



**Executive Board Meeting
AGENDA**
Friday, October 18, 2024 9:00 AM - 12:30 PM (PDT)
 Central San, 5019 Imhoff Place, Martinez, CA 94553-4392
 To attend the meeting via Zoom or submit a comment please [request access](#).

<u>Agenda Item</u>	<u>Time</u>	
ROLL CALL, INTRODUCTIONS, AND TELECONFERENCE ETIQUETTE	9:00 AM	
PUBLIC COMMENT Guidelines	9:05 AM	
CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER	9:10 AM	
CONSENT CALENDAR	9:11AM	
1 August 16, 2024 BACWA Executive Board meeting minutes		3-7
2 August 16, 2024 BACWA/R2 Special Joint meeting minutes		8-9
3 August 2024 Treasurer's Report		10-18
APPROVALS AND AUTHORIZATIONS	9:15 AM	
4 <u>Approval</u> : FY2024 BACWA Annual Report		19-41
POLICY/STRATEGIC	9:25 AM	
5 <u>Presentation</u> : RMP Priorities and Update		
6 <u>Discussion</u> : Debrief from Pardee Technical Seminar		42-43
7 <u>Discussion</u> : Nutrient Permit Support RFP posted Link to RFP		44-72
8 <u>Discussion</u> : Memo justifying Non-competitive EPA grant for nutrient management		73-79
9 <u>Informational</u> : NMS Meeting Minutes		80-94
i. September 11, 2024 Planning Subcommittee		
ii. September 24, 2024 Planning Subcommittee		
iii. October 11, 2024 Steering Committee Meeting		
10 <u>Informational</u> : BCDC Regional Shoreline update		
11 <u>Discussion</u> : Debrief from 9/23 BAAQMD/BACWA Workgroup meeting and 9/30 Anaerobic Digestion Meeting		95-112
12 <u>Informational</u> : BACWA Comments on Triennial Review		113-115
13 <u>Informational</u> : NapaSan awarded Dr. Teng-Chung Wu P2 Award		116
BREAK	10:30 AM	
OPERATIONAL	10:45 AM	
14 <u>Informational</u> : Debrief from David Jenkins scholarship workshop Workshop Page		
15 <u>Discussion</u> : Draft agenda and logistics for R2 Joint meeting, Nov 22		117
16 <u>Informational</u> : Update on BABC integration into BACWA		118-120
17 <u>Discussion</u> : Strategic Plan Update		121-127
18 <u>Discussion</u> : Holiday meeting and committee chair appreciation		
19 <u>Discussion</u> : Meeting dates for CY 2025		128
20 <u>Discussion</u> : BACWA Representatives Update		
21 <u>Discussion</u> : ED Performance Evaluation Logistics		
REPORTS	12:10 AM	
22 Committee Reports		130-138
23 Member highlights		
24 Executive Director Report		139-141
25 Board Calendar and Action Items		142-143
26 Regulatory Program Manager Report		144-145
27 Other BACWA Representative Reports		
a. RMP Technical Review Committee	Samantha Engelage, Alicia Chakrabarti	
b. RMP Steering Committee	Karin North; Amanda Roa; Eric Dunlavey	
c. Summit Partners	Lorien Fono; Jackie Zipkin	
d. ASC/SFEI	Lorien Fono; Amit Mutsuddy; Lori Schectel	
e. Nutrient Governance Steering Committee	Amit Mutsuddy, Eric Dunlavey; alternates: Lori Schectel, Jackie Zipkin	
e.i Nutrient Planning Subcommittee	Eric Dunlavey	
e.ii MERHAB MaTAG	Amit Mutsuddy	
f. SWRCB Nutrient SAG	Lorien Fono	
g. BAIRWMP	Cheryl Munoz; Florence Wedington; Jackie Zipkin	
h. NACWA Emerging Contaminants	Karin North; Melody LaBella	
i. CASA State Legislative Committee	Lori Schectel	

j. CASA Regulatory Workgroup	Lorien Fono; Mary Cousins		
k. RMP Microplastics Liaison	Artem Dyachenko		
l. Bay Area Regional Reliability Project	Jackie Zipkin		
m. WateReuse Working Group	Cheryl Munoz		
n. San Francisco Estuary Partnership	Lorien Fono; Jackie Zipkin		
o. CPSC Policy Education Advisory Committee	Colleen Henry		
p. California Ocean Protection Council	Lorien Fono		
q. Countywide Water Reuse Master Plan	Karin North, Pedro Hernandez		
r. CHARG - Coastal Hazards Adaptation Resiliency Group	Jackie Zipkin		
s. California Water Quality Monitoring Council	Lorien Fono		
t. CASA Air Toxics Steering Committee	Lorien Fono, Jason Nettleton		
28 SUGGESTIONS FOR FUTURE AGENDA ITEMS		12:25pm	
NEXT MEETING			
The next meeting of the Board is scheduled for December 6, 2024 at EBMUD Downtown			
ADJOURNMENT		12:30 PM	



B A C W A
BAY AREA
CLEAN WATER
AGENCIES

Executive Board Meeting Minutes
Friday, August 16, 2024, 9:00 AM - 12:30 PM (PDT)
EBMUD Downtown Oakland
375 11th Street, Oakland, CA

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

Other Attendees (Not including closed session):

Name	Agency/Company
Amanda Roa	Delta Diablo
Blake Brown	Central San
Dan Gill	DSRSD
David Donovan	City of Hayward
David Richardson	Woodard & Curran
Felix Meneau	City of Berkeley
Jennifer Dymont	BACWA
Jordan Damerel	Fairfield-Suisun Sewer District
Julie Weiss	City of Palo Alto
Lorien Fono	BACWA
Mary Cousins	BACWA
Meg Herston	Fairfield-Suisun Sewer District
Melody Tovar	City of Sunnyvale
Mike Connor	Consultant
Rob Learmonth	City of San Mateo
Sara Sadreddini	Black & Veatch
Tim Lewis	Dublin San Ramon Services District
Tom Hall	EOA
Warner Chabot	SFEI

Jackie called the meeting to order at 9:01.

Agenda Item

ROLL CALL, INTRODUCTIONS, AND TELECONFERENCE ETIQUETTE

PUBLIC COMMENT No comments.

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER A motion to approve the use of AB2449 Teleconferencing for Emergency Circumstances due to a board member with COVID. A motion

to approve was made by Amit Mutsuddy (EBMUD) and seconded by Amy Chastain (SFPUC). The motion was approved by the remaining board members, EBDA abstained from voting. Item 7 will be taken out of order when Warner Chabot arrives. Items 18, 21, 22, & 24 to be taken after morning break due to presenter's schedule.

CONSENT CALENDAR

- 1 July 19, 2024, BACWA Executive Board meeting minutes
- 2 Aug 6, 2024, BACWA Special Executive Board meeting minutes
- 3 June 2024 Treasurer's Report

Consent Calendar items 1 thru 3: A motion to approve was made by Amit Mutsuddy (EBMUD) and seconded by Eric Dunlavey (City of San Jose). The motion was approved by the remaining board members. Central San abstained from voting on item 1.

APPROVALS AND AUTHORIZATIONS

- 4 Authorization: EDAR Lab Committee training \$2,500 for methods update rule
- 5 Approval: BAR NMS Payment Installment # 1 for FY25, \$1.1M

Approvals and Authorizations item 5: A motion to approve was made by Lori Schectel (Central Contra Costa Sanitary District) and seconded by Amit Mutsuddy (EBMUD). All were in favor. None opposed. None abstained.

POLICY/STRATEGIC

6 Presentation: 2024 Biosolids Survey Trends - BACWA RPM shared results of draft Biosolids survey that was circulated in the spring of 2024 with the same 31 agencies surveyed in the last 3 reports. RPM presented slides that summarized major biosolid trends including hauling costs, vendors, application and future plans. The meeting attendees discussed the report following presentation.

7 Discussion: Coastal Climate Resilience learning opportunity - Warner Chabot from SFEI shared that there is a new course at UCSC in coastal climate resilience program for community-based organizations in the impacted communities. The program could greatly help disadvantaged populations that are vulnerable to sea level rise and flooding. The program costs \$2,500 per attendee. SFEI requested a \$4,000 donation to sponsor a CBO member to attend participate in the course. A syllabus of the class is in the packet. SFEI would like to bring a similar class to the Bay Area based on what is learned at the UCSC class. BACWA ED reviewed BACWA's rubric for evaluating collaborative opportunities with the meeting attendees. The BACWA board members were supportive of sponsoring a \$4,000 scholarship, and requested feedback from the scholarship awardees on how to bring a similar training to the Bay Area.

Action item: BACWA ED and AED to secure invoice and send sponsorship payment.

BREAK: 10:17-10:27

8 Discussion: Summary of Watershed Permit activities - BACWA ED shared a slide that summarized the key tasks and due dates to be completed in the next year. BACWA ED will be reaching out to agencies to explain how BACWA will support members.

Action item: BACWA ED to work with member agencies on roles, responsibilities & timeline.

9 Discussion: Outline of RFP for Watershed Permit Support - BACWA ED shared a slide that summarized a straw proposal for the RFP, including a project description, scope of services, proposal and project schedules, and selection criteria. The meeting attendees discussed plans for finalizing the RFP and managing the selected consultant. Attendees discussed that the contract management group will be the same as the selection committee.

Action item: BACWA ED to work on scope of RFP and will have a draft at Pardee Technical Seminar.

10 Informational: Submission of Petition to State Water Board on Watershed Permit - BACWA ED reported that BACWA's petition on the Nutrient Watershed Permit was placed in abeyance, and no agencies submitted an active petition.

11 Discussion: Proposal, timeline, and background for compliance schedule amendment - BACWA ED and meeting attendees discussed the process for seeking an amendment to the State Water Board's compliance schedule policy, which will begin with discussions with RWB staff and members.

12 Informational: BACWA Comments on BAAQMD Strategic Plan, Aug 5 - the comment letter was included in the packet.

13 Discussion: Preparation for Aug 16 joint meeting with the Water Board - Attendees discussed the agenda for the upcoming meeting with RWB staff to be held later the same day.

14 Discussion: Potential future funding workshop - BACWA ED shared ideas for a future workshop related to funding of nutrient removal projects, including presentations about WIFIA (USEPA), SRF (State Water Board, Bond financing (Oppenheimer). Case studies from members such as USD, EBMUD, and Central San would also be useful. Attendees suggested coordinating with CWEA to publicize the event.

15 Informational: SSMP Guidance Finalized - BACWA RPM shared that the Sewer System Management Plan guidance document is now available on the BACWA website.

16 Informational: Baywise update is live - BACWA RPM shared that the updated Baywise.org website is now available. Attendees suggested adding more content related to PFAS.

17 Informational: Dr. Teng-Chung Wu Award Nominations Due September 6th - BACWA RPM requested that attendees submit nominations to the RWB for this annual pollution prevention award.

OPERATIONAL

18 Informational: FY24 Closeout Review - BACWA AED summarized documents in the packet. Expense and revenue lines that came in over or under budget were reviewed with the group.

19 Informational: Register for David Jenkins scholarship workshop – BACWA ED shared that 70 people have registered so far.

20 Discussion: Invitations and draft Program for Pardee Technical Seminar Sept 5/6, 2024 - BACWA AED shared the draft agenda. RWB staff do not plan to attend Pardee this year, but the BACWA board will hold a separate event with RWB staff in November (see next item).

21 Discussion: Location for all-day meeting with Water Board, Nov 22 - BACWA AED shared potential venues for the meeting with RWB staff, as listed in the packet.

Action Item: BACWA ED and AED to share meeting location information when available.

22 Informational: Listserv transferred from Google Groups to in-house service - BACWA AED shared that BACWA email lists were moved to a new in-house service. Google made changes to their groups product that do not work for BACWA listservs.

23 Discussion: FY 25 Meeting dates and locations - item is in the packet

24 Informational: BACC Update - Annual meeting August 27 - BACWA AED shared that the annual meeting is scheduled for August 27. BACC members are also aware of a possible chlorine shortage due to a rail strike in Canada.

REPORTS

25 Committee Reports - in the packet

26 Member highlights - Meeting attendees shared updates at their agencies.

27 Executive Director Report - in the packet

28 Board Calendar and Action Items - in the packet

29 Regulatory Program Manager Report - in the packet

30 Other BACWA Representative Reports - none

a. RMP Technical Review Committee Samantha Engelage, Alicia Chakrabarti

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

c. Summit Partners Lorien Fono; Jackie Zipkin

d. ASC/SFEI Lorien Fono; Amit Mutsuddy; Lori Schectel

e. Nutrient Governance Steering Committee Amit Mutsuddy, Eric Dunlavey; alternates: Lori Schectel, Jackie Zipkin

e.i Nutrient Planning Subcommittee Eric Dunlavey

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- r. CHARG - Coastal Hazards Adaptation Resiliency Group Jackie Zipkin
- s. California Water Quality Monitoring Council Lorien Fono
- t. CASA Air Toxics Steering Committee Lorien Fono, Jason Nettleton

31 SUGGESTIONS FOR FUTURE AGENDA ITEMS

NEXT MEETING

The next meeting of the Board is scheduled for October 18, 2024, at Central San

ADJOURNMENT 12:41 pm



Special Executive Board Meeting Minutes
Joint Meeting with Regional Water Board Staff
August 16, 2024

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Amit Mutsuddy (EBMUD), Jackie Zipkin (East Bay Dischargers Authority); Eric Dunlavey (San José), Lori Schectel (Central San); Amy Chastain (SFPUC)

Other Attendees:

Name(s)	Agency
Eileen White, Kevin Lunde, Bill Johnson, Richard Looker, Robert Schlipf	San Francisco Bay Regional Water Quality Control Board
Lorien Fono, Mary Cousins	BACWA
Blake Brown	Central San
Amanda Roa	Delta Diablo
David Donovan	Hayward

The meeting began at 1:05 pm and was conducted in hybrid format, with participants joining virtually and in-person at the Regional Water Board’s offices in Oakland. There was no public comment.

AGENDA ITEMS

Agenda Item 1 – Agency Updates

Regional Water Board Executive Officer Eileen White reported that Tom Mumley has officially retired from his role as Assistant Executive Officer. The Regional Water Board has been impacted by budget cuts, and has permanently lost 6 positions (all currently vacant), including one position in enforcement. Eileen also reported that she has been working with Regional Water Board and State Water Board representatives on potential changes to the state’s compliance schedule policy, as envisioned by [Resolution R2-2024-0014](#).

BACWA’s Executive Director Lorien Fono reported that Jackie Zipkin is now serving as the BACWA Executive Board chair. EBMUD reported that their biological nutrient removal pilot project was able to treat 50% of the plant’s split flow, and they will aim for 75% next year. San Jose has hired a new plant operator, and is working on an agreement with San Jose Water to expand deliveries of non-potable recycled water. SFPUC reported that the Southeast headworks project is now online, construction of the Treasure Island facility is moving forward, and a microbial source tracking project near Candlestick Point is underway.

Agenda Item 2 – PFAS

BACWA plans to contribute to the [PFAS Sources to Solutions Project](#) that is being partially funded by USEPA and led by SFEI and the California Department of Toxic Substances Control. Regional Water Board staff from several divisions, particularly groundwater cleanup, are tracking PFAS-related issues. Regional Water Board staff agreed to provide BACWA with points of contact for PFAS-related questions. After the meeting, Alessandra Moyer and Natlie Lee were identified as the main points of contact, with Maggie Monahan and Kimberlee West available as additional resources.

Agenda Item 3 – Climate Change

Regional Water Board staff members are participating in development of the BDCD Regional Shoreline Adaptation Planning guidance, a draft of which will soon be released for public comment. Regional Water Board staff are also interested in having BACWA facilitate development of a database regarding wastewater agencies' adaptation plans, similar to the information collected in the Regional Water Board's 2021 questionnaire.

Agenda Item 4 – Basin Planning

In mid-September, Regional Water Board staff expect to release a draft staff report identifying candidate projects for the Triennial Review of the Basin Plan, which will allow time for public review prior to the December Board meeting. A [previous Basin Plan amendment](#) approved by USEPA in 2022 removed the need for fecal coliform limits for deep water dischargers to protect the shellfish beneficial use. Regional Water Board staff reported that they do not have sufficient staff resources to re-open permits affected by this policy change; they plan to continue modifying permits as they reach their expiration dates.

Agenda Item 5 – Nutrients

In fall 2024, BACWA plans to issue an RFP for consultant support for annual reports and regional planning required by the Nutrient Watershed Permit reissued in July ([R2-2024-0013](#)). Regional Water Board staff shared that Kerry O'Connor will be replacing Gaurav Mittal in the role of supporting permit implementation.

Attendees discussed strategies for developing edits to the 2008 compliance schedule policy, including logistics and personnel to be involved at each step. An amendment may be useful to address nutrient removal requirements in other parts of the state, and/or other constituents such as PFAS. The State Water Board's process can be time-consuming, but the goal is to have a compliance schedule policy amendment completed well before the next reissuance of the Nutrient Watershed Permit.

The next Nutrient Management Strategy steering committee meeting is scheduled for October 11th. Attendees discussed strategies for supporting SFEI's efforts to develop plain-language updates on the science program's accomplishments, and their support for additional nutrient science program staff in a program manager role.

The meeting was adjourned at 3:02 pm.



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

September 23, 2024

MEMO TO: Bay Area Clean Water Agencies Executive Board
MEMO FROM: Phoebe Grow, Treasurer, East Bay Municipal Utility District
SUBJECT: Second Month FY 2024 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, 2024 through August 31, 2024** (Two months of Fiscal Year 2025). 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),
- BACC Legal Reserve Fund (BACC Legal Rsrv),
- Water/Wastewater Operator Training (WOT),

Houck, Matt

From: Grow, Phoebe
Sent: Monday, September 23, 2024 10:41 AM
To: Houck, Matt
Subject: RE: August 2024 Treasurer's Report

Approved. Thanks Matt!

Phoebe Grow, P.E. (she/her) | Principal Management Analyst | 510.287.0205 | phoebe.grow@ebmud.com

From: Houck, Matt <matt.houck@ebmud.com>
Sent: Monday, September 23, 2024 9:04 AM
To: Grow, Phoebe <phoebe.grow@ebmud.com>
Subject: August 2024 Treasurer's Report

Hi Phoebe,

Please approve BACWA - August 2024 Treasurer's Report for distribution.

Let me know if you have any questions.

Thanks,

Matt Houck

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



MONTHLY FINANCIAL SUMMARY REPORT

August 2024

Fund Balances

In FY24 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 resources for BACWA staff, its committees, and other administrative needs. The ending fund balance on August 31, 2024, was \$1,034,029 which is significantly higher than the target reserve of \$384,651 which is intended to cover 3 months of normal operating expenses based on the BACWA FY25 budget. \$762,128 is 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, which leaves \$271,901 unobligated.

CBC Fund: This fund provides the resources for completing special investigations as well as meeting regulatory requirements. The ending fund balance on August 31, 2024, was \$3,226,103 which is higher than the target reserve of \$1,000,000. \$113,442 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 \$2,112,661 (i.e., actual fund balance of \$3,112,661 less target reserves) as of August 31, 2024. 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, 2024 (81% of the FY) are at 0.8%

Expenses as of August 31, 2024 (16% of the FY) are at 29%

FY 2025
BACWA BUDGET to ACTUAL

						
<u>BACWA FY25 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2025 Budget</u>	<u>Actual August 2024</u>	<u>Actual % of Budget August 2024</u>	<u>Variance</u>	<u>NOTES</u>
REVENUES & FUNDING						
Dues	Principals' Contributions	\$553,929	\$553,930	100%	\$1	FY25: 3% increase 5 @ \$110,786
	Associate & Affiliate Contributions	\$195,780	\$195,780	100%	\$0	FY25: 3% increase. 12 Assoc: \$9142 47 Affiliate: \$1831; UC Berkeley \$500
Fees	Clean Bay Collaborative	\$675,000	\$675,000	100%	\$0	Same as FY23. Prin: \$450,000; Assoc/Affil: \$225,000
	Nutrient Surcharge	\$1,600,000	\$1,600,000	100%	\$0	See Nutrient Surcharge Spreadsheet
	Voluntary Nutrient Contributions		\$0	0%	\$0	
Other Receipts	AIR Non-Member	\$7,582	\$7,582	100%	\$0	3% increase (Santa Rosa)
	BAPPG Non-Members	\$4,264	\$0	0%	-\$4,264	3% increase (Sta Rosa, Sac Reg'l, Vacaville) \$1,421/each
	Other		\$0		\$0	
Fund Transfer	Special Program Admin Fees (WOT)	\$1,000	\$0	0%	-\$1,000	
	Special Program Admin Fees (BACC)	\$39,522	\$0	0%	-\$39,522	400 hours of AED support \$98.80/hr
	Special Program Admin Fees (BABC)	\$6,000	\$0	0%	-\$6,000	ED, AED and RPM support
Air Toxics	CASA Passthrough	\$600,000	\$0			New in FY25
Interest Income	LAIF	\$80,000	\$31,229	39%	-\$48,771	BACWA, Legal, & CBC Funds invested in LAIF
	Total Revenue	\$3,763,077	\$3,063,521	81.41%	-\$699,556	
EXPENSES						
Labor						
	Executive Director	\$224,230	\$18,686	8%	-\$205,544	(incl 2.6% CPI SF Bay Metro Area Dec 2023)
	Assistant Executive Director	\$94,417	\$9,127	10%	-\$85,290	(incl 2.6% CPI SF Bay Metro Area Dec 2023); \$78.68/hour; Reflects 1200 hours
	BACC Administrator	\$39,522	\$988	2%	-\$38,534	400 hrs AED support at \$98.80 per hr
	Regulatory Program Manager	\$156,136	\$13,242	8%	-\$142,894	(2.6% CPI SF Bay Metro Area Dec 2023); \$115.65/hour, Reflects 1350 hours
	Total	\$514,304	\$42,043	8%	-\$472,261	
Administration						
	EBMUD Financial Services	\$43,297	\$0	0%	-\$43,297	FY25 no change
	Auditing Services	\$5,672	\$0	0%	-\$5,672	Financial Auditors through EBMUD; per auditor rate schedule
	Administrative Expenses	\$4,059	\$99	2%	-\$3,960	50% less than FY24
	Insurance	\$10,753	\$0	0%	-\$10,753	15% increase from FY24 (10-15% est. increase per Alliant)
	Total	\$63,781	\$99	0%	-\$63,682	
Meetings						
	EB Meetings	\$3,500	\$292	8%	-\$3,208	27% increase from FY24
	Annual Meeting	\$14,369	\$0	0%	-\$14,369	No change from FY24
	Pardee	\$6,801	\$0	0%	-\$6,801	No change from FY24
	Misc. Meetings	\$10,000	\$1,543	15%	-\$8,457	33% increase from FY24 to accommodate conferences
	Total	\$34,670	\$1,835	5%	-\$32,835	
Communication						
	Website Hosting	\$743	\$0	0%	-\$743	2% increase from FY24, Go Daddy website hosting and domain registration
	File Storage	\$812	\$350	43%	-\$462	2% increase from FY24, box.net
	Website Development/Maintenance	\$1,624	\$180	11%	-\$1,444	2% increase from FY24

**FY 2025
BACWA BUDGET to ACTUAL**

EXPENSES					
	IT Support	\$2,814	\$0	0%	-\$2,814 2% increase from FY24
	BACWA Value of Wastewater Communication	\$40,000	\$5,625	14%	-\$34,375 New line item in FY24, no change from FY24
	Other Commun	\$1,894	\$0	0%	-\$1,894 2% increase from FY23; MS Exchange, Survey Monkey, PollEv, Zoom, Netfile
	Total	\$47,887	\$6,155	13%	-\$41,732
Legal					
	Regulatory Support	\$50,000	\$0	0%	-\$50,000 Increase from FY24, new contract with Meyers Nave
	Executive Board Support	\$2,403	\$128	5%	-\$2,275 2% increase from FY24
	Total	\$52,403	\$128	0%	-\$52,275
Committees					
	AIR	\$76,000	\$3,987	5%	-\$72,013 \$75k consulting support, \$1k misc expenses. Carollo Engineers
	BAPPG	\$170,560	\$16,401	10%	-\$154,159 Includes CPSC @ \$5,000, OWOW @ \$10,000, NSAC @ \$10,000 and Pest. Reg Spt. @ \$71,500
	Assesment Management Committee	\$500	\$0	0%	No change from FY24
	Biosolids Committee	\$500	\$0	0%	-\$500 \$500 in FY25
	Collections System	\$15,500	\$0	0%	-\$15,500 SSS WDR Support
	O&M Committee	\$1,500	\$0	0%	-\$1,500 Requested \$1000 increase from FY24 for Annual Meeting lunch
	Laboratory Committee	\$500	\$1,219	244%	\$719 FY24 TNI invoice paid in FY25.
	Permits Committee	\$500	\$0	0%	-\$500 No change from FY24
	Pretreatment	\$500	\$0	0%	-\$500 No change from FY24
	Recycled Water Committee	\$500	\$0	0%	-\$500 Requested default budget amount for FY25
	Misc Committee Support	\$45,000	\$0	0%	-\$45,000 No change from FY24
	Manager's Roundtable	\$1,000	\$0	0%	-\$1,000 No change from FY24
	Total	\$312,560	\$21,607	7%	-\$290,953
Collaboratives					
	Collaboratives				
	State of the Estuary (SFEP-biennial)	\$0	\$0	0%	\$0 Biennial in Even Fiscal Years
	Arleen Navarret Award	\$2,500	\$0	0%	-\$2,500 Next Award will be disbursed in FY27
	BayCAN	\$5,000	\$0	0%	-\$5,000
	Bay Area One Water Network	\$0	\$0	0%	\$0 No change from FY24
	Bruce Wolf Scholarship	\$4,000	\$0	0%	-\$4,000 FY22, FY23, FY24, FY25 FY26
	Passthrough for CASA for air toxics	\$500,000	\$0	100%	-\$500,000 New line item in FY24
	Misc	\$1,500	\$4,000	267%	\$2,500 NBWA, SFEI Coastal Climate Resilience Scholarship donation
	Total	\$513,000	\$4,000	1%	-\$509,000
Other					
	Unbudgeted Items				
	Other	\$0	\$0	0%	\$0
		\$0	\$0	0%	\$0
Tech Support					
	Technical Support				
	Nutrients				
	Watershed Permit NMS Contribution	\$2,200,000	\$1,100,000	50%	-\$1,100,000 Advance funding for 2nd Watershed Permit Sciece Studies; Final \$ TBD
	NMS Voluntary Contributions				
	Additional work under permit	\$100,000	\$0	0%	-\$100,000 Includes HDR PO for \$225k spread out over FY20-24.
	Regional Study on Nature Based Solutions		\$22,346		SFEI FY24 invoice paid in FY25.
	Nutrient Workshop(s)	\$0	\$0	0%	\$0 Pilot Studies/Plant Review/Innovative Technologies; Might change
	NMS Reviewer	\$50,000	\$700	0%	-\$49,300 No change from FY24, M. Connor Contract
	Regional Nutrient Special Study	\$100,000	\$0	0%	-\$100,000 New item in FY25
	General Tech Support	\$100,000	\$0	0%	-\$100,000 AB617 emissions factors, PFAS, other nutrient support
	CEC Investigations	\$10,000	\$0	0%	-\$10,000 PFAS Study Phase 3
	Risk Reduction	\$12,500	\$0	0%	-\$12,500 Will plan new risk reduction tasks for current Hg/PCB Watershed Permit
	Total	\$2,572,500	\$1,123,046	44%	-\$1,449,454

FY 2025
BACWA BUDGET to ACTUAL

<u>EXPENSES</u>					
TOTAL EXPENSES	\$4,111,105	\$1,198,912	29.16%	-\$2,912,193	
PROJECTED EXPENSE DEVIATION FROM BUDGET					
NET INCOME BEFORE TRANSFERS	-\$348,028	\$1,864,609			
TRANSFERS FROM RESERVES	\$348,028	\$0			aligns with strategy of drawing down reserves to lessen impact of Nutrient Surcharge
NET INCOME AFTER TRANSFERS	\$0	\$0			
TOTAL OPERATING BUDGET	\$1,538,605				
OPERATING RESERVE	\$384,651	\$0			

BACWA Fund Report as of August 31, 2024

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	332,398	770,948	69,317	1,034,029	762,128	271,901
604	LEGAL RSRV	300,000	-	-	300,000	-	300,000
605	CBC	2,038,831	2,310,318	1,123,046	3,226,103	113,442	3,112,661
	SUBTOTAL 1	2,671,229	3,081,266	1,192,363	4,560,132	875,570	3,684,562
602	BABC	240,179	177,000	9,038	408,141	110,962	297,179
606	BACC	35,351	1,094	30,988	5,457	38,564	(33,107)
607	BACC LEGAL RSRV	90,000	30,000	-	120,000	-	120,000
610	WOT	259,201	-	-	259,201	-	259,201
612	CASA Air Toxics	(41,840)	528,900	-	487,060	-	487,060
	SUBTOTAL 2	582,891	736,994	40,026	1,279,859	149,526	1,130,333
	GRAND TOTAL	3,254,120	3,818,260	1,232,389	5,839,991	1,025,096	4,814,895

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

BACWA INVESTMENTS BALANCES - DATA PROVIDED BY TREASURY DEPT.

DEPTID	DESCRIPTION	FISCAL YEAR BEGINNING FUND BALANCE	TOTAL 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
600	BACWA	332,398	770,948	69,317	1,034,029	(511,533)	2,391	524,887	-	524,887	22%	-	-	priority # 3 for allocation
604	LEGAL RSRV	300,000	-	-	300,000	-	-	300,000	-	300,000	12%	-	-	priority # 1 for allocation
605	CBC	2,038,831	2,310,318	1,123,046	3,226,103	(1,663,594)	1,100,000	2,662,509	1,189,936	1,472,573	61%	-	-	priority # 4 for allocation
	SUBTOTAL 1	2,671,229	3,081,266	1,192,363	4,560,132	(2,175,127)	1,102,391	3,487,396	1,189,936	2,297,460	95%	-	-	
602	BABC	240,179	177,000	9,038	408,141	(177,000)	-	231,141	231,141	-	0%	-	-	pass-through funds, no allocation
606	BACC	35,351	1,094	30,988	5,457	-	-	5,457	5,457	-	0%	-	-	
607	BACC LEGAL RSRV	90,000	30,000	-	120,000	-	-	120,000	-	120,000	5%	-	-	priority # 2 for allocation
610	WOT	259,201	-	-	259,201	-	-	259,201	259,201	-	0%	-	-	pass-through funds, no allocation
612	CASA Air Toxics	(41,840)	528,900	-	487,060	(460,980)	-	26,080	26,080	-	0%	-	-	pass-through funds, no allocation
	SUBTOTAL 2	582,891	736,994	40,026	1,279,859	(637,980)	-	641,879	521,879	120,000	5%	-	-	
	GRAND TOTAL	3,254,120	3,818,260	1,232,389	5,839,991	(2,813,107)	1,102,391	4,129,275	1,711,815	2,417,460	100%	-	-	

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

Reconciliation to Trial Balance

<u>Per Report above:</u>		STB	14930	2,417,460
General	3,081,266	STB	15050	1,711,815
WOT, BABC, & BACC	736,994			4,129,275
PROP	-	STB	16300	2,813,107
subtotal	3,818,260	STB	21350	(1,102,391)
				5,839,991

Trial Balance Revenue Accounts

40100	Interest	(32,324)
40101	Mem Contrib	(1,942,472)
40102	Transfer	(30,000)
40103	Assoc Contrib	(188,897)
40104	Other	(1,624,567)
47310	State Grant	-
47320	Grant Retention	-
subtotal		(3,818,260)
Difference		-

BACWA Revenue Report as of August 31, 2024

Cost Center Code	Cost Center Description	Program Segment Description	Program Segment Value	Amended Budget	Current Period	FY24 - 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	(39,522.00)	-	-	39,522.00
		BDO Affil/CS/Assoc Dues	6104	-	(40,782.00)	(40,782.00)	(40,782.00)
		BDO Affiliate/Associate Dues	6103	-	(47,553.00)	(47,553.00)	(47,553.00)
		BDO Assoc.&Affiliate Contr	6102	(195,780.00)	(100,562.00)	(100,562.00)	95,218.00
		BDO Fund Transfers	6141	(1,000.00)	-	-	1,000.00
		BDO Member Contributions	6101	(553,929.00)	(332,358.00)	(553,930.00)	(1.00)
		BDO Non-Member Contr AIR	6136	(7,582.00)	(1,421.00)	(1,421.00)	6,161.00
		BDO Non-Member Contr BAPPG	6135	(4,264.00)	(10,424.00)	(10,424.00)	(6,160.00)
		BDO Other Receipts	6105	-	-	-	-
		BDO Other Receipts (Misc)	6140	-	(2,732.00)	(2,732.00)	(2,732.00)
		BDO- Interest Income from LAIF	6142	(80,000.00)	-	(13,543.97)	66,456.03
		BDO-Alternative Investment Inc	6143	-	-	-	-
		600 Total				(888,077.00)	(535,832.00)
602	Bay Area Biosolids Coalition	BDO Fund Transfers	6141	-	-	-	-
		BDO Member Contributions	6101	-	(128,000.00)	(177,000.00)	(177,000.00)
602 Total				-	(128,000.00)	(177,000.00)	(177,000.00)
605	Clean Bay Collaborative	BDO Fund Transfers	6141	-	-	-	-
		BDO Member Contributions	6101	(675,000.00)	(592,642.00)	(682,642.00)	(7,642.00)
		BDO Other Receipts	6105	(1,600,000.00)	(1,481,124.00)	(1,609,990.00)	(9,990.00)
		BDO- Interest Income from LAIF	6142	-	-	(17,686.46)	(17,686.46)
605 Total				(2,275,000.00)	(2,073,766.00)	(2,310,318.46)	(35,318.46)
606	Bay Area Chemical Consortium	BDO Member Contributions	6101	-	-	-	-
		BDO- Interest Income from LAIF	6142	-	-	(1,094.01)	(1,094.01)
606 Total				-	-	(1,094.01)	(1,094.01)
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)
612	CASA Air Toxics	BDO Member Contributions	6101	(600,000.00)	(320,460.00)	(528,900.00)	71,100.00
612 Total				(600,000.00)	(320,460.00)	(528,900.00)	71,100.00
Grand Total				(3,763,077.00)	(3,088,058.00)	(3,818,260.44)	(55,183.44)

BACWA Treasurer's Report Expenses and Encumbrances
 Period Covering July 1, 2024 through August 31, 2024

Cost Center Code	Program Segment Description	Program Segment Value	Amended Budget	Obligated Fiscal Year to Date	Unobligated
600	AIR-Air Issues&Regulation Grp	6153	76,000.00	75,000.00	1,000.00
	AS-Assistant Executive Directo	6175	94,417.00	94,417.00	-
	AS-Audit Services	6180	5,672.00	(5,561.00)	11,233.00
	AS-BACWA Admin Expense	6173	4,059.00	99.21	3,959.79
	AS-EBMUD Financial Services	6176	43,297.00	-	43,297.00
	AS-Executive Director	6174	224,230.00	224,230.00	-
	AS-Insurance	6177	10,753.00	-	10,753.00
	AS-Regulatory Program Manager	6179	156,136.00	156,136.00	-
	Administrative Support	6178	-	-	-
	BACWA Value of Wastewater Communication	6211	40,000.00	23,037.98	16,962.02
	BC-BAPPG	6152	170,560.00	145,679.64	24,880.36
	BC-Collections System	6144	15,500.00	50,000.00	(34,500.00)
	BC-Laboratory Committee	6149	500.00	1,218.75	(718.75)
	BC-Manager's Roundtable	6154	1,000.00	-	1,000.00
	BC-Miscellaneous Committee Sup	6150	45,000.00	10,695.00	34,305.00
	BC-Permit Committee	6145	500.00	-	500.00
	BC-Pretreatment Committee	6151	500.00	-	500.00
	BC-Water Recycling Committee	6146	500.00	-	500.00
	CAR-BACWA File Storage	6165	1,623.00	-	1,623.00
	CAR-BACWA IT Software	6167	1,894.00	350.29	1,543.71
	CAR-BACWA IT Support	6166	2,814.00	-	2,814.00
	CAR-BACWA Website Dev/Maint	6163	743.00	179.64	563.36
	CAR-BACWA Website Hosting	6164	812.00	-	812.00
	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	4,000.00	(2,500.00)
	CAS-PSSEP	6157	-	-	-
	CAS-Stanford ERC	6159	-	-	-
	GBS-Meeting Support-Annual	6170	14,369.00	-	14,369.00
	GBS-Meeting Support-Exec Bd	6169	3,500.00	292.38	3,207.62
	GBS-Meeting Support-Misc	6172	10,000.00	1,542.58	8,457.42
	GBS-Meeting Support-Pardee	6171	6,801.00	-	6,801.00
	LS-Executive Board Support	6156	2,403.00	127.50	2,275.50
	LS-Regulatory Support	6155	50,000.00	50,000.00	-
	O&M Committee	6148	1,500.00	-	1,500.00
	WQA-CE-Nature Based Solutions	6196	-	-	-
	Write-Off Doubtful Accounts	6208	-	-	-
600 Total			994,083.00	831,444.97	162,638.03
602	AS-Assistant Executive Directo	6175	39,522.00	-	39,522.00
	AS-Regulatory Program Manager	6179	-	-	-
	Academia Research & Development	6203	-	-	-
	Administrative Support	6178	-	-	-
	BDO Contract Expenses	6186	-	-	-
	Collateral Development	6197	-	-	-
	Program Manager Expense	6202	-	120,000.00	(120,000.00)
	Technology Research & Development	6206	-	-	-
602 Total			39,522.00	120,000.00	(80,478.00)
605	Recycled Water Evaluation	6198	100,000.00	-	100,000.00
	WQA - CEC Investigations	6201	10,000.00	-	10,000.00
	WQA-CE Addl Work Under Permit	6191	100,000.00	39,450.00	60,550.00
	WQA-CE Risk Reduction	6190	12,500.00	-	12,500.00
	WQA-CE Voluntary Nutr Contrib	6193	-	-	-
	WQA-CE-Nature Based Solutions	6196	-	47,037.63	(47,037.63)
	WQA-CE-Nutrient WS Permit Comm	6188	2,200,000.00	1,100,000.00	1,100,000.00
	WQA-CE-Technical Support	6181	100,000.00	-	100,000.00
	WQA-NMSReviewer	6205	50,000.00	50,000.00	-
605 Total			2,572,500.00	1,236,487.63	1,336,012.37
606	AS-BACWA Admin Expense	6173	-	-	-
	Administrative Support	6178	-	39,552.00	(39,552.00)
	BDO Fund Transfers	6141	-	30,000.00	(30,000.00)
	GBS-Meeting Support-Misc	6172	-	-	-
606 Total			-	69,552.00	(69,552.00)
610	Administrative Support	6178	-	-	-
	BC-BAPPG	6152	-	-	-
	BDO Contract Expenses	6186	-	-	-
	Bruce Wolf Scholarship	6210	4,000.00	-	4,000.00
610 Total			4,000.00	-	4,000.00
612	Passthrough to CASA for air toxics	6212	500,000.00	-	500,000.00
612 Total			500,000.00	-	500,000.00
Grand Total			4,110,105.00	2,257,484.60	1,852,620.40



BACWA EXECUTIVE BOARD AUTHORIZATION REQUEST

AGENDA NO.: 4

MEETING DATE: November 18, 2024

TITLE: Approval of the BACWA Annual Report to its Members for FY2024.

RECEIPT

DISCUSSION

RESOLUTION

APPROVAL

RECOMMENDED ACTION

Approve the BACWA Annual Report to its membership for FY2024.

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 FY2024 Annual Report to Members

Approved:

Jackie Zipkin, BACWA Chair

Date: November 18, 2024



BACWA Annual Report

Fiscal Year 2023/2024

Within an evolving landscape driven by climate change and increased regulation, 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. Over the past decade, 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 nutrients and emerging contaminants on the aquatic ecosystem. Increasingly stringent and sometimes conflicting air quality and biosolids management regulations are producing cross-media challenges to our members' operations and capital planning efforts. 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 regulatory landscape shifts, 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 2023/2024 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 contributions to the Regional Monitoring Program to the Regional Water Board.

- [Nutrient Group Annual Report](#) - submitted to the Regional Water Board in compliance with the Nutrient Watershed Permit. A Science Plan update was also submitted to the water board as required by the Permit.
- [Land Application of Biosolids Annual Report](#) – submitted to the Solano County Board of Supervisors.
- Bay Area Pollution Prevention Group ([BAPPG](#)) [Annual Report](#) – Developed to assist member agencies in Pollution Prevention annual reporting.
- PFAS Regional Study, Phase 2 – 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 sampling for Phase 2 was completed in 2022. The Phase 2 study concluded in late 2023 with the release of the Final Report, which is available upon request. It will be posted to BACWA’s website following acceptance by an academic journal. BACWA prepared a [study summary](#) in February 2024
- BACWA Information on Nutrients in the SF Bay – BACWA staff worked with member agencies to communicate what is and is not known about the impact of nutrients and their linkage to the summer 2022 and 2023 harmful algal blooms. BACWA worked to provide an [infographic](#) for member use in communications.

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. A design refresh was initiated in spring 2024, and later finalized in August 2024.
- [2021 Biosolids Trends Survey Report](#) – Updated every two to three years to help agencies understand their biosolids handling programs within a regional context. Work was ongoing during the fiscal year to produce the [2024 Biosolids Trends report](#) which was later released in September 2024.
- Public outreach – Worked with consultant team to reach out to local news media and non-profits to increase public understanding of wastewater treatment ahead of the nutrient watershed permit adoption.
- Information Sharing – Assisted with in-person events, surveys, and videos to share best practices, such as the September 2023 [workshop on interagency collaboration](#) between water and wastewater agencies, a [survey of private sewer lateral ordinances](#), and a series of [training videos](#) for recycled water site supervisors.



- Laboratory Accreditation – Continued to offer monthly trainings for BACWA members on the 2016 TNI standards, which went into full effect in 2024. The training series concluded in June 2024.
- [Annual Meeting](#) – The Annual Meeting was held in-person on May 3, 2024, and included updates from regulators, a panel on the nutrient permit, an update on air issues and nature based systems opportunities, a panel on workforce development, 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 2023/2024, BACWA submitted 18 [comment letters](#) to EPA, Regional Water Board, State Water Board Bay Area Air Quality Management District (BAAQMD), the Department of Toxic Substances Control, and the California Department of Pesticide Regulation (DPR). Several letters were submitted by BAPPG to support pollutant prevention legislation at the state and federal level.

- **Nutrient Management.** BACWA continued to engage with the Regional Water Board to negotiate the 3rd Nutrient Watershed Permit, which was issued in July 2024. BACWA staff and agency volunteers have also engaged through the Nutrient Management Strategy to direct science work in response to the 2022 and 2023 harmful algal bloom in SF Bay.
- **Pesticides.** BAPPG maintains a consultant team dedicated to engagement with EPA and the DPR through the pesticide registration review process, including review of documents such as ecological risk assessments and risk management decisions.
- **Air Emissions.** BACWA and BAAQMD staff have continued to participate in a Workgroup that meets quarterly to discuss how public agencies can participate in the development, and comply with, emerging air toxics regulations. BACWA has advocated for an increase in staffing at BAAQMD to improve the air permitting process. BACWA staff and members are serving on the Steering Committee for CASA's 2-step process to conduct a pooled emissions study of air toxics that will inform future regional and state regulation. BACWA also hosted a source testing workshop with BAAQMD staff in November 2023.
- **Sanitary Sewer Systems General Order.** The State Water Board reissued the Sanitary Sewer Systems Waste Discharge Requirements General Order in December 2022. BACWA developed an updated [Sewer System Management Plan guidance document](#) to aid our members with compliance.
- **Chlorine Residual Blanket Permit Amendment.** BACWA engaged with the Regional Water Board to approve a blanket permit amendment in November 2023 that removed instantaneous chlorine limit from NPDES permits. BACWA also prepared a [guidance document](#) for members to help implement the updated requirements.



BACWA Staffing

In FY2023/2024, 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
- Collection Systems
- Laboratory
- Operations/Maintenance Infoshare
- Permits
- Pretreatment
- Recycled Water

BACWA's Biosolids committee is currently on pause, but meeting with the Bay Area Biosolids Coalition on an ad hoc basis for the purposes of information sharing.

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
- NOAA Monitoring and Event Response for Harmful Algal Blooms (MERHAB)
- State Water Board Nutrient Stakeholder Advisory Group
- Bay Area Integrated Regional Water Management Plan (BAIRWMP)
- 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
- Ocean Protection Council
- Bay Area Climate Adaptation Network
- Coastal Hazards Adaptation Resiliency Group (CHARG)
- California Water Quality Monitoring Council

FY2023/2024 Financial Report

<u>BACWA FY24 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2024 Budget</u>	<u>Actuals June 2024</u>	<u>Actual % of Budget June 2024</u>	<u>Variance</u>
<u>REVENUES & FUNDING</u>					
Dues	Principals’ Contributions	\$537,795	\$537,795	100%	\$0
	Associate & Affiliate Contributions	\$190,078	\$190,078	100%	\$0
Fees	Clean Bay Collaborative	\$675,000	\$674,250	100%	-\$750
	Nutrient Surcharge	\$1,400,000	\$1,400,000	100%	\$0
	Member Voluntary Nutrient Contributions	\$0	\$0	0%	\$0
Other Receipts	AIR Non-Member	\$7,361	\$7,361	100%	\$0
	BAPPG Non-Members	\$4,114	\$4,140	101%	\$26
	Other	\$0	\$2,653		\$2,653
	CASA Air Toxics		\$57,000		\$57,000
Fund Transfer	Special Program Admin Fees (WOT)	\$1,000	\$0	0%	-\$1,000
	Special Program Admin Fees (BACC)	\$38,520	\$38,520	100%	\$0
	Special Program Admin Fees (WOT)	\$6,000	\$6,809	113%	\$809
Interest Income	LAIF	\$60,000	\$181,928	303%	\$121,928
	Higher Yield Investments	\$0	\$0	0%	\$0
	Total Revenue	\$2,919,868	\$3,101,035	106.20%	\$181,167

<u>BACWA FY24 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2024 Budget</u>	<u>Actuals June 2024</u>	<u>Actual % of Budget June 2024</u>	<u>Variance</u>
<u>BACWA FY24 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2024 Budget</u>	<u>Actuals June 2024</u>	<u>Actual % of Budget June 2024</u>	<u>Variance</u>
<u>EXPENSES</u>					
Labor					
	Executive Director	\$218,548	\$218,544	100%	-\$4
	Assistant Executive Director	\$92,024	\$91,990	100%	-\$34
	Assistant Executive Director – BACC Administration	\$38,520	\$38,426	100%	-\$94
	Regulatory Program Manager	\$152,179	\$151,157	99%	-\$1,022
	Total	\$501,271	\$500,117	100%	-\$1,154
Administration					
	EBMUD Financial Services	\$43,297	\$42,785	99%	-\$512
	Auditing Services	\$5,561	\$5,561	100%	\$0
	Administrative Expenses	\$8,118	\$75	1%	-\$8,043
	Insurance	\$9,351	\$8,169	87%	-\$1,182
	Total	\$66,327	\$56,590	85%	-\$9,737
Meetings					
	EB Meetings	\$2,706	\$4,763	173%	\$2,003
	Annual Meeting	\$14,369	\$12,051	84%	-\$2,318
	Pardee	\$6,801	\$2,674	39%	-\$4,127
	Misc. Meetings	\$7,500	\$10,357	138%	\$2,857
	Total	\$31,430	\$29,844	95%	-\$1,586
Communication					
	Website Hosting	\$728	\$454	62%	-\$274
	File Storage	\$796	\$720	90%	-\$76



<u>BACWA FY24 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2024 Budget</u>	<u>Actuals June 2024</u>	<u>Actual % of Budget June 2024</u>	<u>Variance</u>
	Website Development/Maintenance	\$1,592	\$0	0%	-\$1,592
	IT Support	\$2,759	\$1,668	60%	-\$1,091
	Value of Wastewater	\$40,000	\$61,239	153%	\$21,239
	Other Communication	\$1,857	\$1,448	78%	-\$409
	Total	\$47,732	\$65,529	137%	\$17,797
Legal					
	Regulatory Support	\$2,929	\$7,259	248%	\$4,330
	Executive Board Support	\$2,355	\$0	0%	-\$2,355
	Total	\$5,284	\$7,259	137%	\$1,975

Committees					
	AIR	\$76,000	\$75,000	99%	-\$1,000
	AIR Support for ACE	\$20,000	\$19,766	99%	-\$234
	BAPPG	\$159,000	\$149,602	94%	-\$9,398
	Biosolids Committee	\$0	\$0	0%	\$0
	Collections System	\$56,000	\$0	0%	-\$56,000
	InfoShare Groups	\$5,00	\$831	166%	\$331
	Laboratory Committee	\$4,050	\$2,758	68%	-\$1,292
	Permits Committee	\$500	\$255	51%	-\$245
	Pretreatment	\$500	\$16	3%	-\$484
	Recycled Water Committee	\$10,000	\$667	7%	-\$9,333
	Misc Committee Support	\$45,000	\$3,740	8%	-\$41,260
	Manager's Roundtable	\$1,000	\$242	25%	-\$746
	Total	\$372,550	\$252,890	68%	-\$119,660

Collaboratives					
	State of the Estuary (SFEP-biennial)	\$0	\$0	0%	\$0
	Arleen Navarret Award	\$2,500	\$0	0%	-\$2,500
	BayCAN	\$5,000	\$0	0%	-\$5000

<u><i>BACWA FY24 BUDGET</i></u>	<u><i>Line Item Description</i></u>	<u><i>FY 2024 Budget</i></u>	<u><i>Actuals June 2024</i></u>	<u><i>Actual % of Budget June 2024</i></u>	<u><i>Variance</i></u>
	Bay Area One Water Network	\$5,000	\$0	0%	-\$5,000
	Bruce Wolf Scholarship	\$4,000	\$4,000	100%	\$0
	Passthrough for CASA Air Toxics	\$425,000	\$99,560	23%	-\$325,440
	Misc	\$1,500	\$1,500	100%	\$0
	Total	\$443,000	\$105,060	24%	-\$337,940
Other					
	Unbudgeted Items				
	Other	\$0	\$0		\$0
	Total	\$0	\$0		\$0
Technical Support					
	Nutrients				
	Watershed	\$1,800,000	\$1,800,000	100%	\$0
	NMS Voluntary Contributions	\$0	\$0	0%	\$0
	Additional work under permit	\$100,000	\$78,398	78%	-\$21,602
	Regional Study on Nature based systems	\$80,000	\$103,929	130%	-\$23,929
	Regional Recycling Evaluation	\$0	\$37,493	0%	\$37,493
	Nutrient Workshop(s)	\$0	\$0	0%	\$0
	NMS Reviewer	\$50,000	\$12,650	25%	-\$37,350
	General Tech Support	\$100,000	\$17,998	18%	-\$82,003
	CEC Investigation	\$60,000	\$102,735	171%	\$42,735
	Risk Reduction	\$12,500	\$12,500	0%	\$0
	Total	\$2,202,500	\$2,165,702	98%	-\$36,798
	TOTAL EXPENSES	\$3,670,094	\$3,182,990	86.73%	-\$487,104
	NET INCOME BEFORE TRANSFERS	-\$750,226	-\$81,995		



<u>BACWA FY24 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2024 Budget</u>	<u>Actuals June 2024</u>	<u>Actual % of Budget June 2024</u>	<u>Variance</u>
	TRANSFERS FROM RESERVES	\$750,226	\$81,954		
	NET INCOME AFTER TRANSFERS	\$0	\$0		

List of BACWA Members as of June 30, 2024

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-Marín City Sanitary District
- Sewer Authority Mid-Coastside
- Sewerage Agency of Southern Marin
- Sonoma County Water Agency
- Stege Sanitary District
- Tamalpais Community Services District
- West Bay Sanitary District
- West Valley Sanitation District



ATTACHMENT A

BACWA JANUARY 2022 STRATEGIC PLAN 2024 EVALUATION

FY2023-2024 PROGRESS EVALUATION

2022 STRATEGIC PLAN

Bay Area Clean Water Agencies

BACWA's Mission

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

BACWA's Vision

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

BACWA's Values

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

BACWA's Goals

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

GOAL 1: ADVOCATE FOR REGULATION BASED ON SCIENCE

Strategy 1 – Advocate for nutrient permitting based on science.

- **Objective 1** – 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.

Convened Nutrient Technical Team to review and comment on NMS deliverables, particularly those pertaining to modeling objectives and future load reduction scenarios. The technical team also gave input on the basis for developing load reductions and modeling scenarios that should be run to support regulatory decision making.

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

Enlisted consultant support for BACWA’s nutrient technical team in reviewing and commenting on deliverables and attending targeted meetings. Consultant provided technical interpretation to the BACWA Executive Board and advice on the use of modeling to inform load reduction requirements in the Watershed Permit.

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

Regularly convened Nutrient Strategy Team to develop negotiating position for 3rd Watershed Permit, and assisted in developing BACWA comments on the Admin draft and Tentative Order. Developed material on planned nutrient load reductions and historical discharges to support BACWA’s negotiating positions and inform Water Board decisions, and enlisted the services of a rate consultant to understand cost to community of permit requirements. Engaged with Regional and State Water Board to discuss potential amendments to the State Compliance Schedule Policy.

- **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. Continued discussions of programmatic needs for the 3rd Watershed Permit, and discussed pursuing nutrient management and science funding from new SF Bay EPA Program Office.

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.

Continued to hold Regulation 2 Workgroup as forum for discussing toxic air contaminant regulations and permitting challenges, and made progress on several action items. Met with BAAQMD leadership to discuss the importance of increasing BAAQMD permitting staff. Hosted BAAQMD leadership at our Annual Meeting. BACWA also hosted source testing workshop with BAAQMD staff.

- **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.

Worked with CASA to issue RFP for 2-step process for quantifying air emissions, and provided information to members. Provided funds to CASA on behalf of BACWA members for FY24, and participated in consultant selection committee and Steering Committee for the effort.

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.

Completed Phase 2 of PFAS special study that analyzed PFAS in biosolids. Submitted Solano County Biosolids Report.

- **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 to BABC. Collected information to update Biosolids Trends Survey. Hosted BACWA Biosolids/BABC joint meeting for information sharing purposes.

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.

Participated in NGO/POTW collaborative workgroup targeting PFAS legislation. Participated in RMP Emerging Contaminants and Microplastic workgroups. Continued to work to advocate for “down the drain” pathway consideration in pesticide regulation. Engaged with EPA and provided comments on proposed national PFAS influent study. Commented on CDPR Strategic Plan.

- **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.

Provided representation for statewide POTW community on the California Water Quality Monitoring Council. Worked with Summit Partners to engage with regulators on statewide issues.

- **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 2 of PFAS special study and provided results to State Water Board staff.

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.

Worked with Water Board to finalize blanket permit amendment targeting chlorine residual limitation. Provided comments on Basin Plan candidate projects.

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

Reported on alternate monitoring program payments.

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 joint meetings with staff at the Water Board and Air District to communicate about important issues.

- **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.

Discussed BACWA's role in keeping the Water Board up to date with agencies' sea level rise adaptation planning. Educated Air District staff on cross-media issues related to nutrient reduction, toxic air contaminant emissions, and climate change mitigation opportunities.

- **Objective 3** – Work with Summit Partners to provide educational opportunities for State Water Board/Ocean Protection Council members and staff regarding clean water agencies' opportunities. Identify and develop a common understanding of mutual priorities.

Collaborated with Summit Partners to hold a October 2023 regulator workshop on cross media issues.

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.

Provided edits to standard permit conditions for BAAQMD staff review.

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 ban non-essential uses of PFAS.

- **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 on source control issues. Worked with member agencies to inform state legislative delegation on need for funding for nutrient reduction.

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 benefits of collaborative Regional Monitoring Program to Summit Partners. Staff also participated in SCCWRP Ocean Acidification model review Steering Committee and reported results to BACWA.

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

Developed Sewer System Management Plan guidance to benefit agencies statewide.

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.

Held September 2023 Recycled Water interagency collaboration workshop. Commented on unintended consequences of State conservation regulations on recycled water programs.

- **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. Followed BCDC implementation of SB272.

- **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 support proposals for 2023 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 various grant proposals. Commented on program areas for new SF Bay EPA program office.

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

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

Discussed piloting opportunities with vendors.

- **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.

Discussed nutrient issues with academics at UC Berkeley. Continued engagement in the NMS and RMP through SFEI. Worked with professor at UNR to plan nutrient removal seminar to support Dr. David Jenkins scholarship endowment through WEF.

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

Provided representation on San Francisco Estuary Partnership Coordinating Committee. Participated in Estuary Blueprint progress updates on actions 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 progress updates required by the Nutrient Watershed Permit. Continued work on the NBS study with SFEI to spend down remaining funds.

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

Worked with SFEI, the Water Boards, and community-based organizations to identify tasks to comply with risk reduction requirements.

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

Advocated on behalf of early actors and agencies pursuing multi-benefit projects to have their concerns addressed in nutrient watershed Permit. Successfully engaged with BAAQMD staff and commented on member’s air permit emissions monitoring requirements.

- **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 submitted 2023 Solano County Biosolids report. Collected information from agencies for 2024 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 nine active BACWA committees and held regular committee meetings. Developed and distributed three regulatory issues summaries.

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

Reached out to agencies to ensure new staff are added to relevant email distribution lists.

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 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. Began updates to Baywise website to improve user experience, aesthetics, and functionality

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

Developed BACWA infographic on nutrients and the algal bloom. Launched new communication initiative to provide education on the value of wastewater in general, and on nutrient removal specifically. Conducted press tours to promote earned media coverage, and hosted tours for NGO partners.

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

Contributed to Bruce Wolfe Memorial Scholarship to provide scholarships to students from backgrounds that are underrepresented in the Clean Water field. Worked with SFEP to consider next steps in equity in wastewater.

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.

Conducted outreach to individual agencies to inform them about opportunities for engagement, especially pertaining to the nutrient watershed permit.

- **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 permitting outreach via discussion with member agency managers.

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

Used Google Group for BACC member agencies to discuss the impacts of chemical shortages as well as other chemical supply issues as they arise. Co-hosted a meeting on workforce development with BACWWE.

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

Began hosting hybrid Executive Board meeting meetings. 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. Began discussions about how to incorporate BABC as a BACWA committee.

- **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 BACWWE. Worked with leadership to develop RFP for program support to increase the impact of the project.

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

Provided BACWA advance funding for CASA 2-step process for quantifying air toxics.

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.

Reviewed BACWA Policies.

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 provide transparent treasurers reports.

- **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 different target reserve alternatives and nutrient surcharge assumptions.

- **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. Provided timely information to audit through EBMUD.

BACWA ANNUAL TECHNICAL SEMINAR

Summary of Discussion from September 5-6, 2024, at Pardee Meeting Facility

Suggested Follow-up items are highlighted

Topic	Summary of Discussion
Financial / Budget	<ul style="list-style-type: none"> • The BACWA Executive Director (ED) shared a projected 5-year financial plan to gradually increase nutrient surcharges from \$1.6M/year to about \$2M/year while drawing down the Clean Bay Collaborative (CBC) fund reserve to its target level of \$1M. CBC fees, which support special technical studies, have been flat for several years and are allocated based on historic metals loading. • The group discussed the numerous benefits of continuing to financially support scientific studies of nutrients in the Bay. Written materials summarizing the benefits of funding the Nutrient Management Strategy (NMS) Science program to BACWA members would be helpful. The group also discussed a formula for future nutrient surcharges for FY26 and beyond, and favored a plan with a small flat charge to cover reporting requirements for entities with no dry season Dissolved Inorganic Nitrogen (DIN) load, plus a variable charge allocated based on a 3-year rolling average of dry season DIN loads.
BACWA Strategic Planning	<ul style="list-style-type: none"> • The BACWA ED shared an updated version of the BACWA Strategic Plan and solicited feedback. The group suggested: <ul style="list-style-type: none"> ○ BACWA should help host a funding workshop on nutrient removal, with representatives from EPA to discuss WIFIA, representatives from CASA and/or the State Water Board to discuss the State Revolving Fund, consultants to talk about private bond financing, and a contractor to discuss bridge finance. Members should also present their experiences with these different funding pathways. ○ BACWA should help host a workshop on workforce planning, including the cost of turnover, bringing new staff into the pipeline, and incentivizing staff to move up through the pipeline. ○ Members should discuss best practices for plant tours, including logistics and who to invite to maximize impact.
3 rd Nutrient Watershed Permit Regulatory Initiatives	<ul style="list-style-type: none"> • Compliance Schedule Policy. The group discussed the plan for seeking changes to the State Water Board’s 2008 compliance schedule policy. BACWA representatives will be meeting with Regional Water Board staff soon, and Regional Water Board staff will be bringing up the topic at a meeting in October involving Regional Water Board executives and State Water Board staff. Attendees requested guidance on submittals to qualify for a compliance schedule extension. The BACWA ED will be assembling a one-page document explaining why some agencies require a compliance schedule longer than 10 years. • RFP for Consultant Support. Attendees discussed draft selection criteria and the proposed scope of work for consultants to support BACWA for reporting and special studies required by the 3rd Nutrient Watershed Permit. The group discussed participation in the consultant selection committee; the same group will manage the contract.

Other Regulatory Issues	<ul style="list-style-type: none"> ● BACWA's Regulatory Program Manager shared highlights from the latest matrix of key regulatory issues and solicited feedback from the group. Suggestions from the discussion included: <ul style="list-style-type: none"> ○ Meet with Summit Partners to discuss pesticides. Invite stormwater stakeholders and DPR. ○ For Hg/PCBs risk reduction activities, funding to community-based organizations should be a priority. ○ Engage with Regional Water Board staff to begin planning Phase 3 of the PFAS Regional Study and discuss coordination across Water Board departments (groundwater, recycled water, NPDES). ○ Future versions of this matrix should disambiguate non-potable and potable reuse regulations.
Nutrient Science Priorities	<ul style="list-style-type: none"> ● BACWA's ED plans to prepare a document identifying BACWA's requests for the NMS science team, similar in format to the Regional Water Board's August 2024 list of science needs. ● The group discussed the desire for the science program to focus on: <ul style="list-style-type: none"> ○ Storytelling. Synthesis of previous work in a format suitable for sharing with a wider audience ○ Risk. Return frequencies for optimal bloom conditions based on recurrence of conditions like hydrology, climate, etc. Quantify whether planned load reductions reduce this risk. ○ Implementation of 2024 Permit as-is. Focus on response to the final load limits from the 2024 permit, <u>not</u> on changing the limits. Adjusting the limits is not a desired outcome. ○ Trading. Support for a nutrient trading framework that works within the final load limits from the 2024 permit. ○ Research into other control strategies, such as biological controls (shellfish?) or sediment addition ○ External peer review and implementing recommendations from the previous meeting of the Model Advisory Group
Nutrient Trading	<p>The purpose of nutrient trading under the watershed permit would be to even out cost impacts between agencies, incentivize agencies to plan load reduction projects that exceed those strictly needed for compliance, and provide a compliance pathway for small agencies. The group discussed concepts that will need to be worked out in order to facilitate trading under the nutrient watershed permit, such as using a centralized bank vs agency-to-agency trading; how to determine pricing; what happens if compliance schedules are extended for one agency and not another; dealing with load variability; and explaining how enforcement would work. BACWA will work to explore these trading concepts (possibly using grant funding, see below) so that the viability of trading as a compliance pathway can be clearly communicated to agencies before they determine their agency-specific nutrient reduction plans.</p>
Grant Opportunities	<p>The BACWA ED plans to prepare a draft noncompetitive grant application under the USEPA's WQIF San Francisco Bay Program Office. The grants would cover 75% of project costs. Attendees suggested selection criteria that change over time; early stages would focus on planning, later stages on implementation.</p>



Bay Area Clean Water Agencies

Request for Proposals

Compliance Support for 2024 Nutrient Watershed Permit

October 9, 2024

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Attachment A – Discharger Information

Attachment B – Standard Contract

Introduction

Bay Area Clean Water Agencies (BACWA) seeks the services of a consulting firm or team (Consultant) for Nutrient Watershed Permit (Watershed Permit) Compliance Support (Project). This Request for Proposals (RFP) includes the information needed for proposal preparation and includes various attachments associated with proposal preparation and contractual requirements, including a sample agreement. The RFP and all attachments describe the scope requirements for the Project.

Background

BACWA is a local government agency created by a joint powers agreement in 1984. Our membership includes local clean water agencies that provide sanitary sewer services to seven million people living in the nine county San Francisco (SF) Bay Area. BACWA was founded, and continues, to assist agencies in carrying out mutually beneficial projects, and to facilitate the development of scientific, economic and other information about the San Francisco Bay environment and the agencies that work to protect it and public health.

Municipal wastewater treatment plants account for about 86 percent of the average dry season total nitrogen load to San Francisco Bay (see Table F-5, [R2-2024-0013](#)). Most of the remaining nitrogen load comes from upstream in the Bay Delta. For over twelve years, BACWA and its members have supported scientific investigations into the impact of nutrient discharges to the SF Bay. Unlike estuaries around the world, the SF Bay has been historically resilient to algal blooms due to high turbidity, tidal mixing, and clam grazing. However, in the summer of 2022, a large harmful algal bloom in SF Bay resulted in a significant fish kill, and a smaller harmful algal bloom reoccurred in the summer of 2023.

The first Nutrient Watershed Permit was issued in 2014 by the San Francisco Bay Regional Water Quality Control Board (Water Board), and required nutrient monitoring and reporting, support for the scientific studies on the impacts of nutrients to the SF Bay, and a special study that identified opportunities for nutrient reductions via optimization, upgrades and sidestream treatment. The second Watershed Permit was issued in 2019, and required continued nutrient monitoring and reporting, increased support for the science, and special studies to identify opportunities for nutrient reductions via recycled water and nature-based systems. Neither of the first two Watershed Permits included requirements for nutrient load reductions (i.e., effluent limitations).

On July 10, 2024, the Water Board issued the third Watershed Permit ([R2-2024-0013](#)), to take effect October 1, 2024, which represents the third phase of this multi-permit effort. The Watershed Permit sets forth requirements for an aggregate dry season total inorganic nitrogen (TIN) load reduction of forty percent, along with a 10-year compliance schedule to

achieve those reductions. The load reductions are allocated to individual agencies based on current performance. Agencies with dry season discharge prohibitions are excluded from the load limitations.

In addition to load limitations, the Watershed Permit requires monitoring and reporting of flows and nutrient loads, reporting of milestones towards compliance with the final limits, and development of a Regional Plan that details efforts to come into compliance with the final effluent limitations and identifies alternatives to achieve lower limits, should they be required in future permits. While the permit includes a compliance schedule with a maximum of 10 years to achieve the final limits, on July 10, 2024 the Water Board approved [Resolution R2-2024-0014](#) concurrent with the Watershed Permit, directing staff to identify regulatory mechanisms to extend the compliance timeline where necessary to support beneficial projects.

More information about BACWA's work to comply with previous Watershed Permits, including Group Annual Reports, and the Special Studies required by the first and second Watershed Permits, can be found on BACWA's [website](#).

Project Description

BACWA is seeking a consultant to provide permit compliance reporting support and to assist with development of a Regional Plan to reduce nutrient loads to SF Bay. The proposer should review the [Watershed Permit](#) to understand the context and requirements of these deliverables which are summarized below:

COMPLIANCE REPORT 1: GROUP ANNUAL REPORTS 2026-2029

The Watershed Permit requires that all permittees either submit their own Annual Report on January 1 of each year, or participate in a group Annual Report to be provided by BACWA, due April 1 of each year. In the past two permit terms all permittees have elected to participate in the Group Annual Report.

On April 1 of each year beginning in 2026, and continuing for a total of four years, the Consultant will provide a Group Annual Report (GAR) to comply with Provision 5.2.2 in the Watershed Permit. BACWA has an existing contract with a consultant to provide the 2025 GAR.

The GAR will include:

- Summary tables depicting the Discharger's annual and monthly flows, nutrient concentrations, and nutrient mass loads, calculated as described in Attachment G section 8.1 (Arithmetic Calculations) of individual NPDES permits. The summary tables shall cover October 1 before the preceding year through September 30 of the

preceding year and the historic data collected since 2012. For example, the April 1, 2026 report will cover October 1, 2024 through September 30, 2025, along with historic data.

- Documentation of each agency’s nutrient loads relative to other facilities that discharge into the same subembayment (i.e., Suisun Bay, San Pablo Bay, Central Bay, South Bay, and Lower South Bay).
- Analysis of nutrient trends and load variability, and assessment as to whether nutrient mass loads are increasing or decreasing.
- A summary of the amount of water recycled annually by the Discharger, the corresponding decrease in the level of nutrients discharged to the Bay, and any updates to future water recycling plans.
- Status and plans for investigation if the trend analysis shows a significant increase in nutrient loading. In such cases, the Discharger shall investigate the cause and provide plans for investigation and report its results.

COMPLIANCE REPORT 2: COMPLIANCE MILESTONE REPORTS 2025-2029

As required by the [State Compliance Schedule Policy](#) the Watershed Permit includes enforceable milestones for each discharger with a final limit, as described in Table 5 of the Watershed Permit and excerpted below. Early actors (defined in Provision 6.3.6) who have already completed or begun construction or implementation of projects to reduce total inorganic nitrogen discharges to San Francisco Bay by October 1, 2024 shall instead provide annual status updates on project implementation.

Each year beginning in 2025, the Consultant will collect and report information from each discharger as required by Table 5 and Provision 6.3.6 of the Watershed Permit. The Consultant will also provide a summary of changes to the project plans and design and construction schedules listed in the previous year’s update and rationale for the changes. Starting with the 2027 report, the summary must identify whether each discharger has a compliance plan in place that will lead to nutrient reductions sufficient to comply with the final effluent limits by October 1, 2034, and, if not, describe the additional actions being pursued.

Compliance Milestones from Table 5 of Watershed Permit

Milestone	Compliance Date
Identify Compliance Alternatives. Dischargers shall identify preliminary alternatives for meeting the final effluent limitations in Table 4. This may include traditional treatment infrastructure, optimization, nature-based solutions, recycled water, trading, or a	April 1, 2025

Milestone	Compliance Date
<p>combination thereof. The submittal shall note whether the identified alternatives require pilot projects.</p> <p>If a Discharger has already identified a compliance pathway (selected alternative or combination of alternatives), the Discharger shall instead describe the compliance pathway, begin implementation, and provide a status update.</p>	
<p>Perform Alternatives Analysis. Dischargers shall evaluate the compliance alternatives and identify which alternative or combination of alternatives (i.e., compliance pathway) best achieves compliance with the final effluent limitations in Table 4.</p> <p>If a Discharger has already identified a compliance pathway, the Discharger shall provide a status update regarding implementation.</p> <p>If a Discharger plans to meet the final effluent limits in Table 4 solely or in part through treatment optimization, it shall include a schedule to complete the optimization portion of the work no later than May 1, 2028, and begin implementation in accordance with its schedule.</p>	April 1, 2026
<p>Submit Compliance Plan. Dischargers shall describe proposed improvements and provide an implementation schedule for major milestones for the compliance pathway identified above, including a schedule for design and construction of improvements.</p> <p>If a Discharger chooses to implement a Multi-Benefit Solution consistent with Provision 6.3.5, it shall submit a governance plan that documents partnerships and a memorandum of understanding or agreement among parties to implement nature-based solutions (e.g., land ownership and funding partnerships) or wastewater recycling (e.g., agreement between wastewater agencies, water purification entity, water contractors).</p>	April 1, 2027 ^[1]
<p>Submit Design Progress Report. If a Discharger intends to implement a capital project, such as sidestream, split-stream, or full-scale treatment, to comply with the final effluent limits in Table 4, it shall provide project details for each capital project, including a project description, estimated nutrient removal from the project, evidence that the planned improvements have moved into the design stage, the percent completion of the design, an updated implementation schedule, estimated capital costs, a financial assessment, and a funding strategy.</p>	April 1, 2028 ^[1]
<p>Submit Design Progress Report and Compliance Update. Dischargers shall summarize their progress toward meeting the final effluent limits in Table 4 and provide a status update regarding implementation of</p>	April 1, 2029 ^[1]

Milestone	Compliance Date
<p>their compliance pathway and an updated implementation schedule. If a Discharger is implementing a capital project, it shall provide a status update on its progress from the previous year, including, at minimum, the percent completion of the design, the status of contract documents used to bid projects, and an updated implementation schedule for the capital project.</p>	

Footnote:

^[1] The compliance date for this task shall be extended by one year if a Discharger experiences significant delays related to (1) the need to conduct pilot studies prior to design, (2) unsuccessful pilot studies that cause the Discharger to change course, (3) the need to develop agreements to pursue water recycling or nature-based solutions, (4) legal challenges, or (5) engineering challenges that are beyond the Discharger’s control. The Discharger shall notify the Executive Officer at least 90 days before the deadline and provide documentation that it satisfies one of the conditions for an extension above.

SPECIAL STUDY: REGIONAL PLANNING TO REDUCE TOTAL INORGANIC NITROGEN LOADS

The Watershed Permit includes Provision 6.3.4 that requires an effort to describe nationwide planning efforts to meet the final effluent limitations. The report will provide a nationwide perspective toward ensuring compliance is achieved as soon as possible. Per the Watershed Permit, the report shall include the following:

- a. Regional schedule that lays out the phasing of identified future projects;
- b. Identification of anticipated capital, operation, and maintenance costs of proposed projects, to the extent feasible for the level of planning;
- c. Description of anticipated financing alternatives and impacts on agency rates (i.e., the cost to the community) associated with the identified projects;
- d. Assessment of the impact of the proposed projects on other regulations or requirements (e.g., air and biosolids regulations);
- e. Identification of nutrient reduction projects that would occur beyond the compliance schedule established in Provision 6.3.3 (with a focus on recycled water and nature-based solution projects) with the potential to reduce baywide total inorganic nitrogen load to below 22,000 kg/day and below 17,600 kg/day (50 percent and 60 percent reduction from 2022 total inorganic nitrogen load); and
- f. Nutrient trading program, if Dischargers seek to engage in trading, consistent with U.S. EPA’s *Water Quality Trading Policy* (January 13, 2003) to facilitate achieving total inorganic nitrogen load reductions in Table 4. The proposed trading program should evaluate baywide and subembayment trading allowances that are supported by the best available science.

Besides the goals described by the Water Board in the Permit, BACWA intends for the Regional Plan to also provide the following benefits:

- Coordination between agencies regarding the timing of construction bids to facilitate a competitive bidding environment.
- Development of a compliance timeline based on actual project schedules that can be used to support a realistic compliance schedule beyond ten years in a future permit, should the Water Board either amend the compliance schedule policy, embark on a TMDL with a compliance schedule, or lower the final permit limits, restarting the 10-year compliance schedule clock.
- A map of anticipated progress over time toward reaching the aggregate Baywide load limitation.
- Project costs and financing considerations to assist in regional fundraising at the regional, state, and federal levels.

BACWA anticipates that if its members wish to develop a trading framework, it will be developed outside of the scope of this project. However, the Regional Plan will provide agency-specific information that could be used to inform such a trading program that would be incorporated in a future Watershed Permit.

The Regional Plan requires the following deliverables, which will be supported by the Consultant:

- **Scoping Plan.** By July 1, 2025, the Dischargers shall, individually or in collaboration with regional stakeholders, submit a Scoping Plan describing the work proposed to develop the Final Report required below.
- **Status Reports.** By July 1, 2026, and again by July 1, 2027, the Dischargers shall submit, or cause to be submitted, a status report describing the tasks completed and preliminary findings.
- **Final Report.** By March 31, 2029, the Dischargers shall submit, or cause to be submitted, a Final Report describing the results of their evaluations.

Scope of Services

BACWA has prepared a scope of services necessary for completion of the Project, and is provided below. This scope of services shall be used as a basis for preparation of the proposal. Additional tasks or modifications to the scope of services that the Consultant feels will produce a more useful and/or cost-effective project should be included in the proposal.

The project is divided into six tasks that are described below:

- Phase 1

- Task 1: Project Management and QA/QC
- Task 2: Group Annual Reports
- Task 3: Compliance Milestone Reports
- Task 4: Regional Plan Scoping Plan
- Phase 2
 - Task 5: Regional Plan Development
 - Task 6: Regional Plan Final Report

It is anticipated that BACWA will initially authorize only the scope of work for Phase 1 (Task 1 through Task 4). Following approval of the Scoping Plan by the Regional Water Board, BACWA will negotiate and approve the scope for Phase 2 (Tasks 5 and 6).

A list of all the participating BACWA Member Agencies is provided in [Attachment A](#). The table in [Attachment A](#) identifies whether each agency is considered a minor (≤ 1 mgd design flow) or major (> 1 mgd design flow) discharger. Only major dischargers with final load limitations are required assist with development of the Regional Plan associated with this RFP, as noted in Attachment A. Some dischargers may elect to perform the studies on their own.

PHASE 1

TASK 1: PROJECT MANAGEMENT AND QA/QC

Task 1.1 – Project Management

Consultant shall control the Project in terms of staffing, budget, schedule and scope, and promote communication within the project team including the participating agencies. The Consultant shall manage the project (including scope, schedule, and budget) by task (Task 1, Task 2, etc.).

BACWA has assembled a Contract Management Group, made up of representatives from our member agencies, that, along with the BACWA Executive Director and BACWA Regulatory Program Manager, will be guiding the work of the Consultant. BACWA's Executive Director or their designee will be the assigned client project manager for this contract. In-person meetings will be conducted in the SF Bay Area at a location to be determined by BACWA.

Items covered under this task include, but are not limited to:

- Kickoff meeting (virtual)
- Monthly meetings with the BACWA Contract Management Group (virtual)
- Twice-yearly progress meetings at the BACWA Executive Board (in-person)
- Annual meetings presenting findings to entire BACWA membership (in-person)
- Scope, budget and schedule management
- Management and coordination of Consultant staff

- Monthly invoicing and progress reports

TASK 2 – GROUP ANNUAL REPORTS 2026-2029

The purpose of this task is to gather and provide analysis of the magnitude and trends in nutrient loads from Publicly Owned Treatment Works (POTWs) to the SF Bay. This task will begin with the reporting associated with the Group Annual Report due April 1, 2026.

Task 2.1 – Data Collection and Review

Consultant shall obtain the previous reporting year’s nutrient loading data, covering October 1st to September 30th, from the California Integrated Water Quality System (CIWQS) or from individual participating agencies. The Consultant will identify data gaps and work with BACWA and its member agencies to address these. Note that dischargers are required to report dry season nitrogen concentrations and daily load estimates to CIWQS by October 30th, and dry season load estimates will be due to CIWQS by February 1st following each dry season. Coordination with dischargers will be needed to ensure consistency between the dry season load estimates listed in the Group Annual Report and the values reported to CIWQS. The nutrient load data will be sorted by subembayment to calculate aggregate loads.

Task 2.2 – Data Analysis

Consultant shall compare data from each reporting year to data from previous reporting years, as well as data collected from the Water Code 13267 Letter issued by Regional Water Board Executive Officer (dated March 2, 2012) and compiled by San Francisco Estuary Institute (SFEI). This data has been compiled in previous Group Annual Reports. If significant trends in nutrient loads are observed, the Consultant will solicit information from the permittees to identify the cause of the trends.

Task 2.3 – Reporting

Consultant shall provide TIN loading data from the previous year to BACWA by February 15 of each year to assist BACWA in budgeting the nutrient surcharge (a fee to permittees to pay for support of the science), which is allocated by each agency’s proportional contribution to TIN loading. The Consultant will provide draft individual agency data analysis and a summary draft Group Annual Report to permittees and BACWA for review by March 1 of each year and deliver the Final Group Annual Report by March 30 for BACWA to submit to the Regional Water Board by April 1.

TASK 3: COMPLIANCE MILESTONE REPORTS 2025-2029

The purpose of this task is to comply with the requirements for compliance milestone reporting in 2025, 2026, 2027, 2028, and 2029, as described in Provision 6.3.3 and 6.3.6 of the Watershed Permit.

Task 3.1 – Compliance Milestone information collection

The initial steps in the compliance milestone reporting will be to reach out to agencies and determine which ones are subject to the compliance milestone and which are early actors as defined by the Watershed Permit Section 6.3.6. Early actors will be identified in the 2025 report.

The Consultant will develop a template each year that is relevant to the specific permit requirement for that year. The template will be used to collect compliance milestone information from each permittee so consistent responses can be submitted for all agencies. The Consultant shall provide the template for review to the Contract Management Group, and then collect the information from member agencies.

Starting in 2027, the Consultant shall also collect information related to the one-year extensions allowable by Footnote 1 to Table 5 of the Watershed Permit, including which dischargers (if any) qualified for the extension and the date that the discharger provided required documentation to the Executive Officer. The annual compliance schedule report will differ for any dischargers that qualified for the extension.

Task 3.2 – Compliance Milestone Reporting

The Consultant will provide the Compliance Milestone Report to permittees for review by March 1 of each year and deliver the Compliance Milestone Report by March 30 for BACWA to submit to the Regional Water Board by April 1.

TASK 4: REGIONAL PLAN SCOPING PLAN

The purpose of this task is to lay out a proposal for developing a Regional Plan to reduce total inorganic nitrogen loads to SF Bay, and then submit the proposal to the Regional Water Board for approval.

Task 4.1 - Scoping Plan

The Scoping Plan will identify the work necessary to complete the regional planning effort. A large part of this task will be to lay out what information will be gathered from member agencies, versus what additional information will be developed by the Consultant. This consideration will be particularly important for the Regional Plan's requirements for financial/rate analyses, and identification of alternatives for nutrient reductions below the levels identified in the Watershed Permit's final effluent limits. Various agencies will have vastly different levels of existing analyses and information available on these topics. Additionally, as agencies will be rapidly developing their nutrient reduction planning efforts in response to the Watershed Permit, the Consultant will need to have a strategy to stay abreast of evolving agency efforts.

PHASE 2

TASK 5 – REGIONAL PLAN DEVELOPMENT

The purpose of this task is to develop the Regional Plan as required by Provision 6.3.4 of the Watershed Permit. The scope of work for this task will be adjusted based on the approach developed under Task 4 once the Scoping Plan has been approved by the Regional Water Board. The level of effort will depend on how much information will be provided by the agencies versus what will be developed by the Consultant.

Task 5.1 – Regional Schedule

Consultant will work with agencies to understand and document anticipated schedules to complete projects that will reduce nutrients. Part of this task will be to identify where multiple agencies may have overlaps in construction bidding timeframes, and identify areas where agencies may share resources to increase synergies. Consultant will outline anticipated progress toward meeting the Baywide aggregate load limit.

Task 5.2 – Identify costs associated with nutrient reduction

The Consultant will identify the anticipated capital, operation, and maintenance costs of proposed projects, to the extent feasible for the level of planning.

Task 5.3 – Evaluate Financing Alternatives and Impacts on Rates

Consultant will provide a description of anticipated financing alternatives and impacts on agency rates (i.e., the cost to the community) associated with the identified projects.

Task 5.4 – Assess cross-media impacts

Consultant will provide an assessment of the impacts of the proposed projects on other regulations or requirements (e.g., air and biosolids regulations).

Task 5.5 – Identify alternatives to reduce nutrients loads below permit limitations

Consultant will work with permittees to identify conceptual alternatives and costs of nutrient reduction projects that would occur beyond the compliance schedule, with a focus on recycled water and nature-based solution projects. These projects would further reduce aggregate TIN loading to below 22,000 kg/day and below 17,600 kg/day (50 percent and 60 percent reduction from 2022 total inorganic nitrogen load).

Task 5.6 – Progress Reporting

Consultant will develop progress reports on this effort to be reviewed by BACWA and submitted to the Water Board by July 1, 2026, and again by July 1, 2027.

TASK 6 – REGIONAL PLAN FINAL REPORT

The purpose of this task is to develop a draft and final Regional Plan report.

Task 6.1 – Draft Report

Consultant shall prepare an annotated report outline for review and approval as the first step under this Task.

The Draft Report will be released to the participating agencies for a 30-day comment period.

Task 6.2 – Final Report

Following the comment period, the Consultant will work with BACWA to finalize the Report for submission to the Regional Water Board by March 31, 2029. After review by the Regional Water Board, the Final Report may require modification.

Project Schedule

The project shall be completed based on the major milestones as provided below.

Major Milestone	Date
Notice to Proceed	December 6, 2024
Task 1: Project Management <ul style="list-style-type: none"> • Contract Management Group meetings • Update to BACWA Executive Board • Update to BACWA membership 	<ul style="list-style-type: none"> • Monthly • 2x per year • 1x per year
Task 2: Group Annual Report due	April 1, 2026; April 1, 2027; April 1, 2028; April 1, 2029
Task 3: Compliance Milestone Report due	April 1, 2025; April, 1 2026; April 1, 2027; April 1, 2028; April, 1 2029
Task 4: Regional Plan Scoping Plan	July 1, 2025
Task 5.6: Regional Plan Development - Progress Reporting	July 1, 2026; July 1, 2027
Task 6: Regional Plan Final Report	March 31, 2029

Organization and Content of the Proposal

Suggested proposal outline.

Section	Contents
Cover Letter	Transmittal
1	Identification of Proposer
2	Project Understanding
3	Project Approach
4	Project Team and Qualifications
5	Project Experience
6	Project Schedule
7	Fee Estimate (Separate)
8	Exceptions to Contract Terms and Conditions
A	Resumes of Key Staff

Section 1: Identification of Proposer

Clearly list the following information for your firm: company name, address, phone number, and main contact person with title and email address.

Section 2: Project Understanding (maximum 2 pages)

Provide a description of your firm's understanding of the project, such as its purpose and any noteworthy project challenges that your firm foresees in completing the project and how you would propose to address them.

Section 3: Project Approach (maximum 10 pages)

(Note: If accepted by BACWA, this Section (or a mutually agreed upon, modified version) will be inserted into the Consulting Services Contract between BACWA and the selected Proposer/Consultant.)

Use the information provided in this RFP to provide a detailed description of your approach and proposed tasks for completing the desired services. Describe the tasks that you see as necessary to complete the work of this RFP, meet the BACWA's goals and objectives, and satisfy the requirements of the Agreement.

Describe how you will provide the requested services and how you will flexibly staff the project given the various tasks. Describe how your firm's and sub-consultant's project members will interface with one another. Outline the methods and controls by which your firm will manage and complete the tasks as described in this RFP.

Discuss the specific tasks that you may require from BACWA and participating agencies. Explain how your firm's staff and BACWA and its members will interface.

Separately identify any additional optional tasks not identified in this RFP that are proposed by your firm to complement Tasks 1-6. Do not include optional tasks within Tasks 1-6; break them out separately (Task 7, 8, etc.).

Section 4: Project Team and Qualifications (maximum 5 pages)

Describe the proposed team organization (include an organizational chart); the specific role of key staff members; and how BACWA will be involved with the proposed team. Specifically list the names and titles of the firm's key staff that will participate on the Project and indicate the portion of the time that key staff will be available to work on the Project. Describe prior projects where key team members have worked together. Describe the manner in which key team members interfaced with each other and with the owners of prior projects. For each key project team member, describe their level of experience with similar projects (include resumes in the Proposal Appendix).

If sub-consultants will make up part of the project team, indicate the role and responsibility of each sub-consultant; how the sub-consultant will be managed; and how the sub-consultant will interface with BACWA. Provide the following information for sub-consultants: company name, address, phone number, fax number, and main contact person.

Section 5: Project Experience (maximum 6 pages)

Describe the length of time that the firm has provided the services requested in this RFP and prior clients that have received such services. Summarize recent experience gained from other projects that are specifically relevant to the subject project.

*Include four (4) references for relevant and related projects over the last seven (7) years. The references shall include the following: owner name; contact person with email and phone number; project name; date of project commencement and completion; project location; contract amount; brief project description; and a description of the services provided by your firm.

Section 6: Project Schedule

Include a proposed project schedule listing major milestones for the project from project kick-off, through and including, interim milestones and final deliverables.

Section 7: Level of Effort

Include a spreadsheet that details the Proposer's/Consultant's Estimated Work Effort. The Estimated Work Effort shall list the number of hours with employee title/category that will be devoted to each task and/or subtask described in the Scope of Work (Approach to the Work) submitted by the Proposer/Consultant. Proposals should contain estimated labor hours allocated to all the tasks in this RFP, including the level of seniority of staff assigned to each task. The Estimated Work Effort, if accepted by BACWA, will form the basis of the Consultant's Fee (Part F – Fee Proposal, separate document).

Note: The Estimated Work Effort shall not include or otherwise indicate the Consultant's hourly rates or total cost. The Estimated Work Effort will be used to assess the amount of time required to complete the desired services, not the cost.

Section 8: Fee Estimate (To be submitted separately)

Submit a Fee Proposal which shall be used for billing under this contract. The Fee Proposal shall be submitted as a separate document, clearly marked as the Fee Proposal. Fee Proposals will be considered sealed and will not be reviewed as part of the qualifications-based selection process.

The Fee Proposal shall include all costs required to complete the "Work" for this contract. The "Work" shall address Phase 1: Tasks 1-4. The fee for Phase 2: Tasks 5 and 6 will be negotiated following Water Board approval of the Scoping Plan. The fee proposal shall specifically include the following:

- a. An itemized list of all tasks required for the completion of the Work. Breakdown by task (Task 1, Task 2, etc.) is required as budget will be tracked on a per-task basis. Breakdown by subtask (Task 3.1, 3.2, etc.) is optional.
- b. A list of all involved personnel (name, title, and/or employee category) with proposed hours and hourly rate for each.
- c. Indicate the use of any sub-consultants (if applicable). Include the sub-consultant's name, employee names with titles and/or employee categories, labor hours, and cost.
- d. Indicate the markup on sub-consultants and all other costs.

- e. Include all required costs required to make a complete project, i.e. labor hours, technology charges, etc. in an itemized format.
- f. Indicate the overall not-to-exceed total cost for the work.

*Note: The Fee Proposal will be reviewed after the evaluation of the Proposals based on the selection criteria is complete and will not be considered as part of the selection process. The purpose of the fee proposal is to inform eventual contract negotiations for the successful Proposal. The final Fee Proposal cost is subject to approval and acceptance by BACWA.

Section 9: Exceptions to Contract Terms and Provisions

Clearly indicate any exceptions to BACWA’s RFP and/or Contract documents. Any exceptions or changes will require review by BACWA’s Legal Counsel and are subject to Board review and approval. Any changes may delay the project if not identified with the submission of this proposal.

Appendix A: Resumes of Key Staff (maximum 2 pages per staff person)

Provide resumes of key staff, including subconsultants.

Contract Negotiations

As described above, the contract will be based on a two-phased negotiation. The first phase will include the development of Phase 1 including Tasks 1 through 4. Once the Scoping Plan is accepted by the Regional Water Board, the contract will then be amended based the level of effort required for Phase 2 (Tasks 5 and 6). Optional tasks may be authorized in either phase.

Proposal Evaluation Criteria

Criteria	Points
Project approach – Setting objectives and developing plan to collect and generate information	30
Expertise of proposed team in nutrient removal/regional planning/finance	25
Principal in Charge/Project Manager – Availability and responsiveness	15
Relevant firm experience and understanding of the permittees’ opportunities and challenges	15
Level of Effort – Appropriate distribution of labor resources	10
Proposed Schedule	5
Total	100

Terms and Conditions

Proposal Costs

The cost for developing the proposal shall be the sole responsibility of the Proposer. BACWA shall not be responsible for any costs to develop proposals.

Proposals to Remain Open

The Proposer shall guarantee its proposal for a period of ninety (90) calendar days from the proposal due date.

Withdrawal of Proposal

Proposals may be withdrawn at any time prior to date/time established in this RFP for receipt of Proposals and only by written request for the withdrawal of the Proposal filed with BACWA. The request shall be executed by the Proposer or its duly authorized representative. The withdrawal of the Proposal does not prejudice the right of the Proposer to file a new Proposal. Proposals will not be received after the specified due date and time, and no Proposal may be withdrawn after the specified due date and time established in this RFP.

Owner's Right Reserved

The RFP does not commit BACWA to award an Agreement. BACWA, at its sole discretion, reserves the right to accept or reject any or all Proposals received, to waive any informality in a Proposal, to interview any and all firms submitting Proposals, to negotiate with any qualified Proposer, to amend the RFP prior to the Proposal due date, or to cancel the RFP in part or completely. All Proposals will become the property of BACWA. If any proprietary information is contained in the Proposal, it should be clearly identified.

BACWA may contact any Consultant to clarify a response and/or contact any of the Consultant's references during the evaluation and review period. BACWA will make a selection based upon the Evaluation Criteria which establishes the greatest overall value of the professional services to BACWA.

Execution of the Agreement

Upon final selection of a Consultant, staff will issue a Notice of Award and Agreement documents to the Consultant for signature. The Consultant selected for the Work shall enter into an Agreement with BACWA and furnish the required insurance certificates with endorsements within fourteen (14) calendar days after receipt of the Agreement and Notice of Award.

Questions and Other Requests for Information

All questions and requests for information regarding this RFP or the Project shall be directed in writing, via email, to Lorien Fono at lfono@bacwa.org. Questions shall be submitted by October 17, 2024 and answers will be distributed to all Proposers by October 22, 2024.

Proposal Due Date

All proposals will be submitted via email to Lorien Fono at lfono@bacwa.org by 5:00 pm on November 6, 2024.

Proposals will be evaluated and ranked based on the criteria provided above, by a selection committee made up of BACWA staff and BACWA members. BACWA may make a selection based on the written proposals, or may hold interviews. If BACWA elects to hold interviews, they will be held via teleconference no sooner than the week of November 18, 2024.

Attachment A – Discharger Information

A listing of all Watershed Permittees and whether they are considered minor (<1 mgd) or major (>1 mgd) dischargers is provided in Table 1 of the Nutrient Watershed Permit and excerpted below. All the listed dischargers must participate in group annual reporting (Task 1 of the RFP). The fifth column (“Effluent Limits, Y/N”) indicates whether the discharger has effluent limitations listed in Table 4 of the Permit, which further requires participation in Compliance Milestone Reporting (Task 2 of the RFP) and development of the Regional Plan (Tasks 4, 5 and 6 of this RFP).

Discharger	Facility Name	Facility Address	Minor/ Major	Effluent Limits (Y/N)
American Canyon, City of	Wastewater Treatment and Reclamation Facility	151 Mezzetta Court American Canyon, CA 94503	Major	Y
Benicia, City of	Benicia Wastewater Treatment Plant	614 East Fifth Street Benicia, CA 94510	Major	Y
Burlingame, City of	Burlingame Wastewater Treatment Plant	1103 Airport Boulevard Burlingame, CA 94010	Major	Y
Central Contra Costa Sanitary District	Central Contra Costa Sanitary District Wastewater Treatment Plant	5019 Imhoff Place Martinez, CA 94553	Major	Y
Central Marin Sanitation Agency	Central Marin Sanitation Agency Wastewater Treatment Plant	1301 Andersen Drive San Rafael, CA 94901	Major	Y
Crockett Community Services District	Port Costa Wastewater Treatment Plant	End of Canyon Lake Drive Port Costa, CA 94569	Minor	Y
Delta Diablo	Delta Diablo Wastewater Treatment Plant	2500 Pittsburg-Antioch Highway Antioch, CA 94509	Major	Y
East Bay Dischargers Authority (EBDA); Cities of Hayward and San Leandro; Oro Loma Sanitary District; Castro Valley Sanitary District; Union Sanitary District; East Bay Regional Parks District; Livermore-Amador Valley Water Management Agency; Dublin	EBDA Common Outfall	EBDA Common Outfall 14150 Monarch Bay Drive San Leandro, CA 94577	Major	Y
	Hayward Water Pollution Control Facility			
	San Leandro Water Pollution Control Plant			
	Oro Loma/Castro Valley Sanitary Districts Water Pollution Control Plant			
	Raymond A. Boege Alvarado Wastewater Treatment Plant			
Livermore-Amador Valley Water Management Agency Export and Storage Facilities				

Discharger	Facility Name	Facility Address	Minor/ Major	Effluent Limits (Y/N)
Ramon Services District; and City of Livermore	Dublin San Ramon Services District Wastewater Treatment Plant			
	City of Livermore Water Reclamation Plant			
East Bay Municipal Utility District	East Bay Municipal Utility District, Special District No. 1 Wastewater Treatment Plant	2020 Wake Avenue Oakland, CA 94607	Major	Y
Fairfield-Suisun Sewer District	Fairfield-Suisun Wastewater Treatment Plant	1010 Chadbourne Road Fairfield, CA 94534	Major	Y
Las Gallinas Valley Sanitary District	Las Gallinas Valley Sanitary District Sewage Treatment Plant	300 Smith Ranch Road San Rafael, CA 94903	Major	N
Marin County (Paradise Cove), Sanitary District No. 5 of	Paradise Cove Treatment Plant	3700 Paradise Drive Tiburon, CA 94920	Minor	Y
Marin County (Tiburon), Sanitary District No. 5 of	Wastewater Treatment Plant	2001 Paradise Drive Tiburon, CA 94920	Minor	Y
Millbrae, City of	Water Pollution Control Plant	400 East Millbrae Avenue Millbrae, CA 94030	Major	Y
Mt. View Sanitary District	Mt. View Sanitary District Wastewater Treatment Plant	3800 Arthur Road Martinez, CA 94553	Major	Y
Napa Sanitation District	Soscol Water Recycling Facility	1515 Soscol Ferry Road Napa, CA 94558	Major	N
Novato Sanitary District	Novato Sanitary District Wastewater Treatment Plant	500 Davidson Street Novato, CA 94945	Major	Y
Palo Alto, City of	Palo Alto Regional Water Quality Control Plant	2501 Embarcadero Way Palo Alto, CA 94303	Major	Y
Petaluma, City of	Municipal Wastewater Treatment Plant	3890 Cypress Drive Petaluma, CA 94954	Major	N
Pinole, City of	Pinole-Hercules Water Pollution Control Plant	11 Tennent Avenue Pinole, CA, 94564	Major	Y
Rodeo Sanitary District	Rodeo Sanitary District Water Pollution Control Facility	800 San Pablo Avenue Rodeo, CA 94572	Major	Y
San Francisco (San Francisco International Airport), City and County of	Mel Leong Treatment Plant, Sanitary Plant	Bldg. 924 Clearwater Drive San Francisco, CA 94128	Major	Y

Discharger	Facility Name	Facility Address	Minor/ Major	Effluent Limits (Y/N)
San Francisco (Southeast Plant), City and County of	Southeast Water Pollution Control Plant	750 Phelps Street San Francisco, CA 94124	Major	Y
San Jose and Santa Clara, Cities of	San Jose/Santa Clara Water Pollution Control Plant	700 Los Esteros Road San Jose, CA 95134	Major	Y
San Mateo, City of	City of San Mateo Wastewater Treatment Plant	2050 Detroit Drive San Mateo, CA 94404	Major	Y
Sausalito-Marín City Sanitary District	Sausalito-Marín City Sanitary District Wastewater Treatment Plant	1 East Road Sausalito, CA 94965	Major	Y
Sewerage Agency of Southern Marin	Sewerage Agency of Southern Marin Wastewater Treatment Plant	450 Sycamore Avenue Mill Valley, CA 94941	Major	Y
Silicon Valley Clean Water	Silicon Valley Clean Water Wastewater Treatment Plant	1400 Radio Road Redwood City, CA 94065	Major	Y
Sonoma Valley County Sanitation District	Municipal Wastewater Treatment Plant	22675 8th Street East Sonoma, CA 95476	Major	N
South San Francisco and San Bruno, Cities of	South San Francisco and San Bruno Water Quality Control Plant	195 Belle Air Road South San Francisco, CA 94080	Major	Y
Sunnyvale, City of	Sunnyvale Water Pollution Control Plant	1444 Borregas Avenue, Sunnyvale, CA 94089	Major	Y
Treasure Island Development Authority	Treasure Island Wastewater Treatment Plant	1220 Avenue M San Francisco, CA 94130	Major	Y
Vallejo Flood and Wastewater District	Vallejo Flood and Wastewater District Wastewater Treatment Plant	450 Ryder Street Vallejo, CA 94590	Major	Y
West County Agency; West County Wastewater District; City of Richmond; and Richmond Municipal Sewer District	West County Agency Combined Outfall	2910 Hilltop Drive Richmond, CA 94806	Major	Y
	West County Wastewater District Treatment Plant			
	Richmond Municipal Sewer District Water Pollution Control Plant			

Attachment B – Standard Contract

BAY AREA CLEAN WATER AGENCIES PROFESSIONAL SERVICES CONTRACT

This PROFESSIONAL SERVICES CONTRACT, effective [Click here to enter a date.](#), is between Bay Area Clean Water Agencies (“BACWA”), a joint powers agency which exists as a public entity separate and apart from its Member Agencies, created January 4, 1984 by a Joint Powers Agreement between Central Contra Costa Sanitary District, East Bay Dischargers Association, East Bay Municipal Utility District, the City and County of San Francisco and the City of San Jose, with a mailing address of P.O. Box 24055, MS 702, Oakland, CA 94623, and [Click here to enter text.](#) (“Consultant”), a [Choose an item.](#) doing business at [Click here to enter text.](#) for professional services as described in any Exhibit A attached hereto.

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

Description and Standard of Services to be Performed

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

Payment for Services

6. BACWA will pay Consultant based on the rates in [Exhibit B](#), up to a maximum amount payable of [Click here to enter text.](#) Consultant will not exceed the maximum amount payable without obtaining prior written approval from BACWA.
7. Consultant shall submit invoices monthly. Invoices shall include the hours charged by each employee, a brief description of the work performed, and a description of costs for which Consultant seeks reimbursement and which are specified in [Exhibit B](#).
8. Payments under this Contract will be due thirty (30) days after BACWA’s receipt of invoices. BACWA may withhold from any progress or final payment any damages, backcharges or claims incurred or anticipated by BACWA to the extent caused by Consultant.

Document Ownership and Retention

9. Consultant will maintain all financial records relating to this Contract in accordance with generally accepted accounting principles and for at least three years following termination of this Contract. Consultant will grant BACWA and its representatives access upon request to all such records and all

other books, documents, papers, drawings, and writings of Consultant that refer or relate to this Contract.

10. All drawings, specifications, reports, programs, manuals, and other work product of Consultant that result from this Contract (“Work Product”) will be considered the exclusive property of BACWA. Consultant agrees that it will not use, disclose, communicate, publish or otherwise make available to third parties any products, analyses, data, compilations, studies, proposals, technical or business information, and any other information related to the Services provided to BACWA without BACWA’s prior written approval.

Indemnification

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

Insurance

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

Assignment

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

Independent Contractor

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

Termination of Contract; Suspension of Services

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

Dispute Resolution

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

Severability

20. BACWA and Consultant agree that if any term or provision of this Contract is determined to be illegal, in conflict with any law, void or otherwise unenforceable, and if the essential terms and provisions of this Contract remain unaffected, then the validity of the remaining terms and provisions

will not be affected and the offending provision will be given the fullest meaning and effect allowed by law.

Survival

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

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

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

- Exhibit A – Scope of Work
- Exhibit B – Hourly Rates/Reimbursable Expenses

CONSULTANT: _____ [Click here to enter text.](#)

_____ [Click here to enter text.](#)
Street Address

_____ [Click here to enter text.](#)
City, State, Zip Code

_____ [Click here to enter text.](#)
Tax Identification No.

_____ [Click here to enter a date.](#)
Consultant Signature *Date*

_____ [Click here to enter text.](#)
Name, Title

_____ [Click here to enter a date.](#)
BACWA Signature *Date*

_____ [Click here to enter text.](#)
Name, Title

EXHIBIT A

SCOPE OF WORK

Professional Services by [Click here to enter text.](#)
Fiscal Year [Click here to enter text.](#)

[Click here to enter text.](#) will provide professional services to Bay Area Clean Water Agencies (BACWA) for the following activities, the costs of which are **not to exceed** [Click here to enter text.](#):

EXHIBIT B

HOURLY RATES/REIMBURSABLE EXPENSES

Consultant

Click here to enter text.

Click here to enter text.

Hourly Rate

Click here to enter text.

Click here to enter text.

Note from BACWA Staff:

This is a draft memo that would be circulated internally within USEPA (from Region 9 to HQ) to obtain approval for a noncompetitive grant from the SF Bay Water Quality Improvement Fund. The intent is for a grant to be awarded to BACWA for tasks related to implementation of the Nutrient Watershed Permit.

BACWA is acting as ghostwriter for this early conceptual draft.

November XX, 2024

MEMORANDUM

SUBJECT: Justification of Non-Competitive Award to Bay Area Clean Water Agencies (BACWA) for work on Nutrient Management in San Francisco Bay in accordance with Section 12.a.(6) of EPA’s Policy for Competition of Assistance Agreements (“Competition Policy” or “Policy”) - EPA Order 5700.5A1

FROM: Martha Guzman, Regional Administrator, Region 9

TO: Elizabeth January, Grants Competition Advocate, Office of Grants and Debarment

The Environmental Protection Agency (EPA) Region 9 San Francisco Bay Program (SF Bay Program) requests approval to issue a non-competitive grant to the Bay Area Clean Water Agencies (BACWA; UEI #####) based on the public interest exception (Section 12.a.(6)), of EPA’s *Policy for Competition of Assistance Agreements* (EPA Order 5700.A1).

I. Background

The SF Bay Program administers competitive grants under the San Francisco Bay Water Quality Improvement Fund (SFBWQIF) that protect and restore San Francisco Bay. This proposed grant will support work to advance the speed and scale of nutrient load reductions from publicly owned treatment works (POTWs) to San Francisco Bay (SF Bay).

The proposed work is focused on planning and implementation of dry season Total Inorganic Nitrogen (TIN) load reductions from POTWs. Significant load reductions of this type are a critical piece of nutrient management in SF Bay, as outlined in the San Francisco Bay Nutrients Watershed Permit for Municipal Wastewater Dischargers ([Order R2-2024-0013](#)) adopted by the San Francisco Bay Regional Water Quality Control Board (Water Board) in July 2024. Nutrient Management is identified as one of the eleven priorities of the SF Bay Program’s fiscal year (FY) [2024 Annual Priority List](#). Pursuant to Clean Water Act Section 125, 33 U.S.C. § 1276a, the EPA drafts an annual priority list which is vetted through a stakeholder process and finalized by the EPA.

BACWA is a local government agency created by a [joint powers agreement](#) in 1984. Our membership includes local clean water agencies that provide sanitary sewer services to seven million people living in the nine county San Francisco (SF) Bay Area. BACWA was founded, and continues, to assist agencies in carrying out mutually beneficial projects, and to facilitate the development of scientific, economic and other information about the SF Bay environment and the agencies that work to protect it and public health.

Municipal wastewater treatment plants account for about 86 percent of the average dry season total nitrogen load to SF Bay (see [Table F-5, R2-2024-0013](#)). Most of the remaining nitrogen load comes from upstream in the Bay Delta. For over twelve years, BACWA and its members have supported scientific investigations into the impact of nutrient discharges to SF Bay. Unlike other estuaries around the world, SF Bay has been historically resilient to algal blooms due to high turbidity, tidal mixing, and clam grazing. However, in the summer of 2022, a large harmful algal bloom in the Bay resulted in a significant fish kill, and a smaller harmful algal bloom reoccurred in the summer of 2023.

The Water Board first issued a Nutrient Watershed Permit in 2014. The permit required nutrient monitoring and reporting, financial support for scientific studies on the impacts of nutrients to the Bay, and a special study that identified opportunities for nutrient reductions via optimization, upgrades and sidestream treatment. The second Watershed Permit was issued in 2019, and required continued nutrient monitoring and reporting, increased financial support for scientific investigations, and special studies to identify opportunities for nutrient reductions via recycled water and nature-based systems. Neither of the first two Watershed Permits included requirements for nutrient load reductions (i.e., effluent limitations).

In July 2024, the Water Board issued the third Watershed Permit (R2-2024-0013), which took effect October 1, 2024. This permit represents the third phase of this multi-permit effort. The Watershed Permit sets forth requirements for an aggregate dry season TIN load reduction of forty percent, along with a 10-year compliance schedule to achieve those reductions. The load reductions are allocated to individual agencies based on current performance. Agencies with dry season discharge prohibitions are excluded from the load limitations.

In addition to load limitations, the Watershed Permit requires monitoring and reporting of flows and nutrient loads, reporting of milestones towards compliance with the final limits, and development of a Regional Plan that details efforts to come into compliance with the final effluent limitations and identifies alternatives to achieve lower limits, should they be required in future permits.

To support its member agencies, BACWA plans to lead the preparation of reports required by the third Watershed Permit. This effort will include preparation of Group Annual Reports, which will compile flow and nutrient load data and progress updates on the 10-year compliance schedule. The effort will also include preparation of a Regional Plan, beginning with a scoping plan due July 1, 2025. As required by the Watershed Permit and envisioned by BACWA, the Regional Plan will identify both current strategies and future opportunities to reduce TIN loads to SF Bay. It will also include development of a trading framework consistent with U.S. EPA's [2003 Water Quality Trading Policy](#).

This BACWA-led approach is consistent with the work BACWA has done to comply with the two previous Watershed Permits. The BACWA website includes previous [Group Annual Reports](#), the optimization and upgrade [Special Study required by the first Watershed Permit](#), and links to the recycled water and nature-based solutions [Special Studies required by the second Watershed Permit](#).

BACWA is the sole regional organization that is managed entirely by POTWs and carries out programs of mutual interest on their behalf. Approval of this exception will support BACWA-led cooperation among wastewater agencies on regional nutrient load reduction efforts. The goal of this cooperation is to identify opportunities to reduce and equitably distribute the cost of compliance among Bay Area wastewater agencies using two tools: (a) development of a nutrient trading program and (b) direct grants to BACWA member agencies implementing nutrient reduction projects.

EPA expects work under the SF Bay Program to benefit underserved communities and meaningfully involve affected communities experiencing adverse and disproportionate environmental harm and health risks and will ask grantees to track such progress.

II. Summary of Proposed EPA-funded Grant

Subject to the availability of anticipated EPA funding, the proposed noncompetitive grant will total \$XX million to be incrementally funded to BACWA over a 5-year project period. The SF Bay Program expects the initial outlay for the grant to be \$X million of FY25 funds with a ceiling of additional funding in subsequent years up to a total of \$XX million. The statutory authority for these grants is the Clean Water Act, Section 125, 33 U.S.C. § 31276a. The Assistance Listing number is 66.126. Funds will support the EPA's FY 2022-2026 Strategic Plan, Goal 5: Ensure Clean and Safe Water for All Communities and Objective 5.2: Protect and Restore Waterbodies and Watersheds. The SF Bay Program intends to support this effort in order to expedite cost-effective nutrient load reductions to SF Bay.

The timing of work to be completed over the next five years approximately coincides with the term of the third Nutrient Watershed Permit, which expires September 30, 2029.

The scope of work for BACWA to be supported with EPA funds is shown below and is broken into two tasks, one specifically for a nutrient trading program and one for all other efforts to implement nutrient load reductions. The total budget is approximately \$X million in the initial workplan for 2024-2025, with flexibility to add incremental funds and scope of work.

Task A. Nutrient Trading Program

Background

In January 2017, The Freshwater Trust completed the report [Point-to-Point Source Water Quality Trading for Nutrients in the San Francisco Bay](#), finding that “a watershed-based point-to-point source nutrient trading program represents a feasible tool to help dischargers comply with future permit limits while improving the water quality of the Bay in an efficient and cost effective manner.” The report also included recommendations to reduce the risk and cost of the program. At the time

the report was completed, no effluent limitations had been developed for POTWs in SF Bay, so the report's assumptions and findings need to be revisited in light of the current regulatory framework.

Any trading program would be developed in accordance with U.S. EPA Policy, including its [2003 Water Quality Trading Policy](#) and its February 2019 [Update to Promote Market-Based Mechanisms for Improving Water Quality](#).

Proposed Scope of Work for EPA-funded Grant

- **Trading Framework.** Refresh the work completed by The Freshwater Trust in 2017 to reflect the current regulatory framework (2024 Watershed Permit, 10-year compliance plan) and current scientific understanding of nutrient management in SF Bay. Explore the feasibility of a trading framework under the constraints of the 2024 Watershed Permit.
- **Trading Costs.** Update economic analysis to assess the potential pricing of nutrient credits
- **Model Scenario Support.** Investigate the potential timing and scale of a viable trading program to support efforts by the Nutrient Management Strategy to develop model scenarios of water quality impacts
- **Regional Plan.** Develop information about a trading program to include with the Regional Plan being developed in compliance with the 2024 Nutrient Watershed Permit
- **2029 Watershed Permit.** Develop information about a trading program to support the next Watershed Permit
- **Project management and coordination.**

Additional Notes:

BACWA intends to work with a consultant to complete a substantial portion of this scope of work. A consultant has not been selected, but would be chosen via competitive process. The proposed budget will not be used to cover participation by BACWA member agency staff, but **may** be used to cover participation by BACWA staff in the effort. Information about the proposed trading framework will be shared with the Nutrient Management Strategy science program at the San Francisco Estuary Institute (SFEI), which may investigate the potential effects of trading on SF Bay water quality by comparing model scenarios. The proposed budget will not be used to directly support work completed by the Nutrient Management Strategy (NMS), which is covered by a separate non-competitive SFBWQIF grant approved July 25, 2024.

Proposed Schedule: 2024-2029

Proposed Budget: \$**XX,000** in 2025, up to \$X million for 2024-2029

Task B. Implementation of Nutrient Reduction Projects

Background

The 2024 Nutrient Watershed Permit's interim and final effluent limits will impact up to 36 POTWs. The 10-year compliance schedule ends October 1, 2034, requiring compliance during the 2035 dry season. Roughly half of the POTWs are already on a pathway to compliance based on currently completed or planned projects. The other half will need to quickly develop a plan for significant TIN

load reductions, either through treatment optimization, facility upgrades, recycled water diversions, nature-based solutions, or a combination.

Proposed Scope of Work for EPA-funded Grant

BACWA intends to run a competitive solicitation 2-5 times in the period 2024-2029 for competitive grants to member agencies to implement nutrient removal projects. Eligible awardees would be limited to the dischargers listed in Table 3 (Interim Effluent Limitations) and Table 4 (Final Effluent Limitations) of Order R2-2024-001, all of which are currently BACWA member agencies (or part of a JPA that is a BACWA member agency). The grants would be intended to enable agencies to advance the **speed, scale, or ratepayer equity** for nutrient reduction projects at their respective POTWs. Based on the projected size of the grants (under \$0.XM), these grants would not be a substitute for existing grant and loan programs such as the State Revolving Fund, and they would not be suitable for funding large capital projects.

Grant awardees would be selected by BACWA via a selection committee made up of member agency staff. Selection criteria would change from year to year, with an early emphasis on planning and pilot projects; the emphasis would shift to project implementation in later years of the 5-year project. The selection criteria will include:

- **Speed.** Projects where the funding can be used to speed up the completion of TIN load reduction projects in advance of the Water Year 2034/35 compliance date.
- **Scale.** Projects where the funding can be used to increase the magnitude of planned TIN load reductions past the level needed for permit compliance, especially where there is an additional benefit such as water supply, climate resilience, or habitat (list not inclusive).
- **Innovation.** Projects where pilot testing is necessary for innovative technologies to reduce costs or achieve multiple benefits.
- **Equity.** The potential for projects to minimize rate impacts on ratepayers in disadvantaged communities by identifying and piloting cost-efficient alternatives, and by subsidizing project completion (including capital costs, if appropriate).

BACWA envisions that the grants could include:

- **Planning Grants** for planning deliverables required by Table 5 of the 2024 Watershed Permit, or to plan projects that would further reduce TIN loads below the final effluent limits.
- **Pilot Project Grants**
- **Project Implementation Grants**, including capital costs
- **Project management and coordination**

Additional Notes:

The proposed budget may be used to cover participation by BACWA member agency staff, BACWA staff and grant management costs.

Proposed Schedule: 2024-2029

Proposed Budget: \$XX,000 in 2024-2025, up to \$X million for 2024-2029

III. Justification of noncompetitive award based on Section 12.a.(6) of the Competition Policy

A. No meaningful competition if the grants were to be competed

POTWs are collectively responsible for approximately 86% of the dry season total inorganic nitrogen load to the Bay (see [Table F-5, R2-2024-0013](#)), with the remainder load coming from upstream in the Bay Delta. POTWs are the only entities with both a current regulatory mandate and the technical capability to achieve significant nutrient load reductions to SF Bay in the next decade.

BACWA is uniquely positioned to implement the work proposed in this grant because it represents each of the POTWs directly affected by the interim and final effluent limitations in the 2024 Nutrient Watershed Permit. Importantly, the final effluent limitations are expressed as an aggregate mass load limit, which necessitates a coordinated regional response.

Competing Task A of this grant (Nutrient Trading Program) would not result in a meaningful competition because EPA is not aware of any other organizations that would apply and have the necessary expertise and regional support required to successfully compete. In developing a trading framework, BACWA members prefer to directly collaborate with one another to build trust; a successful trading program will require member participation and good faith. A non-POTW entity leading the development of a trading program without POTW participation would not be able to build trust through the process. Because of the considerable public resources and time required by the EPA to manage a competition, it would not be in the public's interest to pursue a competition to support this work. Further, a non-POTW entity managing the work would jeopardize the quality of the work product, which depends on POTW participation and insights, including potential sharing of privileged cost information.

Competing Task B of this grant (Implementation of Nutrient Reduction Projects) would not result in a meaningful competition because EPA is not aware of any other entities other than POTWs that can achieve significant nutrient load reductions to SF Bay. The 2024 Nutrient Watershed Permit expresses the final TIN effluent limit using an "aggregate mass load limit" ([Table 4, Order R2-2024-0013](#)), so it is necessary for dischargers to work together – not independently -- to achieve load reductions. An EPA-managed competition between BACWA member agencies would not foster group efforts to collectively comply with the aggregate load limit. EPA is not aware of any other entities other than BACWA able to quickly determine which projects can advance the speed, scale, and ratepayer equity of nutrient reduction efforts in SF Bay, then quickly disperse small grants to those member agencies. Because of the considerable public resources and time required by the EPA to manage a competition, it would not be in the public's interest to pursue a competition to support this work.

B. Substantial public benefit to making the award quickly

Issuing a non-competitive award to BACWA will help the POTW community identify ways to quickly and cost-efficiently reduce nutrient loads to SF Bay, then begin implementation of those projects.

There are substantial public benefits to making this award quickly:

- Projects that quickly reduce TIN loads to SF Bay will make harmful algae blooms less likely sooner.
- Projects that reduce TIN loads beyond the final effluent limits will make harmful algae blooms less severe.
- The proposed nutrient trading program and grants to projects in disadvantaged communities will reduce the ratepayer impact of the Nutrient Watershed Permit while addressing equity concerns. This approach spreads the costs of water quality benefits more fairly among Bay Area ratepayers, while ensuring benefits for all.

IV. Conclusion

An exception from the Competition Policy will facilitate the implementation of nutrient removal projects needed for compliance with the 2024 Nutrient Watershed Permit, an essential part of Nutrient Management in SF Bay. A noncompetitive grant to BACWA to develop a trading program will foster efforts to distribute the costs of nutrient load reduction projects more equitably among Bay Area ratepayers. BACWA's role as a grant manager for small grants to member agencies will allow for a coordinated approach on compliance with the permit's aggregate load limits, resulting in bigger, better, and faster improvements to Bay water quality.

cc: {TBD}

Concurrence:

{TBD}

Grants Competition Advocate

Office of Grants and Debarment

Planning Subcommittee (PSC) Meeting No. 85

Sept 11, 2024

1:00 pm – 3:30 pm

Teleconference

Chair: Ian Wren

Meeting Notes

Part 1 Attendees: Dave Senn, Ian Wren, Richard Looker, Lorien Fono, Eric Dunlavey, Amit Mutsuddy, Robert Schlpf, Ariella Chelsky, Kevin Lunde.

1. Agenda Review

Ari requested that we reschedule the next planning subcommittee meeting due to conflict with the Bay Delta conference.

2. Program Update

HABs, summer 2024

There has been no major *heterosigma* event, but there was a bloom in seaplane lagoon on Aug 16, which is consistent with the “window of opportunity developed by the team. Remote sensing is available. Mapping work happen in early July and on August 15. The next window is Sept 15, and there is a mapping survey at that time. There are new six Central Bay moorings in place, and some have telemetry.

Staffing – There have been two new hires. Katie N. has been hired to the mooring program (replacement for Lilia) and Katie H. was hired for monitoring program development (funded by WQIF #2). Kevin requested a written summary of the program staffing and their responsibilities. There is an org chart [here](#). The science team has been doing interviews. They have made an offer to a modeler, and are deciding whether to make another offer. The new hires will be introduced at the next NMS Steering Committee members.

3. EPA Science Workplan

Dave had circulated to the workplan to EPA for new SF Bay Program Office funding. Ian provided the following summary:

1. Water Quality Monitoring

- ***Sustain and Expand Monitoring:*** *Continue and expand the existing biweekly-to-monthly ship-based and moored sensor monitoring to collect comprehensive water quality data across San Francisco Bay.*

- **Expand Monitoring Specifics:** Increase monitoring of shallow shoal environments, enhance sensor networks, and implement high-priority HAB-related measurements
- **Data Management:** Management and QA/QC of new incoming data from monitoring and targeted studies (Task 2), and the dissemination of data through the publication of new and existing NMS datasets.
- **Total Cost:** \$5,199,874

2. Targeted Field and Lab Studies

- **Pursue High-Priority Data Gaps:** Conduct field and lab studies focusing on harmful algal blooms, biogeochemistry, and assessment framework development based on identified science priorities.
- **Total Cost:** \$1,500,110

3. Data Analysis & Synthesis

- **Synthesize Data for Decision-Making:** Analyze and synthesize collected data to address management-relevant science questions, focusing on harmful algal blooms, nutrient dynamics, and other environmental factors affecting the bay.
- **Total Cost:** \$1,874,702

4. Numerical Modeling

- **Develop and Apply Models:** Enhance existing models and develop new applications to investigate nutrient dynamics, predict ecosystem responses, and assess management strategies for their effectiveness in improving water quality.
- **Total Cost:** \$2,750,048

5. Program Support and Governance

- **Manage and Coordinate Program Efforts:** Provide overarching management and governance, engaging with stakeholders, managing budgets, and ensuring the integration of science work with regional priorities.
- **Total Cost:** \$3,675,266

Dave explained the distribution between labor, usgs/university external expenses, subcontractor funding, direct total funding (regional + epa) and the restrictions on overhead rates. These are baked into the proposal but other aspects of the proposal are flexible. He also explained concerns that the funding wouldn't be available after the first 2 years depending on the future political climate. We don't know when the program will issue an award letter, and we won't hire anyone until funding is certain.

4. NMS Science Planning

Richard and Kevin provided a memo on what the Water Board feels program needs are for the next watershed permit. There are two "flavors" of recommendations, the aspirational and the fallback. BACWA would like a focus on moving forward with synthesis work and reconvene the

modeling advisory group. Richard commented that they are not taking feedback on their permitting approach, but would take feedback on how the science was accomplished. Dave pointed out the MAG's recommendations were based on different use cases and a different regulatory timeline.

The Water Board confirmed that we will still be translating the bio stimulatory objective. The refinements might be in the DO number, the spatial extent of the DO drop, the use of HABs rather than DO as the endpoint, and the time extent for the bloom. Kevin would like expert help with work planning. The workplan will be approved in May 2025, so the decisions will need to be finalized by then.

5. NMS program management

Ian noted that Will Geiken will be doing some of the project management, and opened it up to the group what we want out of a program manager. Dave listed a few different roles that the program manager could fill, including weighing in on the science, to managing staffing. Eric pointed out that as the program grows, it's not reasonable for Dave to keep absorbing the management efforts, and we need someone on the executive level to fill the role. We need someone to do planning, budgeting, and staff management. There was general agreement to move this process forward, and the PSC members will offer assistance in the hiring process.

6. NMS Steering Committee Agenda

Richard and Lorien will co-present on science planning needs at the October 11 Steering Committee meeting. There will also be a technical update and financial report. We should provide a picture of the different funding streams. We would like to get feedback on meeting schedule to finalize the science plan.

Ian shared a potential agenda:

- 1) Intro material (30 mins)
- 2) Science and Permitting Strategy (90 mins)
- 3) Financial Update and Funding Sources (grants etc) (30 mins)
- 4) Science Updates (90 mins)

7. NMS Planning Subcommittee reboot

The chair will rotate each meeting between Eric, Ian, and Kevin.

The next PSC meeting is scheduled for Sept 24 and will focus on science planning.

8. Action items:

- Dave will share project management job description
- Lorien will share BACWA response to the Water Board's memo so that we can work together on a presentation for the Steering Committee.

Planning Subcommittee (PSC) Meeting No. 86

Sept 24, 2024

1:00 pm – 3:30 pm

Teleconference

Chair: Ian Wren

Meeting Notes

Part 1 Attendees: Dave Senn, Ian Wren, Richard Looker, Lorien Fono, Eric Dunlavey, Amit Mutsuddy, Robert Schlpf, Ariella Chelsky, Kevin Lunde.

1. Agenda Review

The future agendas will be provided on a rolling basis. Previous meeting notes will be shared via links on the agenda.

2. Science Priority Discussions

Dave shared a science program [response](#) to the Water Board priority memo. Lorien noted that BACWA was developing a memo on BACWA's priorities, which will be delivered to the Water Board by the end of these week. We should prioritize tasks based on importance, resource requirements, and likelihood of success. The science team hasn't gone through the Water Board's priorities yet to assign costs.

Dave noted that there was genomic work done on the *Heterosigma* bloom in 2022, and there was a notable difference between that and other strains that have been observed in other locations.

There was a discussion about the timing of funds from EPA and how this can affect this year's science program. The key management question is making sure that we have the information necessary to reissue the permit. Kevin would like to see a workplan that dictates the work over the next 3-5 years to support permitting decisions. We should disambiguate between the terms of art "work plan", "science plan" and "program plan". Robert reminded folks that the permit requires an annual science plan update. Kevin's definition of the work plan is more limited to specific tasks that will be done to support the permit, without reevaluating the science goals. However, we may need to reprioritize existing work in the science program.

Dave shared a set of hypothetical decision that could be made. The Water Board and BACWA shared that the compliance schedule is not based on return frequency but on the length of time that it takes to complete nutrient reduction projects. Eric commented that the framing for the updated science plan should be broadly about whether the science can support the current load limits, rather than looking for a basis for load reductions.

3. Steering Committee agenda

We would like to refresh the group on what is already in this year's program plan. There will be the usual program update, and some time at the end for a science update.

Dave shared a draft agenda for the October 11 meeting. For the WB/BACWA science priorities, Richard and Lorien will co-present, and give an explanation about how the work planning will relate to the larger science plan, and what's being asked as a prioritization exercise. We will present the basis of permitting decisions, and ask the Steering committee for feedback on whether there are other projects to add for consideration. Richard will start off with a review of how the WQBELs were achieved, then will work with BACWA on identification of priorities for this permit to confirm or refine the limits.

There was discussion about leaving time for a science update, but we will push the science update to a November NTW meeting.

8. Action items:

- Lorien will share BACWA science priorities as a basis for a co-presentation with the Water Board at the Steering Committee.
- Dave will pull together an updated schedule of the various upcoming meetings including timeframe, participants, and meeting goals.



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

Date/Time: October 11, 2024, 9:00 AM to 2:00 PM

Location: WEBCONFERENCE

Chair: Kevin Lunde

Steering Committee Attendees

Organization	First	Last	Role	Present	Comments
BAMSC	Adam	Olivieri	Member		
	Tom	Hall	Alternate	X	
	Matt	Fabry	Alternate		
BACWA	Amit	Mutsuddy	Member	X	
	Jackie	Zipkin	Alternate	x	
	Lori	Schectel	Alternate	X	
	Eric	Dunlavey	Member	X	
Cal DFW	Becky	Ota	Member		
U.S. Geological Survey	Mike	Chotkowski	Member		
NOAA Fisheries	Joe	Dillon	Member	X	
	Brian	Meux	Alternate	X	
Sac Sewer	Tim	Mussen	Member	X	
San Francisco Baykeeper	Ian	Wren	Member	X	
South Bay Salt Pond Restoration Project	David	Halsing	Member	X	
Interagency Ecological Program	Steve	Culberson	Member	X	
SFCWA	Lynda	Smith	Member		
	Frances	Brewster	Alternate		
U.S. EPA	Luisa	Valiela	Alternate		
	Dana	Michels	Alternate	X	
U.S. FWS	Leanna	Zweig	Member		
WSPA	Kevin	Buchan	Member		
Ocean Protection Council	Kaitlyn	Kalua	Member		
Central Valley Water Board	Adam	Laputz	Member		
	Janis	Cooke	Alternate	X	
	Christine	Joab	Alternate		
SF Bay Water Board	Kevin	Lunde	Member	X	
	Richard	Looker	Alternate	X	

Additional Attendees

Allie King, SFEI
Ariella Chelsky, SFEI
Blake Brown, Central San
Brandan Castillo, Water Stewardship Program
Christine Sur, OPC
Corinna Hong, NMFS
Dan Killam, SFEI
David Senn, SFEI, Science Manager, Program Coordinator Team
Eileen White, RWB
Eric Dubinsky, EPA
Farid Karimpour, SFEI
Julie Song, EPA
Katie Harding, SFEI
Katie Nolan, SFEI
Kerry O'Connor Water Board
Lorien Fono, BACWA
Lucy Montgomery, SFEI
Martin Volaric, SFEI
Mary Cousins, BACWA
Neva Richardson, Watershed Stewardship Program
Pradeep Magunthan, Modeler
Robert Schlipf, Water Board
Will Geiken, SFEI

Meeting materials are available here:

<https://drive.google.com/drive/folders/1xBPHbxBljrJicE6kVsmJxBexWrDjsFH>

1. Welcome, Introductions and Agenda Review

Kevin Lunde chaired the meeting and led introductions. EPA has not yet designated a voting representative. Michael Huet will be Sac Sewer's voting alternate for the Steering Committee.

2. Decision: Approve Prior SC Meeting Summaries

It was noted BAASMA is now called BAMSC – Bay Area Municipal Stormwater Collaborative. Eric Dunlavy made a motion to approve the minutes with this edit, Amit Mutsuddy seconded. The motion passed unanimously.

3. Information: Action Items

There was one action item from the previous meeting:

- Identify a work plan with a set of projects that are both feasible and cover high-priority projects to propose to the Planning Subcommittee, and if necessary, the Steering Committee.

This action item is complete.

4. Information: Planning Subcommittee Report Out

The PSC met on April 12 and May 1. The main discussion topics were EPA funding, staffing, and planning for the Steering Committee meeting.

5. NMS Program Updates

SFEI NMS Team – Several new staff have joined the team, including Katie Noland (Water Quality

Monitoring), Will Geiken (Project Management, Science Comms), Katie Harding (Phytoplankton Ecology). Neva Richardson and Brandon Castillo have joined from the Water Stewardship Program. Dave also gave a shoutout to external partners at USGS, RMA, and UCSC.

The team is working to hire a program manager, a science communicator, and technical staff.

FY2025 Program Plan – The May 10, 2024 Program Plan including budgets was included in the packet, including proposed projects that will move forward pending receipt of EPA funds.

FY24/25 Annual Report Overview - Dave walked through the [Annual Report](#) that explains the status of ongoing projects. Will gave an overview of financial reporting, and noted that there is more funding than was anticipated in May due to higher RMP funds and carry-over funds. He gave an overview of the spending status of core programs, and special projects, calling out projects that are coming to completion. A table of work products from July 2024 onward was provided. Tom H requested that there be dates added to the anticipated deliverables.

Workplan for EPA funding – EPA asked the NMS to develop a 5-year workplan with an initial request for two years of support from their FY24 funding pot. The workplan was included in the packet.

Dave gave an overview of how the science program is planning for future HAB event response. He explained that there are windows of opportunity that are driven by tidal cycles and the weather, with low-energy neap tides paired with high insolation allowing phytoplankton growth. Additionally, antecedent concentrations of nitrogen are driven by prior phytoplankton growth. Dan noted also that several known grazers were absent before the 2022 bloom. There was a discussion about communicating information about windows of opportunity.

The NMS has made a major investment in expanding the monitoring network. There were several presentations on the NMS work at the Bay Delta Conference, and they will share the slides.

Communications outputs

The NMS is in the progress of updating its website so that materials are more accessible. There will also be a program overview document (draft November, final January). There will also be a technical overview document that will be similar in detail to the RMP's pulse (draft January, final in March). Ian asked for feedback on the appropriate audience for each of the three planned outputs, and the themes for the technical document.

6. Information: Regional Water Board science priorities during 3rd Bay-wide nutrient permit

Robert gave an [overview](#) of the 3rd Nutrient Watershed Permit that was adopted on July 10, 2024. Richard described the Water Board's process for translating the narrative biostimulatory objective to a numeric limit on nutrient discharges. *Heterosigma akashiwo* drew down all the available nitrogen in the water column, and when the bloom terminated, the oxygen was drawn down to harmful levels when the algae biodegraded. Nitrogen levels were modeled under various load reduction scenarios to find levels which would prevent a repeat of this anoxic condition. The results of this calculation showed that that a 40% load reduction would be protective. Individual agency final limits were calculated by multiplying effluent flows by a target concentration of 20.5 mg/L. There is a 10 year

compliance schedule, and the Water Board adopted a resolution directing staff to look for ways to extend it.

There was a question about the linkage between nutrient loads and nutrient concentrations within the Bay. Richard responded that many of the other factors controlling nitrogen concentrations aren't controllable. Dave cautioned that while we may be able to simulate the bloom with the model, it's only a single instance of a HAB and therefore gives us limited predictive capacity for future events.

Dave shared the grid of the different program areas (phyto/O₂, Open Bay/LSB, HABs, coastal impacts, future scenarios), versus what decisions they meant to inform (assessment framework, condition, nutrient linkage, management options). He shared the considerations that had gone into resource allocations in the past.

7. Discussion: Science Planning, multi-year plan, part 2

The Water Board and BACWA have developed their science priorities to inform the next Nutrient Watershed permit. Richard provided a [presentation](#) summarizing these ideas:

- Dynamic modeling of a bloom – this would allow a more nuanced approach than stoichiometry
- Refine or eliminate DO field assumption – could use model to simulate DO
- Update source apportionment – Update with more water years and recent loads
- Support development of a trading program – develop scenarios, or minimal or “no impact” thresholds
- Modeling to support WQBELS – Account for actual load reduction allocation, rather than blanket 40% reduction
- Revise interpretation of narrative objective to include time – explore duration and frequency of non-attainment for DO
- Reconvene MAG – get feedback on high-priority model updates
- Model WQBELS for all Municipal and Industrial Facilities – Include industrial dischargers
- Account for direct HAB effects – literature and lab studies
- Refine DO threshold with VPA – explore exposure duration to match bloom exposure
- Explore factors determining bloom initiation and spread – also explore post-bloom control like clay/PAC material
- Improve understanding of HAB biology – conduct lab tests on *Heterosigma* and other species
- Explore Wetland Restoration or enhance SF Bay Resilience – Partner with South Bay San Pond restoration or local academics

- Monitoring to Observe Impacts of Load Reductions – consider possible monitoring program modifications to ensure the it can detect impacts of load reductions
- Produce Useful synthesis products – synthesize important findings to foster deeper stakeholder involvement
- Produce an annual report for non0scientific audience – Provides financial summary, an update on work accomplished, annual summary of state of the Bay

Joe Dillon commented that the LSB and Suisun Marsh finding aren't necessarily applicable to the main bay due to lack of presence of salmonids. Also low DO impedes the ability of fish to avoid predators. We may also want to consider percent saturation rather than DO concentration.

Dave pointed that using a regulatory lens will help us fine-tune the science. Richard noted that setting a plan now will prevent needing to make last minute decisions before the next permit. Jackie reminded the group that the regulatory decision making needs to be integrated with BACWA members' planning and construction efforts.

Kevin asked for initial responses from the group, which leg to the following recommendations and discussions:

- There was a question about the role of OAH regulations on the SF Bay Science. Richard responded that that effort is well behind our timeline. There was interest in tracking the work being conducted by SCWWRP. The new modeler is coming from UCSC and was involved with the SCWWRP modeler.
- Leave room in our work plan for unexpected issues. We could keep a reserve to respond to unanticipated events.
- Collaborating with entities nationwide on HAB response.
- Consider the role of smothering in fish death. We could use lab-based toxicity testing, or use observations from the bloom to inform our understanding. It was noted that there was no damage observed on gills after the bloom
- We need to be intentional about our go/no-go decisions about studies, as well as level of resources to invest in individual projects.

The steering committee will vote on next year's science plan at the end of this fiscal year (May), so decisions need to be finalized at that point.

Dave launched a discussion about the role of the Steering Committee and engaging the group on decision-making. He recommended adding a few additional Steering meetings, as the number has dwindled due to covid. He suggested a Nov or Dec 2024 technical update meeting. He asked for feedback about how to handle science planning – whether to convene a subgroup or to hold additional Steering Committee meeting for science planning purposes.

It was suggested that we have more opportunities to exchange information. Also, we can post supporting information in advance and highlight where decisions need to be made. We will establish a

broader invite list and invite folks to participate in an exercise to prioritize science tasks.

8. Action Items and Wrap-up

- SC members to send feedback on communication product needs.
- Add projected dates to deliverables in Annual Report
- SFEI will send out a survey to plan an NTW meeting and potentially schedule another steering committee meeting
- We will solicit participation from the Steering Committee to participate in the Planning Subcommittee meetings to do science prioritization
- The science team will provide input on feasibility and resources required for proposed science tasks

Meeting adjourned at 2:10 pm



Science Needs for the 2024 Watershed Permit term

Bay Area Clean Water Agencies

The 3rd Nutrient Watershed Permit was adopted on July 10, 2024 and will become effective on October 1, 2024. One of the permit's requirements is support for the science at a level of \$2.2M/yr. Science activities are overseen by the Nutrient Management Strategy Steering Committee, composed of regional stakeholder representatives. In 2025 the Steering Committee will be asked to approve an updated Science Plan that will guide work to be conducted during the 3rd Watershed Permit term. Both the Water Board and BACWA, as the regulator and permittees, have developed a set of priorities for the Science Plan.

The Water Board's science needs, as articulated in the August 26, 2024 memo, are targeted at the basis for the calculations used to establish the total inorganic nitrogen (TIN) limits in the 3rd Watershed Permit. Their intention is to refine or confirm those limits prior to the issuance of the 4th Watershed Permit in 2029. BACWA's identified science needs support these goals as well as identifying a broader need for stakeholder understanding of the science, and investigations into HAB biology. These goals can broadly fit into three categories:

- Modeling refinements
- Synthesis and communications
- Additional opportunities to control HABs

BACWA views the following recommendations as complementary to the tasks that were identified by the Water Board. We would like the Steering Committee to participate in a prioritization exercise to identify the critical path that will be used to update the Science Plan for the current permit term.

Modeling refinements

- **Reconvene the MAG.** The modeling advisory group (MAG) was last convened in February 2023, before the Water Board had laid out its vision for the role of the model in its permitting strategy. The MAG should be reconvened as soon as practical to give feedback on (1) targeted model improvements to assist in the current permitting strategy, as well as which of their previous recommendations are relevant in this context; and (2) the likelihood of being able to update the model to simulate the bloom, and then use the model to investigate some of the factors such as initial DO, temporal extent of the bloom, and HAB toxicity, that the Water board has identified as high priority investigations prior to the next permit.
- **Update source apportionment modeling.** The existing source apportionment work that allocated TIN levels at points within the SF Bay to contributions from individual dischargers was conducted using the 2013 water year as its basis. Since then, Sac Sewer has dramatically decreased its TIN loading to the Delta, and many POTWs have decreased their TIN loading. If the Water Board plans to investigate the impact of location- or subembayment-based factors in future load allocations, updating the source apportionment model based on these new loads and using additional water years is a precondition for that work.

- **Include hydrology among the non-anthropogenic factors that influence a bloom.** The Water Board provides a list of non-anthropogenic factors that impact the initiation and spread of the bloom. The 2021/2022 water year was one of the driest on record, so the model should be used to probe the extent to which hydrology can influence a bloom.
- **Use the model to support a trading program.** BACWA is working to understand the feasibility of nutrient trading as a way to achieve more cost-effective nutrient reductions for our region. The more broadly agencies can trade the more successful such a program out be. If the Water Board plans to use location- or subembayment-based factors in updating load limits then understanding the level of nutrient trading (i.e. moving load reductions from one location to another) below which there would be no observable impact would help simplify the program. This item is a lower priority, as a trading program is in its early stages of development.

Synthesis and communications

- **Synthesis work that is already complete.** Over the past decade and more, the science team has produced a significant body of work that helps us understand the impact of nutrients on the Bay. However, much of that work is described in disparate manuscripts, reports, and in some cases, on power point slides. Producing synthesis work is a high priority to inform stakeholders, especially those who have been involved in the programs for less than its full history, about the state of the science. This will help foster stakeholder involvement in setting future science priorities.
- **Provide Annual Reporting.** POTWs have made and continue to make significant financial contributions to the NMS Science Program. Most POTW managers do not have the time or expertise to understand the technical material that is produced by the program. The Science Program should produce an annual report that provides the following to a non-scientific audience: (1) A financial summary of how public funds are being spent; (2) An update on work that has been accomplished over the past year; and (3) An annual summary of the state of the SF Bay based on monitoring data.
- **Understand Impact of decreased loads from POTWs.** POTWs have already begun decreasing their TIN loads from the peak in 2017, and over the next decade plus will spend more than ten billion dollars on further nutrient load reductions. It is critical that the monitoring program be oriented to observe the impacts of these load reductions and that the science program can articulate these observations to managers and the public who are paying for those load reductions. A framework for communicating on the State of the Bay should be developed (potentially as a collaboration with other divisions within SFEI) to guide the monitoring work to support this effort.

Additional opportunities to control HABs

- **Enhance our understanding of HAB biology.** Blooms in 2022 and 2023 were caused by *Heterosigma akashiwo*. While BACWA recognizes that there are many other species of algae in the Bay that could cause future blooms, many waterbodies around the world are impacted regularly by a single species. It makes sense to invest a limited set of resources in lab tests to improve our understanding about factors related to *Heterosigma* growth and die-off, and what role its mixotrophy may play in bloom dynamics. This knowledge may be helpful if in the future the model can simulate a bloom. It can also help us understand if there are potential

management actions that can help us limit its growth or speed its die-off once a bloom is initiated.

- **Investigate Post-bloom control.** Work is ongoing at NOAA (Woods Hole Oceanographic Institution, Mass.) on HAB post-bloom control, using the application of clay/PAC material. Their work should be reviewed to determine whether it is applicable and practicable in the SF Bay. If so, pilot work should be launched to test its applicability here.
- **Increase the Bay's resilience to future blooms.** The Watershed Permit includes this language as one of the requirements for the science program: *"Explore opportunities to restore wetlands or to increase the resiliency of San Francisco Bay against nutrient loading (e.g., eelgrass beds to increase dissolved oxygen)."* Work is ongoing among academics and NGOs on living shorelines projects that restore habitats such as eelgrass and native oysters. The science program should establish new partnerships to leverage existing research into these areas, and explore how these avenues may increase the resilience of the Bay in the case of an algal bloom.

**BACWA-BAAQMD
Implementation Workgroup
Meeting Summary**

Date: September 23, 2024
Time: 1:30-3:30 pm
Location: Zoom

1) Introductions

- a) **Bay Area Clean Water Agencies (BACWA)** – Lorien Fono, Jason Nettleton, Nohemy Revilla, Arvind Akela, Rita Cheng, Courtney Mizutani, Ray David
- b) **Bay Area Air Quality Management District (BAAQMD)** – Greg Nudd, Victor Douglas, Carol Allen, Sanjeev Kamboj, Jerry Bovee, Pamela Leong, Viet Tran, Chris Easter, Nick Madden

2) Updates from BACWA and BAAQMD

- a) Nutrient Permit
 - i) Lorien provided information on the new Watershed Permit which requires a 40% nitrogen reduction to the Bay. This will result in many new capital projects at POTWs which will necessitate time-sensitive processing of permit applications. BACWA wants BAAQMD to be aware of this multi-billion-dollar, sector-wide effort to protect the Bay.
 - ii) Good communication and timely processing of permit applications will be necessary in order for POTWs to be able to construct the necessary facilities in time to comply with the NPDES permit requirements associated with the new Watershed Permit. There is a 10-year compliance schedule imposed by the Regional Water Quality Control Board.
 - iii) The projects for each agency will be developed over time and are site specific. Each facility will determine the most appropriate and effective nutrient removal solution based on their site, regulatory requirements, and existing facilities. There are likely multiple alternatives for each agency, and it is difficult to extrapolate from agency to agency. This may be an iterative process, so all the permit applications are not projected to arrive at once.
 - iv) BAAQMD encouraged per-application meetings, and to be sensitive to “piecemealing” projects.
- b) Permit Timelines and Staffing
 - i) Pam reported new permitting staff is being added, but not to Organic Section permitting. Additional staff are planned to assist with permit streamlining, including two in refineries, one in engines, and one in Title V.
 - ii) Greg said there will be a focus on streamlining to reduce engineering workload.

3) Outlook on Engagement

- a) Update from BAAQMD on Strategic Plan and Resulting Rule Making Priorities
 - i) Greg reported that staff has started Implementing the Strategic Plan and work will be rolled into the budget process for next year. Additional timeline information should be available later in 2024.

- ii) Pam reports that the staff is working on the Corrective Action Plan, in concert with the Strategic Plan. The October Finance and Administration Committee meeting will discuss streamlining the processing of engine applications.
 - iii) Carol reported that the [Facility Toxic Emissions and Prioritization Tool](#) is live, and is based on 2022 data. It will be updated annually.
 - iv) BAAQMD staff is working on a White Paper for Rule 13-4 Sewage Treatment and Anaerobic Digestion. BACWA is meeting with Rule Development staff (scheduled for September 30) and will provide sector specific technical support so that the White Paper can reflect the most accurate sector information. Greg said that fundamentally, the BAAQMD will focus on sources that drive inequity.
- b) Update from BAAQMD on Status of Edits to Standard Permit Conditions
- i) BAAQMD provided comments on SPCs for Anaerobic Digesters, Biogas-fueled Cogeneration Engines, and Waste Handling on May 30. BACWA will provide feedback on those SPCs ahead of the January 2025 meeting.
 - ii) Sanjeev shared that Brenda Cabral is starting work on a SPC for Headworks.
 - iii) Source Testing is working with Permitting to provide comments on source test methods in the SPCs.
- c) Update from BAAQMD on Source Testing
- i) BAAQMD said they are working to resolve a work backlog. Source Testing is working to streamline processes and working with IT develop a portal to submit source test protocols and issue notifications.
 - ii) Comparison of EPA and BAAQMD Methods – Jerry noted that EPA methods are preferred over BAAQMD methods. He highlighted Introduction of the Manual of Procedures, Volume IV, Source Test Policy and Procedures, which states: *“1.3 Alternate Methods - EPA methods may be used alternately without prior approval.”* Source Test is working with Permitting to address alternatives in the permit conditions.
 - iii) Guidance on Report Formatting – Jerry provided links to EPA site specific test plan and test report guideline documents¹.
 - iv) Source Test Workshop- Jerry is planning an internal meeting with Permitting in October. There is currently no plan for another external Source Test workshop.
- d) Update from BAAQMD on Future BACT Determination Process and Guidebook Updates – Tier 4 is planned for standby ICE > 50 hp. Following this meeting, BAAQMD announced an October 21 webinar on Best Available Control Technology for Small to Medium-Sized Standby Diesel Engines. Permit applicants that propose new or modified emergency standby diesel engines will need to use engines that meet the EPA Tier 4 emissions standards.
- e) Update from BAAQMD on Status of Rule 11-18 Amendments – The next draft amendments are expected Q4 2024, with a workshop to follow. Victor noted that they will be looking at concepts to streamline the HRA process.

¹ Links shared are to:

- Air Emission Measurements Center Homepage (EPA; <https://www.epa.gov/emc>)
- *Requirements for Source Testing Reporting* (BAAQMD; June 9, 2022; <https://shorturl.at/5oanD>)
- *Requirements for Source Testing and Continuous Emissions Monitoring System Calibrations* (BAAQMD; June 9, 2022; <https://shorturl.at/IVzpv>)
- *Manual of Procedures, Volume IV: Source Test Policy and Procedures* (BAAQMD; Amended December 21, 1994; <https://shorturl.at/1ZfhD>)

- i) BACWA commented on the Concept Paper on 2/29/2024 and anticipates providing comments on the revised language.
 - f) Update from BACWA on CASA Statewide Air Toxics Pooled Emissions Study Coordination – Outreach to BAAQMD (and other agencies statewide) is planned for later in 2024 to discuss compounds, processes, etc. Sanjeev has been identified as point of contact for BAAQMD, so when that time comes, the study leadership will reach out to him.
- 4) **Other Opportunities for Collaboration between BACWA and BAAQMD**
 - 5) **Decision/Action Item Summary**
 - 6) **Next Meetings**
 - a) **Quarterly Meeting:** January 13, 2025 at 1:30-3:30, in person at BAAQMD offices/ hybrid
 - 7) **Adjourn**

Subject	Actions	Lead	Initiated	Status	General Comment
a) Report to BAAQMD Board on Workgroup Activities	<i>BAAQMD to include Report in BAAQMD Board meeting packet.</i>	BAAQMD	4/2023	Complete	Lorien Fono presented at July 17 Stationary Source Control Committee meeting.
b) Edits to Standard Permit Conditions	<i>Brenda responded to edits and has begun work on additional SPCs for BACWA review. Source Testing engaged in development of SPCs. Consider source testing in permit conditions. Revisions to the Permit Handbook include Source Testing to review SPCs (permit engineer/supervisor to consult with Source Testing).</i>	BAAQMD	2/2023	Ongoing	BACWA to work directly with Brenda Cabral and copy Sanjeev on emails. BAAQMD provided initial feedback to BACWA 5/2024. BACWA to provide comments by the next meeting (1/2025). BACWA and BAAQMD to work together to discuss comments and additional SPCs. BAAQMD to continue working internally to include appropriate test methods in SPCs.
		BAAQMD	7/2022	Ongoing	
c) Source Testing	<i>Jerry is planning a source test workshop to include source testing companies and a variety of industries, including BACWA. Topics to include appropriate test methods and report format. Jerry would like to receive source test protocols as early as possible. Offered to review RFPs for source testing.</i>	BAAQMD	6/2024	Canceled	Source Testing will conduct internal training with Permitting in October. No outside stakeholder workshop is currently planned.
		BACWA & BAAQMD	6/2024	Pending	BAAQMD and source test specialists are under-resourced. BACWA to share with member agencies that BAAQMD needs to receive protocols as soon as available to facilitate review by BAAQMD prior to testing.
d) Rule 11-18 Amendments	<i>BAAQMD amending Rule 11-18.</i>	BACWA	2/2024	Ongoing	BACWA to engage with Rulemaking process. Comment letter submitted 2/29/2024. BAAQMD said it is still open to input. Draft amendments expected Q4 2024.
e) BAAQMD/CASA Statewide Air Toxics Pooled Emission Study Coordination	<i>Coordination via CASA and with CARB. BACWA will send out invitation for meeting with CARB/CAPCOA/Air Districts.</i>	CASA	12/2020	Ongoing	First meeting with BAAQMD 12/7/22. Track alignment between CARB two-step process and BAAQMD Rule 11-18. Sanjeev to be point of contact for BAAQMD. He will coordinate with BAAQMD staff as needed (anticipated Q4 2024).
		BACWA	2/2023	Pending	

f) BAAQMD Strategic Planning Initiative	<i>BACWA will track Finance and Administration Committee agendas to identify opportunities to engage in Strategic Planning.</i>			Ongoing	BACWA to monitor.
g) Review PM 2.5 Local Risk Method	<i>BACWA to monitor Stationary Source, Advisory Council, and Community Advisory Council meetings. Update expected later in 2024.</i>	BACWA	7/2022	Ongoing	BAAQMD finalizing draft methodology and sending OEHHA. The Advisory Council is now considering Cumulative Impacts.
h) Climate Pollutants	<i>BAAQMD Rule Development working on white paper on Sewage Treatment and Anaerobic Digestion. May become part of Regulation 13, if there needs to be a rule. BACWA to assist with technical support related to POTWs, as appropriate</i>	BAAQMD	6/2023	Ongoing	Chris Easter from BAAQMD Rule Development is point of contact. Initial meeting September 30. BACWA to continue to provide informational support to staff.

BACWA-BAAQMD
Regulation 13, Rule 4: Sewage Treatment & Anaerobic Digestion White Paper
Meeting Summary

Date: September 30, 2024
Time: 10:00 am – 12:00 pm
Location: BAAQMD Offices, 375 Beale Street, San Francisco, CA 94105
Zoom Link: Link provided in meeting invite

1 Introductions:

BACWA – Lorien Fono, Jason Nettleton, Nohemy Revilla, Arvind Akela, Chris Dembiczak, Matt Hoeft, Meg Herston, Karl Ono, Brian Schumacker, Courtney Mizutani
BAAQMD – Chris Easter, Jennifer Lam, Robert Cave, Victor Douglas
CASA – Sarah Deslauriers

- 2 Overview of White Paper Process:** Chris E. reviewed the history and goals of the proposed Regulation 13, beginning in 2018. Victor noted the discrepancy between the top-down and bottom-up estimates of methane emissions. Robert said there are multiple drivers for the White Paper including Senate Bill 1383 requirements, BAAQMD’s 2017 Clean Air Plan objectives, and the West Oakland Community Action Plan (specifically, Further Study Measure #4). Jennifer noted the Board’s direction regarding rulemaking under Regulation 13 is currently unclear. Chris E. will present a status report to the Stationary Source Committee on October 10. Chris E provided an overview of the presentation to the attendees. The White Paper is intended to consider methane and other greenhouse gases, odors, toxic air contaminants, and complaints. Jennifer noted the objective of the White Paper is to determine whether a new rule should be proposed and developed, best management practices identified, or if further research is needed.

3 Discussion Questions/Topics on Operations

Sarah presented an overview of SB 1383 requirements and the role that POTWs could play in reducing statewide methane emissions (attached). She summarized information from the [State Water Resources Control Board Co-digestion Capacity Assessment](#) that determined that maximizing co-digestion at WWTPs to accept food waste could achieve 60% of CARB’s methane reduction goal by avoiding uncontrolled methane emissions from landfills. However, POTWs cannot accept the organic waste if it is not economically feasible to do so. Arvind provided some information on a recent project that received funding from CalRecycle, the Inflation Reduction Act, and other grant sources. Timely BAAQMD support for permitting new facilities is key to the success of organic waste diversion projects to achieve methane reductions.

Facility representatives provided information on their current operations, including biogas utilization processes, and economic viability. BACWA members (treatment plant representatives) noted the importance of biogas use to offset expenses and energy demand for non-wastewater treatment operations, which reduces reliance on PG&E power and natural gas. After labor,

power and chemicals are the biggest operational costs. Because of the financial considerations related to receiving and processing organic wastes and the fiduciary responsibilities POTWs have to their ratepayers for wastewater treatment, POTWs must maximize beneficial use of generated biogas and minimize flaring. Chris E asked about any planned hydrogen projects. Sarah noted that there are currently legislative and technical hurdles to overcome (including the need to demonstrate wastewater biogas to hydrogen is feasible and produces a low carbon intensity), and it is under discussion with CARB and the Governor's Office of Business and Economic Development.

BACWA members provided summaries of their Anaerobic Digestion systems in the context of existing and/or potential for co-digestion for perspective:

- East Bay Municipal Utility District (EBMUD) has 11 digesters (8 active, 3 holding) and has available capacity because the canneries that were originally in the service area relocated. There are 3 cogeneration engines and a turbine, so it is very important that there is certainty about the feedstock to ensure appropriate gas generation to power the WWTP. It is very complex to operate the digesters if the wastes are variable. They currently accept some food waste (including cheese waste) and fats, oils, and greases (FOG). Tipping fees are variable based on the strength of the waste received; some deliveries are by contract, some are "open door." Chris D noted that there is a facility-wide digester gas limit, and the permit requires inspections.
- San Francisco Public Utilities Commission (SFPUC) has three treatment plants. Two have digesters and cogeneration (engines and/or boilers). The third POTW trucks its solids to its Oceanside facility for processing. SFPUC is planning to inject biomethane (conditioned digester gas) into the PG&E pipeline.
- Fairfield Suisun Sewer District (FSSD) encourages food and beverage companies in their service area to bring organic/food waste to the treatment plant. Through an agreement the FSSD has with those industries, they were able to pay for the organic waste receiving station and other associated costs. The digested solids (biosolids) are then processed by Lystek's thermos-chemical hydrolysis process into a liquid fertilizer via a public/private partnership. FSSD has had to redirect some organic waste (via the haulers) to EBMUD. Jennifer noted that BAAQMD is working on an indirect source rule recognizing that trucking has an Environmental Justice impact.
- South San Francisco-San Bruno echoed earlier comments by BACWA members and discussed the costs associated with processing. It costs more than 2.5 times as much to send solids to Lystek than using it for alternative daily cover at the landfill, which the plant was able to do prior to SB 1383 regulations (which defines biosolids used as ADC at landfills as disposal). While the plant has capacity in its anaerobic digesters to accept diverted food waste, the cost of new facilities to preprocess and slurry the food waste to be digestible is too high and cannot be justified.
- San Jose-Santa Clara Regional Wastewater Facility recently rehabilitated 4 of its digesters. Their 4 new cogeneration engines have robust emission controls in place. The digester gas produced replaces purchased natural gas. In 2023, the facility flared less than 3% of the biogas produced; flaring events were driven by maintenance.

- Lorien shared additional thoughts from agencies not present regarding trucking considerations which could result in food waste being trucked far from its source to a facility outside the service area, as well as the potential financial benefits.
- 4 **Current BAAQMD involvement/Feedback on Current Processes (source testing/permitting/monitoring)**– (See Section 5)
 - 5 **Conclusions/Next Steps/Action Items** – BACWA would like to support the development of the White Paper by providing industry data, answering questions about current technology and planned research efforts, or other informational needs. For example, there is a Statewide effort currently underway (in response to AB 617 and AB 2588 – air toxics monitoring and reporting) to develop emission estimates from WWTPs and emission factors. The project is still in its early stages with data anticipated in 2027. Lorien also shared the Biosolids Survey Trends Report with BAAQMD. Sarah is available to speak to the Stationary Source Committee at a later date and answer questions about POTW operations and regulatory harmonization.

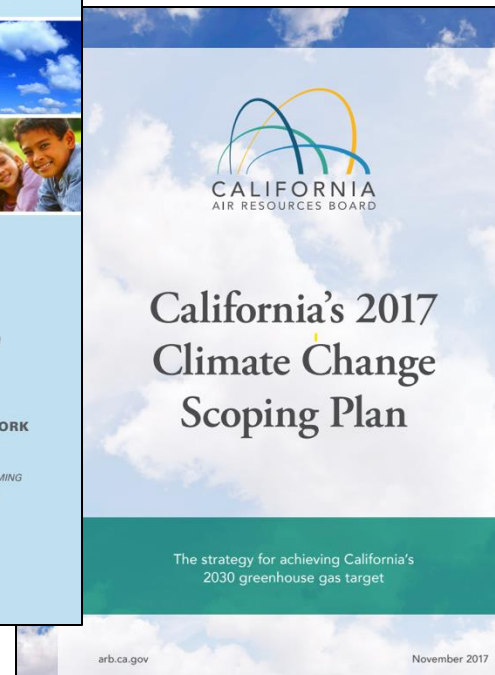
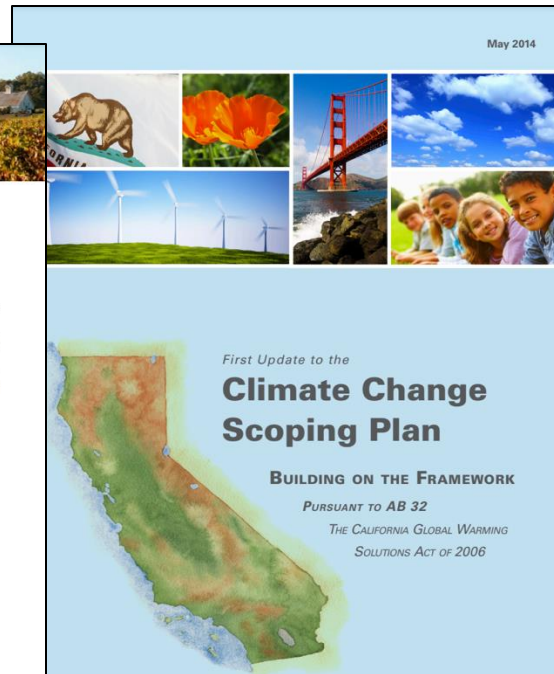
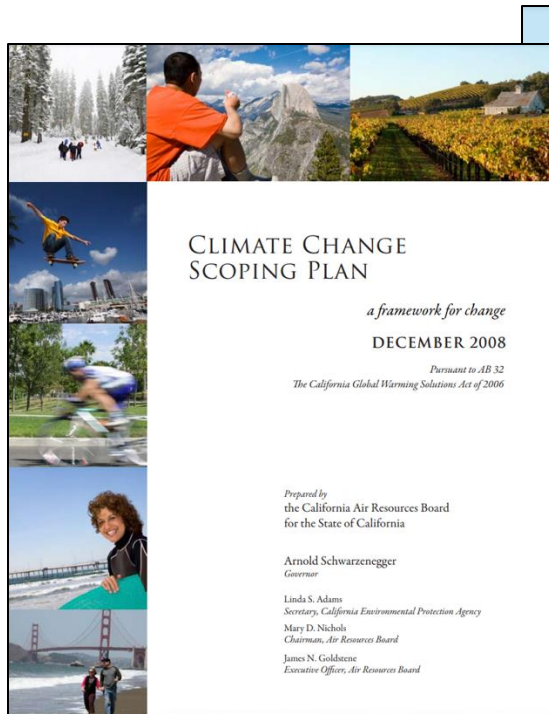


SB 1383 & the Wastewater Sector

Sarah A. Deslauriers, PE, ENV SP
CASA Director of Air, Climate, & Energy Programs

Bay Area AQMD | September 30, 2024

California has Targeted GHG Reductions since 2008: CARB's Scoping Plans Outline the Path



California is Targeting C-Neutrality by 2045: CARB's 2022 Scoping Plan Outlines Key Programs



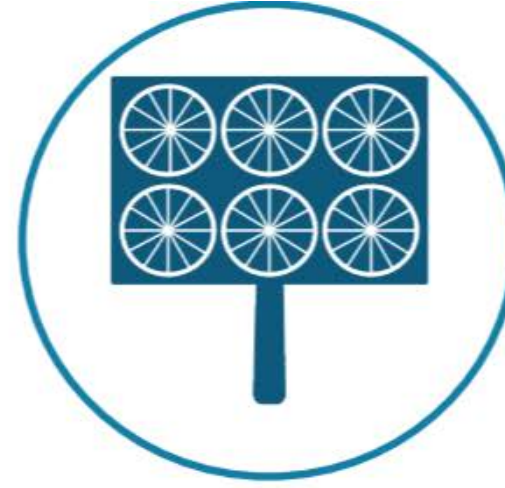
Continue to reduce emissions from sources in the AB 32 GHG Inventory

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Emissions and sequestration from natural and working lands

-



Technological Carbon Dioxide Removal

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Carbon Neutral

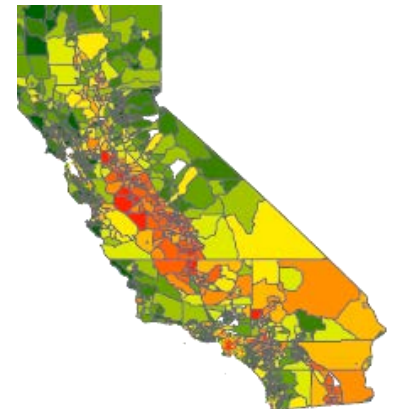
Programs to Achieve C-Neutrality by 2045 Must Consider Existing Regulations & Env Justice



Continue to reduce emissions from sources in the AB 32 GHG Inventory

- Short-Lived Climate Pollutant (SLCP) Reduction
- 100% Clean & Renewable Electricity

-
- Align with statutes & Executive Orders
 - Environmental Justice



Source: CalEnviroScreen

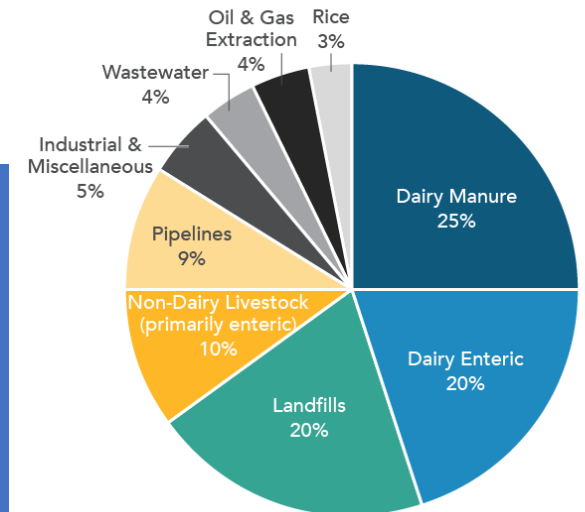
Short-Lived Climate Pollutant Reduction under SB 1383



Methane Emissions Reduction via Organic Waste Diversion

- 40% methane reduction by 2030 (relative to 2013 levels)
- Organic waste diversion from landfills
 - 75% by 2025 (relative to 2014 levels)
- Primary reduction/diversion pathways
 - Anaerobic Digestion (co-digestion with sewage sludge)
 - Compost
- Procurement requirements for byproducts
 - Renewable Gas (for transportation, electricity, heating)

2013 Methane: 118 MMTCO₂e (20-yr GWP)



State noted WWTPs are Critical for SB 1383 Implementation

- WWTPs are NOT required to accept diverted organic waste
- Not enough Emission Reduction Credits in air basins for permitting compost facilities
- WWTPs have enough available **anaerobic digestion** capacity to receive/co-digest all divertible and digestible food waste
- **OPPORTUNITY:** Maximizing co-digestion at WWTPs to accept food waste could achieve 60% of CARB's methane reduction goal
- **CHALLENGE:** WWTPs cannot accept diverted food waste if biogas is not beneficially used since projects would not be financially feasible (CARB SB 1383 Economic Analysis)
- Need Air District's help to facilitate permits supporting beneficial use of biogas



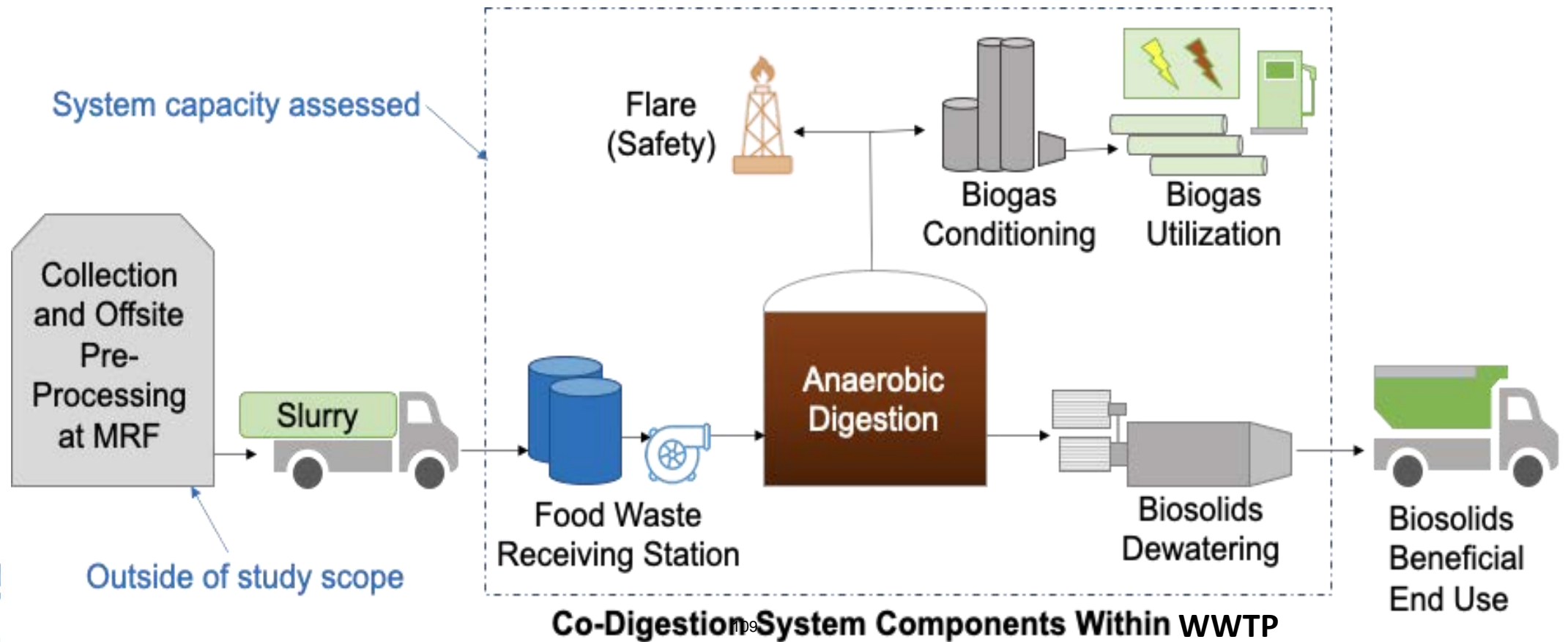
Co-Digestion Capacity Analysis
Prepared for the California State Water Resources
Control Board under Agreement #17-014-240

CO-DIGESTION CAPACITY IN
CALIFORNIA

FINAL | June 2019

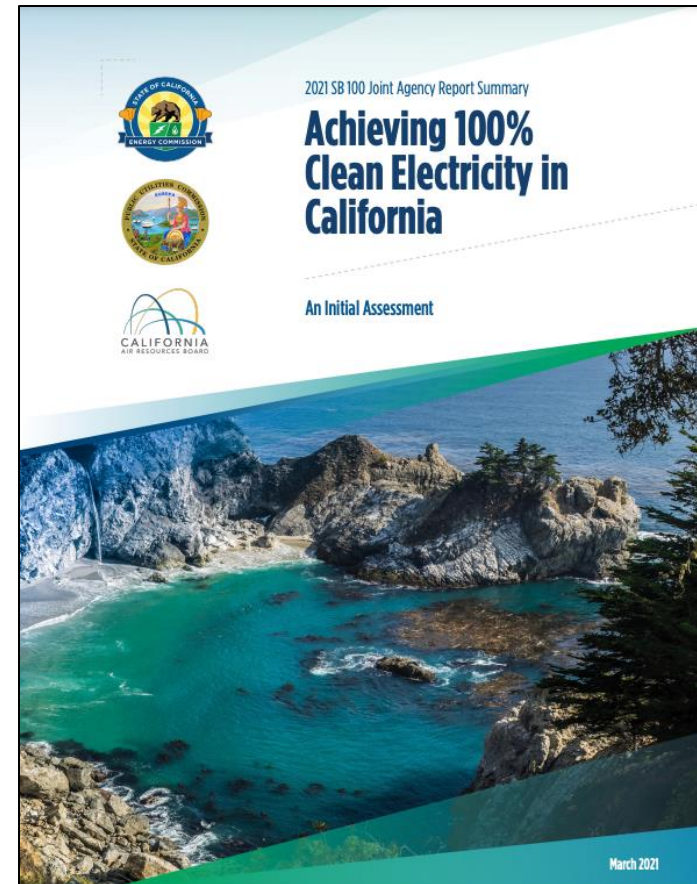


Schematic of WWTP Receiving Pre-Processed Diverted Organic (Food) Waste from Landfills



2018 Clean Energy Act: 100% Clean & Renewable Electricity

- Objective: Renewable and clean resources to supply 100% of electric retail sales by 2045
- CEC, CPUC, CARB identified pathways to achieve objective with existing technologies
- **Scoping Plan scenarios show natural gas and biogas are needed for statewide energy/electricity reliability in 2045**



Questions

Contact Information:

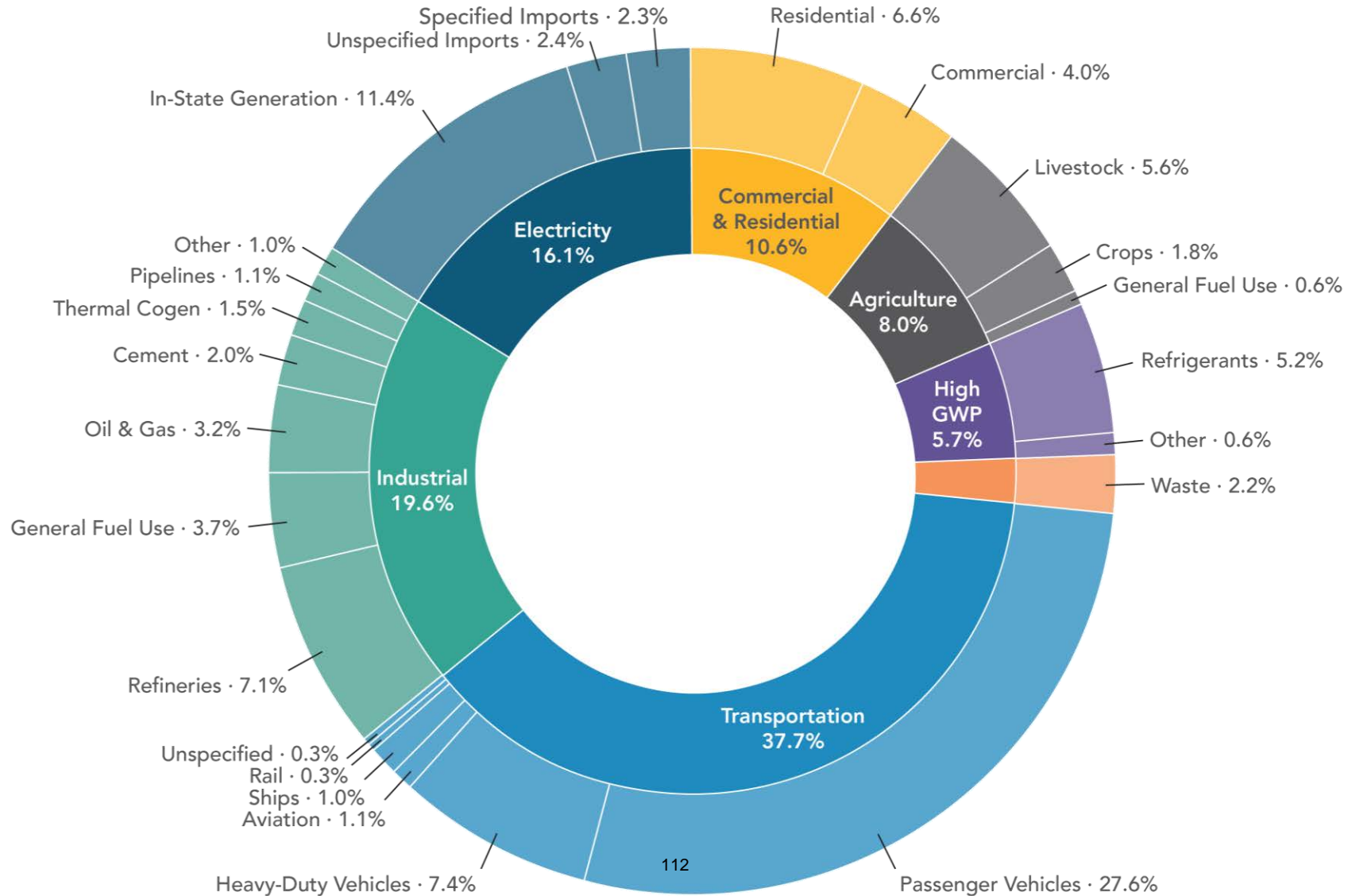
Sarah Deslauriers

sdeslauriers@casaweb.org

(925)705-6404



Backup: 2022 GHGs by Scoping Plan Sub-Category





October 14, 2024

Gerardo Martinez
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612
Submitted via email to: Gerardo.Martinez@waterboards.ca.gov

Subject: BACWA Comments on the 2024 Triennial Review of the Basin Plan

Dear Gerardo Martinez:

On behalf of the Bay Area Clean Water Agencies (BACWA), we thank you for the opportunity to provide comments on the San Francisco Bay Regional Water Quality Control Board's 2024 Basin Plan Triennial Review Staff Report¹. BACWA is a joint powers agency whose members own and operate publicly-owned treatment works (POTWs) and sanitary sewer systems that collectively provide sanitary services to seven million people in the San Francisco Bay Area (Bay Area). BACWA members are public agencies, governed by elected officials and managed by professionals who protect the environment and public health.

BACWA appreciates the opportunity to comment on the 2024 Triennial Review and thanks you for considering our input as part of the public participation process conducted in spring 2024. We are particularly pleased to see that the proposed Basin Plan Amendment to Develop a Nutrient Water Quality Attainment Strategy for San Francisco Bay ranked high enough to receive staff resources over the next three years. The score of 50 for this project is, if anything, an underestimate of its importance, based on its score for two of the ten ranking criteria:

- **Staff Resources Invested.** The Nutrient Water Quality Attainment Strategy project should receive the maximum number of possible points (10 / 10) for this criterion. As noted on the Regional Water Board's [San Francisco Bay Nutrients Project](#) website², the Regional Water Board was responsible for convening the Nutrient Management Strategy (NMS) in 2014, and it has remained actively engaged in the project through the NMS steering committee and planning subcommittees. BACWA is grateful for this leadership, which should be reflected in the project's score. A similar project related to the

¹ California Regional Water Quality Control Board, San Francisco Bay Region. *Triennial Review 2024 Staff Report*. September 13, 2024. Available online at https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/planningtmdls/basinplan/web/docs/Triennial_Review/2024_TriRev_staff_rpt.pdf

² California Regional Water Quality Control Board, San Francisco Bay Region. "San Francisco Bay Nutrients Project." Updated 8/1/23. Available online at https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/planningtmdls/amendments/estuaryenne.html.

NMS received the maximum possible points in the 2021 Triennial Review staff report³.

- **U.S. EPA Priority.** The Nutrient Water Quality Attainment Strategy project should receive a score higher than zero for this criterion. BACWA does not presume to speak for U.S. EPA, but notes that U.S. EPA submitted a formal comment letter on the Tentative Order of the Nutrient Watershed Permit that signals support for the proposed project. U.S. EPA’s May 8, 2024, letter⁴ states, “During this permit term, EPA encourages the Regional Board to continue to work with relevant interested parties so that the development of necessary regulatory approaches can occur to inform the 2029 Nutrients Watershed Permit.” BACWA further notes that a similar basin planning project related to the NMS received the maximum possible points (5 / 5) in the 2021 Triennial Review staff report³.

BACWA also recommends changes to the project description to be slightly more expansive and better align with Resolution R2-2014-0014 and Order R2-2024-0013. These requested edits are shown below in redline strikeout format.

[page B-9]

4. Develop Nutrient Water Quality Attainment Strategy for San Francisco Bay

On July 10, 2024, ~~t~~The Water Board adopted an NPDES permit (~~Final~~ Order R2-2024-0013) calling for a 40 percent nitrogen load reduction for municipal wastewater facilities ~~on July 10, 2024~~. The permit includes water quality based effluent limitations that must be achieved within 10 years (October 1, 2034). The Water Board also adopted a Resolution to Identify and Consider Regulatory Mechanisms to Extend Compliance Schedules for Nutrient Effluent Limitations (Resolution R2-2024-0014). In the resolution, the Board directs staff to continue participating in the Nutrient Science Program and implementing the Nutrient Management Strategy. The resolution also directs staff to explore regulatory mechanisms to provide more time for compliance via ~~innovated~~ innovative technologies and multi-benefit projects that reduce nutrient loads (e.g., recycled water and nature-based solutions for nutrient reduction). Based on this direction, staff anticipate a need to develop a water quality attainment strategy (WQAS) that describes and prioritizes, for implementation, the regulatory measures that could provide more time to achieve the water quality based effluent limitations.

This 1.5 PY project would involve work over the next three years to build the scientific foundation and assemble other elements to evaluate regulatory measures to be included in the WQAS for nutrient management in SF Bay. The WQAS would draw from the efforts of the Nutrient Management Strategy to develop nutrient-related scientific understanding

³ California Regional Water Quality Control Board, San Francisco Bay Region. *San Francisco Triennial Review 2021 Staff Report*. November 2021. Available online at https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/planningtmdls/basinplan/web/docs/Triennial_Review/T21_final_staff_rpt.pdf

⁴ “Draft National Pollutant Discharge Elimination System (NPDES) permit for Nutrients from Municipal Wastewater Discharges to San Francisco Bay (NPDES No. CA0038873).” Letter from Peter Kozelka, U.S. EPA Region 9, to Robert Schlipf, California Regional Water Quality Control Board, San Francisco Region. May 8, 2024.

for the Bay, describe findings to date, and describe the efforts to reduce nutrients through the NPDES wastewater permit.

RANKING DETAILS

CATEGORY: Update Implementation Plans

PROPOSED BY: Bay Area Clean Water Agencies (BACWA), EOA, Inc.

SUPPORTED BY: Bay Area Clean Water Agencies (BACWA), EOA, Inc.

SCORE: 50

COMPLEXITY: High

IMPLEMENTING DIVISION: Planning, NPDES

ESTIMATED PERSONNEL-YEARS (PY): 1.5

PY RUNNING TOTAL: 5.5

Thank you for your consideration of these comments.

Respectfully Submitted,



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

cc: BACWA Executive Board
Eileen White, San Francisco Bay Regional Water Quality Control Board

From: Moyer, Alessandra@Waterboards
To: [Ross, Autumn A](#); [Robert Wilson](#); [Susan Hiestand](#); [Joe Neugebauer](#); [Lake, Zoe](#); [Trevino, Olivia](#); [Colleen Henry](#); [Mary Cousins](#)
Cc: Parrish, James@Waterboards; Lee, Natlie@Waterboards; Johnson, Bill@Waterboards; [Alejandro, D'Andre@Waterboards](#)
Subject: NapaSan wins 2024 P2 Award
Date: Monday, September 23, 2024 10:24:41 AM

Good morning steering committee members,

I'm pleased to announce that Napa Sanitation District ("NapaSan") has been selected to receive the 2024 Dr. Teng-chung Wu Pollution Prevention Award! NapaSan was nominated for their active P2 program, which includes an excellent, very funny podcast ("[Going with the Flow](#)"), a busy schedule of public tours, and creative methods of engaging the public (e.g., truck wraps featuring P2 messages, costumed staff participating in local parades, and toilet racers at [annual open house events](#)). NapaSan staff will accept the award at the Regional Water Board's November 13 public meeting at 9 am. The meeting will be live streamed and I'll send out a reminder to BAPPG with a link to watch once we're closer to the date.

I'll be announcing this news at our general meeting next week. As always, a big thanks goes to the committee for your continued funding of this award!

Alessandra Moyer (*she/her*)
Environmental Scientist
NPDES Wastewater and Enforcement Division
San Francisco Bay Regional Water Quality Control Board
510.622.2116

Value science. [Value scientists!](#)

DRAFT PROGRAM
BACWA/R2 Water Board Joing meeting
Friday, November 22, 2024
Klamath Board Room, Pier 9

<u>Time</u>	<u>Theme</u>	<u>Topic</u>	<u>Desired Outcomes</u>
9:30 AM		Light breakfast	
10:00 AM	Welcome and Introductions		
10:15 AM	Regulatory Issues	Collaborative Regulatory Strategy	<ul style="list-style-type: none"> • BACWA involvement with the RMP and CEC studies • Regulatory Updates from BACWA on cross-media issues • Pollution Prevention / Source control coordination • Update from Water board on Triennial Review
11:05 AM	Nutrients Policy and Permit	Watershed Permit Implementation and Compliance Schedule	<ul style="list-style-type: none"> • Review BACWA RFP for Nutrient Program Support • Discussion of Compliance Schedule Policy • Water Quality Improvement Fund grant opportunity
12:00 PM		LUNCH BREAK	
1:00 PM	Nutrients Science Program	Science Update	<ul style="list-style-type: none"> • Update on what we learned about the HAB Bloom • Program needs in 3rd WSP • Update on SCCWRP OAH model
3:00 PM	Nutrients Nature-Based Solutions	Review of final NBS deliverables and next steps	<ul style="list-style-type: none"> • Final NBS reports • Future Opportunities
4:00 PM		Adjourn	

Potential Transition of the Bay Area Biosolids Coalition (BABC) to a BACWA Committee

Background:

The Bay Area Biosolids Coalition (BABC) originally formed with the purpose of developing a regional biosolids processing facility. However, in recent years, the focus has shifted to regulatory updates, research funding, and outreach/education.

BACWA is considering restarting the Biosolids Committee to allow agencies who are not currently members of the BABC to also participate in regular biosolids discussions. However, most of the functions of the Biosolids Committee would overlap with the work done by the BABC. To avoid duplicating efforts, BACWA and the BABC are considering transitioning the BABC to a committee under BACWA. In the past, the Air Issues and Regulations (AIR) Committee and the Bay Area Pollution Prevention Group (BAPPG) were standalone regional “projects of special benefit” that successfully made a very similar transition to becoming BACWA Committees.

Frequently Asked Questions (FAQ)

What are the benefits of transitioning the BABC to a committee under BACWA?

The benefits include:

- 1) Expanding the membership (all members of BACWA would be invited to participate in the meetings) for broader information sharing and greater impact.
- 2) Consolidating efforts between the BABC and a BACWA Biosolids Committee to avoid redundant work and meetings.
- 3) Improved coordination on public education and messaging.
- 4) Ability to speak to regulators and the public about biosolids with a truly regional voice.

How would the decision to transition the BABC to a committee under BACWA be made?

Since this decision would impact BABC member agencies financially, it requires a unanimous vote by the 13 member agencies, who constitute the BABC’s Steering Committee.

Why was the BACWA Biosolids Committee discontinued in the past?

The BACWA Biosolids Committee was discontinued after the formation of the BABC because participation by member agencies dwindled due to a shift to participating in BABC meetings instead.

Would the BABC be able to continue their functions if the BABC transitions to a BACWA Committee?

Yes, the BABC's functions of information sharing, regulatory updates, research funding, maintaining the website and other outreach/education efforts would continue under a BACWA Committee. Consultant support for program management could also continue.

Would the BABC be able to retain their branding and website?

Yes. The BABC would be able to retain their name, logo, and website after the transition.

How would the research funds be managed?

A concern expressed by BABC members is that they may lose control over use of their research funds, which were obtained from BABC dues. BACWA clarified that there are several ways research funds could be managed whereby the BABC would retain control over use of their research funds. One way is for the BABC to have a separate, temporary research fund based on existing reserves that they continue to manage, until the current research funding reserves is spent. Another way is to commit a certain amount of funding from BACWA's Clean Bay Collaborative (CBC) funds every year to research, with the BABC deciding how to spend those funds.

How would dues be impacted - for member agencies?

Overall, dues for all BACWA members may increase slightly to accommodate the budget needs of the BABC. However, the additional costs would be spread across more member agencies. Current BABC members who are also BACWA members would end up paying a lower overall amount in dues, when accounting for the slight increase in BACWA dues and the elimination of the BABC dues.

How would dues be impacted - for private companies (vendors, consultants)?

BACWA does not charge dues to private companies. However, the BABC, as a committee under BACWA, would have the option to ask for sponsorship from private companies, if desired.

Who can attend the meetings?

Who attends the meetings would be completely up to the BABC members. All BACWA members would be invited to participate. Private companies, researchers, regulators, etc. could still attend if desired. BABC/BACWA members could also decide whether to have certain meetings or portions of meetings open to agency staff only, and whether or when to invite other parties.

Can agencies that are not BACWA members still participate?

Yes. As an example, the City of Santa Rosa is not a BACWA member but participates in BACWA's AIR Committee and Bay Area Pollution Prevention Group. In such cases, outside agencies pay a fee to be members of a BACWA committee.

What would be the future role of the BACWA Board, and are they interested in this transition?

The BACWA Board would approve new fiscal year budgets and contracts, such as for program management and research projects, basing their decisions on recommendations

from BABC leadership. Yes, they are interested and would support this transition, pending a decision by the BABC.

Would Carollo still serve as Program Manager?

BACWA requires a competitive bid process for private contracts (which can be renewed annually up to a total of five years). Carollo would need to submit a proposal and compete with other potential consultants to continue acting as Program Manager. To facilitate the transition, BACWA could use a sole-source exemption during the first year (Fiscal Year 2025/2026).

How quickly could this transition happen?

The proposed schedule is as follows:

- At the October 24 BABC meeting, discuss this potential transition and gauge member interest.
- If there is widespread interest, further develop the details including development of a proposed budget and dues structure.
- At the December 9 BABC meeting, discuss the proposed budget and dues structure and begin official voting on whether or not to transition the BABC to a committee under BACWA.
- If BABC members vote in favor of becoming a BACWA committee, then additional administrative steps such as developing a new budget and fiscal year scope would continue between December 2024 to January 2025.
- BACWA members may potentially begin attending meetings in early 2025, but the existing BABC members would continue making financial decisions through the end of the fiscal year.
- The new budget and dues structure under BACWA would be implemented at the start of the 2025/2026 Fiscal Year (July 1, 2025).

~~2020~~ STRATEGIC PLAN

Bay Area Clean Water Agencies

Updated ~~January, 2022~~ December 2024

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.~~
- **Objective 2** – Continue to contract consultant support for review and interpretation of NMS Work Products and new 5-year plan and review of the Assessment Framework process.
- ~~Objective 3 – Convene BACWA's Nutrient Strategy Team to plan BACWA position on 3rd Nutrient Watershed Permit. Support BACWA members' compliance with 3rd Watershed Permit and coordinate regional strategy for nutrient reduction.~~
- **Objective 4** - Position BACWA to negotiate for successful 4th Watershed Permit with realistic compliance schedules.
- ~~Objective 5 - 4 - Plan financial contributions to the NMS to optimize scientific study workflow~~ Work through NMS to prioritize and implement studies needed for 4th Watershed Permit.

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.
- **Objective 2** – Collaborate with CASA and other clean water agencies statewide on projects to inform California Air Resources Board regulations, such as vehicle electrification and the AB 2588 compound list update and emission factor development.

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

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

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

- **Objective 1** – Provide support for Constituents of Emerging Concern (CEC) pollution prevention and pesticides control by state and federal agencies.
- **Objective 2** – Engage in State Water Board and Ocean Protection Council initiatives, such as [the reconvening scientific studies and Ocean Plan amendments regarding ocean acidification and hypoxia](#) of the Science Advisory Panel on CECs in Aquatic Ecosystems and the Microplastic Strategy.
- **Objective 3** – Continue to participate actively in Regional Monitoring Program (RMP) technical and steering committees.
- **Objective 4** – Demonstrate that BACWA can effectively implement solutions through regional projects, such as conducting the PFAS Regional Study in lieu of being compelled via a 13267 Order.
- **Objective 5** – [Support Basin Plan amendments and triennial reviews by working with the Regional Water Board.](#)
- **Objective 6** – [Work with regulators to streamline monitoring and reporting requirements when possible.](#)

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

- ~~**Objective 1** – Support Basin Plan amendments and triennial reviews by working with the Regional Water Board.~~
- ~~**Objective 2** – Work with regulators to reduce low value required [streamline monitoring and reporting requirements when possible](#) to enhance funding for RMP CEC studies.~~

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

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

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

Strategy 2 - Monitor legislative efforts that impact BACWA members.

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

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

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

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

Strategy 1 - Promote integrated approach to a healthy Bay.

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

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

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

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

- **Objective 1** – Continue to provide joint compliance activities on behalf of members, such as reporting via the Annual NPDES compliance letter to the Regional Water Board.
- **Objective 2** – Continue to support and report compliance with the Mercury/PCB and Nutrient Watershed Permits.
- **Objective 3** – Engage with regulators on behalf of individual member agencies when issues of regional importance arise.
- ~~**Objective 4** – Coordinate regional solutions to comply with new Environmental Laboratory Accreditation Program (ELAP) regulations.~~
- **Objective 5.4** – Support members' biosolids programs via data-gathering, reporting, and information exchange related to biosolids management.

GOAL 4: EXEMPLIFY SERVICE AND RESPONSIVENESS TO MEMBERS AND PUBLIC

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

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

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

- **Objective 1** – Provide support for pollution prevention messaging to the public via BAPPG.
- **Objective 2** – ~~Explore ways to support members' public communication on nutrients and other issues.~~ Provide public communication on the value of wastewater and nutrient issues.
- **Objective 3** – Support justice/equity/diversity/inclusion in both wastewater workforce development and community engagement efforts.
- **Objective 4** – Provide support for workforce development initiatives.

Strategy 3 - Provide forum to hear all member voices.

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

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

- **Objective 1** – Continue to support the Bay Area Biosolids Coalition (BABC). OR
Coordinate successful incorporation of BABC into BACWA

- **Objective 2** – Continue administration of the Bay Area Chemical Consortium (BACC).
- **Objective 3** – Support Bay Area Consortium for Water/Wastewater Education (BACWWE) ~~as they transition to a scholarship-based system~~ and their continued collaboration with BAYWORK.
- **Objective 4** – Consider any new requests for BACWA support based on members' benefits and potential costs to BACWA.

GOAL 5: PRACTICE GOOD GOVERNANCE

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

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

Strategy 2 - Enhance fiscal transparency.

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

2025 BACWA Board Meetings

January 17

February 21

March 21

April 18

May 2nd – Annual Meeting, Brower Center, Berkeley

June 20

July 18

August 15 (conflicts with CASA Annual conference)

September 19

October – Pardee 8&9

November 21 *

December 19 *

*Combine into an early December meeting (December 5, 2025)

Committee Request for Board Action: None

42 attendees participated virtually, representing 25 member agencies, the Regional Water Board, and two guest speakers.

Updates on Committee Activity and Announcements

- **Regional Water Board Announcements:** Nominations for the next [Dr. Teng-Chu Wu Pollution Prevention Award](#) are open now and are due to [Alessandra Moyer](#) by Friday, September 6th.
- **Baywise Website:** The Baywise website refresh is now live at [Baywise.org](#). It includes a new site design and a new interactive [Map](#) that allows users to find their local wastewater agency. BAPPG members should ask their agencies to add a link to Baywise and/or update any outdated links.
- **BACWA Announcements:**
 - The reissued [Nutrient Watershed Permit](#) goes into effect October 1st. See [BACWA press release](#) and new content on [Baywise](#). BACWA will host a [nutrient reduction workshop](#) on August 29th.
 - A [guidance document](#) on updating Sewer System Management Plans is now available.
 - The committee's email list has changed to bappg@lists.bacwa.org instead of Google Groups.
- **CWEA** will host its next Annual P3S Conference in San Jose on February 3-5, 2025. Proposals for presentations are due August 30th ([link](#)). CWEA is also offering small grants for P3S outreach projects; applications are due December 15th ([link](#)).

Pollutants of Concern Discussion - FOG

DJ Alejandro and Alessandra Moyer from the Regional Water Board kicked off a discussion of pollutants of concern with Fats, Oils, and Grease (FOG). FOG is the first pollutant to be discussed from a list compiled from recent annual pollution prevention reports (see [spreadsheet compilation](#)). FOG-related sewer spills have fallen in recent years, but outreach to residents, restaurants, motor vehicle repair shops, and food trucks is still needed. FOG resources are available on the [Baywise](#) and [BACWA](#) websites. **Members identified a need for better outreach materials for food trucks**, and noted that disposal rules vary by municipality. On a related note, BAPPG's fall public outreach campaign will focus on FOG.

Statewide PFAS Campaign

Emily Barnett (Central San) shared information about a statewide PFAS information campaign developed based on a survey of Californians that revealed lack of knowledge on PFAS. Public information resources and an email list subscription are now available at [PFAS411.ORG](#). Social media clips will be shared soon.

DTSC's Work on PFAS in Consumer Products

[Dr. Simona Bălan](#) from the California Department of Toxic Substances Control (DTSC) presented on the work of DTSC's Safer Consumer Products Program to study and reduce the use of PFAS in consumer products ([link to presentation slides](#)). The program has already removed up to 100 metric tons of PFAS from California homes and workplaces. For example, the program required removal of PFAS from carpets in 2021, and in in aftermarket textile treatments (like water-proofing sprays) in 2022. Dr. Bălan and colleagues have also studied PFAS in cosmetics (see June 2024 [journal article](#)) and found most of the PFAS coming from shaving creams and gels, hair care, facial cleansers, and sun care -- not makeup. The next product that DTSC will study is artificial turf. More information is available in Dr. Bălan's 2023 book, [Toward a PFAS-free Future](#). After Dr. Bălan's presentation, Ezra Miller from San Francisco Estuary Institute (SFEI) provided additional information about the \$6M [PFAS Sources to Solutions](#) project that received grant funding from EPA to characterize the pathway of PFAS in consumer products to wastewater and stormwater. The project will involve work by DTSC, SFEI, stormwater agencies, BACWA, and others.

Next BAPPG General Meeting:

October 2, 2024, 10am – 12pm, in-person at Regional Water Board offices in Oakland

Committee Request for Board Action: None

38 attendees (including 1 guest speaker) from 23 member agencies

Fleet Electrification Strategic Plan at Central Contra Costa Sanitary District

Rachel Lore from [Optony](#) presented on the steps that Central San used to develop a 15-year phased plan for comprehensive fleet electrification (see [slides](#)). Her presentation covered the following points:

- The plan was developed in 2022 and 2023 to meet regulatory requirements (such as the state's Advanced Clean Fleet regulation and Clean Cars II Initiative), Central San's environmental goals, and operational needs.
- Developing the plan required taking a close look at staff concerns and driving patterns, routine operational needs, and emergency response needs. Central San is already moving forward with plan implementation, focusing on design of EV charging infrastructure and working with PG&E.
- Central San will be following the ZEV Purchase Schedule pathway for Advanced Clean Fleet compliance, which means 50% of new medium- and heavy-duty vehicle purchases must be ZEVs beginning in 2024, and 100% by 2027. The presentation also explained the exemptions that are applicable to many public agencies based on availability, daily usage, and mutual aid considerations. Some of these exemptions require submitting a 30-day mileage report to CARB to demonstrate that no ZEV can meet the daily usage requirement.
- The study estimated that the cost of ownership of ZEVs would be comparable to internal combustion engine vehicles, accounting for fuel, O&M costs, and ZEV purchase incentives. The main cost differential is due to the cost of installing charging infrastructure (about \$5M).

After the presentation, attendees discussed their agency's concerns and experiences with vehicle electrification.

Sanitary Sewer Systems General Order

- The [Guidance Document on Sewer System Management Plans](#) (SSMPs) is now available. The manual was reviewed by the State Water Board and a link is also posted on the [State Water Board's website](#).
- The group discussed shared concerns over conducting SSMP audits. Attendees requested additional guidance on conducting audits. The SSMP guidance document (link above) can be used as a guide, although it is not specifically structured for auditing purposes.
- West Valley Sanitary District recently received an inspection from the Regional Water Board, and staff shared a copy of the San Francisco Bay Region's [pre-inspection questionnaire](#) with members. Note that this version is different from the statewide version in the SSMP guidance document. Ross Valley Sanitary District also recently had an inspection using the same questionnaire (see inspection report in CIWQS).

Announcements

- The new group email address collection-systems@lists.bacwa.org has replaced the Google Group.
- The Bay Area Pollution Prevention Group has updated the [Baywise](#) website, which includes public outreach messaging on [FOG](#), [trash/wipes](#), [nutrients](#) / algae blooms, and other pollutants of concern. It also includes a new interactive [Map](#) that allows users to find their local wastewater agency. If you note any issues with the map, please send a new shapefile to Mary Cousins.
- Nominations for [CWEA awards](#) for the SF Bay Section are due November 1.

Upcoming Events

- BACWA [Nutrient Reduction Workshop](#) – **Thursday August 29th**, Oakland
- CWEA Santa Clara Valley Section Collections Committee: Line Locating Best Practices **Tuesday September 10th** Millbrae – registration link tbd
- CWEA Santa Clara Valley Section Dinner Meeting **Thursday September 26th** at Half Moon Bay Brewing Company ([link](#))

Next Collection System Committee Meeting: Tuesday, November 14, 2024

Committee Request for Board Action: None

Regular meeting: 36 attendees from 26 wastewater agencies and the Regional Water Board participated virtually.

Troubleshooting Ammonia Probes

Tiffany Ishaya (Laboratory QA Officer, Silicon Valley Clean Water) discussed her lab's investigation into potential causes of ammonia probe upward drift over the last few years ([link to presentation slides](#)). Although they continue to search for a permanent solution to the problem, some practices have temporarily or partially helped, such as using ionic strength adjuster, controlling temperature, reconditioning the electrode between samples, closely adhering to consistent procedures for all samples, frequently replacing the membrane cap with a pre-assembled unit, and thoroughly rinsing the electrode between samples. Other attendees shared that surfactants can damage the hydrophobic membrane; contracting out industrial samples could protect the membrane from damage.

Methods Update Rule 2023 Update

A group of committee volunteers is working to identify important changes to Standard Methods affected by the USEPA [Methods Update Rule 2023](#) and will report back to the committee at the October 22nd meeting. At the same meeting, John and Kathi Gumpfer (ChemVal) will provide a training session on updates to quality assurance requirements for Standard Methods.

Report-Out from Environmental Measurement Symposium

Heidi Birdsell (DSRSD) shared resources from the 2024 Environmental Measurement Symposium ([link to slides](#)), and suggested signing up for ELAP emails ([link](#)), signing up for TNI emails on standards development ([link](#)) and interpretations ([link](#)), reading and commenting on draft TNI content, collaborating with others, and automating as many TNI record-keeping tasks as possible. Next year's conference is August 4th – 8th in St. Louis ([more info](#)).

PCB Congener Reporting

A draft updated guidance document on PCB congener reporting was circulated with the agenda. Attendees discussed edits to the draft, and BACWA requested comments by Friday, August 23rd.

BACWA Updates:

The [Nutrient Watershed Permit](#) was adopted on July 10th, with an effective date of Oct. 1st. There have been only minor changes to monitoring. Check your agency's eligibility for the influent monitoring waiver for nitrate-nitrite (Table E-2). For most agencies, the monitoring frequency for total phosphorus has been reduced (Table E-4).

Other Agency Reports

City of Hayward and EBDA representatives shared that they received feedback during a recent Regional Water Board inspection regarding the requirement to collect influent and effluent compliance samples "on varying days selected at random" as required by Attachment G, Section 3.1.3.1.1. Attendees discussed strategies for complying with requirement while minimizing staff overtime. After the meeting, Regional Water Board staff provided additional guidance that overtime should not be required, requesting only that labs "Conduct sampling on varying days selected as randomly as possible (within the standard workdays of lab/operations staff and in a manner where the samples can also be analyzed during the staff's standard workdays)."

Announcements and Member Discussion

- CWEA Monterey Bay section training on [Advanced Laboratory Instrumentation](#) – Sept 10th
- BACWA [Nutrient Removal Workshop](#) - Thursday, August 29th

Next Regular Meeting: Tuesday, October 22nd, 10 AM on MS Teams (Note date change)

Committee Request for Board Action: None

Virtual meeting format with 38 attendees representing 23 member agencies and the Regional Water Board

Recruitment for Vice Chair – The committee is recruiting for a Vice Chair to begin immediately and serve as chair in summer 2025. Interested members should contact BACWA staff or current chair [Meg Herston](#).

Upcoming Permits / Tentative Orders – Palo Alto's NPDES Permit is scheduled for fall 2024 and is no longer expected to include requirements related to a previously planned groundwater recharge project.

Nutrient Watershed Permit Implementation

- The Nutrient Watershed Permit ([R2-2024-0013](#)) was reissued by the Regional Water Board on July 10th and has an effective date of October 1st. The Regional Water Board concurrently adopted a resolution ([R2-2024-0014](#)) to identify a way to extend compliance schedules beyond 10 years for agencies that may require more time to meet the final effluent limitations. BACWA staff are consulting with BACWA member agency volunteers and coordinating with Regional Water Board staff on this effort.
- Most monitoring requirements are the same as the 2019 permit, except (a) if your agency previously qualified for a waiver of influent nitrate-nitrite monitoring, you may still qualify; see footnote in Table E-2 and (b) total phosphorus monitoring frequency has been reduced; see Table E-4.
- The 2024 permit requires reporting the dry season average mass load of total inorganic nitrogen (kg N/day) to demonstrate compliance with interim and effluent limitations. Robert Schlipf from the Regional Water Board joined the meeting to discuss electronic reporting, which is not specifically called out in the permit. The group discussed that electronic reporting would be best done in annual eSMRs in CIWQS (due February 1st) and in annual DMRs. The CIWQS PET tool will require a new “sample type” that is likely to be called “5-month dry season average” (or similar). This reporting will not be required until the interim effluent limitations take effect for the 2025 dry season.
- BACWA will continue to lead preparation of the Group Annual Report and will also lead the Regional Planning task required by Provision 6.3.4 of the Permit. BACWA plans to issue an RFP for consultant support for these two tasks in fall 2024.
- For agencies that are not “early actors,” Table 5 of the permit requires agencies to identify preliminary alternatives for meeting final effluent limits by April 1, 2025. BACWA will request this information prior to the April 1 due date so that it can be compiled for the Group Annual Report.

Basin Plan and Ocean Plan Updates

- The [Basin Plan Amendment to Address NPDES Permitting Needs](#) has been approved by OAL and now awaits USEPA review.
- The Basin Plan Amendment on Climate Change and Aquatic Habitat Protection, Management, and Restoration is awaiting State Water Board approval.
- Regional Water Board staff have initiated the [2024 Triennial Review](#) and are planning a formal comment period starting in September.
- The State Water Board is planning to conduct an [Ocean Plan Review](#) in 2025.

PCB Congener Reporting

Committee members discussed proposed changes to the 2013 version of the [POTW PCBs Sampling, Analysis and Reporting Protocols](#) used for reporting PCB congeners analyzed via EPA Method 1668C. BACWA plans to request a new version of this document to reflect current laboratory practices.

Announcements

- Use the new address permits@lists.bacwa.org to reach committee members. The Google Group has been discontinued.
- BACWA has prepared a [Sewer System Management Plan guidance document](#) for use by enrollees in the statewide [Sanitary Sewer Systems General Order](#).

Next Permits Committee Meeting: October 8, 2024, 12:30 PM on MS Teams

**Operations and Maintenance
Infoshare Group - Report to BACWA Board**

Committee Meeting on: 08/22/2024
Executive Board Meeting Date: 10/18/2024
Committee Chairs: Yanming Zhang (City of
Livermore) and Ben Carver (Fairfield-Suisun Sewer
District)

Committee Request for Board Action: None

In-person meeting at Las Gallinas Valley Sanitary District, with 17 attendees representing 8 member agencies.

Plant Tour of Las Gallinas Valley Sanitary District

Plant manager Mel Liebmann led the group on a tour of the District's [treatment plant](#), focusing in particular on the District's Biogas Energy Recovery System completed in 2018 and on the recently upgraded secondary aeration basins, which use a fixed-film activated sludge process called a "Biowheel." The tour also included a visit to the ultrafiltration system used to produce Title 22 recycled water for North Marin Water District and Marin Water. Mel shared the positives and negatives that the District has experienced with these innovative projects, including O&M challenges.



During lunch, committee members discussed approaches to operator-in-training and internships, and shared positive feedback about Baywork's internship program.

Next Meeting: Potential future meeting locations DSRSD or City of Richmond.

Committee Request for Board Action: None

44 attendees participated virtually and in-person at the Regional Water Board's offices in Oakland. Participants represented 26 member agencies, the Regional Water Board, and one guest speaker.

Updates on Committee Activity and Announcements

- **Regional Water Board Announcements:** NapaSan has been selected to receive the 2024 [Dr. Teng-Chung Wu Pollution Prevention Award](#) at the November 13th Regional Water Board meeting.
- **BACWA Events:** SFEI will host the [Regional Monitoring Program Annual Meeting](#) on Wednesday, October 16th. Central San will host a member tour of their MABR nutrient removal pilot project on Friday, October 18th. [Register here](#).
- **Pesticides Committee:**
 - A chart showing responsibilities of Bay Area water quality agencies is now [available here](#).
 - A short video presentation on pet pesticides in wastewater from the California Department of Pesticide Regulation's Robert Budd is [available here](#).
- **CWEA** will host its next Annual P3S Conference in San Jose on February 3-5, 2025. CWEA is also offering small grants for P3S outreach projects; applications are due December 15th ([link](#)).

Fall FOG Campaign

Shelley Cousineau (Sagent Marketing) described the preliminary plan for BAPPG's fall outreach campaign, which will consist of online marketing focused on proper disposal of FOG. Participants provided feedback on edits to the campaign message (e.g., do not use the word "Trash" since local jurisdictions may prohibit disposal in the trash; avoid targeting specific socioeconomic groups). BAPPG's steering committee will continue to work with Sagent to finalize the campaign and share graphics with members.

Annual Pollutant Prioritization

To kick off the annual pollutant prioritization exercise, SFPUC's Autumn Ross provided [background information](#) about the purpose of selecting pollutants of concern: to guide BAPPG's public outreach messaging and related activities. Regional Water Board staff representatives Alessandra Moyer and Natlie Lee provided additional information about specific pollutants such as FOG, PFAS, and Pharmaceuticals. Palo Alto's Olivia Trevino and Elise Sbarbori provided additional details on pesticides (see [pesticides slide deck](#)). Background information on P2 activities in the region is also available in the Regional Water Board's [compilation of 2022 P2 Reports](#). The group discussed prioritizing specific pollutants of concern based on the risk to water quality and whether there is an urgent source control message, also noting where BAPPG activities provide value even if there is not a source control message at this time (for example, engaging with regulators or scientists to determine what effective pollution prevention might involve). Based on member votes, the final prioritized list for FY6 is:

1. **Pesticides and FOG** (2-way tie, 11 votes each)
2. **Toilets aren't trash cans** (Trash/Wipes, 9 votes)

PFAS (7 votes) and pharmaceuticals (2 votes) received fewer votes. PFAS was a prioritized pollutant in FY25 and will be the focus of the spring 2025 campaign.

Next BAPPG General Meeting: December 4, 2024, 10am – 12pm, on Zoom - Agenda will include:

- Presentation from two Bay Area Green Business Programs
- Discussion about FOG outreach for food trucks including updating [this flyer](#)



BACWA AIR Committee Meeting Minutes

Date: September 18, 2024
Time: 10 am – 1pm (Meeting from 10 am – noon; Lunch/Site Visit from noon – 1 pm)
Location: **In-Person:** NapaSan Boardroom (1515 Soscol Ferry Rd, Napa, California 94558)
Virtual: MS Teams

Thank you all for attending the September **BACWA AIR Committee** Meeting in-person or online! Thank you to Napa Sanitation District for hosting the meeting and for the tour of the Mainspring Linear Generator. Below is a summary of the discussion and action items for your review and files.

CARB Advanced Clean Fleets Regulations

The [Advanced Clean Fleet Regulations](#) , adopted April 28, 2023, targets zero-emission of medium- and heavy-duty truck fleets by 2045, with government entities identified as early adopters.

- The regulations provide improved exemptions related to Zero Emission Vehicle (ZEV) availability, infrastructure delays, and daily usage.
 - They do NOT allow fleets to expand the number of medium- and heavy-duty trucks **running on CNG** beyond those you have in your fleet as of January 1, 2024, to help use the additional biogas expected to be produced with the implementation of SB 1383. The regulation does not require ending the use of current vehicles. It applies to new or replacement vehicles.
- State & Local Government Agency (SLGA) Flexibility Provisions associated with Daily Usage Exemption and ZEV Purchase Exemptions were presented and are the focus of AB 1594 amendments by CARB.

SLGA Flexibility Provisions (Section 2013)

*BEV – battery-electric vehicle

Focus of AB 1594 amendments by CARB



Provision	Conditions
(1) Backup Vehicle Exemption	Vehicle, excluding yard tractors, operated <1,000 miles per year excluding any mileage travelled while performing emergency operations.
(2) Daily Usage Exemption	Vehicle being replaced must be 13+ years old (16+ years or 700,000+ miles under Section 2015) and fleet must consist of ≥10% of ZEVs/NZEVs, replacements per criteria specified in section 2013.1(b) and if no BEV can demonstrate daily usage needs of existing vehicles of same configuration.
(3) ZEV Infrastructure Delay Extension	Extension available to vehicles 13+ years old (16+ years or 700,000+ miles under Section 2015), extends compliance up to 5 years for planning/construction delays.
(4) ZEV Purchase Exemptions	Exemption available to vehicles 13+ years old (16+ years or 700,000+ miles under Section 2015), check ZEV purchase exemption checklist . Can purchase ICE vehicle if ZEV not available in configuration needed.
(5) Mutual Aid Assistance	Reserves up to 25 percent of ICE vehicles in a fleet for use in mutual aid events. Number of new ICE vehicles allowed to be purchased must not exceed 25% of total number of vehicles in fleet in calendar year exemption is approved, less the number of ICE vehicles already in fleet purchased pursuant to granted exemption. Fleet must be comprised of ZEVs: at least 25% until January 1, 2032; 50% until January 1, 2035; and 75% thereafter.
(6) Intermittent Snow Removal Vehicle	Receive exemption from ZEV purchase requirements (section 2013(d)) until January 1, 2030, to purchase ICE vehicles operating as snowplows.
(7) Non-Repairable Vehicle	Temporarily replace vehicle due to accident or onetime event beyond fleet owner's control (fire or catastrophic failure damaging the engine and vehicle are not repairable). May request/obtain exemption from ZEV purchase requirements in section 2013(d). May purchase used ICE vehicle of same configuration with engine of same or newer model year as non-repairable vehicle no >180 calendar days from date vehicle became non-repairable.
Vehicle Delivery Delay Extension	Allows High Priority & Federal Fleet vehicles (Section 2015.1(c)(4)) to remain compliant if a ZEV order is delayed. Not relevant to the ZEV purchase schedule under the SLGA Regs, Section 2013.

Summary of BACWA-BAAQMD Implementation Workgroup Meeting September 18th

The wastewater-focused workgroup¹ meets quarterly. Topics from the September 18th meeting included:

- Updates from BACWA and BAAQMD
 - Nutrient Permit
 - Permit Timelines and Staffing
- Outlook on Engagement
 - Update from BAAQMD on Strategic Plan and Resulting Rule Making Priorities
 - Regulatory Priorities
 - Resources
 - White Paper on Future Regulations (Anaerobic Digestion)
 - Update from BACWA on Status of Edits to Standard Permit Conditions
 - BAAQMD Source Testing
 - EPA v. BAAQMD
 - Guidance on Report Formatting
 - Source Test Workshop
 - Update from BAAQMD on Future BACT Determination Process and Guidebook Updates
 - Update from BAAQMD on Status of Rule 11-18 Amendments
 - Update from BACWA on the CASA Statewide Air Toxics Pooled Emissions Study Coordination
 - Report to BAAQMD Board
- Other Opportunities for Collaboration between BACWA and BAAQMD

For additional information, please reference the BACWA-BAAQMD Implementation Workgroup Meeting Minutes when they are posted on BACWA's website².

BAAQMD Anaerobic Digestion White Paper

BAAQMD is restarting work on Regulation 13 Climate Pollutants, which had been suspended for several years. Rule Development has started working on a White Paper focused on Rule 13-4 Sewage Treatment and Anaerobic Digestion. BAAQMD is reaching out to stakeholders, including BACWA, to provide input. BACWA met with BAAQMD on September 30 and is engaged in ongoing communications as the White Paper is developed.

BAAQMD BACT/TBACT Updates

On October 10, BAAQMD staff announced a webinar (scheduled for October 21) to present BACT/TBACT for standby diesel generators >50 hp to Tier 4. Permit applicants that propose new or modified emergency standby diesel engines will need to use engines that meet the EPA Tier 4 emissions standards.

Proposed Amendments to Rule 11-18

At the end of 2023, BAAQMD proposed Regulatory Concepts for Amendments to Rule 11-18, as well as proposed updates to the Implementation Procedures based on the current version of the Rule. BACWA provided a comment letter on February 29. Draft language for the rule amendments is anticipated in late summer/fall 2024. After the amendment, updated Implementation Procedures will be developed by BAAQMD. POTWs remain in Phase 2 for Rule 11-18 implementation. Conversations with BAAQMD staff

¹ The workgroup was established as negotiating amendments to BAAQMD Regulation 2 to "help facilitate the implementation of the Proposed Amendments and address other concerns related to toxic air contaminant reduction at these facilities and future rule development."

² BACWA-BAAQMD Implementation Workgroup Meeting Agendas and Minutes - <https://bacwa.org/document-category/2015-joint-meeting-with-baaqmd/>

regarding timing indicate that the pooled emission study factors (see below) should be available in time to inform the risk calculations for BACWA members.

CARB Statewide Air Toxics Two-Step Process

BACWA provided BAAQMD with an update of the ongoing CARB Statewide Air Toxics Two-Step Process.

- The list of participating agencies includes over 140 facilities across the state. Facilities subject to the regulation include: Facilities with covered primaries and an average dry weather flow (ADWF) >10 mgd and facilities with uncovered primaries with an ADWF > 5 mgd.
- CASA has continued discussions with CARB, BAAQMD, SCAQMD, SMAQMD, SJVAPCD, SDAPCD, and CAPCOA regarding the proposed program. CASA is serving as the fiscal administrator in coordination with regional associations (i.e., BACWA will coordinate billing for Bay Area facilities). Notification of the process and proposed contributions was emailed by CASA in late February (presented below as reference). BACWA will be covering costs for its members for the fiscal year 2024 to allow time for budgeting.

CARB Statewide Air Toxics Pooled Emissions Study : Participation and Contribution Request			
FY 2024: Pay July 1, 2024*	FY 2025: Pay July 1, 2024	FY 2026: Pay July 1, 2025	FY 2027: Pay July 1, 2026
\$200 per MGD	\$1,000 per MGD	TBD, budget ~\$1,250 per MGD	TBD, budget ~\$1,250 per MGD
*BACWA is fronting costs for its members for FY 2024 to allow time for budgeting.			

- Jason Nettleton (San Jose) and Lorien Fono (BACWA) serve on the pooled emission study steering committee, along with other statewide representatives from the POTW sector. Yorke Engineering has been selected as the project manager for the first phase of the project.
- The intent is to have the screening protocol developed by the end of 2024. CASA is including BAAQMD (along with CARB, CAPCOA and other Air Districts) in the statewide two-step process coordination.
- AIR Committee members are invited to participate in the CASA AIR Toxics Subgroup to keep closely coordinated on the monthly progress for the four-year duration of the two-step process (contact Sarah Deslauriers sdeslauriers@casaweb.org if you would like to join the email distribution list and subgroup meetings).

Next Meeting

Our next AIR Committee meeting is scheduled for December 11. It will be an online only meeting. Please feel free to contact us if you have any questions or items you want to share with the Committee.

EXECUTIVE BOARD MEETING AND SUPPORT

- Worked with BACWA staff to plan and manage 8/16 Executive Board meeting
- Conducted the Executive Board meeting agenda review with the BACWA Chair
- Hosted 8/16 Executive Board meeting and developed meeting notes
- Held special closed session Executive Board meeting (8/6)
- Planned and held special joint Executive Board meeting with R2 staff (8/16)
- Planned and hosted Pardee Technical Seminar (9/5-6)
- Did walk-through of Klamath to plan 11/22 R2 joint meeting
- Continued to track all action items to completion
- Developed proposal for updated Strategic Plan

COMMITTEES:

- Hosted BACWA managers Roundtable (9/16)
- Attended BACWA AIR committee (9/18)

REGULATORY:

- Hosted prep meeting (9/17) and attended BACWA/BAAQMD Workgroup meeting (9/23)
- Hosted prep meeting (9/26) and attended BACWA/BAAQMD Anaerobic Digestion meeting (9/30)
- Participated in Statewide PEEP study Steering Committee (9/25)
- Attended California Water Quality Monitoring Council meeting (9/26)

NUTRIENTS:

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

- Attended NMS Planning Subcommittee meeting (8/9, 9/11, 9/24)
- Discussed Non-competitive Grant proposal with USEPA (8/19)
- Met with R2 Board member and EO on Compliance Schedule Policy (8/20)
- Convened ad hoc compliance schedule brainstorming group (8/27)
- Held Prof David Jenkins Nutrient Reduction Seminar (8/29)
- Reviewed and discussed Water Board memo on Science needs
- Developed BACWA memo on science needs and distributed to NTW
- Met with Water Board on program management (9/9)
- Held R2/BACWA member meeting on compliance schedule policy amendments (9/10)
- Met with legal counsel to discuss WSP petition
- Met with member agencies to discuss BACWA petition
- Coordinated BACWA petition on Watershed Permit by deadline
- Met with Science manager to discuss program management issues
- Discussed compliance schedule issues with CASA
- Drafted RFP for Nutrient Permit support

COMMUNICATIONS

- Held weekly progress meetings with Civic Edge
- Attended training on new baywise website
- Hosted ad hoc comms steering committee meeting to plan next steps in outreach (9/19)

FINANCE:

- Reviewed the monthly BACWA financial reports
- Reviewed and approved invoices
- Worked with AED to review annual invoices to members and update cover letter
- Updated 5-year Plan
- Compared nutrient surcharge scenarios

COLLABORATIONS:

- Met with consultants to discuss David Jenkins Scholarship seminar, 8/5, 8/22
- Attended SFEP Implementation committee meeting, 8/7
- Attended CASA Annual Meeting in and spoke about Watershed Permit (8/1-8/2)
- Attended CASA ACE meeting (8/8)
- Attended TRUW meeting at West County (8/14)
- Attended CASA Air Toxics meeting (8/14)
- Attended Transforming Shorelines meeting (8/27)
- Attended R2 Board meeting to speak in support of resolution for retiring AEO (9/11)
- Participated in CASA CWSRF meetings (8/28, 9/13, 9/25)
- Attended CASA Comms meeting (9/17)

ASC (AQUATIC SCIENCE CENTER)

- Reviewed materials sent via email by ASC ED
- Attended Board meeting (9/27)

BABC (BAY AREA BIOSOLIDS COALITION)

- Met with BABC to discuss bringing them in as a BACWA committee (9/20)

BACC (BAY AREA CHEMICAL CONSORTIUM)

- Attended year-end meeting (8/27)
- Reviewed chemical survey

BACWWE (BAY AREA COALITION FOR WATER/WASTEWATER EDUCATION)

- none

ADMINISTRATION:

- Planned for and conducted the monthly BACWA staff meeting to prepare for the Board Meeting and to coordinate and prioritize activities.
- Signed off on invoices, reviewed correspondence, prepared for upcoming Board meetings, responded to inquiries on BACWA efforts, oversaw 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.
- Worked with AED on Federal UEI Application

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

Dec 2024 – Feb 2025 Meetings

DATE

AGENDA ITEMS

December 6, 2024
EBMUD downtown

Approvals & Authorizations:

- Nutrient compliance support contract approval
- Annual Audit

Policy / Strategic Discussion:

- Source control update
- Department of Toxic Substances Control presentation
- Communications Plan

Operational:

- FY26 Budget Schedule

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Jan 17, 2025
SFPUC

Approvals & Authorizations:

- 2nd NMS payment approval

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Policy / Strategic Discussion:

•

Operational:

•

Feb 21, 2024
EBMUD Orinda

Approvals & Authorizations:

•

•

Policy / Strategic Discussion:

•

Operational:

- FY26 Draft Budget

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BACWA ACTION ITEMS

Number	Subject	Task	Responsibility	Deadline	Status
Action Items from Aug 16 2024 BACWA Executive Board Meeting					
			resp.	deadline	status
2024.07.01	Kickoff discussion for 2024 Nutrient Watershed Permit activities	BACWA ED and RPM to prepare a draft RFP for consultant support for Nutrient Watershed Permit activities for discussion at the August meeting.	ED / RPM		complete
2024.08.07	Coastal Climate Resilience learning opportunity	BACWA ED and AED to secure invoice and send sponsorship payment.	ED / AED	8/30/2024	complete
2024.08.08	Summary of Watershed Permit activities	BACWA ED to work with member agencies on roles, responsibilities & timeline.	ED		on going
2024.08.09	Location for all-day meeting with Water Board, Nov 22	BACWA ED and AED to share meeting location information when available.	ED /AED	10/1/2024	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

- FY25: 08 of 09 Action items are complete
- FY24: 43 of 43 Action Items are complete
- FY23: 58 of 58 Action Items are complete
- FY22: 51 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



BAY AREA BIOSOLIDS COALITION: Attended in-person coalition meeting, lunch, and tour at West County Wastewater District; presented results of biosolids survey; prepared draft meeting notes.

BIOSOLIDS: Completed draft Biosolids Trends Survey Report, and circulated for member review.

BACWA BULLETIN: Completed and circulated August Bulletin.

NUTRIENTS: Discussed implementation of Nutrient Watershed Permit with Executive Director and at committee meetings; discussed monitoring requirements with Regional Water Board staff; attended closed session Executive Board meeting regarding Nutrient Watershed Permit; participated in meetings regarding state’s compliance schedule policy; attended David Jenkins workshop on nutrient removal.

REGULATORY MATRIX: Prepared draft updated Regulatory Matrix.

COMMITTEE SUPPORT:

AIR – Reviewed and circulated comment letter on BAAQMD draft strategic plan.

BAPPG – Assisted with contractor-led effort to finalize Baywise website edits; attended August committee meeting and prepared meeting summary; attended pesticides committee planning meeting.

Collection Systems– Planned and participated in August committee meeting; prepared and circulated meeting notes; participated in SSS-WDR data meeting with State Water Board staff.

Laboratory – Planned and participated in August committee meeting; prepared and circulated meeting notes; prepared revised draft PCB monitoring request; assisted with contract materials for training to be held in October.

Operations and Maintenance – Planned and participated in August meeting at Las Gallinas Valley Sanitary District; began planning for next meeting tentatively to be held in Richmond.

Permits – Planned and participated in August committee meeting; prepared draft meeting notes; reviewed Basin Plan Amendment information and shared with committee.

Pretreatment – Continued to coordinate with State Water Board and CWEA staff regarding meeting topics for 2024 P3S conference.

Executive Board – Provided regulatory updates at August meeting.

ADMIN: Participated in BACWA staff meeting

BACWA MEETINGS ATTENDED:

- Executive Board (8/6)
- BAPPG (8/7)
- Collection Systems Committee (8/8)
- Lab and Permits Committees (8/13)
- Exec Board + Regional Water Board (8/16)
- O&M Committee (8/22)
- BAPPG Pesticides (8/27)
- David Jenkins Workshop (8/29)

EXTERNAL EVENTS ATTENDED:

- Bay Area Biosolids Coalition (8/12)
- CASA + State Water Board Data Review Group for SSS-WDR (8/12)
- CASA Air Toxics Subgroup (8/14)



BIOSOLIDS: Incorporated comments on draft Biosolids Trends Survey Report into final version, and circulated finalized report.

BACWA BULLETIN: Completed and circulated September Bulletin.

CLIMATE: Reviewed BCDC’s draft Regional Shoreline Adaptation Plan guidance document; prepared draft comment letter; provided BCDC with updated location information for Bay Area POTWs.

NUTRIENTS: Assisted BACWA Executive Director on preparation of Request for Proposals for consultant support for permit implementation.

REGULATORY MATRIX: Completed updated Regulatory Matrix.

COMMITTEE SUPPORT:

AIR – Assisted with logistics for committee meeting at NapaSan; participated in ACE Air Toxics Subgroup meeting regarding statewide pooled emissions study of air toxics.

BAPPG – Attended September steering committee meeting and began preparations for October meeting, including draft slides for pollutant prioritization exercise; finalized Bay Area org chart; assembled information about plant tours; reviewed attended pesticides committee planning meeting; made shareable version of video on pet pesticides from CDPR; attended FOG campaign kickoff meeting with Sagent.

Collection Systems– Participated in SSS-WDR data meeting with State Water Board staff.

Laboratory – Planned and participated in August committee meeting; prepared and circulated meeting notes; prepared revised draft PCB monitoring request; assisted with contract materials for training to be held in October.

Permits – Reviewed Basin Plan Triennial Review Staff Report and prepared draft comment letter; updated White Paper on CECs and circulated to committee for review; prepared for October committee meeting; updated PCB monitoring request memo and submitted to Regional Water Board.

Pretreatment – Continued to coordinate with State Water Board and CWEA staff to prepare for 2024 P3S conference.

Executive Board – Led discussion about regulatory issues at Pardee Technical Workshop.

BACWA MEETINGS ATTENDED:

- BAPPG Steering Committee (9/4)
- Pardee Technical Workshop (9/5 – 9/6)
- BAPPG Pesticides Committee (9/10)
- AIR Committee (9/18)
- Communications Steering Committee (9/19)

EXTERNAL EVENTS ATTENDED:

- CASA Air Toxics Subgroup (9/11)
- CASA Collection Systems Workgroup (Partial, 9/19)
- CASA Regulatory Workgroup (9/23)
- SSS-WDR Data Review Group with State Water Board (9/23)