



**Executive Board Meeting  
AGENDA  
Fri, December 17, 2021 9:00 AM - 1:00 PM (PDT)**

To attend the meeting via Zoom or submit a comment please  
[request access](#).

<u>Agenda Item</u>	<u>Time</u>	<u>Pages</u>
ROLL CALL, INTRODUCTIONS, AND TELECONFERENCE ETIQUETTE	9:00 AM	
PUBLIC COMMENT <a href="#">Guidelines</a>		
CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER		
CONSENT CALENDAR	9:10 AM	
1 Resolution to continue teleconferencing Executive Board meetings (AB361)		3-4
2 November 19, 2021 BACWA Executive Board meeting minutes		5-11
APPROVALS AND AUTHORIZATIONS	9:15 AM	
3 Resolution: Bruce Wolfe Scholarship		12-14
POLICY/STRATEGIC	9:20 AM	
4 <u>Informational</u> : CPSC Update - presentation	10:30 AM	15-35
5 <u>Informational</u> : Contract with SFEI for PFAS Phase 2 Study		35-48
6 <u>Discussion</u> : PFAS In Sportfish Workshop - discussion with Dr. Sutton, SFEI		49-51
7 <u>Discussion</u> : Nutrients		
a. Technical Work		
i. State of the Science Outline		52
a. Regulatory		
i. NST Agenda		53
ii. GAR due Feb 1, 2022		
b. Governance Structure		
i. December 1, 2021 Planning Subcommittee meeting notes		54-57
ii. December 10, 2021 Steering Committee meeting notes		58-63
<b>BREAK</b>		
8 <u>Discussion</u> : CASA Climate Change Regulatory initiative		64
9 <u>Discussion</u> : Debrief from Dec 15 BAAQMD adoption of Reg 2		65-66
10 <u>Informational</u> : Update on Chlorine Residual Blanket Permit Amendment		
11 <u>Informational</u> : Update on MRP Permit Amendment		<a href="#">Revised Tentative Order</a> 67-73
12 <u>Discussion</u> : Agency EJI initiatives - report to EPA		
13 <u>Discussion</u> : Endorsement of Bay Adapt Joint Platform		<a href="#">Bay Adapt Joint Platform</a> 74-76
14 <u>Informational</u> : Draft Estuary Blueprint		<a href="#">Draft Estuary Blueprint Update</a> 77-87
15 <u>Informational</u> : Solano County Generators Report		88
16 <u>Discussion</u> : Draft agenda for January 6, 2022 Joint meeting with RWB		
OPERATIONAL	11:45 AM	
17 <u>Discussion</u> : Strategic Plan Proposed Update		89-95
18 <u>Discussion</u> : Guiding principles on funding for collaboratives		96-98
19 <u>Informational</u> : BACC Update		
20 <u>Informational</u> : Extension of Arleen Navarret award nomination deadline		
REPORTS	12:20 PM	
21 Committee Reports		99-101
22 Member highlights		
23 Executive Director Report		102-103
24 Board Calendar and Action Items		104-105
25 Regulatory Program Manager Report		106
26 Other BACWA Representative Reports		107-114
a. RMP Technical Committee	Mary Lou Esparza, Yuyun Shang, Samantha Engelage Karin North; Amanda Roa; Eric Dunlavey Lorien Fono; Lori Schectel	
b. RMP Steering Committee		
c. Summit Partners		

d. ASC/SFEI	Lorien Fono; Eileen White		
e. Nutrient Governance Steering Committee	Eric Dunlavey; Eileen White; Lori Schectel		
e.i Nutrient Planning Subgroup	Eric Dunlavey		
e.ii NMS Technical Workgroup	Eric Dunlavey		
f. SWRCB Nutrient SAG	Lorien Fono		
g. NACWA Taskforce on Dental Amalgam	Tim Potter		
h. BAIRWMP	Cheryl Munoz; Florence Wedington		
i. NACWA Emerging Contaminants	Karin North; Melody LaBella		
j. CASA State Legislative Committee	Lori Schectel		
k. CASA Regulatory Workgroup	Lorien Fono; Mary Cousins		
l. ReNUWIt	Jackie Zipkin; Karin North		
m. ReNUWIt One Water	Jackie Zipkin, Eric Hansen		
n. RMP Microplastics Liaison	Artem Dyachenko		
o. Bay Area Regional Reliability Project	Eileen White		
p. WateReuse Working Group	Cheryl Munoz		
q. San Francisco Estuary Partnership	Eileen White; Lorien Fono		
r. CPSC Policy Education Advisory Committee	Colleen Henry		
s. California Ocean Protection Council	Lorien Fono		
t. Countywide Water Reuse Master Plan	Karin North, Pedro Hernandez		
u. CHARG - Coastal Hazards Adaptation Resiliency Group	Jackie Zipkin		
v. California Water Quality Monitoring Council	Lorien Fono		
27 SUGGESTIONS FOR FUTURE AGENDA ITEMS		12:29 PM	
NEXT MEETING			
The next meeting of the Board is scheduled for January 14, 2022			
ADJOURNMENT		12:30 PM	



**BAY AREA CLEAN WATER AGENCIES  
RESOLUTION NO. R-22-02**

**RESOLUTION AUTHORIZING REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361**

WHEREAS, all Bay Area Clean Water Agencies (BACWA) meetings are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch BACWA’s legislative bodies conduct their business; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for an anticipated broader spread of the novel coronavirus disease 2019 (“COVID-19”); and

WHEREAS, On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, as a result of Executive Order N-29-20, staff set up virtual meetings for all BACWA Executive Board meetings; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which, effective September 30, 2021, repealed the provisions of Executive Order N29-20 that allowed local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (2021), which allows for local legislative bodies and advisory bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the BACWA Executive Board make specified findings. AB 361 (2021) took effect immediately; and

WHEREAS, in order for legislative bodies to continue to conduct meetings via teleconferencing pursuant to AB 361 (2021), a proclaimed State of Emergency must exist; and

WHEREAS, AB 361 (2021) further requires that State or local officials have imposed or recommended measures to promote social distancing, or, requires that the legislative body determines that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in BACWA’s jurisdiction, specifically, Governor Newsom has declared a State of Emergency due to COVID-19; and

WHEREAS, since issuing Executive Order N-08-21, the highly contagious Delta variant of COVID-19 has emerged, causing an increase in COVID-19 cases throughout the State and local Counties; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) continues to recommend physical distancing of at least 6 feet from others outside the household; and

WHEREAS, because of the rise in cases due to the Delta variant of COVID-19, the BACWA Executive Board is concerned about the health and safety of all individuals who intend to attend BACWA Executive Board and Committee meetings; and

WHEREAS, the BACWA Executive Board desires to provide a way for Executive Boarders, staff, and members of the public to participate in meetings remotely, without having to attend meetings in person; and

WHEREAS, the BACWA Executive Board hereby finds that the presence of COVID-19 and the increase of cases due to the Delta variant would present imminent risks to the health or safety of attendees, including the legislative bodies and staff, should BACWA’s legislative bodies hold in person meetings; and

WHEREAS, BACWA shall ensure that its meetings comply with the provisions required by AB 361 (2021) for holding teleconferenced meetings.



**BAY AREA CLEAN WATER AGENCIES  
RESOLUTION NO. R-22-02**

NOW, THEREFORE, BE IT RESOLVED that the Executive Board of the East Bay Dischargers Authority hereby declares as follows:

1. The above recitals are true and correct, and incorporated into this Resolution.
2. In compliance with AB 361 (2021), and in order to continue to conduct teleconference meetings without complying with the usual teleconference meeting requirements of the Brown Act, the BACWA Executive Board makes the following findings:
  - a. The BACWA Executive Board has considered the circumstances of the State of Emergency; and\
  - b. The State of Emergency, as declared by the Governor, continues to directly impact the ability of the BACWA Executive Board and BACWA’s legislative bodies, as well as staff and members of the public, from meeting safely in person; and
  - c. The CDC continues to recommend physical distancing of at least six feet due to COVID-19 and as a result of the presence of COVID-19 and the increase of cases due to the Delta variant, meeting in person would present imminent risks to the health or safety of attendees, the legislative bodies and staff.
3. The BACWA Executive Board may continue to meet remotely in compliance with AB 361, in order to better ensure the health and safety of the public.
4. The BACWA Executive Board will revisit the need to conduct meetings remotely within thirty (30) days of the adoption of this resolution.

PASSED AND ADOPTED THIS 17<sup>TH</sup> DAY OF DECEMBER, 2021.

Amit Mutsuddy  
Chair of the Bay Area Clean Water Agencies Executive Board

ATTEST:

Lorien J. Fono  
Executive Director, Bay Area Clean Water Agencies



# Executive Board Meeting Minutes

November 19, 2021

## ROLL CALL AND INTRODUCTIONS

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

## Other Attendees and Guests:

<u>Name</u>	<u>Agency/Company</u>
Aaron Winer	West County Wastewater District
Amanda Roa	Delta Diablo
Andrew Damron	Napa Sanitation District
Azalea Mitch	San Mateo
Blake Brown	CCCSD
Courtney Mizutani	Mizutani Environmental
Craig Centis	City of Millbrae
Diane Griffin	Dublin San Ramon Services District
Diana Lin	SFEI
Don Gray	EBMUD
Dave Richardson	Woodard & Curran
Amit Mutsuddy *	City of San Jose
Erin Amoueyan	Jacobs
Jennifer Dymont	BACWA
Kevin Cesar	City of Millbrae
Lorien Fono	BACWA
Mary Cousins	BACWA
Mary Lou Esparza	CCCSD
Melody Tovar	City of Sunnyvale
Meg Herston	FSSD
Mike Connor	Consultant
Rion Merlo	Hazen
Robert Wilson	City of Santa Rosa
Ryujiro Tsuchihashi	Jacobs Engineering Group
Sarah Deslauriers	Carollo Engineers
Samuel Feldman-Crough	EBMUD
Sean McNeil	City of Santa Rosa
Talyon Sortor	FSSD
Tom Hall	EOA
Tim Potter	CCCSD
Tyree Jackson	City of Oakland

\*Attended the meeting briefly and was not present to vote on any approvals.

**Eileen White started meeting at 9:02**

## **ROLL CALL, INTRODUCTIONS, AND TELECONFERENCE ETIQUETTE**

**PUBLIC COMMENT** - Amy Chastain shared that the RWB issued a clean-up abatement order to City of San Francisco.

**CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER** - Agenda 12 may be taken out of order.

**1 Resolution to continue teleconferencing Executive Board meetings (AB361)** - BACWA Executive Director shared that resolution would allow us to meet by teleconference & adhere to Brown Act regulations. The resolution is for 30 days so BACWA might need to convene a special meeting to adopt the resolution if time between Board meetings exceeds 30 days. This resolution will be included in future meeting packets.

***Resolution item 1:** A motion to approve was made by Jackie Zipkin (East Bay Dischargers Authority) and seconded by Lori Schectel (Central Contra Costa Sanitary District). The motion was approved unanimously.*

## **CONSENT CALENDAR**

**2 September 17, 2021 BACWA Executive Board meeting minutes**

**3 October 13, 2021 Nutrient Strategy Team Meeting**

**4 September 2021 Treasurers Report**

***Consent Calendar Items 2, 3 and 4:** A motion to approve was made by Amy Chastain (SF Public Utilities Commission) and seconded by Eric Dunlavey (City of San Jose). The motion was approved unanimously.*

## **APPROVALS AND AUTHORIZATIONS**

**5 Approval: FY21 BACWA Annual Report** - BACWA Executive Director explained the Annual Report to the group. FY21's Annual Report aligns with BACWA's new strategic plan, and the body of the report provides links to BACWA resources and work products.

***Approval Item 5:** A motion to approve was made by Amy Chastain (SF Public Utilities Commission) and seconded by Jackie Zipkin (East Bay Dischargers Authority). The motion was approved unanimously.*

**6 Approval FY21 BACWA Audit Report** - BACWA Executive Director explained that this is the annual financial audit produced by Lance Soll Lunghard via EBMUD.

**Approval Item 6:** *A motion to approve was made by Lori Schectel (Central Contra Costa Sanitary District) and seconded by Eric Dunlavey (City of San Jose). The motion was approved unanimously.*

**7 Approval: SFEI Phase 2 PFAS Contract** - BACWA Executive Director explained that we have wrapped up Phase 1 of the PFAS Regional Study. BACWA Executive Director and Regulatory Program Manager are working with SFEI and member agencies to prepare a scope for Phase 2. Areas of study will include sampling facility influent, effluent, and biosolids, as well as residential sewer-sheds, industrial facilities, and groundwater under biosolids land disposal sites. Diana Lin from SFEI shared that Phase 2 is larger in scope than Phase 1, with more types of PFAS analysis. This is a request to allow BACWA ED to negotiate a contract at a specified maximum level effort of \$247,000 with SFEI before the next board meeting. The final contract will be presented at the December 2021 BACWA Board meeting.

**Approval Item 7:** *A motion to approve was made by Lori Schectel (Central Contra Costa Sanitary District) and seconded by Amy Chastain (SF Public Utilities Commission). The motion was approved unanimously.*

## **POLICY/STRATEGIC**

**8 Discussion: PFAS In Sportfish Workshop** - BACWA ED shared that the agenda for a sportfish workshop event is in the packet. Diana Lin from SFEI shared that SF bay sportfish were found to have PFAS levels above the protective thresholds for human health. The goal of the workshop is to engage communities that are marginalized and reliant on fish for subsistence. SFEI is requesting a BACWA sponsorship in the amount of \$3k to \$5k. General discussion followed about how to involve scientists and general public on PFAS safety. Attendees noted that communicating pollutant-by-pollutant risk is a difficult task when the target audience is the general public. If the Board agrees to sponsor the event, BACWA logo would be on workshop materials and BACWA would provide feedback on agenda.

**Action item** - *BACWA Staff will coordinate more discussion among members and bring final thoughts back to December 17, 2021 BACWA Executive Board meeting.*

**9 Discussion: Nutrients**

### **a. Technical Work**

**i. NMS Review Update - Mike Connor Presentation** - Mike Connor shared a presentation on his review of key SFEI 2021 science documents, including the source apportionment report and modeling work on nutrient exports out the Golden Gate. Mike

reviewed his slides and his research with group and finished with evolving recommendations. Some key points included the importance of showing long data sets (such as DO in the Lower South Bay) and the possibility of modifying South Bay Salt Pond operation to improve water quality. Group discussion followed.

## **BREAK**

### **b. Regulatory**

**i. Debrief from Nutrient Discussion at Orinda meeting** – BACWA ED shared major take-aways from discussion with Water Board at Orinda meeting. The 3<sup>rd</sup> watershed permit should be issued on-time (in spring 2024) and a one-Bay approach is on the table for load cap aggregation. Water Board is open to reevaluating load cap calculations and proposes a workshop to discuss alternatives. Key questions on key tenets that were discussed with the Water Board and the answers were presented.

**Action Item** – BACWA ED to share the slides with BACWA community.

**ii. Russian River trading program** - Sean McNeil (City of Santa Rosa) presented on Nutrient Trading in the Laguna de Santa Rosa. He provided background information on the City's Laguna WWTP and watershed, along with a brief history of regulations, and their nutrient offset program / water quantity trading framework His recommendations to BACWA were to (1) consider how to use Trading Ratios to incentivize certain types of projects; (2) establish early on what sort of credit-generating activities would be permitted; (3) establish a mechanism to approve credits; and (4) credit life should be based on the pollutant being traded. General group discussion followed.

### **c. Governance Structure**

**i. October 6, 2021 Planning Subcommittee meeting notes** - provided in packet.

**ii. November 3, 2021 Planning Subcommittee meeting notes** – provided in packet.

**10 Discussion: BACWA Comments on AMR Tentative Order** - BACWA RPM summarized background and discussion around the letter submitted. Revised order should be available for review around December 8, 2021.

**11 Discussion: Review of Climate Change Survey results** - BACWA RPM shared slides that summarized one answer from the climate change questionnaire about vulnerability and adaptability. The responses to sea level rise projections were summarized, showing a diversity of approaches among respondents. General group discussion followed.

**Action Item** – Obtain status update on SFEI / Silvestrum shallow groundwater rise assessment



**12 Discussion: Planning for meeting with BAAQMD leadership** - BACWA ED discussed with Sarah Deslauriers how best to engage BAAQMD leadership. BACWA ED suggested a special meeting to engage with BAAQMD leadership. The adoption hearing for Regulation 2 is going to be on December 15, 2021. BACWA group would like to see POTWs categorized essential businesses and asked for talking points around this issue to provide to Air District Board members. Group discussed ways to engage and work with BAAQMD.

***Action Item** – BACWA staff to share Regulation 2 / essential public service talking points with BACWA group. BACWA members will identify BAAQMD Board members for this outreach messaging. **Action Item** – Schedule a meeting with BAAQMD leadership to discuss longer-term issues such as BAAQMD staffing shortages.*

## **OPERATIONAL**

**13 Discussion: Meeting Schedule 2022** - BACWA ED shared slide of BACWA Executive Board Meeting schedule in 2022. The January 21<sup>st</sup>, 2022 meeting moved to January 14<sup>th</sup> 2022 due to CASA conference. Group decided that BACWA Annual meeting will be May 6<sup>th</sup>. Group decided that Pardee Technical Seminar will be on September 8 & 9<sup>th</sup>, 2022.

***Action item:** BACWA Staff to schedule these events.*

**14 Discussion: Annual Meeting Planning - venue and speakers**

**15 Informational: FY23 Budget planning and adoption schedule** - BACWA ED shared that schedule is in the packet.

**16 Informational: BACC Update** - BACWA AED shared that BACC agencies have submitted their quantities & deliver details spreadsheet and currently the database is being updated.

**17 Informational: Committee leadership appreciation** - BACWA ED shared that BACWA would be giving out Committee leadership a box of See's Chocolates this year.

**18 Discussion: Strategic Plan Proposed Update** - BACWA ED shared that a proposed update to the Strategic Plan is in the packet and will be discussed at the December meeting.

***Action item** - BACWA Staff will bring back to December 17, 2021 BACWA Executive Board meeting for further discussion.*

**19 Discussion: Guiding principles on funding for collaboratives** – BACWA ED shared that we would discuss this item at the next meeting. The Board requested that the document provide criteria for decision making on funding collaboratives.

**Action items** – BACWA staff to develop additional details regarding the guiding principles, and bring back to the December 17, 2021 Executive Board meeting for further discussion.

## REPORTS

### 20 Committee Reports

**21 Member highlights** - BACWA RPM noted that the City of Oakland has joined as a BACWA member.

### 22 Executive Director Report

### 23 Board Calendar and Action Items

### 24 Regulatory Program Manager Report

#### Other BACWA Representative Reports

a. RMP Technical Committee Mary Lou Esparza, Yuyun Shang, Samantha Engelage

b. RMP Steering Committee Karin North; Amanda Roa; Eric Dunlavey

c. Summit Partners Lorien Fono; Lori Schectel

d. ASC/SFEI Lorien Fono; Eileen White

e. Nutrient Governance Steering Committee Eric Dunlavey; Eileen White; Lori Schectel

e.i Nutrient Planning Subgroup Eric Dunlavey

e.ii NMS Technical Workgroup Eric Dunlavey

f. SWRCB Nutrient SAG Lorien Fono

g. NACWA Taskforce on Dental Amalgam Tim Potter

h. BAIRWMP Cheryl Munoz; Florence Wedington

i. NACWA Emerging Contaminants Karin North; Melody LaBella

j. CASA State Legislative Committee Lori Schectel

k. CASA Regulatory Workgroup Lorien Fono; Mary Cousins

l. ReNUWIt Jackie Zipkin; Karin North

m. ReNUWIt One Water Jackie Zipkin, Eric Hansen

**n. RMP Microplastics Liaison Artem Dyachenko**

**o. Bay Area Regional Reliability Project Eileen White**

**p. WateReuse Working Group Cheryl Munoz**

**q. San Francisco Estuary Partnership Eileen White; Lorien Fono**

**r. CPSC Policy Education Advisory Committee Colleen Henry**

**s. California Ocean Protection Council Lorien Fono**

**t. Countywide Water Reuse Master Plan Karin North, Pedro Hernandez**

**u. CHARG - Coastal Hazards Adaptation Resiliency Group Jackie Zipkin**

**v. California Water Quality Monitoring Council Lorien Fono**

#### **SUGGESTIONS FOR FUTURE AGENDA ITEMS**

#### **NEXT MEETING**

**The next meeting of the Board is scheduled for December 17, 2021**

#### **ADJOURNMENT**

**1:12 PM**



## BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 3

MEETING DATE: December 17, 2021

### **TITLE: RESOLUTION TO CONTRIBUTE \$4000 PER YEAR FOR FIVE YEARS TO BRUCE WOLFE MEMORIAL SCHOLARSHIP**

☐ RECEIPT

☐ DISCUSSION

☒ RESOLUTION

☐ APPROVAL

### **RECOMMENDED ACTION**

Approval of a resolution to contribute \$4000 per year for five years to the California Association of Sanitation Agencies Education Foundation toward the creation of a Bruce Wolfe memorial scholarship.

### **BACKGROUND**

Bruce Wolfe worked at the San Francisco Bay Regional Water Quality Control Board from 1977 to 2018, serving most recently as its Executive Officer. Bruce was an inspirational figure, and his leadership was foundational to the positive collaboration that has been fostered between regulators and regulated community for the health of the Bay. Bruce passed away in February 2020.

### **DISCUSSION**

At the July 16, 2021 BACWA Executive Board meeting, the Board member representing EBDA conveyed that the EBDA commission is interested in honoring Bruce's legacy by supporting the advancement of women in science, technology, engineering, and math (STEM), as this had been a passion of Bruce's. EBDA requested that BACWA consider contributing to the scholarship to demonstrate the regional POTW community's recognition of Bruce's service to the estuary and his legacy of collaboration within the clean water community. The BACWA Executive Board supported the concept of a scholarship to honor Bruce, but Board members expressed that the scholarship should be open to Bay Area students from all backgrounds that are underrepresented in the clean water community, and not just to women students.

The California Association of Sanitation Agencies (CASA) Education Foundation (CEF) grants scholarships to students pursuing higher education in engineering, environmental science, public administration, or other related fields, who show an interest in serving the clean water community. CEF has expressed willingness to administer a scholarship that is funded by BACWA and EBDA. Because the other scholarships offered by the CEF are in the amount of \$5000 each, the CEF Board requested that \$5000 per year for five years be dedicated to the Bruce Wolfe Memorial Scholarship.

If this resolution is approved by the BACWA Executive Board, then BACWA would dedicate \$4000 per year for five years to the scholarship, which would be added to the \$1000 per year that EBDA has committed. BACWA and EBDA staff will work with CEF and Bruce’s family to refine the eligibility criteria while maintaining the intention of honoring Bruce’s memory. BACWA staff will report back to the BACWA Executive Board on the scholarship criteria prior to finalizing them.

**FISCAL IMPACT**

Funding for this award will be allocated in each Annual Budget beginning in Fiscal Year 2023 until Fiscal Year 2027.

**ALTERNATIVES**

- 1. Do not fund this scholarship. This alternative is not recommended because BACWA’s contribution to this scholarship signals a regional POTW commitment to our collaborative relationship with the Water Board.

*Attachments:* BACWA Resolution R-22-03

Approved: \_\_\_\_\_  
Amit Mutsuddy  
BACWA Executive Board

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



**BAY AREA CLEAN WATER AGENCIES  
RESOLUTION NO. R-22-03**

**RESOLUTION TO CONTRIBUTE \$4000 PER YEAR FOR FIVE YEARS TO THE CALIFORNIA ASSOCIATION OF  
SANITATION AGENCIES EDUCATION FOUNDATION TOWARD THE CREATION OF A BRUCE WOLFE  
MEMORIAL SCHOLARSHIP**

WHEREAS, Bruce Wolfe began working at the San Francisco Bay Regional Water Quality Control Board (RWQCB) in 1977 and worked there until his retirement in 2018; and

WHEREAS, as Executive Officer of the RWQCB, Mr. Wolfe exhibited unparalleled leadership in working collaboratively to further stewardship of San Francisco Bay, including through the Regional Monitoring Program and the Nutrient Management Strategy; and

WHEREAS BACWA honored Bruce Wolfe upon his retirement by recognizing his contribution to the regional clean water community at our 2019 Annual Members Meeting; and

WHEREAS, the BACWA Executive Board wishes to honor the life and legacy of Mr. Wolfe; and

WHEREAS, Mr. Wolfe was dedicated to fostering the advancement of women and other underrepresented groups in science, engineering, and other clean water career paths; and

WHEREAS, the California Association of Sanitation Agencies Education Foundation (CEF) is a 501(c)3 organization that helps ensure clean water for Californians by awarding scholarships to promising students on a path to serving the environmental community; and

WHEREAS, CEF has agreed to create a Bruce Wolfe Memorial Scholarship for a student meeting criteria developed by BACWA and other contributors.

NOW, THEREFORE, BE IT RESOLVED, the Bay Area Clean Water Agencies hereby pledges to contribute \$4000 per year for fiscal years 2023 through 2027 to the California Association of Sanitation Agencies Education Foundation toward creation of a scholarship in memory of Bruce Wolf.

PASSED AND ADOPTED THIS 17<sup>TH</sup> DAY OF DECEMBER, 2021.

Amit Mutsuddy  
Chair of the Bay Area Clean Water Agencies Executive Board

ATTEST:

Lorien J. Fono  
Executive Director, Bay Area Clean Water Agencies



**CPSC**  
**California Product**  
**Stewardship Council** SM



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

## **Executive Board Presentation**

### **CPSC Update**

December 17, 2021

# CPSC Board/Organization



Joanne Brasch



Doug Kobold



Nate Pelczar



Kamryn Kubose

## Staff



Yalin Li

## Board Executive Committee



Kristina Miller, Chair  
City of Corning



Colleen Foster, Vice Chair  
City of Oceanside



Tedd Ward, Treasurer  
Del Norte WMA



Amy Hammes, Secretary  
City of Burbank



# CPSC Board/Organization



14 Member Board: <https://www.calpsc.org/about-us>



Derek Crutchfield  
City of Vallejo



Manuel Medrano  
City of Chula Vista



Alexa KIELTY  
City & County of San  
Francisco



Justin Lehrer  
Alameda County  
StopWaste



Wes Nelson  
GreenWaste Carpet  
Recycling



Steve Rodowick  
Butte County



Julia Au  
RethinkWaste



Chris Sheppard  
LA County Public Works

# Funding

## Associates

Thank you Cities, Counties, Districts, and JPAs!

## Sponsors

Platinum Sponsors (\$10,000+)



Other Levels: Gold (\$5,000+), Silver (\$2,500+), Bronze (\$500+), Green (\$250+)



FIBERSHED



Product Care Association of Canada  
Zanker Road Resource Mgt., Ltd.  
R3 Consulting  
Resource Recovery Coalition of California  
Regent Apparel

# CPSC Mission – Goals of EPR



To shift California's product waste management system from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability.



# What's new in the Capitol?

## 2021-2022 Legislative Session

Year 1:

AB 1 – AB 1593

SB 1 – SB 828

(Doesn't include Resolutions, etc.)

(Includes Budget Trailer Bills)

### Number of Bills Tracked by CPSC:

- Assembly: 39 (plus AJR 4)
- Senate: 18
- **Total of 58**



# Solid Waste Industry Related Bills



## Assembly

## Senate

<ul style="list-style-type: none"> <li>• AB 1</li> <li>• AB 98</li> <li>• <b>AB 100*</b></li> <li>• <b>AB 246*</b></li> <li>• AB 318</li> <li>• <b>AB 332*</b></li> <li>• <del>AB 416**</del></li> <li>• <del>AB 478</del></li> <li>• AB 504*</li> <li>• AB 622</li> <li>• AB 649</li> <li>• <b>AB 652*</b></li> <li>• <b>AB 659</b></li> <li>• <b>AB 661</b></li> <li>• AB 683</li> <li>• AB 684</li> <li>• AB 698*</li> <li>• <b>AB 707*</b></li> <li>• AB 732</li> <li>• AB 734</li> </ul>	<ul style="list-style-type: none"> <li>• AB 735</li> <li>• AB 802</li> <li>• <b>AB 818*</b></li> <li>• AB 842</li> <li>• AB 847</li> <li>• <b>AB 881*</b></li> <li>• <b>AB 962*</b></li> <li>• <del>AB 1027</del></li> <li>• <del>AB 1035**</del></li> <li>• AB 1067</li> <li>• <del>AB 1086</del></li> <li>• <b>AB 1200*</b></li> <li>• <b>AB 1201*</b></li> <li>• <b>AB 1276*</b></li> <li>• <b>AB 1311*</b></li> <li>• <del>AB 1371</del></li> <li>• AB 1397</li> <li>• AB 1469</li> <li>• AB 1553</li> <li>• <b>AJR 4*</b></li> </ul>	<ul style="list-style-type: none"> <li>• SB 38</li> <li>• <b>SB 42</b></li> <li>• SB 54</li> <li>• SB 158*</li> <li>• SB 170*</li> <li>• SB 207<sup>G&amp;A</sup></li> <li>• <del>SB 244**</del></li> <li>• <del>SB 289</del></li> <li>• SB 324</li> <li>• SB 342</li> <li>• <b>SB 343*</b></li> <li>• SB 451</li> <li>• SB 502</li> <li>• <del>SB 557</del></li> <li>• SB 580</li> <li>• SB 582</li> <li>• <b>SB 605</b></li> <li>• SB 619*</li> </ul>
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\* = Signed Into Law

XX\*\* = Vetoed

XX = Dead

G&A = Gut & Amend

Sponsor

Support

Oppose

# Signed Bills



## Assembly

- AB 100 (Holden) – Drinking water: endpoint devices: lead content
  - Prohibits sale of endpoint device intended to convey or dispense water for human consumption that leaches more than one microgram of lead for test statistic Q or R, when normalized for a first draw sample up to or equal to one liter in volume, as calculated in accordance with the 2020 NSF International Standard 61.
- AB 332 (ESTM) – Hazardous waste: treated wood waste: management standards
  - Return to Alternative Management Standards (AMS)
  - Effective August 31, 2021
- AB 652 (Friedman) – Product safety: juvenile products: chemicals: perfluoroalkyl and polyfluoroalkyl substances.
  - Ban on regulated PFAs in new juvenile products
  - Effective July 1, 2023
- AB 707 (Quirk) – Mercury Thermostat Collection Act of 2021
  - Extends takeback program to December 31, 2030
  - Manufacturers pay DTSC \$400K/year for oversight
  - Pay collection incentives of \$30 each to consumers, as defined, and service technicians
  - Stewardship Plan to DTSC for approval by June 1, 2022
- AB 818 (Bloom) – Solid waste: premoistened nonwoven disposable wipes
  - Label certain premoistened nonwoven disposable wipes “Do Not Flush” by July 1, 2022
  - Establish the California Consumer Education and Outreach Program until January 1, 2027

## Assembly (cont'd)

- AB 1200 (Ting) – Plant-based food packaging: cookware: hazardous chemicals
  - Prohibit food packaging with regulated PFAs starting January 1, 2023
  - Require the disclosure of certain intentionally added chemicals to Cookware in contact with food or beverage starting January 1, 2024

## Senate

- SB 158 (Committee on Budget and Fiscal Review) – Hazardous waste
  - Establish the 5 Member Board of Environmental Safety
  - 3 Governor Appointees, 1 Senate, and 1 Assembly
  - Creates generation and handling fee of \$49.25/ton, effective January 1, 2022
  - Schedule of fees by July 1, 2023 through regulations
  - Exempts HHW facilities, load check programs, and at-your-door programs from \$49.25/ton fee

# 2-Year Bills

## Ones to watch!



- AB 1 (C. Garcia) – Hazardous waste
- AB 622 (Friedman) – Washing machines: microfiber filtration
- AB 661 (Bennett) – Recycling: materials
- AB 684 (Fong) – Hazardous waste: treated wood waste
- AB 802 (Bloom) – Microfiber pollution
- AB 842 (C. Garcia) – California Circular Economy and Plastic Pollution Reduction Act
- AB 1001 (C. Garcia) – Environment: air pollution and mitigation measures for air and water quality impacts
- AB 1454 (Bloom) – The California Beverage Container and Litter Reduction Act
- SB 54 (Allen) – Plastic Pollution Producer Responsibility Act
- SB 502 (Allen) – Hazardous materials: green chemistry: consumer products



# CPSC Focus

## PRODUCTS

BATTERIES



CARPET



FLUORESCENTS



GAS CYLINDERS



MATTRESSES



PACKAGING



PAINT



PHARMACEUTICALS



SHARPS



SOLAR PANELS



TEXTILES



THERMOSTATS



TOBACCO



# CPSC Campaigns





# Visit the RFYF Website!

<https://www.refuelyourfun.org/>



Home

Maps & Events

Offer Reusables

Media

Contact



## MAPS & EVENTS

Find a location  
that sells/refill/exchanges  
reusables, where upcoming events  
are happening, and where you can  
recycle your cylinders.



## PARTICIPATE

Do you want to offer reusables or  
refill services? Learn how.



## MEDIA

Watch our videos and read articles  
featuring ReFuel Your Fun!



## CONTACT

Get in touch - we'd love to hear  
from you!



<https://www.dontrushtoflush.org/>



## DON'T RUSH TO FLUSH

This program, developed and administered by the California Product Stewardship Council, has the goal of increasing the disposal of unwanted medicines across the state of California.



FIND A BIN

HOW IT WORKS

WHAT GOES IN



<https://www.takebackdrugs.org/>

# California Drug Take-Back Program

## Important Update for Existing Program Med Bin Hosts

The California Drug Take-Back Program has enough remaining funding to provide you with free liners (including shipping and disposal of filled liners) through early 2022. We encourage you to continue accepting unwanted medications in the med bins we've installed at your facility, shipping them back once they are no more than 2/3 full, and ordering replacement liners as you've previously done (using the process documentation provided to you upon installation of the med bin). SB 212 is expected to be fully operational, barring no delays, in 2022.



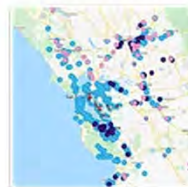
We are no longer accepting applications for bin host locations.

This program was funded by California Department of Health Care Services' MAT Expansion Project and developed and administered in partnership with the California Product Stewardship Council. The program's goal is to increase the disposal of unwanted medicines across the state of California. Safe medicine disposal bins (bins) were be placed throughout the state for the express purpose of disposing unwanted medicines.

Nearly 250 bins were placed as part of this program, greatly expanding the network of bins across the state of California and providing all citizens with even greater access to free safe medicine disposal.



## Med Bin Maps

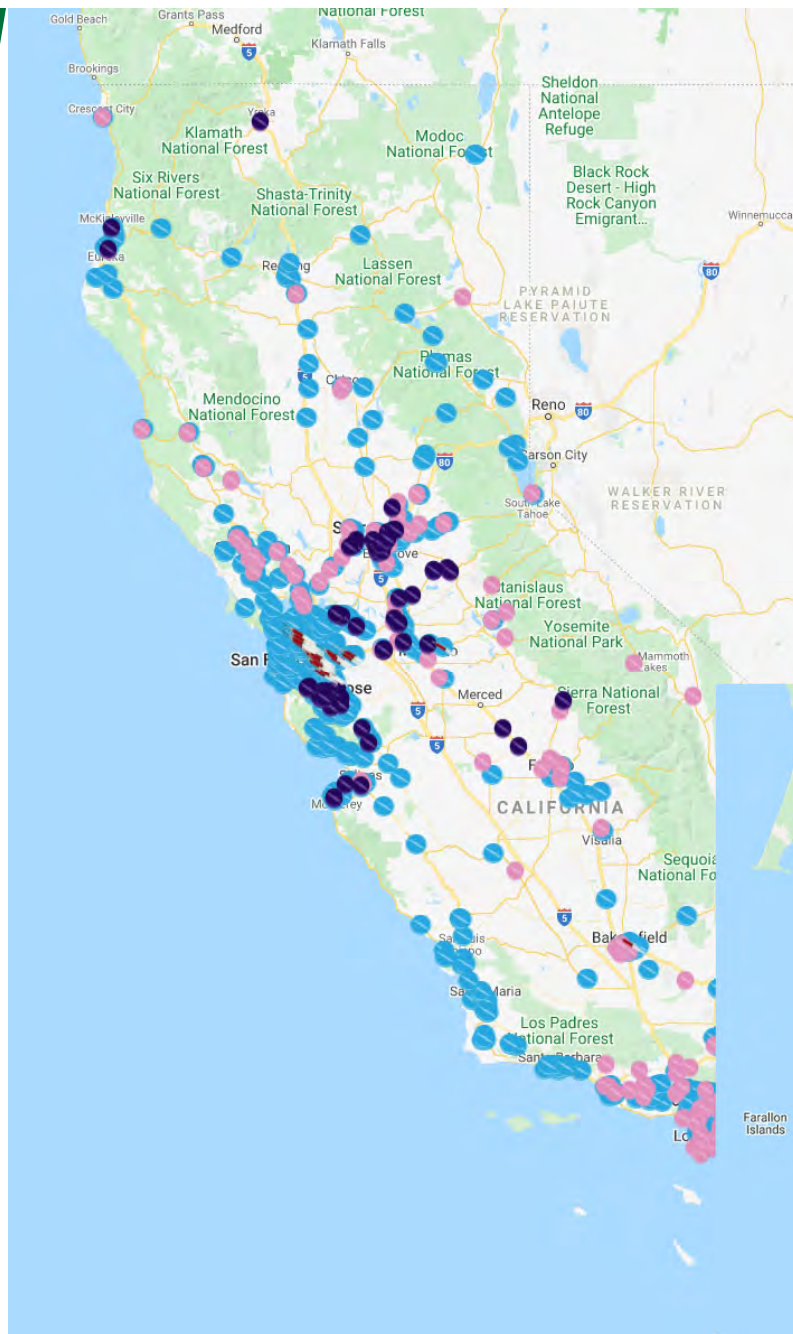


## How it Works



## FAQs





## Legend



Med bins installed as part of DHCS project



Med bins installed as part of CPSC programs



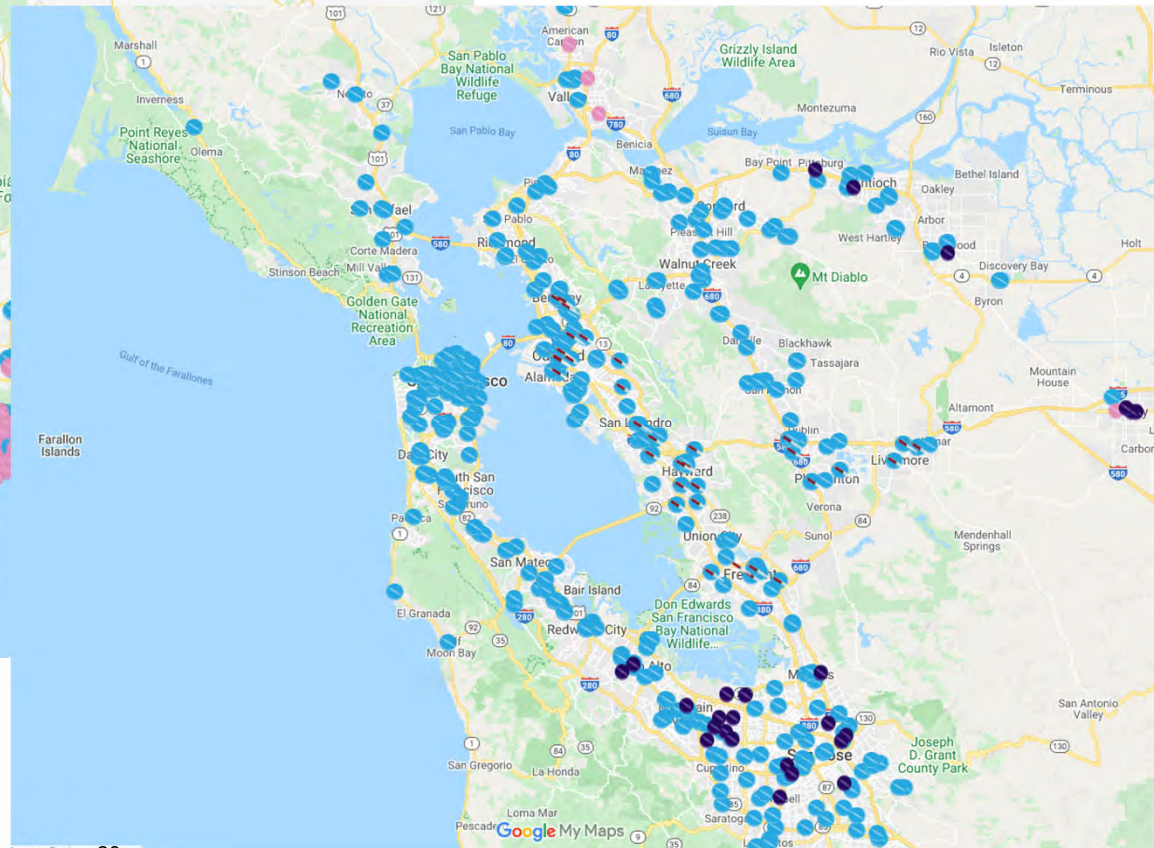
Med bins installed as part of local and/or statewide efforts



Sharps bins



**CPSC**  
California Product Stewardship Council SM





# Marine Debris Projects

- Marine flare collection in the Bay Area and Del Norte County
- Microfiber and PFAS research and advocacy
- Textile recovery pilots







## GOVERNMENT ACTION AT EVERY LEVEL

### Local Action

1. Green Purchasing to include contracts with reuse, repair, and recycling
2. Buy uniforms with recycled content from brands with repair and recycling
3. Require reporting and recycling as part of collection partnerships
4. Start a public database of verified textile handlers

### Federal Updates

1. Remove subsidies on virgin fossil fuels
2. Address unfair tariffs on organic and recycled textiles
3. Invest in sustainable agriculture and domestic manufacturing
4. Regulate PFAS & Microplastics
5. Update labeling and standards to support sorters and recyclers

### State Policies

1. Implement tax incentives for repair for immediate relief to small businesses conducting textile sustainability services diverting garments from landfills back into reuse.
2. Pass Extended Producer Responsibility (EPR) to create an industry funding source to invest in recovery infrastructure for easy-to-recycle textiles, such as Hospitality textiles to reduce costs & footprint for an impacted industry.
3. Expand PFAS & microplastics regulations to engage polluters and prevent future abatement.
4. Start statewide education and outreach campaigns on waste prevention and textile recovery opportunities, both residential and commercial.



Where we need to be heading!

CPSC's new campaign is “D” “R” “Cubed”

Following the lead of the European Union's Sustainable Products Initiative, products need to be made more:

- Durable
- Reusable
- Repairable
- Recyclable





# Questions?

# Connect with CPSC!



**Doug Kobold**  
**Executive Director**

[email@calpsc.org](mailto:email@calpsc.org)

**916-706-3420 (O)**

**916-413-5262 (C)**

[www.CalPSC.org](http://www.CalPSC.org)



Follow and Share!



## BAY AREA CLEAN WATER AGENCIES PROFESSIONAL SERVICES CONTRACT

This PROFESSIONAL SERVICES CONTRACT, effective December 3, 2021, is between Bay Area Clean Water Agencies (“BACWA”), a joint powers agency which exists as a public entity separate and apart from its Member Agencies, created January 4, 1984 by a Joint Powers Agreement between Central Contra Costa Sanitary District, East Bay Dischargers Association, East Bay Municipal Utility District, the City and County of San Francisco and the City of San Jose, with a mailing address of P.O. Box 24055, MS 702, Oakland, CA 94623, and the San Francisco Estuary Institute (“Consultant”), a 501 (c)3 Non-Profit doing business at 4911 Central Ave., Richmond, CA 94904 for professional services as described in any Exhibit A attached hereto.

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

### Description and Standard of Services to be Performed

1. Consultant will perform the Services as described by and in accordance with Exhibit A in a manner acceptable to BACWA.
2. Consultant shall not contract with or otherwise use any subconsultants, subcontractors or other nonemployee persons or entities (“Subconsultants”) to perform the Services without the prior written approval of BACWA. If Consultant and BACWA agree that Subconsultants shall be used, Consultant shall ensure Subconsultants’ compliance with all the terms and conditions of this agreement.
3. Consultant will exercise that degree of care in performing the Services in accordance with that prevailing among firms of comparable standing in the State of California (“Professional Standard”). Consultant will promptly correct or re-perform those Services not meeting the Professional Standard without additional compensation.
4. Consultant warrants that it is fully licensed, registered and otherwise fully authorized to perform the Services in the State of California to the extent applicable law requires such licensure, registration or authorization.
5. BACWA’s review, approval, acceptance, use, or payment for all or any part of the Services hereunder will not alter the Consultant’s obligations or BACWA’s rights hereunder, and will not excuse or diminish Consultant’s responsibility for performing all Services consistent with this Contract.
6. The term of this agreement shall not extend beyond December 31, 2023.

### Payment for Services

7. BACWA will pay Consultant based work performed on the various tasks shown in the scope of work in Exhibit A, up to a maximum amount payable of \$192,000. With prior written approval from BACWA’s Executive Director, an additional \$11,000 may be authorized, for a total not-to-exceed amount payable of \$203,000. Consultant will not exceed the maximum amount payable without obtaining prior written approval from BACWA.
8. Consultant shall submit invoices quarterly (March, June, September, December), or upon completion of major project milestones via email to [jdymen@bacwa.org](mailto:jdymen@bacwa.org). Invoices shall indicate hours associated with each task in Exhibit A, and a brief description of work performed.
9. Payments under this Contract will be due thirty (30) days after BACWA’s receipt of invoices. BACWA may withhold from any progress or final payment any damages, backcharges or claims incurred or anticipated by BACWA to the extent caused by Consultant.

#### Document Ownership and Retention

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

#### Indemnification

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

#### Insurance

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

#### Assignment

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

#### Independent Contractor

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

#### Termination of Contract; Suspension of Services

15. This contract shall automatically terminate on June 30, 2022. Either party may also terminate this Contract in whole or in part at any time for its convenience. For a termination for convenience, the termination will be effective thirty (30) days following receipt of a written notice of termination by one party from the other. BACWA may terminate this Contract in whole or in part for cause, in which event the termination will be effective ten (10) days after Consultant's receipt of BACWA's written notice and Consultant's failure during that period to cure the default.

#### Dispute Resolution

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

Severability

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

Survival

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

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

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

Exhibit A – Scope of Work, Schedule, and Budget

CONSULTANT:

San Francisco Estuary Institute

4911 Central Ave.

Street Address  
Richmond, CA 94904

City, State, Zip Code  
94-2951373

Tax Identification No.



12 / 10 / 2021

Consultant Signature

Date

Warner Chabot, Executive Director

Name, Title



12 / 13 / 2021

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BACWA Signature  
Amit Mutsuddy, BACWA Executive Board Chair

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Date

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Name, Title



## Exhibit A

### Scope of Work (SOW), Schedule, and Budget

Professional Services by San Francisco Estuary Institute (SFEI)

Period of 12/3/2021 – 12/31/2023

**Scope of Work:** Per- and Polyfluoroalkyl Substances Monitoring for Bay Area Publicly-Owned Treatment Works, Phase 2: Investigation of PFAS Sources in Sewershed to Inform Management

**Objective:** Following up from Per- and Polyfluoroalkyl Substances (PFAS) Monitoring for Bay Area Publicly-Owned Treatment Works, Phase 1 study, San Francisco Estuary Institute (SFEI) will develop and implement a second phase study to further investigate PFAS in matrices from Bay Area Publicly-Owned Treatment Works (POTWs) to inform the management of PFAS at the local, regional, and state level. Results will also inform the monitoring strategy and program decisions for the Regional Monitoring Program for Water Quality in San Francisco Bay (RMP) and address monitoring needs for the State and Region 2 Water Board.

Phase 2 will analyze samples from up to seven Bay Area POTWs to measure concentrations of PFAS in wastewater and possibly biosolids and/or groundwater. Tasks to be undertaken by SFEI in Phase 2 consist of project management, study design, coordination of sample collection, data management and quality assurance, and reporting (described in Tasks 1 through 6 below). This study will be conducted in collaboration with BACWA members (Study Participants) who have volunteered to collaborate by supporting study design and collecting samples in their sewersheds. This Scope of Work does not include the cost of laboratory analysis of samples; BACWA is expected to develop a separate contract with an analytical laboratory to cover analytical costs.

Some of the management questions that will be explored via Phase 2 include the following:

- Are residential flows an important source of PFAS to participating POTWs?
- Can specific industries (e.g., industrial laundry, food waste, semiconductor manufacturing) be identified as discharging higher than average concentrations of TOP PFAS (including oxidizable precursors and end products) to POTWs?
- How do TOP concentrations compare in influent, effluent, and biosolids from participating POTWs?

Possible further questions that can be explored include the following:

- Are there significant amounts of organofluorine in wastewater samples not captured by TOP?
- Can we identify PFAS “fingerprints” in influent samples linked to specific sources?

#### **Task 1: Project Management**

SFEI will conduct project management activities, including:

- Supervise, coordinate, and monitor project progress and sub-contracts in conformance with best practices and other governing agency requirements;
- Coordination with analytical laboratory

- Notify BACWA of any changes in scope or budget as soon as possible and propose actions if necessary to correct these changes;
- Maintain communication with BACWA by being available by phone or e-mail and responding in a timely fashion;
- Maintain project files; and
- Provide quarterly invoices to BACWA.

## **Task 2: Sampling and Analysis Plan Development**

By January 31, 2022, or 60 days from the issuance of the notice to proceed (whichever is later), SFEI will provide a draft sampling and analysis plan (SAP). The SAP will be developed in consultation with BACWA and BACWA members to select representative sampling locations in the sewershed to investigate major sources of PFAS entering wastewater influent. Additionally, influent, effluent, and biosolid samples will be collected to compare to sewershed sources and evaluate the fate of PFAS through the treatment process. The budget includes up to twelve meetings with BACWA and Study Participants to develop and finalize study design and sampling procedures. Up to five additional meetings are included for consulting with State Water Board and outside PFAS experts to review study design. SFEI will also support BACWA in selecting and contracting with an analytical laboratory with appropriate expertise in PFAS environmental sample analysis. SFEI will provide support in drafting the scope of work for the analytical laboratory.

BACWA and BACWA members are expected to provide timely technical support in selecting representative sampling locations in their sewershed and provide timely feedback on the study design. BACWA and BACWA members will have the opportunity to provide comments on the draft SAP before it is finalized, and it is expected that final comments will be received within fourteen days of receiving the draft SAP. State and Regional Water Board staff will also have opportunity to provide high level comments on the draft SAP before it is finalized, and it is expected that final comments will be received within seven days of receiving the draft SAP. BACWA and the Water Boards will approve the final SAP before it is implemented. Delay in receiving approval for the SAP may delay implementation of sampling activities.

At a minimum, the SAP will include the following elements:

- Identify industries or residential sampling locations to be collected by each participating POTW. It is estimated that between 30-60 sewershed sampling locations (including residential, industrial, and commercial wastewater or hauled waste) will be sampled in the study. Additional QA/QC samples will also be collected to provide quality assurance.
- Specify number of influent, effluent, biosolid and/or groundwater samples to be collected at the POTW for Total Oxidizable Precursor analysis.
- Description of sampling design and instructions on how samples should be collected at the POTW and in the field for sewershed sampling. To the extent reasonable, sample collection methods will be consistent with statewide investigation orders so that results can be compared to previous results.
- Description of laboratory analyses to be conducted. This may include:
  - Targeted analysis of PFAS in sewershed samples.

- Targeted analysis of polyfluoroalkyl phosphates (PAPs) in sewershed samples and/or hauled food waste. PAPs are used in food packaging, and a potential source of PFAS.
- Targeted analysis of PFAS in influent, effluent, biosolids, and/or groundwater.
- Total oxidizable precursor (TOP) PFAS analysis in influent, effluent, biosolids and/or biosolids to screen for the presence of PFAS precursors that are not captured in the targeted analysis.
- Total organofluorine analysis (TOF) in influent, effluent, and biosolids.
- Essential quality assurance and quality control considerations. A project-specific Quality Assurance Project Plan will not be developed due to time constraints for initiating this study and budget limitations. Analytical results will be evaluated using Quality Assurance/Quality Control (QA/QC) criteria for PFAS specified in the Department of Defense (DoD) Quality Systems Manual (QSM) dated 2017, version 5.1 or later. PFAS sampling guidelines largely based on experiences from Phase 1 and other relevant references will be included. Relevant field sampling QA/QC criteria for this study specified in the RMP QAPP, such as recommended number of field blanks and field duplicates per number of field samples, will be included in the SAP.

The SAP is also expected to include collection of groundwater samples from one Study Participant to assess potential migration of PFAS from biosolid treatment and disposal to on-site groundwater. Selection of sampling locations will be led by BACWA and Study Participant, and results will be analyzed separately by the Study Participant and their consultant.

Additional hours are included to engage project advisor to review SAP and implement any recommended changes in study design.

### **Task 3: SAP Implementation**

Guided by the SAP, SFEI will coordinate sample collection and handling procedures with the participating POTWs and the analytical laboratory, to ensure sampling is completed and quality control measures are met.

#### Schedule and Deliverables

- Draft Sampling and Analysis Plan: Monday, January 31, 2022 or 60 days after issuance to proceed (whichever is later); Comments from BACWA and Water Boards expected within 14 days of receiving draft report.
- Final Sampling and Analysis Plan: Tuesday, February 28, 2022 or 30 days after receiving final comments (whichever is later).
- Support Sample Collection: March - May 2022 or three months following completion of Sampling and Analysis Plan (whichever is later)

### **Task 4: Data Management and QA/QC Review**

Specific tasks required of SFEI to manage and QA/QC data include:

- Project management and coordination with analytical laboratory (estimate: 50 hours)
- Data management (estimate: 180 hours)

- Set up field sampling templates with required field sampling parameters that will be filled out by Study Participants.
- Review and compile field sampling templates from all Study Participants.
- Set up the EDD template for targeted analytical results and coordinate with the laboratory to populate the EDD template accurately according to standardized format.
- Compile data submissions, assess for completeness and provide additional data formatting as necessary for reporting.
- Data validation (130 hours)
  - Review analytical results compared to quality control considerations specified in the SAP and QA/QC criteria specified in DoD Table B-15 of Quality Systems Manual (QSM), dated 2017, version 5.1 or later. Data results will not be modified, and data that do not meet QA/QC criteria will be flagged as described in the SAP.
  - Current scope of work assumes data collected will be reviewed as ten datasets. The number of datasets will depend on the study design, which is still to be determined. The estimate of ten datasets is based on analyzing three matrices collected at the plant (influent and effluent combined; biosolids; groundwater) that are analyzed using two different analytical methods (e.g., target and TOP), and sewershed samples analyzed using four different analytical methods. Data management cost could be less than budgeted if number of datasets to be reviewed is reduced.
  - Prepare QA summary for reporting and data evaluation purposes that will be included in the monitoring report.

#### Schedule and Deliverables

- Laboratory analysis of samples: June – August, 2022 or 90 days after issuance to proceed with analysis (anticipated schedule). Note that suspect screening non-target analysis may require more time.
- SFEI data QA/QC: September – November, 2022 or 75 days after receiving final data results for analytical laboratory (whichever is later).

#### **Task 5: Data and Report Upload to GeoTracker**

Within 120 days of receiving the final analytical laboratory report, SFEI will upload an Electronic Data Format (EDF) of the analytical results into the Water Board's GeoTracker system on behalf of Study Participants (up to seven participating POTWs). Specifically, only targeted PFAS analysis of influent, effluent, and biosolids will be uploaded, consistent with data reported to Geotracker through the Phase 1 study. The budget is based on the assumption that site information for each participating facility is already in the GeoTracker system.

Current scope does not include uploading other matrices (e.g. sewershed samples, groundwater) or other analytical methods (e.g., PAPs, TOP) to Geotracker or other state databases. If data is required to be uploaded to a state database, additional parameters regarding field collection may be required, which will require additional staff hours from Study Participants and SFEI. All data will be electronically archived by SFEI.

SFEI will also compile a monitoring report and upload the monitoring within 120 days of the receipt of the final analytical laboratory report, SFEI will upload a monitoring report via GeoTracker's ESI portal. One monitoring report will be developed for the Phase 2 study, which will be submitted on behalf of each Study Participant. It is expected that each facility will provide SFEI with information about the sampling locations, flow measurements, and flow measurement devices used during sampling in a timely manner. SFEI will compile all reported data (analytical results, QA/QC analyses, any deviations from the SAP reported from each facility, and sampling locations and flow measurements reported by each facility) into one monitoring report. The monitoring report will only include results from targeted analysis of influent, effluent, and biosolids. Analysis of full dataset will be summarized in the final report submitted to BACWA (Task 6: Data Analysis and Report).

#### Schedule and Deliverables.

- Analytical results uploaded to the GeoTracker system within 120 days of receiving the final laboratory analytical report.
- Monitoring report submitted to the GeoTracker system within 120 days of receiving final laboratory analytical report.

### **Task 6: Data Analysis and Report**

SFEI will analyze and synthesize data in a technical report combined with Phase 1 data results. Results will be interpreted in the context of monitoring data from state-wide POTW wastewater data sources and a few relevant published references. This scope assumes state-wide POTW PFAS data have been summarized and published by others. Interpretation will focus on qualitative comparisons of measurements among sources and matrices.

It is expected that Study Participants will provide comments to guide interpretation of results from their sewersheds. SFEI will organize video meetings (up to ten budgeted for data interpretation) with BACWA, Study Participants, and BACWA members to discuss interpretation of the data and receive comments on draft report. SFEI will also support BACWA in communicating results to regulators and the public, and up to five meetings or presentations are included in the budget (for communicating project results).

Final report will include recommendations for how results can be used to inform PFAS monitoring and management actions.

SFEI will also identify relevant experts and consult with selected project advisor(s) to provide peer-review of the study design and data interpretation and conclusions in the report. Honorarium is included for one project advisors. Budget can be increased to include three project advisors.

#### Schedule and Deliverables

- Presentation of preliminary data analysis: 90 days after data QA/QC is complete.
- Data interpretation discussions with BACWA: 60 days after initial preliminary presentation.

- Draft Report: seven months after data QA/QC is complete. Comments from BACWA, Water Boards, and experts expected within three weeks of receiving draft report.
- Final Report: 75 days after final comments are received from BACWA.

**Task 7: Additional optional tasks (As-needed)**

This task includes additional hours to cover additional unanticipated tasks for data management, data analysis, and report writing. This task will not be commenced without written approval from BACWA's Executive Director.

## Staff and Budget

<b>Position</b>	<b>Through 6/30/2022</b>	<b>7/1/2022 - 6/30/2023</b>
Admin	\$141.60	\$150.10
Assoc Sci I&II/Assoc Tech Specialist I&II	\$121.27	\$128.55
Environmental/Tech Analyst	\$86.52	\$91.71
Sr Environmental/Sr Tech Analyst	\$93.90	\$99.53
Manager/Sr Scientist I	\$183.40	\$194.40
Program Director/Sr Scientist II	\$248.18	\$263.07
Project Manager	\$122.54	\$129.89
Scientist I/Tech Specialist I&II	\$137.12	\$145.35
Scientist II/Sr Tech Specialist I&II	\$195.26	\$206.98

\*Hourly Rates listed above represent the maximum billing rates for each position. Invoices will reflect the actual billing rates for staff working on the project during that period.

Direct costs will be invoiced at actual cost.

Total expenditures not to exceed \$203,000. Estimated hours and budget for each task are summarized below. Work on Task 7 will not be commenced without approval from BACWA.

## Estimated hours and budget per task

	<b>Hours</b>	<b>Basic Budget</b>
<b>Task 1: Project Management</b>	100	\$15,000
<b>Task 2: SAP</b>	240	\$38,000
<b>Task 3: SAP Implementation support</b>	100	\$14,000
<b>Task 4: Data Management and QA/QC Review</b>	370	\$57,000
<b>Task 5: Data and Report Upload to Geotracker</b>	50	\$7,000
<b>Task 6: Data Analysis and Updated Technical Report</b>	420	\$60,000
<b>Task 7: Extended Revision of Final Report from BACWA and expert review process (As-needed)</b>	75	\$11,000
<b>Honorarium</b>		\$1,000
<b>Total</b>		<b>\$203,000</b>

### Estimated Project Timeline:

	2021		2022												2023								
Milestone	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Finalize Contract	■																						
Develop SAP	■	■	■																				
Finalize SAP				■																			
Sample Collection					■	■	■																
Laboratory analysis of samples								■	■	■	■												
Data QA											■	■	■										
Analysis of Results														■	■	■							
Internal Discussion of Results																■	■	■					
Draft report																			■	■			
Comments on draft report																					■		
Final report																						■	■



## **PFAS in San Francisco Bay Fish February 4, 2022**

Virtual meeting to bring together environmental and public health agencies, members of tribes and local fishing communities, and the general public to discuss PFAS contamination of San Francisco Bay sport fish and build consensus for next steps to protect everyone who catches and eats fish from the Bay.

### **DRAFT AGENDA (v4)**

#### **Welcome: Goals of Today's Meeting and Land Acknowledgment**

Clean Water Action & San Francisco Estuary Institute **(9:00-9:10)** 10 min

#### **Session 1: Setting the Stage: PFAS and Perspectives from Bay Fishing Communities (85 minutes total: 9:10-10:35)**

➤ **Introductions:** (Becky) **(9:10-9:15)**

➤ **Reducing Harm from PFAS for Healthier People and Environment**

Dr. Arlene Blum, Founder and Executive Director, Green Science Policy Institute  
**(9:15-9:30)** 15 min

➤ **Perspectives of Frontline Communities**

LaDonna Williams, Programs Director, All Positives Possible - Vallejo, CA  
Dominique Brooks, Executive Director, Healing Impacted Communities - Bayo Vista, Rodeo, CA  
Lonnie Mason, Executive Director, First Generations Environmental & Economic Development - Bay View Hunter's Point, San Francisco, CA  
**(9:30-10:00)** 30 min

➤ **PFASs measured in Biomonitoring California's Asian/Pacific Islander  
Community Exposures (ACE) Project**  
Duyen Kauffman, Health Program Specialist, Biomonitoring California Environmental Health Investigations Branch, California Dept. of Public Health  
**(10:00-10:15)** 15 min

▶ **Panel Discussion / Q&A - (10:15-10:35)** 20 min

**Break – 10 minutes (10:35-10:45)**

#### **Session 2: State and Regional PFAS Monitoring (65 minutes total: 10:45-11:50)**

➤ **Introductions:** (Andria) **(10:45-10:50)** 5 min

➤ **PFAS Site Investigation**

Wendy Linck, PG, PMP, Senior Engineering Geologist, State Water Resources Control Board  
**(10:50-11:05)** 15 min

➤ **Results of PFAS wastewater monitoring [INVITED]**

Internal Draft – Do not distribute

Dr. Lorien Fono, Executive Director, Bay Area Clean Water Agencies  
Miguel Mendez, Associate Environmental Scientist, San Francisco Estuary Institute  
(11:05-11:20) 15 min

➤ **Regional Water Board Perspective on PFAS Sources and Management Approaches**

Tom Mumley, Assistant Executive Officer, San Francisco Bay Regional Water Quality Control Board  
(11:20-11:35) 15 min

▶ **Panel Discussion / Q&A (11:35-11:50) 15 min**

*Lunch - 30 minutes (11:50-12:20)*

**Session 3. PFAS in Bay Fish (100 minutes total, 12:20-2:00 pm)**

➤ **Introductions: (Sherri) (12:20-12:25) 5 min.**

➤ **Cultural importance of fishing for local Native American communities**

Valentin Lopez, Chairman of the Amah Mutsun Tribal Band, President of the Amah Mutsun Land Trust  
Sherri Norris, Executive Director, California Indian Environmental Alliance (Osage Nation)  
(12:25-12:40) 15 min

➤ **PFAS in San Francisco Bay Fish**

Dr. Jay Davis, Program Director and Senior Scientist, San Francisco Estuary Institute  
(12:40-12:55) 15 min

➤ **The OEHHA Fish Advisory Program**

Dr. Susan Klasing, Senior Toxicologist, Office of Environmental Health Hazard Assessment  
(12:55-1:10) 15 min

➤ **PFAS and New Jersey Fish Consumption Advisories**

Dr. Sandra Goodrow, Research Scientist, New Jersey Department of Environmental Protection  
(1:10-1:25) 15 min

➤ **Inclusive considerations to protect fishing communities [talk title needed]**

Dr. Raymond Tompkins, Researcher, African American Health Equity Council  
(1:25-1:40) 15 min

▶ **Panel Discussion / Q&A (1:40-2:00) 20 min**

*Break – 10 minutes (2:00-2:10)*

**Session 4. Closing Discussion (all speakers): Where do we go from here?**

Moderator: Juliet Christian-Smith, Senior Program Officer, Water Foundation

**(2:10-3:15)** 65 min

Potential discussion questions:

- What are the priorities of Bay fishing communities?
- Would Bay fishing communities be interested in a follow-up meeting providing additional information and time for discussion?
- Can OEHHA develop fish consumption guidance for San Francisco Bay based on currently available information?
- What are the major data gaps?
- What are potential sources of PFAS to the Bay?
- How can we reduce PFAS contamination in Bay fish?

**Wrap Up-** (Becky/Andria/Sherri) **(3:15-3:30)**

## **Outline for 3-page State of the Science Update**

### **Page 1 - Introduction**

- Background – Why nutrients in the Bay are of interest
- Key Participants – how the science is directed by the multi-stakeholder Steering Committee

### **Page 2 – Key questions**

- What we know and what we are investigating
  - Nutrient loading to the Bay, transport, and transformation
  - Low DO conditions in the margins and sloughs
  - Harmful algal species
  - Coastal impacts

### **Page 3 – Tools for planning next steps**

- Assessment framework – Development of a process to understand impairment
- Long term monitoring and modeling – Development of a sustainable program to track trends
- Future scenarios – How evolving management and climate change could impact the Bay

**AGENDA**  
**BACWA Nutrient Strategy Team Meeting**  
January 2022

1. Introductions
2. Update on Watershed Permit from Water Board
  - a) Timing of permit
  - b) Role of science in planning 3<sup>rd</sup> WSP
  - c) Intentions with respect to load caps
3. Statistical reevaluation of load caps – HDR analysis
4. Workshop with Water Board on load cap calculations
5. Review of Key Tenets
  - a) Individual treatment plant nutrient monitoring and reporting
  - b) Group Annual Reporting of nutrient loads to the Bay
  - c) Funding for the Nutrient Management Strategy's scientific investigations
  - d) Precautionary Load Caps
  - e) Recognition of Early Actors
  - f) Incentivization of multi-benefit projects
  - g) Regional Planning
6. Adjourn

## Planning Subcommittee Meeting No. 63

December 1, 2021

9:00 am – 12:00 pm

Teleconference

Chair: Ian Wren

Meeting Notes

Attendees: Dave Senn, Eric Dunlavey, Lisa Hunt, Ian Wren, Robert Schlipf, Kevin Lunde, Lorien Fono, Richard Looker, Kristin Art, Ariella Chelsky.

### 1. *Agenda Modifications*

Dave provided an updated agenda via [Google Doc](#).

### 2. *Review Outstanding Action items*

- Dave to provide more information and develop a menu of alternatives on 1) continuing support for a postdoc to participate in field studies; 2) on whether to continue shoal mapping cruises; and 3) on whether to continue to collect nutrient data in the shallow areas of the South Bay to replace work previously done in the Cochlan lab. Recommendations will relate the value of each of these efforts to their use in the assessment framework, and will be discussed with the PSC at the Dec 1 meeting – *to be discussed at today's meeting*.
- SFEI team will develop memo on Steering Committee meeting schedule and approval timing versus project planning. – *To be discussed at today's meeting and a memo will be developed based on the outcome of these discussions*.
- Tom will invite Mike Chotkowski from USGS to Steering Committee – *complete*.
- Ian to work with Dave and Lisa to develop text for 3-page State of the Science document based on the outline provided by BACWA. – *Will be ready soon*.
- Ian will revise Estuary Blueprint to new format – *complete*.
- (Ongoing) Members to collaborate on developing an NMS status document/fact sheet that pulls together planning, permitting, and science by early 2022. - *ongoing*

### 3. *Program update*

Staffing – SFEI is considering making two offers at the environmental science position for staff with complementary skills. They hope to have someone starting in January 2022.

### 4. *Priority Updates*

Report-outs – none

NMS Calendar Review – Next PSC meeting is scheduled for January 5, and next Steering Committee meeting is December 10

## 5. *Other Updates*

Recent updates - Dave gave an update on the progress on FY22 projects:

Modeling Advisory group (MAG) - Dave proposed a budget to support the experts and SFEI staff for this commitment. Approximately \$50K will be needed to fund the expert participation. SFEI staff time will be covered between the core modeling budget, and Lisa and Dave would bill their time to program management/coordination. The group agreed with this approach.

SFEI is reaching out to a core group of experts and is working with the stakeholder planning group to identify the types of candidates desired to populate the MAG, and will then work with the chair to identify specific candidates. Dave confirmed with the group that Craig Johns would be a good addition to the MAG, since he specializes in sediment transport that impacts our understanding of the light field. He's also involved in PCB modeling with the RMP.

Mussel and Water Quality Monitoring – Mussel samples are collected from eight marinas around the Bay, and analyzed by a lab at UCSC for toxins. They are also analyzed for discrete Chl-a and nutrients at SFSU EOS. The nutrient analysis responsibilities will be transferred back to SFEI staff at the end of this month, where sampling and analysis will cost more.

Data have been gathered since 2017 with a gap in 2020 due to the pandemic. There are different signals from samples collected at the margins and channels relating nutrient concentrations to chlorophyll a concentrations. Shoal sites are different from both the margins and the channel. It appears that in the margins, the system is nitrogen limited. Chlorophyll spikes were at the same level in the shoals and channel but without the same level of DIN drawdown. There's less of a pronounced relationship between margin and channel sites in other parts of the Bay. There was a discussion about whether this data validates model assumptions. Kevin recommended that at the Steering committee meeting, the presentation should start with the budget level associated with these efforts to provide context for the decision.

The science team recommends that the mussel toxin analysis and water quality analysis continue through June 2022. The reserve fund could be used to cover the deficit associated with increased costs from transferring the program to SFEI. Alternatively, the mussel toxin analysis could be postponed. The total budget for these efforts is \$11-14k. There is also a deficit related to postponed billing from UCSC on the mussel toxin work.

The current estimate of reserve funding available includes \$105k to cover FY22 program plan work. There is \$88K that is unallocated, and \$25k left over from previous fiscal year mussel toxin work.

Dave gave an overview of the mussel toxin program, and the rationale behind site selection. We have approximately 5 years of bimonthly mussel toxin data, and comparisons with mussels collected in Tomales Bay as a reference site. We don't have



enough data yet to assess long term trends but can be used to look at total levels and interannual variability. There do not appear to be any regrettable consequences of freezing the mussels for future analysis in a subsequent fiscal year.

Shoal mapping - 6 shoal surveys have been completed this year. There is preliminary data from four of these cruises. The initial message is that there are sharp gradients along the shoals, conditions are very different between shoals and the channel, and there is a patch of higher production consistently found along the eastern shoal. None of these observations could be captured by discrete sampling or only monitoring the channels. There seems to be an inverse relationship between nitrite and chlorophyll. There is some evidence that nitrate may be limiting production. We need to make a decision about whether to continue and fund this work in spring 2022 with another three to five additional cruises. The science team will propose making these cruises a consistent part of the monitoring program. They could shift the fieldwork entirely to USGS crew. The approximate cost for the trip is \$28k, and the total requested funding includes \$94-\$150k depending on the number of cruises (three to five). The benefits of this work a better mechanistic understanding of what's happening on the shoals, and to inform the model development and calibration. It could also be used for condition assessment. We could use this effort to get a really clear map of the conditions in the Bay, and then use that as a basis for further refining a monitoring program. Richard recommended considering using satellite data and collaborating with NASA to get more detail.

Source Apportionment – This effort is no longer as relevant to the 3<sup>rd</sup> watershed Permit as previously assumed, so the planned resources will be reallocated for the time being.

Biogeochemical fieldwork – The NMS Science Program completed five seasonal trips, and plans for 2022 are to complete the analysis of samples, flux data and sediment characteristics. SFEI will write the draft technical report in May 2022. In FY23, they are looking for a commitment to continue to support a postdoc for 4-6 months to finalize technical report and a peer reviewed manuscript, additional synthesis of data and analysis of microbial samples/data. The cost is \$53-61K.

Nutrient Watershed Permit - Robert shared the schedule for the permit reissuance. The Water Board is planning to reissue the Nutrient Watershed Permit in May 2024. This means we they like to have the Assessment Framework sorted out about six months prior to reissuance (November 2023). The Water Board aims to target an administrative draft sometime in January 2024 and a tentative order late Feb or early March 2024.

Clarification on reporting/permission for moving funds between tasks, and desired detail in budget reporting – Lisa asked for clarification on how much flexibility there is to move around labor expenses for projects that exceed the budget or have a surplus. There is also the question about whether permission is needed to apply a surplus to future years. The group agreed that permission isn't needed to apply surpluses to future years of the same projects. However, using reserves to cover a deficit should

follow the protocols outlined in the charter, so we require reporting to the PSC for project changes above \$5k.

SC meetings schedule and program plan review and approval - Lisa shared a proposed meeting schedule:

- Jan – work with WB on work for WSP3
- Feb – Budget projects through June
- March – NTW meeting w updates, presentations on recent results and get feedback on specific fy23 recommendations
- April – SC approval of FY21 program plan
- Sept – SC meeting with program updates with staff presentations.
- Dec - SC meeting with program updates, and conceptual ideas for future work.

We can then reassess whether we want to propose dropping the December Steering Committee meeting.

6. *Planning Steering Committee meeting*

The meeting is being planned for about a half day. The agenda includes queuing up some topics for FY23. There will be a business item about moving funds around as discussed in item 5 above. The new annual calendar will be delivered to the steering committee as a memo. Dave asked for feedback about whether we want to have technical updates in the afternoon.

7. *Action items:*

- During the Dec 10, 2021 Steering Committee presentation on reallocating funds to account for project deficits and surpluses, and to use reserves for unplanned items, lead with information about the magnitude of the change compared to the FY22 approved budget.
- SFEI team will develop memo on Steering Committee meeting schedule and approval timing versus project planning.
- (Ongoing) Members to collaborate on developing an NMS status document/fact sheet that pulls together planning, permitting, and science by early 2022.

Parking Lot of Identified PS Future Agenda Items

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

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

Date/Time: December 10, 2021, 9:00 AM to 1:00 PM

Location: WEBCONFERENCE

Chair: Thomas Mumley

### Steering Committee Attendees

Organization	First	Last	Role	Present	Comments
BASMAA	Adam	Olivieri	Member		
	Tom	Hall	Alternate	x	
	Matt	Fabry	Alternate		
	Geoff	Brosseau	Alternate		
BACWA	Eileen	White	Member	x	
	Lori	Schectel	Alternate	x	
	Eric	Dunlavey	Member	x	
	Jackie	Zipkin	Alternate	x	
Cal DFW	Becky	Ota	Member		
U.S. Geological Survey	Mike	Chotkowski	Member	x	
NOAA Fisheries	Joe	Dillon	Member	x	
	Brian	Meux	Alternate	x	
Regional San	Lisa	Thompson	Member	x	
San Francisco Baykeeper	Ian	Wren	Member	x	
South Bay Salt Pond Restoration Project	David	Halsing	Member	x	
Interagency Ecological Program	Steve	Culberson	Member	x	
SFCWA	Lynda	Smith	Member	x	
	Frances	Brewster	Alternate		
U.S. EPA	Terry	Fleming	Member	x	
	Luisa	Valiela	Alternate		
U.S. FWS	Leanna	Zweig	Member		
WSPA	Kevin	Buchan	Member	x	
Ocean Protection Council	Kaitlyn	Kalua	Member	x	
Central Valley Water Board	Adam	Laputz	Member		
	Janis	Cooke	Alternate		

	Christine	Joab	Alternate		
SF Bay Water Board	Tom	Mumley	Member	x	
	Richard	Looker	Alternate	x	

#### **Additional Attendees**

Lorien Fono, BACWA  
Mary Cousins, BACWA  
David Senn, SFEI, Science Manager, Program Coordinator Team  
Robert Schlipf, Water Board  
Lilia Mourier, SFEI  
Allie King - SFEI  
Farid Karimpour, SFEI  
Kristin Art, SFEI  
Don Grey, EBMUD  
Ariella Chelsky, SFEI  
Pradeep Mugunthan, SFEI  
Blake Brown, CCCSD  
Mary Lou Esparza, CCCSD

#### **1. Welcome, Introductions and Agenda Review**

The Chair gave a quick overview of the meeting agenda, and the timing of technical items. He introduced two new members, Kaitlyn Kalua (OPC) and Mike Chotkowski (USGS).

#### **2. Decision: Approve Prior SC Meeting Summaries**

Lisa Thompson noted that there was a typo in the minutes from the previous meeting. Regional San is removing total inorganic nitrogen by 65%, not just nitrate as noted. In section 8 of the minutes, there was a sentence that got cut off. Edits will be made to the final minutes which will be saved in SFEI's folder.

*A motion to approve the June 11, 2021 meeting summary was made by Terry Fleming (EPA), and seconded by Eric Dunlavey (BACWA). The motion passed unanimously.*

#### **3. Information: Action items**

- The Planning Subcommittee will develop a list of recommendations for funding priorities if additional funding becomes available to propose at the September Steering Committee Meeting. - complete
- The SFEI team will negotiate a contract with USGS for use of their vessel, and determine whether the contract will need to be brought back to the Steering Committee for approval. If so, and if time is of the essence, then a special Steering Committee meeting may be called to consider approval. Otherwise, interim approval will be provided by the Planning subcommittee. - complete

#### **4. Information: Planning Subcommittee Report Out**

The planning subcommittee has worked with the science team to work through some of the funding reallocation issues that are agenzized at today's meeting.

#### **5. Information: NMS Program Update**

The Science Manager, Dave Senn, introduced the new Program Manager, Lisa Hunt.

- *Program Update* – Dave welcomed the two new steering committee members, and noted that Derek Roberts has left SFEI. Lilia Morier recently joined SFEI as an environmental scientist and Dan Killam will be joining the modeling team in February. Further program updates will be covered under item 8.
- *Quarterly Financial Update* – Lisa Hunt reported SFEI is using a new format for reporting the budget that includes presenting remaining funds from previous years from projects that were completed or are still open. She gave an overview of revenue sources. They got more funding than anticipated from the RMP by \$8K. They are relying on \$105K from reserve funding to support FY22 projects, which would leave \$80K in unobligated reserves. Lisa gave an overview of the remaining sources of uncertainty on this year's expenses. There are two projects with deficits with more than \$5k, (moored sensor program with a \$40,032 deficit, and core modeling with a \$24,233 deficit) and SFEI is requesting that the Steering committee approve using reserves to close these deficits.

*A motion to approve the use of reserve funds to cover the project deficit was made by Terry Fleming (EPA), and seconded by Eileen White (BACWA). The motion passed unanimously.*

We are 40% through FY22 and have spent 23% of the budget. Spending is lower at this point in the year because it may not account for subcontractors who may not have invoiced yet, and because the fiscal year started with carryovers. There are a couple of projects (SBSPRP South Bay/LSB sediment monitoring and SEP integrated watershed-bay modeling) that are ongoing and that support NMS staff, but which aren't funded by the NMS.

## **6. Discussion & Decision: Interim Funding Decisions**

- *P6 Mussels and Toxins Project (\$100k already approved)*. The science team is requesting approval to use existing reserve funds to cover cost increases. Kristin Art gave an overview of the project, where mussels are collected and analyzed for phycotoxins, and water samples are collected and analyzed for chlorophyll-a and nutrients. The overall cost to complete the project has increased due to increased analytical expenses. An additional \$38k is requested for the analysis of toxins in mussels, and an additional \$14 is requested for the analysis of water samples. The lab that had previously been doing the water analysis is discontinuing that work, so it needs to be transferred to a new laboratory. The science team is exploring a few different laboratory alternatives to continue this work cost-effectively. For the mussel analysis, they considered freezing the samples and analyzing them later, but there is not a significant benefit to postponing (we either pay now or pay later – it's a zero sum game). Tom asked whether a BACWA laboratory could do the chemistry analysis. Dave noted that we need to make sure that the analysis techniques are comparable between labs, and that we would also like to use this partnership as an opportunity to foster collaboration with academic institutions.
- *Biogeochemical work* – The science team is requesting an advance commitment to allocate FY23 funds to support a postdoc at Stanford. Ariella Chelsky gave an overview of the request for support, which would be at the level of \$52-61k. SFEI has completed five seasonal sampling trips measuring sediment fluxes, as well as two sampling trips measuring water column processes. Flux data are available from two sediment seasons and are being QA'd. Early next year, the team will complete analysis for this work and write up a report. The postdoc's support would be valuable for additional field work, and

he would be able to support finalizing the manuscript and conducting additional synthesis and analysis. It was noted that NMS funds aren't intended for developing manuscripts, but there is a strong overlap with our technical reports, plus we get the benefit of free peer review.

- *Shoal mapping monitoring augment approved FY22 budget)* - The science team is requesting approval contingent on finding available funds. Ariella Chelsky gave an update on the shoal mapping project. The aim is to make mapping a consistent part of the monitoring program, and the ask is to make \$94-150K from reserve funds available for this work. The data generated by these cruises compares chlorophyll to nutrient concentrations, and also collects DO and physical parameters. There's a consistent zone of high production along the shallow part of the eastern shoal. It's possible that some of the existing sampling is underestimating this production. At some of the locations, chlorophyll peaks when nitrate drops, and in some cases it looks as if nitrate may be limiting. The value of this data is that it allows for mechanistic interpretations, model calibration, AF condition assessment, understanding difference between channel and shoal, mapping spatial distribution of production and other parameters, and to inform the monitoring program. Due to capacity limitations, SFEI proposes to shift the fieldwork to the USGS crew, so this work is contingent upon USGS being able to commit to it. The approximate cost per trip is \$28.

Ian requested that the team provide an update on how this work could be used to inform the assessment framework efforts or to refine the monitoring program. Dave responded that this serves as a platform to calibrate the moored sensor for constituents that can be measured via optical sensors. Additionally, we need to oversample to some extent to best understand where we can cut back for an optimal monitoring program.

Tom asked if any of the Steering Committee if they have any concerns with the proposed funding requests. Eileen White expressed concern with committing a large fraction of the remaining reserves this early in the fiscal year in case there are other unanticipated expenses that are higher priority. Lisa Hunt responded that the science team has a high degree of certainty that there are not other upcoming expenses that will need funding this fiscal year.

*A motion to approve the three proposed reallocation funds in FY22 and FY23 funding commitment as described above was made by Joe Dillon (NOAA), and seconded by Eileen White (BACWA). The motion passed unanimously.*

## **7. Discussion and decision: NMS Annual Calendar**

The key objective of realigning the Steering Committee annual calendar is to get earlier approval for projects for the next fiscal year. We would also move from four to three Steering Committee meeting per year. The proposed schedule is as follows:

- Jan – work with WB on work for WSP3
- Feb – Budget projects through June including specific recommendation based on available funding
- March – NTW meeting w updates, presentations on recent results and get feedback on specific FY23 recommendations based on available funding and long-term needs
- April – SC approval of FY21 program plan
- Sept – SC meeting with program updates with staff presentations.
- Dec - SC meeting with program updates, and conceptual ideas for future work.

Tom asked for feedback on the proposed meeting schedule. Terry Fleming suggested that the September meeting could also be an NTW meeting. We will decide on the format of the September meeting next year based on key issues at that time. There was a consensus that this is a workable schedule.

## 8. Discussion: Preview of FY2023 Projects, SC feedback on priorities

- Dave started by reintroducing the SFEI science team and external collaborators. In September, Dave shared an overview of major FY2021 work activities which he quickly summarized. He highlighted the source apportioning modeling work, the impacts on the Regional San upgrade on the Delta and Bay, and molecular techniques for harmful algal identification.
- Dave shared a proposed timeline for developing FY23 priorities. At the March 2022 NTW meeting there will be an opportunity for a more in-depth technical discussion prior to adopting the FY23 program plan in April. Dave showed the certainty target graph. Terry asked how the different program elements have been moving along Dave provided updates on the modeling monitoring program and assessment framework. Work on future scenarios, coastal impacts, and LSB sloughs work is lagging. Terry asked about the NMS' role in coastal impacts and how it interfaces with the SCCWRP/UCLA work. Both groups are independently modeling the physical simulations, but are using the same models.

Dave reminded the group that the Science Plan assumed a total level of funding of \$16M, whereas only ~\$12.5 will likely be available. For future monitoring priorities, there are opportunities to coordinate with external entities who are conducting monitoring in the Bay. Dave gave an overview of the various opportunities to collaborate, and called out the need to fundraise since the needs for this program will exceed watershed permit funds and RMP contributions. Dave demonstrated USGS cruise data overlain on moored sensor data. He also identified data gaps as areas to pursue in a long term monitoring program.

Mike Chotkowski (USGS) expressed interest in expanding future collaboration, as their primary interest is to support management decisions. The Water Science Center has a new SFBF Priority Ecosystems Science priority area addressing the greater SF Bay. The priority is focused on understanding ecological processes that affect water quality, nutrients, plankton dynamics, and sediment distribution in the lower Estuary. Research will be conducted to better understand nutrient, contaminant, plankton, fish, and sediment dynamics primarily in the lower estuary, though studies can include the upper estuary or nearby coastal ocean if the questions require it.

Steve Culbertson commented that the IEP are working on ways to connect the Delta and the Bay in our monitoring and management programs. He volunteered to be the contact for this effort.

There was a discussion about the need for developing outward facing material for stakeholder managers, especially within the BACWA community. It would also be useful moving forward to have a layperson-accessible executive summary to be included as a preface in each NMS deliverable. There is an existing effort ongoing to provide a state of the science summary. Tom responded that we are going to need to develop these types of descriptions to support the adoption of Watershed Permit 3.

The item wrapped up with a discussion about prioritizing future scenarios, and whether we can craft projects that would be eligible for funding targeting climate change planning.

## 9. Other Business

### *Updates from NMS Steering Committee member agencies*

- Ian reported that Oro Loma hosted an open house to showcase their sidestream treatment facility that was funded by an EPA grant. They use Microvi to retrofit an

existing tank over a short time period at low cost to provide nitrification.

- Terry reported that EPA's San Francisco Bay Improvement Fund will be getting funding from the infrastructure package, so there may be more support for piloting opportunities.

#### **10. Action items and wrap-up**

- Provide material at a future PSC or NTW meeting with an explanation for how the shoal monitoring cruise work supports the assessment framework.
- Develop high level synthesis material to communicate nutrient science program to decision makers.
- Agendize an overview of synthesis work for the March NTW meeting.
- Develop 2022 meeting schedule and send invites out to Steering Committee.

**Adjourned at 12:55pm**



## Proposal to Enhance CASA's Climate/Air Quality/Energy Advocacy

The Los Angeles County Sanitation Districts (Sanitation Districts) are reaching out to fellow wastewater agencies to request your consideration of contributing additional resources to support CASA's advocacy efforts related to climate, air quality and energy. In recent years there has been an unprecedented surge in regulatory activity pertaining to emissions, energy and climate change issues that impacts wastewater facilities, and this is only expected to intensify in the next few years. CASA staff have done an exceptional job managing these issues and providing the wastewater perspective in important forums, but resources are stretched thin and additional funding is needed to effectively engage with regulatory policymakers to ensure that CASA members can maximize our efforts to anaerobically digest food waste and produce biogas as a renewable resource in support of achieving the State's efforts to achieve the methane reduction goals of [SB 1383](#).

CASA staff and members have been working hard to advocate for beneficial policies that span several different proposed California Air Resources Board (CARB) regulations, California Energy Commission policies and programs, and the California Public Utilities Commission proceedings. The combined efforts of these regulatory agencies are focused on achieving full electrification of the mobile source sector (e.g., [Advanced Clean Fleets](#), [Mobile Source Strategy](#), [Scoping Plan Update](#), [2022 State SIP Strategy](#), [Small Off-Road Engines \(SORE\)](#) & [Tier 5 Off-Road Diesel Emission Standards](#)), and aim to achieve statewide carbon neutrality by 2035, 10 years ahead of the original goal to achieve this by 2045. For example, as drafted, [CARB's Advanced Clean Fleets – Public Fleet Requirements](#) and other proposed regulations would require new vehicle purchases, including heavy-duty vehicles utilized by wastewater agencies, to be electric commencing in 2024. Other initiatives represent competing and conflicting priorities among regulatory agencies (e.g. organics diversion mandates under CalRecycle regulations promote increased acceptance of food waste at POTWs, but CARB regulations subjecting those very facilities to increasingly strict emissions rules end up disincentivizing the effort).

Additional climate change policies and strategies that affect CASA members are being developed and implemented by agencies that include CalRecycle, the State and Regional Water Boards, the California Coastal Commission, California Department of Food and Agriculture, and the California Environmental Protection and Natural Resources Agencies. In short, we are in a time with an unprecedented level of regulatory activity, much of which is focused on achievement of the State's ambitious climate change goals. If we do not actively and quickly engage regulatory agencies at a high level and encourage them to pursue a more cohesive approach to addressing the wastewater sector, we may miss important opportunities to ensure that CASA members can meet both the challenges and opportunities presented during this period.

Although CASA has staff and a part-time consultant dedicated to these programs, we believe these staff are stretched extremely thin and additional resources are needed to help CASA achieve the best results possible in this unique window. We propose to work with CASA's Board and staff to determine the need and willingness of member agencies to contribute funding on a temporary basis to meet this important challenge through possible staff, consulting and advocacy enhancements.

BAY AREA CLEAN WATER AGENCIES (BACWA) TALKING POINTS:  
PROPOSED AMENDMENTS TO REGULATION 2 (PERMITS)

**AND**

**COORDINATION WITH AIR TOXICS REGULATIONS**

- Public wastewater agencies and the BAAQMD have the same goals – protecting public health and the environment, promoting environmental justice in the region, and providing community livability for all Bay Area residents. We are on the same team.
- POTWs assess each system improvement that is required to comply with water quality regulations in close coordination with BAAQMD staff. Our goal is always to also remain in compliance with air quality regulations and responsibly invest ratepayer funds while we reliably collect and treat wastewater.
- Bay Area wastewater managers are therefore alarmed that the proposed amendments to Regulation 2 do not include wastewater treatment and collection systems in the definition of an essential public service (Section 2-5-230). The draft definition reads:

*A police or firefighting facility, a hospital or other medical emergency facility, or a building designated as an emergency shelter location.*
- **BACWA requests the definition of an essential public service include POTWs and their associated collection systems**, which would align with other established regulatory definitions and state and federal guidance:
  - [BAAQMD Regulation 9, Rule 8, Section 9-8-233](#) Essential Public Service:

233.1 A sewage treatment facility, and associated collection system, which is publicly owned and operated;

233.2 Water treatment and delivery operations;

233.3 Public transit;

233.4 Police or fire fighting facility;

233.5 Airport runway lights; or

233.6 Hospital or other medical emergency facility.
  - [SCAQMD Rule 1302](#) Essential Public Service includes:

(1) sewage treatment facilities, which are publicly owned or operated, and consistent with an approved regional growth plan;

(2) prisons;

(3) police facilities;

(4) firefighting facilities;

(5) schools;

(6) hospitals;

(7) construction and operation of a landfill gas control or processing facility;

- (8) water delivery operations; and
- (9) public transit.
- Environmental Protection Agency’s [Overview of Municipal Wastewater](#) – *The collection and treatment of domestic sewage and wastewater is vital to public health and clean water. It is among the most important factors responsible for the general level of good health enjoyed in the United States.*
- Department of Homeland Security (DHS) – Cybersecurity and Infrastructure Security Agency
  - The [Water and Wastewater Systems Sector](#) page states that “Safe drinking water is a prerequisite for protecting public health and all human activity. Properly treated wastewater is vital for preventing disease and protecting the environment. Thus, ensuring the supply of drinking water and wastewater treatment and service is essential to modern life and the Nation’s economy.”
  - [Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response](#) specifically recognizes water and wastewater workers and suppliers to the water sector (e.g., chemical manufacturers and delivery services) as essential critical infrastructure workers.
- Infrastructure typically refers to assets that support essential societal functions and protect public health, safety, and welfare. The State of California defines critical infrastructure broadly, with examples including roads, bridges, ports, airports, and railways; water, wastewater, drainage, and sewers; schools, jails, hospitals, and health care facilities; government facilities and commercial buildings; power plants; terrestrial, satellite, and wireless transmission systems; telecommunications; and data information systems ([California Governor’s Office of Planning and Research, 2018](#)). More broadly, the National Infrastructure Protection Plan identifies lifeline functions – which include communications, energy, transportation, and water – as critical infrastructure, and points out that addressing risks from cross-sector dependencies and interdependencies is essential to enhancing critical infrastructure security and resilience ([Department of Homeland Security, 2013](#)).
- **BACWA also requests that member participation in CARB’s two-step process under the [Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants](#) (or CTR) serve as a compliance pathway for BAAQMD Rule 11-18.** Current emission factors for performing health risk assessments (HRAs) under Rule 11-18 are outdated. The products of the statewide POTW-funded two-step process will be updated methods and emission factors to serve as the “best available data and methods” for performing HRAs going forward. A summary of the issue and two-step process is provided [here](#).

San Francisco Bay Regional Water Quality Control Board

**AGENDA**  
**December 15, 2021**  
**9:00 a.m.**

**Video and Teleconference Meeting Only**  
**No Physical Meeting Location**  
(Authorized by Government Code section 11133)

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*Video and Teleconference Meeting During COVID-19 Emergency: As a result of the COVID-19 emergency and as authorized by Government Code section 11133, this meeting will occur solely via remote presence.*

*For those who wish to comment on an agenda item or are presenting to the Board, additional information about participating telephonically or via the remote meeting solution is available here: ([https://www.waterboards.ca.gov/sanfranciscobay/board\\_info/remote\\_meeting/](https://www.waterboards.ca.gov/sanfranciscobay/board_info/remote_meeting/))*

*For those who only wish to watch the meeting, the customary webcast remains available at: <https://cal-span.org/> and should be used UNLESS you intend to comment.*

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Items are numbered for identification purposes only and may not be considered in order. Items scheduled for the first day of a multi-day meeting may be delayed or continued to the next day of the meeting. Closed session items may be considered on either or both days.

**1. Roll Call and Introductions**

**2. Public Forum**

*Any person may address the Water Board regarding a matter within the Board's jurisdiction that is not related to an item on this meeting agenda. Comments will generally be limited to three minutes, unless otherwise directed by the Chair. Comments regarding pending adjudicatory matters will not be allowed. The public is encouraged to visit the Board website [[www.waterboards.ca.gov/sanfranciscobay/public\\_notices](http://www.waterboards.ca.gov/sanfranciscobay/public_notices)] and contact Board staff to determine whether a matter is a pending adjudicatory matter.*

3. **2021 Dr. Teng-Chung Wu Pollution Prevention Award** – Presentation of Award to California Association of Sanitation Agencies for Leadership in Pollution Prevention [Jessica Watkins, 510-622-2349, [Jessica.Watkins@waterboards.ca.gov](mailto:Jessica.Watkins@waterboards.ca.gov)]

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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)

4. [Minutes of November 10, 2021, Board Meeting](#)
5. [Chair's, Board Members', and Executive Officer's Reports](#)
6. **Uncontested Items**

- A. **Crockett Cogeneration LLP, Crockett Cogeneration Plant, Crockett, Contra Costa County** – Reissuance of NPDES Permit [William Burrell, 510-622--2317, [William.Burrell@waterboards.ca.gov](mailto:William.Burrell@waterboards.ca.gov)]

[Staff Summary Report](#)

[Tentative Order](#)

- B. **Mt. View Sanitary District, Wastewater Treatment Plant and Wastewater Collection System, Martinez, Contra Costa County** – Reissuance of NPDES Permit [John Madigan, 510-622-2405, [John.Madigan@waterboards.ca.gov](mailto:John.Madigan@waterboards.ca.gov)]

[Staff Summary Report](#)

[Revised Tentative Order](#)

[Response to Written Comments](#)

- C. **Rescission of Certain Individual Orders Upon the Regulated Facilities' Enrollment Under the State Water Resources Control Board Order WQ 2014-0153-DWQ General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems** – Hearing to consider adoption of proposed Rescission Order [Margaret Monahan, 510-622-2377, [Margaret.Monahan@waterboards.ca.gov](mailto:Margaret.Monahan@waterboards.ca.gov)]

[Staff Summary Report](#)

[Tentative Order](#)

[Tentative Order Attachment 1](#)

## **NPDES Permits**

7. **Tesoro Refining and Marketing Company, Tesoro Martinez Facility, Martinez, Contra Costa County** — Reissuance of NPDES Permit [Gaurav Mittal, 510-622-2407, [Gaurav.Mittal@waterboards.ca.gov](mailto:Gaurav.Mittal@waterboards.ca.gov)]

[Staff Summary Report](#)

[Tentative Order](#)

8. **Amendment of Monitoring and Reporting Provisions for Municipal Wastewater Dischargers** – Amendment of NPDES Permits [Robert Schlipf, 510-622-2478, [robert.schlipf@waterboards.ca.gov](mailto:robert.schlipf@waterboards.ca.gov)]

[Staff Summary Report](#)

[Revised Tentative Order](#)

[Response to Written Comments](#)

### **Informational Item**

9. **California Department of Transportation, Update on the Department's Clean California Program and Compliance with Cease and Desist Order No. R2-2019-0007 Implementing Trash Requirements of the Statewide Stormwater Permit, Order No. 2012-0011-DWQ, as amended, NPDES Permit No. CAS000003** – Presentation by Water Board staff and Ken Johansson and Hardeep Takhar, California Department of Transportation [Derek Beauduy, 510-622-2348, [derek.beauduy@waterboards.ca.gov](mailto:derek.beauduy@waterboards.ca.gov)]

[Staff Summary Report](#)

### **Enforcement**

10. **Amendment of Cease and Desist Order for California Department of Transportation** – Hearing to Amend Cease and Desist Order No. R2-2019-0007 Provisions Requiring Visual Trash Assessments and Appendix [Derek Beauduy, 510-622-2348, [derek.beauduy@waterboards.ca.gov](mailto:derek.beauduy@waterboards.ca.gov)]

[Staff Summary Report](#)

[Tentative Order](#)

### **Informational Item**

11. **Enforcement Actions and Priorities for Fiscal Year 2021/22** – Summary Report [Brian Thompson, 510-622-2422, [Brian.Thompson@waterboards.ca.gov](mailto:Brian.Thompson@waterboards.ca.gov)]

[Staff Summary Report](#)

12. **Progress Report** – Status update from 2020 Strategic Priorities [Michael Montgomery, 510-622-2399, [Michael.Montgomery@waterboards.ca.gov](mailto:Michael.Montgomery@waterboards.ca.gov)]

[Staff Summary Report](#)

### **13. Correspondence**

**14. Closed Session – Personnel**

The Board may meet in closed session to discuss personnel matters.  
[Authority: Government Code section 11126(a)]

**15. Closed Session – Litigation**

The Board may meet in closed session to discuss litigation. The Board also may meet to discuss whether or not to initiate litigation.  
[Authority: Government Code sections 11126(e)(1) and 11126(e)(2)(A)-(C)]

Items the Board may discuss include the following:

- Sweeney et al. v. Cal. Regional Water Quality Control Bd. et al. (Court of Appeal, First Appellate District, Division Three, Case Nos. A153583 (ACL) and A153585 (CAO))
- City and County of San Francisco v. State Water Resources Control Board and San Francisco Bay Regional Water Quality Control Board (Alameda County Superior Court; Case No. RG19042575)
- In re: UCI International, LLC, Champion Laboratories, Inc., et al. (U.S. Bankruptcy Court for the District of Delaware; Case No. 16-11354)

**16. Closed Session – Deliberation**

The Board may meet in closed session to consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence.  
[Authority: Government Code section 11126(c)(3)]

**17. Adjournment to the Next Board Meeting – Wednesday, January 12, 2022**



## NOTES ON WATER BOARD AGENDA

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**Agenda Annotations** – Uncontested Items are expected to be routine and non-controversial. Recommended action will be taken at the beginning of the meeting without discussion. Any interested party, Board member, or the Executive Officer may request that an item be removed from the Consideration of Uncontested Items, and it will be taken up in the order indicated by the agenda.

**Availability of Agenda Items** – Tentative orders and their accompanying materials are available one week before the meeting at [www.waterboards.ca.gov/sanfranciscobay](http://www.waterboards.ca.gov/sanfranciscobay). Copies of agenda items may be obtained at the Board's office after 9 a.m. on the Thursday preceding the Board meeting from the staff member indicated on the agenda.

**Conduct of Board Meetings** – Items may not be considered in numerical order. Board meetings are accessible to people with disabilities or who need interpreter services. Individuals who require special accommodations or need interpreter services should contact the Executive Assistant at 510-622-2399 at least 10 working days before the meeting. TTY users may contact the California Relay Service at 800-735-2929 or voice line at 800-735-2922.

Anyone intending to make a presentation using slides, overheads, computer graphics, or other media must coordinate with the staff member for the agenda item in advance of the meeting. Presentation materials must be consistent with and not extend beyond the scope of oral testimony. Power point slides will not be made part of the record unless the Board views them during its meeting. All those addressing the Board should identify themselves for the record.

At any time during the regular session, the Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based on evidence introduced in a hearing. [Government Code section 11126(a), (c), and (e)]

**Administrative Civil Liabilities and Mandatory Minimum Penalties** – A discharger may waive the right to a hearing on an agenda item for an ACL or MMP. If there is a waiver, no hearing will be held unless new, substantial information is made available that was not considered during the public comment period.

**Petition of Board Actions** – Certain Water Board actions or failures to act may be petitioned to the State Water Resources Control Board under Water Code section 13320. Any such petition shall be limited to those substantive issues or objections that were raised before the Water Board, if there was notice and an opportunity to comment. A petition must be received by the State Water Board within 30 days of the Water Board action or failure to act. See Title 23, California Code of Regulations, sections 2050-2068 for regulations governing petitions.

**Contributions to Board Members** – All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit before the Board must submit a statement to the Board disclosing any contribution of \$250 or more to be used in a State, federal, or local election, made by the action supporter or opponent or his or her agent, to any Board member within the past 12 months.

All permit applicants and all persons who actively support or oppose adoption of waste discharge requirements or an NPDES permit pending before the Board are prohibited from making a contribution of \$250 or more to any Board member for 3 months following a Board decision on a permit application.

**Water Quality Certification** – Information regarding pending section 401 Water Quality Certification applications is available at [www.waterboards.ca.gov/sanfranciscobay/public\\_notices/#section401](http://www.waterboards.ca.gov/sanfranciscobay/public_notices/#section401).



**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD****San Francisco Bay Region**

1515 Clay Street, Suite 1400, Oakland, CA 94612

(510) 622-2300 • Fax (510) 622-2460

[www.waterboards.ca.gov/sanfranciscobay](http://www.waterboards.ca.gov/sanfranciscobay)**Water Board Members****Name**

James McGrath, Chair  
 Jayne Battey, Vice-Chair  
 William D. Kissinger  
 Alexis Strauss Hacker  
 Andrew Gunther  
 Donald Young

**City of Residence**

Berkeley  
 Half Moon Bay  
 Mill Valley  
 Piedmont  
 Oakland  
 Morgan Hill

**Water Board Staff****Executive Officer**

Michael Montgomery

**Assistant Executive Officers**

Lisa Horowitz McCann  
 Thomas Mumley

**Executive Assistant**

Guy Gutterman

**Counsel to the Board**

Yuri Won  
 Marnie Ajello

**Management Services Division**

Anna Torres, Chief

**Wastewater Control and Enforcement Division**

Bill Johnson, Chief  
 Jessica Watkins, Section Leader  
 Brian Thompson, Section Leader  
 Robert Schlipf, Section Leader

**Planning and TMDL Division**

Xavier Fernandez, Chief  
 Laurie Taul, Section Leader  
 Kevin Lunde, Section Leader  
 Janet O'Hara, Section Leader

**Watershed Management Division**

Keith Lichten, Chief  
 Derek Beauduy, Section Leader  
 Liz Morrison, Section Leader  
 Margaret Monahan, Section Leader

**Ground Water Protection / Waste Containment Division**

Terry Seward, Chief  
 Nathan King, Section Leader  
 David Elias, Section Leader  
 Keith Roberson, Section Leader

**Toxics Cleanup Division**

Alec Naugle, Chief  
 John D. Wolfenden, Section Leader  
 Laurent Meillier, Section Leader  
 Elizabeth Wells, Section Leader  
 Ron Goloubow, Section Leader

The primary responsibility of the Water Board is to protect and enhance the quality of regional surface water and groundwater for beneficial uses. This duty is carried out by formulating, adopting, and implementing water quality plans for specific water bodies, by prescribing and enforcing requirements on waste dischargers, and by requiring cleanup

of soil and water contamination and pollution. Specific responsibilities and procedures of the Board are outlined in the Porter-Cologne Water Quality Control Act.

Meetings of the Water Board normally are held on the second Wednesday of each month in the Elihu M. Harris State Office Building, First Floor Auditorium, 1515 Clay Street, Oakland. They are scheduled to begin at 9:00 a.m.

The purpose of the meetings is to provide the Water Board with an opportunity to receive testimony and information from concerned and affected parties and to make decisions after considering the evidence presented. A public forum is held at the beginning of each general meeting where persons may speak on matters within the Board's jurisdiction that are not specific agenda items. The Board welcomes information on pertinent problems, but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take appropriate action. Written comments must be received prior to the Board meeting by the date indicated by staff. Verbal testimony made at the Board meeting should only summarize the written material.

Each Water Board meeting is recorded. You may obtain audiovisual recordings of prior board meetings at the following link: [<https://cal-span.org/static/meetings-RWQCB-SF.php>]. A copy of the written transcript may be obtained by calling California Reporting, LLC, at (510) 313- 0610.



## Support the Bay Adapt Joint Platform!

We're pleased to announce that the BCDC Commission unanimously adopted the [Bay Adapt Joint Platform](#) at its last meeting. The Joint Platform is a roadmap for how our region will adapt faster, better, and more equitably to a rising Bay. We want to give a huge THANK YOU to everyone who provided guidance and partnership along the way. The Joint Platform's ideas, actions, and tasks truly belong to the entire Bay Area.

**Our goal now is to collect as many endorsements from cities, counties, community groups and other organizations by the end of the year. [Can we count on your organization for support?](#)**

Join BCDC, Bay Area Regional Collaborative (BARC) Governing Board, State Coastal Conservancy, Greenbelt Alliance, Bay Planning Coalition, Bay Area Council, Rise South City, NorCAL Resilience Network, CHARG and others in showing your support!

An endorsement can take the form of [a letter, board resolution](#), or simply an email. Attached are templates for a letter of support and a resolution, which you are free to modify as you see fit.

BCDC staff are happy to come present or otherwise support you – just let us know how we can help!

**The Bay is rising. The time to come together and act is NOW.**

Thank you,

BCDC Staff and Leadership

Visit us at [www.bayadapt.org](http://www.bayadapt.org)

***Bay Adapt** is a collaborative initiative facilitated by BCDC in partnership with a broad range of Bay Area organizations.*

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San Francisco Bay Conservation and Development Commission | 375 Beale Street, San Francisco CA 94105



Date

Zack Wasserman, Chair  
San Francisco Bay Conservation and Development Commission  
375 Beale St., Suite 510  
San Francisco, CA 94105

Re: Support for Bay Adapt: Regional Strategy for a Rising Bay

Dear Chair Wasserman:

I am pleased to let you know that \_\_\_\_\_ supports “Bay Adapt: Regional Strategy for a Rising Bay.” The Bay Adapt Joint Platform is the result of a stakeholder-led process to determine the best ways for the Bay Area to become regionally resilient to rising sea levels.

While the Bay’s shoreline constitutes one-third of the California coastline, the Bay Area will likely experience two-thirds of the negative economic impacts due to the flooding caused by rising sea levels absent adequate measures to adapt and protect people, places, and habitat. As sea levels rise at an accelerating rate, the confluence of more intense winter storms, extreme high tides, and higher runoff, with higher sea levels, will increase the frequency and duration of shoreline flooding long before areas are permanently inundated by sea level rise alone.

In the face of this challenge, the Bay Area must protect and energize vulnerable and historically marginalized frontline communities, enhance and restore an ecosystem that is already deeply affected by human activities, and reduce flood risks for existing built infrastructure along the vast bay shoreline. Yet, the increasingly frequent and severe impacts of climate change in the Bay Area do not conform to our governments’ jurisdictional boundaries or the planning and regulatory authorities of any one agency or organization. Bay Adapt begins to address these challenges by laying out a set of guiding principles, priority actions, and vital tasks that public, private, and nonprofit organizations, including local governments with land use authorities, can voluntarily implement in a coordinated and collaborative manner to adapt faster, better, and more equitably to a rising San Francisco Bay.

It will take tremendous efforts and investments to adapt the San Francisco Bay Area to a constantly changing shoreline and continue to improve its vibrant, diverse, ecologically unique, innovative, and pioneering quality of life. Implementing Bay Adapt will reduce flood risks for communities, businesses, infrastructure, and habitat, increase technical assistance for local governments and funding for adaptation, protect natural areas and wildlife, recognize and equitably support low-income, frontline communities, robustly integrate adaptation into community-focused local plans, and accelerate permitting and project construction of local adaptation projects.

The \_\_\_\_\_ supports the Bay Adapt Joint Platform and will support its implementation by concentrating on [insert issues here]. We look forward to working with BCDC and all of Bay Adapt’s stakeholders to ensure that the entire Bay Area thrives in the face of rising sea levels.

Sincerely,



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

**ANNUAL REPORT to the  
SOLANO COUNTY BOARD OF SUPERVISORS**

## **LAND APPLICATION of BIOSOLIDS in SOLANO COUNTY**



*Photo Credit: Robin Scheswohl*

Prepared by the BACWA Biosolids Committee  
December 2021



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## Introduction

With the 2021 application season recently completed, the Bay Area Clean Water Agencies (BACWA) Biosolids Committee is pleased to present its annual summary report on land application of biosolids in Solano County. BACWA wishes to express its sincere appreciation to the staff of the Environmental Health Services Division of the Department of Resource Management for the continuing support of the biosolids land application program. This program allows for the effective use of biosolids as an agricultural soil amendment in the County. We believe this partnership provides a valuable resource to Solano County agriculture and provides many Bay Area agencies with an opportunity to ensure their biosolids are put to their highest and best use by making a positive impact on the environment.

This report provides information on trends in the use of biosolids resources in California and the Bay Area, an update on regional biosolids programs, and specific information on projects from individual agencies currently applying biosolids in the County. It highlights each agency's compliance with the requirement in Solano County Code, Sec. 25-400 that "Class B biosolids may only be land applied provided that the generator of the Class B biosolids is individually or as part of a consortium having a portion of their biosolids produced as Class A Exceptional Quality biosolids, converting biosolids to energy, or otherwise diverting Class B biosolids away from land spreading or landfilling (as waste or as alternative daily cover)."

This report is intended as supplemental information to the report submitted by the County Department of Resource Management staff and by Synagro, contract haulers and applicers of biosolids. It has been prepared for the Solano County Board of Supervisors in response to the Board's request for an annual update on agency activities and progress towards compliance with the goals set forth in County Code, Chapter 25. The affected agencies have coordinated the required reporting through BACWA to produce a single report for the Board.

We would like to acknowledge the assistance of your staff in working with BACWA member

agencies throughout the year, particularly Edmond Strickland (Program Manager), Jeffrey Bell (Supervisor), Anthony Endow (Senior Inspector), Joshua Lee (Inspector), and Gennina Bautista (Inspector).

## Municipal Agencies Applying Biosolids in Solano County

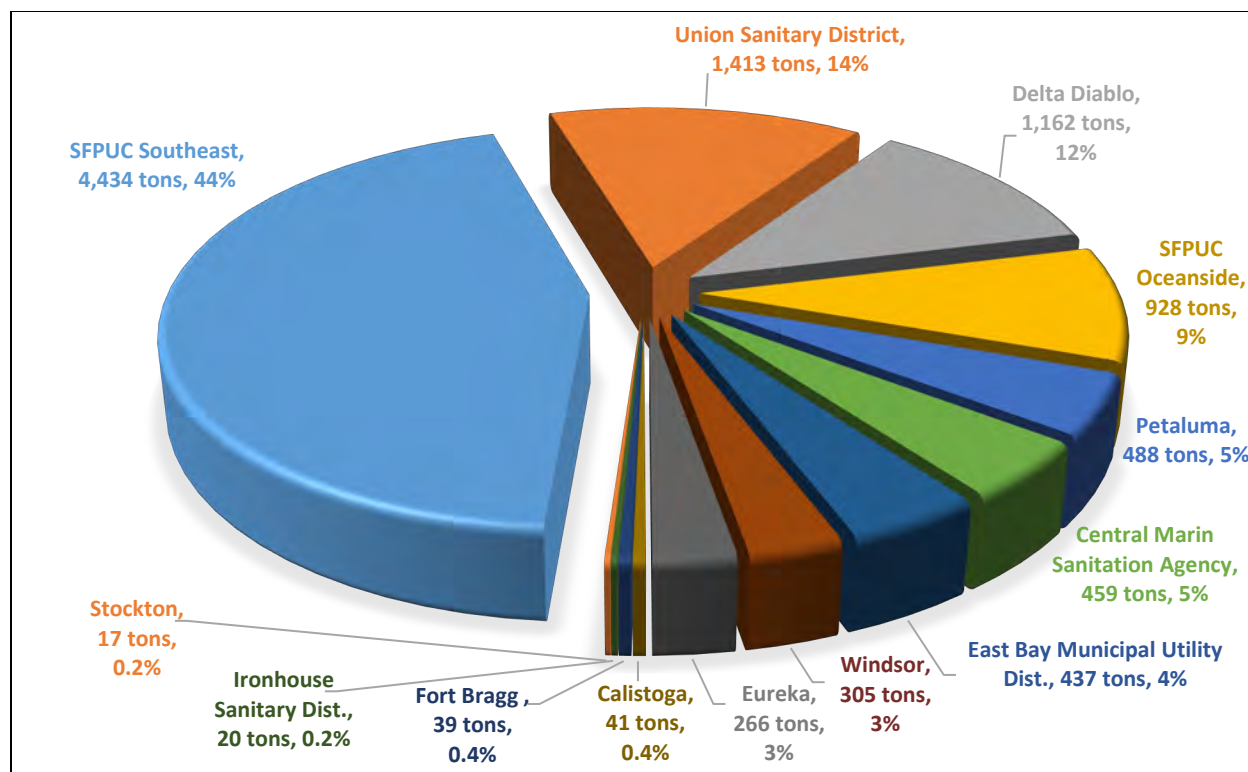
The use of biosolids as an amendment supplies valuable plant nutrients and carbon to soils which enhances the productivity and financial resilience of local farms. Each agency that applies biosolids is required to meet strict standards and provides a report annually to the United States Environmental Protection Agency (USEPA) to demonstrate compliance. In 2021, the following Northern California agencies transported biosolids to agricultural land in Solano County under contract with Synagro:

- City of Calistoga
- Central Marin Sanitation Agency (San Rafael, Ross Valley, Larkspur, and Corte Madera)
- Delta Diablo (Antioch, Pittsburg, and Bay Point)
- East Bay Municipal Utility District (Alameda, Albany, Berkeley, El Cerrito, Emeryville, Oakland, and Piedmont)
- City of Eureka
- Fort Bragg Municipal District #1
- Ironhouse Sanitary District (Oakley and Bethel Island)
- City of Petaluma
- San Francisco Public Utilities Commission
  - Southeast Water Pollution Control Plant
  - Oceanside Water Pollution Control Plant
- City of Stockton
- Union Sanitary District (Union City, Newark, and Fremont)
- Town of Windsor

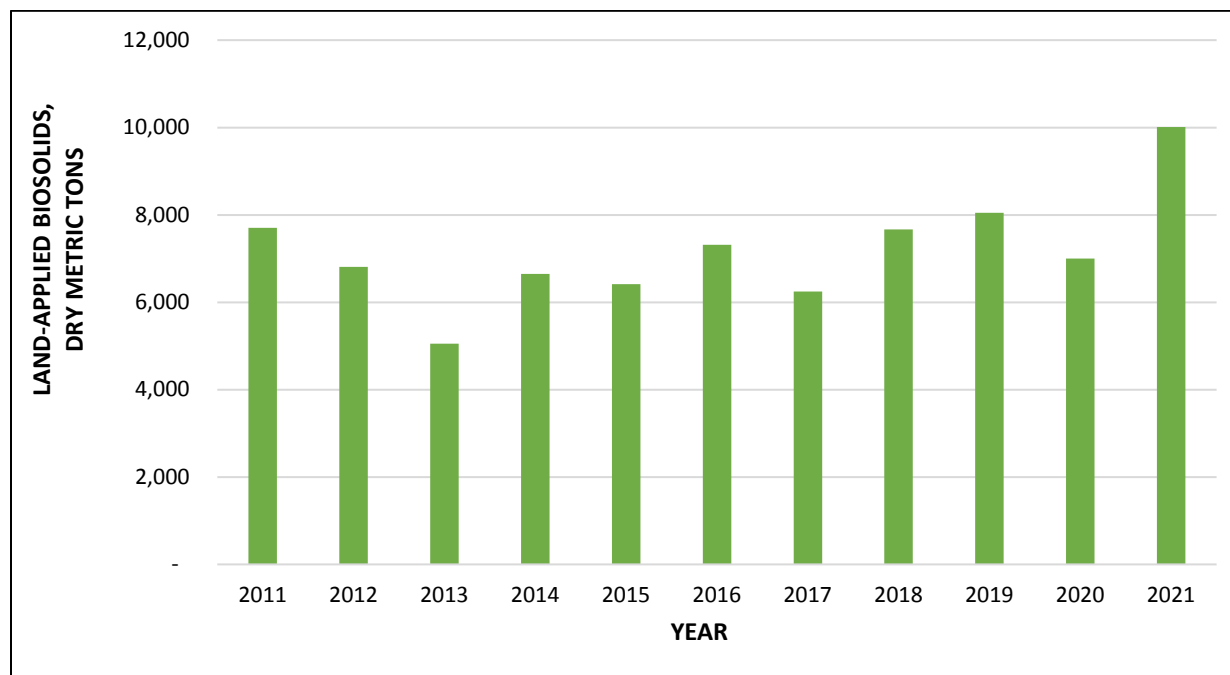
A total of 10,010 dry tons were land applied on agricultural sites in Solano County in 2021. The portion from each agency is shown in **Figure 1**. The total quantity of biosolids applied to agricultural land in Solano County over the last decade is shown on the next page in **Figure 2**.

## Trends in Biosolids Usage in California

Wastewater agencies in California are continuing to identify and evaluate new options for biosolids reuse and recycling, including emerging technologies as well as established practices such as composting and heat drying.



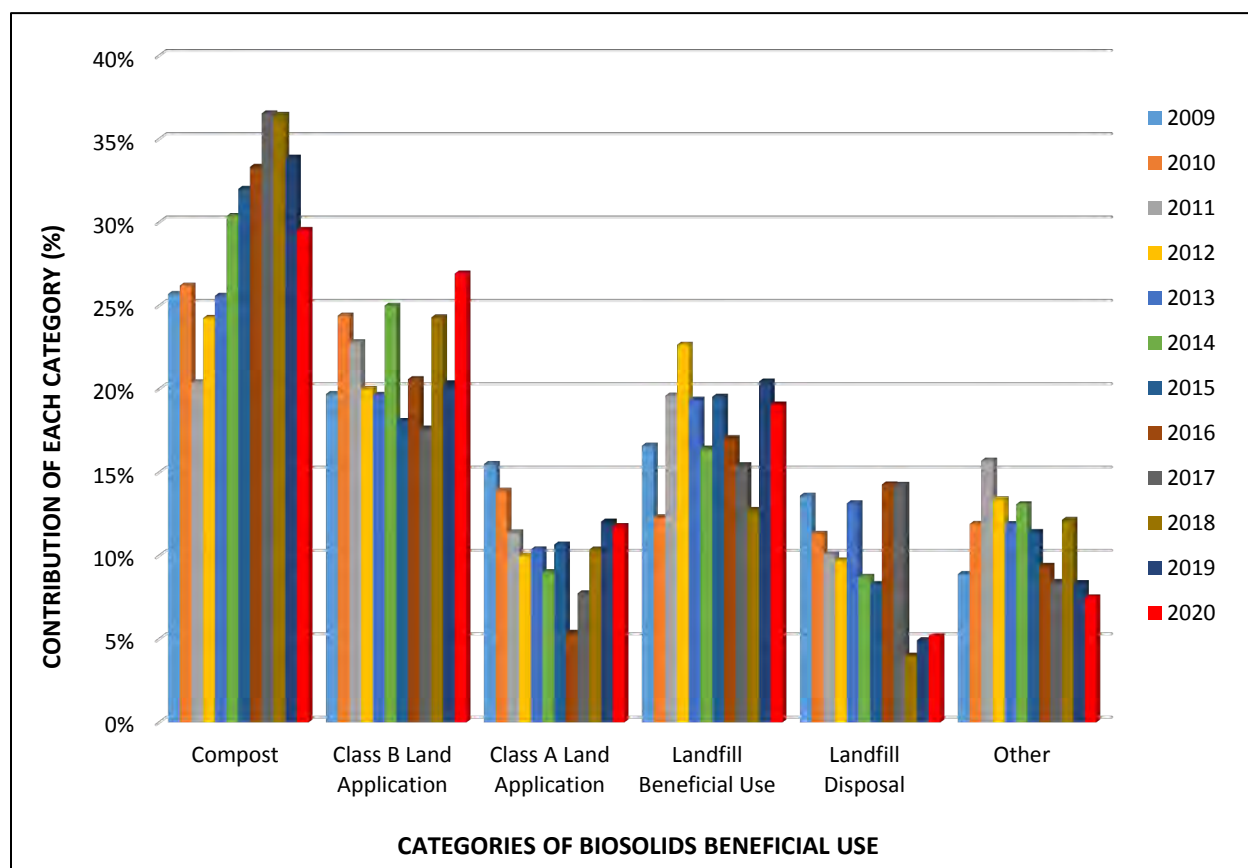
**Figure 1. Biosolids (Dry Tons) Land Applied in Solano County by Each Agency, 2021**  
*Data provided by Synagro*



**Figure 2. Biosolids (Dry Tons) Land Applied in Solano County, 2011-2021**  
*Data provided by Synagro*

**Overall California Use Summary.** The use of biosolids in California for calendar years 2009 through 2020 is summarized in **Figure 3**. Statewide data for 2021 are not yet available and will be included in the 2022 report. The number one use statewide continues to be land application for agriculture in the form of compost, Class B biosolids and Class A biosolids. The use of biosolids compost has increased steadily, accounting for 20% of statewide biosolids use in 2011 to 30% in 2020. Land application of Class A and Class B biosolids has held steady, together accounting for 39% of all biosolids use in 2020. Biosolids have proven to be a safe, reliable, and nutrient-rich soil amendment that offers a more cost-effective alternative to chemical fertilizers, which are energy intensive and increasingly expensive to produce.

The beneficial use of biosolids as alternative daily cover in landfills and landfill disposal are also common management practices for biosolids in California, accounting for 19% and 5% respectively of statewide biosolids use in 2020. In recent years, a significant biosolids use – about 6% of the statewide total in 2019 and about 7% in 2020 – went to backfilling of the H.M. Holloway gypsum mine in Kern County. This use is tracked as “landfill beneficial use” below in **Figure 3**.



**Figure 3. California Trends in Biosolids Uses, 2009-2020**

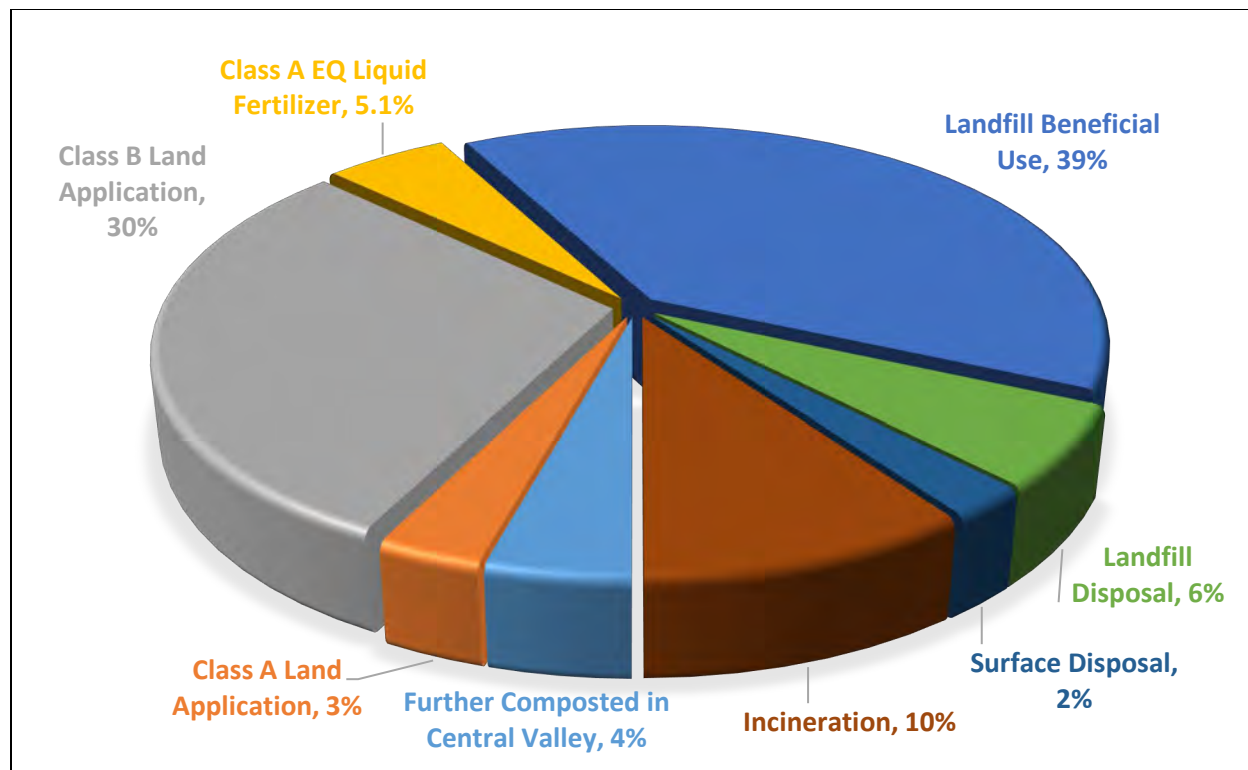
*Data provided by USEPA Region 9*

**Bay Area Trends.** Looking solely at the nine county Bay Area, **Figure 4** illustrates end uses of biosolids in 2020. The primary uses continue to be landfill beneficial use, land application, and incineration, which together account for 79 percent of biosolids end uses in the Bay Area. Compost, landfill disposal, and surface disposal levels remained similar to 2015 percentages.

Tonnage for biosolids conveyed to the Lystek Organic Materials Recovery Center (OMRC) is categorized as Class A liquid fertilizer and has increased from representing 3.8% of Bay Area biosolids end uses in 2017 to 5.1% in 2020. The OMRC conducts further biosolids processing by utilizing LysteGro technology to create a Class A product. Lystek's hydrolysis process uses high speed shearing, low pressure steam and alkali in an enclosed reactor to transform organic sludge or biosolids into a liquid fertilizer. Lystek's fertilizer program in Solano County began in spring 2017. Twelve Bay Area agencies and one industrial generator sent material to Lystek in 2021:

- Benicia, City of
- Budweiser Brewery in Fairfield
- Central Marin Sanitation Agency
- Delta Diablo
- East Bay Municipal Utility District
- Fairfield-Suisun Sewer District
- Healdsburg, City of
- Palo Alto Regional Water Quality Control Plant
- Petaluma, City of
- San Francisco Public Utilities Commission
- Sanitary District No. 5 of Marin County
- Santa Rosa, City of
- Vallejo Flood & Wastewater District

LysteGro is used primarily in Solano County, and the product is registered as a fertilizer with the California Department of Food and Agriculture. As a Class A product, LysteGro can be used with no restrictions, and is not subject to the Solano County biosolids ordinance (Solano County Code, Sec. 25-400). Use of LysteGro is classified as "Class A Land Application" in **Figure 3**. LysteGro is also an approved commercial fertilizer for use in Yolo and Contra Costa Counties.

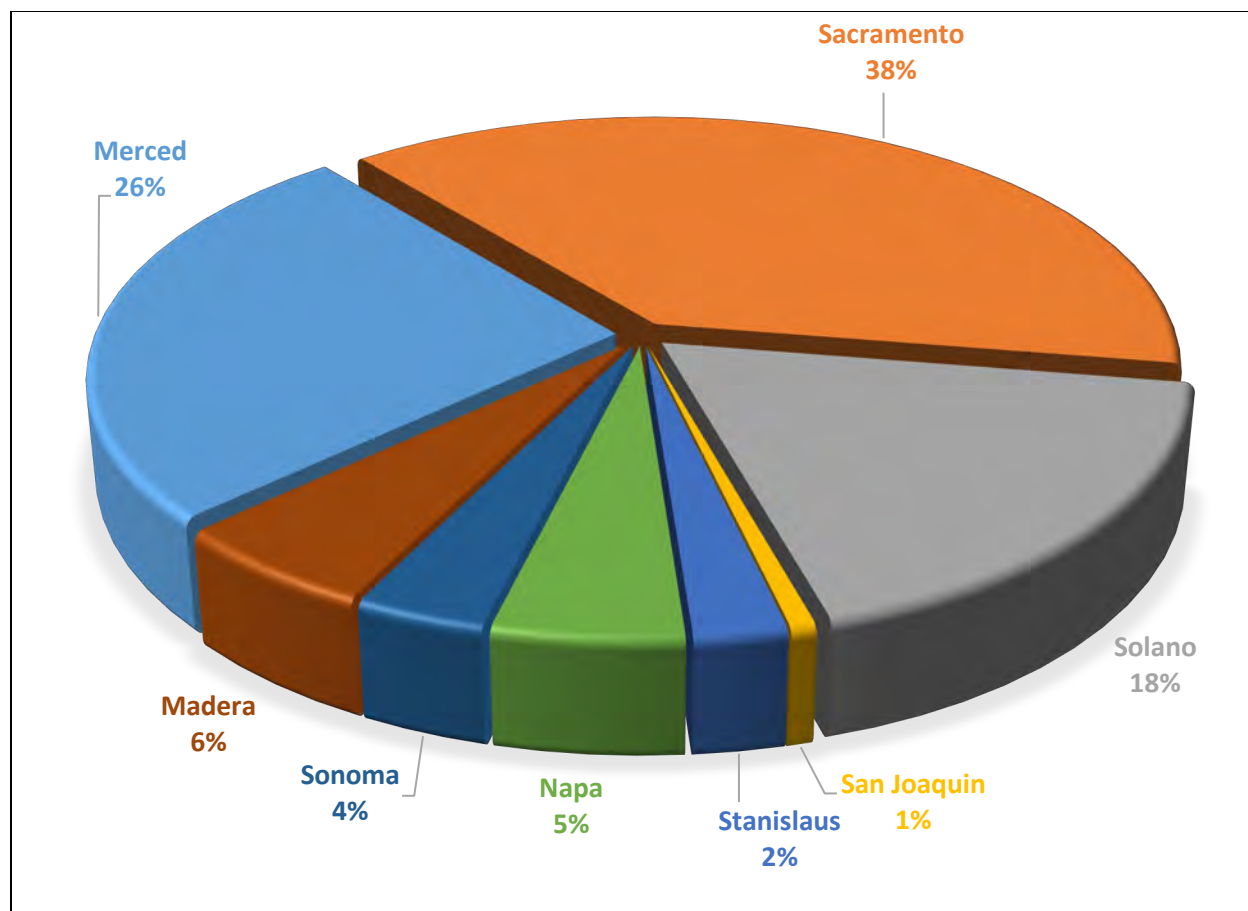


**Figure 4. Bay Area Usage of Biosolids, 2020**

*Data Provided by USEPA Region 9*

**Counties where biosolids are land applied.** Biosolids were predominantly applied to agricultural land in three Northern California counties in 2020 – Sacramento, Merced, and Solano – with Solano County ranking third. **Figure 5** illustrates the distribution of land-applied biosolids among the counties. Smaller amounts were also land applied in Madera, Sonoma, Stanislaus, and Napa counties, among others.





**Figure 5. Distribution of Biosolids Land Application among Northern California Counties, 2020**

*Data provided by USEPA Region 9 and individual agencies*

### Bay Area Regional Efforts

**BACWA Biosolids Committee.** The mission of the BACWA Biosolids Committee (The Committee) is to support the development and maintenance of cost-effective, sustainable biosolids management options for the approximately 150,000 dry metric tons of biosolids produced in the Bay Area annually. The Committee was formed to provide proactive support and information sharing to member agencies on regional biosolids issues, projects, and proposed regulations and legislation.

In 2020, the Committee completed the 2018 Biosolids Trends Survey Report, which is available at <https://bacwa.org/wp-content/uploads/2020/12/BACWA-2018-Biosolids-Survey-Report-Final-2020-12-10.pdf>. The survey was repeated in 2021, and results will be posted soon to <https://bacwa.org/committees/biosolids/>.

Because of member agencies' level of engagement in the Bay Area Biosolids Coalition at the current time (see below), the Biosolids Committee was placed on hiatus in 2019. The email

distribution list continues to be maintained so that the committee can meet again when there is interest. While meetings are on hiatus, the committee will continue to produce this Annual BACWA Report to Solano County, as well as the Biannual BACWA Biosolids Trends Survey.

**Bay Area Biosolids Coalition.** The members of the Bay Area Biosolids Coalition, originally formed in 2004, work together to advance research, expand land application and share new opportunities and information on biosolids. The Coalition is pursuing a multi-pronged approach that includes:

- Educating the public on biosolids management issues in California through public outreach efforts, including the creation of a public website and securing media coverage.
- Advancing the industry and legislative state of knowledge on biosolids as a valuable resource.
- Investigating viable, year-long (weather resilient) alternatives to land application that look beyond "biosolids to energy" and seek to responsibly recycle back value-added products of biosolids to the environment.
- Serving as a technology incubator - particularly for pre-commercial technologies.
- Supporting land application in the Bay Area by seeking to create more capacity for biosolids in the Bay Area marketplace.

The Coalition has established the following goals in support of achieving the above-mentioned objectives, for which associated strategies and key outcomes have been defined that will be pursued over the next one to two years:

- Communicate the value of biosolids for the purposes of increasing understanding, support, and market demand for biosolids.
- Advance independent scientific research on the safety and efficacy of biosolids to inform science-based regulations, guidelines and best management practices.
- Support and expand biosolids land application in the Bay Area.
- Support the development of diverse, cost-effective, and reliable all-weather biosolids projects for the San Francisco Bay Area.

Current Coalition members include the following public agencies:

Central Marin Sanitation Agency	East Bay Municipal Utility District
City of Millbrae	Ironhouse Sanitary District
City of Petaluma	North San Mateo County Sanitation District
City of San Jose	San Francisco Public Utilities Commission
City of Santa Rosa	Union Sanitary District
Delta Diablo	Vallejo Flood & Wastewater District
Dublin San Ramon Services District	West County Wastewater District

**Individual Agency Programs.** Individual BACWA agencies are responsible for their own biosolids

management programs and each develops its own plan in addition to participating in regional programs. Below are program descriptions from all agencies which sent biosolids to Solano County for agricultural use via land application. All agencies described below produce biosolids according to 40 CFR regulations.

All agencies that land applied Class B biosolids in Solano County in 2021 converted a portion of their biosolids to Class A, either through their own means or at a 3<sup>rd</sup> party conversion facility (e.g., compost facility or Lystek OMRC).

**City of Calistoga.** At the City's Dunaweal Wastewater Treatment Facility, solids are processed by the treatment methods of thickening and application to drying beds. The material is picked up and land applied to various fields in Solano County by Synagro, and a portion of this material is diverted to produce Class A Biosolids at Synagro's Central Valley Compost site.

**Central Marin Sanitation Agency.** The Central Marin Sanitation Agency (CMSA) has a contract with Synagro for land application of its biosolids during the dry weather season in Solano County. CMSA also has contracts in place for sending the biosolids to Redwood Landfill for landfill beneficial use and to Lystek International for further processing to produce Class A (EQ) liquid fertilizer. CMSA is currently serving as the Bay Area Biosolids Coalition lead agency.

**Delta Diablo.** Diablo produces Class B biosolids and contracts with Synagro for biosolids management. Over 95% of the biosolids are land applied in either Solano, Sacramento or Merced Counties with a portion of the material sent to Synagro's Central Valley Compost facility. Starting July 1, 2021, Delta Diablo began sending two truckloads per month to the Lystek facility at Fairfield Suisun Sewer District for further processing to Class A standards. Delta Diablo is an active participant in the Bay Area Biosolids Coalition and continues to explore additional and alternative biosolids management options..

**East Bay Municipal Utility District.** EBMUD produces Class B biosolids. EBMUD contracts with Denali Water and Synagro for biosolids handling. Through Denali Water, EBMUD biosolids are land-applied in Merced County. Through Synagro, biosolids are sent to land application, compost, or landfill. Synagro land-applies EBMUD biosolids in Solano, Sonoma, and Sacramento Counties. The biosolids sent to compost are processed at the CVC composting facility in Dos Palos, CA. The biosolids sent to landfill are taken to the Potrero Hills Landfill in Alameda County. EBMUD is a member of the Bay Area Biosolids Coalition.

**City of Eureka.** The City of Eureka's Elk River Wastewater Treatment Plant contracts with Synagro to land apply biosolids to farmland in Solano, Sonoma, and Sacramento Counties. As part of the Synagro contract, Synagro diverts a portion of Eureka's biosolids to the CVC composting facility in Dos Palos, CA where a Class A product is produced. The City of Eureka continues to investigate feasible and cost-effective Class B management options as well as Class A processes for the future.

**Fort Bragg Municipal District #1.** The Fort Bragg Municipal District #1 Wastewater Treatment facility produces Class B biosolids and contracts with Synagro for biosolids management. Synagro transported a portion of the facility's biosolids to their Central Valley Compost site to be further processed into Class A Biosolids.

**Ironhouse Sanitary District.** The Ironhouse Sanitary District (ISD) Water Recycling Facility is designed to produce Class B biosolids. Approximately half of ISD's biosolids are land applied on District-owned property. The remaining balance are managed by Synagro, which land applies in Solano and Sacramento Counties and typically sends a load per year to Synagro's Central Valley Compost site for Class A transformation. ISD continues to be a member agency and active participant in the Bay Area Biosolids Coalition.

**City of Petaluma.** The City of Petaluma's Ellis Creek Water Recycling Facility produces Class B biosolids. Digested solids are used as alternative daily cover at municipal solid waste landfills, applied to agricultural land in Solano and Sacramento Counties, or transferred to the Lystek OMRC for production of and subsequent reuse as Class A biosolids. The City of Petaluma is a member of the Bay Area Biosolids Coalition.

**San Francisco Public Utilities Commission (Southeast and Oceanside WPCPs).** The San Francisco Public Utilities Commission (SFPUC) marked its twenty-first consecutive season of land application of biosolids for agricultural use in Solano County. The SFPUC also contracts with Synagro to use Class B biosolids for agriculture in Sacramento County and with Lystek to produce a Class A EQ liquid fertilizer. The SFPUC has reduced the amount of biosolids that were used for alternative daily cover at the Potrero Hills landfill and will continue to phase out use of biosolids for alternative daily cover. The SFPUC is an active participant in the Bay Area Biosolids Coalition.

**City of Stockton.** The City of Stockton's Regional Wastewater Control Facility produces Class B biosolids. The City contracts with Synagro for biosolids management. The biosolids are transported for agricultural land application in Sacramento, Merced and Solano Counties. A portion of the City's biosolids is diverted to produce Class A Biosolids at Synagro's Central Valley Compost site.

**Town of Windsor.** The Town of Windsor Water Reclamation Facility contracts with Synagro to land apply biosolids to farmland in Solano and Sacramento Counties. As part of the Synagro contract, Synagro diverts a portion of its biosolids to its Merced County facility for composting. The Town of Windsor continues to investigate feasible and cost-effective Class A biosolids treatment and process options.

**Union Sanitary District.** Union Sanitary District (USD) beneficially used most of its biosolids in 2020 and met all USEPA regulations for the 28th consecutive year. USD continues to contract with Synagro for its biosolids management, with nearly 70 percent of USD's biosolids land applied to farmland in Sacramento, Merced and Solano Counties. Approximately 30 percent of biosolids production was delivered to Merced County for producing Class A compost.



# Executive Board Special Meeting

## DRAFT Agenda

SF Bay Regional Water Board /  
BACWA Executive Board Joint Meeting  
Thursday, January 6, 9 am – 11 am

**ROLL CALL AND INTRODUCTIONS – 9 AM**

**PUBLIC COMMENT – 9:03 AM**

**DISCUSSION/OTHER BUSINESS- 9:05 PM**

Topic	Goal	Time
<b>1. Agency Updates</b>	<ul style="list-style-type: none"> <li>Roundtable from BACWA and Regulators about COVID-19 impacts, staffing, and other updates</li> </ul>	9:05
<b>2. PFAS Regional Study, Phase 2</b>	<ul style="list-style-type: none"> <li>Update on development of Sampling and Analysis Plan for Phase 2</li> <li>Other regional and state PFAS initiatives</li> </ul>	9:15
<b>3. Biosolids</b> Tentative - pending confirmation that Maggie Monahan can attend	<ul style="list-style-type: none"> <li>Potential modifications to permitting approach for land application and land disposal in Region 2</li> <li>Use of biosolids in Baylands – update on collaborative efforts</li> <li>Nexus to Nutrients – Information needs regarding organics diversion</li> </ul>	9:25
<b>4. Air permitting</b>	<ul style="list-style-type: none"> <li>Discussion on the Water Board’s role in working with BAAQMD to balance air and water requirements</li> </ul>	9:50
<b>5. Nutrients</b>	<ul style="list-style-type: none"> <li>Update on planning for 3<sup>rd</sup> Watershed Permit – schedule load cap calculations and compliance workshop</li> </ul>	10:05
<b>6. Toxicity</b>	<ul style="list-style-type: none"> <li>Implementation Language for NPDES permits in Region 2</li> <li>Update on schedule</li> </ul>	10:20
<b>7. SSS-WDR</b>	<ul style="list-style-type: none"> <li>Planning for review of public draft by State Water Board</li> </ul>	10:25
<b>8. Water Recycling</b>	<ul style="list-style-type: none"> <li>RO concentrate disposal permitting considerations</li> </ul>	10:30
<b>9. Chlorine Residual Blanket Permit Amendment</b>	<ul style="list-style-type: none"> <li>Update on schedule (if not yet approved by EPA by 1/6/22)</li> </ul>	10:35
<b>10. Climate Change</b>	<ul style="list-style-type: none"> <li>Synthesis of Questionnaire results</li> <li>Shoreline Resilience Basin Plan Amendment</li> </ul>	10:40
<b>11. Mercury and PCBs Watershed Permit</b>	<ul style="list-style-type: none"> <li>Timeline for Coordination in 2022</li> </ul>	10:45
<b>12. Annual Events</b>	<ul style="list-style-type: none"> <li>BACWA Annual Meeting</li> <li>Pardee Technical Seminar</li> </ul>	10:50

**ADJOURNMENT**

# 2020 STRATEGIC PLAN

## Bay Area Clean Water Agencies

### BACWA's Mission

To provide an effective regional voice for clean water agencies' stewardship of the San Francisco Bay's ecological, community, and economic resources.

### BACWA's Vision

To demonstrate leadership in the protection and enhancement of the San Francisco Bay ecosystem.

### BACWA's Values

- Environmental stewardship
- Leadership
- Science-based decision making
- Collaboration
- Fiscal responsibility
- Watershed-based solutions

### BACWA's Goals

- Advocate for regulation based on science
- Foster collaboration and relationship building with regulators and other stakeholders
- Pursue regional, multi-benefit solutions to environmental challenges
- Exemplify service and responsiveness to members and the public
- Practice good governance



## GOAL 1: ADVOCATE FOR REGULATION BASED ON SCIENCE

### *Strategy 1 – Advocate for nutrient permitting based on science.*

- **Objective 1** – ~~Establish a~~Convene the Nutrient Technical Team made up of BACWA and member agency staff to engage with the San Francisco Bay Nutrient Management Strategy (NMS) by reviewing their work products and participating in the Assessment Framework process.
- **Objective 2** – ~~Solicit and~~Continue to contract consultant support for review and interpretation of NMS Work Products and review of the Assessment Framework process.
- **Objective 3** – Convene BACWA's Nutrient Strategy Team to plan BACWA position on 3<sup>rd</sup> Nutrient Watershed Permit.
- **Objective 4** – ~~Ensure~~Plan financial contributions to the NMS ~~will~~to optimize scientific study workflow.

### *Strategy 2 – Advocate for air regulations based on science.*

- **Objective 1** – Meet ~~frequently~~regularly with Bay Area Air Quality Management District (BAAQMD) policy and permitting staff to communicate clean water agencies' perspectives and capabilities. Support BAAQMD staff by providing technical information during development of regulations for ~~short-lived~~ climate pollutants and air toxics.
- **Objective 2** – Collaborate with CASA and other clean water agencies statewide on projects to inform California Air Resources Board regulations, such as vehicle electrification and the AB 2588 compound list update and emission factor development.

### *Strategy 3 – Advocate for biosolids management regulations based on science.*

- **Objective 1** – Work with local, regional, and state regulators to maintain and support expansion of sustainable biosolids ~~re~~use alternatives.
- **Objective 2** – Collaborate with Bay Area Biosolids Coalition to support initiatives aimed at establishing the safety and benefits of biosolids ~~re~~use.

### *Strategy 4 – Advocate for emerging water quality regulations based on science.*

- **Objective 1** – Provide support for Constituents of Emerging Concern (CEC) pollution prevention and pesticides control by state and federal agencies.

- **Objective 2** – Engage in State Water Board and Ocean Protection Council initiatives, such as the reconvening of the Science Advisory Panel on CECs in Aquatic Ecosystems and the Microplastic Strategy.
- **Objective 3** – Continue to participate actively in Regional Monitoring Program (RMP) technical and steering committees.
- **Objective 4** – Demonstrate that BACWA can effectively implement solutions through regional projects, such as conducting the PFAS Regional Study in lieu of being compelled via a 13267 Order.

***Strategy 5 – Advocate for the update of existing water quality regulations based on science.***

- **Objective 1** – Support Basin Plan amendments and triennial reviews by working with the Regional Water Board.
- ~~**Objective 2** – Work with Regional Water Board to adopt a blanket permit amendment to incorporate the Chlorine Residual Basin Plan Amendment into NPDES Permits.~~
- **Objective 23** – Work with regulators to reduce low value required monitoring to enhance funding for RMP CEC studies.

## GOAL 2: FOSTER COLLABORATION AND RELATIONSHIP BUILDING WITH REGULATORS AND OTHER STAKEHOLDERS

### *Strategy 1 - Maintain and broaden collaboration with regulators by engaging on existing regulatory initiatives and emerging issues.*

- **Objective 1** - Continue engagement with regulators to communicate clean water agencies' challenges and opportunities related to projects of environmental benefit.
- **Objective 2** – Collaborate with regulators on emerging initiatives such as sea level rise adaptation planning, development of incentives for climate change mitigation, identification of feasible biosolids [reuse](#) strategies, and exploration of other resource recovery opportunities.
- **Objective 3** – Work with Summit Partners to provide educational opportunities for State Water Board/Ocean Protection Council members and staff regarding clean water agencies' opportunities. Identify and develop a common understanding of mutual priorities.
- **Objective 4** – Work with BAAQMD [policy and permitting](#) staff to update standard permit conditions, with the goal of reducing permitting hurdles that impede the implementation of projects of environmental benefit.

### *Strategy 2 - Monitor legislative efforts that impact BACWA members.*

- **Objective 1** – Work with industry associations and individual members to inform their efforts on legislative advocacy.
- **Objective 2** – Consider a BACWA policy or position on how to engage in targeted legislative advocacy.

### *Strategy 3 - Maintain industry leadership by collaborating with other clean water associations.*

- **Objective 1** – Work with Clean Water Summit Partners to define and advocate on issues of statewide importance.
- **Objective 2** – Inform, learn from, and jointly advocate with clean water associations such as the other Clean Water Summit Partner organizations, NACWA, and WaterReuse.

## GOAL 3: PURSUE REGIONAL, MULTI-BENEFIT SOLUTIONS TO ENVIRONMENTAL CHALLENGES

### *Strategy 1 - Promote integrated approach to a healthy Bay.*

- **Objective 1** – Identify and establish effective collaborations with drinking water and stormwater communities to further the One Water concept and/or other multi-benefit project types.
- **Objective 2** – Identify and establish collaborations to implement integrated approaches to sea level rise adaptation.
- **Objective 3** – Identify and implement effective pollution prevention strategies in partnership with regulators and partners.
- **Objective 4** – Work with members and other regional entities to maximize grant funding for projects benefiting the region.

### *Strategy 2 - Support innovation to better address water quality and other ecological challenges.*

- **Objective 1** – Provide membership with information on technology pilot opportunities.
- **Objective 2** – Establish and continue partnerships with universities and other research institutions and initiatives to develop collaborative approaches to issues of importance to the clean water community.
- **Objective 3** – Support existing coalitions and agencies that are pursuing regional solutions to challenges impacting the San Francisco Bay clean water community.

### *Strategy 3 - Provide value to members through facilitating regional solutions.*

- **Objective 1** – Continue to provide joint compliance activities on behalf of members, such as reporting via the Annual NPDES compliance letter to the Regional Water Board.
- **Objective 2** – Continue to support and report compliance with the Mercury/PCB and Nutrient Watershed Permits.
- **Objective 3** – Engage with regulators on behalf of individual member agencies when issues of regional importance arise.
- **Objective 4** – Coordinate regional solutions to comply with new Environmental Laboratory Accreditation Program (ELAP) regulations.
- **Objective 5** – Support members' biosolids programs via data-gathering, reporting, and information exchange related to biosolids management.

## GOAL 4: EXEMPLIFY SERVICE AND RESPONSIVENESS TO MEMBERS AND PUBLIC

### *Strategy 1 - Ensure members are knowledgeable about critical issues and activities.*

- **Objective 1** – Communicate timely regulatory and technical information and events via BACWA committees, the BACWA Bulletin newsletter, and emails to members.
- **Objective 2** – Ensure that BACWA contact lists are up to date.

### *Strategy 2 - Provide education and outreach to members and the public.*

- **Objective 1** – Provide support for pollution prevention messaging to the public via BAPPG.
- **Objective 2** – Explore ways to support members' public communication on nutrients and other issues.
- **Objective 3** – Consider justice/equity/diversity/inclusion in both wastewater workforce development and community engagement efforts. Support collaboration with underrepresented or disadvantaged groups.

### *Strategy 3 - Provide forum to hear all member voices.*

- **Objective 1** – Conduct outreach to all members to inform them about opportunities for participation via committees and other events.
- **Objective 2** – Ensure that each member agency is knowledgeable about and engaged in negotiations on the 3rd Nutrient Watershed Permit so that BACWA's position reflects the interests of our members.
- **Objective 3** – Provide forums and opportunities for information-sharing among members on issues of importance.
- **Objective 4** – Use technology to maximize member participation in committee meetings.

### *Strategy 4 - Provide support for Projects of Special Benefit to assist membership.*

- **Objective 1** – Continue to support the Bay Area Biosolids Coalition (BABC).
- **Objective 2** – ~~Complete transition of~~Continue administration of the Bay Area Chemical Consortium (BACC) ~~from DSRSD.~~

- **Objective 3** – Support Bay Area Consortium for Water/Wastewater Education (BACWWE) as they transition to a scholarship-based system and continue collaboration with BAYWORK.
- **Objective 4** – Consider any new requests for BACWA support based on members' benefits and potential costs to BACWA.

## GOAL 5: PRACTICE GOOD GOVERNANCE

***Strategy 1 - Ensure BACWA Policies and Procedures conform to applicable laws and best practices.***

- **Objective 1** – Regularly review and update BACWA Policies and Procedures.

***Strategy 2 - Enhance fiscal transparency.***

- **Objective 1** – Work with EBMUD to improve readability and transparency of treasurer's reports in Executive Board Packet.
- **Objective 2** – Continue to update budget 5-Year Plan to ensure BACWA can develop its financial goals and has capacity for future initiatives to meet the objectives of the Strategic Plan.
- **Objective 3** – Continue to improve practice internal controls on chain of custody to enhance transparency and security of authorizations and invoice approval process.





## **Criteria for Funding Collaboratives**

**Draft – December 17, 2021**

### **Background**

BACWA is a joint powers agency formed by the five largest wastewater treatment agencies in the San Francisco Bay Area, with members who include the many municipalities and special districts that provide sanitary sewer services to the San Francisco Bay Area. Our mission is to provide an effective regional voice for clean water agencies' stewardship of the San Francisco Bay's ecological, community, and economic resources.

BACWA is often approached by partner entities who are interested in collaborating with the regional POTW community, and BACWA's role is to provide that regional point of contact. The request for collaboration generally involves an invitation to provide representation to the initiative, usually in the form of BACWA staff or a BACWA member agency representative who reports back to the BACWA Board. The request may also involve a solicitation of funding for the initiative.

In 2013 BACWA first included a line item in its annual budget to accommodate these collaborative funding efforts that are approved by the BACWA Executive Board. In the FY22 budget, identified collaboratives funded by BACWA include:

- State of the Estuary Conference (\$20,000 paid in odd years) – Biennial regional conference. There was no contribution in FY21 since the conference was held remotely.
- BayCAN (\$5,000 per year since FY20) – Regional climate change adaptation collaborative network built by and for local government staff to help coordinate and effect equitable response to the impacts of climate change on water, public health, ecosystems, fire and our shorelines.
- ReNUWIt – (\$10,000 annual contribution) – Industrial/Academic collaboration with Stanford, UC Berkeley, Colorado School of Mines, NM State University, with NSF funding. BACWA has funded ReNUWIt for eight years but is now coming to an end, with no invoices being sent to BACWA in FY21 or FY22.

In the FY22 Budget, there is a \$5,000 Miscellaneous budget line item that can accommodate new collaborative requests during the Fiscal Year. Payments for designated collaborative relationships are made upon receipt of an invoice.

### **BACWA's Strategic Plan**

BACWA leadership has identified collaboration as key to its mission. In 2020, BACWA Updated its strategic plan, and identified "Collaboration" as one of our core values. One of the goals is to foster



collaboration and relationship building with regulators and other stakeholders. Individual objectives support collaborations with other water quality entities, such as stormwater, drinking water, and recycled water partners, as well as state and national POTW associations, regional NGO groups, and academia.

### Criteria for funding collaboratives

When evaluating whether to fund a particular collaborative, the BACWA Executive Board must decide how to make best use of BACWA funds, which are ultimately provided by ratepayers. To assist this decision making process, the following five questions will be used as criteria to evaluate collaborative funding requests:

1. ***Is the collaborative consistent with BACWA's Strategic Plan?*** The collaborative must advance BACWA's progress towards its Strategic Plan and be consistent with BACWA's Mission, Vision, and Values.
2. ***How does the collaborative benefit BACWA or its members?*** The collaborative should have a direct measurable benefit to BACWA or a plurality of its membership.
3. ***Is the mission of the collaborative unique or duplicative with other BACWA initiatives?*** The collaborative should have a mission and function that is not duplicative with other collaboratives funded by BACWA.
4. ***Does BACWA have a say in guiding the collaborative?*** Preference will be given to collaboratives where BACWA's participation includes a voice in governing the collaborative's actions and how BACWA's funds will be spent.
5. ***Is the collaborative also funded by BACWA's members?*** BACWA will consider the collaborative's other funding sources when making a decision. The collaborative seeking funding is discouraged from actively soliciting contributions from individual member agencies in addition to BACWA.

Providing funds for the collaborative should be a high priority relative to other such requests. The following chart can be use to evaluate each collaboratives conformance to the principals above.

### Sample rubric for evaluating collaboratives

Criteria	Collaborative A	Collaborative B	Collaborative C
Consistent with BACWA's Strategic Plan?	✓ Yes	✓ Yes	✓ Yes
Direct benefit to BACWA or its members?	✓ Yes	✓ Yes	No
Unique mission?	No	✓ Yes	No
BACWA role in governance?	✓ Yes	✓ Yes	✓ Yes
Funding not duplicative with BACWA's members?	No	✓ Yes	No



Collaborative funding for future fiscal years will be established as part of the budget. For new requests in the current fiscal year, funds must be available in the current fiscal year miscellaneous budget line item, or alternative funding mechanisms may be identified. BACWA's Executive Board will review its collaborative contributions on an annual basis to ensure that our expenditures are in alignment with our goals.

Committee Request for Board Action: None at this time, but committee budget request for FY23 may include support for Site Supervisor training video.

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

33 attendees (all participating remotely) representing 17 member agencies

#### Regional Recycled Water Evaluation Update

HDR/Woodard & Curran has prepared 15 drafts of individual plant reports, and more are in progress.

#### Site Supervisor Training Update

Stefanie Olson shared a [classic video](#) titled **"Recycled Water Health and Safety"** produced by EBMUD about 20 years ago and intended for recycled water for site supervisors. The group discussed the possibility of updating the video with funding from BACWA to support the videography. Both the script and graphics would require an update. Pedro Hernandez shared that South Bay Water Recycling also requests that their site supervisor trainees watch two videos presented by Bahman Sheikh (see [Video 1](#) and [Video 2](#)) before the live portion of the training. There was interest from the group in pursuing the idea further.

Pure Water Soquel (Melanie Mow Schumacher and Ron Duncan, Soquel Creek Water District)  
Soquel Creek Water District presented information about the Pure Water Soquel project under construction in Santa Cruz County. A copy of the slide deck is available [here](#). Some of the featured content included:

- **Technical Details.** Tertiary-treated water from Santa Cruz will run through a new advanced water purification center with microfiltration, RO, UV, and advanced oxidation. Advanced-treated water will be injected into the critically overdrafted coastal. RO concentrate will be returned to Santa Cruz for ocean discharge. Groundbreaking for the treatment project occurs in December.
- **Community Water Plan.** The District is currently 100% dependent on groundwater, but in the future will have a more diverse water supply portfolio with stormwater capture, excess river water purchases, and advanced-treated recycled water. Economic impact analysis and the **"Community Water Plan"** establishing a pathway to a reliable water supply was a big portion of the public outreach.
- **Building Trust with the Community.** The District did extensive public outreach. The WateReuse toolkit was helpful as guidance. Outreach materials featured photos and quotes from local residents. Board members and institutional partners went on field trips to similar facilities. The District prepared a mobile outreach trailer at relatively low cost.
- **Funding.** The project received Prop 1 grant funding, Title XVI funding, and low-cost loans from SWRCB and WIFIA. The District also set up a revolving line of credit because the grants and loans are provided on a reimbursement basis, and sometimes that can take a long time.
- **Project Delivery.** The District is using traditional design-bid-build for the injection wells, because they are experienced with well projects. The District opted to use progressive design-build for the pipeline and treatment projects, because they are not typical District projects.

#### Legislative and Funding Updates

- The large infrastructure bill was signed into law on Monday and includes both funding authorizations *and* appropriations. Some of the water-related highlights include \$12.7B for the Clean Water State Revolving Funds; \$1B for water recycling WIIN grants and Title XVI; and \$400M for WaterSmart programs. For new alternative water supplies, there is no appropriation but there is an authorization for \$125M. More detail is available in this [WateReuse Guide to the Infrastructure Investment and Jobs Act of 2021](#). **The sequel bill "Build Back Better Act" has been pared down to \$1.7B and also has** infrastructure funding including water recycling and appropriation of the \$125M for alternative water sources. It is still subject to change.
- In late 2021, DWR plans to release a final solicitation package for Round 2 of IRWMP Prop 1 funding. The BAIRWMP Process and Planning Committee plans to submit an application in the fall solicitation.
- A committee is working on streamlining Title 22 requirements needed for agricultural end users

Next Meeting – Tuesday, January 18, 2021, 10:30 am by Zoom

**Committee Request for Board Action: None**

**37 attendees, including representatives from 25 member agencies and 4 guests from V&A**

**Round Table Discussion on October Atmospheric River**

BACWA's Regulatory Program Manager shared data from CIWQS regarding the number of SSOs in late October due to the atmospheric river event. Steve Moore from Ross Valley Sanitary District noted that Kentfield recorded 12 inches of rain in 24 hours! The number of SSOs in the San Francisco Bay Area was not remarkable compared to historic trends, but there were several very high-volume SSOs, so the total volume was high. The Regional Water Board compiled information about some of the large SSOs and treatment bypasses in the [November 2021 Executive Officer's Report](#). Representatives from Pacifica and San Francisco shared information about SSOs in their service areas due to the rain event. As a result of the storm, Pacifica has decided to add popup valves as a standard spec for private lateral cleanouts. Several plants, including Napa Sanitation District and CMSA, set new records for peak flow. The storm was less noticeable in the South Bay.

**Presentation on Using Data Science to Optimize Gravity Main Cleaning**

Lars Stenstedt of [V&A Consulting Engineers](#) presented on the use of data science to optimize cleaning of gravity sewer mains. His presentation slides are available [here](#). Highlights from the presentation and Q&A included:

- Agencies should plan to make a gradual transition to greater use of data science. The most challenging step is the acquisition of collection system data and putting into a usable form for advanced analytics.
- Data science can be used to demonstrate which parts of the collection system may need to be cleaned more or less frequently, and which types of equipment should be used (i.e., if roots are expected based on past experience, go in with a rodder).
- Agencies should consider collecting information during the cleaning process – was the stream clear, light, medium, or heavy? Were there roots, FOG, debris, or rags collected? If this information is entered into a database, it may reveal trends that can be used to optimize cleaning practices.
- During the discussion, there was agreement that photographs of these different cleaning metrics (light vs. medium buildup) would be important for operators in the field to reference, especially if there is going to be consistency across agencies.

**SSS WDR Update**

The committee discussed the status of the Draft Sanitary Sewer Order (SSS-WDR). BACWA recently conducted outreach to Regional Water Board staff to remind them on key points from the June [comment letter](#). State Water Board plans to release a public review draft in December 2021 or January 2022, starting a 60-day public comment period. Attendees requested that once the public draft is released, BACWA staff prepare a markup with specific questions flagged for collection system operators. Collecting feedback from committee members and collection system operators is crucial for developing BACWA's response.

A special committee meeting may be called if review comments on the public draft SSS-WDR are needed before the February meeting.

**Next Collection System Committee Meeting**

Thursday, February 10th, 2022 10 AM via Zoom.  
The committee may resume meeting in-person in 2022,

Committee Request for Board Action:

- none

Detailed Committee Notes are available [online](#).

*Regional Water Board Announcements*

- The hiring process to replace the BAPPG representative is nearly complete.
- CASA will receive this year's Dr. Teng-Chung Wu Pollution Prevention for advocacy related to **wipes "do not flush" labeling legislation (AB 818)**.

*Updates on Committee Activity and Announcements*

- Steering Committee: SGA's fall advertising campaign ended in November. The focus was on FOG and "Toilets aren't trash cans." Metrics on viewership will be shared soon. The budget is on track, with 24% spent through October.
- BACWA Announcements: Preparation of the Sampling and Analysis Plan for the PFAS Regional Study Phase 2 is underway. The [California Product Stewardship Council](#) will be presenting to the BACWA Board on 12/17. Most sections of the [BAPPG website](#) that were previously password-protected no longer are (except for some pesticides documents).
- Pesticides: Stephanie Hughes recently presented to the Pacific Northwest pretreatment conference regarding flea and tick messaging. Her slides are available [here](#).
- Our Water, Our World (OWOW): The California Stormwater Quality Association ([CASQA](#)) is now responsible for administration of the OWOW. Beginning in CY 2022, BAPPG plans to contribute to OWOW on behalf of non-stormwater BAPPG members. **BAPPG's FY2022 budget** includes a \$10,000 contribution to cover OWOW activities in calendar year 2022.
- CWEA. The P3S Conference will be held 1/31 – 2/22. [Registration](#) should open this week.

*Legislative Update from National Stewardship Action Council*

Jordan Wells (Assistant Director, National Stewardship Action Council) provided background information about the NSAC, which advocates for the three principles of a circular economy: (1) design out waste and pollution, (2) keep products and materials in use, and (3) regenerate natural systems. The presentation slides are available [here](#). The presentation also covered:

- Recent actions of the CA [Commission on Recycling Markets and Curbside Recycling](#);
- Successful passage of the wipes labeling legislation (AB 818) in California in 2021, including a comparison to wipes legislation in other states;
- An update on the WIPPES Act (HR 4602), which has been introduced but does not yet have significant industry support.

*Public Outreach During COVID*

Representatives from [San Jose](#), Sonoma Water, Livermore, South San Francisco, and American Canyon shared how they are conducting public outreach with COVID restrictions still in place. San Jose shared outreach graphics related to flea and tick control pesticides. Many agencies reported relying on virtual outreach using social media, but limited in-person activities have resumed, including FOG inspections, holiday events, and food truck outreach. The group exchanged tips about vendors for translation and video editing services.

Next BAPPG General Meeting: February 16<sup>th</sup>, 2021, by Zoom. Regional Water Board Tips for Pollution Prevention Reports due February 28<sup>th</sup> are available [here](#).





## Executive Director's Report to the Board November 2021

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### **EXECUTIVE BOARD MEETING AND SUPPORT**

- Reviewed and distributed summary from 10/28-29 Orinda Technical Seminar
- Worked with BACWA staff to plan and manage 11/19 Executive Board meeting
- Conducted the Executive Board meeting agenda review with the BACWA Chair
- Drafted FY21 Annual Report
- Worked with attorney to develop resolution to continue teleconferencing pursuant to AB361
- Reviewed FY21 Annual Financial Statement
- Updated Strategic Plan
- Developed draft guiding principles for funding collaboratives
- Continued to track all action items to completion
- Toured potential new venue and began to plan 2022 Annual meeting for May

### **COMMITTEES:**

- Participated in BACWA AIR committee meeting, 11/17
- Developed agenda for December Managers Roundtable meeting

### **REGULATORY:**

- Discussed key regional issues with EPA NPDES staff
- Met with SFEI to discuss PFAS Phase 2 and held kickoff meeting with individual Phase 2 participants. Reviewed Phase 2 Scope of Work and developed draft contract and BAR. Discussed contracting strategies with Board members.
- Held meeting to refine analyte list for PFAS Phase 2, 11/23
- Discussed statewide PFAS data analysis with consultant 11/22
- Participated in California Water Quality Monitoring Council meeting, 11/10
- Reviewed BACWA comments on Monitoring & Reporting Order
- Attended POTW arrearages program workshop by SWB, 11/29

### **NUTRIENTS:**

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

- Discussed NMS issues with Science Manager
- Prepared for, presented and participated in WRF Holistic Nutrient Management panel, 11/4
- Participated in and drafted meeting notes for NMS Planning Subcommittee meeting, 11/5
- Met with City of Santa Rosa staff to plan presentation to Board, 11/12
- Reviewed NMS deliverable review by Mike Connor
- Developed outline for 3-pg state of the science document

### **FINANCE:**

- Reviewed the monthly BACWA financial reports, summary, and budget to actual tracking sheet for September 2021
- Worked with City of Oakland to have them join BACWA

- Worked with AED to develop FY23 budget planning schedule
- Reviewed and approved invoices
- Reviewed funding alternatives for FY22 NMS payment
- Discussed contracting issues with AED

#### **COLLABORATIONS:**

- Participated in BAOWN Nature Based Solution Roundtable meeting 11/2-4
- Participated in CW Summit Partners meeting 11/5
- Met with UCB staff and faculty to discuss future of Bay Area One Water network 11/5
- Participated in planning meetings and reviewed presentations for Summit Partners advanced treatment workshop in December
- Attended CASA CSWG meeting, 11/17
- Attended CASA RWG Biosolids and Water meetings 11/18
- Attended BayCAN Webinar on BayAdapt 11/18
- Met with WRAP action 2.16 team on next steps, 11/22
- Reviewed Estuary Blueprint Actions on Nutrients, CECs, and Recycled Water

#### **ASC (AQUATIC SCIENCE CENTER)**

- Reviewed materials sent via email by ASC ED

#### **BABC (BAY AREA BIOSOLIDS COALITION)**

- Reviewed revised draft White Paper on Biosolids application in the Baylands

#### **BACC (BAY AREA CHEMICAL CONSORTIUM)**

- Discussed FY22 BACC process with AED
- Reviewed BACC materials to kick off FY23 bid

#### **BACWE (BAY AREA COALITION FOR WATER/WASTEWATER EDUCATION)**

- Reviewed BACCWE email discussions

#### **ADMINISTRATION:**

- Planned for and conducted the monthly BACWA staff meeting to prepare for the Board Meeting and to coordinate and prioritize activities.
- Met with RPM to discuss progress on regulatory issues
- Signed off on invoices, reviewed correspondence, prepared for upcoming Board meetings, responded to inquiries on BACWA efforts, oversaw and participated in updating of web page and provided general direction to BACWA staff.
- Worked with the RPM in the preparation of the monthly BACWA Bulletin.
- Worked with AED on Committee Leader appreciation
- Developed and responded to numerous emails and phone calls as part of the conduct of BACWA business on a day-to-day basis.

#### **MISCELLANEOUS MEETINGS/CALLS:**

- 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



## Board Calendar

Jan 2022 – March 2022 Meetings

DATE	AGENDA ITEMS
January 14, 2022	<b>Approvals &amp; Authorizations:</b> <ul style="list-style-type: none"><li>•FY22 NMS Payment #2</li></ul> <b>Policy / Strategic Discussion:</b> <ul style="list-style-type: none"><li>•Draft Estuary Blueprint</li><li>•One Water update</li><li>•GAR presentation</li><li>•Biosolids survey</li></ul> <b>Operational:</b>
February 18, 2022	<b>Approvals &amp; Authorizations:</b> <ul style="list-style-type: none"><li>•Contract with lab for PFAS Phase 2 study</li></ul> <b>Policy / Strategic Discussion:</b> <ul style="list-style-type: none"><li>•</li></ul> <b>Operational:</b> <ul style="list-style-type: none"><li>•Draft budget review</li></ul>
March 18, 2022	<b>Approvals &amp; Authorizations:</b> <ul style="list-style-type: none"><li>•</li></ul> <b>Policy / Strategic Discussion:</b> <ul style="list-style-type: none"><li>•</li></ul> <b>Operational:</b> <ul style="list-style-type: none"><li>•Draft budget review</li></ul>



BACWA ACTION ITEMS

Number	Subject	Task	Responsibiity	Deadline	Status
Action Items from Nov 2021 BACWA Executive Board Meeting			resp.	deadline	status
2022.11.20	PFAS In Sportfish Workshop	BACWA Staff will coordinate more discussion among members and bring final thoughts back to December 17, 2021 BACWA Executive Board meeting	ED \ RPM	12/1/2021	complete
2022.11.21	Nutrient Discussion at Orinda meeting	BACWA ED to share the slides with BACWA community	ED	12/1/2021	complete
2022.11.22	Planning for meeting with BAAQMD leadership	BACWA staff to share Regulation 2 / essential business talking points with BACWA group. BACWA members will identify BAAQMD Board members for this outreach messaging.	ED \ RPM	12/1/2021	complete
2022.11.23	Planning for meeting with BAAQMD leadership	Schedule a meeting with BAAQMD leadership to discuss longer-term issues such as BAAQMD staffing shortages.	ED \ RPM		WIP
2022.11.24	Meeting Schedule 2022	Move January 2022 meeting, cancel \ schedule annual meeting, schedule Pardee	AED	11/22/2022	complete
2022.11.25	Guiding principles on funding for collaboratives	BACWA staff to develop additional details on guiding principles	ED	12/10/2021	complete
Action Items Remaining from Previous BACWA Executive Board Meetings					
2021.5.	BAAQMD Engagement	Prepare draft letter for BAAQMD Board of Directors regarding BACT determination	RPM \ ED	5/21/2021	pending
2022.9.15	Bruce Wolfe Scholarship fund	BACWA ED to work with EBDA on scholarship criteria	ED		complete

FY22: 24 of 25 Action items are completed  
FY21: 50 of 51 Action items completed  
FY20: 70 of 70 Action Items completed  
FY19: 110 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 Executive Board

November 2021

**BACWA BULLETIN:** Completed and circulated November 2021 Bulletin.

**CECs:** Participated in planning discussions for Phase 2 of the PFAS Regional Study.

**NUTRIENTS:** Reviewed HDR scope of work for statistical analysis of nutrient loading data to develop a revised baseline.

### **COMMITTEE SUPPORT:**

#### **AIR**

- Participated in November committee meeting.

#### **BAPPG**

- Prepared for December committee meeting.
- Coordinated with CASQA regarding Our Water, Our World participation.

#### **Biosolids**

- Continued compilation of results from 2021 Biosolids Survey.
- Completed draft report for Land Application of Biosolids in Solano County.

#### **Collection Systems**

- Assembled information about SSOs from late October storms.
- Attended committee meeting and prepared meeting summary; distributed notes to committee members.

#### **Laboratory**

- Assisted with fifth monthly TNI training session led by Diane Lawver.
- Coordinated with CVCWA regarding sampling training session scheduled for January 2022.
- Worked with committee member to develop proposed chlorine reporting procedures.

#### **Permits**

- Completed review of Tentative Order Monitoring and Reporting Program permit amendment. Prepared draft comment letter, circulated to committees and Executive Board, and discussed with Regional Water Board staff. Prepared final comment letter.
- Prepared revised report summarizing basis of cost estimates used to develop the Tentative Order Monitoring and Reporting Program permit amendment. Transmitted to Regional Water Board staff.

#### **Recycled Water**

- Attended committee meeting and prepared meeting summary.
- Conducted follow-up outreach regarding sewer cleaning trucks and site supervisor training.

**ADMINISTRATION/STAFF MEETING** – Participated in monthly staff meeting.

#### **BACWA MEETINGS ATTENDED:**

BAPPG Pesticides Subcommittee (11/9)  
Recycled Water Committee (11/16)  
AIR Committee (11/17)  
Collection Systems Committee (11/18)  
Executive Board (11/19)

#### **EXTERNAL EVENTS ATTENDED:**

South Bay Salt Pond Restoration Project  
Stakeholder Forum (11/3)  
CASA ACE Workgroup Meeting (11/16)

## Lorien Fono

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**From:** Jared Voskuhl <JVoskuhl@casaweb.org>  
**Sent:** Thursday, December 2, 2021 2:01 PM  
**Subject:** [Regulatory] CASA Regulatory Update - December 2021  
**Categories:** Board Packet



Good Afternoon,

Please find below updates from November and for December. CASA's next Regulatory Workgroup meetings will be on Thursday, December 16. Please let us know if you have any problems accessing these hyperlinked resources. Happy Holidays!

Thank you,  
The RWG Team

### WATER

#### **SWB Hosts 11/29 Workshop on Arrearages Payment Program**

On November 29, the State Water hosted a workshop on the wastewater utility arrearages payment program. Due to the statutory requirement for this program to be established by the end of January, there is an accelerated timeline to prepare the draft guidelines, release them for comments, and have the Board adopt them on January 18. Several outstanding questions emerged from the 11/29 workshop, which are provided [here in the post-meeting message from SWB staff](#), along with [the meeting slides](#). Please reach out to [Adam Link](#) with your feedback, questions, and comments, at your earliest convenience.

#### **SWB Hosting Workshop on 12/2 for Water Conservation and Wastewater Management**

On December 2, the State Water Resources Control Board (State Water Board/SWB) will host a workshop on wastewater management as it specifically pertains to the development of water use efficiency standards as required by the 2018 water conservation legislation (SB 606/AB 1668). The meeting Notice is [here](#), including the link to join the virtual meeting. Please reach out to [Jared Voskuhl](#) with questions or comments.

#### **Summit Partners Hosting Advanced Treatment Webinar on 12/6**

On December 6, the Clean Water Summit Partners ([BACWA](#), [CASA](#), [CVCWA](#), [CWEA](#), and [SCAP](#)) will host [a free afternoon webinar](#) focusing on opportunities and challenges for advanced wastewater treatment. The webinar is designed to provide a high-level overview of various advanced treatment options as well as costs and limitations, particularly in the context of finding the most effective means of addressing constituents of emerging concern (including



PFAS), nutrients, energy consumption and emissions issues, and recycled water production and usage. All are welcome, and the programming is intended for state legislative officials and staff, State and Regional Water Board Members and staff, and environmental advocacy organizations, to hear from the experts on wastewater planning and treatment, including specific case studies and examples being implemented or planned across California. You may register for the event [here](#), the event flyer is [here](#), and for additional information, contact [Jared Voskuhl](#).

#### **CASA Submits Comments on CNRA Climate Adaptation Strategy's Coastal Discharge Ban**

On November 17, [CASA submitted comments](#) to the California Natural Resources Agency (CNRA) on their [draft 2021 Climate Adaptation Strategy](#) (Strategy). On October 18, the Newsom Administration and California Natural Resources Agency released the [Strategy](#). Notably, Action 7 pertained to research and policies towards eliminating coastal discharges, and specifically proposed a 2022-2040 time frame for “significantly reducing nutrient loading and/or phasing out coastal wastewater discharge into the ocean; work with partners to achieve a goal of 80-90% coastal wastewater recycling that can be put to beneficial use.” Please reach out to [Sarah Deslauriers](#), CASA’s Climate Change and Program Manager, with any questions.

#### **DWR Releases Report to the Legislature on Indoor Residential Water Use Standards**

On November 30, the California Department of Water Resources (DWR) sent the Legislature its final report on the indoor residential water use standards, which had been released last April. As expected, DWR did not deviate from their original proposal of 47 gallons per capita per day (GCPD) by 2025 and 42 GCPD by 2030. The final report is [here](#), and its general webpage is [here](#), but it does not contain a link to the report, only [a link to another page for DWR’s work on the Water Use Efficiency Standards](#), which includes at the bottom the actual link to the final report, [Appendices A - J](#) (Appendix I on impacts and benefits and Appendix J on the SWB’s contribution to the analyses likely are of the most interest), and [a response to comments \(plus the actual comment letters received\)](#) (Appendix K), which stakeholders had requested be included. We anticipate this report will lead to another version of [AB 1434](#) (Friedman, 2021) for the 2022 term. Please let [Jessica Gauger](#) and [Jared Voskuhl](#) know if you have questions or concerns.

#### **SWB Notices Drought Emergency Rulemaking, Comments due 12/23**

On November 30, the State Water Board noticed [new emergency drought regulations](#). Previously, over the course of the spring and summer of 2021, Governor Newsom proclaimed a drought state of emergency for all counties in California, culminating, to date, with his October 19, 2021 proclamation ([press release](#)), urging Californians to step up their water conservation efforts. Written comments are due on December 23, and on January 4, 2022, the SWB will consider a proposed resolution adopting emergency regulations. More information is available on the [SWB webpage](#). Please reach out to [Jared Voskuhl](#) with your questions or comments.

#### **SWB Notices Forthcoming Release and Adoption of 303(d) Listing for 2020-22**

On December 1, the State Water Board provided [Notice](#) of Consideration of Adoption of California’s 2020-2022 Clean Water Act Section 303(d) List. The Proposed Final Documents will be available on or before December 17, 2021 and the public meeting is scheduled to occur over Tuesday and Wednesday, January 18-19, 2022. Please reach out to [Jared Voskuhl](#) if you are in Regions 3, 5, or 9, tracking this cycle’s listing, and anticipate providing comments.

**SWB Hosts DPR Expert Panel on 12/1**

On December 1, the State Water Board's Expert Panel for Direct Potable Reuse (DPR) held their second meeting on the [draft DPR criteria and regulations](#). The meeting agenda is [here](#), and WaterReuse California (WRCA) participated in the meeting. The SWB Division of Drinking Water is still on track to meet the statutory deadline of December 2023 for the development of regulations. Once the draft regulations are finalized – potentially this spring – the Water Board will need to go through the formal process for the adoption of regulations and comply with the Administrative Procedures Act. Please let [Charles La Salle](#) or [Jennifer West](#) know if you have any questions.

**SWB Rescheduling 12/16 Workshop on Wastewater Infrastructure Projects**

On December 16, the State Water Board had originally scheduled a second meeting on the wastewater infrastructure projects under the state legislative appropriation this year of \$650 million. This meeting is now going to be scheduled in January, and a revised notice is forthcoming. CASA participated in the first workshop and provided comments, and the workshop presentation is available [here](#). Staff presented on their tentative plan which includes a \$350m set aside for septic-to-sewer grants of up to \$10 million for projects in Disadvantaged Communities (DACs), including up to \$75,000 per household, and for non-DACs of \$6 million per project and \$30,000 per household. Applications will be due in spring 2023, and construction must start by spring 2024 and be completed by the end of 2025. CASA is continuing to work with the SWB to ensure some of these funds are used for Clean Water SRF grant match, which could increase available funds under that program in future years. The SWB tentatively are scheduled to adopt the plan in February 2022. Please reach out to [Adam Link](#) with questions.

**OPC Meeting on 12/7, Microplastics Strategy Forthcoming**

On December 7, the Ocean Protection Council (OPC) will hold their quarterly meeting. The agenda is [here](#), and Executive Director Mark Gold will provide an informational update featuring his annual coast and ocean report summarizing their strategic plan implementation progress and critical issues. Additionally, in the coming weeks, we anticipate the OPC will release their draft statewide microplastics strategy. For the OPC's prior meeting in September, [Director Gold provided a written update about its development](#). During that meeting, Director Gold shared the preliminary [strategy outline](#) and [policy recommendations](#). Please reach out to [Jared Voskuhl](#) with any questions.

**NAS Report on US Contributions to Global Ocean Plastic**

On December 1, the National Academy of Science's Committee on United States Contributions to Global Ocean Plastic Waste released [a report entitled, "Reckoning with the U.S. Role in Global Ocean Plastic Waste."](#) This report evaluates United States contributions to global ocean plastic waste, assesses prevalence of marine debris and mismanaged plastic waste, examines the import and export of plastic waste to and from the United States, and assesses the potential value of a national marine debris monitoring system. In addition, the committee develops knowledge gaps and recommends potential means to reduce United States contributions to global ocean plastic waste. A small section about our sector begins on page 76 of 211 of the report, though more broad references to microplastics are throughout. Please reach out to [Jared Voskuhl](#) with your comments or questions.

### **CASA, ACWA, CMUA Submit Letter about ELAP Annual Update by ELTAC**

On November 4, [CASA, ACWA, and CMUA, submitted a letter](#) to the chair of ELAP's Technical Advisory Committee (ELTAC) regarding ELTAC's 2021 update to the State Water Board. The update is tentatively scheduled for February 2022, and SWB staff are waiting to pass a year of the new regulations' implementation since OAL's approval before ELTAC provided the Board its update. Please contact [Jared Voskuhl](#) if you have any questions.

### **ELTAC Subcommittee Meeting on 12/7 for Accrediting Experimental Methods**

On November 29, the State Water Board [Noticed](#) ELTAC's next subcommittee meeting on December 7 for developing procedures and processes to accredit experimental methods. They last met on November 15 to review [this latest draft iteration of their guide for accrediting experimental methods](#). They are expected to discuss final changes to the draft at the December 7 meeting, and then likely will send it more broadly to the full ELTAC for their review. Nevertheless, staff shared they prefer feedback sooner than that, so as you are available, please review and provide your substantive feedback to [Jared Voskuhl](#) via track changes.

### **CASA Winter Conference January 19 – 21, Registration Open**

Join us at [CASA's 2022 Winter Conference](#) at the Hilton Palm Springs on January 19-21. This year's conference theme is "Partners in Excellence," so bring your colleagues and join the hot topic discussions we are all concerned with including infrastructure funding, climate resiliency, public messaging, PFAS, and much more! We are also bringing back all your favorite conference elements, including round-table discussions, live panels, stellar speakers, and networking opportunities. Be sure to [register](#) today, and reach out to [Cheryl MacKelvie](#) if you need assistance or have any questions.

### **SWB Agenda Roundup**

Here are the recent State Water Board agendas for their meetings on [November 2](#) (arrearages program, 2021 SWB performance report), [November 16 and 17](#) (WBE resolution, microplastics workshop, and [December 7](#) (2022 priorities, drought update). The Executive Director reports are available for [October](#) and [November](#), which feature a link to the [SWB's recently updated calendar for developing statewide policies](#).

## **BIOSOLIDS**

### **SB 1383 Implementation Resources, Grant Assistance, and Guidance for Special Districts**

On November 5, CalRecycle distributed several new resources and tools to facilitate the implementation of SB 1383 which are all [collected in this message](#). Additionally, on November 16, CalRecycle hosted a [workshop about their Local Assistance Grant program](#) to implement SB 1383 under the Greenhouse Reduction Fund. This was an informational workshop on the Eligibility Criteria and Evaluation Process. Finally, on November 30, CalRecycle provided [information about compliance for non-local special districts](#), which is intended to assist non-local entities like federal facilities, prisons, state park facilities, county fairgrounds, state agencies, and public universities and community colleges with SB 1383 requirements. Please let [Greg Kester](#) know if you have questions about any of these materials.

### **CASA Submits Comments to DTSC for Listing Treatments on Textiles Containing PFAS**

On November 8, [CASA submitted comments](#) to the California Department of Toxic Substances Control (DTSC) in support of their [proposed action](#) to list treatments of converted textiles and leather which contain any PFAS compound. This is exactly the kind of source control effort for which we have been advocating. Please let [Greg Kester](#) know if you have any questions or comments.

### **Update from GlobalGAP about Biosolids Consideration**

On November, [CASA corresponded with GlobalGAP](#) about our continued effort to lift their prohibition on the use of biosolids. This latest effort would have allowed the use of biosolids on flowers and ornamentals, but it seems they ran out of time for the discussion before the decision was made. We would like to lift the prohibition on flowers and ornamentals as a first step and then move to tree crops like citrus and nuts. Please let [Greg Kester](#) know if you have questions or comments.

### **CASA Releases Biochar Report**

On November 18, CASA released [our final biochar report](#) for a grant we received from the US Forest Service in 2017 which ran through 2020. The grant was to evaluate the optimization of activating biochar produced from tree mortalities, scaling up the activation to field scale, and executing demonstration trials at wastewater treatment plants to evaluate the efficacy of replacing Granulated Activated Carbon with the biochar for odor control and gas quality improvements. We had tremendous partners in UC Merced, the University of Colorado, Phoenix Energy, the Sierra Nevada Conservancy, the Governor's office of Policy and Research, Atmospheric Analysis & Consulting Lab, Los Angeles County Sanitation Districts, Delta Diablo, South Orange County Wastewater Authority, South Tahoe Public Utility District, and Victor Valley Wastewater Reclamation Authority. We had a dedicated volunteer technical advisory committee which included, Michael Lewis (Lewis Consulting), Todd Williams (Jacobs), Steve Swanback (Carollo), Omar Moghaddam (GHD), and Dale Roberts (Sonoma Water). While we did not get the optimal results for which we hoped, we did get great information and a better understanding of biochar, gasification, and what is needed to replace Granulated Activated Carbon at POTWs. We also would like to sincerely thank the US Forest Service for entrusting this grant to CASA and for being such collaborative partners throughout the project. Please let [Greg Kester](#) know if you have any questions or comments.

### **CASA and CWEA Biosolids and Renewable Energy Seminars Available Online**

On October 13 and 14, CASA and CWEA hosted our annual biosolids and renewable energy seminar in Oakland and Costa Mesa. The presentations are now available online [here](#). We would like to extend a warm thank you to all who attended and all of our presenters! And a special thank you to our hosts- the San Francisco Regional Water Quality Control Board and the Southern California Coastal Water Research Project (SCCWRP). Please let [Greg Kester](#) know if you have any questions or comments.

### **CASA Corresponds with USEPA Regarding RINS for Co-Digesting Food Waste**

On November 16, [CASA corresponded with USEPA](#) on the apportionment of RINs when we co-digest diverted food waste. As mentioned previously, we had a very productive meeting with them in July. We provide follow-up information as they requested after that meeting and most recently responded to questions raised based on that data. We continue with the dialogue and

have cautious optimism for a positive outcome. Please let [Greg Kester](#) know if you have questions or comments in the meantime.

#### **December Research Library**

Here is the [summary](#) for this month's [biosolids research library](#) about cyber security from Dr. Sally Brown (University of Washington) and NW Biosolids. Please let [Greg Kester](#) know if you would like any of the abstracts or complete articles.

### CALENDAR



December 1      SWB DPR Expert Panel



December 2      SWB Conservation and Wastewater Management Workshop



December 6      Summit Partners Advanced Treatment Workshop



December 7      SWB Meeting (2022 Board Priorities)



December 7      OPC Meeting



December 7                      ELTAC Subcommittee for Accrediting Experimental Methods



December 8                      SWB Wastewater Operator Certification Advisory Cmte. Mtg



December 10                    SCCWRP Commission



December 14                    CASA Air Quality, Climate Change, and Energy Workgroup



December 16                    CASA Regulatory Workgroup



December 22                    SWB Microplastics in Drinking Water Comment Deadline



December 23                    Emergency Drought Regulations Comment Deadline



January 4                        SWB Meeting (Emergency Drought Regulations)





January 12      CASA Collection Systems Workgroup



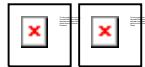
January 13      CASA Regulatory Workgroup



January 18-19      SWB Meeting (303(d) list, wastewater arrearages guidelines)



January 19-21      CASA Winter Conference



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CASA | 925 L Street, Suite 200, Sacramento, CA 95814

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Sent by [cmackelvie@casaweb.org](mailto:cmackelvie@casaweb.org)