



**B A C W A**  
**BAY AREA**  
**CLEAN WATER**  
**AGENCIES**

Executive Board Meeting  
 AGENDA  
 Fri, May 15, 2020 9:00 AM - 12:30 PM (PDT)  
<https://global.gotomeeting.com/join/769040973>  
 You can also dial in using your phone.  
 United States: +1 (646) 749-3122  
 Access Code: 769-040-973

<u>Agenda Item</u>	<u>Time</u>	<u>Pages</u>
ROLL CALL, INTRODUCTIONS, AND TELECONFERENCE ETIQUETTE	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 April 17, 2020 BACWA Executive Board Meeting Minutes		3-9
2 March 2020 Treasurer's Reports		10-20
APPROVALS AND AUTHORIZATIONS	9:06 AM	
3 <u>Approval</u> : Amendment #1 for LWA RPM Support FY20		21-27
4 <u>Approval</u> : Legal & IT Support Amendments FY20		28-31
5 <u>Authorization</u> : EDAR for FY20 Downey Brand Contract		32
6 <u>Approval</u> : BACWA Chair and Vice-Chair for FY21		33
POLICY/STRATEGIC		
7 <u>Discussion</u> : COVID-19 Response <ul style="list-style-type: none"> <li>a. Round table discussion on agency issues</li> <li>b. RWB reporting requests</li> <li>c. Study of COVID-19 in wastewater</li> <li>d. Wipes and flushables</li> </ul>		34-35 36-37
8 <u>Discussion</u> : Nutrients <ul style="list-style-type: none"> <li>a. Regulatory               <ul style="list-style-type: none"> <li>i. NBS Study and RW Evaluation RFI <a href="#">Link to RFI</a></li> <li>ii. Nutrient Trading next steps <a href="#">Link to Freshwater Trush White Paper</a></li> </ul> </li> <li>b. Technical Work               <ul style="list-style-type: none"> <li>i. May 5 Dissolved Oxygen in LSB Workshop Debrief</li> <li>ii. Cloern review of Nutrient Status of Bay <a href="#">link to article</a></li> </ul> </li> <li>c. Governance Structure               <ul style="list-style-type: none"> <li>i. April 23 Planning Subcommittee Meeting # 45.5</li> <li>ii. May 6 Planning Subcommittee Meeting # 46</li> </ul> </li> </ul>		38-40 41-43 44-46
BREAK	10:30 AM	
9 <u>Discussion</u> : Sunnyvale/Mountain View Exfiltration suits		
10 <u>Discussion</u> : Debrief April 23/24 RMP Emerging Contaminants Workgroup	<a href="#">link to meeting packet</a>	
11 <u>Discussion</u> : Update on Chlorine Residual Basin Plan Amendment		47-48
12 <u>Informational</u> : BAAQMD SLCP Rule Development update		49
13 <u>Informational</u> : Regulatory Issues matrix update		50-65
14 <u>Informational</u> : ELAP Adoption 5/5		66-67
OPERATIONAL		
15 <u>Discussion</u> : Status of reserves and phasing for FY21		
16 <u>Discussion</u> : ASC and designation of JPA signatory designee		
17 <u>Discussion</u> : Succession Plan for FY21		68-69
REPORTS		
18 Committee Reports		70-73

19	Member Highlights		
20	Executive Director Report		74-76
21	Regulatory Program Manager Report		
22	Other BACWA Representative Reports		77
	<ul style="list-style-type: none"> <li>a. RMP Technical Committee</li> <li>b. RMP Steering Committee</li> <li>c. Summit Partners</li> <li>d. ASC/SFEI</li> <li>e. Nutrient Governance Steering Committee <ul style="list-style-type: none"> <li>e.i Nutrient Planning Subgroup</li> <li>e.ii NMS Technical Workgroup</li> </ul> </li> <li>f. SWRCB Nutrient SAG</li> <li>g. NACWA Taskforce on Dental Amalgam</li> <li>h. BAIRWMP</li> <li>i. NACWA Emerging Contaminants</li> <li>j. CASA State Legislative Committee</li> <li>k. CASA Regulatory Workgroup</li> <li>l. ReNUWIt</li> <li>m. ReNUWIt One Water</li> <li>n. RMP Microplastics Liaison</li> <li>o. Bay Area Regional Reliability Project</li> <li>p. WaterReuse Working Group</li> <li>q. San Francisco Estuary Partnership</li> <li>r. CPSC Policy Education Advisory Committee</li> <li>s. California Ocean Protection Council</li> <li>t. Countywide Water Reuse Master Plan</li> <li>u. CHARG - Coastal Hazards Adampation Resiliancy Group</li> </ul>	Mary Lou Esparza, Yuyun Shang, Samantha Engelage Karin North; Leah Walker; Eric Dunlavey Lorien Fono; Lori Schectel Lorien Fono; Eileen White Eric Dunlavey; Eileen White; Lori Schectel Eric Dunlavey Eric Dunlavey Lorien Fono Tim Potter Cheryl Munoz; Linda Hu; Lorien Fono Karin North; Melody LaBella Lori Schectel Lorien Fono Jackie Zipkin; Karin North Jackie Zipkin, Eric Hansen Artem Dyachenko Eileen White Cheryl Munoz Eileen White; Lorien Fono Colleen Henry Lorien Fono Karin North, Pedro Hernandez Jackie Zipkin	
<b>23 SUGGESTIONS FOR FUTURE AGENDA ITEMS</b>			<b>12:27 PM</b>
<b>NEXT MEETING</b>			<b>12:28 PM</b>
The next regular meeting of the Board is scheduled for June 19, 2020 from 9:00 am to 12:30 pm at SFPUC, 13th Floor, Hetch Hetchy Room, 525 Golden Gate Ave, San Francisco, CA.			
<b>ADJOURNMENT</b>			<b>12:30 PM</b>

## ROLL CALL AND INTRODUCTIONS

**Executive Board Representatives:** Lori Schectel (Central Contra Costa Sanitary District); Amit Mutsuddy (City of San Jose); Eileen White (East Bay Municipal Utility District); Jacqueline Zipkin (East Bay Dischargers Authority); Amy Chastain (San Francisco Public Utilities Commission).

### Other Attendees:

<u>Name</u>	<u>Agency/Company</u>
Eric Dunlavey	City of San Jose
Lorien Fono	BACWA
Alina Constantinescu	LWA/ BACWA
Jennifer Dymont	BACWA
David Senn	SFEI
Tom Hall	EOA
Greg Baatrup	Fairfield Suisun Sanitary District
Karin North	City of Palo Alto
Pedro Hernandez	City of San Jose
Jennie Pang	SFPUC
David Richardson	Woodard & Curran
Mary Lou Esparza	Central San
Amanda Roa	Delta Diablo
Randy Schmidt	Central San
Tim Barr	
Tim Potter	Central San
Bayley Toft-Dupuy	State Water Resources Control Board
Warren Chabot	SFEI
Blake Brown	
Tony Rubio	Sanitary District No.5 of Marin County

Lori Schectel started meeting at 9:05

Review of meeting protocols: ED shared telecommunication rules and voting guidelines, and asked board members using camera through the first few roll-call items, requested meeting feedback

**PUBLIC COMMENT – None**

**CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER – none**

## CONSENT CALENDAR

1. March 20, 2020, BACWA Executive Board Meeting Minutes – The approved minutes will be posted on the BACWA website. One revision made to note Eric Dunlavey presence at 3/20/2020 EB Meeting.
2. February 2020 Treasurer's Reports – No comments on this item.

**Consent Calendar Items 1 and 2:** A motion to approve was made by Jacqueline Zipkin and seconded by Amit Mutsuddy. The motion was approved unanimously.

## APPROVALS & AUTHORIZATIONS

**3. Approval: FY21 Budget & work plan** –Final budget and workplan in packet, mostly the same as March 20<sup>th</sup> meeting with only a few small corrections. ED highlighted the following: ED not taking CPI next year, BAPPG budget increased to support pesticides work (BACWA and will support BAPPG effort to find funding for additional needs), CECs budget increase of \$50K likely to be used for PFAS study, also \$250K for general technical support. Board members supportive of budget approach and also appreciative of ED not taking CPI next year.

**Item 3:** A motion to approve was made by Lori Schectel and seconded by Eileen White. The motion was approved unanimously.

## OTHER BUSINESS-POLICY/STRATEGIC

Agenda **Item 4** – Discussion: COVID-19 Response – ED led discussion

- a) Resources – BACWA website has link to CASA COVID-19 resources. CWEA also has additional information and hosted a few recommended webinars which are posted on their You Tube channel. EBMUD and San Jose participated in the webinar recordings. EBDA is coordinating procedure between 6 plants on how to share operators if there is insufficient operating staff at a plant due to outbreak & happy to share these.
- b) Regulatory Engagement – Regarding operator regulations and staffing levels, the EPA, State & Regional Boards stated they were not going to be granting any permit relief or regulatory roll backs; agencies were advised to do their best to comply with permit requirements and document any problems. Group decided against BACWA letter and instead will focus on issue-by-issue communication as each agency has its own response and methods. CASA articulated resources for POTWs on how to continue operations and protect public health. Anticipating more requests from agencies, ED requested direction from Board on most appropriate way for BACWA to respond/assist. Board Members acknowledged all efforts and also noted that BACWA's goal is consensus and collaboration and group advocacy may be welcomed by smaller agencies. Small agencies

approached BACWA on issues regarding operator certifications, staff shortage situations, and communication with our members.

A discussion on individual agencies' approaches for regulatory compliance and for communication followed. Board members noted that some agencies would prefer to have pro-active communication with regulators, just in case compliance issues arise during the COVID-19 public health emergency. Others noted that their governing boards instructed that no regulatory exemptions be requested ahead of time. In one instance, when relief was requested, the regulatory agency denied relaxing the requirement.

An approach that was agreed upon across the board seemed to be that, in case non-compliance is inevitable, every effort needs to be made to document and build a record that demonstrates the agency took a prudent and defensible approach. A recent message recently issued by CAL EPA emphasizes the same approach: documenting what needs to be done and why, letting the regulators know beforehand to the extent that you can. The group discussed sending a letter to the Regional Board with examples of agencies' response to the emergency and their successes, even in time of crisis. ED will follow-up with board to reiterate plans.

- c) Study of COVID 19 in wastewater – EBMUD is engaged with Stanford lab to study sewage as indicator of virus prevalence in a community and also with Bio-BOT a private firm out of Boston and with University of South Carolina. There is also a small study with UC Berkeley. EBMUD would like to engage with University of Arizona, but their lab is more costly. There is a possibility to engage the Governor's office to support testing and to develop statewide network of monitoring. Warner Chabot (SFEI) recommended gathering samples now, even if they may not be tested for a while but hopefully in the future a statewide system would be developed. SFEI is in touch with senior State Water Board officials on the matter. There are instructions in the packet on how sample can be preserved for later testing. Pedro Hernandez (San Jose) and Eileen White (EBMUD) offered to provide more information in sample collection. Karin North (Palo Alto) offered to get collection protocol from Stanford contacts. There was also a discussion around any results received to date. A couple of members noted that their agencies results show 'presence', but no quantification, yet. If the results are meant to help assess the rate/ trend of infection in the community, quantification will be necessary.
- d) Wipes and Flushables – BAPPG has been working with consultant on public messaging about what to flush now & always; message was captured in Mercury News article and press release was to be published today. Members also noted that they are doing a lot of media outreach – explaining, among other issues, the impacts of blockages on the health of wastewater operators.

**Agenda Item 5 – Discussion: Nutrients**

- a) Regulatory – ED stated link for Request for Information on Recycled Water Studies is in packet and HDR is currently collecting comments from Recycled Water Committee.
- b) Technical Work – Update was provided by David Senn, the NMS science manager at SFEI. David shared work status and mentioned that field and lab work has been paused and some field studies are delayed. But to the extent that work can be done from home, research is moving forward. The presentation provided updates on the different program areas as well as funding (revenue estimates). In a follow-up from attendees, David also summarized the NMS contingency decision making process. Under current guidelines, steering committee has to make decisions in in-person meetings; the steering committee will change these rules to be able to make decisions using teleconference meetings.
- c) Governance Structure – ED mentioned March 13 steering committee notes are in packet. A Nutrient Technical Workgroup meeting (in May) will focus on review of science plan for 2021. David Senn summarized assessment framework effort. An expert panel meeting on May 5<sup>th</sup> and May 21<sup>st</sup> will focus on DO in the Lower South Bay. A couple of attendees had comments about the 2016 Limnotech Assessment Framework review.

**Agenda Item 6 – Microplastics Working Group Meeting Debrief – Eric Dunlavey (San Jose)** reported the workgroup met on April 9. The meeting included an update on storm water pathway conceptual model program, microplastics in storm water runoff study for year one and year two. The State Water Board proposed a definition for “microplastics in drinking water”. ED reviewed the definition. RPM attended a State Water Board workshop on proposed definition and noted that definition will probably be used for water & wastewater as well. Eric Dunlavey (San Jose) noted that Bay Area has focused on counting and categorizing of microplastics but understanding of effects/toxicity of microplastics are needed. Four proposed topics for 2021 studies are participation in an ecotoxicity workshop; analysis of microplastics in sport fish; continuation of stormwater conceptual model – looking at tires & fibers; and looking at sediment cores.

**Agenda Item 7 – Discussion: Update on SWRCB’s Plans for PFAS and Impact on Wastewater Facilities –** State Water Board is working on a proposal for WWTP quarterly monitoring, but ED pointed out that now may not be an appropriate time to be collecting PFAS samples (industrial contributions may not be representative). Emerging contaminants workgroup meeting next week, after that we will come up with a proposed Regional Study to present to State Water Board in lieu of a 13267 data gathering approach.

**Agenda Item 8 – Discussion: Statewide collaboration on Monitoring per AB617 –** ED mentioned Sarah Deslauriers presented on these issues at the March Board meeting. The AIR committee recommended that BACWA fund participation in a future pooled emissions estimate program. If funding is requested in FY21, it will be fairly low figure, and much later in the Fiscal Year.

Agenda **Item 9** – Discussion: Update on Chlorine Residual Basin Plan Amendment – ED reported that BPA is slated to move forward with CEQA Scoping meeting scheduled for May 15, 2020. Draft BPA is expected in July 2020 and adoption in November 2020. ED is working on estimate of cost savings to deliver to Regional Water Board and will be seeking agencies to speak at adoption hearing in November –EBDA and EBMUD volunteered to speak about their planned change in SBS dosing in response to the amendment. ED is also seeking feedback from labs on minimum analytical levels to chlorine residual. Several members expressed appreciation for ED and Tom Hall dedication in moving this matter forward.

Agenda **Item 10** – Discussion: Transition to State General Order for Recycled Water. Link to Notice of Applicability (NOA) is available in packet. RPM has been supporting Recycled Water Committee and mentioned regional agencies have transitioned to the Statewide Order from 96-011 per the requirements of the State Recycled Water Policy.

## **OPERATIONAL**

Agenda **Item 11** – Discussion: BACC Bid withdrawn for FY21 – Due to the Shelter-in-Place order, ED noted that a decision was made to withdraw the FY21 bid. Participating agencies have the option to extend contract with current suppliers. BACC is working to get FY21 prices from suppliers to distribute to BACC participating agencies. BACWA AED to take over administration from DSRSD in FY21.

Agenda **Item 12** – Information: 5-yr plan w/ contracting approval considerations for FY21 – ED provided two funding scenarios and summarized packet information. Reviewed NMS funding and top priorities for BACWA. Summarized proposed FY21 contracts to be approved at May meeting.

Agenda **Item 13** – Discussion: ASC and designation of JPA signatory designee. JPA law requires a JPA to adopt the policies of one of the governing entities. BACWA needs to adopt a governing agency's policy; legal counsel suggested San Jose might be best agency. However, issue is still under discussion with City attorneys and city council would need to make the final decision. BACWA needs to consider which of its members have the least restrictive policies. Item in progress.

## **REPORTS**

Agenda **Item 14** – Discussion: Committee Reports

ED noted committee reports are in the packet.

## April 17, 2020 Executive Board Meeting Minutes

Biosolids – Jacqueline Zipkin would like to coordinate a response to recent email inquiries from Regional Water Board staff regarding biosolids management in the region. Karin North to share a biosolids in COVID-19 article with the group.

Agenda **Item 15** – Discussion: Member Highlights –Karin North (Palo Alto) asked if anyone having issues getting parts/supplies during the shelter-in-place order. Principal members will share operations strategies off line.

Agenda **Item 16** – Executive Director Report: included in the packet.

Agenda **Item 17** – Regulatory Program Manager Report: included in the packet.

Agenda **Item 18** – Other BACWA Representative Reports. BACWA Representatives were given an opportunity to provide updates. There were no reports given and no actions taken.

- |  |   |
|--|---|
| a. RMP-TRC:  | Mary Lou Esparza, Yuyun Shang, Samantha Engelage – No report. |
| b. RMP Steering Committee:                             | Karin North; Leah Walker; Eric Dunlavey – No report.          |
| c. Summit Partners:                                    | Lorien Fono; Lori Schectel – No report.                       |
| d. ASC/SFEI:   | Lorien Fono; Eileen White – No report.                        |
| e. Nutrient Governance Steering Committee:             | Eric Dunlavey; Eileen White; Lori Schectel - No report.       |
| i. Nutrient Planning Subgroup:                         | Eric Dunlavey – No report.                                    |
| ii. NMS Technical Workgroup:                           | Eric Dunlavey – No report.                                    |
| f. SWRCB Nutrient SAG:                                 | Lorien Fono – No report.                                      |
| g. NACWA Taskforce on Dental Amalgam:                  | Tim Potter – No report  |
| h. BAIRWMP:  | Cheryl Munoz; Linda Hu; Lorien Fono – No report               |
| 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. ReNUWit:  | Jackie Zipkin; Karin North – No report.                       |
| m. ReNUWit OneWater:                                   | Jackie Zipkin, Eric Hansen – No report.                       |
| n. RMP Microplastics Liaison:                          | Artem Dyachenko – No report.                                  |
| o. Bay Area Regional Reliability Project:              | Eileen White– No report.                                      |
| p. WateReuse Working Group:                            | Cheryl Munoz – No report.                                     |
| q. San Francisco Estuary Partnership:                  | Eileen White; Lorien Fono – No report.                        |
| r. CPSC Policy Education Advisory Committee            | Colleen Henry – No report.                                    |
| s. California Ocean Protection Council                 | Lorien Fono – No report.                                      |
| t. Countywide Water Reuse Master Plan                  | Karin North; Pedro Hernandez – No report.                     |
| u. CHARG – Coastal Hazards Adaptation Resiliency Group | Jackie Zipkin – No report.                                    |

Agenda **Item 19** - SUGGESTIONS FOR FUTURE AGENDA ITEMS. None.



**ANNOUNCEMENTS:** The next regular meeting of the Board is scheduled for May 15, 2020 to take place over conference call. Call-in information will be posted with the agenda.

To receive a copy of any materials provided to the Board at a BACWA Executive Board meeting, contact Jennifer Dymont at [jdymont@bacwa.org](mailto:jdymont@bacwa.org).

The meeting adjourned at 12:48pm.

DRAFT



# Bay Area Clean Water Agencies

A Joint Powers Public Agency

Leading the Way to Protect our Bay

April 30<sup>th</sup>, 2020

MEMO TO: Bay Area Clean Water Agencies Executive Board  
MEMO FROM: Damien Charléty, Treasurer, East Bay Municipal Utility District  
SUBJECT: Ninth Month FY 2020 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, 2019 through March 31, 2020** (Nine months of Fiscal Year 2020). 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),
- Bay Area Biosolids Coalition (BABC),
- Bay Area Chemical Consortium (BACC),
- Water/Wastewater Operator Training (WOT),
- Prop84 Bay Area Integrated Regional Water Mgmt (PRP84)

## Houck, Matt

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**From:** Charl  ty, Damien  
**Sent:** Thursday, April 30, 2020 3:14 PM  
**To:** Houck, Matt  
**Cc:** Coburn, Yenny  
**Subject:** RE: BACWA - March 2020 Treasurers Report

Approved.

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**From:** Houck, Matt  
**Sent:** Thursday, April 30, 2020 3:14 PM  
**To:** Charl  ty, Damien  
**Subject:** RE: BACWA - March 2020 Treasurers Report

Updated.

Thanks,

### Matt Houck

Accountant I  
East Bay Municipal Utility District  
375 11TH St, MS 402, Oakland, CA 94607  
P 510-287-0238

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**From:** Charl  ty, Damien  
**Sent:** Thursday, April 30, 2020 2:59 PM  
**To:** Houck, Matt  
**Subject:** Re: BACWA - March 2020 Treasurers Report

The last page of the packet shows a rate and is dated 03/31/20. The rate is incorrect as of that date.

On Apr 30, 2020, at 2:56 PM, Houck, Matt <[matt.houck@ebmud.com](mailto:matt.houck@ebmud.com)> wrote:

Hi Damien,

The interest for this last quarter hasn't been posted yet, interest is posted the period after the quarter; after Leanne sends out the LAIF Certification.

Thanks,

### Matt Houck

Accountant I  
East Bay Municipal Utility District



## MONTHLY FINANCIAL SUMMARY REPORT

March 2020

### **Fund Balances**

In FY20 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 March 31, 2020 was \$1,462,989 which is significantly higher than the target reserve of \$199,709 which is intended to cover 3 months of normal operating expenses based on the BACWA FY20 budget. \$408,477 of the ending fund balance is shown on the BACWA Fund & Investments Balance Report March 31, 2020 as obligated to meet ongoing operating line item expenses for BAPPG Committee Support, Legal services, IT services, Board meeting expenses, accounting services and BACWA staff support. This leaves actual unobligated excess funds of \$854,803 (i.e., actual fund balance of \$1,054,512 less target reserves) as of March 31, 2020. As the details of the costs of the various regulatory requirements included in the 2nd Nutrient Watershed Permit become better defined, 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 March 31, 2020 was \$1,870,976, which is significantly higher than the target reserve of \$1,000,000. \$702,872 of the ending balance is obligated to meet line item expenses for completion of the Group Annual Report contract, the Chlorine Residual BPA work, completion of the NBS Study and for technical support. This leaves an actual unobligated excess fund balance of \$168,104 (i.e., actual fund balance of \$1,168,104 less target reserves) as of February 29, 2020. Total Disbursements for FY20 from the CBC Fund include the funding the Nutrient scientific investigations as required by the Nutrient Watershed Permit in the amount of \$2.4M (i.e., \$2.6M less the \$200k advanced payment made in FY19).

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

### **Budget to Actual**

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

Revenues as of March 31, 2020 (75% of the FY) are at 99.93%. In addition, we are expecting aund transfer of \$5100 from the WOT for BACWA's special program administrative fees and an affiliate contribution from the City of Berkeley. Currently there is nothing invested in "Higher Yield Investments". A \$300,000 bond matured in August and was never reinvested due to market conditions. That explains why only \$1,588 has been earned to date.

Overall Expenses as of March 31, 2020 (75% of the FY) are at 84%. We anticipate less budgeted expenses this FY due to COVID-19. COVID-19 has resulted in the cancellation of multiple in-person meetings and trainings and eliminated the costs associated with that.



## MONTHLY FINANCIAL SUMMARY REPORT

March 2020

Those needing additional explanation are:

Administration: This category is 49% expended at 75% of the FY due to the timing of invoices.


Communication: This category is 27% expended at 75% of the FY due primarily to timing of invoices.

Legal: This category is 46% expended at 75% of the FY due primarily to timing of invoices.

Committees: This category is 53% expended at 75% of the FY due to timing of invoices and cancelled in-person meetings and trainings.

Line items: Auditing Services (MAZE), EB Meetings, Annual Meeting, Pretreatment, InfoShare Groups, Annual Meeting, Watershed are 10% over budget. There was also an unbudgeted expense of \$25,000 for Koff & Associates to fund the ED recruitment effort

FY 2020  
BACWA BUDGET to ACTUAL

						
<u>BACWA FY20 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2020 Budget</u>	<u>Actual March 2020</u>	<u>Actual % of Budget March 2020</u>	<u>Variance</u>	<u>NOTES</u>
<b>REVENUES &amp; FUNDING</b>						
<b>Dues</b>	Principals' Contributions	\$506,774	\$506,775	100%	\$1	FY20: 2% increase. 5 @ \$101,355
	Associate & Affiliate Contributions	\$184,111	\$184,037	100%	-\$74	FY20: 2% increase. 13 Assoc: \$8,364; 45 Affiliate: \$1,675. One collection member cancelled in FY19
<b>Fees</b>	Clean Bay Collaborative	\$675,000	673,500	100%	-\$1,500	Prin: \$450,000; Assoc/Affil: \$225,000
	Nutrient Surcharge	\$1,700,000	1,699,411	100%	-\$589	See Nutrient Surcharge Spreadsheet
	Voluntary Nutrient Contributions	\$0	\$0	0%	\$0	
<b>Other Receipts</b>	AIR Non-Member	\$6,936	\$6,936	100%	\$0	2% increase (Santa Rosa)
	BAPPG Non-Members	\$3,876	\$3,876	100%	\$0	2% increase (Sta Rosa, Sac Reg'l, Vacaville) \$1,292/each
	Other	\$0	\$0	0%	\$0	
<b>Fund Transfer</b>	Special Program Admin Fees	\$5,100	\$0	0%	-\$5,100	FY20: WOT/BACWWE, Increase to WOT/BACWWE at 2%
<b>Interest Income</b>	LAIF	\$20,000	\$41,412	207%	\$21,412	BACWA, Legal, & CBC Funds invested in LAIF
	Higher Yield Investments	\$18,000	\$1,588	9%	-\$16,413	Alternative Investment Interest (Legal & CBC Funds invested in AltInv)
	<b>Total Revenue</b>	<b>\$3,119,797</b>	<b>\$3,117,535</b>	<b>99.93%</b>	<b>-\$2,263</b>	
<u>BACWA FY20 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2020 Budget</u>	<u>Actual March 2020</u>	<u>Actual % of Budget March 2020</u>	<u>Variance</u>	<u>NOTES</u>
<b>EXPENSES</b>						
<b>Labor</b>						
	Executive Director	\$207,531	\$121,060	58%	-\$86,471	ED requested 2.9%; \$99.77/hour; contract based on full time same as FY 19, 2080 hrs
	Assistant Executive Director	\$100,907	\$38,805	38%	-\$62,102	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	\$87,807	64%	-\$49,920	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)
	<b>Total</b>	<b>\$446,165</b>	<b>\$247,672</b>	<b>56%</b>	<b>-\$198,493</b>	
<b>Administration</b>						
	EBMUD Financial Services	\$41,616	\$12,516	30%	-\$29,100	2% increase
	Auditing Services (Maze)	\$5,240	\$8,740	167%	\$3,500	New contract with Auditors through EBMUD
	Administrative Expenses	\$7,803	\$3,209	41%	-\$4,594	2% increase. Travel, Supplies, Parking, Mileage, Tolls, Misc.
	Insurance	\$4,682	\$4,696	100%	\$14	2% increase
	<b>Total</b>	<b>\$59,341</b>	<b>\$29,161</b>	<b>49%</b>	<b>-\$30,180</b>	
<b>Meetings</b>						
	EB Meetings	\$2,601	\$1,362	52%	-\$1,239	2% increase. Catering, Venue, other expenses
	Annual Meeting	\$12,000	\$14,198	118%	\$2,198	2% increase. Catering, Venue, other expenses
	Pardee	\$6,242	\$5,834	93%	-\$408	2% increase. Catering, Venue, other expenses
	Misc. Meetings	\$5,202	\$693	13%	-\$4,509	2% increase. Hol & Comm Chair Lunch, Staff Mtgs, Fin Comm, Summit Ptnrs, CASA, NACWA Tech WS, Low Flow WS
	<b>Total</b>	<b>\$26,045</b>	<b>\$22,087</b>	<b>85%</b>	<b>-\$3,958</b>	
<b>Communication</b>						
	Website Hosting (Computer Courage)	\$600	\$0	0%	-\$600	Paid in advance in FY19 to lock in lower rate
	File Storage (Box.net)	\$750	\$720	96%	-\$30	
	Website Development/Maintenance	\$1,500	\$618	41%	-\$882	Domains (due again in FY20), website changes
	IT Support (As Needed)	\$2,600	\$0	0%	-\$2,600	
	Other Commun (MS, SM, Backup, PollEv)	\$1,750	\$640	37%	-\$1,110	MS Exchange, Survey Monkey (incr in FY20), Carbonite, Doodle Polls, PollEv, GoToMtg
	<b>Total</b>	<b>\$7,200</b>	<b>\$1,978</b>	<b>27%</b>	<b>-\$5,222</b>	
<b>Legal</b>						

**FY 2020**  
**BACWA BUDGET to ACTUAL**

<b>EXPENSES</b>						
	Regulatory Support	\$2,653	\$2,224	84%	-\$429	2% increase
	Executive Board Support	\$2,133	\$0	0%	-\$2,133	2% increase
	<b>Total</b>	<b>\$4,786</b>	<b>\$2,224</b>	<b>46%</b>	<b>-\$2,562</b>	
<b>Committees</b>						
	AIR	\$76,000	\$30,051	40%	-\$45,949	\$75k consulting support, \$1k misc expenses
	BAPPG	\$100,000	\$83,676	84%	-\$16,324	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	\$0	0%	-\$1,000	
	Collections System	\$1,000	\$0	0%	-\$1,000	
	InfoShare Groups	\$1,000	\$1,100	110%	\$100	Funds for 2 workgroups (Asset Mgmt & O&M - AM on hiatus in FY20)
	Laboratory Committee	\$1,000	\$0	0%	-\$1,000	
	Permits Committee	\$1,300	\$569	44%	-\$731	all meetings moved to include lunch hour for commuting purposes
	Pretreatment	\$2,000	\$3,402	170%	\$1,402	FY20: Includes \$1,000 for training
	Recycled Water Committee	\$1,000	\$0	0%	-\$1,000	
	Misc Committee Support	\$45,000	\$3,120	7%	-\$41,880	
	Manager's Roundtable	\$1,000	\$372	37%	-\$628	
	<b>Total</b>	<b>\$230,300</b>	<b>\$122,290</b>	<b>53%</b>	<b>-\$108,010</b>	
<b>Collaboratives</b>						
	<b>Collaboratives</b>					
	State of the Estuary (SFEP-biennial)	\$0	\$0	0%	\$0	Biennial in Odd Fiscal Years. (Paid biennially in odd years for even year conference)
	Arleen Navarret Award	\$2,500	\$0	0%	-\$2,500	Biennial in Even Fiscal Years. Increase in FY20
	FWQC (Fred Andes)	\$7,500	\$0	0%	-\$7,500	
	Stanford ERC (ReNUWit)	\$10,000	\$0	0%	-\$10,000	
	Misc	\$5,000	\$1,600	32%	-\$3,400	BayCAN, NBWA
	<b>Total</b>	<b>\$25,000</b>	<b>\$1,600</b>	<b>6%</b>	<b>-\$23,400</b>	
<b>Other</b>						
	<b>Unbudgeted Items</b>					
	Other	\$0	\$25,000	0%	\$25,000	Koff & Associates
		<b>\$0</b>	<b>\$25,000</b>	<b>0%</b>	<b>\$25,000</b>	
<b>Tech Support</b>						
	<b>Technical Support</b>					
	Nutrients					
	Watershed	\$2,000,000	\$2,400,000	120%	\$400,000	1st year of 2nd WS Permit less \$200k paid in advance in FY19
	NMS Voluntary Contributions	\$0	\$0	0%	\$0	
	Additional work under permit	\$100,000	\$37,799	38%	-\$62,202	Includes HDR PO for \$225k spread out over FY20-24.
	Regional Study on Non-Gray Scape	\$500,000	\$0	0%	-\$500,000	New Line item in FY20
	Member Voluntary Nutrient Contributions	\$0	\$0	0%	\$0	
	Nutrient Workshop(s)	\$0	\$0	0%	\$0	Pilot Studies/Plant Review/Innovative Technologies
	General Tech Support	\$52,020	\$13,469	26%	-\$38,551	2% increase.
	Risk Reduction	\$20,000	\$12,500	63%	-\$7,500	\$50,000 over 5 years (FY19-FY23) 2 Contracts for \$25,000 each over FY19, 20, & 21
	<b>Total</b>	<b>\$2,672,020</b>	<b>\$2,463,768</b>	<b>92%</b>	<b>-\$208,253</b>	
	<b>TOTAL EXPENSES</b>	<b>\$3,470,857</b>	<b>\$2,915,779</b>	<b>84.01%</b>	<b>-\$555,078</b>	
	<b>NET INCOME BEFORE TRANSFERS</b>	<b>-\$351,060</b>				
	<b>TRANSFERS FROM RESERVES</b>	<b>\$351,060</b>				aligns with strategy of drawing down reserves to lessen impact of Nutrient Surcharge
	<b>NET INCOME AFTER TRANSFERS</b>	<b>\$0</b>				
	<b>TOTAL OPERATING BUDGET</b>	<b>\$798,837</b>				
	<b>OPERATING RESERVE</b>	<b>\$199,709</b>				

**BACWA Fund Report as of March 31, 2020**

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	1,185,382	712,056	434,449	1,462,989	408,477	1,054,512
804	LEGAL RSRV	300,000	-	-	300,000	-	300,000
805	CBC	1,926,714	2,408,029	2,463,767	1,870,976	702,872	1,168,104
	<b>SUBTOTAL 1</b>	<b>3,412,096</b>	<b>3,120,085</b>	<b>2,898,216</b>	<b>3,633,965</b>	<b>1,111,349</b>	<b>2,522,616</b>
802	BABC	-	299,805	28,625	271,180	-	271,180
806	BACC	-	-	1,563	(1,563)	-	(1,563)
810	WOT	322,375	-	41,110	281,265	-	281,265
	<b>SUBTOTAL 2</b>	<b>322,375</b>	<b>299,805</b>	<b>71,298</b>	<b>550,882</b>	<b>-</b>	<b>550,882</b>
811	PRP84	161,590	180,059	(2,859)	344,508	-	344,508
	<b>SUBTOTAL 3</b>	<b>161,590</b>	<b>180,059</b>	<b>(2,859)</b>	<b>344,508</b>	<b>-</b>	<b>344,508</b>
	<b>GRAND TOTAL</b>	<b>3,896,061</b>	<b>3,599,949</b>	<b>2,966,655</b>	<b>4,529,355</b>	<b>1,111,349</b>	<b>3,418,006</b>

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	1,185,382	712,056	434,449	1,462,989	43,790	1,506,779	1,415,155	91,624	4%	-		priority # 3 for allocation
804	LEGAL RSRV	300,000	-	-	300,000	-	300,000	-	300,000	13%	-		priority # 1 for allocation
805	CBC	1,926,714	2,408,029	2,463,767	1,870,976	-	1,870,976	-	1,870,976	83%	-		priority # 2 for allocation
	<b>SUBTOTAL 1</b>	<b>3,412,096</b>	<b>3,120,085</b>	<b>2,898,216</b>	<b>3,633,965</b>	<b>43,790</b>	<b>3,677,755</b>	<b>1,415,155</b>	<b>2,262,600</b>	<b>100%</b>	<b>-</b>		

802	BABC	-	299,805	28,625	271,180	-	271,180	271,180	-	0%	-		pass-through funds, no allocation
806	BACC	-	-	1,563	(1,563)	-	(1,563)	(1,563)	-	0%	-		
810	WOT	322,375	-	41,110	281,265	-	281,265	281,265	-	0%	-		pass-through funds, no allocation
	<b>SUBTOTAL 2</b>	<b>322,375</b>	<b>299,805</b>	<b>71,298</b>	<b>550,882</b>	<b>-</b>	<b>550,882</b>	<b>550,882</b>	<b>-</b>	<b>0%</b>	<b>-</b>		
811	PRP84	161,590	180,059	(2,859)	344,508	-	344,508	344,508	-	0%	-		pass-through funds, no allocation
	<b>SUBTOTAL 3</b>	<b>161,590</b>	<b>180,059</b>	<b>(2,859)</b>	<b>344,508</b>	<b>-</b>	<b>344,508</b>	<b>344,508</b>	<b>-</b>	<b>0%</b>	<b>-</b>		
	<b>GRAND TOTAL</b>	<b>3,896,061</b>	<b>3,599,949</b>	<b>2,966,655</b>	<b>4,529,355</b>	<b>43,790</b>	<b>4,573,145</b>	<b>2,310,545</b>	<b>2,262,600</b>	<b>-</b>			

verification

0

To be used to cover Reconciliation to Financial Statements (\$0)

**Reconciliation to Trial Balance - accrual basis**

Per Report above:

General	3,120,085	STB	1493	2,262,600	
WOT	299,805	STB	1505	2,310,545	
PROP	180,059			<b>4,573,145</b>	-
<b>subtotal</b>	<b>3,599,949</b>	STB	2135	(43,790)	
				<b>4,529,355</b>	-

Billings-Pending Receipts

4686	Mem Contrib	1,500
4687	Transfer	-
4690	Assoc Contrib	3,350
4696	Other	589
4731	State Grant	-
4732	Grant Retention	(180,059)
<b>subtotal</b>		<b>(174,620)</b>

Trial Balance Revenue Accounts

4411	Interest	(43,000)
4686	Mem Contrib	(1,368,275)
4687	Transfer	(113,305)
4690	Assoc Contrib	(187,388)
4696	Other	(1,713,362)
4731	State Grant	-
4732	Grant Retention	-
<b>subtotal</b>		<b>(3,425,329)</b>
<b>Difference</b>		<b>(0)</b>



## BACWA Revenue Report as of March 31, 2020

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	Bay Area Clean Water Agencies	0408511	Administrative & General	-	-	-	-	-	-	-	-	-
800	Bay Area Clean Water Agencies	1011099	BDO Member Contributions	506,774	-	-	-	-	506,775	-	506,775	(1)
800	Bay Area Clean Water Agencies	1011108	BDO Other Receipts	-	-	-	-	-	-	-	-	-
800	Bay Area Clean Water Agencies	1011109	BDO Fund Transfers	5,100	-	-	-	-	-	-	-	5,100
800	Bay Area Clean Water Agencies	1011117	BDO- Interest Income from LAIF	20,000	-	-	-	-	-	6,294	6,294	13,706
800	Bay Area Clean Water Agencies	1011133	BDO Assoc.&Affiliate Contr	184,111	-	-	-	-	110,407	-	110,407	73,704
800	Bay Area Clean Water Agencies	1014251	BDO Non-Member Contr BAPPG	3,876	-	-	-	-	3,876	-	3,876	-
800	Bay Area Clean Water Agencies	1014252	BDO Non-Member Contr AIR	6,936	-	-	-	-	6,936	-	6,936	-
800	Bay Area Clean Water Agencies	1014511	BDO-Alternative Investment Inc	18,000	-	-	-	1,588	-	-	1,588	16,412
800	Bay Area Clean Water Agencies	1015265	BDO Other Receipts (Misc)	-	-	-	-	-	2,550	-	2,550	(2,550)
800	Bay Area Clean Water Agencies	1015266	BDO Affiliate/Associate Dues	-	-	-	-	-	36,850	-	36,850	(36,850)
800	Bay Area Clean Water Agencies	1015267	BDO Affil/CS/Assoc Dues	-	-	-	-	-	36,780	-	36,780	(36,780)
<b>BACWA TOTAL</b>				<b>744,797</b>	-	-	-	<b>1,588</b>	<b>704,174</b>	<b>6,294</b>	<b>712,056</b>	<b>32,741</b>
805	WQA-CBC	1011099	BDO Member Contributions	675,000	-	-	-	-	673,500	-	673,500	1,500
805	WQA-CBC	1011108	BDO Other Receipts	1,700,000	-	-	-	-	1,699,411	-	1,699,411	589
805	WQA-CBC	1011117	BDO- Interest Income from LAIF	-	-	-	-	-	-	35,118	35,118	(35,118)
805	WQA-CBC	1014528	BDO-Voluntary Nutrient Contrib	-	-	-	-	-	-	-	-	-
<b>WQA CBC TOTAL</b>				<b>2,375,000</b>	-	-	-	-	<b>2,372,911</b>	<b>35,118</b>	<b>2,408,029</b>	<b>(33,029)</b>
<b>TOTAL</b>				<b>3,119,797</b>	-	-	-	<b>1,588</b>	<b>3,077,085</b>	<b>41,412</b>	<b>3,120,085</b>	<b>(288)</b>

	DEPARTMENT	JOB	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE				UNOBLIGATED
					Admin & General	Contributons	Interest, Transfers, Others	Admin & General	Contributons	Interest, Transfers, Others	ACTUAL	
802	BABC	1011099	BDO Member Contributions	-	-	-	-	-	186,500	-	186,500	(186,500)
802	BABC	1011109	BDO Fund Transfers	-	-	-	-	113,305	-	-	113,305	(113,305)
<b>BABC TOTAL</b>				-	-	-	-	<b>113,305</b>	<b>186,500</b>	-	<b>299,805</b>	<b>(299,805)</b>
810	WOT	1011117	BDO- Interest Income from LAIF	-	-	-	-	-	-	-	-	-
<b>WOT TOTAL</b>				-	-	-	-	-	-	-	-	-

	DEPARTMENT	JOB	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE				UNOBLIGATED
					Admin & General	Contributons	Interest, Transfers, Others	Admin & General	Contributons	Interest, Transfers, Others	ACTUAL	
811	PROP 84	1011142	Administrative Support	-	-	-	-	-	-	-	-	-
<b>PROP TOTAL</b>				-	-	-	-	-	-	-	-	-

<b>Grand Total</b>				<b>3,119,797</b>	-	-	-	<b>114,893</b>	<b>3,263,585</b>	<b>41,412</b>	<b>3,419,890</b>	<b>(300,093)</b>
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## BACWA Expense Detail Report for March 31, 2020

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	207,531	-	-	-	-	165,636	121,060	-	-	286,696	(79,165)
AS-Assistant Executive Directo	1011124	100,907	(9,133)	9,133	-	-	74,408	38,805	-	-	113,213	(12,306)
AS-Regulatory Program Manager	1011149	137,727	-	-	-	-	58,901	87,806	-	(11,885)	134,822	2,905
ADMINISTRATION												
AS-EBMUD Financial Services	1011125	41,616	(3,978)	3,978	-	-	29,099	12,516	-	-	41,615	1
AS-Audit Services	1014512	5,240	-	-	1,500	-	5,240	5,240	3,500	(5,240)	8,740	(3,500)
BDO Other Receipts	1011108	-	-	-	6,000	-	-	-	25,000	-	25,000	(25,000)
AS-BACWA Admin Expense	1011118	7,803	-	-	-	-	-	-	3,209	(167)	3,043	4,760
AS-Insurance	1011126	4,682	-	-	-	-	-	-	4,696	-	4,696	(14)
MEETINGS												
GBS-Meeting Support-Annual	1014514	12,000	-	-	-	-	-	-	14,198	(270)	13,928	(1,928)
GBS-Meeting Support-Exec Bd	1014513	2,601	-	-	-	-	1,418	824	538	-	2,780	(179)
GBS-Meeting Support-Misc	1014516	5,202	-	-	-	-	-	-	693	-	693	4,509
GBS-Meeting Support-Pardee	1014515	6,242	-	-	-	-	-	-	5,834	-	5,834	408
COMMUNICATION												
CAR-BACWA File Storage	1014518	1,500	-	-	-	-	-	-	720	-	720	780
CAR-BACWA IT Software	1014520	1,750	-	-	-	-	-	-	640	-	640	1,110
CAR-BACWA IT Support	1014519	2,600	-	-	-	-	2,600	-	-	-	2,600	-
CAR-BACWA Website Dev/Maint	1011116	600	-	-	-	-	-	-	618	-	618	(18)
CAR-BACWA Website Hosting	1014517	750	-	-	-	-	-	-	-	-	-	750
LEGAL												
LS-Executive Board Support	1011110	2,133	-	-	-	-	2,133	-	-	-	2,133	-
LS-Regulatory Support	1011107	2,653	-	-	-	-	429	2,224	-	-	2,653	-
COMMITTEES												
AIR-Air Issues&Regulation Grp	1014253	76,000	(16,928)	16,928	-	-	45,723	29,277	774	-	75,774	226
BC-BAPPG	1011147	100,000	12,583	12,418	-	-	22,889	48,111	35,565	-	106,565	(6,565)
BC-Biosolids Committee	1011101	1,000	-	-	-	-	-	-	-	-	-	1,000
BC-Collections System	1011097	1,000	-	-	-	-	-	-	-	-	-	1,000
BC-InfoShare Groups	1011102	1,000	-	-	-	-	-	-	1,100	-	1,100	(100)
BC-Laboratory Committee	1011103	1,000	-	-	-	-	-	-	-	-	-	1,000
BC-Permit Committee	1011098	1,300	-	-	-	-	-	174	395	-	569	731
BC-Pretreatment Committee	1011146	2,000	-	-	-	-	-	-	3,402	-	3,402	(1,402)
BC-Water Recycling Committee	1011100	1,000	-	-	-	-	-	-	-	-	-	1,000
BC-Manager's Roundtable	1014777	1,000	-	-	-	-	-	186	186	-	372	628
BC-Miscellaneous Committee Sup	1011104	45,000	-	-	2,482	-	-	-	3,120	-	3,120	41,880
COLLABORATIVES												
CAS-Arleen Navaret Award	1012201	2,500	-	-	-	-	-	-	-	-	-	2,500
CAS-FWQC	1012202	7,500	-	-	-	-	-	-	-	-	-	7,500
CAS-Misc Collaborative Sup	1014521	5,000	-	-	-	-	-	-	1,600	-	1,600	3,400
CAS-PSSEP	1011112	-	-	-	-	-	-	-	-	-	-	-
CAS-Stanford ERC	1011969	10,000	-	-	-	-	-	-	-	-	-	10,000
BACWA TOTAL		798,837	(17,456)	42,457	9,982	-	408,477	346,223	105,788	(17,562)	842,926	(44,089)
TECH SUPPORT												
WQA-CE Addl Work Under Permit	1014254	100,000	-	-	-	-	182,201	37,798	-	-	219,999	(119,999)
WQA-CE-Technical Support	1011127	52,020	-	-	810	-	20,671	11,445	2,024	-	34,140	17,880
WQA-CE Risk Reduction	1014023	20,000	-	-	-	-	-	-	12,500	-	12,500	7,500
WQA-CE-Nutrient WS Permit Comm	1014021	2,000,000	-	-	-	-	-	-	2,400,000	-	2,400,000	(400,000)
WQA-CE-Nature Based Solutions	1015367	500,000	-	-	-	-	500,000	-	-	-	500,000	-
TECH SUPPORT (CBC) TOTAL		2,672,020	-	-	810	-	702,872	49,243	2,414,524	-	3,166,639	(494,619)
GRAND TOTAL		3,470,857	(17,456)	42,457	10,792	-	1,111,349	395,466	2,520,312	(17,562)	4,009,565	(538,708)
BABC												
AS-Assistant Executive Directo	1011124	-	-	-	-	-	-	316	-	-	316	(316)
BDO Contract Expenses	1011143	-	-	-	4,503	-	-	-	10,685	-	10,685	(10,685)
AS-Regulatory Program Manager	1011149	-	-	-	-	-	-	2,905	69	-	2,974	(2,974)
Collateral Development	1015374	-	-	-	-	-	-	-	14,650	-	14,650	(14,650)
BABC TOTAL		-	-	-	4,503	-	-	3,221	25,404	-	28,625	(28,625)
BACC												
Administrative Support	1011142	-	-	-	-	-	-	1,471	92	-	1,563	(1,563)
BACC TOTAL		-	-	-	-	-	-	1,471	92	-	1,563	(1,563)
WOT												
Administrative Support	1011142	-	-	-	1,694	-	-	-	5,360	-	5,360	(5,360)
BDO Contract Expenses	1011143	-	-	-	-	-	-	-	35,750	-	35,750	(35,750)
		-	-	-	1,694	-	-	-	41,110	-	41,110	(41,110)
GRAND TOTAL (BDO, CBC, BABC, BACC, WOT)		3,470,857	(17,456)	42,457	16,989	-	1,111,349	400,158	2,586,918	(17,562)	4,080,863	(610,006)

## BACWA Expense Detail Report for March 31, 2020

DEPTID	DEPARTMENT	EXPENSE TYPE	AMENDED BUDGET	CURRENT PERIOD				YEAR TO DATE				OBLIGATED	UNOBLIGATED
				ENC	PV	DA	JV	ENC	PV	DA	JV		
811	Prop84BayAreaIntegRegnlWtrMgmt	BDO Fund Transfers	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Administrative Support	-	-	-	-	-	-	-	-	(2,859)	(2,859)	2,859
811	Prop84BayAreaIntegRegnlWtrMgmt	BDO Contract Expenses	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Regional Green Infrastructure	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Hacienda Ave Green St Improvem	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Sears Point Wtlnd & Wtrshd Res	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Bay Friendly Landscape TP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Weather Based Irrigation Cntrl	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	High Efficiency Toilet & UR	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	High Efficiency Toilet & UI	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	High Efficiency Clothes Washrs	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Napa Co. Rainwater HP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Conservation Program Admin	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Flood Infrastructure Mapping T	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Stormwater Improvements & PBP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Richmond Shoreline & San PFP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Pescadero Integrated FRAH	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Restoration Guidance, San FC	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	SF Estuary Steelhead MP	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Stream Restoration in North BD	-	-	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnlWtrMgmt	Watershed Program Admnstrtn	-	-	-	-	-	-	-	-	-	-	-
<b>PRP84 TOTAL</b>			-	-	-	-	-	-	-	-	(2,859)	(2,859)	2,859

## BACWA Revenue Report as of March 31, 2020

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	Prop84BayAreaIntegRegnIWtrMgmt	1011117	BDO- Interest Income from LAIF	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1011142	Administrative Support	-	-	35,739	-	-	35,739	-	35,739	(35,739)
811	Prop84BayAreaIntegRegnIWtrMgmt	1011691	Water Efficient Landscape Reba	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1011702	Sears Point Wtlnd & Wtrshd Res	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1011705	Regional Green Infrastructure	-	-	116,839	-	-	116,839	-	116,839	(116,839)
811	Prop84BayAreaIntegRegnIWtrMgmt	1011706	Hacienda Ave Green St Improvem	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1011707	WQ Improve Flood Mgmt & EP	-	-	2,836	-	-	2,836	-	2,836	(2,836)
811	Prop84BayAreaIntegRegnIWtrMgmt	1011911	Stream Restoration w/Schools i	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1011912	Flood Infrastructure Mapping	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012209	Water Efficient LRP	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012210	Bay Friendly Landscape TP	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012211	Weather Based Irrigation Cntrl	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012212	High Efficiency Toilet & UR	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012213	High Efficiency Toilet & UI	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012214	High Efficiency Clothes Washrs	-	-	2,458	-	-	2,458	-	2,458	(2,458)
811	Prop84BayAreaIntegRegnIWtrMgmt	1012215	Napa Co. Rainwater HP	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012216	Conservation Program Admin	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012218	Stream Restoration in North BD	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012219	Flood Infrastructure Mapping T	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012220	Stormwater Improvements & PBP	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012221	Richmond Shoreline & San PFP	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012222	Pescadero Integrated FRAH	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012223	Restoration Guidance, San FC	-	-	15,353	-	-	15,353	-	15,353	(15,353)
811	Prop84BayAreaIntegRegnIWtrMgmt	1012224	SF Estuary Steelhead MP	-	-	-	-	-	-	-	-	-
811	Prop84BayAreaIntegRegnIWtrMgmt	1012225	Watershed Program Admnstrtn	-	-	6,834	-	-	6,834	-	6,834	(6,834)
PROP 84 TOTAL				-	-	180,059	-	-	180,059	-	180,059	(180,059)



## BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 3

FILE NO.: 20-38

MEETING DATE: May 15, 2020

**TITLE: Request for BACWA Executive Board Approval for Increase and Extension of the Agreement with Larry Walker Associates for Interim Regulatory Program Manager Support**

☐ RECEIPT

☐ DISCUSSION

☐ RESOLUTION

☒ APPROVAL

### RECOMMENDED ACTION

Authorize agreement with Larry Walker Associates to provide Interim Regulatory Program Management Support to June 30, 2020, not to exceed amount of \$78,280.

### SUMMARY

During the staff transitions in early 2020, BACWA retained interim Regulatory Program Management Support to maintain its level of service to the Executive Board, its members, and its committees. To fill this role, BACWA solicited proposals from six prospective vendors in January 2020, and four proposals were submitted. Following a review by current BACWA staff, Larry Walker Associates was chosen as the consultant who could best provide the required services. A contract with Larry Walker Associates was approved by the BACWA Executive Board at a Special Meeting on January 27, 2020. It was expected that BACWA would begin a recruitment to permanently fill the Regulatory Program Manager position in March 2020, and that a contract with a new Regulatory Program Manager would be approved in April or May 2020. Due to the ongoing COVID-19 pandemic these recruitment plans have been delayed.

The original contract that was approved by the Executive Board terminated on May 31, 2020 and included a not to exceed amount of \$61,800. The recommended contract amendment extends the contract through June 30, 2020 and increases the not-to-exceed amount to \$78,280. This represents an increase of \$16,480, equivalent to an additional 80 hours of support at a billing rate of \$206/hour.

### FISCAL IMPACT

The funding for this contract is consistent with the Fiscal Year 2020 workplans and budget for BACWA and Special Programs. The contract will be funded through the Regulatory Program Manager line item, which is estimated to contain adequate funds to fulfill this contract, based on Regulatory Program Manager Services invoices received to date.

### ALTERNATIVES

Do not approve a contract for Interim Regulatory Program Management Support. This alternative is not recommended, since a lapse in this support until the Regulatory Program Manager recruitment is successfully concluded would cause a significant disruption to the services BACWA is able to provide.

#### *Attachments:*

Amendment #1 with Larry Walker Associates

FY20 Agreement with Larry Walker Associates, Inc., with Exhibit A – Scope of Work, and Exhibit B – Rates and Reimbursable Expenses

Approved: \_\_\_\_\_  
Lori Schectel, Chair,  
BACWA Executive Board

Date: \_\_\_\_\_

**BAY AREA CLEAN WATER AGENCIES**  
**CONSULTING AGREEMENT**

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TO:	Denise Conners Larry Walker Associates 720 Wilshire Blvd, Ste 204 Santa Monica, CA 90401	denisec@lwa.com Phone: 310-394-1036
FROM:	David Williams, Executive Director BACWA PO Box 24055, MS702 Oakland, CA 94623	dwilliams@bacwa.org Phone: 925-765-9616 FAX: (510) 287-1351

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RE: BACWA Agreement for FY20 with Larry Walker Associates to provide Interim Regulatory Program Management support to the Executive Director.

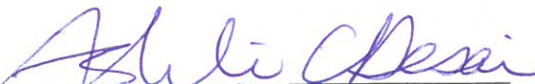
This Agreement, effective February 1, 2020, covers professional services to be performed by Larry Walker Associates in order to provide As-Needed Interim Regulatory Program Management Support, as described in the Scope of Work, Attachment A. The work under this contract will be carried out under the supervision of Lorien Fono, BACWA Executive Director. The term of this agreement shall not extend beyond May 31, 2020. The total cost of professional services to be performed by Larry Walker Associates is not to exceed \$61,800. This contract will be funded by the BACWA Budget under the Regulatory Program Manager line item.

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

Larry Walker Associates shall submit invoices to the BACWA Assistant Executive Director via e-mail. Invoices shall include the hours charged by each employee, a brief description of the work performed, and a description of costs for which Consultant seeks reimbursement and which are specified in Exhibit B. Invoices will be paid within thirty (30) days of receipt.

Approved:

By   
Lori Schectel

By   
Ashli Desai

Chair, BACWA Executive Board

Larry Walker Associates

Date 1/27/2020

Date 1/28/2020

BACWA EIN: 94-3389334

EIN/TIN: 94-2610668



## **Exhibit A**

### **BACWA INTERIM REGULATORY PROGRAM MANAGER**

#### **SCOPE OF WORK**

Larry Walker Associates will work under the direction of the BACWA Executive Director to assist with some or all of the following:

- Track, summarize, and communicate water quality regulations and policies affecting BACWA member agencies;
- Monitor regulatory issues and assist in the preparation of comment letters on key regulations;
- Coordinate and participate in meetings with regulatory agencies, including the State Water Resources Control Board, the San Francisco Bay Regional Water Quality Control Board, and the Bay Area Air Quality Management District;
- Coordinate with other professional associations including CASA and NACWA as needed;
- Provide support for designated BACWA committees, workgroups, and projects of special benefit;
- Manage communications with the membership through the monthly BACWA Bulletin;
- Assist the Executive Director with contract and program management, and with other related tasks as requested.

**Exhibit B**

**BACWA INTERIM REGULATORY PROGRAM MANAGER**

**RATES AND REIMBURSIBLE EXPENSES**

Alina Constantinescu: \$206/hour

Danielle Moss: \$185/hour

Elizabeth Yin: \$206/hour

Kristine Corneille: \$206/hour

Mileage: Current IRS Rates

Transportation: Actual Expense

AMENDMENT NO. 1  
TO AGREEMENT BETWEEN  
BAY AREA CLEAN WATER AGENCIES and  
Larry Walker Associates, Inc. .  
FOR  
Interim Regulatory Program Management Support

This Amendment No. 1 is made this 15th day of May 2020, in the City of Oakland and County of Alameda, State of California, to that certain agreement of January 27, 2020 (original agreement), by and between Larry Walker Associates, Inc. and Bay Area Clean Water Agencies, (BACWA) (the "Agreement") in consideration of the covenants hereinafter set forth.

1. BACWA and Larry Walker Associates, Inc. agree to a new contract amount of \$78,280 for Interim Regulatory Program Management Support for Fiscal Year 2020.
2. The new contract termination date will be June 30, 2020.
3. Except as herein expressly modified, the Agreement will remain in full force and effect.

BAY AREA CLEAN WATER AGENCIES

By \_\_\_\_\_ Date May 15, 2020  
Lori Schectel, Chair  
BACWA Executive Board

By \_\_\_\_\_ Date \_\_\_\_\_  
Ashli Desai  
Larry Walker Associates, Inc



## BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 4\_\_\_\_

FILE NO.: 21-01, 02, 03

MEETING DATE: May 17, 2019

### **TITLE: BACWA Executive Board Authorization of Fiscal Year 2021 Amendments to Contracts**

☐ RECEIPT

☐ DISCUSSION

☐ RESOLUTION

☒ APPROVAL

#### **ACTION**

Executive Board Authorization of amendments to contracts to implement the Fiscal Year 2020 BACWA/CBC Budget and Workplan.

#### **SUMMARY**

The BACWA Fiscal Year 2021 begins July 1, 2020. In order to prevent a gap in core services, BACWA typically executes contracts for the coming FY before the end of June. The amendments summarized below will ensure that, as of July 1, 2020 BACWA has Executive Board Legal Support, Regulatory Legal Support, and IT Support. All of these contract amendments were included in the BACWA FY 2021 workplan and budget and will become effective July 1, 2020. All contracts have a term of one year and will terminate on June 30, 2020.

Contractor	Services	Contract Amount	File Number
Day Carter Murphy	Executive Board Legal Support (as needed)	\$2,176.00	21-01
Downey Brand	Regulatory Legal Support (as needed)	\$2,706.00	21-02
Cayuga Information Systems	IT Support (as needed)	\$2,652.00	21-03

#### **FISCAL IMPACT**

The funding for these contracts is consistent with the FY 2020 Workplan and Budget for BACWA/CBC.

#### **ALTERNATIVES**

No other alternatives were considered for these contracts as the terms of these agreements are consistent with BACWA contracting policies.

#### *Attachments:*

1. Day Carter Murphy Rate Sheet FY21
2. Downey Brand Rate Sheet FY21
3. Cayuga Information Systems Rate Email FY21

Approved:

Date:

\_\_\_\_\_  
Lori Schectel  
Chair, BACWA Executive Board

**HOURLY RATES/REIMBURSABLE EXPENSES**  
**Day Carter Murphy Fiscal Year 2021**

Ralph R. Nevis	\$400.00 per hour
Joshua L. Baker	\$400.00 per hour
Reimbursable Expenses:	None

## **Exhibit B**

### **Downey Brand LLP**

#### **2020-21 Hourly Rates for BACWA**

Melissa Thorme	\$400 (discounted from standard rate)
Nicole Granquist	\$400 (discounted from standard rate)
Associates/Counsel	\$250-395 (depending on years of experience)

#### **Costs**

Transportation, Parking, Lodging, Tolls (for approved travel) - actual cost per receipt  
For large copy jobs, regular BW copies - \$0.10 per page; color copies - \$0.20 per page  
Postage/Overnight mail service - actual cost  
Mileage: current IRS rule rate  
Courier: actual cost per receipt  
Duplication to CD/DVD: \$5.00 per CD/DVD

## Lorien Fono

---

**From:** Larry Tubbs <larryt@cayugais.com>  
**Sent:** Friday, May 1, 2020 7:38 PM  
**To:** Lorien Fono  
**Subject:** RE: FY21 Rate Sheet

Lorien,

Our hourly rate for BACWA FY21 will be \$90/hour for both onsite and phone/remote support, travel within your service area on BACWA business is billed at 50% of that rate. This is unchanged from previous years, and are our standard small business and government terms.

Larry  
925-324-1472 cell

---

**From:** Lorien Fono [mailto:[lfono@bacwa.org](mailto:lfono@bacwa.org)]  
**Sent:** Friday, May 01, 2020 4:35 PM  
**To:** Larry Tubbs  
**Cc:** Jennifer Dymont  
**Subject:** FY21 Rate Sheet

Larry, BACWA is planning to approve its FY21 as-needed support agreements at our May 15 meeting. Could you send us Cayuga's FY21 Rate Sheet?

Thanks,  
Lorien

Lorien Fono  
Executive Director  
Bay Area Clean Water Agencies  
[lfono@bacwa.org](mailto:lfono@bacwa.org)  
(510) 684-2993



## EXECUTIVE DIRECTOR AUTHORIZATION REQUEST

AGENDA NO.: 5

FILE NO.: 20-39

DATE: April 24, 2020

**TITLE: Executive Director Authorization for increase in Agreement with Downey Brand, LLP for Regulatory Legal Support in FY20**

### RECOMMENDED ACTION

BACWA Executive Director authorization for an increase in Agreement with Downey Brand, LLP., to an amount not to exceed \$3,631 to provide regulatory legal counsel for the period of July 1, 2019 – June 30, 2020.

### SUMMARY

The Fiscal Year 2020 BACWA budget, approved by the BACWA Executive Board on April 19, 2019, included a \$2,653 line item for regulatory legal counsel services. A previous FY19 contract with Downey Brand for legal assistance in personnel matters included a \$5,000 not-to-exceed amount and was carried over to FY20. Most of the work associated with the \$5,000 contract was completed in FY19, but in FY 20, \$978 of services associated with the FY19 contract was erroneously billed to the Purchase Order (PO) Request developed was for the \$2,653 support line item in the FY 20 Budget.

At the November 15, 2019 Executive Board meeting, the Executive Board requested that Downey Brand Provide legal review of the State Water Board's proposed ELAP Regulations. The cost of the assistance for this task plus the previously billed work exceeded the PO amount by \$908. This authorization approves an increase in the PO to the full \$3,631 to account for charges associated with both contracts.

### FISCAL IMPACT

For FY20, the Regulatory Legal line item in the approved FY20 BACWA budget will be exceeded by up to \$978.

### ALTERNATIVES

No other alternatives were considered as this action.

### ATTACHMENTS

1. May 9, 2019 Agreement with Downey Brand
2. May 17, 2019 EDAR for as-needed services with Downey Brand

Approved: \_\_\_\_\_

Lorien Fono,  
BACWA Executive Director

Date: April 24, 2020





## BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 6

FILE NO.: 21-04

MEETING DATE: May 15, 2020

### TITLE: Nomination and Election of BACWA Executive Board Chair and Vice Chair for FY21

☐ RECEIPT

☐ DISCUSSION

☐ RESOLUTION

☒ APPROVAL

### RECOMMENDED ACTION

Board nomination and election of the BACWA Executive Board Chair and Vice Chair.

### SUMMARY

Section 7 of the Joint Powers Agreement establishing BACWA states that the agency shall designate a Chair and Vice Chair, chosen by the Executive Board, from the members of the Executive Board. These positions each have a one year term that coincides with BACWA's fiscal year. Historically, most BACWA Chairs and Vice Chairs are asked to serve for two consecutive terms.

Responsibilities of the Chair include signing contracts, approving payments, convening and presiding over Executive Board meetings, and serving on the BACWA Finance Committee. Responsibilities of the Vice Chair include serving as the Chair in the absence of the regularly elected Chair and serving on the BACWA Finance Committee.

### BACWA Leadership History

#### Timeframe

2000 – 2002

2002 – 2004

2004 – Feb. 2005

March 2005 – June 2005

July 2005 – June 2006

July 2006 – May 2007

June 2007 – June 2008

July 2008 – March 2010

April 2010 – June 2010

July 2010 – October 2010

Nov 2010 – Feb 2013

March 2013 – June 2015

July 2015 – June 2017

July 2017 – Feb 2018

March 2018 – June 2020

#### Chair

Chuck Weir (EBDA)

Jim Kelly (CCCSD)

Michael Carlin (SFPUC)

Dave Williams (EBMUD)

Bill Keaney (SFPUC)

Bill Keaney (SFPUC)

Dave Williams (EBMUD)

Dave Tucker (SJ)

Dave Tucker (SJ)

Arleen Navarret (SFPUC)

Ben Horenstein (EBMUD)

Mike Connor (EBDA)

Laura Pagano (SFPUC)

Jim Ervin (SJ)

Lori Schectel (CCCSD)

#### Vice-Chair

Jim Kelly (CCCSD)

Michael Carlin (SFPUC)

Dave Williams (EBMUD)

Bill Keaney (SFPUC)

Chuck Weir (EBDA)

Dave Williams (EBMUD)

Dave Tucker (EBMUD)

Doug Craig (CCCSD)

Arleen Navarret (SFPUC)

Ben Horenstein (EBMUD)

Tommy Moala/Laura Pagano (SFPUC)

Laura Pagano (SFPUC)

Jim Ervin (SJ)

Lori Schectel (CCCSD)

Amit Mutsuddy (SJ)

### FISCAL IMPACT

This action has no fiscal impact.

### ALTERNATIVES

This action does not require consideration of alternatives.



Science

Coronavirus

Climate

Earthquakes

Deep Look Videos

## CORONAVIRUS

# One Way to Monitor a Community's Coronavirus Infections: Test the Sewage



**LISTEN** 1 min

By [Danielle Venton](#) Apr 27



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presence and extent of the COVID-19 virus in their community...

Sewage.

Ten counties, coordinated by the **East Bay Municipal Utility District**, are giving samples of sewage water to researchers at Stanford for testing. The scientists have received samples once a week for about the past two months, and results are expected soon.

The virus begins to show up in feces soon after infection, and according to some studies, well before the development of symptoms. That's a pretty early warning compared to one given by, say, a diagnostic test.

Eileen White, director of wastewater for East Bay MUD, is spearheading the effort, hoping it will provide information that officials can use.

Sponsored

“We can monitor trends in real time, evaluate community-based presence and infection rates,” said White, “and then prioritize to focus areas and theoretically observe the impacts of shelter-in-place orders.”

East Bay MUD recently secured 1.5 million in anonymous funding to expand and extend the reach of testing. Areas such as Redding, in the northern part of the state, will be included. White sees the need for sampling to last the length of the pandemic, so communities can detect surges or resurgences.

“You can use sewage as the tool,” she said. “You can see if it starts coming up back in the communities as we get into fall, and if you need to go back into shelter-in-place orders.”

It could also provide early warning for health departments to ramp up capacity, she says.

“It's a great predictive tool for the medical community to know if they need to get ready for surges and patients coming into the hospital.”

Similar sewage monitoring for COVID-19 is happening in Massachusetts, Israel and the

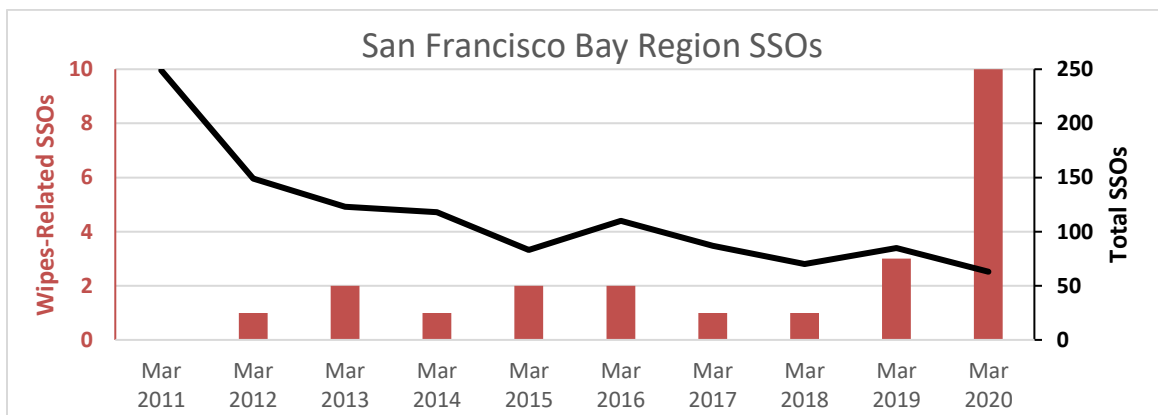
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**I Accept**

### Sanitary Sewer Overflows in the Era of COVID-19 (Jessica Watkins)

The coronavirus pandemic shines light on an old problem: wipes. Wipes are among the leading causes of sewer system backups, clogging pipes, jamming pumps, and obstructing treatment systems. Many sanitary sewer overflows (SSOs) go to our creeks, Bay, and ocean, where they threaten public health and aquatic life. Wipes and paper towels stop up sewage collection and treatment systems because they do not break down like toilet paper. Even so-called “flushable” wipes clog pipes.

As people use more disinfectant wipes to prevent the spread of COVID-19, wipes-related SSOs have increased. The toilet paper shortage has exacerbated the problem by forcing some to turn to non-flushable alternatives. Data confirm this trend. The figure below shows the number of SSOs reported during March over the last ten years. Although the total number of SSOs has steadily decreased, the number of wipes-related SSOs has increased, particularly during 2020. In our Region, wipes-related SSOs accounted for 16 percent of the total number of SSOs reported in March 2020, compared to less than 4 percent in previous years.



This phenomenon is being reported in the news and social media. We are doing our part through the social media presence we debuted in March. Last month, we posted the wipes outreach shown below on Twitter, Facebook, and Instagram. Other agencies are doing their part too. For example, the Central Contra Costa Sanitary District won the California Water Environment Association's [Best Use of Social Media Award](#) last year for its [Wipes Clog Pipes](#) campaign and continues to post innovative wipes outreach on its social media, as shown below.

Regional Water Board Twitter



Central Contra Costa Sanitary District Twitter





**Workshop on Dissolved Oxygen Thresholds in  
Lower South Bay, San Francisco Bay**

May 5<sup>th</sup> & 21<sup>st</sup>, 2020

**Background - San Francisco Bay Nutrient Management Strategy:** San Francisco Bay (SFB) receives high nitrogen (N) and phosphorus (P) loads, with the majority of those N and P loads entering the system via effluent from the region's 37 wastewater treatment plants. Despite its nutrient-enriched status, SFB historically has not experienced some of the water quality impacts common to other nutrient-enriched estuaries, such as excessive phytoplankton blooms and low dissolved oxygen (DO). However, recent studies have identified substantial changes in responses or sensitivity to nutrients over the past 20 years (Cloern et al., 2007, 2010), raising concerns that SFB's resistance to its high nutrient inputs could be waning. In response to those concerns, regulators launched the San Francisco Bay Nutrient Management Strategy (NMS), a program charged with building the necessary scientific foundation to inform regional nutrient management decisions (Table 1). See this recent NMS summary of the [state of the science](#).

**Dissolved Oxygen Objectives in San Francisco Bay:** Water quality objectives for SFB are established by the [San Francisco Bay Basin Plan](#) to "protect the present and potential beneficial uses." The Basin Plan sets the minimum DO concentration at 5.0 mg/L for tidal habitats in South Bay and Lower South Bay (LSB), and the 3-month rolling median DO concentration at greater than 80% saturation (Table 2A). Higher minimum DO levels are required in northern SFB to support salmonid habitat (7.0 mg/L). The Basin Plan also allows for "site-specific objectives", including a recent amendment (2017) that set acute and chronic DO thresholds for Suisun Marsh in northern SFB (Table 2B).

In deep subtidal habitats of South Bay and LSB, DO concentrations almost always satisfy the 5.0 mg/L DO objective (SFEI 2014, 2015; Sutula et al., 2017). However, recent observations indicate that DO levels commonly fall below 5.0 mg/L in some of LSB's slough and creek habitats (hereafter referred to as 'margin habitats') (SFEI 2018). There are currently no revised DO objectives specific to LSB margin habitats.

**The overarching goal of the May 2020 workshops is to gather expert input to inform the best direction for identifying protective DO conditions for LSB margin habitats.** Specific goals include:

- Identify and evaluate approaches for characterizing DO requirements and identifying protective DO conditions in LSB margin habitats, including the relative merits of those approaches in terms of technical strengths vs. limitations vs. data needs and availability
- Provide critical input on potential science directions for identifying protective DO conditions for LSB margin habitats, including tradeoffs between the potential value of new information relative to effort and time.

In 2017, SFEI convened an initial expert workshop (Workshop #1) to inform early directions for LSB margin DO work. Coming into that workshop, ~2 years of continuous DO data were available across several LSB margin sites (SFEI) along with several years of monthly fish trawl observations (UC Davis, Hobbs and Lewis). Workshop #1 focused on identifying approaches for analyzing available data, and frameworks within which data or interpretations could be used to assess DO-related conditions in LSB. Based on that input, analyses of DO and fish survey data were carried out, with findings presented in a subsequent technical report (SFEI 2018). The technical report also identified data and knowledge gaps and potential approaches or study options for addressing those gaps.

Building on the output from Workshop #1, a primary aim of the May 2020 workshop (Workshop #2) is to gather expert input on the range of study options that can be used to design a workplan for assessing DO conditions in LSB margin habitats. Study options include analysis of existing data, additional field studies, and the application of approaches used to identify protective DO levels in other systems. The discussion will focus on the technical merits of potential directions, and weigh tradeoffs between the value of new information and required investment (cost, time).

#### **Overarching Questions:**

1. What types of investigation would yield improved quantitative understanding of protective DO conditions in LSB margin habitats?
  - a. protective DO threshold(s)
  - b. confidence/certainty in those thresholds
2. Given realistic timelines and budget, what science investigations have the potential to “move the needle” on #1a or #1b?
  - a. additional field observations/studies
  - b. data analysis/interpretation
3. What combination of activities can yield the best return on investment in terms of:
  - a. scientific rigor of approach(es)
  - b. confidence/certainty in thresholds
  - c. value (relative to cost and time) of new information for informing decisions

Table 1A. NMS Management Questions

1. What conditions would be considered adverse impacts or impairments?
2. Monitoring and condition assessment: are adverse impacts or impairment currently occurring?
3. How do SFB habitats respond to nutrient inputs? dose:response
4. What are the risks of impacts under future scenarios (i.e., changes SFB's behavior or sensitivity to nutrients)?
5. What are the contributions of individual nutrient sources to nutrient levels throughout SFB?
6. What management actions or load reductions are needed to prevent or mitigate current or future impairment?

Table 1B. Focus Impairment Pathways

a.	DO/chl in deep subtidal habitats
b.	DO in shallow margin habitats
c.	HAB abundance, toxin abundance, phytoplankton assemblage
d.	Export to coastal ocean

Table 2A. SFB Basin Plan DO Objectives

Indicator	Temporal Integration Method	Threshold by Region			
		North of Carquinez Br.	North/Central Bay	South Bay	Lower South Bay
DO (mg L <sup>-1</sup> )	none	7.0	5.0	5.0	5.0
DO (%sat)	3-month rolling median	80%	80%	80%	80%

Table 2B. Site-specific DO thresholds for Suisun Marsh

Indicator	Temporal Integration Method	Threshold by Habitat	
		All sloughs and channels	Montezuma, Nurse and Denverton sloughs (Jan 1-Apr 30)
Acute DO (mg L <sup>-1</sup> )	daily average	3.8	3.8
Chronic DO (mg L <sup>-1</sup> )	30-day running average	5.0	6.4



Planning Subcommittee Meeting No. 45.5 (Special Meeting)

April 23, 2020

7:30 am – 8:30 am

Teleconference

Chair: N/A

Meeting Notes

Attendees: David Senn, Ian Wren, Tom Mumley, Eric Dunlavey, Ariella Chelski, Lorien Fono.

- 1. Intro/Background:** Dave gave a summary of the current questions to put to the PSC. In addition to the usual weighing of options related to the Program Plan, we're also wrestling with uncertainties/realities related to the timing of when some level of normal might return related to NMS work. Although we have sufficient time over next ~1.5 months to discuss/weigh most of the FY2021 PP tradeoffs, we actually have near-term decisions to make, related to FY20 projects that will be extended into new FY2021 projects.

*Re: Biogeochemical field studies, and hiring a postdoc:* Work was originally planned to start in May, but over the past few weeks it became clear that we needed to push out to summer; contracts are being processed with university partners (Stanford, University of MD); recruitment/interviewing has been underway since Feb, and we've identified and notified a finalist. It would be helpful to discuss considerations and tradeoffs of different potential start dates (too early and there's the risk of burning through salary support without being able to do fieldwork; pushing out an additional several months and we seriously delay the project, including modeling work that needs the rate data, in addition to potentially losing our top choice (and second, third choices too...)) At this time, Stanford is not open, and the new post-doc will not be able to use the lab. They're not sure what the scenario will be later this summer. Stanford is considering not allowing undergrads on campus this fall, but this wouldn't apply to post-docs.

*Re: Modeling hiring:* SFEI offered a position to our top candidate, and after discussing with family decided to decline. SFEI re-started conversations with their second place candidate to see if he would be a good fit. If so, it's reasonable to assume that public-health and economic uncertainties will influence his decision making if we decide to offer the job; and if he accepted, he'd likely need to work his first 2+ months remotely. We could push ahead, which has the downsides just mentioned; or we could wait until the situation stabilizes, which would likely mean not getting a modeler on board for several months (fall?), which will delay work progress and goals.

- 2. Risks/tradeoffs of major hiring decisions**

*Biogeochemical field studies:* The critical timeframe during the year for this work is March through October, so we are at risk of losing data for this year. The question is the start date, with the possibility they will not be able to go into the field.

Dave asked how other organizations are dealing with hiring. Tom described that the Water Board that some form of transition will begin in May where the State will begin to reopen. There will still probably not be large gatherings. A challenge to reopening will be commuting on public transit, and will consider staggered schedules. Field work depends on other parties, and they are considering how to do inspections while social distancing.

For San Jose, the budget projection for next year is \$65M for General Fund, so there will probably be layoffs. The RWF is Enterprise-funded, but the City's policies affect them. Boat-based sampling has been sampling. Other outdoor field work is continuing. The hope is they will start transitioning to a social-distancing and no-gathering model. There was a discussion about how this may change as testing becomes more broadly available.

We are limited by what the policies of partner agencies are. In terms of field sampling, getting a boat will be a challenge, as well as how to staff the boat. There is also a key team that needs to come out from Maryland who will need to fabricate equipment. Is there alternative work that could be done by this postdoc? They could spend the time becoming familiar with the system and data analysis, but there is not 6+ months of work to be done.

Tom: Per the RMP steering committee meeting on 4/22, savings from USGS boat will be applied to the NMS.

*Modeling:* Dave gave a summary of the situation on doing a modeling recruitment. The second preferred candidate could be hired. It is a challenging time to start up. The candidate would be working remotely from Texas. The options are to 1) proceed with the hire, 2) bring on a consultant, or 3) wait until the situation stabilizes.

### **3. Discussion of the pros/cons and constraints**

*Biogeochemical field studies* Dave presented an array of options for start dates and contingencies (Aug 1, Oct 1, or Jan 1 with different levels of flexibility) for discussion. There was a question of whether a partial year was better than missing a year. There was a discussion about whether some of the sampling could be done by other staff or other creative ways to do the sampling.

*Modeling:* Regarding the hiring of the modeling, there is not a hard deadline for completion of the studies. It is important for SFEI to have a sustained modeling capability.

There was a discussion about making sure we can sustain a long-term modeling/monitoring baseline effort on nutrients.

#### **4. Advice and recommendations**

Because of the value of beginning sampling, as well as the value of recruitment time, the PSC advised offering the monitoring post-doc a start date of August 1. There is a risk that we may need to fund part of a third year by extending the post-doc contract.

The PSC also recommended proceeding with the number two modeling candidate if they add value to the overall effort.

Planning Subcommittee Meeting No. 46

May 5, 2020

9:00 am – 12:00 pm

Teleconference

Chair: Tom Mumley

Meeting Notes

Attendees: Dave Senn, Tom Mumley, Eric Dunleavey, Ian Wren, Robert Schlipf, Richard Looker, Lorien Fono.

1. *Agenda Modifications (All) 5 min*

Charter modifications will be addressed during the “Other Updates” section.

2. *Review Outstanding Action items (DW) 5 min*

- Make sure Deb at USGS is prepared to have discussion about USGS sampling program. Work with USGS to get letter of intent on program – Dave - **complete**
- Develop plan to address local load impacts in subembayments and source apportionment – Dave - **complete**
- Contact Mark Gold about participating in the Steering Committee – Ian - **in progress**
- Develop redlines to Charter – Lorien and Ian - **in progress**
- Update Science Plan Overview graphic – Ian - **in progress**

3. *Science Program update (DS) 10 min*

a. *Staffing*

Modelling group is moving along well. Interviewed second modeling candidate.

There was a discussion about going hiring decisions and the difficulties associated with the pandemic. For modeling, the current leading candidate isn't a biogeochemical modeler but has strong technical skills. There was a discussion about the merits of hiring a modeler to sustain a program at SFEI versus hiring a consulting firm to do the modeling. Modelers generally want to develop their own model, so there are context inefficiencies from switching between consultants and/or staff.

Dave and Tom will meet to discuss the merits of different strategies for augmenting the modelling staff.

b. *Other*

Field staff have replaced sensors at 3-4 stations. The sensors were cleaned and recalibrated. Approximately 15% of sampling has been missed this year due to COVID. USGS is considering pared down cruises in May and SFEI staff will probably not be allowed to join due to social distancing considerations. USGS has agreed to

continue the monitoring program through September 2021. The Delta post-doc will start in July and will hopefully be able to do sampling at that point.

#### 4. NMS Priority Updates

##### a. Report-Outs - 10 min

Dave gave an [update](#) on reports and publications that the team is working on:

There was a discussion about pushing forward work on HABs in collaboration with Greg Gearhardt. There is some possibility of using molecular techniques for HABs evaluations, where information can be gained that is different than using microscopy. The Water Board was previously going to contribute to work on HABs but it has been cut in the Governor's most recent budget. The completion of the HABs synthesis has been an ongoing outstanding item. There was a discussion about what it would take to bring this effort to completion, and whether it is a worthwhile use of time given that the data for synthesis is getting outdated.

There was a discussion about the consequences of missing a few months of data. This will allow us to retrospectively evaluate the importance of a continuous, sustainable monitoring program. Ian pointed out that there is an algal bloom down in Southern California near Carlsbad that isn't getting media attention.

Robert brought up the South Bay Salt Ponds and the history of management. He pointed out that when gate closures were practiced over a decade ago there were major fish kills, so he cautioned that we should proceed carefully when experimenting with those systems. Dave will check in with Robert before embarking on any salt pond studies including gate closures.

Ian reported that the Requests for Information for the NBS and Recycled Water Studies would be released in the next week or so.

##### b. Current Issues – 25 min

Dave and Ian had circulated the contingency decision-making amendment to the charter. He has heard back from 11 Steering Committee members who unanimously voted yes. There was a discussion about the Charter Review and bringing up to speed with the level of formality and participation that is actually ongoing.

USGS has agreed to participate in the NMS for another year. They appreciated having a deadline for committing to collaborate. They are likely moving the program between departments, to the Water Science Center. There are cost and program structure considerations that need to be resolved to make the program sustainable. The move the Water Science Program will cause the indirect staff rate to be higher, and key staff would be funded using soft money.

Biogeochemical studies and field work will be a few months delayed, as the original plan was to start in May. The NMS is collaborating with five institutions, all of whom have their own policies during the COVID shutdown. Dave noted that the data gathering hiatus is impacting the critical path. It was suggested that field work could resume this summer with some restrictions with respect to social distancing.

Ian gave an update on the Charter revisions. Ian and Lorien have developed redlines that they will run by Dave and will finalize a draft by the June PSC meeting. A final draft will be presented at the June Steering committee meeting.

c. NMS Calendar Review -10 min

i. Review future SC and PS meeting schedules (DW/IW)

The next PSC meeting will be June 3 and the next Steering Committee meeting is on June 12.

5. Other Updates – 45 min

a. *Discussion: Technical workgroups (LSB DO)*

No discussion.

b. *Discussion: NTW Meeting in advance of June SC meeting*

The plan was to tee up proposed projects for funding in FY21 to the NTW group.

There was a discussion about the value of holding the meeting – perhaps the week of the 25<sup>th</sup>. There was general agreement to proceed.

6. Planning the next Steering Committee meeting – 45 min

Ian shared a draft agenda for the June 12 Steering Committee meeting. He will bring a recommendation to the group on funding for the next year, with consideration of contingencies related to COVID. The meeting will also include revisions to the Charter. Technical updates will be deemphasized to control meeting length.

7. Review of Action items from meeting (DW)

- Schedule and develop materials for NTW meeting – Dave and Ian
- Meet to lay out plan for hiring modeler – Dave and Tom
- Work with Dave to finalize revisions to Charter – Ian and Lorien
- Contact Mark Gold about participating in the Steering Committee – Ian
- Update Science Plan Overview graphic – Ian

8. Adjourn or address Parking Lot items

Parking Lot of Identified PS Future Agenda Items

- a. Outreach to resource agencies re: DO objectives
- b. Brainstorming on future priorities for the PS (ALL)
- c. EPA nutrient criteria discussion
- d. Discuss concept of holding an annual forum on nutrients

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## San Francisco Bay Regional Water Quality Control Board

Date April 20, 2020

### NOTICE OF PUBLIC WORKSHOP & CALIFORNIA ENVIRONMENTAL QUALITY ACT SCOPING MEETING

#### Chlorine Water Quality Objectives, Total Residual Chlorine Effluent Limitation, and Mercury Water Quality Objectives

#### BASIN PLAN AMENDMENT

Friday, May 22, 2020, 10 am – 12 pm

[Click to Join Microsoft Teams Meeting](#)

Join by phone:

[+1 916-562-0861](tel:+19165620861) United States, Sacramento (Toll)

Conference ID: 947 559 452#

**NOTICE IS HEREBY GIVEN** that San Francisco Bay Regional Water Quality Control Board (Water Board) staff will hold a public workshop and California Environmental Quality Act (CEQA) scoping meeting to seek public input on the scope, content, and potential environmental effects from updating the chlorine and mercury water quality objectives in the Water Quality Control Plan for the San Francisco Bay Basin ([Basin Plan](#)). The meeting will be conducted by video and teleconference. Members of the public will be able to listen to and watch the meeting and comment using the link provided above.

#### PROJECT DESCRIPTION

The proposed project would amend Basin Plan Chapter 3 to adopt the chlorine water quality criteria established by the U.S. Environmental Protection Agency (U.S. EPA) and to update the mercury water quality objectives to reflect mercury objectives recently adopted by the State Water Resources Control Board. The project would also amend Basin Plan Chapter 4 to implement the chlorine objectives.

#### Chlorine

Chlorine or chlorine compounds are used to disinfect water and wastewater to kill pathogens, and any excess chlorine enters the receiving water in the forms of free and combined chlorine (referred to as total residual chlorine or TRC). TRC is toxic to aquatic organisms at low concentrations.

The Basin Plan does not have chlorine objectives to protect aquatic life. Instead, the Basin Plan includes a stringent TRC technology-based effluent (discharge) limitation, 0.0 milligrams per liter, as instantaneous maximum, to ensure no TRC is discharged into the receiving water. To ensure

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JIM McGRATH, CHAIR | MICHAEL MONTGOMERY, EXECUTIVE OFFICER

1515 Clay St., Suite 1400, Oakland, CA 94612 | [www.waterboards.ca.gov/sanfranciscobay](http://www.waterboards.ca.gov/sanfranciscobay)

compliance with this discharge limit, wastewater treatment plant operators report overdosing with chemicals to neutralize TRC. This overdosing results in wastewater treatment plant operators incurring about 0.7 million dollars in additional costs annually and does not necessarily provide additional protection to aquatic life uses. Thus, we propose to replace the Basin Plan's TRC technology-based effluent limitation with a water quality-based effluent limitation, with considerations of mixing zones and dilution credits for calculating this limit, and a minimum level for laboratory analysis and an averaging period to calculate effluent concentrations for compliance determination (Chapter 4). To establish a water quality-based effluent limitation, we must first adopt the applicable water quality objectives for chlorine (Chapter 3).

## **Mercury**

Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (Statewide Mercury Provisions) contains mercury water quality objectives and implementation provisions of those water quality objectives. The project would remove the four-day average mercury water quality objective in the Basin Plan (Chapter 3) to be consistent with the new statewide water quality objectives.

To recap, the Basin Plan Amendment (BPA) would:

1. Add to Chapter 3 the chlorine water quality objectives contained in the U.S. EPA [Ambient Water Quality Criteria for Chlorine \(EPA 440/5-84-030\)](#).
2. Remove the existing TRC technology-based effluent limitation in Chapter 4.
3. Adopt implementation provisions for the chlorine objectives in Chapter 4, i.e., establish a water quality-based effluent limitation and other implementation parameters.
4. Update the mercury objectives in Chapter 3 to reflect the mercury objectives in the [Statewide Mercury Provisions](#).

## **MEETING FORMAT**

Due to Covid-19 and current shelter-in-place order effective until May 3, 2020, and the uncertainty of when normal business can be resumed after May 3, 2020, the meeting will be conducted virtually. The link to join the video conference or dial-in phone number are provided at the top of this notice.

The meeting will consist of a public workshop where Water Board staff will describe the project followed by a question and answer session. Immediately following the workshop, Water Board staff will open a public scoping meeting, pursuant to CEQA (Public Resources Code §21000 et seq.).

The Water Board is required to evaluate the potential environmental impacts of a BPA to adopt new water quality objectives and will incorporate this environmental analysis into the BPA staff report and BPA. During the scoping session, we will discuss and take comments from the public on the scope and content of the project and its potential environmental effects. Scoping helps the Water Board identify the range of actions, alternatives, whether potentially significant environmental effects exist that need to be mitigated, and if yes, what mitigation measures could be taken.

Staff Contact: Tong Yin at [tong.yin@waterboards.ca.gov](mailto:tong.yin@waterboards.ca.gov).



## Lorien Fono

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**From:** Robert Cave <RCave@baaqmd.gov>  
**Sent:** Monday, April 27, 2020 9:40 AM  
**To:** Robert Cave  
**Subject:** BAAQMD Organic Recovery Rule Update

**Categories:** Board Packet

We would like to inform you that the Air District is suspending the formal rule development process for two rules targeting organic recovery operations: Draft Rule 13-2: Organic Material Handling Operations; and Draft Rule 13-3: Composting Operations. The Air District recognizes that the COVID-19 Pandemic has taken an incredible toll on not only the health and well-being of the residents of the Bay Area and the planet, but also on the economy and our ability to fully engage with our external stakeholders, including affected industry, community representatives, and others.

While the formal rule development process (public workshops, request for comment, and public hearings on draft regulatory language) have been placed on hold, the Air District will continue stakeholder engagement to the extent feasible through the formation of an Organic Recovery Technical Working Group. Although the Organic Recovery Technical Working Group is still in the planning stages, we anticipate it will be composed of Air District staff members, representatives from this industrial sector (e.g., organic material handling facilities and industrial composting operations), industry associations, technical experts, non-governmental organizations, other governmental agencies (e.g., CalRecycle and local enforcement agencies), and community representative and advocates. The purpose of the Technical Working Group is to establish a forum for collaboration with stakeholders on technical issues, such as best management practices, data gathering and monitoring methods, and potential emissions controls. Stakeholder input and feedback gathered from these discussions will be invaluable to the Air District as we move forward in our efforts to ensure emissions from these sectors are well understood and methods for emission reductions are fully evaluated.

In the upcoming weeks, we will reach out to you to provide additional detail on this effort moving forward and to invite your participation in the Organic Recovery Technical Working Group. If you have any further questions regarding the formation of the Working Group, or the suspension of development of these rules, please contact Robert Cave at [rcave@baaqmd.gov](mailto:rcave@baaqmd.gov).

Robert Cave  
Senior Air Quality Engineer  
Office of Rules and Strategic Policy  
Bay Area Air Quality Management District  
[rcave@baaqmd.gov](mailto:rcave@baaqmd.gov)  
(415) 749-5048

[NOTE: While I am not physically present in the office, by following the prompts on our phone messaging system, you may leave a voice message at my extension -5048.]

## KEY REGULATORY ISSUE SUMMARY

Updated May 6, 2020

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Action items for member agencies are in **bold**

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
<b>NUTRIENTS IN SAN FRANCISCO BAY – SCIENCE</b>			
<ul style="list-style-type: none"> <li>San Francisco Bay receives some of the highest nitrogen loads among estuaries worldwide, yet has not historically experienced the water quality problems typical of other nutrient-enriched estuaries. It is not known whether this level of nitrogen loading, which will continue to increase in proportion to human population increase, is sustainable over the long term.</li> <li>Because of the complexity of the science behind nutrient impacts in the SF Bay, stakeholders in the region are participating in a steering committee to prioritize scientific studies and ensure that all science to be used for policy decisions is conducted under one umbrella.</li> </ul>	<ul style="list-style-type: none"> <li>For FY20, BACWA contributed the \$2.2M required by the Watershed Permit, as well as “frontloading” additional funds that would be subtracted from future permit years. Moving the funding up will accelerate the pace of the science that will be used for management decisions for the third Watershed Permit.</li> <li>Agencies are conducting effluent monitoring for nutrients under the watershed permit.</li> <li>Current scientific efforts are focused on expanding monitoring data, modeling, and work exploring the linkage between nutrients, dissolved oxygen, and harmful algal species.</li> <li>Future studies will be focused on the science needed to inform the development of nutrient load caps for the third Nutrient Watershed Permit.</li> </ul>	<ul style="list-style-type: none"> <li>BACWA and the Regional Water Board are discussing the possibility of a one-year extension of the current permit term.</li> <li>Continue to participate in steering committee and planning subcommittee, and provide funding for scientific studies.</li> <li><b>Participate in the Nutrient Technical Workgroup, which is a venue to provide technical input to the process, and is open to the public, as well as the Stakeholder Advisory Group.</b></li> <li>May 2020 Nutrient Technical Workgroup meeting will focus on review of science plan for 2021.</li> </ul>	<p>BACWA “Other Useful Nutrient Documents” Page: <a href="http://bacwa.org/nutrients/other-useful-nutrient-documents/">http://bacwa.org/nutrients/other-useful-nutrient-documents/</a></p> <p>SFEI Nutrient Science Plan Documents: <a href="http://sfbaynutrients.sfei.org/books/reports-and-work-products">http://sfbaynutrients.sfei.org/books/reports-and-work-products</a></p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
<b>SF BAY NUTRIENT WATERSHED PERMIT</b>			
<ul style="list-style-type: none"> <li>• The first nutrient watershed permit was adopted in April 2014. The second Nutrient Watershed Permits was adopted May 8, 2019 with an effective date of July 1, 2019.</li> <li>• The second Nutrient Watershed permit includes: <ul style="list-style-type: none"> <li>◦ Continued individual treatment plant nutrient monitoring and reporting;</li> <li>◦ Continued group annual reporting;</li> <li>◦ Significantly increased funding for science;</li> <li>◦ Regional assessment of the feasibility and cost for reducing nutrients through nature-based systems and recycled water;</li> <li>◦ Establishing current performance for TIN, and “load targets” for nutrient loads based on 2018 load data plus a 15% buffer for growth and variability</li> <li>◦ Recognition of “early actors” who are planning projects that will substantially decrease TIN loads.</li> </ul> </li> <li>• Through the nutrient surcharge levied on permittees, BACWA funds compliance with the following provisions on behalf of its members: <ul style="list-style-type: none"> <li>◦ Group Annual Reporting</li> <li>◦ Optimization and Facilities Upgrade Studies (first permit term)</li> <li>◦ Regional Studies on Nature Based Systems and Recycled Water (second permit term)</li> <li>◦ Support of scientific studies through the RMP at \$2.2M per year through the five-year permit term.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• BACWA submitted a final report on Nutrient Treatment by Optimization and Upgrade on June 26, 2018. An agency-customizable presentation, and a brochure to educate governing boards and the public were made available to our members.</li> <li>• BACWA and SFEI most recently submitted a science implementation plan and schedule update on February 1, 2020.</li> <li>• All agencies covered by the Nutrient Watershed Permit participated in the first four group Annual Reports, submitted in 2015, 2016, 2017, and 2018. Agencies are now reporting to BACWA via a data sheet developed by the consultant. An updated data sheet was distributed to agencies that accounts for changes in the monitoring and reporting program in the second Watershed Permit, including the following: <ul style="list-style-type: none"> <li>◦ The second watershed permit reporting period will now be based on water year, through September 30, instead of permit year, through June 30. The first Group Annual Report under the new permit was submitted Feb 1, 2020.</li> <li>◦ Agencies with flows greater than 10mgd are required to conduct influent monitoring.</li> <li>◦ Organic nitrogen and soluble reactive phosphorus are no longer required to be monitored in effluent.</li> </ul> </li> <li>• Agencies with plans to substantially reduce nutrients are recognized in 2<sup>nd</sup> Watershed Permit Fact Sheet.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Agencies continue to report nutrient monitoring to the Water Boards through CIWQS and to BACWA via the data sheet, which was updated with the monitoring and reporting requirements in the second Nutrient Watershed Permit.</b></li> <li>• <b>Agencies with plans to implement projects that will substantially reduce nutrient loads should keep the Regional Water Board and BACWA apprised, to get credit for “early actions”.</b></li> <li>• <b>Work with team led by HDR to provide information to be used for Nutrient Removal by Recycled Water Evaluation and the Nature Based Systems study.</b> HDR is expected to issue a request for information to permittees in May 2020.</li> <li>• Begin discussions about development of a potential Nutrient Trading framework.</li> </ul>	<p>Second Nutrient Watershed Permit: <a href="https://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2019/May/6_ssr.pdf">https://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2019/May/6_ssr.pdf</a></p> <p>Optimization/Upgrade Study Final Report: <a href="https://bacwa.org/wp-content/uploads/2018/06/BACWA_Final_Nutrient_Reduction_Report.pdf">https://bacwa.org/wp-content/uploads/2018/06/BACWA_Final_Nutrient_Reduction_Report.pdf</a></p> <p>Optimization/Upgrade Report Presentation: <a href="https://bacwa.org/wp-content/uploads/2019/03/bacwa_brochure_presentation_20190312.pptx">https://bacwa.org/wp-content/uploads/2019/03/bacwa_brochure_presentation_20190312.pptx</a></p> <p>Optimization/Upgrade Report Brochure: <a href="https://bacwa.org/wp-content/uploads/2019/03/BACWA-2019-Nutrient-Brochure_Final_20190301.pdf">https://bacwa.org/wp-content/uploads/2019/03/BACWA-2019-Nutrient-Brochure_Final_20190301.pdf</a></p> <p>BACWA Nutrient Annual Reports: <a href="http://bacwa.org/document-category/nutrient-annual-reports/">http://bacwa.org/document-category/nutrient-annual-reports/</a></p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
<b>CHLORINE RESIDUAL COMPLIANCE</b>			
<ul style="list-style-type: none"> <li>The Basin Plan chlorine residual effluent limit is 0.0 mg/L. Chlorine residual is the most frequent parameter for violations for Region 2 POTWs, however, because there are 24 hourly reporting events each day, the “opportunities” for violations are enormous. However, the actual violation rates are infinitesimal (~0.001%).</li> <li>Agencies are overdosing their effluent with the dechlorination agent, sodium bisulfite, to prevent chlorine violations, a practice which costs more than \$1 million regionally each year.</li> </ul>	<ul style="list-style-type: none"> <li>The Regional Water Board is working with BACWA to develop a Basin Plan amendment. BACWA has retained consultant support for this effort.</li> <li>The Basin Plan amendment will include: <ul style="list-style-type: none"> <li>Adopting a 0.013 mg/L Water Quality Objective , which will be applied as a WQBEL in permits, calculated incorporating dilution. The WQBEL will be applied as a one hour average.</li> <li>Possibly establishing a Minimum Level (ML), or Reporting Limit of 0.05mg/L for online continuous monitoring system.</li> </ul> </li> <li>The proposed 0.05 mg/L ML is unrealistically low; Regional Water Board is open to hearing from member agencies about the technical basis for a higher ML.</li> <li>A CEQA scoping meeting is scheduled for May 22, 2020 with an anticipated draft BPA in July and adoption in November of this year.</li> </ul>	<ul style="list-style-type: none"> <li>Work with the consultant and Regional Water Board to proceed with tasks in the Scope of Work to support the Basin Plan Amendment.</li> <li><b>Respond to information requests from BACWA and the Regional Water Board to support this initiative. Shallow water dischargers (no dilution credits) may be esp. interested in advancing information to the Board in support of increasing the proposed 0.05 mg/L ML (although these agencies will still benefit from the proposed one-hour averaging period).</b></li> </ul>	<p>Basin Plan Amendment support Scope of Work: <a href="https://bacwa.org/wp-content/uploads/2018/01/EOA-Inc.-SOW-Budget.pdf">https://bacwa.org/wp-content/uploads/2018/01/EOA-Inc.-SOW-Budget.pdf</a></p> <p>SF RWQCB CEQA Scoping meeting May 22: <a href="https://www.waterboards.ca.gov/sanfranciscobay/press_room/R2%20TRC%20BPA%20CEQA_Scoping_Mtg%20Lyris%20Notice.pdf">https://www.waterboards.ca.gov/sanfranciscobay/press_room/R2%20TRC%20BPA%20CEQA_Scoping_Mtg%20Lyris%20Notice.pdf</a></p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
<b>PESTICIDES</b>			
<ul style="list-style-type: none"> <li>• Pesticides are regulated via FIFRA, and not the Clean Water Act. POTWs do not have the authority to regulate pesticide use in their service area, but may be responsible for pesticide impacts to their treatment processes or to surface water.</li> <li>• Through BAPPG, BACWA aims to proactively support a scientifically sound pesticide management program that will not impact POTWs' primary functions of collecting and treating wastewater, recycling water, and managing biosolids.</li> </ul>	<ul style="list-style-type: none"> <li>• Beginning 2016, EPA has been reviewing the registration of several key pesticides, a task it conducts once about every 15 years.</li> <li>• BACWA has funded consultant support to write comment letters advocating for the consideration of POTW and surface water issues during EPA's risk assessments as part of reregistration. Funding was increased from \$30K to \$60K in FY20/21. Most recently, BACWA submitted comments on Pyrethroids and Pyrethrins as well as noenicitinoid pesticides.</li> <li>• With chronic toxicity limits likely in the near term, POTWs will be in compliance jeopardy if pesticides contribute to toxicity.</li> <li>• Baywise.org has launched webpages on flea and tick control messaging to pet owners and veterinarians.</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to comment on pesticide reregistrations.</li> <li>• Work with veterinary associations on messaging with respect to flea and tick control alternatives.</li> <li>• Continue to develop summary of EPA actions on pesticides.</li> </ul>	<p>BACWA Pesticides Regulatory Update and Call to action:  <a href="https://bacwa.org/wp-content/uploads/2016/02/BACWA-Pesticide-Regulatory-Update-2016-1.pdf">https://bacwa.org/wp-content/uploads/2016/02/BACWA-Pesticide-Regulatory-Update-2016-1.pdf</a></p> <p>BACWA Pesticide Regulatory Support Page:  <a href="https://bacwa.org/document-category/pesticides-regulatory-support/">https://bacwa.org/document-category/pesticides-regulatory-support/</a></p> <p>Baywise flea and tick pages:  <a href="https://baywise.org/">https://baywise.org/</a></p>

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<b>MERCURY/PCB WATERSHED PERMIT</b>			
<ul style="list-style-type: none"> <li>Mercury/PCB Watershed Permit was reissued on 11/8/17 with 1/1/18 effective date. The Watershed Permit is based on the TMDLs for each of these pollutants.</li> <li>Aggregate PCB and mercury loads have been well below waste load allocations through 2016.</li> <li>Method 1668C for measuring PCB congeners has not been promulgated by EPA. Data collected during the first permit term varied widely depending on which laboratory performed the analyses. BACWA Laboratory Committee developed an updated PCB Protocol to reduce variability between laboratories running Method 1668C, effective January 1, 2014. Data have been more consistent since the distribution of this document.</li> </ul>	<ul style="list-style-type: none"> <li>The 2017 watershed permit reduces monitoring frequencies via Method 1668C for agencies with design flows of less than 50 mgd. It also incorporates the laboratory guidance from the BACWA PCB Protocol.</li> <li>The permit requires continued risk reduction program funding and annual reporting of effort. BACWA is repeating its grant program that it established as part of the previous permit. In summer 2018, two \$25,000 grants were awarded, to APA Family Support Services (now complete) and the California Indian Environmental Alliance (ongoing through 2020).</li> </ul>	<ul style="list-style-type: none"> <li>Continue outreach to dentists on amalgam separation through BAPPG and BACWA's pretreatment committee.</li> <li>Schedule risk reduction presentations by the grantees to the Regional Water Board 2020.</li> </ul>	<p>2017 Mercury/PCB Watershed Permit:  <a href="http://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2012/R2-2012-0096.pdf">http://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2012/R2-2012-0096.pdf</a></p> <p>Risk Reduction Materials from 2012 and 2017 Permit term:  <a href="https://bacwa.org/mercury-pcb-risk-reduction-materials/">https://bacwa.org/mercury-pcb-risk-reduction-materials/</a></p> <p>Updated BACWA PCBs Protocol:  <a href="https://bacwa.org/wp-content/uploads/2014/02/PCBs-Sampling-Analysis-and-Reporting-Protocols-Dec13.pdf">https://bacwa.org/wp-content/uploads/2014/02/PCBs-Sampling-Analysis-and-Reporting-Protocols-Dec13.pdf</a></p>
<b>ENTEROCOCCUS LIMITS</b>			
<ul style="list-style-type: none"> <li>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 SIP and Ocean Plan.</li> <li>The Objectives were approved by the Office of Administrative Law in February 2019 and by EPA in March 2019</li> </ul>	<ul style="list-style-type: none"> <li>The new enterococcus objective for saline waters 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.</li> <li>The Regional Water Board has been granted dilution credit upon request when implementing the new objectives in NPDES permits.</li> </ul>	<ul style="list-style-type: none"> <li>BACWA is working with SFEI to perform a study of background enterococcus levels in the San Francisco Bay. SFPUC has volunteered use of their boat for collecting samples. This study is being funded by BACWA.</li> <li>The first round of samples found enterococcus levels near the detection limit in most locations. BACWA is awaiting the report from the second round of sampling.</li> </ul>	<p>SWB Bacterial Objective page:  <a href="https://www.waterboards.ca.gov/bacterialobjectives/">https://www.waterboards.ca.gov/bacterialobjectives/</a></p>



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<b>STATE WATER BOARD TOXICITY PROVISIONS</b>			
<ul style="list-style-type: none"> <li>• The State Water Board has been working since before 2012 to establish Toxicity Provisions in the SIP that would introduce uniform Whole Effluent Toxicity Requirements for the State</li> <li>• Draft State Toxicity Provisions posted October 19, 2018, would establish:               <ul style="list-style-type: none"> <li>○ numeric limits for chronic toxicity;</li> <li>○ use of Test of Significant Toxicity (TST) as statistical method to determine toxicity replacing EC25/IC25 (with concerns it will lead to more false positive results);</li> <li>○ Regional Water Board discretion on whether to require RPAs for acute toxicity</li> </ul> </li> <li>• During individual permit reissuances since 2015, the Regional Water Board has been performing RPAs for chronic toxicity and giving chronic toxicity limits to agencies with Reasonable Potential.</li> </ul>	<ul style="list-style-type: none"> <li>• Key issues for BACWA to discuss with the State Water Board continue to be:               <ul style="list-style-type: none"> <li>○ reasonable potential analysis methodology,</li> <li>○ MMEL testing schedule and laboratory capacity,</li> <li>○ test species variability</li> <li>○ sensitive species screening requirements</li> </ul> </li> <li>• Since 2016, agencies have had the option to skip sensitive species screening upon permit reissuance and pay the avoided funds to the RMP to be used for CECs studies. If agencies are required by the provisions to do sensitive species screening, this will reduce RMP funds by approximate \$100K per year.</li> <li>• BACWA has joined SCAP, CVCWA and NACWA in a lawsuit alleging EPA did not follow proper procedure in requiring use of the TST, which has not been officially promulgated. The lawsuit was dismissed on Statute of Limitation grounds, but the group has filed an appeal.</li> <li>• The State Water Board is considering removing <i>C. dubia</i> tests for MMEL compliance purposes until a study on its accuracy and variability is complete. The State Water Board has tentatively agreed to a study examining <i>C. dubia</i> test variability.</li> <li>• BACWA hosted a toxicity workshop for its members in September 2017.</li> </ul>	<ul style="list-style-type: none"> <li>• BACWA has met with State Water Board staff and Regional Water Board staff to request that sensitive species screening not be required for agencies.</li> <li>• Continue tracking State Water Board activities pertaining to the <i>Ceriodaphnia dubia</i> test.</li> <li>• Continue to work with Regional Water Board on language for implementing Toxicity Provisions in Region 2 NPDES Permits.</li> </ul>	<p>SWRCB Toxicity Page: <a href="http://www.swrcb.ca.gov/water_issues/programs/state_implementation_policy/tx_ass_cntrl.shtml">http://www.swrcb.ca.gov/water_issues/programs/state_implementation_policy/tx_ass_cntrl.shtml</a></p> <p>Toxicity Workshop Presentations: <a href="https://bacwa.org/bacwa-toxicity-workshop-september-18-2017/">https://bacwa.org/bacwa-toxicity-workshop-september-18-2017/</a></p> <p>CASA <i>Ceriodaphnia dubia</i> White Paper: <a href="https://bacwa.org/document/casa-white-paper-on-ceriodaphnia-dubia/">https://bacwa.org/document/casa-white-paper-on-ceriodaphnia-dubia/</a></p> <p>BACWA Dec 2018 Comments on Toxicity Provisions: <a href="https://bacwa.org/document/bacwa-comments-on-toxicity-provisions-12-21-18/">https://bacwa.org/document/bacwa-comments-on-toxicity-provisions-12-21-18/</a></p> <p>BACWA Feb 2020 Comments on MMEL scheduling: <a href="https://bacwa.org/wp-content/uploads/2020/02/BACWA-Tox-Provisions-App-K-to-Staff-Report-comments-2-10-2020.pdf">https://bacwa.org/wp-content/uploads/2020/02/BACWA-Tox-Provisions-App-K-to-Staff-Report-comments-2-10-2020.pdf</a></p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
<b>COMPOUNDS OF EMERGING CONCERN</b>			
<ul style="list-style-type: none"> <li>Pharmaceuticals and other trace compounds of emerging concern (CECs) are ubiquitous in wastewater at low concentrations and have unknown effects on aquatic organisms.</li> <li>The State Water Board is considering developing a Pilot CECs Monitoring Plan for the State.</li> <li>Region 2's CEC strategy focuses on monitoring/tracking concentrations of constituents with high occurrence and high potential toxicity. Much of what the State Water Board is considering for its Pilot Monitoring Plan is already being implemented in Region 2 through the RMP.</li> </ul>	<ul style="list-style-type: none"> <li>The Regional Water Board has stated that voluntary participation in RMP CECs studies is key to avoiding regulatory mandates for CECs monitoring. These studies are informational and not for compliance purposes.</li> <li>Microplastics have been a focus of the RMP in recent years. BACWA has participated in the Workgroup and developed a POTW Fact Sheet. One conclusion of the RMP work is that POTWs contribute much lower microplastic loads than stormwater.</li> <li>DDW has proposed a definition of Microplastics in Drinking Water (expected to apply to other matrices such as wastewater and stormwater). It's expected to be adopted June 2020.</li> </ul>	<ul style="list-style-type: none"> <li><b>Continue to participate in the RMP CEC Workgroup and solicit agency participation for future studies.</b></li> <li>Finalize a White Paper for use by the RMP in selecting representative POTWs for participation in CEC studies, and develop a proposal for ongoing monitoring.</li> <li>Continue tracking SWRCB actions re: microplastics.</li> </ul>	<p>RMP CEC Workgroup:  <a href="http://www.sfei.org/rmp/ecwg#tab-1-4">http://www.sfei.org/rmp/ecwg#tab-1-4</a></p> <p>BACWA Microplastics Fact Sheet:  <a href="https://bacwa.org/wp-content/uploads/2019/09/BACWA-Microplastics-flyer.pdf">https://bacwa.org/wp-content/uploads/2019/09/BACWA-Microplastics-flyer.pdf</a></p> <p>SFEI Microplastics Science Strategy:  <a href="http://www.sfei.org/documents/microplastic-monitoring-and-science-strategy-san-francisco-bay">www.sfei.org/documents/microplastic-monitoring-and-science-strategy-san-francisco-bay</a></p> <p>SWRCB Microplastics in Drinking Water page  <a href="https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/microplastics.html">https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/microplastics.html</a></p>



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<b>PER- AND POLYFLOUROALKYL SUBSTANCES (PFAS)</b>			
<ul style="list-style-type: none"> <li>Per- and polyfluoroalkyl substances made substances (PFAS) are a large group of human-made substances that are very resistant to heat, water, and oil. PFAS have been used extensively in surface coating and protectant formulations; common PFAS-containing products are non-stick cookware, cardboard/paper food packaging, water-resistant clothing, carpets, and fire-fighting foam.</li> <li>Perfluorooctane sulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) are two types of PFAS that are no longer manufactured in the US; however, other types of PFAS are still produced and used in the US.</li> <li>All PFAS are persistent in the environment, can accumulate within the human body, and have demonstrated toxicity at relatively low concentrations. PFOA and PFOS were found in the blood of nearly all people tested in several national surveys.</li> <li>Regulatory efforts to address PFAS focus on drinking water in order to minimize human ingestion of these chemicals, although regulators have also expressed concern about uptake into food from land applied biosolids.</li> </ul>	<ul style="list-style-type: none"> <li>In Aug 2019, DDW lowered the drinking water notification levels (NLs) to 6.5 ng/L for PFOS and 5.1 ng/L for PFOA (lowest detection possible at the time). In Feb 2020, DDW also lowered the 'response levels' (RLs) to 10 ng/L for PFOA and 40 ng/L for PFOS.</li> <li>Under AB756 (July 2019), DDW can order public water systems to monitor PFAS, consumers must be notified if NLs/RLs are exceeded, and water sources must be removed from service or blended/ treated if RLs are exceeded (if possible). DDW has requested OEHHA develop NLs for seven other PFAS compounds and public health goals (PHGs) for both PFOA and PFOS, the next step in establishing drinking water MCLs.</li> <li>In 2019, <b>the SWRCB developed a phased investigation action plan</b> requiring testing of drinking water systems and site investigations at high risk locations for PFAS. Investigative orders are issued as follows: <ul style="list-style-type: none"> <li>Mar/Apr 2019 - landfills and airports and adjacent public water systems</li> <li>Oct 2019 - chrome-platers</li> <li><b>TBD late 2020 - POTWs</b></li> <li>TBD late 2020 - refineries &amp; bulk terminals</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>As part of its investigation plan, <b>SWRCB is pushing for two years of quarterly influent, effluent, and biosolids sampling for all POTWs &gt;1MGD.</b></li> <li>BACWA is working with Regional Water Board staff on a proposal to conduct a regional study through the RMP that would investigate regionally-relevant PFAS questions, since Bay Area POTW effluent does not impact drinking water sources.</li> <li>BACWA is collaborating with CASA and other statewide counterparts in holding discussions with SWRCB. CASA is working on a proposal that would provide monitoring offramps for agencies without significant industrial sources, and with no nexus between their effluent and drinking water.</li> <li>BACWA will continue tracking developments at the State and Regional level, including an upcoming PFAS informational workshop at the Regional Water Board meeting on May 13, 2020.</li> </ul>	<p>CASA Factsheet:  <a href="https://casaweb.org/wp-content/uploads/2019/10/4-CASA_PFASFactSheet4.pdf">https://casaweb.org/wp-content/uploads/2019/10/4-CASA_PFASFactSheet4.pdf</a></p> <p>SWRCB website:  <a href="https://www.waterboards.ca.gov/pfas/">https://www.waterboards.ca.gov/pfas/</a></p> <p>OEHHA Notification Levels for Drinking Water:  <a href="https://oehha.ca.gov/water/notification-levels-chemicals-drinking-water">https://oehha.ca.gov/water/notification-levels-chemicals-drinking-water</a></p> <p>EPA PFAS Resources  <a href="https://www.epa.gov/pfas">https://www.epa.gov/pfas</a></p> <p>EPA PFAS Action Plan (updated Feb 2020)  <a href="https://www.epa.gov/sites/production/files/2020-01/documents/pfas_action_plan_feb2020.pdf">https://www.epa.gov/sites/production/files/2020-01/documents/pfas_action_plan_feb2020.pdf</a></p>

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<b>SSS WDR REISSUANCE</b>			
<ul style="list-style-type: none"> <li>• The State Water Board plans to reissue the SSS WDR in 2021.</li> <li>• They have sought out early stakeholder engagement through outreach to CASA and the Regional Associations, and NGOs.</li> <li>• Goals for the update are:               <ul style="list-style-type: none"> <li>○ Effective spill response</li> <li>○ Proactive planning and management</li> <li>○ Transparent reporting</li> <li>○ “Feasible and reasonable” regulations - good faith effort to comply - personnel, budget, equipment by governing board</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• The State Water Board has identified the following as key issues to be included:               <ul style="list-style-type: none"> <li>○ Reporting of PSL spills</li> <li>○ Improvement of CIWQS data quality</li> <li>○ Study of the impact of exfiltration</li> <li>○ Updated SSMPs that are more enforceable</li> <li>○ Potential incentives for well performing systems</li> </ul> </li> <li>• CASA provided proposed redlines to the SSS WDR on the text of the SSS WDR, as well as the proposed SSMP outline. They have been meeting with the State Water Board regularly during 2019.</li> </ul>	<ul style="list-style-type: none"> <li>• Comment on draft SSS WDR when available for public comment (now likely in mid to late 2020.)</li> <li>• Discuss response to issues such as exfiltration via BACWA’s Collection Systems Committee.</li> </ul>	<p>SWB SSS WDR page:  <a href="https://www.waterboards.ca.gov/water_issues/programs/ssw/">https://www.waterboards.ca.gov/water_issues/programs/ssw/</a></p> <p>CASA SSS WDR Redlines:  <a href="https://bacwa.org/document/sss-wdr-casa-redlines-8-29-18/">https://bacwa.org/document/sss-wdr-casa-redlines-8-29-18/</a></p> <p>CASA SSS WDR MRP Redlines:  <a href="https://bacwa.org/document/casa-sss-mrp-redlines-08-29-18/">https://bacwa.org/document/casa-sss-mrp-redlines-08-29-18/</a></p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
<b>ELAP UPDATE</b>			
<ul style="list-style-type: none"> <li>• In August 2015, the State Water Board contracted with Southern California Coastal Water Research Project (SCCWRP) to establish and facilitate an Expert Review Panel to conduct an examination of ELAP, California's laboratory certification body.</li> <li>• The Expert Review Panel concluded that ELAP's current regulations are inadequate. The Panel recommended that ELAP adopt the laboratory standard established by The NELAC Institute (TNI) as the most viable option for California.</li> <li>• The Environmental Laboratory Technical Advisory Committee (ELTAC) was established to assist ELAP in technical matters that impact the laboratory community. The committee is composed of representatives from the laboratory community and data users, and have represented the POTW laboratory community during this process.</li> <li>• AB 1438 was signed into law on Sept 28, 2017 and became effective January 1, 2018. The bill sets the stage for ELAP to adopt TNI standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Draft Regulations that included adopting most of the TNI standard for laboratories were released for public comment on October 11, 2019. Minimal revisions were proposed in February 2020 and regulations were adopted May 2020.</li> <li>• Adoption of TNI standards poses a challenge since there are more than 1000 individual requirements in the full document. Initial costs may include <ul style="list-style-type: none"> <li>○ hiring staff to handle TNI-related paperwork;</li> <li>○ hiring consultants to setup the TNI documentation framework;</li> <li>○ purchasing Laboratory Information Management System (LIMS) software;</li> <li>○ purchasing documents and training material from TNI, etc.</li> </ul> </li> <li>• The new standards could be a particular burden on small municipal laboratories, which may choose to close if they cannot economically meet the new standards.</li> <li>• BACWA submitted comments on the draft regulations aimed at improving clarity and implementability of TNI. The comments also addressed the enforcement provisions and lack of due process therein.</li> <li>• BACWA attended January 17, 2020, stakeholder meeting with State Water Board members and staff to review in more depth the CA QMS alternative.</li> </ul>	<ul style="list-style-type: none"> <li>• The newly-adopted regulations are estimated to take effect October 2020, although a date has not yet been set. BACWA will track progress (review by Office of Administrative Law).</li> <li>• Work through BACWA's Laboratory Committee to explore ways to mitigate the burden of the newly-adopted requirements.</li> </ul>	<p>State Water Board's ELAP page:  <a href="http://www.waterboards.ca.gov/drinking_water/certification/labs/elap_regulations.shtml">http://www.waterboards.ca.gov/drinking_water/certification/labs/elap_regulations.shtml</a></p> <p>BACWA Comment letter on Draft Regulations:  <a href="https://bacwa.org/wp-content/uploads/2019/12/BACWA-comments-ELAP-Regs-12-20-19.pdf">https://bacwa.org/wp-content/uploads/2019/12/BACWA-comments-ELAP-Regs-12-20-19.pdf</a></p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
<b>PHASE-OUT OF BIOSOLIDS AS ALTERNATIVE DAILY COVER</b>			
<ul style="list-style-type: none"> <li>Regulatory drivers are indicating that biosolids used as alternative daily cover (ADC) or disposed in landfills will be phased out:             <ul style="list-style-type: none"> <li>AB 341 set a goal to recycle 75% of solid waste by 2020 and CalRecycle's plan to achieve that goal called for a marked, but unquantified, reduction of organics to landfills.</li> <li>SB 1383, adopted in September 2016 requires organics diversion: -50% by 2020 (relative to 2014) -75% by 2025 (relative to 2014)</li> <li>In 2020, CalRecycle will count green waste as disposal (per AB 1594), rather than diversion, even when used as ADC.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>While the regulations don't explicitly forbid biosolids disposal/reuse in landfills, it is assumed that since biosolids are a relatively "clean" waste stream that can be easily diverted, landfills will stop accepting biosolids.</li> <li>In the 2018 BACWA Biosolids survey, more agencies reported that they are developing plans for the phase-out than in the 2016 Survey.</li> <li>The latest draft of proposed regulations was posted on April 20, 2020, with adoption on July 1, 2020. The regulation will become effective in 2022, and enforceable in 2024. Issues of concern are:             <ul style="list-style-type: none"> <li>Diverted biosolids must be anaerobically digested and/or composted to qualify as landfill reduction.</li> <li>Language that would prohibit local ordinances restricting biosolids land application has been softened.</li> <li>Procurement of renewable natural gas for renewable energy generation, use as a low carbon fuel, and pipeline injection has been included in the draft language. Regarding biosolids cake/products, procurement requirements are implied for biosolids compost only.</li> <li>Current regulatory language implies that incineration and surface land disposal sites are "landfills" for accounting purposes.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Consider ways to build a market for compost and other soil amendment products from biosolids, using lessons learned in the Pacific Northwest and Midwest.</li> <li>Actively work through CASA with California Air Resource Board, CalRecycle, State Water Resource Control Board, and California Department of Food and Agriculture to mutually develop sustainable long-term options for the beneficial use of biosolids.</li> <li>Follow efforts of the BABC, investigating all-weather options for biosolids management (including innovative technologies generating energy and other useful bioproducts from biosolids). BABC is a BACWA Project of Special Benefit, beginning in FY20.</li> <li>Participate in BAAQMD's Methane Expert Panel to educate their staff on how to address implementation of SB 1383 at the Air District level.</li> <li>Following the release of the next draft regulation, participate in discussions/efforts with CASA and CalRecycle to modify the regulatory language that implies incineration and surface land disposal sites are landfills.</li> </ul>	<p>BACWA 2016 Biosolids Trends Survey Report: <a href="https://bacwa.org/wp-content/uploads/2017/08/BACWA-2016-Biosolids-survey-report.pdf">https://bacwa.org/wp-content/uploads/2017/08/BACWA-2016-Biosolids-survey-report.pdf</a></p> <p>2018 BACWA Biosolids Survey: <a href="https://www.surveymonkey.com/r/7Q3PDY9">https://www.surveymonkey.com/r/7Q3PDY9</a></p> <p>CASA White Paper on Biosolids Use in Landfills: <a href="https://bacwa.org/wp-content/uploads/2017/01/1-11-17-Sustainability-for-biosolids-use-at-landfills.pdf">https://bacwa.org/wp-content/uploads/2017/01/1-11-17-Sustainability-for-biosolids-use-at-landfills.pdf</a></p> <p>BABC website: <a href="http://www.bayareabiosolids.com/">http://www.bayareabiosolids.com/</a></p> <p>CASA Comments on proposed SB 1383 Implementation Regulation: <a href="https://bacwa.org/wp-content/uploads/2019/09/7-17-19-CASA-Comments-SB-1383-Regs3.pdf">https://bacwa.org/wp-content/uploads/2019/09/7-17-19-CASA-Comments-SB-1383-Regs3.pdf</a></p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
<b>CLIMATE CHANGE MITIGATION</b>			
<ul style="list-style-type: none"> <li>• CARB's Climate Change Scoping Plan Update lays out the approach for the State to meet its greenhouse gas (GHG) emissions reduction targets through 2030, including additional policies to achieve 40% reduction below 1990 levels by 2030: <ul style="list-style-type: none"> <li>◦ Short-lived climate pollutants (i.e., methane)</li> <li>◦ Carbon sequestration on Natural and Working Lands</li> <li>◦ Largest emitters (transportation, electricity, and industrial sectors)</li> </ul> </li> <li>• SB 1383 (Short-Lived Climate Pollutant Reduction) calls for: <ul style="list-style-type: none"> <li>◦ 40% methane reduction by 2030</li> <li>◦ 75% diversion of organic waste from landfills by 2025</li> <li>◦ Policy and regulatory development encouraging production/use of biogas</li> </ul> </li> <li>• BAAQMD developed a Clean Air Plan that requires GHG emissions reduction on track with CARB's 2030 and 2050 targets.</li> <li>• BAAQMD has proposed the development of Regulation 13 (climate pollutants) targeting GHG emission reductions related to organics diversion and management.</li> </ul>	<ul style="list-style-type: none"> <li>• CARB states POTWs are part of the solution for reducing fugitive methane, and encourages diversion of organics to POTWs to use excess digester capacity and produce biogas. However, diversion also increases biosolids, which also need to be diverted from landfills.</li> <li>• Many POTWs are exploring energy generation, but BAAQMD TAC regulations could make such programs more difficult to implement. Direct injection of biogas to PG&amp;E's pipelines or use as a transportation fuel may be more efficient. OSHA's PSM Standards, triggered by use of biogas offsite (if managing over 10k lbs of biogas onsite), may cause pipeline injection to be cost-prohibitive. CalOSHA may provide options for being exempt from PSM standards.</li> <li>• CARB's previous interest in nitrous oxide emission estimates and/or emission factors for POTWs has shifted to toxic air contaminants. See BAAQMD Rule 11-18.</li> <li>• BAAQMD is developing a suite of Rules under Regulation 13 for climate pollutants methane and nitrous oxide <ul style="list-style-type: none"> <li>◦ Rule 13-1 (significant methane releases) - Postponed indefinitely in favor of source specific rules.</li> <li>◦ Rule 13-2 (organic material handling) – Postponed indefinitely to develop Rules 13-3 and 13-4.</li> <li>◦ Rule 13-3 (composting operations) and Rule 13-4 (anaerobic digestion and sewage treatment) – Suspended due to COVID-19.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Work with CASA to look for opportunities for POTWs to help the State meet GHG reduction goals.</li> <li>• Look for opportunities to inform BAAQMD on the opportunities and challenges for climate change mitigation by Bay Area POTWs.</li> <li>• Work with PG&amp;E and BAAQMD to explore options for POTWs to inject biogas into PG&amp;E pipelines. Note: CASA has been discussing the barriers to pipeline injection with CPUC staff and they have proposed reducing their standard from 990 Btu/scf to 970 Btu/scf.</li> <li>• Engage in development of Regulation 13 Rules, which are intended to govern climate pollutants, odors, VOCs and TACs from POTWs and anaerobic digesters. Continue to work with BAAQMD staff to provide information and education about anaerobic digesters and POTW operations. Participate in the Methane Expert Panel and the Organic Recovery Technical Working Group, as well as comment on draft Rules.</li> </ul>	<p>Climate Change Scoping Plan:  <a href="https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf">https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf</a></p> <p>CARB Short Lived Climate Pollutant Reduction Strategy:  <a href="https://www.arb.ca.gov/cc/shortlived/meetings/03142017/final_slcp_report.pdf">https://www.arb.ca.gov/cc/shortlived/meetings/03142017/final_slcp_report.pdf</a></p> <p>SB 1383:  <a href="http://www.leginfo.ca.gov/pub/15-16/bill/sen/sb_1351-1400/sb_1383_bill_20160919_chaptered.htm">http://www.leginfo.ca.gov/pub/15-16/bill/sen/sb_1351-1400/sb_1383_bill_20160919_chaptered.htm</a></p> <p>BAAQMD Clean Air Plan:  <a href="http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans">http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans</a></p> <p>BAAQMD Regulation 13  <a href="http://www.baaqmd.gov/rules-and-compliance/rules/regulation-13-climate-pollutants">http://www.baaqmd.gov/rules-and-compliance/rules/regulation-13-climate-pollutants</a></p> <p>BACWA Comments on Regulation 13:  <a href="https://bacwa.org/wp-content/uploads/2019/07/BACWA-AIR_FINAL_Comment-Letter_Regulation13_Rules_24_071219.pdf">https://bacwa.org/wp-content/uploads/2019/07/BACWA-AIR_FINAL_Comment-Letter_Regulation13_Rules_24_071219.pdf</a></p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
<b>CLIMATE CHANGE ADAPTATION</b>			
<ul style="list-style-type: none"> <li>• In 2017, the State Water Board adopted a Climate Change Resolution addressing mitigation and adaptation. One of the requirements is that Regional Water Boards will make recommendations to the State Water Board on the need to modify permits and other regulatory requirements to reduce vulnerability of water and wastewater infrastructure to flooding, storm surges, and sea level rise.</li> <li>• The Regional Water Board identified Climate Change and Wetland Policy Update as the highest priority Basin Planning project in their 2018 Triennial Review.</li> <li>• In April 2019, Governor Gavin Newsom signed Executive Order N-10-19 directing State Agencies to recommend a suite of priorities and actions to build a climate-resilient water system and ensure healthy waterways through the 21st century.</li> </ul>	<ul style="list-style-type: none"> <li>• The State Water Board is planning a data request that they will send to all permitted facilities (collection systems and POTWs) in the State to better understand to what extent agencies are performing climate change vulnerability assessments and/or investing in adaptation measures. They plan to use this information to determine the need for funding assistance or permit requirements for climate change planning.</li> <li>• The Regional Water Board hosted a workshop on its Wetlands Policy 94-086 on August 14 and solicited stakeholder input on potential revisions to the Policy.</li> <li>• BACWA provided the Regional Water Board staff specific case studies of wetlands projects that are being considered as well as written comments regarding Policy revisions that would help incentivize the development of wetlands projects by wastewater agencies, and reduce permitting hurdles.</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to coordinate with State Water Board on the status of their data request on climate change planning, so members can provide the information they request as effectively as possible.</li> <li>• Continue to work with Regional Water Board to look for regulatory solutions to encourage wetlands projects for shoreline resiliency.</li> <li>• BACWA to review Governor's Water Resilience Portfolio initiative, released in 2020.</li> </ul>	<p>State Water Board 2017 Climate Change Resolution:  <a href="https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2017/rs2017_0012.pdf">https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2017/rs2017_0012.pdf</a></p> <p>Regional Water board Wetlands Policy Page:  <a href="https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/climate_change/wetland_policies.html">https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/climate_change/wetland_policies.html</a></p> <p>BACWA Comments on Wetlands Policy:  <a href="https://bacwa.org/wp-content/uploads/2018/09/BACWA-comments-Wetland-Policy-9-14-18.pdf">https://bacwa.org/wp-content/uploads/2018/09/BACWA-comments-Wetland-Policy-9-14-18.pdf</a></p> <p>Governor's Draft Water Resilience Portfolio:  <a href="http://waterresilience.ca.gov/">http://waterresilience.ca.gov/</a></p> <p>BACWA Comments on Resilience Portfolio:  <a href="https://bacwa.org/wp-content/uploads/2019/10/BACWA-Water-Resilience-Portfolio-10-01-19.pdf">https://bacwa.org/wp-content/uploads/2019/10/BACWA-Water-Resilience-Portfolio-10-01-19.pdf</a></p>



Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
<b>TOXIC AIR CONTAMINANTS - BAAQMD RULE 11-18 AND AB 617</b>			
<ul style="list-style-type: none"> <li>Regulation 11, Rule 18 (Rule 11-18), adopted November 15, 2017, is BAAQMD's effort to protect public health from toxic air pollution from existing facilities, including POTWs.</li> <li>Per the Rule, BAAQMD will use toxic emissions inventories and proximity to the nearest receptor (residents or offsite workers) to conduct site-specific Health Risk Screening Analyses (HRSA). From HRSAs, BAAQMD will determine each facility's prioritization score (PS). BAAQMD will conduct Health Risk Assessments (HRAs) for all facilities with a cancer PS&gt;10 or non-cancer PS&gt;1.0. After verifying the model inputs, if the facility still has PS above that threshold, that facility would need to implement a Risk Reduction Plan that may include employing Best Available Retrofit Control Technology for Toxics (TBARCT).</li> <li>AB 617 (Community Air Protection Program) – requires CARB to harmonize community air monitoring, reporting, &amp; local emissions reduction programs for CAPs and TACs (and GHGs). Oakland and Richmond. POTWs within these communities may have to accelerate implementation of risk reduction measures.</li> </ul>	<ul style="list-style-type: none"> <li>BACWA developed a White Paper on the BAAQMD Rule to describe its potential impacts on the POTW community.</li> <li>In response to a request by BAAQMD, the AIR Committee delivered a letter report summarizing specific challenges that POTWs would face in complying with the rule due to budgeting and planning constraints related to being public agencies.</li> <li>In response, BAAQMD moved all POTWs to Phase 2 to give sufficient time to update the model's inputs, and plan for emissions reduction or TBARCT, as needed. <b>Phase 2 begins in 2020</b> with data collection and verification, followed by the development of HRAs for facilities with a cancer PS&gt;10 or non-cancer PS&gt;1.0. Implementation of the Rule for Phase 2 facilities will be spread out over two years depending on the prioritization score.</li> <li>AIR Committee gathered data on proximity factors from each facility and submitted to BAAQMD for updating prioritization scores, which will be use in HRA development.</li> <li>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.</li> </ul>	<ul style="list-style-type: none"> <li><b>Priority: Agencies should use the tool developed by the AIR Committee's Emissions Inventory Subcommittee to address emission contributions from influent flows, which will be used to update emissions inventory values.</b></li> <li><b>Respond to BAAQMD data request in early 2020. There will be a 60-day turn-around to comply with the data request.</b></li> <li>Track both AB 617's regulation development and expansion of the toxics compound list under AB 2588's Air Toxics Hot Spots Program. Draft regulatory language under AB 617 stated all uncovered POTWs &gt;5 MGD and covered (primary) POTWs &gt;10 MGD must monitor and report all compounds listed under AB 2588. The language had been temporarily removed, but 2020 amendments propose bring the language back. CARB has agreed to work with the wastewater sector to develop a short-list of relevant compounds and perform a pooled emissions estimating effort to update outdated default emission factors. CASA is facilitating development of a work group to pursue this effort. Results could inform Rule 11-18 HRA's.</li> </ul>	<p>BAAQMD Rule 11-18 page:  <a href="http://www.baaqmd.gov/rules-and-compliance/rule-development/rules-under-development/regulation-11-rule-18">http://www.baaqmd.gov/rules-and-compliance/rule-development/rules-under-development/regulation-11-rule-18</a></p> <p>Rule 11-18 Process Flowchart:  <a href="https://bacwa.org/document/baaqmd-11-18-process-flowchart-08-17-17/">https://bacwa.org/document/baaqmd-11-18-process-flowchart-08-17-17/</a></p> <p>BACWA White Paper:  <a href="https://bacwa.org/wp-content/uploads/2017/01/11-18-White-Paper_final-2.pdf">https://bacwa.org/wp-content/uploads/2017/01/11-18-White-Paper_final-2.pdf</a></p> <p>BAAQMD page on AB 617:  <a href="http://www.baaqmd.gov/rules-and-compliance/rule-development/barct-implementation-schedule">http://www.baaqmd.gov/rules-and-compliance/rule-development/barct-implementation-schedule</a></p> <p>CARB page on AB 617:  <a href="https://ww2.arb.ca.gov/our-work/programs/criteria-and-toxics-reporting/ctr-regulation">https://ww2.arb.ca.gov/our-work/programs/criteria-and-toxics-reporting/ctr-regulation</a></p> <p>CARB page on AB 2588:  <a href="https://ww3.arb.ca.gov/ab/2588/2588guid.htm">https://ww3.arb.ca.gov/ab/2588/2588guid.htm</a></p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
<b>RECYCLED WATER GENERAL ORDER</b>			
<ul style="list-style-type: none"> <li>• In response to the Governor's proclamation of a Drought State of Emergency, the State Water Board adopted a General Order on June 3, 2014 to streamline permitting for recycled water. The State Water Board reissued the General Order on June 7, 2016, making enrollment mandatory for Regional Permittees.</li> <li>• In May 2018, the State Water Board released Recycled Water Policy Amendments for Public Comment. The Recycled Water Policy governs the Recycled Water General Order.</li> <li>• The Amendments were adopted in December 2018.</li> </ul>	<ul style="list-style-type: none"> <li>• Key issues in the Recycled Water Policy Amendments are: <ul style="list-style-type: none"> <li>○ Introduces goal to increase recycled water where wastewater is otherwise discharged to ocean, bays, and estuaries.</li> <li>○ Terminates Region 2 96-011 Recycled Water General Order three year after Policy Amendment adoption (April 2020).</li> <li>○ Adds to the procedural burdens in obtaining Wastewater Change Petition.</li> <li>○ Removes requirement for priority pollutant monitoring.</li> </ul> </li> <li>• On April 8, 2020, SF Regional Water Board transitioned 96-011 permittees to the State General Order by issuing a NOA and modified MRP. BACWA had previously provided comments on the draft NOA and MRP documents. All permittees were transitioned with the exception of City of Livermore, Delta Diablo, Napa Sanitation, and SASM who have older Title 22 Engineering Reports; they will be enrolled at a later date following a review by DDW.</li> </ul>	<ul style="list-style-type: none"> <li>• Support member agencies as they implement new monitoring and reporting requirements.</li> </ul>	<p>2016 State Recycled Water General Order:  <a href="http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2016/wgo2016_0068_dw.pdf">http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2016/wgo2016_0068_dw.pdf</a></p> <p>State Recycled Water Policy Amendment Page:  <a href="https://www.waterboards.ca.gov/water_issues/programs/water_recycling_policy/index.html#amendment">https://www.waterboards.ca.gov/water_issues/programs/water_recycling_policy/index.html#amendment</a></p> <p>BACWA comments on Recycled Water Policy Amendments:  <a href="https://bacwa.org/wp-content/uploads/2018/06/BACWA-RW-Policy-comments-6-26-18.pdf">https://bacwa.org/wp-content/uploads/2018/06/BACWA-RW-Policy-comments-6-26-18.pdf</a></p> <p>State Water Board 2001 Engineering Report Guidelines:  <a href="https://bacwa.org/wp-content/uploads/2019/09/Engineering-Report-Preparation-Guidelines.pdf">https://bacwa.org/wp-content/uploads/2019/09/Engineering-Report-Preparation-Guidelines.pdf</a></p>

“Parking lot” issues with no updates can be found in previous [BACWA issues summaries](#).



## ACRONYMS

ADC	Alternate Daily Cover
BAAQMD	Bay Area Air Quality Management District
BTU/SCF	British thermal units per standard cubic foot
CARB	California Air Resources Board
CASA	California Association of Sanitation Agencies
CAP	Criteria Air Pollutant
CEC	Compound of Emerging Concern
CIWQS	California Integrated Water Quality System
CVCWA	Central Valley Clean Water Agencies
CWEA	California Water Environment Association
EC25/IC25	25% Effect Concentration/25% Inhibition Concentration
ELAP	Environmental Laboratory Accreditation Program
ELTAC	Environmental Laboratory Technical Advisory Committee
EPA	United States Environmental Protection Agency
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FY	Fiscal Year
GHG	Greenhouse Gas
HRSA	Health Risk Screening Analyses
HRA	Health Risk Assessment
MCL	Minimum Contaminant Level (Drinking Water)
NACWA	National Association of Clean Water Agencies
NELAC	National Environmental Laboratory Accreditation Conference
PCB	Polychlorinated Biphenyl
POTW	Publically Owned Treatment Works
PS	Prioritization Score
QMS	Quality Management System
RMP	Regional Monitoring Program
RPA	Reasonable Potential Analysis
SCAP	Southern California Alliance of POTWs
SF Bay	San Francisco Bay
SFEI	San Francisco Estuary Institute
TAC	Toxic Air Contaminant
TMDL	Total Maximum Daily Load
TIN	Total Inorganic Nitrogen
TNI	The NELAC Institute
TST	Test of Significant Toxicity



# Media Release

## **State Water Board Adopts Regulations to Elevate Data Quality for CA Communities**

***All accredited labs will be required to meet a national standard***

**May 5, 2020**

**Contact:** Blair Robertson

[Blair.Robertson@waterboards.ca.gov](mailto:Blair.Robertson@waterboards.ca.gov)

**SACRAMENTO** – The State Water Resources Control Board today adopted comprehensive regulations to modernize the Environmental Laboratory Accreditation Program ([ELAP](#)), which oversees more than 650 laboratories that regulate testing of drinking water, wastewater discharges and hazardous waste cleanup sites throughout California.

The new regulations require accredited laboratories to implement a nationally accepted standard, called the NELAC Institute (TNI) Standard, for managing all factors that potentially can affect the quality of lab results - from the quality of supplies and equipment to the training of laboratory staff.

“Laboratory data is the foundation of public health, environmental protection, and evidence-based, decision-making in our state,” said E. Joaquin Esquivel, chair of the State Water Board. “Today’s adoption of national standards benefits all Californians by ensuring ELAP labs are meeting common core requirements and generating data of highest quality. Implementation of the standards will be appropriately flexible over the next three years, and the Board is committed to working with and ensuring all labs make the transition successfully.”

Laboratories previously were only required to meet the requirements in the analytical methods they perform, but the new standard requires facilities to control a broader scope of influential factors.

Approximately 150 of ELAP’s accredited laboratories were already implementing the TNI Standard prior to this regulatory proposal. The adoption of these regulations requires that every laboratory meets these minimum requirements to ensure consistent data quality for every community.

The [updated regulations](#) are the result of a panel review that found ELAP’s regulations seriously outdated and lacking some requirements that are considered minimum industry standards. The State Board called for the review after the program was moved to its jurisdiction in 2015.

The regulatory update also improves ELAP's operations and administration and provides enhanced enforcement capabilities to respond to laboratory fraud or other chronic problems.

State Board staff is providing a suite of tools and training to assist laboratories transitioning to the national operating standard; they will have three years to implement the system before compliance is required.

#

**BAY AREA CLEAN WATER AGENCIES  
SUCCESSION PLANNING  
Fiscal Year 2021**

**A. BACWA Principal Representatives**

<u>Agency</u>	<u>Representatives</u>	<u>Title &amp; Roles</u>
CCCSD	Lori Schectel	BACWA Chair, CASA State Legislative Committee, Nutrient Governance Steering Committee Alternate, Summit Partners
	Roger Bailey (Alternate)	
	Jean-Marc Petit (Alternate)	
EBDA	Jacqueline Zipkin	BACWA Executive Board Rep, ReNUWIt Industrial Advisory Committee Member
	Jason Warner, Oro Loma (Alternate)	
EBMUD	Eileen White	BACWA Executive Board Rep, Nutrient Management Strategy Governance Steering Committee, Bay Area Regional Reliability Project, SF Estuary Partnership
	Maura Bonnarens (Alternate)	AWT Certification Committee
SFPUC	Amy Chastain	BACWA Executive Board Rep,
	Greg Norby (Alternate)	
	Jennie Pang (Alternate)	
	Ryan Jackson (Alternate)	
	Bryan Henderson (Alternate)	
San Jose	Amit Mutsuddy	BACWA Executive Board Rep, Joint SFEI/ASC Board
	Eric Dunlavey (Alternate)	RMP Steering Comm; Nutrient Management Strategy Comm;

**Changes to Principal Representation require submission of a Designation Letter and a Statement of Economic Interest Form within 30 days**

**B. Other BACWA Representations**

<u>Group/Organization</u>	<u>Current Representative</u>	<u>Succession Planning</u>
RMP Technical Committee	Mary Lou Esparza, CCCSD	
	Yuyun Shang, EBMUD	
	Samantha Engelage, Palo Alto (Alternate)	
RMP Steering Committee	Karin North, Palo Alto;	
	Robert Wilson, Petaluma	
	Eric Dunlavey, San Jose	
Summit Partners	Lorien Fono, BACWA	
	Lori Schectel, CCCSD	
Joint SFEI/ASC Board	Eileen White, EBMUD	Karin North, Palo Alto, First Board Alternate; Amit Mutsuddy, San Jose, Second Board Alternate
	Lorie Fono, BACWA	Amy Chastain, SFPUC, Alternate
Nutrient Management Strategy Governance Steering Committee	Eric Dunlavey, San Jose	
	Eileen White, EBMUD	
	Jackie Zipkin, EBDA	
	Lori Schectel, Alternate	
NMS Planning Subgroup	Eric Dunlavey, San Jose	
NMS Technical Workgroup	Eric Dunlavey, San Jose	
SWRCB Nutrient SAG	Lorien Fono, BACWA	
NACWA Taskforce on Dental Amalgam	Tim Potter, CCCSD	
BAIRWMP	<b>Cheryl Munoz, City of Hayward;</b>	
	<b>Florence Wedington, EBMUD</b>	
	Lorien Fono, BACWA	
NACWA Emerging Contaminants	Karin North, Palo Alto;	
	Melody LaBella, CCCSD	

CASA State Legislative Committee	Lori Schectel, CCCSD	
CASA Regulatory Workgroup	Lorien Fono, BACWA	
ReNUWIt	Jackie Zipkin, EBDA	
	Karin North, Palo Alto	
ReNUWIt One Water	Jackie Zipkin, EBDA Eric Hansen, SVCW	
RMP Microplastics Liaison	Artem Dyachenko, EBMUD	
Bay Area Regional Reliability Project	Eileen White, EBMUD	
WaterReuse Working Group	<b>Cheryl Munoz, City of Hayward;</b>	
SF Estuary Partnership	Eileen White, EBMUD	
	Lorien Fono, BACWA	
CPSC Policy Education Advisory Committee	Colleen Henry, CCCSD	
California Ocean Protection Council	Lorien Fono, BACWA	
Countywide Water Reuse Master Plan	Karin North, Palo Alto	
	Pedro Hernandez, San Jose	
CHARG - Coastal Hazards Adaptation Resiliency Group	Jackie Zipkin, EBDA	

Changes to BACWA Representation requires Executive Board Approval.

#### C. BACWA Committees

Committee	Chair	Vice/Co-Chair	Comments	Succession Planning
AIR	Nohemy Revilla, SFPUC, Co-Chair	Randy Schmidt, CCCSD, Co-Chair	CASA Climate Change Group Represen	Nohemy Revilla; Randy Schmidt
BAPPG	Autumn Cleave, SFPUC, and Robert Wilson, Petaluma (Co-chairs)	Jaylyn Babitch, (San Jose) V-Chair of Budget; Joe Neugebauer (WCWD) V-Chair of Reporting		Autumn Cleave, Chair; Simret Yigzaw, V-Chair of Budget; Joe Neugebauer (WCWD) V-Chair of Reporting
BAPPG Pesticide Subcommittee	Karin North, Palo Alto	Robert Wilson, Petaluma; Autumn Cleave, SFPUC		Karin North, Robert Wilson, Autumn Cleave
Biosolids	Co-Chair	Co-Chair	Committee Dormant due to biosolids activities being carried out by BABC.	Committee Dormant until further notice
Collection Systems	Andrew Damron, Napa San, Chair	Steve Sauter, CCCSD, Vice Chair		
InfoShare Ops/Maint	Joaquin Gonzales, Delta Diablo, Co-Chair	Kevin Dickison, EBMUD, Co-Chair		Juaquin Gonzales, Kevin Dickison, Co-Chairs
InfoShare Asset Mgmt	Co-Chair	Co-Chair	Both Dana Lawson, CCCSD, and Aaron Johnson, DSRSD, stepped down from Co-Chair positions. Committee on hiatus for now	Dana Lawson, Aaron Johnson, Co-Chairs
Laboratory	Jason Mitchell, EBMUD, Chair	Dan Jackson, Union San, Vice-cahir		Nicole Van Aken
Permits	Samantha Engelage, City of Palo Alto, Chair	Mary Lou Esparza, CCCSD V-Chair		Jennie Pang, SFPUC
Pretreatment	Tim Potter, CCCSD, Co-Chair	Michael Dunning, Union San, Co-Chair		Tim Potter, Michael Dunning, Co-Chairs
Recycled Water	Stefanie Olsen, DSRSD, Co-Chair	<b>Reena Thomas, EBMUD, Co-Chair</b>		

Changes to Committee Leadership will be reported annually and intra-year by Executive Director to Executive Board

**Committee Request for Board Action: None**

**29 attendees, representing 18 member agencies.**

**COVID-19 updates and attendee roundtable**

Updates and announcements:

- o [CalWARN](#) Mutual Aid: Check website to ensure your agency is enrolled and update agency contacts, if needed.
- o Regional Water Board has suspended inspections/ audits through the end of June (at least)
- o State Water Board message on [compliance](#) with Water Board Requirements during this emergency
- o State Water Board [press release](#) for the public not to flush wipes.
- o BAPPG made wipes the focus of its spring campaign - a Central San [video](#) promoted through the campaign has tens of thousands of views to date.
- o SmartCover relief [offer](#): 3-5 units with no fees for up to 6 months
- o Several CWEA Webinars have focused on collection systems operations during COVID-19. The webinar [recordings](#) are available on YouTube.
- o Other COVID-19 Resources pages for water/wastewater: [CWEA](#), [CASA](#), [WEF](#), [CDC](#).

**Attendee Roundtable**

- o Discussion was mostly focused on operational changes: staggered shifts and work schedules (A/B teams that don't interact and work one week on/one week off), no carpooling to job sites, no in-person staff meetings, installing wash stations outside all buildings and trailers. However, one agency noted that all employees are essential and, with some modifications (staggered shifts, PPE, social distancing) all Public Works personnel are 'essential workers' and expected to work.
- o Many noted that there have been some struggles to prioritize and define what 'immediately necessary' work means when referring to essential infrastructure
- o Many agencies are offering additional 14-day sick time
- o Attendees also mentioned shortages of PPE and there was a good discussion on the kind of PPE workers are using now
- o Many agencies noted that wipes have become an even more serious issue than it was. This has been challenging – there have been more blockages and more maintenance work is needed but at the same time there have been fewer people in the field because of the one week on/ one week off scheduling.
- o One agency noted that they increased all preventive maintenance and 'hot-spot' checks due to wipes and FOG. In one instance, an 18" interceptor was completely blocked and it took crews 3 days to clear.
- o Attendees were also concerned of possible revenue losses during this crisis (and through the recovery). Many fees are from businesses (such as restaurants) which are struggling during this time.

**SSS WDR Update**

No updates at this time. The schedule has been delayed. Possible draft document for stakeholders review to be released in the summer, public draft in fall, public hearings/ adoption in early 2021.

**Announcements and Upcoming Trainings**

- The Santa Clara Valley Section of CWEA is planning an online O&M training session for June 9. Details TBA.
- CWEA posted a save-the-date announcement for a Sewer Exfiltration Webinar on June 4. Details TBA.

**Next Collection System Committee Meeting**

Our next committee meeting will be held on June 25.

**Committee Request for Board Action:** none

27 attendees (via teleconference only) representing 21 member agencies

**COVID-19 updates and attendee roundtable**

- Attendees praised the State Water Board ELAP COVID-19 [website](#) – frequent updates, FAQs for labs, etc.
- Regional Water Board approved the Committee's recent request for modifications to clean-hands/dirty-hands technique so it can be performed by one person (no interaction with other staff)
- Previously scheduled ELAP audits/ inspections have been cancelled.
- Attendees mentioned that it would be helpful if BACWA could contact regulatory agencies about delaying implementation of new actions – such as requiring PFAS monitoring – during the COVID-19 emergency. EBMUD noted that is a very resource-intensive sampling (2 dedicated staff); others also pointed out that samples collected during the emergency may not be representative as some commercial/industrial establishments are shut down.
- List of resources, including information on virus not being viable in wastewater was shared on the agenda.
- Attendee round-table:
  - Discussion was most focused on operational changes: staggered shifts, social distancing in the lab, etc.
  - Some labs noted that they are busier either from taking on work from other agencies or simply because staff is alternating days in the office; others noted that they are lighter because some sampling is on hold (e.g., influent, pretreatment) while they focus solely on compliance monitoring.
  - Many labs are producing hand sanitizer and disinfectant
  - Attendees also mentioned shortages of PPE; some agencies are using autoclaves to sterilize masks between multiple uses

**ELAP Updates**

Minimal revisions to the proposed TNI-based regulations were proposed in February 2020. Subsequent to the Committee meeting, and regulations were [adopted](#) at the May 5 State Water Board meeting. The regulations are estimated to take effect October 2020, although a date has not yet been set. BACWA will track progress (review by Office of Administrative Law). Committee will reach out and invite Christine Sotelo (ELAP) to a Committee meeting, possibly in June.

**Microplastics**

DDW has proposed a definition of [Microplastics](#) in Drinking Water (expected to apply to other matrices such as wastewater and stormwater). Attendees expressed some concerns in the definition language and discuss potentially submitting comments. The definition is expected to be adopted June 2020.

**Chlorine Residual Basin Plan Amendment**

Proposed Basin Plan chlorine objectives to be based on EPA criteria (0.013 mg/L) as 1-hr average; permit limits to be based on the objective and include full dilution. Current 0.0 mg/L instantaneous maximum limit will be removed from BP. The RWB would prefer an RL of 0.05 mg/L be included in the BP, whereas the POTW community feels that 0.1 mg/L is more realistic. BACWA is working to provide RWB staff supporting information for a higher ML. Subsequent to the meeting, it was announced that a [CEQA scoping meeting](#) is scheduled for May 22, 2020, with an anticipated draft BPA in July and adoption in November of this year.

**Next meeting: June 9, 2020**

**Committee Request for Board Action: None**

**40 attendees by teleconference, representing 20 member agencies. Regional Water Board staff in attendance.**

**Regional Water Board Announcements**

- o Mentioned State Water Board [guidance](#) re: compliance with Water Board Requirements during the COVID-19 Emergency as well as the EPA Temporary [Advisory](#) for NPDES Reporting
- o Inspections are suspended through the end of the fiscal year (at least)
- o BACWA may be interested in PFAS informational item that is on the May Board [agenda](#)

**Upcoming Permits**

**April:** Meeting cancelled.

**May:** No POTW permits for adoption.

**June:** Treasure Island, comments due 4/24, no issues noted  
Novato Sanitary District, comments due 5/6, no issues noted

**Nutrients**

- o Nutrient Discharge Reduction Studies: Recycled Water and Natural Systems: HDR is preparing a request for information spreadsheet for permittees. Input is currently being provided by the Recycled Water Committee.
- o BACWA's revised Nutrient Surcharge calculations are available; not much different from last year's numbers.
- o May 2020 Nutrient Technical Workgroup meeting will focus on review of science plan for 2021.

**Chlorine Residual Basin Plan Amendment**

Proposed Basin Plan chlorine objectives to be based on EPA criteria (0.013 mg/L) as 1-hr average; permit limits to be based on the objective and include full dilution. Current 0.0 mg/L instantaneous maximum limit will be removed from BP. The RWB would prefer an RL of 0.05 mg/L be included in the BP, whereas the POTW community feels that 0.1 mg/L is more realistic. BACWA is working to provide RWB staff supporting information for a higher ML. Subsequent to the meeting, it was announced that a [CEQA scoping meeting](#) is scheduled for May 22, 2020, with an anticipated draft BPA in July and adoption in November of this year.

**Toxicity Provisions Update**

A few weeks back, RWB staff emailed the group the proposed language on how TST/Toxicity Provisions may be implemented in Region 2 permits. The Committee discussed the language and submitted comments on the language. Most of the comments requested clarifications on the "surveillance monitoring" section. John Madigan (Regional Water Board) reviewed the comments and responded to each one during the meeting; it was agreed that the rationale for the "surveillance monitoring" section would be clarified in the permit Fact Sheet; the Fact Sheet language was not provided for review at the time. A revised version of the permit language and fact sheet will be transmitted to the Committee in the next few weeks for additional review and comments.

**Regulatory engagement regarding COVID-19 emergency**

ED noted that BACWA does not intend to send letter to Regional Water Board, but will continue to have discussions as needed. Attendees mentioned that it would be helpful if BACWA could contact regulatory agencies about delaying implementation of new actions – such as requiring PFAS monitoring or compliance with Climate Change preparedness.

**CECs**

- o **PFAS:** In 2019, the SWRCB developed a phased investigation action plan requiring testing of drinking water systems and site investigations at high risk locations for PFAS. An investigative order for POTWs is anticipated in late 2020. The SWRCB is pushing for two years of quarterly influent, effluent, and biosolids sampling for all POTWs >1MGD. BACWA is working with Regional Water Board staff on a proposal to conduct a regional study through the RMP that would investigate regionally-relevant PFAS issues, since Bay Area POTW effluent does not impact drinking water sources.
- o **Microplastics:** DDW has proposed a definition of [Microplastics](#) in Drinking Water (expected to apply to other matrices such as wastewater and stormwater). It is expected to be adopted June 2020.

**Announcements**

- a. SWRCB launched a new GeoTracker electronic reporting module for use in reporting annual volumes of wastewater and recycled water. Data for calendar year 2019 were due by April 30, 2020 (in the meantime, deadline has been extended to June 30, 2020). A Help Guide and FAQs as well as a recording of a March



training webinar, are available on the SWB Recycled Water Policy [website](#)

b. ELAP Revised Regulations ~~are scheduled for adoption~~ have been [adopted](#) on May 5, 2020.

c. BACWA member news section in Bulletin – contact Alina

**Next BACWA Permits Committee Meeting:** June 9.

### **NUTRIENTS:**

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

- Participated in 4/8 NMS Assessment Framework Workgroup
- Attended and drafted summary from 4/18 NMS Planning Subcommittee special meeting
- Finalized meeting summary for 3/14 Steering Committee meeting.
- Reviewed and made suggested edits to NMS Charter
- Discussed NMS program with Science manager and BACWA PSC representative
- Reviewed draft survey for NBS study and supported update of agency points of contact

### **BACWA BOARD MEETING AND SUPPORT**

- Conferred with BACWA counsel on designation of Signatory per Joint Powers Act of CA
- Edited minutes and action items from 3/20 meeting
- Worked with BACWA staff to plan and manage 4/17 BACWA Executive Board meeting
- Conducted the monthly agenda review with the Chair of BACWA
- Continued to track all action items to completion

### **COVID-19:**

- Collaborated with Summit Partners on information sharing and regulatory concerns
- Worked with committees to transition to teleconference meetings
- Collected contact information for mutual aid among member agencies
- Communicated with member agencies on regulatory concerns and requests for information
- Discussion with RWB staff regarding pretreatment reporting during Shelter-In-Place
- Participated in 4/27 WRF Symposium on COVID in wastewater

### **COMMITTEES:**

- Hosted COVID-19 focused managers Roundtable Meeting on April 1
- Planned and hosted Managers Roundtable meeting on April 24
- Drafted BABC Summary for March meeting
- Participated in BABC teleconference meeting April 13
- Call with Pretreatment Chairs regarding reporting during the pandemic
- Updated Baywise.org and bacwa.org with wipes advisory information from BAPPG
- Discussion with O&M Group on licensing concerns during pandemic
- Participated in Lab Committee meeting
- Planned and participated in Permits Committee meeting

### **REGULATORY:**

- Reviewed and submitted comments to EPA on Pesticide Registrations
- Discussed potential PEEP scope development with AIR consultant
- Call with Water Board staff regarding finalizing Chlorine Residual Basin Plan Amendment. Outreach to lab committee on ML for chlorine.
- Discussed biosolids information request with RWB staff and communicated their response to members

**FINANCE:**

- Reviewed the monthly BACWA financial reports, summary, and budget to actual tracking sheet for March
- Finalized FY21 budget
- Updated 5-year plan, with consideration of different scenarios for NMS funding in FY25
- Reviewed and approved invoices
- Developed authorizations to correct previous contract errors
- Worked with AED on authorization chain solutions

**COLLABORATIONS:**

- Participated in CWEA webinars, and NACWA Webinar on 4/2 on COVID-19 POTW issues
- Participated in 4/9 RMP Microplastic Working Group meeting
- Participated in 4/23-24 RMP Emerging Contaminants Working Group meeting
- Participated in CASA RWG meeting on 4/16
- Participated in CASA calls on PFAS and STORMS IC on 4/21
- Participated in CASA call COVID response on 4/28
- Call with BACWWE and BAYWORK regarding collaboration on 4/29

**ASC**

- Discussed ASC and BACWA JPA signatory designation with ASC ED and SJ Board member
- Discussed designation of signatory with BACWA attorney
- Reviewed materials sent via email by ASC ED

**BABC:**

- Attended 4/13 meeting and produced March meeting summary.

**BACC:**

- Worked with DSRSD to communicate with participating agencies and suppliers about withdrawal of FY2021 Bid

**ADMINISTRATION:**

- Planned for and conducted the monthly BACWA staff meeting 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.
- Developed and responded to numerous emails and phone calls as part of the conduct of BACWA business on a day-to-day basis.
- Worked with website consultant to streamline committee signups to Google Groups
- Worked with AED on Brown act compliance for agendas posted to website

**MISCELLANEOUS MEETINGS/CALLS:**

- Worked with BACWA Chair and Committee Chairs on items that arose during the month
- Other miscellaneous calls and inquiries regarding BACWA activities
- Responded to Board members requests for information



## BACWA ACTION ITEMS

Number	Subject	Task	Responsibility	Deadline	Status
<b>Action Items from April 17, 2020 BACWA Executive Board Meeting</b>			<b>resp.</b>	<b>deadline</b>	<b>status</b>
2020.04.56	Regulatory Engagement re: COVID-19	Approach RWB staff regarding preferences on reporting during COVID-19	ED	4/30/2020	complete
2020.04.57	Chlorine Residual Basin Plan Amendment	Provide estimate of cost savings to Regional Water Board.	ED	4/30/2020	complete
2020.04.58	Chlorine Residual Basin Plan Amendment	Follow-up with lab committee and RWB on minimum analytical levels.	ED	4/30/2020	complete
2020.04.59	ASC and designation of JPA signatory designee	Work with legal counsel and member agency staff to move this forward	ED	5/15/2020	complete

<b>Action Items Remaining from Previous BACWA Executive Board Meetings</b>					
2020.02.52	Assessment Framework	Get clarity on intention from Water Board staff	ED	3/19/2020	pending
2019.12.46	Risk reduction	Reach out to cities with public health clinics to work with CIEA	RPM	2/29/2020	pending
2019.12.39	CEC sampling at POTWs	Update CEC White Paper Data	RPM	2/29/2020	pending
2019.8.12	BAAQMD Permit Backlog	Set up separate meeting to discuss with Air District management	RPM/ED	11/30/2019	pending
2019.7.05	Sewer Rate Survey	Post as Google Sheet, and publicize update	RPM	8/31/2019	pending
2018.4-93	Website Policy	Add reference to regulatory requirements for Agency websites	ED	4/30/2019	pending

FY20: 54 of 59 Action Items completed  
 FY19: 109 of 110 action Items completed  
 FY18: ~~66~~ of ~~66~~ Action Items completed  
 FY17: 90 of 90 Action Items completed



## Regulatory Program Manager's Report to the Board

April 2020

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**REGULATORY COMMENTS:** None.

**COLLABORATIONS:** None.

**COMMITTEE SUPPORT:**

**BAPPG** – Attended Steering Committee and General Committee meeting. Prepared notes and Board Report.

**Collection Systems** – Coordinated with chairs and prepared April agenda. Attended meeting.

**Laboratory** – Coordinated with chairs and prepared April agenda. Attended meeting.

**Recycled Water** – Prepared March meeting notes. Communicated with members re: Geotracker reporting and transition to Statewide General Order.

**Permits** – Coordinated with chairs and prepared April agenda. Attended meeting. Tracked regulatory developments on COVID-19 public health emergency and communicated with committee.

**Pretreatment** – Participated in call with Committee Chairs on regulatory support during COVID-19 emergency.

**Executive Board** – Attended meeting, provided input on EB minutes, and prepared action items.

**BACWA BULLETIN** – Prepared April Bulletin.

**BACWA REGULATORY MATRIX** – Started work on updates to be published in May.

**ADMINISTRATION/STAFF MEETING** – Met with BACWA ED and AED to prepare for April activities and discuss BACWA operations.

**MEETINGS ATTENDED:**

BAPPG (4/1), Staff meeting (4/7), Lab Committee (4/14), Permits Committee (4/14), Executive Board (4/17), Collection Systems (4/23)