BACWA BAY AREA CLEAN WATER AGENCIES

PROGRAM

BACWA ANNUAL TECHNICAL SEMINAR

SPECIAL EXECUTIVE BOARD MEETING

Thursday September 17 & Friday September 18

Zoom Meeting link: https://zoom.us/j/98925243558
You can also dial in: 1-669-900-9128
Meeting ID: 989 2524 3558

Day	Time	Theme	Topic	Desired Outcomes	Page
Thur	9:00 AM	**Welcome and Introductions**			
	9:05 AM	**BACWA Operational**	**Financial**		
			FY 21 Budget	Understanding of budget status	3-5
			5 Year Plan	Input on future level of reserves given anticipated cash flow	6-11
			-Assumptions for Future Dues/CBC/Nutrient Surcharges	Agree on dues increases	
			Meeting Planning		
			Executive Board meeting management	Discussion about input on improving meetings	12
			Annual Meeting planning	Seek input on structure of Annual Meeting	13-14
	10:30 AM	**Break 10:00-10:45am**			
	10:45 AM	**Regulatory topics**	AIR Update (Sarah Deslauriers, Carollo)	Rule development and engagement with BAAQMD	15-30
			Chlorine Residual BPA - link to draft Staff Report and BPA	Comments on draft	31-33
			Topics for Friday - preview		
	11:45 AM	**Strategic Planning Check-in**	Review of Strategic Planning Meeting Part 1 and next steps	Review Mission Vision Values Goals	34-43
	12:00 PM	**Lunch 12:00-1:00pm**	**Lunch Activity - social zoom breakout rooms**		
	1:00 PM	**Nutrients**	**3rd Watershed Permit Negotiations**		
			Discussion of Issues •Load caps based on science •Antidegradation approach •Subembayment designation •Scientific Certainty vs. time and cost •Implications of extending watershed Permit •Long term funding for the science •Designation, protection, and incentivizations for early actors	Develop questions and discussion points for the Water Board	
		Break 2:30 - 2:45pm			
	3:30 AM	**Nutrients, cond.**	**Nutrient Technical Engagement by BACWA**		
			Nutrient Technical Review and Interpretation RFP	Agree on final RFP	44-52
			Nutrient Technical Team	BACWA member engagement with NMS	
	4:00 PM		**Adjorn**		

Day	Time	Theme	Topic	Desired Outcomes
Fri		**Water Board joins**		
	9:00 AM	**NMS Update**	**Update and Discussion**	
			Science Plan Key Updates and Issues (Dave Senn, SFEI) •update on findings including subembayment modeling •update on Assessment Framework •Decision points over coming years •COVID-19 impacts to science plan	•understanding of status and providing input to SFEI on direction •focus on key work products to drive decisions for 3rd WSP
	10:30 AM	**Break 10:30-10:45am**		
	10:45 AM	**2nd Watershed Permit**	**Update and Discussion**	
			Status of NBS Study (Ian Wren, SFEI)	Understanding of status and resolution of identified issues
			Group Annual Report and Status of Recycled Water Report (Mike Falk, HDR)	•understanding of status and resolution of identified issues •What is feasible for recycled water in the Region?
	12:00 PM	**Lunch 12:00-1:00pm**	**Lunch Activity - social zoom breakout rooms**	
	1:00 PM	**3rd Watershed Permit**	**Update and Discussion**	
			Discussion of questions developed by NST	Understanding of Water Board and BACWA positions on key issues
	2:20 PM	**Break 2:20-3:30pm**		
	2:30 PM	**Regulatory Issues**	**Update and Discussion**	
			CECs	Discuss new funding model for RMP CECs studies
			Climate change planning	Options for permitting
			Biosolids	Regional Strategy
			Power supply reliability	Approach to inform Water Board
	3:30 PM		**Adjorn**	

BACWA FY20 BUDGET	Line Item Description	FY 21 Budget	FY 21 NOTES
REVENUES & FUNDING			
Dues	Principals' Contributions	$516,909	**FY21:** 2% increase. 5 @ $103,382
	Associate & Affiliate Contributions	$187,793	**FY21:** 2% increase. 13 Assoc: $8,531; 45 Affiliate: $1,708.
Fees	Clean Bay Collaborative	$675,000	Prin: $450,000; Assoc/Affil: $225,000
	Nutrient Surcharge	$1,700,000	See Nutrient Surcharge Spreadsheet
	Member Voluntary Nutrient Contributions	$0	
Other Receipts	AIR Non-Member	$7,075	2% increase (Santa Rosa)
	BAPPG Non-Members	$3,954	2% increase (Sta Rosa, Sac Reg'l, Vacaville) $1,317/each
	Other	$0	
Fund Transfer	Special Program Admin Fees (WOT)	$5,202	**FY21:** 2% increase
	Special Program Admin Fees (BACC)	$20,010	300 hours of AED support, based on hours billed
	Special Program Admin Fees (BACC)	$6,000	AED and RPM support, hours billed
Interest Income	LAIF	$20,000	BACWA, Legal, & CBC Funds invested in LAIF
	Higher Yield Investments	$18,000	Alternative Investment Interest (Legal & CBC Funds invested in AltInv)
	Total Revenue	**$3,159,943**	

BACWA FY20 BUDGET	Line Item Description	FY 21 Budget	FY 21 NOTES
EXPENSES			
Labor			
	Executive Director	$190,000	No change from FY20 contract
	Assistant Executive Director	$102,551	2.5% CPI (SF Bay Metro Area Dec 2018); $66.7/hour; Reflects 1500 hours
	Regulatory Program Manager	$141,170	2.5% CPI (SF Bay Metro Area Dec 2018); $100.16/hour; Reflects 1375 hours/yr - Contract TBD
	Total	**$433,721**	
Administration			
	EBMUD Financial Services	$42,448	2% increase
	Auditing Services	$5,345	Contract with financial auditors through EBMUD
	Administrative Expenses	$7,959	2% increase. Travel, Supplies, Parking, Mileage, Tolls, Misc.
	Insurance	$4,776	2% increase. SLIP Insurance
	Total	**$60,528**	
Meetings			
	EB Meetings	$2,653	2% increase. Catering, Venue, other expenses
	Annual Meeting	$14,369	5% increase from projected FY20 actual. Catering, Venue, other expenses
	Pardee	$6,367	2% increase. Catering, Venue, other expenses
	Misc. Meetings	$5,306	2% increase. Hol & Comm Chair Lunch, Staff Mtgs, Fin Comm, Summit Ptnrs, CASA
	Total	**$28,695**	
Communication			
	Website Hosting	$612	Computer Courage

	File Storage	$765	Box.net
	Website Development/Maintenance	$1,530	Domains, website changes
	IT Support	$2,652	2% increase. As needed.
	Other Commun	$1,785	MS Exchange, Survey Monkey, Carbonite, Doodle Polls, PollEv, GoToMtg, HelloSign, Zoom
	Total	**$7,344**	
Legal			
	Regulatory Support	$2,706	2% increase
	Executive Board Support	$2,176	2% increase
	Total	**$4,882**	
Committees			
	AIR	$76,000	$75k consulting support, $1k misc expenses
	BAPPG	$130,000	Includes CPSC @ $10,000, OWOW @ $10,000, and Pest. Reg Spt. @ $60,000.
	Biosolids Committee	$1,000	
	Collections System	$1,000	
	InfoShare Groups	$1,750	Funds for 2 workgroups ($750 for Asset Mgmt - new in FY21; $1,000 for O&M)
	Laboratory Committee	$1,000	
	Permits Committee	$1,300	All meetings moved to include lunch hour for commuting purposes
	Pretreatment	$1,000	
	Recycled Water Committee	$1,000	
	Misc Committee Support	$45,000	
	Manager's Roundtable	$1,000	
	Total	**$260,050**	
Collaboratives			
	Collaboratives		
	State of the Estuary (SFEP-biennial)	$20,000	Biennial in Odd Fiscal Years. (Paid bienniely in odd years for even year conference)
	Arleen Navarret Award	$0	Biennial in Even Fiscal Years. Increased award amount in FY20
	FWQC (Fred Andes)	$7,500	
	Stanford ERC (ReNUWIt)	$10,000	
	Misc	$5,000	BayCAN, NBWA
	Total	**$42,500**	
Other			
	Unbudgeted Items		
	Other	$0	
		$0	
Tech Support			
	Technical Support		
	Nutrients		
	Watershed	$2,800,000	Advance funding for 2nd Watershed Permit Sciece Studies
	NMS Voluntary Contributions	$0	
	Additional work under permit	$100,000	Includes HDR PO for $225k spread out over FY20-24.
	Regional Study on Nature Based Systems	$200,000	New Line item in FY20
	Regional Recycling Evaluation	$60,000	
	Nutrient Workshop(s)	$0	Pilot Studies/Plant Review/Innovative Technologies

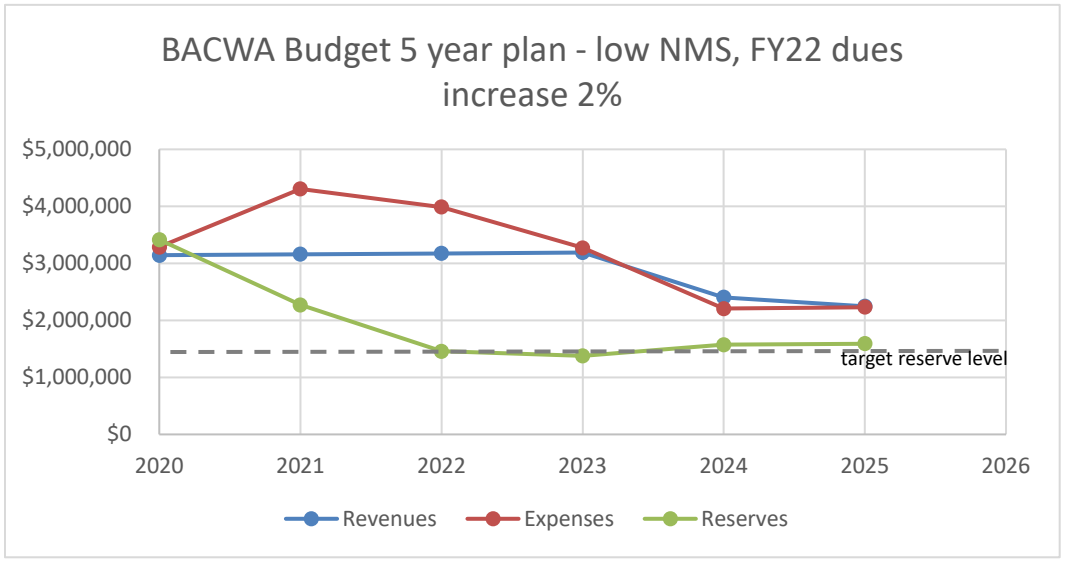
	General Tech Support	$250,000	AB617 emissions factors, nutrient technical review, other nutrient support, PFAS
	CEC Investigations	$50,000	Support for studies through RMP (PFAS in FY21)
	Risk Reduction	$7,500	$50,000 over 5 years (FY19-FY23) 2 Contracts for $25,000 each over FY19, 20, & 21
	Total	**$3,467,500**	
	TOTAL EXPENSES	**$4,305,220**	
	NET INCOME BEFORE TRANSFERS	**-$1,145,277**	
	TRANSFERS FROM RESERVES	**$1,145,277**	aligns with strategy of drawing down reserves to lessen impact of Nutrient Surcharge
	NET INCOME AFTER TRANSFERS	**$0**	
	TOTAL OPERATING BUDGET	**$837,720**	
	OPERATING RESERVE	**$209,430**	

		5 Year Plan - Baseline Adjusted to Eliminate Excess Reserves (CBC @ $1,000,000)						
		(low NMS estimate)						3rd WS PERMIT
			2020 Actuals	**2021 (adopted)**	**2022 (proposed)**	**2023 (proposed)**	**2024 (proposed)**	**2025 proposed)**
REVENUES								
	Dues	Principals' Contributions	$506,775	$516,909	$527,248	$537,793	$548,548	$559,519
		Assoc. & Aff. Contributions	$185,712	$187,793	$191,549	$195,380	$199,288	$203,273
	Fees	Clean Bay Collaborative Fee	$674,250	$675,000	$675,000	$675,000	$675,000	$675,000
		Nutrient Surcharge	$1,700,000	$1,700,000	$1,700,000	$1,700,000	$900,000	$725,000
		Member Vol. Nutrient Contributions	$0	$0	$0	$0	$0	$0
	Other Receipts	Non-BACWA AIR	$6,936	$7,075	$7,216	$7,361	$7,508	$7,658
		Non-BACWA BAPPG Fee	$3,876	$3,954	$4,033	$4,113	$4,196	$4,279
		Other	$2,550	$0	$0	$0	$0	$0
	Fund Transfer	Special Program Admin Fees (WOT, BABC, BACC)	$9,117	$31,212	$31,836	$32,473	$33,122	$33,785
	Investment Income	LAIF	$52,827	$20,000	$20,000	$20,000	$20,000	$20,000
		Higher Yield Investments	$1,588	$18,000	$18,000	$18,000	$18,000	$18,000
TOTAL REVENUES		**Total**	**$3,143,631**	**$3,159,943**	**$3,174,882**	**$3,190,119**	**$2,405,662**	**$2,246,515**
EXPENSES								
	Labor		$394,223	$433,721	$446,733	$460,135	$473,939	$488,157
	Administration		$45,954	$60,528	$61,738	$62,973	$64,233	$65,517
	Meetings		$22,080	$28,695	$29,269	$29,854	$30,452	$31,061
	Communication		$3,255	$7,344	$7,491	$7,641	$7,794	$7,949
	Legal		$10,170	$4,882	$4,979	$5,079	$5,181	$5,284
	Committees		$199,170	$260,050	$265,251	$270,556	$275,967	$281,486
	Collaboratives		$15,023	$42,500	$23,350	$43,817	$24,693	$45,187
	Other		$25,000	$0	$0	$0	$0	$0
	Technical Support	Nutrients						
		Permit Reqm't for Science Funding	$2,200,000	$2,200,000	$2,200,000	$2,200,000	$2,200,000	$1,000,000
		NMS Advance on Future Funding	$200,000	$600,000	$400,000	($200,000)	($1,200,000)	$0
		NMS Voluntary Contributions		$0	$0	$0	$0	$0
		Additional Work Under Permit	$38,000	$100,000	$100,000	$100,000	$100,000	$100,000
		Nature Based Solutions Study	$64,080	$200,000	$150,000	$85,920	$0	$0
		Regional Recycling Report	$12,299	$60,000	$77,702	$0	$0	$0
		Member Voluntary Contributions	$0	$0	$0	$0	$0	$0
		Nutrient Workshops	$0	$0	$0	$0	$0	$0
		General Tech Support	$45,950	$250,000	$150,000	$153,000	$156,060	$159,181
		CEC Investigations		$50,000	$70,000	$40,000	$40,000	$40,000
		Risk Reduction	$12,500	$7,500	$0	$12,500	$30,000	$7,500
	Total Technical Support		$2,572,828	$3,467,500	$3,147,702	$2,391,420	$1,326,060	$1,306,681
TOTAL EXPENSES			**$3,287,703**	**$4,305,220**	**$3,986,513**	**$3,271,475**	**$2,208,318**	**$2,231,324**
NET INCOME BEFORE TRANSFERS			**($144,072)**	**($1,145,277)**	**($811,631)**	**($81,356)**	**$197,344**	**$15,192**
TRANSFERS TO(+)/FROM(-) RESERVES			**($144,072)**	**($1,145,277)**	**($811,631)**	**($81,356)**	**$197,344**	**$15,192**
RESERVES	Operating Target	$200,000						
	Legal Target	$300,000						
	CBC Target	$1,000,000						
	Target Reserves	**$1,500,000**						
	Total Reserves at End of FY 20	**$3,415,903**	**$3,415,903**	$2,270,626	$1,458,994	$1,377,638	$1,574,982	$1,590,174
	Amt. Above Target End of FY	**$1,915,903**	**$1,915,903**	**$770,626**	**($41,006)**	**($122,362)**	**$74,982**	**$90,174**

		5 Year Plan - Baseline Adjusted to Eliminate Excess Reserves (CBC @ $1,000,000)						
		(low NMS estimate flat dues FY22)						3rd WS PERMIT
			2020 Actuals	**2021 (adopted)**	**2022 (proposed)**	**2023 (proposed)**	**2024 (proposed)**	**2025 proposed)**
REVENUES								
	Dues	Principals' Contributions	$506,775	$516,909	$516,909	$527,248	$537,793	$548,548
		Assoc. & Aff. Contributions	$185,712	$187,793	$187,793	$191,549	$195,380	$199,288
	Fees	Clean Bay Collaborative Fee	$674,250	$675,000	$675,000	$675,000	$675,000	$675,000
		Nutrient Surcharge	$1,700,000	$1,700,000	$1,700,000	$1,700,000	$900,000	$725,000
		Member Vol. Nutrient Contributions	$0	$0	$0	$0	$0	$0
	Other Receipts	Non-BACWA AIR	$6,936	$7,075	$7,216	$7,361	$7,508	$7,658
		Non-BACWA BAPPG Fee	$3,876	$3,954	$4,033	$4,113	$4,196	$4,279
		Other	$2,550	$0	$0	$0	$0	$0
	Fund Transfer	Special Program Admin Fees (WOT, BABC, BACC)	$9,117	$31,212	$31,836	$32,473	$33,122	$33,785
	Investment Income	LAIF	$52,827	$20,000	$20,000	$20,000	$20,000	$20,000
		Higher Yield Investments	$1,588	$18,000	$18,000	$18,000	$18,000	$18,000
TOTAL REVENUES		**Total**	**$3,143,631**	**$3,159,943**	**$3,160,788**	**$3,175,743**	**$2,390,998**	**$2,231,558**
EXPENSES								
	Labor		$394,223	$433,721	$446,733	$460,135	$473,939	$488,157
	Administration		$45,954	$60,528	$61,738	$62,973	$64,233	$65,517
	Meetings		$22,080	$28,695	$29,269	$29,854	$30,452	$31,061
	Communication		$3,255	$7,344	$7,491	$7,641	$7,794	$7,949
	Legal		$10,170	$4,882	$4,979	$5,079	$5,181	$5,284
	Committees		$199,170	$260,050	$265,251	$270,556	$275,967	$281,486
	Collaboratives		$15,023	$42,500	$23,350	$43,817	$24,693	$45,187
	Other		$25,000	$0	$0	$0	$0	$0
	Technical Support	Nutrients						
		Permit Reqm't for Science Funding	$2,200,000	$2,200,000	$2,200,000	$2,200,000	$2,200,000	$1,000,000
		NMS Advance on Future Funding	$200,000	$600,000	$400,000	($200,000)	($1,200,000)	$0
		NMS Voluntary Contributions		$0	$0	$0	$0	$0
		Additional Work Under Permit	$38,000	$100,000	$100,000	$100,000	$100,000	$100,000
		Nature Based Solutions Study	$64,080	$200,000	$150,000	$85,920	$0	$0
		Regional Recycling Report	$12,299	$60,000	$77,702	$0	$0	$0
		Member Voluntary Contributions	$0	$0	$0	$0	$0	$0
		Nutrient Workshops	$0	$0	$0	$0	$0	$0
		General Tech Support	$45,950	$250,000	$150,000	$153,000	$156,060	$159,181
		CEC Investigations		$50,000	$70,000	$40,000	$40,000	$40,000
		Risk Reduction	$12,500	$7,500	$0	$12,500	$30,000	$7,500
	Total Technical Support		$2,572,828	$3,467,500	$3,147,702	$2,391,420	$1,326,060	$1,306,681
TOTAL EXPENSES			**$3,287,703**	**$4,305,220**	**$3,986,513**	**$3,271,475**	**$2,208,318**	**$2,231,324**
NET INCOME BEFORE TRANSFERS			**($144,072)**	**($1,145,277)**	**($825,726)**	**($95,732)**	**$182,681**	**$235**
TRANSFERS TO(+)/FROM(-) RESERVES			**($144,072)**	**($1,145,277)**	**($825,726)**	**($95,732)**	**$182,681**	**$235**
RESERVES	Operating Target	$200,000						
	Legal Target	$300,000						
	CBC Target	$1,000,000						
	Target Reserves	**$1,500,000**						
	Total Reserves at End of FY 20	**$3,415,903**	**$3,415,903**	$2,270,626	$1,444,900	$1,349,168	$1,531,849	$1,532,084
	Amt. Above Target End of FY	**$1,915,903**	**$1,915,903**	**$770,626**	**($55,100)**	**($150,832)**	**$31,849**	**$32,084**

		5 Year Plan - Baseline Adjusted to Eliminate Excess Reserves (CBC @ $1,000,000)						
		(high NMS estimate)						3rd WS PERMIT
			2020 Actuals	**2021 (adopted)**	**2022 (proposed)**	**2023 (proposed)**	**2024 (proposed)**	**2025 proposed)**
REVENUES								
	Dues	Principals' Contributions	$506,775	$516,909	$527,248	$537,793	$548,548	$559,519
		Assoc. & Aff. Contributions	$185,712	$187,793	$191,549	$195,380	$199,288	$203,273
	Fees	Clean Bay Collaborative Fee	$674,250	$675,000	$675,000	$675,000	$675,000	$675,000
		Nutrient Surcharge	$1,700,000	$1,700,000	$1,700,000	$1,700,000	$1,600,000	$1,200,000
		Member Vol. Nutrient Contributions	$0	$0	$0	$0	$0	$0
	Other Receipts	Non-BACWA AIR	$6,936	$7,075	$7,216	$7,361	$7,508	$7,658
		Non-BACWA BAPPG Fee	$3,876	$3,954	$4,033	$4,113	$4,196	$4,279
		Other	$2,550	$0	$0	$0	$0	$0
	Fund Transfer	Special Program Admin Fees (WOT, BABC, BACC)	$9,117	$31,212	$31,836	$32,473	$33,122	$33,785
	Investment Income	LAIF	$52,827	$20,000	$20,000	$20,000	$20,000	$20,000
		Higher Yield Investments	$1,588	$18,000	$18,000	$18,000	$18,000	$18,000
TOTAL REVENUES		**Total**	**$3,143,631**	**$3,159,943**	**$3,174,882**	**$3,190,119**	**$3,105,662**	**$2,721,515**
EXPENSES								
	Labor		$394,223	$433,721	$446,733	$460,135	$473,939	$488,157
	Administration		$45,954	$60,528	$61,738	$62,973	$64,233	$65,517
	Meetings		$22,080	$28,695	$29,269	$29,854	$30,452	$31,061
	Communication		$3,255	$7,344	$7,491	$7,641	$7,794	$7,949
	Legal		$10,170	$4,882	$4,979	$5,079	$5,181	$5,284
	Committees		$199,170	$260,050	$265,251	$270,556	$275,967	$281,486
	Collaboratives		$15,023	$42,500	$23,350	$43,817	$24,693	$45,187
	Other		$25,000	$0	$0	$0	$0	$0
	Technical Support	Nutrients						
		Permit Reqm't for Science Funding	$2,200,000	$2,200,000	$2,200,000	$2,200,000	$2,200,000	$2,200,000
		NMS Advance on Future Funding	$200,000	$600,000	$400,000		($400,000)	($1,000,000)
		NMS Voluntary Contributions		$0	$0	$0	$0	$0
		Additional Work Under Permit	$38,000	$100,000	$100,000	$100,000	$100,000	$100,000
		Nature Based Solutions Study	$64,080	$200,000	$150,000	$85,920	$0	$0
		Regional Recycling Report	$12,299	$60,000	$77,702	$0	$0	$0
		Member Voluntary Contributions	$0	$0	$0	$0	$0	$0
		Nutrient Workshops	$0	$0	$0	$0	$0	$0
		General Tech Support	$45,950	$250,000	$150,000	$153,000	$156,060	$159,181
		CEC Investigations		$50,000	$70,000	$40,000	$40,000	$40,000
		Risk Reduction	$12,500	$7,500	$0	$12,500	$30,000	$7,500
	Total Technical Support		$2,572,828	$3,467,500	$3,147,702	$2,591,420	$2,126,060	$1,506,681
TOTAL EXPENSES			**$3,287,703**	**$4,305,220**	**$3,986,513**	**$3,471,475**	**$3,008,318**	**$2,431,324**
NET INCOME BEFORE TRANSFERS			**($144,072)**	**($1,145,277)**	**($811,631)**	**($281,356)**	**$97,344**	**$290,192**
TRANSFERS TO(+)/FROM(-) RESERVES			**($144,072)**	**($1,145,277)**	**($811,631)**	**($281,356)**	**$97,344**	**$290,192**
RESERVES	Operating Target	$200,000						
	Legal Target	$300,000						
	CBC Target	$1,000,000						
	Target Reserves	**$1,500,000**						
	Total Reserves at End of FY 20	**$3,415,903**	**$3,415,903**	$2,270,626	$1,458,994	$1,177,638	$1,274,982	$1,565,174
	Amt. Above Target End of FY	**$1,915,903**	**$1,915,903**	**$770,626**	**($41,006)**	**($322,362)**	**($225,018)**	**$65,174**

		5 Year Plan - Baseline Adjusted to Eliminate Excess Reserves (CBC @ $1,000,000)						
		(high NMS estimate flat dues FY22)						3rd WS PERMIT
			2020 Actuals	**2021 (adopted)**	**2022 (proposed)**	**2023 (proposed)**	**2024 (proposed)**	**2025 proposed)**
REVENUES								
	Dues	Principals' Contributions	$506,775	$516,909	$516,909	$527,248	$537,793	$548,548
		Assoc. & Aff. Contributions	$185,712	$187,793	$187,793	$191,549	$195,380	$199,288
	Fees	Clean Bay Collaborative Fee	$674,250	$675,000	$675,000	$675,000	$675,000	$675,000
		Nutrient Surcharge	$1,700,000	$1,700,000	$1,700,000	$1,700,000	$1,600,000	$1,200,000
		Member Vol. Nutrient Contributions	$0	$0	$0	$0	$0	$0
	Other Receipts	Non-BACWA AIR	$6,936	$7,075	$7,216	$7,361	$7,508	$7,658
		Non-BACWA BAPPG Fee	$3,876	$3,954	$4,033	$4,113	$4,196	$4,279
		Other	$2,550	$0	$0	$0	$0	$0
	Fund Transfer	Special Program Admin Fees (WOT, BABC, BACC)	$9,117	$31,212	$31,836	$32,473	$33,122	$33,785
	Investment Income	LAIF	$52,827	$20,000	$20,000	$20,000	$20,000	$20,000
		Higher Yield Investments	$1,588	$18,000	$18,000	$18,000	$18,000	$18,000
TOTAL REVENUES		**Total**	**$3,143,631**	**$3,159,943**	**$3,160,788**	**$3,175,743**	**$3,090,998**	**$2,706,558**
EXPENSES								
	Labor		$394,223	$433,721	$446,733	$460,135	$473,939	$488,157
	Administration		$45,954	$60,528	$61,738	$62,973	$64,233	$65,517
	Meetings		$22,080	$28,695	$29,269	$29,854	$30,452	$31,061
	Communication		$3,255	$7,344	$7,491	$7,641	$7,794	$7,949
	Legal		$10,170	$4,882	$4,979	$5,079	$5,181	$5,284
	Committees		$199,170	$260,050	$265,251	$270,556	$275,967	$281,486
	Collaboratives		$15,023	$42,500	$23,350	$43,817	$24,693	$45,187
	Other		$25,000	$0	$0	$0	$0	$0
	Technical Support	Nutrients						
		Permit Reqm't for Science Funding	$2,200,000	$2,200,000	$2,200,000	$2,200,000	$2,200,000	$2,200,000
		NMS Advance on Future Funding	$200,000	$600,000	$400,000		($400,000)	($1,000,000)
		NMS Voluntary Contributions		$0	$0	$0	$0	$0
		Additional Work Under Permit	$38,000	$100,000	$100,000	$100,000	$100,000	$100,000
		Nature Based Solutions Study	$64,080	$200,000	$150,000	$85,920	$0	$0
		Regional Recycling Report	$12,299	$60,000	$77,702	$0	$0	$0
		Member Voluntary Contributions	$0	$0	$0	$0	$0	$0
		Nutrient Workshops	$0	$0	$0	$0	$0	$0
		General Tech Support	$45,950	$250,000	$150,000	$153,000	$156,060	$159,181
		CEC Investigations		$50,000	$70,000	$40,000	$40,000	$40,000
		Risk Reduction	$12,500	$7,500	$0	$12,500	$30,000	$7,500
	Total Technical Support		$2,572,828	$3,467,500	$3,147,702	$2,591,420	$2,126,060	$1,506,681
TOTAL EXPENSES			**$3,287,703**	**$4,305,220**	**$3,986,513**	**$3,471,475**	**$3,008,318**	**$2,431,324**
NET INCOME BEFORE TRANSFERS			**($144,072)**	**($1,145,277)**	**($825,726)**	**($295,732)**	**$82,681**	**$275,235**
TRANSFERS TO(+)/FROM(-) RESERVES			**($144,072)**	**($1,145,277)**	**($825,726)**	**($295,732)**	**$82,681**	**$275,235**
RESERVES	Operating Target	$200,000						
	Legal Target	$300,000						
	CBC Target	$1,000,000						
	Target Reserves	**$1,500,000**						
	Total Reserves at End of FY	**$3,415,903**	**$3,415,903**	$2,270,626	$1,444,900	$1,149,168	$1,231,849	$1,507,084
	Amt. Above Target End of FY	**$1,915,903**	**$1,915,903**	**$770,626**	**($55,100)**	**($350,832)**	**($268,151)**	**$7,084**


BACWA Budget 5 year plan - low NMS, FY22 dues increase 2%
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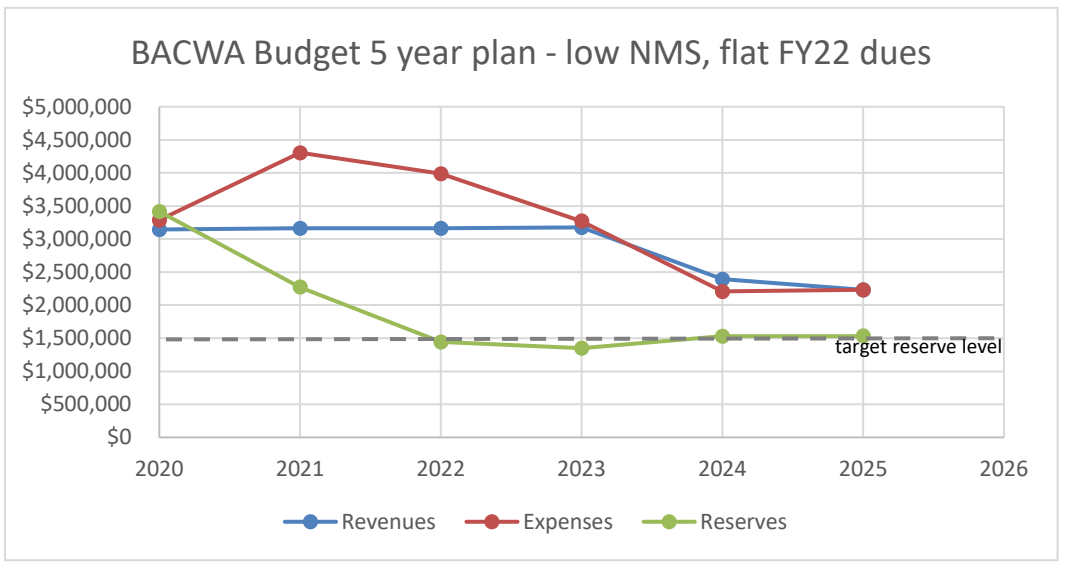
BACWA Budget 5 year plan - low NMS, flat FY22 dues
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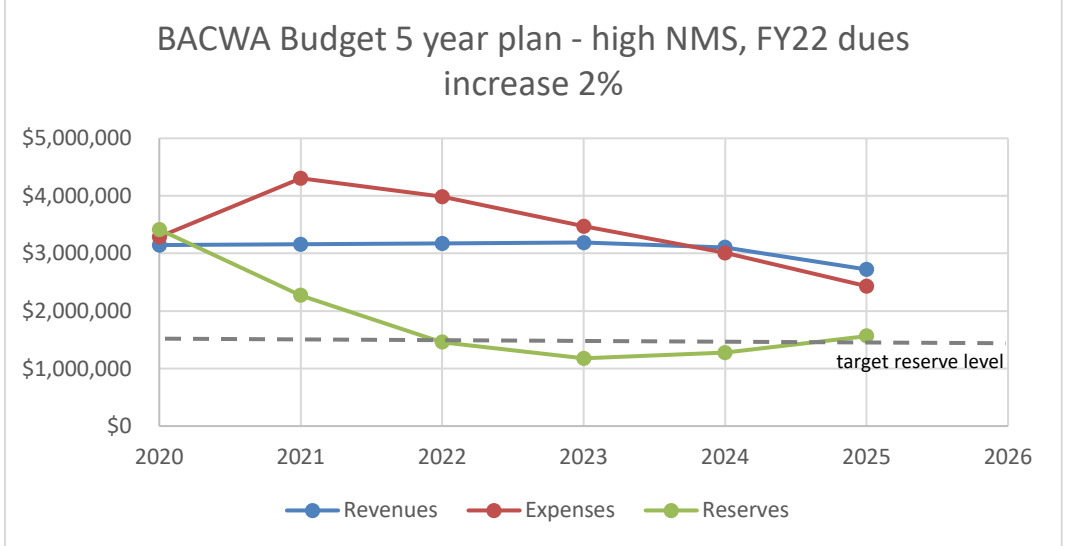
BACWA Budget 5 year plan - high NMS, FY22 dues increase 2%
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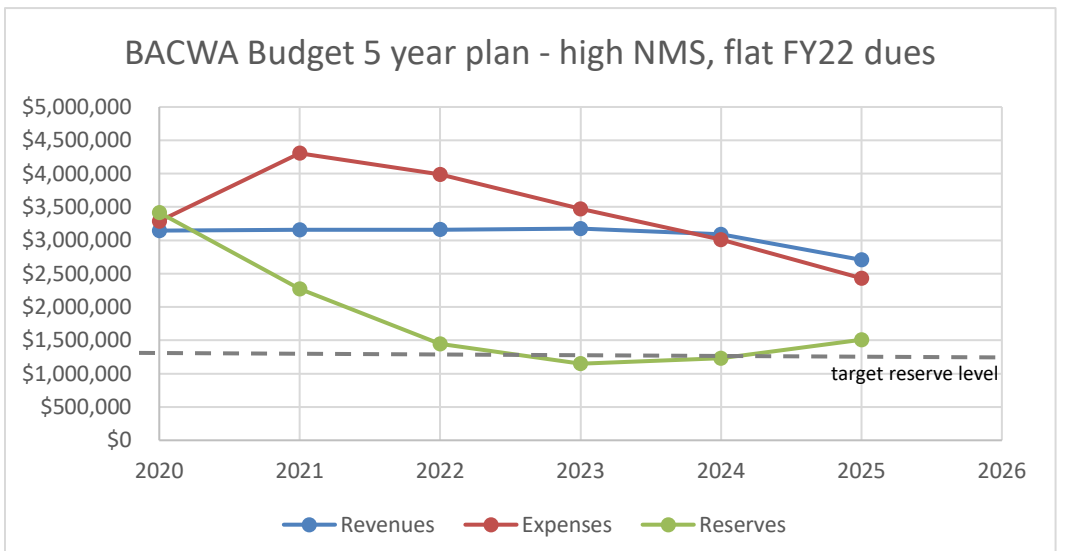
BACWA Budget 5 year plan - high NMS, flat FY22 dues
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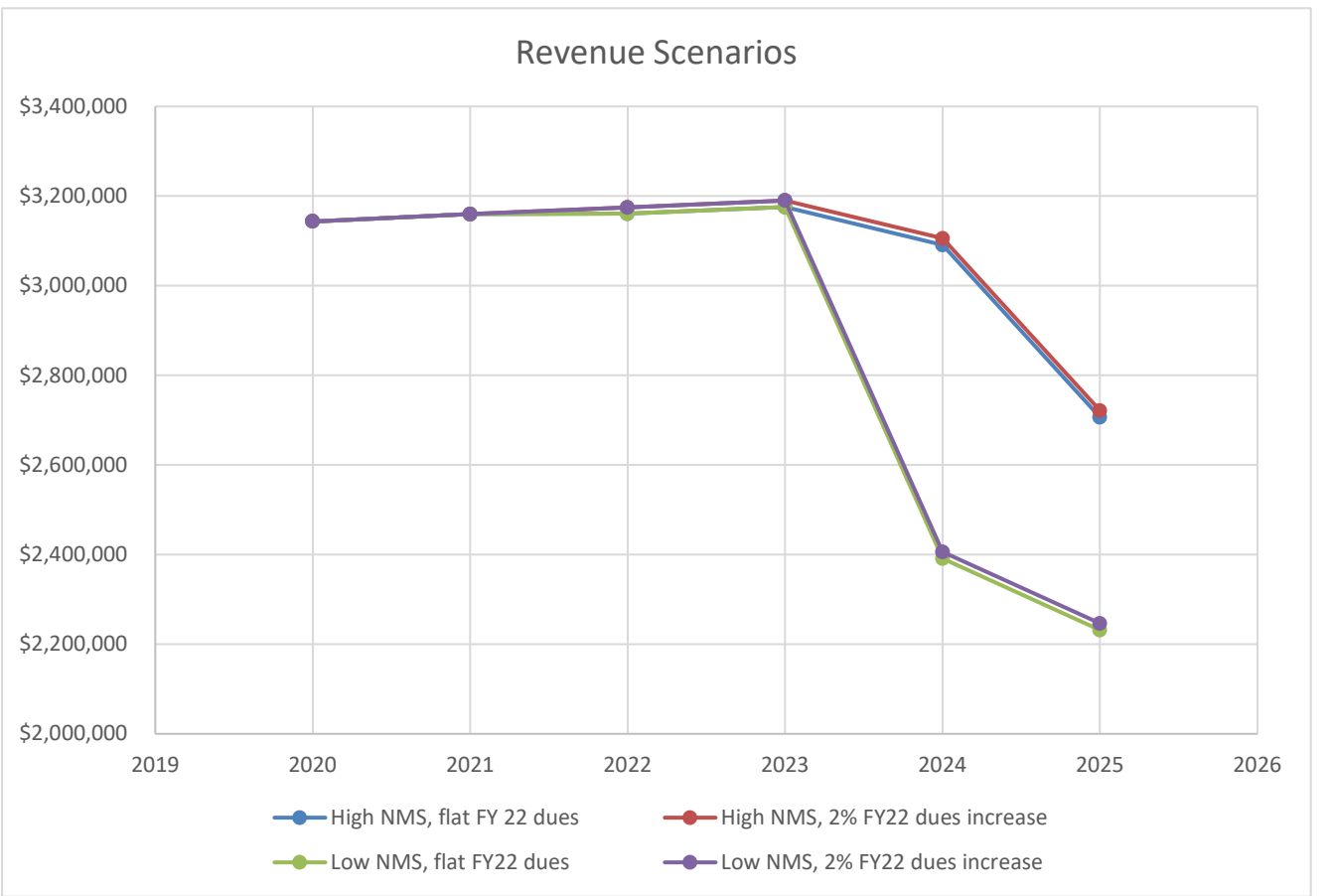
target reserve level
Revenues
Expenses
Reserves

	2020	2021	2022	2023	2024	2025
High NMS, flat FY 22 dues	$3,143,631	$3,159,943	$3,160,788	$3,175,743	$3,090,998	$2,706,558
High NMS, 2% FY22 dues increase	$3,143,631	$3,159,943	$3,174,882	$3,190,119	$3,105,662	$2,721,515
Low NMS, flat FY22 dues	$3,143,631	$3,159,943	$3,160,788	$3,175,743	$2,390,998	$2,231,558
Low NMS, 2% FY22 dues increase	$3,143,631	$3,159,943	$3,174,882	$3,190,119	$2,405,662	$2,246,515



FY21 BACWA EXECUTIVE BOARD
PROPOSED REGULAR MONTHLY MEETING SCHEDULE

DATE	TIME	LOCATION
July 17, 2020	9:00 – 12:30	Online meeting
August 21, 2020	9:00 – 12:30	Online meeting
September 17 & 18, 2020 Pardee Technical Seminar	9:00-4:00 9:00-3:30	Online meeting
October 16, 2020	9:00 – 12:30	Online meeting
November 20, 2020	9:00 – 12:30	Online meeting
December 20, 2020	9:00 – 12:30	Online meeting
January 15, 2021	9:00 – 12:30	Online meeting
February 19, 2021 *Annual Members Meeting*	9:00 – 3:00	Online meeting
March 19, 2021	9:00 – 12:30	Online or in-person meeting, TBD
April 16, 2021	9:00 – 12:30	Online or in-person meeting, TBD
May 21, 2021	9:00 – 12:30	Online or in-person meeting, TBD
June 18, 2021	9:00 – 12:30	Online or in-person meeting, TBD

BAY AREA CLEAN WATER AGENCIES
ANNUAL MEETING PROGRAM
JANUARY 10, 2020
Scottish Rite Center
3rd Floor Banquet Room
1547 Lakeside Drive
Oakland, CA

TIME	SUBJECT	DESCRIPTION	SPEAKER
8:30 am - 9:00 am	**Coffee and Refreshments/Check-in**	(note: provide the tri-fold Op/Upgrade brochure as handout at registration table)	
9:00 am - 9:15 am	**Welcome**	**Introduction and Year in Review** (including business issues)	**Lori Schectel, BACWA Chair**
9:15 am - 10:30 am	**BAAQMD/EPA/SWRCB/RWQCB/ Priorities**	**Moderator** Bay Area Air Quality Management District EPA Region IX State Water Resources Control Board San Francisco Water Board Q&A	**Amit Mutsuddy, BACWA Board Member** Jack Broadbent, BAAQMD Executive Officer Tomas Torres, EPA IX Director Water Division Tam Doduc, SWRCB Member Michael Montgomery, SFRWQCB Executive Officer
10:30 am - 10:45 am	**Break**		
	BACWA Hot Topics	**Moderator**	**Jackie Zipkin, BACWA Board Member**
10:45 am - 11:20 am		CECs (State Panel, microplastics, PFAS)	Diana Lin, SFEI CEC Senior Scientist
11:20 am - 11:35 am		ELAP	Dan Jackson, Vice-Chair BACWA Lab Committee
11:35 am - 11:50 am		Recycled water permit transition	Stefanie Olson, BACWA Chair Recycled Water Committee
11:50 am - 11:55 am	**BACWA Leadership Recognition**		**Lori Schectel, BACWA Chair**
11:55 am - 12:25 pm	**Lunch**		
12:25 pm - 12:35 pm	**Arleen Navarret Award presentation and BACWA Leadership Recognition**	Presentation of award	**Amy Chastain, BACWA Board Member**
12:35 pm - 12:45 pm	**Institute for Sustainable Infrastructure**	Presentation on Envision	Justin Waples, CCCSD Associate Engineer
	BACWA Hot Topics	**Moderator**	**Jackie Zipkin, BACWA Board Member**
12:45 pm - 1:10 pm		AIR Issues/Climate Adaption	Sarah Deslauriers, Carollo AIR Program Manager
1:10 pm - 1:20 pm		Bay Area Biosolids Coalition	Sarah Deslauriers, Program Manager Bay Area Biosolids Coalition
1:20 pm - 1:30 pm		Chlorine Basin Plan Amendment	Tom Hall, EOA Managing Environmental Engineer

1:30 pm - 1:35 pm	**Nutrients - Overview**	Overview of 2nd WS Permit/Governance Update	**David Williams, BACWA Executive Director**
1:35 pm - 2:20 pm	**Nutrients - Regulatory Update**	**Moderator**	**Eileen White**
		2020 Group Annual Report	Michael Falk, HDR Project Manager
		Q & A	
		Regional Recycled Water Report	Michael Falk, HDR Project Manager
		Nature Based Solutions Study	Ian Wren, SFEI NMS Program Coordinator
2:20 pm - 2:55 pm	**Nutrients - Technical Update**	**Moderator**	**Eric Dunlavey, BACWA Board Member**
		Update on the Science Plan and Findings	David Senn, SFEI NMS Science Manager
2:55 pm - 3:00 pm	**Annual Meeting Wrap-Up**		**Lori Schectel, BACWA Chair**
Informal Gathering	**Following the meeting there will be an informal gathering across the street at the Lake Chalet Bar & Grill to have a drink with retiring Executive Director Dave Williams**		

KEY REGULATORY ISSUE SUMMARY
Updated September 3, 2020

Action items for member agencies are in **bold**

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
NUTRIENTS IN SAN FRANCISCO BAY – SCIENCE			
• San Francisco Bay receives some of the highest nitrogen loads among estuaries worldwide, yet has not historically experienced the water quality problems typical of other nutrient-enriched estuaries. It is not known whether this level of nitrogen loading, which will continue to increase in proportion to human population increase, is sustainable over the long term. • Because of the complexity of the science behind nutrient impacts in the SF Bay, stakeholders in the region are participating in a steering committee to prioritize scientific studies and ensure that all science to be used for policy decisions is conducted under one umbrella.	• For FY20, BACWA contributed the $2.2M required by the Watershed Permit, as well as "frontloading" additional funds that would be subtracted from future permit years. Moving the funding up will accelerate the pace of the science that will be used for management decisions for the third Watershed Permit. • Agencies are conducting effluent monitoring for nutrients under the watershed permit. • Current scientific efforts are focused on expanding monitoring data, modeling, and work exploring the linkage between nutrients, dissolved oxygen, and harmful algal species. • Future studies will be focused on the science needed to inform the development of nutrient load caps for the third Nutrient Watershed Permit.	• BACWA and the Regional Water Board are discussing the possibility of an extension of the current permit term to increase scientific certainty prior to making management decisions. • Continue to participate in steering committee, and planning subcommittee, and provide funding for scientific studies. • Participate in the Nutrient Technical Workgroup, which is a venue to provide technical input to the process, and is open to the public, as well as small technical subgroups addressing items such as the Assessment Framework. • Restarted the Nutrient Management Strategy meetings.	BACWA "Other Useful Nutrient Documents" Page: http://bacwa.org/nutrients/other-useful-nutrient-documents/ SFEI Nutrient Science Plan Documents: http://sfbaynutrients.sfei.org/books/reports-and-work-products

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
SF BAY NUTRIENT WATERSHED PERMIT			
• The first nutrient watershed permit was adopted in April 2014. The second Nutrient Watershed Permit (NWP) was adopted May 8, 2019 with an effective date of July 1, 2019. • The second NWP includes: ○ Continued individual treatment plant nutrient monitoring and reporting; ○ Continued group annual reporting; ○ Significantly increased funding for science; ○ Regional assessment of the feasibility and cost for reducing nutrients through nature-based systems and recycled water; ○ Establishing current performance for TIN, and "load targets" for nutrient loads based on 2018 load data plus a 15% buffer for growth and variability ○ Recognition of "early actors" who are planning projects that will substantially decrease TIN loads. • Through the nutrient surcharge levied on permittees, BACWA funds compliance with the following provisions on behalf of its members: ○ Group Annual Reporting ○ Optimization and Facilities Upgrade Studies (first permit term) ○ Regional Studies on Nature Based Systems and Recycled Water (second permit term) ○ Support of scientific studies through the RMP at $2.2M per year through the five-year permit term.	• BACWA submitted a final report on Nutrient Treatment by Optimization and Upgrade on June 26, 2018. An agency-customizable presentation, and a brochure to educate governing boards and the public were made available to our members. • BACWA and SFEI most recently submitted a science implementation plan and schedule update on February 1, 2020. • All agencies covered by the Nutrient Watershed Permit participated in the first four group Annual Reports, submitted in 2015, 2016, 2017, and 2018. Agencies are now reporting to BACWA via a data sheet developed by the consultant. An updated data sheet was distributed to agencies that accounts for changes in the monitoring and reporting program in the second Watershed Permit, including the following: ○ The second watershed permit reporting period is now based on water year, through September 30, instead of permit year, through June 30. The first Group Annual Report under the new permit was submitted Feb 1, 2020. ○ Agencies with flows greater than 10mgd are required to conduct influent monitoring. ○ Organic nitrogen and soluble reactive phosphorus are no longer required to be monitored in effluent. • Agencies with plans to substantially reduce nutrients are recognized in 2nd Watershed Permit Fact Sheet.	• **Agencies continue to report nutrient monitoring to the Water Boards through CIWQS and to BACWA via the data sheet.** • **Agencies with plans to implement projects that will substantially reduce nutrient loads should keep the Regional Water Board and BACWA apprised, to get credit for "early actions".** • **Work with HDR and SFEI as needed to collect information for Nutrient Removal by Recycled Water Evaluation and the Nature-Based Systems study.** Agencies provided preliminary information in June 2020. • Begin discussions about development of a potential Nutrient Trading framework. • BACWA has reconvened the Nutrient Strategy Team (NST) that will negotiate with the Regional Water Board to develop the tenets for the 3rd Watershed Permit.	Second Nutrient Watershed Permit: https://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2019/May/6_ssr.pdf Optimization/Upgrade Study Final Report: https://bacwa.org/wp-content/uploads/2018/06/BACWA_Final_Nutrient_Reduction_Report.pdf Optimization/Upgrade Report Presentation: https://bacwa.org/wp-content/uploads/2019/03/bacwa_brochure_presentation_20190312.pptx Optimization/Upgrade Report Brochure: https://bacwa.org/wp-content/uploads/2019/03/BACWA-2019-Nutrient-Brochure_Final_20190301.pdf BACWA Nutrient Annual Reports: http://bacwa.org/document-category/nutrient-annual-reports/

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
CHLORINE RESIDUAL COMPLIANCE			
• The Basin Plan chlorine residual effluent limit is 0.0 mg/L. Chlorine residual is the most frequent parameter for violations for Region 2 POTWs, however, because there are 24 hourly reporting events each day, the "opportunities" for violations are enormous. However, the actual violation rates are infinitesimal (~0.001%). • Agencies are overdosing their effluent with the dechlorination agent, sodium bisulfite, to prevent chlorine violations, a practice which costs more than $1 million regionally each year.	• The Regional Water Board has worked with BACWA to develop a Basin Plan Amendment (BPA). BACWA has retained consultant support for this effort. • A draft BPA was released August 18, 2020. Comments are due October 2 and adoption is anticipated at the November Board meeting. • The draft BPA includes: ○ A 0.013 mg/L Water Quality Objective , which will be applied as a WQBEL in permits, calculated incorporating dilution. The WQBEL will be applied as a one hour average. ○ A Minimum Level (ML), or Reporting Limit of 0.05 mg/L for online continuous monitoring system.	• **Discuss BPA and prepare comments on the draft BPA (due October 2, 2020).** • **Work with shallow water dischargers (no dilution credits) in advancing additional information to the Board in support of increasing the proposed 0.05 mg/L ML (although these agencies will still benefit from the proposed one-hour averaging period).**	Basin Plan Amendment support Scope of Work: https://bacwa.org/wp-content/uploads/2018/01/EOA-Inc.-SOW-Budget.pdf SF RWQCB CEQA Scoping meeting May 22: https://www.waterboards.ca.gov/sanfranciscobay/press_room/R2%20TRC%20BPA%20CEQA_Scoping_Mtg%20Lyris%20Notice.pdf Proposed BPA and Draft Staff Report released August 18, 2020. https://www.waterboards.ca.gov/sanfranciscobay/public_notices/Chlorine%20BPA%20Draft%20Staff%20Report%20%20BPA%208.18.pdf

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
PESTICIDES			
• Pesticides are regulated via FIFRA, and not the Clean Water Act. POTWs do not have the authority to regulate pesticide use in their service area, but may be responsible for pesticide impacts to their treatment processes or to surface water. • Through BAPPG, BACWA aims to proactively support a scientifically sound pesticide management program that will not impact POTWs' primary functions of collecting and treating wastewater, recycling water, and managing biosolids.	• Beginning 2016, EPA has been reviewing the registration of several key pesticides, a task it conducts once about every 15 years. • BACWA has funded consultant support to write comment letters advocating for the consideration of POTW and surface water issues during EPA's risk assessments as part of reregistration. Funding was increased from $30K to $60K in FY20/21. • The Regional Water Board leverages BACWA's efforts to provide their own comment letters to EPA. • With chronic toxicity limits likely in the near term, POTWs will be in compliance jeopardy if pesticides contribute to toxicity. • Baywise.org has launched webpages on flea and tick control messaging to pet owners and veterinarians.	• Continue to comment on pesticide reregistrations. • Work with veterinary associations on messaging with respect to flea and tick control alternatives. • Continue to develop summary of EPA actions on pesticides. • Look for opportunities to work with CalDPR on pesticides research.	BACWA Pesticides Regulatory Update and Call to action: https://bacwa.org/wp-content/uploads/2016/02/BACWA-Pesticide-Regulatory-Update-2016-1.pdf BACWA Pesticide Regulatory Support Page: https://bacwa.org/document-category/pesticides-regulatory-support/ Baywise flea and tick pages: https://baywise.org/

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
MERCURY/PCB WATERSHED PERMIT			
• Mercury/PCB Watershed Permit was reissued on 11/8/17 with 1/1/18 effective date. The Watershed Permit is based on the TMDLs for each of these pollutants. • Aggregate PCB and mercury loads have been well below waste load allocations through 2016. • Method 1668C for measuring PCB congeners has not been promulgated by EPA. Data collected during the first permit term varied widely depending on which laboratory performed the analyses. BACWA Laboratory Committee developed an updated PCB Protocol to reduce variability between laboratories running Method 1668C, effective January 1, 2014. Data have been more consistent since the distribution of this document.	• The 2017 watershed permit reduces monitoring frequencies via Method 1668C for agencies with design flows of less than 50 mgd. It also incorporates the laboratory guidance from the BACWA PCB Protocol. • The permit requires continued risk reduction program funding and annual reporting of effort. BACWA is repeating its grant program that it established as part of the previous permit. In summer 2018, two $25,000 grants were awarded, to APA Family Support Services (now complete) and the California Indian Environmental Alliance (ongoing through 2020).	• Continue outreach to dentists on amalgam separation through BAPPG and BACWA's pretreatment committee. • Schedule risk reduction presentations by the grantees to the Regional Water Board in 2021.	2017 Mercury/PCB Watershed Permit: http://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2012/R2-2012-0096.pdf Risk Reduction Materials from 2012 and 2017 Permit term: https://bacwa.org/mercurypcb-risk-reduction-materials/ Updated BACWA PCBs Protocol: https://bacwa.org/wp-content/uploads/2014/02/PCBs-Sampling-Analysis-and-Reporting-Protocols-Dec13.pdf
ENTEROCOCCUS LIMITS			
• In August 2018, the State Water Board adopted new statewide bacteria water quality objectives and implementation options to protect recreational users from the effects of pathogens in California water bodies. The objectives and implementation options are a new part 3 of the Water Quality Control Plan for the SIP and Ocean Plan. • The Objectives were approved by the Office of Administrative Law in February 2019 and by EPA in March 2019	• The new enterococcus objective for saline waters is a six-week rolling geometric mean of enterococci not to exceed 30 cfu/100 mL, calculated weekly, with a statistical threshold value of 110 cfu/100 mL, not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner. • The Regional Water Board has been granted dilution credit upon request when implementing the new objectives in NPDES permits.	• BACWA worked with SFEI and funded a study of background enterococcus levels in the SF Bay. Surface water samples were collected in July (dry season) and January (wet season) throughout the Bay. Samples from all stations were below the 30 CFU/100 mL WQO, justifying allowing for dilution credits when implementing the WQO. The study was completed and submitted in June 2020.	SWB Bacterial Objective page: https://www.waterboards.ca.gov/bacterialobjectives/ SFEI Final Report on Enterococci in the SF Bay: https://bacwa.org/wp-content/uploads/2020/08/BACWA-2020_Enterococci-report_final.pdf

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
STATE WATER BOARD TOXICITY PROVISIONS			
• The State Water Board has been working since before 2012 to establish Toxicity Provisions in the SIP that would introduce uniform Whole Effluent Toxicity Requirements for the State • Draft State Toxicity Provisions posted October 2018, with a Second Revised Draft released July 7, 2020. The Provisions would establish: ○ use of Test of Significant Toxicity (TST) as statistical method to determine toxicity replacing EC25/IC25 (with concerns it will lead to more false positive results); ○ numeric limits for chronic toxicity for POTWs >5mgd and with a pretreatment program; smaller POTWs would receive effluent targets and only receive limits if Reasonable Potential is established; ○ Regional Water Board discretion on whether to require RPAs for acute toxicity; ○ for POTWs with *Ceriodaphnia dubia* as most sensitive species, numeric targets rather than limits until after completion of state-wide study on lab/ testing issues (Dec. 31, 2023). • During individual permit reissuances since 2015, the Regional Water Board has been performing RPAs for chronic toxicity and giving chronic toxicity limits to agencies with Reasonable Potential.	• Key issues for BACWA continue to be: ○ default of numeric effluent limits for all POTWs >5mgd, without first establishing reasonable potential, ○ reasonable potential analysis methodology, ○ MMEL testing schedule and laboratory capacity, ○ test species variability ○ sensitive species screening requirements • Since 2016, agencies have had the option to skip sensitive species screening upon permit reissuance and pay the avoided funds to the RMP to be used for CECs studies. If agencies are required by the provisions to do sensitive species screening, this will reduce RMP funds by approximately $100K per year. • BACWA has joined SCAP, CVCWA and NACWA in a lawsuit alleging EPA did not follow proper procedure in requiring use of the TST, which has not been officially promulgated. The lawsuit was dismissed on Statute of Limitation grounds, but the group has filed an appeal. • BACWA hosted a toxicity workshop for its members in September 2017.	• BACWA submitted comments on the Second Revised Draft Provision on August 24, 2020. The comments were limited to revisions made in this Second Revised Draft (July 2020). The letter focused on the application of numeric effluent limits for POTWs >5mgd, without first establishing reasonable potential and requested toxicity targets, instead of limits, for POTWs without reasonable potential. • Collaborate with State Water Board, CASA and POTWs Statewide on the special study on the *Ceriodaphnia dubia* test method. • Continue to work with Regional Water Board on language for implementing Toxicity Provisions in Region 2 NPDES Permits.	SWRCB Toxicity Page: http://www.swrcb.ca.gov/water_issues/programs/state_implementation_policy/tx_ass_cntrl.shtml Toxicity Workshop Presentations: https://bacwa.org/bacwa-toxicity-workshop-september-18-2017/ BACWA Dec 2018 Comments on Toxicity Provisions: https://bacwa.org/document/bacwa-comments-on-toxicity-provisions-12-21-18/ BACWA Feb 2020 Comments on MMEL scheduling: https://bacwa.org/wp-content/uploads/2020/02/BACWA-Tox-Provisions-App-K-to-Staff-Report-comments-2-10-2020.pdf BACWA Aug 2020 Comments on Second Draft of Toxicity Provisions: https://bacwa.org/wp-content/uploads/2020/08/BACWA-Comments-on-2020-Toxicity-Provisions-Update.pdf

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
COMPOUNDS OF EMERGING CONCERN			
• Pharmaceuticals and other trace compounds of emerging concern (CECs) are ubiquitous in wastewater at low concentrations and have unknown effects on aquatic organisms. • The State Water Board is considering developing a Pilot CECs Monitoring Plan for the State. • Region 2's CEC strategy focuses on monitoring/tracking concentrations of constituents with high occurrence and high potential toxicity. Much of what the State Water Board is considering for its Pilot Monitoring Plan is already being implemented in Region 2 through the RMP.	• The Regional Water Board has stated that voluntary and representative participation in RMP CECs studies is key to avoiding regulatory mandates for CECs monitoring. These studies are informational and not for compliance purposes. BACWA developed a White Paper on representative participation to be used to support facility selection for these studies. It is intended to be a living document with ongoing updates • Microplastics have been a focus of the RMP in recent years. BACWA has participated in the Workgroup and developed a POTW Fact Sheet. One conclusion of the RMP work is that POTWs contribute much lower microplastic loads than stormwater. • DDW has adopted a definition of Microplastics in Drinking Water (expected to apply to other matrices such as wastewater and stormwater)..	• **Continue to participate in the RMP CEC Workgroup and solicit agency participation for future studies.** • Provide ongoing updates to White Paper for use by the RMP in selecting representative POTWs for participation in CEC studies, and develop a proposal for ongoing monitoring. • Continue tracking State Water Board and Ocean Protection Council actions re: microplastics.	RMP CEC Workgroup: http://www.sfei.org/rmp/ecwg#tab-1-4 BACWA CECs White Paper: https://bacwa.org/document/bacwa-cec-white-paper-updated-june-2020/ BACWA Microplastics Fact Sheet: https://bacwa.org/wp-content/uploads/2019/09/BACWA-Microplastics-flyer.pdf SFEI Microplastics Science Strategy: www.sfei.org/documents/microplastic-monitoring-and-science-strategy-san-francisco-bay SWRCB Microplastics in Drinking Water page: https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/microplastics.html

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
PER- AND POLYFLOUROALKYL SUBSTANCES (PFAS)			
• Per- and polyfluoroalkyl substances made substances (PFAS) are a large group of human-made substances that are very resistant to heat, water, and oil. PFAS have been used extensively in surface coating and protectant formulations; common PFAS-containing products are non-stick cookware, cardboard/paper food packaging, water-resistant clothing, carpets, and fire-fighting foam. • Perfluorooctane sulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) are two types of PFAS that are no longer manufactured in the US; however, other types of PFAS are still produced and used in the US. • All PFAS are persistent in the environment, can accumulate within the human body, and have demonstrated toxicity at relatively low concentrations. PFOA and PFOS were found in the blood of nearly all people tested in several national surveys. • Potential regulatory efforts to address PFAS focus on drinking water in order to minimize human ingestion of these chemicals, although regulators have also expressed concern about uptake into food from land applied biosolids.	• In Aug 2019, DDW lowered the drinking water notification levels (NLs) to 6.5 ng/L for PFOS and 5.1 ng/L for PFOA (lowest detection possible at the time). In Feb 2020, DDW also lowered the 'response levels' (RLs) to 10 ng/L for PFOA and 40 ng/L for PFOS. • Under AB756 (July 2019), DDW can order public water systems to monitor PFAS, consumers must be notified if NLs/RLs are exceeded, and water sources must be removed from service or blended/ treated if RLs are exceeded (if possible). DDW has requested OEHHA develop NLs for seven other PFAS compounds and public health goals (PHGs) for both PFOA and PFOS, the next step in establishing drinking water MCLs. • In 2019, the SWRCB developed a phased investigation action plan requiring testing of drinking water systems and site investigations at high risk locations for PFAS. Investigative orders are issued as follows: ○ Mar/Apr 2019 - landfills and airports and adjacent public water systems ○ Oct 2019 - chrome-platers ○ July 2020 - POTWs ○ TBD late 2020 - refineries & bulk terminals	• The July 2020 SWRCB investigative Order for POTWs is not applicable to Region 2 agencies. Instead, BACWA worked with RWB staff and obtained State Water Board approval to fund and conduct a regional study through the RMP. • SFEI is conducting this study in two phases: ○ In Phase 1, up to 15 representative facilities (to be selected) will collect samples in Q4 2020 for influent, effluent, RO concentrate, and biosolids. SFEI will analyze data and prepare report (anticipated May 2021). ○ **To inform the selection of representative facilities, SFEI developed a questionnaire; response from BACWA agencies is requested by 9/4.** ○ Phase 2 will be conducted in Summer/ Fall 2021 and will be designed based on recommendations from Phase 1 report. • The Summit Partners are holding a PFAS Workshop on the SWRCB investigative order for POTWs on September 16. • BACWA will continue collaboration with Summit Partners as well as tracking developments at the State and Regional level.	CASA Factsheet: https://casaweb.org/wp-content/uploads/2019/10/4-CASA_PFASFactSheet4.pdf SWRCB website: https://www.waterboards.ca.gov/pfas/ OEHHA Notification Levels for Drinking Water: https://oehha.ca.gov/water/notification-levels-chemicals-drinking-water EPA PFAS Resources https://www.epa.gov/pfas EPA PFAS Action Plan (updated Feb 2020) https://www.epa.gov/sites/production/files/2020-01/documents/pfas_action_plan_feb2020.pdf SWRCB Investigative Order for POTWs: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2020/wqo2020_0015_dwq.pdf Region 2 PFAS Study Phase 1 Scope of Work: https://bacwa.org/wp-content/uploads/2020/08/4c-BACWA-PFAS-SOW_20200816.pdf

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
SSS WDR REISSUANCE			
• The State Water Board plans to reissue the SSS WDR in 2021. • They have sought out early stakeholder engagement through outreach to CASA and the Regional Associations, and NGOs. • Goals for the update are: ○ Effective spill response ○ Proactive planning and management ○ Transparent reporting ○ "Feasible and reasonable" regulations - good faith effort to comply - personnel, budget, equipment by governing board	• The State Water Board has identified the following as key issues to be included: ○ Reporting of PSL spills ○ Improvement of CIWQS data quality ○ Study of the impact of exfiltration ○ Updated SSMPs that are more enforceable ○ Potential incentives for well performing systems • CASA provided proposed redlines to the SSS WDR on the text of the SSS WDR, as well as the proposed SSMP outline. They have been meeting with the State Water Board regularly during 2019.	• Comment on draft SSS WDR when available for public comment. The State Water Board has not provided an updated schedule for the anticipated draft. Discuss response to issues such as exfiltration via BACWA's Collection Systems Committee.	SWB SSS WDR page: https://www.waterboards.ca.gov/water_issues/programs/sso/ CASA SSS WDR Redlines: https://bacwa.org/document/sss-wdr-casa-redlines-8-29-18/ CASA SSS WDR MRP Redlines: https://bacwa.org/document/casa-sss-mrp-redlines-08-29-18/

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
ELAP UPDATE			
• In August 2015, the State Water Board contracted with Southern California Coastal Water Research Project (SCCWRP) to establish and facilitate an Expert Review Panel to conduct an examination of ELAP, California's laboratory certification body. • The Expert Review Panel concluded that ELAP's current regulations are inadequate. The Panel recommended that ELAP adopt the laboratory standard established by The NELAC Institute (TNI) as the most viable option for California. • The Environmental Laboratory Technical Advisory Committee (ELTAC) was established to assist ELAP in technical matters that impact the laboratory community. The committee is composed of representatives from the laboratory community and data users, and have represented the POTW laboratory community during this process. • AB 1438 was signed into law on Sept 28, 2017 and became effective January 1, 2018. The bill sets the stage for ELAP to adopt TNI standards.	• Draft Regulations that included adopting most of the TNI standard for laboratories were released for public comment on October 11, 2019. Minimal revisions were proposed in February 2020 and regulations were adopted May 2020. • Adoption of TNI standards poses a challenge since there are more than 1000 individual requirements in the full document. Initial costs may include ○ hiring staff to handle TNI-related paperwork; ○ hiring consultants to setup the TNI documentation framework; ○ purchasing Laboratory Information Management System (LIMS) software; ○ purchasing documents and training material from TNI, etc. • The new standards could be a particular burden on small municipal laboratories, which may choose to close if they cannot economically meet the new standards. • BACWA submitted comments on the draft regulations aimed at improving clarity and implementability of TNI. The comments also addressed the enforcement provisions and lack of due process therein.	• Requirements in the newly-adopted regulations are to be implemented within three years of the regulations effective date. The estimated effective date is October 2020, however, a final date has not yet been set as the regulations has not yet been filed with the Office of Administrative Law. BACWA is tracking these final steps toward effectiveness of regulations. • Continue to work through BACWA's Laboratory Committee to support dischargers and mitigate the burden of the newly-adopted requirements. In June 2020, ELAP staff presented at the Lab Committee meeting. In September, the Committee held a special meeting to discuss information requests in SWRCB ELAP Pre-Assessment letters.	State Water Board's ELAP page: http://www.waterboards.ca.gov/drinking_water/certlic/labs/elap_regulations.shtml BACWA Comment letter on Draft Regulations: https://bacwa.org/wp-content/uploads/2019/12/BACWA-comments-ELAP-Regs-12-20-19.pdf

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
PHASE-OUT OF BIOSOLIDS AS ALTERNATIVE DAILY COVER			
• Regulatory drivers are indicating that biosolids used as alternative daily cover (ADC) or disposed in landfills will be phased out: ○ AB 341 set a goal to recycle 75% of solid waste by 2020 and CalRecycle's plan to achieve that goal called for a marked, but unquantified, reduction of organics to landfills. ○ SB 1383, adopted in September 2016 requires organics diversion: -50% by 2020 (relative to 2014) -75% by 2025 (relative to 2014) ○ In 2020, CalRecycle will count green waste as disposal (per AB 1594), rather than diversion, even when used as ADC.	• While the regulations don't explicitly forbid biosolids disposal/reuse in landfills, it is assumed that since biosolids are a relatively "clean" waste stream that can be easily diverted, landfills will stop accepting biosolids. • In the 2018 BACWA Biosolids survey, more agencies reported that they are developing plans for the phase-out than in the 2016 Survey. • The latest draft of proposed regulations was posted on April 20, 2020, with adoption on July 1, 2020. The regulation will become effective in 2022, and enforceable in 2024. Issues of concern are: ○ Diverted biosolids must be anaerobically digested and/or composted to qualify as landfill reduction. ○ Language that would prohibit local ordinances restricting biosolids land application has been softened. ○ Procurement of renewable natural gas for renewable energy generation, use as a low carbon fuel, and pipeline injection has been included in the draft language. Regarding biosolids cake/products, procurement requirements are implied for biosolids compost only. ○ Current regulatory language implies that incineration and surface land disposal sites are "landfills" for accounting purposes.	• Consider ways to build a market for compost and other soil amendment products from biosolids, using lessons learned in the Pacific Northwest and Midwest. • Actively work through CASA with California Air Resource Board, CalRecycle, State Water Resource Control Board, and California Department of Food and Agriculture to mutually develop sustainable long-term options for the beneficial use of biosolids. • Follow efforts of the BABC, investigating all-weather options for biosolids management (including innovative technologies generating energy and other useful bioproducts from biosolids). BABC is a BACWA Project of Special Benefit, beginning in FY20. • Participate in BAAQMD's Methane Expert Panel to educate their staff on how to address implementation of SB 1383 at the Air District level. • Following the release of the next draft regulation, participate in discussions/efforts with CASA and CalRecycle to modify the regulatory language that implies incineration and surface land disposal sites are landfills.	BACWA 2016 Biosolids Trends Survey Report: https://bacwa.org/wp-content/uploads/2017/08/BACWA-2016-Biosolids-survey-report.pdf 2018 BACWA Biosolids Survey: https://www.surveymonkey.com/r/7Q3PDY9 CASA White Paper on Biosolids Use in Landfills: https://bacwa.org/wp-content/uploads/2017/01/1-11-17-Sustainability-for-biosolids-use-at-landfills.pdf BABC website: http://www.bayareabiosolids.com/ CASA Comments on proposed SB 1383 Implementation Regulation: https://bacwa.org/wp-content/uploads/2019/09/7-17-19-CASA-Comments-SB-1383-Regs3.pdf

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
CLIMATE CHANGE MITIGATION			
• CARB's Climate Change Scoping Plan Update lays out the approach for the State to meet its greenhouse gas (GHG) emissions reduction targets through 2030, including additional policies to achieve 40% reduction below 1990 levels by 2030: ○ Short-lived climate pollutants (i.e., methane) ○ Carbon sequestration on Natural and Working Lands ○ Largest emitters (transportation, electricity, and industrial sectors) • SB 1383 (Short-Lived Climate Pollutant Reduction) calls for: ○ 40% methane reduction by 2030 ○ 75% diversion of organic waste from landfills by 2025 ○ Policy and regulatory development encouraging production/use of biogas • BAAQMD developed a Clean Air Plan that requires GHG emissions reduction on track with CARB's 2030 and 2050 targets. • BAAQMD has proposed the development of Regulation 13 (climate pollutants) targeting GHG emission reductions related to organics diversion and management.	• CARB states POTWs are part of the solution for reducing fugitive methane, and encourages diversion of organics to POTWs to use excess digester capacity and produce biogas. However, diversion also increases biosolids, which also need to be diverted from landfills. • Many POTWs are exploring energy generation, but BAAQMD TAC regulations could make such programs more difficult to implement. Direct injection of biogas to PG&E's pipelines or use as a transportation fuel may be more efficient. OSHA's PSM Standards, triggered by use of biogas offsite (if managing over 10k lbs of biogas onsite), may cause pipeline injection to be cost-prohibitive. CalOSHA has verbally agreed with scenarios exempt from PSM standards. • CARB's previous interest in nitrous oxide emission estimates and/or emission factors for POTWs has shifted to toxic air contaminants. See BAAQMD Rule 11-18. • BAAQMD is developing a suite of Rules under Regulation 13 for climate pollutants methane and nitrous oxide ○ Rule 13-1 (significant methane releases) - Postponed indefinitely in favor of source specific rules. ○ Rule 13-2 (organic material handling) – Postponed indefinitely to develop Rules 13-3 and 13-4. ○ Rule 13-3 (composting operations) and Rule 13-4 (anaerobic digestion and sewage treatment) – Suspended due to COVID-19.	• Work with CASA to look for opportunities for POTWs to help the State meet GHG reduction goals. • Look for opportunities to inform BAAQMD on the opportunities and challenges for climate change mitigation by Bay Area POTWs. • Work with PG&E and BAAQMD to explore options for POTWs to inject biogas into PG&E pipelines. Note: CASA has been discussing the barriers to pipeline injection with CPUC staff and they have proposed reducing their standard from 990 Btu/scf to 970 Btu/scf. • Engage in development of Regulation 13 Rules, which are intended to govern climate pollutants, odors, VOCs and TACs from POTWs and anaerobic digesters. Continue to work with BAAQMD staff to provide information and education about anaerobic digesters and POTW operations. Participate in the Methane Expert Panel and the Organic Recovery Technical Working Group, as well as comment on draft Rules.	Climate Change Scoping Plan: https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf CARB Short Lived Climate Pollutant Reduction Strategy: https://www.arb.ca.gov/cc/shortlived/meetings/03142017/final_slcp_report.pdf SB 1383: http://www.leginfo.ca.gov/pub/15-16/bill/sen/sb_1351-1400/sb_1383_bill_20160919_chaptered.htm BAAQMD Clean Air Plan: http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans BAAQMD Regulation 13 http://www.baaqmd.gov/rules-and-compliance/rules/regulation-13-climate-pollutants BACWA Comments on Regulation 13: https://bacwa.org/wp-content/uploads/2019/07/BACWA-AIR_FINAL_Comment-Letter_Regulation13_Rules_24_071219.pdf

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
CLIMATE CHANGE ADAPTATION			
• In 2017, the State Water Board adopted a Climate Change Resolution addressing mitigation and adaptation. One of the requirements is that Regional Water Boards will make recommendations to the State Water Board on the need to modify permits and other regulatory requirements to reduce vulnerability of water and wastewater infrastructure to flooding, storm surges, and sea level rise. • The Regional Water Board identified Climate Change and Wetland Policy Update as the highest priority Basin Planning project in their 2018 Triennial Review. • In April 2019, Governor Gavin Newsom signed Executive Order N-10-19 directing State Agencies to recommend a suite of priorities and actions to build a climate-resilient water system and ensure healthy waterways through the 21st century.	• The State Water Board is planning a data request that they will send to all permitted facilities (collection systems and POTWs) in the State to better understand to what extent agencies are performing climate change vulnerability assessments and/or investing in adaptation measures. They plan to use this information to determine the need for funding assistance or permit requirements for climate change planning. • The Regional Water Board hosted a workshop on its Wetlands Policy 94-086 on August 14 and solicited stakeholder input on potential revisions to the Policy. • BACWA provided the Regional Water Board staff specific case studies of wetlands projects that are being considered as well as written comments regarding Policy revisions that would help incentivize the development of wetlands projects by wastewater agencies, and reduce permitting hurdles.	• Continue to coordinate with State Water Board on the status of their data request on climate change planning, so members can provide the information they request as effectively as possible. Survey expected to be release at the beginning of 2021. • Continue to work with Regional Water Board to look for regulatory solutions to encourage wetlands projects for shoreline resiliency. • BACWA to review Governor's Water Resilience Portfolio initiative, released in 2020.	State Water Board 2017 Climate Change Resolution: https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2017/rs2017_0012.pdf Regional Water board Wetlands Policy Page: https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/climate_change/wetland_policies.html BACWA Comments on Wetlands Policy: https://bacwa.org/wp-content/uploads/2018/09/BACWA-comments-Wetland-Policy-9-14-18.pdf Governor's Final Water Resilience Portfolio: http://waterresilience.ca.gov/ BACWA Comments on Resilience Portfolio: https://bacwa.org/wp-content/uploads/2019/10/BACWA-Water-Resilience-Portfolio-10-01-19.pdf

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
TOXIC AIR CONTAMINANTS - BAAQMD RULE 11-18 AND AB 617			
• Regulation 11, Rule 18 (Rule 11-18), adopted November 15, 2017, is BAAQMD's effort to protect public health from toxic air pollution from existing facilities, including POTWs. • Per the Rule, BAAQMD will use toxic emissions inventories and proximity to the nearest receptor (residents or offsite workers) to conduct site-specific Health Risk Screening Analyses (HRSA). From HRSAs, BAAQMD will determine each facility's prioritization score (PS). BAAQMD will conduct Health Risk Assessments (HRAs) for all facilities with a cancer PS>10 or non-cancer PS>1.0. After verifying the model inputs, if the facility still has PS above that threshold, that facility would need to implement a Risk Reduction Plan that may include employing Best Available Retrofit Control Technology for Toxics (TBARCT). • AB 617 (Community Air Protection Program) – requires CARB to harmonize community air monitoring, reporting, & local emissions reduction programs for CAPs and TACs (and GHGs). Oakland and Richmond. POTWs within these communities may have to accelerate implementation of risk reduction measures.	• BACWA developed a White Paper on the BAAQMD Rule to describe its potential impacts on the POTW community. • In response to a request by BAAQMD, the AIR Committee delivered a letter report summarizing specific challenges that POTWs would face in complying with the rule due to budgeting and planning constraints related to being public agencies. • In response, BAAQMD moved all POTWs to Phase 2 to give sufficient time to update the model's inputs, and plan for emissions reduction or TBARCT, as needed. **Phase 2 begins in 2020** with data collection and verification, followed by the development of HRAs for facilities with a cancer PS>10 or non-cancer PS>1.0. Implementation of the Rule for Phase 2 facilities will be spread out over two years depending on the prioritization score. • AIR Committee gathered data on proximity factors from each facility and submitted to BAAQMD for updating prioritization scores, which will be use in HRA development. • Best Available Retrofit Control Technology (BARCT) Implementation Schedule for industrial Cap-and-Trade facilities was adopted by BAAQMD's Board of Directors at a public hearing on December 19, 2018.	• **Priority: Agencies should use the tool developed by the AIR Committee's Emissions Inventory Subcommittee to address emission contributions from influent flows, which will be used to update emissions inventory values.** • **Respond to BAAQMD data request in 2020. There will be a 60-day turn-around to comply with the data request.** • Track both AB 617's regulation development and expansion of the toxics compound list under AB 2588's Air Toxics Hot Spots Program. Draft regulatory language under AB 617 stated all uncovered POTWs >5 MGD and covered (primary) POTWs >10 MGD must monitor and report all compounds listed under AB 2588. The language had been temporarily removed, but 2020 amendments propose bringing the language back. CARB has agreed to give the wastewater sector time to develop a short-list of relevant compounds and perform a pooled emissions estimating effort to update outdated default emission factors (through 2026). CASA has a subgroup dedicated to this effort. Results could inform Rule 11-18 HRA's.	BAAQMD Rule 11-18 page: http://www.baaqmd.gov/rules-and-compliance/rule-development/rules-under-development/regulation-11-rule-18 Rule 11-18 Process Flowchart: https://bacwa.org/document/baaqmd-11-18-process-flowchart-08-17-17/ BACWA White Paper: https://bacwa.org/wp-content/uploads/2017/01/11-18-White-Paper_final-2.pdf BAAQMD page on AB 617: http://www.baaqmd.gov/rules-and-compliance/rule-development/barct-implementation-schedule CARB page on AB 617: https://ww2.arb.ca.gov/our-work/programs/criteria-and-toxics-reporting/ctr-regulation CARB page on AB 2588: https://ww3.arb.ca.gov/ab2588/2588guid.htm

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
RECYCLED WATER GENERAL ORDER			
• In response to the Governor's proclamation of a Drought State of Emergency, the State Water Board adopted a General Order on June 3, 2014 to streamline permitting for recycled water. The State Water Board reissued the General Order on June 7, 2016, making enrollment mandatory for Regional Permittees. • In May 2018, the State Water Board released Recycled Water Policy Amendments for Public Comment. The Recycled Water Policy governs the Recycled Water General Order. • The Amendments were adopted in December 2018.	• Key issues in the Recycled Water Policy Amendments are: ○ Introduces goal to increase recycled water where wastewater is otherwise discharged to ocean, bays, and estuaries. ○ Terminates Region 2 96-011 Recycled Water General Order three year after Policy Amendment adoption (April 2020). ○ Adds to the procedural burdens in obtaining Wastewater Change Petition. ○ Removes requirement for priority pollutant monitoring. • On April 8, 2020, SF Regional Water Board transitioned 96-011 permittees to the State General Order by issuing a NOA and modified MRP. BACWA had previously provided comments on the draft NOA and MRP documents. All permittees were transitioned with the exception of City of Livermore, Delta Diablo, Napa Sanitation, and SASM who have older Title 22 Engineering Reports; they will be enrolled at a later date following a review by DDW.	• Support member agencies as they implement new monitoring and reporting requirements. • BACWA Recycled Water Committee continues to collaborate with Regional Water Board staff. Recently, Committee leaders were invited to the give an update to Regional Water Board members on the transition to the General Order as well as recycled water projects and activities in the SF Bay area.	2016 State Recycled Water General Order: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2016/wqo2016_0068_ddw.pdf State Recycled Water Policy Amendment Page: https://www.waterboards.ca.gov/water_issues/programs/water_recycling_policy/index.html#amendment BACWA comments on Recycled Water Policy Amendments: https://bacwa.org/wp-content/uploads/2018/06/BACWA-RW-Policy-comments-6-26-18.pdf State Water Board 2001 Engineering Report Guidelines: https://bacwa.org/wp-content/uploads/2019/09/Engineering-Report-Preparation-Guidelines.pdf

"Parking lot" issues with no updates can be found in previous BACWA issues summaries.

ACRONYMS

ADC	Alternate Daily Cover
BAAQMD	Bay Area Air Quality Management District
BTU/SCF	British thermal units per standard cubic foot
CARB	California Air Resources Board
CASA	California Association of Sanitation Agencies
CAP	Criteria Air Pollutant
CEC	Compound of Emerging Concern
CIWQS	California Integrated Water Quality System
CVCWA	Central Valley Clean Water Agencies
CWEA	California Water Environment Association
EC25/IC25	25% Effect Concentration/25% Inhibition Concentration
ELAP	Environmental Laboratory Accreditation Program
ELTAC	Environmental Laboratory Technical Advisory Committee
EPA	United States Environmental Protection Agency
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FY	Fiscal Year
GHG	Greenhouse Gas
HRSA	Health Risk Screening Analyses
HRA	Health Risk Assessment
MCL	Minimum Contaminant Level (Drinking Water)
NACWA	National Association of Clean Water Agencies
NELAC	National Environmental Laboratory Accreditation Conference
NWP	Nutrient Watershed Permit
PCB	Polychlorinated Biphenyl
POTW	Publically Owned Treatment Works
PS	Prioritization Score
QMS	Quality Management System
RMP	Regional Monitoring Program
RPA	Reasonable Potential Analysis
SCAP	Southern California Alliance of POTWs
SF Bay	San Francisco Bay
SFEI	San Francisco Estuary Institute
TAC	Toxic Air Contaminant
TMDL	Total Maximum Daily Load
TIN	Total Inorganic Nitrogen
TNI	The NELAC Institute
TST	Test of Significant Toxicity
WQBEL	Water Quality Based Effluent Limitation
WQO	Water Quality Objective

Notice Date: August 18, 2020

NOTICE OF FILING, NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT, AND NOTICE OF PUBLIC HEARING

ON AMENDMENT TO THE WATER QUALITY CONTROL PLAN, SAN FRANCISCO BAY BASIN, AND DRAFT SUBSTITUTE ENVIRONMENTAL DOCUMENT

NOTICE IS HEREBY GIVEN that the San Francisco Bay Regional Water Quality Control Board (Water Board) has filed a draft substitute environmental document supporting a proposed amendment to the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) to:

Add Chlorine Water Quality Objectives and Establish Total Residual Chlorine Water Quality-Based Effluent Limitations for Wastewater Discharges in the San Francisco Bay Region

The proposed Basin Plan amendment would adopt chlorine water quality objectives for the protection of aquatic life beneficial uses in marine, estuarine, and freshwaters within the San Francisco Bay region, and replace the existing total residual chlorine technology-based effluent limitation with new water quality-based effluent limitations to be implemented in the region's National Pollutant Discharge Elimination System permits. The Basin Plan amendment would also make three minor editorial changes to the Basin Plan to correct past errors and to make the Basin Plan consistent with the recently adopted statewide mercury objectives. The Water Board is considering the Basin Plan amendment in accordance with a certified regulatory program exempt under section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act. (Pub. Res. Code, §§ 21000 et seq.) The draft staff report serves as the substitute environmental documentation required under the Water Board's certified regulatory program (Cal. Code Regs., tit. 23, §§ 3775 et seq.) and includes the required environmental analyses of the proposed Basin Plan amendment.

NOTICE IS ADDITIONALLY HEREBY GIVEN that the Water Board will receive public comments on the proposed Basin Plan amendment and draft staff report in accordance with this notice.

NOTICE IS ADDITIONALLY HEREBY GIVEN that the Water Board will hold a public hearing to receive public comments on and consider adoption of the proposed amendment and draft staff report. The hearing will be held as follows:

DATE:	**November 18, 2020**
TIME:	9:00 a.m. (approximate)
LOCATION:	Virtual meeting via Zoom. Please check the Water Board's Covid-19 webpage: https://www.waterboards.ca.gov/sanfranciscobay/board_info/remote_meeting/index.html to find out more about how to participate in San Francisco Bay Regional Water Board Meetings during the COVID-19 Emergency.
STAFF CONTACT:	Tong Yin San Francisco Bay Regional Water Quality Control Board 1515 Clay Street, Suite 1400 Oakland, CA 94612 Tong.Yin@waterboards.ca.gov

DOCUMENT AVAILABILITY: The proposed Basin Plan amendment and supporting draft staff report will be available online at the Water Board's public notice page: https://www.waterboards.ca.gov/sanfranciscobay/public_notices/.

SUBMISSION OF WRITTEN COMMENTS: The Water Board will accept written comments on the proposed Basin Plan amendment and draft staff report. Written comments must be received no later than **5:00 p.m. on October 2, 2020** to be considered in the revised Basin Plan amendment or draft staff report and be included in the written response to comments before the Board hearing. Please send all written comments to the staff contact identified above. Additionally, all evidence, testimony, and exhibits to be offered at the hearing must be submitted in writing by this date to the above staff contact. Non-evidentiary policy statements to be made at the hearing need not be submitted in advance. Due to Covid-19 and telework, we encourage you to email a copy of your written comments to the staff contact by the same deadline.

One week before the Board hearing date, any proposed changes to the proposed Basin Plan amendment and draft staff report, along with written responses to all comments received during the public comment period, will be posted at the Board Meeting agenda page: https://www.waterboards.ca.gov/sanfranciscobay/board_info/agenda.html.

PROCEDURAL MATTERS: The Water Board will receive oral public testimony on the proposed Basin Plan amendment and draft staff report at the hearing. At the conclusion of the hearing, the Board will consider adoption of the proposed Basin Plan amendment and draft staff report, including changes to the proposed Basin Plan amendment that are consistent with the general purpose of the proposed amendment and are a logical outgrowth of the comments received.

The public hearing will be conducted in accordance with the California Code of Regulations, title 23, section 649.3. To ensure a productive, efficient and fair hearing in which all participants have an opportunity to be heard, oral comments will generally be limited to five minutes. Participants with similar comments are strongly encouraged to make joint presentations.

The meeting will be held virtually. Individuals who require special accommodations are requested to contact Executive Assistant Guy Gutterman, (510) 622-2399, Guy.Gutterman@Waterboards.ca.gov, at least five (5) working days before a meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Future Notices: Any changes in the date of the hearing, the availability of responses to comments or any other updates will be noticed by the Lyris e-mail list. Any person desiring to receive future notices concerning the proposed Basin Plan amendment and substitute environmental document must sign up for the Lyris e-mail list. To sign up, access the E-mail List Subscription form at the Lyris subscription page: https://www.waterboards.ca.gov/resources/email_subscriptions/reg2_subscribe.html, and select the box for “ALL Basin Planning/TMDL Notices and Information” option.

BACWA 2020 Strategic Plan

Outcome of Planning Meeting Part 1

Sept 9, 2020

Mission

(2009) Through leadership, service and advocacy for its members, BACWA provides an effective regional voice for the clean water industry's role in stewardship of the San Francisco Bay environment.

(2020) Through leadership, service and advocacy for its members, BACWA provides an effective regional voice for Clean Water Agencies' role in effective stewardship of the Bay's ecological, community, and economic resources.

Vision

Public clean water agencies are leaders in protecting and enhancing the San Francisco Bay ecosystem.

Values

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

Goals

- **Advocate for regulation based on sound science**

  (Potential Strategies: Advocate for science-based regulation related to nutrients, NPDES, air, biosolids)

- **Foster collaboration and relationship building with regulators and other stakeholders and partners**

  (Potential Strategies: maintain collaboration with RWB, build w OPC, BAAQMD, SWB, etc, develop trust on environmental issues)

- **Pursue regional, multi-benefit approaches to environmental solutions**

  (Potential Strategies: Promote integrated approach to a healthy Bay; identify emerging issues and develop effective solutions; support innovation)

- **Exemplify service and responsiveness to members and public**

  (Potential Strategies: Ensure members are knowledgeable about critical issues and activities, provide education and outreach, provide forum to hear all member voices)

- **Provide good governance**

  (Potential Strategies: Update BACWA Policies and Procedures to conform to applicable laws and best practices; provide value to members with regional solutions; enhance fiscal transparency)

Strategic Planning Meeting Part II – October 9, 12-3pm

BACWA Strategic Plan

March 6, 2009

BACWA's Mission

Through leadership, service and advocacy for its members, BACWA provides an effective regional voice for the clean water industry's role in stewardship of the San Francisco Bay environment.

BACWA's Core Values and Commitments

- Use the best available knowledge, including scientific/technical information
- Support regulatory compliance by members
- Promote stewardship of the Bay Environment
- Seek regional solutions and promote regional collaborations and partnerships
- Conduct business in an open and transparent manner
- Ensure prudent use of financial resources
- Provide services which are valuable to members

Goals That BACWA Strives to Support and Achieve

1. Members are knowledgeable about critical issues and activities
2. Members are in compliance with applicable rules and regulations
3. Effective collaborative partnerships for regional environmental benefit are established
4. An integrated approach to a healthy Bay is promoted, emerging issues are identified, and effective solutions are developed
5. Stakeholders are aware of BACWA and its members' achievements and role in the stewardship of the Bay
6. Members value and actively participate in BACWA activities

1. Members are knowledgeable about current critical issues and activities

Strategy 1: Provide timely regulatory and technical information to members about regional air quality, biosolids and water quality (and quantity) issues.

Objective 1: *Committee members and BACWA members are informed on a regular basis about priority issues and concerns which impact either current or future compliance, management, or funding options.*

Strategy 2: Develop policy and technical information which addresses priority issues and supports BACWA's advocacy and partnership activities.

Objective 1: *There is clarity and agreement within the POTW, scientific, NGO and regulatory community regarding the source and impacts of nutrients in the San Francisco Bay.*

Objective 2: *BACWA develops an understanding of the issues associated with the diversion of dry weather urban runoff to POTWs.*

2. Members are in compliance with applicable rules and regulations

Strategy 1: Support members to achieve compliance with regulatory requirements. Priority areas identified include issues associated with TMDLs and Basin Plan Amendments, NPDES permits and pollution prevention, water recycling and water resources, Water Quality Standards, wet weather (including collection system issues), Biosolids, and climate change.

Objective 1: *Ongoing and upcoming policy and regulatory issues have been identified and are understood, and advocacy positions have been prepared.*

Objective 2: *Common issues associated with assuring/demonstrating compliance by BACWA members have been identified, and joint actions to support compliance have been initiated.*

3. Effective collaborative partnerships for regional environmental benefit are established

Strategy 1: Establish and expand ongoing communication, coordination and cooperation with the agencies that regulate members with regard to rulemaking, regional compliance issues and emerging environmental challenges.

Objective 1*: BACWA identifies and helps develop a common understanding of the mutual priorities of BACWA and the Water Board.*

Objective 2: *Through cooperation with the Water Board and EPA, BACWA effectively participates in the Basin Plan amendments and triennial reviews of the Basin Plan.*

Strategy 2: Establish partnerships with universities or other research institutions to develop collaborative approaches to issues of importance to members.

Objective 1: *SFEI, ASC, and Bay area universities are valued research institutions that collaborate with BACWA to enhance knowledge on Bay-wide environmental issues and watershed priorities.*

Strategy 3: Establish partnerships with other dischargers to the Bay, water resource users, NGOs and community groups to develop an understanding of common interests and how to work together.

***Objective 1**: BACWA understands the interests and positions of WSPA, BASMAA and NGOs on environmental issues and develops partnerships as appropriate.*

***Objective 2:** San Francisco Bay IRWMP and BACWA work together to maximize grant funding for priority projects.*

4. An integrated approach to a healthy Bay is promoted, emerging issues are identified, and effective solutions are developed

Strategy 1: Develop proactive solutions and approaches for emerging issues to support BACWA's mission and goals in relevant legislative and regulatory efforts.

***Objective 1**: The vision of an integrated approach to a healthy Bay has been articulated, the appropriate roles and responsibilities of clean water agencies for that vision have been identified, and how clean water agencies' investments can contribute to that vision has been offered.*

Strategy 2: Identify and understand emerging common issues for BACWA members, such as those associated with climate change, treatment and discharge responsibilities, infrastructure needs and financial obligations.

***Objective 1**: Members understand the wastewater and relevant drinking water-related infrastructure needs for the region, including the investments necessary to address them.*

***Objective 2:** BACWA explores the potential synergies of meeting the infrastructure and financial needs of clean water agencies through regional collaboration.*

***Objective 3**: The potential impacts of climate change on BACWA members are understood and measures to mitigate and support adaptation to these impacts are advanced.*

5. Stakeholders are aware of BACWA and its members' achievements and role in stewardship of the Bay environment

Strategy 1: Communicate achievements of member agencies and build confidence in their and BACWA's commitment to stewardship.

***Objective 1**: The record of members' compliance with regulatory requirements is understood, appropriate rewards and recognition are pursued and commendations received are communicated to stakeholders.*

***Objective 2**: Regulatory agencies and stakeholders recognize BACWA and members' commitment and contributions to a healthy San Francisco Bay.*

6. Members value and actively participate in BACWA activities

Strategy 1: Improve communication capability and operational capacity across all committees, programs and issues.

***Objective 1**: Members are informed about BACWA activities in a routine and timely manner.*

***Objective 2**: Committees are capable of consistent and reliable communication with their members and the overall BACWA membership.*

Strategy 2: Provide administrative, legal and other support to projects or programs that provide significant net benefit to members.

***Objective 1:** Requests for BACWA support are considered and decided upon by the Board based on consistent criteria that recognizes both members' potential direct benefits and possible administrative and other costs to BACWA.*

Strategy 3: Communicate with and engage members to maintain their commitment to BACWA.

***Objective 1**: Members receive value through internal BACWA coordination, participation and collaboration on issues of regional importance.*

***Objective 2**: Members increase staff engagement with BACWA and share responsibility for the leadership and the work of the committees.*

Performance Plan

For

Bay Area Clean Water Agencies

Professional Services Contract

Executive Director

July 1 2020 – June 30, 2021

This plan covers Fiscal Year 2020/2021 (FY21) for the contract to provide BACWA with Executive Director Services. The overall contract services rating for this period is $190,000.

Specific tasks and goals during this period are highlighted below arranged in accordance with the headings in the Executive Director's contract Scope of Services. They are grouped into routine tasks performed by the Executive Director and special focus areas for FY21.

1. **Financial/Administrative Management**
    - Manage timely invoice payment.
    - Prepare, obtain approval for, and implement FY21 Budget and Workplan
    - Provide ongoing updates of the 5 Year Plan, including scenarios for future Nutrient Surcharge and NMS payments, which provides the Board with a longer-term overview of the BACWA finances. The Plan incorporates drawing down reserves in order to ease the financial burden to the BACWA membership associated with on-going funding requirements of the Nutrient Watershed permit.
    - Provide routine Treasurer's reports plus work with AED to track contract percent complete. This along with the narrative provides a concise overview of the BACWA finances.
    - Continue the monthly staff meetings to further ensure needed coordination of activities and priorities of the ED, the AED and RPM.
    - Prepare the FY20 BACWA Annual Report and bring to the Board for Approval.
    - Ensure that BACWA operations comply with the Brown Act and other applicable laws and regulations.

    Focus Areas for FY21

- Continue to work with AED and EBMUD to improve transparency and security of invoice approval process.
- Work with EBMUD to provide updated treasurers report format to improve readability for communicating financial status to BACWA Board.
- Prepare a Request for Proposal and selection process for the new RPM contract.
- Complete onboarding of new BACWA staff and finalize optimal distribution of work between staff members to maximize value to BACWA.

2. Board, Committee, and Member Functions

- Prepare agendas, organized logistics and assist the Chair in conducting all monthly and Special Board meetings.
- Plan and conduct the Annual Meeting and August/September Technical Seminar-in-lieu-of Pardee meetings
- Attend key committee meetings.
- Routinely organize and conduct the bi-monthly Joint Meetings with the Water Board
- Work with AIR Committee and BAAQMD meeting to discuss development of regulations impacting BACWA members.
- Track all Action Items from BACWA Board meetings and complete all outstanding Action Items from previous fiscal years.

Focus Areas for FY21

- Lead Strategic Planning effort to inform BACWA decision-making about finances and staffing resources.
- Continue to make improvement to BACWA Board meeting format and packets to provide greater ease of use to the BACWA Board and membership
- Provide ongoing improvements to the teleconference meeting format for the duration of the COVID-19 pandemic
- Complete the transition of the Bay Area Chemical Consortium to a BACWA Program of Special Benefit
- Work with the Bay Area Biosolids Coalition to identify and implement the mutually desired level of integration with BACWA
- Work with the Bay Area Consortium for Water and Wastewater Education (BACWWE) to transition to a scholarship-based educational funding model

3. Communication/Representation

- Represent BACWA at CASA, NACWA, ASC/SFEI, IRWM Coordinating and Project Screening Committees, Summit Partner meetings, Bay Area Managers Roundtable, BayCAN, San Francisco Estuary Partnership, and at other organizations and meetings as the need occurs.
- Collaborate with other groups to help promote as well as keep abreast of POTW issues including the Bay Planning Coalition, North Bay Watershed Association, BayKeeper, ReNUWIt, WateReuse, the Bay Area Regional Reliability group
- Oversee the preparation of the BACWA Monthly Bulletin as an on-going communication tool for the BACWA membership
- Continue updating of the BACWA Succession Plan and added all representatives of BACWA to the monthly Board agenda for report-outs.
- Work with staff to continue the updating of the BACWA the web site making it more user friendly and provide member only sections to be used as needed.

Focus Areas for FY21

- Work to establish relationships with Water and Stormwater community to identify where interests are in alignment to further One Water concept or other multi-benefit project types.
- Provide coordination between the POTW community and researchers and public health officials on a Regional monitoring effort for SARS-CoV-2 in wastewater

4. Program Management.

- Provide support to the Nutrient Management Strategy (NMS) Governance Steering Committee by attending all of their meetings and preparation of minutes.
- Provide staff support to the NMS Governance Planning Subcommittee of the Steering Committee. Attended all of their meetings, establish agendas, prepare minutes and follow-up on Action Items, and development of documents needed for NMS implementation.
- Attend NMS Assessment Framework meetings or other relevant NMS Small Subcommittee meetings as they develop
- Work with RPM to develop and submit comment letters on relevant regulatory issues.
- Continue coordination with CASA on providing input to the State Water Board on Statewide issues.

- Continue coordination with the Water Board on the oversight of the risk reduction contracts with two NGO groups.
- Continue to carry out all of the existing Nutrient WS Permit requirements
- Update the Sewer Rate Survey
- Update the BACWA Biosolids Survey

Focus Areas for FY21

- Develop a Request for Proposal and secure technical expertise and review of NMS Work Products on behalf of BACWA.
- Support increased technical engagement among the BACWA community with the NMS process.
- Continue to pursue Board supported strategies for laying the foundation for the negotiation of the nutrient watershed permit.
- Increase collaboration with BAAQMD staff on Regulation development and permitting issues
- Work with RMP, Water Boards, and membership to complete Phase I of Region PFAS study in lieu of 13267 Investigative Order to monitor PFAS
- Work with Regional Water Board to support adoption of Chlorine Residual Basin Plan Amendment
- Engage membership on major regulatory issues, which are expected to be the following:
    - Recycled Water and Nature-Based Systems Evaluations required by Nutrient Watershed Permit
    - Sea level rise/climate change planning
    - Toxicity
    - Emissions estimation for BAAQMD
    - Sewer Exfiltration
    - PFAS and other CECs

Review of NMS Technical Documents

Bay Area Clean Water Agencies (BACWA)

Request for Proposal

Date

Table of Contents

Contents

Attachments:

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Request for Proposals

Provide Review of Technical Documents Produced as Part of the Bay Area Nutrient Management Strategy (NMS)

Introduction

Background: San Francisco Bay is recognized as a nutrient-enriched estuary. Historically, the San Francisco Bay has not been adversely impacted by nutrient loading even though it is nutrient-enriched compared to other estuaries around the country. Stakeholders in the Region wish to better understand this resiliency, and whether it may be threatened in the future.

The *San Francisco Bay Nutrient Management Strategy (NMS)*[1] is a locally-supported, multi-interest, long-term science strategy and an associated implementation program to provide information that is needed to support nutrient-related management decisions in the Bay. The NMS defines and guides this science, implementation, information-sharing, and public outreach approach. As such, the NMS and the work of stakeholders supporting the NMS will inform policies specifically decided by the San Francisco Regional Water Quality Control Board (Water Board). A *Charter*[2] establishes an organizational structure for implementing the NMS and set forth the key entities that would be involved in the governance and implementation of the NMS and how they would function.

Since 2013 BACWA has been funding scientific studies being conducted by the San Francisco Estuary Institute (SFEI). BACWA voluntarily funded the initial studies in order to better understand the impacts of nutrients on the Bay. With the adoption of the Charter for governance, SFEI has been designated as the scientific body to conduct the studies for the NMS. The 2nd 5 Year Nutrient Watershed Permit was adopted in 2019 and requires BACWA to contribute $2.2M per year to SFEI to fund the scientific studies. BACWA is actively engaged in supporting the NMS for San Francisco Bay and is committed to continuing to engage in a collaborative approach to nutrient science and regulation. Our members participate in key governance activities of the NMS including the Steering Committee, the Planning Subcommittee, the Nutrient Technical Workgroup and the other small single-purpose working groups.

BACWA has developed a position on the nutrient issue entitled *BACWA's Approach to the Nutrient Issue* (see attachment A) which focuses on the need to protect San Francisco by relying on robust scientific investigations and prudent expenditures of public resources. More information about BACWA's involvement in nutrient issues can be found on our nutrient webpage[3].

Scientific Studies and Technical Documents:
As part of the NMS, SFEI has produced a Science Plan which sets forth a 5-year effort to answer key scientific questions regarding the impacts of nutrients on the beneficial uses of the Bay. SFEI provides a Science Manager and staff as well as contracts with other scientists to conduct the needed studies identified in the Science Plan.

[1] https://sfbaynutrients.sfei.org/
[2] https://sfbaynutrients.sfei.org/sites/default/files/SF%20NMS%20Charter%20Revised%2006082018.pdf
[3] https://bacwa.org/nutrients/

Although BACWA has several volunteers who are engaged in monitoring the technical work being undertaken by the NMS science team, all of the BACWA volunteers have their regular workload at their agency or city and don't have the time to immerse themselves in thoroughly reviewing all of the technical documents that have been produced or are in production. For this reason, BACWA is seeking to retain an outside expert to review key documents produced by the NMS science program from the perspective of a POTW. The independent review would help inform the BACWA membership on key aspects of the scientific reports as they relate to a public utility, pointing out areas of study or conclusions that have the potential to impact future management or policy decisions and assessing the scientific underpinnings of those conclusions and recommendations. It is also the intention that retaining technical support in this capacity will help support the NMS to develop more robust and defensible work products.

Current Status

There are several documents that have been or are in the process of being developed as part of the Science Plan. Previous documents can be found on the SFEI website[4] and were prepared by or under the direction and oversight of the science team at SFEI. Recent documents include the following:

- Dissolved oxygen dynamics in Lower South Bay slough and creek habitats and Appendices
- Water quality at perimeter sites in San Francisco Bay
- NMS Numerical Modeling Update
- Lower South Bay hypsographic analysis

As part of the NMS process, an Assessment Framework is being developed to provide the conceptual basis for regulatory ~~findings~~ determinations of impairment. This Assessment Framework will be used to provide the scientific underpinnings for potential regulatory decisions regarding nutrient management actions by POTWs. A work plan for the Assessment Framework is currently in development. An expert panel is being convened through the NMS in early 20201 to inform decision making related to the Assessment Framework.

Project Description

The Project consists of providing ongoing review of key technical documents being produced as part of the NMS and the Science Plan. The consultant will be asked to review technical documents from a POTW perspective, and provide technical interpretation. Using the *BACWA's Approach to the Nutrient Issue* as a guide to understanding BACWA's position, the consultant will be asked to provide a narrative to the BACWA community about the key conclusion of NMS products. They will review NMS work products to provide their findings as to the scientific soundness of the assumptions, findings, and recommendations of the documents reviewed. They will also be asked to help develop charge questions to expert panels convened by the NMS for work product review. BACWA is specifically interested in the implications of the assumptions made in preparing the scientific studies, the potential for the documents to provide a basis from which management or

Commented [DE1]: This is good. I think what is missing is regular interaction/engagement/brainstorming with individual BACWA members who are actively engaged in the NMS/Nutrient Science. This outlines interactions with the BACWA Board, but I have been envisioning this technical consultant as more of a technical support team-member for engaged BACWA members. In the past there were multiple BACWA Board and non-Board members who were active in the nutrient science. That bench has dwindled and this person would be helping to fill in that bench.

[4] https://sfbaynutrients.sfei.org/books/reports-and-work-products

policyes decision may ultimately be made, and other areas of study that may be warranted in order to answer key question on the nutrient issue.

A brief summary of findings from the technical review would be prepared and a briefing scheduled with the BACWA Board. Written reports on the technical soundness and consideration for alternative approaches may be requested from the consultant. Attendance at meetings with the Science Team, regulators, or relevant workgroups, may also be requested.

Commented [DE2]: Maybe this could be expanded to capture my comment above?

The intent is to enter into an omnibus agreement whereby BACWA would retain the consultant and call upon the consultant's technical expertise on an as needed basis.

Request for Proposals

BACWA seeks the services of an individual(s), a firm, or team (Consultant) to provide as- needed technical review on documents produced as part of the NMS as well as consultations on strategy to ensure that the BACWA *Goal* for nutrients is achieved. This Request for Proposal (RFP) includes the information needed for proposal preparation and includes various links and attachments associated with proposal preparation and contractual requirements, including a sample agreement (Attachment C). The Scope of Work and all attachments included are intended to provide the needed background and documentation for the consultant to prepare a brief letter proposal to BACWA.

Scope of Work

The first document for which technical review is requested is the *SF Bay Numerical Modeling Update.*

The outside expert will not be responsible for assessing the competence of the scientific work or any modeling efforts or re-doing any work completed but rather reviewing the existing documents from a POTW perspective and raising issues and questions for BACWA consideration. The key elements of the scope of work for the outside expert for the *SF Bay Numerical Modeling Update* review include the following:

1. Review key assumptions, critical referenced reports, conclusions and recommendations.
2. Provide a summary of the work product from the POTW perspective
3. Identify major issues and important questions
4. Identify where additional explanations from the authors is needed.
5. Discuss policy and permit ramifications.
6. Develop charge questions for expert advisory panels convened through the NMS

A presentation to the BACWA Board with key findings, conclusions and recommendations should be prepared. An estimate for additional in-person meetings should be provided on a per meeting basis.

Qualifications

The following qualifications would be desirable for the outside expert:

1. Technical knowledge and expertise in dealing with nutrient issues in water bodies, with an emphasis on estuaries.
2. Experience with watershed permits, trading and multi-jurisdictional permits
3. Experience with assessment of nutrient impacts
4. Understanding of models used in NMS studies
5. Experience with nutrient permits and alternate approaches

Project Schedule

The Scope of Services shall be completed in FY21, with .

Major Milestone	**Date**
Proposal due	
Proposal review and telephone interviews	
Selection of Consultant(s)	
Notice to Proceed	
Presentation to Executive Board	

Organization and Content of the Proposal

The Proposal can be submitted in the form of a letter proposal with attachments. Please limit the overall number of pages, including appendices and attachments to 20 or less. If added pages are need please contact the BACWA Executive Director with the rationale.

Suggested proposal outline.

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

Level of Effort

It is estimated that the above described scope of work would cost roughly $x. The contract estimate should be presented as a lump sum amount based on the above Scope of Work with hourly rates for additional services as needed.

It is envisioned that an omnibus contract in the amount of $x would be executed recognizing the need for follow-on as-needed services for review of other documents and/or consultation on the NMS. The BACWA standard consulting agreement will be used for this work (see attachment B)

Proposal Evaluation Criteria

Criteria	**Points**
Project approach – How the Consultant intends to provide the needed services	15
Expertise of proposed individual or team in similar endeavors	50
Principal in Charge/Project Manager – Availability and responsiveness	20
Ability to provide additional resources if needed	5
Level of Effort – cost effectiveness of individual or team	10
Total	**100**

ATTACHMENT A

BACWA's Approach to the Nutrient Issue

ATTACHMENT B

Standard Agreement

BACWA's standard agreement for consulting services will be used for this contract