



Executive Board Meeting
AGENDA
Friday, December 12, 2025 9:00 AM - 12:30 PM (PDT)

EBMUD
375 11th St, 2nd Fl.. Oakland CA 94607

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

Agenda Item	Time	
ROLL CALL, INTRODUCTIONS, AND TELECONFERENCE ETIQUETTE	9:00 AM	
PUBLIC COMMENT Guidelines	9:05 AM	
CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER	9:06 AM	
CONSENT CALENDAR	9:07 AM	
1 September 19, 2025 BACWA Executive Board meeting minutes		3-8
2 October 9, 2025 BACWA NST Special Executive Board meeting minutes		7-8
3 November 13, 2025 Joint BACWA/R2 Special Executive Board meeting minutes		9--13
4 October 2025 Treasurer's Report		14-22
APPROVALS AND AUTHORIZATIONS	9:15 AM	
5 Approval: FY24/25 BACWA Annual Report		23-35
6 Approval: FY24/25 BACWA Audit and Financial Statement		36-57
7 Authorization: EDAR for Amendment #5 for Stephanie Hughes Pesticide Regulatory Outreach in FY26		58-59
POLICY/STRATEGIC	9:20 AM	
8 <u>Presentation</u> : Trading Feasibility Assessment Update		
9 <u>Discussion</u> : RFI for Compliance Milestone reporting and Regional Study		60
10 <u>Discussion</u> : Action Items from October 9-10 Pardee Special Seminar		61-62
11 <u>Presentation</u> : Update from National Stewardship Action Council		
BREAK	10:30 AM	
12 <u>Discussion</u> : Update on Compliance Schedule Basin Plan Amendment		63-83
13 <u>Discussion</u> : Air District Engineering Program Manager Pilot Link to Air District Webinar		84-97
14 <u>Informational</u> : PFAS Forum Debrief PFAS Forum presentations		98
15 <u>Informational</u> : PFAS Phase 3 Kickoff with SFEI		99-112
16 <u>Discussion</u> : NMS Update - Alternative funding schedule 11/14 NMS Steering Comm Agenda		
17 <u>Informational</u> : EPA Region IX SF Bay Program Office funding update		113
18 <u>Informational</u> : BACWA support for Hazen WRF Proposal		114
19 <u>Discussion</u> : Communications update - Exploratorium After Dark and WW101 Video WW101 videos		
OPERATIONAL	11:40 AM	
20 <u>Discussion</u> : AQPI as potential project of special benefit		116-148
21 <u>Discussion</u> : Strategic Plan Update		149-155
22 <u>Discussion</u> : May 1 Annual Meeting Speaker Invitees		
23 <u>Discussion</u> : New Brown Act Requirements per SB 707		156-160
24 <u>Discussion</u> : Proposed Pardee Dates,- October 8 & 9, 2026		
25 <u>Informational</u> : BACC Update		
REPORTS	12:10 AM	
26 Member highlights		
27 Executive Director Report		161-164
28 Board Calendar and Action Items		165-166
29 Regulatory Program Manager Report		167-169
30 Other BACWA Representative Reports		170-191
<ul style="list-style-type: none"> a. RMP Technical Review Committee b. RMP Steering Committee c. Summit Partners d. ASC/SFEI e. Nutrient Governance Steering Committee <ul style="list-style-type: none"> e.i Nutrient Planning Subcommittee e.ii MERHAB MaTAG f. SWRCB Nutrient SAG g. BAIRWMP 	Samantha Engelage, Alicia Chakrabarti, Blake Brown Karin North; Amanda Roa; Eric Dunlavey Lorien Fono; Jackie Zipkin Lorien Fono; Amit Mutsuddy; Lori Schectel Amit Mutsuddy, Eric Dunlavey; alternates: Lori Schectel, Jackie Zipkin Eric Dunlavey Amit Mutsuddy Lorien Fono Cheryl Munoz; Florence Wedington; Jackie Zipkin	

h. CASA State Legislative Committee	Lori Schectel		
i. CASA Regulatory Workgroup	Lorien Fono; Mary Cousins		
j. RMP Microplastics Liaison	Jesse McDermott		
k. Bay Area Regional Reliability Project	Jackie Zipkin		
l. San Francisco Estuary Partnership	Lorien Fono; Jackie Zipkin		
m. CPSC Policy Education Advisory Committee	Colleen Henry		
n. California Ocean Protection Council	Lorien Fono		
o. California Water Quality Monitoring Council	Lorien Fono		
p. CASA Air Toxics Steering Committee	Lorien Fono, Jason Nettleton		
31 Committee Updates from Committee Chairs			
32 SUGGESTIONS FOR FUTURE AGENDA ITEMS		12:25 PM	
NEXT MEETING			
The next regular meeting of the Board is scheduled for January 9, 2025, at SFPUC.			
ADJOURNMENT		12:30 PM	



Executive Board Meeting Minutes

Friday September 19, 2025, 9:00 AM - 12:30 PM (PDT)

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

Attendees

Name	Agency/Company
Alex Ameri	City of Hayward
Alexandra Gunnell	SFPUC
Andy Morris	City of Benicia
Casey Fitzgerald	City of San Jose
Dan Lopez	BV
Dave Richardson	Woodard & Curran
David Donovan	City of Hayward
Diane Griffin	DSRSD
Elli Lo	City of Hayward
Francis Rooney	SVCW
Irene Chu	Hazen and Sawyer
Jared Voskuhl	CASA
Jennifer Dymont	BACWA
Jordan Damerel	Fairfield-Suisun Sewer District
Lorien Fono	BACWA
Mark Neumann	SASM
Mary Cousins	BACWA
Mike Falk	HDR
Sara Deslauriers	CASA
Sara Sadreddini	BV
Ray David	Carollo
Rita Cheng	Central San
Tim Lewis	Dublin San Ramon Services District
Tom Hall	EOA

Jackie called the meeting to order at 9:02 am.

Agenda Item

ROLL CALL, INTRODUCTIONS, AND TELECONFERENCE ETIQUETTE

PUBLIC COMMENT None

CONSIDERATION TO TAKE AGENDA ITEMS OUT OF ORDER Item 6, presenter could not attend today

CONSENT CALENDAR

- 1 August 15, 2025 BACWA Executive Board meeting minutes
- 2 September 3, 2025 BACWA NST Special Executive Board meeting minutes
- 3 July 2025 Treasurer's Report

Consent Calendar items 1 thru 3: A motion to approve was made by Eric Dunlavey (City of San Jose) and seconded by Jennie Pang (San Francisco Public Utilities Commission). Central San abstained from Item 1. Remaining were in favor. None opposed.

APPROVALS AND AUTHORIZATIONS

4 Approval: FY26 NMS Reviewer Contract with Joe Dillon, \$30K - BACWA ED explained the NMS Reviewer Contract history and position.

Approvals and Authorizations item 4: A motion to approve was made by Lori Schectel (Central Contra Costa Sanitary District) and seconded by Eric Dunlavey (City of San Jose). All were in favor. None opposed.

POLICY/STRATEGIC

5 Discussion: SFPUC assistance in SRF loan application - Alexandra Gunnell is the Loans and Grant Manager at SFPUC. Alexandra shared the changes to the scoring system at the State Revolving Fund (SRF) for nutrients reduction projects. Alexandra explained the application process, typical funding timelines, scoring rubric, and highly competitive funding environment. SFPUC offered to assist agencies with less experience in this area as well as coordinating the submission of the applications. General discussion followed.

Action Item: BACWA ED to work with HDR to include a question about plans to apply for federal and state funding in the 2026 Request for Information for Compliance Milestone Reporting and the Regional Plan.

6 Discussion: RMP Update prior to multi-year planning meeting - Presenter did not attend. Item pulled.

7 Discussion: Pretreatment Committee Update to BACWA Board - Casey Fitzgerald from the City of San Jose shared the history of the committee and activities. They have a strong active membership, and they meet regularly throughout the year. The group's goals are networking, training, benchmarking and info sharing. Adam Kern from EBMUD is new committee co-chair. All BACWA members are welcome to attend their meetings. General discussion & questions followed.

8 Discussion: Air District Engineering Program Manager Pilot - Ray David from Carollo shared summary of the Air District's new engineering program management plot program. The Air District is looking for agencies to express interest in participating in the program. The August 20th webinar slides are in the packet for people to review. Ray would like feedback from agencies to share with the Air District. General discussion followed.

Action Item: BACWA ED to organize a meeting with Air District and BACWA agencies that are or might be interested in the program.

BREAK 10:38-10:50

9 Discussion: Debrief from Special Seminar with R2 in SF - BACWA ED shared a summary of discussion topics from the September 4th meeting with Regional Water Board staff on The Klamath.

10 Discussion: Future meetings and collaborative opportunities with Water Board
- At the next meeting in late October, the BACWA ED would like to discuss BACWA's proposed edits to the draft Basin Plan Amendment; offer the Water Board an update on agency nutrient removal planning and implementation; and engage with Water Board staff on information needed to prepare the Basin Plan Amendment staff report.

Action item: BACWA ED to schedule meeting with Regional Water Board in late October.

11 Discussion: Compliance schedule amendment - BACWA ED shared slides summarizing BACWA's proposed edits to the draft Basin Plan Amendment. Proposed edits address early actors, qualifying vs. non-qualifying projects, and the definition of innovative technology. General discussion followed.

Action item: BACWA ED to summarize member input and and share BACWA's proposed comments on the draft Basin Plan Amendment with the Nutrient Strategy Team.

12 Informational: Trading Feasibility Assessment Update - BACWA ED shared there is an email in the packet summarizing the progress. BACWA ED expects an update from Freshwater Trust in December or January.

13 Discussion: NMS Update - BACWA ED shared a quick update.

14 Informational: EPA Region IX SF Bay Program Office funding update -

BACWA ED shared that the EPA is planning to issue a notice of funding opportunity. EPA suggested a group application for nutrient funding.

Action item: BACWA ED to put out a call for participants in a nutrient management proposal once EPA releases NOFO.

15 Informational: Impact of TST finding by 5th Appellate District Court - BACWA RPM shared the State Water Board has appealed a recent court ruling on the Test of Significant Toxicity (TST) to the State Supreme Court. The legal dispute is leading to NPDES permitting delays.

16 Discussion: Communications update - Exploratorium After Dark request for participation - BACWA ED asked for agencies to participate in the event and contribute interactive presentations. Group discussed exhibit ideas.

Action Item: BACWA ED to coordinate agency exhibits.

17 Discussion: OneWater Network reboot - BACWA ED shared a summary of Sept 5th OneWater Network meeting. There was a broad range of groups that attended.

18 Informational: Updated Regulatory Matrix - BACWA ED shared that the Regulatory Matrix is updated and in the packet.

19 Discussion: Pardee Oct 9-10 - Program - BACWA ED shared the draft agenda for Pardee. Group reviewed agenda and provided feedback. BACWA ED shared there is still overnight space at Pardee and there is the option of spending the night Wed. Sept 8th.

OPERATIONAL

20 Discussion: BACWA Holiday Lunch - BACWA ED shared that the Holiday Lunch will be on Friday December 12 at EBMUD Downtown. Committee Chairs are invited to the meeting and lunch.

21 Discussion: BACWA ASC/SFEI Board Representative - BACWA ED discussed BACWA representation on Aquatic Science Center (ASC) / SFEI board. Item to be discussed again at a future meeting.

22 Informational: BACC Update - BACWA AED shared that the agencies are currently completing the chemical survey to determine the chemicals we prepare a bid for. Survey deadline is today. After that the worksheets and reports will be on the BACC website for the agencies to review & complete.

REPORTS

- 23 **Committee Reports** - in the packet.
- 24 **Member highlights** - members shared highlights from their agencies.
- 25 **Executive Director Report** - in the packet.
- 26 **Board Calendar and Action Items** - in the packet.
- 27 **Regulatory Program Manager Report** - in the packet.
- 28 **Other BACWA Representative Reports**
 - a. **RMP Technical Review Committee** Samantha Engelage, Alicia Chakrabarti, Blake Brown
 - 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. **CASA State Legislative Committee** Lori Schectel
 - i. **CASA Regulatory Workgroup** Lorien Fono; Mary Cousins
 - j. **RMP Microplastics Liaison** Jesse McDermott
 - k. **Bay Area Regional Reliability Project** Jackie Zipkin
 - l. **San Francisco Estuary Partnership** Lorien Fono; Jackie Zipkin
 - m. **CPSC Policy Education Advisory Committee** Colleen Henry
 - n. **California Ocean Protection Council** Lorien Fono
 - o. **California Water Quality Monitoring Council** Lorien Fono
 - p. **CASA Air Toxics Steering Committee** Lorien Fono, Jason Nettleton
- 29 **SUGGESTIONS FOR FUTURE AGENDA ITEMS**

NEXT MEETING

The next regular meeting of the Board is scheduled for December 12, 2025, at EBMUD Downtown, Oakland.

ADJOURNMENT 12:45

ATTENDEES:

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

Other Attendees:

Name	Agency/Company
Lorien Fono, Mary Cousins, Jennifer Dymont	BACWA
Francesca Cecconi	Black & Veatch
Linda Sawyer	Brown and Caldwell
Andre Gharagozian	Carollo
Jared Voskuhl	CASA
Peter Kistenmacher	CMSA
Brian Thomas	Delta Diablo
Tim Lewis, Diane Griffin	DSRSD
Alicia Chakrabarti	EBMUD
Tom Hall	EOA
Amanda Roa, Jordan Damerel	Fairfield-Suisun Sewer District
David Donovan	Hayward
Mike Falk, Dave Clark	HDR
Jimmy Dang	Oro Loma SD
Mariana Chavez-Vasquez, Bryan Berdeen, Simret Yigzaw	San José
Hayes Morehouse	San Leandro
Jennie Pang	SFPUC
Arvind Akela, Francis Rooney, Jane Kao, Kim Hackett, Matt Zucca	Silicon Valley Clean Water
Chris Thomas	The Freshwater Trust
Armando Lopez, Gus Carillo	Union Sanitary District
Jennifer Harrington	Vallejo FWD
Dave Richardson	Woodard & Curran

1. Introduction and Public Comment

Jackie Zipkin called the meeting to order at 1 pm and led introductions. The meeting was conducted in hybrid format, with participants joining virtually and in-person at EBMUD’s Pardee Center. There was no public comment.

2. New Nutrient Criteria for Clean Water State Revolving Fund (CWSRF) Scoring

The [CWSRF Intended Use Plan for FY25-26](#) includes new project scoring criteria that prioritize nutrient removal. For more information about the CWSRF, see the September 2025 presentation from SFPUC’s Loan and Grants Director, Alexandra Gunnell, to the BACWA Executive Board ([link to slides](#)). The Intended Use Plan identifies a cap of \$50M per project, but this is a guideline rather than a formal policy. The group discussed possible strategies related to future CWSRF funding.

3. Upcoming Water Quality Improvement Fund (WQIF) Notice of Funding Opportunity

The USEPA’s [San Francisco Bay Program Office](#) manages a competitive grant program to support projects to protect and restore the Bay; nutrient management is one of the [program priorities](#). The SF Bay Program office plans to release a Notice of Funding opportunity as soon as November 2025. The government shutdown could impact this schedule. BACWA may submit an application and encourages other interested agencies to reach out to coordinate on a grant application.

4. Review of Water Board Proposed Basin Plan Amendment

BACWA's Executive Director led a group discussion about possible BACWA comments on an informal draft Basin Plan Amendment to provide agencies more than 10 years for qualifying nutrient reduction projects. BACWA member comments provided at the previous September 3rd Nutrient Strategy Team meeting were already incorporated into the draft markup shared with the group prior to this meeting.

Attendees provided the following additional feedback for BACWA's consideration:

- Attendees were interested in explicitly mentioning affordability and constructability concerns in the Basin Plan Amendment or accompanying staff report.
- The Basin Plan Amendment should lay out what happens if a project-specific compliance schedule needs to be changed due to external factors (e.g., inability to procure funding).
- Attendees were interested in finding out when information that justifies an extended compliance schedule would need to be submitted.
- Additional language markups were also proposed (e.g., using "feasible" instead of "possible"; use "wastewater" instead of "non-stormwater").

The Basin Plan Amendment remains in an informal development stage. BACWA plans to share consolidated comments with the Regional Water Board by early November.

CEQA Review of Basin Plan Amendment

The Basin Plan Amendment will require CEQA-compliant documentation. BACWA plans to provide financial support for this work, which will be completed by a specialized consultant.

Engaging Water Board Staff and Board Members

BACWA's Executive Board will meet Regional Water Board staff in November to discuss progress on the Basin Plan Amendment and related matters. BACWA is also planning to set up approximately six tours in 2026 that would be appropriate for Regional Water Board staff to attend.

Action items/next steps

- BACWA will consolidate and share comments on the informal draft Basin Plan Amendment with Regional Water Board staff.
- BACWA will coordinate with the Regional Water Board regarding arrangements for funding the preparation of CEQA-compliant documentation for the Basin Plan Amendment.
- BACWA will coordinate with member agencies to arrange plant tours in 2026.

Meeting adjourned at 3 pm.



Special Executive Board Meeting Minutes Joint Meeting with Regional Water Board Staff November 13, 2025

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, Aidan Cecchetti, James Parrish, Kerry O'Connor	San Francisco Bay Regional Water Quality Control Board
Lorien Fono, Mary Cousins	BACWA
Amanda Roa	Fairfield-Suisun Sewer District
Alicia Chakrabarti	EBMUD
Jennie Pang	SFPUC
Armando Lopez	Union Sanitary District

The meeting began at 3:05 pm at the offices of the Regional Water Board in Oakland. There was no public comment.

SUMMARY OF DISCUSSION

Water Board and Agency Updates

Regional Water Board staff provided updates on recent federal and state activities related to NPDES permitting. The California Supreme Court has agreed to hear a case regarding toxicity test methods in NPDES permits; NPDES permits with toxicity effluent limits cannot be issued until State Water Board counsel provides guidance on this matter. Regional Water Board representatives also provided updates on staffing. The group welcomed Aidan Cecchetti as a new supervising engineer in the NPDES division. Bill Johnson plans to retire at the end of 2025.

BACWA agencies provided updates on capital planning and operational responses to recent wet weather, including use of Advanced Quantitative Precipitation Information (AQPI) as featured in a recent BACWA webinar. Central San also shared updates on a PFAS Adaptive Management Plan that the agency plans to pursue. San Jose shared that the City's new mechanical dewatering facility is in the startup phase, but is not yet fully operational.

Joint PFAS Strategy

The group discussed how to support development of a statewide strategy for PFAS in wastewater that emphasizes source control over end-of-pipe regulations. The group lamented that PFAS source control legislation failed to pass this year, since it would have sent a strong signal about the importance of source control as a public policy. BACWA is planning to conduct Phase 3 of a Regional

PFAS Study in 2026 and is coordinating with scientists at SFEI on the scope of the study. BACWA plans to host a “PFAS Forum” for members in mid-November 2025. Regional Water Board staff offered to coordinate with Executive Officers in other regions to share the message that the wastewater sector is focusing on source control investigations.

Agency Updates on Nutrient Reduction Projects

Regional Water Board staff are working on a draft Basin Plan Amendment that would provide additional time for compliance with the Nutrients Watershed Permit. In this context, BACWA thought it would be helpful to provide detailed information about the current schedule for implementation of nutrient load reduction projects. Six BACWA member agencies volunteered to share details of their plans to reduce Total Inorganic Nitrogen (TIN) loads:

- **SFPUC** – For the Southeast plant, SFPUC is planning to implement Biological Nutrient Removal (BNR) on a footprint-constrained site. SFPUC has committed to achieve 15 mg/L effluent TIN within 15 years (2039). Site constraints, operational continuity, CEQA, supply chain constraints, and a limited workforce are all expected to make this schedule a challenge, so SFPUC plans to use a progressive design-build procurement model to achieve this tight timeline.
- **San José** – The City of San José’s plant has been removing nitrogen since 1998, when secondary treatment was expanded to include BNR. The City is currently executing a complex portfolio of capital projects that will impact TIN loads, including a project to implement mechanical dewatering in lieu of solar-drying of biosolids that will increase TIN loads to the plant. The City is also working to add inDense hydrocyclone technology to improve nutrient removal, but upgrading all four treatment trains could take 15-20 years.
- **Central San** – Since the Nutrients Watershed Permit was adopted in 2024, Central San has been actively working on a plan for nutrient reductions, including piloting innovative technology for process intensification. Beginning in May 2026, Central San plans to conduct a full demonstration of a Membrane Aerated Biofilm Reactor (MABR) in one of their four aeration basins. If the demonstration is successful, MABR cassettes could be installed in the remaining basins in subsequent years. Central San believes the technology is promising, but the evaluation is far from complete. If a conventional BNR approach is required, then it will not be possible to achieve compliance with the final effluent limits by 2034.
- **EBMUD** – Each year, EBMUD has gradually increased the fraction of flow passing through the plant’s innovative biological nutrient removal process. Although EBMUD expects the plant may be able to comply with final effluent limits in 2034 by passing 100% of the flow through the process, there would be no redundancy, so they are working on a capital plan that will address reliability and redundancy.
- **Dublin San Ramon Services District (DSRSD)** – DSRSD is planning to increase recycled water deliveries to further reduce TIN, and described the political and technical hurdles involved with this expansion. DSRSD is planning to augment supplies through an agreement with Central San, and is working with EBMUD on expansion to serve additional customers. DSRSD has a proven

11/13/25 Joint RB2 Meeting Summary

record of success with recycled water, but the agreements and implementation require long time horizons.

- **Union Sanitary District (USD)** – As an early actor with major capital upgrade in progress (completion expected in 2031-32), USD can share a wealth of information about the timeline for completion of milestones like planning, design, and construction. USD plans to share additional details with the Regional Water Board following the meeting.

The group discussed the advantages of progressive design-build contracting; recent changes to State law make it easier for special districts (and not just cities) to access this project delivery model.

Agencies will be invited to share similar updates at a future Regional Water Board hearing, since Regional Water Board members have specifically requested periodic updates on this topic.

Basin Plan Amendment for Compliance Schedule Policy

The Regional Water Board and BACWA plan to develop a memorandum of understanding (MOU) related to CEQA documentation for the Basin Plan Amendment. The MOU would provide a means for BACWA to financially support a consultant to work on the CEQA documentation, since the Regional Water Board lacks the capacity for this work.

The meeting was adjourned at 5:30 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

November 18, 2025

MEMO TO: Bay Area Clean Water Agencies Executive Board
MEMO FROM: Phoebe Grow, Treasurer, East Bay Municipal Utility District
SUBJECT: Fourth Month FY 2026 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, 2025 through October 31, 2025** (Four months of Fiscal Year 2026). 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: Thursday, November 20, 2025 1:07 PM
To: Houck, Matt
Subject: Re: October 2025 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: Tuesday, November 18, 2025 3:40 PM
To: Grow, Phoebe <phoebe.grow@ebmud.com>
Subject: October 2025 Treasurer's Report

Hi Phoebe,

Please approve BACWA - October 2025 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

October 2025

Fund Balances

In FY25 BACWA has three operating funds (BACWA, Legal, and CBC) and one pass-through fund for which BACWA provides only contract administration services (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 October 31, 2025, was \$785,092, which is significantly higher than the target reserve of \$280,414 which is intended to cover 3 months of normal operating expenses based on the BACWA FY26 budget. \$758,117 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 \$26,975 unobligated.

CBC Fund: This fund provides the resources for completing special investigations as well as meeting regulatory requirements. The ending fund balance on October 31, 2025, was \$3,365,645 which is higher than the target reserve of \$1,000,000. \$800,053 of the ending fund balance is encumbered to meet line-item expenses for completion of the Group Annual Report contract, completion of the NBS Study, Recycled Water Evaluation, and the PFAS Regional Study. This leaves an actual unencumbered reserve balance of \$1,565,592 (i.e., actual fund balance of \$2,565,592 less target reserves) as of October 31, 2025. 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 October 31, 2025 (33% of the FY) are at 96%

Expenses as of October 31, 2025 (33% of the FY) are at 41%

FY 2026 Budget

							
<u>BACWA FY26 BUDGET</u>	<u>Line Item Description</u>	<u>FY26 Budget</u>	<u>Projected Rev as of October 2025</u>	<u>Actual October 2025</u>	<u>Actual % of Budget October 2025</u>	<u>Variance</u>	<u>FY26 NOTES</u>
REVENUES & FUNDING							
Dues	Principals' Contributions	\$581,626	\$581,626	\$581,626	100%	\$0	FY26: 5% increase 5 @ \$116,325
	Associate & Affiliate Contributions	\$260,064	\$216,178	\$216,178	100%	-\$43,886	FY26: 5% increase. 12 Assoc: \$9599.47 Affiliate: \$1922.55; UC Berkeley \$515, revised Oct 2025
Fees	Clean Bay Collaborative	\$675,000	\$674,250	\$674,250	100%	-\$750	Same as FY25. Prin: \$450,000; Assoc/Affil: \$225,000
	Nutrient Surcharge	\$1,750,000	\$1,747,955	\$1,747,955	100%	-\$2,045	See Nutrient Surcharge Spreadsheet
	Member Voluntary Nutrient Contributions						
Other Receipts	Non R2 Affiliate Members	\$5,768	\$5,768	\$5,768	100%	\$0	Santa Rosa, Sac Reg'l, Vacaville, Ironhouse \$1922.55 / each
	BACC Admin Fees	\$40,468	\$40,468	\$0	0%	-\$40,468	400 hours of AED support \$101.17/hr
Air Toxics	CASA Passthrough	\$620,125	\$620,125	\$620,125	100%	\$0	New in FY25
Interest Income	LAIF	\$160,000	\$160,000	\$80,235	50%	-\$79,765	BACWA, Legal, & CBC Funds invested in LAIF
	Total Revenue	\$4,093,051	\$4,046,370	\$3,926,136	96%	-\$166,914	
EXPENSES							
Labor							
	Executive Director	\$229,612	\$233,199	\$58,300	25%	-\$171,312	(incl 2.4% CPI SF Bay Metro Area Dec 2024), updated to 4% in May 2025
	Assistant Executive Director	\$96,682	\$98,193	\$27,189	28%	-\$69,493	(incl 2.4% CPI SF Bay Metro Area Dec 2024); \$81/hour; Reflects 1200 hours, updated to 4% in May 2025
	BACC Administrator	\$40,468	\$40,468	\$0	0%	-\$40,468	400 hrs AED support at \$101.17 per hr
	Regulatory Program Manager	\$159,875	\$162,373	\$41,737	26%	-\$118,138	(2.4% CPI SF Bay Metro Area Dec 2024); \$118.43/hour, Reflects 1350 hours, updated to 4% in May 2025
	Total	\$526,636	\$534,233	\$0	0%	-\$399,411	
Administration							
	EBMUD Financial Services	\$44,596	\$44,596	\$11,679	26%	-\$32,917	3% increase in FY26
	Auditing Services	\$5,672	\$5,672	\$572	10%	-\$5,100	Financial Auditors through EBMUD; per auditor rate schedule
	Administrative Expenses	\$4,059	\$4,059	\$307	8%	-\$3,752	No change from FY25
	Insurance	\$12,366	\$12,366	\$8,949	72%	-\$3,417	15% increase from FY25 (10-15% est. increase per Alliant)
	Total	\$66,693	\$66,693	\$21,508	32%	-\$45,186	
Meetings							
	EB Meetings	\$4,200	\$4,200	\$266	6%	-\$3,934	20% increase from FY25
	Annual Meeting	\$14,369	\$14,369	\$1,918	13%	-\$12,452	No change from FY25
	Pardee	\$4,000	\$4,000	\$2,028	51%	-\$1,972	reduced from FY25 to align with actual expenses
	Misc. Meetings and conferences	\$10,000	\$10,000	\$4,200	42%	-\$5,800	No change from FY25
	Total	\$32,569	\$32,569	\$8,412	26%	-\$24,157	
Communication							
	Website Hosting / Domain registration	\$758	\$758	\$0	0%	-\$758	2% increase from FY25, Go Daddy website hosting and domain registration

FY 2026 Budget

EXPENSES							
	File Storage	\$828	\$828	\$0	0%	-\$828	2% increase from FY25, box.net
	Website Development/Maintenance	\$1,656	\$1,656	\$0	0%	-\$1,656	2% increase from FY25
	IT Support (As Needed)	\$2,870	\$2,870	\$0	0%	-\$2,870	2% increase from FY25
	BACWA Value of Wastewater Communication	\$50,000	\$50,000	\$64,875	130%	\$14,875	New line item in FY24, no change from FY24 - TBD
	Other Communication	\$1,932	\$1,932	\$170	9%	-\$1,762	2% increase from FY25; MS Exchange, Survey Monkey, PollEv, Zoom, Netfile
	Total	\$58,044	\$58,044	\$65,045	112%	\$7,001	
Legal							
	Regulatory Support	\$20,000	\$50,000	\$580	3%	-\$19,420	Decrease from FY25, Contract with Duane Morris - increased PO at Board's direction
	Executive Board Support	\$2,403	\$2,403	\$0	0%	-\$2,403	No increase from FY25
	Total	\$22,403	\$52,403	\$580	3%	-\$21,823	
Committees							
	AIR	\$94,750	\$94,750	\$22,950	24%	-\$71,800	\$93,750 consulting support, \$1k misc expenses - TBD
	BAPPG	\$148,060	\$148,060	\$41,939	28%	-\$106,121	Includes Pest. Reg Spt. @ \$70; Pest. Prof Outreach @ \$19K; Media Consultant @ \$50K; website/unplanned is
	Asset Management Committee	\$500	\$500	\$0	0%	-\$500	No change from FY25
	BABC	\$120,000	\$120,000	\$25,565	21%	-\$94,435	Formerly BACWA Biosolids, now BABC program management contract
	Collections System	\$1,000	\$1,000	\$0	0%	-\$1,000	SSS WDR Support
	O&M Committee	\$1,500	\$1,500	\$322	21%	-\$1,178	No change from FY25
	Laboratory Committee	\$500	\$500	\$0	0%	-\$500	No change from FY25
	Permits Committee	\$500	\$500	\$0	0%	-\$500	No change from FY25
	Pretreatment	\$500	\$500	\$0	0%	-\$500	No change from FY25
	Recycled Water Committee	\$500	\$500	\$0	0%	-\$500	No change from FY25
	Misc Committee Support	\$45,000	\$45,000	\$5,754	13%	-\$39,246	No change from FY25
	Manager's Roundtable	\$1,000	\$1,000	\$445	45%	-\$555	No change from FY25
	Total	\$413,810	\$413,810	\$96,973	23%	-\$316,837	
Collaboratives							
	Collaboratives						
	State of the Estuary (SFEP-biennial)	\$20,000	\$20,000	\$20,000	100%	\$0	Biennial in Even Fiscal Years
	Arleen Navarret Award	\$0	\$0	\$0		\$0	Next Award will be disbursed in FY27
	BayCAN	\$5,000	\$1,500	\$1,500	30%	-\$3,500	
	Bay Area One Water Network	\$5,000	\$2,000	\$2,000	40%	-\$3,000	Donation due in FY26 - Support for lunch at kickoff meeting
	Bruce Wolfe Scholarship	\$4,000	\$4,000	\$0	0%	-\$4,000	FY22, FY23, FY24, FY25 FY26
	Our Water Our World Program	\$10,000	\$10,000	\$0	0%	-\$10,000	Previously included in BAPPG Budget
	National Stewardship Action Council	\$10,000	\$10,000	\$0	0%	-\$10,000	Previously included in BAPPG Budget
	California Product Stewardship Council	\$10,000	\$10,000	\$10,000	100%	\$0	Previously included in BAPPG Budget
	Passthrough to CASA for air toxics	\$620,125	\$620,125	\$0	0%	-\$620,125	New line item in FY24
	Misc	\$1,500	\$1,500	\$0	0%	-\$1,500	NBWA
	Total	\$685,625	\$679,125	\$33,500	5%	-\$652,125	
Other							
	Unbudgeted Items						
	Other						
Tech Support							
	Technical Support						
	Nutrients						
	Watershed Permit NMS Contribution	\$2,200,000	\$2,200,000	\$1,100,000	50%	-\$1,100,000	Permit required funding for 3rd Watershed Permit Science Studies
	NMS Voluntary Contributions			\$0	18		

FY 2026 Budget

EXPENSES							
	Additional work under permit	\$100,000	\$100,000	\$9,890	10%	-\$90,110	Discretionary work including trading
	Nutrient Workshop(s)	\$0	\$0	\$0			Pilot Studies/Plant Review/Innovative Technologies; Might change
	NMS Reviewer	\$50,000	\$50,000	\$0	0%	-\$50,000	No change from FY25 - will need new contractor
	Regional Nutrient Compliance Support	\$250,000	\$250,000	\$0	0%	-\$250,000	New item in FY25
	General Tech Support	\$100,000	\$100,000	\$35,000	35%	-\$65,000	Eg. Nutrients, biosolids
	CEC Investigations	\$50,000	\$50,000	\$0	0%	-\$50,000	PFAS Study Phase 3
	Risk Reduction	\$12,500	\$12,500	\$0	0%	-\$12,500	Will plan new risk reduction tasks for current Hg/PCB Watershed Permit
	Total	\$2,762,500	\$2,762,500	\$1,144,890	41%	-\$1,617,610	
	TOTAL EXPENSES	\$4,568,281	\$4,599,377				
	NET INCOME BEFORE TRANSFERS	-\$475,230					
	TRANSFERS FROM RESERVES	\$475,230					aligns with strategy of drawing down reserves to lessen impact of Nutrient Surcharge
	NET INCOME AFTER TRANSFERS	\$0					
	TOTAL OPERATING BUDGET	\$1,121,656					
	OPERATING RESERVE	\$280,414					

BACWA Fund Report as of October 31, 2025

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	242,041	841,372	298,321	785,092	758,117	26,975
604	LEGAL RSRV	300,000	-	-	300,000	-	300,000
605	CBC	2,024,054	2,486,481	1,144,890	3,365,645	800,053	2,565,592
	SUBTOTAL 1	2,566,095	3,327,853	1,443,211	4,450,737	1,558,170	2,892,567
602	BABC	293,689	92	60,000	233,781	-	233,781
606	BACC	42,532	3,029	34,975	10,586	35,713	(25,127)
607	BACC LEGAL RSRV	120,000	30,000	-	150,000	-	150,000
610	WOT	259,176	-	-	259,176	-	259,176
612	CASA Air Toxics	-	610,500	-	610,500	-	610,500
	SUBTOTAL 2	715,397	643,621	94,975	1,264,043	35,713	1,228,330
	GRAND TOTAL	3,281,492	3,971,474	1,538,186	5,714,780	1,593,883	4,120,897

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	242,041	841,372	298,321	785,092	(216,264)	15,878	584,706	584,706	-	0%	-	-	priority # 6 for allocation
604	LEGAL RSRV	300,000	-	-	300,000	-	-	300,000	-	300,000	12%	-	-	priority # 1 for allocation
605	CBC	2,024,054	2,486,481	1,144,890	3,365,645	(805,057)	-	2,560,588	453,644	2,106,944	82%	-	-	priority # 3 for allocation
	SUBTOTAL 1	2,566,095	3,327,853	1,443,211	4,450,737	(1,021,321)	15,878	3,445,294	1,038,350	2,406,944	94%	-	-	
602	BABC	293,689	92	60,000	233,781	-	-	233,781	233,781	-	0%	-	-	priority # 4 for allocation
606	BACC	42,532	3,029	34,975	10,586	-	-	10,586	10,586	-	0%	-	-	
607	BACC LEGAL RSRV	120,000	30,000	-	150,000	-	-	150,000	-	150,000	6%	-	-	priority # 2 for allocation
610	WOT	259,176	-	-	259,176	-	-	259,176	259,176	-	0%	-	-	priority # 5 for allocation
612	CASA Air Toxics	-	610,500	-	610,500	(192,000)	-	418,500	418,500	-	0%	-	-	
	SUBTOTAL 2	715,397	643,621	94,975	1,264,043	(192,000)	-	1,072,043	922,043	150,000	6%	-	-	
	GRAND TOTAL	3,281,492	3,971,474	1,538,186	5,714,780	(1,213,321)	15,878	4,517,337	1,960,393	2,556,944	100%	-	-	

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

Reconciliation to Trial Balance		STB	29020	-	
<u>Per Report above:</u>		STB	14930	2,556,944	
General	3,327,853	STB	15050	<u>1,960,393</u>	
WOT, BABC, & BACC	643,621			4,517,337	-
PROP	-	STB	16300	1,213,321	
subtotal	3,971,474	STB	21350	<u>(15,878)</u>	
				5,714,780	-

<u>Trial Balance Revenue Accounts</u>	
40100	Interest (83,356)
40101	Mem Contrib (1,875,224)
40102	Transfer (30,000)
40103	Assoc Contrib (206,064)
40104	Other (1,776,830)
47310	State Grant -
47320	Grant Retention -
subtotal	(3,971,474)
Difference	-

BACWA Revenue Report as of October 31, 2025

Cost Center Code	Cost Center Description	Program Segment Description	Program Segment Value	Amended Budget	Current Period	FY26 - Year to Date	Unobligated
600	Bay Area Clean Water Agencies	BABC - AED and RPM Support	6200	-	-	-	-
		BACC - AED Support	6199	(40,468.00)	-	-	40,468.00
		BDO Affil/CS/Assoc Dues	6104	-	(42,811.10)	(42,811.10)	(42,811.10)
		BDO Affiliate/Associate Dues	6103	-	(48,063.75)	(48,063.75)	(48,063.75)
		BDO Assoc.&Affiliate Contr	6102	(260,064.00)	(115,189.20)	(115,189.20)	144,874.80
		BDO Fund Transfers	6141	-	-	-	-
		BDO Member Contributions	6101	(581,626.00)	-	(581,625.00)	1.00
		BDO Non-Member Contr AIR	6136	-	-	-	-
		BDO Other Receipts	6105	-	(13,845.10)	(13,845.10)	(13,845.10)
		BDO Other Receipts (Misc)	6140	-	(2,732.00)	(2,732.00)	(2,732.00)
		BDO- Interest Income from LAIF	6142	-	(11,279.42)	(35,183.28)	(35,183.28)
		BDO-Alternative Investment Inc	6143	(160,000.00)	-	-	160,000.00
		Non R2 Affiliate Members	6135	(5,768.00)	(1,922.55)	(1,922.55)	3,845.45
600 Total				(1,047,926.00)	(235,843.12)	(841,371.98)	206,554.02
602	Bay Area Biosolids Coalition	BDO Fund Transfers	6141	-	-	-	-
		BDO Member Contributions	6101	-	-	-	-
		BDO- Interest Income from LAIF	6142	-	(92.11)	(92.11)	(92.11)
602 Total				-	(92.11)	(92.11)	(92.11)
605	Clean Bay Collaborative	BDO Fund Transfers	6141	-	-	-	-
		BDO Member Contributions	6101	(675,000.00)	(233,099.10)	(683,099.10)	(8,099.10)
		BDO Other Receipts	6105	(1,750,000.00)	(595,953.00)	(1,758,330.00)	(8,330.00)
		BDO- Interest Income from LAIF	6142	-	(22,565.50)	(45,051.37)	(45,051.37)
605 Total				(2,425,000.00)	(851,617.60)	(2,486,480.47)	(61,480.47)
606	Bay Area Chemical Consortium	BDO Member Contributions	6101	-	-	-	-
		BDO- Interest Income from LAIF	6142	-	(1,657.87)	(3,028.96)	(3,028.96)
606 Total				-	(1,657.87)	(3,028.96)	(3,028.96)
607	BACC Legal RSRV	BDO Fund Transfers	6141	-	-	(30,000.00)	(30,000.00)
607 Total				-	-	(30,000.00)	(30,000.00)
612	CASA Air Toxics	BDO Member Contributions	6101	(620,125.00)	(192,000.00)	(610,500.00)	9,625.00
612 Total				(620,125.00)	(192,000.00)	(610,500.00)	9,625.00
Grand Total				(4,093,051.00)	(1,281,210.70)	(3,971,473.52)	121,577.48

BACWA Treasurer's Report Expenses and Encumbrances

Period Covering July 1, 2025 through October 31, 2025

Cost Center Code	Program Segment Description	Program Segment Value	Amended Budget	Obligated Fiscal Year to Date	Unobligated
600	AIR-Air Issues&Regulation Grp	6153	94,750.00	98,250.74	(3,500.74)
	AS-Assistant Executive Directo	6175	98,193.00	98,193.00	-
	AS-Audit Services	6180	5,672.00	(572.00)	6,244.00
	AS-BACWA Admin Expense	6173	4,059.00	308.30	3,750.70
	AS-EBMUD Financial Services	6176	44,596.00	43,297.00	1,299.00
	AS-Executive Director	6174	233,199.00	233,199.00	-
	AS-Insurance	6177	12,366.00	8,949.35	3,416.65
	AS-Regulatory Program Manager	6179	162,373.00	162,373.00	-
	Administrative Support	6178	-	-	-
	Asset Management Committee	6213	500.00	-	-
	BABC	6147	120,000.00	120,000.00	-
	BACWA Value of Wastewater Communication	6211	50,000.00	43,020.48	6,979.52
	BC-BAPPG	6152	148,060.00	140,816.38	7,243.62
	BC-Collections System	6144	1,000.00	-	1,000.00
	BC-Laboratory Committee	6149	500.00	-	500.00
	BC-Manager's Roundtable	6154	1,000.00	445.00	555.00
	BC-Miscellaneous Committee Sup	6150	45,000.00	5,753.75	39,246.25
	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
	Bay Area One Water Network	6209	5,000.00	2,000.00	3,000.00
	Bruce Wolf Scholarship	6210	4,000.00	-	4,000.00
	CAR-BACWA File Storage	6165	828.00	-	828.00
	CAR-BACWA IT Software	6167	1,932.00	170.29	1,761.71
	CAR-BACWA IT Support	6166	2,870.00	-	2,870.00
	CAR-BACWA Website Dev/Maint	6163	1,656.00	-	1,656.00
	CAR-BACWA Website Hosting	6164	758.00	-	758.00
	CAS-Arleen Navaret Award	6160	-	-	-
	CAS-BayCAN	6204	5,000.00	1,500.00	-
	CAS-Misc Collaborative Sup	6162	1,500.00	-	1,500.00
	CAS-PSSEP	6157	20,000.00	20,000.00	-
	CAS-Stanford ERC	6159	-	-	-
	California Product Stewardship Council	6216	-	10,000.00	(10,000.00)
	GBS-Meeting Support-Annual	6170	14,369.00	1,917.50	12,451.50
	GBS-Meeting Support-Exec Bd	6169	4,200.00	266.19	-
	GBS-Meeting Support-Misc	6172	10,000.00	4,200.27	-
	GBS-Meeting Support-Pardee	6171	4,000.00	2,027.75	-
	LS-Executive Board Support	6156	20,000.00	-	20,000.00
	LS-Regulatory Support	6155	2,403.00	50,000.00	(47,597.00)
	National Stewardship Action Council	6215	10,000.00	10,000.00	-
	O&M Committee	6148	1,500.00	321.88	1,178.12
	WQA-CE-Nature Based Solutions	6196	-	-	-
	Write-Off Doubtful Accounts	6208	-	-	-
600 Total			1,132,784.00	1,056,437.88	60,640.33
602	AS-Assistant Executive Directo	6175	-	-	-
	AS-Regulatory Program Manager	6179	-	-	-
	Academia Research & Development	6203	-	-	-
	Administrative Support	6178	-	60,000.00	(60,000.00)
	BDO Contract Expenses	6186	-	-	-
	Collateral Development	6197	-	-	-
	Program Manager Expense	6202	-	-	-
	Technology Research & Development	6206	-	-	-
602 Total			-	60,000.00	(60,000.00)
605	Recycled Water Evaluation	6198	-	-	-
	WQA - CEC Investigations	6201	50,000.00	-	50,000.00
	WQA-CE Addl Work Under Permit	6191	100,000.00	779,942.62	(679,942.62)
	WQA-CE Risk Reduction	6190	12,500.00	-	12,500.00
	WQA-CE Voluntary Nutr Contrib	6193	-	-	-
	WQA-CE-Nature Based Solutions	6196	-	-	-
	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	35,000.00	65,000.00
	WQA-NMSReviewer	6205	50,000.00	30,000.00	20,000.00
605 Total			2,512,500.00	1,944,942.62	567,557.38
606	AS-BACWA Admin Expense	6173	-	-	-
	AS-Regulatory Program Manager	6179	-	-	-
	Administrative Support	6178	40,468.00	40,687.60	(219.60)
	BDO Fund Transfers	6141	-	30,000.00	(30,000.00)
	CAR-BACWA IT Support	6166	-	-	-
	GBS-Meeting Support-Misc	6172	-	-	-
606 Total			40,468.00	70,687.60	(30,219.60)
610	Administrative Support	6178	-	-	-
	BDO Contract Expenses	6186	-	-	-
610 Total			-	-	-
612	Passthrough to CASA for air toxics	6212	620,125.00	-	620,125.00
612 Total			620,125.00	-	620,125.00
Grand Total			4,305,877.00	3,132,068.10	1,158,103.11



BACWA EXECUTIVE BOARD AUTHORIZATION REQUEST

AGENDA NO.: 5

MEETING DATE: December 12, 2025

TITLE: Approval of the BACWA Annual Report to its Members for FY2025.

☐ RECEIPT

☐ DISCUSSION

☐ RESOLUTION

☒ APPROVAL

RECOMMENDED ACTION

Approve the BACWA Annual Report to its membership for FY2025.

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 FY2025 Annual Report to Members

Approved:

Jackie Zipkin, BACWA Chair

Date: December 12, 2025



BACWA Annual Report

Fiscal Year 2024/2025

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. A new Nutrients Watershed Permit, adopted in July 2024, requires nutrient reductions for the first time in our region. 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.

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 Nutrients Watershed Permit. The 2025 Group Annual Report included the first year of compliance milestone reporting. A Science Plan update was also submitted to the Regional Water Board as required by the Permit.
- Compliance with 2024 Nutrients Watershed Permit – BACWA performed a competitive solicitation for consultant support for the Nutrients Watershed Permit Regional Plan, and submitted a [Scoping Plan](#) to the Regional Water Board.
- BACWA Support for Science on Nutrients in the SF Bay – BACWA provided the required \$2.2 million in funding for the Nutrient Management Strategy, and worked through the Nutrient Management Steering Committee to update the 5-year Science Plan.
- [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.

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 finalized in August 2024 and augmented with “Value of Wastewater” messaging.
- [2024 Biosolids Trends report](#) – Updated every two to three years to help agencies understand their biosolids handling programs within a regional context.
- Public outreach – Worked with consultant team to bolster BACWA’s value of wastewater messaging.
- Information Sharing and Education – Assisted with in-person events, surveys, and videos to share best practices. Hosted a nutrient reduction [technical seminar](#) in August 2024, and tours of innovative technologies at the Linda County test facility in June 2025.
- [Annual Meeting](#) – The Annual Meeting was held in-person on May 2, 2025, and included updates from regulators, and panel on the nutrient permit, source control, and resilience to extreme precipitation. 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 2024/2025, BACWA submitted 12 [comment letters](#) to EPA, Regional Water Board, State Water Board, Bay Area Air



District, the Department of Toxic Substances Control, the Bay Conservation and Development Commission (BCDC), 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 coordinated member comments at the 3rd Nutrients Watershed Permit adoption hearing in July 2024. BACWA has engaged consultant support to comply with the reporting requirements and special studies required by the permit. BACWA staff and agency volunteers have also engaged through the Nutrient Management Strategy in working with SFEI on an updated Science Plan.
- **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 Air District 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 and procedural improvements at the Air District 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.
- **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** A blanket permit amendment funded by BACWA and approved by the Regional Water Board in November 2023 removed instantaneous chlorine limit from NPDES permits. BACWA collected information from our members to demonstrate that the amended limits resulted in a million dollar saving in our region.
- **Compound of Emerging Concern (CEC).** Our region has effectively managed science on compounds of emerging concern through voluntary participation in the Regional Monitoring Program. In December 2024, BACWA updated its White Paper on POTW [Participation in CEC studies](#) to support this ongoing collaborative effort.

BACWA Staffing

In FY2024/2025, 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

Committee accomplishments in FY24/25 are attached.

BACWA's Biosolids committee was on pause in FY 24/25, but met with the Bay Area Biosolids Coalition on an ad hoc basis for the purposes of information sharing. In FY24/25, BACWA worked to incorporate the Bay Area Biosolids Coalition as a regular committee.

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).

Special Benefit Programs

In FY24/25 BACWA had three active special benefit programs: Water Operator Training also known as BACWWE, Bay Area Biosolids Coalition (BABC), and Bay Area Chemical Consortium (BACC).

Member dues for Wastewater Operator Training (BACWWE) are optional and are established on an annual basis by its Program members with training offered at community colleges throughout the BACWA service area. BACWWE is considering revamping their program, which will affect how the program is funded, and whether it will continue to be a program of special benefit.

BABC became a Special Benefits Program in FY20. BABC is governed by a Steering Committee that establishes its budget and associated revenue needs on an annual basis. BABC funds support the furthering the goal of its strategic plan, which includes communicating the value of biosolids, advancing scientific research, supporting the expansion of biosolids land



application, and supporting the development of biosolids management options in the Bay Area. In FY24/25 BABC voted to become a regular BACWA committee, effective in FY25/26.

BACC became a Special Benefits Program in FY20. BACC is an administrative program governed by BACWA and supported by the BACWA ED and AED. BACC solicits chemical bid information from more than 60 member agencies, then arranges a group bid. BACC participant agencies are invoiced for BACWA labor and other expenses related to bid administration at the end of each fiscal year.

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
- California Water Quality Monitoring Council
- CASA Air Toxics Steering Committee

BACWA also provides funding for the Bruce Wolfe Scholarship for Bay Area Students from underrepresented backgrounds, which is administered by the CASA Educational Foundation.

FY2024/2025 Financial Report

<u>BACWA FY25 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2025 Budget</u>	<u>Actuals June 2025</u>	<u>Actual % of Budget June 2025</u>	<u>Variance</u>
<u>REVENUES & FUNDING</u>					
Dues	Principals' Contributions	\$553,929	\$553,930	100%	\$1
	Associate & Affiliate Contributions	\$195,780	\$196,261	100%	\$481
Fees	Clean Bay Collaborative	\$675,000	\$674,250	100%	-\$750
	Nutrient Surcharge	\$1,600,000	\$1,600,000	100%	\$0
	Member Voluntary Nutrient Contributions	\$0	\$0	0%	\$0
Other Receipts	AIR Non-Member	\$7,582	\$7,582	100%	\$0
	BAPPG Non-Members	\$4,264	\$4,264	100%	\$0
	Other	\$0	\$0	0%	\$0
	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)	\$39,522	\$39,522	100%	\$0
	Special Program Admin Fees (WOT)	\$6,000	\$3,467	58%	-\$2,533
	CASA Passthrough	\$600,000	\$538,140	90%	-\$61,680
Interest Income	LAIF	\$80,000	\$211,937	277%	\$141,397
	Higher Yield Investments	\$0	\$0	0%	\$0
	Total Revenue	\$3,763,077	\$3,838,813	102.01%	\$75,736
<u>BACWA FY25 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2025 Budget</u>	<u>Actuals June 2025</u>	<u>Actual % of Budget June 2025</u>	<u>Variance</u>
<u>EXPENSES</u>					
Labor					
	Executive Director	\$224,230	\$224,230	100%	\$0
	Assistant Executive Director	\$94,417	\$94,406	100%	-\$11



<u>BACWA FY25 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2025 Budget</u>	<u>Actuals June 2025</u>	<u>Actual % of Budget June 2025</u>	<u>Variance</u>
	Assistant Executive Director – BACC Administration	\$39,522	\$39,520	100%	-\$2
	Regulatory Program Manager	\$156,136	\$154,769	99%	-\$1,367
	Total	\$514,304	\$507,755	99%	-\$1,380
Administration					
	EBMUD Financial Services	\$43,297	\$40,141	93%	-\$3,156
	Auditing Services	\$5,672	\$5,672	100%	\$0
	Administrative Expenses	\$4,059	\$1,380	34%	-\$2,679
	Insurance	\$10,753	\$8,457	79%	-\$2,296
	Total	\$63,781	\$55,649	87%	-\$8,132
Meetings					
	EB Meetings	\$3,500	\$3,406	97%	-\$94
	Annual Meeting	\$14,369	\$13,351	93%	-\$1,018
	Pardee	\$6,801	\$2,159	32%	-\$4,643
	Misc. Meetings	\$10,000	\$10,561	106%	\$561
	Total	\$34,670	\$29,476	85%	-\$5,194
Communication					
	Website Hosting	\$743	\$762	103%	-\$19
	File Storage	\$812	\$720	89%	-\$92
	Website Development/Maintenance	\$1,624	\$281	17%	-\$1,342
	IT Support	\$2,814	\$0	0%	-\$2,814
	Value of Wastewater	\$40,000	\$25,113	63%	\$14,888
	Other Communication	\$1,894	\$3,643	192%	-\$1,748
	Total	\$47,887	\$30,518	64%	\$17,369



<u>BACWA FY25 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2025 Budget</u>	<u>Actuals June 2025</u>	<u>Actual % of Budget June 2025</u>	<u>Variance</u>
Legal					
	Regulatory Support	\$50,000	\$86,091	172%	\$36,091
	Executive Board Support	\$2,403	\$128	5%	-\$2,275
	Total	\$52,403	\$86,218	165%	\$33,816

Committees					
	AIR	\$76,000	\$90,199	119%	\$14,199
	BAPPG	\$170,560	\$166,986	98%	-\$3,574
	Asset Management Committee	\$500	\$600	120%	\$100
	Biosolids Committee	\$500	\$0	0%	-\$500
	Collections System	\$15,500	\$50,000	323%	\$34,500
	O&M Committee	\$1,500	\$413	28%	-\$1,087
	Laboratory Committee	\$500	\$1,609	322%	-\$1,109
	Permits Committee	\$500	\$390	78%	-\$110
	Pretreatment	\$500	\$0	0%	-\$500
	Recycled Water Committee	\$500	\$0	0%	-\$500
	Misc Committee Support	\$45,000	\$4,941	11%	-\$40,059
	Manager's Roundtable	\$1,000	\$0	0%	-\$1,00
	Total	\$312,560	\$315,138	101%	\$2478

Collaboratives					
	State of the Estuary (SFEP-biennial)	\$0	\$0	0%	\$0
	Arleen Navarret Award	\$2,500	\$0	0%	-\$2,500
	BayCAN	\$5,000	\$1,500	30%	-\$3,500
	Bay Area One Water Network	\$0	\$0	0%	\$0
	Bruce Wolf Scholarship	\$4,000	\$4,000	100%	\$0
	Passthrough for CASA Air Toxics	\$500,000	\$496,300	100%	-\$3,700
	Misc	\$1,500	\$4,000	267%	\$2,500
	Total	\$513,000	\$505,800	99%	-\$7,200



<u>BACWA FY25 BUDGET</u>	<u>Line Item Description</u>	<u>FY 2025 Budget</u>	<u>Actuals June 2025</u>	<u>Actual % of Budget June 2025</u>	<u>Variance</u>
Other					
	Unbudgeted Items				
	Other	\$0	\$0		\$0
	Total	\$0	\$0		\$0
Technical Support					
	Nutrients				
	Watershed	\$2,200,000	\$2,200,000	100%	\$0
	NMS Voluntary Contributions	\$0	\$0	0%	\$0
	Additional work under permit	\$100,000	\$111,089	111%	\$11,089
	Regional Study on Nature based systems	\$0	\$75,436		
	Nutrient Workshop(s)	\$0	\$0	0%	\$0
	NMS Reviewer	\$50,000	\$1,400	3%	-\$48,600
	Regional Nutrient Special Study	\$100,000	\$0	0%	-\$100,000
	General Tech Support	\$100,000	\$0	0%	-\$100,000
	CEC Investigation	\$10,000	\$0	0%	-\$10,000
	Risk Reduction	\$12,500	\$6,875	55%	-\$5,625
	Total	\$2,572,500	\$2,394,800	93%	-\$177,700
	TOTAL EXPENSES	\$4,111,105	\$3,925,355	95.48%	-\$185,750
	NET INCOME BEFORE TRANSFERS	-\$348,028	-\$86,542		
	TRANSFERS FROM RESERVES	\$348,028	\$86,542		
	NET INCOME AFTER TRANSFERS	\$0	\$0		



BACWA Membership

BACWA previously supported three classes of membership in addition to the Principal agencies:

- 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);

In FY24/25, the BACWA Executive Board approved a resolution amending the Classes of Membership Policy that adds a fourth category, which is Affiliate Member from outside the San Francisco Bay Region. This new Category 4 class became effective in FY25/26.

List of BACWA Members as of June 30, 2025

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 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



BACWA EXECUTIVE BOARD AUTHORIZATION REQUEST

AGENDA NO.: 6

MEETING DATE: December 12, 2025

TITLE: Approval of Audited Financial Reports for the Year Ended June 30, 2025

☐ RECEIPT

☐ DISCUSSION

☐ RESOLUTION

☒ APPROVAL

RECOMMENDED ACTION

Approve the Audited Financial Report for Fiscal Year 2025 (BACWA Audit Communication Letter and BACWA Basic Financial Statement) provided by EBMUD acting as Treasurer of BACWA.

SUMMARY

At the end of each fiscal year EBMUD requests an audit of BACWA financials and provides the reports to BACWA. The audit are provided for Board approval. There were no significant issues found in the audit.

FISCAL IMPACT

Audits are prepared by Auditors engaged by EBMUD and paid for under the budgeted Audit Fees.

ALTERNATIVES

No alternatives were considered as the Audit and Financial Statement are required by the BACWA JPA.

Attachments:

BACWA Financial Statement

Approved:

Jackie Zipkin, BACWA Chair

Date: December 12, 2025



November 10, 2025

To the Board of Directors
Bay Area Clean Water Agencies
Oakland, California

We have audited the financial statements of the Bay Area Clean Water Agencies ("BACWA") for the years ended June 30, 2025 and 2024. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated April 14, 2025. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by BACWA are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the fiscal year ended June 30, 2025. We noted no transactions entered into by BACWA during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. We noted no significant estimates pertaining to BACWA during fiscal year 2024-2025.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. We are pleased to report that no misstatements were identified during the course of our audit.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.



To the Board of Directors
Bay Area Clean Water Agencies
Oakland, California

Management Representations

We have requested certain representations from management that are included in the management representation letter dated November 10, 2025.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a “second opinion” on certain situations. If a consultation involves application of an accounting principle to the BACWA’s financial statements or a determination of the type of auditor’s opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the BACWA’s auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to management’s discussion and analysis, which is required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management’s responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

Future GASB Pronouncements

The following Government Accounting Standards Board (GASB) pronouncements will be effective for the following fiscal years’ audits and should be reviewed for proper implementation by management:

Fiscal Year 2025-2026

GASB Statement No. 103, *Financial Reporting Model Improvements*.

GASB Statement No. 104, *Disclosure of Certain Capital Assets*.

Future Projects

Comprehensive Project, *Revenue and Expense Recognition*.

Major Project, *Going Concern Uncertainties and Severe Financial Stress*.

Major Project, *Infrastructure Assets*.

Practice Issue, *Subsequent Events*.



To the Board of Directors
Bay Area Clean Water Agencies
Oakland, California

Restriction on Use

This information is intended solely for the information and use of the Board of Directors and management of the BACWA and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

LSL, LLP

Sacramento, California



BAY AREA CLEAN WATER AGENCIES

For the Years Ended June 30, 2025 and 2024

BASIC FINANCIAL STATEMENTS

Focused
on YOU



BAY AREA CLEAN WATER AGENCIES
Basic Financial Statements
For the Years Ended June 30, 2025 and 2024

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INDEPENDENT AUDITORS' REPORT

To the Board of Directors
Bay Area Clean Water Agencies
Oakland, California

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the Bay Area Clean Water Agencies ("BACWA") as of and for the years ended June 30, 2025 and 2024, and the related notes to the financial statements, as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of BACWA as of June 30, 2025 and 2024, and the changes in financial position, and cash flows thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, and the State Controller's Minimum Audit Standards for California Special Districts. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of BACWA and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the BACWA's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the State Controller's Minimum Audit Standards for California Special Districts will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than



To the Board of Directors
Bay Area Clean Water Agencies
Oakland, California

for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the State Controller's Minimum Audit Standards for California Special Districts we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the BACWA's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the BACWA's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis as listed on the table of contents be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.



To the Board of Directors
Bay Area Clean Water Agencies
Oakland, California

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated November 10, 2025, on our consideration of the BACWA's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the BACWA's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering BACWA's internal control over financial reporting and compliance.

LSL, LLP

Sacramento, California
November 10, 2025

BAY AREA CLEAN WATER AGENCIES

Management's Discussion and Analysis For the Years Ended June 30, 2025 and 2024

This section presents management's analysis of the Bay Area Clean Water Agencies (BACWA) financial condition and activities as of and for the years ended June 30, 2025 and 2024. Management's Discussion and Analysis (MD&A) is intended to serve as an introduction to BACWA's basic financial statements. The MD&A represents management's examination and analysis of BACWA's financial condition and performance.

This information should be read in conjunction with the audited financial statements that follow this section. The information in the MD&A is presented under the following headings:

- Organization and Business
- Overview of the Financial Statements
- Financial Analysis
- Request for Information

Organization and Business

The Bay Area Clean Water Agencies (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 the more than seven million people living in the nine county San Francisco 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.

BACWA is governed by a five-person Executive Board comprised of one representative from each of the joint powers agreement signatory agencies: Central Contra Costa Sanitary District, East Bay Dischargers Authority, East Bay Municipal Utility District, the City and County of San Francisco, and the City of San Jose. BACWA members contribute funds to cover operating expenses based on an annual work plan and budget, in accordance with sections 9 and 10 of BACWA's Joint Powers Agreement. There are twelve associate members and forty-seven affiliate members that contribute a minimum of \$9,142 and \$1,831 annually, respectively.

For additional information, please see the notes to the basic financial statements.

Overview of the Financial Statements

The financial statements include *statements of net position, statements of revenues, expenses, and changes in net position, statements of cash flows, and notes to the financial statements*. The report also contains other required supplementary information in addition to the basic financial statements.

BACWA's financial statements include:

The *Statements of Net Position* present information on BACWA's assets and liabilities, with the difference between the two reported as net position. It provides information about the nature and amount of resources and obligations at year-end.

The *Statements of Revenues, Expenses, and Changes in Net Position* present the results of BACWA's operations over the course of the fiscal year and information as to how the *net position* changed during the year.

The *Statements of Cash Flows* present changes in cash and cash equivalents resulting from operational and investing activities. This statement summarizes the annual flow of cash receipts and cash payments, without consideration of the timing of the event giving rise to the obligation or receipt.

BAY AREA CLEAN WATER AGENCIES

Management's Discussion and Analysis For the Years Ended June 30, 2025 and 2024

The *Notes to the Basic Financial Statements* provide additional information that is essential to a full understanding of the data provided in the basic financial statements. The notes to the basic financial statements can be found on pages 10 to 14 of this report.

Financial Analysis:

Table 1 summarizes net position at June 30, 2025 and 2024, and Table 2 summarizes revenues, expenses and changes in net position for the years ended June 30, 2025 and 2024. Both tables also include changes from the prior year.

Table 1
Summary of Net Position
June 30, 2025 and 2024

	<u>2025</u>	<u>2024</u>	<u>Variance</u>
Current assets	<u>\$ 3,481,418</u>	<u>\$ 3,413,982</u>	<u>\$ 67,436</u>
Current liabilities	<u>173,313</u>	<u>133,919</u>	<u>39,394</u>
Net position:			
Unrestricted	<u>3,308,105</u>	<u>3,280,063</u>	<u>28,042</u>
Total net position	<u><u>\$ 3,308,105</u></u>	<u><u>\$ 3,280,063</u></u>	<u><u>\$ 28,042</u></u>

- Current assets increased by \$67,436 primarily due to an increase in investments.
- Current liabilities increased by \$39,394 due to an increase in accounts payable.

BAY AREA CLEAN WATER AGENCIES

Management's Discussion and Analysis For the Years Ended June 30, 2025 and 2024

Table 2
Summary of Revenues, Expenses and Changes in Net Position
Years ended June 30, 2025 and 2024

	<u>2025</u>	<u>2024</u>	<u>Variance</u>
Operating revenues	\$ 3,836,659	\$ 3,132,831	\$ 703,828
Operating expenses	<u>(4,035,903)</u>	<u>(3,343,536)</u>	<u>(692,367)</u>
Net operating income/(loss)	(199,244)	(210,705)	11,461
Nonoperating revenues	<u>227,286</u>	<u>193,406</u>	<u>33,880</u>
Change in net position	<u>\$ 28,042</u>	<u>\$ (17,299)</u>	<u>\$ 45,341</u>

- Operating revenues increased by \$703,828 primarily due to an increase in member contributions.
- Operating expenses increased by \$692,367 primarily due to an increase in professional services.
- Non-operating revenues for the years ended June 30, 2025 and 2024 consisted of interest income. The increase of \$33,880 is due to an increase in interest rates and an increase in BACWA's investment balance.

Request for Information

This financial report is designed to provide viewers with a general overview of The Bay Area Clean Water Agencies' finances and demonstrate BACWA's accountability for the assets and liabilities it manages. If you have any questions about this report, or need additional information, please contact: the BACWA Treasurer, Phoebe Grow, PO Box 24055, MS 809, Oakland, California 94623.

BAY AREA CLEAN WATER AGENCIES
Statements of Net Position
June 30, 2025 and June 30, 2024

	<u>2025</u>	<u>2024</u>
ASSETS		
Cash and cash equivalents (Note 2)	\$ 952,713	\$ 996,129
Investments (Note 2)	2,501,890	2,390,109
Accounts receivable	201	1,799
Accrued interest receivable	<u>26,614</u>	<u>25,945</u>
Total assets	<u>3,481,418</u>	<u>3,413,982</u>
LIABILITIES		
Accounts payable	<u>173,313</u>	<u>133,919</u>
Total liabilities	<u>173,313</u>	<u>133,919</u>
NET POSITION (Note 1B)		
Unrestricted	<u>3,308,105</u>	<u>3,280,063</u>
Total net position	<u><u>\$ 3,308,105</u></u>	<u><u>\$ 3,280,063</u></u>

See accompanying notes to financial statements

BAY AREA CLEAN WATER AGENCIES
Statements of Revenue, Expense,
And Changes in Net Position
For Years Ended June 30, 2025 and June 30, 2024

	<u>2025</u>	<u>2024</u>
Operating income:		
Member contributions	\$ 2,022,354	\$ 1,520,539
Other receipts	<u>1,814,305</u>	<u>1,612,292</u>
Total operating revenue	3,836,659	3,132,831
Operating expense:		
Professional services	(3,519,311)	(2,775,874)
General and administrative	<u>(516,592)</u>	<u>(567,662)</u>
Total operating expense	<u>(4,035,903)</u>	<u>(3,343,536)</u>
Operating Income (loss)	(199,244)	(210,705)
Nonoperating revenue:		
Interest income	<u>227,286</u>	<u>193,406</u>
Changes in net position	28,042	(17,299)
Total net position - beginning	<u>3,280,063</u>	<u>3,297,362</u>
Total net position - ending	<u><u>\$ 3,308,105</u></u>	<u><u>\$ 3,280,063</u></u>

See accompanying notes to financial statements

BAY AREA CLEAN WATER AGENCIES
Statements of Cash Flows
For Years Ended June 30, 2025 and June 30, 2024

	<u>2025</u>	<u>2024</u>
Cash flows from operating activities:		
Cash received from member contributions	\$ 2,023,952	\$ 1,520,570
Cash received from other receipts	1,814,305	1,612,292
Cash paid for supplies and services	<u>(3,996,509)</u>	<u>(3,306,744)</u>
Net cash provided (used) by operating activities	(158,252)	(173,882)
Cash flows provided by investing activities:		
Interest received on investments	<u>226,617</u>	<u>184,720</u>
Net increase (decrease) in cash and equivalents, and investments	68,365	10,838
Cash and equivalents, and investments at beginning of period	<u>3,386,238</u>	<u>3,375,400</u>
Cash and equivalents, and investments at end of period	<u><u>\$ 3,454,603</u></u>	<u><u>\$ 3,386,238</u></u>
Reconciliation of cash and cash equivalents, and investments to amounts reported on the statement of net position		
Cash and cash equivalents	952,713	996,129
Investments	<u>2,501,890</u>	<u>2,390,109</u>
Cash and equivalents, and investments at end of period	<u><u>\$ 3,454,603</u></u>	<u><u>\$ 3,386,238</u></u>
Reconciliation of net operating income (loss) to net cash provided (used) by operating activities:		
Operating income	\$ (199,244)	\$ (210,705)
Adjustments to reconcile operating loss to cash flows from operating activities:		
Changes in operating assets and liabilities:		
Accounts receivable and other receivables	1,598	31
Accounts payable	<u>39,394</u>	<u>36,792</u>
Net cash flow provided (used) by operating activities	<u><u>\$ (158,252)</u></u>	<u><u>\$ (173,882)</u></u>

See accompanying notes to financial statements

BAY AREA CLEAN WATER AGENCIES

Notes to Basic Financial Statements For the Years Ended June 30, 2025 and 2024

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Description of Reporting Entity

The Bay Area Clean Water Agencies (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 the more than seven million people living in the nine county San Francisco 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.

BACWA is governed by a five-person Executive Board comprised of one representative from each of the joint powers agreement signatory agencies: Central Contra Costa Sanitary District, East Bay Dischargers Authority, East Bay Municipal Utility District, the City and County of San Francisco, and the City of San Jose. BACWA members contribute funds to cover operating expenses based on an annual work plan and budget, in accordance with sections 9 and 10 of BACWA's Joint Powers Agreement. There are twelve associate members and forty-seven affiliate members that contribute a minimum of \$9,142 and \$1,831 annually, respectively.

BACWA has the following special programs in the fiscal year 2025. Each special program's revenues and expenses are tracked separately from BACWA's other revenues and expenses.

- *The Clean Bay Collaborative (CBC)* is a program to develop and fund regional projects that benefit participants. Revenues come from contributions from program participants and expenditures are determined by the BACWA principals.
- *Water/Wastewater Operator Training (WOT)* was a program formed with Solano County Community College to provide water operators with educational training to help them understand the standard environmental rules and regulations related to water and wastewater. Revenues are provided by participating agencies and expenditures determined by those agencies. BACWA continues its educational relationship with Solano Community College.
- *Bay Area Biosolids Coalition (BABC)* became a Special Benefits Program in fiscal year 2020, where the participants establish their budget and associated revenue needs. BABC is a regional collaboration between San Francisco Bay Area wastewater agencies that are working to develop sub-regional projects with a primary focus on beneficial use of biosolids.
- *Bay Area Chemical Consortium (BACC)* became a Special Benefits Program in fiscal year 2020. BACC is an administrative program governed by BACWA and supported by the BACWA ED and AED. BACC solicits chemical bid information from more than 60 member agencies, then arranges a group bid. BACC participant agencies are invoiced for BACWA labor and other expenses related to bid administration at the end of each fiscal year.
- *CASA Air Toxics (CASA Pooled Emission Study AB 617)* program established a statewide annual reporting of emissions data to improve understanding of sources contributing to adverse health risks or other impacts at local, regional, and statewide levels. The California Association of Sanitation Agencies (CASA) negotiated a phased compliance, such that wastewater utilities must perform a "two-step process" to determine shortlist of compounds and factors: 1. Scan air space of unit processes to determine detectable compounds; and 2. Quantify emissions of detectable compounds to determine potential risk. CASA is leading a pooled emissions study to comply with the regulation and has set the fees for participation. BACWA is collecting fees from its members who have opted into the program and is directly passing those fees through to CASA to support the pooled emissions study.

BAY AREA CLEAN WATER AGENCIES

Notes to Basic Financial Statements For the Years Ended June 30, 2025 and 2024

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

B. Basis of Accounting and Presentation

The accompanying financial statements report the financial position of BACWA in accordance with accounting standards generally accepted in the United States of America. As BACWA is exclusively comprised of governmental entities, the preparation of its financial statements is governed by the pronouncements of the Governmental Accounting Standards Board (GASB).

BACWA as a proprietary enterprise is accounted for on a flow of economic resources measurement focus using the accrual basis of accounting. Measurement focus refers to what is being measured; basis of accounting refers to when revenues and expenditures are recognized in the accounts and reported in the financial statements.

BACWA distinguishes *operating* revenues and expenses from *nonoperating* items. Operating revenues and expenses generally result from providing services and producing deliverable goods in connection with a proprietary fund's principal ongoing operations. Operating expenses for BACWA include the cost of sales and services and administrative expenses. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

Statement of Net Position – The statement of net position is designed to display the financial position of BACWA. BACWA's fund equity is reported as net position, which is the excess of all the agency's assets and deferred outflows over all its liabilities and deferred inflows. Net position is divided into three captions under GASB Statement 34. As of June 30, 2025 and 2024, BACWA reported the following classifications of net position:

- *Unrestricted* describes the portion of Net Position which is not restricted to use.

Statement of Revenues, Expenses, and Changes in Net Position – The statement of revenues, expenses, and changes in net position is the operating statement for proprietary funds. Revenues are reported by major source. This statement distinguishes between operating and non-operating revenues and expenses and presents a separate subtotal for operating revenues, operating expenses, and operating income. When both restricted and unrestricted resources are available for use, it is BACWA's policy to use restricted resources first, then unrestricted resources as they are needed.

C. Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

D. Cash and Cash Equivalents

BACWA considers all highly liquid investments with original maturities of three months or less when purchased to be cash equivalents.

E. Fair Value Measurements

Fair value is defined as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. BACWA categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The fair value hierarchy categorizes the inputs to valuation techniques used to measure fair value into three levels based on the extent to which inputs used in measuring fair value are observable in the market.

BAY AREA CLEAN WATER AGENCIES

Notes to Basic Financial Statements For the Years Ended June 30, 2025 and 2024

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

F. Allocation of Costs

In accordance with the adopted work plan and approved budget for the year ended June 30, 2025, all costs incurred by BACWA for general overhead and for programs with general benefit are shared by BACWA members consistent with the terms of the Joint Powers Agreement establishing the agency, between each of the original signatory members.

Costs incurred for programs of special benefit are allocated in direct proportion to the benefits received as approved by BACWA's Executive Board.

BACC, WOT and BABC have their own budgets, and their expenditures are funded from their own separate revenues. BACC maintains a legal reserve fund in which revenue is collected from its members and is held separately from other BACWA funds.

- Level 1 inputs are quoted prices (unadjusted) in active markets for identical assets or liabilities.
- Level 2 inputs are inputs – other than quoted prices included within level 1 – that are observable for an asset or liability, either directly or indirectly.
- Level 3 inputs are unobservable inputs for an asset or liability.

If the fair value of an asset or liability is measured using inputs from more than one level of the fair value hierarchy, the measurement is considered to be based on the lowest priority level input that is significant to the entire measurement.

NOTE 2 - CASH AND INVESTMENTS

A. Composition

BACWA's cash and cash equivalents at June 30 consisted of the following deposits and investments held by EBMUD on the BACWA's behalf:

	2025	2024
Demand deposits with banks	\$ 952,713	\$ 996,129
Local Agency Investment Fund	2,501,890	2,390,109
Total cash and cash equivalents	<u>\$ 3,454,603</u>	<u>\$ 3,386,238</u>

B. Collateralization of Cash and Cash Equivalents

California Law requires banks and savings and loan institutions to pledge government securities with a market value of 110% of BACWA's cash on deposit or first trust deed mortgage notes with a value of 150% of BACWA's cash on deposit as collateral for these deposits. Under California Law this collateral is held in an investment pool by an independent financial institution in BACWA's name and places BACWA ahead of general creditors of the institution pledging the collateral. BACWA has waived collateral requirements for the portion of deposits covered by federal deposit insurance.

BAY AREA CLEAN WATER AGENCIES

Notes to Basic Financial Statements For the Years Ended June 30, 2025 and 2024

NOTE 2 - CASH AND INVESTMENTS (CONTINUED)

BACWA's investments are carried at fair value, as required by generally accepted accounting principles. BACWA adjusts the carrying value of its investments to reflect their fair value at each fiscal year end, and it includes the effects of these adjustments in income for that fiscal year.

C. Credit Risk

Credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. As an external investment pool, the Local Agency Investment Fund was not rated as of June 30, 2025 and 2024.

D. Fair Value Hierarchy

BACWA categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure fair value of the assets. Level 1 inputs are quoted prices in an active market for identical assets; Level 2 inputs are significant other observable inputs; and Level 3 inputs are significant unobservable inputs. The California Local Agency Investment Fund is exempt from classification for fair value hierarchy.

E. Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Normally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. BACWA generally manages its interest rate risk by purchasing a combination of short-term and long-term investments and holding investments to maturity. BACWA's only investment is in the California Local Agency Investment Fund which can be withdrawn at any time usually within a day.

F. Local Agency Investment Fund (LAIF)

BACWA is a participant in the Local Agency Investment Fund (LAIF), which is regulated by California Government Code §16429 under the oversight of the Treasurer of the State of California. The value of the pool shares in LAIF is determined on an amortized cost basis, which is different from the fair value of its position in the pool. BACWA's investments with LAIF at June 30, 2025 and 2024 included a portion of the pool funds invested in Structured Notes and Asset-Backed Securities. These investments included the following:

- Structured Notes are debt securities (other than asset-backed securities) whose cash-flow characteristics (coupon rate, redemption amount, or stated maturity) depend upon one or more indices and/or that have embedded forwards or options.
- Asset-Backed Securities, the bulk of which are mortgage-backed securities, entitle their purchasers to receive a share of the cash flows from a pool of assets, such as principal and interest repayments from a pool of mortgages (such as Collateralized Mortgage Obligations) or credit card receivables.

As of June 30, 2025 and 2024, BACWA had investments of \$2,501,890 and \$2,390,109, respectively, invested in LAIF, which had invested 3.81% and 3.00% of the pooled investment funds in Structured Notes and Asset-Backed Securities.

NOTE 3 – RELATED PARTY TRANSACTION

As BACWA does not have any employees, EBMUD provides BACWA with ongoing treasury, accounting, and auditing pass-through costs, which are reimbursed by BACWA and the related organizations on no less than a quarterly basis. Total reimbursements for the year ended June 30, 2025 and 2024, were \$41,605 and \$43,641 respectively, and are primarily reflected in the general and administrative expenditures on the Statement of Revenues, Expenditures, and Changes in Net Position.

BAY AREA CLEAN WATER AGENCIES

**Notes to Basic Financial Statements
For the Years Ended June 30, 2025 and 2024**

NOTE 4 – RISK MANAGEMENT

BACWA's liability and property risks are insured by commercial insurance carriers. Selected insurance coverage includes:

Coverage	Policy limit
Bodily injury	\$ 5,000,000
Property damage	5,000,000
Personal injury	5,000,000
Non-owned and hired automobile liability	5,000,000
Public officials, errors, and omissions	5,000,000
Fire damage liability	1,000,000
Employment practices liability	2,000,000
Security and privacy liability	10,000,000

Any liability BACWA may have for uninsured claims are limited to general liability claims. However, BACWA has experienced no losses from such claims during the preceding three years and it therefore believes there is no liability for claims incurred but not reported.



INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Board of Directors
Bay Area Clean Water Agencies
Oakland, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Bay Area Clean Water Agencies ("BACWA") as of and for the years ended June 30, 2025 and 2024, and the related notes to the financial statements, which collectively comprise the BACWA's basic financial statements, and have issued our report thereon dated November 10, 2025.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the BACWA's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the BACWA's internal control. Accordingly, we do not express an opinion on the effectiveness of the BACWA's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements, on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the BACWA's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.



To the Board of Directors
Bay Area Clean Water Agencies
Oakland, California

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the BACWA's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the BACWA's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

LSL, LLP

Sacramento, California
November 10, 2025

AMENDMENT NO. 5
TO AGREEMENT BETWEEN
BAY AREA CLEAN WATER AGENCIES and
Stephanie Hughes, ChE P.E. .
for
BAPPG Pesticide Support

This Amendment No. 5 is made on this 8th day of December 2025, in the City of Oakland and County of Alameda, State of California, to that certain agreement of June 21, 2021 by and between Stephanie Hughes, ChE P.E. and Bay Area Clean Water Agencies, (BACWA) (the "Agreement") in consideration of the covenants hereinafter set forth.

1. BACWA and Stephanie Hughes, ChE P.E. agree to a new contract amount of \$74,500.00 for BAPPG Pesticide Support for Fiscal Year 2025.
2. The contract period remains July 1, 2025 — June 30, 2026.
3. Except as herein expressly modified, the Agreement will remain in full force and effect.

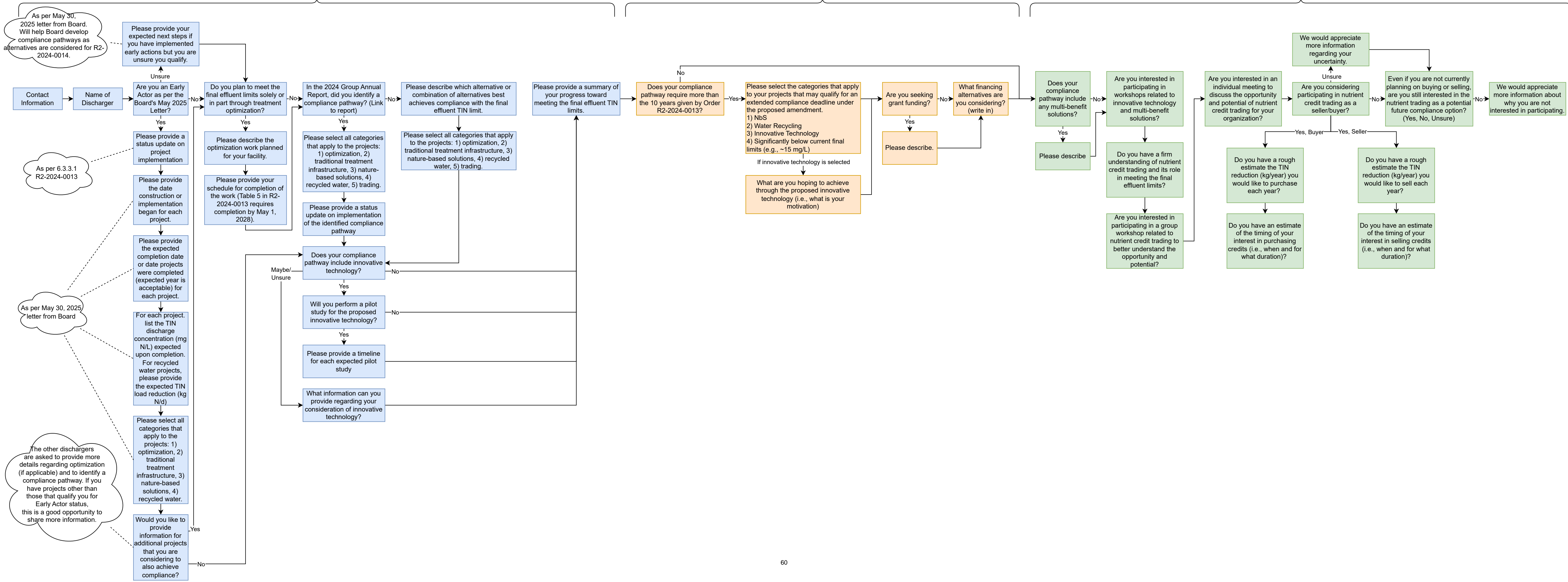
BAY AREA CLEAN WATER AGENCIES

By _____
Lorien Fono, BACWA Executive Director

Date December 8, 2025

By _____
Stephanie Hughes

Date _____



BACWA ANNUAL TECHNICAL SEMINAR

at Pardee Meeting Facility

Summary of Discussion from October 9-10, 2025

Attendees included representatives from the BACWA Executive Board, BACWA member agencies, BACWA staff, BACWA consultants (HDR), and SFEI.

Topic	Summary of Discussion and Action Items
Financial Review and Budgeting	<p>The BACWA Executive Director shared various assumptions that could be used to establish the 5-year BACWA budget plan and FY27 budget.</p> <p>To support FY27 budget discussions, BACWA staff will prepare budget scenarios that show the effect of drawing down CBC reserves more aggressively than in the past, maintaining General Technical Support at \$100k, and scenarios that would keep the nutrient surcharge as low as possible.</p>
Member Awards	<p>Attendees discussed re-naming the Arleen Navarret Award to capture the contributions of BACWA's former Executive Director Dave Williams, former Board member Mike Connor, and others. The award would still be given out every two years to a BACWA member that demonstrates spirit and leadership, but might be called the "BACWA Spirit Award" or similar. BACWA staff will bring a re-naming proposal to a future Executive Board meeting.</p>
Collaborative Funding	<p>BACWA provides funding to several collaborative efforts, such as the Bay Area Climate Adaptation Network (BayCAN) and the Bay Area One Water Network. To maximize the benefits of the collaboration, BACWA will schedule office hours with BayCAN.</p>
Plans and Policies	<p>Attendees discussed which of BACWA's many plans and policies should be prioritized for review. Attendees suggested prioritizing these policies:</p> <ul style="list-style-type: none">- Review Central San's Conflict of Interest policy, since this is BACWA's default policy- Augment the BACWA representation policy to address committees / committee leadership- AI / Recording / Teleconferencing (NEW)- Investment Policy- Contracting Policy – revisit the prohibition on amendments increasing the total contract amount by no more than 25%; for large contracts that have gone through a competitive RFP process, in particular, there is occasionally a need for larger amendments; also revisit footnote [6] regarding multi-year contracts. <p>BACWA staff will develop a proposal for policy review and approval.</p>
Nutrients	<p>Notes for the Nutrient Strategy Team Meeting held on the afternoon of October 9th are in a separate document.</p>

Topic	Summary of Discussion and Action Items
	<p>Dave Senn provided an update from the Nutrient Management Strategy science team, focusing on program building, funding outlook, and strategic development. The NMS received an additional \$4.8M in USEPA funding in September 2025, but this means there will be a step down in funding in FY29. BACWA will discuss shifting the timing of contributions to the NMS to reflect this external funding stream. Attendees suggested more communication and coordination between the RMP and NMS.</p> <p>Dave Senn also shared some lessons learned from recent scientific studies. We now know that the Bay’s critical condition (Dissolved oxygen or HAB toxicity) may occur during a summer bloom rather than a spring bloom. We also more greatly appreciate the importance of parameterizing nitrogen cycling in the Bay, including DIN loss rates and gross primary productivity. Dave shared some recent model results showing the fate and transport of DIN from various wastewater outfalls that incorporates reactive transport into the model rather than using a conservative tracer.</p>
RMP Update	<p>Representatives from the San Francisco Estuary Institute’s Regional Monitoring Program (RMP) joined virtually to share an update on RMP funding and special studies. The Tracking Bay Health project received \$11M in additional USEPA funding in September 2025, which is to be used by September 2029. The additional funding will allow greater effort on external communications, and will also allow the RMP to begin work in calendar year 2026 on a small wastewater study related to the potential co-benefits of nutrient removal on CECs removal. BACWA will work with RMP staff to develop proposals for future special studies.</p>

MEMORANDUM OF UNDERSTANDING FOR PREPARATION OF ENVIRONMENTAL DOCUMENTS

This Memorandum of Understanding (MOU) is entered into between the Bay Area Clean Water Agencies (BACWA) and the California Regional Water Quality Control Board, San Francisco Bay Region (Regional Water Board or Board), to provide for the preparation of a substitute environmental document (SED) pursuant to the California Environmental Quality Act (CEQA; Pub. Resources Code §§ 21000 et seq.; Cal. Code Regs., tit. 14, §§ 15000 et seq.) and the State Water Resources Control Board's (State Water Board) certified exempt regulatory program regulations at Cal. Code Regs., tit. 23, §§ 3775 et seq.

RECITALS

WHEREAS, the Regional Water Board through Resolution R2-2024-0014 directed staff to identify and evaluate regulatory mechanisms to extend the compliance schedule for multi-benefit compliance actions, such as nature-based solutions, recycled water projects, and innovative technologies, to achieve compliance with final nutrient effluent limitations in the Nutrients Watershed Permit (Order R2-2024-0013 or Permit). Currently, the State Water Board's Resolution 2008-0025, "Policy for Compliance Schedules in National Pollutant Discharge Elimination System Permits," (Compliance Schedule Policy) has a maximum compliance schedule of ten years from the date of adoption, revision, or new interpretation of an applicable water quality objective, unless a total maximum daily load (TMDL) provides for a longer schedule. The Regional Water Board staff is proposing an amendment to the Board's water quality control plan (Basin Plan) to allow a longer compliance schedule than is allowed by the Compliance Schedule Policy for multi-benefit compliance actions, referred to as qualifying projects in the proposed Basin Plan amendment (hereinafter referred to as Project);

WHEREAS, CEQA authorizes the Secretary of the Resources Agency to certify a state agency's regulatory program that includes environmental information documentation as exempt from the requirements for preparing environmental impact reports (EIR), if certain conditions are met. (Pub. Resources Code, § 21080.5.) The Regional Water Board's water quality control planning program is a certified regulatory program, and a SED may be prepared in lieu of an EIR for the Project. (*Ibid.*; Cal. Code Regs., tit. 14, § 15251, subd. (g).) While the water quality planning program is exempt from certain CEQA requirements, it is still subject to the substantive requirements of CEQA, such as not approving projects if there are feasible alternatives or feasible mitigation measures that would substantially lessen a significant adverse effect an activity may have on the environment. In addition, a SED must comply with in the Cal. Code Regs., tit. 23, §§ 3775 et seq. Section 3777 of this regulation requires a SED to consist of (1) a written report containing an environmental analysis of the project, (2) an environmental checklist, and (3) other documents as the board may include. Further, the SED must, at a minimum, contain the following:

1. A brief description of the proposed project;
2. An identification of any significant or potentially significant adverse environmental impacts of the proposed project;

3. An analysis of reasonable alternatives to the project and mitigation measures to avoid or reduce any significant or potentially significant adverse environmental impacts;
4. An identification of the reasonably foreseeable means of compliance with the project;
5. An analysis of any reasonably foreseeable significant adverse environmental impacts associated with those means of compliance;
6. An analysis of reasonably foreseeable alternative means of compliance that would have less significant adverse environmental impacts; and
7. An analysis of reasonably foreseeable mitigation measures that would minimize any unavoidable significant adverse environmental impacts of the reasonably foreseeable means of compliance;

WHEREAS, the Regional Water Board is the lead agency for the Project and a SED must be prepared for the Project in accordance with CEQA and the Board's regulations;

WHEREAS, BACWA supports efforts that provide more time to comply with the nutrient effluent limitations in the Permit and has agreed to retain and pay the costs of a consultant to prepare the SED for the Project for the Regional Water Board's independent review and use;

WHEREAS, pursuant to California Code of Regulations, title 14, sections 15084 and 15045, the Regional Water Board is authorized to execute an MOU with BACWA to govern the environmental analysis of the Project and preparation of the SED to fully comply with CEQA and the Board's regulations using assistance provided by an independent consultant;

WHEREAS, BACWA has selected and the Regional Water Board, by execution of this MOU, has approved [Consulting Firm] to act as the consultant (hereafter, Consultant);

Commented [KL1]: Replace with Firm once WB identifies contractor

WHEREAS, BACWA and the Regional Water Board agree that by entering into this MOU, the Regional Water Board is in no way delegating any of its authority or responsibility to BACWA for either preparing the SED or reviewing and taking final action on the Project; and

WHEREAS, the parties desire to establish a protocol for how the Regional Water Board, Consultant, and BACWA will interact and, where appropriate, work together to complete the SED.

NOW, THEREFORE, IT IS MUTUALLY AGREED as follows:

1. STATEMENT OF MUTUAL BENEFIT AND INTERESTS

Both BACWA and the Regional Water Board have an interest in ensuring that the Project satisfies the Regional Water Board's requirements and complies with CEQA. The purpose of this MOU is to provide a framework and a funding mechanism for preparing the SED and complying with CEQA and the Board's certified regulatory program regulations in a timely manner.

2. RESPONSIBILITIES OF BACWA

- a. BACWA agrees to enter into a consulting contract with Consultant that is consistent with the terms of this MOU. BACWA shall not employ or contract with Consultant to assist in the preparation of environmental documents for this Project on a contingency fee basis.
- b. BACWA shall pay all costs associated with Consultant's preparation of drafts of the SED for the Regional Water Board's independent review and use, with modifications deemed necessary by the Board. Such costs may include collection of background documents, performing studies and analyses, meeting with the Regional Water Board, preparation and distribution of all of the environmental documents as discussed below, costs of reproducing copies for public review and comment, responding to comments on the draft SED, and preparation for and participation in all Regional Water Board public meetings and hearings regarding the SED. BACWA shall pay Consultant's costs directly to Consultant.
- c. BACWA may consult with the Regional Water Board's manager of the Project identified in section 6 below (Manager) to confirm the accuracy, to the extent of the Manager's knowledge, of monthly consultant status reports.
- d. BACWA shall not direct or participate in the preparation of the SED except that BACWA may provide data and other technical information requested by the Consultant and/or Regional Water Board to inform the preparation of the SED. Prior to the public release of the draft SED, at the discretion of the Manager, BACWA may review the draft SED and then only for technical accuracy.
- e. Except with the consent of the Manager, BACWA shall not communicate with Consultant to discuss the CEQA process, the language in the SED, or the Project, unless the Manager also participates in any such call or meeting.

3. RESPONSIBILITIES OF THE REGIONAL WATER BOARD

- a. The Regional Water Board has appointed the Manager to oversee the preparation of environmental analyses and documentation of the Project. The Manager shall be the day-to-day representative for administration of this MOU and, except as otherwise specifically provided, shall have full authority to act on behalf of the Regional Water Board with respect to this MOU. Except as otherwise expressly provided, all communications relative to this MOU shall be given to the Manager.
- b. The Regional Water Board shall determine the scope and content of the SED for the Project and the time frame for its preparation and will consult with any public agencies having jurisdiction regarding the Project, or which exercises authority over resources that may be affected by the Project, pursuant to Cal. Code of Regs., title 23, section 3778.
- c. The Regional Water Board alone shall provide direction to the Consultant in conducting the environmental analysis of the Project and in preparing the SED for the Project under the statutes and regulations implementing CEQA.

d. The Regional Water Board shall be responsible for and control the final contents of any and all documents that are published as a result of this MOU, specifically including the SED and any responses to comments. In fulfilling this obligation, the Regional Water Board shall have complete and unconditional discretion, consistent with applicable laws and regulations, to modify in any way, to substitute, or to edit any and all of the material prepared by the Consultant.

e. The Regional Water Board shall have sole responsibility for determining the adequacy of any written material submitted by Consultant for public review and comment. Upon submittal of any draft or final document intended for public review, the Regional Water Board shall have complete ownership and control of such document(s).

f. The Regional Water Board shall not be obligated in any manner to pay for the services rendered by Consultant.

4. RESPONSIBILITIES OF CONSULTANT

a. Consultant, including its employees, agents, subcontractors, or any other representatives for this Project shall, from the time of execution of this MOU until formally released, report to, take direction solely from, and be responsible to the Manager, not BACWA, in all matters pertaining to the preparation of the SED, any and all supporting documentation, and any and all additional environmental studies, analyses and/or documents. Consultant shall be responsible for preparing the required documents to the satisfaction of the Regional Water Board. Consultant shall ensure that the draft and final SED is in compliance with AB 434 and the Web Content Accessibility Guidelines, which currently must meet the WCAG 2.2 Level AA standards. Once finalized, Consultant shall convert the SED to an Americans with Disabilities Act (ADA) compliant portable document format (.pdf) that can be posted on the Regional Water Board's website.

b. Although Consultant will be paid by BACWA, Consultant is obligated to take direction on the preparation of the SED from the Regional Water Board, not BACWA. BACWA may take appropriate measures, however, to determine whether the costs being charged for the work performed by Consultant are reasonable.

c. Consultant shall not employ any person that works on the SED who holds or has held an interest in the Project or any other proposed project of BACWA requiring approval by the Regional Water Board, without the prior consent of the Manager.

5. SCHEDULE AND PERFORMANCE OF WORK

a. Within 30 calendar days of the execution of this MOU, Consultant shall provide BACWA and the Regional Water Board a detailed work plan, subject to the approval of the Executive Officer for the preparation of a draft and final SED and a Mitigation Monitoring or Reporting Program (if necessary), which shall include at least the following items:

- i. A list of the specific tasks required to develop an adequate SED up to Regional Water Board action on the final SED;

- ii. a schedule for the completion of these tasks; and
 - iii. an estimate of the costs to complete the tasks, including participation in any Regional Water Board public meeting or hearing on the environmental documents.
- b. After approval of the work plan by the Regional Water Board, BACWA shall within 15 days approve or reject the implementation of the work plan tasks.
- c. The Regional Water Board reserves the right to change the scope of work from that originally identified in any work plan. Such changes may be necessitated by the need for new or additional information or by the discovery of additional environmental issues during the course of the environmental analysis and public engagement. The Manager shall give BACWA and Consultant timely notice of the requirement for such change in scope of work and the reasons for the change. Upon such notice, within 15 days Consultant shall provide the Manager and BACWA an estimate of the cost and timetable for completing the additional work.
- d. Consultant shall make best efforts to meet all deadlines specified herein; however, for good cause shown in writing, SWRCB Manager may, in his/her discretion, extend the time for Consultant to perform any term or condition of this MOU. In the event that such a time extension is granted, the timelines shall be modified accordingly.
- e. In preparing the draft SED and any subsequent analysis under this MOU, the Regional Water Board and Consultant will utilize existing information, including information developed by BACWA or its members or their consultants, to the extent feasible and consistent with CEQA.

6. GENERAL TERMS

- a. **Term and Effective Date:** This MOU shall be effective from the date of execution by the parties, the last signature to be that of the Regional Water Board, and shall continue in full force and effect through the completion of environmental document preparation, the hearing process, and the filing of a Notice of Decision with the Secretary of Natural Resources, unless terminated earlier by the parties.
- b. **Termination:** BACWA shall have the option of terminating this MOU by written notice to the other parties. BACWA understands that upon termination of this MOU, and absent a mutually agreeable successor MOU or alternate course of action, the Project will be substantially delayed due the lack of Regional Water Board staff resources. BACWA shall continue to be liable for Consultant's costs up to the date Consultant receives notice of BACWA's MOU termination. The Regional Water Board may not terminate the MOU except for cause. Cause shall include any breach of this MOU reasonably deemed by the Regional Water Board to be material. The Regional Water Board shall give at least ten (10) days written notice of its intent to terminate.
- c. **Progress Reports:** Consultant shall provide the Manager and BACWA with written progress reports every month until Regional Water Board considers and

acts on the certification of the SED and approval of the Project. Within fourteen days of receipt of each progress report, the Manager may notify the BACWA and Consultant if progress is found to be unsatisfactory, and identify corrective measures that should be implemented by Consultant to achieve satisfactory progress by the time the next progress report is due.

d. Due Diligence: All parties understand the importance of expeditiously completing the environmental documents described herein. Therefore, the parties agree to act with due diligence in the performance of their respective tasks to complete such environmental documents within the mandated time frames.

e. Failure to Comply: Failure of BACWA or Consultant to comply with any or all provisions of this MOU, or to provide complete work products to the satisfaction of the Regional Water Board on a timely basis, may result in the unilateral termination of this MOU by the Regional Water Board. Upon termination of this MOU, the Regional Water Board may provide BACWA the opportunity to hire a new consultant and enter into a second MOU.

f. Notices and Designation of Representatives:

BACWA's Representative shall be:

Lorien Fono
Executive Director
Bay Area Clean Water Agencies
PO Box 24055, MS 702
Oakland, CA 94623
lfono@bacwa.org
(510) 684-2993

Commented [KL2]: BACWA Update if necessary

BACWA's Representative shall have full authority to act on behalf of BACWA for administration of this MOU. All communication given by the Regional Water Board Manager to BACWA's Representative shall be as binding as if given to BACWA.

The Regional Water Board Manager (Manager) shall be:

Kevin Lunde
Environmental Program Manager
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612
kevin.lunde@waterboards.ca.gov
(510) 622-2431

The Manager shall represent the Regional Water Board during the administration of this MOU and shall serve as coordinator and director for the environmental analysis of the Project and preparation of the environmental documents.

Consultant's Representative shall be:

NAME
TITLE
COMPANY
ADDRESS
EMAIL
PHONE

Commented [KL3]: Will be completed once WB identifies

Consultant's Representative shall be responsible for assisting the Regional Water Board in conducting the environmental analysis of the Project and preparing the environmental documents, and shall serve as the liaison with the Regional Water Board. All communications given by the Manager to Consultant's Representative shall be as binding as if given to Consultant.

Any party may change its designated representative or may change its address by written notice to the other parties.

g. This MOU may be executed in counterparts.

h. This Agreement will be governed and construed under the laws of the State of California without regard to conflicts of law provisions.

[Signature Page Follows]

The parties hereto have duly executed this Memorandum of Understanding as of [DATE_____].

Dated: _____

By: _____

Eileen White, P.E.
Executive Officer
San Francisco Bay Regional Water
Quality Control Board

Dated: _____

By: _____

Lorien Fono
Executive Director
Bay Area Clean Water Agencies

DRAFT

Pulled 09/09/2025

Cal. Code Regs. Tit. 23, div. 3, ch. 27, app A - Environmental Checklist Form

(To Be Completed By Lead Agency)

Appendix to the State Water Board's CEQA regulations Cal. Code. Regs., tit. 23, div. 3, ch. 27 sections 3720-3781

THE PROJECT

1. Project title:

2. Lead agency name and address:

3. Contact person and phone number:

4. Project location:

5. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary. The description may be a summary with a reference to other documents that contain the detailed project description.)

EVALUATION OF THE ENVIRONMENTAL IMPACTS IN THE CHECKLIST

1. The board must complete an environmental checklist prior to the adoption of plans or policies for the Basin/208 Planning program as certified by the Secretary for Natural Resources. The checklist becomes a part of the Substitute Environmental Documentation (SED).

2. For each environmental category in the checklist, the board must determine whether the project will cause any adverse impact. If there are potential impacts that are not included in the sample checklist, those impacts should be added to the checklist.
3. If the board determines that a particular adverse impact **may occur** as a result of the project, then the checklist boxes must indicate whether the impact is "Potentially Significant," "Less than Significant with Mitigation Incorporated," or "Less than Significant."
 - a. "Potentially Significant Impact" applies if there is substantial evidence that an impact may be significant. If there are one or more "Potentially Significant Impact" entries on the checklist, the SED must include an examination of feasible alternatives and mitigation measures for each such impact, similar to the requirements for preparing an environmental impact report.
 - b. "Less than Significant with Mitigation Incorporated" applies if the board or another agency incorporates mitigation measures into the SED that will reduce an impact that is "Potentially Significant" to a "Less than Significant Impact." If the board does not require the specific mitigation measures itself, then the board must be certain that the other agency will in fact incorporate those measures.
 - c. "Less than Significant" applies if the impact will not be significant, and mitigation is therefore not required.
 - d. If there will be no impact, check the box under "No Impact."
4. The board must provide a brief explanation for each "Potentially Significant," "Less than Significant with Mitigation Incorporated," "Less than Significant," or "No Impact" determination in the checklist. The explanation may be included in the written report described in section [3777\(a\)\(1\)](#) or in the checklist itself. The explanation of each issue should identify: (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the specific mitigation measure(s) identified, if any, to reduce the impact to less than significant. The board may determine the significance of the impact by considering factual evidence, agency standards, or thresholds. If the "No Impact" box is checked, the board should briefly provide the basis for that answer. If there are types of impacts that are not listed in the checklist, those impacts should be added to the checklist.
5. The board must include mandatory findings of significance if required by CEQA Guidelines section 15065.
6. The board should provide references used to identify potential impacts, including a list of information sources and individuals contacted.

ISSUES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>

		Mitigation Incorporated		
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
II. AGRICULTURE AND FOREST RESOURCES:				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Boards. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal, pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5 ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VI. GEOLOGY AND SOILS -- Would the project:				

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate Greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
X. LAND USE AND PLANNING - Would the project:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
XI. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XIII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
XIV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
XV. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
XVI. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Explanations of Impact Assessment (may also follow checklist sections)

PRELIMINARY STAFF DETERMINATION

[]The proposed project COULD NOT have a significant effect on the environment, and, therefore, no alternatives or mitigation measures are proposed.

[]The proposed project MAY have a significant or potentially significant effect on the environment, and therefore alternatives and mitigation measures have been evaluated.

Notes

Cal. Code Regs. Tit. 23, div. 3, ch. 27, app A

1. Repealer and new Appendix A filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

Note: Authority cited: Section 21082, Public Resources Code. Reference:

Sections 21080(c), 21080.1, 21080.3, 21080.5, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21151, Public Resources Code; Sundstrom v. County of Mendocino, 202 Cal.App.3d 296 (1988); and Leonoff v. Monterey Board of Supervisors, 222 Cal.App.3d 1337 (1990).



BACWA Engineering Program Manager Pilot

A proposal for the Bay Area Clean Water Agency's voluntary participation in the Bay Area Air District's EPM pilot program

December 3, 2025

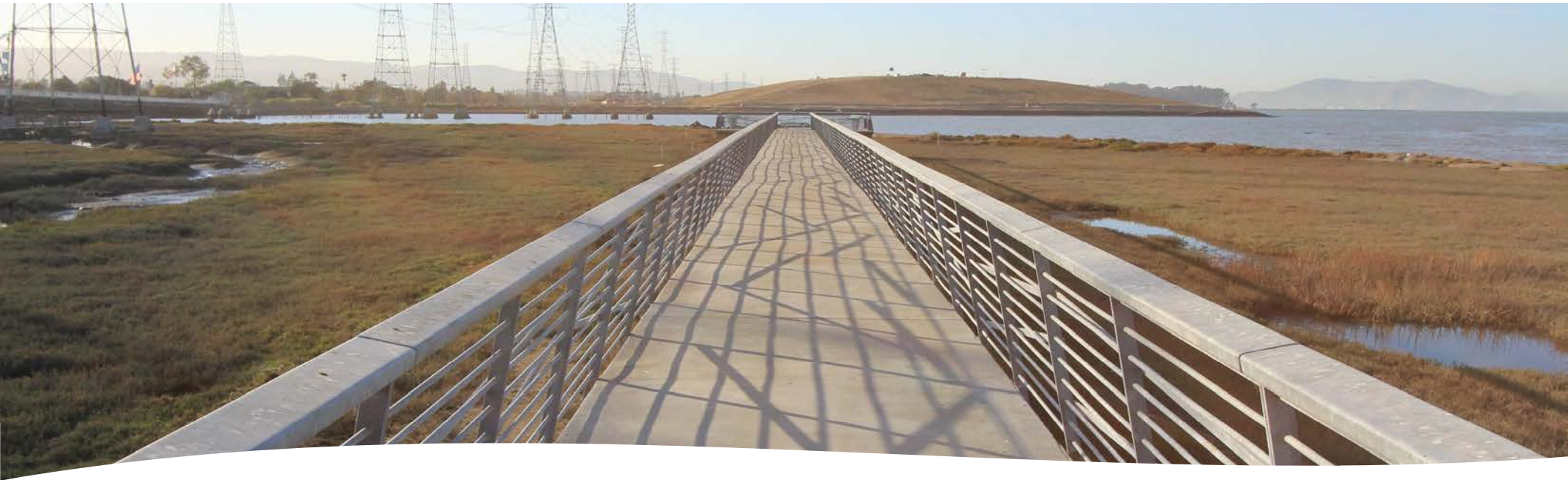


Meeting Agenda



1. Welcome and Introductions
2. Meeting Intentions & EPM Change Model
3. EPM Pilot Timeline for BACWA
4. Permit Selection Criteria for Beta Test and Beyond
5. Menu of EPM Services for BACWA and BACWA Members*
6. Walkthrough EPM Process Flowchart for Permits*
7. EPM Pilot Logistics and Administration*
8. MOU Beta Test Period*
9. Other Issues
10. Action Items and Next Steps
11. Adjourn

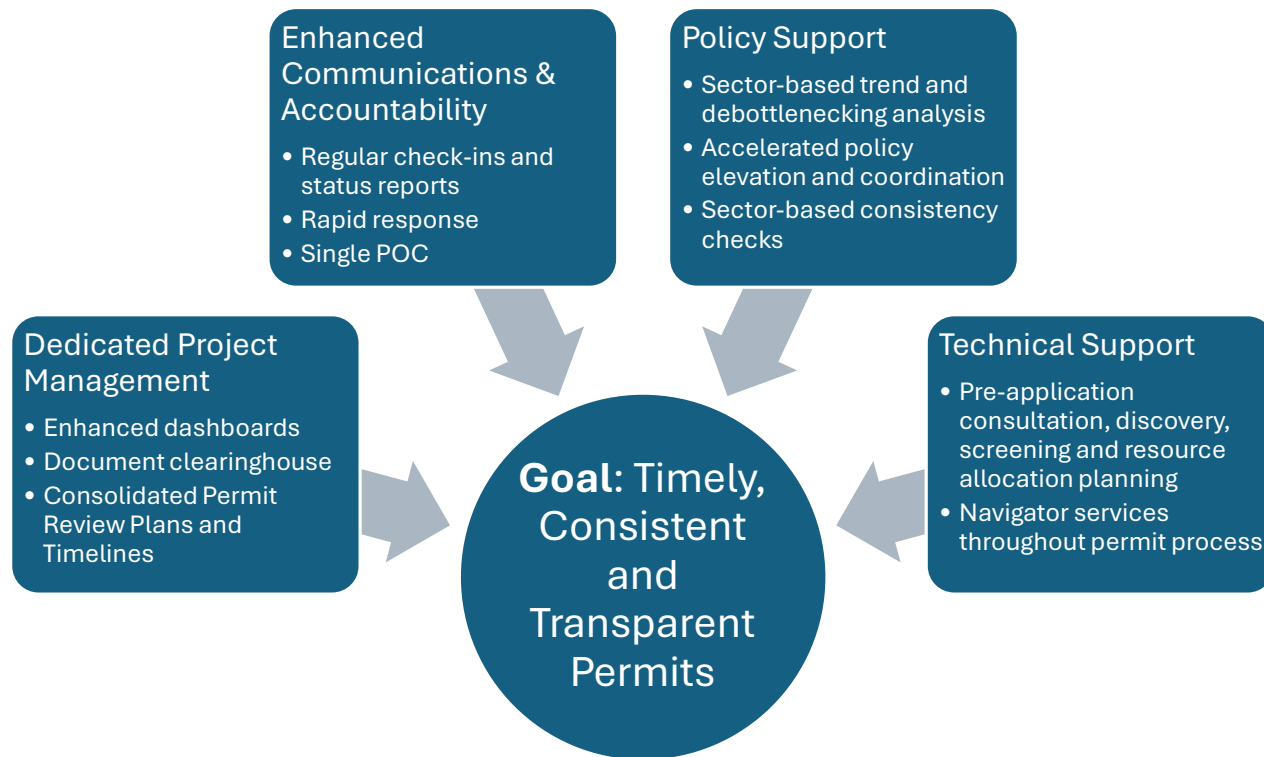
** Proposed, for discussion purposes*



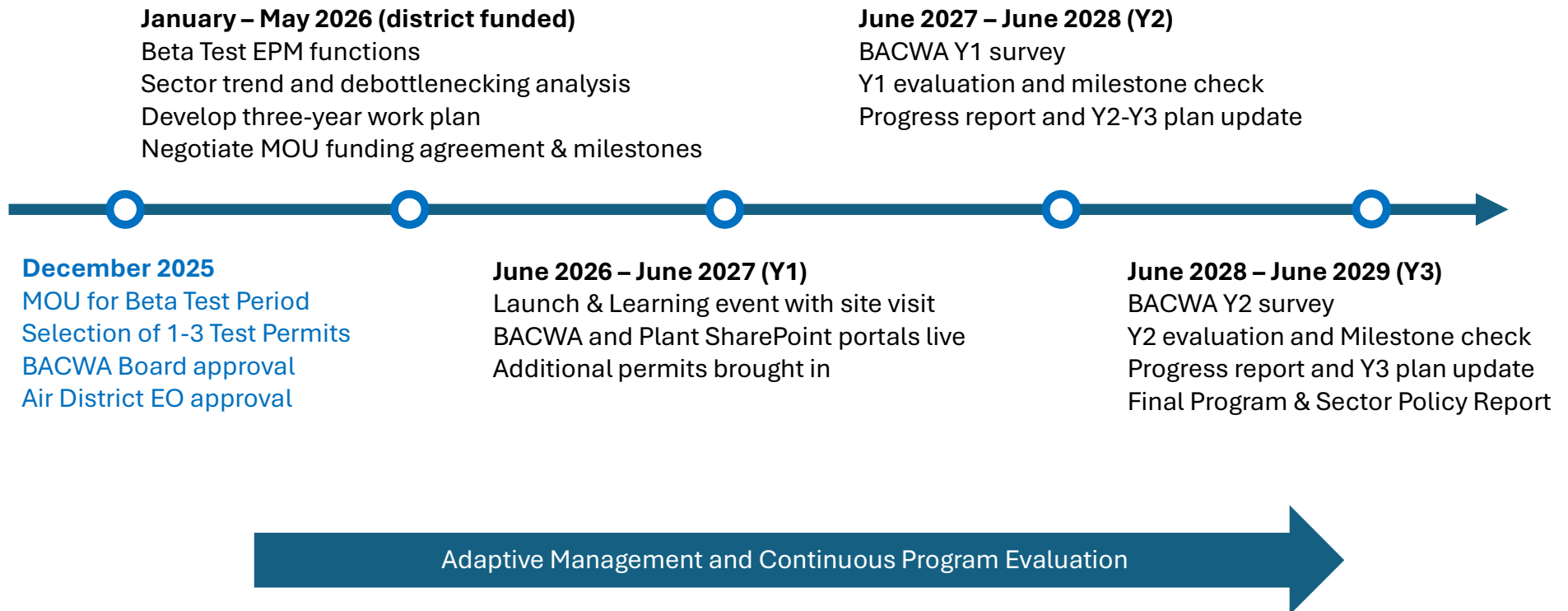
Meeting Intentions

1. Present Air District concepts for scope of services, implementation timeline, goals and performance metrics
2. Hear BACWA feedback, recommendations and priorities
3. Hear BACWA proposal for beta test permits
4. Set action items and next steps to formalize partnership

EPM Change Model: Intended Outcomes to Meet Shared Goal



BACWA EPM Pilot Timeline



Permit Selection Criteria

Beta Test

1. Project/permit attributes are transferable to other BACWA members
 1. Small and large POTW
 2. New and existing permit application
 3. BACT and HRA potentially triggered
2. Project(s) benefit the region and local communities
3. Manageable level of public interest (beta test period)
4. **BACWA recommendations**

General Pilot Program

1. Priority projects to BACWA members
2. Complex project, permit and/or plant with potential policy, compliance and/or technical issues
3. History of overdue permits
4. Demonstrated commitment to compliance
5. Willingness to aid programmatic learning and adaptive management
6. Volunteer and Air District have available resources to support work

BACWA Services, Beta Test Period (Jan-May)

Proposed, for discussion purposes

Project Management	Enhanced Communications	Policy Support	Technical Support
<ul style="list-style-type: none">• BACWA dedicated EPM SharePoint site• Three-year work plan with estimated resource allocation• MOU/funding agreement	<ul style="list-style-type: none">• Regularly scheduled EPM meetings and status reports• BACWA-Air District launch event + site visit (Spring 2026)	<ul style="list-style-type: none">• Sector-based trend and debottlenecking analysis	

BACWA Services, Pilot Period (Y1-Y3)

Proposed, for discussion purposes

Project Management	Enhanced Communications	Policy Support	Technical Support
<ul style="list-style-type: none">• Ongoing performance tracking (SharePoint)• Annual evaluations/ milestone reports to inform program adjustments• Internal Air District coordination meetings	<ul style="list-style-type: none">• Regularly scheduled BACWA-EPM meetings and status reports• Outreach to other agencies to understand overlapping issues and mandates	<ul style="list-style-type: none">• Update trend analysis to inform process improvements• Work with BACT Coordinator on consistency checks• Elevate policy issues to executive leadership for resolution	<ul style="list-style-type: none">• Support Air District review of CASA pooled emissions study• Cross-media regulatory analysis to understand potential future projects (internal learning)

Plant and Permit “End-to-End” Services

Proposed, for discussion purposes

Project Management

- Permit Review Plan and Timeline
- MAO Enhancements + plant-level SharePoint site:
 - KPI dashboard
 - Document clearinghouse
 - Visualization of interrelated permits
 - Task list with assignments
- Navigate open applications
 - Coordinate permit engineers and cross-divisional teams

Enhanced Communications

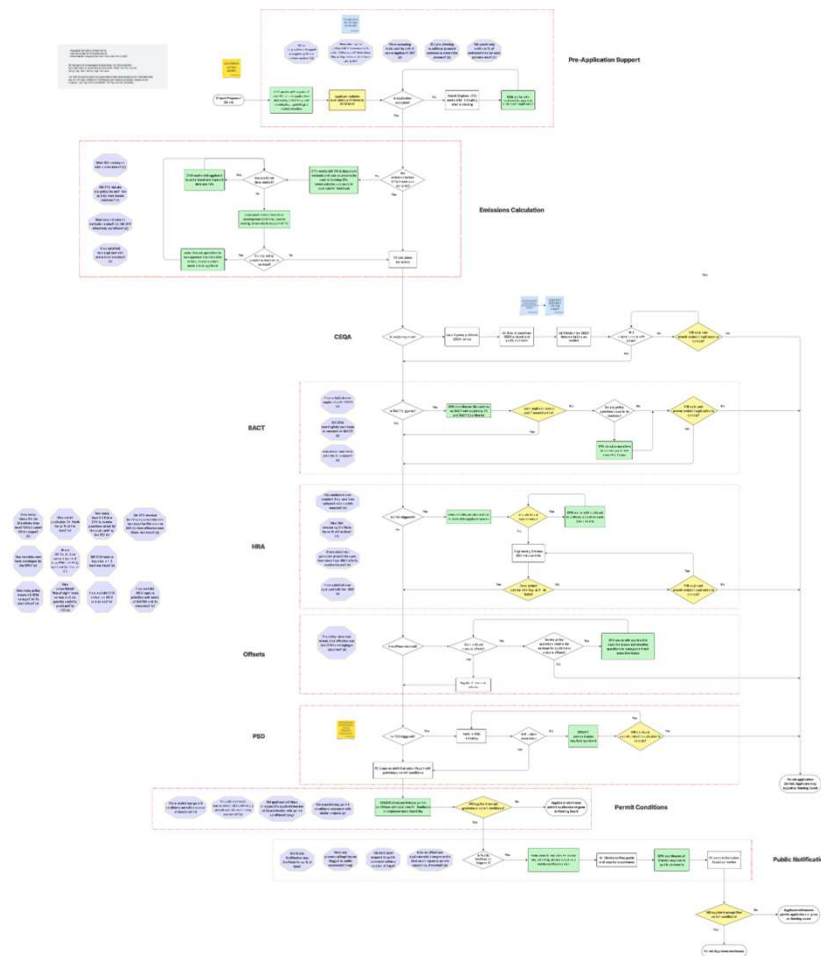
- Set schedule of meetings with applicant(s)
- Written status reports and regular progress updates
- One-stop POC for all permits
- Rapid response and accountability for applicant inquiries
- Communication of Air District requirements and regulatory interpretations

Policy Support

- Rapid elevation of policy issues, with coordination of internal teams to address issues
- BACT consistency checks, with BACT Coordinator

Technical Support

- Pre-application consultation for early detection of potential bottlenecks:
 - Complex sources
 - Availability of engineering resources
 - Public process & CEQA
 - Applicant preparedness
- Detailed community report, upon request
- Research support for novel technologies or processes to aid development of emission factors



Walkthrough of EPM Process Diagram with Proposed Performance Metrics

See *PDF attachment*

EPM Pilot Program Logistics

- EPMs support Air District permit teams, report to PDEO
- EPMs track hours (daily) by permit, plant or BACWA general activities; monthly report shared with BACWA
- Resource allocation, time tracking, and program performance during beta test period will inform funding negotiations with BACWA and individual members
- Beta test period is to **gain experience with EPM functions and communication strategies**. Air District does not commit to finalizing permit(s) before June
- Title V can be considered if related to an Authority to Construct permit
- Permit modifications are included
- BACWA would contribute pre-funding every June for yearly activities, starting 2026
- Enhancements to My Air Online will be prioritized but other services can be demonstrated on SharePoint

MOU Structure: Beta Test (Jan – May)

Air District Commitments

- Assign EPM (0.5 FTE)
- Establish and implement daily recordkeeping
- EPM functions + deliverables for Association
- EPM functions + deliverables for test permits (1-3)
- Performance evaluation at end of beta test period
- Facilitate regular meeting schedule and communications to BACWA

BACWA/Member Commitments

- Approve 1-3 test permits
- Participate in meetings with EPM
- Co-develop and co-manage end-of-period evaluation; recommend program adjustments
- Negotiate three-year work plan and funding agreement
- Provide permit application info and background in a timely manner

Open Discussion

Other Issues and Next Steps



Thank You!

Janet Whittick
Engineering Program Manager
jwhittick@baaqmd.gov
(415) 749-4729

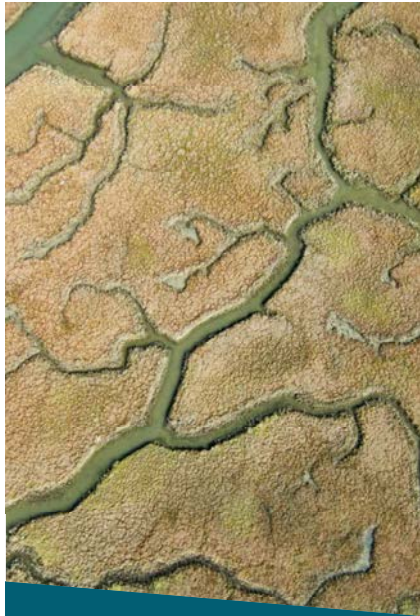


BACWA PFAS Forum

Tuesday November 18, 2025, 1-2:30pm

[Register here](#) for Zoom Meeting

1. Introduction (Lorien Fono, BACWA) – **10 min**
 - a. Welcome, and drivers for a BACWA PFAS forum
 - b. What we've heard from BACWA's members about PFAS
 - c. Agenda review and expectations for participants
2. Regulatory Update (Mary Cousins, BACWA) – **10 min**
 - a. Legislation
 - b. Drinking Water
 - c. NPDES
 - d. Biosolids
3. Educating the Public on PFAS fundamentals with [PFAS 411](#) (Emily Barnett, Central San) – **15min**
4. BAPPG's Pollution Prevention tools, including [Baywise](#) (Zoe Lake, EBMUD) – **10 min**
 - a. See other [PFAS Resources](#)
5. CASA's tools to support PFAS advocacy (Spencer Saks, CASA) – **10 min**
6. Science to Support Source Control – Ideas for BACWA Special Study Phase 3 (Diana Lin, SFEI) – **15 min**
7. Member input on tools in BACWA's PFAS Strategy – **20 min**
 - a. Joint fact-finding and science: BACWA Special Study Phase 3 - [Participation Survey](#)
 - b. Regulatory advocacy
 - c. Communications resources
 - d. Media strategy
 - e. Questions
8. Next steps



BACWA PFAS Investigations

Invitation to Join



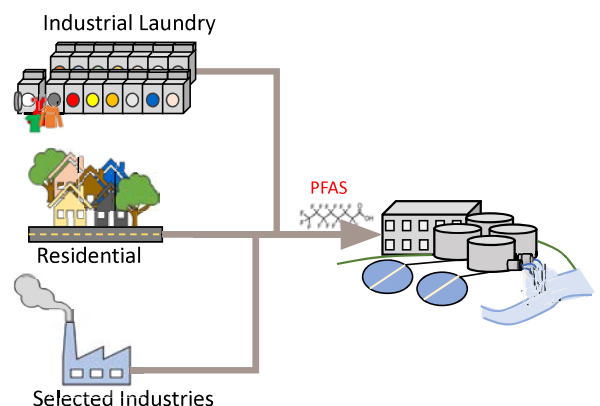
Diana Lin, Managing Senior Scientist

November 18, 2025

Previous BACWA PFAS Findings

Important scientific findings for regional and statewide management

- Consistent influent, effluent concentrations across municipal POTWs
- PFAS precursors important
- High concentrations of PFAS in discharge from industrial laundry facilities
- Loadings from residential customers are significant



RMP, BACWA, and Partners

\$5.2 Million Project (50/50 grant funds and partner match)

- Identify major sources of PFAS
 - Measure PFAS in priority products
 - Investigate linkages to pathways
- Compare PFAS loadings from Wastewater and Urban Stormwater Runoff

PFAS Sources to Solutions: Identifying and Preventing PFAS Pollution in San Francisco Bay

PROPOSAL TO THE EPA WATER QUALITY IMPROVEMENT FUND 2023
SUBMITTED BY THE **SAN FRANCISCO ESTUARY INSTITUTE** with
Regional Monitoring Program for Water Quality in San Francisco Bay (RMP)
Department of Toxic Substances Control (DTSC)
Bay Area Clean Water Agencies (BACWA)
Bay Area Municipal Stormwater Collaborative (BAMSC) Member Programs
Indiana University Bloomington
University of Toronto



Phase 3 Study Topics

- Track long-term trends
 - How effective are management actions?
- Compare wastewater and stormwater
- Expand analytical methods
 - Includes ultra-shorts, diPAPs, FTOH, total fluorine methods, non-target
 - Are there fingerprints to upstream sources?
- Monitor Commercial Sources: laundromats, car wash
- Residential
- Industrial: landfills, chemical manufacturing, metal finishers
- Legacy sources: groundwater from contaminated sites (e.g. AFFF use)

Proposed Project Timeline

2025

- December: Kickoff Meeting

2026

- January: Define Study Questions
- April: Sampling and Analysis Plan
- May - September: Sample Collection
- October - December: Laboratory Analysis

2027

- January - March: QA/QC, Data Analysis
- March - June: Preliminary results presentation and discussion
- April: Preliminary data interpretation with ECWG
- August - October: Draft/Final Report

SFEI

Invitation to Join Kickoff Meeting

Invitation help define study questions

- Previous participants
- New partners
- POTWs with ongoing/planned PFAS investigations



SFEI

Questions?

diana@sfei.org





FY27 Program Plan

Initial Planning Discussion

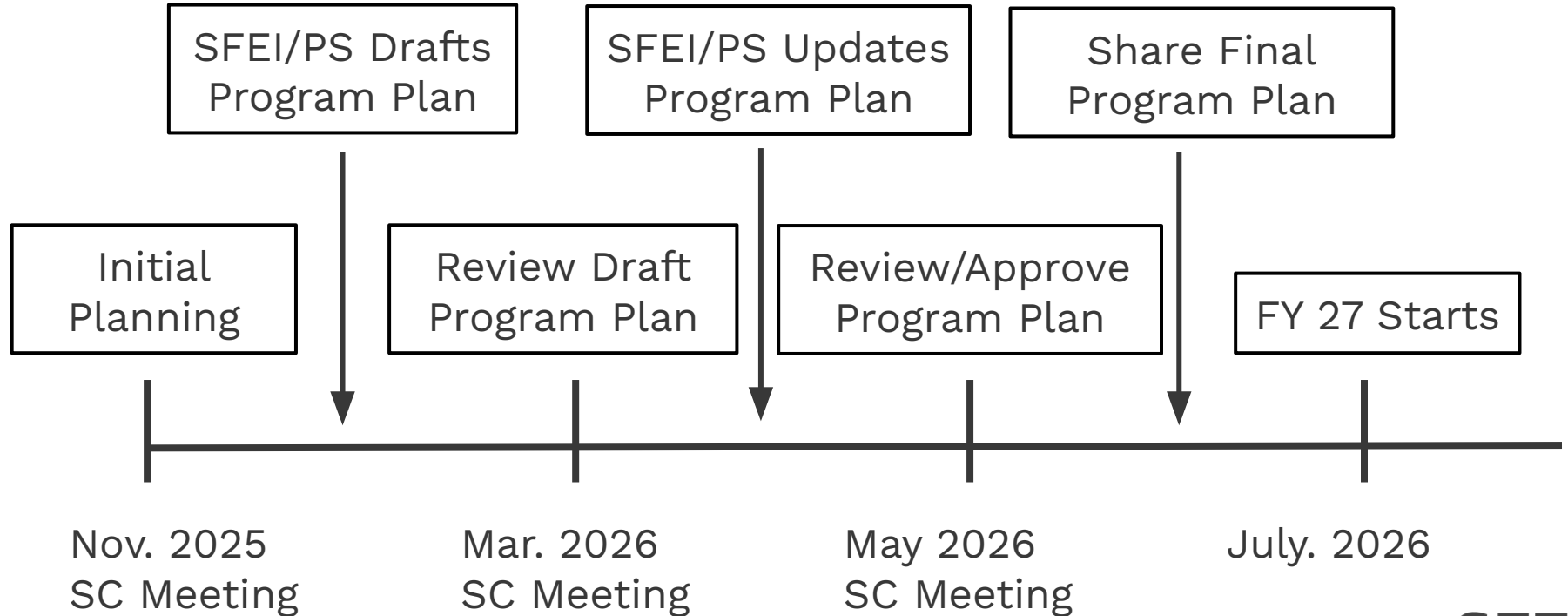
SFEI

SAN FRANCISCO
ESTUARY INSTITUTE

November 14, 2025

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FY27 Planning Timeline



Goals for Today

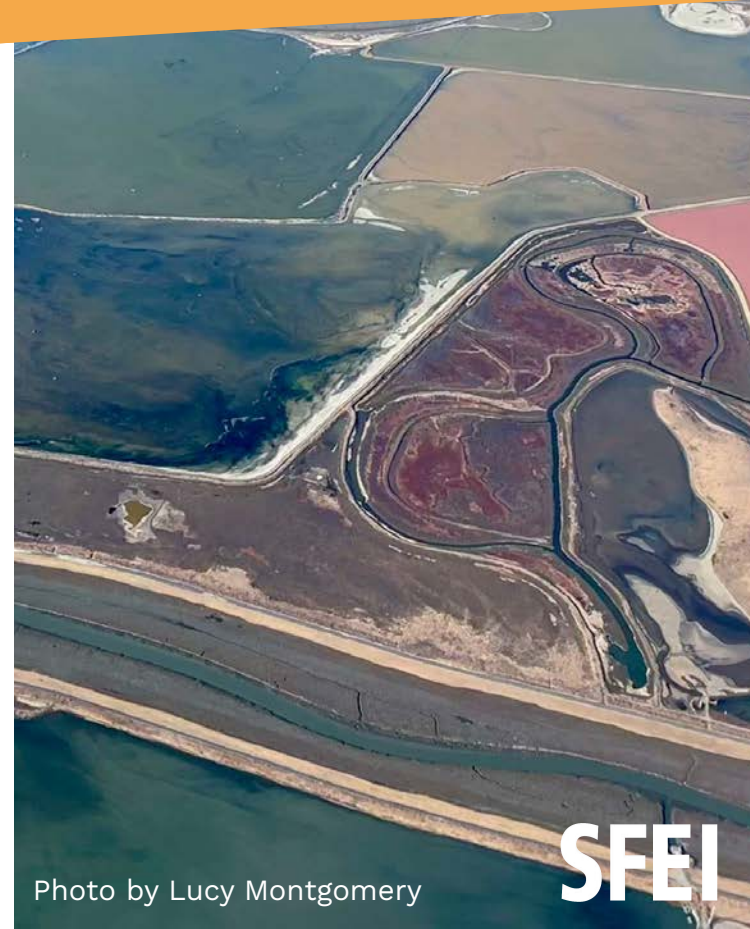
- Establish a preliminary budget for FY27
- Refresher on the Science Plan Projects and structure
- Gather input on priorities

First, the Budget

- We received \$4,960,000 additional from EPA WQIF Tracking Bay Health
 - $\$6\text{M} + \$4.96\text{M} = \$10.96\text{M}$
- How to spend that funding?
 - For today, what should the FY27 budget be?
- Considerations:
 - Ramping up FY26 spending is possible for small efforts, but new large projects are beyond team capacity
 - NMS projected revenue drops after FY29

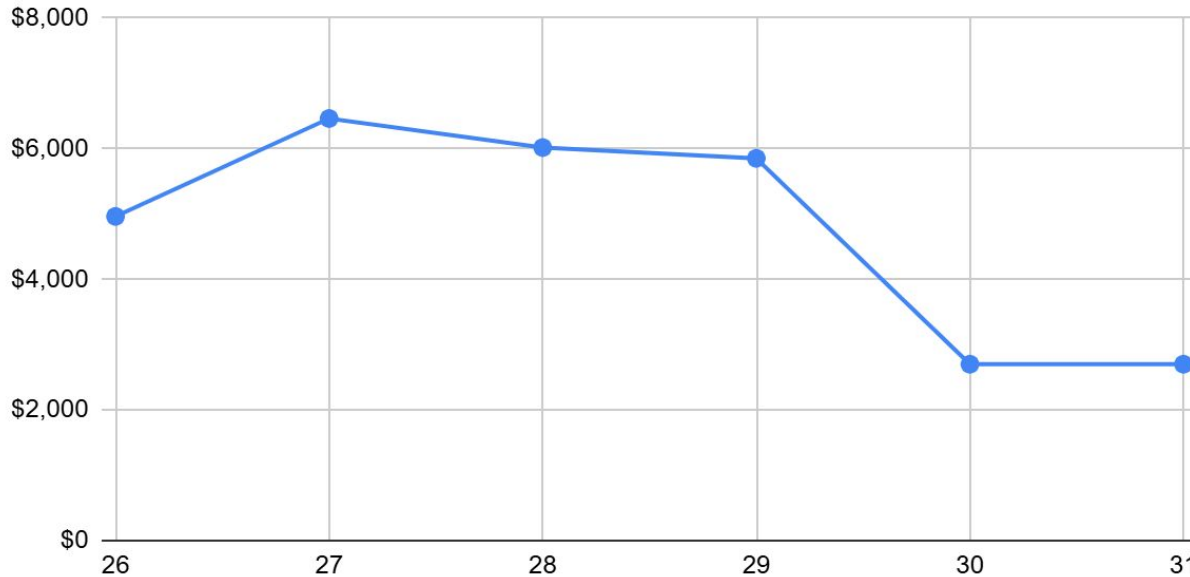
Recommendation

- We recommend keeping FY26 funding at its current level
- We recommend staying close to the Science Plan's LOW budget level for FY27 (\$4.985M)
 - Today's discussion will review the LOW and MAX plans for FY27
 - LOW is the approved plan from May 2025
 - Potential to add high priority projects



Estimated Annual NMS Revenue

Estimated NMS Revenue



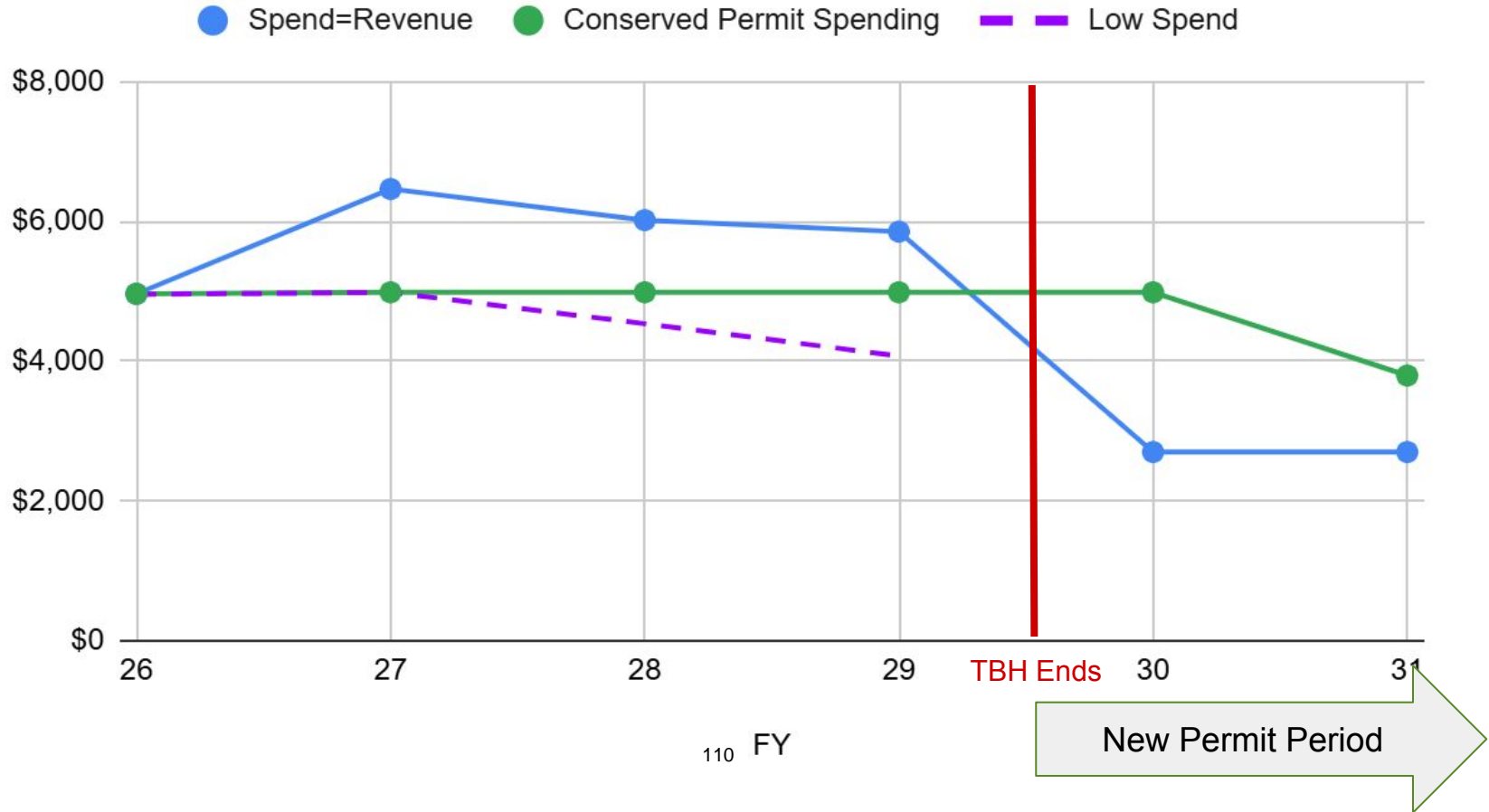
Assumes:

- No additional grants
- Permit funding continues at current level
- WQIF \$4.96 split evenly FY27-29

Approximate NMS Revenue Projection

	FY26	FY27	FY28	FY29	FY30	FY31	Total (FY26-31)
Nutrient Permit+RMP Ship-based Support	\$2,492	\$2,450	\$2,450	\$2,450	\$2,450	\$2,450	\$14,742
Estimated RMP Monitoring Support (TBH through FY29)	\$256	\$250	\$250	\$250	\$250	\$250	\$1,506
Original Tracking Bay Health*	\$1,500	\$1,500	\$1,500	\$1,500			\$6,000
Additional Tracking Bay Health*		\$1,653	\$1,653	\$1,653			\$4,959
Additional Grants and Projects**	\$715	\$545	\$100				\$1260
Continuing Funds in 2025-2030 Science Plan	\$140						\$140
Total	\$4,963	\$6,463	\$6,018	\$5,853	\$2,700	\$2,700	\$28,697
*Grant ends 9/30/2029 (in FY30)							
**Grants and project end by 11/30/2027							

NMS Potential Spending



Recommendation

- We recommend keeping FY26 funding at its current level
- We recommend staying close to the Science Plan's LOW budget level for FY27 (\$4.985M)

Discussion of Conserved Permit Funding Approach



Conserved Permit Spending

	FY26	FY27	FY28	FY29	FY30	FY31	Total (FY26-31)
Nutrient Permit+RMP Ship-based Support	\$2,492	\$972	\$1,417	\$1,582	\$4,735	\$3,544	\$14,742
Original Tracking Bay Health*	\$1,500	\$1,500	\$1,500	\$1,500			\$6,000
Estimated RMP Tracking Bay Health Support	\$256	\$250	\$250	\$250	\$250	\$250	\$1,506
Additional Tracking Bay Health*		\$1,653	\$1,653	\$1,653			\$4,959
Modeling-specific WQIF Destination Clean Bay**	\$400	\$370	\$100				\$870
Delta RMP Modeling Project***	\$175	\$175					\$350
Continuing Coastal Modeling Funds	\$50	\$65	\$65				\$180
Continuing MAG Funds	\$40						\$40
Continuing Long-term Forcing Funds	\$50						\$50
Total	\$4,963	\$4,985	\$4,985	\$4,985	\$4,985	\$3,794	\$28,697
*Grant ends 9/30/2029 (in FY30)							
**Grant ends 11/30/2027							
***Contract ends Jan 2027							

From: [Valiela, Luisa](#)
To: [Valiela, Luisa](#)
Subject: EPA's San Francisco Bay Program Funding Opportunity- Coming in December
Date: Thursday, December 4, 2025 9:49:06 PM

Dear Interested Party,

We are sending out this email to spread the word in advance of the announcement for the upcoming competitive round of EPA's San Francisco Bay Program funding. We expect to release the Notice of Funding Opportunity (NOFO) in December with a due date in February 2026 and have approximately \$33 million available.

These grants can fund a wide range of Clean Water Act activities and are intended to improve water quality under the San Francisco Bay Program Priorities. <https://www.epa.gov/sfbay-program/priorities>

We look forward to engaging with you, and once we release the NOFO, we will schedule a free webinar to answer any questions you have.

Please distribute this email widely amongst your networks. If you would like your email taken off this mailing list, please respond to let me know.

Contact: Luisa Valiela, US EPA Region 9, San Francisco Bay Program Manager

Phone: (415) 972-3400 Email: valiela.luisa@epa.gov



October 31, 2025

Angela Stiegler, PI
Hazen and Sawyer
4011 WestChase Boulevard, Suite 500
Raleigh, NC 27607

Re: Letter of Commitment for Water Research Foundation RFP 5366: Nature-Based Approaches for Concentrate and Salinity Management

Dear Dr. Stiegler:

The Bay Area Clean Water Agencies (BACWA) is pleased to provide this letter of commitment for your proposal in response to Water Research Foundation RFP 5366: *Nature-Based Approaches for Concentrate and Salinity Management*. BACWA, a joint powers agency, represents members that own and operate publicly owned treatment works (POTWs) and sewer systems serving over 7 million people across the nine-county San Francisco Bay Area.

The San Francisco Bay region's wastewater agencies face costly but necessary upgrades to reduce the frequency and magnitude of harmful algal blooms in San Francisco Bay. The best use of our ratepayer dollars is to pursue projects with multiple benefits, that provide drought resiliency, shoreline protection, and habitat enhancement, while also reducing nutrients. Our members have been following the research conducted by scientists at UC Berkeley studying the treatment capabilities of the Oro Loma Horizontal Levee Project, and find the results to be very promising.

Several of our agencies are interested in pursuing nature-based solutions, but are limited by the land available to implement these projects. We are very interested in participating in this investigation on the use of treatment wetlands as a means of managing reverse osmosis concentrate (ROC). We believe that effective processes for ROC treatment are critical to the future of water reuse. Using nature-based solutions to treat only the reverse osmosis concentrate (ROC)—rather than the entire effluent stream—could significantly reduce the land required, making these solutions a viable alternative for agencies implementing nutrient reduction.

We commit to bringing our expertise in recycled water and nature based solution implementation to this project and look forward to helping develop robust design guidance for managing ROC using treatment wetlands. Our in-kind contribution to this project will consist of staff time and information sharing with an estimated value of at least \$5,000. We will support the project with staff time to participate in surveys and workshops, provide documentation, and review draft project deliverables. If you have any questions regarding our participation, please contact me at 510-684-

BACWA support for RFP 5366: Nature-Based Approaches for Concentrate and Salinity Management

2993 or lfono@bacwa.org. Thank you and we look forward to working with you on this project.

Sincerely,

A handwritten signature in black ink, reading "Lorien Fono". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

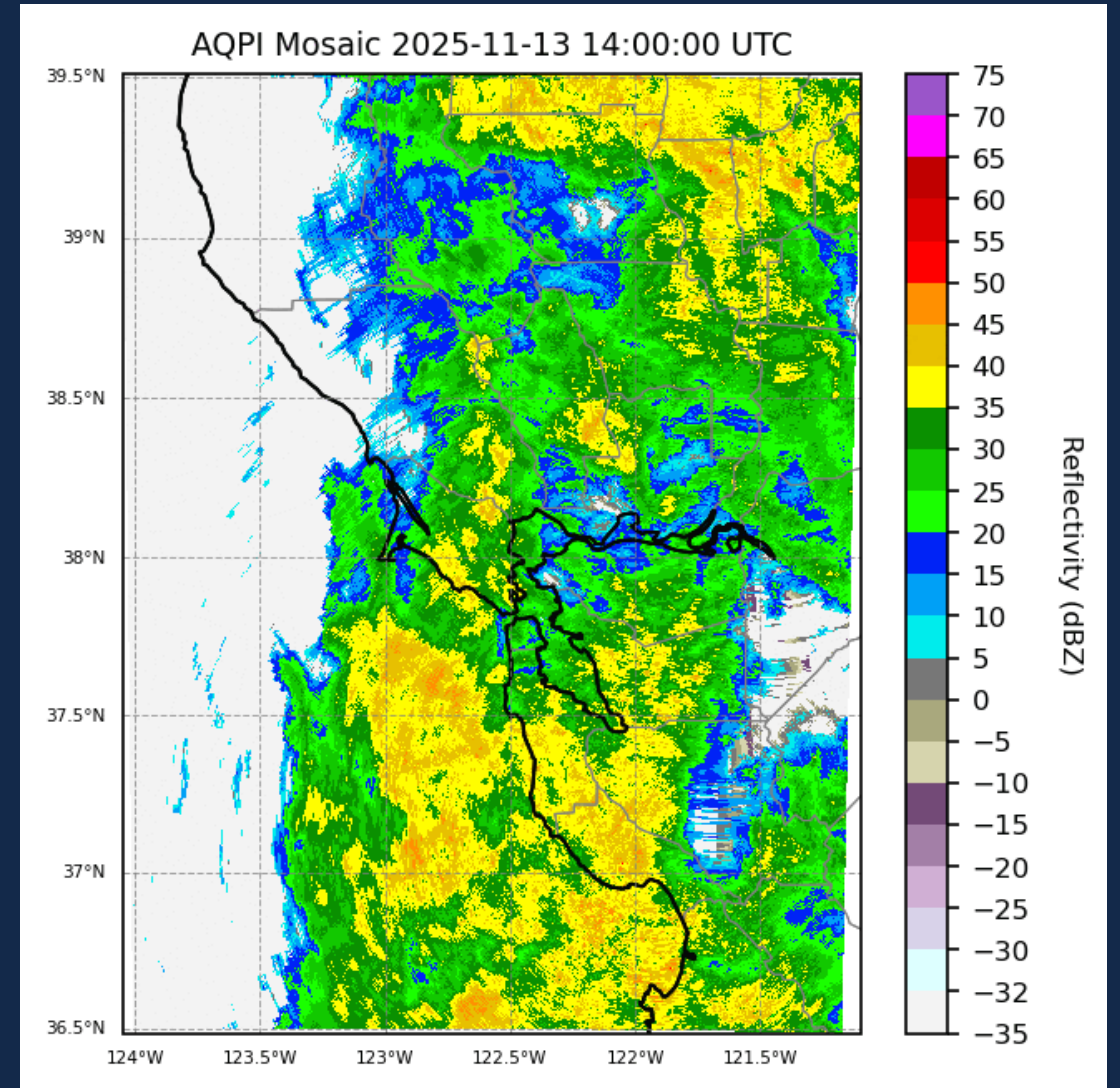
Lorien Fono, Ph.D., P.E.
Executive Director
Bay Area Clean Water Agencies

AQPI

Advanced Quantitative Precipitation Information

*Local Partner Contribution
toward Ongoing Radar
Operations and Program
Enhancements and C-
Band Reimbursement*

Jon Rutz (CW3E)
BACWA Board Meeting
12 December 2025



Center for Western Weather
and Water Extremes
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AQPI – Advanced Quantitative Precipitation Information



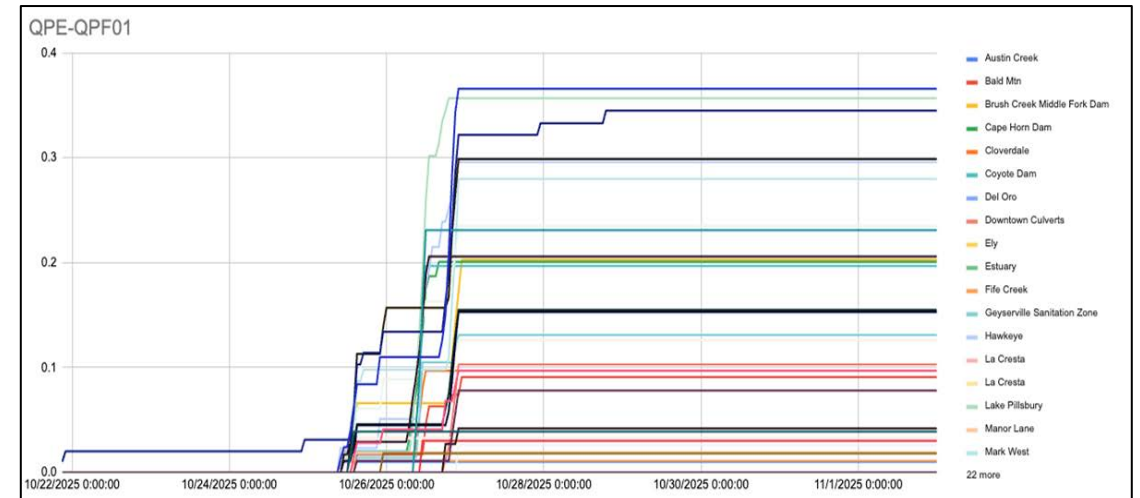
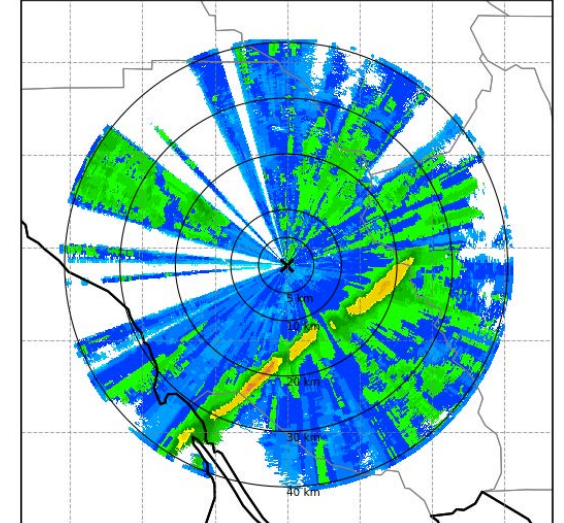
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The AQPI program delivers more accurate rainfall information to Bay Area partners, benefitting their planning and operations

- advanced radar technology
- customized precipitation forecasts
- additional decision support tools

AQPI will be led by CW3E in technical partnership with CSU and operational partnership with Bay Area agencies

AQPI is supported by NOAA, the California DWR, and local partners



AQPI Radars



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The AQPI radar network is designed to complement the existing NWS radar network by filling existing gaps in coverage and providing greater detail in densely-populated areas

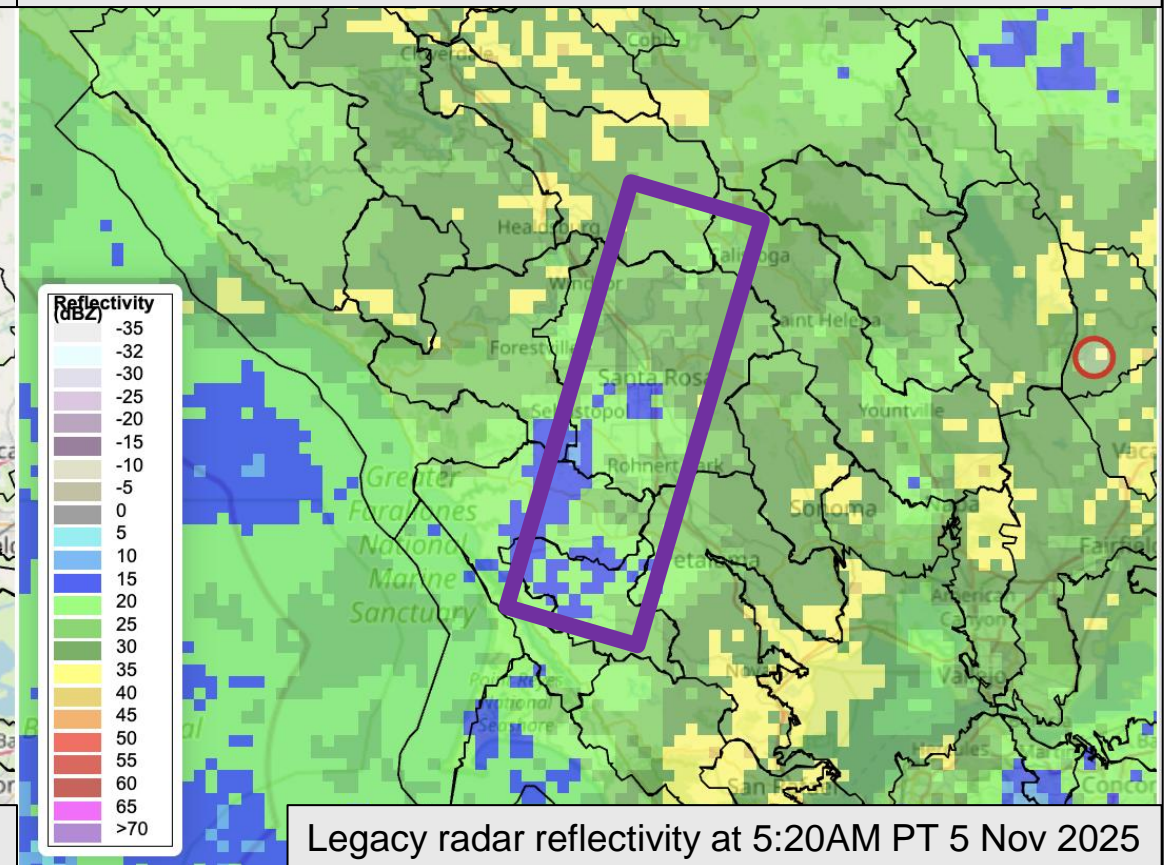
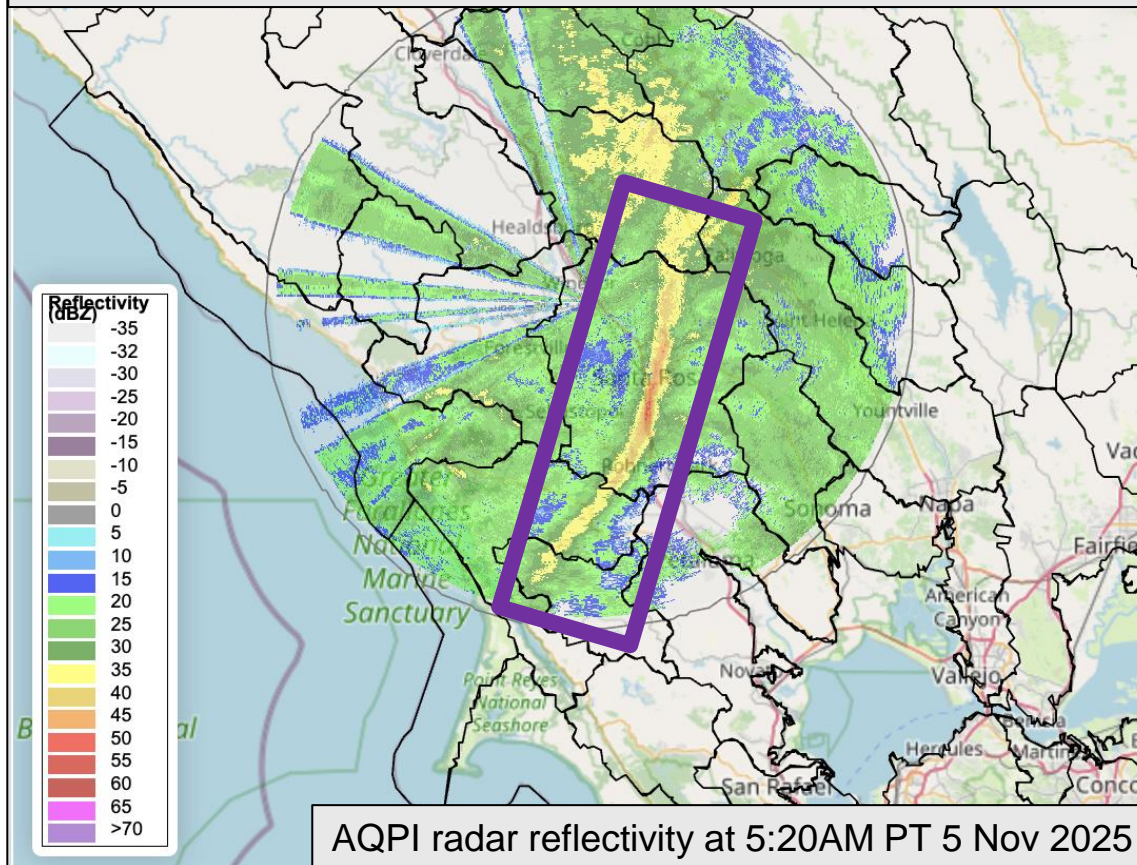
- The X-band radars (green) provide the greatest detail
- The C-band radar sees offshore to provide greater lead time, fills gaps in X-band coverage, and provides redundancy

AQPI and NWS radar data can be combined, producing a radar “mosaic” and “nowcast” across the Bay Area



AQPI radar detects the NCFR over Sonoma County

Legacy (NWS) radar *does not* detect the NCFR

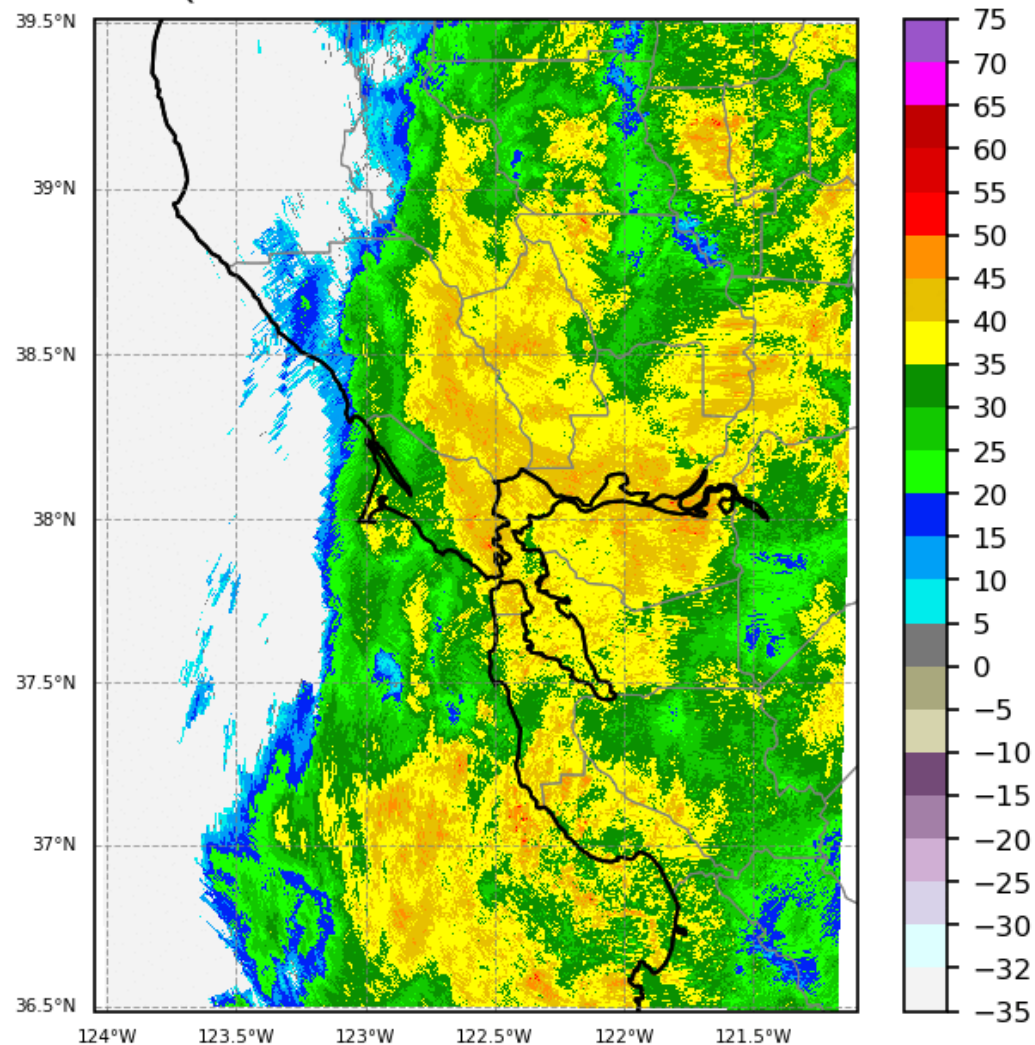


AQPI Mosaic and Nowcast

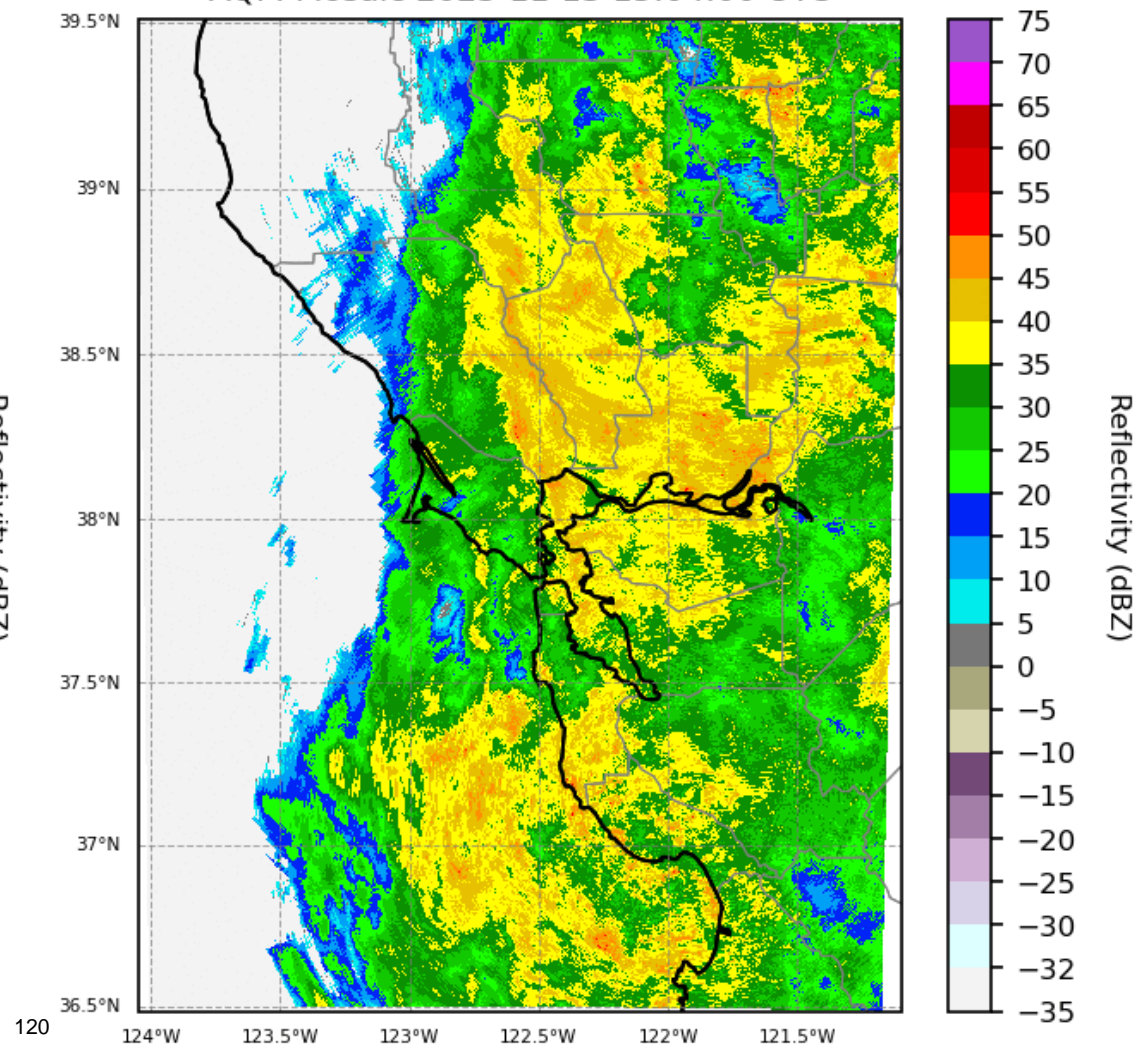


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AQPI Nowcast 2025-11-13 15:04:00 UTC

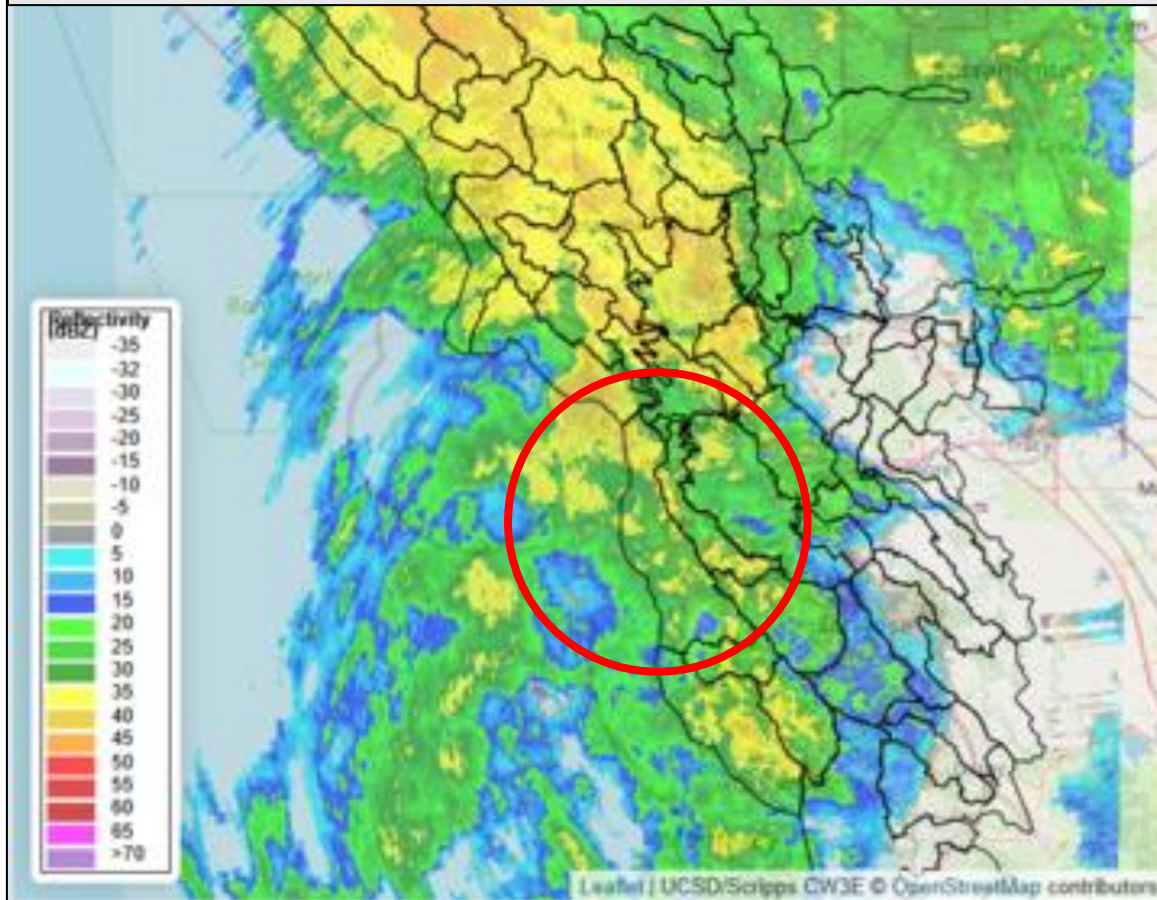


AQPI Mosaic 2025-11-13 15:04:00 UTC

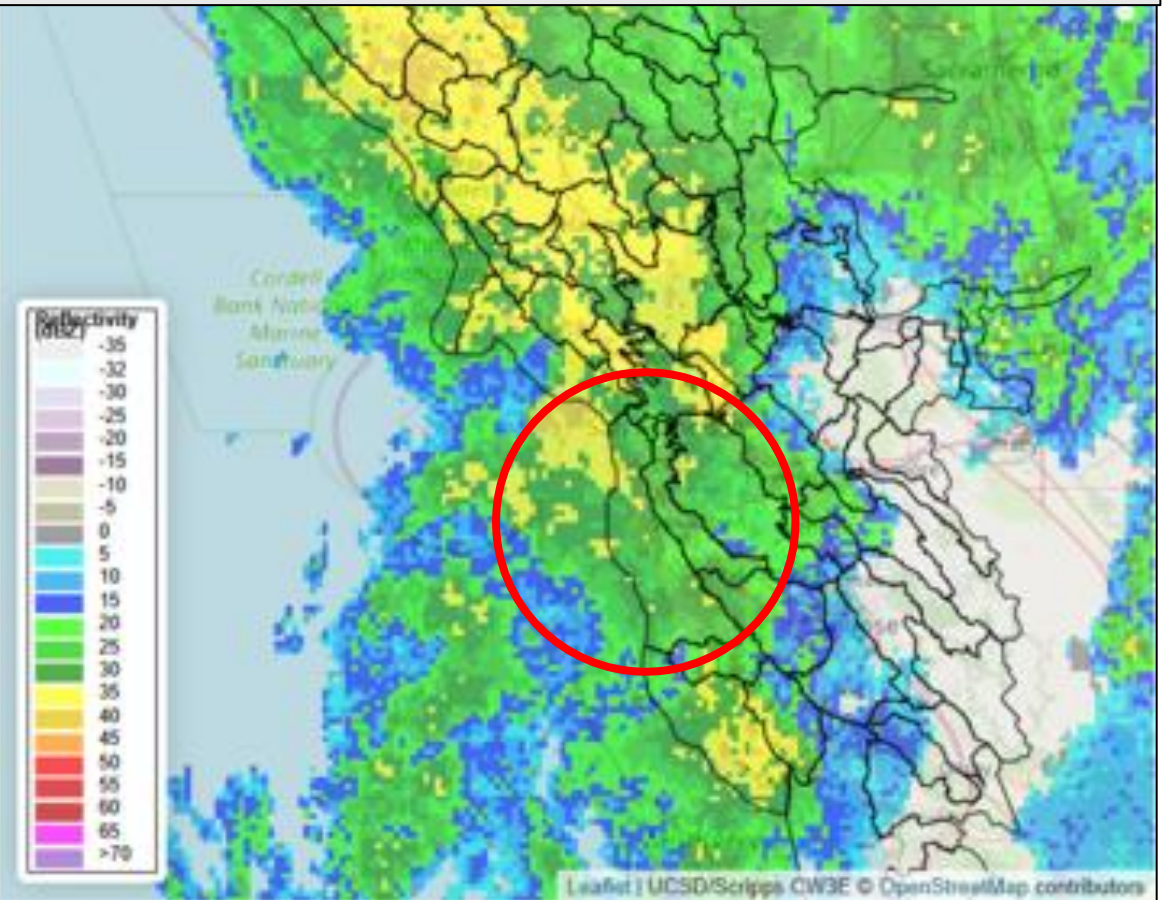


13 Nov 2025 – Radar Mosaic

**AQPI mosaic shows higher reflectivity in
Sawyer Ridge coverage area**



**Legacy (NWS) mosaic does not include
highest reflectivity values**



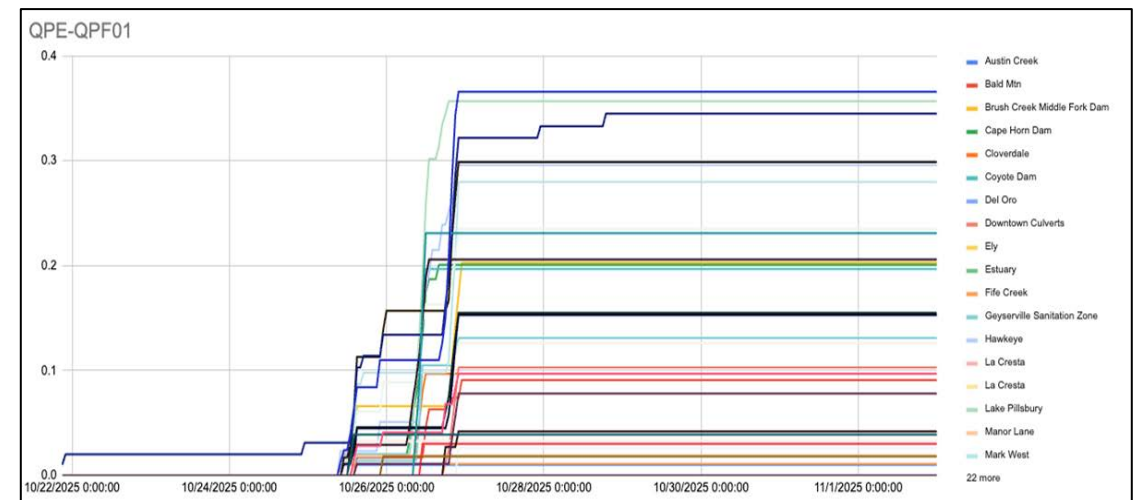
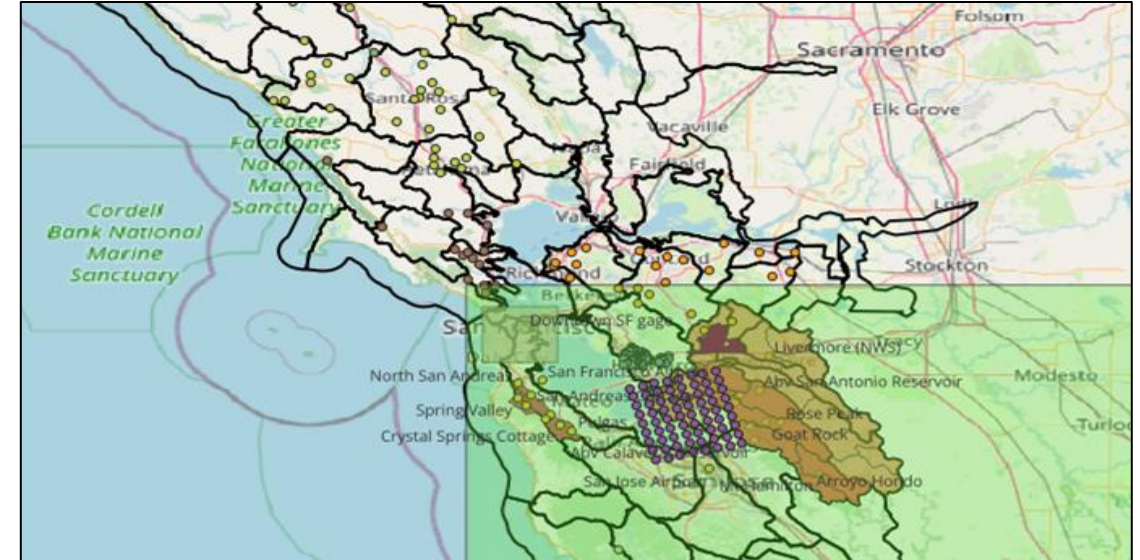
Customized Precipitation Forecasts



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The AQPI team at CW3E provides customized precipitation forecasts based on user-provided points and polygons (e.g., shapefiles). These forecasts...

- Leverage our experience in selecting the best available forecast data sets
- Now provide probabilistic data (e.g., 70% chance of exceeding threshold)
- Radar-based precipitation estimates are now provided in the same format
- Available online in simple .csv format



Data Integration and Display

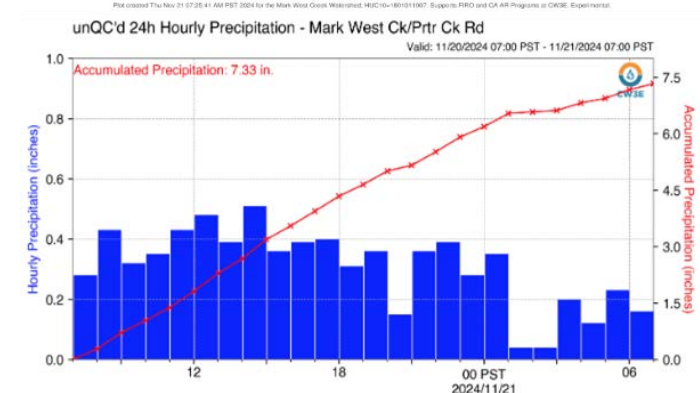
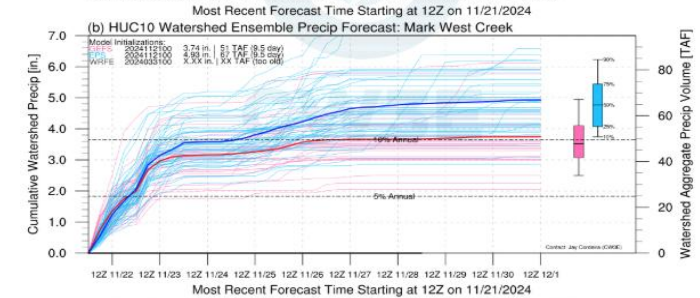
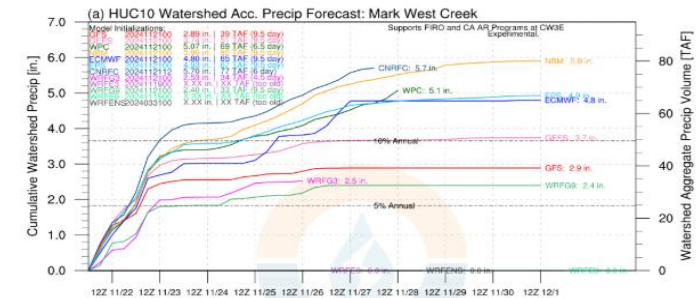
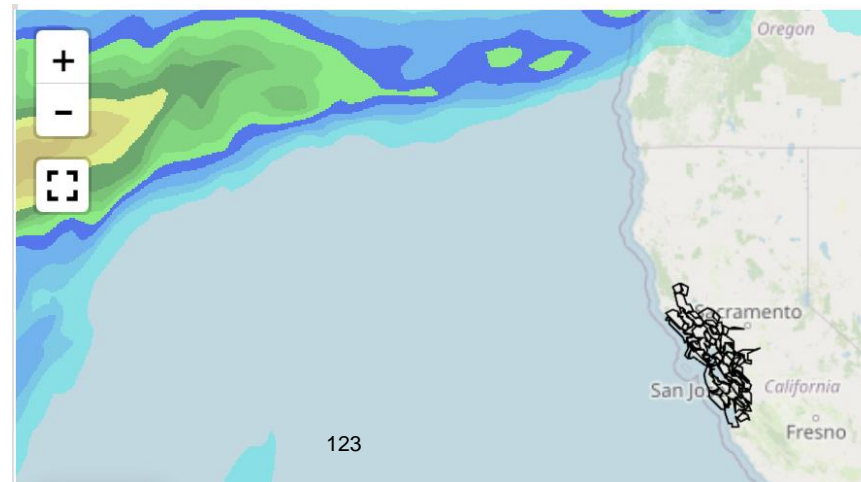
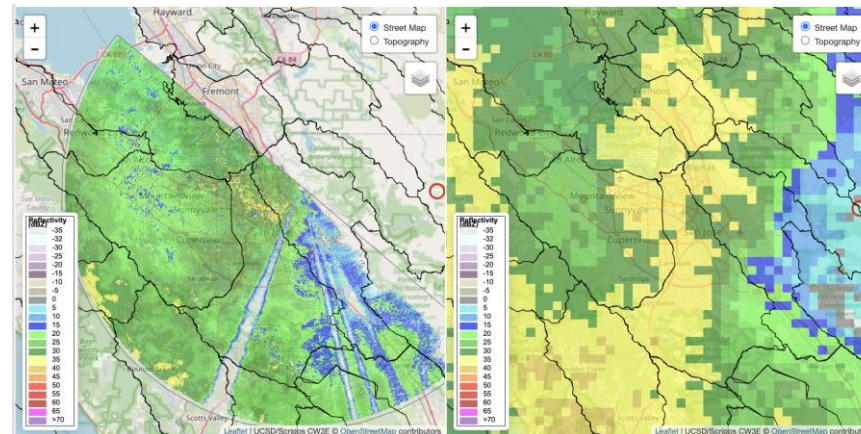


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AQPI User Dashboard: <https://cw3e.ucsd.edu/Projects/AQPI/main.html>

The dashboard includes...

- Single-radar reflectivity
- Single-radar rain rates
- Mosaic reflectivity
- Mosaic rain rates
- Nowcast (1-hr)
- Rain gauges
- Stream gauges
- Spatial and point forecasts for rain
- Historical data



AQPI in Action– SFPUC Wastewater Enterprise

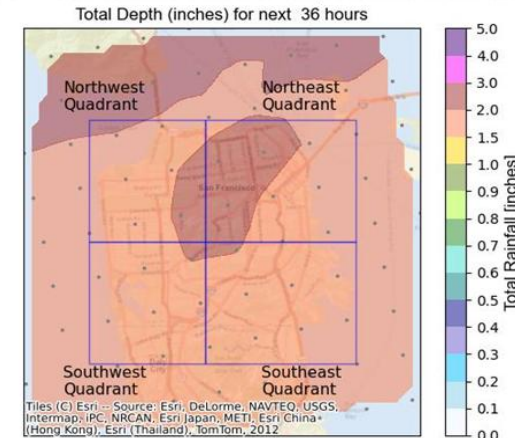
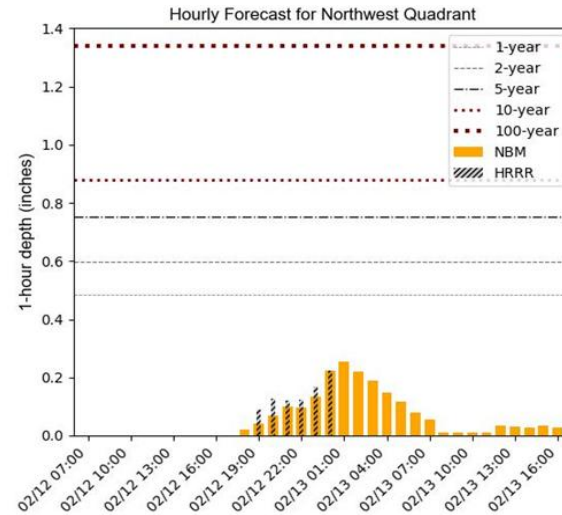


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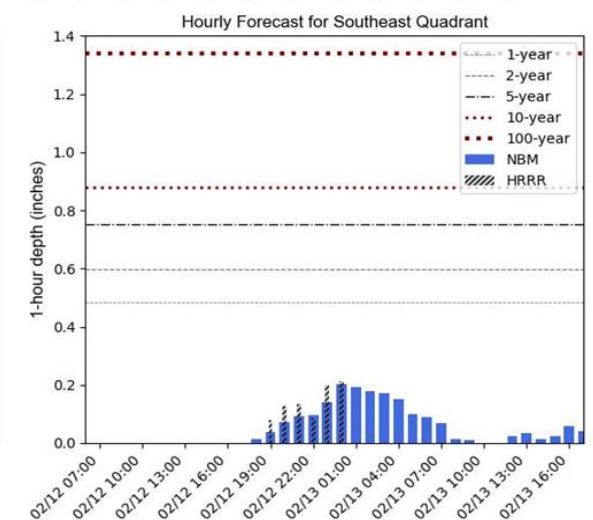
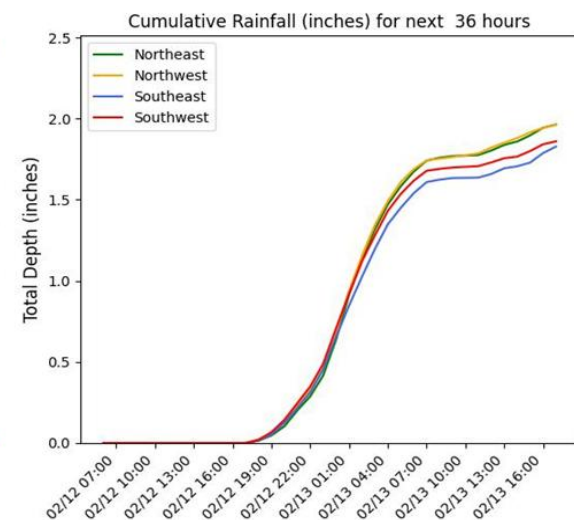
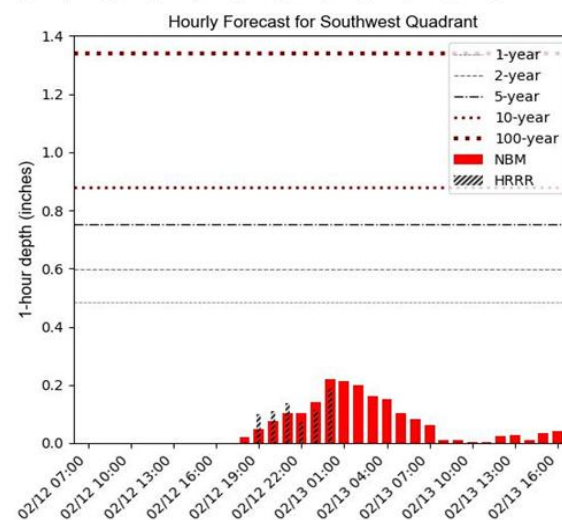
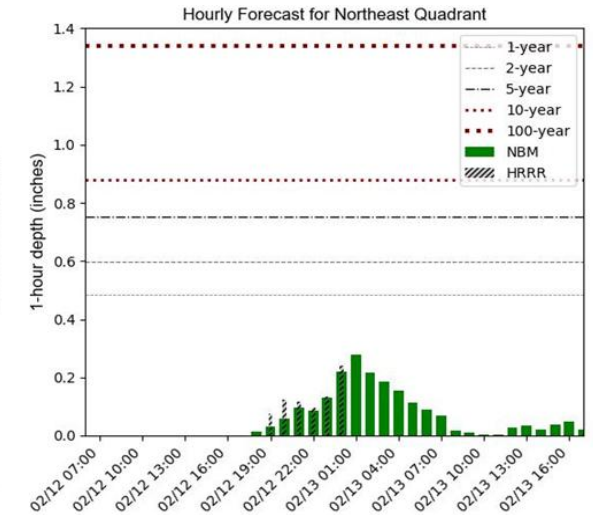
SFPUC WWE has developed a city quadrant precipitation dashboard based on customized forecasts from AQPI, highlighting the probability of hourly rainfall hitting key thresholds

These are used in combination with other publicly available forecasts to prepare for wet weather.

CW3E Forecasts at Feb 12, 2025 06:00AM



*National Blend Model (NBM) is the main quantitative precipitation forecast data source.
High-Resolution Rapid Refresh (HRRR) is secondary source and used in quadrant plots only.



AQPI in Action– Union Sanitary District

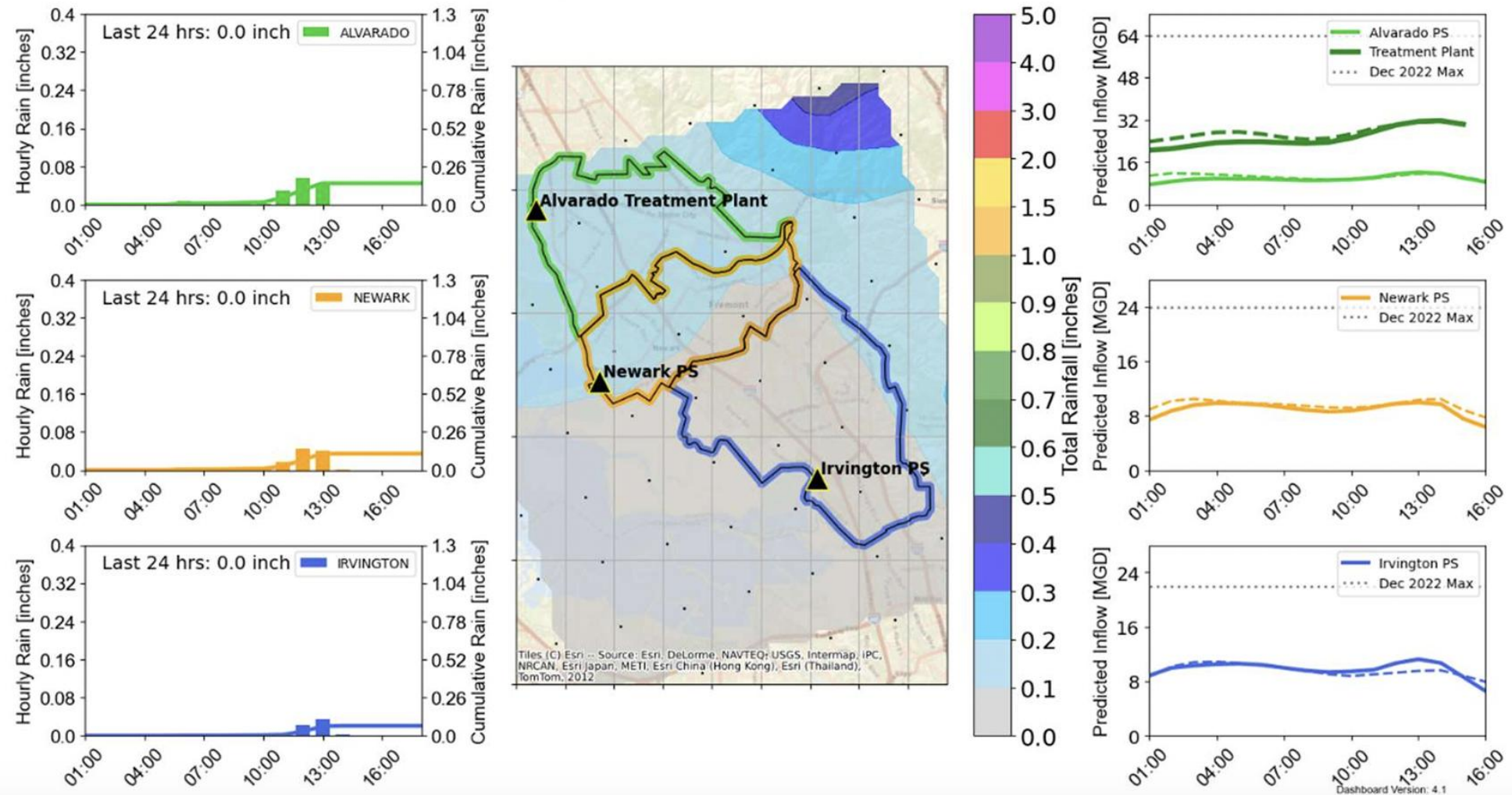


Center for Western Weather and Water Extremes

USD has developed a dashboard that uses customized forecasts from AQPI and machine learning to predict inflow at key locations.

The three colors at right represent three different locations.

18-hour AQPI Forecast: 11/05/2025 01:00 AM PST





Program Status

- The ~\$20M initial DWR grant to develop the AQPI program expires in Spring 2026
- AQPI requires new funding for ongoing radar operations and program enhancement
- Discussions amongst AQPI partners have been productive in terms of cost shares, and a year 1 spend plan, as well as 10-year projection, is being developed at CW3E
- A current plan on contracting is emerging

Current Plan

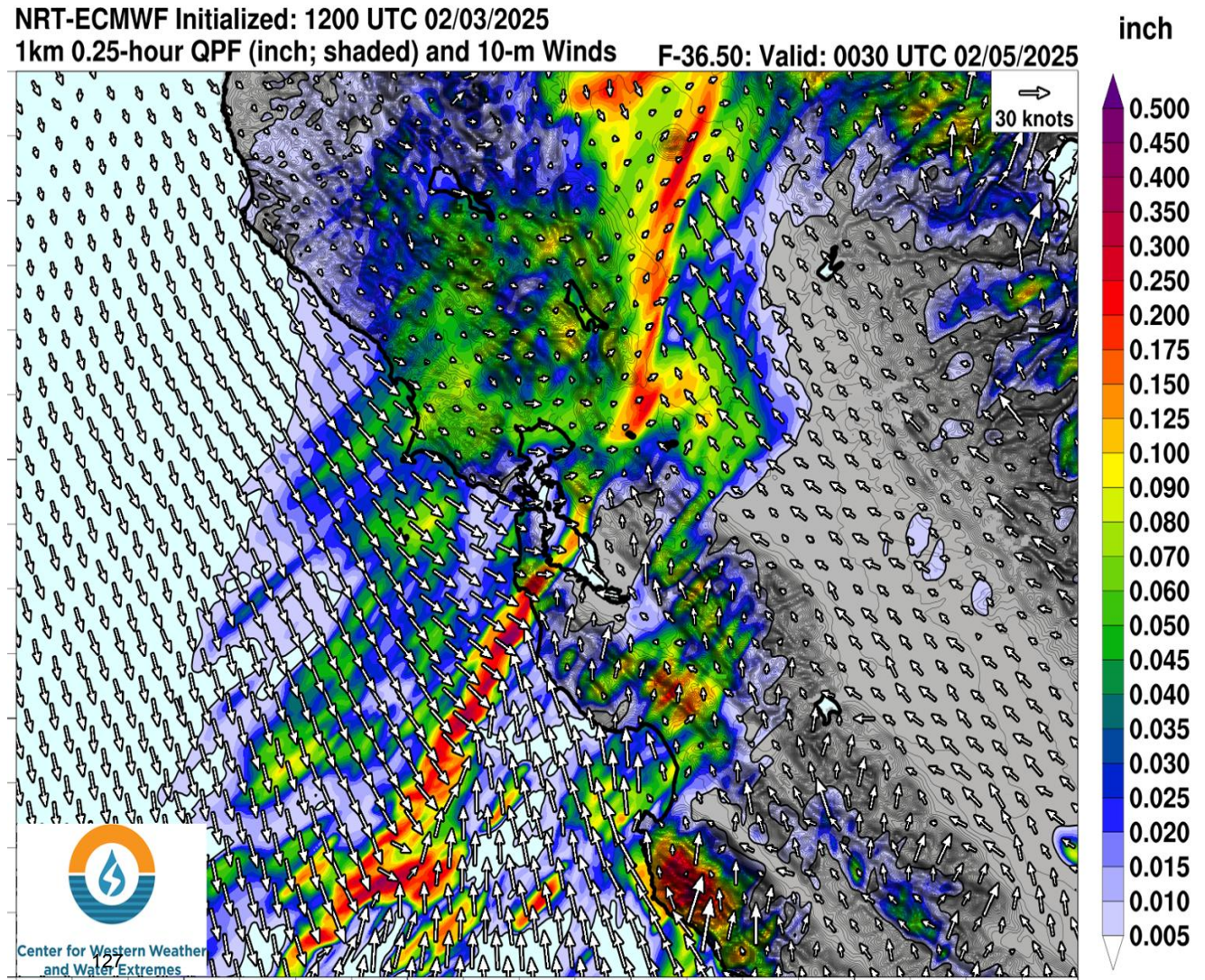
- One contract between CW3E and BACWA
 - \$1M/yr for 10 yrs, inflation adjusted (~4%)
- BACWA serves only as pass-through, invoicing individual AQPI partners
 - Pending annual board approvals
 - \$750K committed
 - \$250K from SCVW, SCWA, SFPUC
 - \$250K from East Bay partners
 - In progress, partners/cost shares TBD
- Signed agreement between BACWA and individual AQPI partners that describes cost shares

Spend Plan (Year 1)



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- **\$300K:** Radar Network O&M
 - Hardware, software, comms, staff time
- **\$100K:** Other O&M
 - Leasing, utilities, computing, data
- **\$600K:** Program Enhancements
 - Improved precipitation estimates
 - Advances in atmospheric and hydrologic modeling capability
 - Improvements in data display and delivery (e.g., User Dashboard)
 - New decision support tools



C-Band Radar Reimbursement



Center for Western Weather
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- **Sonoma Water has fronted \$1.2M for construction of the C-Band**
 - \$550K: construction cost
 - \$650K: design, project management, construction management, permitting, etc.
- **Need multi-party reimbursement agreement**
 - \$300K committed from Sonoma Water, SFPUC, Valley Water
 - \$300K TBD
- **Would like to also use BACWA to facilitate reimbursement**





See materials attached with this presentation for further details...

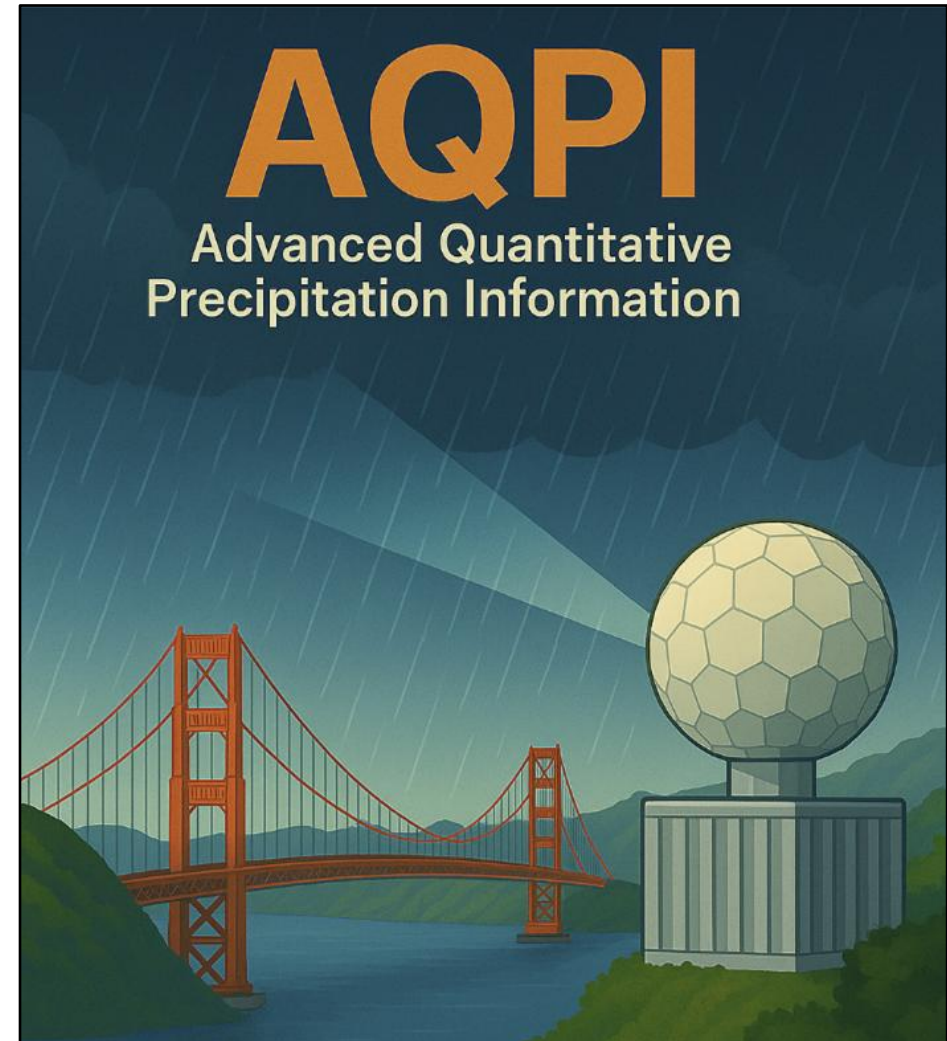
- Statement of Work (*what will be done*)
- Budget Justification (*what money pays for*)
- UCSD Contracting Template (*legal language*)

Contact

Jon Rutz (jruz@ucsd.edu)
AQPI Program Management, CW3E

Information / Data Access

CW3E AQPI User Dashboard: [Access Here](#)



Budget Justification - Year 1

AQPI Local Partner Support for Ongoing Radar Operations and Program Enhancement

a. Personnel Project Total \$211,908

- Jonathan Rutz (Co-PI): Overall project management including administration, coordination, finance, personnel, implementation, as well as Project Science Lead (2.5 mos; \$32,921).
- Fred (Marty) Ralph (PI): Overall project oversight (0.25 mos; \$7,025).
- Julie Kalansky: Support for project management (0.25 mos; \$3,871).
- Laura Martin: Support for administration and finance (0.25 mos; \$3,274).
- TBN (Project Policy Analyst 2): Support for project coordination (0.6 mos; \$4,184).
- TBN (Rsch Data Analyst 3): Radar meteorologist / QPE analysis (6.0 mos; \$49,878).
- Dan Steinhoff: Atmospheric modeling / West-WRF (1.2; \$14,813).
- Deanna Nash: Model Verification (2.4 mos; \$19,951).
- Lu Su: Hydrology / streamflow modeling (4.8 mos; \$31,421).
- Kayden Haleakala: Hydrology / rain gauge QC (1.2 mos; \$8,230).
- Ricardo Batista Vilela: Data and web development (1.2 mos; \$9,024).
- Pat Mulrooney: Computational science and IT support (0.6 mos.; \$8,443).
- Douglas Alden: Engineering Lead / Equipment (0.6 mos.; \$8,239).
- Ethan Morris: Engineering Dev, O&M, Equipment (0.6 mos.; \$6,037).
- Lisa Katz: Engineering Dev, O&M, Equipment (0.6 mos.; \$4,598).

b. Fringe Benefits Project Total \$93,120

Fringe Benefits are calculated based on Composite Benefit Planning Rates (CBR) at UC San Diego. The Composite Fringe Benefit (CBR) rate is an average of all eligible benefits applicable to an employee group. Each group is based on individual employee attributes which fall into a certain group. The composite fringe benefit rates are a percentage of the employee's gross salary based on which group they fall into. <https://blink.ucsd.edu/finance/costing-analysis/cbrs/index.html>

c. Travel Project Total \$13,912

Research Conference (Jonathan Rutz or another team member)

- 1 trip from TBD to scientific conference (TBD) for the purpose of presentation and outreach (airfare \$696, baggage \$70, ground transport \$625, lodging/per diem \$1,840, registration fee \$833)

Collaborative Meeting (Jonathan Rutz)

- 1 trip from TBD to Bay Area for the purpose of collaborative meetings with AQPI local partners (airfare \$538, baggage \$70, ground transport \$625, lodging/per diem \$1,840)

Install and Maintenance of Observational Equipment - Drive w/ Equipment (Engineering/Field Team)

- 1 trip from TBD to Bay Area for the purpose of collaborative meetings with AQPI local partners (ground transport / drive \$711, lodging/per diem \$1,456)

Install and Maintenance of Observational Equipment (Engineering/Field Team)

- 2 trips from San Diego, CA to Bay Area for the purpose of observational equipment O&M (airfare \$1,076, baggage \$140, ground transport \$500, lodging/per diem \$2,912)

d. Equipment Project Total \$65,658

Note that observational equipment is planned for purchase on a roughly every-other-year basis, including Year 1. So in Year 2 and other even-numbered years, this portion of the annual spend plan will go towards salaries pursuant of other program goals.

- ATS Micro Rain Radar (\$46,968): calibration of weather radar

- *OTT Parsivel Laser Disdrometer (\$8,690): calibration of weather radar*
- *Fabrication (\$10,000): customize equipment for deployment*

e. Supplies **Project Total \$3,000**

- *Laptop Computer (\$3,000) needed to perform technical analysis*

f. Contractual **Project Total \$300,000**

- *Colorado State University (\$300,000): Subaward for radar operation & maintenance*

g. Construction **Project Total \$0**

h. Other **Project Total \$35,250**

- *UCSD ITS (\$2,972): UC San Diego Information and Technology Services (ITS) charges a flat per month fee for services to provide state-of-the-art technology infrastructure and services to the campus community. These charges are directly attributable and proportionally applied for the individual(s) included in the proposed budget on the project. These costs are not included in the campus' Facilities & Administration (F&A) rate as an indirect cost. UC San Diego auditors have determined that it is both equitable and consistent with the OMB Circular 2 CFR 200 provisions on cost allocability that the costs be assigned to FTE on grant and contract funds. Accordingly, an allocable portion of these NGN costs are included in this budget as direct project costs.*
- *Managed Lab Machines (\$2,870): UCSD program to keep computing platforms upgraded and operating at high efficiency*
- *Supercomputer Center Costs (\$30,000): CW3E will use a supercomputer for this project and this funding will support running of the supercomputer and storage of output data.*
- *Radar Site Leases and Utilities (\$40,000): Pays for leases, utilities, and other operational costs such as communications and data storage*

i. Total Direct Costs **Project Total \$763,439**

j. Indirect Costs **Project Total \$235,669**

- *Approved indirect cost recovery rate (60%) for SIO is listed in this proposal. The cognizant agency for the University is the Department of Health and Human Services. The contact is Arif Karim, located at DHHS OIG Western Field Office, 90 7th Street, Suite 4-600, San Francisco, CA 94103.*

k. TOTALS **Project Total \$999,108**

Title: AQPI Local Partner Support for Ongoing Radar Operations and Program Enhancement

Primary Contact:

Jonathan Rutz | jrutz@ucsd.edu | (517)-442-6489

Primary Recipient: CW3E | **PI:** Jonathan Rutz (CW3E)

Abstract: The Advanced Quantitative Precipitation Information (AQPI) program has installed a network of strategically located X- and C-band radars across the Greater San Francisco Bay Area (see Figure 1). These radars complement the existing NEXRAD S-band network by filling horizontal and vertical gaps in coverage, and by operating at a very high spatial and temporal resolution, providing more detailed rainfall information across the region. This project utilizes financial support from local partners to ensure ongoing operation and maintenance (O&M) of the radar network, as well as further program enhancements. AQPI radar O&M will be subawarded to CSU/CIRA, who has been the program's longtime partner in developing the radar network. AQPI program enhancements will be performed primarily through CW3E's research capability, leveraging other support where possible. The enhancements could include, but are not limited to, advances in atmospheric modeling (i.e., precipitation forecast) capability, advances in streamflow modeling capability, improvements in data display and delivery, and new decision support tools.

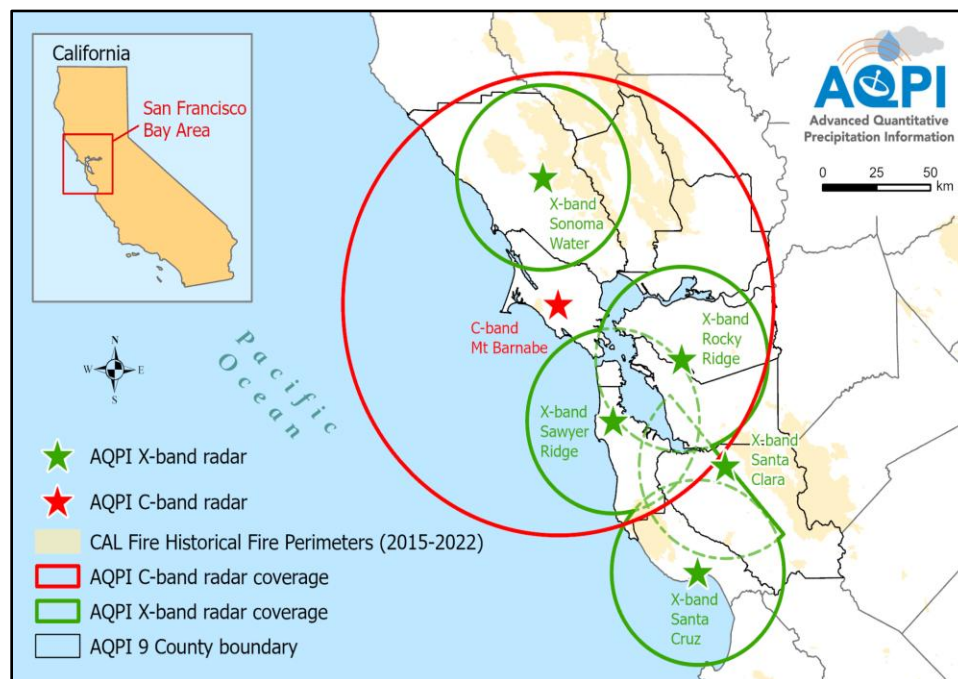


Figure 1: Schematic of AQPI radar deployments across the Greater San Francisco Bay Area. The green stars and circles represent X-band radar locations and coverage areas. The red star and circle represent C-band radar location and coverage area. Gray lines represent county boundaries and tan shading indicates historical fire perimeters from 2015–2022. Note that the X-band in Santa Cruz, while closely integrated with AQPI, was procured separately and is not part of this financial agreement.

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7. Key Personnel and Groups

1. Background

The Advanced Quantitative Precipitation Information (AQPI) program has installed a network of strategically located X- and C-band radars across the Greater San Francisco Bay Area (see Figure 1). These radars complement the existing NEXRAD S-band network by filling horizontal and vertical gaps in coverage, and by operating at a very high spatial and temporal resolution, providing more detailed rainfall information across the region (see Figure 2). These radars, as well as other critical program infrastructure, were funded through a \$19.8M grant from the California Department of Water Resources (DWR) in 2016. A local partner action committee (LPAC) composed of regional stakeholders collectively worked towards this goal, with one partner, Sonoma County Water Agency, as the initial grant recipient and program administrator. In 2020, the LPAC voted that the Center for Western Weather and Water Extremes (CW3E) at UC San Diego (UCSD) and Scripps Institution of Oceanography (SIO) should assume program administration at the conclusion of the DWR grant. CW3E is well known for scientific excellence, as well as development and implementation of research and operations partnerships (RAOPs) focused on societal benefit. As the DWR grant expires, local partners are making a contribution towards the ongoing operation and maintenance of the system, as well as additional program enhancements. In terms of financial support, AQPI is now a truly unique federal, state, and local partnership.

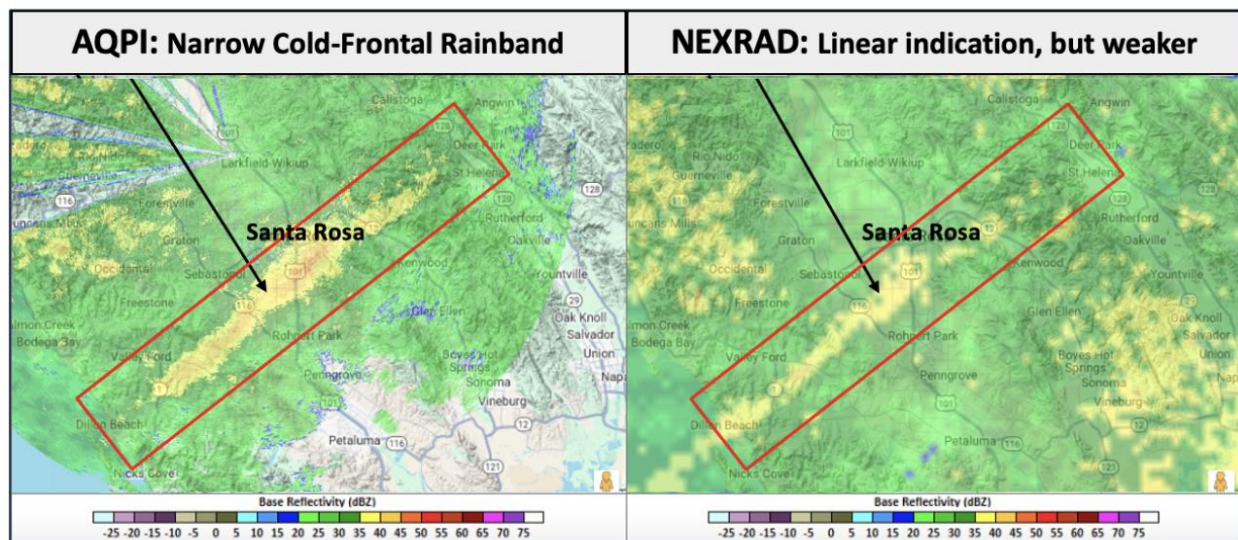


Figure 2: Example of differences in radar imagery between AQPI radar from Santa Rosa, CA (left) and NEXRAD radar from Monterey, CA (right) at 12:47 PM PST on 24 Oct 2021. Brighter colors indicate higher radar reflectivity (and likely rain rates).

2. Project Description

This section describes the primary objectives and other key aspects of this project.

2.1. Ongoing Radar Operations

A key objective of this project is the operation and maintenance (O&M) of the AQPI radar network (including necessary hardware, software, communications technology, travel, and staff time). This will be subawarded to the internationally-recognized radar group under the leadership of Dr. Chandrasekar at Colorado State University / Cooperative Institute for Research in the Atmosphere (CSU/CIRA), which has also built and deployed all AQPI radars.

2.2 Program Enhancements

Another key objective of this project is strategic pursuit of program enhancements that will benefit AQPI partners and their operations. These include, but are not limited to, improvements in radar-derived precipitation estimates, advances in atmospheric and hydrologic modeling, improvements in data display and delivery, new decision support tools, and one-time expenses. This section describes several planned areas of focus, not necessarily in order of priority or expense.

2.2.1. Improvements in Radar-Derived Precipitation Estimates

Highly detailed and accurate quantitative precipitation estimates (QPEs) are a core component of the AQPI program. There is always room for improvement in both the empirically-derived relationships between reflectivity and rain rates and the algorithms that must properly handle the complexity of overlapping radar data. The former typically requires more observations (e.g., rain gauges, disdrometers, etc) and the latter requires skilled staff time.

2.2.2 Advances in Atmospheric and Hydrologic Modeling

CW3E runs a forecast model (West-WRF) that is customized for major West Coast storms and because of this, it is the most skillful model for precipitation across this region ([Delle Monache et al. 2025](#)). CW3E has the capacity to experimentally run a version of West-WRF at 1-km and 15-min resolution (a very high level of spatial detail; see Figure 3) across the AQPI region. This project provides funding which, leveraging other programs, can support running this version of West-WRF operationally during the wet season. It is also possible that a 10-member ensemble of this 1-km West-WRF run can be produced within the next 1-2 years, improving our ability to provide probabilistic forecasts with very fine detail.

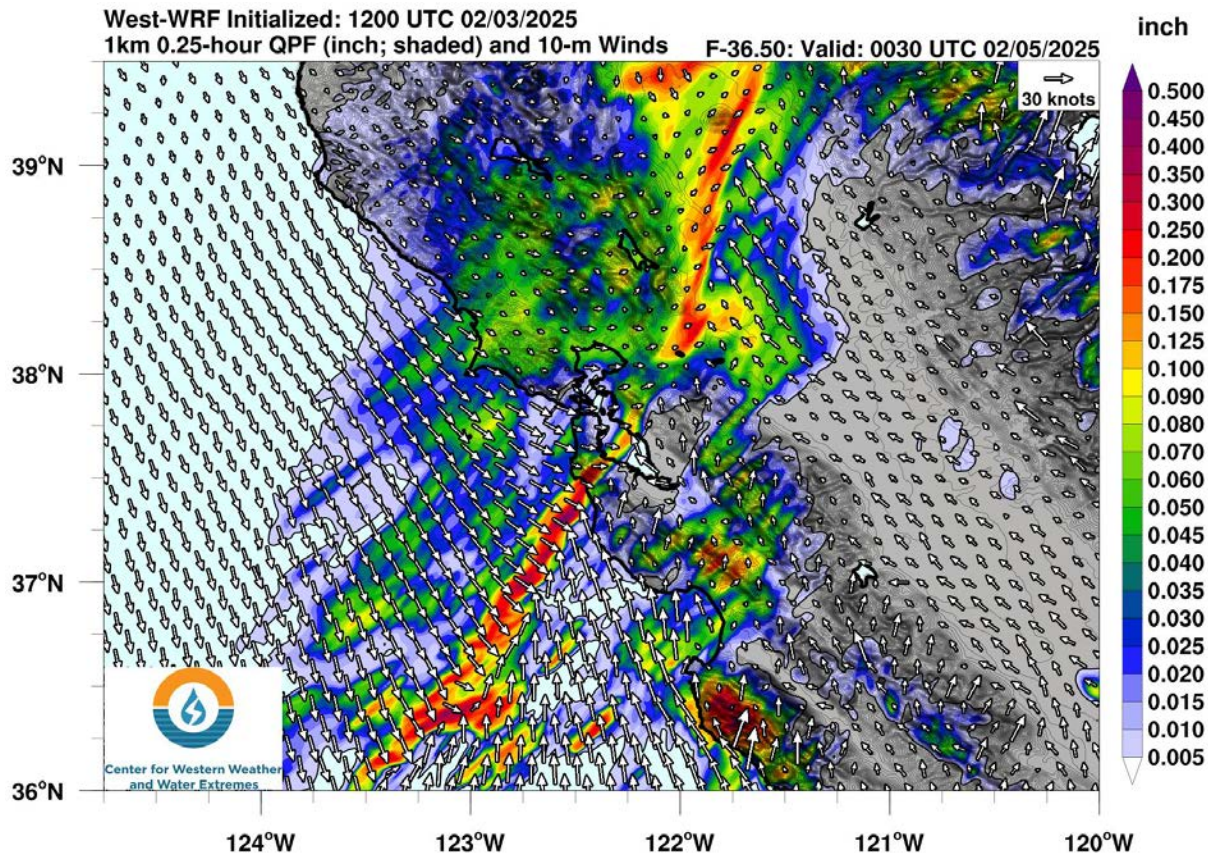


Figure 3: West-WRF 1-km forecast for 15-min precipitation, at 36.5-hr lead time, ending 4:30pm PT 5 Feb 2025. Note the intense precipitation band was forecast remarkably well by the model.

CW3E is also pursuing advances in hydrologic modeling that will benefit AQPI partners. While currently in the initial planning stages, the ultimate goal of this effort is the development of rapidly updating and skillful streamflow forecasts focused on the small, flashy watersheds of the Bay Area. Additionally, we will work toward high-resolution rain gauge QC across the area to provide better assessment of AQPI radar performance.

2.2.3 Improvements in Data Display and Delivery

One critical aspect of AQPI is the rapid and reliable delivery of real-time information to users. CW3E does this primarily through the [AQPI User Interface](#), which currently provides data integration and visualization, and through other methods (e.g., web-based csv files) for data delivery. The process of improvement here is continual – adding new features to the interface, and developing more sophisticated, yet easy-to-use methods of data delivery, as well as future development of modules that can generate user-customized forecasts based on AQPI data.

2.2.4. New Decision Support Tools

Finally, CW3E plans to continually develop new decision-support tools driven by advances in modeling and stakeholder needs. One near-term example is the development of a seamless

precipitation time series that incorporates radar-based observations, a short-term forecast based on the CSU/CIRA Nowcast, and a long-term forecast based on the NWS National Blend of Models (NBM). Another example is automated alerting based on these time series. Future objectives will emerge as the program matures. These tools are hosted at the [AQPI User Interface](#), which we have developed to integrate observations, radar data, radar-derived tools such as the Nowcast, and longer-range forecasts into a “one stop shop” for AQPI partners.

3. Project Costs

A 10-year project cost projection is included as part of this agreement. This cost projection is adjusted annually for inflation following estimates by UCSD, CSU, and the CW3E program manager (see Section 5.1). The total yearly projected costs are considered binding, but spend plan allocations can change between years (see Section 5.3), particularly with regard to one-time expenses (see Section 5.2).

3.1. Annual Adjustments for Inflation

This agreement includes annual adjustments for inflation, which are necessary to preserve project effectiveness over a 10-year time period. The annual adjustment for inflation is a combination of UCSD and CSU/CIRA projections for salary increases, CSU projections for radar O&M cost increases, and the CW3E program manager’s assessment of future equipment, leases/utilities, and computing cost increases, and works out to an increase of roughly 4% per year. This is in alignment with the average U.S. inflation rate of 4.2% over the past 5 years (2020–2024).

3.2 One-Time Expenses

The project will occasionally require larger one-time expenses for items such as new observational equipment, data servers, and data storage, and the annual spend plan reflects these costs. For example, sometime around Year 4 or Year 5, the current data server will need to be replaced and storage upgraded at a cost of ~\$70K (2025 dollars). These one-time expenses will alter spend plan allocations in those years, but not the total annual budget, while leveraging other programs will enable continuous work towards program goals. Because these purchases will be made on an approximately every-other-year basis, including Year 1, they are listed in the budget for “odd years” (1,3,5,7,9). In “even” years, this portion of the budget will support staff time pursuant of other program goals. The CW3E program manager will monitor the need for these one-time expenses, keep partners informed, and describe any purchases as part of the annual spend plan modifications (see Section 5.3).

3.3. Annual Spend Plan Modifications

As part of this agreement, the program manager at CW3E will perform the following tasks annually:

- Review the current annual goals, alignment with long-term objectives, and spend plan, and highlight any changes for the following year(s) (Winter/Spring)

- Solicit and consider input on the above listed items from the AQPI partners (Spring)
- Finalize the following year's goals, alignment with long-term objectives, and spend plan (Spring)

This structure provides both accountability to the AQPI partners and flexibility in pursuing short-term goals associated with program enhancements. For example, partners may advocate for more spending on streamflow modeling or web development, which could be ramped up, or a one-time expense for data storage may need to be met. The CW3E program manager will strive for overall long-term consistency in meeting objectives while using this agility to manage changing priorities.

3.4. Additional Partners

The AQPI partners and CW3E program manager will work together to develop new cost-sharing partners, which will proportionately reduce existing partners' cost shares.

4. Decision Making Responsibility

The CW3E project manager has final responsibility for all decisions related to short-term objectives, long-term goals, and annual spend plans, subject to the annual budget as described in Section 5. In making these decisions, the CW3E program manager seeks input from local partners, CW3E leadership, CSU/CIRA leadership, and other experts as necessary. Decisions are made with a focus on benefiting the operations of local partners, whose boards vote annually on continued support for the program.

5. Annual Reporting

The CW3E program manager will be responsible for annual reporting functions. Reporting will focus on overall performance of the AQPI system, success in meeting annual short-term objectives, and any major challenges encountered. Reporting will consist of two components:

- An executive-level summary document for partners (Spring)
- A virtual presentation for partners (enabling max attendance) (Spring)
 - *Includes an opportunity for program partners to provide input on successes, challenges, and requested program enhancements. These partner comments will be influential in setting short-term objectives, long-term goals, and alignment with annual spend plans (see Section 5.3).*

6. Specific Objectives FY 26-27 (1 Jul 2026 – 30 Jun 2027)

This section describes the specific short-term objectives for Year 1 of the project (FY 26-27). Some of these objectives will remain unchanged in future years, while some will be modified or replaced as the program evolves. These changes will always be communicated to local partners as part of the annual reporting process. However, these goals will always align in with supporting ongoing radar operations and program enhancements.

- 1) Continue to support ongoing radar operations through agreement with CSU/CIRA.
- 2) Develop a long-term strategy for systematic improvement of QPE estimates.
- 3) Produce operational (i.e., routine) 1-km West-WRF runs across the Greater San Francisco Bay Area during the wet season (Nov-Mar)
- 4) Demonstrate ability to experimentally produce a 10-member ensemble of the 1-km West-WRF runs across the Greater San Francisco Bay Area during the wet season (Nov-Mar)
- 5) Make demonstrable progress towards the hydrologic modeling goal of rapidly-updating and skillful streamflow forecasts focused on the small, flashy watersheds of the Bay Area.
- 6) Improve a “seamless” point-based precipitation time series that incorporates radar-based observations, a short-term forecast based on the CSU/CIRA Nowcast, and a long-term forecast based on the NWS National Blend of Models (NBM).
- 7) Develop automated alerting capability (e.g., user-selected points expected to exceed 3” of rain in 6 hours) based on partner needs and feedback.

7. Key Personnel and Groups

J. Rutz (Key Person): The CW3E program manager, responsible for overall project management including implementation, schedule, personnel, and budget. Provides subject matter expertise related to all goals.

V. Chandrasekar (Key Person): Responsible for CSU/CIRA group subawarded for radar operations and maintenance.

F. M. Ralph (Key Person): Director of CW3E; responsible for overall project oversight and coordination at CW3E.

Local Partners (Group): Local entities providing annual financial contributions to this project.

SPONSORED RESEARCH AGREEMENT, No.

This Agreement is made by and between XXX ("Sponsor") with offices at XXX, and The Regents of the University of California, a California Corporation having its principal office at 1111 Franklin Street, 5th floor, Oakland, California 94607-5200, on behalf of Scripps Institution of Oceanography at the University of California, San Diego campus ("UCSD") located at 9500 Gilman Drive, La Jolla, California 92093-0210. Sponsor and UCSD shall each be referred to as a "Party" or, collectively, as "Parties".

WHEREAS, it is in the mutual interest of Sponsor and University that research be conducted on a project entitled "XXX" ("Research Program");

WHEREAS, Sponsor desires to financially support said Research Program at University;

NOW, THEREFORE, the parties agree as follows:

1 RESEARCH PROGRAM DESCRIPTORS

Principal Investigator:

Agreement Type: Cost-Reimbursement

Begin Date:

End Date:

Total Funded Amount (currently obligated amount):

2 DEFINITIONS

- 2.1 Research Program. Research Program means the research to be performed as set forth in Exhibit A.
- 2.2 Confidential Information. All documents, information, materials and data provided by one Party to the other and marked as such shall be considered confidential information ("Confidential Information") except as follows. Confidential Information of a Party shall not include any information that: i) is already known by or available to the receiving Party without a confidentiality obligation; ii) is publicly known or available from other sources who are not under a confidentiality obligation to the source of the information; iii) has been made available by its owners to others without a confidentiality obligation; iv) is independently developed by or on behalf of the other Party without reference or access to Confidential Information; or v) relates to potential hazards or cautionary warnings associated with the performance of this Research Program/Statement of Work, or is required to be disclosed under operation of law.
- 2.3 Principal Investigator or Co Principal Investigator (PI). The research is to be conducted by University under the direction of the PI identified in paragraph 1 who will be responsible for the direction of the Research Program, including all budgeting and revisions to the Budget, in accordance with applicable University policies.
- 2.4 Technology. Technology means all tangible materials, inventions, works of authorship, software, information, and data conceived and developed in the performance of the Research Program and funded under this Agreement.
- 2.5 Period of Performance. The Research Program Period of Performance includes the Start Date and the End Date and the time in between.

- 3 **RESEARCH PROGRAM** - The Research Program shall be conducted in accordance with the Research Proposal UCSD 2014- XXX (Exhibit A) attached hereto and incorporated into this

Agreement by this reference solely for the purpose of describing the scope of work to be performed under this Agreement. The Research Program shall be carried out during the Period of Performance unless sooner terminated as herein provided.

- 4 **BUDGET** - Sponsor shall support the Research Program by an award of XXX U.S. Dollars. The award amount shall cover all direct and indirect costs of the Research Program, as set forth in the Budget attached to the Research Proposal. If at any time University has reason to believe that the cost of the Research Program will be greater than the amount budgeted, University shall notify Sponsor in writing to that effect, providing a revised budget of the cost of completion of the Research Program. Sponsor shall not be obligated to reimburse University for the costs incurred in excess of the Total Funded Amount and until Sponsor has notified University in writing that the revised budget is accepted. UCSD has the authority to rebudget Costs from time to time, at the discretion of the PI, as long as the rebudgeting is consistent with the goals of the Research Program. Upon expenditure of the accepted budget amount, University's obligation to continue performance of the Research Program shall cease. If the Research Program period is more than one year, the balance of any funds remaining at the end of any Research Program year can be carried over to subsequent years during the period of the Agreement to support the Research Program. At the end of the Research Program, if there is a balance owed to Sponsor of \$100 or less, UCSD may keep the balance. Any amounts over \$100 will be returned to Sponsor unless the parties agree otherwise. UCSD will provide its customary final financial report upon Sponsor's written request.
- 5 **Fixed-Price Agreement.** If this Agreement is designated as "Fixed Price," Sponsor will pay UCSD the Cost indicated on Page 1. The Parties estimate that the Cost is sufficient to support the Research Program. UCSD may submit to Sponsor a revised budget requesting additional funds if Sponsor requests a change in the Research Program scope of work. Sponsor will not be liable for any payment in excess of the Cost except upon Sponsor's written agreement. UCSD has the authority to rebudget costs at the discretion of the Principal Investigator, as long as the rebudgeting is consistent with the goals of the Research Program. Sponsor is not entitled to any refund of funds not spent if all Research Program commitments have been met. UCSD will provide its customary final financial report upon Sponsor's written request.
- 6 **TAXES.** UCSD is a nonprofit 501(c) (3) corporation. Sponsor agrees that if this Agreement is subject to taxation by any governmental authority, Sponsor will pay these taxes in full. UCSD will have no liability for the payment of these taxes.
- 7 **SCIENTIFIC RESEARCH.**
 - 7.1 **No Guarantee.** Sponsor acknowledges that the Research Program is a scientific undertaking and, consequently, UCSD will not guarantee any particular outcome or specific yield.
 - 7.2 **No Warranties.** UCSD provides Sponsor the rights granted in this Agreement AS IS and WITH ALL FAULTS. UCSD makes no representations and extends no warranties of any kind, either express or implied. Among other things, UCSD disclaims any express or implied warranty:
 - (a) of merchantability, of fitness for a particular purpose,
 - (b) of non-infringement or
 - (c) arising out of any course of dealing.

- 7.3 Animal Studies. UCSD does not conduct animal studies that are intended to support applications for research or marketing permits for FDA-regulated products (as described in Title 21, Code of Federal Regulations (CFR) Part 58-Good Laboratory Practice (GLP) for Nonclinical Laboratory Studies).
- 7.4 Export Control. Neither Party shall provide export controlled information or material to the other Party without formal modification of this provision. The Parties agree that it is not anticipated that any report or deliverable will be export controlled. Should the Parties discover otherwise, the Parties may terminate this agreement or seek a mutual amendment to this provision and shall nevertheless at all times shall agree to comply with all U.S. export laws and regulations.
- 8 **FREEDOM OF RESEARCH.** This Agreement does not limit the freedom of individuals participating in this Research Program to engage in any other research.
- 9 **PAYMENT** - Sponsor shall reimburse the University not more often than monthly for allowable costs. The University shall mail invoices to: The University shall mail invoices to:

SPONSOR's ADDRESS:

SPONSOR's EMAIL ADDRESS:

Payment may be made by check, ACH or wire transfer. When payment is made an email notification shall be sent to emfcashmgt@ucsd.edu.

Checks shall be made payable to "The Regents of the University of California" and sent to the following address:

UCSD Campus Main Depository
P.O. Box 741539
Los Angeles, CA 90074-1539

Note that the Routing Number is different for ACHs and wire transfers.

Payment via ACH (preferred method) bank information:

Receiving bank name: Bank of America, NA

Receiving bank address:

Bank of America, NA

P.O. Box 37025

San Francisco, CA 94137, USA

Account number: 1233018188

Routing (ABA) number: 0260-0959-3

Account name: Regents of the University of California, San Diego

ACH preferred format: CTX

Type of Account: Checking

Payment via wire transfer bank information:

Receiving bank name: Bank of America, NA

Receiving bank address:

Bank of America, NA

100 West 33rd Street

New York, NY 10001, USA

Account number: 1233018188

Routing (ABA) number: 0260-0959-3

CHIPS address: 0959

SWIFT address: BOFAUS3N

Account name: Regents of the University of California, San Diego

Type of Account: Checking

Each payment shall be identified by providing the following information:

UCSD fund number or contract/ grant number

AR ISIS account number and invoice number

Principal investigator, department name, department contact name

Any other information that will facilitate the identification of the payment (for payment by check, include a copy of the invoice)

Exact amount of incoming funds

Sponsor shall have sixty (60) days from the completion of the Research Program to request that University provide a report of expenditures shown by major cost categories.

- 10 **REPORTS/DELIVERABLES** – The PI will submit a final (technical) report to the Sponsor within 90 days of the End Date if a final (technical) report was proposed in Exhibit A. The report will summarize the Research Program accomplishments and significant research findings. **There are no additional deliverables for this Research Program.** Sponsor understands and agrees that such final report content, data, and/or other deliverables are provided “as is” and thus, Sponsor uses such at its own risk. UCSD extends no warranties of any kind, either express or implied, including but not limited to, warranties of merchantability and fitness for a particular purpose.

- 10.1 **CONFIDENTIAL INFORMATION** - Subject to the Disclosure, Technology, and Patent Rights paragraph of this Agreement, it is the intent of the Parties that neither Party shall furnish any information considered confidential and/or proprietary by it and/or one or more third parties to the other Party in connection with this Agreement except as required by law. Where Confidential Information is disclosed, the receiving Party shall have a duty to protect only Confidential Information disclosed by the disclosing Party which is either: (a) in writing and marked as confidential at the time of disclosure, or (b) disclosed orally or visually and summarized and designated as confidential in a written memorandum delivered to the receiving Party within 30 days of disclosure, and, in the instance of Confidential Information provided to UCSD, it must not only be marked but it must also be delivered only to UCSD's PI or _____, if specified here. In consideration of the disclosure of any Confidential Information, the other Party agrees that, for a period of three years from the effective date of this agreement, it will take reasonable precautions as normally taken with the its own confidential and proprietary information.

- 11 **RIGHTS IN DATA** - University shall have the right to copyright, publish, disclose, disseminate and use, in whole and in part, any data and information developed under this Agreement. Subject to paragraph 2.2 Confidential Information, University shall have the right to publish, disclose, disseminate and use, in whole and in part, any data and information disclosed to it by Sponsor under this Agreement. Subject to the terms of the Confidential Information, Publication, Use of Name and Disclosure, Technology, and Patent Rights provisions of this Agreement, Sponsor shall have the right to disclose, publish and use the reports and deliverables identified in the relevant paragraph and delivered hereunder to Sponsor by UCSD. However, under no circumstances will Sponsor state or imply in any publication or other published announcement that UCSD has tested, endorsed or approved any product, service or company.
- 12 **USE OF NAME/PUBLICITY** – Neither Party shall use the name, logo, or marks of the other Party, nor the name of any faculty member, employee, researcher, or student of the other Party, in connection with any product, service, promotion, news release, advertisement or other publicity without the prior written permission of the other Party and, if an individual's name be concerned, of that individual. The foregoing prohibition shall not include the transmission of such information to UC's Regents, Advisory Boards, legal counsel or any of their other internal formal boards or committees of either Party; any historically public accounting of funding sources; any listing by a PI, student or employee in a CV or resume in job-seeking or in documenting "other sources" of support or research experience while proposing other funding for research.
- 13 **PUBLICATION, FUNDAMENTAL RESEARCH, ACKNOWLEDGMENT, AND DISCLAIMER** - The basic objective of research activities at UCSD is the generation of new knowledge and its expeditious dissemination for the public's benefit. As a matter of basic academic policy, UCSD retains the right at its discretion to present and publish freely any results of the Research Program to the extent such results do not contain Confidential Information of Sponsor. Sponsor will provide all reasonable cooperation with UCSD in meeting this objective. UCSD shall have the right to present and publish the results of the work conducted by UCSD under this Agreement to the extent such results do not contain Confidential Information of Sponsor. UCSD shall, upon request, provide Sponsor the opportunity to review any proposed manuscripts describing said work thirty (30) days prior to submission for publication. Sponsor may review the manuscript or publication for disclosure of Sponsor's Confidential Information or for potentially patentable Subject inventions within 30 days. If Sponsor notifies UCSD that such submission would cause the loss of significant foreign patent rights, University will, at its option, either delete the enabling portion of the proposed publication, or withhold publication for sixty (60) days until U.S. patent filings are completed, but only to the extent that Sponsor agrees to reimburse University for costs associated with such patent applications and subsequent prosecutions. UCSD will acknowledge the Sponsor in resulting publications for its sponsorship of the Research Program. **Sponsor does not request any disclaimers.**
- 14 **DISCLOSURE, TECHNOLOGY, AND PATENT RIGHTS** -
- 14.1 **Sponsor Technology** - All rights to Technology, including software, made solely by Sponsor shall belong to Sponsor and shall be disposed of in accordance with Sponsor policy.
- 14.2 **University Technology** - All rights to Technology, including software, made solely by UCSD shall belong to the University and shall be disposed of in accordance with University policy.

- 14.3 Joint Technology - All rights to Technology, including software, made jointly by University and Sponsor shall be jointly-owned.
- 14.4 Subject Inventions. Inventorship of patentable developments or discoveries first conceived and actually reduced to practice in the performance of this Agreement (“Subject Inventions”) will be determined in accordance with applicable U.S. Patent Law and UCSD policy.
- 14.5 Time-Limited, First Right to Negotiate. To the extent that the University has the legal right to do so, and provided Sponsor pays all direct and indirect costs of the Research Program including a proportionate share of all research salaries and benefits, Sponsor will have, in accordance with the provisions of the following paragraph, a time-limited first right to negotiate a commercial, royalty-bearing license, to make, use, and sell any UCSD-owned Subject Invention, for the term of any patent thereon.
- 14.6 Disclosure. UCSD shall promptly disclose to Sponsor any Subject Inventions arising under this Agreement for which it is a sole or joint inventor. To the extent that Sponsor is collaborating with UCSD or engaging in iterative or alternating work with UCSD, whether or not reflected in this Agreement or associated statement of work or proposal, Sponsor shall also promptly disclose to UCSD any Subject Inventions arising under this Agreement. The receiving Party shall hold such disclosure on a confidential basis and will not disclose the information to any third party without consent of the disclosing Party. Sponsor shall advise University in writing within 60 days of disclosure to the Sponsor whether or not it wishes to secure a an option or license to UCSD’s interest in the disclosed Subject Invention (“Election Period”). If Sponsor elects to secure a license, the Sponsor shall assume all costs associated with patent filing, prosecuting and maintaining patent protection for such Inventions whether or not a patent ultimately issues. Sponsor shall have 90 days from the date of election to conclude such license or option agreement with UCSD (“Negotiation Period”). Such period may be extended by mutual agreement. Said license shall contain reasonable terms, shall require diligent performance by the Sponsor for the timely commercial development and early marketing of applicable Subject Invention(s), and include the Sponsor’s continuing obligation to pay patent costs. In the event it is necessary in the opinion of UCSD to file any patent applications to protect a Subject Invention during the Election or Negotiation Periods, Sponsor will reimburse patent costs incurred by UCSD during such periods(s). If such option or license negotiation is not concluded within the Negotiation Period or if Sponsor does not notify UCSD of its wish to secure an option or license within the Election Period, neither Party will have any further obligation to the other with respect to UCSD’s interest in the disclosed Subject Invention and the rights to such Subject Invention(s) disclosed hereunder shall be disposed of in accordance with University policies. Nothing herein shall prevent UCSD from filing a patent application at its own discretion and expense.
- 14.7 Foreign-Filing Election. Notwithstanding any other provisions establishing or extending time, Sponsor must notify UCSD of those countries outside the United States in which it desires a license in sufficient time for UCSD to satisfy the patent-law requirements of those countries. Sponsor will reimburse UCSD for out-of-pocket costs for those filings, including patent filing, prosecution, and maintenance fees.
- 14.8 Disclaimer. Nothing in this Agreement is or shall be construed as conferring by implication, estoppel, or otherwise any license or rights under any patents or other rights of UCSD and/or The Regents of the University of California.

- 14.9 **Copyright.** Copyright in original works of authorship, including computer software, first created and fixed in a tangible medium of expression by UCSD in the performance of this Agreement will vest in UCSD. At Sponsor's request and to the extent that University has the legal right to do so, University will grant to Sponsor a license to University's interest in such works on reasonable terms and conditions, including reasonable royalties, as the Parties mutually agree in a separate writing. However, as with the preceding subsection, Sponsor shall advise UCSD in writing within 60 days of disclosure to the Sponsor whether or not it wishes to negotiate a license and the Sponsor shall then have 90 days from the date of election to conclude a license or option agreement with UCSD.
- 14.10 **Background and Other Intellectual Property.** For the avoidance of doubt, all intellectual property developed outside of this Agreement shall remain the property of its owner. Except as explicitly provided in this Agreement, neither Party receives any right to the other's intellectual property developed outside of this Agreement.
- 15 **INDEMNIFICATION** – Each Party (the "Indemnifying Party") shall defend, indemnify, and hold the other Party, its officers, employees, and agents harmless from and against any and all liability, loss, expense (including reasonable attorneys' fees), or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the Indemnifying Party, its officers, employees or agents.
- 16 **EXPENDABLES, SUPPLIES AND EQUIPMENT** - Ownership and title shall vest in UCSD for all expendables, supplies and/or equipment purchased or fabricated to perform the Research Program.
- 17 **EXCUSABLE DELAYS** - In the event of a delay caused by inclement weather, fire, flood, strike or other labor dispute, act of God, act of governmental officials or agencies, or any other cause beyond the control of University, University shall be excused from performance hereunder for the period of time attributable to such delay, which may extend beyond the time lost due to one or more of the causes mentioned above. In the event of any such delay, this Agreement may be revised by changing the Budget, performance period and other provisions, as appropriate, by mutual agreement of the parties.
- 18 **NOTICE** - Whenever any notice is to be given hereunder, it shall be in writing and sent to the following address:

University: Judy Cheng
(U.S. Mail) Office of Contract and Grant Administration
Scripps Institution of Oceanography
University of California, San Diego
La Jolla, California 92093-0210

(email, preferred) judycheng@ucsd.edu

for courier delivery:
Judy Cheng

Office of Contract and Grant Administration
Scripps Institution of Oceanography
116 Scripps Building
8622 Charles F. Kennel Way (formerly Discovery Way)
La Jolla, California 92037

Sponsor:

19 **EARLY TERMINATION**

- 19.1 Either Party may terminate this Agreement upon 30 days' written notice directed to the appropriate individual named in the Notice paragraph of this Agreement. If this Agreement is terminated before the End Date, Sponsor will pay the reasonable cost incurred by UCSD in winding down and terminating the Research Program, including the Cost of the Research Program during the wind-down period and all costs and non-cancelable commitments incurred before termination. Such obligations may include, but are not limited to, salary and fringe benefits (including vacation accrual) of personnel engaged on the Research Program during their severance period; purchase orders and other agreements with outside vendors which cannot be canceled; inventory storage and disposition costs for items produced under this Agreement; and indirect costs associated with these obligations. In addition, UCSD shall also be reimbursed for additional costs, which may be incurred as a result of termination, including reasonable clerical and accounting costs. UCSD shall try to limit or terminate any outstanding commitments. If any UCSD student is supported under this Agreement, Sponsor will remain responsible for the full cost of the student support through the end of the academic quarter in which this Agreement is terminated. After termination, UCSD will submit a final report of all Costs incurred and all funds received under this Agreement within 90 days. The report will be accompanied by a check for funds remaining after allowable Costs and non-cancelable commitments have been paid or a final invoice for settlement of all costs to be reimbursed.
- 19.2 UCSD reserves the right to cease performance and terminate this Agreement immediately if Sponsor fails to pay any invoice within 60 days of receipt.

20 **General Provisions.**

- 20.1 **Independent Contractors.** UCSD and Sponsor are independent contractors and neither is an agent, joint venturer, or partner of the other.
- 20.2 **Assignment.** Neither Party may assign this Agreement without the prior written consent of the other Party.
- 20.3 **Purchase Orders.** To the extent any conflict arises between the terms of this Agreement and the terms of any purchase order issued by the Sponsor, the terms of this Agreement shall govern and those of the PO shall have no effect.
- 20.4 **Prevailing Terms.** In the event of any inconsistency between the terms of this Agreement and the documents referenced or incorporated into this Agreement, the terms of this Agreement prevail.

- 20.5 Entire Agreement. This Agreement represents the entire agreement and understanding between the parties with respect to its subject matter. It supersedes all prior or contemporaneous discussions, representations, or agreements, whether written or oral, of the parties regarding this subject matter.
- 20.6 Non Discrimination. UCSD shall follow its normal employment policies, which prohibit discrimination against any employee or applicant for employment on the basis of race, color, creed, religion, national origin, sexual preference, marital status, age, sex, or handicap (except where bona fide occupational qualification so requires), with respect to this Agreement. Qualified individuals will not be denied the opportunity to contribute to the work to be conducted at UCSD under this Agreement on those bases or on the basis of citizenship.
- 20.7 Governing Law. This Agreement is governed by the laws of the State of California, without regard to its conflict of laws doctrine. Any legal action involving this Agreement or the Research Program will be adjudicated in the State of California.
- 20.8 Electronic Copies, Signatures, and Amendments or Changes. The parties agree that a copy of the original signature (including an electronic copy) may be used for any and all purposes for which the original signature may have been used. For purposes of this Agreement and any subsequent modifications, "original signature" shall include an ink or electronic signature. The parties further waive any right to challenge the admissibility or authenticity of this Agreement in a court of law based solely on the absence of an original signature and/or original document. This provision shall be upheld and shall survive termination of the agreement for a period of 5 years for purposes of establishing validity of this Agreement (including amendments) regardless of any choice of law determination made by a court or other authority. Amendments or changes to this Agreement must be in writing and signed by the parties' authorized representatives.
- 20.9 Counterparts. This Agreement and any amendment to it may be executed in counterparts and all of these counterparts together shall be deemed to constitute one and the same agreement.

The following authorized Party representatives have executed this Agreement, including all its terms and conditions.

THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA

XXX

By: _____
(signature)

By: _____
(signature)

Name:
Title:

Name: _____
Title: _____

Date: _____

Date: _____

2020-STRATEGIC PLAN

Bay Area Clean Water Agencies

Updated ~~January, 2022~~ December 2025

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~~ the 2024 Watershed Permit and coordinate regional strategy for nutrient reduction.
- **Objective 4** - Position BACWA to negotiate for successful ~~4th~~reissuance of the 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 future permits.

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 ~~Air District 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~~ Support with the Bay Area Biosolids Coalition's 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~~ Engage with changes to water quality regulations by reviewing proposed state and federal water quality criteria, and by working with the Regional Water Board on Basin Plan amendments, TMDLs, 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/CalRecycle](#) members and staff regarding clean water agencies' opportunities. Identify and develop a common understanding of mutual priorities.
- **Objective 4** – Work with ~~BAAQMD~~ [Air District](#) 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 community engagement, and equity and 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~~ 2024 Nutrient Watershed Permit so that BACWA's position reflects the interests of our members.
- **Objective 3** – Provide forums and opportunities for members to develop professional relationships, share information, build community, and collaborate ~~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 2-1** – Continue administration of the Bay Area Chemical Consortium (BACC).
- **Objective 3-2** – Support Bay Area Consortium for Water/Wastewater Education (BACWWE) ~~as they transition to a scholarship-based system~~ and their continued collaboration with BAYWORK.
- **Objective 4-3** – 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.

ITEM NO. P5 BROWN ACT REVIEW

Recommendation

Receive and review the foregoing updates to the Brown Act.

Strategic Plan Linkage

4. **Sustained Organization:** Sustain a functional, productive, resilient organization to ensure EBDA can strive to achieve its Mission and Vision.
 - a. Foster partnership between the Commission and staff to jointly achieve EBDA's Mission and Vision.
6. **Internal Collaboration:** Expand cooperation among EBDA Member Agencies to improve economies of scale, reduce duplication of effort, and enhance each Agency's capacity.
 - a. Engage in proactive communication with Commission and Managers Advisory Committee (MAC).

Background

The Ralph M. Brown Act ("Brown Act" or "Act") (Gov. Code section 54950 et seq.), governs the public's rights to attend and participate in meetings of local legislative bodies, and provides procedural requirements for such meetings. The Brown Act is updated from time to time by the State legislature, or Gubernatorial Orders. The Personnel Committee annually reviews the Ralph M. Brown Act for changes that may have an effect on how EBDA conducts its Committee and Commission meetings.

The Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. Beginning in 2021, the California Legislature codified revised standards for remote participation to accommodate teleconferencing as a public health measure during the COVID-19 pandemic. This includes, but is not limited to, Assembly Bill ("AB") 2449 (2022) which authorizes a member of a legislative body to participate in a public meeting remotely if "emergency circumstances" or "just cause" exists. These rules are set to expire on January 1, 2026.

Discussion

In anticipation of the expiration of the temporary remote meeting provisions enacted during and after the pandemic, the California Legislature has enacted comprehensive changes to the Brown Act under Senate Bill ("SB") 707 (Durazo). SB 707 was signed into law by Governor Newsom on October 3, 2025.

SB 707 creates significant updates to the Brown Act effective July 1, 2026, that require two-way teleconferencing in most public meetings and sets forth other mandates modernizing California's open meeting laws in efforts to expand public participation and access, especially for individuals who are disabled, are working, or are not English-speaking. This report provides an overview of key provisions of SB 707 that will take effect July 1, 2026.

EBDA Must Be An “Eligible Legislative Body” To Be Subject to All Provisions of SB 707

It is important to note that not all provisions of SB 707 apply to EBDA. Certain provisions under SB 707 apply only to “eligible legislative bodies” as defined by the statute. SB 707 defines “eligible legislative body” as a new section to the Government Code, Government Code Section 54953.4 (e)(2), as follows:

- A. A city council of a city with a population of 30,000 or more.
- B. A county board of supervisors of a county, or city and county, with a population of 30,000 or more.
- C. A city council of a city located in a county with a population of 600,000 or more.
- D. The board of directors of a special district that has an internet website and meets any of the following conditions:
 - a. The boundaries of the special district include the entirety of a county with a population of 600,000 or more, and the special district has over 200 full-time equivalent employees.
 - b. The special district has over 1,000 full-time equivalent employees.
 - c. The special district has annual revenues, based on the most recent Financial Transaction Report data published by the California State Controller, that exceed four hundred million dollars (\$400,000,000), adjusted annually for inflation commencing January 1, 2027, as measured by the percentage change in the California Consumer Price Index from January 1 of the prior year to January 1 of the current year, and the special district employs over 200 full-time equivalent employees.

As applicable here, Section D applies if EBDA meets any of the conditions set forth in subsections (a) through (c) above. If the definition of “full-time equivalent employees” is interpreted such that it excludes the employees of any of the Authority’s participating agencies, EBDA does not meet these conditions because it has less than 200 employees. Even if “full-time equivalent employees” is interpreted such that it includes the employees of the Authority’s participating agencies, EBDA does not meet these conditions because the number of employees would not exceed 1,000 and the Authority’s annual revenue does not exceed \$400,000,000. Thus, EBDA is unlikely to be an eligible legislative body subject to most provisions of SB 707.

Provisions of SB 707 That Apply to EBDA and All Agencies

The following provisions of SB 707 will apply to the EBDA Commission and Committees if SB 707:

1. Updated Social Media Rules

The Brown Act prohibits a majority of the members of a legislative body from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. An exception currently exists that allows members of a legislative body to use social media for communication with constituents without violating meeting rules, if a majority of members do not use it to discuss business amongst themselves. The exception is currently set to expire January 1, 2026. SB 707 will make this exception permanent.

To comply with this exception, Commission and Committee members may use social media to communicate with constituents without violating the Brown Act, but members cannot use social media platforms to communicate with other Commission or Committee members regarding any item of business that is within the jurisdiction of EBDA.

2. Oral Report Out Following Closed-Session

As stated above, the Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. Existing law authorizes a legislative body to hold a closed session only as specified by statute. One such ground relates to matters by designated representative to discuss the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees. (Govt. Code §54957.6.) Such closed session cannot be held during a special meeting. (Govt. Code § 54956(b).) Legislative bodies are then required to announce actions taken in closed sessions during the open meeting in which the final action is to be taken. SB 707 revises and expands on this existing law in the following ways:

- Executive compensation: SB 707 requires an oral report summarizing the recommendation made in closed session before final action can be taken on compensation for a local agency executive.
- Unrepresented employees: SB 707 specifically extends this oral report-out requirement to include unrepresented employees or a department head, requiring that a summary of the compensation recommendation be reported orally before final action is taken.
- Fiscal impact of closed session actions: In addition to reporting the title of a position affected by a closed session action, the new law requires the oral report include an estimate of the fiscal impact of that action.

3. Brown Act Material

SB 707 amends previous law, which only authorized a legislative body to require a copy of the Brown Act be given to any person elected or appointed to a legislative body, to make it a requirement for the local agency. EBDA staff will ensure a copy of the Act is given to each newly appointed Commissioner.

4. Remote Participation

Beginning in 2021, the Legislature codified revised standards for remote participation to accommodate teleconferencing as a public health measure during the COVID-19 pandemic. In particular, AB 2449 (2022) permitted members of Brown Act bodies to participate remotely for (1) “just cause,” defined as the need to provide care to a child or close relation, having a contagious illness, needs related to a physical or mental disability,

or being on official travel for the agency; or (2) “emergency circumstances,” which include physical or family emergencies that prevent a member from attending.

Effective September 13, 2022, AB 2449 authorized a member of a legislative body to participate in a public meeting remotely if “emergency circumstances” or “just cause” exists. AB 2449’s primary difference from the pre-pandemic Brown Act rules on teleconferencing is that the member’s teleconference location does not have to be identified on the agenda or accessible to the public.

AB 2302 (Addis), which took effect on January 1, 2025, clarified the limitations on the allowable maximum of remote participation with a formulation based upon the frequency with which the body meets rather than a specified number of meetings per year. AB 2302 currently limits the allowed number of remote appearances for members of Brown Act bodies to:

- Two times per year if the body regularly meets once per month or less;
- Five times per year if the body regularly meets twice per month; or
- Seven times per year if the body regularly meets three or more times per month.

SB 707 makes permanent the above provisions, which were scheduled to sunset effective January 1, 2026. It also extends the ability for Committee and Commission members to participate remotely by extending and expanding the “just cause” exception, which now includes illness, caregiving needs, or being immunocompromised.

5. Enhanced Public Access

- **Recording:** SB 707 removes the specific language which defines recording devices as “audio or video recorder or a still or motion picture camera” to allow for any recording device. By removing the restricted (and outdated) language specifying the types of recording devices, SB 707 expands the public’s right to record public proceedings.
- **Website:** Current laws mandate a website for only specified agencies and make it optional for others. SB 707 encourages public engagement by requiring all legislative bodies to maintain a public meeting webpage. This revision will have no practical impact on the Commission given EBDA’s current website practices and procedures.

Other Provisions of SB 707 That Will Not Apply to EBDA

The following is an overview of key provisions of SB 707 that apply only to eligible legislative bodies.

1. **Mandatory Virtual Access:** Eligible agencies must provide a way for the public to attend either through a two-way audio-visual platform or a two-way telephonic service with webcasting. This mandate will be effective from July 1, 2026, until January 1, 2030. Eligible agencies must also adopt a policy regarding disruption

of telephonic or internet services that occur during meetings which must include, among other terms, a procedure to recess the open session for at least one hour and make a good faith attempt to restore the service, before meetings can resume. To reconvene without remote access, the body must vote to find that the public interest in continuing the meeting outweighs remote access concerns.

2. Agenda translation: For eligible legislative bodies, agendas must be translated into "applicable languages." These languages are defined as the top three non-English languages spoken by 20% or more of the local population who speak English "less than very well". This mandate will be effective from July 1, 2026, until January 1, 2030.



Executive Director's Report to the Board September/October/November 2025

PRACTICE GOOD GOVERNANCE (STRATEGY PLAN GOAL 5)

EXECUTIVE BOARD MEETING AND SUPPORT

- Worked with BACWA staff to plan and manage 9/19 Executive Board meeting
- Conducted the Executive Board and special meeting agenda review with the BACWA Chair
- Hosted 9/19 Executive Board meeting and developed meeting notes
- Continued to track all action items to completion
- Planned and hosted Special Seminar with R2 on the Klamath, 9/4
- Planned and hosted Pardee Technical seminar (10/9-10)
- Planned and hosted joint meeting with Water Board (11/13)

FINANCE:

- Reviewed the monthly BACWA financial reports
- Reviewed and approved invoices

COMMITTEES:

- Planned and hosted BACWA Managers Roundtable (9/22)
- Attended BACWA O&M meeting (9/24)
- Attended BABC meeting (10/20)
- Attended Permits committee (10/14)
- Attended AIR committee (11/19)

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.
- Developed and responded to numerous emails and phone calls as part of the conduct of BACWA business on a day-to-day basis.
- Assisted member agency by serving on hiring panel
- Began review of BACWA Policies and Procedures with AED
- Met with CASQA to discuss staffing model

EXEMPLIFY SERVICE AND RESPONSIVENESS TO MEMBERS AND PUBLIC (STRATEGIC PLAN GOAL 4)

COMMUNICATIONS

- Met several times with Civic Edge, Slow Clap, and Comms Steering Committee to script Wastewater 101 video
- Hosted BABC meeting to address communications relating to biosolids and PFAS
- Discussed potential collaboration with SFEI for museum exhibits, and hosted meeting with potential presenters from member agencies (10/31)
- Worked with RPM in the preparation of the monthly BACWA Bulletin.
- Testified on Wastewater needs and priorities at Assembly Select Committee on Biotechnology (10/28)

PROJECTS OF SPECIAL BENEFIT:

BACC (BAY AREA CHEMICAL CONSORTIUM)

- Reviewed emails from members

BACWWE (BAY AREA COALITION FOR WATER/WASTEWATER EDUCATION)

- No update

FOSTER COLLABORATION AND RELATIONSHIP BUILDING WITH REGULATORS AND OTHER STAKEHOLDERS (STRATEGIC PLAN GOAL 2)

COLLABORATIONS:

- Attended monthly CASA SLC meetings
- Attended monthly CASA ACE meetings
- Attended monthly CASA RWG Biosolids Committee meetings
- Attended CASA funding meetings
- Attended SFSU Living Seawall workshop (9/16)
- Attended RMP Annual Meeting (10/15)
- Met with SFPUC staff to discuss SRF application coordination
- Prepared for and attended Green Science Policy Institute meeting on antimicrobials (10/7) and followed up with RMP staff, CASA, and BACWA member agencies
- Checked in with EPA on SF Bay Program Office funding for nutrient management
- Attended SFEP IC meeting (11/5)
- Attended State of the Estuary (10/28-29)
- Attended Clean Water Summit Partners meeting (11/20)

REGULATORY:

- Attended CASA Air Toxics meetings
- Participated in CASA Pooled Emissions SC meeting

- Discussed nutrient regulatory alternatives with regulators and consultants from outside of the region
- Met with AIR committee members to strategize engagement with Air District at implementation workgroup (10/17)
- Met with BACWA members to plan for engagement with Air District on Engineering Program Manager Pilot (10/22)
- Participated in Air District Implementation Workgroup meeting (10/20)
- Met with CASA and SFEI to discuss ideas for PFAS Strategy
- Met with Water Board (State, R2, R5) to discuss Statewide PFAS Strategy
- Met with SFEI/CASA to discuss potential Phase 3 PFAS Study questions
- Hosted PFAS Forum for BACWA member (11/14)

ASC (AQUATIC SCIENCE CENTER)

- Reviewed materials sent via email by ASC ED
- Attended ASC/SFEI Board meeting (10/3)
- Participated in interview with SFEI Auditor

ADVOCATE FOR REGULATION BASED ON SCIENCE (STRATEGIC PLAN GOAL 1)

NUTRIENTS:

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

- Participated in Colorado NWRI Nutrient Panel meetings
- Hosted BACWA NST meetings (9/3, 10/9)
- Attended monthly NMS PSC meetings
- Attended NMS Steering Committee (9/12, 11/14)
- Met with NMS Science Manager and R2 Staff on programmatic issues
- Met with individual agencies to discuss narrative on compliance schedule to present to Water Board staff at joint meeting
- Met with HDR to discuss updated GAR format
- Worked with HDR and CMG to develop 2026 RFI for Compliance Milestone reporting and Regional Plan
- Worked on updated science management questions
- Worked on edits for Compliance Schedule Basin Plan Amendment, met several times with Regional Water Board
- Met with member agencies and consultants to discuss nutrient permitting and permit compliance
- Discussed CEQA support MOU with R2 and reviewed draft
- Reached out to consultants for CEQA support
- Launched new NMS reviewer contract
- Attended CASA meeting in Los Angeles to present on collaborative science-based decision making (10/21)
- Participated in CASA OAH Subcommittee meetings
- Participated in CASA RFI planning meetings for SoCal/Coastal Discharge planning
- Participated in Management Scenario Steering Committee meetings

- Met with SCCWRP staff to discuss modeling ocean impacts of Golden Gate discharges
- Delivered presentation at Stanford on nutrients Watershed Permit (11/10)

RMP:

- Reviewed RMP materials

CALIFORNIA WATER MONITORING COUNCIL

- Attended Council meeting (11/21)

PURSUE REGIONAL, MULTI-BENEFIT SOLUTIONS TO ENVIRONMENTAL CHALLENGES (STRATEGIC PLAN GOAL 3)

MULTIBENEFIT PROGRAM ADVOCACY

- Discussed NBS communications approaches with SFEI staff
- Arranged and cohosted OneWater Kickoff meeting in SF (9/5)
- Attended OneWater followup meeting and reached out to BAWAC on collaborative managers meetings
- Met with AQPI representatives to discuss possibility of joining BACWA as a project of special benefit

REGIONAL SOLUTIONS

- Supported TFT in setting up meetings with member agencies to discuss trading, met with TFT for update on trading feasibility analyssi
- Attended Valley Water Potable Reuse Outreach Collaborative meeting (11/5)



Board Calendar

January thru March 2026

DATE

AGENDA ITEMS

January 9, 2026
SFPUC

Approvals & Authorizations:

- 2nd NMS payment approval
- Strategic Plan

Policy / Strategic Discussion:

- BAWCA Committee Update
- Freshwater Trust Presentation
- NMS funding timeline
- Group Annya Report
- Trading feasibility analysis

Operational:

- FY27 Budget Schedule

Closed Session - Government Code §54957(b)(1)

- Staffing

February 20, 2026
EBMUD Orinda

Approvals & Authorizations:

-
-

Policy / Strategic Discussion:

- BAWCA Committee Update
- Review BACWA Policies & Procedures

Operational:

- FY27 Draft Budget first review
- Board Meetings FY27

Approvals & Authorizations:

-
-

March 20, 2026
Central San

Policy / Strategic Discussion:

- Watershed permit submittals to water board
- Compliance Milestone Reporting Draft

Operational:

- FY27 Second Draft Budget
-



BACWA ACTION ITEMS

Number	Item	Task	Responsibility	Deadline	Status
Action Items from Sept 19 2025 BACWA Executive Board Meeting			resp.	deadline	status
2026.09.10	Discussion: SFPUC assistance in SRF loan application	BACWA ED to work with HDR to include a question about plans to apply for federal and state funding in the 2026 RFI	ED	12/1/2025	complete
2026.09.11	Air District Engineering Program Manager Pilot	BACWA ED to organize a meeting with AIR district and BACWA agencies that are or might be interested in the program.	ED	12/12/2025	complete
2026.09.12	Future meetings and collaborative opportunities with Water Board	BACWA ED to schedule meeting with RWB in later October.	ED	12/1/2025	complete
2026.09.13	Compliance schedule amendment	BACWA ED to summarize member input and and share BACWA's proposed comments on the draft Basin Plan Amendment with the Nutrient Strategy Team.	ED	12/1/2025	complete
2026.09.14	EPA Region IX SF Bay Program Office funding update	BACWA ED to put out a call for participants in a nutrient management proposal once EPA releases NOFO.	ED		pending
2026.09.15	Communications update	BACWA ED to coordinate agency exhibits Exploratorium after dark	ED	12/1/2025	complete
Action Items Remaining from Previous BACWA Executive Board Meetings					
2026.08.02	PFAS limits in R2 groundwater discharge permit	BACWA RPM is going to prepare draft talking points and share them with BACWA community.	RPM	WIP	delayed until permit reissuance
2026.08.04	Informational: Impact of TST finding by 5th Appellate District Court	BACWA RPM to continue tracking outcome of TST court opinion on NPDES permits in the region	RPM	complete	
2026.08.06	AI Infoshare	BACWA ED would like a list of BACWA agencies working on AI and will start to work on infoshare event.	ED	WIP	

FY26: 12 of 15 Action items are complete
 FY25: 49 of 49 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



Regulatory Program Manager's Report to the Executive Board

September 2025

BACWA BULLETIN: Completed and circulated September Bulletin.

CECs: Prepared for and participated in discussions with Water Board staff regarding PFAS; attended BACWA-hosted meeting regarding communications about PFAS in biosolids; coordinated with RMP scientists regarding opportunities for future funding of CECs-related work; coordinated with NapaSan to collect information about QACs interference; prepared draft QACs action plan.

NUTRIENTS: Participated in Nutrient Strategy Team meeting to discuss the draft Basin Plan Amendment; prepared meeting summary; prepared draft guidance document on reporting dry season Total Inorganic Nitrogen (TIN) loads and circulated to members; coordinated with HDR regarding Group Annual Report; participated in Nutrient Management Strategy meeting.

REGULATORY MATRIX: Prepared updated matrix of key regulatory issues.

COMMITTEE SUPPORT:

Asset Management – Assisted with recruitment of new committee co-chairs.

BAPPG – Participated in September steering committee meeting and pesticides committee meetings; participated in discussions with pesticides regulatory consultant team and BAPPG members regarding funding opportunities; coordinated with steering committee regarding fall Fats, Oils, and Grease (FOG) outreach campaign; prepared materials for October BAPPG meeting.

Collection Systems – Updated Baywise map for two collection systems; planned future meeting topics regarding precipitation intensity and sea level rise.

Laboratory – Assisted with planning for October committee meeting.

O&M – Provided support for committee tour of CMSA facility in San Rafael.

Permits – Assisted with planning for October committee meeting; updated draft climate change questionnaire for permittees.

Pretreatment – Assisted with planning for October committee meeting.

Recycled Water – Prepared for October committee meeting; reviewed volumetric annual report data from State Water Board

Executive Board – Attend meeting with R2 staff on Klamath Ferry; prepared meeting summary; provided regulatory updates for Executive Board meeting.

ADMINISTRATIVE: Website and email list administration; BACWA staff meeting.

BACWA MEETINGS ATTENDED:

Nutrient Strategy Team (9/3)
Executive Board – R2 Joint Meeting (9/4)
BAPPG Steering Committee (9/10)
BABC PFAS Communications (9/11)
Executive Board (9/19)
O&M Committee (9/24)

EXTERNAL EVENTS ATTENDED:

CASA Air, Climate, and Energy Workgroup (9/11)
Regional Shoreline Adaptation Planning Webinar (9/17)
CASA Collection Systems Workgroup (9/17)
CASA Regulatory Workgroup (9/18)
CASA SSS-WDR Data Review Group with State Water Board (9/22)



Regulatory Program Manager's Report to the Executive Board

October 2025

BACWA BULLETIN: Completed and circulated October Bulletin.

CECs: Prepared for and participated in discussions with CASA and SFEI staff regarding PFAS Phase 3 study; presented on PFAS and QACs at BACWA events; reviewed regulatory developments on PFAS.

NUTRIENTS: Participated in Nutrient Strategy Team meeting to discuss the draft Basin Plan Amendment; finalized guidance document on reporting dry season Total Inorganic Nitrogen (TIN) loads and circulated to members; coordinated with HDR regarding upcoming Request for Information; supported member request regarding TIN loading calculations to reflect recycled water; reviewed draft NMS "State of the Science" report.

COMMITTEE SUPPORT:

AIR – Finalized comment letter on Air District Rule 11-18 amendments.

Asset Management – Assisted with onboarding of new committee co-chairs.

BAPPG – Participated in October steering committee meeting and regular committee meetings; prepared meeting notes and circulated to members; participated in pesticides committee meeting; assisted with review of draft letter for USEPA regarding Toxic Substances Control Act.

Collection Systems – Assisted with planning for November committee meeting; reviewed sanitary sewer system spill data; hosted meeting with State Water Board staff to discuss Sanitary Sewer Systems General Order.

Laboratory – Hosted October committee meeting; prepared and circulated meeting notes.

Permits – Hosted October committee meeting; prepared and circulated meeting notes.

Pretreatment – Hosted October committee meeting; prepared and circulated meeting notes.

Recycled Water – Hosted October committee meeting; completed action items from October meeting, including preparation of meeting notes, follow-up on implementation of new legislation for nonpotable recycled water (SB31), and preparation of draft survey on site inspections.

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

ADMINISTRATIVE: Website and email list administration; BACWA staff meeting.

BACWA MEETINGS ATTENDED:

BAPPG (10/1)

Pretreatment Committee (10/7)

Nutrient Strategy Team (10/9)

Pardee Technical Workshop (10/9 – 10/10)

Lab Committee (10/14)

Permits Committee (10/14)

Recycled Water Committee (10/21)

EXTERNAL EVENTS ATTENDED:

Regional Water Board meeting (10/8)

Regional Monitoring Program Annual Meeting (10/15)

CASA Regulatory Workgroup (10/16)

CASA SSS-WDR Data Review Group with State Water Board
(10/27)



Regulatory Program Manager's Report to the Executive Board

November 2025

AQPI: Assisted with hosting duties for November 5th BACWA webinar on Advanced Quantitative Precipitation Information (AQPI).

BACWA BULLETIN: Completed and circulated November Bulletin.

CECs: Prepared for and presented on PFAS regulations at BACWA PFAS Forum; discussed fish tissue guidance for PFAS with OEHHA representative; assisted with coordination of Phase 3 PFAS study; discussed QACs with Goleta Sanitary District staff.

NUTRIENTS: Prepared meeting notes from previous Nutrient Strategy Team meeting; prepared for November meeting with Region 2 staff on nutrient load reduction planning; reviewed draft MOU regarding CEQA support; coordinated with HDR and contract management group regarding the upcoming Request for Information; met with The Freshwater Trust to discuss nutrient trading; coordinated with Regional Water Board staff and Permits Committee members regarding calculation of Total Inorganic Nitrogen (TIN) loads; participated in Nutrient Management Strategy meeting.

SUMMIT PARTNERS: Participated in November meeting with Summit Partners and State Water Board member in Brentwood.

COMMITTEE SUPPORT:

AIR – Participated in November committee meeting.

BAPPG – Participated in November steering committee meeting and pesticides committee meetings; assisted with finalization of coalition letter to USEPA regarding Toxic Substances Control Act.

Collection Systems – Assisted with November committee meeting; prepared and circulated meeting materials.

Laboratory – Prepared for December joint meeting with Permits committee.

Permits – Prepared for December joint meeting with Lab committee; reviewed and shared updates regarding legal issues for the Test of Significant Toxicity (TST).

Pretreatment – Shared updates on federal electronic reporting requirements.

Recycled Water – Continued to develop draft survey regarding program administration and inspections; circulated draft survey; provided update on onsite nonpotable reuse regulations.

Executive Board – Participated in joint meeting of BACWA Executive Board and Regional Water Board staff.

ADMINISTRATIVE: Website and email list administration.

BACWA MEETINGS ATTENDED:

BAPPG Steering Committee (11/5)

AQPI Webinar (11/5)

BAPPG Pesticides Committee (11/6)

Collection Systems Committee (11/13)

Executive Board – R2 (11/13)

AIR Committee (11/19)

EXTERNAL EVENTS ATTENDED:

Summit Partners (11/3)

Nutrient Management Strategy (11/14)

CASA Regulatory Workgroup (11/20)

Committee Request for Board Action: None

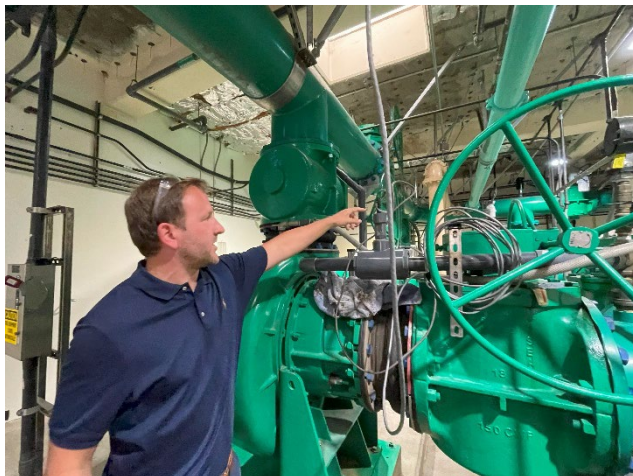
In-person meeting at the Central Marin Sanitation Agency Plant, with 14 attendees representing 6 member agencies.

Plant Tour at Central Marin Sanitation Agency (CMSA)

Nick Talbot (Treatment Plant Manager) and Peter Kistenmacher (Technical Services Manager) provided an overview of CMSA's 15-year journey to achieving energy-positive wastewater treatment and support SB1383 climate goals of diverting food waste from landfills. CMSA staff began with a presentation describing CMSA's food waste and FOG receiving stations, co-digestion in the anaerobic digesters, and power cogeneration program that features biogas conditioning and a Jenbacher cogeneration engine. CMSA typically uses biogas, but can operate using natural gas during a power outage in lieu of diesel engines. Digester operations are monitored carefully using a [SENTRY™](#) real-time digester health sensor to supplement traditional laboratory analysis.

As a result of this program, CMSA achieved energy positive operations in 2024, and now sells excess power back to the grid. After the presentation, the group toured the CMSA plant, focusing on the FOG and food waste receiving station as well as the anaerobic digesters that co-digest these materials with wastewater sludge.

[Link to Slides](#)



Next Meeting: Potential future meeting locations include San Mateo or Treasure Island, which are both nearing completion on nutrient removal upgrades.

Committee Request for Board Action: None

37 attendees participated virtually and in-person at the Regional Water Board's offices in downtown Oakland. Attendees represented 25 member agencies and the Regional Water Board.

Updates on Committee Activity and Announcements

- **Regional Water Board Updates:** DJ Alejandro, the Regional Water Board's BAPPG representative, announced that this year's [Dr. Teng Chung Wu Pollution Prevention Award](#) will go to Union Sanitary District at the [October 8th Regional Water Board meeting](#).
- **BACWA Updates:** BACWA and SFEI are planning a future outreach event at the Exploratorium After Dark. If your agency has interactive materials to share, contact [Lorien Fono](#).
- **Pesticides Committee:** The pesticides subcommittee is preparing a comment letter on [EPA's proposed changes to TSCA](#); pursuing grant funding opportunities with DPR, assembling training resources for BAPPG medications, and continuing outreach on flea and tick pesticides. As noted on the updated [Baywise Pet website](#), there is now an [injectable alternative](#) to topical pesticides.

History of Pollution Prevention Campaigns

To kick off the pollutant prioritization effort, BAPPG Co-Chair Autumn Ross shared a summary of past BAPPG public outreach campaigns ([link to slides](#)). Over the past decade, many of the past campaigns have focused on trash/wipes, FOG, pharmaceuticals, and pet pesticides.

Fall 2025 FOG Campaign and History of Pollution Prevention Campaigns

Sagent has prepared materials for the Fall FOG campaign. Images from the English version of the GIF are shown below. All campaign materials are available through the [BACWA server](#), including Spanish and English versions in multiple sizes and file formats. Some versions are intended for use on agencies' social media feeds. The Fall FOG digital ad campaign will run from November 10-30.



Annual Pollutant Prioritization and Survey Results

This year, the committee used an anonymous survey to poll members about the most important pollutants to feature in outreach campaigns in FY27. The survey also included other questions about BAPPG strategy and meeting content. [Link to full survey results](#). **Based on member votes, the final prioritized list for FY7 is FOG (19 votes), PFAS (15 votes), Pet Pesticides (13 votes), and Trash and Wipes (12 and 11 votes, respectively).** During the group discussion, attendees shared different options for FOG outreach other than through digital advertising. For example, messages about proper FOG disposal practices could be amplified by media personalities in the food industry. The survey results also indicated that members would like to hear about emerging chemicals and source control success stories at upcoming meetings.

Next BAPPG General Meeting: Wednesday, December 3, 10am – 12pm, Virtual

Committee Request for Board Action: None

65 attendees from 22 agencies participated remotely.

Recent Pretreatment Compliance Audit

Adam Kern (EBMUD) shared insights from a recent Pretreatment Compliance Audit led by staff from USEPA Region 9 with assistance from the State Water Board. Before this audit, the most recent audit had been in 2019. The EBMUD team had about two weeks' notice for the audit. The audit took place over three days and included four industrial inspections, two led by EBMUD staff and two led by USEPA staff. The audit also involved extensive file review, including files related to the classification of dischargers and other core pretreatment program documents. The last day included a debrief with a synopsis of the auditors' findings. EBMUD expects to receive a formal audit report soon.

Committee members discussed that in-house mock audits and other training can be helpful ways to prepare for formal audits. Resources include this [USEPA video on Industrial Pretreatment Program Audits](#) and [tips from the State Water Board](#) previously shared at the committee's June 2025 meeting.

Roundtable Discussion on Training

Casey Fitzgerald led a roundtable discussion on training, with a particular focus on training new inspectors that may be new to the industry. Some of the strategies discussed included:

- **Get out in the field.** New inspectors can gain experience by shadowing a more experienced inspector. Attendees suggested shadowing an inspector at a neighboring agency, since neighboring agencies may have a larger/different selection of commercial and industrial users, and cross-training across agencies could lead to more consistency for wastewater customers. Attendees also suggested participating in visits to commercial users in addition to industrial users.
- **Record** in-house training sessions so that they are immediately available for new hires to watch.

Training topics and opportunities recommended for new staff included:

- Regulatory hierarchy (agency authority over industrial users; USEPA and Water Board authority over the agency); General enforcement training with local police, fire department, fish / wildlife agencies, or County environmental crimes task force; cross-training with your local CUPA; and training from the [California Hazardous Materials Investigators Association](#). YouTube can offer insights into specific industries.
- USEPA, CWEA, and NACWA also offer various trainings throughout the year. NACWA will host a virtual pretreatment conference December 9-11 ([register here](#)).

After the meeting, co-chair Casey Fitzgerald shared example staff training plans for the City of San Jose's Environmental Inspectors and Assistant Environmental Inspectors.

BACWA Updates – [Link to Slides](#)

- **PFAS Regulatory Updates:** The Regional Water Board's Site Cleanup Program recently issued updated [Environmental Screening Levels](#), including 16 PFAS compounds. The Environmental Screening Levels document can be a useful resource for pretreatment programs. The Regional Water Board has also issued a [draft general permit](#) for groundwater dischargers with technology-based effluent limits for PFAS set to the EPA's current drinking water MCLs (some of which [may be rescinded](#)).
- **QACS Updates:** If your agency has experience monitoring or tracking sources of Quaternary Ammonium Compounds, please contact BACWA staff.
- **Bay Area Pollution Prevention Group Update:** Social media and other digital graphics for the Fall FOG campaign now available at <https://bacwa.org/bapppg-fog>. The committee has selected FOG and PFAS for future public outreach campaigns in FY27.

Committee Request for Board Action: None

50 attendees participated remotely, including representatives from 29 BACWA member agencies and the Regional Water Board.

Nitrate + Nitrite and Total Phosphorus Methods using a DR3900

Janette Lugo (City of Petaluma) described how her lab successfully gained ELAP accreditation for analysis of nitrate-nitrite and total phosphorus via a Hach method. This method uses pre-packaged Hach “Test ‘N Tube” reagents with a [Hach DR3900](#) spectrophotometer, which the City recently acquired in lieu of ion chromatography. The Nitrate + Nitrite method (Hach Method 10206) has interference for samples with high COD and cannot be used when COD > 500 mg/L, which means it can only be used reliably for samples of treated effluent, not for influent or process control. City staff performed a thorough investigation of this interference as part of the method validation. The Total Phosphorus method (Hach Method 10209, SM4500-P E-2011) requires persulfate digestion in a separate digestion block. Now that the City has successfully mastered these two methods, they are considering expanding to other Hach spectrophotometric methods. The City is also considering new methods for nitrate that would be more appropriate for process control. After the presentation, the committee members also discussed considerations for disposal of method reagents and the steps required to gain ELAP approval for the method. [Link to Slides.](#)

Chronic Toxicity Screening Study and Test of Significant Toxicity (TST) Updates

Tiffany Ishaya (Silicon Valley Clean Water) provided an overview of her lab’s recent chronic toxicity screening study. Tiffany shared the timeline for completion of the entire study: the study plan was submitted to the Regional Water Board for approval in June 2023; quarterly sampling was completed from March to November 2024; and routine monitoring with the new test species (Topsmelt) began in June 2025. Topsmelt was selected because it had the highest percent effect at the Instream Waste Concentration across the four quarterly sampling events.

BACWA and Regional Water Board staff shared that a recent [State appellate court decision](#) regarding the Test of Significant Toxicity (TST) has resulted in legal uncertainty around the TST. As a result, reissuance of most individual NPDES permits in the region is on hold until about February 2026. Labs should continue to monitor per their NPDES permit requirements, including use of the TST.

Discussion Items and Announcements

- **Uploading Data to CIWQS.** A poll was conducted regarding tools for formatting data for upload to CIWQS. Responses included Johnson Lam’s tool ([eNPDES](#)), [HachWIMS](#), Ethosoft [X-LIMS](#), [Azyura](#) Waterbits, Labworks LIMS, Excel, and manual entry.
- **Audits.** Central San shared the results from a recent audit, including some of the key findings. Central San is in the process of responding to the findings, one of which involves deviations from an oil & grease method. Central San has requested an interpretation from TNI about one of the findings regarding checking volumetric support equipment, and plans to dispute one of the findings regarding control charting for negative controls.
- **Reporting Dry Season Nutrient Loads.** BACWA has prepared [tips for reporting 5-month dry season nutrient loads](#) to CIWQS using the new “seasonal average” data type from the [PET tool](#). TIN Loads are a calculated value and do not require a data qualifier; however, some agencies are electing to use the QA code column in CIWQS to track qualifiers associated with the individual values for Ammonia and/or Nitrate + Nitrite.
- **Upcoming Events:**
 - Register by 10/31 for the [IAS ELAP Symposium](#) to be held in Pleasanton 11/6.

Laboratory Committee
Report to BACWA Board

Committee meeting on 10/14/2025
Executive Board Meeting Date: 12/12/25
Committee Chair: Brittany Rossi
Worthen, City of Petaluma

- | |
|---|
| <ul style="list-style-type: none">○ The CWEA Lab Committee is holding a committee meeting 10/30 at Central San, which Hach will also attend. Contact Blake Brown to Register. |
|---|

<p>Next Meeting: Tuesday, December 2nd, 10:30 – 1:30 (Note date change)</p>

<p>Joint Meeting and Holiday Luncheon with BACWA Permits Committee at the City of Petaluma's Ellis Creek Water Recycling Facility</p>

Committee Request for Board Action: None

37 attendees participated remotely from 19 member agencies.

Dilution Study Requirements in SF Bay NPDES Permits

Mitch Mysliwiec ([Larry Walker Associates](#)) provided a comprehensive training session on dilution modeling for NPDES permits in the San Francisco Bay region. Dilution modeling is a requirement to obtain dilution credits for pollutants with water quality-based effluent limits, such as copper, ammonia, and chronic toxicity. Mitch's presentation covered the technical foundations of dilution modeling for shallow water and deep water discharges, considerations for selecting model software, and information to include in reports to the Regional Water Board. The presentation distinguished between formal requirements for dilution modeling ([Basin Plan](#) and [SIP](#)), guidance documents (e.g., the [USEPA TSD](#); [Ocean Plan](#)) and customary practices within the San Francisco Bay region. For example, many acute dilution models in the region assume an average ambient (Bay) ambient velocity within a 1-hour window 30 minutes before and after slack tide. However, this is not a strict requirement, and other approaches may be technically defensible.

[Link to Slides](#). [Link to Video](#).

Upcoming NPDES Permit Reissuances / Court Decision on the Test of Significant Toxicity

There is currently legal uncertainty about the Test of Significant Toxicity (TST) due to a recent [court opinion](#), which the State Water Board has appealed to the State Supreme Court. Regional Water Board staff do not plan to reissue any NPDES permits with toxicity effluent limitations until the legal uncertainty is resolved. The most recent (October 2025) [NPDES Wastewater Permit Reissuance Schedule](#) indicates that no major municipal wastewater permits are currently scheduled for reissuance. Agencies should continue toxicity monitoring per their NPDES permits.

Nutrients Watershed Permit Implementation

- **Basin Plan Amendment.** BACWA is preparing comments on a draft Basin Plan Amendment that would provide more than ten years for agencies to complete "qualifying" nutrient removal projects required for compliance with the Nutrients Watershed Permit. The comments will be discussed at an upcoming Nutrient Strategy Team meeting on Wednesday, November 5th.
- **Reporting Dry Season Nutrient Loads.** BACWA has prepared [tips for reporting 5-month dry season nutrient loads](#) to CIWQS using the new "seasonal average" data type from the [PET tool](#).
- **Agency Planning.** Staff from Central San and San Leandro shared information about nutrient load reduction planning at their respective agencies. **Central San** is moving forward with a full-scale MABR demonstration project (8 MGD). Baffle walls and structural supports for the MABR cassettes are currently being installed, and the MABR cassettes are planned to be installed in 2026. Central San is also continuing to evaluate conventional treatment options, recycled water, and nature-based solutions. [More info](#). **San Leandro** is working on project that will divert about 20% of the plant's effluent to a containerized MABR (for nitrification) followed by denitrification in a woodchip bioreactor and discharge through a shallow water outfall (see [NPDES Permit](#)). Construction of the wetland recently began, and will continue through 2026. The MABR is expected to be online in 2027. San Leandro is working with a consultant on treatment for the main liquid treatment train; the current concept is to aerate RAS in an existing aeration basin, and route the nitrified RAS to headworks to achieve denitrification.

Regional Monitoring Program – California Toxics Rule (CTR) Monitoring

NPDES permitting requires information about background concentrations of priority pollutants in San Francisco Bay. The Regional Monitoring Program (RMP) conducts this monitoring on behalf of wastewater agencies. Bay water samples are collected every 10 years and analyzed for CTR

pollutants. Monitoring at three sites was included in the RMPs dry season 2025 water cruise. The existing data set goes back to 1993 and analytical methods and Bay water quality have changed since that time. Therefore, the committee plans to propose dropping data older than the most recent two sampling runs (e.g., keep 2015 and 2025 data; drop older data). BACWA will develop a draft written proposal for consideration by the committee before pursuing the idea further.

Climate Change Questionnaire

BACWA has worked with member volunteers to propose an update to the [2021 Climate Change Information Request](#). BACWA plans to share the updated version with the Regional Water Board for their consideration.

NPDES eReporting Rule

The State Water Board plans to roll out at CIWQS reporting module for anticipated and unanticipated bypasses to comply with the federal [NPDES eReporting Rule](#). More information was shared after the meeting in an October 21st [announcement from the State Water Board](#) about CIWQS reporting of bypasses.

Next Meeting: Tuesday, December 2nd, 10:30 – 1:30 (Note date change)

Joint Meeting and Holiday Luncheon with BACWA Laboratory Committee
at the City of Petaluma's Ellis Creek Water Recycling Facility

Bay Area Biosolids Coalition: Meeting

October 20th, 2025

A. Welcome/Introductions



B. Status of August Action Items – Program Management Team, Research Subgroup, Website Subgroup

- Ongoing – maintain website (Website Subgroup)
- Ongoing – coordinate with potential research partners (Research Subgroup)
- Ongoing – provide updates on regulations and other drivers impacting biosolids beneficial use (Program Management Team, CASA, etc.)
- BABC/BACWA meeting to coordinate on PFAS communication strategy (Website Subgroup, BACWA)
- Provide summary of BABC funded/supported research to date (Research Subgroup)
- Follow up with BluumBio about potential field research on PFAS biodegradation (Research Subgroup)
- Follow up with WEST Center/Pima County about potential participation in foam fractionation pilot (Research Subgroup)
- Meet with EPA grant recipients who lost funding about potential collaboration (Research Subgroup)
- Follow up with WRF about potential research collaboration opportunities (Research Subgroup)
- Share Central San slides about solids regionalization evaluation (Program Management Team)



B. Status of August Action Items – Member Agencies

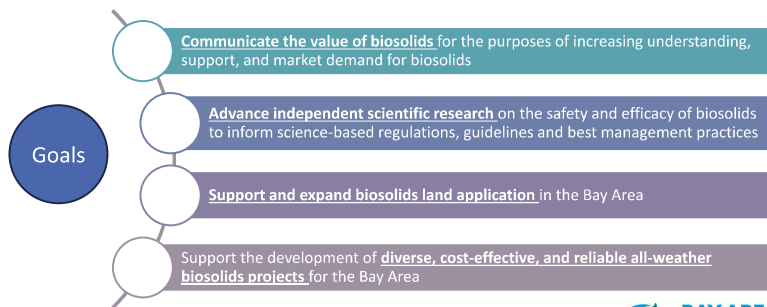
- Contact Lorien Fono if interested in contributing additional funds to Phase 2 of Dr. Pepper's National PFAS Study
- Contact Program Management Team if interested in participating in the foam fractionation pilot.
- Contact Program Management Team if interested in being featured in an agency highlight on the website.
- Contact Program Management Team if interested in serving as co-chair or in the website or research subgroups.
- Contact Nitin Goel and Christine Polo if interested in learning more about the potential solids regionalization partnership at Central San.
- Contact Program Management Team if interested in hosting the December 1st in-person BABC meeting.

Contacts:

- Lorien Fono: lfono@bacwa.com
- Program Management Team: babcprogrammanager@carollo.com
- Nitin Goel: NGoel@centralsan.org
- Christine Polo: cpolo@carollo.com



C. Strategic Plan Goals – Progress Updates



1. Communicate the Value of Biosolids

News & Events Posts:

- Upcoming posts:
 - Land application site photos
 - Research on biosolids benefits:
 - Offset synthetic fertilizer (in progress)
 - Improve soil biodiversity and wildlife benefits
 - Improve crop productivity
 - Reduce irrigation
 - Agency highlights:
 - San Jose
 - West County Wastewater
 - SFPUC
 - Let us know if interested!



1. Communicate the Value of Biosolids

Website Analytics:



Posts:

- 2024:
 - Jan 9: Biosolids Product Profile – Dried
 - April 12: BEAM
 - May 13: Biosolids Product Profile – Class A
 - Oct 23: Restoring fire impacted lands
 - Dec 9: PFAS Resources
 - Dec 18: BACWA Biosolids Survey
- 2025:
 - Feb 28: Mine reclamation
 - Mar 31: Agency Highlight: Vallejo FWD
 - May 5: PFAS uptake to oats
 - Aug 12: National PFAS migration to groundwater



1. Communicate the Value of Biosolids

Updates in blue bold.
Key points highlighted.

- BACWA/BABC Collaboration**
- How to better use <https://baywise.org/>, and <https://www.bayareabiosolids.com/> to tell our stories.
 - Coordination meeting on September 11:**
 - Participation from 12 member agencies, 4 consultants/vendors, CASA, and SF Bay RWQCB.
 - Overall consensus:
 - Strong need to communicate about biosolids benefits to the public.
 - PFAS risk should be acknowledged, while placed in perspective with other exposure sources. Need to educate the public on the role they play.
 - Communications should be easy to understand.
 - Consider proactively reaching out to reporters.

Toilets Aren't Trash Cans!

Did you know that so-called "flushable" wipes aren't flushable at all? Learn what you can and can't be flushed.



What happens after I flush my Toilet?

When you flush a toilet, waste your dishes, or take a shower, that water (called wastewater) flows through sewers to a wastewater treatment facility where it is cleaned before being discharged into the Bay.



Snippet from Baywise.org, BACWA's public-facing, educational website.



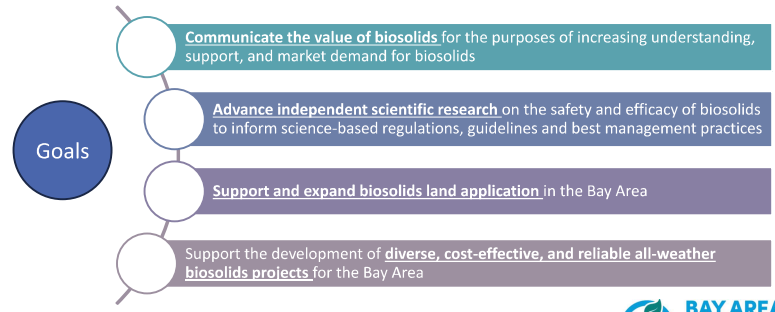
1. Communicate the Value of Biosolids

Updates in blue bold.
Key points highlighted.

- BACWA/BABC Collaboration**
- Priorities and Next Steps:**
 - Enhance communications about the value of biosolids**
 - Action:** Civic Edge is rewriting info on biosolids benefits from bayareabiosolids.com to post on baywise.org for the general public. May produce social media vignettes for agencies to post.
 - Action:** Engage farmers to discuss the value of biosolids.
 - Develop messaging and media strategy about PFAS in biosolids**
 - Action:** BACWA will host PFAS forum on Nov 18 to discuss PFAS issues with the wider BACWA community; then will go to the Board in December for direction on next steps.



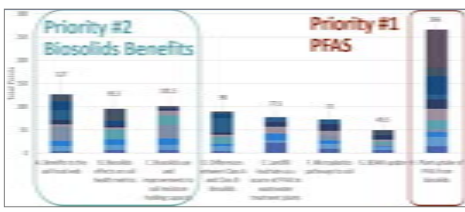
C. Strategic Plan Goals – Progress Updates



2. Advance Scientific Research

Research Priorities and Background

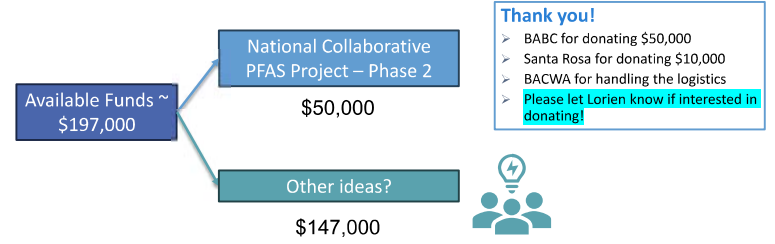
- Background:**
 - Survey identified member agency's research priorities →
 - BABC donated \$50,000 to National Collaborative PFAS Project - Phase 2, focused on **PFAS plant uptake**.
 - Potential collaboration with Prof. Tom Young on **PFAS plant uptake** on hold to avoid duplicating National PFAS Project efforts.
 - Potential collaboration with Prof. Becca Ryals on **biosolids benefits** on hold.



2. Advance Scientific Research

Available Funds

Updates in blue bold.
Key points highlighted.



2. Advance Scientific Research

Potential Research Opportunities

Updates in blue bold.
Key points highlighted.

- BABC Research Subgroup investigating other opportunities:
 - BluumBio PFAS bioremediation pilot
 - Participate in WEST Center foam fractionation pilot
 - Support projects that lost EPA funding
 - Potential collaboration with Water Research Foundation (WRF)**
 - Potential research project at land adjacent to EBMUD's WWTP**



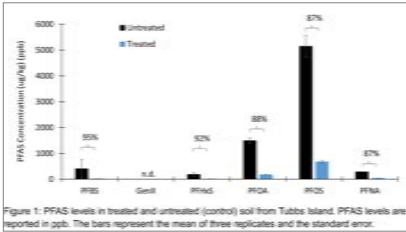
2. Advance Scientific Research

Potential Research Opportunities

Updates in blue bold.
Key points highlighted

BluumBio PFAS bioremediation pilot

- Potential location at Vallejo Flood and Wastewater District (VFWD)'s Tubbs Island.
- BluumBio has shown **promising results in a lab study** of soil from Tubbs Island that has received biosolids. 30-day treatment resulted in 87-95% decrease in PFAS →
- **Next step is field trial**. BluumBio provided a proposal:
 - 1-year field trial
 - 2 control plots + 2 treatment plots
 - **Budget: \$50k**
- Consider trial at Solano County fields?



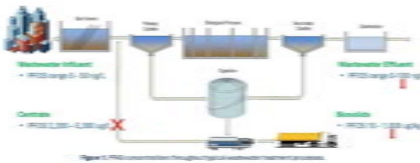
2. Advance Scientific Research

Potential Research Opportunities

Updates in blue bold.
Key points highlighted

WEST Center foam fractionation pilot

- WEST Center at University of Arizona conducting a foam fractionation pilot to measure PFAS removal from dewatering sidestreams (centrate, filtrate, etc.) followed by electro-oxidation for PFAS destruction.
- WEST Center asking participating agencies to cover costs of testing (\$5,400) and transport of **1 tote (1 m³)** of sample.
- (Pending vote) BABC could coordinate transport and cover costs.
- **Let us know if interested in participating**



2. Advance Scientific Research

Potential Research Opportunities

Updates in blue bold.
Key points highlighted

Support projects that lost EPA funding

- Evaluation of Pollutants in Biosolids Grants (\$6M to 4 awardees): <https://www.epa.gov/research-grants/national-priorities-evaluation-pollutants-biosolids-grants>
 - **Met with John Hopkins University team**
- Understanding PFAS Uptake and Bioaccumulation in Plants and Animals (\$15M to 10 awardees): <https://www.epa.gov/research-grants/research-grants-understanding-pfas-uptake-and-bioaccumulation-plants-and-animals>

2. Advance Scientific Research

Potential Research Opportunities

Updates in blue bold.
Key points highlighted

Support projects that lost EPA funding

- Meeting on October 1 with Prof. Carsten Prasse, John Hopkins University
 - Project aims to identify previously unknown contaminants in biosolids that may be regulated in the future (the next PFAS!).
 - Project started in 2021 and identified 43 compounds to be evaluated for toxicity potential, soil migration, and plant uptake.
 - Initial research covering identification and prioritization of compounds is published: <https://pmc.ncbi.nlm.nih.gov/articles/PMC11381038/pdf/nihms-2011911.pdf>
 - Research was cut short by ~\$300k and 1-1.5 years.
 - **Next step: Prof. Carsten to develop a description of remaining work and budget for each part.**

2. Advance Scientific Research

Presentation by Dr. Ian Pepper



3. Support and Expand Biosolids Land Application

Support and expand biosolids land application in the Bay Area

- Track regulations, funding programs, research, and media that could impact biosolids land application in the Bay Area
 - Regulations on PFAS and other emerging contaminants that could limit land application
 - SB 1383 and county ordinances that may limit or expand local land application
 - Clean vehicle regulations as they relate to biosolids hauling
 - Regulations and funding programs that could impact anaerobic digestion and biogas use (methane emissions, LCFS, IRA)
 - Zero waste, soil health, and climate programs that could incentivize use of biosolids
 - Local media on biosolids safety and benefits
 - Research on biosolids safety (PFAS, etc.) and biosolids benefits

3. Support and Expand Biosolids Land Application

- PFAS (US EPA):
 - Many EPA actions are on hold.
 - Jess Kramer – Confirmed as Assistant Administrator for Water September 18th, 2025.
 - 2025 PFAS Action Plan
 - Announced on April 28th, 2025.
 - Draft Risk Assessment
 - Comment period ended August 14th, 2025.
 - July InsideEPA article indicates that EPA may revisit the science and risk assessment; however, house appropriations bill stipulates no funds shall be used to finalize it.
 - At WEFTEC, Interim Asst Admin Peggy Brown stated they "want to get the Risk Assessment right."
 - Water Systems PFAS Liability Protection Act (H.R. 1267)
 - Introduced to House on February 12th, 2025. Continues to move through the approval steps.
 - POTW Influent PFAS Study
 - On hold and unclear whether it will be implemented.

Updates in blue bold.
Key points highlighted.

3. Support and Expand Biosolids Land Application

- PFAS (California):
 - PFAS product bans
 - SB 682 passed all the legislative steps but got vetoed by the Governor due to potential impact to affordability of cooking products.
 - Amended to ban intentionally added PFAS in several consumer products, including cleaning products, cookware, juvenile products, food packaging, ski wax, and dental floss by 2028
 - SB 454 PFAS Mitigation Program
 - Would establish statewide PFAS mitigation fund to help agencies pay for cleanup in drinking water and wastewater. Vetoed by the Governor due to costs.
 - No limits restricting biosolids use this year
 - Since other states have set limits at 20 ppb, CA agencies with concentrations > 20 ppb encouraged to retest using method 1633
 - BACWA Phase 3 PFAS Study
 - Focused on stormwater.

Updates in blue bold.
Key points highlighted.

3. Support and Expand Biosolids Land Application

- PFAS (Other):
 - CRROPS/Biosolids Associations Meeting at WEFTEC
 - Peggy Brown (formerly with US farm service, now with EPA) participated with an open and collaborative approach.
 - Other states:
 - Texas had 3 anti-biosolids land application bills.
 - New York bill that would have placed a 5-year moratorium for biosolids land application did not pass but may come back next year.
 - ECOS Compendium of State PFAS Actions
 - <https://www.ecos.org/documents/ecos-compendium-of-state-pfas-actions/>

Updates in blue bold.
Key points highlighted.

3. Support and Expand Biosolids Land Application

- Other (non-PFAS):
 - CalRecycle SB 1383
 - SB 1383: Working on overturning overly restrictive county ordinances.
 - Digestion study to inform policy recommendations/changes.
 - CalRecycle Compost GHG Report
 - Report released September 5th evaluates life-cycle impacts of compost application on GHGs, including N₂O emissions. Findings suggest little to no increase in N₂O emissions, indicating prior models could be overestimating N₂O emissions. <https://www2.calrecycle.ca.gov/Publications/Details/1754>
 - CalRecycle Zero Waste Plan
 - CAsA participated in October 1st workshop, advocating for biosolids to be included in Zero Waste Plan.
 - CAsA submitted comments on Draft Plan (released Sept 25th) on Oct 17th supporting circular material management.
 - CARB Advanced Clean Fleets
 - CAsA submitted comments Sept 15th and participated in the Sept 25th hearing, raising concerns about feasibility, affordability, and maintaining reliable essential public services; and continued advocacy for including RNG.
 - Amendments included delaying date for 100% vehicle replacement with ZEVs from 2027 to 2030.
 - CARB Board to work with Staff on additional 15-day changes; CAsA advocating to include RNG as NZEV option.

Updates in blue bold.
Key points highlighted.

3. Support and Expand Biosolids Land Application

- Other (non-PFAS):
 - CA State Water Board's Climate Change Resolution Focus Group
 - Draft resolution delayed to early 2026. Contact Sarah (sdeslauriers@casaweb.org) if interested in joining the subgroup.
 - IRA Funding
 - Solar and wind funding terminated. Support for hydrogen and biogas continues.
 - Grantees need to reapply without mention of climate change.
 - AB 70 passed
 - Defines pyrolysis as thermal decomposition of material at elevated temperatures in the absence or near absence of oxygen.
 - Waste(d) Water Podcast
 - Maile Lono-Bature featured on Sept 11th episode titled "Burden or benefit? Recovering resources from wastewater"
 - <https://wastedwaterpod.blogspot.com/2025/09/episode-four-show-notes.html>
 - Cdfa Draft Climate Resilience Strategy for CA Agriculture:
 - Released Oct 7th. Comments due Nov 7th. Acknowledges the wastewater sector, potential for food waste codigestion, biogas use, and biosolids use.
 - https://www.cdfa.ca.gov/climate/docs/RSA_PublicCommentDraft.pdf

Updates in blue bold.
Key points highlighted.

4. Support Development of Biosolids Projects

Central San's Regionalization Evaluation

- Central San evaluating regionalization to serve the region by providing a PFAS solution for Bay Area agencies.
- Upgrading from Multiple Hearth Furnaces (MHFs) to Fluidized Bed Incinerators (FBIs).
- FBIs to be operational by 2042.
- Both the existing MHFs and the future FBIs recover energy and use the ash as a soil amendment.
- Evaluating regionalization opportunities for both the long-term (future FBIs) and the near-term (existing MHFs).
- If interested in learning more, please contact Nitin Goel (NGoel@centralsan.org) and Christine Polo (cpolo@carollo.com).



Updates in blue bold.
Key points highlighted.

D. Other Updates

- Recent events/conferences:
 - BACWA Air Committee meeting, August 20th
 - BACWA Executive Board Meeting, September 19th
 - WEFTEC in Chicago, September 27th to October 1st
 - CASA Regulatory Workgroup (RWG) Meeting at SacSewer, October 16th
 - CASA RWG Meeting, virtual, September 18th
- Other updates?



E. Action Items – Program Management Team, Research Subgroup, Website Subgroup

- Ongoing – maintain website (Website Subgroup)
- Ongoing – coordinate with potential research partners (Research Subgroup)
- Ongoing – provide updates on regulations and other drivers impacting biosolids beneficial use (Program Management Team, CASA, etc.)
- ~~BABC/BACWA meeting to coordinate on PFAS communication strategy (Website Subgroup, BACWA)~~
- ~~Provide summary of BABC funded/supported research to date (Research Subgroup)~~
- ~~Follow up with BluumBio about potential field research on PFAS biodegradation (Research Subgroup)~~
- ~~Follow up with WEST Center/Pima County about potential participation in foam fractionation pilot (Research Subgroup)~~
- ~~Meet with EPA grant recipients who lost funding about potential collaboration (Research Subgroup)~~
- ~~Follow up with WRF about potential research collaboration opportunities (Research Subgroup)~~
- ~~Share Central San slides about solids regionalization evaluation (Program Management Team)~~



E. Action Items – Member Agencies

- Contact Lorien Fono if interested in:
 - Contributing additional funds to Phase 2 of Dr. Pepper's National PFAS Study
- Contact Program Management Team or Christine Polo if interested in:
 - Participating in the foam fractionation pilot.
 - Being featured in an agency highlight on the website.
 - Serving as co-chair or in the website or research subgroups.
 - Hosting the December 1st in-person BABC meeting.
- Contact Nitin Goel and Christine Polo if interested in:
 - Learning more about the potential solids regionalization partnership at Central San.

Contacts:

- Lorien Fono: lfono@bacwa.com
- Program Management Team: babcprogrammanager@carollo.com
- Nitin Goel: NGoel@centralsan.org
- Christine Polo: cpolo@carollo.com



F. Upcoming Meetings

- Upcoming BABC meetings:
 - December 1st at 10 am to 12 pm (in person; location TBD)
 - February 9th at 10 am to 12 pm (virtual)
- Other upcoming events/conferences:
 - CASA Innovative Technology Seminars, NorCal and SoCal locations on October 29 and 28
 - CASA Winter Conference, SoCal, January 13th to 16th
 - Full list of CASA meetings: <https://casaweb.org/https-casaevents-memberclicks-net-winter-conference/casa-events-meetings/>
 - Bioenergy Association of California, Oakland, November 19th, featuring presentation on converting biosolids to renewable shipping fuels. If interested, RSVP to Julia Levin jlevin@bioenergyca.org
 - BACWA Air Committee meeting, November 19th
 - Full list of BACWA meetings: <https://bacwa.org/events/month/2025-08/>
 - Other?



G. Adjourn for all but Member Agencies... Thank You!

H. Member Agencies Discussion



Committee Request for Board Action: None

44 attendees participated remotely, including two guest speakers and representatives from 15 member agencies, the Regional Water Board, and consulting firms.

Pure Water Silicon Valley – Direct Potable Reuse Demonstration Facility Project

Valley Water’s Medi Sinaki (Senior Engineer) and Kristen Yasukawa (Civic Engagement Manager) presented on their agency’s plans for constructing a Direct Potable Reuse (DPR) pilot project adjacent to the existing Silicon Valley Advanced Water Purification Center in San José. The 200-gpm pilot will support eventual development of the [Pure Water Silicon Valley](#) project at the same site. Pure Water Silicon Valley would be the first DPR project in Northern CA, and would provide up to 24,000 acre-feet per year to raw water or treated water augmentation. Valley Water is currently evaluating the best option for managing the 5 MGD of [RO concentrate](#) that the full-scale facility will produce. The pilot/ demonstration facility will be critical to fine-tune the design and operability of the DPR treatment train. The project is also being intentionally designed to build public support for the project; after initially operating out of a small pilot facility for 1-2 years, the treatment train will be moved to a larger demonstration and learning facility, where it will be available for public outreach. Kristen also shared other aspects of the Pure Water Silicon Valley outreach strategy, including partnerships with the medical community, outreach to youth and to older adults, taste testing, and many other opportunities for interactive engagement. [Link to Presentation Slides](#)

Funding Updates

Sachi Itagaki (Kennedy Jenks) reported that the State Water Board’s recycled water planning grants can provide a 50% match for project costs, up to \$300,000 (FY26 [SRF Intended Use Plan](#)). In addition, approximately \$153M of recycled water grant funding from the Prop 4 Climate Bond (or about 1/3 of the total) is expected to be allocated. There are currently few federal funding options. Google has issued an RFI related to data center water usage, and has committed to invest in infrastructure projects that increase water efficiency in specific regions (including CA). See: <https://datacenters.google/water-rfi/>

Roundtable Discussion on Inspection Practices

Stefanie Olson (DSRSD) proposed a survey of BACWA member agencies regarding inspection practices for recycled water use sites, particularly the inspection frequency and the practices for inspecting irrigation sites. The committee leaders will develop a draft survey, and circulate it to members soon.

BACWA Updates ([Link to Slides](#))

- Nutrients Watershed Permit Update: BACWA is working with the Regional Water Board to develop a Basin Plan Amendment that would provide a pathway for compliance schedules longer than 10 years for certain “qualifying” projects, such as recycled water projects. BACWA plans to circulate a Request for Information in January 2026 requesting agency updates on nutrient removal plans.
- Southern California POTW nutrient loading and recycled water load reductions are now summarized in the October 2025 CASA report [Southern California Bight Nutrient Management Evaluation](#).
- For recycled water programs in the San Francisco Bay region, annual reports to the Regional Water Board are now available in this [shared folder](#).
- [Volumetric Annual Report](#) data for 2024 is now available from the State Water Board

Legislative and Regulatory Updates

- [Onsite Non-potable Reuse regulation rulemaking](#) is ongoing, and the State Water Board plans to consider adoption on November 18th.
- Governor Newsom signed [SB31](#), which provide more flexibility for the use of disinfected tertiary recycled water in outdoor eating areas, residential common areas, decorative water bodies, and around food handling facilities. Agencies will need to update their permitting and inspection practices to reflect the changes to Title 22.

2026 Meetings: January 20, April 21, July 21, and October 20

Committee Request for Board Action: None

48 attendees from 25 member agencies, including a guest speaker and attendees from the Regional Water Board

Sanitary Sewer System Priorities:**Perspective from the San Francisco Bay Regional Water Board**[Link to Slides](#)

James Parrish, Sr. Environmental Scientist with the Regional Water Board, shared perspectives on compliance with the [General Order for Sanitary Sewer Systems](#) for the 130 systems enrolled in the General Order in the San Francisco Bay Region (Region 2). The most important aspect of compliance is eliminating sanitary sewer spills. James shared the Regional Water Board's approach to audits, inspections, and enforcement. The Regional Water Board looks at public complaints, spill reports, and spill response times to determine which agencies should be prioritized for a formal inspection. Timeliness of reporting – such as meeting due dates for spill reports, SSMP updates and annual reports – is also a factor in prioritizing agencies for inspections.

Prior to inspections, the Regional Water Board aims to provide agencies with 4-6 weeks' notice.

Agencies should plan to fill out a [pre-inspection checklist](#). Inspections may be conducted in-person or virtually, since most of the inspection involves reviewing reports and other documentation.

During inspections, the Regional Water Board likes to hear about new technologies as well as agencies' capital and O&M programs, budgets, asset management programs, and Sanitary Sewer Management Plans (SSMPs). BACWA has provided guidance for updating SSMPs ([Link](#)).

James also discussed rationale for enforcement, which could include informal enforcement (phone call or email), a Notice of Violation, or an Administrative Civil Liability (which comes with a penalty amount). A Cease and Desist Order is an option for agencies with complex issues that need time to come into compliance. Overall, the Regional Water Board's key message was that agencies can "show you care" by developing, implementing, and updating your SSMP, and by providing timely spill response, notification, and reporting. Agencies should also strive to keep CIWQS contact information up-to-date.

BACWA Announcements[Link to Slides](#)

- Re-enrollees in the [Sanitary Sewer Systems General Order](#) must submit a service area boundary map to the State Water Board by December 31, 2025.
- In December 2025, the State Water Board plans to roll out a new tool for electronic reporting of plant bypasses.
- The Bay Area Pollution Prevention Group, a BACWA committee, has developed new graphics for a November 2025 FOG digital advertising campaign. Agencies are free to use them ([Link](#)).
- Region 2 spill statistics available from [CIWQS](#) show a significant decline in spills over the last 17 years, especially for small spills (<50 gallons) that are typically due to blockages. These "Category 4" spills are no longer included in public spill rate statistics.
- In early 2026, DWR plans to circulate a survey to collection systems to evaluate the impacts of water conservation ([SB 1157](#)). Please plan to participate!
- On November 5th, BACWA held a webinar on the potential operational benefits to wastewater agencies from Advanced Quantitative Precipitation Information (AQPI), which improves radar, rainfall estimates, and rainfall forecasts. [Link to Webinar Slides](#).
- The [California Underground Safety Board](#) is working on draft requirements to record and map GIS locations for new underground installations (e.g., sewer pipelines). The proposed regulations would implement [SB 865](#) (2020). An informal draft of the regulations with a requirement to geolocate utilities within 100 mm was circulated in summer 2025. Formal rulemaking will begin at a later date.

Next Meeting: Tuesday, February 5th - Virtual

Bay Area Biosolids Coalition: Meeting

December 1st, 2025

A. Welcome/Introductions



B. Status of October Action Items – Program

Management Team, Research Subgroup, Website Subgroup

- Ongoing – maintain website and post regularly on News & Events site (Website Subgroup)
- Ongoing – Explore potential research partnership opportunities, as they arise (Research Subgroup)
- Ongoing – provide regular updates on regulations and other drivers impacting biosolids beneficial use (Program Management Team, CASA, etc.)
- Continue coordination with BACWA on communications strategy (Website Subgroup)
- Provide summary of BABC funded/supported research to date (Research Subgroup)
- Continue coordination with BluumBio about potential research partnership (Research Subgroup)
- Continue coordination with John Hopkins University about potential research partnership (Research Subgroup)



B. Status of October Action Items – Member Agencies

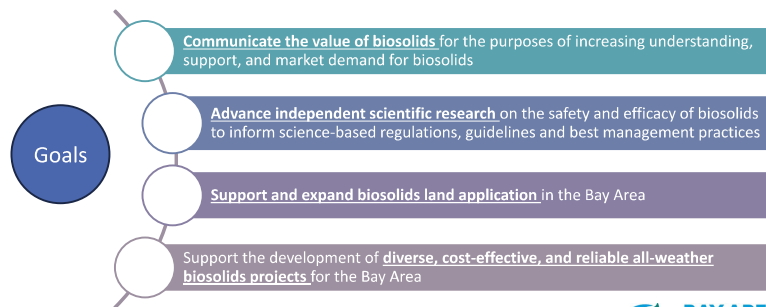
- Contact Lorien Fono if interested in:
 - Contributing additional funds to Phase 2 National PFAS Study
- Contact Program Management Team or Christine Polo if interested in:
 - Participating in foam fractionation pilot at the WEST Center.
 - Being featured in agency highlight on the website.
 - Serving as co-chair or in the website or research subgroups.
- Contact Nitin Goel and Christine Polo if interested in:
 - Learning more about potential solids regionalization project at Central San.

Contacts:

- Lorien Fono: lfono@bacwa.com
- Program Management Team: babcprogrammanager@carollo.com
- Christine Polo: cpolo@carollo.com
- Nitin Goel: NGoel@centralsan.org



C. Strategic Plan Goals – Progress Updates



1. Communicate the Value of Biosolids

News & Events Posts on BABC website*:

- Upcoming posts:
 - Biosolids: A Sustainable Fertilizer Alternative (Dec)
 - Land application site photos
 - Research on biosolids benefits:
 - Improve soil biodiversity and wildlife benefits
 - Improve crop productivity
 - Reduce irrigation
 - Microbial bioremediation of PFAS
 - Agency highlights:
 - San Jose, West County, SFPUC
 - **Let us know if interested!**

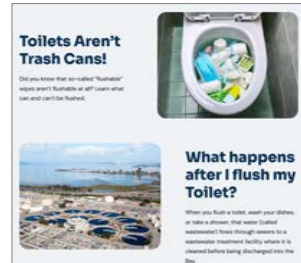


*See BABC website at: <https://www.bayareabiosolids.com/>

1. Communicate the Value of Biosolids

BACWA/BABC Collaboration

- How to better use <https://baywise.org/>, and <https://www.bayareabiosolids.com/> to educate the public about biosolids benefits and safety.
- Coordination meeting on Sep 11th:
 - Participation from 12 member agencies, 4 consultants/vendors, CASA, and SF Bay RWQCB.
 - Overall consensus:
 - Strong need to communicate about biosolids benefits to the public.
 - Need for proactive and balanced PFAS communications.



Snippet from Baywise.org, BACWA's public-facing, educational website.



1. Communicate the Value of Biosolids

Updates in blue bold.
Key points highlighted.

- BACWA/BABC Collaboration**
- **BACWA PFAS Forum on Nov 18th led by Lorien Fono, BACWA**
 - Regulatory Update by Mary Cousins, BACWA
 - Reviewed regulatory development and potential future regulations from different areas (drinking water, fish, air, etc.), which could lead to wastewater regulations.
 - PFAS Communications by Emily Barnett, Central San
 - Reviewed 2023 poll on Californians knowledge and concern level about PFAS. ~24% were aware of PFAS; 43% were concerned, increased to 56% with minor additional info.
 - PFAS Communication Tools by Zoe Lake, EBMUD
 - Reviewed Spring 2025 PFAS ads campaign, which linked to Baywise website.
 - PFAS Advocacy by Spencer Saks, CASA
 - Reviewed CASA's regulatory advocacy. Document with 100+ links: <https://casaweb.org/wp-content/uploads/2025/11/CASA-Actions-on-PFAS.pdf>
 - Source Control Science by Diana Lin, SFEI
 - Reviewed PFAS Sources to Solutions research, which will measure PFAS in priority products, wastewater and stormwater, and identify potential solutions

Slides available at:
<https://bacwa.org/bacwa-pfas-forum-11-18-2025-presentations/>



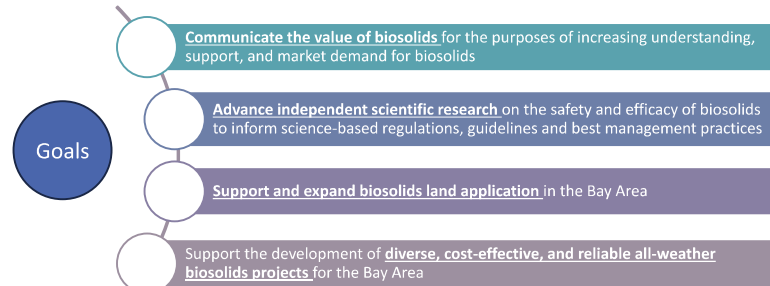
1. Communicate the Value of Biosolids

Updates in blue bold.
Key points highlighted.

- BACWA/BABC Collaboration**
- **Priorities and Next Steps:**
 - **Enhance communications about the value of biosolids**
 - **Action:** Civic Edge is rewriting info on biosolids benefits from <https://www.bayareabiosolids.com/> to post on <https://baywise.org/>. May produce social media vignettes for agencies to post.
 - **Action:** Engage farmers to discuss the value of biosolids (BABC). **Do any member agencies have connections to farmers?**
 - **Action:** BABC writing website posts featuring research that demonstrates biosolids benefits.
 - **Develop messaging and media strategy about PFAS in biosolids**
 - **Action:** BACWA will present to the Board in December about findings from Nov 18 PFAS forum and get direction on next steps.



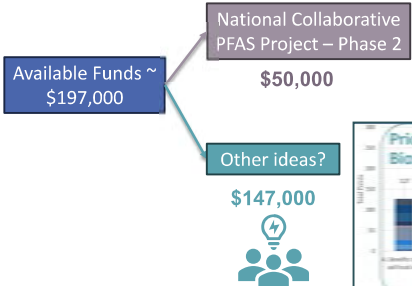
C. Strategic Plan Goals – Progress Updates



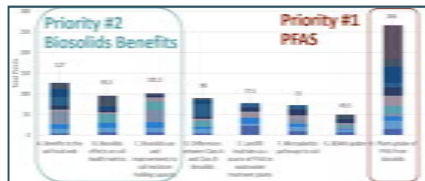
2. Advance Scientific Research

Available Funds

Updates in blue bold.
Key points highlighted.



- Thank you to BABC and Santa Rosa for donating!
- Thank you to BACWA for handling the logistics!
- **Contact Lorien if interested in donating!**



2. Advance Scientific Research

Potential Research Opportunities

Updates in blue bold.
Key points highlighted.

- BABC Research Subgroup investigating other opportunities:
 - BluumBio PFAS bioremediation pilot
 - **Participate in WEST Center foam fractionation pilot**
 - Support projects that lost EPA funding – Prof. Carsten Prasse at John Hopkins
 - **Potential collaboration with Mary Martis and Dr. Linda Lee on PFAS removal through thermal drying.**

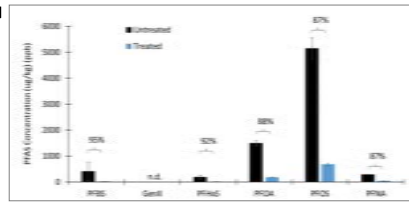


2. Advance Scientific Research

Potential Research Opportunities

Updates in blue bold.
Key points highlighted.

- **BluumBio PFAS bioremediation pilot**
 - Showed promising results in a lab study of soil that had received biosolids. 30-day treatment resulted in 87-95% decrease in PFAS →
 - **Conducting field trial at Tubbs Island:**
 - Funded by EPA & NIH
 - 1-year field trial
 - 2 control plots + 2 treatment plots
 - Budget: \$50k
 - **Consider trial at Solano County?**
 - **Next steps:**
 - Research Subgroup to get more details on scope and estimated cost at full-scale



2. Advance Scientific Research

Potential Research Opportunities

Updates in blue bold.
Key points highlighted

- **Support projects that lost EPA funding**
 - Meeting on Oct 1st with Prof. Carsten Prasse, John Hopkins University
 - Project aims to proactively identify unknown contaminants in biosolids that may be regulated in the future (“the next PFAS”).
 - Project started in 2021 and identified 43 compounds to be evaluated for toxicity potential, soil migration, and plant uptake.
 - Initial research covering identification and prioritization of compounds is published: <https://pmc.ncbi.nlm.nih.gov/articles/PMC11381038/pdf/nihms-2011911.pdf>
 - Research was cut short by ~\$300k and 1-1.5 years.
 - **Current status:**
 - **Waiting for scope and budget from Prof. Carsten & team.**
 - **Considering running the 43 compounds through Dr. McAvoy’s Risk Assessment Model**

2. Advance Scientific Research

Potential Research Opportunities

PFAS Removal through Thermal Drying
Mary Martis, Dr. Linda Lee, and Pam Racey

2. Advance Scientific Research

Potential Research Opportunities

Updates in blue bold.
Key points highlighted

- **Fate of PFAS through thermal drying**
 - Next steps:
 - **Decide whether to vote.**
 - **If yes, vote during and after this meeting.**
 - **Get back to research team by Jan 1st, 2026**

Decision-Making Process*

For research funding contributions, payments would not increase, so only Majority Vote is needed.

- **Each Member Agency (POTW Member) has 1 vote.**
 - Associates do not vote.

Majority Vote

For decisions not resulting in “Material Action”

Unanimous Vote

For decisions resulting in “Material Action”

- **“Material Action” =**
 - Any action that creates or increases a payment, obligation, debt, or liability of any Member (e.g., contract for additional evaluation or for funding a regional facility, increasing dues).

*From Section 3 in Amended JEPA, dated July 1st, 2012.



3. Support and Expand Biosolids Land Application

Support and expand biosolids land application in the Bay Area

- **Track regulations, funding programs, research, and media that could impact biosolids land application in the Bay Area**
 - Regulations on PFAS and other emerging contaminants that could limit land application
 - SB 1383 and county ordinances that may limit or expand local land application
 - Zero emission vehicle (ZEV) regulations as they relate to biosolids hauling
 - Regulations and funding programs that could impact anaerobic digestion and biogas use (methane emissions, LCFS, IRA, ZEV requirements)
 - Zero waste, soil health, and climate programs that could incentivize use of biosolids
 - Local media on biosolids safety and benefits
 - Research on biosolids safety (PFAS, etc.) and biosolids benefits

3. Support and Expand Biosolids Land Application

PFAS Regulations for the Wastewater Sector
Mary Cousins

3. Support and Expand Biosolids Land Application

- **PFAS (National)**
 - Draft Risk Assessment – EPA reviewing comments
 - Effluent Guidelines & POTW Survey – no updates/on hold
 - PFAS Liability Protection Act – on hold. EPA press release recognizing that passive receivers should not be held liable: <https://content.govdelivery.com/accounts/USEPA00/bulletins/3df5d7d>
 - NACWA released Biosolids PFAS Legislative Guide: <https://nacwa.realmagnet.land/2025-11-04-biosolids-pfas-legislative-guide>
- **PFAS (California)**
 - BACWA Phase 3 PFAS Study “PFAS Sources to Solutions”
 - To monitor stormwater, as well as commercial, residential, and industrial sources.
 - Won't focus on biosolids other than to repeat prior sampling to track long-term trends.
 - To sign up for December kick-off meeting (exact date and time TBD), fill out this form: <https://docs.google.com/forms/d/e/1FAIpQLSeqd9QVQVUDgiovQxMvY6C9ix3NIAI8T1AGXPC1ev2NYIfg/viewform>
- **PFAS (Other States)**
 - Potential 5-year moratorium of land app in NY early next year. Early bills expected from PA, MD.

Updates in blue bold.
Key points highlighted.

3. Support and Expand Biosolids Land Application

- **CalRecycle Funding for Codigestion Projects**
 - Projects need to be build-ready and encumbered by late winter/early spring.
 - Any process supporting food waste codigestion; pre-processing, anaerobic digestion, biogas use.
 - <https://www2.calrecycle.ca.gov/PublicNotices/Details/4913>
 - Contact Sarah Deslauriers if interested.
- **CARB Advanced Clean Fleets**
 - Amendments include: 1) vehicles no longer have to >13 years too apply for exemptions, 2) more vetting of ZEV manufacturers, etc.
 - ACF no longer applies to public fleets.
 - This round of amendments did not include near ZEVs like RNG; will consider in the next round of amendments. 14 sign-on's from utilities on CASA letter requesting inclusion of RNG.
- **CalRecycle Zero Waste Plan**
 - CASA's comments: https://casaweb.org/wp-content/uploads/2025/11/FINAL_CASA_Comments_CalRecycle-ZeroWastePlan-2025-10-176.pdf
- **CARB Carbon Sequestration**
 - Released 250-page document. CASA working on response. Want to know more about benefits of biosolids beyond carbon sequestration.

Updates in blue bold.
Key points highlighted.

4. Support Development of Biosolids Projects

Central San's Regionalization Evaluation

Updates in blue bold.
Key points highlighted.

- Central San evaluating regionalization to serve the region by providing a PFAS solution for Bay Area agencies.
- Upgrading from Multiple Hearth Furnaces (MHFs) to Fluidized Bed Incinerators (FBIs).
- FBIs to be operational by 2042.
- Both the existing MHFs and the future FBIs recover energy and use the ash as a soil amendment.
- Evaluating regionalization opportunities for both the long-term (future FBIs) and the near-term (existing MHFs).
- If interested, please contact Nitin Goel (NGoel@centralsan.org) and Christine Polo (cpolo@carollo.com).



D. Other Updates

Updates in blue bold.
Key points highlighted.

- Recent events:
 - Oct 29th CASA Innovative Technology Seminar. Link to slides: <https://casaweb.org/resources/speaker-presentations/>
 - Nov 18th BACWA PFAS Forum. Link to slides: <https://bacwa.org/bacwa-pfas-forum-11-18-2025-presentations/>
 - Nov 19th Bioenergy Association of California Fall meeting featuring presentation on converting biosolids to renewable shipping fuels.
- Other updates?



E. Action Items – Program Management Team, Research Subgroup, Website Subgroup

Updates in blue bold.
Key points highlighted.

- Ongoing – maintain website and post regularly on News & Events site (Website Subgroup)
- Ongoing – Explore potential research partnership opportunities, as they arise (Research Subgroup)
- Ongoing – provide regular updates on regulations and other drivers impacting biosolids beneficial use (Program Management Team, CASA, etc.)
- Continue coordination with BACWA on communications strategy (Website Subgroup)
- Provide summary of BABC funded/supported research to date (Research Subgroup)
- Continue coordination with BlumBio about potential research partnership (Research Subgroup)
- Continue coordination with John Hopkins University about potential research partnership (Research Subgroup)
- **Begin voting on PFAS Removal through Thermal Drying** (Program Management Team)



E. Action Items – Member Agencies

Updates in blue bold.
Key points highlighted.

- Contact Lorien Fono if interested in:
 - Contributing additional funds to Phase 2 of National PFAS Study
- Contact Program Management Team or Christine Polo if interested in:
 - Participating in foam fractionation pilot at the WEST Center.
 - Being featured in agency highlight on the website.
 - Serving as co-chair or in the website or research subgroups.
- Contact Nitin Goel and Christine Polo if interested in:
 - Learning more about potential solids regionalization project at Central San.
- **Fill out form if interested in participating in BACWA's PFAS Study – Phase 3:**
 - <https://docs.google.com/forms/d/e/1FAIpQLSeqd9QVQVUDgiovQxMvY6C9ix3NIAI8T1AGXPC1ev2NYIfg/viewform>

Contacts:

- Lorien Fono: lfono@bacwa.com
- Program Management Team: babcprogrammanager@carollo.com
- Christine Polo: cpolo@carollo.com; Nitin Goel: NGoel@centralsan.org



F. Upcoming Events

Updates in blue bold.
Key points highlighted.

- BABC:
 - Feb 9th at 10 am to 12 pm (virtual)
 - Apr 13th at 10 am to 12 pm (in-person/virtual hybrid; **location TBD**)
- BACWA:
 - Dec 12th BACWA Board Meeting
 - Dec (exact date and time TBD) Kickoff Meeting for Phase 3 PFAS Study.
 - Full list of BACWA meetings: <https://bacwa.org/events/month/2025-08/>
- CASA:
 - Dec 4th CASA Holiday Party at IEUA (hybrid)
 - Jan 13th to 16th CASA Winter Conference, SoCal
 - Full list of CASA meetings: <https://casaweb.org/https-casaevents-memberclicks-net-winter-conference/casa-events-meetings/>
- Other?



G. Adjourn for all... Thank You!



Special Joint Meeting of Lab and Permits Committee: 50 attendees participated remotely and in-person at the City of Petaluma's Ellis Creek Water Recycling Facility. Attendees included representatives from 24 BACWA member agencies and the Regional Water Board.

Whole Effluent Chronic Toxicity - Test of Significant Toxicity (TST) Updates

In November 2025, the CA Supreme Court agreed to hear the State Water Board's appeal of a CA Appellate court opinion regarding the legality of the TST as a Clean Water Act method ([Case Information](#)). The State Water Board recently provided legal guidance to the Regional Water Boards to include TST-based effluent limits in reissued permits, thereby ending the recent pause on permit reissuances caused by the pending court challenges. Three individual NPDES permits with TST-based effluent limits are slated for adoption at the [December 10th Regional Water Board meeting](#).

Nutrients Watershed Permit

- Regional Water Board staff recently issued a [minor modification](#) to the [Nutrients Watershed Permit](#) to specify a new way of calculating the dry season average Total Inorganic Nitrogen (TIN) loads for comparison with the interim effluent limitations. **The effluent limitations have not changed**, only the averaging instructions. [Link to December 5, 2025 Minor Modification](#).
- BACWA is working with HDR to develop a draft survey for this year's Group Annual Report and Compliance Schedule Milestone Report. The draft survey will be circulated soon, then BACWA will host a meeting on December 15th to discuss member feedback. The finalized survey will go out in January, and responses will be due February 13, 2026.
- The Freshwater Trust is continuing to make progress on the water quality trading feasibility study, and is meeting with BACWA members to gather input.

DMR-QA Study 45 reporting

Committee members discussed how to comply with the State Water Board's request for Excel or CSV files in addition to PDF files when reporting results for DMR-QA Study 45. Many (but not all) contract laboratories have figured out a way to provide the requested file formats. This is likely to be a request for future DMR-QA studies, as well.

Bypass Reporting Module in CIWQS

To comply with [federal e-reporting rules](#) for NPDES permits, the State Water Board recently added a new [bypass reporting module](#) and [help guide](#) to CIWQS. The module is to be used for reporting "noncompliant or prohibited" bypasses. The new module is formatted as two different questionnaires, either for an **anticipated bypass** or for an **unanticipated bypass**. The new module also asks users to self-report bypasses that are NPDES permit violations.

At the meeting, Regional Water Board staff recommended using the new reporting module for most bypass situations, but it is not required for bypasses that are specifically pre-approved by an agency's individual NPDES permit. In these cases, the NPDES permit will already provide specific instructions for monitoring and reporting the bypass. For example, permits that authorize blending provide a specific monitoring location and monitoring requirements for blended effluent (e.g., EFF-001B); do not use the new reporting module for such cases. Regional Water Board staff also noted that for anticipated bypasses, agencies should still provide notice to their case manager, consistent with past practice. The new module supplements, but does not replace, direct communication with Regional Water Board staff.

BACWA / SFEI Regional PFAS Study

BACWA recently held a webinar for members related to PFAS regulations, communication strategies, and the forthcoming Phase 3 of a regional study of PFAS in wastewater.

[Link to Slides from Nov 18th PFAS Forum](#)

BACWA and SFEI will hold a kickoff meeting for the Phase 3 study on Tuesday, December 15th. The goal of the Phase 3 study is to support source control efforts and contribute to SFEI's "Sources to Solutions" project. If your agency is interested in participating in the study, [please fill out this form](#).

2023 Chlorine Blanket Amendment Saves Wastewater Treatment Plants \$1 Million

See the December 2025 Regional Water Board [Executive Officer's Report](#) for a short write-up about cost savings for dechlorinating chemicals resulting from the [2023 Chlorine Blanket Permit Amendment](#).

Next Lab Committee Meeting: Wednesday, January 14, 2026 – Tour of Valley Water Lab, San Jose

Next Permits Committee Meeting: Tuesday, Feb 10, 2026, Virtual



Thank You to City of Petaluma staff for providing a tour of the Ellis Creek Water Recycling Facility!

Committee Request for Board Action: None

44 attendees participated virtually, including one guest speaker and representatives from 24 member agencies and the Regional Water Board.

Updates on Committee Activity and Announcements

- **BACWA Communication Update:** BACWA is preparing a “Wastewater 101” video for community use that promotes the value of wastewater infrastructure. There will be two versions, one with basic content and one that also includes information about nitrogen removal. Social media vignettes for member agencies’ use in promoting the video will also be shared soon.
- **BACWA PFAS Update:** Presentations from the recent PFAS Forum are available on the [BACWA website](#). BACWA and SFEI will soon be hosting a kickoff meeting for the next phase of the PFAS regional wastewater study. Contact [Mary Cousins](#) to participate.
- **Outreach Opportunity:** Two guests attended the meeting from [Richmond YouthBUILD](#), a youth career training program, and briefly highlighted the opportunity to collaborate on pollution prevention outreach as well as wastewater career exploration.
- **Steering Committee:** BAPPG recently signed a [letter for support](#) for a legislative ban on disposable vape cartridges, which are frequently flushed into wastewater collection systems.

Marketing Best Practices

[Link to Slides](#)

Beverly Perez, Vector Control Community Resource Specialist with the Santa Clara County Mosquito and Vector Control District, provided a comprehensive overview of marketing best practices from a public agency perspective. Some of the key points from her presentation included:

- Public agencies need to ensure their marketing campaigns are an effective use of public funds. Using these best practices can help public trust and transparency.
- Before beginning a campaign, agencies should define clear goals, understand the targeted community, and create a strong narrative about the intended message.
- Campaigns should use clear, plain language and be repeated across multiple channels.
- Beverly’s presentation covered some of the basic analytics for digital campaigns, but noted that what is considered “good” performance varies considerably across different platforms. “Impressions” are less important than other metrics such as click-through rates.

Swag Share

BAPPG members shared some of the swag that their agencies are using for public outreach on pollution prevention messaging, including:

- For general awareness about environmental protection, agencies are using plushie and squishy toys (popular with kids), tote bags, and stickers.
- For Fats, Oils, and Grease (FOG) messaging, agencies use grease scrapers (including plastic and bamboo scrapers), grease collection containers such as the “Grease Buddy” from [Bin Doctor](#), and packets of [FryAway](#) to solidify grease prior to disposal.
- For Pet Pesticide outreach, agencies are using dog waste bag dispensers and flea combs.

A complete list of vendors and example products will be shared with committee members.

Next Meeting: Joint Meeting with Pretreatment Committee, Wed., Feb. 4, 2026, 10 am- 12pm, Virtual