



March 31, 2023

Mr. John Bauters, Chair
Finance & Administration Committee
BAAQMD
375 Beale Street, Suite 600
San Francisco, CA 94105
ELECTRONIC SUBMITTAL to:

SUBJECT: SUPPORT FOR ADDITIONAL STAFFING FOR PERMIT PROCESSING

Chair Bauters and Members of the Finance & Administration Committee:

The Bay Area Clean Water Agencies (BACWA) is submitting this letter to express the wastewater sector's support for hiring and dedicating additional staff to support permitting activities. BACWA is a joint powers agency whose members own and operate publicly owned wastewater treatment works (POTWs) that collectively provide sanitary services to over 7.1 million people in the nine-county San Francisco (SF) Bay Area. BACWA members are public agencies, governed by elected officials or commissioners, and managed by professionals devoted to community protection.

As public agencies and fellow environmental stewards, POTWs are committed to community protection, including support for BAAQMD's mission to improve air quality in the region. This environmental mission requires our member agencies to continuously collect and treat millions of gallons of wastewater to strict discharge requirements without any service interruptions. Achieving the required treatments goals while minimizing impacts to the communities near the POTWs often requires process modifications and upgrades. Although these upgrades typically reduce emissions, they are subject to a rigorous and lengthy review process to ensure that they meet all the requirements of the applicable air regulations.

POTWs try to work in close coordination with BAAQMD staff to account for appropriate considerations in their planning efforts. When available to discuss projects, BAAQMD staff often provide helpful guidance. However, changes in policy, regulations, and staff have led to unanticipated challenges with many projects that have resulted in cumbersome delays and additions costs to ratepayers. The challenges are magnified by a lack of staffing resources that causes long permitting delays and uncovers new significant issues months after submittal of the application and after designs have been finalized.

While BACWA greatly appreciates the efforts made by staff to date, Bay Area POTWs are experiencing extended permit review periods of a year or more for critical projects. The following projects serve as examples of this issue:

- Emergency generator and odor control project – 14 months
- Odor Control project – 15 months
- Two boilers – 14 months
- Cogeneration/biogas conditioning project – 17 months
- Headworks and odor control project – 16 months

Because these projects are necessary for protecting communities, most need to be completed in a timely manner. However, project implementation is being delayed as a result of delayed permit issuance, posing a risk to operations, a risk to regulatory compliance and public health, and an increase in project change orders that can result in costly construction delay claims from contractors, and, in turn, ratepayers.

BACWA respectfully requests additional resources be prioritized for and allocated to the permitting process. BACWA specifically requests additional staff serving in the permitting, source testing, and dispersion modeling groups deployed to reduce permit process review times and avoid violations and costly delays.

We would be happy to discuss any questions regarding the information provided. Please contact me with any questions at lfono@bacwa.org.

Sincerely,



Lorien Fono, Ph.D., P.E.
Executive Director
Bay Area Clean Water Agencies

Cc: Dr. Philip Fine, BAAQMD Executive Officer
Greg Nudd, BAAQMD
Pamela Leong, BAAQMD
Davina Hurt, Vice Chair, BAAQMD Finance & Administration Committee
Margaret Abe-Koga, BAAQMD Finance & Administration Committee
David Haubert, BAAQMD Finance & Administration Committee
Lynda Hopkins, BAAQMD Finance & Administration Committee
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