services, Board meeting expenses, accounting services and BACWA staff support. This leaves an unobligated excess fund balance of \$1,107,843. As the details of what regulatory requirements will be included in the next Nutrient Watershed Permit, these excess funds may be used to offset potential dues increases to the BACWA members.

**CBC Fund:** This fund provides the resources for completing special investigations as well as meeting regulatory requirements. The ending fund balance on January 31, 2017 was \$1,648,250 which is significantly higher than the target reserve of \$400,000. However, \$325,753 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. Total Disbursements for FY17 from the CBC Fund include the annual payment of \$880,000 to SFEI for the Nutrient Watershed Permit commitment. As the details of what regulatory requirements will be included in the next Nutrient Watershed Permit, any excess CBC funds may be used to offset potential dues increases to the BACWA members.

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

### **Budget To Actual**

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.

Revenues as of January 31, 2017 (58% of the FY) are at 110% primarily due to the payment of FY17 invoices by the Principal members and higher than budgeted interest earnings. Another major factor is the receipt of \$187,500 in voluntary contributions by some members to fund additional scientific investigations.



## MONTHLY FINANCIAL SUMMARY REPORT January 2017

This revenue however will be offset with an FY 17 expense as the collected funds from the members need to be passed on to SFEI for conducting the scientific investigations.

Overall Expenses as of January 31, 2017 (58% of the FY) are at 89% and are tracking in accordance with the Annual Budget due to payment of Watershed Permit commitment early in the fiscal year. Individual expense categories with a plus or minus 10% variance at this point in the fiscal year are as follows:

**Meetings:** This category is 88% expended at 58% of the FY due to a higher than expected expenditure on the Annual Meeting and inclusion of Executive Director expenses for Summit Partners and the CASA Annual Meeting under Miscellaneous Meetings.

**Communications:** This category is under-expended (i.e. 36%) due primarily to no expenditures on website changes and low expenditures on IT Support.

**Legal Support:** Budget of \$4,500 and expenditures to date of \$350 resulting in a favorable variance of \$4,150 due to a low need for legal administrative advice.

**Committees:** This category is under-expended (i.e. 49%) due primarily to timing of invoices.

**Collaboratives:** This category is under-expended (i.e. 19%) due to timing of invoices.

**Tech Support:** This category is 113% expended at 58% of the FY partly due to timing of the Watershed Permit Commitment invoice and to the payment of Optimization/Upgrade obligations. In addition, an expense was incurred for the voluntary contributions for FY 17 by some members for funding additional science. The Opt/Upgrade expenditures were significantly below budget in FY16 and will, therefore, be significantly above budget in FY17.



**BACWA**  
**FY 2017 Budget**  
**Approved 4/15/16**

58% of Fiscal Year

<b><u>BACWA FY17 BUDGET</u></b>	<b><u>Line Item Description</u></b>	<b><u>FY 2017 Budget</u></b>	<b><u>Actuals Jan 2017</u></b>	<b><u>Actual % of Budget Jan 2017</u></b>	<b><u>Variance</u></b>	<b><u>NOTES</u></b>
<b><u>REVENUES &amp; FUNDING</u></b>						
Dues	Principals' Contributions	\$477,544	\$477,545	100%	\$1	FY17: 2% increase.
	Associate & Affiliate Contributions	\$175,072	\$160,915	92%	-\$14,157	FY17: approx. 2% increase.
Fees	Clean Bay Collaborative	\$675,000	\$658,832	98%	-\$16,168	Unchanged from FY16
	Nutrient Surcharge	\$800,000	\$781,463	98%	-\$18,537	Increased from \$600,000 in FY16
	Voluntary Nutrient Contributions	\$0	\$187,500		\$187,500	Palo Alto (FY17-\$30k); Sunnyvale: (FY16-\$30k, FY17-\$30k); CCCSD (FY17-\$97,500)
	Other	\$0	\$67,650		\$67,650	Passthrough for Pharm Study; est. carryforward to FY17: \$TBD (curr bal \$28,409)
Other Receipts	AIR Non-Member	\$6,350	\$6,350	100%	\$0	Approx. 2% increase.
	BAPPG Non-Members	\$3,700	\$3,699	100%	-\$1	Approx. 2% increase.
	Other	\$0	\$13,698		\$13,698	Transfer of AIR Fund to BACWA Fund (not included in total Revenues)
Fund Transfer	Special Program Admin Fees	\$2,500	\$0	0%	-\$2,500	Budgeted for WOT only. Continue to have Props into FY17.
Interest Income	Funds	\$4,000	\$11,477	287%	\$7,477	FY17: Actuals includes BACWA, Legal, & Nutrients Funds from LAIF
	Investments	\$0	\$1,105		\$1,105	Alternative Investments Interest
	<b>Total Revenue</b>	<b>\$2,144,166</b>	<b>\$2,356,536</b>	<b>110%</b>	<b>\$212,370</b>	
<b><u>BACWA FY16 BUDGET</u></b>						
	<b><u>Line Item Description</u></b>	<b><u>FY 2017 Budget</u></b>	<b><u>Actuals Dec 2016</u></b>	<b><u>Actual % of Budget Dec 2016</u></b>	<b><u>Variance</u></b>	<b><u>NOTES</u></b>
<b><u>EXPENSES</u></b>						
<b><u>Labor</u></b>						
	Executive Director	\$189,370	\$110,466	58%	-\$78,904	3.2% CPI (SF/Oakland/San Jose Metro Area Dec 2015)
	Assistant Executive Director	\$85,000	\$47,617	56%	-\$37,383	8.08% increase - requested 8.2%
	Regulatory Program Manager	\$112,500	\$52,875	47%	-\$59,625	New contract for FY17 with L Fono
	<b>Total</b>	<b>\$386,870</b>	<b>\$210,958</b>	<b>55%</b>	<b>-\$175,912</b>	
<b><u>Administration</u></b>						
	EBMUD Financial Services	\$40,000	\$26,894	67%	-\$13,106	\$3,070 is Audit Fee from FY16 when it was on same line item as Accounting.
	Auditing Services (Maze)	\$6,200	-\$3,666	-59%	-\$9,866	FY17: a separate line item from EBMUD Financial Services. (-\$3,666=accrual from FY16)
	Administrative Expenses	\$7,500	\$2,149	29%	-\$5,351	Travel, Supplies, Parking, Mileage, Tolls, Misc.
	Insurance	\$4,500	\$4,266	95%	-\$234	
	<b>Total</b>	<b>\$58,200</b>	<b>\$29,643</b>	<b>51%</b>	<b>-\$28,557</b>	

<b>EXPENSES</b>						
<b>Meetings</b>						
	EB Meetings	\$2,500	\$713	29%	-\$1,787	Catering, Venue, other expenses
	Annual Meeting	\$7,000	\$7,127	102%	\$127	Catering, Venue, other expenses
	Pardee	\$6,000	\$4,421	74%	-\$1,579	Catering, Venue, other expenses
	Misc. Meetings	\$1,100	\$2,324	211%	\$1,224	Holiday Lunch, Committee Chair Lunch, Staff Mtgs, Summit Partners, CASA Annual Meeting
	<b>Total</b>	<b>\$16,600</b>	<b>\$14,585</b>	<b>88%</b>	<b>-\$2,015</b>	
<b>Communication</b>						
	Website Hosting (Computer Courage)	\$600	\$600	100%	\$0	
	File Storage (Box.net)	\$750	\$720	96%	-\$30	
	Website Development/Maintenance	\$1,200	\$0	0%	-\$1,200	Domains, website changes, Logo EPS file
	IT Support (As Needed)	\$2,600	\$248	10%	-\$2,352	
	Other Communication (MS, SM & Code42)	\$800	\$568	71%	-\$232	MS Exchange, Survey Monkey, CrashPlanPro
	<b>Total</b>	<b>\$5,950</b>	<b>\$2,136</b>	<b>36%</b>	<b>-\$3,814</b>	
<b>Legal</b>						
	Regulatory Support	\$2,500	\$350	14%	-\$2,150	
	Executive Board Support	\$2,000	\$0	0%	-\$2,000	
	<b>Total</b>	<b>\$4,500</b>	<b>\$350</b>	<b>8%</b>	<b>-\$4,150</b>	
<b>Committees</b>						
	AIR	\$50,000	\$14,253	29%	-\$35,747	Full BACWA Committee beginning in FY17
	BAPPG	\$86,000	\$75,434	88%	-\$10,566	Includes CPSC @ \$10,000,
	Biosolids Committee	\$3,100	\$342	11%	-\$2,758	
	Collections System	\$1,000	\$300	30%	-\$700	
	InfoShare Groups	\$1,200	\$523	44%	-\$677	funds for 2 workgroups (Asset Mgmt & O&M)
	Laboratory Committee	\$6,000	\$2,070	35%	-\$3,930	
	Permit Committee	\$1,000	\$0	0%	-\$1,000	
	Pretreatment	\$7,000	\$84	1%	-\$6,916	Request includes specific training sessions
	Recycled Water Committee	\$1,000	\$0	0%	-\$1,000	
	Misc Committee Support	\$35,000	\$0	0%	-\$35,000	
	<b>Total</b>	<b>\$191,300</b>	<b>\$93,006</b>	<b>49%</b>	<b>-\$98,294</b>	

<b>EXPENSES</b>						
<b>Collaboratives</b>	<b>Collaboratives</b>					
	State of the Estuary (biennial)	\$20,000	\$0	0%	-\$20,000	Biennial in Odd Years
	Arlen Navarret Award	\$0	\$0		\$0	Biennial in Even Years
	FWQC (Fred Andes)	\$7,500	\$7,500	100%	\$0	Dues raised to \$7,500 in FY16
	Stanford ERC (ReNUWit)	\$10,000	\$0	0%	-\$10,000	
	CWCCG	\$0	\$0		\$0	State-wide function, being absorbed by CASA in FY17
	Misc	\$3,000	\$0	0%	-\$3,000	new budget line item in recognition of unanticipated expenses
	<b>Total</b>	<b>\$40,500</b>	<b>\$7,500</b>	<b>19%</b>	<b>-\$33,000</b>	
<b>Tech Support</b>	<b>Technical Support</b>					
	Nutrients					
	Watershed	\$880,000	\$880,000	100%	\$0	
	Additional work under permit	\$50,000	\$17,367	35%	-\$32,633	<b>FY17:</b> Pilot. LimnoTech
	Opt/Upgrade/Annual Reporting Studies	\$18,128	\$176,634	974%	\$158,506	<b>FY17:</b> remainder of lump sum budget
	Nutrient Program Coordination	\$50,000	\$0	0%	-\$50,000	Prog Coord Pilot Study scheduled for FY17, started in April 2016
	Voluntary Nutrient Contributions	\$0	\$157,500		\$157,500	Paid to SFEI for Modeling in FY17
	General Tech Support	\$50,000	\$0	0%	-\$50,000	SFEI agrmt bal: \$28,409.12. <b>FY17:</b> Assesmt Framework
	Chemicals of Concern	\$15,000	\$2,500	17%	-\$12,500	Pesticide Mgmt support (Kelly Moran-TDC)
	Risk Reduction	\$32,500	\$4,548	14%	-\$27,952	Remainder of Contracts executed for \$50k in FY16 to be paid over two years
	<b>Total</b>	<b>\$1,095,628</b>	<b>\$1,238,549</b>	<b>113%</b>	<b>\$142,921</b>	
					\$0	
	<b>TOTAL EXPENSES</b>	<b>\$1,799,548</b>	<b>\$1,596,727</b>	<b>89%</b>	<b>-\$202,821</b>	
	<b>NET INCOME BEFORE TRANSFERS</b>	<b>\$344,618</b>	<b>\$759,809</b>			
	<b>TRANSFERS FROM RESERVES</b>	<b>\$0</b>				



# Bay Area Clean Water Agencies

A Joint Powers Public Agency

Leading the Way to Protect our Bay

March 7, 2017

MEMO TO: Bay Area Clean Water Agencies Executive Board

MEMO FROM: D. Scott Klein, Controller, East Bay Municipal Utility District

SUBJECT: Seventh 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, 2016 through January 31, 2017** (seventh months of Fiscal Year 2016-2017). 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 January 31, 2017

DESCRIPTION	BEGINNING FUND BALANCE 07/1/16	TOTAL RECEIPTS	TOTAL DISBURSEMENTS	ENDING FUND BALANCE 01/31/17	OUTSTANDING ENCUMBRANCES	UNOBLIGATED FUND BALANCE 01/31/17
BACWA	1,060,239	736,252	358,178	1,438,313	330,470	1,107,843
LEGAL RSRV	300,000	-	-	300,000	-	300,000
CBC	1,252,817	1,633,982	1,238,549	1,648,250	325,753	1,322,498
AIR	13,698	-	13,698	0	-	0
<b>TOTAL</b>	<b>2,626,754</b>	<b>2,370,234</b>	<b>1,610,424</b>	<b>3,386,563</b>	<b>656,223</b>	<b>2,730,341</b>
WOT	33,608	141,214	41,722	133,100	-	133,100
<b>TOTAL</b>	<b>33,608</b>	<b>141,214</b>	<b>41,722</b>	<b>133,100</b>	<b>-</b>	<b>133,100</b>
PRP84	118,356	289,166	181,615	225,907	-	225,907
PRP50	150,663	473,049	472,546	151,167	-	151,167
<b>TOTAL</b>	<b>269,019</b>	<b>762,216</b>	<b>654,161</b>	<b>377,074</b>	<b>-</b>	<b>377,074</b>



## BACWA Revenue Report as of January 31, 2017

FUND #	DEPARTMENT	JOB	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE				UNOBLIGATED
					Admin & General	Contributons	Interest, Transfers, Others	Admin & General	Contributons	Interest, Transfers, Others	ACTUAL	
800	BACWA	1011099	Principal's Contributions	477,544	-	-	-	-	477,545	-	477,545	(1)
800	BACWA	1011133	Assoc.& Affiliate Contr	175,072	-	-	-	-	160,915	-	160,915	14,157
800	BACWA	0408511	Administrative & General	-	-	-	-	-	-	(369)	(369)	369
800	BACWA	1014251	Non-Member Contributions (BAPPG)	3,700	-	-	-	-	3,699	-	3,699	1
800	BACWA	1011109	Fund Transfers	2,500	-	-	-	-	-	-	-	2,500
800	BACWA	1011117	BDO Interest Income	4,000	-	-	2,095	-	-	6,764	6,764	(2,764)
800	BACWA	1011108	BDO Other Receipts	-	-	-	-	-	-	13,698	13,698	(13,698)
800	BACWA	1014252	BDO Non-Member Contr AIR	6,350	-	-	-	-	6,350	-	6,350	-
800	BACWA	1014511	BDO-Alternative Investment Inc	-	-	-	-	1,105	-	(1,105)	-	-
800	BACWA	1014550	BDO-Other Receipts (PHARM)	-	-	-	-	-	67,650	-	67,650	(67,650)
<b>BACWA TOTAL</b>				<b>669,166</b>	-	-	<b>2,095</b>	<b>1,105</b>	<b>716,159</b>	<b>18,988</b>	<b>736,252</b>	<b>(67,086)</b>
804	LEGAL	1011117	Interest Income	-	-	-	-	-	-	-	-	-
<b>LEGAL TOTAL</b>				<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
805	WQA-CBC	1011099	BDO Member Contributions	675,000	-	-	-	-	718,832	(60,000)	658,832	16,168
805	WQA-CBC	1011108	BDO Other Receipts	800,000	-	-	-	-	781,463	-	781,463	18,537
805	WQA-CBC	1011117	BDO Interest Income	-	-	-	1,756	-	-	6,187	6,187	(6,187)
805	WQA-CBC	1014528	BDO-Voluntary Nutrient Contrib	-	-	-	-	-	127,500	60,000	187,500	(187,500)
<b>WQA CBC TOTAL</b>				<b>1,475,000</b>	-	-	<b>1,756</b>	-	<b>1,627,795</b>	<b>6,187</b>	<b>1,633,982</b>	<b>(158,982)</b>
<b>TOTAL</b>				<b>2,144,166</b>	-	-	<b>3,851</b>	<b>1,105</b>	<b>2,343,954</b>	<b>25,175</b>	<b>2,370,234</b>	<b>(226,068)</b>

	DEPARTMENT	JOB	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE				UNOBLIGATED
					Admin & General	Contributons	Interest, Transfers, Others	Admin & General	Contributons	Interest, Transfers, Others	ACTUAL	
810	WOT	1011099	BDO Member Contributions	-	-	14,000	-	-	129,000	-	129,000	(129,000)
810	WOT	1011108	BDO Other Receipts	-	-	-	-	-	12,000	-	12,000	(12,000)
810	WOT	1011117	BDO Interest Income	-	-	-	114	-	-	214	214	(214)
<b>WOT TOTAL</b>				<b>-</b>	<b>-</b>	<b>14,000</b>	<b>114</b>	<b>-</b>	<b>141,000</b>	<b>214</b>	<b>141,214</b>	<b>(141,214)</b>

	DEPARTMENT	JOB	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE				UNOBLIGATED
					Admin & General	Contributons	Interest, Transfers, Others	Admin & General	Contributons	Interest, Transfers, Others	ACTUAL	
811	PROP 84			-	-	108,000	138	-	288,687	479	289,166	(289,166)
815	PROP 50			-	-	-	177	-	472,500	549	473,049	(473,049)
<b>PROP TOTAL</b>				<b>-</b>	<b>-</b>	<b>108,000</b>	<b>316</b>	<b>-</b>	<b>761,187</b>	<b>1,029</b>	<b>762,216</b>	<b>(762,216)</b>

30000

<b>Grand Total</b>				<b>2,144,166</b>	-	<b>122,000</b>	<b>4,280</b>	<b>1,105</b>	<b>3,246,141</b>	<b>26,418</b>	<b>3,273,664</b>	<b>(1,129,498)</b>
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## BACWA Expense Detail Report as of January 31, 2017

EXPENSE TYPE	JOB	AMENDED BUDGET	CURRENT PERIOD				YEAR TO DATE				OBLIGATED	UNOBLIGATED
			ENC	PV	DA	JV	ENC	PV	DA	JV		
LABOR												
AS-Executive Director	1011123	189,370	(15,781)	15,781	-	-	78,904	110,466	-	-	189,370	-
AS-Assistant Executive Directo	1011124	85,000	(6,800)	6,800	-	-	37,383	47,617	-	-	85,000	-
AS-Regulatory Program Manager	1011149	112,500	(8,640)	8,640	-	-	59,625	52,875	-	-	112,500	-
ADMINISTRATION												
AS-EBMUD Financial Services	1011125	40,000	-	-	-	-	16,772	23,228	3,666	(3,666)	40,000	-
AS-Audit Services	1014512	6,200	-	-	-	-	6,200	-	-	-	6,200	-
AS-BACWA Admin Expense	1011118	7,500	-	-	132	-	-	-	2,149	-	2,149	5,351
AS-Insurance	1011126	4,500	-	-	-	-	-	-	4,266	-	4,266	234
MEETINGS												
GBS-Meeting Support-Exec Bd	1014513	2,500	-	-	-	-	620	380	332	-	1,332	1,168
GBS-Meeting Support-Annual	1014514	7,000	-	-	5,779	-	-	-	7,127	-	7,127	(127)
GBS-Meeting Support-Pardee	1014515	6,000	-	-	-	-	-	-	4,421	-	4,421	1,579
GBS-Meeting Support-Misc	1014516	1,100	-	-	-	-	-	-	2,324	-	2,324	(1,224)
GBS- Meeting Support	1011122	-	-	-	-	-	-	-	-	-	-	-
COMMUNICATION												
CAR-BACWA Website Hosting	1014517	600	-	-	-	-	-	-	600	-	600	-
CAR-BACWA File Storage	1014518	750	-	-	-	-	-	-	720	-	720	30
CAR-BACWA IT Support	1014519	2,600	-	-	-	-	2,353	248	-	-	2,600	-
CAR-BACWA IT Software	1014520	800	-	-	74	-	-	-	568	-	568	232
CAR-BACWA Website Development/	1011116	1,200	-	-	-	-	-	-	-	-	-	1,200
LEGAL												
LS-Regulatory Support	1011107	2,500	(140)	140	-	-	2,150	350	-	-	2,500	-
LS-Executive Board Support	1011110	2,000	-	-	-	-	2,000	-	-	-	2,000	-
COMMITTEES												
AIR-Air Issues&Regulation Grp	1011109	-	-	-	-	-	-	-	-	-	-	-
AIR-Air Issues&Regulation Grp	1014253	50,000	(1,688)	1,688	-	-	36,248	13,752	501	-	50,501	(501)
BC-BAPPG	1011147	86,000	(218)	12,718	-	-	20,566	51,934	23,500	-	96,000	(10,000)
BC-Biosolids Committee	1011101	3,100	-	-	238	-	-	-	342	-	342	2,758
BC-Collections System	1011097	1,000	-	-	-	-	-	-	300	-	300	700
BC-InfoShare Groups	1011102	1,200	-	-	229	-	-	-	523	-	523	677
BC-Laboratory Committee	1011103	6,000	-	-	-	-	-	-	2,070	-	2,070	3,930
BC-Permit Committee	1011098	1,000	-	-	-	-	-	-	-	-	-	1,000
BC-Pretreatment Committee	1011146	7,000	-	-	84	-	-	-	84	-	84	6,916
BC-Water Recycling Committee	1011100	1,000	-	-	-	-	-	-	-	-	-	1,000
BC-Miscellaneous Committee Sup	1011104	35,000	-	-	-	-	-	-	-	-	-	35,000
COLLABORATIVES												
CAS-Arleen Navaret Award	1012201	-	-	-	-	-	-	-	-	-	-	-
CAS-FWQC	1012202	7,500	-	-	-	-	-	-	7,500	-	7,500	-
CAS-Stanford ERC	1011969	10,000	-	-	-	-	-	-	-	-	-	10,000
CAS-CWCCG	1011148	-	-	-	-	-	-	-	-	-	-	-
CAS-PSSEP	1011112	20,000	-	-	-	-	-	-	-	-	-	20,000
CAS-Misc Collaborative Sup	1014521	3,000	-	-	-	-	-	-	-	-	-	3,000
BDO-Contract Expenses (PHARM)												
BDO-Contract Expenses (PHARM)	1014551	-	-	-	-	-	67,650	-	-	-	67,650	(67,650)
BACWA TOTAL		703,920	(33,266)	45,766	6,536	-	330,470	300,850	60,994	(3,666)	688,648	15,272
TECH SUPPORT												
WQA-CE Adtl Work Under Permit	1014254	50,000	-	-	-	-	57,000	12,367	5,000	-	74,367	(24,367)
WQA-CE-Technical Support	1011127	50,000	-	-	-	-	28,409	-	-	-	28,409	21,591
WQA-CE CASA Chem of Concern	1011128	15,000	-	-	-	-	-	2,500	-	-	2,500	12,500
WQA-CE Opt-Upgrade Studies	1014255	18,128	-	-	-	-	213,792	176,634	-	-	390,426	(372,298)
WQA-CE Risk Reduction	1014023	32,500	-	-	-	-	26,552	4,548	-	-	31,099	1,401
WQA-CE-Nutrient WS Permit Comm	1014021	880,000	-	-	-	-	-	-	880,000	-	880,000	-
WQA-CE-Program Mgmt	1011131	50,000	-	-	-	-	-	-	-	-	-	50,000
WQA-CE Voluntary Nutr Contrib	1014529	-	-	-	-	-	-	-	157,500	-	157,500	(157,500)
TECH SUPPORT (CBC) TOTAL		1,095,628	-	-	-	-	325,753	196,049	1,042,500	-	1,564,301	(468,673)
GRAND TOTAL		1,799,548	(33,266)	45,766	6,536	-	656,223	496,899	1,103,494	(3,666)	2,252,949	(453,401)
WOT												
Administrative Support	1011142	-	-	-	-	-	-	-	-	-	-	-
BDO Contract Expenses	1011143	-	-	-	15,222	-	-	-	41,722	-	41,722	(41,722)
		-	-	-	15,222	-	-	-	41,722	-	41,722	(41,722)
GRAND TOTAL (BDO, CBC, WOT)		1,799,548	(33,266)	45,766	6,536	-	656,223	496,899	1,145,216	(3,666)	2,294,671	(495,123)

## Propositions Revenue Report as of January 31, 2017

DEPTID	DEPARTMENT	JOB	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE				UNOBLIGATED
					Admin & General	Contributons	Interest, Transfers, Others	Admin & General	Contributons	Interest, Transfers, Others	ACTUAL	
811	Prop84BayAreaIntegRegnlWtrMgmt	1011117	BDO Interest Income	-	-	-	138	-	-	479	479	(479)
811	Prop84BayAreaIntegRegnlWtrMgmt	1011142	Administrative Support	-	-	-	-	-	30,000	-	30,000	(30,000)
811	Prop84BayAreaIntegRegnlWtrMgmt	1011705	Regional Green Infrastructure	-	-	-	-	-	36,691	-	36,691	(36,691)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012212	High Efficiency Toilet & UR	-	-	64,800	-	-	86,919	-	86,919	(86,919)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012213	High Efficiency Toilet & UI	-	-	43,200	-	-	43,200	-	43,200	(43,200)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012215	Napa Co. Rainwater HP	-	-	-	-	-	6,806	-	6,806	(6,806)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012216	Conservation Program Admin	-	-	-	-	-	13,417	-	13,417	(13,417)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012219	Flood Infrastructure Mapping T	-	-	-	-	-	53,943	-	53,943	(53,943)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012223	Restoration Guidance, San FC	-	-	-	-	-	8,069	-	8,069	(8,069)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012224	SF Estuary Steelhead MP	-	-	-	-	-	6,941	-	6,941	(6,941)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012225	Watershed Program Admnstrtn	-	-	-	-	-	2,701	-	2,701	(2,701)
<b>PROP 84 TOTAL</b>				-	-	<b>108,000</b>	<b>138</b>	-	<b>288,687</b>	<b>479</b>	<b>289,166</b>	<b>(289,166)</b>
815	Prop50BayAreaIntegRegnlWtrMgmt	1011117	BDO Interest Income	-	-	-	177	-	-	549	549	(549)
815	Prop50BayAreaIntegRegnlWtrMgmt	1011542	EBMUD Ca. Waterstar Initiative	-	-	-	-	-	472,500	-	472,500	(472,500)
<b>PROP50 TOTAL</b>				-	-	-	<b>177</b>	-	<b>472,500</b>	<b>549</b>	<b>473,049</b>	<b>(473,049)</b>
<b>GRAND TOTAL</b>				-	-	<b>108,000</b>	<b>316</b>	-	<b>761,187</b>	<b>1,029</b>	<b>762,216</b>	<b>(762,216)</b>

# Proposition Expense Detail Report as of January 31, 2017

DEPTID	DEPARTMENT	EXPENSE TYPE	AMENDED BUDGET	CURRENT PERIOD				YEAR TO DATE				OBLIGATED	UNOBLIGATED
				ENC	PV	DA	JV	ENC	PV	DA	JV		
811	Prop84BayAreaIntegRegnlWtrMgmt	BDO Fund Transfers	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Administrative Support	-	-	-	-	-	-	-	53,033	-	53,033	(53,033)
811	Prop84BayAreaIntegRegnlWtrMgmt	BDO Contract Expenses	-	-	-	14	-	-	-	14	-	14	(14)
811	Prop84BayAreaIntegRegnlWtrMgmt	Regional Green Infrastructure	-	-	-	-	-	-	-	36,691	-	36,691	(36,691)
811	Prop84BayAreaIntegRegnlWtrMgmt	Water Efficient LRP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Bay Friendly Landscape TP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Weather Based Irrigation Cntrl	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	High Efficiency Toilet & UR	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	High Efficiency Toilet & UI	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	High Efficiency Clothes Washrs	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Napa Co. Rainwater HP	-	-	-	-	-	-	-	6,806	-	6,806	(6,806)
811	Prop84BayAreaIntegRegnlWtrMgmt	Conservation Program Admin	-	-	-	-	-	-	-	13,417	-	13,417	(13,417)
811	Prop84BayAreaIntegRegnlWtrMgmt	Flood Infrastructure Mapping T	-	-	-	-	-	-	-	53,943	-	53,943	(53,943)
811	Prop84BayAreaIntegRegnlWtrMgmt	Stormwater Improvements & PBP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Richmond Shoreline & San PFP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Pescadero Integrated FRAH	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Restoration Guidance, San FC	-	-	-	-	-	-	-	8,069	-	8,069	(8,069)
811	Prop84BayAreaIntegRegnlWtrMgmt	SF Estuary Steelhead MP	-	-	-	-	-	-	-	6,941	-	6,941	(6,941)
811	Prop84BayAreaIntegRegnlWtrMgmt	Watershed Program Admnstrtn	-	-	-	-	-	-	-	2,701	-	2,701	(2,701)
<b>PRP84 TOTAL</b>			-	-	-	<b>14</b>	-	-	-	<b>181,615</b>	-	<b>181,615</b>	<b>(181,615)</b>
815	Prop50BayAreaIntegRegnlWtrMgmt	BDO Fund Transfers	-	-	-	-	-	-	-	-	-	-	-
815	Prop50BayAreaIntegRegnlWtrMgmt	Administrative Support	-	-	-	-	-	-	-	32	-	32	(32)
815	Prop50BayAreaIntegRegnlWtrMgmt	BDO Contract Expenses	-	-	-	14	-	-	-	14	-	14	(14)
815	Prop50BayAreaIntegRegnlWtrMgmt	EBMUD New Biz Guidebook	-	-	-	-	-	-	-	-	-	-	-
815	Prop50BayAreaIntegRegnlWtrMgmt	South Bay Advanced Regional RW	-	-	-	-	-	-	-	-	-	-	-
815	Prop50BayAreaIntegRegnlWtrMgmt	Pacifica RWP	-	-	-	-	-	-	-	-	-	-	-
815	Prop50BayAreaIntegRegnlWtrMgmt	Direct Install HET	-	-	-	-	-	-	-	-	-	-	-
815	Prop50BayAreaIntegRegnlWtrMgmt	Sonoma - Napa Marsh RWP	-	-	-	-	-	-	-	-	-	-	-
815	Prop50BayAreaIntegRegnlWtrMgmt	EBMUD Ca. Waterstar Initiative	-	-	-	-	-	-	-	472,500	-	472,500	(472,500)
<b>PRP50 TOTAL</b>			-	-	-	<b>14</b>	-	-	-	<b>472,546</b>	-	<b>472,546</b>	<b>(472,546)</b>
<b>GRAND TOTAL (PROP 84 &amp; 50)</b>			-	-	-	<b>28</b>	-	-	-	<b>654,161</b>	-	<b>654,161</b>	<b>(654,161)</b>



## BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 3

FILE NO.: 17-31

MEETING DATE: March 17, 2017

**TITLE: Request for Board Approval of Representative**

☐ RECEIPT

☐ DISCUSSION

☐ RESOLUTION

☒ APPROVAL

### RECOMMENDED ACTION

Approve new Co-Chair for Biosolids Committee

**SUMMARY:** One of the strengths of an organization like BACWA is the ability to leverage volunteers from its membership such that each member agency does not need to staff all the many functions and activities that impact the POTW community in the Bay Area. Since a representative often will be speaking on behalf of the entire BACWA membership, it is important for the representative to be formally appointed by the BACWA Board of Directors, to always put the interests of the membership as a whole ahead of their own agencies' interests and to periodically report back to the Board on their activities. BACWA has formally appointed many individuals from its membership to represent BACWA on a variety of committees and on various regulatory initiatives. Adrian Santiago has served as Co-Chair of the Biosolids Committee but is moving on. Ravi Krishnaiah of the SFPUC has volunteered for the position. He has over 30 years of diverse consulting and regulatory experience in, planning, management and design of water, wastewater, and stormwater facilities. He has a Bachelor's degree in Civil Engineering and a Master's degree in Water and Wastewater Engineering. His experience includes working at San Francisco Public Utilities Commission (SFPUC) for the past 11 years as a senior project manager in the Water System Improvements Program, Washington State Department of Ecology for 4 years and consulting firms for 17 years. Mr. Krishnaiah is currently a senior engineer at the Wastewater Enterprise responsible for process engineering support at Oceanside Wastewater Treatment Plant and management of the Biosolids program for all of SFPUC.

### FISCAL IMPACT

No fiscal impact to BACWA.

### ALTERNATIVES

The Board may elect to decline this appointment, continue the Committee leadership with a single Chair, or seek another appointee.

Approved:

Date:

\_\_\_\_\_  
Laura Pagano, Chair  
BACWA



## BACWA CHAIR AUTHORIZATION

AGENDA NO.: 4  
FILE NO.: 17-32  
MEETING DATE: 3/17/16

### TITLE:

☐ RECEIPT      ☐ DISCUSSION      ☐ RESOLUTION      ☒ APPROVAL

### RECOMMENDED ACTION

Approve Contract with Computer Courage to host Baywise.org website and migrate to WordPress Content Management System.

### SUMMARY

Baywise.org is the Bay Area Pollution Prevention Group's (BAPPG) public-facing website to convey information about pollution prevention to residents and businesses. The contractor that currently hosts and maintains the website is not responsive to requests for changes or additions to the website. As such, the usefulness of the website is decreasing over time since it is not being kept current. BAPPG proposes to use Computer Courage, the contractor that migrated bacwa.org in 2015 to its own hosting site, using WordPress Content Management System, to similarly migrate baywise.org. This will allow the BACWA RPM and BAPPG members to more easily make updates to the website in the future, and to have a contractor who is responsive for making larger design changes to the website when needed. The committee also intends to use this as an opportunity to make aesthetic updates to the website so it looks more "current".

### FISCAL IMPACT

This contract will be partially funded from BAPPG's FY17 budgeted \$4,000 for website support. The remaining funds, not to exceed \$4,640, will be funded from BACWA's adopted FY17 budget line item for miscellaneous committee support.

### ALTERNATIVES

*Alternative 1.* Do not update website. This alternative is not recommended because the website is difficult to maintain with its current Content Management System, and the current contractor is not responsive to requests for changes.

*Alternative 2.* Use a different contractor to host the website and migrate baywise.org. This alternative is not recommended because then staff would need to deal with two contractors for BACWA's two websites, and use two sets of tools for managing content, with resulting inefficiencies.

*Attachments: Computer Courage Contract*

Approved:

Date: 3/15/17

Laura Pagano, Chair  
BACWA



# Award Winning Custom Web Development

Project proposal: Computer Courage WordPress Proposal for  
Baywise (New)

Client: Baywise

Delivered on: March 15, 2017

Submitted by: Adam Schwartz

# Introduction

Dear Laura,

Thank you for considering Computer Courage for your website project. After our discussions and research, we feel that our service would be an excellent fit for your needs.

Please review the rest of this proposal which includes the budget, timeframe, detailed scope and some additional reference information about Computer Courage. We believe our prior experience with BACWA and your team puts us in a unique position to build this site in an efficient and effective manner.

This proposal is updated to factor in content input - we'll take your content and move it over to the new site for you.

Please do not hesitate to contact me if you have any questions about the proposal!

Sincerely,

Adam Schwartz  
President  
Computer Courage

[adam@computercourage.com](mailto:adam@computercourage.com)



# Estimated Project Budget

Below is an estimated budget we've customized based on the scope of services outlined in the following pages of this proposal. We charge on a Time & Materials basis. We work carefully to try to meet our estimated budgets, providing you with reporting and guidance throughout the process. We will do our best to warn the client before engaging.

Our nonprofit hourly rate is \$120 per hour, charged in quarter hour increments. This applies to any work performed including design, development, project management, testing, and communication.

Phase	Estimated Hours
Design Mockups and Revisions (Optional)	20
Programming	20
Project Management	10
Content Input	20
Training	2
<b>Total Estimate</b>	<b>72 hours (\$8,640)</b>

# Timeline

To complete the work outlined in the project scope, we'll need approximately 8 to 16 weeks from beginning to end, depending on the project complexity and the speed of your feedback. Our Project Manager will work carefully with the client and our staff to keep the timeline up to date. Upon signing the proposal we are usually prepared to start work within a few weeks.

Below is a sample timeline of a typical small business website project. This timeline is the starting point from which your Project Manager will customize a timeline for your project.

Phase	Week
Project Kickoff	1
Design Mockups and Revisions	2-3
WordPress Installation and Programming	4
Advanced Functionality and Testing	5-6
Content Input	7-8
Website Walkthrough	9
QA and More Content Input	10
Training	11
Deployment to live site	12

# Detailed Project Scope

## Design

### Designa and Project Kickoff Meeting

All projects begin with an initial design meeting between the client, Project Manager, and Designer. This meeting will allow you to meet the team, and will help us establish overall project details and specific design preferences and ideas.

### Mockups

After the kickoff meeting our team will work together to built you a beautiful homepage mockup for the site. This homepage mockup will give you a sense of the design direction we intend for the site. At this point, we'll begin an interactive revision process with you to adjust, fine tune, and then finalize the design of the homepage. With the homepage approved, we'll move on to mockups of interior page templates, using the same interactive review process, culminating in your approval of all mockups.

### Mobile Design Layer

The website will include responsive, mobile-specific layout and navigation customized for small screens. This layer uses the regular page content and automatically renders it to fit into the mobile-optimized format when viewed by small screen devices. Mobile mockups are not included, we will create and adjust the mobile layer after the desktop design has been approved.

### Page Layout Templates

Page layouts are a specific type of template file that can be applied to a specific page or groups of pages. Page layouts are used to change the look and feel of a page. The site will allow the client to add unlimited pages using the layouts and tools provided. Additional layouts are available (may affect budget). We will provide image-based mockups for the Home page layout and the interior page layout. Any additional page layouts will be provided in WordPress once the website programming has been implemented.

For the Baywise website, Computer Courage will implement the following page layouts:

- Home page layout
- Interior page layout (used for Resident, Business, In Your Home, etc.)
- Contact page layout

# Content Management System

## WordPress CMS

The website will feature a Content Management System based on customized WordPress technology.

- Intuitive, customized interface for editing content (similar to MS Word)
- Add and edit unlimited pages, posts, and custom content
- Add unlimited photos, videos, and document attachments
- Add and edit unlimited basic web forms via Gravity Forms
- Integrated basic search of site content
- Automatic search engine change notifications, RSS feeds

## WordPress Customizations

Computer Courage will implement and customize a control panel for the following functionality:

- Provisioning of an administrator user and secure password
- Enable Gravity Forms plugin
- Turn on commenting in specific locations and apply commenting moderation policies
- Create and enable custom favicon
- Develop 404 Error Page
- Create sitemap
- Establish administrative notification recipient

## Advanced Functionality

The following advanced functionality will be included in the base price of all projects.

### Dynamic Forms

This quote includes the use of our developer license for Gravity Forms (GF). GF provides the functionality to create an unlimited number of forms using a web interface. The tool include custom form notification and confirmation messages. The form entry data is stored in the WordPress control panel and can be exported as a CSV file. CC will make up to 4 basic forms, and will train the client to make additional forms with the web interface. Forms that require custom programming are not included.

### Social Media Integration

Computer Courage will add up to five badges to the website template that link to the client's social media profiles. If requested, "share" buttons can also be added to the site to allow website visitors to share website content on popular social media websites.

## Content Services

### Content Input

Computer Courage will input all of the content from the existing site to the new site. We will bring over the page structure, page content, PDFs, and embedded images. We may adjust layouts of pages to better fit the new design.

## Search Engine Optimization and Analytics

### SEO

We'll optimize your site for search engines, maximizing your chances of a high search engine position.

This includes:

- Customizing WordPress to include your site name and page name in your page URL's, titles, headings and description meta tags
- Installing an SEO tool to help you optimize your your page URL's, titles, headings and description meta tags
- Creating an XML sitemap to help search engines to navigate your website
- Submitting your website to Google Search Console (Formerly "Google Webmaster Tools")
- Sharing SEO best practices during your training session

### Google Analytics

We will set up Google Analytics so that you can track how people are using your website and the number of visitors.

## Browser/Device Testing

We will test and adjust to optimize the site's design and functionality for popular devices and browser. We will test the website in the most recent desktop versions of Internet Explorer, Safari, Chrome and Firefox.

## Mobile Browser Testing

Testing popular small-screen devices is essential in ensuring that a person's experience of a design is appropriate to the capabilities of the device they're using. We test our work in:

- iOS: Safari, Google Chrome
- Android 4.1: Google Chrome
- Android 3.2: Browser, Firefox
- We currently don't test Blackberry OS or Blackberry QNX, Opera Mobile, Symbian or other mobile browsers. If you need us to test using these, we can provide a separate estimate for

## Project Management, Training and Support

### WordPress Training

We estimate two hours of WordPress training with Computer Courage staff to bring you up to speed on WordPress and the details of this installation. Topics include content editing, site administration, security, maintenance, and advanced features. We'll make sure that you and your staff are able to make the changes you need on-demand, without having to wait for (or pay for) a developer, or be slowed down by cumbersome systems.

### Project Management

We provide professional project management, training and support through the web development process and beyond. Our entire team is based in Emeryville, CA and we are always available in-person, by phone or for virtual meetings. Project Management hours are factored into our estimate.

# Website Launch

Computer Courage will launch your completed website to the hosting service of your choice. We have found that some hosting services are easier to work with than others. We do not charge to launch to any of the hosts on our list of approved hosting companies below:

- Computer Courage Managed Hosting
- WPEngine
- BlueHost
- GoDaddy (Cpanel Linux)

If you choose to host your site on another service not listed here, we may charge our hourly rate of \$120/hour for labor associated with the launch or hosting troubleshooting. A launch process typically takes between 2 and 4 hours, but can vary significantly depending on the hosting company's service.

## Option: Managed WordPress Hosting

Computer Courage offers Managed WordPress Hosting. Computer Courage will host the site on high end WordPress servers and maintain the site's infrastructure and codebase for the client. We'll take care of the site's infrastructure for you, leaving you to focus on content.

Managed WordPress Hosting includes:

- Automatic Upgrades. Your site will be upgraded automatically for security and features.
- Security. CC will maintain security on the site, updating and evaluating plugins and code.
- Backup. CC will maintain daily backups of the entire site going back 30 days.
- Performance. The provided servers are fine-tuned for fast WP page loads.
- Hack Protection Guarantee. If your site is hacked, CC will fix the problem free of charge.
- Support. CC will be available for immediate support during business hours.
- Extras. CDN (for speed), SSL (for security), 24/7 site monitoring, and yearly review all included.



# The Fine Print

## Gravity Forms Usage

This quote includes the use of our developer license for Gravity Forms (GF). GF provides the functionality to create an unlimited number of "basic forms" using a web interface. CC will make up to 4 basic forms, and will train the client to make additional forms with the web interface. Forms that require custom programming are not included.

## Computer Courage Website and Tagline

Computer Courage reserves the right to use the client's name, website image, description, and link on our website portfolio, and to place a tagline in the footer of the site with a phrase such as "Website by Computer Courage" and a link to our site. If the client provides a written request not to do either or both of these, Computer Courage will honor the request.

## Managed WordPress Hosting

Managed WordPress Hosting is supplied in coordination with a carefully selected partner. The client is subject to the Terms of Service and Privacy Policy of the partner, which can be found here: <http://goo.gl/61B3c>. Computer Courage's ability to provide uptime, performance, security, and backup restores is limited by the performance of the partner.

## 3rd Party Solutions and Limitations

Prices given are based on the implementation of some 3 party solutions, including WordPress and plugins. Most solutions can be modified (open source) but these modifications may lie outside the scope of the project as quoted in this document. Computer Courage will make a clear effort to define functionalities and limitations of any selected 3 party solutions. Any functionality not described in this document may cost extra to implement as it may require additional programming to expand the function of the 3 party solution, or may not be deliverable (in the case of closed source solutions). Client acknowledges that the software deliverable may contain open source software licensed by various open source platforms, and client agrees that client's use and ownership of the materials may be subject to all applicable third party open source and end user software licenses, including but not limited to General Public License (GPL) v3.0 available at [www.gnu.org](http://www.gnu.org).

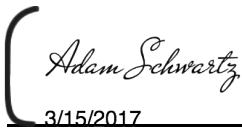
## Billing Schedule

Baywise agrees to pay a deposit of 20 hours of work at \$120/hour before the project starts. The client will be billed monthly for all hours over the 20 hours. Baywise agrees to pay a final payment for the remaining balance of the project, including any additional fees agreed to by both parties during the project, upon completion of the work by Computer Courage, regardless of website launch or usage. The website will not be launched until full payment is made. The Project Manager will be able to provide weekly reports on hours used and will notify the client if any changes are requested that affect the hourly estimates.



# NEXT STEPS

1. Please read the contract on the previous page to make sure you understand all the details involved with us working together. It's really important to us that everything is transparent and understood from the beginning so that we lay a solid foundation for a great working relationship.
2. If you have any questions at all, please let us know. We're happy to clarify any points and there may be some items that we can sort out together. We're committed to finding the best way to work together.
3. Once you feel confident about everything and are ready to move forward, please click the 'sign here' button below.
4. Sign in the box that pops up to make the acceptance official.
5. Once we receive notification of your acceptance, we'll contact you shortly to sort out next steps and get the project rolling.
6. We'll email you a separate copy of the signed contract for your records.
7. If you'd like to speak to us by phone, don't hesitate to call

  
3/15/2017

Adam Schwartz  
President

3/15/17

Laura Pagano  
BACWA

## Sherry Hull

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**From:** Sherry Hull  
**Sent:** Tuesday, March 14, 2017 4:35 PM  
**To:** Sherry Hull  
**Subject:** Update on Statewide Mercury Proposal  
**Attachments:** CVCWA Cmt Beneficial Uses and Mercury Provisions FINAL 2017-02-17.pdf

----- Forwarded Message -----

**Subject:** RE: Update on Statewide Mercury Proposal

**Date:** Thu, 9 Mar 2017 17:04:18 +0000

**From:** Mitchell. Terrie (SDA) <[mitchellt@sacsewer.com](mailto:mitchellt@sacsewer.com)>

**To:** 'Adam Link' <[alink@casaweb.org](mailto:alink@casaweb.org)>, Steve Jepsen <[sjepsen@dudek.com](mailto:sjepsen@dudek.com)>, [dwilliams@bacwa.org](mailto:dwilliams@bacwa.org),  
<[dwilliams@bacwa.org](mailto:dwilliams@bacwa.org)>, Lorien Fono <[lfono@bacwa.org](mailto:lfono@bacwa.org)>, [ecofficer@cvcwa.org](mailto:ecofficer@cvcwa.org),  
<[ecofficer@cvcwa.org](mailto:ecofficer@cvcwa.org)>, Bobbi Larson <[blarson@casaweb.org](mailto:blarson@casaweb.org)>, Elizabeth Allan <[EAllan@cwea.org](mailto:EAllan@cwea.org)>,  
<[tdunham@somachlaw.com](mailto:tdunham@somachlaw.com)> <[tdunham@somachlaw.com](mailto:tdunham@somachlaw.com)>, 'Brenda Bass' <[bbass@somachlaw.com](mailto:bbass@somachlaw.com)>,  
Heil, Ann <[AHeil@lacsdsd.org](mailto:AHeil@lacsdsd.org)>

**CC:** Voight. Lysa (SDA) <[voightl@sacsewer.com](mailto:voightl@sacsewer.com)>, Craig Johns - CRS <[cjohns@calrestrats.com](mailto:cjohns@calrestrats.com)>, 'Tom Grovhoug' <[TomG@lwa.com](mailto:TomG@lwa.com)>

Dear Colleagues:

I wanted to provide everyone an update on the State Water Board's Statewide Mercury Proposal since we collectively finished and submitted our joint association comment letter on February 17<sup>th</sup> that was signed by CVCWA, CASA, SCAP and BACWA. Things have been a little crazy not only with this effort, but with a variety of other regulatory issues such as the Enforcement Policy, Nutrients, CV Salts, etc.

### Pre-Hearing Activities

As you all know, several of us made the rounds with all five State Water Board Members prior to the February 7<sup>th</sup> public hearing on the Proposal. Included in those meetings were Terrie Mitchell, Debbie Webster, Adam Link, Tom Grovhoug, and Craig Johns. We originally pressed our concerns about the timing and scope of the two components of the Proposal (new Beneficial Uses for Tribal and Subsistence Fishing; proposed mercury water quality objectives for a series of uses, including the proposed new BUs), asking that the matter either be "bifurcated" to allow the BUs component to go forward along with WQOs to protect aquatic and aquatic-dependent species, holding back the WQOs associated with the new proposed BUs, or alternatively to delay final adoption so that we could work with staff to address our key implementation concerns related to WQOs and effluent limits based on BAF-derived water column concentrations to implement fish tissue-based targets.

It became readily apparent that at least three of the Board Members (including Chair Felicia Marcus) were unwilling to delay action on any aspect of the Proposal beyond the anticipated May, 2017 adoption hearing. As a result of this feedback from Board Members in our private briefings, we adjusted our messaging to address some of the key issues to the POTW/point source community: (1) remove the water column concentration WQOs and effluent limits and instead rely on fish tissue **only** WQOs; (2) need to focus efforts and resources on the **major sources** of ongoing mercury loading to waters; (3) reliance on the "lessons learned" during the development of the SF Bay and Delta Mercury TMDLs (*i.e.*, point sources are a miniscule source of ongoing mercury loading to most

waters); (4) promote the notion of dealing with mercury impairments based on the TMDL approaches that have worked well in SF Bay, the Delta, and a few other locations; and (5) development of stakeholder groups to help guide Regional Board implementation of appropriate mercury control strategies.

We also had several meetings (both before and after the February 7 hearing) with senior-level State Board staff (Jonathan Bishop, Tom Howard, Karen Larsen, Phil Crader, Stacy Gillespie, and Zane Poulson) to reiterate these message points and solidify our “asks” relative to the Staff Report/SED and the proposed Regulatory Language in Appendix A. These, again, focused on our opposition to the BAF-derived water column numbers, the need for revisions to the Reasonable Potential language concerning mercury, the use of the “Insignificant Discharge” exemption contained in staff’s Proposal, and generally the dual problem of focusing solely on POTWs and other point source dischargers in the implementation plan contained in the Proposal (*i.e.*, forcing potentially hundreds of millions of dollars in treatment plant upgrades to remove what data generally shows to be only miniscule sources of ongoing mercury loading).

What became clear from the February 7<sup>th</sup> hearing (which many of you attended) was that Board Members wanted **specific language proposals** to address the concerns we all expressed in our various testimonies, which is what we set out to do with what ultimately became our coalition comment letter.

### Post-Comment Period Deadline

Most of you were intimately familiar with the development of the coalition comment letter which not only discussed the issues noted above (and a few more), but also included proposed language changes and additions to the Staff Report/SED and the proposed Regulatory Language. The “major comments” included in our coalition comment letter were: (1) Implementation of Mercury Water Quality Objectives for Municipal and Industrial Wastewater Dischargers; (2) Implementation of Mercury Water Quality Objectives – Assignment of Mercury Abatement Responsibility to State Agencies; (3) Need for Guidance to Regional Water Boards regarding Designation and Implementation of Proposed Beneficial Uses; (4) Clarification of Language in Beneficial Use Definitions; and (5) Need for Stakeholder Process for Adoption of Mercury Fish Tissue Objectives.

Prior to the comment deadline on February 17<sup>th</sup>, our working group had a meeting with State Board staff to go over our ideas regarding specific language changes contained in our comment letter. On February 8, Terrie Mitchell, Tom Grovhoug, Adam Link, Debbie Webster and Craig Johns met with Phil Crader and Stacy Gillespie to discuss our proposed language asks. We received no commitment from staff at that meeting, and Stacy Gillespie was skeptical that our suggested approach for establishing enforceable permit limits would be acceptable to USEPA (who must approve any new water quality objectives).

We met again with State Board staff on February 23<sup>rd</sup> to review the specific language changes we included in our comment letter and to continue the conversation as related to elimination of the BAF-derived effluent limits in the POTW/point source implementation provisions, the “Insignificant Discharge” exemption in the Proposal, our preferred approach to determining Reasonable Potential, and ultimately any future control strategies to be implemented by a Regional Board (*e.g.*, TMDLs, performance-based limits, enhanced pollution prevention/source control, and other BMPs), as well as the need to assign responsibility for mercury abatement and risk reduction/communication efforts to state and federal agencies that own or control land or other projects that are determined to be sources of mercury loading to a given water body.

At the February 7 public hearing, State Board Members indicated their desire for staff to convene stakeholder meetings to address various issues that were raised in the public hearing. Staff then issued limited invitations to, and held two stakeholder group meetings with, various representatives from the Tribal communities, Environmental Justice (subsistence fishing) organizations, water suppliers, and POTWs/industrial dischargers on February 24<sup>th</sup> and March 6<sup>th</sup>. Included in those meetings from the point source community were Tom Grovhoug, Craig Johns and Terrie Mitchell, along with various representatives from the Tribal organizations and Andria Ventura on behalf of the subsistence fishing/EJ community. Unfortunately, most of the time in those two meetings were devoted to issues related to the Beneficial Uses language and flow issues, and Craig and Tom were only able to briefly touch on the key issues from our collective standpoint.

At this point, there are no further “stakeholder” meetings scheduled, but Tom, Craig and I are going to try and meet with Andria Ventura and some of the Tribal representatives next week on March 16<sup>th</sup>. Our goal is to explain to them what our language changes are, why we want them, and why they will not impair their goals of: (1) allowing Regional Boards to designate certain waters with the new Beneficial Uses, and (2) seeking to address mercury impairments of these Beneficial Uses where they exist. It is also our goal to seek their support for at least some of our proposed language changes before State Board staff release their final Proposal for Board approval. We will keep everyone updated on the status and results of that meeting.

We are also planning to seek another meeting with Karen Larsen to ascertain whether staff is willing to make our requested language changes - - particularly as related to our proposed approach to determining Reasonable Potential and for implementing fish tissue-*only* WQOs through the NPDES process. If they are not, we will seek another round of meetings with State Board Members to again press our concerns with the staff's recommended approach.

Tom, Craig, Debbie and Adam – if you have anything you'd like to add to this summary, please feel free.

I hope we can still rely on all of your organization's continued support as we may need to call on all of you collectively to assist in our advocacy efforts and engagement with State Board staff and members in the coming weeks and especially at the Board hearing in May. If anyone has any questions, please feel free to contact Tom, Craig or myself.

Take Care,

Terrie

Terrie Mitchell  
Manager, Legislative & Regulatory Affairs  
Sacramento Regional County Sanitation District (Regional San)  
Sacramento Area Sewer District (SASD)  
10060 Goethe Road  
Sacramento, CA 95827  
Phone: 916-876-6092  
Cell: 916-599-2219  
Fax: 916-854-8892  
[mitchellt@sacsewer.com](mailto:mitchellt@sacsewer.com)



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## San Francisco Bay Regional Water Quality Control Board

### San Francisco Bay Nutrient Management Strategy (NMS) Steering Committee Meeting

Date/Time: March 10, 2017, 9:00 AM to 3:30 PM

Location: SFEI, Richmond, CA

4911 Central Ave

Facilitator: Phil Trowbridge

#### AGENDA

	Agenda Item	Lead	Time
1	<b>Welcome, Introductions and Agenda Review</b>	PT	9:00-9:05
2	<b>Decision Item: Approve Prior SC Meeting Summaries</b> <i>Materials:</i> <ul style="list-style-type: none"> <li>December 9, 2016 meeting summary</li> </ul>	DW	9:05-9:10
3	<b>Action items</b> <ul style="list-style-type: none"> <li>Update on action items from previous meetings</li> </ul> <i>Materials:</i> <ul style="list-style-type: none"> <li>Action Items Table</li> </ul>	DW	9:10-9:15
4	<b>Program Update:</b> <ul style="list-style-type: none"> <li>Science Program and Financial update</li> <li>Planning Subcommittee update</li> </ul> <i>Materials:</i> <ul style="list-style-type: none"> <li>Quarterly Financial Report</li> <li>FY17 Program Plan</li> <li>Scopes for Externally-Funded Modeling Projects</li> </ul>	DS IW	9:15-9:30
5	<b>Technical Update - Science Program</b> <ul style="list-style-type: none"> <li>Modeling and nitrogen budgets</li> <li>Dissolved oxygen</li> <li>Chlorophyll, phytoplankton, and HABs</li> <li>Q&amp;A</li> </ul> <i>Materials:</i> <ul style="list-style-type: none"> <li>None. Information will be presented at the meeting</li> </ul>	DS and staff	9:30-11:00
	<b>Break</b>		11:00-11:15
6	<b>Discussion Item: Strategic Planning for FY18 Science Program Priorities</b> <ul style="list-style-type: none"> <li>The SC will approve the FY18 Budget and Program Plan in June. High-level direction from the SC is</li> </ul>	DS/PT	11:15-12:15

needed now to ensure that the projects proposed are strategic and aligned with long-term objectives.

*Materials:*

- Slides showing likely discretionary funds for FY18 and high-level options to direct those funds

<b>Lunch (provided)</b>			12:15-1:00
<b>7</b>	<b>Discussion Item: Technical Analyses of Nutrient Management Options</b>	DS, IW, PT, FWT	1:00-3:00
	<ul style="list-style-type: none"> <li>• Introduction</li> <li>• Nutrient Trading in the SF Bay – Foundations &amp; Concepts (Freshwater Trust: 20 min presentation, 40 min discussion)</li> <li>• Opportunities for Natural Wastewater Treatment (SFEI, 15 min presentation, 15 min discussion)</li> <li>• Where to next? Multi-year planning (SFEI, 10 min presentation; 20 min discussion)</li> </ul>		
	<p><i>Materials:</i></p> <ul style="list-style-type: none"> <li>• Slides: Natural Treatment Opportunities for Nutrient Management in San Francisco Bay</li> <li>• Draft Executive Summary: Assessing the Viability and Mechanics of Nutrient Credit Trading Program</li> </ul>		
<b>8</b>	<b>Other Business</b>	PT	3:00-3:15
	<ul style="list-style-type: none"> <li>• Updates from other activities</li> </ul>		
<b>10</b>	<b>Action Items and Wrap-up</b>	PT	3:15-3:30
	Confirm next meeting date: June 9, 2017 @ SFEI Following meeting: September 8, 2017 @ Water Board Nutrient Technical Workgroup meeting: May 4, 2017 @ SFEI		
<b>Adjourn</b>			3:30

**PARKING LOT:** Topics to add to meeting agenda when appropriate.

- Periodic updates on Assessment Framework
- Plus/Delta on the NMS after 2 years
- Findings from Regional San's studies
- Public health monitoring of HAB toxins in shellfish

**NOTES:**

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



March 6, 2017

Robert Schlipf  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

VIA EMAIL: [Robert.Schlipf@waterboards.ca.gov](mailto:Robert.Schlipf@waterboards.ca.gov)

**Subject:** Comments on Tentative Order: NPDES Permit No. CA0037648, Regional Water Quality Control Board Order No. R2-2017-00XX for Central Contra Costa County Wastewater Treatment Plant and its wastewater collection system

Dear Mr. Schlipf:

The Bay Area Clean Water Agencies (BACWA) appreciates the opportunity to comment on the Tentative Order issued to the Central Contra Costa County Wastewater Treatment Plant and its wastewater collection system (CCCSD). BACWA is a joint powers agency whose members own and operate publicly-owned treatment works (POTWs) and sanitary sewer systems that collectively provide sanitary services to over 7.1 million people in the nine-county San Francisco Bay Area. BACWA members are public agencies, governed by elected officials and managed by professionals who protect the environment and public health.

BACWA would like to take the opportunity to express its continued support for addressing nutrients through the Nutrient Watershed Permit. In Section 1.C of the Fact Sheet, this Tentative Order acknowledges the work that CCCSD conducted as part of its previous permit, and defers future studies to the San Francisco Bay Nutrient Management Strategy. The contrast between this Tentative Order, and the CCCSD's current permit serve to illustrate the benefit of funding studies on a Regional basis, and directing science priorities via a steering committee made up of stakeholders, rather than by NPDES permit.

BACWA appreciates the opportunity to comment on this Tentative Order and looks forward to continued collaboration with the Regional Water Quality Control Board on nutrients.

Respectfully Submitted,

A handwritten signature in cursive script that reads "David R. Williams".

David R. Williams  
Executive Director  
Bay Area Clean Water Agencies

cc: BACWA Board



## Joint BACWA/Regional Water Board staff Meeting Summary

March 9, 2017, 1-3pm

### Attendees:

David Williams, BACWA  
Lorien Fono, BACWA  
Lori Schectel, CCCSD  
Jim Ervin, San Jose/Santa Clara  
Laura Pagano, SFPUC  
Jackie Zipkin, EBMUD  
Yuyun Shang, EBMUD

Jason Warner, Oro Loma SD  
Mike Connor, EBDA  
Bill Johnson, Regional Water Board  
Robert Schlipf, Regional Water Board  
Bruce Wolfe, Regional Water Board  
Naomi Feger, Regional Water Board  
Dyan Whyte, Regional Water Board

### 1. Introductions

### 2. Nutrients

#### **a. *Optimization/Upgrade Study Updates***

The facility reports have mostly been distributed to agencies for review, and should be wrapped up by the end of April. They will need a sign off from each agency before they are incorporated into the Final Report, which will hopefully be complete by the end of the year, and certainly by the deadline of July 1, 2018. BACWA clarified that the costs presented at the Annual Meeting were based on seasonal, not annual, average nutrient concentrations. BACWA pointed out that the costs for nutrient treatment are in line with the cost of nutrient trading credits in Long Island Sound.

#### **b. *Watershed Permit Reissuance***

BACWA is continuing its internal discussions about increasing funding for the science. BACWA is also considering proposing a study on alternatives to greyscale for nutrient load reductions. Regional Water Board staff warned that any agency thinking of leaving the BACWA Coalition and negotiating individually with the Water Board won't be given the same latitude on alternatives to load caps or nutrient reductions. A Board member asked whether the Regional Water Board would be open to nutrient load reductions in lieu of contributions to science funding, and they said that they would be, although the degree of treatment would need to be based on whether caps or reductions are determined to be necessary to protect the Bay.

#### **c. *Program Coordination***

BACWA stipulated that if it increasing funding for science, it expects that funding for Program Coordination come out of that pot. Regional Water Board staff countered that efforts such as Scenario Planning are not part of the Nutrient Management Strategy, and are more appropriately funded separately.

### **3. 303(d) list update**

BACWA expressed its concern about the implications of a Bay-wide toxicity listing. Regional Water Board stated that the listing reflects sediment toxicity results, but they are unlikely to pursue a TMDL for toxicity. They acknowledged that some of the observed sediment toxicity may have been an artifact of the effect of clay particles on the test species. The data set used to generate listings only goes through 2008. Regional Water Board staff said that they are constrained on their decisions about what constituents to list by the State Water Board listing Policy, but can list a constituent, gather more data, then delist in the next review. BACWA will submit a comment letter recommending that toxicity not be listed, and that old data be removed from consideration in the listing process.

### **4. Toxicity**

#### **a. State Toxicity Plan**

The State Water Board is proceeding with a soft rollout of the updated proposed toxicity plan.

#### **b. Pacifica Tentative Order**

The City of Pacifica's Tentative Order includes an average monthly effluent limit of 1.0 TUC and a maximum daily limit of 1.8 TUC. BACWA asked the Regional Water Board for their response to the concerns raised in BACWA's comment letter on the City of Pacifica's Tentative Order. Their position is that if that toxicity observed that resulted in reasonable potential violation is in fact due to a dirty UV channel, then cleaning it should be sufficient to avoid violations. BACWA's concern is that the low limits are within the variability of the test, and will likely result in spurious violations. The Regional Water Board does not feel that it is feasible to grant dilution, since Pacific discharges to an effluent dominated creek.

#### **c. Central Valley Low Level Toxicity Investigations**

The Central Valley Regional Water Quality Control Board is allowing dischargers experiencing persistent low level toxicity to participate in a group investigation, rather than an individual TRE/TIE.

### **5. Tribal and Subsistence Fishing Beneficial Uses**

The State Water Board is developing new beneficial uses for Tribal Cultural Use, Tribal Subsistence Fishing and Subsistence Fishing. These Beneficial Uses are associated with mercury objectives, and implemented via proposed updates to the State Implementation Policy. Designating these new Beneficial Uses in the San Francisco Bay could result in extremely low effluent limits for POTWs. BACWA submitted comments on its own, and signed onto a Regional Association letter proposing language giving Regional Water Boards discretion to not find Reasonable Potential for *de minimis* discharges.

### **6. Reporting Language in Permits**

New language in Attachment D of new permits, implementing EPA's Electronic Reporting Rule, appears to conflict with the State SSS WDR reporting requirement. However, Attachment F language makes it clear that the WDR is the governing regulation if there is inconsistency. Before 2020, the State Water Board will need to work out how to send CIWQS data to EPA in compliance with the Electronic Reporting Rule.

**7. Enforcement Policy**

In General, Region 2 agrees with the State Water Board's proposed revisions to the Enforcement Policy, and feels that there are many instances where penalties will be lower for dischargers, especially those that will now get the high volume discount. BACWA countered that there are many enforcement scenarios where fines would increase by a factor of two or three. BACWA will develop a list of concerns about the Enforcement Policy revisions to share with the Regional Water Board.

**8. CECs**

Regional Water Board staff presented Region 2's CECs program to the State Water Board, which was well received. Cal OIMA is looking at CEC data gathered by the Regions, and is also involved in developing bioanalytical tools. The Regional Water Board reminded BACWA that POTW participation is key to maintaining Regional autonomy for the CECs program. All the BACWA principals are planning on participating the RMP's upcoming microplastics study.

**9. Recycled Water**

BACWA is developing a strategy for transitioning agencies who wish to obtain coverage under the State General Order. The Regional Water Board is not interested in a wholesale migration of 96-011 permittees to the State General Order, as it does not have resources for this effort. For the time being, new projects would get covered under the State General Order, but existing projects could expand under 96-011.

**10. Next meeting – Add State Water Board climate change resolution to agenda.**

**ADJOURNMENT**

## **BACWA - BAAQMD Workshop Summary: Impact of Proposed Rule 11-18 on Bay Area Wastewater Treatment Facilities**

**Date:** March 9, 2017  
**Time:** 10 AM - 12 PM  
**Location:** BAAQMD Office - 375 Beale Street, Suite 600, San Francisco, CA 94105  
**Attendees:** Victor Douglas, Greg Nudd, Carol Allen, Jaime Williams, Sanjeev Kamboj, and Brenda Cabral (BAAQMD)  
Dave Williams (BACWA); Laura Pagano and Nohemy Revilla (SFPUC); Chris Dembiczak (EBMUD); Dean Eckerson (Delta Diablo); Lori Schectel, Randy Schmidt, and Rita Cheng (CCCSO); Ken Davies (San Jose), Mike Connor (EBDA), Courtney Mizutani (Mizutani Environmental), Sarah Deslauriers (Carollo)

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- 1) Victor Douglas provided Jack Broadbent's availability for holding a separate meeting to discuss policy level issues. This workshop's focus is on the technical and economic issues related to the proposed Rule 11-18.
- 2) BAAQMD staff (Victor Douglas and Carol Allen) provided an overview of the proposed Rule 11-18 requirements including the health risk assessment process, the factors that go into the prioritization score (emissions factors, toxicity, and proximity to receptors), the draft TBARCT list for sewage treatment operations, and explained other specific elements:
  - a) The prioritization score is based on actual annual emissions. Units operated on an intermittent basis are assessed accordingly, using health risk methodology established by the Office of Environmental Health Hazard Assessment (OEHHA).
  - b) The importance of diesel particulate matter (PM) emissions from POTW standby generators (based on the Staff Report) is less than anticipated. BAAQMD is concerned about emissions of benzene, formaldehyde, perchloroethylene, chloroform, methylene chloride, hydrogen sulfide, and diesel PM. The emission sources of concern are listed below (by highest to lowest impact/priority):
    - i) Fugitive emissions from POTW processes (volatiles) and Incinerators
    - ii) Engine stacks (formaldehyde and benzene)
    - iii) Standby generators (diesel PM)
  - c) Implementing TBARCT does not necessarily accomplish a risk less than 10:1,000,000, but will satisfy the Rule requirement.
  - d) Facilities that have already implemented TBACT may not require TBARCT.
  - e) BAAQMD intends to provide/allow for flexibility to POTWs in the application of reduction measures (under section 11-18-402.1, Risk Reduction Plan Submission Requirements).
  - f) BAAQMD would like BACWA members to provide input on:
    - i) Emission factors to ensure accuracy of the emissions inventory estimates and prioritization scores.

- ii) Review of the draft prioritization scores (BAAQMD will provide the draft calculation sheets).
  - iii) TBARCT implementation cost estimates and impacts to the schedule of POTW projects and rate payers - BAAQMD requested an overview of the POTW master planning process and frequency of updates to those planning efforts, including regulatory considerations, cross media issues, rate payer impacts, Prop 218 considerations, CIP implementation schedule and transparency, the Board process, etc., by the end of March.
  - iv) The need for flexibility in the implementation of TBARCT (i.e., timeline).
  - v) Review of the draft CEQA/EIR document.
  - vi) The fees required by BAAQMD to do the implementation and enforcement of the Rule (under Regulation 3).
  - vii) Potential sampling approach to better understand emissions from treatment processes or existing data from POTWs to better understand the actual emissions (BAAQMD will accept data from onsite sampling efforts).
  - g) The Rule may be adopted this summer (instead of May).
- 3) Various BACWA members provided insight on the impact of Rule 11-18 on POTWs, including summaries of:
- a) Wastewater in the Bay Area by Dave Williams.
  - b) Impact on wastewater facility planning and implementation of projects across the Bay Area:
    - i) San Francisco Public Utilities Commission Capital Improvement Plan Impacts by Laura Pagano and Nohemy Revilla.
    - ii) Impacts of T-BARCT implementation on project costs and schedules at Central Contra Costa Sanitary District by Randy Schmidt, Rita Cheng, and Lori Schectel.
    - iii) New scrubber installation costs at East Bay Municipal Utility District by Chris Dembiczak.
    - iv) Potential conflict with State & Bay Area climate related goals for agencies considering renewable energy projects by Sarah Deslauriers and Lori Schectel.
- 4) The Workshop concluded with a summary of **priority action items**:
- a) Schedule a meeting with Jack Broadbent to discuss policy level issues.
  - b) Provide a list of BACWA member agencies to Carol Allen to generate the prioritization score calculation sheets for each agency to review and provide input on the emissions inventory.
  - c) Provide an overview of the POTW master planning process and frequency of updates to those planning efforts, including regulatory considerations, cross media issues, rate payer impacts, Prop 218 considerations, CIP implementation schedule and transparency, the Board process, etc., by the end of March. This document should include a summary of the TBARCT implementation cost estimates and overall impacts to the schedule of POTW projects and rate payers.

## Sherry Hull

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**From:** Sherry Hull  
**Sent:** Tuesday, March 14, 2017 4:10 PM  
**To:** Sherry Hull  
**Subject:** April 11 Meeting with Water Board on Toxicity Plan

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February 24, 2017

The State Water Resources Control Board (State Water Board) will be facilitating meetings with Group representatives to discuss key elements of the draft Establishment of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California Toxicity Water Quality Objectives and a Program of Implementation, referred to as the Toxicity Provisions. The draft Toxicity Provisions consist of the following primary elements: (1) Acute and chronic water quality objectives for toxicity (2) A program of implementation that includes, for non-stormwater NPDES dischargers (a) a list of acceptable toxicity test methods (b) a specific statistical approach for analysis of toxicity test data (c) requirements for conducting species sensitivity screening (d) requirements for conducting reasonable potential analysis (e) routine monitoring frequencies (f) effluent limitations (g) and requirements for conducting a toxicity reduction evaluation (TRE).

You are invited to an informational pre-release of the draft Provisions.

Tuesday, April 11, 2017

9:00 a.m. 11:00 a.m.

Joe Serna Jr. CalEPA Headquarters Building Sierra Hearing Room  
1001 I Street, Second Floor  
Sacramento, CA 95814

In order to facilitate early, substantive discussion and understanding of the important issues to be addressed in the draft Policy, participation in these initial meetings is limited. A full public process and opportunity to comment will follow these listening sessions.

The intent of this meeting is to solicit feedback with regard to the key elements of the draft Policy prior to public release. We will send the meeting agenda with a copy of the draft Toxicity Provisions and a brief summary of the components of the draft Toxicity Provisions at least two weeks prior to the meeting.

We encourage and hope that you can attend in person if possible. However, we recognize that scheduling conflicts and travel arrangements may be difficult for some. As a courtesy, we will have a webcast and teleconference line available to those who are unable to attend in person. If you wish to designate an alternate or utilize the webcast or teleconference line, please inform us as specified below.

Please send a RSVP to Zane Poulson at [Zane.Poulson@waterboards.ca.gov](mailto:Zane.Poulson@waterboards.ca.gov) or (916) 341-5488 by March 27, 2017, and let him know whether you or your designated representative will be able to attend. Please arrive at least 15 minutes early for check-in at the building lobby.

Thank you for your continuing interest in this Policy. We look forward to working with you to develop a policy for California that will protect all waters of our state.

Sincerely,

Zane Poulson  
State Water Resources Control Board,  
Division of Water Quality

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CONFIDENTIALITY NOTICE: This communication and any accompanying document(s) are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon the communication is strictly prohibited. Moreover, any such inadvertent disclosure shall not compromise or waive the attorney-client privilege as to this communication or otherwise. If you have received this communication in error, please contact our IS Department at its Internet address ([is@downeybrand.com](mailto:is@downeybrand.com)), or by telephone at (916)444-1000x5325. Thank you.  
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February 27, 2017

Jessica Watkins  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

VIA EMAIL: [jwatkins@waterboards.ca.gov](mailto:jwatkins@waterboards.ca.gov)

**Subject:** Comments on Tentative Order: NPDES Permit No. CA0038776, Regional Water Quality Control Board Order No. R2-2017-00XX for City of Pacifica Calera Creek Water Recycling Plant and its wastewater collection system

Dear Ms. Watkins:

The Bay Area Clean Water Agencies (BACWA) appreciates the opportunity to comment on the Tentative Order (TO) issued to the City of Pacifica Calera Creek Water Recycling Plant and its wastewater collection system (Pacifica). BACWA is a joint powers agency whose members own and operate publicly-owned treatment works (POTWs) and sanitary sewer systems that collectively provide sanitary services to over 7.1 million people in the nine-county San Francisco Bay Area. BACWA members are public agencies, governed by elected officials and managed by professionals who protect the environment and public health.

BACWA's comments pertain to the new numeric chronic whole effluent toxicity (WET) limits in Pacifica's Tentative Order. Pacifica's current permit contains narrative toxicity limits, and numeric triggers that if exceeded lead to accelerated monitoring as well as a toxicity investigation/reduction evaluation (TIE/TRE). BACWA is extremely concerned about the imposition of chronic toxicity limits in this TO, particularly since at 1.0 TUc as an average monthly effluent limit (AMEL), and 1.8 TUc as a maximum daily effluent limit (MDEL), these limits are within the natural variability of the test. Toxicity testing is best deployed as a monitoring tool to observe if there is toxicity due to an unknown contaminant that is not being monitored, rather than a metric that leads to a violation if exceeded, even before any investigations have been conducted.

Toxicity testing measures a biological response, rather than directly measuring the presence of a toxicant. While biological inhibition may occur in response to a toxicant, it can also occur due to problems with the organisms' food, or with the health of the organisms themselves. It is particularly difficult to investigate the cause of a toxicity result below approximately 2 TUc,



because the results are typically intermittent and can't be associated with any particular activity or discharge.

Because of the lower validity of WET data when measured at low levels, over the past seven years, several dischargers in the San Francisco Bay Region have exceeded their triggers and were required to conduct TREs (see Attachment 1). Of the six shallow water dischargers with low toxicity triggers who have conducted TREs in the past five years, only one has identified a probable toxicant. The other TREs were either inconclusive or showed pathogen interference was the cause of the observed toxic effect. Pacifica's test species, *Ceriodaphnia dubia*, in particular, has been problematic, as it is vulnerable to epibiont<sup>1</sup> pathogenicity for dischargers such as the San Jose/Santa Clara Regional Wastewater Facility, and the City of Palo Alto. The total cost of these TRE efforts has been upwards of \$1.3 million for this seven-year period.

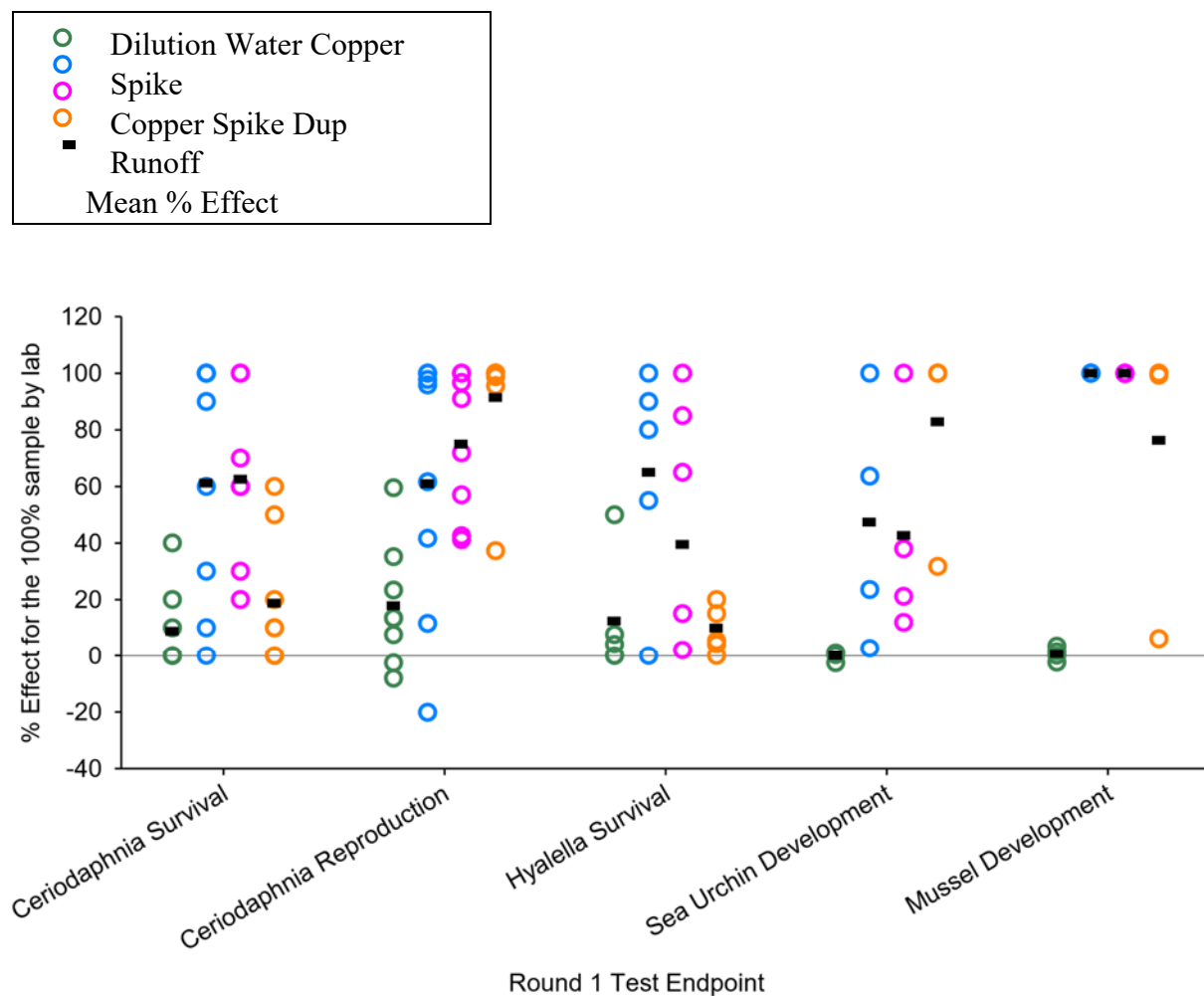
Besides problems with interference, there has been significant variability observed between laboratories measuring toxicity in the same effluent sample. Between August 2009 and May 2010, San Jose sent fifteen split samples to different labs for chronic toxicity testing using *Ceriodaphnia* (see Attachment 2). In four of these fifteen occasions, the results from the two labs were sufficiently different that one of the results would have contributed to a trigger exceedance and the other would not. In two cases, one lab showed relatively high levels of toxic effect (>5 TUc) while the other showed none.

This laboratory variability, particularly with *Ceriodaphnia*, was also observed by the Southern California Coastal Water Research Program in their recent interlaboratory study<sup>2</sup>. Results from this study are provided in Figure 1, below, where the *Ceriodaphnia* reproduction test reproducibility was poor, often showing high toxicity (high percent effect) in the blank samples, and low toxicity (low percent effect) in the copper spiked samples.

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<sup>1</sup> See San Jose/Santa Clara RWF's Annual Report, pg. 21, see <https://bacwa.org/document/san-jose-annual-report-2016/>

<sup>2</sup> Stormwater Monitoring Coalition: Toxicity Testing Laboratory Guidance Document, Southern California Coastal Water Research Program.  
[http://ftp.sccwrp.org/pub/download/DOCUMENTS/TechnicalReports/956\\_StrmWtrMonitCoalitToxTestingLabGuid.pdf](http://ftp.sccwrp.org/pub/download/DOCUMENTS/TechnicalReports/956_StrmWtrMonitCoalitToxTestingLabGuid.pdf)



**Figure 1. Toxicity test response (% effect) of the various endpoints to full strength (no dilution or 100%) samples during Round 1 of the SMC intercalibration study. Each symbol represents the result from a single laboratory<sup>2</sup>**

In light of these known issues with the chronic WET test, and with the *Ceriodaphnia dubia* test species specifically, BACWA's recommendations for implementing toxicity limits in Pacifica's TO are below.

**1. BACWA recommends that the Regional Water Board consider alternatives to effluent limits for investigating low levels of toxicity**

The Central Valley Regional Water Board has allowed dischargers under its jurisdiction to initiate a study of low level toxicity. Dischargers may participate in this study in lieu of pursuing a TRE after observing such low-level toxicity. From the Central Valley Regional Water Board's 2017/18 Priorities:

*Over the past five years staff has noticed an overall decrease in the magnitude of toxicity reported and a potential increase in reoccurring but intermittent low level toxicity. As a result of the toxicity being intermittent and occurring at low levels, several Dischargers have conducted multiple year studies, accruing heavy costs and in many cases not identifying the cause. In FY 17/18 staff would continue working with stakeholders to better understand chronic toxicity with a focus on low level chronic toxicity. In addition, staff will work with industry experts and the State Water Board to develop a chronic toxicity guidance document.*

Rather than imposing low toxicity limits, BACWA recommends that the San Francisco Bay Regional Water Board consider working with its counterpart in the Central Valley to develop guidance for investigating low level toxicity.

**2. If effluent limits are necessary, the Regional Water Board should establish a minimum level for chronic toxicity. Results below laboratory reporting levels should not be deemed as violations.**

The AMEL of 1.0 TUC is equal to the Method Detection Limit (MDL) of the WET test, since lower toxicity cannot be measured. The variability in WET test results increases as the toxicity approaches the MDL. In contrast to chemical effluent limits, there are no Minimum Levels (MLs) that have been established for chronic toxicity. If there were, results in the 1.0 to 1.8 TUC range would probably be below a likely ML/Reporting Level (RL), making them Detected Not Quantified (DNQ) values, and not suitable for compliance evaluation purposes. The Regional Water Board or EPA should establish chronic toxicity MLs before imposing numeric chronic toxicity effluent limits, particularly a limit set equal to the MDL. Additionally, laboratories should be given guidance for establishing RLs for the WET test.

Once these analytical measures are in place, compliance determination for chronic toxicity limits should be consistent with that for other permitted constituents. Specifically, reporting and enforcement requirements for toxicity should be equivalent with those listed in Attachment E, Section VIII.B.6:

*For purposes of reporting and administrative enforcement by the Regional Water Board and State Water Board, the Discharger shall be deemed out of compliance with effluent*

*limitations if the concentration in the monitoring sample is greater than the effluent limitation and greater than or equal to the RL.*

### **3. BACWA recommends that the maximum daily effluent limit of 1.8 TUc be removed**

Due to the variability inherent in toxicity testing, declaring a violation based on a single test result without confirmation sampling is unwarranted. Single sample exceedances that are not part of a pattern of toxicity should be viewed with suspicion, as they may be due to transient causes unrelated to chronic toxicity, especially when they are below 2 TUc. The appropriate response to a WET test indicating the presence of toxicity is to investigate the cause, starting with follow up testing to confirm the initial result.

Exceedance of the effects level identified in the proposed MDEL will trigger accelerated monitoring whether or not it is an enforceable limit. This response is the result that the Regional Water Board and EPA want to encourage, so there is no additional benefit from making it a violation, while Pacifica would potentially suffer an enforcement action or a citizen lawsuit for an event over which it has no control.

### **4. BACWA recommends that Pacifica be given a choice of test species**

On page F-26, the TO states:

*The Discharger's August 2016 chronic toxicity screening report found green algae (*Selenastrum capricornutum*) to be the most sensitive species (2 TUc); however, tests conducted in May and June 2015 using the water flea (*Ceriodaphnia dubia*) exhibited more chronic toxicity (10.6 and 4.3 TUc). Thus, this Order retains the requirement to use the water flea (*Ceriodaphnia dubia*) for chronic toxicity tests because it is the most sensitive species.*

This reasoning does not make sense. It is unknown whether *Selenastrum* would have exhibited toxicity during the May and June toxicity events, since this alternative test was not run at that time. Furthermore, Pacifica did a TIE which concluded that biological contamination in the UV channel was the likely cause of the observed toxic effect, which may not have impacted *Selenastrum* as it did *Ceriodaphnia*. If Pacifica were given a choice of test species between *Selenastrum* and *Ceriodaphnia*, it could determine which test had less variability in its effluent, yielded consistent, actionable results, and avoid spurious violations.

**5. Violations should not continue to accrue during Toxicity Identification Evaluations/Toxicity Reduction Evaluations**

If Pacifica can demonstrate to the Regional Water Board that it is engaged in a good-faith effort to investigate the cause of any apparent toxicity, the permit should protect them from accruing any additional violations that would result from exceedance of permit limits during accelerated monitoring. Not providing this protection leaves the discharger vulnerable to citizen lawsuits, even as it is doing all that it can to address the cause of the violation.

**6. Language about episodic toxicity and enforcement should be reinstated.**

The current permit includes the following requirement (Attachment E, Section V.B.3.h.i):

*The Regional Water Board recognizes that chronic toxicity may be episodic and identification of causes of and reduction of sources of chronic toxicity may not be successful in all cases. Consideration of enforcement by the Regional Water Board will be based in part on the Discharger's actions and efforts to identify and control or reduce sources of consistent toxicity.*

This section is no less applicable with effluent limits than with triggers, and should be restored.

BACWA appreciates the opportunity to comment on this Tentative Order and thanks you for considering our concerns.

Respectfully Submitted,



David R. Williams  
Executive Director  
Bay Area Clean Water Agencies

cc: BACWA Board  
Pedro Mendoza, City of Pacifica  
Denise Conners, Larry Walker and Associates  
Eric Dunlavey, BACWA Permits Committee Chair

## Summary of Chronic TREs by Region 2 Dischargers

### Shallow Dischargers

Discharger	Timeframe	Number of Samples	Number between 1 and 2 Tuc	Percentage between 1 and 2 Tuc	Number ≥ 2 Tuc	Percentage ≥ 2 Tuc	TRE Notes
Palo Alto	June 2009 - December 2014	72	5	7%	10	14%	TRE Feb-Jul 2012, concluded cause was pathogen interference. Cost approximately <b>\$100K</b> .
San Jose	July 2009 - December 2016	127	15	12%	12	9%	TRE/TIEs Oct 2009 - June 2010, and June 2013- August 2014, both inconclusive. Investigations in 2016 confirmed presence of epibionts. Total cost above <b>\$260K</b> .
Sunnyvale	January 2010 - December 2014	85	4 (survival) 14 (Growth)	5% (survival) 16% (growth)	2 (survival) 12 (Growth)	2% (survival) 14% (growth)	Three successive TREs, all inconclusive - ammonia, unidentified organic and polymer, respectively, were suspected. Total cost approximately <b>\$750K</b> .
Novato	October 2010 - October 2014	25	2	8%	13	52%	TRE Feb 2011 - May 2012, found pathogen interference. Total cost approximately <b>\$100K</b> .
Sonoma	March 2006 - January 2015	53	6	11%	9	17%	Ongoing TIE indicates that zinc may be toxicant. Total cost <b>\$73K</b> .
Las Gallinas	April 2009 - December 2014	32	19 (survival) 20 (Growth)	59% (survival) 62% (growth)	1 (survival) 2 (Growth)	3% (survival) 6% (growth)	TIE work since 2011 is inconclusive, but pyrethroids are suspected. Total cost approximately <b>\$50K</b> .

### Deep Water Discharger

Discharger	Timeframe	Number of Samples	Number between 10 and 20 Tuc	Percentage between 10 and 20 Tuc	Number ≥ 20 Tuc	Percentage ≥ 20 Tuc	TRE Notes
Vallejo	January 2016-June 2016	7	3	43%	0	0%	Addition of zeolite showed toxicity caused by ammonia. District received permission to conduct toxicity testing with zeolite in future. Total cost approximately <b>\$60K</b> .

# San Jose-Santa Clara Regional Wastewater Facility

Chronic Toxicity Test Results 2009-Dec 2014

Test Species: *Ceriodaphnia dubia* (May 2009- October 2014 Permit)

Start Date	NOEC (Survival)	TUc (Reproduction)	NOEC % (Reproduction)	EC or IC 25 (Reproduction)	TST (Reproduction)
7/18/09	100%	33.5	<32% effluent	2.99% effluent	Fail 67.7%
8/1/09	100%	<1	100% effluent	>100% effluent	Pass
8/17/2009 (TSI)	100%	1.17	100% effluent	85.4% effluent	Fail 25%
8/19/2009 (PERL)	100%	2.49	56% effluent	40.2% effluent	Fail 36%
9/14/2009 (PERL)	100%	<1	100% effluent	>100% effluent	Pass
9/15/2009 (ESD)	100%	<1	100% effluent	>100% effluent	Pass
10/4/2009 (PERL)	100%	<1	100% effluent	>100% effluent	Pass
10/4/2009 (ESD)	100%	<1	100% effluent	>100% effluent	Pass
11/7/2009 (ESD)	100%	<1	100% effluent	>100% effluent	Pass
11/28/2009 (TSI)	100%	<1	100% effluent	>100% effluent	Pass
11/29/2009 (PERL)	100%	<1	100% effluent	>100% effluent	Pass
12/18/2009 (ESD)	100%	5.78	<32% effluent	17.3% effluent	Fail 41.9%
12/20/2009 (PERL)	100%	<1	100% effluent	>100% effluent	Pass
1/9/2010 (TSI)	100%	<1	100% effluent	>100% effluent	Pass
1/10/2010 (PERL)	100%	<1	100% effluent	>100% effluent	Pass
1/20/2010 (TSI)	100%	<1	100% effluent	>100% effluent	Pass
1/21/2010 (PERL)	100%	<1	100% effluent	>100% effluent	Pass
1/30/2010 (ESD)	100%	<1	100% effluent	>100% effluent	Pass
1/31/2010 (PERL)	100%	<1	100% effluent	>100% effluent	Pass
2/8/2010 (AS)	75%	5.2	<32% effluent	19.1% effluent	Fail 75.5%
2/8/2010 (ESD)	100%	8.5	<32% effluent	11.8% effluent	Fail 40.3%
2/26/2010 (AS)	100%	<1*	100% effluent	>100% effluent	Pass
2/27/2010 (ESD)	100%	7.5	<32% effluent	13.3% effluent	Fail 70.7%
3/13/2010 (AS)	100%	<1	100% effluent	>100% effluent	Pass
3/13/2010 (ESD)	100%	<1	100% effluent	>100% effluent	Pass
3/27/2010 (ESD)	100%	<1	100% effluent	>100% effluent	Pass
3/28/2010 (AS)	100%	<1	100% effluent	>100% effluent	Pass
4/17/2010 (ESD)	100%	<1	100% effluent	>100% effluent	Fail 16.9%
4/17/2010 (AS)	100%	No Result**	NA	NA	NA
5/1/2010 (ESD)	100%	<1	100% effluent	>100% effluent	Pass

October 2009-June 2010: SJSC conducted TRE/TIE investigations. TIE costs estimated ~ \$200,000 - 250,000. Toxicity Identification Evaluation (TIE) manipulations were performed on samples from two confirmed toxic events in February with support from Aqua-Science Laboratories in Davis, CA. The TIE studies could only confirm that toxicity was present, was only slightly ameliorated by EDTA (not a metal or only slight effect from a metal), was more ameliorated by Solid Phase Extraction (SPE) columns (likely organic), was substantially ameliorated by Organophosphate (OP) enzyme and piperonyl butoxide (PBO) (indicating possibility of an OP pesticide or some organic compound that behaves similarly), was exacerbated by filtration (not particle-bound) and was exacerbated by sodium thiosulfate (STS) (not an oxidizer). Unfortunately, attempts to elute and recover the toxicity captured on SPE columns were unsuccessful. For this reason, the TIE investigations were of limited value.

5/2/2010 (AS)	100%	1.8	42% effluent	55.6% effluent	Fail 24%
5/2/2010 (PERL)	100%	<1	100% effluent	>100% effluent	Pass
5/21/2010 (ESD)	100%	<1	100% effluent	>100% effluent	Pass
5/21/2010 (PERL)	100%	<1	100% effluent	>100% effluent	Pass
6/14/10	100%	<1	100% effluent	>100% effluent	Pass
6/26/10	100%	<1	100% effluent	>100% effluent	Pass
7/17/10	100%	<1	100% effluent	>100% effluent	Pass
8/13/10	100%	<1	100% effluent	>100% effluent	Pass
9/19/10	100%	10.4	6.25% effluent	9.63% effluent	Fail 84.8%
10/4/10	100%	<1	100% effluent	>100% effluent	Pass
10/24/10	100%	<1	100% effluent	>100% effluent	Pass
11/13/10	100%	<1	100% effluent	>100% effluent	Pass
12/11/10	100%	No Result**	100% effluent	>100% effluent	Pass
12/19/2010 (TSI)	100%	<1	100% effluent	>100% effluent	Pass
1/10/11	100%	<1	100% effluent	>100% effluent	Pass
2/21/11	100%	<1	100% effluent	>100% effluent	Pass
3/7/11	100%	<1	100% effluent	>100% effluent	Pass
4/21/11	100%	<1	100% effluent	>100% effluent	Pass
5/10/11	100%	5.46	25% effluent	18.3% effluent	Fail 51.8%
6/9/11	100%	<1	100% effluent	>100% effluent	Pass
6/21/11	100%	1.4	50% effluent	71% effluent	Fail 34.6%
7/23/11	100%	<1	100% effluent	>100% effluent	Pass
8/8/11	100%	<1	100% effluent	>100% effluent	Pass
8/22/11	100%	1.7	25% effluent	58.9% effluent	Fail 62.9%
9/13/11	100%	<1	100% effluent	>100% effluent	Pass
10/3/11	100%	<1	100% effluent	>100% effluent	Pass
11/2/11	100%	<1	100% effluent	>100% effluent	Pass
12/5/11	100%	<1	100% effluent	>100% effluent	Pass
1/10/12	100%	1.6	50% effluent	61.7% effluent	Fail 40.8%
2/6/12	100%	<1	100% effluent	>100% effluent	Pass
3/5/12	100%	<1	100% effluent	>100% effluent	Pass
4/16/12	100%	<1	100% effluent	>100% effluent	Pass
5/7/12	100%	<1	100% effluent	>100% effluent	Pass



6/11/12	100%	<1	100% effluent	>100% effluent	Pass
7/16/12	100%	<1	100% effluent	>100% effluent	Pass
8/13/12	100%	<1	100% effluent	>100% effluent	Pass
9/11/12	100%	<1	100% effluent	>100% effluent	Pass
10/16/12	100%	4.1	12.5% effluent	24.5% effluent	Fail 24.5%
11/2/12	100%	<1	100% effluent	>100% effluent	Pass
11/8/12	100%	<1	100% effluent	>100% effluent	Pass
12/3/12	100%	<1	100% effluent	>100% effluent	Pass
1/19/13	100%	1.7	25% effluent	58.1% effluent	Fail 63.3%
2/4/13	100%	<1	100% effluent	>100% effluent	Pass
3/4/13	100%	10.1	6.25% effluent	9.88% effluent	Fail 44.2%
4/2/13	100%	<1	100% effluent	>100% effluent	Pass
4/12/13	100%	1.2	100% effluent	84.5% effluent	Fail 27%
5/6/13	100%	2.3	50 % effluent	42.7% effluent	Fail 67.6%
6/10/13	100%	<1	100% effluent	>100% effluent	Pass
7/12/13	100%	<1	100% effluent	>100% effluent	Pass
8/1/13	100%	1.1	50% effluent	90.7% effluent	Fail 27.1%
8/5/13	100%	<1	100% effluent	>100% effluent	Pass
9/12/13	100%	2.9	25% effluent	34.6% effluent	Fail
10/4/13	100%	<1	100% effluent	>100% effluent	Pass
11/19/13	100%	1.2	50% effluent	86.1% effluent	Fail
12/9/13	100%	<1	100% effluent	>100% effluent	Pass
1/10/14	100%	<1	100% effluent	>100% effluent	Pass
2/3/14	100%	1.6	100% effluent	>100% effluent	Fail
3/3/14	100%	<1	100% effluent	>100% effluent	Pass
4/8/14	100%	<1	100% effluent	>100% effluent	Pass
5/5/14	100%	<1	100% effluent	>100% effluent	Pass
6/9/14	100%	<1	100% effluent	>100% effluent	Pass
7/14/14	100%	<1	100% effluent	>100% effluent	Pass
8/11/14	100%	<1	100% effluent	>100% effluent	Pass
9/12/14	100%	<1	100% effluent	>100% effluent	Pass
10/3/14	100%	<1	100% effluent	>100% effluent	Pass
11/3/14	100%	<1	100% effluent	>100% effluent	Pass
12/8/14	100%	<1	100% effluent	>100% effluent	Pass

June 2013-August 2014: TRE/TIE initiated in response to permit triggers being exceeded. TIE studies were unsuccessful in confirming toxicity or identifying potential toxicants. The frequency and magnitude of the observed paralysis (a sub-chronic effect) in RWF effluent have also declined.

Note: SJSC uses a TRE/TIE trigger of 2 TUC calculated as  $100/EC50$  or  $IC50$  or three sample median of  $>1$  as recommended in the 2009 TRE Workplan submitted to Regional Water Board

\*  $<1$  - This result was rejected due to an anomolous dose response inversion.

\*\* Test Failed Quality Control



March 13, 2017

Richard Looker  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

VIA EMAIL: [rlooker@waterboards.ca.gov](mailto:rlooker@waterboards.ca.gov)

**Subject:** BACWA comments on proposed revisions to the Clean Water Act Section 303(d) List of Impaired Water Bodies in the San Francisco Bay Basin

Dear Mr. Looker:

The Bay Area Clean Water Agencies (BACWA) appreciates the opportunity to comment on the proposed revisions to the Clean Water Act Section 303(d) List of Impaired Water bodies in the San Francisco Bay Region. BACWA is a joint powers agency whose members own and operate publicly-owned treatment works (POTWs) and sanitary sewer systems that collectively provide sanitary services to over 7.1 million people in the nine-county San Francisco Bay Area.

BACWA. Members are public agencies, governed by elected officials and managed by professionals who protect the environment and public health. BACWA supports the 303(d) review process, and would like to thank the San Francisco Regional Water Quality Control Board (Regional Water Board) for delisting indicator bacteria for eight San Francisco Bay Area beaches.

BACWA understands that the Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List does not include a provision for retiring data when considering which pollutants to add to the list. However, the data that are used to generate the new proposed 303(d) listings are generally at least ten years old. For example, the new heptachlor listing for the South San Francisco Bay is based on fish tissue and water column concentrations from a data set that ranges from 1993 to 2008. POTWs began their industrial pretreatment programs in 1989, and since then there has been a marked improvement in effluent quality. The general trend for priority pollutants, and especially industrial pollutants, in our Region has been decreasing, generally to below the limit of detection. Furthermore, a recent search of the Department of Pesticide Regulation database shows that heptachlor is not an active ingredient registered in any product at this time. Since the purpose of the 303(d) list is ostensibly to identify contaminants that will be targeted for management action, it would make sense to use data that is no older than a decade.

BACWA's primary concern with the proposed 303(d) List update is the new toxicity listing for each segment of the San Francisco Bay. Toxicity is an effect, rather than a pollutant, so it does not make sense to add it to a list that is used to identify pollutants for which Total Maximum Daily Loads are to be developed. Toxicity itself cannot be given a waste load allocation. The purpose of the toxicity test is to provide a diagnostic tool for the identification of a toxicant. For example, if further investigations show that pesticides are causing toxicity, then the pesticides themselves should be listed and controlled, not the toxic effect.

The Diazinon and Pesticide-Related Toxicity in San Francisco Bay Area Urban Creeks TMDL is an excellent example of how toxicity test results can be a first step in investigating and addressing the cause of an observed toxic effect. In the 1990s, high observed toxicity was linked to pesticides. The Stormwater Municipal Regional Permit (R2-2015-0049) includes a provision for addressing pesticide-related toxicity. Regional Water Board staff have worked with POTWs and Stormwater agencies through the Bay Area Pollution Prevention Group to develop outreach programs, educate the public about responsible pesticide use, and to urge regulators at the EPA and the California Department of Pesticide Regulation (DPR) to consider aquatic toxicity and paths to receiving waters when registering pesticides. The linkage of toxicity to pesticides has also spurred further investigations through the RMP, the Surface Water Ambient Monitoring Program, and the DPR. Without a direct linkage between observed toxicity and the toxicant, none of these actions would have been possible.

Observed toxicity effect may also be unrelated to the presence of a toxicant. The data used to generate the listings in each segment of the San Francisco Bay showed significant toxicity in sediments, but very little toxicity in the water column. The 10-day survival toxicity test with the amphipod *Eohaustorius estuarius* is the primary sediment test protocol used in the Regional Monitoring Program and the State Water Resources Control Board's Sediment Quality Objective (SQO) program. In 2014, the Regional Monitoring Program conducted a study<sup>1</sup> looking at the response of *E. estuarius* to kaolin clay particles in sediment. The results of the study showed that clay concentrations in the sediment reduced the survival rates of this species, and the effect was particularly pronounced in larger organisms. Therefore, it is probable that at least part of the observed toxic effect observed was due to interference by clay particles in the sediment itself, rather than a chemical toxicant.

This example illustrates how toxicity itself is a problematic parameter to list. Without knowledge of the toxicant, or whether the observed toxic effect is in fact due to a toxic contaminant rather than interference such as kaolin clay, it is impossible to develop a control

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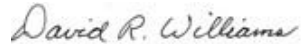
<sup>1</sup> *The effects of kaolin clay on the amphipod Eohaustorius estuarius*, Brian Anderson, Bryn Phillips, and Jennifer Voorhees Department of Environmental Toxicology, University of California, Davis May 5, 2015 SFEI Report No.: 755, See [http://www.sfei.org/sites/default/files/biblio\\_files/755\\_Anderson%20et%20al\\_Clay%20Effects\\_2015%20Final%20Report.pdf](http://www.sfei.org/sites/default/files/biblio_files/755_Anderson%20et%20al_Clay%20Effects_2015%20Final%20Report.pdf)

March 13, 2017

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strategy. Additionally, designating the entire San Francisco Bay as toxic has a significant impact on public perception, since it is difficult to communicate to the public the nuances and uncertainties of the toxicity test results. As such, BACWA strongly recommends dropping the toxicity listing for San Francisco Bay segments pending further investigation into the cause of the observed toxic effect.

Respectfully Submitted,

A handwritten signature in cursive script that reads "David R. Williams".

David R. Williams

Executive Director

Bay Area Clean Water Agencies

cc: BACWA Board

Eric Dunlavey, BACWA Permits Committee Chair



**BACWA**  
BAY AREA  
CLEAN WATER  
AGENCIES



**SCAP**

SOUTHERN CALIFORNIA ALLIANCE OF  
PUBLICLY OWNED TREATMENT WORKS



March 3, 2017

VIA EMAIL – [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

State Water Resources Control Board members  
1001 I Street, 24th Floor  
Sacramento, CA 95814

RE: Water Quality Enforcement Policy Modifications – Request for Stakeholder Process

Dear State Water Board Members:

On behalf of the municipal publicly owned treatment works community (including the California Association of Sanitation Agencies (CASA), Southern California Alliance of POTWs (SCAP), Bay Area Clean Water Agencies (BACWA), and Central Valley Clean Water Association (CVCWA)), and the water supply community (Association of California Water Agencies (ACWA)), we urge the State Water Resources Control Board (SWRCB) not to adopt the proposed amendments to the 2010 Enforcement Policy on March 7th.

Instead, we urge you to sponsor and oversee a meaningful stakeholder process to discuss the proposed modifications as was done in 2009 when this policy was first proposed and adopted. Such a process is needed in order to adequately understand the reasons for changes to the existing policy, to discuss modifications that restore flexibility and negate against unnecessarily increasing penalties for specific types of discharges, and to weigh the benefits of increasing the amount of penalties that can go towards Supplemental Environmental Projects (SEPs) and Enhanced Compliance Projects (ECAs) from the current cap of 50%. Allowing stakeholders to engage together and understand each other's positions and the ramifications of the modifications will ensure a more fair, clear, and consistent final policy. Because the current 2010 policy will remain in place, there is no time constraint on adoption, which allows for this stakeholder process to be undertaken.

The signatories to this letter are understandably concerned that their voices have not been heard. Before and after the first hearing, each entity sent letters asking for modifications to the policy, and SCAP even sent in redlines of the entire proposed policy. A few changes were made in response to comments from the water supply community, including ACWA and the California Water Association. However, no changes were made to address the remaining valuable and thoughtful comments, especially those made by the publicly owned treatment works community. This is why, at the last hearing on this item, you heard comments asking for changes to be made.

After that hearing, the signatories met with Office of Enforcement staff, including Cris Carrigan, and discussed each of the areas of main concern. Enforcement staff asked that we submit new suggested language, focusing their attention on items of greatest concern. We submitted the requested redlines, which were approved of and agreed upon by all five participating entities. Of the proposed changes, only one modification was made – related to the Human Right to Water Act. While ACWA appreciates being able to work with Office of Enforcement staff on this change, the remaining concerns regarding penalty calculations are shared by all of the signatories to this letter.

We hope that you will seriously consider the need for real stakeholder input by those most affected by this policy. Our member agencies represent the leaders of water and wastewater management that regularly go above and beyond their duties by providing leadership and training to smaller agencies and extensive public outreach and education both within and outside their agencies and cities, and many compete for and receive awards for being the best in the business. With a slightly more flexible policy, the State can achieve meaningful enforcement while avoiding more contentious circumstances and can allow funds to be put towards activities and infrastructure to ensure future compliance.

Respectfully submitted,



Debbie Webster, CVCWA Executive Officer



Rebecca Franklin, ACWA



Steve Jepsen, SCAP Executive Director



Laura Pagano, Chair, BACWA



Adam D. Link, CASA  
Director of Government Affairs

cc: Jon Bishop, SWRCB





February 16, 2017

Bill Johnson  
NPDES Branch Chief  
California Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

Dear Mr. Johnson:

## FIELD pH TESTS FOR PRETREATMENT COMPLIANCE MONITORING

As we previously discussed, it may not be feasible for all agencies to continue the historic practice of conducting pH compliance monitoring at regulated Industrial Users (IUs) by grabbing a representative process wastewater sample and then transporting the sample to an ELAP certified laboratory for analysis within the 15-minute hold time specified in 40 CFR Part 136. Some Bay Area Pretreatment Programs have periodically had findings resulting from Pretreatment Compliance Audits or Inspections (PCA/PCI) for not meeting this pH hold time requirement during IU compliance sampling events. Recent changes to the Porter-Cologne Water Quality Act effective 1/1/15 identify that certain field tests, including pH, do not have to be performed by an ELAP certified laboratory (excerpt attached).

The Bay Area Clean Water Agencies (BACWA) Pretreatment Committee is seeking concurrence that Pretreatment Programs operating in RWQCB Region 2 can use field pH monitoring for required compliance monitoring without relying on ELAP certified laboratories provided that certain standards are employed to ensure the field pH test results are legally defensible. The elements of these standards include:

- A properly calibrated field pH meter is used for the compliance sampling of IUs.
- Standard Operating Procedures (SOPs) are established and followed to ensure the field pH meter used for IU compliance monitoring is properly calibrated.
- Records of calibration are maintained either in a log or electronic file that document proper calibration of the field pH meter prior to the compliance sampling event.
- Field pH test results shall be recorded on a standardized form to record the measured results that will also include specific information including, but not limited to:
  - Sample date/time.
  - Sample analysis date/time.



- pH meter test results using standard pH units.
- Name and signature of person conducting the sampling and field pH test.
- Certification that the field pH monitoring SOPs were followed.

An example of a calibration SOP is attached for your reference. SOPs will vary between agencies but will contain the elements needed to ensure the field pH monitoring results are defensible should the agencies' pH limits not be met.

Amelia Whitson, Pretreatment Coordinator for USEPA Region 9, provided feedback that field pH monitoring for IU compliance sampling was an acceptable practice under the federal standards and that the requirement to use ELAP certified laboratories for pH compliance monitoring was a State standard.

The use of field pH meters for IU compliance monitoring would be available for both agencies' and IU's self-monitoring sampling events provided the same elements identified above are used for the IU self-monitoring events. The agencies' staff will periodically review the documentation associated with the IU self-monitoring events when using field pH meters to ensure the standards are being met.

Please let me know if you have any questions about this request for concurrence regarding the acceptability of using field pH meters for IU compliance monitoring. We look forward to hearing from you on this issue.

Sincerely,

A handwritten signature in blue ink that reads "Timothy Potter".

Timothy Potter  
BACWA Pretreatment Co-Chair

Enclosures

cc: Dave Williams, Executive Director, BACWA  
Amelia Whitson, USEPA Region 9 Pretreatment Coordinator  
Michael Chee, SF Bay RWQCB Pretreatment Coordinator  
Russel Norman, SWRCB Pretreatment Program Manager  
Michael Dunning, Co-Chair BACWA Pretreatment Committee

**§ 13172. Waste disposal sites; standards & regulations**

To ensure adequate protection of water quality and statewide uniformity in the siting, operation, and closure of waste disposal sites, except for sewage treatment plants or those sites which primarily contain fertilizer or radioactive material, the state board shall do all of the following:

(a) Classify wastes according to the risk of impairment to water quality, taking into account toxicity, persistence, degradability, solubility, and other biological, chemical, and physical properties of the wastes.

(b) Classify the types of disposal sites according to the level of protection provided for water quality, taking into account the geology, hydrology, topography, climatology, and other factors relating to ability of the site to protect water quality.

(c) Adopt standards and regulations to implement Sections 13226 and 13227.

(d) Adopt standards and regulations for hazardous waste disposal sites which apply and ensure compliance with all applicable groundwater protection and monitoring requirements of the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. Sec. 6901 et seq.), any federal act, enacted before or after January 1, 1989, which amends or supplements the Resource Conservation and Recovery Act of 1976, any federal regulations adopted before or after January 1, 1989, pursuant to the Resource Conservation and Recovery Act of 1976, as amended, together with any more stringent requirements necessary to implement this division or Article 9.5 (commencing with Section 25208) of Chapter 6.5 of Division 20 of the Health and Safety Code.

(e) Adopt policies, standards, and regulations for discharges of mining waste which apply, and ensure compliance with, all surface water and groundwater protection and monitoring requirements of this division, Article 9.5 (commencing with Section 25208) of Chapter 6.5 of Division 20 of the Health and Safety Code, and Subchapter IV (commencing with Section 6941) of Chapter 82 of Title 42 of the United States Code, which are applicable to discharges of mining waste. These policies, standards, and regulations shall include, but are not limited to, all of the following:

(1) A statewide policy for monitoring surface water and groundwater that may be affected by discharges of mining waste. The policy shall establish the principles the regional boards shall use in developing monitoring plans for discharges of mining waste, including the methods the regional boards shall use in determining the location, number, and type of monitoring sites.

(2) Regulations requiring that waste discharge requirements issued for discharges of mining waste by regional boards include monitoring requirements

consistent with the statewide policy adopted pursuant to paragraph (1).

(3) Standards for reporting the results of surface water and groundwater monitoring to the regional board. The standards shall establish a reporting format that graphs monitoring data over an appropriate time period and compares the values found for each measured parameter against the standard for that parameter established in the waste discharge requirements.

**§ 13173. Designated waste**

"Designated waste" means either of the following:

(a) Hazardous waste that has been granted a variance from hazardous waste management requirements pursuant to Section 25143 of the Health and Safety Code.

(b) Nonhazardous waste that consists of, or contains, pollutants that, under ambient environmental conditions at a waste management unit, could be released in concentrations exceeding applicable water quality objectives or that could reasonably be expected to affect beneficial uses of the waters of the state as contained in the appropriate state water quality control plan.

**§ 13173.2. Designated waste policies**

The state board, after consultation with the California Integrated Waste Management Board and the Department of Toxic Substances Control, may, as available resources permit, adopt policies with regard to designated wastes to include, but not be limited to, both of the following:

(a) Policies that provide for the means by which a regional board shall identify designated waste and the waters of the state that the waste may potentially impact.

(b) Policies for regional boards with regard to the granting of waivers to make inapplicable the designated waste classification.

**§ 13176. Certified laboratories**

(a) The analysis of any material required by this division shall be performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101 of the Health and Safety Code. This requirement does not apply to field tests, such as tests for color, odor, turbidity, pH, temperature, dissolved oxygen, conductivity, and disinfectant residual.

(b) A person or public entity of the state shall not contract with a laboratory for environmental analyses for which the State Department of Public Health requires accreditation or certification pursuant to this chapter, unless the laboratory holds a valid certification or accreditation.

## EXAMPLE

## EXAMPLE

## EXAMPLE

### **Standard Operating Procedures Industrial User Compliance Monitoring for pH Using Field pH Meters**

The following Standard Operating Procedures (SOPs) apply to the use of pH meter Thermo Scientific Orion Star A221 to test for pH of water and wastewater in the field at regulated Industrial Users to ensure defensible results are generated. The pH test should be completed within 15 minutes of drawing the sample to meet the hold time. If the meter does not lock on a reading within 15 minutes of drawing the sample, continue the test and make note of this delayed response by the meter.

#### **Prior to Sampling**

1. Ensure meter probe is properly submerged in storage solution between uses
2. Verify correct date and time and adjust if necessary
3. Calibrate meter prior to leaving
  - a. Place meter in calibration mode
  - b. Remove probe from storage solution
  - c. Rinse probe with DI water
  - d. Place probe in one of the standard solutions
  - e. Wait for meter to read pH of standard
  - f. Accept or reject depending on reading
  - g. Repeat steps 2.c. through 2.f. for second and third standard solutions
  - h. Complete by exiting calibration mode
4. Take supplies in field (e.g. DI water, extra batteries)

#### **Field Sampling**

1. Connect probe to meter
2. Confirm meter reading matches pH of storage solution
3. Rinse probe with DI water
4. Place probe in sample and wait for meter to lock on reading
5. Document results
6. Rinse probe with DI water and place in storage solution if done with pH sampling for the location

#### **Post Sampling**

1. Inspect probe for residuals build up
2. If residuals remain on probe after field rinsing, clean using Thermo Scientific pH electrode cleaning kit
3. Ensure probe is in storage solution

Periodically download electronic data from meter approximately every six months to store on computer drive in office to avoid data from being lost should the meter's storage capacity be exceeded.

*Sent by email*

February 24, 2017  
CIWQS: Pretreatment POTW list

Timothy Potter  
Pretreatment Committee Co-Chair  
Bay Area Clean Water Agencies  
P.O. Box 24055, MS 59  
Oakland, CA 94623

Email: *TPotter@centralsan.org*

**Subject: Field pH Tests for Pretreatment Compliance Monitoring**

Dear Mr. Potter:

Based on our review of the Bay Area Clean Water Agencies Pretreatment Committee's February 16, 2017, letter, we concur that pretreatment programs may use field pH instruments for required industrial user compliance monitoring. An ELAP certified laboratory does not have to analyze the industrial user pH samples.

As stated in your letter, we assume that pretreatment programs will employ standard operating procedures to ensure that field pH results are legally defensible. Based on our review of the example you provided, we recommend adding the following procedures prior to sampling:

- Verify that the sample pH falls within the brackets of the standard solutions.
- Verify that the standard solutions have not expired.

If you have any questions, please contact Michael Chee at [michael.chee@waterboards.ca.gov](mailto:michael.chee@waterboards.ca.gov) or 510-622-2333.

Sincerely,



Bill Johnson, Chief  
NPDES Wastewater and Enforcement Division

cc list next page  
Pretreatment POTW list next page

cc by email: Amelia Whitson, whitson.amelia@epa.gov  
Russell Norman, Russell.norman@waterboards.ca.gov  
Michael Dunning, Michael.dunning@unionsanitary.com  
Sherry Hull, shull@bacwa.org

Pretreatment POTW list

American Canyon, CW-205477  
Benicia, CW-209253  
Burlingame, CW-210839  
Central Contra Costa SD, CW-213875  
Central Marin SA, CW-213889  
Delta Diablo SD, CW-219552  
Dublin San Ramon SD, CW-220792  
East Bay Municipal Utility District, CW-222132  
Fairfield Suisun SD, CW-225526  
Hayward, CW-229882  
Livermore, CW-237195  
Millbrae, CW-240791  
Napa SD, CW-243858  
Novato SD, CW-244705  
Oro Loma SD (Castro Valley SD), CW-246217  
Palo Alto, CW-247457  
Petaluma, CW-248087  
Richmond, CW-252657  
San Francisco Oceanside, CW-256498  
San Francisco Southeast, CW-256499  
San Jose/Santa Clara, CW-255333  
San Leandro, CW-255368  
San Mateo, CW-255420  
Silicon Valley Clean Water, CW-255833  
South San Francisco/San Bruno, CW-254881  
Sunnyvale, CW-259507  
Union SD, CW-269042  
Vallejo SFCD, CW-270006  
West County WD, CW-272082



March 3, 2017

Jelena Hartman  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814

VIA EMAIL: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

**Subject:** Comment Letter – Climate Change Resolution

Dear Ms. Hartman,

The Bay Area Clean Water Agencies (BACWA) appreciates the opportunity to comment on the proposed Resolution on Climate Change. BACWA is a joint powers agency whose members own and operate publicly-owned treatment works (POTWs) and sanitary sewer systems that collectively provide sanitary services to over 7.1 million people in the nine-county San Francisco Bay Area. BACWA. Members are public agencies, governed by elected officials and managed by professionals who protect the environment and public health. BACWA's comments pertain to Section 1.C addressing Recycled Water, which states:

*DWQ shall coordinate with the Regional Water Boards to make annual reporting of recycled water data a requirement of waste discharge permits and water reclamation requirements, and work with the Division of Information Technology to develop an online data entry system to track recycled water use. Starting with the 2017-18 annual Performance Report, DWQ shall include a summary on the volume of recycled water used, and types of use.*

BACWA supports a well-planned effort to collect data on recycled water use. In fact, as part of the studies required by our Nutrient Watershed Permit<sup>1</sup>, we have conducted a survey of our members' recycled water production to better understand the impact of recycled water on nutrient load reductions to the San Francisco Bay. As part of this effort, we found that it was important to make our data request consistent with data that agencies were developing for other reporting requirements to reduce the burden of generating additional data for different efforts.

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<sup>1</sup> R2-2014-0014s

BACWA has the following recommendations for implementing a statewide recycled water data collection mechanism that does not create unnecessary data gathering and reporting requirements for agencies.

1. **Reporting efforts should not be duplicated.** Regional permittees under R2-1996-0011 currently report recycled water production volume and types of use to the San Francisco Bay Regional Water Quality Control Board. By June 2019, these permittees are required to transfer coverage to the State General Order for Recycled Water, WQ 2016-0068-DDW. Once the DWQ data form is completed, the State General Order should be reopened to ensure that its reporting requirements are consistent with those developed by DWQ.
2. **Agencies with individual recycled water permits should have only one set of reporting requirements.** For agencies not covered by either a regional permit or the State General Order, there should be a permitting mechanism developed to harmonize reporting requirements in their individual permits with the information that will be required by DWQ. They should not be required to submit separate reports to different entities.
3. **Reporting requirements should be consistent with other data requests.** When developing their data form, DWQ should consider existing data that is generated for other state reporting requirements. For example, agencies already report recycled water data as part of their Urban Water Management Plans by calendar year. As such, it would be simplest for agencies to report recycled water by calendar year, rather than by permit year or water year.
4. **Involve stakeholders in the development of the data forms.** To best implement the above recommendations, DWQ should work with a stakeholder group to ensure that the data entry forms make sense for users, and ask for data in a form that is readily available to recycled water producers. BACWA would be interested in participating in such a workgroup.

Please do not hesitate to contact Leah Walker, vice-Chair of BACWA's Recycled Water Committee, at [lwalker@ci.petaluma.ca.us](mailto:lwalker@ci.petaluma.ca.us), if you would like to discuss these comments further.

Respectfully Submitted,



David R. Williams  
Executive Director  
Bay Area Clean Water Agencies

cc: BACWA Board



BACWA comments climate change resolution

March 3, 2017

Page 3 of 3

Rhodora Biagtan, BACWA Recycled Water Committee Co-Chair

Leah Walker, BACWA Recycled Water Committee Co-Chair

# Memo

To: FWQC Members  
Cc: B&T Water Team  
From: Fredric P. Andes  
Date: February 20, 2017  
Re: Updated FWQC Issues Matrix – And Scheduling of Matrix Calls

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Well, it's about time for our next set of FWQC matrix calls. We have updated the issues matrix - attached. We would now like to set up the calls, in which we will review and discuss each of the issues in the matrix, as well as any other issues that you all would like to bring up. We are looking to have the calls during the week of March 6 - 10 or the week of March 13 - 20. If we can find one time that works for most members, we'll do that, but if needed (and it usually is), we will set two times, so you can choose which works best for you. Please click on this Doodle link, to let us know which times are OK: <http://doodle.com/poll/x6gf4yvxp3bhxk3>. (Note: The Doodle poll should adjust to your time zone.) Once we review the responses, we will send out another note, with the final dates/times.

There are several aspects of the new matrix that are worth noting. First, you will see a number of new issues – issues on which EPA has taken new action since the last matrix. Also, we have done some reorganization of the issues in the matrix, to try (within each issue area, such as standards) to move issues toward the front of the list if they are high priority and/or very active. In some cases, where the issue area has grown substantially (e.g., human health standards), we have broken it into several areas (for human health, by State), to make it easier to track specific EPA actions.

You will also see that for some issues listed in the matrix, the fate of the rule, or the schedule, or both, are noted as “to be determined.” These are issues on which we think that the new Administration might want to move in a different direction, and we don't know yet whether that will happen. (The new Administrator starts at EPA tomorrow, after all.) You will also note that on some issues, the Tasks/Deadlines column now includes some strategic issues to consider, such as whether we would want to recommend to the new EPA officials that they stop taking action on a particular


issue, or that they should move ahead on an issue that has been stalled. These are questions that we definitely want to explore on our matrix calls.

Finally, I also ask for your help in ensuring that we keep the matrix as up-to-date and accurate as possible. If you know of further developments on any of the issues listed (especially where we refer to activities in particular States), please let me know, and I will be glad to add that information to the matrix. It is, after all, an evolving and dynamic event, especially in evolving/dynamic times such as these. After the upcoming matrix calls, we will send out a revised matrix, incorporating any additional information provided before or during the calls. This request for information includes, of course, any new issues that you think we should be tracking – please let us know if there is an issue of concern to you that is not yet listed.

As always, please feel free to call or e-mail if you have any questions. Thanks.

P.S. Here is a link to this note on the FWQC web site:  
<http://fwqc.org/members/DocumentLibrary/Updated%20FWQC%20Issues%20Matrix%20-%20and%20Scheduling%20of%20Matrix%20Calls.htm> .

Fredric P. Andes, Esq.  
Partner, Barnes & Thornburg LLP  
Suite 4400  
One N. Wacker Drive  
Chicago, Illinois 60606-2833  
Phone: 312/214-8310  
Fax: 312/759-5646  
Cell: 773/354-3100  
E-Mail: [fandes@btlaw.com](mailto:fandes@btlaw.com)

					
<u>BACWA FY18 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2017 Budget</u>	<u>FY 2017 Actuals thru Jan 2017</u>	<u>FY 2018 Budget</u>	<u>NOTES</u>
<b>REVENUES &amp; FUNDING</b>					
Dues	Principals' Contributions	\$477,544	\$477,545	\$487,095	FY18: 2% increase.
	Associate & Affiliate Contributions	\$175,072	\$160,915	\$178,573	FY18: 2% increase.
Fees	Clean Bay Collaborative	\$675,000	\$658,832	\$675,000	Prin: \$450,000; Assoc/Affil: \$225,000
	Nutrient Surcharge	\$800,000	\$781,463	\$800,000	Prin: \$533,335; Assoc/Affil: \$266,798
	Voluntary Nutrient Contributions	\$0	\$187,500	\$127,500	Sunnyvale: (FY17-\$30k, FY17-\$30k); Palo Alto (FY17-\$30k, FY18-\$30k); CCCSD (FY17-\$97,500, FY18-\$97,500)
Other Receipts	Other Receipts	\$0	\$67,650	\$0	FY17: Passthrough for Pharm Study - one time only - see under Collaborative Expense
	AIR Non-Member	\$6,350	\$6,350	\$6,477	2% increase.
	BAPPG Non-Members	\$3,700	\$3,699	\$3,774	2% increase.
Fund Transfer	Special Program Admin Fees	\$2,500	\$0	\$2,550	FY18: 2% increase (WOT only)
Interest Income	LAIF	\$4,000	\$11,477	\$12,000	Actuals includes BACWA, Legal, & CBC Funds invested in LAIF
	Investments	\$0	\$1,105	\$10,000	Alternative Investments Interest
	<b>Total Revenue</b>	<b>\$2,144,166</b>	<b>\$2,356,536</b>	<b>\$2,302,969</b>	
<b>BACWA FY18 BUDGET</b>					
<u>BACWA FY18 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2017 Budget</u>	<u>FY 2017 Actuals thru Jan 2017</u>	<u>FY 2018 Budget (est)</u>	<u>NOTES</u>
<b>EXPENSES</b>					
Labor					
	Executive Director	\$189,370	\$110,466	\$195,998	3.5% CPI (SF/Oakland/San Jose Metro Area Dec 2016)
	Assistant Executive Director	\$85,000	\$47,617	\$87,975	3.5% CPI (SF/Oakland/San Jose Metro Area Dec 2016)
	Regulatory Program Manager	\$112,500	\$52,875	\$116,438	3.5% CPI (SF/Oakland/San Jose Metro Area Dec 2016)
	<b>Total</b>	<b>\$386,870</b>	<b>\$210,958</b>	<b>\$400,410</b>	
Administration					
	EBMUD Financial Services	\$40,000	\$26,894	\$40,000	
	Auditing Services (Maze)	\$6,200	-\$3,666	\$6,300	FY17 Contract was \$6,141; FY18 Contract is \$6,233; contract expires @ end of FY18
	Administrative Expenses	\$7,500	\$2,149	\$7,500	Travel, Supplies, Parking, Mileage, Tolls, Misc.
	Insurance	\$4,500	\$4,266	\$4,500	
	<b>Total</b>	<b>\$58,200</b>	<b>\$29,643</b>	<b>\$58,300</b>	
Meetings					
	EB Meetings	\$2,500	\$713	\$2,500	Catering, Venue, other expenses
	Annual Meeting	\$7,000	\$7,127	\$10,000	Catering, Venue, other expenses. (FY17 Actual: \$7,127.37-not reported yet)
	Pardee	\$6,000	\$4,421	\$6,000	Catering, Venue, other expenses (FY17: Includes Pre-Pardee Catering)
	Misc. Meetings	\$1,100	\$2,324	\$5,000	Holiday Lunch, Committee Chair Lunch, Staff Mtgs, Summit Partners, CASA, NACWA
	<b>Total</b>	<b>\$16,600</b>	<b>\$14,585</b>	<b>\$23,500</b>	
Communication					
	Website Hosting (Computer Courage)	\$600	\$600	\$600	
	File Storage (Box.net)	\$750	\$720	\$750	
	Website Development/Maintenance	\$1,200	\$0	\$1,200	Domains, website changes
	IT Support (As Needed)	\$2,600	\$248	\$2,600	
	Other Communication (MS, SM & Code42)	\$800	\$568	\$1,100	MS Exchange, Survey Monkey, NEW: CrashPlanPro (2)
	<b>Total</b>	<b>\$5,950</b>	<b>\$2,136</b>	<b>\$8,250</b>	

<b>EXPENSES</b>					
<b>Legal</b>					
	Regulatory Support	\$2,500	\$350	\$2,550	2% increase.
	Executive Board Support	\$2,000	\$0	\$2,050	2% increase.
	<b>Total</b>	<b>\$4,500</b>	<b>\$350</b>	<b>\$4,600</b>	
<b>Committees</b>					
	AIR	\$50,000	\$14,253	\$50,000	
	BAPPG	\$86,000	\$75,434	\$100,000	Includes CPSC @ \$10,000. Increase of \$15k to Pest Reg Spt.
	Biosolids Committee	\$3,100	\$342	\$3,100	
	Collections System	\$1,000	\$300	\$1,000	
	InfoShare Groups	\$1,200	\$523	\$1,200	funds for 2 workgroups (Asset Mgmt & O&M)
	Laboratory Committee	\$6,000	\$2,070	\$6,000	
	Permit Committee	\$1,000	\$0	\$1,000	
	Pretreatment	\$7,000	\$84	\$7,000	FY17 includes \$3k for training.
	Recycled Water Committee	\$1,000	\$0	\$1,000	
	Misc Committee Support	\$35,000	\$0	\$35,000	FY17: will include \$3,000 of Baywise website migration to WordPress - \$4,000 will be paid from BAPPG Budget
	Manager's Roundtable	\$0	\$0	\$1,000	New line item in FY18
	<b>Total</b>	<b>\$191,300</b>	<b>\$93,006</b>	<b>\$206,300</b>	
<b>Collaboratives</b>					
	<b>Collaboratives</b>				
	State of the Estuary (biennial)	\$20,000	\$0	\$0	Biennial in Odd Years. (Paid biennially in odd years for even year conference)
	Arleen Navarret Award	\$0	\$0	\$1,000	Biennial in Even Years
	FWQC (Fred Andes)	\$7,500	\$7,500	\$7,500	
	Stanford ERC (ReNUWit)	\$10,000	\$0	\$10,000	
	Misc	\$3,000	\$0	\$3,000	
	Pharmaceutical Study Pass Through	\$0	\$0	\$0	Anticipated Invoice for \$67,650 not yet received
	<b>Total</b>	<b>\$40,500</b>	<b>\$7,500</b>	<b>\$21,500</b>	
<b>Tech Support</b>	<b>Technical Support</b>				
	Nutrients				
	Watershed	\$880,000	\$880,000	\$880,000	
	Additional work under permit	\$50,000	\$17,367	\$100,000	FY18: Increased at Board's request
	Opt/Upgrade/Annual Reporting Studies	\$18,128	\$176,634	\$372,298	FY18: balance remaining on agreement at end of FY16 less FY17 budgeted amount
	Nutrient Program Coordination	\$50,000	\$0	\$50,000	
	Voluntary Nutrient Contributions	\$0	\$157,500	\$127,500	FY17: Actuals includes Palo Alto (FY17), Sunnyvale (FY16 & FY17) & CCCSD (FY17). FY18 is Palo Alto & CCCSD.
	General Tech Support	\$50,000	\$0	\$50,000	
	Chemicals of Concern	\$15,000	\$2,500	\$0	Pesticide Mgmt support (Kelly Moran-TDC) under BAPPG Budget)
	Risk Reduction	\$32,500	\$4,548	\$0	FY18: expected to complete contracts in FY17
	<b>Total</b>	<b>\$1,095,628</b>	<b>\$1,238,549</b>	<b>\$1,579,798</b>	
	<b>TOTAL EXPENSES</b>	<b>\$1,799,548</b>	<b>\$1,596,727</b>	<b>\$2,300,658</b>	
	<b>NET INCOME BEFORE TRANSFERS</b>	<b>\$344,618</b>	<b>\$759,809</b>	<b>\$2,311</b>	
	<b>TRANSFERS FROM RESERVES</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	
	<b>NET INCOME AFTER TRANSFERS</b>	<b>\$344,618</b>	<b>\$759,809</b>	<b>\$2,311</b>	

		5 YEAR PLAN - No Changes in Science Funding for 2nd WS Permit								
				2016 Actuals	2017 Budget	2018	2019	2020	2021	2022
REVENUES										
	Dues	Subtotal		\$641,379	\$652,616	\$665,668	\$678,982	\$692,561	\$706,413	\$720,541
		Principals' Contributions		\$468,180	\$477,544	\$487,095	\$496,837	\$506,774	\$516,909	\$527,247
		Assoc. & Aff. Contributions		\$173,199	\$175,072	\$178,573	\$182,145	\$185,788	\$189,504	\$193,294
	Fees	Subtotal		\$1,322,938	\$1,475,000	\$1,475,000	\$1,475,000	\$775,000	\$775,000	\$775,000
		Clean Bay Collaborative Fee		\$674,250	\$675,000	\$675,000	\$675,000	\$675,000	\$675,000	\$675,000
		Nutrient Surcharge		\$600,608	\$800,000	\$800,000	\$800,000	\$100,000	\$100,000	\$100,000
		AIR Phase-in		\$48,080	\$0	\$0	\$0	\$0	\$0	\$0
	Other Receipts	Subtotal		\$9,800	\$10,050	\$137,751	\$10,650	\$11,067	\$11,503	\$11,958
		Voluntary Nutrient Contributions		\$0	\$0	\$127,500				
		Non-BACWA AIR		\$6,200	\$6,350	\$6,477	\$6,801	\$7,141	\$7,498	\$7,873
		non-BACWA BAPPG Fee		\$3,600	\$3,700	\$3,774	\$3,849	\$3,926	\$4,005	\$4,085
	Fund Transfer	Special Program Admin Fees (WOT)		\$4,938	\$2,500	\$2,550	\$2,601	\$2,653	\$2,706	\$2,760
		Subtotal		\$14,104	\$4,000	\$22,000				
	Interest Income	LAIF		\$14,104	\$4,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000
		Investmnts		\$0	\$0	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
TOTAL REVENUES		Total		\$1,993,159	\$2,144,166	\$2,302,969	\$2,167,233	\$1,481,282	\$1,495,622	\$1,510,259
EXPENSES										
	Labor			\$380,155	\$386,870	\$400,410	\$412,422	\$424,795	\$437,539	\$450,665
	Administration			\$52,670	\$58,200	\$58,300	\$59,466	\$60,655	\$61,868	\$63,106
	Meetings			\$13,181	\$16,600	\$21,500	\$21,930	\$22,369	\$22,816	\$23,272
	Communication			\$4,747	\$5,950	\$6,250	\$6,375	\$6,503	\$6,633	\$6,765
	Legal			\$1,462	\$4,500	\$4,600	\$4,692	\$4,786	\$4,882	\$4,979
	Committees			\$135,367	\$191,300	\$206,300	\$210,426	\$214,635	\$218,927	\$223,306
	Collaboratives			\$51,577	\$40,500	\$21,500	\$21,930	\$22,369	\$22,816	\$23,272
	Technical Support		\$1,416,000	\$1,319,169	\$1,095,628	\$1,579,798	\$1,092,000	\$1,094,040	\$1,096,121	\$1,098,243
		Nutrients	Permit Requirement for Studies	\$870,000	\$880,000	\$880,000	\$880,000	\$880,000	\$880,000	\$880,000
			Additional Work Needed Under Permit	\$30,633	\$50,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
			Optimization / Upgrade Studies	\$220,203	\$18,128	\$372,298	\$0	\$0	\$0	\$0
			Nutrient Program Coordination	\$100,000	\$50,000	\$50,000	\$51,000	\$52,020	\$53,060	\$54,122
			Volumtary Nutrient Contribution	\$0	\$0	\$127,500				
		General Tech Support		\$64,432	\$50,000	\$50,000	\$51,000	\$52,020	\$53,060	\$54,122
		Chemicals of Concern		\$15,000	\$15,000	\$0	\$0	\$0	\$0	\$0
		Risk Reduction		\$18,901	\$32,500	\$0	\$10,000	\$10,000	\$10,000	\$10,000
TOTAL EXPENSES				\$1,958,328	\$1,799,548	\$2,298,658	\$1,829,241	\$1,850,150	\$1,871,601	\$1,893,609
NET INCOME BEFORE TRANSFERS				\$34,831	\$344,618	\$4,311	\$337,992	\$368,869	\$375,980	\$383,350
TRANSFERS FROM RESERVES				\$34,831	\$344,618	\$4,311	\$337,992	\$368,869	\$375,980	\$383,350
NET INCOME AFTER TRANSFERS				\$0	\$0	\$0	\$0	\$0	\$0	\$0
RESERVES										
		Operating Target	\$160,000							
		Legal Target	\$300,000							
		CBC Target	\$400,000							
		Target Reserves	\$860,000							
		Total Reserves at End of FY 16	\$2,082,039							
		Excess Reserves at End of FY	\$1,222,039	\$1,256,870	\$1,601,488	\$1,605,799	\$1,943,791	\$1,574,923	\$1,198,943	\$815,593

## 1. Process for Transition

- Objective: To prepare a modified notice of intent (NOI) to cover the transition so that enrollees can submit as little as possible
- Driver:
  - Per Amanda, State wide objective to transition in 3 years.
  - Per Blair,
    - State board's *intent* that the waterboards rescind their individual orders and enroll the enrollees under their order. But it is *not a requirement*.
    - Waterboards' perspective is that it is suggested by the State Board but waterboard has no resources to do it and it is not a mandate.
    - Waterboard prefers another avenue, which is to amend 96-11 to account for changes that State Board wants
    - **ACTION:** Blair to check on whether the transition is required
  - Per Lorien, things are going to come up that are more easily implemented through the General Order.
    - E.g. State Board wants all agencies reporting to them. But, 96-11 could be amended to incorporate this process.
    - Form for online recycled water reporting. Shows up in climate change language too.
    - Per Amanda, State Board wanted to start a RW module in CIWQS
  - Per Blair,
    - Would prefer that everyone who is already enrolled under 96-11 to be enrolled in the general order, then waterboard would work with the enrollees to fill the gaps
    - Also don't think 3 years in feasible. Will need longer.
  - Per Amanda,
    - Since title 22 requirements have not changed since 2000, then should not have a need to revisit and redo title 22 eng report
    - But yes, use area inspection requirements, priority pollutants etc, which are outside title 22 have changed
  - Per Blair,
    - He has stateboard for a list of who they think it lacking in documentation, but stateboard has not responded to that
- Modified NOI could ask for:
  - Title 22 eng report
    - Date it was approved. No need to resubmit the old report. Or submit a new one.
    - Could also reference CDPH / DDW comment if relevant
    -

## 2. Expectations/Methods for addressing permit differences

- a. Agronomic Rates
- b. Salt & Nutrient Management Plans
  - For landscape irrigation, just had a box to check yes/no. Suggest the same approach
  - Blair agreed with this process

- c. Priority Pollutant Monitoring
- d. User Self-Monitoring
- e. Frequency – Quarterly
  - Per Stephanie, currently twice a year. If you change it to quarterly, the message users see could be that it is less safe
- f. Pond Systems
- g. Use Area
- h. Annual Reporting
  - Per Blair, all NPDES plants already report data via ESMR. So wouldn't it be possible to add another column for RW? Isn't it that simple?
  - Per Amanda, you need to add another monitoring point and applicable data. E.g. site acreage etc. So that's why a new separate module might be required.

### 3. Next Steps

- a. **ACTION:** Lorien to send update to RW committee and see if they have are okay with this approach
- b. **ACTION:** Start on draft NOI Form
  - What information should be submitted
  - Simple yes/no questions
    - E.g. do you do quarterly self-monitoring reports? If not, what frequency would you like to monitor? This can help existing users keep to their existing sampling frequency

### 4. Other Issues

- Production (email from Mary Cousins)
  - o North Bay regional board issues NPDES permit with standard recycled water requirements as an attachment. So that everything is on one place
  - o Reluctance on NPDES section for Region 2. Want to just have bare minimum.
  - o But Blair thinks that could be a way to for internal production of recycled water and not have to issue a different permit
  - o It would be a long term process since NPDES permits are reissued every 5 years
  - o **ACTION:** Blair to follow-up on this NPDES group on RW addition
  - o State board and regional board have a quarterly round table meeting. Next one in mid/late March. **ACTION:** Blair will put production issue on the agenda.



# Biosolids Committee – Report to BACWA Board

Biosolids Committee meeting on: March 9, 2017  
(Joint CASA/BACWA Meeting)  
Executive Board Meeting Date: March 17, 2017  
Committee Chair: Alicia Chakrabarti and Adrian Santiago

## **Committee Request for Board Action: Approve Ravi Krishnaiah as new co-chair for committee.**

<b>Agenda Item : Welcome and Introductions</b>
<b>Agenda Item : Kern County Litigation Update and Other</b> <ul style="list-style-type: none"> <li>In February Greg Kester provided updated maps regarding biosolids ordinances. Users should refer to the map that includes functional use constraints, as these can be significant.</li> <li>Courts ruled against Kern County Ordinance; this is good precedent statewide for biosolids land application.</li> <li>In Imperial County, the block on biosolids importation stems from a gasification project.</li> <li>Solano County removed their sunset clause five years ago.</li> </ul>
<b>Agenda Item : State Regulatory Initiatives</b> <ul style="list-style-type: none"> <li>AB 901 Solid Waste Reporting Requirements: CASA prepared a comment letter. Beginning 2019 Q1, all WWTPs must report to CalRecycle quarterly their tonnage and destinations for biosolids (and presumably grit and screenings). The purpose of the bill is to provide a back check for AB939.</li> <li>SB 1383 Short-lived Climate Pollutants: This bill will affect use of biosolids as landfill alternative daily cover.</li> </ul>
<b>Agenda Item : Federal Initiatives</b> <ul style="list-style-type: none"> <li>Greg Kester had a meeting with the EPA recently.</li> <li>EPA will not conduct their targeted national sewage survey, which was focused on perfluorinated compounds.</li> </ul>
<b>Agenda Item : Research/Other</b> <ul style="list-style-type: none"> <li>WEF has a new biosolids coordinator, Patrick Dube, PhD.</li> <li>Funds are being raised for research on fire-ravaged lands. Need \$160K to reach \$200K goal. Several agencies have made contributions.</li> <li>OCSD's Biosolids Master Plan is nearly complete and will be available soon.</li> </ul>
<b>Agenda Item : Upcoming Meetings</b> <ul style="list-style-type: none"> <li>W 3170 annual meeting June 12-13, 2017, in Los Angeles</li> <li>WEF Residuals and Biosolids Conference April 8-11, 2017, in Seattle</li> <li>CASA State Public Policy Forum April 19, 2017, in Sacramento</li> <li>CWEA Annual Conference April 25-28, 2017, in Palm Springs</li> </ul>
<b>Next BACWA Biosolids Committee Meeting:</b> Conference Call, April 13, 2017

### **Attendees:**

<b>Name/Title</b>	<b>Agency</b>
Layne Baroldi	Synagro
Jim Dunbar	Lystek
Zachary Kay	City of Santa Rosa
Greg Kester	CASA
Mark Koekemoer	CMSA
Cameron Kostigen Mumper	City of Sunnyvale

<b>Name/Title</b>	<b>Agency</b>
Ravi Krishnaiah	SFPUC
Irina Lukicheva	CH2MHill
Tom Meregillano	OCSD
Rebecca Overacre	EBMUD
Robert Wilson	City of Petaluma

# **InfoShare Asset Management– Report to BACWA Board**

InfoShare Asset Management Committee meeting on: 02/23/2017  
Executive Board Meeting Date: 03/17/2017  
Committee Chair: Dana Lawson, Central San

## **Committee Request for Board Action: None**

**Attendees:** Dana Lawson, Jon Macagba, David Wellner (Central San); Jill Chamberlain (CCWD); Leonard Espinoza, Tanner McGinnis (City of Sunnyvale); Patricia Chapman, Irene O’Sullivan (Delta Diablo); Aaron Johnson (DSRSD); Dillon Cowan (EBMUD); Robin Gamble (Napa Sanitation)

<b>Introductions</b> <ul style="list-style-type: none"><li>• See above</li></ul>
<b>Announcements</b> <ul style="list-style-type: none"><li>• none</li></ul>
<b>Announcements</b> <ul style="list-style-type: none"><li>• Overview of Central San’s recent implementation efforts including GIS, web mapping, CMMS, CCTV, hydraulic model, renovation planning, program management information system (Lawson). See slide handouts attached.</li><li>• Central San field staff are using iPads to access Cityworks and GeoPortal.</li><li>• Aaron said that DSRSD is using Infomaster and is beta-testing a version for vertical assets.</li><li>• Inspections have also been configured. Using condition inspection forms from the recent masterplan endeavor, inspection forms were configured in Cityworks where each observation has a pick-list of answers that tie to a score, which the system uses to calculate an overall condition score for the asset. Not all inspection forms are configured to calculate a score for an asset. Some are used with PMs to record readings, document work that was done, or as a checklist of tasks.</li></ul>
<b>Discussion</b> <ul style="list-style-type: none"><li>• Two meetings ago (August) attendees expressed interest in developing resources for asset cost &amp; lifecycles after Lani (West Yost) presented their work for DSRSD Reviewed set-up of Asset Cost &amp; Lifecycle Tables spreadsheet determined at the last meeting (November), which included asset class, asset type, asset subtype, and what data to track. A draft was sent to November attendees. Aaron will add data and return; then Dana will post in the “cloud” (either Dropbox or Onedrive) and e-mail everyone for contributions. Objective is to finish the tables by the end of the year, then revisit annually to update cost into current year’s dollars and audit selected assets’ costs. Attendees expressed an interest to continue working on this. See draft attached.</li></ul>
<b>Next BACWA Asset Management Infoshare Committee Meeting:</b> Tentatively May 17, 2017 at EBMUD  <i>Please e-mail <a href="mailto:dcowan@ebmud.com">dcowan@ebmud.com</a> if you can provide a presentation or host a future meeting; default is to host at CCCSD or EBMUD if no other agencies are able to volunteer.</i>

# Permits Committee – Report to BACWA Board

Permits Committee Meetings on: 3/9/17  
Executive Board Meeting Date: 3/17/17  
Committee Chair: Eric Dunlavey

## Committee Request for Board Action: None

### Joint meeting with CASA Regulatory Workgroup – See [meeting packet](#)

### 32 Participants from POTWs Statewide

#### General Meeting

1. Meg Sedlak of SFEI gave a [presentation](#) on the RMP's microplastics program. There was a follow-up discussion on pollution prevention. Note that BACWA's efforts on method development have been published in [J Analytical Chemistry](#).
2. Jessica Gauger gave a presentation on CASA's Legislative Priorities for 2017:
  - AB574 – WaterReuse/CoastKeeper sponsored bill changes the definition of potable reuse and requires the development of criteria for potable reuse through raw water augmentation by 2021. CASA supports.
  - AB967 – Regulating biocremation facilities – includes a prohibition on discharge to sewers and instead requires hauling to digestion facilities. CASA is offering clarifying language but is not opposing or supporting.
  - AB474 - exempts spent brine solutions that are byproducts of the treatment of groundwater to meet California drinking water standards from those same requirements if certain conditions are met, including that the spent brine solutions are transferred for dewatering via a closed piping system to lined surface impoundments regulated by the California regional water quality control boards. CASA is watching.
  - AB1132 – Allows air pollution control officer to issue an Order of Abatement if there is a clear and present danger. CASA is watching.
  - AB14538 – ELAP Overhaul bill
  - SB602 - Requires labeling of seeds and plants treated with neonicotinoidsCASA is also considering sponsoring a Bill regulating flushable wipes. Sen. Hertzberg is not reintroducing a Recycled Water Bill this year, but instead is focusing on Prop 218 reform, including redefining sewers to include stormwater.
3. Greg Kester gave an update on State initiatives that will put the sustainability of landfills as biosolids reuse/disposal alternatives in jeopardy.

#### Water Committee Meeting

1. **CECs** – The State Water Board wants data from all Regional monitoring efforts, including the RMP, to be uploaded to CEDEN. There will be an RMP meeting on CECs on March 30 at SFEI in Richmond.
2. **Toxicity** – The State Water Board is beginning its soft rollout of the revised Toxicity Plan with an invitation-only meeting on April 11. Three new Los Angeles Region permits have been proposed with the TST.
3. **Nutrients**
  - The Wadeable Streams Nutrients Regulatory Process links nutrient levels to beneficial use attainment, although that may be difficult to measure in the benthos.
  - BACWA is planning to host a second workshop on the Optimization and Upgrade studies in June. BACWA members are working internally to develop a consensus negotiating position for the second watershed permit.
4. **Mercury Objectives and Proposed Beneficial Uses** – POTWs plan to meet with Andria Ventura and some of the Tribal representatives next week on March 16<sup>th</sup> to discuss [proposed language changes](#). The goal is to seek their support for at least some of the proposed language changes before State Board staff release their final Proposal for Board approval. POTW reps are also planning to seek another meeting with Karen Larsen to ascertain whether staff is willing to make the requested language changes - - particularly as related to the proposed approach to determining Reasonable Potential and for implementing fish tissue-*only* WQOs through the NPDES process.
5. **Regional Association Update** – Region 2 is updating its 303(d) list and has listed every segment of the San Francisco Bay for toxicity. BACWA plans to comment. There is also new language in Attachment D of Region 2 permits that implements EPA Electronic Reporting Rule. Language in Attachment F clarifies that the new language does not supersede the State SSS WDR.
6. **Enforcement Policy** - The item got pulled from the March 7 Board Meeting, but there is no information about next steps.
7. **ELAP Fees** – The proposed fee increases were included in the meeting packet.
8. **SCCWRP** – The POTW community is interested in having a seat on SCCWRP's CTAG.

**Next BACWA Permits Committee Meeting:** Tuesday April 11, EBMUD.

**Committee Request for Board Action: None**

**Detailed notes from meetings are posted [online](#).**

**18 attendees (including 9 on phone) representing 10 member agencies**

**Transition from 96-011 to State Recycled Water General Order**

A subcommittee made up of Recycled Water Committee members had a kickoff call to develop recommendations on the transition to the State Recycled Water General Order. Regional Water Board staff participated in the call, and took the position that language in the State General Order does not make the transition mandatory, but merely indicates the State Water Board's "intention". Notes from the meeting are attached. BACWA will continue to develop a checklist for agencies who wish to transition to the State General Order, such as developing a new project that spans Regional Water Board jurisdictional boundaries.

**State Revolving Fund Intended Use Plan**

The State Water Board has updated their Financial Outlook and Financing Forecast for the [Intended Use Plan Update](#). The State Water Board is not seeking comments on the document. Staff have stated that there will be funding available for Group 1, 2 and Disadvantaged Community (DAC) projects. They will be releasing \$475M in bonds to fund these projects. Group 3 projects will probably not get funded.

There was a discussion about the disconnect between project planning/construction schedules and the funding timeline for loans and grants. The committee is considering whether to submit a comment to Water Board members outlining how the funding process hinders project development. If a comment letter is submitted, it should note the efforts of State Water Board staff, but point out the understaffing and structural issues that are impeding projects. This issue will also be raised at the next WaterReuse Leg/Reg meeting. There is also a long process to ensure that the application is complete, with a lot of back and forth with the Water Board. There should be a process to certify that an application is ready to go, and is eligible to proceed once funding becomes available.

**Building Standards for Recycled Water Systems (AB 2282)**

The State Water Board has released a [Proposed Resolution-Comprehensive Response to Climate Change](#). The Resolution includes the following language:

*DWQ shall coordinate with the Regional Water Boards to make annual reporting of recycled water data a requirement of waste discharge permits and water reclamation requirements, and work with the Division of Information Technology to develop an online data entry system to track recycled water use. Starting with the 2017-18 annual Performance Report, DWQ shall include a summary on the volume of recycled water used, and types of use.*

The committee recommended that BACWA submit a [comment letter](#) stating that our agencies don't want duplicative requirements for reporting, or requests for inconsistent information from different state Agencies. The Committee would like to be involved in development of data request, since we have experience developing Recycled Water surveys.

**AB 574 (Quirk Bill)**

AB574 seeks to update the definition of potable reuse to four specific types and do away with "direct potable reuse" and "indirect potable reuse." This bill would require State Water Board to establish a framework for regulating potable reuse projects by June 2019 and adopt criteria for regulating potable reuse through raw water augmentation by December 2021. The bill will be presented for its first hearing on April 4 in State Assembly Environmental Safety and Toxic Materials. WaterReuse is seeking support for the Bill.

**Next Meeting** – March 3, 2017 from 10:00 am to 12:00 pm, 2nd Floor Small Training Room at EBMUD Headquarters.

## **Executive Director's February 2017 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 24<sup>th</sup> 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 Annual Meeting and discussion of the agenda for the 2<sup>nd</sup> Nutrient Workshop for the BACWA membership.
- Coordinated with the OP/Upgrade consulting team on administrative issues.
- Coordinated with the NMS Science Manager on presentations for the Planning Subcommittee and the BACWA Nutrient Strategy Team meeting.
- Organized and conducted the 3rd Meeting of the Nutrient Strategy Team and presented options and costs for the 2<sup>nd</sup> Watershed Permit.
- Met with the leadership at the City of San Jose to discuss options for the 2<sup>nd</sup> Nutrient Watershed permit

### **BACWA BOARD MEETING AND CONFERENCES:**

- Worked with staff in preparing for the February BACWA Board meeting including reviewing the agenda with the Board Chair.
- Organized the bi-monthly Joint Meeting with the Water Board for March.
- Continuing to track all action items to completion.
- Planned for and attended the February monthly Board Meeting.
- Coordinated with the City of San Mateo for a presentation at the February Board meeting on their planning efforts for nutrient reduction.
- Coordinated with the Stanford Codiga Center for a presentation at the BACWA Board meeting on pilot studies on secondary treatment technologies.

### **ASC/SFEI:**

- As a member of the Executive Committee, coordinated with SFEI Executive Director on Board activities.

### **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 17 member invoices.
- Worked with the AED to prepare the BACWA FY 18 budget and 5 Year Plan.
- Presented the FY 18 budget and 5 Year Plan at the February Board meeting.

### **PERMIT COMMITTEE:**



- Coordinated with the RPM for items to agendize for the Permit Committee review.
- Attended the February Permit Committee meeting and provided updates on the nutrient issues.
- Coordinated BACWA's testimony at the SWRCB hearing on mercury beneficial uses

#### **COLLABORATIONS:**

- Serving as a member of the CASA Nomination Committee for new Board members.
- Coordinated with the Summit Partners in preparation of a comment letter on the SWRCB's proposed beneficial uses for tribal fishing.
- Attended the CASA DC conference but not representing BACWA.

#### **AIR COMMITTEE:**

- Coordinated with the AIR Committee leadership on responding to proposed regulations on health risk assessments.
- Prepared for the workshop with BAAQMD staff on Rule 11-18.
- Submitted comment letter on the proposed SWRCB Climate Change Resolution

#### **ADMINISTRATION:**

- Held the monthly BACWA staff meeting to coordinate and prioritize activities.
- 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 members requests for information



## BACWA BOARD CALENDAR

April 2017 to March 2018

DATE	AGENDA
<p><b>4/21/2017</b></p> <p><b>Monthly Board Mtg</b>  Items due: 4/14  Pagano; Ervin; Connor; Horenstein; Schectel  Williams; Fono; Hull</p>	<p><u><b>Consent</b></u>  Previous Board Meeting Minutes (AED)  Monthly Financial Report</p> <p><u><b>Authorizations &amp; Approvals</b></u>  Approval: FY18 Budget</p> <p><u><b>Other Business - POLICY/STRATEGIC</b></u>  Discussion: HDR Quarterly Update on Optimization/ Upgrade studies</p> <p><u><b>Other Business - OPERATIONAL</b></u>  Discussion: Succession Planning FY18  Discussion: Update on regional and statewide biosolids issues  Discussion: CPSC Update</p> <p><u><b>Reports</b></u>  Committee Reports (Committee Chairs)  Board Reports (Executive Board)  ED Report (ED)  RPM Report (RPM)  Other BACWA Representative Reports</p>
<p><b>5/19/2017</b></p> <p><b>Monthly Board Mtg</b>  Items due: 5/12  Pagano; Ervin; Connor; Horenstein; Schectel  Williams; Fono; Hull</p>	<p><u><b>Consent</b></u>  Previous Board Meeting Minutes (AED)  Monthly Financial Report</p> <p><u><b>Authorizations &amp; Approvals</b></u>  Approval: FY18 Amendments/Agreements  Approval: Officers: Chair &amp; Vice-Chair  Approval: BACWA Reps to ASC/SFEI Governing Board  Authorization: Legal Support Amendments</p> <p><u><b>Other Business - POLICY/STRATEGIC</b></u>  Discussion: Draft Agenda Water Board Jt Mtg  Discussion: Pesticides Update (Kelly Moran)</p> <p><u><b>Other Business - OPERATIONAL</b></u></p> <p><u><b>Reports</b></u>  Committee Reports (Committee Chairs)  Board Reports (Executive Board)  ED Report (ED)  RPM Report (RPM)  Other BACWA Representative Reports</p>
<p><b>5/?/2017</b></p> <p><b>Joint Meeting</b></p>	<p><u><b>Other Business: Discussions</b></u></p>

**Items due:**

Pagano; Ervin; Connor; Horenstein; Schectel

Williams; Fono

**6/7/2017**

**Nutrient Optimization/Upgrade Workshop #2**

Pagano; Ervin; Connor; Horenstein; Schectel Optimization/Upgrade Studies

Williams; Fono Water Board

**6/16/2017** **Consent**

**Monthly Board Mtg**

Items due: 6/?

Pagano; Ervin; Connor; Horenstein; Schectel

Williams; Fono; Hull

Previous Board Meeting Minutes (AED)

Monthly Financial Report

**Authorizations & Approvals**

Approval: FY18 Agreements

**Other Business - POLICY/STRATEGIC**

Discussion: WB Joint Meeting Debrief

Discussion: Biannual Update on CWCCG (SDeslauriers)

**Other Business - OPERATIONAL**

**Reports**

Committee Reports (Committee Chairs)

Board Reports (Executive Board)

ED Report (ED)

RPM Report (RPM)

Other BACWA Representative Reports

**7/21/2017** **Consent**

**Monthly Board Mtg**

Items due: 7/14

Pagano; Ervin; Connor; Horenstein; Schectel

Williams; Fono; Hull

Previous Board Meeting Minutes (AED)

Monthly Financial Report

**Authorizations & Approvals**

Approval: Annual Nutrient WS Payment

Approval: FY18 Agreements

**Other Business - POLICY/STRATEGIC**

Discussion: HDR Quarterly Update on Optimization/ Upgrade studies

Discussion: Draft Agenda Pre-Pardee Technical Seminar

Discussion: Risk Reduction Update

Discussion: Draft Agenda Water Board Jt Mtg

**Other Business - OPERATIONAL**

**Reports**

Committee Reports (Committee Chairs)

Board Reports (Executive Board)

ED Report (ED)

RPM Report (RPM)

Other BACWA Representative Reports

**7/?/2017**

**Joint Meeting**

Items due:

**Other Business: Discussions**



Pagano; Ervin; Connor; Horenstein; Schectel  
Williams; Fono

**8/18/2017 Consent**

**Monthly Board Mtg**

Items due: 8/11

Pagano; Ervin; Connor; Horenstein; Schectel  
Williams; Fono; Hull

Previous Board Meeting Minutes (AED)  
Monthly Financial Report

**Authorizations & Approvals**

**Other Business - POLICY/STRATEGIC**

Discussion: Draft Agenda & Schedule Pre & Pardee Technical Seminar  
Discussion: WB Joint Meeting Debrief  
Discussion: RMP & NMS Update (Phil Trowbridge/David Senn)  
Discussion: Risk Reduction Update

**Other Business - OPERATIONAL**

Discussion: FY18 Arleen Navarret Award

**Reports**

Committee Reports (Committee Chairs)  
Board Reports (Executive Board)  
ED Report (ED)  
RPM Report (RPM)  
Other BACWA Representative Reports

**9/15/2017 Consent**

**Monthly Board Mtg**

Items due: 9/8

Pagano; Ervin; Connor; Horenstein; Schectel  
Williams; Fono; Hull

Previous Board Meeting Minutes (AED)  
Monthly Financial Report

**Authorizations & Approvals**

Approval:

**Other Business - POLICY/STRATEGIC**

Discussion: Draft Agenda Pardee Technical Seminar  
Discussion: Annual Meeting Planning

**Other Business - OPERATIONAL**

**Reports**

Committee Reports (Committee Chairs)  
Board Reports (Executive Board)  
ED Report (ED)  
RPM Report (RPM)  
Other BACWA Representative Reports

**9/15/2017 Tentative**

**Pre-Pardee Mtg**

Pagano; Ervin; Connor; Horenstein; Schectel  
Williams; Fono; Hull

**10/?/2017**

**Pardee Technical Seminar**

Pagano; Ervin; Connor; Horenstein; Schectel  
Williams; Fono; Hull

<b>11/17/2017</b>	
<b>Monthly Board Mtg</b>	<b><u>Consent</u></b>
Items due: 11/10	Previous Board Meeting Minutes (AED)
Pagano; Ervin; Connor; Horenstein; Schectel	Monthly Financial Report
Williams; Fono; Hull	<b><u>Authorizations &amp; Approvals</u></b>
	Approval: Adoption of FY16 Annual Reports
	Approval: Finalize next Calendar Year meeting dates
	<b><u>Other Business - POLICY/STRATEGIC</u></b>
	Discussion: Pardee Debrief & Survey
	<b><u>Other Business - OPERATIONAL</u></b>
	Discussion: Annual Meeting Planning
	<b><u>Reports</u></b>
	Committee Reports (Committee Chairs)
	Board Reports (Executive Board)
	ED Report (ED)
	RPM Report (RPM)
	Other BACWA Representative Reports

<b>12/22/2017</b>	
<b>Joint Meeting</b>	<b><u>Other Business: Discussions</u></b>
Items due:	SNMP
Pagano; Ervin; Connor; Horenstein; Schectel	
Williams; Fono	

<b>12/15/2017</b>	
<b>Monthly Board Mtg</b>	<b><u>Consent</u></b>
Items due: 12/8	Previous Board Meeting Minutes (AED)
Pagano; Ervin; Connor; Horenstein; Schectel	Monthly Financial Report
Williams; Fono; Hull	<b><u>Authorizations &amp; Approvals</u></b>
<b>HOLIDAY LUNCH</b>	<b><u>Other Business - POLICY/STRATEGIC</u></b>
	Discussion: Draft Agenda Joint Meeting with WB
	<b><u>Other Business - OPERATIONAL</u></b>
	Discussion: Annual Meeting Agenda
	<b><u>Reports</u></b>
	Committee Reports (Committee Chairs)
	Board Reports (Executive Board)
	ED Report (ED)
	RPM Report (RPM)
	Other BACWA Representative Reports

<b>1/?/2018</b>	
<b>Annual Members Mtg</b>	
Pagano; Ervin; Connor; Horenstein; Schectel	RMP & NMS Update (Phil Trowbridge/David Senn)
Williams; Fono; Hull	

<b>2/?/2018</b>	
<b>Monthly Board Mtg</b>	<b><u>Consent</u></b>
Items due: 2/10/15	Previous Board Meeting Minutes (AED)
	Monthly Financial Report

Pagano; Ervin; Connor; Horenstein; Schectel  
Williams; Fono; Hull

#### **Authorizations & Approvals**

Approval:

#### **Other Business - POLICY/STRATEGIC**

Discussion: WB Joint Meeting Debrief

#### **Other Business - OPERATIONAL**

Discussion: FY2017 Budget Planning

Discussion: Annual Meeting Debrief

#### **Reports**

Committee Reports (Committee Chairs)

Board Reports (Executive Board)

ED Report (ED)

RPM Report (RPM)

Other BACWA Representative Reports

**3/?/2017**

#### **Joint Meeting**

Items due:

Pagano; Ervin; Connor; Horenstein; Schectel

Williams; Fono

#### **Other Business: Discussions**

**3/?/2017**

#### **Monthly Board Mtg**

Items due: 3/10

Pagano; Ervin; Connor; Horenstein; Schectel

Williams; Fono; Hull

#### **Consent**

Previous Board Meeting Minutes (AED)

Monthly Financial Report

#### **Authorizations & Approvals**

#### **Other Business - POLICY/STRATEGIC**

Discussion: WB Joint Meeting Debrief

Presentation: CPSC Update (Heidi Sanborn)

#### **Other Business - OPERATIONAL**

Discussion: Second Draft of FY17 Budget

Discussion: Update on BARR Taskforce

Discussion: Update on regional and statewide biosolids issues

Discussion: Biannual Update on CWCCG (SDeslauriers)

#### **Reports**

Committee Reports (Committee Chairs)

Board Reports (Executive Board)

ED Report (ED)

RPM Report (RPM)

Other BACWA Representative Reports

**CURRENTLY  
UNSCHEDULED  
& SIGNIFICANT**

- \* 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



## BACWA ACTION ITEMS

Number	Subject	Task	Deadline	Status
<b>Action Items from December 16, 2016 BACWA Executive Board Meeting</b>				
2017.1-45	CCCSD TO	Send Comment Letter	3/15/2017	completed
2017.1-44	Pacifica Tentative Order	Send Comment Letter	2/28/2017	completed
2017.1-43	March Joint Meeting with WB	Add toxicity and a CEC update to Agenda (RPM)	2/28/2017	completed
2017.1-42	Toxicity	Organize a toxicity workshop (Permit/Lab/EPA) (RPM)	3/31/2017	pending
2017.1-41	BAAQMD Rule 11-18	Fund a study - find a consultant - evaluate POTW contribution (ED)	3/31/2017	pending
2017.1-40	Codiga Resource Recovery Center	Incorporate into Permit negotiations (ED)	6/30/2017	pending
2017.1-39	Codiga Resource Recovery Center	BACWA Support Proposal for the Center (MConnor/KNorth) (ED)	3/31/2017	pending
2017.1-38	Science Funding	Continue to contact members to get input (ED)	3/31/2017	pending
2017.1-37	TDC - Subcontractor	Provide Resume to Executive Board (AED)	2/22/2017	completed
2017.1-36	NACWA National Policy Forum	Provide BACWA logo (AED)	2/21/2017	completed
<b>Action Items Remaining from Previous BACWA Executive Board Meetings</b>				
2016.5-82	Biosolids Literature Review	Committee to consider alternatives and matching funds for further Board deliberation (Karri Ving)	5/30/2017	pending
2016.3-65	Proposition 84	Develop agreement between BACWA & ABAG to transfer Prop 84 admin responsibilities (AED/Paul Gilbert-Snyder)	4/30/2017	pending
2016.3-61	Membership Policy	Develop policy for out of region agency membership (ED)	4/30/2017	pending

FY17: 40 of 45 Action Items completed.  
 FY 16: 94 of 97 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.



# Regulatory Program Manager's Report to the Board

February 2017

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**NUTRIENT SUPPORT:** Attended NST meeting. Called in to CMG meeting. Contacted agencies that had not yet responded to the Recycled Water and CIP surveys. Calculated associate agencies' nutrient surcharge for FY18.

**BACWA BULLETIN:** Completed and distributed February Bulletin. Drafted March BACWA Bulletin.

**CECs:** Worked with AXYS to distribute data from SFEI-coordinated voluntary CECs study.

**BENEFICIAL USES:** Reviewed State Water Board materials on proposed mercury objectives and beneficial uses. Developed and delivered BACWA comments at public hearing, and drafted comment letter.

**303(d) LIST:** Reviewed proposed revisions to 303(d) list for San Francisco Bay Basin. Drafted letter requesting extension to comment period.

**MEMBER TENTATIVE ORDERS:** Developed comments on chronic toxicity limits in Pacifica TO. Discussed providing comments in support of the Nutrient Watershed Permit for CCCSD's TO. Discussed new language in Attachment D on reporting that appears to conflict with the SSS WDR with Regional Water Board staff.

**CASA REGULATORY WORKGROUP:** Participated in monthly conference call. Discussed response to Enforcement Policy Update with other members, and provided testimony at State Water Board hearing.

## **COMMITTEE SUPPORT:**

**AIR –** Drafted BAR for Carollo project to look at cost impacts of controlling diesel emissions if required by Rule 11-18.

**BAPPG –** Attended meeting and drafted Board Report. Discussed updating Baywise website with Computer Courage and BAPPG Steering Committee.

**Collection Systems –** Drafted Board Report.

**Permits –** Drafted agenda and Board Report, and attended meeting. Communicated with member agency about spill plans.

**Recycled Water –** Drafted meeting notes and Board Report.

**Executive Board –** Drafted agenda for 3/9 Joint meeting with RWB staff. Assisted in preparing agenda and packet, and attended Executive Board meeting.

**Staff Meeting –** Discussed BACWA administration and planned Executive Board meeting.

**MEETINGS ATTENDED:** BAPPG (2/1), Staff meeting (2/1), State Water Board hearing on Enforcement Policy and Mercury Objectives/new Beneficial Uses (2/7), CASA RWG call (2/9), CMG Conference call (2/10), Permits Committee (2/14), NST Meeting (2/15), Executive Board meeting (2/17).