



**Executive Board Meeting
AGENDA
Friday, October 21, 2022 9:00 AM - 12:30 PM (PDT)**

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

| Agenda Item | Time | Pages |
|--|--|--------------|
| 1 CLOSED SESSION to discuss personnel matters pursuant to California Government Code Section 54957 | 9:00 AM | |
| ROLL CALL, INTRODUCTIONS, AND TELECONFERENCE ETIQUETTE | 9:30 AM | |
| PUBLIC COMMENT Guidelines | 9:35 AM | |
| CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER | | |
| CONSENT CALENDAR | 9:45 AM | |
| 2 Resolution to continue teleconferencing Executive Board meetings (AB361) | | 3-4 |
| 3 August 19, 2022 BACWA Executive Board meeting minutes | | 5-10 |
| 4 August 25, 2022 Special Board Meeting/NST minutes | | 11-12 |
| 5 August 2022 Treasurer's Report | | 13-20 |
| APPROVALS AND AUTHORIZATIONS | 9:35 AM | |
| 6 <u>Approval</u> : FY22 Annual Report | | 21-42 |
| 7 <u>Discussion</u> : Resolution honoring Farid Ramezanzadeh | | 43 |
| POLICY/STRATEGIC | 9:45 AM | |
| 8 <u>Discussion</u> : Debrief from September BACWA Technical Seminar | | |
| 9 <u>Discussion</u> : Nutrients | | |
| a. Technical Work | | |
| i. Overview of Algal Bloom | Link to RMP Annual Meeting Video | 44 |
| b. Regulatory | | |
| i. Outcome of 10/19 NST meeting | | |
| c. Governance | | |
| i. Planning Subcommittee meeting #69 notes - September 15, 2022 | | 45-48 |
| ii. Planning Subcommittee meeting #70 notes - October 5, 2022 | | 49-50 |
| iii. Memo to Steering Committee on resource reallocation | | 51-52 |
| d. Communications and lobbying | | |
| i. Launching communications Steering Committee | | |
| ii. Presentation to SF BOS Land/Transport committee | | 53-59 |
| BREAK | 10:45 AM | |
| 10 <u>Informational</u> : Outcome of PFAS Legislation from 2022 | | 60-61 |
| 11 <u>Informational</u> : BACWA perspective in CWEA PFAS Issue | | |
| 12 <u>Discussion</u> : Debrief from 10/17 BAAQMD/BACWA Reg 2 Workgroup Meeting | | 62 |
| 13 <u>Discussion</u> : Housing climate change discussions at BACWA | | 63-65 |
| 14 <u>Discussion</u> : Hg/PCB Watershed Permit Tentative Order | Tentative Order | |
| 15 <u>Informational</u> : Pulse of the Bay, CWA 50th Anniversary Edition | Link to Pulse | |
| OPERATIONAL | 11:45 AM | |
| 16 <u>Discussion</u> : BACCWE future, and O&M/BACCWE Joint meeting | | 66 |
| 17 <u>Discussion</u> : BACWA Communication Policy | | 67 |
| 18 <u>Discussion</u> : BACWA Reserve Policy Review | | 68-69 |
| 19 <u>Informational</u> : BACC Update | | |
| 20 <u>Discussion</u> : Pardee/Technical Seminar dates | | 70 |
| REPORTS | 12:20 PM | |
| 21 Committee Reports | | 71-81 |
| 22 Member highlights | | |
| 23 Executive Director Report | | 82-84 |
| 24 Board Calendar and Action Items | | 85-86 |
| 25 Regulatory Program Manager Report | | 87 |
| 26 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; Amit Mutsuddy | | |
| d. ASC/SFEI | Lorien Fono; Amit Mutsuddy; Lori Schectel | | |
| e. Nutrient Governance Steering Committee | Eric Dunlavey, Jackie Zipkin alternates: Lori Schectel, 1 alternate needed | | |
| e.i Nutrient Planning Subgroup | Eric Dunlavey | | |
| f. SWRCB Nutrient SAG | Lorien Fono | | |
| h. BAIRWMP | Cheryl Munoz; Florence Wedington; Lorien Fono | | |
| i. NACWA Emerging Contaminants | Karin North; Melody LaBella | | |
| j. CASA State Legislative Committee | Lori Schectel | | |
| k. CASA Regulatory Workgroup | Lorien Fono; Mary Cousins | | |
| l. RMP Microplastics Liaison | Artem Dyachenko | | |
| m. Bay Area Regional Reliability Project | 1 rep needed | | |
| n. WateReuse Working Group | Cheryl Munoz | | |
| o. San Francisco Estuary Partnership | Lorien Fono; Jackie Zipkin | | |
| p. CPSC Policy Education Advisory Committee | Colleen Henry | | |
| q. California Ocean Protection Council | Lorien Fono | | |
| r. Countywide Water Reuse Master Plan | Karin North, Pedro Hernandez | | |
| s. CHARG - Coastal Hazards Adaptation Resiliency Group | Jackie Zipkin | | |
| t. California Water Quality Monitoring Council | Lorien Fono | | |
| 26 SUGGESTIONS FOR FUTURE AGENDA ITEMS | | 12:29 PM | |
| NEXT MEETING | | | |
| The next meeting of the Board is scheduled for November 18 , 2022 | | | |
| ADJOURNMENT | | 12:30 PM | |



**BAY AREA CLEAN WATER AGENCIES
RESOLUTION NO. R-23-03**

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, 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, local county health jurisdictions continue to recommend physical and social distancing as a COVID-19 mitigation strategy and

WHEREAS, because of the prevalence of highly contagious variants 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 prevalence of cases due to the Omicron 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-23-03**

NOW, THEREFORE, BE IT RESOLVED that the Executive Board of the Bay Area Clean Water Agencies 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 highly contagious variants of COVID-19, 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 21st DAY OF OCTOBER, 2022.

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

ATTEST:

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



ROLL CALL AND INTRODUCTIONS

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

Other Attendees and Guests:

| Name | Agency/Company |
|-------------------|-----------------------------|
| Amanda Roa | Delta Diablo |
| Blake Brown | CCCSD |
| Brian Schumacker | City of South San Francisco |
| Curtis Paxton | LGVSD |
| Dave Senn | SFEI |
| Dave Richardson | Woodard & Curran |
| David Donovan | City of Hayward |
| Eric Dunlavey | City of San Jose |
| Jared Voskuhl | CASA |
| Jeff Carson | DSRSD |
| Jennie Pang | SFPUC |
| Jennifer Dymont | BACWA |
| Jimmy Mach | City of Oakland |
| Lorien Fono | BACWA |
| Mary Cousins | BACWA |
| Mary Lou Esparza | CCCSD |
| Melissa Foley | SFEI |
| Melody Tovar | City of Sunnyvale |
| Michael Connor | Consultant |
| Mike Falk | HDR |
| Sarah Deslauriers | Carollo Engineers |
| Terri Fashing | City of Oakland |
| Thomas Parker | LACSD |
| Tom Hall | EOA |

Amit started meeting at 9:03

ROLL CALL, INTRODUCTIONS, AND TELECONFERENCE ETIQUETTE

PUBLIC COMMENT None

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER Move Item 10 to after Approvals & Authorizations.

CONSENT CALENDAR

- 1 Resolution to continue teleconferencing Executive Board meetings (AB361)**
- 2 July 19, 2022 BACWA Executive Board meeting minutes**
- 3 July 26, 2022 Special Board Meeting/NST minutes**
- 4 July 28, 2022 Joint BACWA/R2 Special Board meeting to discuss 3rd Nutrient Watershed Permit**
- 5 June 2022 Treasurer's Report**

Consent Calendar Items 1 thru 5: A motion to approve was made by Jackie Zipkin (East Bay Dischargers Authority) and seconded by Alicia Chakrabarti (East Bay Municipal Utility District). The motion was approved unanimously.

APPROVALS AND AUTHORIZATIONS

- 6 Approval: FY23 NMS Payment #1, \$1M**

Item 6: A motion to approve was made by Lori Schectel (Central Contra Costa Sanitary District) and seconded by Amy Chastain (San Francisco Public Utilities Commission). The motion was approved unanimously.

- 7 Approval: Updated Representative Policy**

Item 7: A motion to approve was made by Jackie Zipkin (East Bay Dischargers Authority) and seconded by Lori Schectel (Central Contra Costa Sanitary District). Specific representatives to be discussed more in Item 16. Board members ask ED to add language to allow representatives to exit their position or remain in their position if there is no successor identified. The motion was approved unanimously.

POLICY/STRATEGIC

- 8 Discussion: Nutrients**

a. Technical Work

i. *Heterosigma akashiwo* bloom in SF Bay Dr. Dave Senn, SFEI, said bloom was noticed in late July 2022 and CDPH identified the organism. Dr. Senn summarized what is known about the Harmful Algal Bloom (HAB), described how bloom tracking fits into science priorities of the Nutrient Management Strategy, and described efforts to track the event. The bloom was initially noted in Alameda \ Oakland; in August, it expanded into open waters of the

South Bay. Satellite imaging, ship-based surveys, and moored instruments are being used for monitoring. As of 8/19 there are no known fish kills or otherwise toxic events, even though cell counts are very high (edited on 8/25 to add that fish kills have since been observed along shorelines in various regions of the Bay). Scientists at the Regional Water Board, USGS, SFEI, UC Santa Cruz, and San Francisco State University are involved with tracking the event and determining possible causal factors. *Heterosigma akashiwo* can survive at a range of temperatures and salinities, and prefer warmer temperatures, but the exact triggers for this bloom have not been established. Dr. Senn shared information from past monitoring of algae in San Francisco Bay to provide context for the current monitoring effort, including results from molecular DNA sequencing available from 2015 onwards. Questions & general discussion followed.

Action items: BACWA ED to work with SFEI to develop talking points and share with BACWA Members. BACWA ED to organize HAB communication efforts via NMS steering committee.

b. Regulatory

i. Early actors and organics draft memo 08-01-22 - BACWA ED shared update slide regarding projected bay wide TIN loads over the term of the third watershed permit, with 1% growth and increased recycled water.

ii. Follow up from Watershed Permit Workshop - BACWA ED shared slide that summarized 6 items agreed on by BACWA and the Water Board and other items for further negotiations. The agenda for the August 25th NST meeting was reviewed.

c. Governance

i. Planning Subcommittee meeting #68 notes - Aug 3, 2022

d. Fundraising - BACWA ED shared that BACWA plans to prepare support letters for two WQIF funding proposals.

i. BACWA Support for SFEI WQIF proposal - Dr. Melissa Foley, SFEI, summarized the proposal to develop transport modeling and decision support tools for sediment transport, nutrients, and PCBs, and CECs. The toolbox will help quantify water quality impacts of multi-benefit projects.

ii. BACWA Support for SFEI SFEP proposal – BACWA ED shared details of the proposal to fund implementation of nature-based solutions at several BACWA member agencies.

Action item: BACWA ED will share proposals and draft support letters with BACWA Board and NMS steering committee.

BREAK

9 Presentation: 2022 RMP Update - Dr. Melissa Foley, SFEI, provide an annual update on the Regional Monitoring Project (RMP). The RMP is a 28-year-old project to collect data & communicate info about water quality in San Francisco Bay in support of management decisions. There are 68 entities involved in the program including dredgers, municipal wastewater, stormwater and Industrial wastewater. There is a steering committee, technical review committee and numerous specialized workgroups. Dr. Foley shared the priority project management drivers, program highlights and other special studies. The RMP annual meeting will be held on October 3, 2022 in hybrid format. Each year they have a multi-year planning workshop. This year it will be November 2, 2022, and all are encouraged to attend.

Action item: BACWA ED to share Dr. Foley's presentation

10 Discussion: Debrief from 7/18 BAAQMD/BACWA Reg 2 Workgroup Meeting

- Sarah Deslauriers, Carollo, shared that BACWA AIR Committee representatives held a second Reg 2 Workgroup meeting with BAAQMD and had a good discussion. A Regional Water Board member attended meeting and shared their successes working collaboratively with BACWA. Also on the agenda was the statewide two-step process to update emissions factors, which could potentially dovetail with BAAQMD's Rule 2 & Regulation 11-18. Sarah was optimistic that the two efforts proceed synergistically. Also, group will follow up on PM 2.5 methodology by attending advisory council meetings. BAAQMD plans to update its standard permit conditions, so the AIR committee will engage with BAAQMD on this issue, as well. Group is setting up schedule for next 3 meetings. They are meeting each quarter for 2 hrs. BACWA will also engage with Air District Board members to encourage resources be directed towards staffing to reduce permit backlog. General discussion followed.

Action Items: BACWA ED asked for edits to BACWA minutes from 7/18 meeting be provided by Monday. BACWA ED to submit minutes to BAAQMD next week.

11 Discussion: Draft agenda for September Technical Seminar - BACWA ED shared proposed agenda. Meeting will be held on Thursday September 8th at Orinda Watershed HQ and Friday September 9th at David Brower Center. Group had some adjustments to the agenda.

Action item: BACWA ED to update the agenda and will share updates with BACWA members.

12 Discussion: Recycled water update - Due to time constraints, this agenda item was deferred to a future meeting.

13 Informational: Understanding your NPDES Permit - BACWA ED shared that people enjoyed BACWA RPM's recording of this training session, which has been posted online.

14 Informational: Sea Level Rise round table August 23 - BACWA RPM said 50 people have signed up and encouraged others to sign up.

OPERATIONAL

15 Discussion: FY22 Close Review - 5-year plan assumptions - BACWA AED reviewed June 2022 Budget to Actual's report and explained any discrepancies with the approved budget. BACWA ED shared assumptions for the 5-year plan: BACWA dues increase 2% per year, CBC fees will be flat, Nutrient surcharge draws down CBC reserve to \$1M, then balance budget and aggregate nutrient surcharge will not increase over year.

16 Discussion: BACWA Representative roles - BACWA ED reviewed the various BACWA roles and committees. BACWA ED shared a list of removed and added roles and a list of representatives needed. Group discussed potential people to fill roles and timelines.

Action item: BACWA ED will make BACWA representative roles a standing item for future July or August Executive Board Meetings.

17 Informational: BACC Update - Annual meeting agenda - BACWA AED summarized the BACC Annual Meeting agenda. We hope to get feedback from BACC members on how to best deal with vendor supply / Service Issues and ways to increase competitions.

18 Informational: Bruce Wolfe Scholarship awardee update - BACWA ED shared the recipient of the scholarship and discussed the need to promote the opportunity in future years.

REPORTS

19 Committee Reports - In the packet.

20 Member highlights - Centra San shared PFAS regulation legislation updates.

21 Executive Director Report - In the packet. BACWA ED shared Wastewater SCAN update with group.

22 Board Calendar and Action Items - In the packet.

23 Regulatory Program Manager Report - In the packet.

24 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; Amit Mutsuddy

d. ASC/SFEI Lorien Fono; 2 Board members needed

e. Nutrient Governance Steering Committee Eric Dunlavey, 1 member needed;
alternates: Lori Schectel, Jackie Zipkin

e.i Nutrient Planning Subgroup Eric Dunlavey

f. SWRCB Nutrient SAG Lorien Fono

h. BAIRWMP Cheryl Munoz; Florence Wedington; Lorien Fono

i. NACWA Emerging Contaminants Karin North; Melody LaBella

j. CASA State Legislative Committee Lori Schectel

k. CASA Regulatory Workgroup Lorien Fono; Mary Cousins

l. RMP Microplastics Liaison Artem Dyachenko

m. Bay Area Regional Reliability Project 1 rep needed

n. WaterReuse Working Group Cheryl Munoz

o. San Francisco Estuary Partnership Lorien Fono; 1 alternate needed

p. CPSC Policy Education Advisory Committee Colleen Henry

q. California Ocean Protection Council Lorien Fono

r. Countywide Water Reuse Master Plan Karin North, Pedro Hernandez

s. CHARG - Coastal Hazards Adaptation Resiliency Group Jackie Zipkin

t. California Water Quality Monitoring Council Lorien Fono

25 SUGGESTIONS FOR FUTURE AGENDA ITEMS

NEXT MEETING

The next meeting of the Board is scheduled for October 21, 2022

ADJOURNMENT

12:40 PM



Nutrient Strategy Team August 25, 2022 Meeting Summary

ATTENDEES:

Executive Board Representatives: Lori Schectel (Central Contra Costa Sanitary District); Amit Mutsuddy (San José); Jacqueline Zipkin (East Bay Dischargers Authority); Amy Chastain (San Francisco Public Utilities Commission)

Other Attendees:

| <u>Name</u> | <u>Agency/Company</u> |
|--|-----------------------|
| Lorien Fono, Mary Cousins | BACWA |
| Amanda Cauble, Dan Frost, Mary Lou Esparza | CCCSD |
| Amanda Roa | Delta Diablo |
| Don Gray | EBMUD |
| Tom Hall | EOA |
| Jordan Damerel, Talyon Sortor | FSSD |
| David Donovan | Hayward |
| Samantha Engelage, Diego Martinez Garcia | Palo Alto |
| Jennie Pang, Nohemy Revilla | SFPUC |
| Eric Dunlavey | San José |
| Azalea Mitch | San Mateo |
| Melody Tovar, Cameron Kostigen Mumper, and Rohan Wikramanayake | Sunnyvale |
| Tim Grillo | USD |

Amit Mutsuddy called the meeting to order at 12:33 pm, and led introductions.

The purpose of the meeting was to debrief from the July 28th workshop with Regional Water Board staff, and to determine next steps for negotiating key tenets of the 3rd Nutrient Watershed Permit.

The BACWA Executive Director (ED) first shared slides describing points of agreement with the Regional Water Board (e.g., establish load caps based on antidegradation; load cap implemented baywide, etc.). There was no further discussion on these points of agreement. Much of the remaining discussion was focused on making progress towards consensus on the three inter-related topics listed below, which were also discussed at the July workshop:

- (a) Statistical Methods for Establishing Load Caps.** Attendees discussed the pros and cons of using an Upper Tolerance Limit (UTL) with 99% coverage (as proposed in July) vs. 95% coverage. Regional Water Board staff have recently expressed preference for using 95% coverage, as it is more consistent with their typical regulatory approach for implementation of chronic water quality objectives, and would be appropriate to use with longer averaging

periods (see item (b) below). Current estimates for individual UTLs based on 95% coverage level results in load caps that are lower than the Planning Level Targets in the 2019 Permit. Attendees discussed deferring a final determination on acceptability of this approach until UTLs for 2013-2022 are re-calculated at the end of the 2022 dry season. The BACWA Executive Director has circulated example calculations of UTLs with 95% coverage to NST members. Some attendees felt that the originally proposed higher UTLs (from 99% coverage) would still provide ample motivation for agencies to move forward with nutrient removal projects, and that BACWA should continue to advocate for this position.

Attendees also discussed the pros and cons of using a Baywide UTL that is the sum of individual UTLs, which was supported by some attendees in combination with a 95% coverage UTL. This approach was previously flagged as not statistically valid; however, it is more straightforward to implement (the Baywide cap could not be exceeded unless at least 1 agency exceeded its individual load cap, which is broadly similar to the way TMDLs are implemented). The proposed approach in July was a Baywide UTL that was lower than the sum of individual UTLs.

- b) Averaging period for assessing compliance with load caps.** Attendees strongly supported a 3-year rolling average to be used for compliance, with the goal of preventing unintended consequences (i.e., exceeding the load cap in the absence of a long-term trend upwards). Without an averaging period, a single, extremely wet winter could result in exceedances.
- c) Consequences for exceeding load caps.** Attendees debriefed from the July workshop, where it was discussed that there would be no consequences for agencies that do not exceed their load caps – even if the Baywide cap is exceeded. There is a desire to have different consequences for agencies that have nutrient removal projects planned and ready to implement, compared to agencies without plans. There is also a desire to have lessened consequences for small agencies, even if their individual limits are exceeded. A grouping of larger vs. smaller agencies was discussed. Participants discussed the infeasibility of relying upon discretionary enforcement.

Attendees confirmed that the “early actors” language from the 2019 permit is still valid, though specific edits are needed to update the language (e.g., subembayments, future load caps). There was also a discussion about the costs of organics diversion; although composting may be less expensive in some service areas, this determination is site-specific and is expected to change over time once SB 1383 procurement requirements are in effect.

NEXT STEPS

- Agencies should review the UTLs with 95 percent coverage.
- At least one agency (San Mateo) still plans to provide information about early actions to the BACWA Executive Director.
- The NST will continue to discuss key tenets with the Regional Water Board at an upcoming meeting scheduled for September 9th in Berkeley.



Bay Area Clean Water Agencies

A Joint Powers Public Agency

Leading the Way to Protect our Bay

October 5, 2022

MEMO TO: Bay Area Clean Water Agencies Executive Board
MEMO FROM: Samuel Feldman-Crough, Treasurer, East Bay Municipal Utility District
SUBJECT: Second Month FY 2023 Treasurer's Report

As required by section eight of the Joint Powers Agreement establishing the Bay Area Clean Water Agencies (BACWA) and California Government Code Sections 6500 et seq., attached is the BACWA Treasurer's Report for the period covering **July 1, 2022 through August 31, 2022** (Two months of Fiscal Year 2023). This report covers expenditures, cash receipts, and cash transfers for the following BACWA funds:

- Bay Area Clean Water Agencies (BACWA),
- BACWA Legal Reserve Fund (Legal Rsrv),
- Water Quality Attainment Strategy (WQA CBC),
- Bay Area Biosolids Coalition (BABC),
- Bay Area Chemical Consortium (BACC),
- Water/Wastewater Operator Training (WOT),

Houck, Matt

From: Feldman, Samuel
Sent: Thursday, October 6, 2022 7:43 PM
To: Houck, Matt
Subject: RE: August 2022 Treasurer's Report

Approved, thank you!

Sam Feldman (he/him/his)
Manager of Budget
office: (510) 287-0441
mobile: (510) 882-6860

From: Houck, Matt <matt.houck@ebmud.com>
Sent: Thursday, October 6, 2022 10:33 AM
To: Feldman, Samuel <samuel.feldman@ebmud.com>
Subject: August 2022 Treasurer's Report

Hi Samuel,

Please approve BACWA - August 2022 Treasurer's Report for distribution.

Thanks,

Matt Houck

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



MONTHLY FINANCIAL SUMMARY REPORT

August 2023

Fund Balances

In FY23 BACWA has three operating funds (BACWA, Legal, and CBC) and three pass-through funds for which BACWA provides only contract administration services (WOT, BABC & BACC). As of October 31st, 2021, revenues are recognized when billed, not when payments are received.

BACWA Fund: This fund provides the resources for BACWA staff, its committees, and other administrative needs. The ending fund balance on August 31, 2022, was \$853,894 which is significantly higher than the target reserve of \$229,098 which is intended to cover 3 months of normal operating expenses based on the BACWA FY22 budget. \$647,598 of the ending fund balance is shown on the BACWA Fund & Investments Balance Report August 31, 2022, as encumbered to meet ongoing operating line-item expenses for BAPPG Committee Support, Legal services, IT services, Board meeting expenses, accounting services and BACWA staff support. This leaves actual unencumbered negative reserve of \$22,802 (i.e., actual fund balance of \$206,296 less target reserves) as August 31, 2022. Reserves will increase as agencies remit their FY23 BACWA dues payments.

CBC Fund: This fund provides the resources for completing special investigations as well as meeting regulatory requirements. The ending fund balance on August 31, 2022, was \$3,458,956 which is higher than the target reserve of \$1,000,000. \$619,429 of the ending fund balance is encumbered to meet line-item expenses for completion of the Group Annual Report contract, completion of the NBS Study, Recycled Water Evaluation, and the PFAS Regional Study. This leaves an actual unencumbered reserve balance of \$1,839,527 (i.e., actual fund balance of \$2,839,527 less target reserves) as of August 31, 2022. As directed by the BACWA Executive Board, the CBC fund has diminished over time due to BACWA's ongoing funding of the NMS program to comply with the Nutrient Watershed Permit.

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


Budget to Actual

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

Revenues as of August 31, 2022 (16% of the FY) are at 68%

Expenses as of August 31, 2022 (16% of the FY) are at 3.4%.

FY 2023
BACWA BUDGET to ACTUAL

|  | | | | | | | |
|--|-------------------------------------|-----------------------|--|---------------------------|---------------------------------------|-------------------|--|
| <u>BACWA FY23 BUDGET</u> | <u>Line Item Description</u> | <u>FY 2023 Budget</u> | <u>Projected Revenue as of August 2022 Changes from budget in blue</u> | <u>Actual August 2022</u> | <u>Actual % of Budget August 2022</u> | <u>Variance</u> | <u>NOTES</u> |
| REVENUES & FUNDING | | | | | | | |
| Dues | Principals' Contributions | \$527,250 | \$527,250 | \$527,250 | 100% | \$0 | FY23: 2% increase 5 @ \$105,450 |
| | Associate & Affiliate Contributions | \$187,793 | \$187,793 | \$0 | 0% | -\$187,793 | FY23: 2% increase. 12 Assoc: \$8702; 47 Affiliate: \$1743 |
| Fees | Clean Bay Collaborative | \$675,000 | \$675,000 | \$450,000 | 67% | -\$225,000 | Prin: \$450,000; Assoc/Affil: \$225,000 |
| | Nutrient Surcharge | \$1,400,000 | \$1,400,000 | \$955,116 | 68% | -\$444,884 | See Nutrient Surcharge Spreadsheet |
| | Voluntary Nutrient Contributions | | | \$0 | 0% | \$0 | |
| Other Receipts | AIR Non-Member | \$7,217 | \$7,217 | \$0 | 0% | -\$7,217 | 2% increase (Santa Rosa) |
| | BAPPG Non-Members | \$4,033 | \$4,033 | \$0 | 0% | -\$4,033 | 2% increase (Sta Rosa, Sac Reg'l, Vacaville) \$1,344/each |
| | Other | | | \$0 | | \$0 | |
| Fund Transfer | Special Program Admin Fees (WOT) | \$5,202 | \$5,202 | \$0 | 0% | -\$5,202 | |
| | Special Program Admin Fees (BACC) | \$36,000 | \$36,000 | \$0 | 0% | -\$36,000 | 400 hours of AED support \$90/hr |
| | Special Program Admin Fees (BABC) | \$6,000 | \$6,000 | \$0 | 0% | -\$6,000 | ED, AED and RPM support |
| Interest Income | LAIF | \$4,000 | \$4,000 | \$4,437 | 111% | \$437 | BACWA, Legal, & CBC Funds invested in LAIF |
| | Higher Yield Investments | | | | | | |
| | Total Revenue | \$2,852,495 | \$2,852,495 | \$1,936,803 | 67.90% | -\$915,692 | |
| EXPENSES | | | | | | | |
| Labor | | | | | | | |
| | Executive Director | \$204,250 | \$204,250 | \$17,021 | 8% | -\$187,229 | 7.5% increase (flat in FY22) |
| | Assistant Executive Director | \$86,004 | \$86,004 | \$8,360 | 10% | -\$77,644 | 7.5% over FY21; \$71.67/hour; Reflects 1200 hours |
| | BACC Administrator | \$36,000 | \$36,000 | \$1,060 | 3% | -\$34,940 | 400 hrs AED support at \$90 per hr |
| | Regulatory Program Manager | \$142,223 | \$142,223 | \$12,609 | 9% | -\$129,614 | 7.5% increase (flat in FY22); \$103.35/hour, Reflects 1350 hours |
| | Total | \$468,477 | \$468,477 | \$39,050 | 8% | -\$429,427 | |
| Administration | | | | | | | |
| | EBMUD Financial Services | \$43,297 | \$43,297 | \$0 | 0% | -\$43,297 | 2% increase |
| | Auditing Services | \$5,452 | \$5,452 | \$0 | 0% | -\$5,452 | Finanical Auditors through EBMUD; per auditor rate schedule |
| | Administrative Expenses | \$8,118 | \$8,118 | \$0 | 0% | -\$8,118 | 2% increase over FY22 |
| | Insurance | \$8,132 | \$8,132 | \$0 | 0% | -\$8,132 | 15% increase over FY22 actual |
| | Total | \$64,999 | \$64,999 | \$0 | 0% | -\$64,999 | |
| Meetings | | | | | | | |
| | EB Meetings | \$2,706 | \$2,706 | \$0 | 0% | -\$2,706 | 2% increase from FY22 |
| | Annual Meeting | \$14,369 | \$14,369 | \$0 | 0% | -\$14,369 | 2% increase from FY22 |
| | Pardee | \$6,668 | \$6,668 | \$0 | 0% | -\$6,668 | 2% increase from FY22 |
| | Misc. Meetings | \$5,412 | \$5,412 | \$1,029 | 19% | -\$4,383 | 2% increase from FY22 |
| | Total | \$29,155 | \$29,155 | \$1,029 | 4% | -\$28,126 | |
| Communication | | | | | | | |
| | Website Hosting | \$714 | \$714 | \$0 | 0% | -\$714 | 2% increase from FY22, Go Daddy website hosting and domain registration |
| | File Storage | \$780 | \$780 | \$0 | 0% | -\$780 | 2% increase from FY22, box.net |
| | Website Development/Maintenance | \$1,561 | \$1,561 | \$0 | 0% | -\$1,561 | 2% increase from FY22 |
| | IT Support | \$2,705 | \$2,705 | \$0 | 0% | -\$2,705 | 2% increase from FY22 |
| | Other Commun | \$1,821 | \$1,821 | \$32 | 2% | -\$1,789 | 2% increase from FY22; MS Exchange, Survey Monkey, PollEv, Zoom, Netfile |
| | Total | \$7,581 | \$7,581 | \$32 | 0% | -\$7,549 | |
| Legal | | | | | | | |

**FY 2023
BACWA BUDGET to ACTUAL**

| EXPENSES | | | | | | | |
|-----------------------|--|--------------------|--------------------|------------------|--------------|---------------------|---|
| | Regulatory Support | \$2,871 | \$2,871 | \$0 | 0% | -\$2,871 | 2% increase from FY22, Downey Brand LLP |
| | Executive Board Support | \$2,309 | \$2,309 | \$0 | 0% | -\$2,309 | 2% increase from FY22, Day Carter & Murphy LLP |
| | Total | \$5,181 | \$5,181 | \$0 | 0% | -\$5,181 | |
| Committees | | | | | | | |
| | AIR | \$96,000 | \$96,000 | \$4,693 | | -\$91,307 | \$75k consulting support, \$20k support for ACE, \$1k misc expenses. Carollo Engineers |
| | BAPPG | \$130,600 | \$130,600 | \$6,493 | 5% | -\$124,107 | Includes CPSC @ \$10,000, OWOW @ \$10,000, and Pest. Reg Spt. @ \$60,000 |
| | Biosolids Committee | \$0 | \$0 | | | \$0 | |
| | Collections System | \$1,000 | \$1,000 | \$0 | 0% | -\$1,000 | Same as FY23 |
| | InfoShare Groups | \$1,000 | \$1,000 | \$0 | 0% | -\$1,000 | |
| | Laboratory Committee | \$6,400 | \$6,400 | \$731 | 11% | -\$5,669 | TNI standard training and meetings |
| | Permits Committee | \$1,000 | \$1,000 | \$0 | 0% | -\$1,000 | |
| | Pretreatment | \$1,000 | \$1,000 | \$0 | 0% | -\$1,000 | |
| | Recycled Water Committee | \$20,000 | \$20,000 | \$0 | 0% | -\$20,000 | |
| | Misc Committee Support | \$45,000 | \$45,000 | \$0 | 0% | -\$45,000 | |
| | Manager's Roundtable | \$1,000 | \$1,000 | \$0 | 0% | -\$1,000 | |
| | Total | \$303,000 | \$303,000 | \$11,917 | 4% | -\$291,083 | |
| Collaboratives | | | | | | | |
| | Collaboratives | | | | | | |
| | State of the Estuary (SFEP-biennial) | \$20,000 | \$20,000 | \$0 | 0% | -\$20,000 | Biennial in Odd Fiscal Years. (Paid biennially in odd years for even year conference) |
| | Arleen Navarret Award | \$2,500 | \$2,500 | \$0 | 0% | -\$2,500 | Biennial in Even Fiscal Years. Increase in FY20. 2022 Award to be paid in FY23 |
| | BayCAN | \$5,000 | \$5,000 | \$0 | 0% | -\$5,000 | |
| | Bay Area One Water Network | \$5,000 | \$5,000 | \$0 | 0% | | New for FY23 |
| | Bruce Wolf Scholarship | \$4,000 | \$4,000 | \$0 | 0% | | FY22, FY23, FY24, FY25 FY26 |
| | Misc | \$1,500 | \$1,500 | \$0 | 0% | -\$1,500 | NBWA |
| | Total | \$38,000 | \$38,000 | \$0 | 0% | -\$38,000 | |
| Other | | | | | | | |
| | Unbudgeted Items | | | | | | |
| | Other | \$0 | \$0 | \$0 | 0% | \$0 | |
| | Total | \$0 | | \$0 | 0% | \$0 | |
| Tech Support | | | | | | | |
| | Technical Support | | | | | | |
| | Nutrients | | | | | | |
| | Watershed | \$1,800,000 | \$1,800,000 | \$0 | 0% | -\$1,800,000 | Advance funding for 2nd Watershed Permit Sciece Studies; Final \$ TBD |
| | NMS Voluntary Contributions | \$0 | \$0 | \$0 | 0% | \$0 | |
| | Additional work under permit | \$100,000 | \$100,000 | \$48,040 | 48% | -\$51,960 | Includes HDR PO for \$225k spread out over FY20-24. |
| | Regional Study on Nature based systems | \$248,811 | \$248,811 | \$16,721 | 7% | -\$232,090 | SFEI \$500K, expires 06/30/2023 |
| | Regional Recycling Evaluation | \$63,525 | \$63,525 | \$0 | 0% | -\$63,525 | HDR \$154K, expires 12/31/2023 |
| | Nutrient Workshop(s) | \$0 | \$0 | \$0 | 0% | \$0 | Pilot Studies/Plant Review/Innovative Technologies |
| | NMS Reviewer | \$50,000 | \$50,000 | \$0 | 0% | -\$50,000 | M. Connor Contract |
| | General Tech Support | \$100,000 | \$100,000 | \$0 | 0% | -\$100,000 | AB617 emissions factors, PFAS, other nutrient support |
| | CEC Investigations | \$140,000 | \$140,000 | \$0 | 0% | -\$140,000 | PFAS Study Phase II |
| | Risk Reduction | \$12,500 | \$12,500 | \$0 | 0% | -\$12,500 | APA FSS completed \$12,500 contract in FY20, CIEA will complete \$12,500 contract in FY23 |
| | Total | \$2,514,836 | \$2,514,836 | \$64,761 | 3% | -\$2,450,075 | |
| | TOTAL EXPENSES | \$3,431,228 | \$3,431,228 | \$116,789 | 3.40% | -\$3,314,440 | |
| | PROJECTED EXPENSE DEVIATION FROM BUDGET | | \$0 | | | | |
| | NET INCOME BEFORE TRANSFERS | -\$578,733 | | | | | |
| | TRANSFERS FROM RESERVES | \$578,733 | | | | | aligns with strategy of drawing down reserves to lessen impact of Nutrient Surcharge |
| | NET INCOME AFTER TRANSFERS | \$0 | | | | | |
| | TOTAL OPERATING BUDGET | \$916,392 | | | | | |
| | OPERATING RESERVE | \$229,098 | | | | | |

BACWA Fund Report as of August 31, 2022

| BACWA FUND BALANCES - DATA PROVIDED BY ACCOUNTING DEPT. | | | | | | | |
|---|--------------------|------------------------------------|------------------------------|-----------------------------|---------------------------|--------------------------|------------------------------------|
| DEPTID | DESCRIPTION | FISCAL YEAR BEGINNING FUND BALANCE | TOTAL BILLED REVENUE TO-DATE | TOTAL DISBURSEMENTS TO-DATE | MONTH-ENDING FUND BALANCE | OUTSTANDING ENCUMBRANCES | MONTH-END UNOBLIGATED FUND BALANCE |
| 600 | BACWA | 376,500 | 527,827 | 50,433 | 853,894 | 647,598 | 206,296 |
| 604 | LEGAL RSRV | 300,000 | - | - | 300,000 | - | 300,000 |
| 605 | CBC | 2,114,741 | 1,408,976 | 64,761 | 3,458,956 | 619,429 | 2,839,527 |
| | SUBTOTAL 1 | 2,791,241 | 1,936,803 | 115,194 | 4,612,850 | 1,267,027 | 3,345,823 |
| 602 | BABC | 176,260 | 73,500 | 9,840 | 239,920 | 110,449 | 129,471 |
| 606 | BACC | 29,810 | - | 31,060 | (1,250) | 34,650 | (35,900) |
| 607 | BACC LEGAL RSRV | 30,000 | 30,000 | - | 60,000 | - | 60,000 |
| 610 | WOT | 270,974 | - | - | 270,974 | - | 270,974 |
| | SUBTOTAL 2 | 507,044 | 103,500 | 40,900 | 569,644 | 145,099 | 424,545 |
| | GRAND TOTAL | 3,298,285 | 2,040,303 | 156,094 | 5,182,494 | 1,412,126 | 3,770,368 |

*Beginning fund balance adjusted October 2021 due to change in reported accounting basis.

| BACWA INVESTMENTS BALANCES - DATA PROVIDED BY TREASURY DEPT. | | | | | | | | | | | | | | |
|--|--------------------|------------------------------------|------------------------------|-----------------------------|---------------------------|--|--|-----------------------------------|--------------------------|--------------------------|-----------------------------|---------------------------------|-------------------------------------|---|
| DEPTID | DESCRIPTION | FISCAL YEAR BEGINNING FUND BALANCE | TOTAL BILLED REVENUE TO-DATE | TOTAL DISBURSEMENTS TO-DATE | MONTH-ENDING FUND BALANCE | RECONCILIATION TO FINANCIAL STATEMENTS A/R | RECONCILIATION TO FINANCIAL STATEMENTS A/P | MONTH-END RECONCILED FUND BALANCE | UNINVESTED CASH BALANCES | LAIF INVESTMENTS AMOUNTS | LAIF INVESTMENTS PERCENTAGE | ALTERNATIVE INVESTMENTS AMOUNTS | ALTERNATIVE INVESTMENTS IDENTIFIERS | ALTERNATIVE INVESTMENT INSTRUCTIONS AND NOTES |
| 800 | BACWA | 376,500 | 527,827 | 50,433 | 853,894 | (256,040) | 69,899 | 667,753 | 667,753 | - | 0% | - | | priority # 3 for allocation |
| 804 | LEGAL RSRV | 300,000 | - | - | 300,000 | - | - | 300,000 | - | 300,000 | 13% | - | | priority # 1 for allocation |
| 805 | CBC | 2,114,741 | 1,408,976 | 64,761 | 3,458,956 | (652,883) | - | 2,806,073 | 839,036 | 1,967,037 | 87% | - | | priority # 2 for allocation |
| | SUBTOTAL 1 | 2,791,241 | 1,936,803 | 115,194 | 4,612,850 | (908,923) | 69,899 | 3,773,826 | 1,506,789 | 2,267,037 | 100% | - | | |
| 802 | BABC | 176,260 | 73,500 | 9,840 | 239,920 | (10,650) | - | 229,270 | 229,270 | - | 0% | - | | pass-through funds, no allocation |
| 806 | BACC | 29,810 | - | 31,060 | (1,250) | (2,273) | - | (3,523) | (3,523) | - | 0% | - | | |
| 807 | BACC LEGAL RSRV | 30,000 | 30,000 | - | 60,000 | - | - | 60,000 | 60,000 | - | 0% | - | | |
| 810 | WOT | 270,974 | - | - | 270,974 | - | - | 270,974 | 270,974 | - | 0% | - | | pass-through funds, no allocation |
| | SUBTOTAL 2 | 507,044 | 103,500 | 40,900 | 569,644 | (12,923) | - | 556,721 | 556,721 | - | 0% | - | | |
| | GRAND TOTAL | 3,298,285 | 2,040,303 | 156,094 | 5,182,494 | (921,846) | 69,899 | 4,330,547 | 2,063,510 | 2,267,037 | - | - | | |

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

Reconciliation to Trial Balance

| | | | | | |
|-------------------|------------------|-----|-------|------------------|------------------|
| Per Report above: | | STB | 14930 | 2,267,037 | |
| General | 1,936,803 | STB | 15050 | 2,063,510 | |
| WOT, BABC, & BACC | 103,500 | | | 4,330,547 | - |
| PROP | - | STB | 16300 | 921,846 | |
| subtotal | 2,040,303 | STB | 21350 | (69,899) | 5,182,494 |

Trial Balance Revenue Accounts

| | | |
|-------------------|-----------------|--------------------|
| 40100 | Interest | (4,437) |
| 40101 | Mem Contrib | (1,050,750) |
| 40102 | Transfer | (30,000) |
| 40103 | Assoc Contrib | - |
| 40104 | Other | (955,116) |
| 47310 | State Grant | - |
| 47320 | Grant Retention | - |
| subtotal | | (2,040,303) |
| Difference | | - |

BACWA Revenue Report as of August 31, 2022

| Cost Center Code | Cost Center Description | Program Segment Description | Program Segment Value | Amended Budget | Current Period | FY23 - Year to Date | Unobligated |
|--------------------|-------------------------------|--------------------------------|-----------------------|-----------------------|--------------------|-----------------------|--------------------|
| 600 | Bay Area Clean Water Agencies | BABC - AED and RPM Support | 6200 | (6,000.00) | - | - | 6,000.00 |
| | | BACC - AED Support | 6199 | (36,000.00) | - | - | 36,000.00 |
| | | BDO Affil/CS/Assoc Dues | 6104 | - | - | - | - |
| | | BDO Affiliate/Associate Dues | 6103 | - | - | - | - |
| | | BDO Assoc.&Affiliate Contr | 6102 | (187,793.00) | - | - | 187,793.00 |
| | | BDO Fund Transfers | 6141 | (5,202.00) | - | - | 5,202.00 |
| | | BDO Member Contributions | 6101 | (527,250.00) | - | (527,250.00) | - |
| | | BDO Non-Member Contr AIR | 6136 | (7,217.00) | - | - | 7,217.00 |
| | | BDO Non-Member Contr BAPPG | 6135 | (4,033.00) | - | - | 4,033.00 |
| | | BDO Other Receipts | 6105 | - | - | - | - |
| | | BDO Other Receipts (Misc) | 6140 | - | - | - | - |
| | | BDO- Interest Income from LAIF | 6142 | (4,000.00) | - | (576.85) | 3,423.15 |
| | | BDO-Alternative Investment Inc | 6143 | - | - | - | - |
| 600 Total | | | | (777,495.00) | - | (527,826.85) | 249,668.15 |
| 602 | Bay Area Biosolids Coalition | BDO Fund Transfers | 6141 | - | - | - | - |
| | | BDO Member Contributions | 6101 | - | - | (73,500.00) | (73,500.00) |
| 602 Total | | | | - | - | (73,500.00) | (73,500.00) |
| 605 | Clean Bay Collaborative | BDO Fund Transfers | 6141 | - | - | - | - |
| | | BDO Member Contributions | 6101 | (675,000.00) | - | (450,000.00) | 225,000.00 |
| | | BDO Other Receipts | 6105 | (1,400,000.00) | - | (955,116.00) | 444,884.00 |
| | | BDO- Interest Income from LAIF | 6142 | - | - | (3,860.46) | (3,860.46) |
| 605 Total | | | | (2,075,000.00) | - | (1,408,976.46) | 666,023.54 |
| 606 | Bay Area Chemical Consortium | BDO Member Contributions | 6101 | - | - | - | - |
| 606 Total | | | | - | - | - | - |
| 607 | BACC Legal RSRV | BDO Fund Transfers | 6141 | - | (30,000.00) | (30,000.00) | (30,000.00) |
| 607 Total | | | | - | (30,000.00) | (30,000.00) | (30,000.00) |
| Grand Total | | | | (2,852,495.00) | (30,000.00) | (2,040,303.31) | 812,191.69 |

BACWA Treasurer's Report Expenses and Encumbrances

Period Covering July 1, 2022 through August 31, 2022

| Cost Center Code | Program Segment Description | Program Segment Value | Amended Budget | Obligated Fiscal Year to Date | Unobligated |
|--------------------|-----------------------------------|-----------------------|---------------------|-------------------------------|---------------------|
| 600 | AIR-Air Issues&Regulation Grp | 6153 | 96,000.00 | 95,000.00 | 1,000.00 |
| | AS-Assistant Executive Directo | 6175 | 86,004.00 | 86,004.00 | - |
| | AS-Audit Services | 6180 | 5,452.00 | - | 5,452.00 |
| | AS-BACWA Admin Expense | 6173 | 8,118.00 | - | 8,118.00 |
| | AS-EBMUD Financial Services | 6176 | 43,297.00 | 43,297.00 | - |
| | AS-Executive Director | 6174 | 204,250.00 | 204,250.00 | - |
| | AS-Insurance | 6177 | 8,132.00 | - | 8,132.00 |
| | AS-Regulatory Program Manager | 6179 | 142,223.00 | 142,223.00 | - |
| | Administrative Support | 6178 | - | - | - |
| | BC-BAPPG | 6152 | 130,600.00 | 106,166.26 | 24,433.74 |
| | BC-InfoShare Groups | 6148 | 1,000.00 | - | 1,000.00 |
| | BC-Laboratory Committee | 6149 | 6,400.00 | 5,200.00 | 1,200.00 |
| | BC-Manager's Roundtable | 6154 | 1,000.00 | - | 1,000.00 |
| | BC-Miscellaneous Committee Sup | 6150 | 45,000.00 | - | 45,000.00 |
| | BC-Permit Committee | 6145 | 1,000.00 | - | 1,000.00 |
| | BC-Pretreatment Committee | 6151 | 1,000.00 | - | 1,000.00 |
| | BC-Water Recycling Committee | 6146 | 20,000.00 | 9,650.00 | 10,350.00 |
| | CAR-BACWA File Storage | 6165 | 1,561.00 | - | 1,561.00 |
| | CAR-BACWA IT Software | 6167 | 1,821.00 | 32.00 | 1,789.00 |
| | CAR-BACWA IT Support | 6166 | 2,705.00 | - | 2,705.00 |
| | CAR-BACWA Website Dev/Maint | 6163 | 714.00 | - | 714.00 |
| | CAR-BACWA Website Hosting | 6164 | 780.00 | - | 780.00 |
| | CAS-Arleen Navaret Award | 6160 | 2,500.00 | - | 2,500.00 |
| | CAS-BayCAN | 6204 | 5,000.00 | - | 5,000.00 |
| | CAS-Misc Collaborative Sup | 6162 | 1,500.00 | - | 1,500.00 |
| | CAS-Stanford ERC | 6159 | - | - | - |
| | GBS-Meeting Support-Annual | 6170 | 14,369.00 | - | 14,369.00 |
| | GBS-Meeting Support-Exec Bd | 6169 | 2,706.00 | - | 2,706.00 |
| | GBS-Meeting Support-Misc | 6172 | 5,412.00 | 1,028.66 | 4,383.34 |
| | GBS-Meeting Support-Pardee | 6171 | 6,668.00 | - | 6,668.00 |
| | LS-Executive Board Support | 6156 | 2,309.00 | 2,309.00 | - |
| | LS-Regulatory Support | 6155 | 2,871.00 | 2,871.00 | - |
| | WQA-CE-Nature Based Solutions | 6196 | - | - | - |
| | Write-Off Doubtful Accounts | 6208 | - | - | - |
| 600 Total | | | 850,392.00 | 698,030.92 | 152,361.08 |
| 602 | AS-Assistant Executive Directo | 6175 | - | - | - |
| | AS-Regulatory Program Manager | 6179 | - | - | - |
| | Academia Research & Development | 6203 | - | - | - |
| | Administrative Support | 6178 | - | 289.88 | (289.88) |
| | BDO Contract Expenses | 6186 | - | - | - |
| | Collateral Development | 6197 | - | - | - |
| | Program Manager Expense | 6202 | - | 120,000.00 | (120,000.00) |
| | Technology Research & Development | 6206 | - | - | - |
| 602 Total | | | - | 120,289.88 | (120,289.88) |
| 605 | Recycled Water Evaluation | 6198 | 63,525.00 | 23,992.35 | 39,532.65 |
| | WQA - CEC Investigations | 6201 | 140,000.00 | 260,626.00 | (120,626.00) |
| | WQA-CE Addl Work Under Permit | 6191 | 100,000.00 | 91,438.00 | 8,562.00 |
| | WQA-CE Risk Reduction | 6190 | 12,500.00 | - | 12,500.00 |
| | WQA-CE Voluntary Nutr Contrib | 6193 | - | - | - |
| | WQA-CE-Nature Based Solutions | 6196 | 248,811.00 | 258,133.50 | (9,322.50) |
| | WQA-CE-Nutrient WS Permit Comm | 6188 | 1,800,000.00 | - | 1,800,000.00 |
| | WQA-CE-Technical Support | 6181 | 100,000.00 | - | 100,000.00 |
| | WQA-NMSReviewer | 6205 | 50,000.00 | 50,000.00 | - |
| 605 Total | | | 2,514,836.00 | 684,189.85 | 1,830,646.15 |
| 606 | Administrative Support | 6178 | 36,000.00 | 35,710.12 | 289.88 |
| | BDO Fund Transfers | 6141 | - | 30,000.00 | (30,000.00) |
| 606 Total | | | 36,000.00 | 65,710.12 | (29,710.12) |
| 610 | Administrative Support | 6178 | - | - | - |
| | BDO Contract Expenses | 6186 | - | - | - |
| 610 Total | | | - | - | - |
| Grand Total | | | 3,401,228.00 | 1,568,220.77 | 1,833,007.23 |



BACWA EXECUTIVE BOARD AUTHORIZATION REQUEST

AGENDA NO.: 6

MEETING DATE: October 21, 2022

TITLE: Approval of the BACWA Annual Report to its Members for FY2022.

☐ RECEIPT

☐ DISCUSSION

☐ RESOLUTION

☒ APPROVAL

RECOMMENDED ACTION

Approve the BACWA Annual Report to its membership for FY2022.

SUMMARY

At the end of each fiscal year BACWA is required to prepare and Annual Report to its membership which describes the technical and financial activities of the Association for the preceding year.

FISCAL IMPACT

The Annual Report to its members is prepared by BACWA staff.

ALTERNATIVES

Do not approve the Annual Report to the membership. This is not recommended as the Annual Report is required by the BACWA JPA.

Attachment:

BACWA FY2022 Annual Report to Members

Approved:

Amit Mutsuddy, BACWA Chair

Date: October 21, 2022



BACWA Annual Report

Fiscal Year 2021/2022

The clean water community must continually rise to new challenges as our understanding of the interconnectedness of regional environmental issues continues to develop. Within this evolving landscape, the Bay Area Clean Water Agencies (BACWA) is fulfilling its mission to provide an effective voice for clean water agencies' stewardship of the San Francisco Bay's ecological, community, and economic resources. The clean water community's focus has shifted rapidly from industrial pollutant reduction to renewable resource generation, climate change mitigation and adaptation, and understanding the potential impacts of emerging contaminants on the aquatic ecosystem. Concurrently, tightening, and sometimes conflicting, air quality and biosolids management regulations are increasing cross-media challenges. BACWA provides technical expertise and a venue for collaboration to its membership, and a public utility perspective to negotiations and partnerships with regulators.

With over forty Publicly Owned Treatment Works (POTWs) and more than a hundred collection systems in the San Francisco Bay (SF Bay) region, BACWA provides a needed forum for effective coordination to ensure science-based regulations and continued water quality improvements throughout the Bay Area. Member dues and fees support BACWA's goal of ensuring that water, biosolids, and air quality regulations are well-supported by science. Even as the issues change, BACWA continues to offer the services to our members and the public that have garnered the organization much respect and success.

2022 Strategic Plan Update

The BACWA Strategic Plan was substantially updated in 2020, representing the first major change since 2009. Minor changes were approved by the BACWA Executive Board in January 2022. The [2022 Strategic Plan](#) reflects both the current drivers impacting BACWA's members, such as nutrients and climate change, as well as our values which remain constant even as the issues evolve. The progress made by BACWA in Fiscal year 2021/2022 towards meeting the objectives in our Strategic Plan is described in Attachment A.

Links to Key BACWA Products

BACWA provides a variety of resources to its members for regulatory compliance, education, and information sharing. Links to key work products associated with these efforts are provided below:

Regulatory Compliance

- [Annual NPDES Compliance Letter](#) – submitted to the Regional Water Board, on behalf of our members demonstrating compliance with special studies required by NPDES

permits. We also report participation in the Alternate Monitoring Plan, and contributions to the Regional Monitoring Program to the Regional Water Board. For most dischargers, the Alternate Monitoring Plan was replaced as of January 1, 2022 by a substitute set of monitoring reductions reflected in [Order R2-2021-0028](#).

- [Nutrient Group Annual Report](#) - submitted to the Regional Water Board in compliance with the Nutrient Watershed Permit.
- [Nutrient Special Studies Status Update](#) - submitted to the Regional Water Board in compliance with the Nutrient Watershed Permit.
- [Land Application of Biosolids Annual Report](#) – submitted to the Solano County Board of Supervisors.
- [BAPPG Annual Report](#) – Developed to assist member agencies in Pollution Prevention annual reporting.
- [PFAS Regional Study, Phase 2 Sampling and Analysis Plan](#) – To address monitoring needs of the State Water Board, BACWA contracted with SFEI to begin this regional study of PFAS in Fiscal Year 2020/21. Phase 1 of the study was completed in 2021, and Phase 2 of the study is ongoing.

Information sharing

- [BACWA Bulletin](#) – Distributed Monthly to keep members and the community up to date on BACWA’s and our partners’ activities.
- [Regulatory Issues Summary matrix](#) – Updated three times per year to give members an accessible overview of important issues impacting the clean water community.
- [BACWA website](#) - Maintained for information sharing with members.
- [Baywise website](#) – Maintained for public-facing pollution prevention messaging.
- [2021 Biosolids Trends Survey Report](#) – Updated every two to three years to help agencies understand their biosolids handling programs within a regional context.
- [Annual Meeting](#) – The Annual Meeting was held in-person in May 2022, and included updates from regulators, Nutrient Management Strategy scientists and consultants, representatives from San Francisco Estuary Institute assisting with the PFAS Regional Study, and more. Meeting materials and recordings were shared with members afterwards.

Regulatory Advocacy

BACWA works with its member agencies to develop positions on proposed regulations and advocates on behalf of the regional POTW community. In Fiscal Year 2021/22, BACWA submitted 17 [comment letters](#) to EPA, US General Services Administration, Regional Water Board, State Water Board, Bay Area Air Quality Management District (BAAQMD), and the Alameda County Board of Supervisors, on the following topics:

- **Nutrient Management.** BACWA continues to engage with the Regional Water Board to negotiate the key tenets of the 3rd Nutrient Watershed Permit.



- **Basin Planning.** BACWA provided comments during the Regional Water Board's Triennial Review process, which prioritizes changes to the Basin Plan. BACWA subsequently reviewed the Climate Change Basin Plan Amendment, which was ultimately adopted by the Regional Water Board in July 2022.
- **Pesticides.** BAPPG maintains a consultant team dedicated to engagement with EPA and the State of California through the pesticide registration review process, including review of documents such as ecological risk assessments and risk management decisions.
- **Air Emissions.** BACWA continues to advocate for BAAQMD and the California Air Resources Board to consider the duty of essential public services when establishing air emissions requirements. BACWA and BAAQMD staff have formed a Workgroup that meets quarterly to discuss how public agencies can participate in the development, and comply with, emerging air toxicis regulations.
- **Sanitary Sewer Systems General Order.** The State Water Board is planning to reissue the Sanitary Sewer Systems Waste Discharge Requirements General Order (SSS-WDR). BACWA worked with CASA and other clean water partner agencies to provide comments on two drafts of the SSS-WDR.
- **Biosolids Beneficial Reuse.** BACWA provided comments on a proposed compost facility in Alameda County.

In addition to these comment letters, BACWA endorsed the [Bay Adapt Joint Platform](#), a stakeholder-developed strategy for regional resiliency to rising sea levels.

BACWA Staffing

In FY2021/2022, BACWA retained contract staff to provide Executive Director, Assistance Executive Director, and Regulatory Program Management services.

BACWA Committees and Executive Board

Support for BACWA's committees is a key means for BACWA to ensure communication between our members and to formulate positions on emerging issues that accurately reflect the needs of our membership. Members receive educational contact credits for attending committee meetings in which there is an educational component. BACWA maintains the following active committees:

- Air Issues and Regulations (AIR)
- Asset Management
- Bay Area Pollution Prevention Group – see [BAPPG 2021 Annual Report](#)
- Collection Systems
- Laboratory
- Operations/Maintenance Infoshare
- Permits
- Pretreatment



- Recycled Water

The BACWA Executive Board meets on a monthly basis to discuss policy, strategy, and operational issues impacting the organization. Executive Board meetings are held in compliance with the California Brown Act (Government Code sections 54950-54963).

External Representation and Collaboration

BACWA provides representation at external groups such as:

- Regional Monitoring Program (RMP) Technical Review Committee
- RMP Steering Committee
- Clean Water Summit Partners
- Aquatic Science Center (ASC)/SFEI Governing Board
- San Francisco Bay Nutrient Governance Steering Committee
- San Francisco Bay Nutrient Planning Subcommittee
- Bay Area Integrated Regional Water Management Plan (BAIRWMP)
- National Association of Clean Water Agencies (NACWA) Emerging Contaminants
- California Association of Sanitation Agencies (CASA) State Legislative Committee
- CASA Regulatory Workgroup
- Bay Area One Water Network
- RMP Microplastics Workgroup
- Bay Area Regional Reliability Task Force
- San Francisco Estuary Partnership
- California Product Stewardship Council
- Valley Water Countywide Reuse Master Plan
- Ocean Protection Council
- Bay Area Climate Adaptation Network
- Coastal Hazards Adaptation Resiliency Group (CHARG)
- Bay Area Climate Adaptation Network
- California Water Quality Monitoring Council

FY2021/2022 Financial Report

| <u>BACWA FY22 BUDGET</u> | <u>Line Item Description</u> | <u>FY 2022 Budget</u> | <u>Actuals June 2022</u> | <u>Actual % of Budget June 2022</u> | <u>Variance</u> |
|--|---|----------------------------------|-------------------------------------|--|------------------------|
| <u>REVENUES & FUNDING</u> | | | | | |
| Dues | Principals' Contributions | \$516,909 | \$516,910 | 100% | \$1 |
| | Associate & Affiliate Contributions | \$187,793 | \$183,175 | 98% | -\$4,618 |
| Fees | Clean Bay Collaborative | \$675,000 | \$675,00 | 100% | \$0 |
| | Nutrient Surcharge | \$1,700,000 | \$1,699,999 | 100% | -\$1 |
| | Member Voluntary Nutrient Contributions | \$0 | \$0 | 0% | \$0 |
| Other Receipts | AIR Non-Member | \$7,075 | \$7,074 | 100% | -\$1 |
| | BAPPG Non-Members | \$3,954 | \$3,954 | 100% | \$0 |
| | Other | \$0 | \$3,601 | | \$3,601 |
| Fund Transfer | Special Program Admin Fees (WOT) | \$5,202 | \$2,601 | 50% | -\$2,601 |
| | Special Program Admin Fees (BACC) | \$27,00 | \$27,000 | 100% | \$0 |
| | Special Program Admin Fees (WOT) | \$6,000 | \$4,843 | 81% | -\$1,157 |
| Interest Income | LAIF | \$20,000 | \$6,312 | 32% | -\$13,688 |
| | Higher Yield Investments | \$18,000 | \$0 | 0% | -\$18,000 |
| | Total Revenue | \$3,149,133 | \$3,130,668 | 99.41% | -\$18,465 |
| <u>BACWA FY21 BUDGET</u> | <u>Line Item Description</u> | <u>FY 2021 Budget</u> | <u>Actuals June 2021</u> | <u>Actual % of Budget June 2021</u> | <u>Variance</u> |
| <u>EXPENSES</u> | | | | | |
| Labor | | | | | |
| | Executive Director | \$190,000 | \$189,999 | 100% | \$0 |
| | Assistant Executive Director | \$108,800 | \$81,600 | 75% | -\$27,200 |

| <u>BACWA FY22</u> <u>BUDGET</u> | <u>Line Item Description</u> | <u>FY 2022</u> <u>Budget</u> | <u>Actuals</u> <u>June 2022</u> | <u>Actual</u> <u>% of</u> <u>Budget</u> <u>June</u> <u>2022</u> | <u>Variance</u> |
|--|-------------------------------------|---|--|--|------------------------|
| | Regulatory Program Manager | \$127,400 | \$109,008 | 86% | -\$18,392 |
| | Total | \$426,200 | \$380,607 | 89% | -\$45,593 |
| | | | | | |
| Administration | | | | | |
| | EBMUD Financial Services | \$42,448 | \$32,534 | 77% | -\$9,914 |
| | Auditing Services | \$5,345 | \$5,345 | 100% | -\$0 |
| | Administrative Expenses | \$7,959 | \$134 | 2% | -\$7,825 |
| | Insurance | \$5,071 | \$7,072 | 139% | \$2,001 |
| | Total | \$60,823 | \$45,084 | 74% | -\$15,739 |
| | | | | | |
| Meetings | | | | | |
| | EB Meetings | \$2,653 | \$335 | 13% | -\$2,319 |
| | Annual Meeting | \$14,369 | \$10,918 | 76% | -\$3,451 |
| | Pardee | \$6,537 | \$648 | 10% | -\$5,889 |
| | Misc. Meetings | \$5,306 | \$1,386 | 26% | -\$3,920 |
| | Total | \$28,865 | \$13,286 | 46% | -\$15,579 |
| | | | | | |
| Communication | | | | | |
| | Website Hosting | \$700 | \$220 | 31% | -\$480 |
| | File Storage | \$765 | \$720 | 94% | -\$45 |
| | Website Development/Maintenance | \$1,530 | \$770 | 50% | -\$760 |
| | IT Support | \$2,652 | \$0 | 0% | -\$2,652 |
| | Other Communication | \$1,785 | \$928 | 52% | -\$857 |
| | Total | \$7,344 | \$2,638 | 35% | -\$4,794 |
| | | | | | |
| Legal | | | | | |
| | Regulatory Support | \$2,815 | \$0 | 0% | -\$2,815 |
| | Executive Board Support | \$2,264 | \$120 | 5% | -\$2,144 |
| | Total | \$5,079 | \$120 | 2% | -\$4,959 |

| <u>BACWA FY22</u> <u>BUDGET</u> | <u>Line Item Description</u> | <u>FY 2022</u> <u>Budget</u> | <u>Actuals</u> <u>June 2022</u> | <u>Actual</u> <u>% of</u> <u>Budget</u> <u>June</u> <u>2022</u> | <u>Variance</u> |
|--|--------------------------------------|---|--|--|------------------------|
| Committees | | | | | |
| | AIR | \$76,000 | \$76,000 | 100% | \$0 |
| | BAPPG | \$130,000 | \$125,763 | 97% | -\$4,237 |
| | Biosolids Committee | \$1,000 | \$0 | 0% | -\$1,000 |
| | Collections System | \$1,000 | \$0 | 0% | -\$1,000 |
| | InfoShare Groups | \$1,750 | \$0 | 0% | -\$1,750 |
| | Laboratory Committee | \$1000 | \$1000 | 100% | \$0 |
| | Permits Committee | \$1,300 | \$20 | 2% | -\$1,280 |
| | Pretreatment | \$1,000 | \$0 | 0% | -\$1,000 |
| | Recycled Water Committee | \$1,000 | \$0 | 0% | -\$1000 |
| | Misc Committee Support | \$45,000 | \$13,952 | 31% | -\$31,048 |
| | Manager's Roundtable | \$1,000 | \$0 | 0% | -\$1,000 |
| | Total | \$259,050 | \$216,735 | 84% | -\$42,315 |
| Collaboratives | | | | | |
| | State of the Estuary (SFEP-biennial) | \$0 | \$0 | 0% | \$0 |
| | Arleen Navarret Award | \$2,500 | \$0 | 0% | -\$2,500 |
| | BayCAN | \$5,000 | \$1,500 | 30% | -\$3,500 |
| | Stanford ERC (ReNUWIt) | \$10,000 | \$0 | 0% | -\$10,000 |
| | Misc | \$1,500 | \$9,000 | 600% | \$7,500 |
| | Total | \$19,000 | \$10,500 | 55% | -\$8,500 |
| Other | | | | | |
| | Unbudgeted Items | | | | |
| | Other | \$0 | \$0 | | \$0 |
| | Total | \$0 | \$0 | | \$0 |
| Technical Support | | | | | |
| | Nutrients | | | | |
| | Watershed | \$2,600,000 | \$2,200,000 | 85% | -\$400,000 |
| | NMS Voluntary Contributions | \$0 | \$0 | 0% | \$0 |

| <u>BACWA FY22</u> <u>BUDGET</u> | <u>Line Item Description</u> | <u>FY 2022</u> <u>Budget</u> | <u>Actuals</u> <u>June 2022</u> | <u>Actual</u> <u>% of</u> <u>Budget</u> <u>June</u> <u>2022</u> | <u>Variance</u> |
|--|--|---|--|--|------------------------|
| | Additional work under permit | \$100,000 | \$26,602 | 27% | -\$73,398 |
| | Regional Study on Nature based systems | \$248,811 | \$41,091 | 17% | -\$207,720 |
| | Regional Recycling Evaluation | \$63,525 | \$43,198 | 68% | -\$20,327 |
| | Nutrient Workshop(s) | \$0 | \$0 | 0% | \$0 |
| | NMS Reviewer | \$50,000 | \$12,750 | 26% | -\$37,250 |
| | General Tech Support | \$100,000 | \$0 | 0% | -\$100,000 |
| | CEC Investigation | \$140,000 | \$101,014 | 72% | -\$38,986 |
| | Risk Reduction | \$7,500 | \$12,500 | 167% | \$5000 |
| | Total | \$3,309,836 | \$2,437,154 | 74% | -\$872,682 |
| | | | | | |
| | TOTAL EXPENSES | \$4,116,285 | \$3,106,126 | 75.46% | \$1,010,159 |
| | | | | | |
| | NET INCOME BEFORE TRANSFERS | -\$967,152 | \$24,542 | | |
| | TRANSFERS FROM RESERVES | \$967,152 | -\$24,542 | | |
| | NET INCOME AFTER TRANSFERS | \$0 | \$0 | | |

List of BACWA Members as of June 30, 2022

Principals

East Bay Municipal Utility District

East Bay Dischargers Authority

- Castro Valley Sanitary District
- City of Hayward
- City of San Leandro
- Oro Loma Sanitary District
- Union Sanitary District

San Francisco Public Utilities Commission

Central Contra Costa Sanitary District

City of San Jose

Associates



Central Marin Sanitation Agency
City of Palo Alto
City of San Mateo
City of Sunnyvale
Delta Diablo
Dublin-San Ramon Services District
Fairfield-Suisun Sewer District
Napa Sanitation District
Silicon Valley Clean Water
South San Francisco – San Bruno Water Quality Control Plant
Vallejo Flood & Wastewater District
West County Agency
- City of Richmond
- West County Wastewater District

Affiliates

City of Alameda
City of American Canyon
City of Albany
City of Antioch
City of Belmont
City of Benicia
City of Berkeley
City of Brisbane
City of Burlingame
City of Calistoga
City of Fairfield
City of Livermore
City of Millbrae
City of Milpitas
City of Mountain View
City of Oakland
City of Pacifica
City of Petaluma
City of Piedmont
City of Pleasanton
City of Redwood City
City of Richmond
City of San Bruno
City of San Carlos

City of St. Helena
Town of Yountville

Crockett Community Services District
Cupertino Sanitary District
Las Gallinas Valley Sanitary District
Mt. View Sanitary District
North San Mateo Sanitation District
Novato Sanitary District
Pinole/Hercules Wastewater Treatment Plant
Rodeo Sanitary District
Ross Valley Sanitary District
San Francisco International Airport
San Mateo County, Dept. of Public Works
Sanitary District of Marin County No. 2
Sanitary District of Marin County No. 5
Sausalito-Marin City Sanitary District
Sewer Authority Mid-Coastside
Sewerage Agency of Southern Marin
Sonoma County Water Agency
Stege Sanitary District
Tamalpais Community Services District
Treasure Island
West Bay Sanitary District
West Valley Sanitation District



ATTACHMENT A

BACWA JANUARY 2022 STRATEGIC PLAN 2022 EVALUATION

2020 STRATEGIC PLAN (2022 UPDATE)

FY22 Evaluation

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** – 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.

Nutrient Technical Team continued to review and comment on NMS deliverables, including material related to the development of the Lower South Bay and Deep Subtidal Assessment Frameworks.

- **Objective 2** – Continue to contract consultant support for review and interpretation of NMS Work Products and review of the Assessment Framework process.

Mike Connor continued to support BACWA’s nutrient technical team in reviewing and commenting on deliverables. He also provided interpretation to the BACWA Executive Board.

- **Objective 3** – Convene BACWA’s Nutrient Strategy Team to plan BACWA position on 3rd Nutrient Watershed Permit.

Met regularly to develop key tenets for 3rd Watershed Permit. Retained consultant support to develop statistically defensible nutrient loading baseline for use in the 3rd Watershed Permit and worked with member agencies to explain and establish support for the proposal.

- **Objective 4** – Plan financial contributions to the NMS to optimize scientific study workflow.

Updated 5-year plan with scenarios for ongoing support of science program.

Strategy 2 – Advocate for air regulations based on science.

- **Objective 1** – Meet 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 climate pollutants and air toxics.

Provided comments for adoption of Regulation 2 update, largely pertaining to POTWs being designated as essential public service. Kicked off Regulation 2 Workgroup as forum for discussing toxic air contaminant regulations and permitting challenges. BACWA hosted BAAQMD leadership at our Annual Meeting.

- **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.

Provided supplemental funding for consultant support for air/climate change/energy issues. Worked with CASA to better understand 2-step process for quantifying air emissions, and provided information to members.

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 use alternatives.

Collaborated on Biosolids in the Baylands White Paper to identify information gaps to demonstrate the safety of land application in areas that may be inundated in the future due to sea level rise. Met with Water Board to better understand their concerns and how to address data gaps.

- **Objective 2** – Collaborate with Bay Area Biosolids Coalition to support initiatives aimed at establishing the safety and benefits of biosolids use.

Continued to provide support and information on biosolids beneficial reuse and PFAS to BABC. Collaborated with BABC to provide comments to the Alameda County Board of supervisors to support a new composting facility.

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.

Acted as liaison between RMP and BACWA members to recruit participants for POTW CEC studies.

- **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.

Participated in a SCCWRP-led workgroup to define the scope of OPC's study on microplastic removal during wastewater treatment. Participated in the RMP's microplastic workgroup. Provided representation for statewide POTW community on the California Water Quality Monitoring Council. Provided information to State Water Board initiative on impacts of low flows on wastewater conveyance, treatment, and reuse to inform water conservation regulation.

- **Objective 3** – Continue to participate actively in Regional Monitoring Program (RMP) technical and steering committees.

Provided BACWA representation to RMP initiatives, as well as comments on RMP work products.

- **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.

Completed Phase 1 of PFAS special study and collaborated with State Water Board staff to ensure that their objectives were addressed in the Phase 2 sampling and analysis plan.

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.

Provided comments on Region 2 Triennial Review, and the 2 Climate Change Basin Plan amendment.

- **Objective 2** – Work with regulators to reduce low value required monitoring to enhance funding for RMP CEC studies.

Supported adoption of alternate monitoring program blanket permit amendment, which reduces routine monitoring in exchange for consistent funding to the RMP for CECs. Developed a payment structure to equitably distribute the contributions among member agencies.

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.

Held regular meetings with staff at the Water Board and Air District to communicate about important issues. Hosted meetings with Air District Staff that included Water Board staff to discuss cross media issues and the benefits of collaboration. Held workshop with Regional Water Board staff to focus on key tenets of 3rd Watershed Permit.

- **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 use strategies, and exploration of other resource recovery opportunities.

Engaged regulators to discuss beneficial reuse of biosolids for climate change adaptation.

- **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.

Collaborated with Summit Partners to hold a remote workshop on advanced treatment in December 2021. Began discussing in-person meeting to follow-up on workshop.

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.

Effort continues to be put on hold due to lack of staff resources at BAAQMD, but work informing Regulation 13 will inform the permit conditions update.

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.

Collaborated with CASA and NGOs to sponsor legislation to develop a PFAS disclosure bill. Provided information on PFAS special study to local legislators.

- **Objective 2** – Consider a BACWA policy or position on how to engage in targeted legislative advocacy.

Continued to work through CASA to engage with the legislature.

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.

BACWA staff and representatives participated in Summit Partners and CASA strategy meetings to direct resources to the most important issues. Provided information on collaborative NMS process to Summit Partners.

- **Objective 2** – Inform, learn from, and jointly advocate with clean water associations such as the other Clean Water Summit Partner organizations, NACWA, and WaterReuse.

BACWA staff and representatives advocated provided statewide leadership and retained consultant support to provide comments on State Water Board's draft SSS WDR.

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.

BACWA staff and representatives discussed interjurisdictional challenges to water reuse through the team implementing EPA's Water Reuse Action Plan Action 2.2.16, to which BACWA provided funding. Participated in Bay Area One Water workshop on Nature-based projects and their workshop on water conservation.

- **Objective 2** – Identify and establish collaborations to implement integrated approaches to sea level rise adaptation.

Participated in BayCAN and discussed climate change challenges with partner regional entities. Provided endorsement for Bay Adapt Joint Platform.

- **Objective 3** – Identify and implement effective pollution prevention strategies in partnership with regulators and partners.

The Bay Area Pollution Prevention Group (BAPPG) continued to provide both public education and regulatory advocacy on pollution prevention issues.

- **Objective 4** – Work with members and other regional entities to maximize grant funding for projects benefiting the region.

Worked with SFEI and SFEP to strategize proposals for 2022 WQIF grant funding for initiatives related to nutrient removal and nature based solutions. Provided letters of support to several member agencies to demonstrate regional support for their grant proposals.

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

- **Objective 1** – Provide membership with information on technology pilot opportunities.

Distributed information about Oro Loma MicroVi pilot to members.

- **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.

Contributed to Bay Area One Water Network (BAOWN) housed at Stanford and UC Berkeley. Acted as liaison between wastewater based epidemiology initiatives and member agencies who were interested in providing samples for SARS-CoV-2 testing in Wastewater. Continued engagement in the NMS and RMP through SFEI. Served as a community sponsor to a member agency Board member's Sea Grant fellowship that is measuring the impacts of shallow groundwater rise on wastewater infrastructure.

- **Objective 3** – Support existing coalitions and agencies that are pursuing regional solutions to challenges impacting the San Francisco Bay clean water community.

Participated in Estuary Blueprint update through the San Francisco Estuary Partnership.

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.

Submitted the annual NPDES compliance letter for use in members' NPDES Annual Reports, BAPPG Annual report for use in member's Pollution Prevention

reports, the Solano County Biosolids report, as well the Nutrient Group Annual Report, and Science Plan and Special Studies progress updates required by the Nutrient Watershed Permit.

- **Objective 2** – Continue to support and report compliance with the Mercury/PCB and Nutrient Watershed Permits.

Discussed updated mercury and PCB reporting requirements and developed analysis of PCB data to support monitoring frequency reductions. Worked with community-based organization to complete BACWA grant work on mercury and PCB risk reduction education to fish consumers

- **Objective 3** – Engage with regulators on behalf of individual member agencies when issues of regional importance arise.

Developed comments on the implementation of State Toxicity Provision in individual Region 2 NPDES permits.

- **Objective 4** – Coordinate regional solutions to comply with new Environmental Laboratory Accreditation Program (ELAP) regulations.

Provided monthly training sessions through its Laboratory Committee to help agencies comply with TNI.

- **Objective 5** – Support members' biosolids programs via data-gathering, reporting, and information exchange related to biosolids management.

Completed and posted 2021 Biosolids Trends Survey Report.

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.

Hosted Annual Meeting for members, including regulators and updates on important topics. Sent out monthly bulletins and as-needed emails. Supported eight active BACWA committees and held regular committee meetings. Developed and distributed three regulatory issues summaries. Restarted the Asset Management Committee, which had been on hiatus since 2018.

- **Objective 2** – Ensure that BACWA contact lists are up to date.

Reached out to agencies to ensure new staff are added to distribution lists and Committee Google Groups.

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

- **Objective 1** – Provide support for pollution prevention messaging to the public via BAPPG.

Continued its outreach on FOG, wipes, pharmaceutical disposal, veterinary medicines, and other pharmaceuticals. Public outreach has been conducted via advertising and the Baywise website. Conducted veterinary outreach to professional organizations.

- **Objective 2** – Explore ways to support members' public communication on nutrients and other issues.

Developed memo on early actors for nutrients, and provided comments on CASA's PFAS communications materials. Provided BACWA perspective on 50th Anniversary of Clean Water Act for 2022 Pulse of the Bay issue. Began development of nutrient State of the Science summary.

- **Objective 3** – Support justice/equity/diversity/inclusion in both wastewater workforce development and community engagement efforts.

Collaborated with SFEI and CEIA on PFAS in fish special meeting. Established Bruce Wolfe Memorial Scholarship to provide scholarships to students from backgrounds that are underrepresented in the Clean Water field. Participated in regional discussions of DEIJ issues hosted by BAOWN, BayCAN, and others.

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.

Conducting outreach to individual agencies to inform them about opportunities for engagement.

- **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.

Provided a general forum for discussion on the 3rd Nutrient Watershed Permit via the Nutrient Strategy Team, and conducted outreach via discussion with member agency managers. Developed memos on early actors and state of permit negotiations to share with membership.

- **Objective 3** – Provide forums and opportunities for information-sharing among members on issues of importance.

Initiated a new Google Group so BACC member agencies could discuss the impacts of chemical shortages as well as other chemical supply issues as they arise. Planned sea level rise planning Infoshare meeting that was held in FY23.

- **Objective 4** – Use technology to maximize member participation in committee meetings.

Continued to teleconference most meetings. Began hosting hybrid meetings such as the fall Technical Seminar and a spring Watershed Permit Workshop. Recorded Annual Meeting and posted proceedings online.

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

- **Objective 1** – Continue to support the Bay Area Biosolids Coalition (BABC).

BACWA provided administrative support to BABC, and acted as a liaison between the coalition and BACWA members who are not part of the coalition when issues of common concern arose.

- **Objective 2** – Continue administration of the Bay Area Chemical Consortium (BACC).

Continued support of BACC. Provided venue for communication between members and with suppliers when supply chain issues and other problems arose.

- **Objective 3** – Support Bay Area Consortium for Water/Wastewater Education (BACWWE) as they transition to a scholarship-based system and continue collaboration with BAYWORK.

Provided administrative and communications support for BACCWE

- **Objective 4** – Consider any new requests for BACWA support based on members' benefits and potential costs to BACWA.

Discussed BACWA participation/funding for CASA 2-step process for quantifying air toxics. Initiated support for Bruce Wolfe memorial scholarship.

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.

Updated BACWA Representative Policy.

Strategy 2 - Enhance fiscal transparency.

- **Objective 1** – Work with EBMUD to improve readability and transparency of treasurer's reports in Executive Board Packet.

Worked with EBMUD to obtain relevant financial data after transition to new accounting system.

- **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.

Provided 5-year planning update as part of budgeting process, incorporating high and low revenue/expense scenarios to reflect uncertainty in level of 3rd Watershed Permit support for the science.

- **Objective 3** – Continue to practice internal controls on chain of custody to enhance transparency and security of authorizations and invoice approval process.

Continued implementing a chain of custody system that meets our needs for reliability and transparency.



BAY AREA CLEAN WATER AGENCIES

RESOLUTION NO. R-23-04

**RESOLUTION HONORING THE SERVICE OF FARID RAMEZANZADEH
TO THE BAY AREA WASTEWATER COMMUNITY**

WHEREAS, Farid Ramezanzadeh received his B.S. in Chemistry from the University of California at Davis in the 1980s and a M.S. in Chemistry from California State University, Sacramento in 1991; and

WHEREAS, Farid developed expertise in analytical chemistry early in his career through employment at several contract laboratories, and was subsequently hired by the City of Hayward in 2003 as the Laboratory Supervisor; and

WHEREAS, Farid served the City of Hayward's Water Pollution Control Facility as Laboratory Supervisor for nearly two decades, ensuring safe drinking water and reliable wastewater treatment for a healthy Bay and community;

WHEREAS, the BACWA Laboratory Committee is an important forum for BACWA members to collaborate, develop professional relationships, exchange information on technical topics, and engage with regulators;

WHEREAS; Farid brought his technical expertise to the BACWA community through service to the BACWA Laboratory Committee, including serving as committee chair; and

WHEREAS, Farid served as a mentor to many staff members from the Bay Area wastewater laboratory community, in particular those members of the East Bay Dischargers Authority laboratory group comprised of the City of San Leandro, Oro Loma Sanitary District, Castro Valley Sanitary District, City of Hayward, Union Sanitary District, City of Livermore, and Dublin San Ramon Services District; and

WHEREAS, Farid had a remarkable impact on the Bay Area wastewater community by fostering a climate of collaboration and friendship;

WHEREAS, Farid was a dedicated environmentalist who used his career in public service to protect the Bay and public health;

WHEREAS, Farid sadly and unexpectedly passed away in September 2022 while on vacation;

NOW, THEREFORE, IT BE RESOLVED that the BACWA Executive Board honors the memory of Farid Ramezanzadeh and his significant contributions to BACWA.

BE IT FURTHER RESOLVED that this Board wishes to offer sincere and heartfelt condolences to Farid's family, friends and community as Farid will truly be missed.

PASSED AND ADOPTED THIS 21st DAY OF OCTOBER, 2022.

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

ATTEST:

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



AGENDA

BACWA Nutrient Strategy Team Meeting

Wednesday, October 19, 2022

3:00 pm – 5:00 pm

1. Introductions and Public Comment
2. Envisioning a new communications initiative
 - a. Support for public outreach to garner support for wastewater, i.e. ad campaigns, public facing website, others
 - b. Update laypersons guide to nutrients
3. Actions to reduce nutrients – what can we put on the table for the 3rd Watershed Permit?
 - Long term – capital projects
 - Medium term – optimization (presentation on WRF tools)
 - Short term - emergency response
 - a. How to compile information about what agencies are planning
 - b. How to provide support for information sharing and dissemination about potential nutrient reduction alternatives, i.e. workshops, tours, etc.
 - c. How to assemble projects for load reduction scenarios
 - d. How to ensure equitable contributions from agencies who do not reduce loads
4. Timeline
5. Action items and next steps

Planning Subcommittee (PSC) Meeting No. 69
September 21, 2022
9:30 am – 12:00 pm
Teleconference
Chair: Ian Wren
Meeting Notes

Attendees: Eric Dunlavey, Tom Mumley, Dave Senn, Kevin Lunde, Ian Wren, Robert Schlipf, Lorien Fono, Ariella Chelsky.

1. *Agenda Modifications*
None.

2. *Review Outstanding Action items*

Action items from previous meetings were put in parking lot, as they don't pertain to the algae bloom, which is the focus of today's meeting.

3. *Science Program updates:*

Funding

SFEI submitted three proposals in response to EPA's WQIF solicitation, including an RMP/NMS project for \$3M. The other two proposals were for sediment management, and green infrastructure for stormwater, respectively. SFEP submitted a proposal for NBS project implementation at Palo Alto, Hayward and FSSD. We'll find out about project approval in December.

Dave noted that if awarded, the WQIF funding to the RMP/NMS will be used for model development, model post-processing, and to port the model into an open-source platform. Some amount of data collection will be funded, including for remote sensing. Additional work includes further source apportionment, and future scenarios modeling investigations.

The NMS program was awarded a small ~\$20K grant from NOAA on rapid response to HABs.

Another \$196K was proposed to NSF to study the algal bloom, which if awarded, could be used to reimburse the extra work over the last month.

Staffing

Melissa is moving to a new role within SFEI, so they have posted an RMP manager position. Since the NMS has not hired an NMS program manager, there will be left over funds for this year. They were going to revisit plans for that role, but were sidetracked by the algal bloom. In the meantime, Lilia has taken on almost all of the field work. The NMS is having ongoing capacity issues.

Other Updates

The Water Board has challenged BACWA to provide a planning deliverable on nutrient reductions. The science plan will need to pivot to support reduction scenarios.

4. Priority Updates

Upcoming Schedule: PS: October 5; SC: December 9.

BACWA will be meeting internally to decide what type of planning actions agencies will move forward with. The Science Program may need to reallocate resources to respond to BACWA's planning needs, and is already reallocating resources to study the bloom. We need to have a concise way to go to the Steering Committee to ask for approval of short-term reallocation of resources for emergency response. We will develop a memo in early October to the Steering Committee, which will ask for Planning Subcommittee authorization to provide interim approvals prior to the next Steering Committee meeting.

Tom asked Dave to provide an estimate of resources already spent on studying and responding to the bloom. He responded that \$50-\$60K of funds have been used for USGS cruises, and about \$40K was needed for staffing reallocation.

5. Discussion Topics

Dave posed the questions: What new information is needed in light of the bloom, and how does this change our priorities?

BACWA is considering short, medium, and longer term responses in terms of nutrient load reductions. Ideally, the science program could respond to the scenarios developed by BACWA.

Dave outlined goals for this meeting, which are establishing processes for redefining science and work priorities; and making interim decisions for near-term issues. Kevin recommended that we focus on near-term decisions, recognizing that we do need to queue up decisions for the future. There was a discussion of permit needs that will inform science priorities. Those need to be finalized by winter 2024, so we don't necessarily need to cover it in detail today.

Tom summarized that the permit will start with an unbuffered load cap, and load reduction will be required during the permit term. BACWA is being asked to make a commitment both within the permit term and after the permit term, recognizing long term capital planning needs and the time needed to implement multiple benefit projects. The Water Board wants to know what load reductions the wastewater community can offer under various scenarios, along with a corresponding timeline? The science program must support the decision making process by modeling the water quality consequences of the various load reduction scenarios. A proposal from BACWA, the framework for which is expected in the next month, will inform a Water Board response, in terms of on-going permit discussions.

The PSC agreed on the need to allocate resources to understand as much as possible/necessary from this bloom, including contributing physical factors and observed water quality processes. We also need to figure out what is needed to implement a more robust monitoring program. Kevin framed this as “what did we miss” during this event, such as systematic fish mortality data. Fish data hasn’t been part of the NMS mission, but perhaps DFW could take the lead in the future. An future early-warning system could consist of strategically deployed moorings, remote sensing, as well as citizen science.

Robert identified an analysis of antecedent conditions to the bloom as a high priority. He also asked whether once an event happens, is it more likely to reoccur, due to the potential for widespread cyst formation resulting from the bloom. He noted that significant load reductions are likely needed given that nitrate was fully utilized during the bloom. Kevin noted that freshwater systems do get stuck in a eutrophic state, but it isn’t known if this happens in estuaries. Dave differentiated between studying risk of a recurrence, vs. how to reduce the magnitude of a similar event. Kevin noted that it’s difficult to predict rare occurrences, since it’d difficult to validate the model without a lot of repeat occurrences. We should look at the return frequency/risk of antecedent meteorological and hydrological conditions. We should also look at reservoir releases, including turbidity data.

To enable budget reallocation to capture our understanding of the bloom and contributing factors, the NMS team will develop a memo for the Steering Committee. This memo shall outline the estimated shift in funding and request permission for the PSC to provisionally approve the reallocation of resources.

Dave raised the issue of the assessment framework, and when that project should move forward in light of the newly proposed priorities. Tom responded that the urgency of the assessment framework effort is reduced in light of the bloom.

The science team is looking into scheduling another model advisory group meeting. It will be focused on model calibration, validation, but also targeting how to incorporate data gathered during the bloom event.

6. *Action items:*

- Develop memo to SC to allow the PSC to provisionally approve reallocation of resources.
- Dave to work with Ian and Ari to start to kick off realignment of science priorities.

Parking lot action items from August:

- Identify confirmed and potential funding sources and how they address needs in the science plan
- For September, agenda discussion of materials to present to BACWA Board (complete)
- Agenda discussion of stakeholder attendance at expert meetings
- Revise state of the science update

7. Parking lot/marina issues

- Tour on USGS vessel

Planning Subcommittee (PSC) Meeting No. 70
October 5, 2022
9:30 am – 12:00 pm
Teleconference
Chair: Ian Wren
Meeting Notes

Attendees: Eric Dunlavey, Dave Senn, Kevin Lunde, Ian Wren, Robert Schlipf, Lorien Fono.

December 9 Steering Committee

The December 9 Steering Committee will be four hours in duration.

Summer 2022 Algal Bloom response – next steps

Kevin provided update on Water Board monitoring at Lake Merritt. It is a nearly enclosed water body. At the end of August, DO went to zero, then stayed flat for a few days then started to slowly recover. We're trying to understand how both DO and toxins contributed to fish mortality. The Water Board tested for known toxins, and concentrations didn't change before and after the fish mortality event, so mortality couldn't be attributed to the toxins that were tested for. Kevin would like to hear feedback from the NMS HABs experts on what happened in Lake Merritt. Ian requested that the Water Board synthesize the data they gathered to provide to the NMS.

CIEA used funds from a Prop 1 implementation grant to supply an aerator to Lake Merritt. Redwood shores is another example of a small sub-watershed where little is known about the impacts. Are there ways to protect these sub-watersheds with aeration? Alex Horne is the consultant on this sort of work – we could work with him to get estimates.

Lorien gave an update on BACWA discussions. BACWA is going to be considering short term, medium term, and longer term nutrient reduction alternatives. They would like to test the reduction scenarios via conceptual estimate and modeling to see how costly vs. effective they would be in improving Bay water quality. To evaluate the impact of actions, the science team would start with back of the envelope calculations and then move into simulations. BACWA will identify actions that could be implemented by next summer in terms of emergency response. Kevin would like to see a table of actions that includes agency, length of response, timing, etc. We could also test these scientifically with a pilot study where we would monitor impacts on the Bay.

NMS Resource Allocation

NMS resources for scenario planning will be moved up in terms of timing. There are resources within the recent WQIF proposal that can be directed toward this work. Resources for the assessment framework could be minimized to get it wrapped up in time for the 3rd Watershed

Permit. We could get specific targeted input from the scientific community on where key efforts lie. Kevin commented that he is not interested in developing SSOs for the sloughs, since SSO development takes a long time. We don't need a numeric objective to assess for impairment, but could use numeric thresholds. We could integrate acute conditions into the deep subtidal assessment framework. It would offer thresholds related to magnitude and duration with respect to chlorophyll and DO. The current assessment framework would not have been able to capture this summer's bloom because it considers recurrence as one of its parameters, and the event only took place once. Dave noted that incorporating acute events would need to consider return frequency. Kevin responded that the frequency of a similar bloom should be zero.

The assessment framework could provide the elements of an early warning system for an acute event. An imaging flow cytobots would be the best use of resources in terms of early warning. Investments to make use and calibrate remote sensing work is needed. Kevin asked for budgets for these different elements.

Ian suggested that the focus over the winter be on synthesis, and ramping up modeling capacity. In the spring, the team should plan to do scenario modeling and developing early warning options, while making sure it is not overly sensitive. He summarized the priorities that were identified at the meeting:

- Scenario monitoring
- Changes to assessment framework
 - Finalize slough DO thresholds
 - Have experts help define acute thresholds
- Changes to mooring network to get better turbidity and DO data
- What data can we get out of remote sensing

Dave asked for feedback on the best way to get Steering Committee approval for resource allocation under emergency circumstances. Ian will draft a message to the steering committee to explain the magnitude of, and reasons for the reallocation. The group agreed that given the time sensitive needs related to the bloom, it is not necessary at this point to schedule an emergency Steering Committee meeting to get approval on resource reallocation, but we will keep the Steering Committee informed.

Action items:

- Water Board to synthesize Lake Merritt Monitoring data (approx. 2 months)
- BACWA to deliver short term scenarios to the NMS for testing by the end of March
- Dave and Ian to draft memo to Steering Committee to explain resource reallocation to respond to the bloom

From: [David Senn](#)
To: [Nutrients Management Strategy Steering Committee](#)
Subject: [Nutrients Mgt Strategy-SC]
Date: Wednesday, October 12, 2022 3:20:06 PM

Dear NMS Steering Committee,

I am writing to follow up on the calendar invite you received earlier today for a December 9 Steering Committee meeting, including a brief update on the NMS' evolving workflow and science priorities, shifts due to the recent HAB event, that will be the focus of the Dec 9th meeting.

See additional details below. Note also that the October 21 meeting is being postponed to December 9th.

Please get in touch if you have any questions.

Thanks,

Dave

- We are postponing the next NMS-SC meeting to December 9th 2022. (please disregard the October 21st invite if it's still in your calendar).
- The December 9th meeting will focus on updating the NMS-SC on the August 2022 HAB event in San Francisco Bay, including proposed changes to FY22/FY23 science priorities that have emerged as a result of the bloom.
- Additional relevant information (high-level) is below:
 - For basic background on the HAB event and early response, please refer [to these materials](#), shared with the NMS-SC while the bloom was in progress.
 - SFEI staff began tracking the HAB event in early August. When satellite-based chlorophyll estimates indicated the bloom was spreading from Oakland/Alameda channel to South Bay (8/4-8/7), SFEI worked with regional collaborators to carry out an intensive set of field investigations to characterize the bloom's progression, including its spatial extent, biomass magnitude, and impacts on water quality. The bloom spread throughout South Bay between August 10-25, and ultimately affected water quality and caused fish kills in South, Lower South, Central, and San Pablo Bays. Phytoplankton biomass levels decreased rapidly in late August. Intensive monitoring continued over the next few weeks to track the more gradual rebound of dissolved oxygen and nitrogen levels in South Bay. Work has now shifted to data analysis and synthesis, along with related program management activities (stakeholder engagement, revising science priorities).
 - The HAB event has already required shifts in some NMS science effort and resources from previously planned FY22/FY23 work. Further adjustments to science priorities and resource reallocations are anticipated over the remainder of the fiscal year. In early-August, 2022, the Planning Subcommittee provisionally authorized the use of \$100,000 from NMS reserve funds to support the emergency field response (including mapping surveys with USGS, sample analyses, etc.) and early data interpretation during the event to guide continued monitoring. Some of this funding will be used to support continued data analysis/synthesis (including numerical modeling) and report preparation; additional (or reallocated) funds may be needed to complete this work. The HAB event is likely to affect the prioritization or time-sequencing of additional NMS science work through the end of the fiscal year (June 30 2023), in particular work needed to inform potential responses (monitoring, management options) to any HAB events that may occur in the near-term

and to inform upcoming SFB nutrient permit considerations.

- During Oct-Nov 2022, SFEI staff will be working with the NMS Planning Subcommittee to identify high-priority adjustments to NMS Science Program work for FY22/FY23. These NMS program priorities will be shared with the NMS Steering Committee, and will be discussed at the December 9th meeting.

ooo

David Senn, PhD
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Richmond, CA 94804
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davids@sfei.org

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You received this message because you are subscribed to the Google Groups "Nutrients Management Strategy Steering Committee" group.

To unsubscribe from this group and stop receiving emails from it, send an email to nms-sc+unsubscribe@sfei.org.

To view this discussion on the web visit https://groups.google.com/a/sfei.org/d/msgid/nms-sc/CAGcGa6OtT1yztZ4wL5piXEO6Vc___jZaoHT-cXYH44yFZp7LWA%40mail.gmail.com.

Wastewater nutrient discharges to San Francisco Bay

San Francisco Board of Supervisors meeting
October 17, 2022

Lorien Fono, BACWA Executive Director



BACWA
BAY AREA
CLEAN WATER
AGENCIES

POTWs: Largest Source of Nutrient Loads



BACWA
BAY AREA
CLEAN WATER
AGENCIES

BACWA is a joint powers authority formed by the
five largest Bay Area Publicly Owned Treatment
Works (POTWs)

7M+
SERVICE
POPULATION



37
WASTEWATER
TREATMENT PLANTS



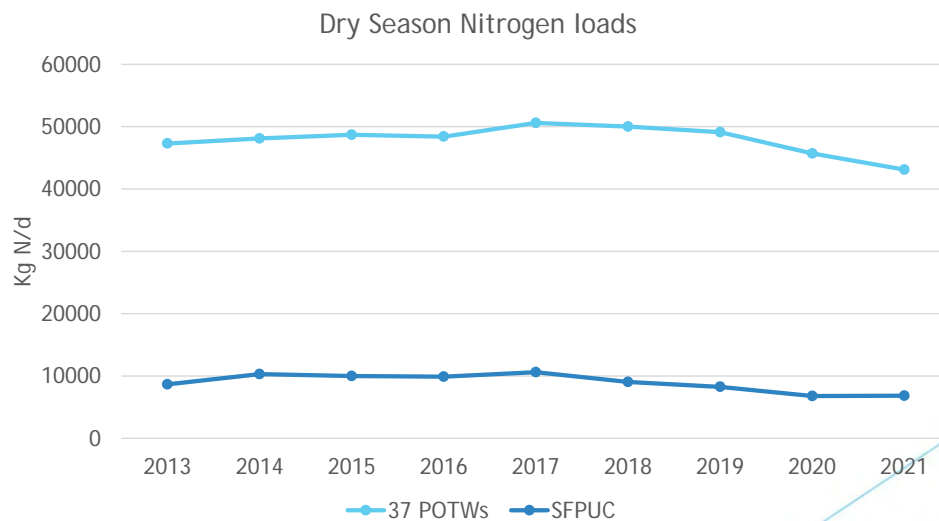
~450
BILLION GALLONS PER DAY
TREATED
EFFLUENT



2/3's
OF NUTRIENT
LOADS TO THE BAY



SFPUC discharges 15-20% of total wastewater nitrogen load



Bringing the science under one tent

- BACWA and the Regional Water Board envisioned stakeholder driven governance of the science program, recognizing that the Regional Water Board retained ultimate authority on regulatory issues.
- Retained facilitator to develop a Charter on a stakeholder driven process for overseeing the scientific investigation, with key tenet the creation of a Steering Committee
- The Nutrient Management Strategy kicked off in 2012
- Since 2013, BACWA has contributed >\$14M to study nutrients in the SF Bay

Working Together for Practical Regulation



BACWA
(wastewater utilities)



The approach in the Bay Area for managing nutrients has received national attention and lauded for its collaboration, as evidenced by receipt of a National Environmental Achievement Award in 2019 from the National Association of Clean Water Agencies (NACWA). NACWA is the nationally recognized leader in legislative, regulatory, and legal clean water advocacy.



2014 & 2019 Nutrient Watershed Permits

NO LOAD CAPS YET

SUPPORT FOR SCIENCE

GROUP REPORTING

REGIONAL STUDIES

Nutrient Reduction Study Report (June 2018)

- ▶ Main report summarizes study findings for all plants
- ▶ 37 individual plant appendices:
 - ▶ Existing plant data
 - ▶ Optimization
 - ▶ Sidestream treatment
 - ▶ Plant upgrades
 - ▶ Emerging technologies



Bay Area Clean Water Agencies
Nutrient Reduction Study

Potential Nutrient Reduction
by Treatment Optimization, Sidestream
Treatment, Treatment Upgrades, and Other
Means

Final Report
June 22, 2018



Regional Study Key Observations



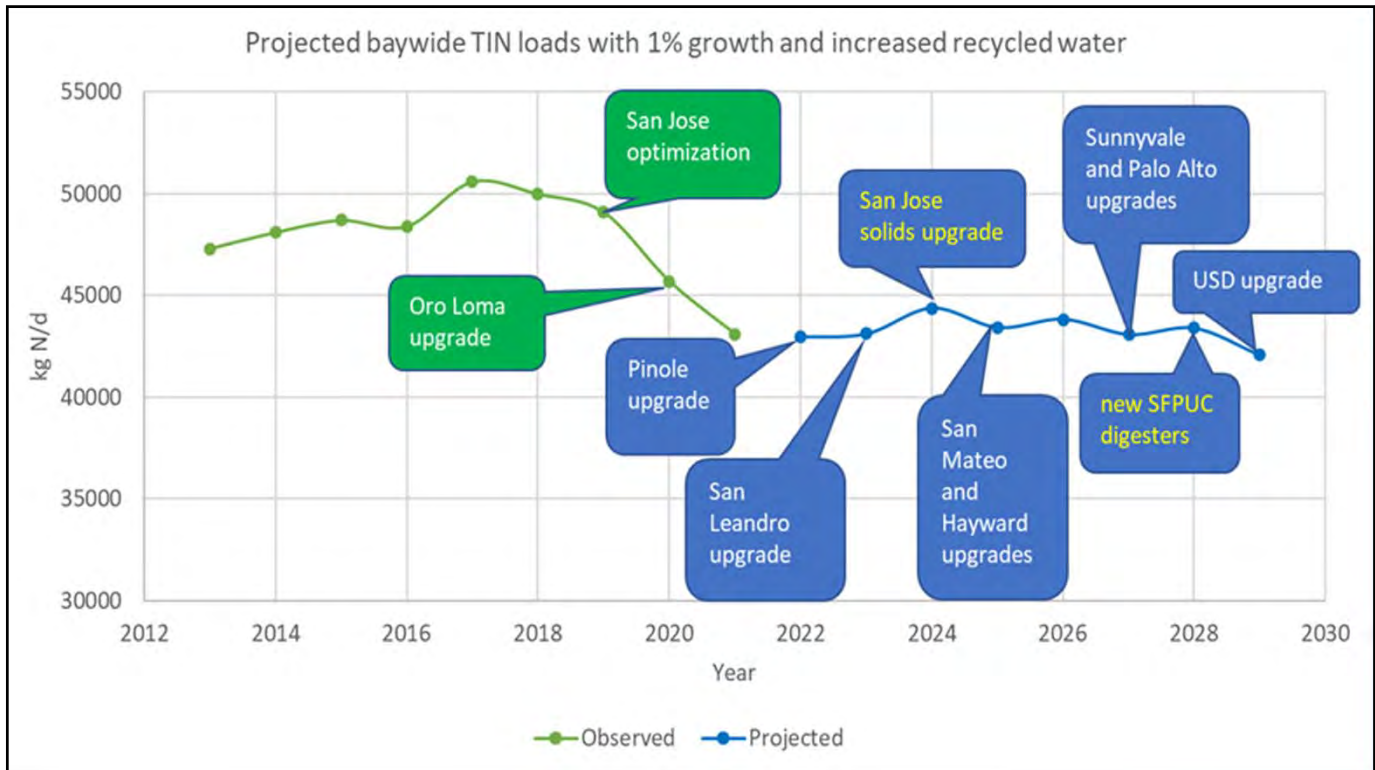
Bay Area Clean Water Agencies
Nutrient Reduction Study

Potential Nutrient Reduction
by Treatment Optimization, Sidestream
Treatment, Treatment Upgrades, and Other
Means

Final Report
June 22, 2018



| Strategy | TN Load Reduction to the Bay | Total Present Value (\$ Mil) |
|------------------------------------|------------------------------|------------------------------|
| Optimization | 7% | \$266 M |
| Sidestream Treatment | 19% | \$766 M |
| Upgrade Level 2 (15 mg/L N) | 57% | \$9.4 B |
| Upgrade Level 3 (6 mg/L N) | 82% | \$12.4 B |



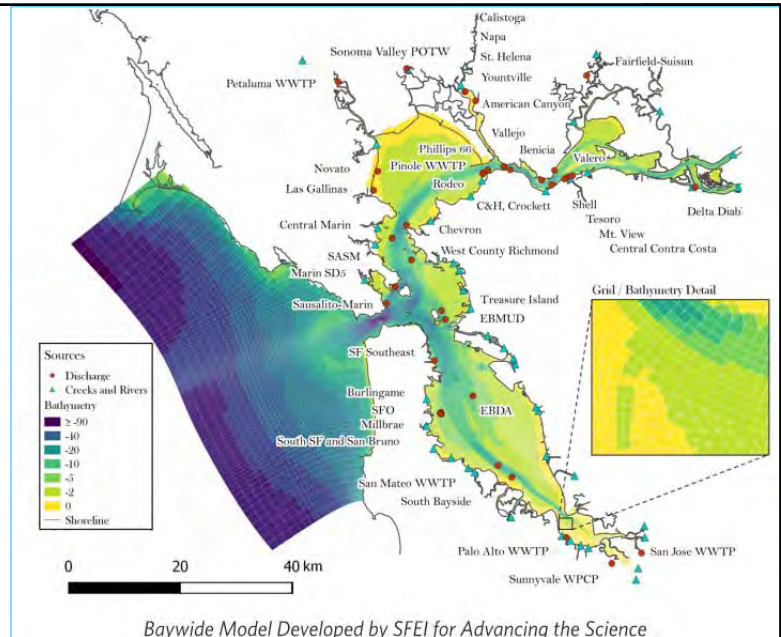
The now

- ▶ 3rd Watershed Permit will include nutrient limits, likely implemented on a Baywide basis
- ▶ BACWA's members will consider and propose load reductions:
 - ▶ Emergency response
 - ▶ Medium term optimization
 - ▶ Long term capital upgrades



The now

- ▶ Work closely with Science Team to predict the impact of nutrient reduction actions
- ▶ Guiding principle:
 - ↑ Cost
 - ↑ Benefits
 - ↑ Certainty of Water Quality Improvements



SFEI AQUATIC SCIENCE CENTER
SAN FRANCISCO ESTUARY INSTITUTE & THE AQUATIC SCIENCE CENTER

Paying for nutrient upgrades

- ▶ Adoption of 1972 Clean Water Act came with \$1B (\$7B in today's dollars) in construction grants
- ▶ Now, improvements are paid largely by ratepayers
 - ▶ Prop 218 requires that rates be set based on the cost of service, not affordability
- ▶ Federal investment is key to a more equitable funding solution



Questions?

Lorien Fono, BACWA Executive Director
Ifono@bacwa.org





OFFICE OF THE GOVERNOR

SEP 29 2022

To the Members of the California State Assembly:

I am returning Assembly Bill 2247 without my signature.

This bill requires the Department of Toxic Substances Control (DTSC) to contract with a multistate chemical data collection entity to create a publicly accessible reporting platform where manufacturers must annually register products or product components sold or distributed in the state containing perfluoroalkyl and polyfluoroalkyl substances (PFAS).

Through the Safer Consumer Products Program, DTSC utilizes technical expertise and best available data to protect consumers and the environment. DTSC also partners closely with U.S. EPA, which is currently undergoing rulemaking to require reporting of PFAS. Based on this activity, this bill may be premature.

This bill is estimated to cost millions of dollars that would result in increased Environmental Fee rates or General Fund resources for the new contract, staff support, and state oversight responsibilities. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending.

The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as

this measure, should be considered and accounted for as part of the annual budget process.

For these reasons, I cannot sign this bill.

Sincerely,

A handwritten signature in black ink, appearing to be "Gavin Newsom", written over a horizontal line. The signature is stylized with a large initial "G" and a long horizontal stroke at the end.

Gavin Newsom



BACWA-BAAQMD Implementation Workgroup Meeting Agenda

Date: October 17, 2022
Time: 3-5 pm
Zoom Link: Link is provided in meeting invite
Call-in: Included in meeting invite

- 1) **Introductions**
- 2) **Overview of Previous Meeting: Decisions and Action Items**
 - a) BACWA to engage BAAQMD (Pam Leong, Carol Allen, Brenda Cabral, Jerry Bovee, and Marco Hernandez and others as appropriate) in the statewide Two-Step Process in late Oct/early Nov.
 - b) BAAQMD to include BACWA (specifically, San Jose-Santa Clara RWF) in the review of the final draft South Bay Odor Study by early fall before public distribution.
 - c) BACWA to provide standard permit conditions edits to Sanjeev.
 - d) BAAQMD to include BACWA in PM 2.5 Local Risk Methodology Development.
 - e) BACWA to resend POTW planning process document per Sanjeev's request.
- 3) **CASA 2-step process to quantify TACs**
 - a) Schedule meeting for November to identify participating facilities (week of Nov 28)
 - b) Comparison of timelines with Rule 11-18
- 4) **Permitting Process and Timelines**
 - a) Permit flow tracking software
 - b) Critical path of permitting
- 5) **Source Test Concerns**
 - a) New methods without notification
 - b) Lack of timely notification of modifications
 - c) Report review and approval timing
- 6) **Other Opportunities for Collaboration between BACWA and BAAQMD**
- 7) **Action Item Summary**
- 8) **Schedule Next Quarterly Meeting:** Monday, January 30th
- 9) **Adjourn**

Climate Change at BACWA

October 21, 2022



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

1

Climate Change at BACWA

- Why? Wastewater Collection Systems and Treatment Plants in the Bay Area are vulnerable to Climate Change
- Who? Agency Points of Contact and Consultants
- When and Where? Emails, Virtual Meetings only as-needed
- What? Discuss Scope

2

2

Climate Change at BACWA

Engagement with Regulators (RWQCB and BAAQMD)

Outreach to Members on
Guidance and Resources



Outreach on Behalf of
Member Agencies

Other Peer Networks of Public
Agencies (e.g., BayCAN, CHARG)

Regional Planning
(Bay Adapt, BCDC, etc.)

Scientists

Water resiliency groups (BAOWN,
WaterReuse, IRWMP, etc.)

Funding
Opportunities

3

3

BCDC will be developing Regional Sea Level Rise Adaptation Guidance

- BCDC has received \$5M (\$2M from Ocean Protection Council and \$3M from State Coastal Conservancy) for this work
 - Reference: [October 20 BCDC Agenda](#)
 - Six new BCDC staff will support implementation of [Bay Adapt](#)
 - BCDC will develop a regional, community-based Shoreline Adaptation Plan
 - "Planning criteria and minimum standards to align Bay Area counties' sea-level rise implementation plans"
 - BCDC is currently devising the framework for this multi-year effort
- Legislation requiring jurisdictions to receive BCDC approval of their sea level plans did not pass ([Veto Message](#))

Potential Action Item: Engagement with BCDC on development of planning criteria

4

4

Water Boards - Climate Change Planning

- Reissued Sanitary Sewer WDRs will require consideration of climate resiliency
- NPDES Permit requirements to assess vulnerability or implement adaptation plans *could* apply in the future in Region 2
- Regional Water Board staff have asked for our assistance assembling agency-specific information related to climate change

Potential Action Item: Assist Regional Water Board in compiling agency-specific info

6

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Integrated Climate Adaptation and Resiliency Program (ICARP) Adaptation Planning Grants

- \$6.6 M per round, 3 rounds
- [Draft Guidelines](#) – Comments Due 10/28
- \$25,000 to \$600,000 per grant
- Co-applicants are required. Explanation required if the applications do not include “robust, diverse multi-stakeholder partnerships.”

Potential Action Item: Comment on draft guidelines and/or conduct outreach to members

8

BACCWE / BACWA O&M Infoshare Joint Meeting Invitation

For over 15 years, the Bay Area Consortium for Water/Wastewater Education ([BACWWE](#)) has been operating as a BACWA Program of Special Benefit, providing technical education to students interested in working in the water industry. Originally contract education courses through Bay Area Community Colleges, the program has recently shifted to a scholarship program, reimbursing students for their tuition and fees related to technical water industry coursework. The program has also expanded from an Operations focus to also include students training in machinery and electronic technology. Unfortunately, there have been very few applications for financial support over the past several semesters.

On November 10, BACWWE will join the BACWA O&M Infoshare meeting to review the program accomplishments and to survey industry professionals about how BACWWE can best support a pipeline of skilled candidates into the industry. We welcome all ideas for how to re-prioritize the focus of the program, and would love for you and your organization to be part of the discussion.

A Zoom option will also be available for remote participation in the discussion (10 am – 12 pm).

The event includes lunch and a tour of the San Jose – Santa Clara Regional Wastewater Facility for those attending in-person. San Jose Santa Clara Regional Wastewater facility is currently undergoing \$2.0 billion dollars of CIP projects that will rebuild and rehabilitate existing infrastructure for various treatment processes. During the tour visitors will be able to catch a glimpse of recently completed projects such thermophilic fixed cover digesters, dissolved air co-thickening and floatation tanks with odor and sludge screening system, new cogeneration engines, emergency diesel generators, and new headworks. Other active construction projects include secondary clarifier improvements, various secondary valves and meter replacements, and blower improvements. Visitors will also be able to look at the existing biological nutrient removal systems, and tertiary treatment process which are unique to San Jose.

[Register here](#). For more information, contact [Jordan Damere](#).



BACWA BOARD POLICIES

POLICY NUMBER: BACWA Administrative Policy 1.10

NAME OF POLICY: Communication Policy

DATE APPROVED:

LAST REVISED:

PURPOSE: A policy outlining the purpose and approvals associated with public communication.

COMMUNICATION POLICY

BACWA is occasionally contacted by the media or wishes to provide public outreach on matters of regional significance. The following principles will apply when conducting communication to the public:

- BACWA staff may respond to media inquiries and speak about issues of regional significance. Questions pertaining to individual agencies will be directed toward the affected agency.
- Where feasible, BACWA staff and Executive Board will develop media talking points on key issues.
- BACWA may conduct outreach to the public on matters of regional importance via BACWA staff efforts, through the Bay Area Pollution Prevention Group (BAPPG), or with the assistance of a consultant. The BACWA Executive Board will have the opportunity to review any communications materials prior to release.
- Routine BAPPG public outreach campaigns related to pollution prevention will be excluded from the requirement for Executive Board review.

APPLICABILITY: This Policy applies to BACWA staff



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 3

FILE NO.: 19-28

MEETING DATE: Dec 21, 2018

TITLE: Request for Board Approval of BACWA Policy BFP-2.04 Financial Reserves

☐ RECEIPT ☐ DISCUSSION ☐ RESOLUTION ☒ APPROVAL

RECOMMENDED ACTION

Approve BACWA Policy BFP-2.04 Financial Reserves that sets the target reserves for the various BACWA Funds.

SUMMARY: It is important that BACWA maintain sufficient reserves to provide for unforeseen circumstances that require funds beyond what has been budgeted. Setting and meeting target reserve levels can impact dues, fees, and surcharges that BACWA collects from its members. Setting target levels is a Board policy issue. The attached policy sets target levels of reserves for the operating, legal and Clean Bay Collaborative funds. A review of the reserve policy will be scheduled every two years..

FISCAL IMPACT

No fiscal impact to BACWA.

ALTERNATIVES

This action does not require consideration of alternatives.

Attachment; BACWA Policy BFP-2.04 Financial Reserves

Approved:

Date: December 21, 2018

Lori Schectel, Chair
BACWA Executive Board



POLICY NUMBER: BFP – 2.04

NAME OF POLICY: Financial: Reserves

DATE APPROVED:

LAST REVISED:

PURPOSE: The Policy sets the target Reserves for the various BACWA Funds (Operations - BACWA Fund), Legal (Legal Fund), and regulatory activities (Clean Bay Collaborative Fund). The level of Reserves is important since it impacts dues, fees, and surcharges that BACWA collects from its Members.

RESERVE POLICY

The amount of Reserves to be held for each Fund will be formally approved by the BACWA Executive Board through the Board Authorization Request process. The Reserve amounts will be reviewed by the BACWA Executive Board every two years and modified as need. The intent is for the Reserve level in each Fund to meet the target level at the end of the Five-Year BACWA Financial Plan which is updated on an annual basis. The target reserves for each Fund are as follows:

BACWA Fund: Will maintain Reserves in the amount of three months Operating Expenses based on the fiscal year in which the amount is determined.

Legal Fund: Will maintain Reserves in the amount of \$300,000.

CBC Fund: Will maintain Reserves in the amount of \$1,000,000

Pardee Technical Seminar 2023

Availability

September 7 & 8

September 21 & 22

October 19-20

Rosh Hashanah September 15-17, 2023

Yom Kippur September 24 & 25, 2023

Committee Request for Board Action: None

Regular meeting: 26 attendees via Zoom representing 15 member agencies and the Regional Water Board

Tentative Orders

The only current Tentative Order is a [WDR for bayfront landfills](#), which would require these facilities to prepare and submit Long-Term Flood Protection Reports. Pacifica expects its Tentative Order soon (it is scheduled for October reissuance), and has already reviewed the administrative draft (see Toxicity item, below). Vallejo expects its permit reissuance in December instead of November.

Climate Change and Sea Level Rise Updates

- The Regional Water Board adopted a Climate Change Basin Plan Amendment at its July meeting. BACWA's minor comments were addressed (see [Tentative Resolution](#) and [Response to Comments](#)). No additional basin plan amendments are planned at this time to address NPDES permitting to nature-based infrastructure, but the NPDES division provided [this reference document](#) to assist with permitting.
- Upcoming events: August 11th - [Rising Groundwater Adaptation Workshop](#)
August 23rd - BACWA Members' roundtable on sea level rise ([Register Here](#))

Chlorine Blanket Permit Amendment

The chlorine [Basin Plan Amendment](#) continues to be delayed. EPA needs to update its biological evaluation to address potential toxicity to fish and conduct a formal consultation with US Fish & Wildlife Service. This process is expected to take at least six months. Meanwhile, the [blanket permit amendment](#) modifying chlorine effluent limits and removing oil & grease monitoring requirements is **not yet effective**. However, limits and monitoring requirements for oil & grease are being removed permit-by-permit.

Implementation of [Statewide Toxicity Provisions](#)

EPA is still reviewing the Statewide Toxicity Provisions, and deciding whether an informal consultation with US Fish & Wildlife Service is required. Final approval may occur as early as September or later in 2023. For Region 2 implementation, Regional Water Board staff are currently proposing a transition plan whereby reissued NPDES permits would contain both existing toxicity language and the new language implementing the Statewide Toxicity Provisions. The transition plan would start with Pacifica's Tentative Order and continue until EPA approval is complete. This approach results in a complex NPDES permit, but will allow agencies to make a faster transition to dropping acute toxicity testing. BACWA will review the template language in Pacifica's Tentative Order when it is released for public comment.

The laboratory analysis portion of the [statewide Ceriodaphnia study](#) is expected to begin soon. This quality assurance study must be complete and provide testing recommendations (if any) by the end of 2023.

Mercury and PCBs Watershed Permit

BACWA has compiled PCB congener data from the last eleven years and has submitted a request for reduced monitoring of PCB congeners to Regional Water Board staff. These materials were previously shared with committee members by email, and were also presented during the meeting. An Administrative Draft version of the reissued permit will be available for a three-week review period beginning on **Monday, August 22nd**. It may be an incomplete draft.

Nutrients Update

The BACWA Executive Director shared slides from the July 28th meeting with Regional Water Board staff to discuss implementation of load caps in the 3rd Nutrient Watershed Permit. BACWA is assembling a handout summarizing the current status of negotiations, which will be shared with members soon.

Other Items

- A 'red tide' bloom of *Heterosigma akashiwo* was reported in the Oakland estuary (see [KTVU report](#))
- The recording of the training session "Understanding your NPDES permit" is available [here](#).
- Sample collection recently wrapped up for Phase 2 of the PFAS Regional Study (see [Sampling Plan](#))
- A revised draft version of the [SSS-WDR](#) will be released around early November ahead of a State Water Board adoption hearing scheduled for December 6 & 7.
- Region 2 will be included in the [2024 303\(d\) listing and Integrated Report](#) cycle. BACWA will share more information as it becomes available.

Next Permits Committee Meeting: October 18, 12:30 PM via Zoom *Note date change from October 11th*

30 attendees representing about 15 member agencies

Roundtable Discussion on Adapting to Sea Level Rise, Extreme Precipitation, and Flooding

Member agency staff representatives and consultants convened over Zoom to hold a roundtable discussion on the topic of planning for sea level rise and associated climate change-induced flood impacts.

BACWA's Regulatory Program Manager started the meeting with a presentation summarizing the results of the 2021 climate change survey performed by the Regional Water Board NPDES Division; regulatory expectations around sea level rise planning; and related resources. The slides are available [here](#). The meeting discussion was focused around survey questions that were shared using Mentimeter software. All of the responses are shown in the anonymous [Mentimeter results](#). Notable points from the discussion included:

- Most agencies understand the risk of sea level rise, but the timing of impacts may be several decades away. In such cases, there are no adaptation projects needed in the near future. Other agencies are already constructing adaptation projects (for example, raising electrical equipment and re-locating or hardening coastal infrastructure).
- The choice of which sea level rise projection to use is not strictly a scientific question, and previously used projections cannot be discarded -- they may live on in capital projects that have already been planned, designed, or constructed. Also, it is strategic to align sea level rise projections with neighboring agencies in order to facilitate regional planning, strengthen interagency ties, and make adaptation projects eligible for funding.
- Some agencies are already struggling with the decision of managed retreat vs. asset hardening, which is politically complex and outside the traditional comfort zone of wastewater agencies.
- Agencies were interested in exploring the idea of adaptive planning and the use of "triggers" to initiate some climate change adaptation projects.
- O&M strategies are a critical component of dealing with increased flood risk.
- A wide variety of regional planning approaches are being used. In some areas around the region, the County is taking a lead role on convening large stakeholder groups. In other areas, county flood control agencies are not involved, and ad-hoc groups have formed to take on shoreline planning tasks.
- Guidance for increased precipitation intensity is not as formalized as the state's guidance on for sea level rise. Attendees reported using best professional judgement to estimate future precipitation intensity (i.e., a 20% increase in storm intensity) or engaging with scientists to obtain site-specific projections for storm intensity, frequency, and duration.
- San Francisco has prepared detailed [sea level planning guidance](#), which is now a local requirement for capital planning. Some attendees are following a similar formal path and adding other elements like green stormwater infrastructure as a planning consideration, while smaller agencies reported using a more informal approach.
- In addition to the [OPC 2018](#) guidance, some agencies mentioned referring to other flood protection tools including Adapting to Rising Tides' [Shoreline Flood Explorer](#) and [Cal-Adapt](#).

Attendees encouraged BACWA to serve as a liaison to regulatory bodies in the region (BCDC, Regional Water Board, etc.) on this topic, and to facilitate information-sharing among members. Sharing climate and sea level rise adaptation plans with one another would be useful.

Committee Request for Board Action: None

19 attendees representing 8 member agencies

Results from Asset Management Solution Survey

Khae Bohan (Central San) presented the [results of a recent survey](#) conducted by the committee regarding asset management solutions. Of 13 respondents, Cityworks was the most commonly used asset management solution for vertical and horizontal assets. Other respondents reported using Maximo, Mainsaver, Hansen, Maintenance Connection, and Infor EAM. Most respondents were happy with their current solution. Respondents also shared criteria for different types of repairs to horizontal assets (i.e., collapsed pipe = emergency repair).

Condition Assessments and Comprehensive Asset Evaluations

Michael Cunningham (Central San) described how his agency has used Comprehensive Asset Evaluation to build upon condition assessment as a way of making informed business decisions about aging infrastructure. The case study in the presentation was Central San's steam system, which is intricately tied to the plant's solids handling system and aeration systems. The presentation and ensuing discussion noted the following:

- The Comprehensive Asset Evaluation used different scoring systems for electrical and non-electrical assets. For electrical assets, standardization is a more important consideration (for training, access to spare parts, etc.). The scoring was relied upon more heavily than typical metrics like consequence of failure and probability of failure, because it includes other drivers like capacity, regulatory constraints, and plant optimization.
- Condition assessments require champions in both engineering and O&M in order to coordinate shutdowns and inspections. It is useful to have an inspection team available on short notice.
- A variety of condition assessment approaches were used. Central San hired [Mistras](#) to perform guided wavelength testing of the steam piping. The test uses a collar around the pipe, and provides information about 50 feet in each direction. It is useful in insulated or large pipes.
- The presentation included color-coded graphics of plant equipment showing remaining useful life in one of 4 categories (immediate, near-term, long-term, and future). Central San has found this graphic to be useful for communicating the results of the asset evaluation.

Next Meeting: November 3, 2022, 1:30 – 2:30 PM

Topic: San José-Santa Clara Regional Wastewater Facility Yard Piping Project

Presenter: Lani Good, P.E., Regional Planning & Asset Management Lead from Black & Veatch

Committee Request for Board Action: None

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

34 attendees (all participating remotely) representing 16 member agencies

Regional Recycled Water Study Update

Mike Falk (HDR) provided a brief update on the progress of the Recycled Water Evaluation that is being conducted in compliance with the 2nd Nutrient Watershed Permit. Agencies should plan to receive draft reports in the coming weeks. The overall report will be drafted next spring.

Funding Updates

Sachi Itagaki (Kennedy Jenks) provided an update on state and federal funding opportunities:

- It is possible to get a second [Recycled Water Facilities Planning Grant](#) for up to \$150,000 from the SWRCB. This is a good option for agencies that have already received a planning grant for non-potable reuse, and want to study potable reuse.
- SGMA funding can be used to fund recycled water projects with a nexus to groundwater (recharge, conjunctive use).
- Title XVI Funding will re-open in 2023.
- Potable reuse pilot project funding may be available from the State in the near future.
- The [Bay Area IRWM Coordinating Committee](#) is formally seeking project proposals for Prop 1 IRWM Round 2 Implementation Funding.

[Valley Water PFAS Update](#)

Jeanine Larabee and Medi Sinaki from Valley Water provided an overview of the ways that PFAS may affect the viability of future potable reuse projects. [EPA](#) and [California](#) are both developing drinking water limits (MCLs) for PFAS compounds. These would replace the current non-enforceable health advisories and notification levels with enforceable limits. EPA's 2022 interim health advisories for PFOA and PFOS are significantly lower than detection limits. The anticipated completion date for the drinking water MCLs is mid- to late 2023. PFOA and PFOS are likely to be the first compounds to be regulated.

Valley Water is planning a 10-MGD advanced water purification facility for treated wastewater from the Palo Alto Regional Water Quality Control Plant. PFAS compounds are removed by Reverse Osmosis (RO), so most of the PFAS present in effluent will end up in RO concentrate. Valley Water is investigating discharge options for the RO concentrate from operation of the proposed facility and from the current Silicon Valley Advanced Water Purification Center. There are not currently PFAS water quality objectives for the Bay based on protecting aquatic life or human health (based on fish consumption), but there could be in the future. For example, the EPA is currently developing objectives for [freshwater aquatic life](#).

BACWA Updates

- In August, the State Water Board released [recycled water volumetric annual reporting data](#), as well as an interactive tool for viewing the data.
- The Division of Drinking Water is [developing regulations for onsite non-potable reuse](#) at commercial and multi-family developments, which BACWA will review. The regulations contain treatment train requirements, and are intended to be implemented by local jurisdictions (e.g., cities) as part of building permitting. BACWA's concern is that implementation should involve participation by wastewater agencies and/or recycled water programs.

Site Supervisor Training Update

A subcommittee is continue to develop video and a script for a site supervisor training video. The draft script will be shared with the Recycled Water committee soon for a brief review period.

Report-Out from WateReuse Conference (All)

The recent WateReuse California Annual Conference held in San Francisco featured many presentations about potable reuse projects under development around the state, including a presentation from DDW on the [development of direct potable reuse regulations](#).

Legislation and Regulatory Update (Reena Thomas, EBMUD)

The following legislation is on the Governor's desk:

- [SB 1157 \(Hertzberg\)](#) – lowers indoor residential use standard to 42 gpcd in 2030. The bill was amended to require studies quantifying impacts on water, wastewater, and recycled water systems.
- [AB 2247 \(Bloom\)](#) – Requires disclosure of products containing PFAS.
- [SB 991 \(Newman\)](#) facilitating progressive design-build projects has already been signed by the Governor

Next Meeting – Tuesday, November 15, 2022, 10:30 am by Zoom

Committee Request for Board Action: None
Detailed Committee Notes are available [online](#).

Regional Water Board Announcements

Alessandra Moyer from the San Francisco Bay Regional Water Quality Control Board announced that the Dr. Teng-Chung Wu Pollution Prevention Award will be awarded to [SF Environment](#) at the October 12, 2022, meeting of the Regional Water Board ([see Board Meeting agenda](#)). The award is for their PFAS-related work over the last few years, including legislation banning PFAS in takeout food containers, setting standards for compostables, working to eliminate PFAS from fire-fighting foam, setting City purchasing standards for PFAS-free carpet, and more.

Updates on Committee Activity and Announcements

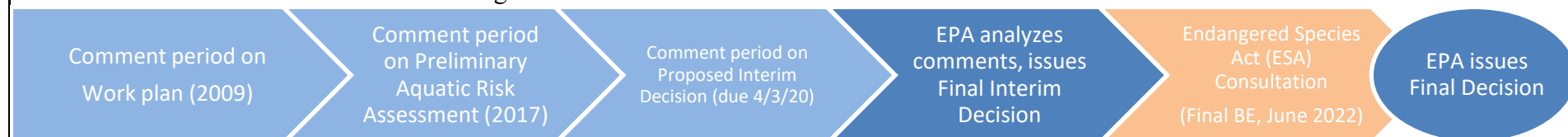
- Budget: Joe Neugebauer reported that 7% of budget has been used for FY23.
- Pesticides Subcommittee:
 - On November 3rd at 6 pm, Stephanie Hughes will be providing a virtual public outreach session on pet pesticides through the City of Santa Clara library. More information is available [here](#). Spread the word!
 - An outcomes evaluation for our comment letter to EPA on neonicotinoids has been posted to the [BACWA website](#). Unfortunately, the governor has [vetoed a bill](#) that would have banned neonicotinoids in ornamental plants.
 - Stephanie Hughes has submitted a proposal for the CWEA annual conference to speak about pesticides and RO concentrate. She will also be presenting to the BACWA Executive Board on Nov. 18th.
- Outreach / Marketing: The [Baywise.org](#) website now offers translation into other languages. Our fall FOG campaign facilitated by SGA is about halfway through, and ads are also running in Spanish. SGA will provide final statistics on the campaign's performance once it is complete.
- BACWA Announcements: The [Regional Monitoring Program Annual Meeting](#) on October 3rd included updates on PCBs, PFAS, and more. The Governor signed legislation banning PFAS in textiles and cosmetics after 2025, but [vetoed a bill](#) that would have required PFAS disclosure in many more consumer products.
- CWEA. The [P3S Conference](#) will be held in Monterey from Jan 30 – Feb 1, 2023.
- EPA P2 Grant. Zoe Lake reported on an upcoming pollution prevention grant opportunity through EPA. This P2 grant is for states and state-affiliated colleges or universities; unlike in past years, when the grant was focused on particular industries, this year the grant is meant to assist businesses impacting human health in Environmental Justice communities (see [EPA map](#)). Members interested in connecting on this opportunity should contact [Zoe Lake](#).

Presentation: Castro Valley Sanitary District "Three P's" Campaign

Mike Nelson from Castro Valley Sanitary District provided information about the District's award-winning "Three P's" campaign. The slides are available [here](#). The campaign all began with signage added to a CCTV van, and has grown to include a display at the library, a contest to win a year's worth of toilet paper, costumes used in parades and other public outreach events, a cartoon shown at the local movie theater, and a song. The cartoon was produced through [Goldstreet Designs](#) and can be customized for your agency for about \$1,200. The "pee" costume is a [water droplet costume](#) painted yellow. The campaign is continuing with more videos, dance moves, and a possible effort to procure the world's largest roll of toilet paper. For more information, reach out to [Mike Nelson](#).

Next BAPPG General Meeting: December 7th, 2022, 10am – 12pm, Zoom

Pesticide: Neonicotinoid Insecticides: Clothianidin, Imidacloprid, and Thiamethoxam [Docket EPA-HQ-OPP-2021-0575]
Use: Pet flea control products; indoor ant/roach/bedbug treatments; direct use inside sewers and manholes
Why we care: Highly toxic to aquatic invertebrates. Proven ability to pass through POTWs and appear in POTW effluent. Monitoring data exceeds aquatic benchmark in many areas of California.
Actions taken: BACWA submitted a comment letter on the Preliminary Aquatic Risk Assessment (2017), Proposed Interim Decision (2020), and Draft Biological Evaluation (2021).
Status: EPA released the Final Biological Evaluation in June 2022.



Next steps: EPA will analyze comments and issue a Final Interim Decision.

Recommendation: No action needed at this time as there is no current opportunity for public comment.

| BACWA Comments to EPA | EPA Response | Did EPA incorporate BACWA's comment? |
|---|---|--|
| <p>BACWA 4/21/2018 Comments to Preliminary Aquatic and Non-Pollinator Terrestrial Risk Assessment (RA) (BACWA resubmitted these comments in 10/25/21 letter to EPA, since EPA did not respond to the 2018 comments.)</p> <p>BACWA would like to respectfully submit the following recently published studies that were not included in the RA:</p> <ul style="list-style-type: none"> Maloney, et. al. (2017) measured acute toxicity of thiamethoxam to <i>C. dilutus</i>. Raby, et.al. (2018) measured acute toxicity of thiamethoxam to 21 different aquatic invertebrates. <p>While these papers provide additional acute toxicity data, BACWA requests that EPA seek to obtain chronic toxicity data to incorporate into the findings in the proposed decision in</p> | <p>EPA Response to Public Comments Received on Draft Biological Evaluations for Imidacloprid, Thiamethoxam, and Clothianidin (June 2022): Specific response to BACWA regarding thiamethoxam:</p> <p>EPA Response: EPA appreciates the submission of both acute and chronic toxicity data to be included in the BE. Acute toxicity data from Maloney et al. (2017; ECOTOX reference 183458) and Raby et al. (2018; ECOTOX reference 178290) were utilized in the aquatic insect species sensitivity distribution (SSD) in the thiamethoxam BE (Appendix 2-5). As for chronic toxicity data, EPA has reviewed and incorporated all available chronic toxicity data that were deemed appropriate for use into the thiamethoxam BE. When evaluating unpublished studies submitted by registrants, EPA utilized the standard test guidelines that were most representative of the studies (e.g., OCSPP 850 test guidelines, OECD test guidelines). For studies available in the scientific literature (identified using the ECOTOX database), EPA used its open literature guidance. Additionally, EPA has acknowledged that it does not have the information sufficient to model POTW effluent toxicity and is using the aquatic concentrations derived for residential uses as a surrogate for indoor uses. EPA has included a summary of the Sandaria et al. papers (2016; 2017) in Appendix B, as well as a comparison of the modeled concentrations to those in municipal wastewater. EPA will work with the Services, as necessary, on finding ways to mitigate the impact of neonicotinoids in municipal wastewater on listed species.</p> | <p>Yes. EPA acknowledged that POTW effluent should be considered as well as acknowledging and including scientific literature submitted by BACWA. In Appendix B, EPA also conducted a comparison of modeled concentrations of all three neonics to monitoring data from the scientific literature submitted by BACWA, noting that most were on the same</p> |

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| <p>order to ensure that any associated mitigation measures are sufficient to prevent POTW effluent toxicity. Chronic toxicity data are recommended for two reasons:</p> <ol style="list-style-type: none"> 1) POTWs continuously discharge to surface waters. 2) Use of acute toxicity data and the common default assumption that the acute-to-chronic toxicity ratio is 10 might significantly underestimate chronic toxicity given that some neonicotinoids are known to have chronic toxicity values that are more than 300-fold lower than the lowest acute toxicity value.¹ | | <p>order of magnitude or higher than the values from the Sadaria studies.</p> |
| <p>BACWA 10/25/2021 Comments to Draft Biological Evaluations for the Neonicotinoid Insecticides Clothianidin, Imidacloprid, and Thiamethoxam</p> <ol style="list-style-type: none"> 1) BACWA was surprised and disappointed that despite detailed scientific evidence shared with EPA Office of Pesticide Programs (OPP) on multiple occasions since 2017 (attached), the neonicotinoid Draft Biological Evaluations do not include the indoor sources of neonicotinoids that are subsequently discharged to municipal wastewater systems, pass through POTWs, and result in discharges that pose ecological risks. Based on the scientific data, we conclude that pet treatments should be | <p>EPA did not directly respond to each of our comments but EPA did note that: “<i>EPA will work with the Services, as necessary, on finding ways to mitigate the impact of neonicotinoids in municipal wastewater on listed species.</i>” (EPA Response to Public Comments Received on Draft Biological Evaluations for Imidacloprid, Thiamethoxam, and Clothianidin (June 2022): Specific response to BACWA regarding thiamethoxam)</p> | <p>To be determined. They state that they will mitigate indoor impacts but because they do not have “information sufficient to model POTW effluent toxicity, their modeling used “residential uses as a surrogate for indoor uses.”</p> |

¹ Roessink, I et al. (2013). *Environmental Toxicology and Chemistry* V.32, No. 5, pp. 1096–1100.
Prepared by Tammy Qualls and Stephanie Hughes

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| <p>expected to cause widespread non compliance with the Federal Clean Water Act. Because 100% of POTWs must comply with the Federal Clean Water Act 100% of the time, risk mitigation for the neonicotinoids is imperative.</p> <p>2) We request that EPA and the Services lay out a specific plan that addresses the primary source of neonicotinoids in municipal wastewater – topically applied pet treatments (pet “spot-ons” and sprays). A first step would be to implement a program to eliminate unnecessary use of neonicotinoids in pet treatments and to minimize POTW discharge quantities. In multiple enclosed scientific papers, we again share the scientific evidence (see Sandaria et al. 2017 and Sandaria et al. 2016, enclosed) around neonicotinoids in municipal wastewater, highlighting the concentrations in municipal wastewater effluent.</p> | | |
|--|--|--|



Media Release

City of San Francisco wins award for efforts to reduce sources of 'forever chemicals'

Scientists have found PFAS in air, soil and water

Oct. 13, 2022

Contact: [Blair Robertson](#), Information Officer

SACRAMENTO – The [San Francisco Department of the Environment](#) has been named the winner of the 2022 Dr. Teng-Chung Wu [Pollution Prevention Award](#) for its work to reduce sources of [PFAS](#) (perfluoroalkyl and polyfluoroalkyl substances) in the environment and set an example for others in the public and private sectors throughout California.

The San Francisco Bay Regional Water Quality Control Board presents this award annually in memory of Dr. Teng-Chung Wu, a former employee and early advocate for pollution prevention. He believed many pollutants could be more effectively eliminated by controlling their sources rather than relying on end-of-pipe treatment.

San Francisco's efforts to tackle the impacts of PFAS are a reflection of Dr. Wu's mindset. Often called "forever chemicals," PFAS refers to a large group of human-made chemicals that are invisible, exceptionally difficult to destroy, and can be toxic to people and animals.

PFAS chemicals have been used widely in many industries since the 1940s and continue to be used in a variety of products, from non-stick cookware and fast-food packaging to waterproof garments and aerosol sprays. Scientists have found PFAS in air, water and soil around the world.

Since 2015, San Francisco has worked to reduce PFAS sources and limit human exposure. In 2018, it passed city-wide legislation banning PFAS in takeout food service ware and in 2020 it worked with the Biodegradable Products Institute to prohibit PFAS in certified compostable food service ware.

San Francisco also passed regulations prohibiting the city from purchasing carpet and furniture with PFAS-containing stain resistance treatments. Additionally, the department has collaborated with the city's Fire Department and related agencies to stop using firefighting foam that contains PFAS.

"We are pleased to accept this award and hope that it not only shines a spotlight on these dangerous chemicals but inspires others to take the necessary steps to eliminate



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

STATE WATER RESOURCES CONTROL BOARD

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PFAS from their daily lives,” said Tyrone Jue, acting director of the Department of the Environment. “We look forward to our continued partnership with the regional water board to eliminate forever chemicals and make San Francisco and California a more sustainable place to live and work.”

The mission of the San Francisco Bay Water Board is to preserve, enhance and restore the quality of California’s water resources for the protection of the environment, public health and all beneficial uses, and to ensure proper water resource allocation and efficient use for the benefit of present and future generations.

**Laboratory Committee –
Report to BACWA Board**

Laboratory committee meeting on: October 11, 2022
Executive Board Meeting Date: October 21, 2022
Committee Chair: Samantha Bialorucki, City of Palo Alto

Committee Request for Board Action: None

Regular meeting: 33 attendees via Zoom representing 24 agencies and the Regional Water Board

Best Practices for Infrared Temperature Measuring Devices

Diane Lawver (Quality Assurance Solutions, LLC) presented on the regulatory requirements related to infrared temperature monitoring devices, also known as “IR Guns.” A recording is available from BACWA. She has also prepared a white paper based on references including 40 CFR Part 136, 40 CFR Part 141, Standard Methods for the Examination of Water and Wastewater (23rd Edition), the TNI 2016 Standard, and the Manual for the Certification of Laboratories Analyzing Drinking Water (2005); she intends to share the white paper with the committee. A few of the concepts covered in the training session include:

- Working IR Guns can be checked against a reference IR Gun that is traceable to NIST or they can be checked against a reference thermometer in water/glycerin. A correction factor can be developed from either approach. The correction factor cannot be more than 1 degree.
- The verification of the working IR Gun should be every 6 months if used for microbiology temperature measurements. If used only for chemistry testing, at least annually. Manufacturer instructions supersede reference method requirements if stricter for verification frequency.
- To get an accurate correction factor, it is best practice to check the IR Gun at the expected temperature of use (<10°C range of use) or to bracket the temperature of use with three points if the range of use is >10°C. Laboratories apply the correction factor closest to the measured temperature or apply an average correction factor for a range of use >10°C.

California ELAP and Third-Party Assessment Findings

Diane Lawver (QA Solutions) also presented on findings from fifty Onsite Assessment Reports (OSAR's) prepared by California ELAP and approved third-party assessors. A recording is available from BACWA. She obtained the OSARs from a public records request and from volunteer agencies, and analyzed 761 individual findings to look for trends. Some of the trends she noted in her presentation were:

- On average, reports from ELAP had 3 times as many individual findings as reports from third-party assessors.
- More than half of all individual findings are related to Section 64802.05 (QA), indicating a problem with omitting required topics from the QA Manual or not following the QA Manual as written.
- For Chemistry methods, BOD and TSS had the most findings written. For Microbiology, media and records had the most findings written. For Fish Bioassay, reference toxicant, SOP's, and water quality testing had the most findings written.

BACWA Updates:

- The Regional Water Board is now including language implementing the Statewide Toxicity Provisions within NPDES Permits; it will become effective after EPA approval. The newest example ([Rodeo SD Tentative Order](#)) is for a deep water discharger and therefore includes surveillance monitoring.
- The [Tentative Order of the Mercury/PCB watershed permit](#) is now available for review and proposes reduced monitoring frequencies for PCB congeners. Provide comments to Mary Cousins by Oct 28.
- Nutrient Data for the Group Annual Report are due to HDR by November 23rd. [Link to Excel template](#).
- Data from Phase 2 of the PFAS Regional Study will be available in early 2023. Meanwhile, EPA is proposing to designate PFAS analytes as Hazardous Substances under CERCLA.

ELAP Updates

- [New ELAP Field of Accreditation Tables](#) were announced 9/28. No new analytical methods or analytes have been added to any FOA tables. Changes do not affect current accreditation.
- ELAP is no longer providing a courtesy Failure to Comply Notice for Proficiency Testing errors or for filling out ELAP FOA tables incorrectly. An error in your application or PT deficiencies that cause denial of accreditation will now require an amendment application to remedy.

TNI Training and Implementation

- The 16th TNI training session with Diane Lawver is scheduled for Tuesday, October 18th. Recordings of previous sessions are available through the [BACWA website](#) (password required).

Remembrance of Farid Ramezanzadeh

Members shared memories of their former Lab Committee colleague, who was part of the Bay Area wastewater laboratory community for 20 years.

Next Regular Meeting : December 13, 2022, Format and Time for Holiday Party TBD



Executive Director's Report to the Board August-September 2022

EXECUTIVE BOARD MEETING AND SUPPORT

- Worked with BACWA staff to plan and manage 8/19 Executive Board meeting
- Conducted the Executive Board meeting agenda review with the BACWA Chair
- Worked with EBMUD and David Brower Center to host September Technical Seminar
- Worked with AED and RMP to plan catering and logistics for 2-day September Technical Seminar
- Worked with BACWA staff to plan and manage September Technical Seminar
- Conducted the Technical seminar meeting agenda review with the BACWA Chair
- Met with individual Board members to discuss regulatory issues
- Reviewed Strategic Plan to determine need for update
- Updated ED Performance Plan and FY22 Evaluation
- Continued to track all action items to completion

COMMITTEES:

- Attended Collection Systems Committee, 8/4
- Attended Permits Committee, 8/9
- Attended Recycled Water Committee, 9/20
- Planned O&M Committee meeting for November

REGULATORY:

- Participated in SWB Volumetric Reporting hearing, 8/2
- Participated in microplastic workshop hosted by Central San, 8/23
- Met with California Attorney General's office to discuss release of PFAS Phase 2 data, 9/29

NUTRIENTS:

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

- Discussed nutrient strategy with member staff
- Participated in planning subcommittee meetings 8/3, 9/21
- Met with Water Board staff to discuss load cap calculation alternatives
- Hosted NST meetings on 8/25, and 9/29
- Visited Lake Merritt to observe fish mortality event, 8/28, 8/29
- Discussed algae bloom with PSC members, BACWA member staff, Board members, and NMS reviewers during various ad hoc meetings
- Developed BACWA Communication on algae bloom
- Spoke to media about algal bloom
- Met with regional stakeholders to plan presentation at SF Board of Supervisors committee meeting on algal bloom
- Met with CIEA to discuss their participation in NMS and RMP, 9/22
- Participated in Assessment Framework subcommittee meeting, 9/28

- Updated early actors memo
- Developed a memo outlining status of Watershed Permit negotiations
- Met with SCCWRP ED to discuss POTW concerns with OAH modeling
- Discussed optimization alternatives with consultants
- Gathered information from members on projects that will impact nutrient loads

FINANCE:

- Met with EBMUD accounting staff for year end close meeting, 8/16
- Reviewed the monthly BACWA financial reports
- Reviewed finances and developed BAR for FY23 NMS payment
- Updated 5-year plan
- Reviewed member invoices prior to distribution
- Updated invoice cover letter
- Reviewed and approved invoices

COLLABORATIONS:

- Participated in CASA Ad-Hoc conservation meeting, 8/1
- Participated in CASA ACE meeting, 8/4
- Attended CASA Summer Conference, 8/10-8/12
- Participated in Bruce Wolfe scholarship award presentation at CASA Summer meeting, 8/11
- Attended SFEP Implementation Committee meeting, 8/17
- Participated in California Water Quality Monitoring Council meeting, 9/1
- Participated in CASA CSWG meeting, 9/21
- Met with WWSCAN to discuss recruiting agencies for WW epidemiology, 8/17
- Participated in IRWMP CC meeting, 8/22
- Participated in CASA RWG strategy meetings on 9/13 (Water), 9/14 (Biosolids)
- Participated in CASA RWG Water meeting, 9/21
- Participated in CASA ACE meeting, 9/22
- Participated in CASA RWG Biosolids meeting, 9/29
- Met with R9 and R2 Water Boards to discuss NMS and regional collaboration model, 9/27
- Developed letters of support for WQIF proposals spearheaded by SFEI and SFEP
- Met with Summit Partners to plan coordination with SWB members on nutrient issues

ASC (AQUATIC SCIENCE CENTER)

- Reviewed materials sent via email by ASC ED
- Discussed onboarding new BACWA designates to ASC Board
- Participated in ASC Board meeting, 9/23

BABC (BAY AREA BIOSOLIDS COALITION)

- Attended 8/8 and 9/12 meetings and drafted meeting summaries

BACC (BAY AREA CHEMICAL CONSORTIUM)

- Discussed chemical costs with members
- Discussed policy issues with administrator and Board member
- Planned and participated in BACC annual meeting, 8/22

- Worked with administrator to solicit legal opinion on changes to bid documentation

BACWWE (BAY AREA COALITION FOR WATER/WASTEWATER EDUCATION)

- Met with BACCWA Executive Committee to plan potential integration into BACWA
- Planned in-person joint meeting with BACWA O&M Committee

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 RPM in the preparation of the monthly BACWA Bulletin.
- Developed and responded to numerous emails and phone calls as part of the conduct of BACWA business on a day-to-day basis.
- Completed Biannual ethics training
- Signed updated SLIP Insurance

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

November 2022 – January 2023 Meetings

| DATE | AGENDA ITEMS |
|-------------------|--|
| November 18, 2022 | Approvals & Authorizations: <ul style="list-style-type: none">• Audit Policy / Strategic Discussion: <ul style="list-style-type: none">• BAPPG Pesticides Presentation Operational: <ul style="list-style-type: none">• Annual Meeting discussion |
| December 16, 2022 | Approvals & Authorizations: <ul style="list-style-type: none">• Policy / Strategic Discussion: <ul style="list-style-type: none">• Operational: <ul style="list-style-type: none">• |
| January 20, 202 | Approvals & Authorizations: <ul style="list-style-type: none">• Policy / Strategic Discussion: <ul style="list-style-type: none">• Operational: <ul style="list-style-type: none">• |



BACWA ACTION ITEMS

| Number | Subject | Task | Responsibiity | Deadline | Status |
|---|--|---|---------------|-----------|----------|
| Action Items from August 2022 BACWA Executive Board Meeting | | | resp. | deadline | status |
| 2022.08.08 | Item 7 Updated Representative Policy | ED to add language requested by Board members | ED | 8/25/2022 | complete |
| 2022.08.09 | Heterosigma akashiwo bloom in SF Bay | BACWA ED to share presentation and talking points with BACWA Members. | ED | 8/25/2022 | complete |
| 2022.08.10 | Heterosigma akashiwo bloom in SF Bay | BACWA ED to organize uniform HAB, and other urgent situations, communication efforts via steering committee. | ED | | WIP |
| 2022.08.11 | BACWA Support for SFEI WQIF proposal | BACWA ED will share proposal with BACWA Board and steering committee. | ED | 9/8/2022 | complete |
| 2022.08.12 | 2022 RMP Update | BACWA ED to share 2022 RMP presentation | ED | 8/25/2022 | complete |
| 2022.08.13 | Debrief from 7/18 BAAQMD/BACWA Reg 2 Workgroup Meeting | ED asked for edits to BACWA minutes from 7/18 meeting be provided by Monday. BACWA ED to submit minutes to Air District next week. | ED | 8/25/2022 | complete |
| 2022.08.14 | Draft agenda for September Technical Seminar | BACWA ED to update the agenda and will share updates with BACWA members. | ED | 9/7/2022 | complete |
| 2022.08.15 | BACWA Representative roles | BACWA ED to make a summary document BACWA representative roles an item a July \ August Executive Board Meeting item. | ED | 8/25/2022 | complete |
| | | | | | |
| | | | | | |
| Action Items Remaining from Previous BACWA Executive Board Meetings | | | | | |
| 2022.3.42 | Plain-language review of nutrient science program | BACWA ED to work with SFEI to augment plain-language review to include graphics, simplified text, and a summary of what we have learned so far. | ED | | on going |
| 2022.6.50 | Sea Level Rise round table proposal | BACWA RPM to organize a sea level rise planning roundtable to occur this summer via Zoom. ☞ | RPM | 9/21/2022 | WIP |

FY23: 14 of 15 Action Items are complete
FY22: 50 of 52 Action items are completed
FY21: 51 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

September 2022

BACWA BULLETIN: Completed and circulated September Bulletin.

CLIMATE: Discussed Sea Level Rise adaptation planning with BCDC and Carollo. Review ICARP Adaptation Planning grant guidelines. Attended webinar on nature-based solutions for shoreline resilience.

NUTRIENTS: Compiled TIN loading data for October 2021 – July 2022 to support communications related to algae bloom. Discussed Recycled Water Study required by 2nd Watershed Permit with HDR; reviewed draft facility reports and provided comments. Participated in Assessment Framework and Nutrient Strategy Team meetings.

PFAS: Coordinated with SFEI and other stakeholders regarding Phase 2 of BACWA Regional PFAS Study. Reviewed draft CASA comment letter regarding CERCLA hazardous substance designation.

COMMITTEE SUPPORT:

General – Issued attendance certificates for committee meetings in FY21-22.

AIR – Attended CASA ACE Meeting and began editing discharger database for determining list of air toxics study participants.

BAPPG – Participated in steering committee and pesticides committee meetings.

Laboratory – Assisted with September TNI training session logistics. Began preparing for October committee meeting.

Permits – Continued review of administrative draft Mercury and PCBs Watershed permit. Transmitted comments to Regional Water Board staff.

Recycled Water – Attended WaterReuse conference. Participated in planning meetings for site supervisor training video. Assisting with planning and notes for September committee meeting. Discuss onsite reuse regulations with Regional Water Board staff. Reviewed draft report on the statewide potential for recycled water use.

Executive Board – Prepared regulatory updates for Technical Seminar held in Orinda. Participated in Technical Seminar with Regional Water Board staff in Berkeley.

ADMINISTRATION/STAFF MEETING – Participated in Staff Meeting.

BACWA MEETINGS ATTENDED:

BAPPG Steering Committee (9/7)
Executive Board Technical Seminar (9/8, 9/9)
BAPPG Pesticides Committee (9/19)
Lab Committee TNI Training (9/20)
Recycled Water Committee (9/20)
NMS Assessment Framework (9/28)
Nutrient Strategy Team (9/29)

EXTERNAL EVENTS ATTENDED:

WaterReuse Conference (9/12, 9/13)
CASA Collection systems Workgroup (9/21)
CASA Air Quality, Climate, and Energy Workgroup (9/22)
CASA Water Regulatory Workgroup (9/22)
Nature-based Solutions for Shoreline Resilience (9/23)
CASA Biosolids Workgroup (9/29)