



**Executive Board Meeting
AGENDA
Friday, April 19, 2019, 9:00 a.m. – 12:30 p.m.
SFPUC, Hetch Hetchy Room, 13th Floor
525 Golden Gate Ave., San Francisco, CA**

<u>Agenda Item</u>	<u>Time</u>	<u>Pages</u>
ROLL CALL AND INTRODUCTIONS	9:00 AM	
PUBLIC COMMENT	9:03 AM	
CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER	9:04 AM	
CONSENT CALENDAR	9:05 AM	
1 March 15, 2019BACWA Executive Board Meeting Minutes		3-10
2 February 2019 Treasurer's Reports		4-20
APPROVALS & AUTHORIZATIONS	9:06 AM	
3 <u>Approval</u> : FY20 BACWA Budget and WorkPlan		21-33
4 <u>Approval</u> : BACWA Agreement with Bay Area Biosolids Coalition		34-36
5 <u>Approval</u> : BACWA Policy on Website		37-38
6 <u>Authorization</u> : Executive Director Approval of Agreement with SFEI for Enterococcus Study		39-41
7 <u>Authorization</u> : Chair Approval of Increase to Keough Consulting Agreement for BAPPG Support		42-44
OTHER BUSINESS - POLICY/STRATEGIC	9:10 AM	
8 <u>Discussion</u> : Nutrients		
a. Regulatory		
i. Tentative Order Comment Letter & Submittals	Early Actors Template	45-50
ii. Meeting Requirements of the 2nd Watershed Permit		
a. Nature Based Solutions Scope of Work		51-57
b. Regional Recycled Water Study Scope of Work & Direction		58-59
c. Group Annual Reporting		
iii. Testimony at May 2019 Adoption Hearing		
iv. Planning Subcommittee Meeting #39 Debrief		60
b. Technical Work		
c. Governance Structure		
i. Nutrient Strategy Steering Committee Membership Update		
9 <u>Discussion</u> : Chlorine Residual Basin Plan Amendment Update		
10 <u>Discussion</u> : Water Board Joint Meeting Debrief		61-64
11 <u>Discussion</u> : Water Board Joint Meeting Draft Agenda		65
12 <u>Discussion</u> : SSS WDR Workshop Debrief		66
13 <u>Discussion</u> : Compounds of Emerging Concern Monitoring Plan	Ethoxylated Surfactants RMP Study	67-72
14 <u>Discussion</u> : Summit Partners Meeting Debrief	Meeting Packet	73-76
15 <u>Discussion</u> : Key Legislation Update		77-85
16 <u>Discussion</u> : BAPPG Legislation Comment Letters		86-89
17 <u>Discussion</u> : Toxicity Provisions Update	Provisions	
18 <u>Discussion</u> : Toxicity Litigation Update		90-93
19 <u>Discussion</u> : Manager's Roundtable Meeting Debrief		94-95
OTHER BUSINESS - OPERATIONAL	10:45 AM	
20 <u>Discussion</u> : BACWA Policy on Committees		
21 <u>Discussion</u> : BACWA Policy on Conflict of Interest		
22 <u>Discussion</u> : Pulse Article on Municipal Wastewater		96-100
23 <u>Discussion</u> : PPIC Presentation on Wastewater & Climate	Pesentation	
24 <u>Discussion</u> : Retirement of CASA Executive Director		101
25 <u>Discussion</u> : AIR Committee RFP for FY20		102-108
26 <u>Discussion</u> : BAPPG Committee RFQ for FY20		109-113
27 <u>Discussion</u> : BACWWE General Membership Meeting		114-120

REPORTS		12:10 PM	
28	Committee Reports		121-129
29	Member Highlights		
30	Executive Director Report		130-138
31	Regulatory Program Manager Report		139
32	Other BACWA Representative Reports		
	a. RMP Technical Committee	Mary Lou Esparza, Nirmela Arsem	
	b. RMP Steering Committee	Karin North; Leah Walker; Eric Dunlavey	
	c. Summit Partners	Dave Williams; Lori Schectel	
	d. ASC/SFEI	Dave Williams; Amit Mutsuddy; Karin North	
	e. Nutrient Governance Steering Committee	Eric Dunlavey; Eileen White; Lori Schectel	
	e.i Nutrient Planning Subgroup	Eric Dunlavey	
	e.ii NMS Technical Workgroup	Eric Dunlavey	
	f. SWRCB Nutrient SAG	Dave Williams	
	g. NACWA Taskforce on Dental Amalgam	Tim Potter	
	h. BAIRWMP	Cheryl Munoz; Linda Hu; Dave Williams	140-144
	i. NACWA Emerging Contaminants	Karin North; Melody LaBella	
	j. CASA State Legislative Committee	Lori Schectel	
	k. CASA Regulatory Workgroup	Lorien Fono	
	l. ReNUWit	Jacqueline Zipkin; Karin North	
	m. RMP Microplastics Liaison	Nirmela Arsem	
	n. AWT Certification Committee	Maura Bonnarens,	
	o. Bay Area Regional Reliability Project	Eileen White,	
	p. WateReuse Working Group	Cheryl Munoz;	
	q. San Francisco Estuary Partnership	Eileen White; Dave Williams	
	r. CPSC Policy Education Advisory Committee	Coleen Henry	
	s. California Ocean Protection Council	Lorien Fono	
	t. Countywide Water Reuse Master Plan	Karin North	
	u. CHARG - Coastal Hazards Adaptation Resiliency Group	Jacqueline Zipkin	
33 SUGGESTIONS FOR FUTURE AGENDA ITEMS		12:27 PM	
NEXT MEETING		12:28 PM	
The next regular meeting of the Board is scheduled for May 17, 2019 from 9:00 am to 12:30 pm at EBMUD, 2nd Floor Large Training Room, 375 11th Street, Oakland, CA.			
ADJOURNMENT		12:30 PM	

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Lori Schectel (Central Contra Costa Sanitary District); Amit Mutsuddy (San Jose); Eileen White (East Bay Municipal Utility District); Jacqueline Zipkin (East Bay Dischargers Authority); Brian Henderson (SFPUC).

Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Amanda Roa	Delta Diablo
Azalea Mitch	San Mateo
Eric Dunlavey	San Jose
Dave Richardson	Woodard & Curran
Karin North	City of Palo Alto
Nirmela Arsem	EBMUD
Sarah Deslaurier	Carollo Engineers
Tom Hall	EOA, Inc.
Andrew Damron	Napa San
YuYun Shang	EBMUD
Mike Falk	HDR
Damien Charlety	EBMUD
Alina Constantinescu	Larry Walker & Assoc.
Robert Hoelzel	Mel Leung Treatment Plant, SFO
Crystal Zhu	Mel Leung Treatment Plant, SFO
David Williams	BACWA
Lorien Fono	BACWA
Sherry Hull	BACWA

PUBLIC COMMENT

None.

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER – The Executive Director asked if anyone wished to take an item out of order or if any BACWA Representative wished to present a report or request BACWA direction on an issue out of order. Item #23, Update on BAPPG: O'Rourke Contract, was taken out of order before Item #3.

CONSENT CALENDAR

1. February 15, 2019, BACWA Executive Board Meeting Minutes – The approved minutes will be posted on the BACWA website.

2. January 2019 Treasurer’s Reports and Financial Summary – A Financial Summary Report, along with Treasurer’s Reports for January 2019, were included in the Packet. A copy of the FY18 Budget as of January 31, 2019, (58% 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: A motion to approve was made by Eileen White and seconded by Brian Henderson. The motion was approved unanimously.

APPROVALS & AUTHORIZATIONS

3. Approval: BACWA Policies – A Board Action Request and three Draft Policies for Succession Planning, Class of Membership, and Budgeting were included in the Packet. The Executive Director gave an overview of the policies noting that the Board had seen the draft policies at the February 15, 2019 meeting.

Item 3. A motion to approve was made by Lori Schectel and seconded by Jacqueline Zipkin. The motion was approved unanimously.

4. Authorization: Chair Authorization of Agreement with Keough Consulting for BAPPG in FY19 – A signed Chair Authorization Request, a signed Agreement, and Scopes of Work were included in the Packet. The Executive Director gave an overview.

OTHER BUSINESS-POLICY/STRATEGIC

Agenda **Item 5** – Discussion: Nutrients

a. Regulatory

- i. Update on Nature Based Solutions Report – The Executive Director gave an update and explained that a scope and budget will be provided by SFEI on March 19, 2019.
- ii. Update on Regional Recycling Report – A Draft Scope of Work, prepared by BACWA, was included in the Packet. The Executive Director and Regulatory Program Manager gave an overview noting that it is expected that the study will summarize existing Master Plans and studies and not include new assessments for the potential recycling opportunities. A Board Member suggested the addition of potable reuse to the SOW, as it should be a part of the discussion.
- iii. Review Comments on Tentative Order – A [LINK](#) to the Tentative Order was included in the Packet. The Executive Director gave an overview of the comments. The Regulatory Program Manager walked the Board through the comments and requested any additional input. Board members provided additional comments. BACWA will prepare a draft comment letter to circulate to the Board prior to the meeting with the Water board on March 22. BACWA will also provide a template for individual agencies to comment.

- iv. Final Nutrient Brochure – HDR gave an overview of the final brochure. The Executive Director is having copies of the Brochure printed. The Board suggested an increase in the number of copies. Distribution of printed copies will be proportional to members' flow, and some copies will be reserved for regulators, and other stakeholders. A PowerPoint presentation was developed by BACWA and HDR, and provided for adaptation and use by members to educate their Governing Boards on the Optimization/Upgrade Study. BACWA will also collect members' presentations on a password-protected webpage so that agencies may share information with one another.
 - v. Debrief on the EPA Trading Webinar – A [LINK](#) to the EPA Webinar was included in the Packet. The Executive Director gave an overview and emphasized six points: should be large scale and regional; should be adaptively managed; should use trading ratios, include banking, and lookback credits; must meet baseline with no TMDL; single projects may generate multiple benefits; may utilize financing and other funds. Each EPA Region will identify a trading point person on staff to provide assistance and oversight.
 - vi. No Net Loading Increase Report – A [LINK](#) to the Report, received from HDR, was included in the Packet and is on the BACWA website. It will be updated prior to the 2024 Permit.
- b. Governance Structure –
- i. Debrief on Nutrient Management Strategy Steering Committee Meeting #20 – The Minutes from the March 8, 2019 meeting were included in the Packet. The Executive Director gave an overview noting in particular an update from the Science Manager on the 5 year Science Plan which is targeting 65% of available funds on studies related to chlorophyll a and dissolved oxygen, and 35% on HABs, risks, and coastal effects. He also proposed an expert working group to better understand the nutrient processes within the Bay; gave an update on the Modeling Program; sought and received authorization for two projects; and received approval for an additional three projects following approval by the Planning Subcommittee. The Science Manager gave an update on HABs and toxins; he then presented options, following the loss of the USGS ship, for potential ship-based monitoring alternatives.
 - ii. Estuary News Interview on USGS Bay Monitoring Program – The Executive Director gave an overview of the interview and noted that it emphasized the importance of the USGS Program.

Agenda Item 6 - Discussion: Update on CASA Climate Change Program – Sarah A. Deslauriers, P.E., ENV SP, the CASA Climate Change Program Manager, gave a presentation on the status and priorities of the [Air Quality, Climate Change, & Energy \(ACE\) Workgroup](#), emphasizing the development of the Bay Area Air Quality Management District Methane Regulation 13, and regulations implementing AB 1383, diverting organics from landfills.

Agenda **Item 7** - Discussion: Test of Significant Toxicity Litigation Update – An email, along with the Judgement and Order on the Southern California Alliance of Publicly Owned Treatment Works litigation, were included in the Packet. The Executive Director gave an overview of the history. The Board supports continuing the current form of support for the litigation which is being named as part of the lawsuit but no financial contribution.

Agenda **Item 8** - Discussion: Study of Bacterial Background Levels – An enterococci monitoring proposal, along with a BACWA Comment Letter on the Palo Alto NPDES Tentative Order, were included in the Packet. The Executive Director gave an overview. The Regulatory Program Manager provided more details about potential collaborations, number of sampling days, and samples collected per cruise. BACWA is awaiting an estimate from SFEI for the use of their boat and analysis costs. BACWA will develop a monitoring proposal to discuss with the Water Board at the March 22, 2019 Joint bi-monthly meeting.

Agenda **Item 9** - Discussion: Criteria for BACWA Participation Fees – A Proposal was included in the Packet. The Executive Director gave an overview of the issue and proposed fees for different levels of participation by non-member agencies or other entities, and asked for feedback from the Board. The Board is comfortable with the proposal. This provides guidance to the staff for quoting participation fees when inquiries are made by agencies desiring to participate in BACWA activities but are outside the BACWA geographical region.

Agenda **Item 10 – Discussion: Senate Bill 241 - Public Agencies Joint Powers Authorities** – A copy of the Bill was included in the Packet. The Executive Director gave an overview noting that the concern was around the requirement that any contracts that a JPA enters would need to be approved by the Member Agencies Boards. Further study clarified that the types of contracts affected are restricted to municipal services which would not affect BACWA nor most of its members.

Agenda **Item 11** – Discussion: Water Research Foundation Proposal Support – Two BACWA Letters of Support were included in the Packet. The Executive Director gave an overview.

Agenda **Item 12** – Discussion: Contaminants of Emerging Concern Routine Monitoring – A list of contaminants that may be trending upward was included in the Packet. The Executive Director gave an overview. The Regulatory Program Manager will work with the Emerging Contaminants Group at their April meeting to prioritize CECs and get input on the White Paper that BACWA is developing for representational CEC monitoring.

Agenda **Item 13** – Discussion: SSSWDR Meeting Debrief – An Agenda and Comments on the General Order were included in the Packet. The Regulatory Program Manager gave an overview of the meeting. The take away was that not every agency will need to fulfill all the requirements in the draft SSMP outline provided by the State Water Board. In the future, all stakeholder meetings with State Water Board staff will need to be publicly noticed so that Board members may attend. There will be a follow up on this item at the CASA Regulatory Work Group meeting

later in March.

Agenda Item 14 – Discussion: Update on Bay Area Biosolids Coalition – A BABC Steering Committee meeting Agenda, along with a proposed Scope of Work and estimated BACWA support hours were included in the Packet. The Executive Director gave an overview noting that BABC is a JPA and has had a contract (through its lead agency, Central Marin Sanitation Agency) with CASA for several years to provide administrative support. Since their focus is primarily in the Bay Area, and since the great majority of their members are also BACWA members, they decided to explore moving that support to BACWA. The Executive Director provided estimates to the BABC and a pilot program of BACWA support will begin in FY20. BABC will reassess at the end of FY20. A Board Authorization Request will be on the April 2019 Agenda.

Agenda Item 15 – Discussion: Request for Funding of ReNUWIt Workshops –An email funding request for plan workshops, along with a Draft description of the workshops were included in the Packet. The Executive Director asked the Board for input. The Board indicated general support for the workshops and possible funding in the amount of \$15k for one of the workshops focused on decentralized systems. A request will be made to have a BACWA seat at the table as the agenda for the workshop is being developed and to have ReNUWIt keep BACWA abreast of progress on getting funding commitments for the workshops.

OTHER BUSINESS-OPERATIONAL

Agenda Item 16 – Discussion: Draft BACWA Policy on Website – A Draft Website Policy was included in the Packet. The Executive Director gave an overview and asked the Board if they had input. No changes were suggested.

Agenda Item 17 – Discussion: 2nd BACWA FY20 Draft Budget & Workplan – An updated Draft of the FY20 BACWA Budget and Workplan were included in the Packet. The Executive Director gave an overview of the changes and asked the Board if they had any comments. No changes were suggested. A final FY30 BACWA Budget will be brought to the Board for approval at the April 2019 meeting.

Agenda Item 18 – Discussion: Emergency Preparedness – a Board Member noted a concern about the lack of information available to the public on how to deal with wastewater issues in the event of a disaster. EBMUD volunteered to take the lead on the development of information and share with other BACWA members, potentially through BAPPG.

Agenda Item 19 – Discussion: – Joint Meeting with Water Board Draft Agenda – A Draft Agenda for the March 22, 2019 meeting was included in the Packet. The Executive Director/Regulatory Program Manager gave an overview and gave a short overview of SB 69 which would require the State Board to implement nutrient limits and require agencies to denitrify. This Bill's

passage would obviate the SF Bay Nutrient Management Strategy. Several Board members noted what their agencies are doing to inform the legislature on the bill. There were no changes suggested to the Draft Agenda.

Agenda Item 20 – Discussion: Close out of Prop 84 Round 1 Update – The Assistant Executive Director gave an update on the status of the close of Proposition 84 noting that it should be closed prior to the end of FY19.

Agenda Item 21 - Discussion: Annual Report to the Water Board on BACWA Members – The Executive Director gave an overview noting that it would be worthwhile to, on an annual basis, provide the Water Board staff with a list of BACWA Members. The Board agreed and suggested that the Executive Director send that information to the Water Board along with an overview of BACWA's highlights and accomplishments from the previous year.

Agenda Item 22 – Discussion: Fair Political Practices Commission Requirements – The Assistant Executive Director reminded the Executive Board and Alternates that under State of California law they are required annually to provide a wet-signature Conflict of Interest Form 700 to BACWA by the deadline of April 1st each year or face fines. The Assistant Executive Director will send reminders to those Board members who have not yet provided their Form. The Executive Director reminded the Board members that BACWA is required to report to the FPPC anyone who does not submit their form by the regulatory deadline.

Agenda Item 23 – Discussion: Update on BAPPG: O'Rourke Contract – This item was taken out of order. The Executive Director gave an overview of the status of the BAPPG program and budget following the filing for bankruptcy of a consultant who was contracted to provide services in FY19.

REPORTS

Agenda Item 24 – Committee Reports – BACWA Committee Reports were included in the Packet.

AIR Committee: A report from the January 16, 2019 meeting was included in the Packet.

BAPPG Committee: No meeting.

Biosolids Committee: No meeting.

Collections Committee: No meeting

Lab Committee: A report from the February 13, 2019 meeting was included in the Packet. The Chair of the Lab Committee reported on a March 5, 2019 meeting at SFEI on microplastics noting that one issue is that there is still no definition for microplastics and that the State requires one. But there is difficulty in identifying microplastics, particularly whether dyed microfibers are plastic or natural fibers. Researchers are finding a lot of tire fragments, and the industries that produce microfibers are struggling to determine how to reduce them. The Chair

suggested that wipes should also be included. There will be an RMP Microplastics Stakeholders meeting in May and a workshop in October.

Operations & Maintenance – InfoShare Group: No meeting.

Permits Committee: A report from the February 19, 2019 meeting was included in the Packet.

Pretreatment Committee: No meeting.

Recycled Water Committee: A report from the March 5, 2019 meeting was included in the Packet along with a Summary of SB 332.

Agenda Item 25 - 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: A consultant recently began development of a Disaster Cost Recovery Plan to obtain reimbursements from FEMA following a disaster. EBDA will share the results with other BACWA members.

EBMUD: Thanked BACWA for its support for the excellent and very successful Pretreatment Training on March 11th. A video is in production and will be made available. The slides were provided to BACWA to post on the website.

Central Contra Costa County: No report.

San Francisco: To address emergency response they are developing a Lifelines Council which will bring all utilities together. They are just beginning the development and will share what they learn with other BACWA members.

San Jose: No report.

Delta Diablo: No report.

Palo Alto: The State Land Commission held up a pipeline project, and will now be charging extra fees for project review as a cost recovery effort after the Palo Alto project.

San Mateo: They will be starting up their construction, with groundbreaking to begin in September.

Agenda Item 26 - The **Executive Director's (ED) Report** for February 2019 along with the Board Calendar, and BACWA Action Items, were included in the Packet. It was noted that 81 of 84 action items from FY19 have been completed.

Agenda Item 27 - The **Regulatory Program Manager (RPM) Report** for February 2019 was included in the Packet.

Agenda Item 28 - Other BACWA Representative Reports – BACWA Representative were given an opportunity to provide updates. No actions were taken based on the reports.

a. RMP-TRC: Mary Lou Esparza, Nirmela Arsem – No report.

b. RMP Steering Committee: Karin North; Leah Walker; Eric Dunlavey – No report

- c. **Summit Partners:** Dave Williams; Lori Schectel – A Draft Agenda for a March 26, 2019 meeting was included in the Packet. Both representatives will attend. There is a statewide effort to harmonize nutrient regulations.
- d. ASC/SFEI: Eileen White; Dave Williams; Amit Mutsuddy; Karin North – No report.
- e. Nutrient Governance Steering Committee: Eric Dunlavey; Eileen White; Lori Schectel; Jacqueline Zipkin – No report.
 - i. Nutrient Planning Subgroup: Eric Dunlavey
 - ii. NMS Technical Workgroup: Eric Dunlavey
- f. SWRCB Nutrient SAG: Dave Williams – No report.
- g. NACWA Taskforce on Dental Amalgam: Tim Potter – No report.
- h. **BAIRWMP:** Cheryl Munoz, Linda Hu, Dave Williams – An email regarding Prop 1 Implementation was included in the Packet. The Executive Director gave an overview noting that they will begin soliciting project proposals soon.
- i. NACWA Emerging Contaminants: Karin North, Melody La Bella – No report
- j. CASA State Legislative Committee: Lori Schectel – No report.
- k. CASA Regulatory Workgroup – Lorien Fono - No report.
- l. ReNUWI: Jackie Zipkin; Karin North – No report.
- m. RMP Microplastics Liaison: Nirmela Arsem – No report.
- n. AWT Certification Committee: Maura Bonnarens – No report.
- o. Bay Area Regional Reliability Project: Eileen White– No report
- p. WaterReuse Working Group: Cheryl Munoz – No report.
- q. **San Francisco Estuary Partnership** – Eileen White; Dave Williams – The Agenda from the March 6, 2019 meeting was included in the Packet.
- r. CPSC Policy Education Advisory Committee – Doug Dattawalker – No report.
- s. California Ocean Protection Council – Lorien Fono – No report.
- t. Countywide Water Reuse Master Plan - Karin North; Pedro Hernandez – No report.
- u. **BayCAN: Bay Area Climate Adaptation Network** - David R. Williams; Lorien Fono – Links to [Resources for Equitable Adaption Planning](#) and a [List of Projects](#) were included in the Packet.
- v. CHARG: Coastal Hazards Adaptation Resiliency Group – Jacqueline Zipkin – No report.

Agenda **Item 29 - SUGGESTIONS FOR FUTURE AGENDA ITEMS.** None.

ANNOUNCEMENTS: The next regular meeting of the Board is scheduled for **April 19, 2019 from 9:00 am to 12:30 pm at the SFPUC, 13th Floor, Hetch Hetchy Room, 525 Golden Gate Ave, San Francisco, CA.**

To receive a copy of any materials provided to the Board at a BACWA Executive Board meeting contact Sherry Hull at shull@bacwa.org.

The meeting adjourned at 12:40 pm.



MONTHLY FINANCIAL SUMMARY REPORT February 2019

Fund Balances

In FY 19 BACWA has three operating funds (BACWA, Legal, and CBC) and two pass-through funds for which BACWA provides only contract administration services (WOT & Prop 84).

BACWA Fund: This fund provides the resources for BACWA staff, its committees, and other administrative needs. The ending fund balance on February 28, 2019 was \$1,453,179 which is significantly higher than the target reserve of \$191,875 which is intended to cover 3 months of normal operating expenses based on the BACWA FY19 Budget. \$260,223 of the ending fund balance is shown on the February Fund & Investments Balance Report as 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 actual unobligated excess funds of \$1,001,081 (i.e. actual fund balance of \$1,192,956 less target reserves) as of February 28, 2019. As the details of what regulatory requirements will be included in the next Nutrient Watershed Permit, these excess funds may be transferred to the CBC fund and used to offset potential Nutrient Surcharge 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 February 28, 2019 was \$1,972,941 which is significantly higher than the target reserve of \$1,000,000 which was approved by the BACWA Executive Board on December 21, 2018. \$355,192 of the ending balance is obligated to meet line item expenses for completion of the Optimization/Upgrade Studies contract, the Chlorine Residual BPA work, and for technical support. This leaves an actual unobligated excess funds of \$617,749 (i.e. actual fund balance of \$1,617,749 less target reserves) as of February 28, 2019. Total Disbursements for FY19 from the CBC Fund include the Nutrient Voluntary Contribution of \$200,000 and the Nutrient Watershed Permit payment of \$880,000. In addition, an unscheduled advance payment of \$200,000 was made in December 2018 towards the FY20 Nutrient Watershed Permit requirement. 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 Nutrient Surcharge 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. If needed, transfers can be made between the BACWA Fund and the CBC Fund in order to ensure adequate funds are available to complete all the work designated to be paid for by these two funds. It is 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 February 28, 2019, 2018 (67% of the FY) are at 102.99% due primarily to timing of invoices, and to higher interest rates. The FY19 BACWA invoices were sent at the end of July 2018 and the end of August 2018 and all invoiced dues and fees have been received.



MONTHLY FINANCIAL SUMMARY REPORT
February 2019

Overall Expenses as of February 28, 2019 (67% of the FY) are at 89.57% due to the timing of the Nutrient Surcharge contributions required by the Nutrient Watershed Permit, voluntary contributions to support additional science, and an advance payment for the FY20 Nutrient Surcharge contribution.

Those needing additional explanation (i.e. either 10% over or under budget) are:

Administration: This category is 33.63% expended at 67% of the FY due to the timing of invoices.

Meetings: This category is 86.55% expended at 67% of the FY due primarily to timing of invoices.

Communication: This category is 40.96% expended at 67% of the FY due primarily to timing of invoices and lower than budgeted expenditures on website development and maintenance and IT support.

Legal: This category is 9.23% expended at 67% of the FY due to little need for legal support to date.

Committees: This category is 41.09% expended at 67% of the FY due to timing of invoices.

Technical Support: This category is 104.59% expended at 67% of the FY due to the timing of the Nutrient Contributions.

NOTE: An Alternative Investment in the amount of \$300,000 purchased in December 2018 was called in January 2019. It will be replaced, but at the current time LAIF rates are higher than Alternative Investments since the yield curve is negative out to 10 years.



BACWA
BAY AREA
CLEAN WATER
AGENCIES

67% of
Budget

<u>BACWA FY19 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2019 Budget</u>	<u>Actuals Feb 2019</u>	<u>Actual % of Budget Feb 2019</u>	<u>Variance</u>	<u>NOTES</u>
REVENUES & FUNDING						
Dues	Principals' Contributions	\$496,837	\$496,835	100.00%	-\$2	FY19: 2% increase. (Diff due to rounding error)
	Associate & Affiliate Contributions	\$182,144	\$183,035	100.49%	\$891	FY19: 2% increase. Assoc: \$8,090; Affiliate: \$1,600. 1 Coll Syst cancelled, 1 new Member
Fees	Clean Bay Collaborative	\$675,000	\$674,250	99.89%	-\$750	Prin: \$450,000; Assoc/Affil: \$225,000
	Nutrient Surcharge	\$800,000	\$799,998	100.00%	-\$2	Prin: \$533,335; Assoc/Affil: \$266,673
	Member Voluntary Nutrient Contributions	\$0	\$0		\$0	
Other Receipts	AIR Non-Member	\$6,800	\$6,800	100.00%	\$0	FY19: 5% increase (Santa Rosa)
	BAPPG Non-Members	\$3,800	\$3,801	100.03%	\$1	FY19: 2% increase (Sta Rosa, Sac Reg'l, Vacaville)
	Other	\$0	\$55,000		\$55,000	Biosolids & Climate Change Research in Agricultural Soils Project (Addl \$30k received in FY18)
Fund Transfer	Special Program Admin Fees	\$5,000	\$0	0.00%	-\$5,000	FY19: BACWWE increase in FY19 , may include Prop 84 Admin Fees for FY16, FY17, FY18, FY19 when closed out
Interest Income	LAIF	\$20,000	\$36,795	183.98%	\$16,795	BACWA, Legal, & CBC Funds invested in LAIF
	Higher Yield Investments	\$9,000	\$7,708	85.64%	-\$1,292	Alternative Investment Interest (Legal & CBC Funds invested in AltInv)
	Total Revenue	\$2,198,581	\$2,264,222	102.99%	\$65,641	
BACWA FY18 BUDGET						
<u>BACWA FY18 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2019 Budget</u>	<u>Actuals Feb 2019</u>	<u>Actual % of Budget Feb 2019</u>	<u>Variance</u>	<u>NOTES</u>
EXPENSES						
Labor						
	Executive Director	\$201,682	\$117,648	58.33%	-\$84,034	2.9% CPI (SF/Oakland/San Jose Metro Area Dec 2017)
	Assistant Executive Director	\$90,526	\$62,025	68.52%	-\$28,501	2.9% CPI (SF/Oakland/San Jose Metro Area Dec 2017)
	Regulatory Program Manager	\$119,815	\$68,581	57.24%	-\$51,234	2.9% CPI (SF/Oakland/San Jose Metro Area Dec 2017)
	Total	\$412,023	\$248,254	60.25%	-\$163,769	
Administration						
	EBMUD Financial Services	\$40,800	\$12,740	31.23%	-\$28,060	FY19: 2% increase
	Auditing Services (Maze)	\$6,426	-\$67	-1.04%	-\$6,493	FY19: \$6,300 Accrued from FY18 to FY19, less \$1,870, \$3,740 & \$623 paid for FY18
	Administrative Expenses	\$7,650	\$2,934	38.35%	-\$4,716	Travel, Supplies, Parking, Mileage, Tolls, Misc.
	Insurance	\$4,590	\$4,393	95.71%	-\$197	FY19: 2% increase
	Total	\$59,466	\$20,000	33.63%	-\$39,466	
Meetings						
	EB Meetings	\$2,550	\$1,347	52.82%	-\$1,203	FY19: 2% increase. Catering, Venue, other expenses
	Annual Meeting	\$10,200	\$9,113	89.34%	-\$1,087	FY19: 2% increase. Catering, Venue, other expenses.
	Pardee	\$6,120	\$5,608	91.63%	-\$512	FY19: 2% increase. Catering, Venue, other expenses
	Misc. Meetings	\$5,100	\$4,679	91.75%	-\$421	FY19: 2% increase. Hol & Comm Chair Lunch, Staff Mtgs, Fin Comm, Summit Ptnrs, CASA, NACWA Tech WS, Low Flow WS
	Total	\$23,970	\$20,747	86.55%	-\$3,223	
Communication						
	Website Hosting (Computer Courage)	\$600	\$600	100%	\$0	
	File Storage (Box.net)	\$750	\$720	96%	-\$30	
	Website Development/Maintenance	\$1,500	\$0	0%	-\$1,500	Domains, website changes
	IT Support (As Needed)	\$2,600	\$315	12%	-\$2,285	
	Other Commun (MS, SM, Backup, PollEv)	\$1,500	\$1,212	81%	-\$288	MS Exchange, Survey Monkey, CrashPlanPro, Carbonite, Doodle Polls, PollEv
	Total	\$6,950	\$2,847	40.96%	-\$4,103	

EXPENSES						
Legal						
	Regulatory Support	\$2,601	\$195	7%	-\$2,406	FY19: 2% increase
	Executive Board Support	\$2,091	\$238	11%	-\$1,853	FY19: 2% increase
	Total	\$4,692	\$433	9.23%	-\$4,259	
Committees						
	AIR	\$51,000	\$25,712	50%	-\$25,288	Lunches included in budget but not in Carollo agreement
	BAPPG	\$100,000	\$62,334	62%	-\$37,666	Includes CPSC @ \$10,000 and Pest. Reg Spt. @ \$15,000
	Biosolids Committee	\$3,100	\$206	7%	-\$2,894	Includes WEF Conf
	Collections System	\$1,000	\$0	0%	-\$1,000	
	InfoShare Groups	\$1,200	\$404	34%	-\$796	funds for 2 workgroups (Asset Mgmt & O&M - Asset Mgmt on hiatus)
	Laboratory Committee	\$6,100	\$0	0%	-\$6,100	Includes Tech Conf. & training funds
	Permits Committee	\$1,000	\$774	77%	-\$226	
	Pretreatment	\$7,500	\$0	0%	-\$7,500	Includes training funds & Factsheet not expended in FY18
	Recycled Water Committee	\$1,000	\$0	0%	-\$1,000	
	Misc Committee Support	\$45,000	\$0	0%	-\$45,000	\$10,000 increase in FY19
	Manager's Roundtable	\$1,000	\$111	11%	-\$889	
	Total	\$217,900	\$89,541	41.09%	-\$128,359	
Collaboratives						
	Collaboratives					
	State of the Estuary (SFEP-biennial)	\$20,000	\$0	0%	-\$20,000	Biennial in Odd Fiscal Years. (Paid biennially in odd years for even year conference)
	Arleen Navarret Award	\$0	\$1,000		\$1,000	Biennial in Even Fiscal Years (FY18 Budgeted Amount paid in FY19)
	FWQC (Fred Andes)	\$7,500	\$7,500	100%	\$0	Dues unchanged in FY19
	Stanford ERC (ReNUWit)	\$10,000	\$10,000	100%	\$0	
	Misc	\$5,000	\$8,971	179%	\$3,971	BayCAN FY19 Annual Membership (\$1,500), Cerio Tox Whitepaper (\$6,796), SFEI ED Donation (\$100)
	Total	\$42,500	\$27,471	64.64%	-\$15,029	
Other						
	Unbudgeted Items					
	Other	\$0	\$85,000		\$85,000	Biosolids & Climate Change Research in Agricultural Soils Project (\$30k rec'd in FY18, \$55k rec'd in FY19)
		\$0	\$85,000		\$85,000	
Tech Support						
	Technical Support					
	Nutrients					
	Watershed	\$880,000	\$1,080,000	123%	\$200,000	Includes Adv Funding of FY20 payment. \$200k paid in Dec 2018
	NMS Voluntary Contributions	\$200,000	\$200,000	100%	\$0	
	Additional work under permit	\$100,000	\$12,132	12%	-\$87,868	Increased at Board's request (LimnoTech, HDR add'l SOW's in FY19 - 2 Amendments)
	Opt/Upgrade/Annual Reporting Studies	\$25,000	\$25,652	103%	\$652	FY19: Balance remaining on agreement at end of FY18 (Actual \$25,652.20)
	Member Voluntary Nutrient Contributions	\$0	\$0		\$0	
	Nutrient Workshop(s)	\$20,000	\$0	0%	-\$20,000	Pilot Studies/Plant Review/Innovative Technologies
	General Tech Support	\$51,000	\$27,272	53%	-\$23,728	FY19: 2% increase. EOA ChlResidBPA continues into FY19
	Risk Reduction	\$10,000	\$0	0%	-\$10,000	\$50,000 over 5 years (FY19-FY23) 2 Contracts for \$25,000 each over FY19, 20, & 21
	Total	\$1,286,000	\$1,345,056	104.59%	\$59,056	
	TOTAL EXPENSES	\$2,053,501	\$1,839,349	89.57%	-\$214,152	
	NET INCOME BEFORE TRANSFERS	\$145,080	\$424,873			
	TRANSFERS FROM RESERVES	\$0				
	NET INCOME AFTER TRANSFERS	\$145,080				




Bay Area Clean Water Agencies

A Joint Powers Public Agency

Leading the Way to Protect our Bay

March 25th, 2019

MEMO TO: Bay Area Clean Water Agencies Executive Board
MEMO FROM:  Damien Charléty, Treasurer, East Bay Municipal Utility District
SUBJECT: Eight Month FY 2019 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, 2018 through February 28, 2019** (eight months of Fiscal Year 2019). 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),
- Water/Wastewater Operator Training (WOT),
- Prop84 Bay Area Integrated Regional Water Mgmt (PRP84)

BACWA Fund Report as of February 28, 2019

BACWA FUND BALANCES - DATA PROVIDED BY ACCOUNTING DEPT.							
DEPTID	DESCRIPTION	FISCAL YEAR BEGINNING FUND BALANCE	TOTAL RECEIPTS TO-DATE	TOTAL DISBURSEMENTS TO-DATE	MONTH-ENDING FUND BALANCE	OUTSTANDING ENCUMBRANCES	MONTH-END UNOBLIGATED FUND BALANCE
800	BACWA	1,186,598	760,872	494,292	1,453,179	260,223	1,192,956
804	LEGAL RSRV	300,000	-	-	300,000	-	300,000
805	CBC	1,814,647	1,503,350	1,345,056	1,972,941	355,192	1,617,749
	SUBTOTAL 1	3,301,245	2,264,222	1,839,348	3,726,119	615,415	3,110,704
810	WOT	208,214	141,000	600	348,613	-	348,613
	SUBTOTAL 2	208,214	141,000	600	348,613	-	348,613
811	PRP84	117,907	330,736	330,736	117,907	-	117,907
	SUBTOTAL 3	117,907	330,736	330,736	117,907	-	117,907
	GRAND TOTAL	3,627,367	2,735,958	2,170,684	4,192,640	615,415	3,577,225

Top Chart: Reflects CASH on the Books Includes Encumbrances
Bottom Chart: Reflects CASH in the Bank Includes Payables (bills received but not paid)
Allocations: Priority for non-liquid investments

BACWA INVESTMENTS BALANCES - DATA PROVIDED BY TREASURY DEPT.													
DEPTID	DESCRIPTION	FISCAL YEAR BEGINNING FUND BALANCE	TOTAL RECEIPTS TO-DATE	TOTAL DISBURSEMENTS TO-DATE	MONTH-ENDING FUND BALANCE	RECONCILIATION TO FINANCIAL STATEMENTS	MONTH-END RECONCILED FUND BALANCE	UNINVESTED CASH BALANCES	LAIF INVESTMENTS AMOUNTS	LAIF INVESTMENTS PERCENTAGE	ALTERNATIVE INVESTMENTS AMOUNTS	ALTERNATIVE INVESTMENTS IDENTIFIERS	ALTERNATIVE INVESTMENT INSTRUCTIONS AND NOTES
800	BACWA	1,186,598	760,872	494,292	1,453,179	31,315	1,484,493	894,834	589,659	26%	-		priority # 3 for allocation
804	LEGAL RSRV	300,000	-	-	300,000	-	300,000	-	-	0%	300,000	AR5	priority # 1 for allocation
805	CBC	1,814,647	1,503,350	1,345,056	1,972,941	-	1,972,941	-	1,672,941	74%	300,000	ME2	priority # 2 for allocation
	SUBTOTAL 1	3,301,245	2,264,222	1,839,348	3,726,119	31,315	3,757,434	894,834	2,262,600	100%	600,000		
810	WOT	208,214	141,000	600	348,613	-	348,613	348,613	-	0%	-		pass-through funds, no allocation
	SUBTOTAL 2	208,214	141,000	600	348,613	-	348,613	348,613	-	0%	-		
811	PRP84	117,907	330,736	330,736	117,907	-	117,907	117,907	-	0%	-		pass-through funds, no allocation
815	PRP50	-	-	-	-	-	-	-	-	0%	-		pass-through funds, no allocation
	SUBTOTAL 3	117,907	330,736	330,736	117,907	-	117,907	117,907	-	0%	-		
	GRAND TOTAL	3,627,367	2,735,958	2,170,684	4,192,640	31,315	4,223,955	1,361,355	2,262,600		600,000		

Reconciliation to Trial Balance - accrual basis

Per Report above:

General	2,264,222
WOT	141,000
PROP	330,736
subtotal	2,735,958

Billings-Pending Receipts

4686	Mem Contrib	7,500
4687	Transfer	-
4690	Assoc Contrib	-
4696	Other	(55,000)
4731	State Grant	-
4732	Grant Retention	36,748
subtotal		(10,752)

Trial Balance Revenue Accounts

4411	Interest	(44,503)
4686	Mem Contrib	(1,319,585)
4687	Transfer	-
4690	Assoc Contrib	(183,035)
4696	Other	(810,599)
4731	State Grant	(330,736)
4732	Grant Retention	(36,748)
subtotal		(2,725,207)
Difference		-

BACWA Revenue Report as of February 28, 2019

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	0408511	Administrative & General	-	-	-	-	-	-	-	-	-
800	BACWA	1011099	BDO Member Contributions	496,837	-	-	-	-	496,835	-	496,835	2
800	BACWA	1011108	BDO Other Receipts	-	-	-	-	-	-	-	-	-
800	BACWA	1011109	BDO Fund Transfers	5,000	-	-	-	-	-	-	-	5,000
800	BACWA	1011117	BDO- Interest Income from LAIF	20,000	-	-	-	-	-	13,601	13,601	6,399
800	BACWA	1011133	BDO Assoc.&Affiliate Contr	182,144	-	11,486	-	-	183,035	-	183,035	(891)
800	BACWA	1014251	BDO Non-Member Contr BAPPG	3,800	-	-	-	-	3,801	-	3,801	(1)
800	BACWA	1014252	BDO Non-Member Contr AIR	6,800	-	-	-	-	6,800	-	6,800	-
800	BACWA	1014511	BDO-Alternative Investment Inc	9,000	-	-	-	1,800	-	-	1,800	7,200
801	BACWA	1014514	GBS-Meeting Support-Annual	-	-	-	-	-	-	-	-	-
802	BACWA	1015005	Biosolids&ClimateRsch-Otr Rcpts	-	-	-	-	-	55,000	-	55,000	(55,000)
BACWA TOTAL				723,581	-	11,486	-	1,800	745,471	13,601	760,872	(37,291)
805	WQA-CBC	1011099	BDO Member Contributions	675,000	-	15,520	-	-	674,250	-	674,250	750
805	WQA-CBC	1011108	BDO Other Receipts	800,000	-	20,476	-	-	799,998	-	799,998	2
805	WQA-CBC	1014511	BDO-Alternative Investment Inc	-	-	-	-	5,908	-	-	5,908	(5,908)
805	WQA-CBC	1011117	BDO- Interest Income from LAIF	-	-	-	-	-	-	23,194	23,194	(23,194)
805	WQA-CBC	1014528	BDO-Voluntary Nutrient Contrib	-	-	-	-	-	-	-	-	-
WQA CBC TOTAL				1,475,000	-	35,996	-	5,908	1,474,248	23,194	1,503,350	(28,350)
TOTAL				2,198,581	-	47,482	-	7,708	2,219,719	36,795	2,264,222	(65,641)

	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	-	-	-	-	-	141,000	-	141,000	(141,000)
810	WOT	1011108	BDO Other Receipts	-	-	-	-	-	-	-	-	-
810	WOT	1011117	BDO- Interest Income from LAIF	-	-	-	-	-	-	-	-	-
WOT TOTAL				-	-	-	-	-	141,000	-	141,000	(141,000)

	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			-	-	-	-	-	330,736	-	330,736	(330,736)
PROP TOTAL				-	-	-	-	-	330,736	-	330,736	(330,736)

Grand Total				2,198,581	-	47,482	-	7,708	2,691,455	36,795	2,735,958	(537,377)
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BACWA Expense Detail Report as of February 28, 2019

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	201,682	(16,807)	16,807	-	-	84,034	117,648	-	-	201,682	-
AS-Assistant Executive Directo	1011124	90,526	(7,227)	7,227	-	-	28,501	62,025	-	-	90,526	-
AS-Regulatory Program Manager	1011149	119,815	-	-	-	-	51,234	68,581	-	-	119,815	-
ADMINISTRATION												
AS-EBMUD Financial Services	1011125	40,800	-	-	-	-	28,060	12,740	-	-	40,800	-
AS-Audit Services	1014512	6,426	-	-	-	-	-	1,870	4,363	(6,300)	(67)	6,493
AS-BACWA Admin Expense	1011118	7,650	-	-	248	-	-	-	2,934	-	2,934	4,716
AS-Insurance	1011126	4,590	-	-	-	-	-	-	4,393	-	4,393	197
MEETINGS												
GBS-Meeting Support-Exec Bd	1014513	2,550	-	-	501	-	2,201	349	998	-	3,548	(998)
GBS-Meeting Support-Annual	1014514	10,200	-	-	-	(300)	-	-	9,413	(300)	9,113	1,087
GBS-Meeting Support-Pardee	1014515	6,120	-	-	-	-	-	-	5,608	-	5,608	512
GBS-Meeting Support-Misc	1014516	5,100	-	-	-	-	-	-	4,679	-	4,679	421
GBS- Meeting Support	1011122	-	-	-	-	-	-	-	-	-	-	-
COMMUNICATION												
CAR-BACWA Website Hosting	1014517	750	-	-	-	-	-	-	600	-	600	150
CAR-BACWA File Storage	1014518	1,500	-	-	-	-	-	-	720	-	720	780
CAR-BACWA IT Support	1014519	2,600	-	-	-	-	2,285	315	-	-	2,600	-
CAR-BACWA IT Software	1014520	1,500	-	-	69	-	-	-	1,212	-	1,212	288
CAR-BACWA Website Dev/Maint	1011116	600	-	-	-	-	-	-	-	-	-	600
LEGAL												
LS-Regulatory Support	1011107	2,601	-	-	-	-	2,406	195	-	-	2,601	-
LS-Executive Board Support	1011110	2,091	-	-	-	-	1,854	238	-	-	2,091	-
COMMITTEES												
AIR-Air Issues&Regulation Grp	1014253	51,000	(3,330)	3,330	-	-	25,070	24,930	782	-	50,782	218
BC-BAPPG	1011147	100,000	(2,914)	2,914	-	-	34,578	41,422	20,912	-	96,912	3,088
BC-Biosolids Committee	1011101	3,100	-	-	-	-	-	-	206	-	206	2,894
BC-Collections System	1011097	1,000	-	-	-	-	-	-	-	-	-	1,000
BC-InfoShare Groups	1011102	1,200	-	-	-	-	-	-	404	-	404	796
BC-Laboratory Committee	1011103	6,100	-	-	-	-	-	-	-	-	-	6,100
BC-Permit Committee	1011098	1,000	-	-	218	-	-	-	774	-	774	226
BC-Pretreatment Committee	1011146	7,500	-	-	-	-	-	-	-	-	-	7,500
BC-Water Recycling Committee	1011100	1,000	-	-	-	-	-	-	-	-	-	1,000
BC-Manager's Roundtable	1014111	1,000	-	-	-	-	-	-	111	-	111	889
BC-Miscellaneous Committee Sup	1011104	45,000	-	-	-	-	-	-	-	-	-	45,000
COLLABORATIVES												
CAS-Arleen Navaret Award	1012201	-	-	-	-	-	-	-	1,000	-	1,000	(1,000)
CAS-FWQC	1012202	7,500	-	-	-	-	-	-	7,500	-	7,500	-
CAS-Stanford ERC	1011969	10,000	-	-	-	-	-	-	10,000	-	10,000	-
CAS-CWCCG	1011148	-	-	-	-	-	-	-	-	-	-	-
CAS-PSSEP	1011112	20,000	-	-	-	-	-	-	-	-	-	20,000
CAS-Misc Collaborative Sup	1014521	5,000	-	-	-	-	-	-	8,971	-	8,971	(3,971)
BDO-Contract Expenses (PHARM)												
BDO-Contract Expenses (PHARM)	1014551	-	-	-	-	-	-	-	-	-	-	-
BIOSOLIDS & CLIMATE RESEARCH												
Biosolids&ClimateRsch-OtrRcpts	1015005	-	-	-	-	-	-	-	-	-	-	-
Biosolids&ClimateRsch-CntctExp	1015006	-	-	-	-	-	-	-	85,000	-	85,000	(85,000)
BACWA TOTAL		767,501	(30,278)	30,278	1,036	(300)	260,223	330,313	170,580	(6,600)	754,515	12,986
TECH SUPPORT												
WQA-CE Addl Work Under Permit	1014254	100,000	-	-	-	-	304,279	12,132	-	-	316,410	(216,410)
WQA-CE-Technical Support	1011127	51,000	-	-	-	-	50,914	27,272	-	-	78,186	(27,186)
WQA-CE CASA Chem of Concern	1011128	-	-	-	-	-	-	-	-	-	-	-
WQA-CE Opt-Upgrade Studies	1014255	25,000	-	-	-	-	-	25,652	-	-	25,652	(652)
WQA-CE Risk Reduction	1014023	10,000	-	-	-	-	-	-	-	-	-	10,000
WQA-CE-Nutrient WS Permit Comm	1014021	880,000	-	-	-	-	-	-	1,080,000	-	1,080,000	(200,000)
WQA-CE-Program Mgmt	1011131	-	-	-	-	-	-	-	-	-	-	-
WQA-CE Voluntary Nutr Contrib	1014529	200,000	-	-	-	-	-	-	200,000	-	200,000	-
Member Voluntary Nutrient Cont	1015014	-	-	-	-	-	-	-	-	-	-	-
Nutrient Workshops	1015015	20,000	-	-	-	-	-	-	-	-	-	20,000
TECH SUPPORT (CBC) TOTAL		1,286,000	-	-	-	-	355,193	65,056	1,280,000	-	1,700,248	(414,248)
GRAND TOTAL		2,053,501	(30,278)	30,278	1,036	(300)	615,416	395,369	1,450,580	(6,600)	2,454,763	(401,262)
								TOTAL	1,839,349			
WOT												
Administrative Support	1011142	-	-	-	-	-	-	-	-	-	-	-
BDO Contract Expenses	1011143	-	-	-	-	-	-	-	600	-	600	(600)
		-	-	-	-	-	-	-	600	-	600	(600)
GRAND TOTAL (BDO, CBC, WOT)		2,053,501	(30,278)	30,278	1,036	(300)	615,416	395,369	1,451,180	(6,600)	2,455,363	(401,862)

Proposition 84 Revenue Report as of February 28, 2019

DEPTID	DEPARTMENT	JOB	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE				UNOBLIGATED
					Admin & General	Contributons	Interest, Transfers,Ot hers	Admin & General	Contributons	Interest, Transfers,O thers	ACTUAL	
811	Prop84BayAreaIntegRegnlWtrMgmt	1011117	BDO- Interest Income from LAIF	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1011142	Administrative Support	-	-	-	-	-	9,755	-	9,755	(9,755)
811	Prop84BayAreaIntegRegnlWtrMgmt	1011691	Water Efficient Landscape Reba	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1011705	Regional Green Infrastructure	-	-	-	-	-	194,925	-	194,925	(194,925)
811	Prop84BayAreaIntegRegnlWtrMgmt	1011706	Hacienda Ave Green St Improvem	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1011707	WQ Improve Flood Mgmt & EP	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1011911	Stream Restoration w/Schools i	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012209	Water Efficient LRP	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012210	Bay Friendly Landscape TP	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012211	Weather Based Irrigation Cntrl	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012212	High Efficiency Toilet & UR	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012213	High Efficiency Toilet & UI	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012214	High Efficiency Clothes Washrs	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012215	Napa Co. Rainwater HP	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012216	Conservation Program Admin	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012218	Stream Restoration in North BD	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012219	Flood Infrastructure Mapping T	-	-	-	-	-	102,404	-	102,404	(102,404)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012220	Stormwater Improvements & PBP	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012221	Richmond Shoreline & San PFP	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012222	Pescadero Integrated FRAH	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012223	Restoration Guidance, San FC	-	-	-	-	-	14,657	-	14,657	(14,657)
811	Prop84BayAreaIntegRegnlWtrMgmt	1012224	SF Estuary Steelhead MP	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	1012225	Watershed Program Admnstrtn	-	-	-	-	-	8,995	-	8,995	(8,995)
PROP 84 TOTAL				-	-	-	-	-	330,736	-	330,736	(330,736)

Proposition 84 Expense Detail Report as of February 28, 2019

DEPTID	DEPARTMENT	EXPENSE TYPE	AMENDED BUDGET	CURRENT PERIOD				YEAR TO DATE				OBLIGATED	UNOBLIGATED
				ENC	PV	DA	JV	ENC	PV	DA	JV		
811	Prop84BayArealIntegRegnlWtrMgmt	BDO Fund Transfers	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	Administrative Support	-	-	-	-	-	-	-	9,755	-	9,755	(9,755)
811	Prop84BayArealIntegRegnlWtrMgmt	BDO Contract Expenses	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	Regional Green Infrastructure	-	-	-	-	-	-	-	194,925	-	194,925	(194,925)
811	Prop84BayArealIntegRegnlWtrMgmt	Hacienda Ave Green St Improvem	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	Water Efficient LRP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	Bay Friendly Landscape TP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	Weather Based Irrigation Cntrl	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	High Efficiency Toilet & UR	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	High Efficiency Toilet & UI	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	High Efficiency Clothes Washrs	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	Napa Co. Rainwater HP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	Conservation Program Admin	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	Flood Infrastructure Mapping T	-	-	-	-	-	-	-	102,404	-	102,404	(102,404)
811	Prop84BayArealIntegRegnlWtrMgmt	Stormwater Improvements & PBP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	Richmond Shoreline & San PFP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	Pescadero Integrated FRAH	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	Restoration Guidance, San FC	-	-	-	-	-	-	-	14,657	-	14,657	(14,657)
811	Prop84BayArealIntegRegnlWtrMgmt	SF Estuary Steelhead MP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	Stream Restoration in North BD	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayArealIntegRegnlWtrMgmt	Watershed Program Admnstrtn	-	-	-	-	-	-	-	8,995	-	8,995	(8,995)
PRP84 TOTAL			-	-	-	-	-	-	-	330,736	-	330,736	(330,736)



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 3

FILE NO.: 19-35

MEETING DATE: April 19, 2019

TITLE: Fiscal Year 2020 Budget & Workplan

☐ RECEIPT ☐ DISCUSSION ☐ RESOLUTION ☒ APPROVAL

RECOMMENDED ACTION

Approve the Budget and Workplan for the fiscal year covering July 1, 2019 through June 30, 2020

SUMMARY

The Joint Powers Agreement establishing BACWA requires approval of a Budget and Workplan for the coming fiscal year's activities no later than June of the preceding fiscal year.

Draft versions of the budget were reviewed first with the Finance Committee and then at the February 15, 2019 and the March 15, 2019 Executive Board meetings. This final iteration incorporates all changes received from the Board to date and is ready to be approved.

FISCAL IMPACT

The final budget has revenues of \$3,119,797 and expenses of \$3,470,857 resulting in a negative variance of expenses over revenues of \$351,060 for FY 20. The budget will be balanced by transferring funds from reserves.

ALTERNATIVES

Do not approve the Budget and Workplan: This is not recommended as the budget has been reviewed on two occasions and needs to be approved prior to July 1, 2019.

Attachments:

FY 2020 Budget and Workplan

Approved: _____

Date: _____

Lori Schectel,
Chair, BACWA Executive Board



<u>BACWA FY20 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2020 Budget</u>	<u>NOTES</u>
REVENUES & FUNDING			
Dues	Principals' Contributions	\$506,774	FY20: 2% increase. 5 @ \$101,355
	Associate & Affiliate Contributions	\$184,111	FY20: 2% increase. 13 Assoc: \$8,364; 45 Affiliate: \$1,675. One collection member cancelled in FY19
Fees	Clean Bay Collaborative	\$675,000	Prin: \$450,000; Assoc/Affil: \$225,000
	Nutrient Surcharge	\$1,700,000	See Nutrient Surcharge Spreadsheet
	Voluntary Nutrient Contributions	\$0	
Other Receipts	AIR Non-Member	\$6,936	2% increase (Santa Rosa)
	BAPPG Non-Members	\$3,876	2% increase (Sta Rosa, Sac Reg'l, Vacaville) \$1,292/each
	Other	\$0	
Fund Transfer	Special Program Admin Fees	\$5,100	FY20: WOT/BACWWE, Increase to WOT/BACWWE at 2%
Interest Income	LAIF	\$20,000	BACWA, Legal, & CBC Funds invested in LAIF
	Higher Yield Investments	\$18,000	Alternative Investment Interest (Legal & CBC Funds invested in AltInv)
	Total Revenue	\$3,119,797	
BACWA FY20 BUDGET			
EXPENSES			
Labor			
	Executive Director	\$207,531	ED requested 2.9%; \$99.77/hour; contract based on full time same as FY 19, 2080 hrs
	Assistant Executive Director	\$100,907	4.5% CPI (SF Bay Metro Area Dec 2018); \$63.07/hour; Reflects 1600 hours/yr (1500 FY 19 + 100 hrs additional for FY 20)
	Regulatory Program Manager	\$137,727	4.5% CPI (SF Bay Metro Area Dec 2018); \$100.16/hour; Reflects 1375 hours/yr (1250 FY 19 + 125 additional hrs for FY 20)
	Total	\$446,165	
Administration			
	EBMUD Financial Services	\$41,616	2% increase
	Auditing Services (Maze)	\$5,240	New contract with Auditors through EBMUD
	Administrative Expenses	\$7,803	2% increase. Travel, Supplies, Parking, Mileage, Tolls, Misc.
	Insurance	\$4,682	2% increase
	Total	\$59,341	
Meetings			
	EB Meetings	\$2,601	2% increase. Catering, Venue, other expenses
	Annual Meeting	\$12,000	Catering, Venue, other expenses.
	Pardee	\$6,242	2% increase. Catering, Venue, other expenses
	Misc. Meetings	\$5,202	2% increase. Hol & Comm Chair Lunch, Staff Mtgs, Fin Comm, Summit Ptnrs, CASA, NACWA Tech WS, Low Flow WS
	Total	\$26,045	
Communication			
	Website Hosting (Computer Courage)	\$600	Paid in advance in FY19 to lock in lower rate
	File Storage (Box.net)	\$750	
	Website Development/Maintenance	\$1,500	Domains (due again in FY20), website changes
	IT Support (As Needed)	\$2,600	
	Other Commun (MS, SM, Backup, PollEv)	\$1,750	MS Exchange, Survey Monkey (incr in FY20), Carbonite, Doodle Polls, PollEv, GoToMtg

EXPENSES			
	Total	\$7,200	
Legal			
	Regulatory Support	\$2,653	2% increase
	Executive Board Support	\$2,133	2% increase
	Total	\$4,786	
Committees			
	AIR	\$76,000	\$75k consulting support, \$1k misc expenses
	BAPPG	\$100,000	Includes CPSC @ \$10,000, OWOW @ \$10,000, and Pest. Reg Spt. @ \$15,000, Paid Baywise Hosting in FY19 to lock in rate
	Biosolids Committee	\$1,000	
	Collections System	\$1,000	
	InfoShare Groups	\$1,000	Funds for 2 workgroups (Asset Mgmt & O&M - AM on hiatus in FY20)
	Laboratory Committee	\$1,000	
	Permits Committee	\$1,300	all meetings moved to include lunch hour for commuting purposes
	Pretreatment	\$2,000	FY20: Includes \$1,000 for training
	Recycled Water Committee	\$1,000	
	Misc Committee Support	\$45,000	
	Manager's Roundtable	\$1,000	
	Total	\$230,300	
Collaboratives			
	Collaboratives		
	State of the Estuary (SFEP-biennial)	\$0	Biennial in Odd Fiscal Years. (Paid biennially in odd years for even year conference)
	Arleen Navarret Award	\$2,500	Biennial in Even Fiscal Years. Increase in FY20
	FWQC (Fred Andes)	\$7,500	
	Stanford ERC (ReNUWit)	\$10,000	
	Misc	\$5,000	BayCAN, NBWA
	Total	\$25,000	
Other			
	Unbudgeted Items		
	Other	\$0	
		\$0	
Tech Support			
	Technical Support		
	Nutrients		
	Watershed	\$2,000,000	1st year of 2nd WS Permit less \$200k paid in advance in FY19
	NMS Voluntary Contributions	\$0	
	Additional work under permit	\$100,000	Includes HDR PO for \$225k spread out over FY20-24.
	Regional Study on Non-Gray Scape	\$500,000	New Line item in FY20
	Member Voluntary Nutrient Contributions	\$0	
	Nutrient Workshop(s)	\$0	Pilot Studies/Plant Review/Innovative Technologies
	General Tech Support	\$52,020	2% increase.
	Risk Reduction	\$20,000	\$50,000 over 5 years (FY19-FY23) 2 Contracts for \$25,000 each over FY19, 20, & 21
	Total	\$2,672,020	
	TOTAL EXPENSES	\$3,470,857	
	NET INCOME BEFORE TRANSFERS	-\$351,060	
	TRANSFERS FROM RESERVES	\$351,060	aligns with strategy of drawing down reserves to lessen impact of Nutrient Surcharge
	NET INCOME AFTER TRANSFERS	\$0	
	TOTAL OPERATING BUDGET	\$798,837	

Budget & Workplan

FISCAL YEAR 2020



Table of Contents

INTRODUCTION	2
STRATEGIC PLAN	3
MANAGEMENT & ADMINISTRATION (PART A)	4
GENERAL BENEFIT PROGRAMS (PART B)	5
BACWA MEMBER AGENCY AND CLEAN BAY COLLABORATIVE PROGRAM	5
SPECIAL BENEFIT PROGRAMS (PART C)	7
WATER OPERATOR TRAINING	7
FISCAL YEAR 2020 BUDGET	8

INTRODUCTION

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

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

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

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

In FY19 BACWA had two Special Benefit Programs: Water Operator Training, and Proposition 84 Administration. In FY20 BACWA will have one Special Benefit Program due to the expiration of the Proposition 84 Program on December 31, 2018. Another Special Benefit Program is being considered for implementation in FY 20. The Program is the Bay Area Biosolids Coalition which is comprised of a subset of BACWA members who are pursuing alternatives for biosolids beneficial reuse and/or disposal in order to meet future regulatory requirements for diversion of organics from landfills. If the program is implemented at the beginning of or during FY 20, it will conform to the JPA requirements under Part C.

The purpose of this document is to fulfill the requirements of the JPA for Fiscal Year 2020 (FY20). This workplan and budget specify the purpose of each of BACWA’s programs during FY20, the methods by which they will be carried out, the products that will be developed, and the persons responsible for implementation. The schedule for implementation of these programs is July 1, 2019 through June 30, 2020.

STRATEGIC PLAN

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

Mission

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

Values

Leadership
Environmental Stewardship
Collaboration
Transparency
Fiscal Responsibility
Member Service

Goals

Member Service

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

Informed Regulation

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

Environmental Stewardship

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

MANAGEMENT AND ADMINISTRATION (PART A)

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

Management & Administration				
Objective	Deliverables/Outcomes	Lead	FY 20 Budget	Budget Line
A. Effectively and efficiently manage BACWA as an organization (Labor, Meetings, and Administration)	A.1. Monthly Treasurer Reports,	ED, AED, EBMUD	\$41,616	Administration, Financial Services
	A.2. Annual audit	ED, AED, Auditor	\$5,240	Administration, Audit Services
	A.3. Miscellaneous Operational Expenses	ED, AED, RPM	\$7,803	Administration, Admin Expenses
	A.4. Insurance to manage organizational risk	ED, AED	\$4,682	Administration, Insurance
	A.5. Compliance with organization legal requirements	ED, AED	\$2,133	Legal, Executive Board Support
	A.6. Program Administration and Operations Support	ED, AED, RPM	\$145,810	Labor, ED (15%), RPM (10%) AED (100%),
	A.7. Miscellaneous Meeting & Administrative Expenses	ED, AED	\$2,601	Meetings, Exec. Board Meetings
	A.8. Miscellaneous Meeting & Administrative Expenses	ED, AED	\$6,242	Meetings, Pardee Seminar
	A.9. Miscellaneous Meeting & Administrative Expenses	ED, AED, RPM	\$5,202	Meetings, Misc. Meetings
		TOTAL	\$221,329	

GENERAL BENEFIT PROGRAMS (PART B)

There are two aspects of BACWA's general benefit program: the core BACWA Member Agency program and the technically-focused Clean Bay Collaborative (CBC) program. Activities in these Programs are supported by the ED, AED, RPM, volunteers who Chair the BACWA Committees, and consultant support as needed.

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

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

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

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

Bay Area Clean Water Agencies				
Objective(s)	Deliverables/Outcomes	Lead	FY20 Budget	Budget Line
A. Effectively and efficiently manage BACWA as an organization (Committees: Labor, Meetings, and Administration)	A.1. AIR Committee Support - Admin Support - Technical Support	Chair, AED, RPM, Consultant	\$76,000	Committees, AIR Comm.
	A.2. BAPPG Committee Support - Multiple Programs	Chair, AED, RPM, Consultants	\$100,000	Committees, BAPPG Comm.
	A.3. Biosolids Comm. Support - Misc. Expenses - Conference attendance	Chair	\$1,000	Committees, Biosolids Comm.

	A.4. Collection Systems Comm. Support - Misc. Expenses	Chair, RPM	\$1,000	Committees, Collection Systems Comm.
	A.5. InfoShare Groups Support (Ops & Maint/Asset Mgmt) - Misc. Expenses	Chair, RPM	\$1,000	Committees, InfoShare Comm.
	A.6. Laboratory Comm. Support - Technical Conference - Training Events - Misc. Expenses	Chair, RPM	\$1,000	Committees, Laboratory Comm.
	A.7. Permits Comm. Support - Misc. Expenses	Chair, RPM	\$1,300	Committees, Permits Comm.
	A.8. Pretreatment Committee, - Training - Factsheet - Misc. Expenses	Chair	\$2,000	Committees, Pretreatment Comm.
	A.9. Recycled Water Comm., Misc. Expenses	Chair, RPM	\$1,000	Committees, Recycled Water Comm.
	A.10 Misc. Committee Support	ED, AED, RPM	\$45,000	Committees, Misc. Comm. Support
	A.11. Manager's Roundtable	ED, AED	\$1,000	Committees, Manager's Roundtable
	A.12. Executive Director	Board Chair	\$176,401	Labor, ED (85%)
	A.13. Legal Support	ED	\$2,653	Legal, Regulatory Legal Support
	A.14. Regulatory Program Manager	RPM	\$96,409	Labor, RPM (70%)
	A.15. File Storage	ED, AED	\$750	Communications, File Storage
	A.16. IT Support (As Needed)	ED, AED	\$2,600	Communications, IT Support
	A.17. Software (As Needed)	ED, AED	\$1,750	Communications, Software
B. Increase direct communication with members regarding regulatory developments and BACWA accomplishments. (Communication, Meetings)	B.1. Annual Meeting	ED, AED, RPM	\$12,000	Meetings, Annual Meeting
	B.2. Website Hosting	ED, AED, Consultant	\$600	Communications, Website Hosting
	B.3. Website Development/Maintenance	ED, AED, RPM, Consultant	\$1,500	Communications, Website Dev/Maint
C. Encourage partnerships and relationships that further BACWA's strategic goals. (Collaboratives)	C.1. State of the Estuary	ED, AED	\$0	Collaboratives, State of the Estuary
	C.2. Arleen Navarret Award	ED, AED	\$2,500	Collaboratives, Arleen Navarret Award
	C.3. Federal Water Quality Coalition	ED, AED	\$7,500	Collaboratives, FWQC
	C.4. Stanford ERC (ReNUWit)	ED, AED	\$10,000	Collaboratives, ReNUWit
	C.5. Miscellaneous	ED, AED	\$5,000	Collaboratives, Misc.

D. Further Nutrient related science and management goals for SF Bay and ensure compliance with Watershed Permit, Tech Support	D.1. Watershed	ED, RPM, Consultant	\$2,000,000	Tech. Support, Nutrients/Watershed
	D.2. NMS Voluntary Contributions	ED, RPM	\$0	Tech. Support, Nutrients/Watershed/Vol Contributions
	D.3. Additional Work Needed Under Permit	ED, RPM, Consultant	\$100,000	Tech. Support, Nutrients/Add'l Work Under Permit
	D.4. Regional Study on Non- Gray Scape DELETED Opt/Upgrade	ED, RPM, Consultant	\$500,000	Tech. Support, Nutrients/Reg'l Study Non- Gray Scape
	D.5. Member Voluntary Nutrient Contributions	ED, RPM	\$0	Tech. Support, Nutrients/Member Vol Nutrient Contributions
	D.6. Nutrient Workshop(s)	ED, RPM, Consultant	0	Tech. Support, Nutrient Workshop(s)
	D.7. General Tech Support	ED, RPM, Consultants	\$52,020	Tech. Support, General Tech Support
	D.8. Risk Reduction	ED, RPM, Consultants	\$20,000	Tech, Support, Risk Reduction
E. Other	E.1. General Technical and Regulatory Support	ED, RPM	\$27,545	Labor, RPM (20%)
		TOTAL	\$3,249,528	

SPECIAL BENEFITS PROGRAMS (PART C)

BACWA has one active special benefit program: Water Operator Training (WOT). Member dues for WOT are optional and are established on an annual basis by the WOT Program Members with training offered at sites within the BACWA service area. The training is conducted in conjunction with an accredited local community college. If the Bay Area Biosolids Coalition becomes a Special Benefits Program in FY 20, the participants will establish their budget and associated revenue needs. The program will be administered under Part C of the JPA Annual Budget and Workplan.

WATER OPERATOR TRAINING (PART C.2.)

<u>WATER OPERATOR TRAINING</u>		
<u>Deliverables/Outcomes</u>	<u>Manager</u>	<u>FY 20 Budget</u>
Encourage development of a skilled workforce by offering classes in conjunction with a local community college.	Program Participant Reps; ED, AED	To be determined by member interest.

FISCAL YEAR 2020 BUDGET

BACWA/CBC	2020 Budget	Notes
REVENUES	3,119,797	
BACWA Principals' Contributions	506,774	2% increase
BACWA Assoc. & Affil. Contributions	184,111	2% increase
Clean Bay Collaborative (CBC)	675,000	0% increase
Nutrient Surcharge	1,700,000	Increased for 2 nd Watershed Permit Requirement, this amount may be reduced by transferring funds from excess reserves
Voluntary Nutrient Contributions	0	
AIR Non-Members	6,936	2% increase
BAPPG Non-Members	3,876	2% increase
Other/Special Program Admin Fees	5,100	WOT 2% increase
Interest Income (LAIF)	20,000	Includes BACWA & Nutrient Funds
Interest Income (higher yield Investments)	18,000	Alternative Investments

EXPENSES	3,470,857	
Labor	446,165	
Executive Director	207,531	2.9% increase – requested by ED
Assistant Executive Director	100,907	4.5% increase - Annual CPI change for San Francisco-Oakland-San Jose + 100 hours
Regulatory Program Manager	137,727	4.5% increase - Annual CPI change for San Francisco-Oakland-San Jose + 125 hours
Administration	59,341	
EBMUD Financial Services	41,616	2% increase
Auditing Services (Maze)	5,240	New contract with Auditors beg. FY19, Fixed Annual Fee Contract
Administrative Expenses	7,803	2% increase
Insurance	4,682	2% increase
Meetings	26,045	
EB Meetings	2,601	2% increase
Annual Meeting	12,000	2% increase
Pardee	6,242	2% increase
Misc.	5,202	2% increase: Holiday/Comm Chairs Lunch, Staff Mtgs, Finance Comm Mtg, Summit Partners, CASA, NACWA
Communications	7,200	
Web Host	600	Computer Courage
File Storage	750	Box.net
Website Development/Maint.	1,500	Computer Courage
IT Support (As Needed)	2,600	Cayuga Information Systems
Other Communications/Software	1,750	MS Exchange/Survey Monkey/Poll Everywhere/Backup Software /GoToMeeting
Legal Support	4,786	
Regulatory Support	2,653	2% increase

Executive Board Support	2,133	2% increase
BACWA Committees	230,300	
AIR	76,000	
BAPPG	100,000	
Biosolids Committee	1,000	
Collections System	1,000	
InfoShare Groups	1,000	
Laboratory Committee	1,000	
Permit Committee	1,300	
Pretreatment Committee	2,000	
Recycled Water Committee	1,000	
Misc. Committee Support	45,000	
Manager's Roundtable	1,000	
Collaboratives	25,000	
State of the Estuary	0	Biennial in odd years
Arleen Navarret Award	2,500	Biennial in even years, increase in FY20
FWQC	7,500	
Stanford ERC (ReNUWIt)	10,000	
Misc.	5,000	
Technical Support	2,672,020	
Nutrients	2,600,000	
<i>Watershed</i>	<i>2,000,000</i>	
<i>NMS Voluntary Contributions</i>	<i>0</i>	
<i>Additional Work Under Permit</i>	<i>100,000</i>	
<i>Regional Study on Non-Gray Scope</i>	<i>500,000</i>	
<i>Member Voluntary Nutrient Contributions</i>	<i>0</i>	
<i>Nutrient Workshop(s)</i>	<i>0</i>	
General Technical Support	52,020	2% increase
Risk Reduction	20,000	
TOTAL	-351,060	Net Transfer from Reserves

WOT	2020 Budget (est)	Notes
<u>REVENUES</u>	0	
Participant's Contributions	0	Est. depends on member interest.
<u>EXPENSES</u>	70,100	
Contract expenses	60,000	Est. depends on member interest.
Misc.	5,000	Est. miscellaneous expenses
BACWA Indirect Expenses	5,100	Per BACWA Policy
TOTAL	- 70,100	Net Transfer from Reserves



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 4

FILE NO.: 19-36

MEETING DATE: April 19, 2019

TITLE: FY20 one-year pilot agreement between BACWA and the Bay Area Biosolids Coalition (BABC) for BACWA to provide fiscal and administrative support to BABC

☐ RECEIPT ☐ DISCUSSION ☐ RESOLUTION ☒ APPROVAL

RECOMMENDED ACTION

Approve the Agreement for the fiscal year covering July 1, 2019 through June 30, 2020

SUMMARY

The Bay Area Biosolids Coalition has asked BACWA to provide fiscal and administrative support to the coalition for a one-year pilot program in FY20. Support will be provided by BACWA Staff. At the end of the pilot program, BABC and BACWA will evaluate the program and determine if the agreement will continue or be cancelled.

FISCAL IMPACT

There will be no fiscal impact to BACWA. Support will be provided by BACWA Staff on an hourly basis and invoiced to BACWA. BACWA will in turn invoice BABC for reimbursement.

ALTERNATIVES

Do not approve the Agreement: This is not recommended as the BACWA Executive Board has previously reviewed the pilot program and determined that it falls within BACWA parameters for support.

Attachments:

BABC Support Agreement FY20

Approved: _____

Date: _____

Lori Schectel,
Chair, BACWA Executive Board

Date: April 19, 2019

BAY AREA CLEAN WATER AGENCIES

SUPPORT AGREEMENT

TO: Jason Dow
Bay Area Biosolids Coalition
Lead Agency:
Central Marin Sanitation Agency
1301 Anderson Drive
San Rafael, CA 94901
jdow@centralmarinsa.org
415-459-1455 ext. 145

FROM: David Williams, Executive Director
BACWA
PO Box 24055, MS702
Oakland, CA 94623
dwilliams@bacwa.org
Phone: 925-765-9616
FAX: (510) 287-1351

RE: FY20 one-year pilot agreement between BACWA and the Bay Area Biosolids Coalition (BABC) for BACWA to provide fiscal and administrative support to BABC.

This Agreement sets forth the terms on which the Bay Area Clean Water Agencies ("BACWA") will provide fiscal and administrative support services for the Bay Area Biosolids to Energy Coalition ("Coalition").

SCOPE OF WORK

BACWA will provide fiscal and administrative support to the Coalition as requested. Tasks to be performed by BACWA include, but are not limited to:

- Establish and operate for the use of the Coalition a designated account ("Account") within BACWA's general fund.
- All amounts deposited into the Coalition Account will be used as directed by the Coalition.
- Preparation and transmittal of accounts receivable billing.
- Disbursement and collection of revenue.
- Enter into contracts on behalf of the Coalition as approved by the Steering Committee and directed by the lead agency. The Steering Committee, as defined in the Coalition Joint Exercise Powers Agreement (JEPA), is the decision-making body of the Coalition consisting of at least one representative from each member agency. The lead agency is Central Marin Sanitation Agency (CMSA).
- Administrative Support of the Steering Committee including the reservation of venues and meeting notes.
- Inclusion of Coalition's meetings and documents on BACWA website as requested.
- Preparation, submission, and payment of BACWA invoices as approved by the Coalition lead agency in accordance with the JEPA agreement.
- Payment of other consultant's invoices, pursuant to contracts with BACWA, as approved by the Coalition lead agency in accordance with the JEPA agreement.
- Manage accounting and reporting, including depositing checks, tracking revenues and expenditures in the fund, and providing monthly status updates.
- BACWA (through its Treasurer EBMUD) will maintain all financial records relating to the Coalition according to generally accepted accounting principles, retain records as long as required by law, and make records available to auditors as required by law.
- All disbursements from the Account shall be treated as payments made on behalf of the Coalition. The Coalition will provide BACWA with proper documentation to accomplish this task. All payments will be made by the BACWA Treasurer, EBMUD.

RATES and BILLING

The Coalition shall compensate BACWA monthly in the amount invoiced by BACWA for the services performed. BACWA shall submit an invoice to the lead agency reflecting the reimbursement requested for payments made to BACWA Consultants for hourly work performed for the Coalition and requesting authorization to transfer funds from the Coalition Fund to the BACWA General Fund to cover these services. All other direct costs expended by BACWA on behalf of the Coalition will be billed at cost with documentation provided.

FY20 Rates for BACWA Consultants

Lorien Fono, PhD.: \$100.16/hour

Sherry Hull: \$63.07/hour

David Williams: \$0/hour, any services provided are considered to be part of the Executive Director duties.

TERM

The term of this agreement shall be for a 12-month period commencing July 1, 2019 and terminating on June 30, 2020, unless extended by the parties or terminated earlier as provided below.

TERMINATION

The Coalition may terminate this Agreement at any time with 30 days written notice to BACWA, or sooner by mutual agreement. Upon termination of the agreement, the Coalition shall remit payment for all services performed and expenses incurred on behalf of the Coalition by BACWA up to the date of termination.

BACWA may terminate this Agreement at any time by giving the Coalition 60 days written notice of intent to terminate, or sooner by mutual agreement. The Coalition shall reimburse BACWA for all undisputed services provided pursuant to this agreement within 10 days of receiving a final invoice detailing such services.

Within 30 days of termination, BACWA shall return to the lead agency all funds remaining in the Coalition Account after payment of any undisputed amounts due to BACWA or consultants.

UNDERSTANDING of the PARTIES

The services set forth in the scope of work will be invoiced by BACWA based on the hourly rates of the individual consultants providing the services. All direct costs will be billed at cost with documentation provided. However, the Coalition and BACWA may reevaluate and reassess during the course of the agreement both the tasks required to be performed and the amount of compensation paid and determine whether adjustments are warranted in any future agreement.

Approved:

By _____
Lori Schectel
Chair, BACWA Executive Board

By _____
Jason Dow
Bay Area Biosolids Coalition Lead Agency

Date _____

Date _____

BACWA EIN: 94-3389334

BABC EIN: _____



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 5
FILE NO.: 19-37
MEETING DATE: April 19, 2019

TITLE: Request for Board Approval of BACWA Policies: BAP 1.08 Website Policy

☐ RECEIPT ☐ DISCUSSION ☐ RESOLUTION ☒ APPROVAL

RECOMMENDED ACTION

Approve the following BACWA Policies: BAP 1.08 Website Policy

SUMMARY:

Board Policies provide direction to the organization on key administrative and financial issues. BACWA maintains a web site and needs to ensure that it is effectively utilized to the benefit of the BACWA membership. Given various requests that are periodically received, the policy sets forth key information that the web site should contain as well as content that should be avoided.

The policy was reviewed in draft form at the March 2019 Board meeting and any comments have been incorporated into the final versions which are recommended for adoption.

FISCAL IMPACT

No fiscal impact to BACWA.

ALTERNATIVES

This action does not require consideration of alternatives.

Attachment; BACWA Policies: BAP 1.08 Website Policy

Approved:

Date: April 19, 2019

Lori Schectel, Chair
BACWA Executive Board

POLICY NUMBER: BAP – 1.08

NAME OF POLICY: Website

LAST REVISED:

PREVIOUSLY LAST REVISED:

PURPOSE: To provide direction on development, use, and maintenance of a website for the organization.

POLICY: BACWA shall develop and maintain a website for the benefit of its members and to assist in completing its mission. At a minimum the website should contain the following key information or categories which can be searched for information:

- documents produced by BACWA
- calendar of meeting and events
- announcements
- BACWA committee information
- general information about BACWA
- key contact information

The website should be available to the public but may have one or more member-only sections, requiring a password to access. The website should contain information of benefit to the BACWA membership including information on regulatory, technical, and public education issues. The website will not contain any advertising materials for third-party entities. The BACWA Executive Director or his/her designee will serve as the Administrator of the website.

The goal is to keep the website current and informative to foster use by the BACWA members.

BACWA CHAIR AUTHORIZATION REQUEST

AGENDA NO.: 6

FILE NO.: 19-38

MEETING DATE: April 19, 2019

TITLE: Request for BACWA Chair Approval of Agreement with San Francisco Estuary Institute to Provide Enterococcus Study Plan and Report

☐ **RECEIPT**

☐ **DISCUSSION**

☐ **RESOLUTION**

☒ **APPROVAL**

RECOMMENDED ACTION

Authorize an agreement with San Francisco Estuary Institute for \$5,148.00 to provide support for enterococcus monitoring study planning and reporting for FY19 and FY20.

SUMMARY

In August 2018, the State Water Board adopted new statewide bacteria water quality objectives and implementation options to protect recreational users from the effects of pathogens in California water bodies. The objectives and implementation options are a new part 3 of the Water Quality Control Plan for the Inland Surface Waters, Enclosed Bays (SIP), and Estuaries of California, and as an amendment to the Water Quality Control Plan for Oceans Waters of California (Ocean Plan). The new bacteria objective for all waters where the salinity is greater than 1 ppt more than 5 percent of the time during the calendar year is a six-week rolling geometric mean of enterococci not to exceed 30 cfu/100 mL, calculated weekly, with a statistical threshold value of 110 cfu/100 mL, not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner. The Objectives were approved by the Office of Administrative Law in February 2019 and by EPA in March 2019.

Historically, the Regional Water Board has not granted dilution credit for bacterial objectives in most of BACWA's members' NPDES permits. However, they have indicated they may apply dilution when implementing the new bacterial objectives in permits if it will decrease chlorine dosing for disinfection. To be granted dilution credit in the calculation of the new objectives, the Water Board will need background enterococcus levels in the receiving water to determine the assimilative capacity of the Bay. BACWA is proposing a study to sample the SF Bay for enterococcus. SFEI has developed a Scope of Work to support this effort, and SFPUC has offered in kind support for sampling using their boat, as well as analysis.

FISCAL IMPACT

Funds are available for this agreement within the BACWA FY19 budget approved on April 20, 2018 and will be available within the FY20 budget under line item General Technical Support.

ALTERNATIVES

1. Do not complete this work. This alternative is not recommended since scientific oversight in planning and reporting will add integrity to the receiving water enterococcus sampling and analysis being carried out by BACWA member agencies.
2. Select another consultant to conduct the work. This alternative is not recommended since SFEI, via the RMP, is the lead agency carrying out receiving water monitoring in the San Francisco Region.

Attachments: FY19 & FY20 Agreement with SFEI
Scope of Work

Approved: _____
Lori Schectel, Chair
BACWA Executive Board

Date: _____

BAY AREA CLEAN WATER AGENCIES

CONSULTING AGREEMENT

TO: Melissa Foley
San Francisco Estuary Institute
4911 Central Ave.
Richmond CA 94804
melissaf@sfei.org
510 746-7345

FROM: David Williams, Executive Director
BACWA
PO Box 24055, MS702
Oakland, CA 94623
dwilliams@bacwa.org
Phone: 925-765-9616
FAX: (510) 287-1351

RE: BACWA Agreement with San Francisco Estuary Institute (SFEI) for FY19 and FY20 to provide Study Planning and Reporting for enterococcus monitoring in San Francisco Bay.

This Agreement covers professional services to be performed by SFEI in order to implement study enterococcus monitoring study planning and reporting. The Agreement will take effect at signing and will expire on June 30, 2020. This work is described in the attached Scope of Work and under the direction of Lorien Fono, BACWA Regulatory Program Manager. The total cost of professional services to be performed by SFEI is not to exceed \$5,148. This contract will be funded by the BACWA Budget under the General Technical Support line item.

This Agreement may be terminated by either party at any time for convenience with 30-day notice. In the event of termination by BACWA, BACWA shall pay SFEI for professional and competent services rendered to the date of termination upon delivery of assigned work products to the BACWA.

SFEI shall submit invoices to the BACWA Assistant Executive Director via e-mail. Invoices shall indicate hours associated with each task. EBMUD will pay SFEI within thirty (30) days of receipt and approval of satisfactory SFEI invoices.

E-mail: shulll@bacwa.org

Attachments: SFEI Scope of Work

Approved:

By _____
David R. Williams
BACWA Executive Director

By _____
Melissa Foley
San Francisco Estuary Institute

Date: _____

Date: _____

BACWA EIN: 94-3389334

SFEI EIN: 94-2951373



BACWA CHAIR AUTHORIZATION REQUEST

AGENDA NO.: 7

FILE NO.: 19-39

MEETING DATE: April 19, 2019

TITLE: Request for BACWA Executive Board Chair Approval to Amend Agreement with Keough Consulting to Provide Additional Support for BAPPG's FY19 Priority Pollutant Campaigns

☐ RECEIPT ☐ DISCUSSION ☐ RESOLUTION ☒ APPROVAL

RECOMMENDED ACTION

Authorize an Amendment to the agreement with Keough Consulting to increase the amount by \$1,500.00 to provide additional outreach and media support for priority pollutant campaigns for FY19.

SUMMARY

With the bankruptcy filing of O'Rorke, Inc., work that was previously approved for completion by O'Rorke, Inc. during FY19 was not completed by them. The BAPPG Committee has determined that the most efficient and effective way to complete this work is to contract with Keough Consulting for the remainder of FY19. On March 11, 2019 an agreement was approved for \$6,440. This Amendment increases that Agreement by \$1,500 to a total of \$7,940 for additional advertising that the BAPPG Committee felt was needed. Even with the amendment, the total expenditures will still be within the approved budget. Outreach and media efforts will be carried out under the supervision of the project manager Robert C. Wilson with the City of Petaluma.

FISCAL IMPACT

Funds are available for this agreement and have been allocated for this project within the BAPPG FY19 budget approved on April 20, 2018.

ALTERNATIVES

1. Do not complete this work. This alternative is not recommended since this work was included in BAPPG's approved FY19 budget and will assist BACWA/BAPPG with executing effective outreach messages and search for new opportunities to inspire behavior change in target groups.
2. Select another consultant to conduct the work. This alternative is not recommended since BACWA conducted a competitive process which resulted in O'Rorke being selected as the most qualified media consultant and now Keough Consulting is best suited to complete this work especially given the short time frame remaining to complete the FY 19 outreach goals.

Attachments: FY19 Agreement with Keough Consulting
Amendment to Agreement with Keough Consulting

Approved: _____

Lori Schectel, Chair,
BACWA Executive Board

Date: April 17, 2019

BAY AREA CLEAN WATER AGENCIES

CONSULTING AGREEMENT

TO:	Tracy Keough Keough Consulting 5424 Sunol Blvd., Suite 10-187 Pleasanton, CA 94566	tracy@keoughconsulting.com 650-207-4093
FROM:	David Williams, Executive Director BACWA PO Box 24055, MS702 Oakland, CA 94623	dwilliams@bacwa.org Phone: 925-765-9616 FAX: (510) 287-1351

RE: BACWA Agreement for FY19 BAPPG, Outreach and Media Support for Priority Pollutant Campaigns.

This Agreement covers professional services to be performed by Keough Consulting in order to implement the remaining projects for the FY19 BAPPG Outreach and Media Support for Priority Pollutant Campaigns. This work is described in the attached two Scopes of Work and under the direction of Robert C. Wilson of the City of Petaluma. The total cost of professional services to be performed by Keough Consulting is not to exceed \$6,440.00. This contract will be funded by the BACWA Budget under the BAPPG Committee line item.

This agreement may be extended for up to four additional one-year terms upon approval of the BACWA Executive Board and an amendment to this agreement.

This Agreement may be terminated by either party at any time for convenience with 30-day notice. In the event of termination by BACWA, BACWA shall pay Keough Consulting for professional and competent services rendered to the date of termination upon delivery of assigned work products to the BACWA.


Keough Consulting shall submit invoices to the BACWA Assistant Executive Director via e-mail. Invoices shall indicate hours associated with each task. EBMUD will pay Keough Consulting within thirty (30) days of receipt and approval of satisfactory Keough Consulting invoices.

E-mail: shulll@bacwa.org

Attachments: Keough Consulting Task 1 SOW, and Keough Consulting Task 3 SOW

Approved:

By _____
Lori Schectel
Chair, BACWA Executive Board

By _____
Tracy Keough
Keough Consulting

Date: March 11, 2019

Date: March 11, 2019


BACWA EIN: 94-3389334
Keough Consulting EIN: 83-3337764

**AMENDMENT NO. 1
TO AGREEMENT BETWEEN
BAY AREA CLEAN WATER AGENCIES AND
Keough Consulting
FOR
BAPPG Committee Support**

This Amendment No. 1 is made this 16th day of April, in the City of Oakland, County of Alameda, State of California, to that certain agreement of March 11, 2019 by and between Keough Consulting and Bay Area Clean Water Agencies, (BACWA) (the "Agreement") in consideration of the covenants hereinafter set forth.

1. BACWA and Keough Consulting agree to increase the amount of the Agreement by \$1,500 to a total of \$7,940.
2. Except as herein expressly modified, the Agreement will remain in full force and effect.

BAY AREA CLEAN WATER AGENCIES

By  _____ Date April 17, 2019
Lori Schectel, Chair, BACWA Executive Board

By _____ Date April 17, 2019
Tracy Keough

April 2, 2019

James Parrish
1515 Clay Street, Suite 1400
Oakland, CA 94612
(510) 622-2451

VIA EMAIL: James.Parrish@waterboards.ca.gov

Subject: BACWA Comments - Tentative Order for Waste Discharge Requirements for Nutrients from Municipal Wastewater Discharges to the San Francisco Bay (NPDES Permit No. CA0038873)

Enclosed: Increased load factors Master Document

Dear Mr. Parrish:

The Bay Area Clean Water Agencies (BACWA) appreciates the opportunity to comment on the Tentative Order for Waste Discharge Requirements for Nutrients from Municipal Wastewater Discharges to the San Francisco Bay, NPDES Permit No. CA0038873 (Tentative Order). 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 state our continued support for the Nutrient Management Strategy (NMS) that is the bedrock of nutrient planning and policy in the San Francisco Bay Region. This cooperative approach in the Bay Area for managing nutrients has received national attention and been praised for its collaboration amongst multiple stakeholders. The NMS received a National Environmental Achievement Award in 2019 from the National Association of Clean Water Agencies. This Tentative Order provides a logical next step to further the NMS process. It will increase support for the science program to accelerate our understanding of nutrient impacts in the San Francisco Bay, and inform science-based decision making for subsequent permit terms.

BACWA would also like to express our appreciation to Regional Water Board Staff for their willingness to work with our members throughout the Nutrient Watershed Permit development process. They have made it a priority to understand the implications of the data presented in our Group Annual Reports, and to review the findings of the *Nutrient Reduction Study – Potential*

Nutrient Reduction by Treatment Optimization, Sidestream Treatment, Treatment Upgrades, and Other Means, completed by BACWA as required by the first Nutrient Watershed Permit. Regional Water Board Staff have kept the lines of communication open throughout the process of developing this second nutrient watershed permit, from agreement on key tenets, to drafting of permit language. This commitment to permittee engagement has allowed BACWA, in turn, to reach consensus among our diverse member agencies.

While overall, this Tentative Order represents a sound and well-considered next step in the development of nutrient management strategies for the San Francisco Bay Region, BACWA is providing the comments herein to further clarify and refine the permit language.

1. Not all facilities will have opportunities to implement natural systems for nutrient removal

In Section VI.C.2.a on page 7, the Tentative Order states, “*The Scoping Plan shall include, but is not limited to, the level of work to complete the following for each Discharger’s facility and subembayment:*” BACWA notes that natural systems will not be feasible at several facilities, either due to constraints in land availability or geography, or because recycled water diversion from discharge precludes sustaining a wetland. It is expected that these facilities where natural systems are infeasible will be identified during the implementation of the Scoping Plan and exempted from further evaluation.

2. Clarification of Annual Reporting requirements and timing is recommended

The Tentative Order Monitoring and Reporting Program (MRP) currently lists February 1 (Attachment E, Section IV.B.1.b) and October 1 (Attachment E, Section IV.V.1.c) as the deadlines for the Annual Report and optional Group Annual Report, respectively. BACWA believes this is an error and those two deadlines should be changed to January 1 and February 1, respectively. The Tentative Order changes the reporting period from the permit year (July 1 through June 30) in the previous Nutrient Watershed Permit, to the new permit year (October 1 through September 30). As such, BACWA will update the data presentation in the Group Annual Report, due February 1, to reflect this shifted timing.

The Group Annual Report will now be due in the calendar year two years after the beginning of the reporting period, and in the next calendar year after the end of the reporting period. For example, for the water year beginning October 1, **2018**, and ending September 30, **2019**, the Group Annual Report will be due February 1, **2020**. We recommend that the text in Section IV.B.1.b.ii of the MRP be clarified as follows:

The summary tables shall cover October 1 ~~before~~ of the preceding year through September 30 of the ~~preceding-current~~ year and at least the previous five years.

This Tentative Order establishes different constituent monitoring requirements compared to the first Nutrient Watershed Permit, and new effluent monitoring requirements for agencies with capacities that are greater than or equal to 10 mgd. BACWA notes that influent monitoring data will only be available subsequent to July 1, 2019, and cannot be reported for the five years prior, as specified in the text. It is also BACWA's understanding that no further reporting will be necessary for effluent TKN and effluent soluble reactive phosphorus, which were required to be monitored in the effluent during the first watershed permit term, but are discontinued in the Tentative Order. Therefore, these constituents will not be reported in the Group Annual Report due February 1, 2020.

3. Future nutrient trading should not yet be constrained to subembayments

Section I.D of the Fact Sheet states "*The Regional Water Board will also consider exploring a nutrient credit trading system between Dischargers within subembayments.*" Since the science program is ongoing and nutrient reduction objectives have not yet been established, it is too early to state that trading should be limited to agencies within the same subembayment. For example, if the science program establishes that coastal impacts should be the major driver for nutrient limitations, it may be appropriate for trading to occur between agencies in the North and South San Francisco Bay. We also understand that as part of the NMS scientific investigations, the actual boundaries of the current subembayments (generally defined by bridges) may be adjusted to better reflect parameters related to nutrients. As such, BACWA recommends that "*within subembayments*" be removed from the above sentence.

4. Nutrient load increases are driven by factors beyond population growth

Section II.E of the Fact Sheet states,

"Before implementing any load targets as effluent limitations, the Regional Water Board may adjust them if necessary (e.g., to account for decreased recycled water demand, increased biosolids management, increased daytime worker population, or new or expanded waste-to-energy programs)."

BACWA appreciates that the Regional Water Board recognizes that agencies are subject to factors, often beyond their control, that will impact their nutrient loads. Additionally, POTWs are being encouraged by air regulators to help the State meet its renewable energy and organics diversion goals for reducing greenhouse gas emissions. As many agencies are planning new or expanded waste to energy programs, this will be one of the largest drivers of increased nutrient loads in the next five years.

Several of our members submitted to Regional Water Board Staff brief descriptions of the factors that may impact their loads over the next permit term. The Master List of

these factors is attached to this comment letter¹. The agencies included in this Master List are:

- Central Contra Costa Sanitary District
- Central Marin Sanitation Agency
- Delta Diablo
- Dublin San Ramon Services District
- East Bay Municipal Utility District
- Fairfield-Suisun Sewer District
- Hayward, City of
- Palo Alto, City of
- San Francisco Public Utilities Commission, Southeast Plant
- Sunnyvale, City of
- Union Sanitary District

Several of these agencies also plan to submit their own comment letter that will describe the factors leading to increased loads at their facilities in greater detail, along with a request that their current performance and load targets be reconsidered if their loads increase due to these factors.

One element that is not discussed in the Tentative Order is the inherent variability in the nutrient load data. Several agencies have examined their data and identified significant variability in their nutrient loads. These agencies were not able to directly correlate all of the year-to-year changes with any one factor such as population growth, or other obvious factors leading to load changes such as change in recycled water demand, or change in a waste to energy program. These agencies also noted that nutrient loads not only vary from year-to-year but can also vary significantly from one sampling date to the next. Since the Regional Water Board used the maximum dry season load from the past four years of data to calculate the current performance for each agency, some of that inherent annual variability is captured within that calculation. However, four years is a relatively small sample size, and it is expected that, moving forward, it will not be uncommon to see single dry seasons where agencies exceed their load targets, even when prior and subsequent dry seasons are well below those load targets. Prior to adoption of the next permit, it will be necessary for BACWA and the Regional Water Board to have a discussion about how to account for nutrient load variability when considering potential nutrient load caps and the impact on upgrades that will cost millions to billions of dollars.

¹ Note that when information on increased loads was gathered from our members, BACWA was expecting that current performance and load targets would be based on dissolved inorganic nitrogen (DIN), rather than total organic nitrogen (TIN), as appears in the Tentative Order. Most agencies submitted estimates of increased loads based on DIN, but the numbers are expected to be equivalent to TIN.

5. The nutrient watershed permit is not an appropriate vehicle to launch a regional wetlands master plan

In Section VI.C.2 of the Fact Sheet, the Tentative Order describes the *Nutrient Reduction Study – Potential Nutrient Reduction by Treatment Optimization, Sidestream Treatment, Treatment Upgrades, and Other Means* completed by BACWA in the first Nutrient Watershed Permit term, as well as the special studies required in the Tentative Order, then states that, “[a]s an outgrowth of these studies, Dischargers should consider developing a regional master plan that addresses multiple environmental benefits.” The language is repeated in Section VI.C.3. Such a regional master plan would not be possible without partnerships among governmental land management agencies, water agencies, environmental groups, and the scientific community. While a regional master plan is a laudable goal, we believe it is inappropriate to advocate for such a plan in a permit regulating only POTWs.

In lieu of the language above, BACWA recommends that the following language be inserted into the Fact Sheet Section VI.C.2: “If nutrient reduction is required for the San Francisco Bay, the Water Board’s overarching goal would be to have nutrient load reductions achieved through the implementation of a regional plan that is cost-effective and provides multiple benefits. In this Order, Major dischargers are required to evaluate one component of such a plan, namely the potential for natural systems (e.g. wetlands, etc.) to reduce nutrient loads to the Bay.” The language about regional master planning should also be removed from Section VI.C.3.

6. The threshold for influent monitoring should be greater than 10 mgd

BACWA recommends that the threshold for influent monitoring be set at greater than 10 mgd, rather than greater than or equal to 10 mgd, as proposed in the Tentative Order. Making this recommended change would exclude Central Marin Sanitation Agency (CMSA) from influent monitoring requirements. CMSA has a stable population, and their discharges have minimal impact on the San Francisco Bay due to their discharge location near the Golden Gate.

7. Additional minor editorial comments

BACWA has the following minor comments and recommended corrections:

- a. Footnote 1 to Table E-1 is missing a closing parenthesis.
- b. In Table F-1, please correct the contact phone number for the City of Sunnyvale as follows: (408) 730-~~77887751~~.
- c. In the Fact Sheet Section II.E, immediately beneath Table F-5, the text states, “*Although the Regional Water Board expects to implement effluent limitations in 2024 based on nutrient discharge performance, scientific conclusions from monitoring, load response modeling, or*

the establishment of nutrient water quality objectives could result in more or less stringent effluent limitations.” In the existing Nutrient Watershed Permit and in this proposed TO, there are no effluent limitations, therefore, there cannot be "more" or "less" stringent effluent limitations in the future permit. BACWA recommends rewording the above sentence as follows: “Although the Regional Water Board expects to consider establishing performance-based effluent limitations in 2024, scientific conclusions from monitoring, load response modeling, and the establishment of nutrient water quality objectives will be used to determine what, if any, effluent limitations are required at that time.”

- d. In Section VI.C.2 and VI.C.3 of the fact sheet, the phrase “smaller major discharger” is used to describe agencies whose nutrient loads likely do not impact the Bay as a whole but may have local impacts. To make the language more precise, BACWA recommends that smaller major" should be replaced with "major dischargers with flows greater than or equal to 1.0 mgd and less than 10 mgd" (or, if the recommendation in item 6, above is adopted, “major dischargers with flows greater than or equal to 1.0 mgd and less than or equal to 10 mgd”).
- e. In Table F-6, please update the completion date for the City of Palo Alto’s project from 2022 to 2023.

BACWA appreciates the opportunity to comment on the Tentative Order and thanks you for your continued dedication to a collaborative Regional approach on nutrients management.

Respectfully Submitted,



David R. Williams, P.E.
Executive Director
Bay Area Clean Water Agencies

Enclosure: Early Actors Template

cc: BACWA Executive Board

Proposed Language from the 2nd Nutrient Watershed Permit, Concerning Nutrient Load Assessments via Nature-Based Systems and Wastewater Recycling

2. Regional Evaluation of Potential Nutrient Discharge Reduction by Natural Systems

The major Dischargers listed in Table 1 shall, individually or in collaboration with other regional stakeholders, evaluate options and develop planning-level costs for nutrient discharge reduction by natural systems as described below. These requirements do not apply to the minor Dischargers listed in Table 1.

- a. Scoping Plan. By December 1, 2019, the Dischargers shall, individually or in collaboration with regional stakeholders, submit a Scoping Plan describing the level of work proposed to conduct the evaluation. The Scoping Plan shall include, but is not limited to, the level of work to complete the following for each Discharger's facility and subembayment:
 - Identification of sites, if any, for potential wetlands treatment systems;
 - Identification of sites, if any, for potential wetlands creation or enhancement;
 - Identification of sites, if any, for potential horizontal levee creation; and
 - Identification of any of the above sites that are associated with a defined Operational Landscape Unit.

The Scoping Plan shall also include a schedule to complete, within one year of submitting the Scoping Plan, the identification of all potential sites that could use natural systems.

- b. Evaluation Plan and Implementation. If a Discharger identifies potential sites, it shall proceed with an evaluation for its facility and subembayment. By July 1, 2020, the Discharger shall, individually or in collaboration with regional stakeholders, submit an Evaluation Plan and schedule describing the methods and means for conducting the evaluation. The evaluation shall include, but not be limited to, the following tasks:
 - Estimation of nitrogen (total inorganic nitrogen) and phosphorous (total phosphorous) discharge reductions associated with each project or associated Operational Landscape Unit;
 - Identification of ancillary adverse effects and ancillary benefits from each project (e.g., removal of emerging contaminants, creation of habitat, or protection against sea level rise) or associated Operational Landscape Unit;
 - Assessment of the feasibility, efficacy, reliability, and cost-effectiveness of each project; and
 - Identification of potential challenges to implementing each project (e.g., regulatory barriers).

The Dischargers shall implement the Evaluation Plan tasks within 45 days of submittal.

- c. Status Reports. By July 1, 2021, and again by July 1, 2022, the Dischargers shall submit, or cause to be submitted, a status report describing the tasks completed, preliminary findings, and tasks yet to be completed for each site identified,

highlighting any adaptive changes made to the Evaluation Plan submitted in accordance with task b, above.

- d. Final Status Report. By July 1, 2023, the Dischargers shall submit, or cause to be submitted, a Final Status Report describing the tasks completed and findings for each site identified. The Final Status Report shall also identify any remaining tasks or barriers for implementing an identified project.

Proposed Scope of Work, for discussion purposes:

1. Task 1: Scoping Plan and Evaluation Plan Development

By November 1, 2019, SFEI shall submit a combined Scoping and Evaluation Plan to BACWA, establishing the methods and approach to evaluating site-specific opportunities and constraints to implementing nature-based strategies for nutrient load reduction at each major Discharger listed in Table 1 of the 2nd Nutrient Watershed Permit (Permit). SFEI proposes the development of a combined Scoping and Evaluation Plans to minimize redundancy and accelerate the timing of Discharger-specific evaluation efforts.

At a minimum, the scoping elements of the combined Scoping and Evaluation Plan will include the level of work to complete the following for each Discharger facility and subembayment:

- Identification of candidate sites, if any, for potential wetlands treatment systems;
- Identification of candidate sites, if any, for potential wetlands creation or enhancement;
- Identification of candidate sites, if any, for potential horizontal levee creation;
- The situation of all candidate sites within their respective OLU, drawing on data synthesized through Phase 1 of SFEI's on-going OLU Project; and
- Schedule to complete, within one year of submitting the joint Scoping and Evaluation Plan, the identification of all candidate sites.

The evaluation section of the joint Scoping and Evaluation Plan shall describe the approach for evaluating candidate sites, including, but not limited to:

- Estimation of nitrogen (total inorganic nitrogen) and phosphorous (total phosphorus) discharge reductions associated with each project or associated Operational Landscape Unit;
- Identification of ancillary adverse effects and ancillary benefits from each project (e.g., removal of emerging contaminants, the creation of habitat, or protection against sea level rise) or associated Operational Landscape Unit;
- The approach and assumptions associated with performing cost estimates for candidate sites and alternatives, based on input received in consultation an engineering firm with relevant experience in the design and implementation of wastewater treatment wetlands in California; and;
- Assessment of the feasibility, efficacy, reliability, and cost-effectiveness of each project; and
- Identification of potential challenges to implementing each project (e.g., regulatory barriers).

Additional elements of the Scoping Plan shall include the approach to characterizing the following:

- Outstanding data and steps required to identify potential sites for nature-based nutrient load reduction, where site-specific uncertainty remains (e.g. focused site inspections, interviews, data analysis);
- Approach for integrating the Water Board-funded Phase 2 efforts of the OLU Project, pending Water Board approval. SFEI anticipates Phase 2 of the OLU project to begin in mid- to late-2019. Opportunities to leverage Phase 2 OLU efforts will be documented in a joint internal work plan for Phase 2 of the OLU Project as well as the project described in this Scope of Work. A joint work plan shall reflect all the elements of this Scope of Work, in consultation with the Regional Advisory Committee (RAC) convened to support the OLU Project;
- Approach to coordinating with existing treatment operators throughout California to obtain information regarding nutrient (N+P) load reduction performance, as well as ancillary benefits/effects of each project (e.g., removal of emerging contaminants, the creation of habitat, sea level rise adaptation, the release of greenhouse gases);
- Literature review of nutrient (N+P) load reduction performance, as well as ancillary benefits/effects of each project (e.g., removal of emerging contaminants, the creation of habitat, sea level rise adaptation, the release of greenhouse gases);
- Opportunities and constraints analysis of implementation, including considerations of environmental constraints (e.g. contamination, sensitive wildlife habitat), regulatory considerations, land use, and land ownership;
- Identification of synergistic and antagonistic effects on OLUs, as a result of implementing each nature-based nutrient load reduction alternative;
- Identification of recommended data needs from existing and candidate wetlands and open-water systems receiving wastewater effluent (e.g. influent/effluent nutrient chemistry, influent/effluent chemistry data for select contaminants of emerging concern, flow rates, physical characteristics, maintenance requirements); and
- Recommended policy recommendations regarding permitting, monitoring, and maintenance, suitable for Regional Water Board review and comment.

Schedule and Deliverables:

- Monthly Status Reports (assumed start date of July 1, 2019)
- Draft Scoping and Evaluation Plan: October 15, 2019; comments expected by November 7, 2019
- Final Scoping and Evaluation Plan: November 21, 2019

Budget: \$85,000

2. Task 2: Integrated Planning for Multi-Benefit Nutrient Load Reduction Alternatives

This task involves the development of a Scoping and Visioning document suitable for leveraging external funding to integrate disparate efforts regarding the quantification of

nutrient load reduction alternatives. Pursuant to the first Nutrient Watershed Permit, Dischargers funded an Optimization and Upgrade Report. The second iteration of the Permit involves two efforts to quantify nutrient reduction alternatives achievable via nature-based solutions (the subject of this scope of services), as well as wastewater recycling. In parallel, SFEI is pursuing a multi-stage project to assess landscape-scale opportunities for shoreline resiliency, known as Operational Landscape Units (OLUs).

To facilitate integrated multi-benefit planning initiatives, SFEI will seek key partnerships with regulators, economists, academics, and the private sector to integrate these solutions into alternatives best suited for particular Dischargers and the region at large. Additional funding is required to pursue this strategy, for the purposes of identifying the optimal mosaic of grey- and green-infrastructure alternatives, including wastewater recycling; as well as developing funding and policy mechanisms to realize this vision.

SFEI envisions developing the outputs of this task in parallel with Tasks 1 and 3, to assist in fundraising and partnership building opportunities as they arise. This task is consistent with one or more of the main NMS management questions.

Schedule:

- Scoping & Visioning Report regarding multi-benefit load reduction alternatives:
June 2020

Budget: \$30,000

3. Task 3: Evaluation Plan Implementation

Implementation of the Evaluation Plan shall commence upon approval by the Regional Board of the Scoping and Evaluation Plan (Task 1). Involves SFEI performing planning-level evaluations of locations potentially suitable for enhancement or conversion to nature-based nutrient load reduction installations (i.e. open water treatment wetlands and horizontal levees).

Phases of this task follow accordingly:

Task 2.1: Discharger Survey

Initial outreach to major Dischargers, in coordination with BACWA, to identify opportunities and constraints to implementation of nature-based systems, on a site-specific basis.

Potential survey questions include:

- Short- and long-term planning efforts for green infrastructure, habitat restoration, sea level rise adaptation;
- Available information regarding land ownership/use of, special studies regarding, and master planning efforts involving lands in proximity to a POTW with potential for conversion to treatment wetland uses;

- Relative interest in, and internal expertise available, to advance nature-based solutions for nutrient load reductions; and
- Information regarding governance-, regulatory-, and policy-based challenges to implementing nature-based nutrient load reductions.

This assumes Assume BACWA participation early and limited commitment from BACWA staff to assist in the dissemination of surveys and collection of data.

Task 3.2: Desk-Based Analysis to Identify Candidate Sites

The first step towards the evaluation of suitable sites considered candidates for enhancement or conversion to nature-based load nutrient load reduction installations is to perform a desk-based analysis of sites, informed by prior work and work products developed in support of Phase 1 of the OLU Project. Various data sources shall be employed to identify candidate sites, in practicable proximity to each major Discharger, of the following categories of nature-based systems:

- Wetlands treatment systems;
- Wetlands creation or enhancement; and
- Horizontal levee creation.

The OLU(s) associated with each candidate site shall be identified and a summary of this information shall be provided in the 2020 Annual Report, consistent with Permit requirements, at VI.C.2.a.

Task 3.3: Site-Specific Outreach and Investigation

Following the identification of candidate sites, site-specific outreach will be conducted at up to fifteen (15) major dischargers identified as maintaining significant load reduction potential through application of nature-based systems. Site visits and interviews with Discharger staff will be conducted to survey candidate sites and gather information to inform suitability, feasibility, planning-level designs, and estimated construction costs.

Site visits are assumed to take place at up to fifteen (15) major Discharger facilities and require up to two (2) days per Discharger. A memo shall document the outcomes and findings from each site-specific investigation, which will inform the identification of targeted site-specific evaluations.

Task 3.4: Site-Specific Evaluations

Following completion of Tasks 3.1 through 3.4, this Scope of Work assumes detailed evaluations will take place at ten (10) major Dischargers. For each of the ten Dischargers where nature-based systems show the strongest potential for nutrient load reduction, conceptual designs, and planning-level cost estimates shall be provided. Supporting information shall include those elements identified in the Scoping and Evaluation Plan (Task 1). Particular site-specific information includes:

- Opportunities and constraints (e.g. design flow rates, proximity to wastewater source, slopes, land ownership, elevation various environmental conflicts)
- Projected nutrient load reduction (i.e. total inorganic nitrogen and total phosphorus), according to the following scales:
 - by project or alternative;
 - by each major Discharger involved; and
 - according to each related Operational Landscape Unit.
- Planning-level assessment of the feasibility, efficacy, reliability, and cost-effectiveness of the project, compared to the suite of grey infrastructure solutions identified in the Nutrient Optimization and Upgrade Report, with input from an engineering firm with experience designing and implementing grey- and green-infrastructure based solutions for the wastewater industry;
- Planning-level cost estimates associated with elements including mobilization, earthwork (cut, fill, placement, compaction), import of rock and other materials, infrastructure improvements (pump stations, pipelines, and discharge infrastructure), trail relocation, and revegetation (seeding and planting);
- Best professional judgment-based assessments, from a contracting engineer with applicable experience and expertise, concerning the relative feasibility, reliability and cost effectiveness of the various alternatives; and
- Readily identified governance issues and possible permitting strategies.

Schedule and Deliverables:

- Annual Status Reports: June 1, 2020, and June 1, 2021
- Draft Evaluation Report: April 1, 2022
- Response to comments on the Draft Evaluation Report: June 1, 2022
- Final Evaluation Report: June 15, 2022

Budget: \$360,000

4. Task 4: Stakeholder and Regulatory Outreach

Involves biannual presentations to either the Nutrient Management Strategy (NMS) Steering Committee, BACWA, or Regional Water Board, from June 2020 to June 2022. Additional engagement may include participation in multi-benefit planning exercises organized by the San Francisco Estuary Partnership, San Francisco Bay Restoration Authority, or others.

Schedule:

- Biannual presentations: June 2020 to June 2022

Budget: \$25,000

DRAFT Scope of Work Regional Recycling Study

- 1. Combined Scoping Plan and Evaluation Plan Scoping Plan (by 12/1/19, per permit):**
 - a. Describe all treatment plants, treatment plant processes, and service area. Rely on Watershed Permit #1 scoping language as a template.
 - b. Identify opportunities for potential wastewater recycling (e.g., for irrigation).
 - i. Review info from the first Permit efforts, issue a new RFI for information updates with a stronger emphasis on the likelihood of implementation and the understanding that this info will be used for the 2nd Watershed Permit Submittal. Use RFI submittals from the Watershed Permit #1 for language.
 - ii. Acquire existing Master Plans and other relevant documents from agencies.
 - c. Identify agencies for whom recycled water is infeasible, or is already maximized, who will not be included in the Study
- 2. Evaluation Plan (by 7/1/20, per permit, but to be submitted with Scoping plan, above)**

Evaluation would include:

 - a. Build on Watershed Permit #1 evaluation language as a template
 - b. Explain the RFI on Recycled Water and what that includes
 - c. Develop approach for potable reuse projects and associated RO concentrate management
 - d. Describe the Master Plans and other materials available for basis of information
 - e. Explain the basis for load reduction calculations
 - f. List examples of adverse/ancillary impacts and adapt language from Watershed Permit #1 Evaluation Plan.
 - g. Present Scoping and Evaluation Plan to the Regional Board
- 3. Analysis:**
 - a. Briefly Review master plan concepts (Did they identify treatment needs or just pipelines/distribution?)
 - b. Meet with plant/agency staff as needed to understand their RW Master Plans as well as updates, and other relevant materials.
 - c. Summarize recycled water plans, level of certainty, and associated nutrient loads
- 4. Reports (similar organization as the Nutrient Reduction Report):**
 - a. Individual Plant Summaries
 - i. Existing RW flows and nutrient loads removed
 - ii. Findings:
 - (a) Summary of the RW concepts, and potential future flows and nutrient loads removed
 - (b) Distribution map
 - (c) Summary of existing cost estimates from master plans, converted to dollars per gallon
 - (d) Identification of potential challenges to implementing identified projects
 - a. Overall summary
 - i. Summary of current recycled water flows and nutrient loads removed

- ii. Summary of future recycled water flows and nutrient loads removed, with level of certainty
- iii. Summary and analysis of ancillary adverse effects and ancillary benefits from types of projects (e.g., reduction of natural water resource diversion, reduction of potable water demand, or reduction of chemical fertilizer reliance);
- iv. Summary of the feasibility, efficacy, reliability, and cost-effectiveness of types of recycled water projects to reduce nutrient loads
- v. Summary of potential challenges to implementing opportunities (e.g., financing, regulatory barriers).

5. Bimonthly updates to BACWA Recycled Water Committee

6. Presentation of Findings to the Water Board, including annual progress updates

7. Project Management (PM time)

Planning Subcommittee Meeting No. 38

April 17, 2018

9:00 am – 12:00 pm

Water Board Offices

Chair: Ian Wren

Agenda

- | | | |
|----|---|-------|
| 1. | Agenda Modifications (All) 5 min | 9:00 |
| 2. | Review Outstanding Action items (DW) 5 min | 9:05 |
| 3. | Science Program update (DS) 10 min | 9:10 |
| | a. Staffing | |
| | b. Other | |
| 4. | Priority Updates | |
| | a. Report-Outs - 10 min | 9:20 |
| | b. Current Issues – 20 min | 9:40 |
| | c. NMS Calendar Review -10 min | 9:50 |
| | i. Review future SC and PS meeting schedules (DW/IW) | |
| 5. | Other Updates – 80 min | 10:00 |
| | a. Discussion: USGS cruise status | |
| | b. Discussion: Comments on Science Plan/other reports | |
| | c. Status of pre-approved projects for FY19/20 | |
| | d. Modeling expert team proposal | |
| | e. Nutrient-related grant proposals | |
| 6. | Planning the next Steering Committee meeting – 40 min | 11:20 |
| | a. Agenda review and discussion (DS) | |
| | b. Review of Action items from meeting (DW) | |
| | c. Next steps (ALL) | |
| 7. | Adjourn or address Parking Lot items | 12:00 |

Parking Lot of Identified PS Future Agenda Items

- a. Discussion: potential future off-site meeting @ USGS Menlo Park & boat visit
- b. Outreach to resource agencies re: DO objectives
- c. Brainstorming on future priorities for the PS (ALL)
- d. EPA nutrient criteria discussion
- e. Discuss concept of holding an annual forum on nutrients



DRAFT

Executive Board Special Meeting Agenda

SF Bay Regional Water Board / BACWA Executive Board Joint Meeting

March 22, 2018 1:00 PM -3:00 PM

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

ROLL CALL AND INTRODUCTIONS – 1:00

PUBLIC COMMENT – 1:05

DISCUSSION/OTHER BUSINESS- 1:10

Topic	Goal	Time
1. Nutrients	<ul style="list-style-type: none">• Review of 2nd Watershed Permit Tentative Order<ul style="list-style-type: none">○ Expectations for Regional Studies○ Language on “Regional Master Plan”• BACWA Brochure and Presentation on Optimization/Upgrade Studies• EPA Trading memo and webinar• SB69 - Bill on Ocean Acidification	1:15
2. Chlorine Residual Basin Plan Amendment	<ul style="list-style-type: none">• Update on progress	2:10
3. Bacterial Objectives	<ul style="list-style-type: none">• BACWA, SFEI, SFPUC developing receiving water sampling plan for enterococcus	2:20
4. State Water Board Climate Change Census	<ul style="list-style-type: none">• Discussion of updated census, if available	2:35
5. CECs	<ul style="list-style-type: none">• CEC monitoring by POTWs to be discussed at emerging contaminants work Group meeting in April	2:45
6. Selenium	<ul style="list-style-type: none">• EPA Freshwater Criteria – Water Board comments to EPA	2:50
7. Toxicity	<ul style="list-style-type: none">• State Water Board pushes adoption to summer• POTW litigation update	2:55

ADJOURNMENT

Joint BACWA/Regional Water Board staff Meeting Summary

March 22, 2019, 1pm-3pm

Attendees:

Bryan Henderson, SFPUC
Dave Williams, BACWA
Eileen White, EBMUD
Lorien Schectel, CCCSD
James Parrish, Regional Water Board
Amit Mutsuddy, San Jose
Eric Dunlavey, San Jose

Ramana Chinnakotla, Sunnyvale
Tom Hall, EOA
Jackie Zipkin, EBDA
Lorien Fono, BACWA
Bill Johnson, Regional Water Board
Tom Mumley, Regional Water Board

1. Introductions

2. Nutrients

- a. **BACWA comments on Tentative Order (TO)** – BACWA reviewed a draft of their comment letter on the Tentative Order. The letter clarified language about group annual reporting, as well as the requirements of the regional studies, and is provided some minor corrections to the TO. It also called out the issue of year-to-year variability and how some agencies will likely exceed their planning load targets for a single year, even if they are below the target most years.
- b. **Regional Studies** – BACWA is putting together a group that will provide governance on the Nature-Based Solutions (NBS) study to be led by SFEI. The Water Board reminded BACWA that they would like to make sure this effort is integrated with other wetland-related projects that are moving forward in the Region. With respect to the Recycled Water study, BACWA described the draft scope of work, highlighting that this will not be an engineering effort, and will instead bring together existing planning efforts by agencies. The Water Board requested that part of the effort include groundtruthing differences between how different agencies decide on which projects are feasible. It was pointed out that Valley Water is currently conducting a study on potential Recycled Water projects in the entire South Bay. The Hertzberg Bill (SB332) was brought up and it was discussed how this project could be used to demonstrate the infeasibility of the requirements in that proposed bill.
- c. **Brochure** – BACWA has developed a brochure summarizing the results of the Optimization and Upgrade Studies. Copies of the brochure were provided to the Regional Water Board.
- d. **EPA Nutrient Trading Memo** – BACWA summarized the EPA Nutrient Trading Webinar and memo, and the key tenets therein.
- e. **SB69** – BACWA summarized concerns about language in proposed SB69 which would require the Water Boards to develop nutrient limits and require POTWs discharging to the Ocean and Estuaries to implement denitrification

3. Chlorine Residual Basin Plan Amendment Update

Tom Hall gave an update on progress developing the chlorine residual Basin Plan Amendment. The Water Board has provided comments on his recommendation on how to edit the staff report. The proposed Basin Plan objectives will be based on EPA criteria. A question remains about how to use continuous data from SCADA systems to develop 1-hour averages. There is also the question about whether reporting limits can be implemented into permits to provide relief for agencies that do not get dilution credit. Comments on these issues are pending from the Water Board. This project may be wrapped up by the end of the year, but will likely need approval from EPA prior to implementation into permits.

4. Bacterial Objectives

BACWA is working with SFEI to develop a proposal to sample mid-Bay for enterococcus. This data would be used by the Regional Water Board when calculating effluent limits based on the new REC-1 Bacterial Objectives adopted by the State Water Board. The Water Board expressed concern that BACWA should not blindly use the USGS sites, as these may not be representative of the Bay as a whole, but noted that the Basin Plan does not give guidance on how to establish background levels. They agreed with BACWA's assumption that per the SIP, where there are different levels measured at the same site during different sampling rounds, maximum levels will be considered background. They requested that this effort be kicked off by researching all available data on background enterococcus.

5. Climate Change survey/census

The State Water Board is developing a census to better understand existing efforts by POTWs to plan for the impacts of climate change. They plan to use this information to consider permit requirements or provide funding for climate change planning. They have not yet decided who will be required to respond to the survey. The POTW community was given the opportunity to provide comments on an earlier version of the survey, and some of those comments were incorporated into a later draft. Some of the Regional Water Boards and members of the POTW community are skeptical that this effort will yield useful information.

6. CECs

BACWA outlined its proposal to perform ongoing CEC trend monitoring, with governance and data management from the RMP. This item will be discussed at the RMP Emerging Contaminants Workgroup Meeting on April 11 and 12.

7. EPA Freshwater Selenium Criteria

The Water Board submitted a comment letter to EPA that supported EPA's proposal to use fish tissue to evaluate compliance with selenium objectives, where such data are available. Although the freshwater criteria will not apply to the San Francisco Bay, the principles behind their development may be translated to the Bay-specific criteria that the EPA is also developing.

8. Toxicity

It was noted that the State Water Board has pushed back the planned adoption date of the toxicity provisions until at least summer 2019. CASA is working to set up more POTW meetings with State Water Board members and staff.

ADJOURNMENT

ROLL CALL AND INTRODUCTIONS – 10:00

PUBLIC COMMENT – 10:05

DISCUSSION/OTHER BUSINESS- 10:10

Topic	Goal	Time
1. Nutrients	<ul style="list-style-type: none">• Next steps for NBS and recycled water regional studies	10:15
2. Chlorine Residual Basin Plan Amendment	<ul style="list-style-type: none">• BACWA Update on progress	10:45
3. Bacterial Objectives	<ul style="list-style-type: none">• BACWA’s update on enterococcus sampling effort	10:55
4. State Water Board Climate Change Census	<ul style="list-style-type: none">• Discussion of proposed census	11:10
5. CECs	<ul style="list-style-type: none">• BACWA participants in ethoxylated surfactants studies	11:20
6. Wetlands	<ul style="list-style-type: none">• Update from Water Board on progress• EPA interpretation of groundwater/NPDES issue – implications for horizontal levees	11:30
7. Toxicity	<ul style="list-style-type: none">• Update on meetings with Staff and Board members• Update on adoption	11:45

ADJOURNMENT



SAVE THE DATE!

STAKEHOLDER OUTREACH WORKSHOPS

Proposed Statewide Sanitary Sewer Systems Order Reissuance

State Water Resources Control Board staff are conducting outreach workshops to hear stakeholder input on the proposed reissuance of the existing Statewide Sanitary Sewer Systems General Order. Topics of discussion include:

- **Proposed regulation of larger private collection systems**
- **Proposed system-specific requirements to address climate change, and system resiliency**
- **Clarification of the Water Boards enforcement process**
- **Proposed regulatory incentives for good compliance record**

Note – *The above workshops are not educational training events, do not provide education credits, and do not provide the educational content as other specialty workshops offered by the California Water Environment Association and other professional organizations.*

The Outreach Workshops will be held on:

Tuesday, April 16, 2019 | 9:00 AM – 12:30 PM
San Diego Regional Water Quality Control Board
2375 Northside Drive, Suite 100 | San Diego, California 92108-2700

Wednesday, April 17, 2019 | 1:00 PM – 4:30 PM (Webcast Available)
California Environmental Protection Agency—Coastal Hearing Room
1001 I Street | Sacramento, California 95814
<https://video.calepa.ca.gov/>

Tuesday, April 23, 2019 | 9:00 AM – 12:30 PM
Inland Empire Utilities Agency—Building B
6075 Kimball Avenue | Chino, California 91708

Thursday, April 25, 2019 | 1:00 PM – 4:30 PM
Central Valley Regional Water Quality Control Board—Redding
364 Knollcrest Drive, Suite 205 | Redding, California 96002

Thursday, May 2, 2019 | 9:00 AM – 12:30 PM
Central Valley Regional Water Quality Control Board—Fresno
1685 E Street | Fresno, California 93706-2007

To receive up-to-date information regarding the workshops, please subscribe to the following email list service:

https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html

(Under the Water Quality heading, select “Sanitary Sewer Overflow Reduction Program Order Review”)

Questions about our workshops? Please contact Armando Martinez at Armando.Martinez@waterboards.ca.gov

CEC Monitoring by POTWs

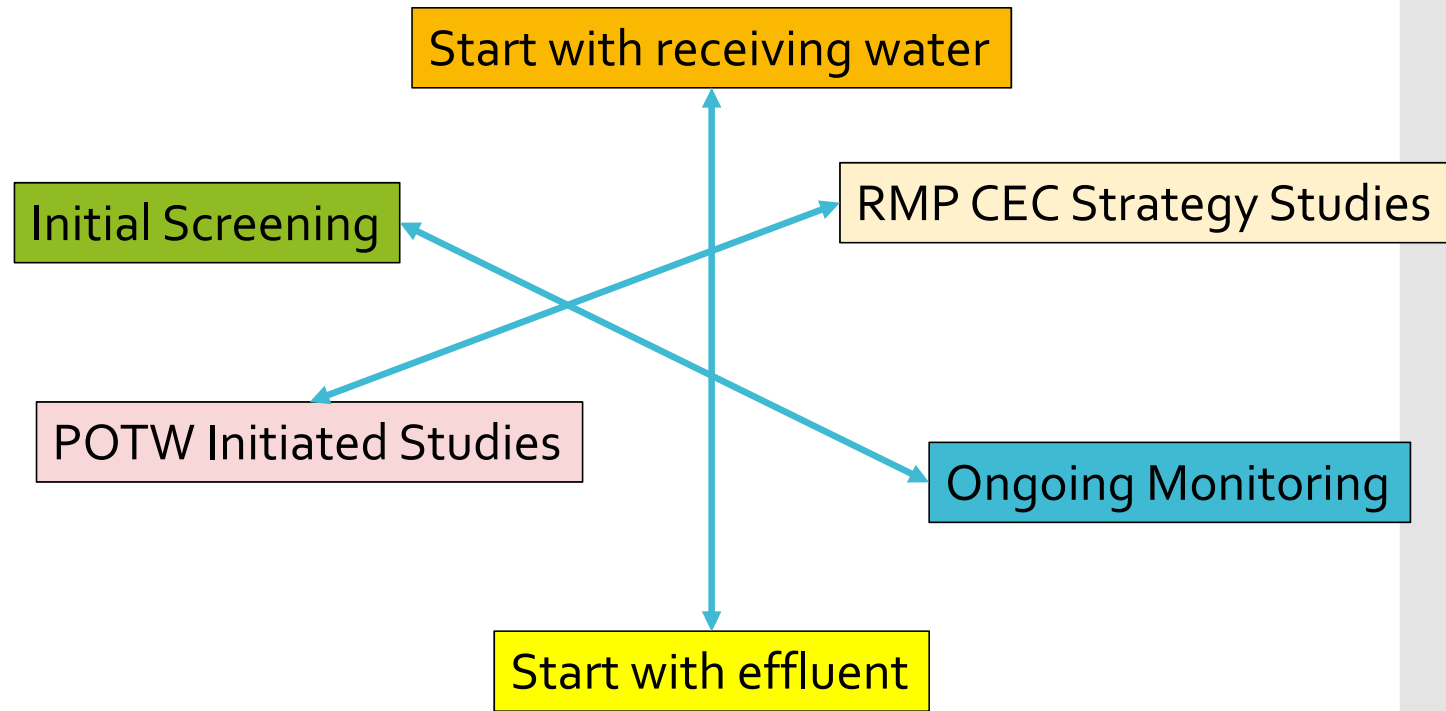
Emerging Contaminant Worgroup Meeting

April 12, 2019



BACWA
BAY AREA
CLEAN WATER
AGENCIES

How does CEC monitoring at POTWs fit into the Emerging Contaminants Strategy?



Two “big picture” questions for the ECWG

1. How can POTW monitoring add value to approved RMP studies in 2020 and beyond?
 - ...To be discussed as part of each potential study
2. What will an ongoing program of CEC trend monitoring strategy for POTWs look like?
 - ...Queue up for 2021
 - ...Will need RMP support for integration into RMP CECs strategy, interface with laboratories, and data management
 - ...POTWs would provide in-kind support for ongoing sampling
 - ...Will need to develop sampling plan with representative POTW volunteers, and priorities for target analytes

How to determine representative POTWs for sampling

Goal: To “package” a monitoring strategy that outlines general approach for CECs monitoring at POTWs

- ..Available database of POTW characteristics and service area
- ..Approach for identifying industries in POTW service areas
- ..Approach for optimizing “breadth” vs. “depth” for POTW sampling

How to select target analytes for screening and ongoing monitoring

CRITERIA:

- ...Increasing use patterns
- ...Information from RMP tiered framework
- ...What analyses are the RMP already doing?
- ...Cost
- ...Availability of accepted methods
- ...Potential management actions/BAPPG involvement



Seeking volunteers to serve in advisory
capacity on POTW monitoring strategy

Contact Ifono@bacwa.org

Clean Water Summit Partners Meeting Notes
Tuesday, March 26, 2019
Sacramento Sutter Club

Call to Order

A meeting of the leaders from the state and regional clean water associations was called to order on March 26 at 9:30 a.m. by Connie Leonard, President of CWEA. Present were:

First	Last	E-mail	Association
David	Williams	dwilliams@bacwa.org	BACWA
Lori	Schectel	lschectel@centralsan.org	BACWA
Terrie	Mitchell	mitchellt@sacwewer.com	CVCWA
Debbie	Webster	eoofficer@cvcwa.org	CVCWA
Traci	Minamide	tminamide@lacity.org	CASA
Bobbi	Larson	blarson@casaweb.org	
Jessica	Gauger	jgauger@casaweb.org	CASA
Jared	Voskuhl	jvoskuhl@casaweb.org	CASA
Adam	Link	alink@casaweb.org	CASA
Greg	Kester	gkester@casaweb.org	CASA
Connie	Leonard	LeonardCJ@cdmsmith.com	CWEA
Kevin	Calderwood	kevin.calderwood@hdrinc.com	CWEA
Elizabeth	Allan	eallan@cwea.org	CWEA
Steve	Jepsen	sjepsen@dudek.com	SCAP
Sean	Maguire	Sean.maguire@waterboards.ca.gov	State Water Resources Control Board

Legislative Update

Adam Link and Jessica Gauger provided an update on key legislation.

Nonflushables legislation—AB 1672 (Bloom)

This is CASA's sponsored bill. Jessica explained that the bill will address both flushable and nonflushable products. She also described the supporting communications campaign developed in conjunction with the CASA Communications Committee. CASA requested support for the bill from the summit partners.

Ocean discharge ban legislation—SB 332 (Hertzberg & Wiener)

CASA has an oppose position on this bill, which mandates all wastewater agencies that discharge treated effluent to oceans, bays and estuaries to reduce their discharges by 50% by 2030, and by 95% by 2040. The group discussed the many problems with the bill and the coalition strategy for opposing the mandates.

Nutrient Reduction legislation—SB 69 (Wiener)

The bill, which aims to reduce ocean acidification, includes problematic provisions that would require all wastewater plants discharging along the coast to add nitrification/denitrification and ban all discharges to marine managed areas. CASA has an oppose unless amended position on the bill and is working closely with BACWA to provide information to the author and sponsors on the cost and other problems with these provisions.

NPDES Permit Terms—HR 1764 (Garamendi)

CASA has been working for many years to change the maximum term for NPDES permits from 5 to 10 years. This legislation would extend terms for up to 10 years for municipal permittees. The summit partners agreed to provide a letter of support for the bill to Representative Garamendi.

Cross Media Issues Discussion

Dave Williams and Greg Kester led a discussion about the challenges of addressing cross media issues, particularly those involving local air districts, but also AB 617 implementation and OSHA requirements for bio gas pipeline projects.

Key Issue Updates

SB 1383 Implementation

Greg Kester provided an overview of the proposed regulations and highlighted several areas where CalRecycle has been responsive to CASA's comments, including restrictions on local ordinances and inclusion of procurement requirements. He also pointed out areas where we are seeking changes including expansion of activities deemed to constitute recovery and broadening the procurement requirement to include all beneficial uses of biogas not just transportation fuel.

Toxicity

Adam Link provided an overview of efforts to influence the development of the statewide toxicity plan. He noted that in addition to attempting to work out a number of implementation issues with water Board staff, CASA is focusing on addressing the

problems with the use of the *ceriodaphnia dubia* test species. He noted that he is setting up meetings with Board members and staff.

Steve Jepsen provided an update on the remaining court case on toxicity. The litigation challenging the use of an unpromulgated method (the TST) has been appealed to the 9th Circuit.

Work for Water Campaign

Elizabeth Allan announced that CWEA and CASA are moving forward with the next phase of their Work for Water campaign, called the “Next Gen Pipeline to Success”. In order to find the 6,000 new professionals needed in the wastewater field, the organizations are seeking \$40,000 in contributions from agencies to fund a public outreach campaign. The campaign will develop recruiting messages, materials and campaigns, online modules for outreach on water careers and include paid Facebook/Instagram advertising to reach women/veterans. She asked for support from the summit partners in getting the word out to their members regarding this opportunity.

Luncheon Guest

The group welcomed State Water Board member Sean Maguire for an open discussion of issues of importance to the wastewater community, including toxicity, ELAP, CV SALTS, biosolids general order and the Fi\$cal conversion.

Association Updates

CWEA: Work is progressing on the Advanced water treatment Operator certification program. The test has been launched.

BACWA: The watershed nutrient permit is up for renewal. It will not include caps on nutrients. Agencies will contribute \$2.2 million per year during the five year term of the 2nd Nutrient Watershed Permit to fund the Science Plan.

SCAP: An important focus is the San Diego Regional Board tentative investigative order on exfiltration. An adoption hearing is expected this summer.

CVCWA: A number of key studies are nearing completion, including the mercury study (related to tribal and subsistence beneficial uses), the freshwater mussel study and the toxicity study. Temperature is an emerging issue of concern.

Next Meeting

The next meeting will be held in early September. CASA will send out a doodle poll for dates as the months draw closer.

The meeting adjourned at approximately 1:35 pm.

Heads-up on Legislation

BACWA Board Meeting

April 19, 2019

SB 69 Ocean Resiliency Act (Wiener)

- Goal is to improve and protect Coastal waters from acidification
- Sponsored by California Coastkeeper Alliance
- Many requirements:
 - Denitrification of wastewater effluent
 - Dam removal projects
 - Vessel speed reduction program
 - Blue carbon strategy
 - Ballast water permitting under SWRCB
 - Coastal wetland baseline
 - Reporting on beneficial sediment reuse program

SB 69 Ocean Resiliency Act (Wiener)

con't

- *13170.4. (a) On or before December 31, 2022, the state board shall amend the California Ocean Plan and the California Enclosed Bays and Estuaries Plan to include water quality objectives and effluent limitations that specifically address ocean acidification and hypoxia.*
-
- *(b) In conjunction with the development of the water quality objectives and effluent limitations pursuant to subdivision (a), the state board shall develop implementation provisions for complying with those objectives and limitations. The implementation provisions shall include, but are not limited to, requiring all publicly operated wastewater treatment facilities that discharge to waters subject to the California Ocean Plan or the California Enclosed Bays and Estuaries Plan to adopt, incorporate, or improve denitrification protocols to meet the water quality objectives and effluent limitations adopted pursuant to subdivision (a).*

SB 69 Ocean Resiliency Act (Wiener) con't

- Could upend the Bay Area Nutrient Management Strategy
- Conference call with Coastkeeper on March 29th
 - Update on NMS activities & Watershed Permit
 - Importance of science driven regulations
 - Water Board already has authority to regulate
- CASA's comment letter: Opposed Unless Amended, remove section on denitrification
- ACWA also took an oppose position
- Coastkeeper open to amendments but not going away

SB 69 – Current Status

- Amendments provided 4/1/19 did not address wastewater community's concerns
- Bill heard in the first policy committee (Senate Natural Resources and Water) and passed, but deferred the conservation on denitrification until the next policy committee (Senate Environmental Quality), probably next Weds.

SB 332 Recycling (Hertzberg/Weiner)

- Agency by agency mandate to reduce ocean and bay wastewater discharges on the following schedule:
 - 50% reduction by 2030
 - 95% reduction by 2040
- The baseline for the wastewater reduction would be the average flow between the years 2010 and 2020. (before conservation mandates kicks in)

SB 332 Recycling (Hertzberg/Weiner)

- The bill also involves “affiliated water districts”. These are water districts in the service area of the NPDES holder. **They must develop a plan with the ocean/bay wastewater discharger to describe how they will meet the reductions in the bill, including a finance plan (fee increases etc.) and other detailed information.** This would be due to the Water Board by January 2024 and then every four years thereafter the plan would be updated. Failure to submit a plan would result in a \$10K penalty.
- Failure to meet the required flow reductions would result in **penalties for the NPDES holder and the “affiliated water district” of \$2,000 per acre-foot** of water above the required reduction in overall volume discharges.

SB 332 Recycling (Hertzberg/Weiner)

- CASA, CSDA and CMUA sent joint letter of opposition
 - Bill would disrupt existing efforts to promote recycling
 - One size does not fit all
 - Geographical or legal constraints
 - Complex arrangement between water and wastewater
 - Dealing with brines
 - Public acceptance
 - Costs (> \$20 B across the state)
 - Unrealistic timeframe for compliance
 - Variability in demand
 - Increased emissions
 - Approach should be to maximize recycling to fullest extent feasible

SB 332 – Current Status

- Bill heard in first policy committee (Senate Environmental Quality) and passed but got less than enthusiastic reception
 - Committee analysis stated that amendments would be premature and that the committee would like to remain involved in negotiations moving forward.
- The bill will be heard next week in Senate Judiciary Committee.



April 8, 2019

Assembly Member Bill Quirk, Chair
 Assembly Environmental Safety and Toxic Materials Committee
 1020 N Street, Room 171
 Sacramento, California 95814

Re: AB 1672 (Bloom) Preventing Labeling of Plastic Wipes as Flushable: SUPPORT

Dear Assembly Member Quirk:

On behalf of the California Product Stewardship Council (CPSC) and its affiliate, the National Stewardship Action Council (NSAC), and the hundreds of local government and private sector partners that the two organizations represent, and all those who signed below, we urge your **SUPPORT of AB 1672.**

CPSC's mission is to shift California's product waste management system from one focused on government-funded and ratepayer financing to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design. Because CPSC has been so successful we created NSAC in 2015, a national organization to advocate for a Circular Economy with the vision of achieving a Circular Economy in the United States.

We support AB 1672 because it would ensure that plastic wipes that are now labeled by their producers as "flushable" are no longer labeled as flushable by January 1, 2020.

AB 1672 would help reduce the cost to local governments for cleaning up sewer lines from clogs caused by these wipes. This is a common-sense bill to address a problem that never should have been allowed – a producer of a product intentionally labelling something flushable, when it was

not while adding millions to local government costs to clean-up sewer blockages. The least the producers can do now is to label the wipes properly, even though the costs and damage these wipes have caused have been externalized onto local government and the environment.

For these reasons we support AB 1672 and respectfully urge your AYE vote.

Sincerely,

A blue ink signature of Doug Kobold, featuring a stylized 'D' and 'K'.

Doug Kobold, Executive Director, California Product Stewardship Council

A purple ink signature of Heidi Sanborn, written in a cursive style.

Heidi Sanborn, Executive Director, National Stewardship Action Council

A black ink signature of Nate Miley, written in a cursive style.

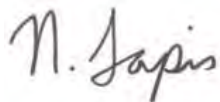
Nate Miley, Alameda County Supervisor, District 4, Alameda County Board of Supervisors

A black ink signature of Leslie Mintz Tamminen, featuring a stylized 'L' and 'T'.

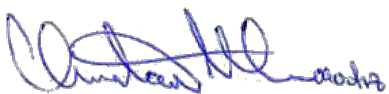
Leslie Mintz Tamminen, Director, Seventh Generation Advisors

A black ink signature of Anna Cummins, written in a cursive style.

Anna Cummins, Co-Founder and Executive Director, The 5 Gyres Institute

A black ink signature of Nick Lapis, written in a cursive style.

Nick Lapis, Director of Advocacy, Californians Against Waste

A blue ink signature of Christopher Chin, featuring a stylized 'C' and 'C'.

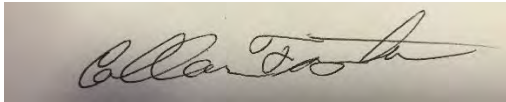
Christopher Chin, Executive Director, The Center for Oceanic Awareness, Research, and Education (COARE)



Joe LaMariana, Executive Director, Rethink Waste



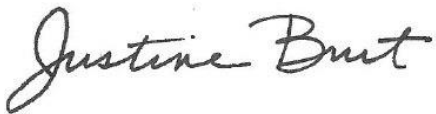
Dianna Cohen, Chief Executive Officer, Plastic Pollution Coalition



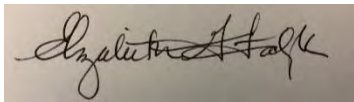
Colleen Foster, President, California Resource Recovery Association



Kevin Kildee, Mayor, City of Camarillo



Justine Burt, Founder & CEO, Appraccel



Liz Falejczyk, Environmental Services Manager, Municipal & Commercial Business, VEOLIA NORTH AMERICA



Rosemarie Gaglione, Public Works Director, City of Oxnard



Autumn Cleave, Co-Chair, Bay Area Pollution Prevention Group



Paul A. Sciuto, General Manager, Monterey One Water

Cc: Members, Assembly Environmental Safety and Toxic Materials Committee
Assembly Member Richard Bloom

Sherry Hull

From: Thorne, Melissa <mthorne@DowneyBrand.com>
Sent: Monday, March 25, 2019 2:57 PM
To: Steve Jepsen (sjepsen@dudek.com); Debbie Webster (eofficer@cvcwa.org); David Williams
Subject: FW: 19-15535 Southern California Alliance o, et al v. USEPA, et al "Civil Case Docketed"

Below is the briefing schedule for the appeal – our briefs due May 20th and July 21st, and EPA's due June 20th. We might potentially have oral argument this year given this schedule.

Melissa

From: ca9_ecfnoticing@ca9.uscourts.gov [mailto:ca9_ecfnoticing@ca9.uscourts.gov]
Sent: Friday, March 22, 2019 5:12 PM
To: Thorne, Melissa
Subject: 19-15535 Southern California Alliance o, et al v. USEPA, et al "Civil Case Docketed"

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing.

United States Court of Appeals for the Ninth Circuit

Notice of Docket Activity

The following transaction was entered on 03/22/2019 at 5:10:28 PM PDT and filed on 03/22/2019

Case Name: Southern California Alliance o, et al v. USEPA, et al
Case Number: [19-15535](#)
Document(s): [Document\(s\)](#)

Docket Text:

DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. SEND MQ: Yes. The schedule is set as follows: Mediation Questionnaire due on 03/29/2019. Appellants Bay Area Clean Water Agencies, Central Valley Clean Water Association and Southern California Alliance of Publicly Owned Treatment Works **opening brief due 05/20/2019**. Appellees Mike Stoker and U.S. Environmental Protection Agency **answering brief due 06/20/2019**. Appellant's optional **reply brief is due 21 days after** service of the answering brief. [11239990] (RT)

Notice will be electronically mailed to:

Ashley M. Boulton, Attorney
David M. Fox

Leslie Marie Hill, Assistant U.S. Attorney
Chi Soo Kim, Attorney
Melissa Thorne, Attorney
USDC, Sacramento

The following document(s) are associated with this transaction:

Document Description: Docketing Letter

Original Filename: /opt/ACECF/live/forms/RubenTalavera_1915535_11239990_v2Letter-CaseDocketing_190.pdf

Electronic Document Stamp:

[STAMP acecfStamp_ID=1106763461 [Date=03/22/2019] [FileNumber=11239990-2]
[739522de8df5ec0975ccc795d81ef92d102af084761150d409fa490faa0eb413f72e0542e140d50a5c97aa2af373c0bbd34bdd6edc112a2510cb3af326658c1d]]

Recipients:

- [Ashley M. Boulton, Attorney](#)
- [David M. Fox](#)
- [Leslie Marie Hill, Assistant U.S. Attorney](#)
- [Chi Soo Kim, Attorney](#)
- [Melissa Thorne, Attorney](#)
- [USDC, Sacramento](#)

Document Description: Mediation Letter

Original Filename: Mediation Letter.pdf

Electronic Document Stamp:

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Document Description: Case Opening Packet

Original Filename: Attorney Appeal Case Opening Dec 2018.pdf

Electronic Document Stamp:

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PART 1

March 1, 2019

SCAP BOARD BRIEFING FOR WHETHER TO APPEAL THE MOTION TO DISMISS ON SCAP V. EPA

SCAP v. EPA Litigation Update

Purpose

The purpose of this SCAP v. EPA litigation update is to provide a brief reminder to the SCAP Board (Board) of the SCAP v. EPA history and current status in order to enable the Board to make an informed decision on whether or not SCAP should appeal to the Ninth Circuit Federal Court on the Judges decision to accept the EPA's Motion to Dismiss. The "First Toxicity Lawsuit" is closed. The "Second Toxicity Lawsuit" was not picked up by the United States Supreme Court and is also closed.

Background

In response to EPA's release of a new statistical procedure for analyzing whole effluent toxicity test data (Test of Significant Toxicity or TST) and the SWRCB's subsequent incorporation of this requirement into several SCAP members' NPDES permits, lawsuits have been filed by SCAP against EPA, challenging the approval and use of the TST and well as other provisions relating to whole effluent toxicity testing requirements in NPDES permits. In a nutshell use of the TST has not been legally promulgated; the use of the TST on freshwater species results in unacceptably high false positive results for toxicity; and EPA has improperly required NPDES permits to include inappropriate provisions regarding toxicity testing.

To date there have been three SCAP v. EPA lawsuits over NPDES toxicity test requirements.

First Toxicity Lawsuit – The first toxicity lawsuit was filed against EPA in mid-2014 by SCAP and CVCWA. This lawsuit challenged EPA's approval of an Alternative Test Procedure (ATP) for toxicity testing that used the TST statistical procedure and only required two test concentrations for effluent instead of six. This lawsuit was considered moot by the court when EPA withdrew its approval of the Alternative Testing Procedure (ATP) in early 2015. SCAP then petitioned the court for reconsideration of the lawsuit against EPA in June 2015 subsequent to the issuance of a guidance letter from the SWRCB to its RWQCBs on the use of the ATP for toxicity testing. The judge in the case requested briefs from both parties, which were filed. On October 21, 2016, the court ruled that the ATP case was over by denying our motion to reopen the matter and amend the complaint.

Second Toxicity Lawsuit - In December 2014, SCAP filed a second lawsuit against EPA. This lawsuit contested an objection letter issued by EPA regarding LACSD's Whittier Narrows WRP and Pomona WRP NPDES permits. The objection letter required the permits to include numeric effluent chronic toxicity

limits, including daily maximum limits. The court ruled in favor of EPA citing jurisdictional issues. SCAP filed a Final Petition for Rehearing En Banc with the Ninth Circuit to try to reverse the previous decision on lack of jurisdiction. The Final Petition for Rehearing En Banc was denied. A Special Board Meeting was held on September 20, 2017 at which time the Board voted to continue with the lawsuit by appealing to the US Supreme Court in the form of filing a *writ of certiorari* (Writ) with the US Supreme Court. A Writ petition was docketed in the Supreme Court on October 11, 2017. On February 21, 2018, SCAP received notice that the US Supreme Court denied SCAP's petition.

The legal fees for the Writ were provided by Downey Brand *pro bono*. The City of San Bernardino has paid for the hard costs associated with production and filing of the Supreme Court briefs.

Third Toxicity Lawsuit - On November 29, 2016, the SCAP Board of Directors voted to file a new complaint against EPA challenging the legality of the TST method for determining toxicity until such time as the method is adopted as a rule by EPA. NACWA, BACWA and CVCWA joined SCAP in this complaint. EPA responded to the case with a motion for dismissal due to lack of jurisdiction and EPA not actually executing a final action that would support a federal suit. SCAP's legal counsel, Downey Brand, responded with an amended complaint responding to the issues raised by EPA. EPA's motion was denied as moot after SCAP's amended complaint was filed, but EPA amended its motion to dismiss due to lack of jurisdiction and untimeliness. The judge agreed with EPA's motion. SCAP responded with a second amended the complaint to address the timing and jurisdiction issues including an *ultra vires* (excess of EPA's authority) component to the argument. EPA responded with a rebuttal in support of dismissal on May 30, 2018.

On September 11, 2018, SCAP and EPA engaged in a listening session discussing our position and objection to the TST. SCAP, BACWA, CVCWA, Downey Brand, two key stakeholders (one large from the north and one small from the south) and a hired TST expert (Pacific Eco Risk) all presenting well-rehearsed and convincing testimony, but EPA's legal team elected not to pursue additional talks and continue with litigation. SCAP submitted a revised complaint in response to the EPA's request for dismissal. Coincidentally, or not, the SWRCB released the latest version of the Toxicity Provisions on a Saturday within hours of SCAP's revised complaint submission.

On February 14, 2019, the federal district court granted the motion to dismiss filed by the USEPA and closed our case. SCAP must now decide whether or not to appeal the judge's decision. For further discussion on this, please see the memo from Melissa Thorne, Downey Brand - Part 2 of this agenda package.

CVCWA is bringing this issue to their Board of Directors for a vote on March 7. BACWA is bringing this issue to their Board of Directors for a vote on March 15.

It should be noted that if the Board votes in favor of the appeal, a funding commitment from the toxicity stakeholders is also required for the appeal to be prepared and filed.

AGENDA

MANAGER'S ROUNDTABLE

EBMUD

375 11th Street

Oakland, CA 94607

April 5, 2019

10:00 – 12:30 P.M.

(lunch provided)

A. WELCOME and INTRODUCTIONS

B. ROUNDTABLE ADMINISTRATION (BACWA)

- a. Debrief of March 26, 2019 Summit Partners meeting
- b. New Executive Officer at SF Water Board

C. ADMINISTRATIVE ISSUES (BACWA)

- a. Review of key legislation
 - i. SB 69 (Wiener) Ocean Resiliency Act
 - ii. SB 332 (Hertzberg) Recycling
 - iii. SB 241 (Moorlach) JPAs
- b. BACWA support of BABC

D. BRIEF OVERVIEW OF REGULATORY HOT TOPICS (BACWA/all)

- a. 2nd Watershed Nutrient Permit
 - i. Tentative Order
 - ii. Additional Studies
- b. Nutrient brochure and presentation
- c. Update on Toxicity
- d. Update on the SWRCB SSS WDR
- e. Update on White Paper on Compounds of Emerging Concern (CEC)
- f. State-wide survey on Climate Change
- g. EPA's new Trading Policy
- h. Implementing the new Bacterial Objectives

E. LABOR ISSUES (all)

- a. Update on pension cases at California Supreme Court

F. CONTRACTING ISSUES (all)

- a. Expectations on bid climate

- b. Experience with design/build

G. FINANCIAL ISSUES (all)

- a. Federal budget proposal
- b. Sharing experiences with Private Sewer Lateral programs
- c. Sharing experiences with connection fees for low income housing

H. ROUNDTABLE OPEN DISCUSSION & Lunch *(Share Information on Major Projects, Innovations being pursued, or other items of interest to top management)*

I. OTHER BUSINESS

J. NEXT SUGGESTIONS FOR FUTURE AGENDA ITEMS

K. MEETING DATES AND LOCATION

L. ADJOURN

Sherry Hull

From: Sherry Hull
Sent: Wednesday, April 17, 2019 4:34 PM
To: Sherry Hull
Subject: Pulse Article on Municipal Wastewater: Update
Attachments: Theme and Preliminary Outline for 2019 Pulse Municipal Wastewater 04-07-19.docx

From: Jay Davis <jay@sfei.org>
Sent: Wednesday, April 17, 2019 8:40 AM
To: Lorien Fono <lfono@bacwa.org>; David Williams <dwilliams@bacwa.org>; Johnson, Bill@Waterboards <Bill.Johnson@waterboards.ca.gov>; Schlipf, Robert@Waterboards <Robert.Schlipf@waterboards.ca.gov>; Tom Hall <twhall@eoainc.com>
Cc: Tom Mumley <thomas.mumley@waterboards.ca.gov>; North, Karin <karin.north@cityofpaloalto.org>; Melissa Foley <melissaf@sfei.org>
Subject: Pulse Article on Municipal Wastewater: Update

Hi all;

A couple of updates on the article...

First, on the schedule. I'm pushing the target date for a draft of the article out a bit, to June 21. Historically we have tried to have articles drafted in May to have a somewhat aggressive timeline and ensure we don't have too much of a crunch at the end. The hard end date for having the Pulse ready for distribution is the Annual Meeting, which is happening on October 10 this year. We should get the document to the printer 4 weeks before that (September 12). The problem with May is that staff have gotten increasingly busy in recent years with all of the many workgroup meetings that happen in April and May, so May deadlines for draft Pulse articles are not really feasible. We'll have to tighten up the schedule over the summer a bit, but we'll still have ample time for review and revision of the articles between June 21 and September 12.

Second, I talked with Lorien last week and she volunteered to write the "Future Work, Directions, and Challenges" section with Dave. which I think is an excellent idea. Let's aim for a maximum of 1000 words for that important section. SFEI can take care of drafting the other sections (unless anyone else wants to volunteer for something).

Third, there are a couple of small changes to the outline (highlighted in yellow in the attached). I had forgotten to include a couple of points that Dave wanted to add, and I added something on the new CEC monitoring strategy that Lorien presented on at the Emerging Contaminant Workgroup meeting last week.

Please let me know if you have any comments or questions.

Thanks,

Jay

--

Interested in quarterly updates on products and highlights from the Regional Monitoring Program for Water Quality in San Francisco Bay? Subscribe [here](#).

For alerts to information on Bay water quality, follow me on Twitter: @JayDavis_ASC

[illegible]

Theme and Draft Outline for 2019 Pulse

Theme: Pollutant Pathways to the Bay

Introduction to Pollutant Pathways

- Authors
 - SFEI: Jay
- Definitions: sources, pathways, loadings
- Overall illustration

Municipal Wastewater

- Authors
 - SFEI: Jay Davis or Melissa Foley
 - BACWA: Lorien Fono, Tom Hall, Dave Williams
 - Water Board: Bill Johnson, Robert Schlipf
- Take-home Messages (THMs) (“Highlights” section at the beginning of the article)
 - Municipal wastewater (MWW) treatment improvements have occurred in phases, with primary treatment (solids removal) in the 50s and 60s, secondary treatment (organics removal) in the 70s and 80s, a period where the focus shifted to pretreatment and pollution prevention for toxics control, and now we’re facing major improvements to reduce nutrient discharges and a shift toward resource recovery
 - MWW is highly regulated, perhaps the most closely regulated pollutant pathway
 - While MWW is no longer the most important pathway for many pollutants, it is the primary pathway for nutrients and many contaminants of emerging concern
 - Municipal wastewater infrastructure is aging, and infrastructure planning needs to address nutrients, climate change, and other evolving issues
 - Municipal wastewater is increasingly being looked at as a valuable resource: a source of water, soil amendments, and energy
- Pathway 101
 - Basic description with illustration
 - Map of plants and flows
 - Scale of the investment in wastewater treatment – capital, annual O&M
 - THM: Phases of improvements: primary, secondary, pretreatment and pollution prevention, nutrients, resource recovery
- Regulatory Framework
 - THM: MWW is highly regulated
 - Highlights of current framework
 - NPDES Permits
 - Pretreatment
 - Pollution prevention
 - Mercury and PCBs Watershed Permit
 - Nutrient Watershed Permit, NMS

- Others
 - Future directions
- Recent Findings
 - THM: While MWW is no longer the most important pathway for many pollutants, it is the primary pathway for nutrients and many contaminants of emerging concern
 - Long-term trends and present loads – reinforce the phases of improvements
 - Population growth
 - Flow
 - BOD and TSS
 - Copper – consider dropping – old news
 - Nutrients
 - Emerging Contaminants
 - Pharmaceuticals - 2018 RMP Special Study
 - Pesticides - 2016 RMP Special Study
 - Microplastic?
 - TMDL Pollutants (mercury, PCBs, selenium) – latest loading estimates and trends – covered in Water Quality Updates section
- Future Work, Directions, and Challenges
 - THM: Municipal wastewater infrastructure is aging (there's a societal need to invest in it), and infrastructure planning needs to address nutrients, climate change (including sea level rise), and other evolving issues
 - THM: Municipal wastewater is increasingly being looked at as a valuable resource: a source of water, soil amendments, and energy - the emergence of POTWs as resource recovery entities, and the corollary cross media challenges, such as:
 - POTWs are being encouraged to accept organic waste to help the State meet GHG reduction goals by using excess digester capacity to produce biogas. One impact is to increase nutrient loads to the Bay via a sidestream from the digesters.
 - We're getting to the end of low-hanging fruit on purple pipe recycled water projects. The future looks like it will be IPR/DPR projects which will lead to RO concentrate management challenges
 - SCVWD pilot wetland project
 - Removing pollutants from effluent often means moving them from the liquid to the solid stream. Per upcoming regulations, POTWs will need to divert biosolids from landfill to various forms of land application reuse. This highlights the importance of pollution prevention over end-of-pipe treatment, and regulatory advocacy where pollution prevention is not possible.
 - Potential use of WW to sustain wetlands for treatment and SLR protection – consideration of near-shore discharge
 - Oro Loma
 - Dealing with decreased flows and higher concentrations due to increasing water conservation i.e. impacts on traditionally designed conveyances and

treatment systems plus potential for more decentralized systems with solids being returned to the regional plants and the impacts on treatment systems and solids beneficial reuse

- As IPR/DPR becomes routine, the issue of brine disposal and the potential for localized impacts in the receiving waters.
- Bay contaminant challenges
 - Emerging contaminants – new CEC monitoring strategy
 - Microplastic
 - Nutrients
- Wet weather overflows – “old news” – largely stormwater – only include if there is space for it

March 21, 2019

Dear CASA Member:

I am writing to share some important news about CASA. Our executive director, Bobbi Larson, has announced her retirement effective December 31, 2019. The Board of Directors has already begun the process of selecting a successor.

We are fortunate to have had Bobbi as our chief executive for the past 6 plus years. Under her leadership, the association has made great strides, and we have become a well-established and respected voice for wastewater agencies across California. CASA has assembled a talented and dedicated team of respected professionals that performs at a high level on behalf of our members. We are the recognized leader on multiple legislative, regulatory and policy issues. And our conference programs provide relevant, thought-provoking and engaging content along with networking opportunities. Bobbi has been instrumental in furthering the development of not only the association, but also the staff who work tirelessly for the benefit of our members. Our goal for the transition is to ensure the association can build on these successes and continue our focus on growth and improvement.

Since 2016, we have also been implementing a carefully designed succession plan to prepare CASA for a smooth and seamless transition. A key component of the plan is to provide broader responsibilities, and leadership and growth opportunities for our young professionals. As a result, we are in a sound position to chart CASA's future.

The Board of Directors has engaged Koff and Associates to conduct a recruitment for Bobbi's successor. We will be providing additional information in the coming months regarding the recruitment and selection process. Thank you for your participation in CASA and support for our vision to be the most trusted and valued influence on clean water and renewable resource policy for CASA members and the public you serve.

Sincerely,



Traci Minamide
President

Support for BACWA AIR Committee

Bay Area Clean Water Agencies (BACWA)
Request for Proposal

4/10/2019

Table of Contents

Contents

Introduction..... 2

Request for Proposals 2

Scope of Work 2

Qualifications 3

Organization and Content of the Proposal 4

Proposal Evaluation Criteria 4

Submittal 4

Consultant Selection 4

Attachment A – Sample Agreement

Request for Proposals

Support for BACWA's Air Issues and Regulations Committee

Introduction

The Bay Area Clean Water Agencies (BACWA) is a regional organization created by a joint powers agreement among the five largest wastewater treatment agencies in the San Francisco Bay Area. BACWA represents Bay Area wastewater agencies by undertaking relevant scientific and technical studies and research, and by participating in the development of National, State, and Regional policies. BACWA has several committees that provide a venue for our member agencies to meet and discuss issues of common importance.

One of BACWA's key committees is the Air Issues and Regulations (AIR) Committee. Over the years, the AIR Committee has updated Bay Area POTWs on important air quality and climate change issues. The committee shares information, develops comprehensive compliance programs, and forms solid relationships with each other and with our regulatory agencies. Past activities of the AIR committee can be viewed on the AIR committee website: <http://bacwa.org/committees/air-issues-regulations-committee-air/>

Two of the AIR Committee's primary goals are to promote relationships with regulatory agencies, such as the Bay Area Air Quality Management District (BAAQMD), and to lead BACWA's initiative to monitor and influence climate adaptation policies in the Bay Area and California. The AIR committee has proactively assisted in the development of regulatory programs by ensuring that they are based on good science and are physically and financially feasible for our public utilities. The committee represents "one voice" to the regulatory agencies, speaking on behalf of the POTWs in the Bay Area, and public utilities statewide have benefited from our efforts.

Request for Proposals

BACWA seeks the services of an individual(s), a firm, or team (Consultant) to provide support for the AIR Committee. BACWA has budgeted a not to exceed amount of \$75,000 for as-needed services to undertake the Scope of Work described below.

Scope of Work

Task 1 - Meetings with the AIR Committee

The selected Consultant will support committee meetings to present information on current air issues, facilitate discussions between members, and to identify follow-on action items. They will be responsible for four formal meetings with the AIR Committee per year, including making arrangements for meetings

and preparing agenda, meeting materials, and minutes. Under this task, the selected consultant will coordinate one meeting between BAAQMD staff and AIR Committee members as one of the quarterly meetings. The agenda will focus on issues of concern to AIR Committee members.

Task 2 - Track and Communicate Regulatory Issues, Technical Resources and Grant Opportunities

The selected consultant will monitor regulatory agencies involved in developing air quality and climate change regulations that may affect POTWs, including the Bay Area Quality Management District (BAAQMD), the San Francisco Bay Conservation and Development Commission, the California State Air Resources Board, and the U.S. Environmental Protection Agency. They will also track technical resources and grant opportunities related to air issues that are of interest to BACWA member agencies. The consultant will prepare and distribute informational material to members to keep them informed of the AIR Committee activities and future regulatory activities.

Task 3 - Coordination and communication with other POTW Organizations and Regulators

The selected Consultant will participate in meetings with Regulators, participate in member or Regulator workshops and hearings, draft correspondence, and perform other related activities as directed by the AIR Committee Chairs.

The selected consultant will also coordinate with other POTW organizations on issues of mutual interest. The purpose of this coordination will be to share useful information, identify areas of joint cooperation, and prepare common responses on key issues, where appropriate. POTW organizations whose objectives coincide with the AIR Committee include SCAP, WERF, CASA, and NACWA. Activities may include periodic telephone conversations, meetings and exchange of published materials.

Optional Task 4 - Response on Special Assignments

The selected Consultant will perform special technical assignments under the direction of the AIR Committee Chairs. Special technical assignments may include leading a special workshop for AIR Committee or general BACWA members, participating in AIR Committee strategy meetings, or performing other activities not included in Tasks 1 through 3.

Qualifications

BACWA seeks the following qualifications in the consultant:

1. Technical knowledge and expertise in dealing with air regulatory issues impacting POTWs, including those on the Regional, State and Federal levels
2. Good working relationships with regulators
3. Experience with communicating regulations and technical issues, as well as regulatory advocacy
4. Experience with AIR permitting

Organization and Content of the Proposal

The Proposal can be submitted in the form of a letter proposal with attachments. Please limit the overall number of pages, including appendices and attachments to 20 pages or less. If added pages are needed please contact the BACWA Regulatory Program Manager with the rationale.

Suggested proposal outline.

Section	Contents
Cover Letter	Transmittal
1	Identification of Proposer
2	Team and Qualifications
3	Approach
4	Team Experience
6	Budget, including billing rate of key staff
7	Exceptions to Contract Terms and Conditions
8	Resumes of Key Staff

Proposal Evaluation Criteria

Criteria	Points
Project approach – How the Consultant intends to provide the needed services	20
Expertise of proposed individual on issues pertaining to the AIR Committee	30
Principal in Charge/Project Manager – Availability and responsiveness	20
Level of Effort – cost effectiveness of individual or team	30
Total	100

Submittal

Please submit proposal via email to Lorien Fono (lfono@bacwa.org) by 5pm on May 3, 2019.

Consultant Selection

Following receipt of proposals the BACWA Board will identify a selection committee made up of AIR committee leadership and BACWA Board members to evaluate the proposals and may elect to hold interviews (either in person or by phone) with one or more of the Proposers or

forego interviews and simply select the best proposal. Following a selection, a contract will be negotiated. The contract will specify billing for services on an hourly basis as required to complete the Scope of Work.

The contract will begin July 1, 2019. The term of this agreement shall not extend beyond June 30, 2020 but may be extended for additional one year terms at BACWA's discretion for an additional four years, ending June 30, 2024. If, upon reaching the end of the term of the contract, the Board elects to extend the contract, the amount of the extended contract will be negotiated at the time the contract is extended. The BACWA standard consulting agreement will be used for this work (see attachment A)

ATTACHMENT A

Standard Agreement

BACWA's standard agreement for consulting services will be used for this contract

<http://bacwa.org/document/bacwa-standard-long-form-agreement/>

Support for Bay Area Pollution Prevention Group – Public Education and Outreach

Bay Area Clean Water Agencies (BACWA)
Request for Qualifications

4/10/2019

Request for Qualifications

Support for BACWA's Bay Area Pollution Prevention Committee Public Education and Outreach

Introduction

The Bay Area Clean Water Agencies (BACWA) is a regional organization created by a joint powers agreement among the five largest wastewater treatment agencies in the San Francisco Bay Area. BACWA represents Bay Area wastewater agencies by undertaking relevant scientific and technical studies and research, and by participating in the development of national, state, and regional policies. BACWA has several committees that provide a venue for our member agencies to meet and discuss issues of common importance.

One of BACWA's key committees is the Bay Area Pollution Prevention Group (BAPPG). BAPPG develops a Bay wide pollution prevention program, including regulatory advocacy, public education, and outreach on how to prevent pollution through individual housekeeping as well as improved industry practices.

BACWA seeks the services of an individual(s), a firm, or team (Consultant) to provide support for BAPPG. The Consultant will develop public education and outreach campaigns based on the messages and target pollutants that BAPPG prioritizes each fiscal year. In Fiscal Year 2020, the outreach priorities will be to develop and promote messaging related to:

- Pharmaceuticals and personal care products
- FOG (Fats, Oil, and Grease)
- Toilets aren't Trash Cans
- Pesticides (including OWOW)
- Copper
- Mercury/dental amalgam
- PCBS

The consultant will be responsible for buying print media, internet, radio, and/or television ads, and reporting the impact of these ads back to BAPPG. The consultant will also provide graphic design and content editing assistance with BAPPG's Annual Report.

Request for Qualifications

BACWA is issuing this Requesting for Qualifications from Consultants interested in providing public outreach support to BAPPG, as a first step in a competitive qualification based process. Consultants submitting their Qualifications should have a background in developing messaging for public education campaigns, and working with public agencies. The Consultant should also have experience working with media outlets to purchase advertising time or space, to optimally target public outreach messaging.

Organization and Content of the Submittal

The Qualifications must be submitted in the form of a letter briefly describing the firm's capabilities and qualifications along with attached resume(s) of key individuals. Please limit the overall number of pages of the letter, excluding the resume(s), to 2 pages or less. If added pages are need please contact the BACWA Regulatory Program Manager, Lorien Fono, with the rationale.

Submittal

Please submit Qualifications via email to Lorien Fono (lfono@bacwa.org) by 5pm on May 3, 2019.

Consultant Selection

Following receipt of Qualifications, a Selection Committee made up of BACWA Board members, BAPPG Steering Committee members, and BACWA staff will evaluate the submittals. Based on submittals received, the Selection Committee will either recommend that BACWA solicit full proposals, or sole-source the contract based on the candidate with the strongest qualifications. Consultants submitting qualifications will be notified of BACWA's decision by May 15, 2019.

Following Consultant selection, a Scope of Work and contract will be negotiated. The contract will specify billing for services on an hourly basis as required to complete the Scope of Work. The contract will begin July 1, 2019. The term of this agreement shall not extend beyond June 30, 2020 but may be extended for four additional one-year terms at BACWA's discretion, ending June 30, 2024. The amount of the extended contract will be negotiated at the time the contract is extended. The BACWA standard consulting agreement will be used for this work (see attachment A).

ATTACHMENT A

Standard Agreement

FILE #

Date:

BAY AREA CLEAN WATER AGENCIES

CONSULTING AGREEMENT

TO:	Name Company Name Street Address City, State ZIP	Email Phone Number
FROM:	David Williams, Executive Director BACWA PO Box 24055, MS702 Oakland, CA 94623	dwilliams@bacwa.org Phone: 925-765-9616 FAX: (510) 287-1351

RE: BACWA Agreement for FY20 with COMPANY NAME to provide Public Education and Outreach support to the Bay Area Pollution Prevention Group (BAPPG).

This Agreement covers professional services to be performed by COMPANY NAME in order to DETAILED LIST OF SCOPE ITEMS. The work under this contract will be carried out under the supervision of NAME & AGENCY. The total cost of professional services to be performed by COMPANY NAME is not to exceed \$XXX This contract will be funded by the BACWA Budget under the BAPPG line item.

This Agreement may be terminated by either party at any time for convenience with 30-day notice. In the event of termination by BACWA, BACWA shall pay COMPANY NAME for professional and competent services rendered to the date of termination upon delivery of assigned work products to BACWA.

COMPANY NAME shall submit invoices to the BACWA Assistant Executive Director via e-mail along with approval by BAPPG Steering Committee and/or the Program Manager. Invoices shall indicate hours associated with each task. Invoices will be paid within thirty (30) days of receipt.

BACWA AED E-mail: Sherry Hull shulll@bacwa.org

Approved:

By _____
CHAIR Name
Chair, BACWA Executive Board

By _____
Signature Name
COMPANY NAME

Date _____

Date _____

BACWA EIN: 94-3389334

COMPANY EIN: _____

**Bay Area Consortium for Water and Wastewater Education
(BACWWE)**

General Membership Meeting Summary

April 9, 2017

10:00 am – noon

**EBMUD Wastewater Treatment Plant, Lab Library in the
Administration Building**

2020 Wake Ave., Oakland, Ca

- 1. Welcome and Introductions:** Attendees were welcomed, and introductions made.
- 2. Review of BACWWE members and contacts:** A spreadsheet of current BACWWE sponsoring agencies and agency contracts was distributed and reviewed. Updates to contacts were noted
- 3. Financial status:** BACWA, in their support role as contract administrator, provided a financial update. The current fund balance as of the end of February 2019 was \$348,613, this amount does not include the payments to Solano for the Spring 2019 classes which amounts to \$19,500.
- 4. Invoicing for FY 20:** Given the current fund balance, the Executive Committee (EC) elected to forego an assessment of contributions from the sponsoring agencies for FY 20. The BACWA invoices which are sent in July each year will

simply show an amount due of \$0 (payments deferred for FY 20).

5. Review of FY 18 and 19 BACWWE courses and attendance: A review of the classes offered over the last two semesters was presented (see attached). The BACWWE goal has been to offer four classes each semester. The breakeven attendance (i.e. comparisons of paying for classes in a lump sum based on class credit hours vs. payment based on individual student attendance) for a class is roughly 18 students. Due to low enrollment, two of the four offered classes in the Fall 2018 and Spring 2019 semester had to be cancelled.

6. Status of relationship with SCC: The EC has been busy over the last two years in coordinating with Solano Community College (SCC) leadership on a variety of topics to keep the program viable and effective. The following is a quick update on current issue:

- a. Current certificate programs (mini 13 credits and full 26 credits):** The EC has worked with SCC to revamp the certificate program to provide for a Foundation certificate after 13 credits and a Full certificate with 24 – 26 credits (see attached)
- b. Website:** SCC has taken over the management of the BACWWE web site. The BACWWE web site links to the SCC web site. BACWWE courses on the SCC web site are under the heading of Restricted which may be confusing to prospective students as to their ability to enroll in BACWWE classes.

- c. Marketing:** Due to cut back of positions, SCC has little capability to assist in marketing the BACWWE classes
- d. Cost for classes:** SCC reduced the costs for credit hour classes. Current costs are \$13,000 for 4 credit classes, \$9,750 for 3 credit classes, and \$6,500 for 2 credit classes
- e. On-campus enrollment:** Campus class enrollment continues to be strong with full (20+ students) classes
- f. Position on multi-community college scholarships:** The current BACWWE funding model consists of students registering for BACWWE classes and BACWWE providing a lump sum payment under contract to SCC for instructor fees, books, and student credit certification. The lump sum payment is the same regardless of the number of students enrolled. Under a scholarship-based program, all classes would be SCC classes with BACWWE reimbursing students, successfully completing the class, for books and tuition. The scholarship classes could still be taught by BACWWE instructors at various venues around the Bay Area.

As opposed to a scholarship-based funding approach, when there is low enrollment under a credit class funding approach, classes either need to be canceled or the cost per student would be quite large. Under the scholarship program, students would complete a brief application for BACWWE funding as part of their enrollment process with the community college.

The EC has had discussions with SCC about the possibility of moving to a scholarship-based funding program vs. a credit hour-based approach. SCC has been unwilling to move to a scholarship approach since doing so would mean that to offer classes at several sites around the Bay Area, some of their classes would be offered in the jurisdictions of other community colleges. Under state law, a community college can offer its classes inside the jurisdiction of another community colleges but slightly more effort is needed to coordinate with the other college in whose jurisdiction the SCC class would be held.

7. Relationship with BayWork: The BayWork organization promotes the pursuit of careers in the water and wastewater industry. BACWWE has been collaborating with BayWork in efforts to help promote the BACWWE program. On February 28 at EBMUD, BACWWE along with BayWork co-sponsored a certification exam preparation seminar. The seminar had examination classes in the areas of wastewater treatment, water treatment, and water distribution. The seminar was attended by 143 individuals.

8. Discussion of options and direction for the future

a. Continue with Solano and payment for classes:

The membership discussed the pros and cons of continuing with the credit class approach for completing the BACWWE mission of supporting the need for new talent entering the water/wastewater industry as retirements continue at a rapid pace.

b. Change to Scholarship model (*presentation*): A member of the EC provided a presentation (see attached) on the issues encountered over the last several years with a credit class funding approach and proposed moving to a scholarship-based funding approach.

The group felt that the scholarship approach should work better going into the future as it would 1. Allow classes to be offered throughout the Bay Area, 2. Simplify the registration process as there would be no separate registration via BACWWE, 3. Improve marketing since no separate marketing effort for BACWWE classes would be needed utilizing the community college's normal web site providing the access to courses and 4. Improve the cost-effective use of the BACWWE funds.

The following actions were agreed to:

1. Continue with the SCC credit class funding approach for the three classes currently identified for the Fall 2019 semester.
2. Concurrently pursue the scholarship funding model with Solano and Gavilan (note: the scholarship approach had been successfully used with Gavilan, which has a water/wastewater program in place, in 2015)
3. Communicate to both SCC and Gavilan that BACWWE has a slate of instructors that can continue to be used under the scholarship model

4. Communicate to both SCC and Gavilan that BACWWE may pursue courses from their respective programs outside of their jurisdictions which will require them to coordinate with other community colleges.
5. BACWA will continue to help market the BACWWE program via its communication tools. The BACWWE sponsors will also be asked to help market the program
6. Efforts will be made to secure control of the BACWWE web site so that it can have links to any of the community college programs that BACWWE collaborates with in the future.
7. A brief application for scholarship needs to be developed.

9. New Executive Committee members and Chair: The membership voted to add two new members to the existing three member EC: Monte Hamamoto of Silicon Valley Clean Water and Chris Finton of Central Marin Sanitation Agency were added to the existing members consisting of Jordan Damerel, Levi Fuller and Chad Davisson.

The EC requested that a brief status report to the General Membership be provided at the end of each semester.

10. Review of Action Items: The key action items were for Jordan and Monte to out reach to SCC and Gavilan

respectively to discuss initiating a scholarship-based funding approach beginning with the Fall 2019 semester.

11. Adjourn

Committee Request for Board Action: None

17 attendees, including 4 on phone, representing 10 member agencies

AB 617: Community Air Protection Program

In effort to harmonize reporting of Criteria Air Pollutants (CAPs) and Toxic Air Contaminants (TACs) across the state and ensure that at-risk communities are doing appropriate monitoring and reporting, CARB developed and released the revised proposed changes to the draft Regulations for the Reporting of CAPs and TACs (CTR Regulation). Those changes include adjustments for new OEHHA risk guidelines and consideration of near-source and neighborhood-scale impacts. Unfortunately, the proposed changes greatly expand the applicability of the CTR Regulation. Much **smaller WWTPs (≥ 5 mgd uncovered) would be included per the revised sector list.** Facilities that are subject to the CTR Regulation would be subject to reporting air emissions annually and eventual reductions.

The proposed changes were rolled out under a 15-day notification process during workshops held March 5th through the 14th, rather than the more standard 45-day comment period. CASA drafted and submitted a comment letter (attached) to address initial concerns about the review process and the proposed revisions on March 29th.

In addition, the AB 617 expedited [Best Available Retrofit Control Technology \(BARCT\) Implementation Schedule](#) for industrial Cap-and-Trade facilities was adopted by BAAQMD's Board of Directors at a public hearing on December 19, 2018. While BAAQMD's Rule 11-18 was originally driving the development of a BARCT clearinghouse, AB 617's expedited schedule made this happen earlier.

Greenhouse Gas Updates

- a. [SB 1383](#) Short Lived Climate Pollutants (SLCP) [Reduction Strategy](#) Implementation was discussed. CASA reviewed the [first formal draft regulation](#) and provided comments on February 28th. There are still items that need to be addressed related to procurement of products and expanding the list of acceptable reduction pathways to be considered. The regulation is to be final and adopted by January 2020. While CalRecycle states that the regulation becomes effective in 2022 and enforceable in 2024, we are looking into whether there are alternative pathways for the jurisdiction to legally enforce the rule earlier. Additionally, CASA submitted comments on the draft (supporting) Infrastructure and Market Analysis Report prepared for CalRecycle regarding the status of existing infrastructure and market to handle the diverted organic waste from landfills to achieve 75% diversion by 2025. The report had not been reviewed by CalRecycle yet and contained many errors to be addressed in the next version. The date for the next version has not been released, but BACWA and CASA will track its release.
- b. BAAQMD continues to work on its Basin-Wide Methane Strategy (now referred to as [Regulation 13: Climate Pollutants](#)). Since AB 398 prevents air districts from adopting or implementing an emissions reduction rule for carbon dioxide (CO₂), BAAQMD is focusing its efforts on controlling methane (CH₄) and nitrous oxide (N₂O) emissions. Rule development began in 2018, with Rule 13-1 [Significant Methane Releases](#) already in draft and [Rule 13-2](#) (Organic Material Handling) and [Rule 13-3](#) (Composting Operations) to be drafted in 2019. BAAQMD staff plans for Rule 13-1 to go to their Board in the fall. This rule, if triggered, may only result in reporting and correcting the leak versus resulting in a violation – BACWA to look into this. BAAQMD requested information on approaches to prevent biogas/methane release during digester cleaning and BACWA members are working to provide this information. BAAQMD also requested the dimensions for those digesters that we prepared potential biogas venting during cleaning (EBMUD, FSSD, and Sunnyvale). BACWA and CASA met with BAAQMD staff March 7th (including staff from San Mateo, EBMUD, and Delta Diablo) to provide a "WWTP 101" education (with some focus on anaerobic digestion) to inform the development of Rule 13-4 (Wastewater Operations).

BAAQMD Updates

- a. We continue to monitor activities under [Rule 11-18 Risk Reduction from Air Toxic Emissions at Existing Facilities](#) via BAAQMD's Implementation Working Group. The Working Group received revised Implementation Procedures for Rule 11-18 (attached). BAAQMD is working with Phase 1 facilities and allowing the procedures to be revised as they go through the process (in time for Phase 2, when WWTPs will be assessed).

In preparation for Phase 2, Cameron KostigenMumper has updated the Emission Inventory spreadsheet developed by the subgroup (separating out the ammonia estimates) with the intent of providing a uniform format and approach that member agencies can use to update influent concentrations of volatile pollutants. Once the draft cover letter is developed (by Courtney Mizutani), the package will be distributed by the end of

April to BACWA membership for review and comment.

- b. The Standard Permit Conditions Subgroup met separately to revise the standard permit conditions for anaerobic digestion and cogeneration. The latest versions were sent to BACWA members April 1st for review and comment by April 15th. Proposed revisions to the organic (food) waste handling conditions will be revised by Sarah Deslauriers **to be consistent with language used in SB 1383's regulation and** the SWRCB Co-digestion Capacity Analysis. The revised conditions will be distributed prior to the subgroup's next meeting planned for May (date to be determined) in advance of the annual BACWA-BAAQMD meeting planned for June 12th (still confirming this date with BAAQMD).
- c. The SCAQMD's [Rule 1118.1 Control of Emissions from Non-Refinery \(biogas\) Flares](#) was adopted January 4th. SCAQMD staff agreed to research the impact of Senate Bill 1383 (75% diversion of organic waste from landfills by 2025) on WWTPs considering co-digestion of the diverted organic waste and the potential increase in free ammonia in biogas as a result that may lead to higher NOx emissions. The research will conclude one year from the adoption date with recommendations. Additionally, the SJVAPCD anticipates adopting a flare rule similar to SCAQMD and the BAAQMD has planned for a new rule by 2020 to reduce NOx from non-refinery flares to meet lowest available emissions reduction (LAER) level.

Annual BACWA-BAAQMD Meeting Planning

We have begun planning our next quarterly meeting, the annual BACWA-BAAQMD meeting with BAAQMD staff, targeting June 12th. We are hoping to conduct the meeting with the same interactive approach as the 2018 annual meeting and previous Rule 11-18 meetings. Topic ideas for the agenda include: Regulation 13 development, Rule 11-18 implementation, standard permit condition revisions, permit handbook revisions, and other ways to improve the ATC timeline (i.e., measures to streamline the permitting process). Committee members are invited to provide input on additional topics to include by May 3rd. A list of topics will be presented to the BACWA Executive Board for approval during their May 17th meeting.

Committee Notes are available [online](#).

19 attendees representing 11 member agencies

Outreach support update

The RFQ for outreach support will be broadcast and close on May 3, followed by a 12-day review period. If any outreach agencies should be made aware of RFQs, send information to Lorien.

P2 Reporting

Debbie Phan, Regional Water Board, announced that all P2 reports have been received by the Regional Water Board

PFAS Pollution prevention

Tom Bruton, Green Science Policy Institute, gave a [presentation](#) on PFAS Chemistry, Sources, and Policy. He described the toxicity of highly fluorinated compounds, as well as how they are persistent over geological time scales. He described the initial manufacturing where the compounds are produced, and secondary manufacturing where they are incorporated into products. Firefighting foams are a major source to the environment. Sources to WWTP are both industries that use fluorinated compounds, as well as the consumer products in which they are incorporated. They are not removed during conventional wastewater treatment, except where they partition to biosolids. He closed by listing classes of consumer products where fluorinated compounds could be phased out.

Jen Jackson, SF Environment, gave a [presentation](#) on pollution prevention options for local governments. These including banning the use of fluorinated compounds in compostable food packaging, to reduce PFAS in City compost, as well as allowing the use of firefighting foams that do not include fluorinated compounds. There is an opportunity to work with the electroplating industry to move toward ventilation systems rather than PFAS-containing mist suppressants.

Budget

The FY19 committee budget was approximately 71%, spent.

Next BAPPG Meeting

BAPPG General Meeting

June 5, 2019: 10:00am-12:00pm

1515 Clay Street, Second Floor, Room 12

Oakland, CA

Committee Request for Board Action: none

14 attendees representing member 13 agencies

Committee update

The committee held a round-**table discussion about each participant's role in their agency's lab, and** what value they see in attending the laboratory committee. There was also a discussion about changing the meeting schedule. Following this discussion, a survey was circulated to collect members opinions on meeting schedule and location, as well as future meeting topics.

Nutrient Watershed Permit

The Tentative Order drops the organic nitrogen analysis and total reactive phosphorus from the MRP of the 2nd nutrient watershed permit, and will base future limits or targets on dissolved inorganic nitrogen. The Tentative Order includes new influent monitoring requirements for POTWs rated at more than 10 mgd. One member asked if the total nitrogen analysis could be used for influent monitoring. Lorien will follow up with the water board.

Method Tracking

The committee is interested in setting up a spreadsheet tracking which agencies are certified for which methods, and have which instrumentation and equipment. Palo Alto has some information that could be used to kick off the effort.

ELAP Update

There was a discussion about ELAP developing long lists of spurious micro findings during audits. EPA Region IX will **meet with ELAP to discuss ELAP's failure to include approved analyses from 40 CFR 136 in ELAP's Fields of Testing.**

Conferences

The CWEA Annual Conference is April 9-12 in Palm Springs.

Next meeting: tbd

Committee Request for Board Action: None

22 attendees, representing 13 member agencies.

Upcoming Permits

April – Palo Alto – BACWA submitted [comments](#) asking that dilution be applied when calculating enterococcus limits. In their Response to Comments, the Water Board stated: *We disagree. The City did not request an enterococcus mixing zone and dilution credit, and has not contested the proposed enterococcus limits, and the tentative order is not the place for the Regional Water Board to describe how it will address enterococcus limits for other discharges. Nevertheless, although there is no statewide policy on the application of mixing zones for bacteria, pursuant to Basin Plan section 4.5.1, the Regional Water Board may consider dilution credits for discharges on a case-by-case basis when provided sufficient information. Aside from accounting for dilution, the Regional Water Board cannot calculate enterococcus effluent limits using SIP procedures. The SIP protocol derives daily and monthly limits from one-hour average (acute aquatic life), four-day average (chronic aquatic life), and 30-day average (human health) objectives. The new enterococcus objectives are expressed as a six-week rolling geometric mean and a monthly 90th percentile. The SIP does not describe how to convert such objectives into effluent limitations.*

May – Nutrient Watershed Permit (See Below)

June – Sonoma – They also were not granted dilution for enterococcus. Robert will follow up with them to see whether they are interested in pursuing dilution credit.

Bacterial Objectives

In August 2018, the State Water Board adopted new statewide bacteria water quality objectives and implementation options to protect recreational users from the effects of pathogens in California water bodies. The objectives and implementation options are a new part 3 of the Water Quality Control Plan for the Inland Surface Waters, Enclosed Bays ([SIP](#)), and Estuaries of California, and as an amendment to the Water Quality Control Plan for Oceans Waters of California ([Ocean Plan](#)). The new bacteria objective for all waters where the salinity is greater than 1 ppt more than 5 percent of the time during the calendar year is a six-week rolling geometric mean of enterococci not to exceed 30 cfu/100 mL, calculated weekly, with a statistical threshold value of 110 cfu/100 mL, not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner. The Objectives were approved by the Office of Administrative Law in February 2019 and by EPA in March 2019.

To be granted dilution credit in the calculation of the new objectives the Water Board will need background enterococcus levels in the receiving water. BACWA is proposing a study to sample the SF Bay for enterococcus. SFEI has developed a Scope of Work to support this effort, and SFPUC has offered in kind support for sampling using their boat, as well as analysis. The committee is concerned, however, that the method used by the SFPUC lab, Enterolert, has a limit of detection of 10 MPN/100 mL, whereas membrane filtration, the other method, has a limit of detection of 2 MPN/100 mL. Since if the samples are non-detect, the detection limit will be considered the background level in the calculations, so the committee recommended finding a lab that could do membrane filtration.

CECs

- a. **Sampling Plan** - The Water Board has expressed interest in an ongoing program of POTW monitoring. Lorian has been working on a White Paper on POTW representation, and how to select POTWs for studies. The committee agreed that the RMP would need to participate in such a study to mediate the relationship with contract laboratories, and do data management. There was also a preference that analysis be paid for via BACWA dues rather than by individual volunteers.
- b. **PFAS** – The Water Board held a [workshop](#) on taking action on PFAS. They have issued 13267 letters to airports and landfills requiring data on PFAS levels in groundwater.

Nutrients

- a. **2nd Watershed Permit** – BACWA provided [comments](#) on the Watershed Permit Tentative Order.
- b. **Regional Studies** – BACWA is finalizing the scope of work for SFEI to carry out the Nature-based solutions regional study. BACWA is developing a scope of work for the recycled water regional study.
- c. **Optimization/Upgrade Studies**– BACWA worked with HDR to develop a [brochure](#) and [presentation](#) to help our members explain the studies to their governing boards and the public. Dave Williams walked through the presentation and showed where agencies could customize it for their own facilities. BACWA has also posted [presentations](#) developed by individual agencies to share amongst the members.

Legislation

There are two pieces of legislation being considered this year that could have major impacts on POTWs:

SB 69 is a lengthy, complex, bill that addresses ocean acidification. Among many other items, it includes a provision that would require the State Water Resources Control Board to amend the California Ocean Plan and the California Enclosed Bays and Estuaries Plan to include water quality objectives and effluent limitations requiring all publicly operated wastewater treatment facilities that discharge to waters subject to the plans to adopt, incorporate, or improve denitrification protocols. The passage of this bill, unless amended, could supersede the San Francisco Bay Nutrient Management Strategy.

SB 332 would declare that the discharge of treated wastewater from ocean outfalls is a waste and unreasonable use of water. The bill would require each wastewater treatment facility that discharges through an ocean outfall and affiliated water suppliers to reduce the facility's annual flow as compared to the average annual wastewater discharge baseline volume, as prescribed, by at least 50% on or before January 1, 2030, and by at least 95% on or before January 1, 2040. The bill would subject the owner or operator of a wastewater treatment facility, as well as the affiliated water suppliers, to a civil penalty of \$2,000 per acre-foot of water above the required reduction in overall volume discharge for the failure to meet these deadlines.

Note that BACWA does not comment on legislation, but we may provide information to our member agencies so they can comment themselves.

Announcements

- a. Looking for Permits Committee vice-chair for FY20
- b. SSS WDR Workshop in Sacramento 4/17
- c. RMP Annual Meeting 10/10

Next BACWA Permits Committee Meeting: Thursday, May 16, 2019 10:30 to 12:30 PM (Joint meeting with CASA RWG at downtown EBMUD), then Tuesday, June 11, 2019 12:00 to 2:00 PM, EBMUD lab library.

Pretreatment Committee – Report to BACWA Board

Pretreatment Committee Meeting on: 3/20/2019
Executive Board Meeting Date: 4/19/19
Committee Chairs: Tim Potter, Michael Dunning

Committee Request for Board Action: None

10/30/18 Pretreatment Committee Meeting – 36 in-person attendees and 3 phone attendees representing 24 agencies

Amelia Whitson, USEPA Region 9, attended this meeting.

Michael Chee and Diana Yitbarek, SF Bay RWQCB, attended this meeting.

1. BACWA Updates
<ul style="list-style-type: none"> • Provided instruction to only request budget for planned expenses and rely on committee contingency budget for other projects/expenses that may be expended in FY 19-20. Committee expenses and basic expenses to sponsor training in FY 19-20 were requested. • Lorien provided a summary of the subjects covered and identified the transition underway with the RWQCB Executive Director.
2. Committee Projects
<p>Mobile surface cleaners – No update.</p> <p>Resource template – No update.</p> <p>Committee webpage – Lorien identified creation of webpage with a basic format. The presentation materials from the Pretreatment Masters session on 3/11/19 are uploaded. Category headings will be provided to further develop the webpage.</p>
3. Debrief PCA/PCI
<ul style="list-style-type: none"> • Multiple agencies reported out on their PCI/PCA experiences since January. PG Environmental conducted all of the audits with RWQCB staff accompany PG Environmental team for a couple. A wide range of issues were identified based on exit interviews as no reports have been received. Following is a summary of the issues identified (not comprehensive): <ul style="list-style-type: none"> -Original documents requested for original approval of program, LDL Studies -Permit content: don't put requirements by agency into IU Permit and other elements or omissions -Wet signatures vs. electronic submittals -Expectation SOPs established for certain program elements (e.g. handling confidential information, public review of records) -Hazardous materials/waste issues (previously identified as a concern that observations outside authority of pretreatment programs are included in PCI/PCA reports) -ERP documents similar to ordinance requirements resulting in observations that ERP approval required approval by elected council/board (generated discussion about merits of this potential finding) • One agency reported they have been contacted for a PCA in April.
4. Experiences Categorizing IU Operations
<ul style="list-style-type: none"> • Discussion on Centralized Waste Treatment facilities (40 CFR Part 437) new sources. Business trying to minimize requirements for profiling the wastes they intend to accept.

<p>5. USEPA Region 9 Feedback</p> <p>Amelia Whitson provided presentation on national pretreatment program priorities (will be uploaded to Committee webpage)</p> <p>Inspection and Enforcement Priorities</p> <ul style="list-style-type: none"> • Covered in presentation; no significant changes <p>Review Implementation of Final Federal Dental Amalgam Rule</p> <ul style="list-style-type: none"> • No change to prior input provided by Amelia on role of agencies in complying with rule. Identified some variations among USEPA Regions and that effort underway to establish consistency. <p>Roles of RWQCB, SWRCB and USEPA with Local Pretreatment Programs (Support clarifying applicability of categorical standards)</p> <ul style="list-style-type: none"> • EPA Region 9 is downsizing so working with RWQCBs to take on more of the questions. Recommend sending RWQCB (Michael Chee) email with question/issue and copy USEPA Region 9 (Amelia) <p>Applicability of 40 CFR 136 Methods and Notification of pH Recorder Violations</p> <ul style="list-style-type: none"> • If use continuous pH monitoring for compliance, then 40 CFR notification standards apply. <p>Guidance for Federal Daily and Monthly Average Calculations and Non-Detects</p> <ul style="list-style-type: none"> • Question about how to factor in ND data when calculating averages for compliance. Input was no formal guidance established so agencies have flexibility but be consistent. Michael recommended using the same strategy used when developing LDLs. <p>PCI/PCA findings involving non-pretreatment standards</p> <ul style="list-style-type: none"> • Covered during review of PCI/PCA experiences.
<p>6. Electronic Reporting Rule Implementation</p> <p>Will reporting format be available in advance of 2020 deadline?</p> <ul style="list-style-type: none"> • Reporting formats are being developed for federal filing. California has delegation so State of California will develop their own report format/process. Anticipate some effort to make conversion but should be less effort in subsequent years after conversion is completed.
<p>7. Significant Pretreatment Program Modifications</p> <p>Review modifications subject to significant program modifications standards</p> <p>Approval Authority timing to proceed with modification</p> <ul style="list-style-type: none"> • Reviewed distinction between substantial and non-substantial program modifications and the different processes for proceeding with implementing the changes. Substantial program modifications require RWQCB approval prior to implementing. Discussed options for securing RWQCB approval in a timely manner given the limited RWQCB resources dedicated to pretreatment program.
<p>8. Update on Cannabis Grow and Manufacturing Operations</p> <ul style="list-style-type: none"> • More facilities are contacting agencies to start operations (grow and manufacturing).

<p>9. Update on Biocremation/Alkaline Hydrolysis Operations</p> <ul style="list-style-type: none"> • No facilities established or inquiring yet. Some veterinary operations have made preliminary contacts.
10. Q & A with the EPA
11. General Discussion Topics
<p>12. Review meeting – Pros/Cons</p> <ul style="list-style-type: none"> • Good space for a great turnout. • EBMUD staff did a great job hosting. • Consider starting meeting later in morning to avoid commute traffic.
13. Next meeting: Targeting July 2019 at Hayward

Executive Director Report March 2019

NUTRIENTS:

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

- Coordinated with the NMS Science Manager on presentations, meetings, and key issues on nutrients.
- Participated in the EPA webinar on the new Trading Policy.
- Conducted follow-up discussions with the WB staff and SFEI on the scope of work and cost for the Nature Based Solutions Study which will be required by the 2nd Nutrient Watershed Permit
- Attended the quarterly meeting of the Nutrient Management Strategy Steering Committee and provided in-kind services on minute preparation.
- Coordinate with the NST on preparation of the comment letter on the 2nd Watershed Permit Tentative Order.
- Coordinated with the HDR Project Manager on a potential scope of work for the Regional Recycling Report required under the 2nd Watershed Permit.
- Met with the Water Board to discuss a scope of work for the Regional Recycled Water Report.

BACWA BOARD MEETING AND CONFERENCES:

- Worked with staff in preparing for the March Board Meeting.
- Conducted the monthly agenda review with the Chair of BACWA
- Continued to track all action items to completion
- Planned for and held the bimonthly Joint Meeting with the Water Board staff

ASC/SFEI:

- As the Chair of the Governance Committee, coordinated with the SFEI Executive Director on committee activities.

COLLECTION SYSTEM COMMITTEE:

- Coordinated with the RPM on planning for the next Collection System Committee meeting
- Coordinated with BACWA staff on the collaborative effort amongst CASA, SCAP and BACWA on continuing to inform the SWRCB on issues with the proposed SSS WRD.

RECYCLED WATER COMMITTEE:

- Participated in the bimonthly recycled water committee meeting and discussed the Regional Recycled Water Report required by the 2nd Watershed Permit.

FINANCE:

- Reviewed the monthly BACWA financial reports with the AED.

-Worked with the AED to prepare the final Budget and Workplan for FY 20.

AIR COMMITTEE:

-Participated in a conference call with the AIR Committee to discuss presentations to BAAQMD on process operation of POTWs and anaerobic digestion.

PERMIT COMMITTEE:

-Coordinated with the RPM for items to agendaize for the next Permit Committee meeting and attended the meeting
-Reviewed the status and the request for continuing in the SCAP lawsuit on challenging the validity of use on the TST in permits
-Participated in conference calls to plan for conducting a sampling and analysis effort for enterococcus in order to demonstrate the dilution available in the Bay which will impact permit limits.

BAPPG COMMITTEE:

-Worked with the AED and Committee leadership to find a solution to completing outreach after a vendor claimed bankruptcy
-Coordinated with the RPM on the next steps for preparation of the CEC White Paper
-Participated in a conference call with SFEI to discuss a long-term routine monitoring plan for CECs.

COLLABORATIONS:

-Coordinated with CASA Regulatory Program Manager and Executive Director on regulatory issues of mutual concern.
-Attended the Bay Area Biosolids Coalition Steering Committee to discuss a potential role for BACWA in assisting with the administration of the Coalition's activities.
-Continued serving as contract administrator for a research effort with UC Merced.
-Attended the semi-annual meeting of the Clean Water Summit Partners.
-Represented BACWA, in collaboration with CASA and CVCWA, in a conference call with the Coast Keeper who is sponsoring legislation on ocean acidification.
-Attended the quarterly San Francisco Estuary Partnership Implementation Committee meeting.
-Participated in the BAIRWMP meeting on the next round of IRWM Prop 1 funding

WOT:

-Coordinated with Solano Community College in planning for the Fall 2019 BACWWE classes.
-Coordinated with BACWWE members on questions they had on the program
-Participated in discussions with the Executive Committee on the future of the program and planning for a General Membership Meeting.

MANAGER'S ROUNDTABLE

-Planned for and conducted the quarterly Bay Area Manager's Roundtable Meeting. Special guest was the new Executive Officer of the Water Board

ADMINISTRATION:

- Planned for and conducted the monthly BACWA staff meetings to prepare for the Board Meeting and to coordinate and prioritize activities.
- Signed off on invoices, reviewed correspondence, prepared for upcoming Board meetings, 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.
- Coordinated with ABAG on the finalization of the Prop 84 invoices
- Met with the new Executive Officer of the Water Board to introduce him to BACWA.

MISCELLANEOUS MEETINGS/CALLS:

- 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 ACTION ITEMS

Number	Subject	Task	Responsibility	Deadline	Status
Action Items from March 15, 2019 BACWA Executive Board Meeting					
2018.3-91	ReNUWit Workshop funding	respond to ReNUWit's request for funding for workshops	ED	3/20/2019	Completed
2018.3-90	Annual Report to Water Board on Members	Send a list of BACWA Members, along with highlights & accomplishments from prev year	ED	7/31/2019	Completed
2018.3-89	Study of Bacterial Background Levels	Develop monitoring proposal for meeting with Water Board	RPM	3/22/2019	Completed
2018.3-88	Nutrient Presentation	Add to website, send notice to members, and delete the old PP presentation for Laypersons	RPM	3/31/2019	Completed
2018.3-87	Nutrient Brochure	Increase printing order to 2k and distribute based on flow; include WB, SFEI, EPA, AIR Board	ED	3/31/2019	Completed
2018.3-86	Comments on TO by Individual Agencies	Provide a template and share individual agency comments with other members	RPM	3/31/2019	Completed
2018.3-85	Comments on Tentative Order	Update Comments and provide to Water Board at meeting on 3/22/19	RPM	3/21/2019	Completed
Action Items Remaining from Previous BACWA Executive Board Meetings					
2018.2-83	PP for Op/Upgrade	Create members only site on web for PP for sharing	RPM	3/15/2019	Completed
2018.2-82	Brochure	Print 1200 copies	ED	when rec'd	Completed
2018.2-81	NACWA Award	Present to WB at upcoming meeting (3/13/19)	Chair	3/22/2019	Completed
FY19:	<u>91 of 91</u> Action Items completed				
FY18:	<u>66 of 66</u> Action Items completed				
FY17:	<u>90 of 90</u> Action Items completed				



DATE	AGENDA
<p>5/17/2019</p> <p>Monthly Board Mtg Items due: 5/10 Schectel, Mitsuddy, White, Zipkin, Henderson Williams; Fono; Hull</p>	<p>Consent</p> <p>Previous Board Meeting Minutes Monthly Financial Report</p> <p>Authorizations & Approvals</p> <p>Approval: FY19 Staff Consulting Amendments/Agreements Approval: Officers: Chair & Vice-Chair FY19 Authorization (ED): Legal & IT Support Amendments FY19</p> <p>Other Business - POLICY/STRATEGIC</p> <p>Discussion: Water Board Jt Mtg Debrief Discussion: RMP Update Discussion: Science Manager Update</p> <p>Other Business - OPERATIONAL</p> <p>Discussion: BAAQMD Annual Meeting Draft Agenda</p> <p>Reports</p> <p>Committee Reports (Committee Chairs) Board Reports (Executive Board) ED Report (ED) RPM Report (RPM) Other BACWA Representative Reports</p>
<p>5/20/2019</p> <p>Joint Meeting - Water Board Schectel, Mitsuddy, White, Zipkin, Henderson Williams; Fono</p>	<p>Other Business: Discussions</p>
<p>6/21/2019</p> <p>Monthly Board Mtg Items due: 6/14 Schectel, Mitsuddy, White, Zipkin, Henderson Williams; Fono; Hull</p>	<p>Consent</p> <p>Previous Board Meeting Minutes Monthly Financial Report</p> <p>Authorizations & Approvals</p> <p>Approval: FY19 Agreements Approval: Options for Supporting the Bay Area Biosolids Coalition</p> <p>Other Business - POLICY/STRATEGIC</p> <p>Discussion: Water Board Jt Mtg Draft Agenda Discussion: Update on regional and statewide biosolids issues Discussion: BAC Treatment of RO Concentrate For Nutrient Control</p> <p>Other Business - OPERATIONAL</p> <p>Discussion:</p> <p>Reports</p> <p>Committee Reports (Committee Chairs) Board Reports (Executive Board) ED Report (ED)</p>

RPM Report (RPM)
Other BACWA Representative Reports

7/?/2019

Joint Meeting - Water Board

Other Business: Discussions

Schectel, Mitsuddy, White, Zipkin, Henderson
Williams; Fono

7/19/2019 **Consent**

Monthly Board Mtg

Items due: 7/12

Schectel, Mitsuddy, White, Zipkin, Henderson
Williams; Fono; Hull

Previous Board Meeting Minutes
Monthly Financial Report

Authorizations & Approvals

Approval: Annual Nutrient WS Payment
Approval: FY20 Agreements
Approval:

Other Business - POLICY/STRATEGIC

Discussion: Water Board Jt Mtg Debrief
Discussion: Draft Agenda Pre-Pardee Technical Seminar
Discussion: RMP & NMS Update (Phil Trowbridge/David Senn)

Other Business - OPERATIONAL

Discussion:
Discussion: CPSC Update

Reports

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

8/16/2019 **Consent**

Monthly Board Mtg

Items due: 8/9

Schectel, Mitsuddy, White, Zipkin, Henderson
Williams; Fono; Hull

Previous Board Meeting Minutes
Monthly Financial Report

Authorizations & Approvals

Approval:

Other Business - POLICY/STRATEGIC

Discussion: Water Board Jt Mtg Debrief

Other Business - OPERATIONAL

Discussion:

Reports

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

8/16/2019 **No Board Actions Permitted**

Pre-Pardee Seminar

Schectel, Mitsuddy, White, Zipkin, Henderson
Williams; Fono; Hull

9/26-27/2019 No Board Actions Permitted	
Pardee Technical Seminar Schectel, Mitsuddy, White, Zipkin, Henderson Williams; Fono; Hull	
10/18/2019 Consent	
Monthly Board Mtg Items due: 10/11 Schectel, Mitsuddy, White, Zipkin, Henderson Williams; Fono; Hull	Previous Board Meeting Minutes Monthly Financial Report
	<u>Authorizations & Approvals</u>
	Approval:
	<u>Other Business - POLICY/STRATEGIC</u>
	Discussion: Pardee Debrief & Survey Discussion: Water Board Jt Mtg Draft Agenda Discussion: Risk Reduction Update
	<u>Other Business - OPERATIONAL</u>
	<u>Reports</u>
	Committee Reports (Committee Chairs)
	Board Reports (Executive Board)
	ED Report (ED)
	RPM Report (RPM)
	Other BACWA Representative Reports
10-11/?/2019	
Joint Meeting - Water Board Schectel, Mitsuddy, White, Zipkin, Henderson Williams; Fono	
<u>Other Business: Discussions</u>	
11/15/2019 Consent	
Monthly Board Mtg Items due: 11/8 Schectel, Mitsuddy, White, Zipkin, Henderson Williams; Fono; Hull	Previous Board Meeting Minutes Monthly Financial Report
	<u>Authorizations & Approvals</u>
	Approval: Adoption of FY19 Annual Reports
	<u>Other Business - POLICY/STRATEGIC</u>
	Discussion: Water Board Jt Mtg Debrief Discussion: ReNEWIt Industrial Advisory Board Meeting Debrief
	<u>Other Business - OPERATIONAL</u>
	Discussion: Annual Meeting Planning
	Discussion: Pesticides Update
	<u>Reports</u>
	Committee Reports (Committee Chairs)
	Board Reports (Executive Board)
	ED Report (ED)
	RPM Report (RPM)
	Other BACWA Representative Reports
12/20/2019 Consent	
Monthly Board Mtg Items due: 12/13 Schectel, Mitsuddy, White, Zipkin, Henderson	Previous Board Meeting Minutes Monthly Financial Report
	<u>Authorizations & Approvals</u>

Williams; Fono; Hull

**HOLIDAY & COMMITTEE
LEADER APPRECIATION
LUNCH**

Other Business - POLICY/STRATEGIC

Discussion:

Discussion:

Other Business - OPERATIONAL

Discussion: Annual Meeting Agenda

Discussion: Budget Schedule & Key Issues

Reports

Committee Reports (Committee Chairs)

Board Reports (Executive Board)

ED Report (ED)

RPM Report (RPM)

Other BACWA Representative Reports

1/10/2020

Annual Members Mtg

Schectel, Mitsuddy, White, Zipkin, Henderson

Williams; Fono; Hull

Service & Leadership Recognition

RMP & NMS Update

EPA, CWRCB, RWCB, Air Dist,

2/21/2020

Monthly Board Mtg

Items due: 2/14

Schectel, Mitsuddy, White, Zipkin, Henderson

Williams; Fono; Hull

Consent

Previous Board Meeting Minutes

Monthly Financial Report

Authorizations & Approvals

Approval:

Other Business - POLICY/STRATEGIC

Discussion: Joint Meeting Debrief

Other Business - OPERATIONAL

Discussion: FY2019 Budget Planning - 1st Draft of FY21 Budget

Discussion: Annual Meeting Debrief

Reports

Committee Reports (Committee Chairs)

Board Reports (Executive Board)

ED Report (ED)

RPM Report (RPM)

Other BACWA Representative Reports

3/?/2020

Joint Meeting - Water Board

Schectel, Mitsuddy, White, Zipkin, Henderson

Williams; Fono

Other Business: Discussions

3/20/2020

Monthly Board Mtg

Items due: 3/13

Schectel, Mitsuddy, White, Zipkin, Henderson

Williams; Fono; Hull

Consent

Previous Board Meeting Minutes

Monthly Financial Report

Authorizations & Approvals

Other Business - POLICY/STRATEGIC

Discussion: Water Board Jt Mtg Debrief

Discussion: Update on CASA Climate Change Program

Other Business - OPERATIONAL

Discussion: Second Draft of FY20 Budget

Discussion: Draft BACWA Policy on Website

Reports

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

4/17/2020 Consent

Monthly Board Mtg

Items due: 4/10

Schectel, Mitsuddy, White, Zipkin, Henderson

Williams; Fono; Hull

Previous Board Meeting Minutes
Monthly Financial Report

Authorizations & Approvals

Approval: FY21 Budget & Workplan

Other Business - POLICY/STRATEGIC

Discussion: Water Board Jt Mtg Debrief

Discussion: Water Board Jt Mtg Draft Agenda

Other Business - OPERATIONAL

Discussion: Pesticides Update

Reports

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

***CURRENTLY UNSCHEDULED &
SIGNIFICANT***

Suggestions for Monthly Meeting Guest Speakers/Presenters



Regulatory Program Manager's Report to the Board

March 2019

NUTRIENTS: Reviewed and commented on 2nd Nutrient Watershed Permit Tentative Order. Managed members' comments on the Draft through a Google Doc, and drafted comment letter. Update master list of increased load factors, drafted and provided template letter for use by member agencies. Reviewed HDR brochure and presentation, provided summary of TO for the presentation, and posted both to website. Participated in two meetings on Regional Studies with Regional Water Board. Discussed draft Recycled Water Study scope of work with HDR. Communicated with member agencies about Tentative Order.

BACWA BULLETIN: Drafted and distributed April Bulletin.

COLLABORATIONS: Participated in CASA RWG Land and Water Committee calls. Participated in FWQC call on EPA proposed Selenium Criteria for freshwater.

CECs: Discussed CECs White Paper with RMP leads. Prepared for emerging contaminants working group meeting.

TOXICITY: Communicated with other Statewide POTW representatives to plan next meeting with State Water Board staff.

BACTERIAL OBJECTIVES: Worked with SFEI and SFPUC to assign responsibilities and develop Scope of Work for Enterococcus Receiving Water Background Study.

COMMITTEE SUPPORT:

AIR – Participated in call to prepare for digester education meeting with Air District staff. Prepared for and attended committee meeting. Developed RFP for committee support

BAPPG – Updated baywise.org. Developed RFQ for outreach support.

Collection Systems – Participated in SSS WDR CASA Call.

Laboratory – Planned for and participated in meeting. Drafted Board report for February meeting. Worked with chair to develop committee survey.

O&M Infoshare – Planned April meeting.

Permits – Drafted Board Report.

Pretreatment – Called into meeting to discuss committee website.

Recycled Water – Attended Recycled Water Committee meeting. Drafted notes and Board report.

Executive Board – Prepared for meeting, contributed to handout and attended meeting. Reviewed and edited meeting minutes and action items. Drafted agenda and attended joint meeting with Regional Water Board.

ADMINISTRATION/STAFF MEETING – Met with BACWA staff to plan Executive Board meeting, and discuss BACWA operations. Managed committee Google Groups. Updated documents on website.

MEETINGS ATTENDED:

Staff meeting (3/1), NST call (2/4), AIR call on digester education meeting prep (3/4), FWQC Selenium Call (3/4), Recycled Water Committee (3/5), Lab Committee (3/13), Executive Board meeting (3/15) Pretreatment Committee Call (3/20), CASA RWG call (3/21), Joint meeting with Regional Water Board (3/22), AIR committee meeting (3/26),

SF Bay Area IRWMP Coordinating Committee Meeting Summary
March 25, 2019
Location: Contra Costa Water District, 2411 Bisso Lane, Concord, CA 94520

1. Roll Call – Appointed Functional Area Representatives Present

Water Supply- Water Quality	Wastewater- Recycled Water	Flood Protection- Stormwater	Watershed	Disadvantaged Communities
<ul style="list-style-type: none">• Mark Seedall, CCWD• Steve Ritchie, SFPUC, Chair	<ul style="list-style-type: none">• Dave Williams, BACWA (by phone)• Cheryl Munoz, SFPUC representing BACWA (by phone)	<ul style="list-style-type: none">• Brian Mendenhall, SCVWD (by phone)• Mark Boucher, CCCFCWCD	<ul style="list-style-type: none">• Josh Bradt, SFEP (by phone)• Brenda Buxton, SCC	

Others Present:

Lisa Anich, CCRCD
Cam Bauer, BART
Devon Becker, ACWD
Maddie Duda, EJCW
Chris Dundon, CCWD
Maggie Dutton, CCWD
Natasha Dunn, SFEP
Deja Gould, IPOC
Ryan Hirano, EJCW
Judy Kelly, NBWA
Jennifer Krebs, representing SCWA
Johnella La Rosa, IPOC
Chris Lim, CCRCD
James Muller, SFEP
Michelle Novotny, SFPUC
Alex Tavizon, CIEA

On the Phone:

Jessica Arm, DWR
Colin Bailey, EJCW
Tess Byler, San Franciscquito Creek JPA

Kate Byrne, City of Hayward
Pat Costello, City of Napa
Craig Cross, DWR
Adam French
Paul Gilbert-Snyder, EBMUD
Brienne Lieberman
Lisa Pontecorvo, StopWaste

2. Status of Prop 84 Round 1, Round 2, Drought Round, 2015 Round 4

For Round 1, Josh Bradt noted that the final invoice has been processed and final retention invoice is at DWR for authorization. Final accounting for Round 1 includes total grant share billed to DWR at \$29,057,000 out of \$30,000,000.

For Round 2, James Muller completed project completion site visits for projects 1 and 8. Project 5 is fully completed and closed out. The number of completed projects for Round 2 is 13. Amendment 6 is currently being signed at MTC.

For Round 3, all matching funds have been received. Mr. Muller completed site visits to two projects, projects 8 and 10. 2 project completion reports will be delivered to DWR soon.

For Round 4, Mr. Muller has submitted all paperwork for Amendment 3, which includes an extension request from project 6 and a change in scope for project 3. San Francisquito Creek Joint Powers Authority requested an extension for Project 6 to complete some restoration work over the next couple months. Marin Municipal Water District requested a change in scope for Project 3 from turf replacement to AMI because they were not able to move forward with the turf replacement.

Regarding AQPI, Jennifer Krebs noted that by the end of 2019 there should be 4 X-band radars operating in the Bay Area. There are two radars operational right now, one in Sonoma and one in Santa Clara. The project is working on MOU/MOA that will be circulated for feedback within next 3 months about what the project's O&M will look like after the grant is complete. NOAA is analyzing the benefits of the project and is visiting the week of April 29. As an addendum to the meeting notes, Jennifer Krebs clarified that the project team will brief the Coordinating Committee this fall, instead of during April.

Action Items:

- Mr. Muller coordinate with Jessica Arm and subsequently provide the justification for the change in scope for Round 4 project 3 and the total grant funds MMWD has received for AMI in across all grant rounds.

3. Discussion of Approach to Prop 1 Implementation

Brian Mendenhall noted that DWR has not released the final PSP yet. DWR noted that the final PSP is being reviewed by upper management as of last Wednesday. Maggie Dutton commented she spoke with DWR this morning and it was confirmed the final PSP will be released this week or next week. Taylor Chang sent out an email to the listserv to let people know they should be working on their

proposals using the draft PSP as a starting point. The email acknowledged there may be changes resulting from the release of the final PSP.

Ms. Chang and Mr. Mendenhall updated the internal Prop 1 Implementation schedule, based on the assumption that DWR will release the final PSP by April 1st. The schedule was updated to reflect the workshop with DWR being held in August, instead of July. Ms. Arm confirmed this request was received.

Mr. Mendenhall is working with Robyn Navarra to finalize the electronic format of the project submission form so that the data will be automatically transferred to a database.

Ms. Arm confirmed the group's request to delay the Prop 1 Implementation workshop to August was received.

There was discussion about selecting a grant applicant. SFEP is interested in being the grant applicant.

There was discussion about who would prepare the grant application and whether consultant support is needed. For Prop 84, the CC used an RFP process to hire a consultant. The RFP was posted on the website. 3-5 firms response and the top 2 firms were interviewed top 2 firms. There were 3 representatives from the CC on the selection panel, and ultimately Horizon was selected as the consultant.

Ms. Dutton mentioned that the grant application will just consist of the PIFs for each project and the project summary form. DWR confirmed that the grant application should be able to be done without a consultant.

If SFEP were to be the grant applicant, Mr. Muller indicated that SFEP could help put together the grant application with support from a sub-committee. Ms. Krebs noted she will look into whether Sonoma Water can cover her time to help with application. For SFEP to become the grant applicant, Mr. Muller would need a resolution passed by the MTC Board.

In terms of process, the CC is expecting project proponents to fill out the 9 page PIF, which will be reviewed by the Project Scoring Committee (PSC). If the PSC identifies areas that needs to be improved on the project's PIF, a member of the PSC will reach out to the project and see if they can address the issue. It was mentioned that in the past, the PSC prepares a memo that outlines what process they used to come up with their recommendation for projects to include in the grant application.

Alex Tavizon commented that there are 3 Tribal entities that want to participate on the PSC.

Action Items:

- After DWR releases the final PSP, Ms. Chang will send an email to the listserv requesting any interest in being the grant applicant for Prop 1 Implementation Round 1. It will be noted in the email that the majority of the work on the PIF will be completed by the project applicants.
- Mr. Tavizon will send Mr. Mendenhall and Ms. Chang information on Tribal representatives that would like to participate on the PSC.

4. Approach to Prop 1 DACI Grant Administration

Ryan Hirano from EJCW noted that Q4 invoice was submitted and approved in mid-March. Q5 invoice was submitted on March 1 and EJCW is in the process of answering DWR's questions. Q6 invoice will be submitted on March 31.

It is anticipated that CIEA's contract will be executed this week. Michelle Novotny commented that it is critically important to get CIEA under contract as soon as possible.

Regarding the overall grant admin status, EJCW is continuing to explore the possibility of SFEP taking over the grant admin. EJCW is having grant admin status meeting with DWR and SFPUC on Wednesday.

5. Approach to Prop 1 IRWM DAC Involvement Funds

Maddie Duda said she would like to discuss how DACs want to participate on the Coordinating Committee in terms of what the voting structure and process would look like.

Deja Gould and Johnella La Rosa from Indian People Organizing for Change (IPOC) gave a presentation to the group. Johnella has been working with IPOC for 20 years. The organization is based in Oakland and started with a focus on Native American community organizing and voter registration. Now, IPOC works with the Land Trust to acquire land in Oakland, Berkeley and Albany and steward that land. They partner with Planting Justice in Oakland to grow food, trees, and medicinal plants.

IPOC is also working on creating emergency preparedness hubs and teaching people how to take care of themselves during emergencies. This is known as Himmetka: "In one place together". They would like to be able to capture and store water (3,000-4,000 gallons) at these hubs to be used during human-caused or natural disasters. They don't feel like they would get services they need from the city in an emergency.

IPOC is also teaching about the watersheds such as the San Leandro Creek and Sausal Creek by leading watershed walks and learning how to do water quality sampling.

IPOC is also working on a mapping project for about 6 months to document information such as number of people, income levels, and availability of resources.

Ms. Duda updated the group on the needs assessment work. Most of the outreach partners have had listening sessions to understand the water priorities for their communities. The partners are beginning to distill their top priorities and are excited to talk about solutions and how to address issues. EJCW will be hosting a funding webinar to discuss implementation funding with the outreach partners. More detail is provided in the Bay Area DACI project tracking spreadsheet. Mark Seedall said he is pleased to see the spreadsheet and looking forward to having it updated every month.

EJCW is working with SFEI on a mapping effort. The goal is to understand what the issues are from a community perspective and create a tool that is useful to the community and decision makers. She stated that some tools get built but don't get used because of a lack of accountability. She is looking for input from CC members on how to make the mapping tool useful.

Alex Tavizon provided an update on the Tribal outreach. CIEA received their contract from EJCW with some edits. CIEA will be reviewing at their Board meeting this week. CIEA had a meeting with DWR to discuss barriers to Tribal participation not just in Bay Area but in the context of Prop 1 funding as a whole.

CIEA has worked with all of their project partners to develop budgets and work plans, but can't push forward with the work because they are not under contract.

The next steps will be doing the needs assessment and forming the Tribal Advisory Committee (TAC) to allow better feedback and representation of Tribes in the Bay Area.

Some of the Tribal project partners are looking over the 2013 Plan and have comments. Sherri Norris plans to send those comments to Ms. Novotny next week.

Action Items:

- Ms. Duda and Ms. Chang will put a discussion of DAC participation on the Coordinating Committee on the next meeting agenda.
- Ms. Duda will revise the format of the Bay Area DACI project tracking spreadsheet to be more legible.

6. Announcements and Next Steps

EJCW is hosting a funding webinar on April 10 at 11:00am.

The June 24 CC meeting will be held at SFEP/MTC in San Francisco, exact conference room to be determined.