



BAY AREA CLEAN WATER AGENCIES

EXECUTIVE BOARD RESOLUTION NO. R-25-01

WHEREAS, the Bay Area Clean Water Agencies (BACWA) was formed in 1984 as a public Joint Powers Authority with the mission of developing a regional understanding of the San Francisco Bay Estuary's watershed protection and enhancement needs through reliance on sound science, environmental, and economic information; *and*

WHEREAS, the public Joint Powers Authority (JPA) defines BACWA Associate membership in the following manner:

- a. Any public agency other than the original signatory agencies, with wastewater treatment or disposal responsibilities accepted for membership in this Association by the Executive Board;
- and*

WHEREAS, the Executive Board pursuant to Section 5 B of the JPA has the authority to set forth the conditions and privileges of membership for Associate Members; *and*

WHEREAS, for the sake of clarity and to be consistent with the different types of Associate members which have emerged over time, the Executive Board desires by this Resolution to formally establish categories of BACWA Associate membership beyond the original overarching definition set forth in the JPA in the following manner:

- a. Category 1: Associate Member (greater than or equal to 10 mgd treatment plant permitted design capacity)
- b. Category 2: Affiliate Associate Member (less than 10 mgd treatment plant permitted design capacity)
- c. Category 3: Affiliate Collection-Only Associate Member (separate public agency having only a collection system which discharges to a regional treatment plant);
- d. Category 4: Affiliate Member from outside the San Francisco Bay Region ; *and*

WHEREAS, in accordance with the JPA, only the original Signatories to the JPA would have voting rights.

NOW, THEREFORE, BE IT RESOLVED that commencing with adoption of the 2026 fiscal year and with each fiscal year thereafter, the above membership definitions and rules

for participation are hereby adopted by the Executive Board pursuant to Section 5 of the Joint Powers Agreement unless and until such definitions are changed by resolution of the Executive Board.

CERTIFICATION

The undersigned, as Chair of Bay Area Clean Water Agency, hereby certifies that the foregoing Resolution was duly adopted by the Executive Board at its regular meeting held on April 18, 2025.



04 / 21 / 2025

Jackie Zipkin, BACWA Chair



POLICY NUMBER: BP-001

NAME OF POLICY: Dues and Fees Associated with Classes of Membership

DATE APPROVED: 12-18-2016

LAST REVISED: 04-18-25

PURPOSE: In accordance with the BACWA JPA define the various classes of members.

POLICY: BACWA supports the establishment of differing classes of members each having their own dues and/or fee structure.

DEFINITIONS:

Dues: Dues cover an agency's membership in BACWA and support the operation of BACWA. Dues are not a function of the number of wastewater plants and agency owns and operates. EDCA is a special situation where its dues cover multiple POTWs that are members of the EBDA JPA in accordance with the BACWA JPA.

CBC Fee: All members are charged a Clean Bay Collaborative (CBC) Fee which provides BACWA the resources to conduct special investigations and advocacy efforts on behalf of its members on a variety of issues including biosolids, water quality, permitting, pretreatment, O&M, collection systems.

Nutrient Surcharge: The Nutrient Surcharge is a special assessment use to supplement the CBC Fee financial resources and was specifically developed to meet the significant financial obligations of the Nutrient Watershed Permit. This fee is assessed to only those members who are listed in the Nutrient Watershed Permit. It will be continued until all obligations under the Permit are met.

Principals: The five BACWA Principals are comprised on the five original signers of the BACWA JPA. The Principals have the largest flows and loadings and thus bear the burden of the majority of BACWA's operating costs. All Principals pay the same dues and CBC fees. The allocation of the Nutrient Surcharge will be determined during each year's budgeting cycle and approved by the Executive Board along with each fiscal year budget.

Associates: Associates Members of BACWA are those members whose POTW design flows are greater than or equal to 10 million gallons per day (mgd). Being larger POTWs their dues and fees



BACWA
BAY AREA
CLEAN WATER
AGENCIES

BACWA BOARD POLICIES

are higher than Affiliate Members. All Associate dues are the same, however since the CBC and Nutrient Surcharge are based on loadings, these charges can vary among different Associate members.

Affiliates: Affiliate Members are the smaller to medium size POTWs with design flows less than 10 mgd. Affiliates have the lowest dues structure. Like Associates, since the CBC and Nutrient Surcharge are based on loadings, these charges can vary among different Affiliates. Members who operate collection systems and not a POTW are placed in the Affiliate class of membership and pay fixed dues and a fixed CBC Fee, but since they do not operate a POTW they are not assessed the Nutrient Surcharge.

Affiliate from outside the San Francisco Bay Region: Regular membership is open to all POTWs and public collection systems entities within the jurisdiction of the San Francisco Bay Regional Water Quality Control Board (Water Board). This area generally covers the nine Bay Area counties, but is defined by the watershed tributary to San Francisco Bay within those nine counties. Public entities outside of the Water Board's jurisdiction may have an interest in joining one or more of the BACWA committees or initiatives. Recognizing that these entities may not have the same regulatory issues as the regular BACWA membership, these entities may join BACWA as a special class of member that allows them access to all BACWA committees. These affiliate members from outside the San Francisco Bay Region will pay BACWA dues equivalent to other affiliate members, but will not pay CBC Fees or the Nutrient Surcharge.

APPLICABILITY: This Policy applies to all BACWA Members

Title	BACWA Classes of Membership Resolution
File name	April_2025_2025_C...ip_Resolution.pdf
Document ID	f8c03e2c5aa7a705fb89c6fc8dc9863ed676dcd0
Audit trail date format	MM / DD / YYYY
Status	● Signed

Document History



SENT

04 / 21 / 2025

15:51:08 UTC

Sent for signature to Jackie Zipkin (jzipkin@ebda.org) from
jdymment@bacwa.org
IP: 23.93.73.42



VIEWED

04 / 21 / 2025

16:24:00 UTC

Viewed by Jackie Zipkin (jzipkin@ebda.org)
IP: 107.142.110.63



SIGNED

04 / 21 / 2025

16:24:23 UTC

Signed by Jackie Zipkin (jzipkin@ebda.org)
IP: 107.142.110.63



COMPLETED

04 / 21 / 2025

16:24:23 UTC

The document has been completed.