



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
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A Joint Powers Public Agency

ITEM NO. 14

**REGULATORY AFFAIRS COMMITTEE
AGENDA**

**Wednesday, November 20, 2019
9:00 a.m.**

**East Bay Dischargers Authority
2651 Grant Avenue, San Lorenzo, CA 94580**

Committee Members: Johnson (Chair); Cutter

- RA1. Call to Order**
- RA2. Roll Call**
- RA3. Public Forum**
- RA4. Status Report – NPDES Report**
(The Committee will review NPDES Permit compliance data for September 2019.)
- RA5. Quarterly Reporting Checklist**
(The Committee will review a checklist of completed regulatory reporting items.)
- RA6. Nutrients Update**
(The Committee will receive an update on science and regulatory considerations for nutrients in the Bay.)
- RA7. Resolution Authorizing the General Manager to Enter into a Funding Agreement with the Association of Bay Area Governments for the Transforming Shorelines Project**
(A resolution will be considered to approve the agreement.)
- RA8. Resolution Authorizing the General Manager to Amend the Professional Services Agreement with Pacific EcoRisk Laboratory in the Amount of \$13,500 for Acute Toxicity Testing Services through FY 21/22, for a Total Contract Value of \$61,500**
(A resolution will be considered to approve the amendment.)
- RA9. Resolution Authorizing the General Manager to Issue a Purchase Order for the period January 2020 through June 2021 to Azyura in the amount of \$30,000 for Waterbits Licensing and Reporting Services**
(A resolution will be considered to approve the purchase order.)
- RA10. Adjournment**

(Any member of the public may address the Commission at the commencement of the meeting on any matter within the jurisdiction of the Commission. This should not relate to any item on the agenda. It is the policy of the Authority that each person addressing the Commission limit their presentation to three minutes. Non-English speakers using a translator will have a time limit of six minutes. Any member of the public desiring to provide comments to the Commission on an agenda item should do so at the time the item is considered. It is the policy of the Authority that oral comments be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available in the Boardroom and are to be completed prior to speaking.)

(In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in an Authority meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact the Administrative Assistant at the EBDA office at (510) 278-5910 or kyambao@ebda.org. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the Authority staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.)

(In compliance with SB 343, related writings of open session items are available for public inspection at East Bay Dischargers Authority, 2651 Grant Avenue, San Lorenzo, CA 94580. For your convenience, agenda items are posted on the East Bay Dischargers Authority website located at <http://www.ebda.org>.)

**The next Regulatory Affairs Committee meeting is scheduled for
Wednesday, January 15, 2019, at 9:00 a.m.**

ITEM NO. RA4 STATUS REPORT – NPDES PERMIT

Recommendation

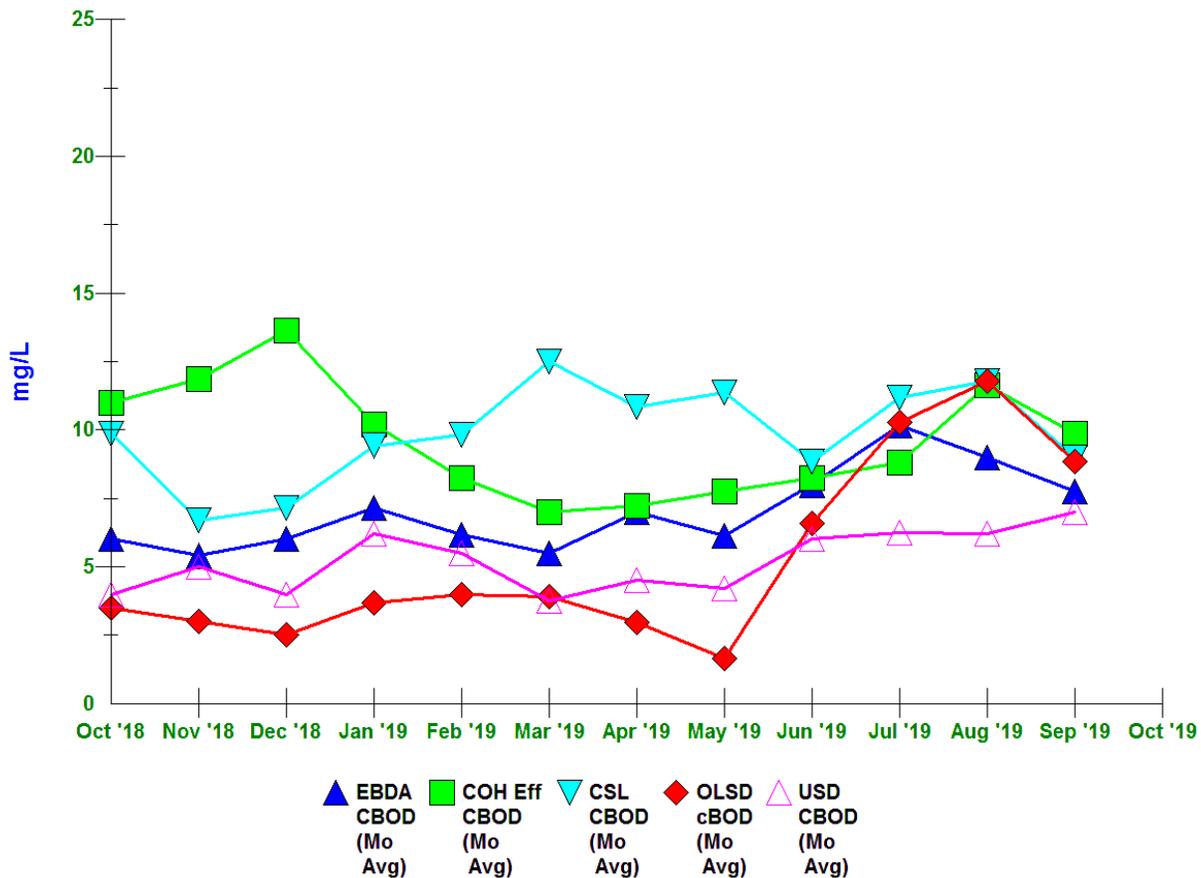
For the Committee’s information only; no action is required.

Permit Compliance Issues

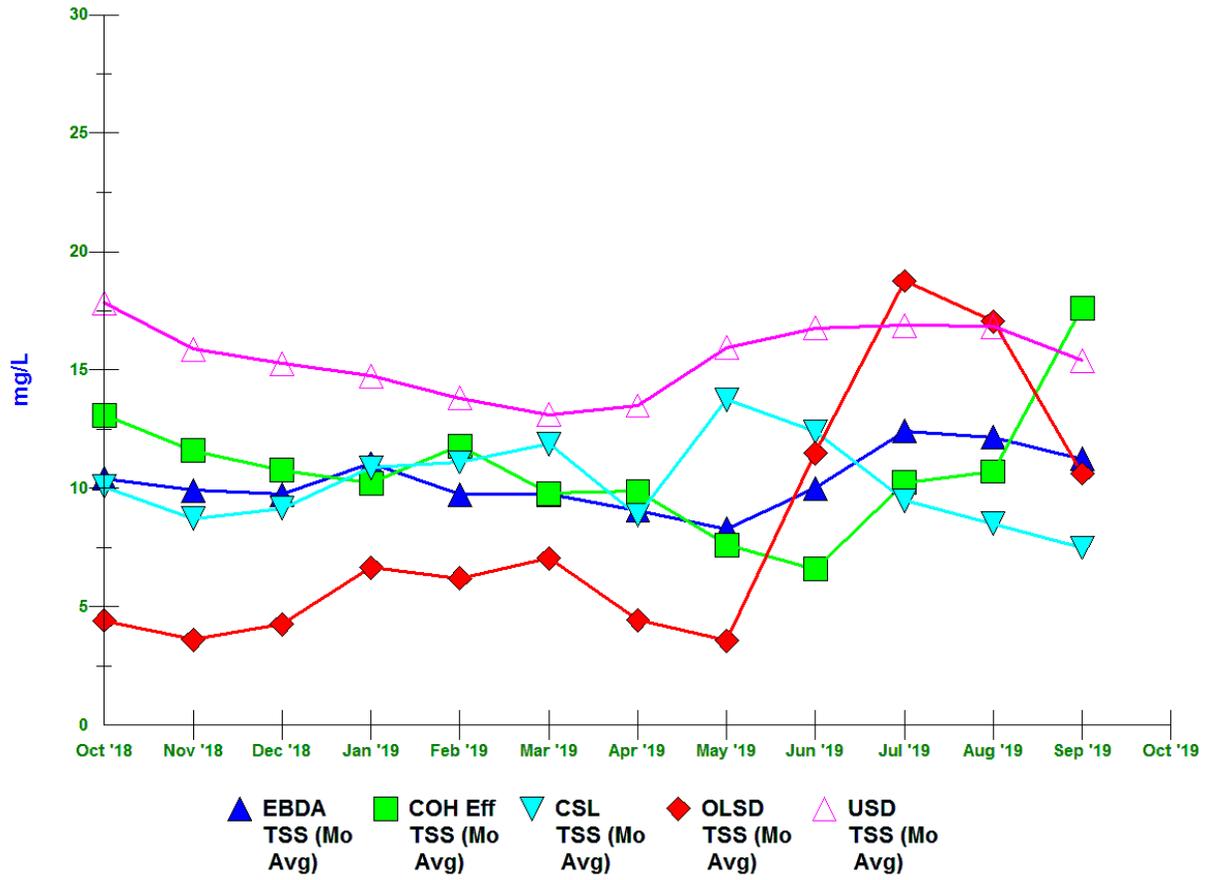
There were no NPDES permit violations in September and preliminary data from October are also free of permit exceedances. Member Agency CBOD and TSS performance are shown below. A table with bacterial indicators is also included.

As noted previously, bacterial regrowth tends to accelerate as the weather warms in the summer months, and staff kept chlorine dosing high to ensure that high bacteria results were not detected. Though the weather is cooling, staff is continuing to be vigilant to prevent future outbreaks.

EBDA CBOD (Limit=25 ppm)



EBDA TSS (Limit 30 ppm)



EBDA EFF TSS

EBDA Bacterial Indicators

	FECAL	ENTERO
Date	MPN/ 100mL	MPN/ 100mL
Limit (Geomean)	500	240
Jan 2019, Geomean	6	3
Feb 2019, Geomean	3	3
Mar 2019, Geomean	7	2
April 2019, Geomean	7	< 2
May 2019, Geomean	14	2
June 2019, Geomean	16	3
July 2019, Geomean	9	< 3
August 2019, Geomean	32	< 3
9/2/2019	15	6
9/3/2019	23	3
9/4/2019	7	4
9/9/2019	74	< 2
9/10/2019	4	3
9/11/2019	23	< 2
9/16/2019	28	51
9/17/2019	23	3
9/23/2019	4	2
9/24/2019	4	2
9/30/2019	4	< 2
Sept 2019, Geomean	12	3
10/1/2019	13	2
10/2/2019	4	2
10/7/2019	10	6
10/8/2019	33	3
10/9/2019	350	< 2
10/14/2019	33	2
10/15/2019	33	2
10/21/2019	360	< 2
10/22/2019	120	< 2
10/28/2019	13	2
10/29/2019	23	2
Oct 2019, Geomean	35	2

ITEM NO. RA5 QUARTERLY REPORTING CHECKLIST

Recommendation

For the Committee’s information only; no action is required.

Background

Authority staff maintains a checklist of all regulatory reporting and related tasks to ensure timely and complete reporting.

Discussion

The following checklist is extracted from a complete list of routine regulatory activities addressed throughout the year. The following items were completed during the period of July 1 – October 31, 2019; there are no outstanding activities.

<i>Regulatory Authority</i>	<i>Required Action</i>	<i>Occurrence</i>	<i>Date</i>
<small>▼</small>	<small>▼</small>	<small>▼</small>	<i>Submitted</i> <small>IT</small>
Secretary of State	Statement of Facts/Roster of Public Agencies Filing (FY changes to Commission)	Annual	7/3/2019
County of Alameda, Clerk/Recorder	Statement of Facts/Roster of Public Agencies Filing (FY changes to Commission)	Annual	7/3/2019
Wells Fargo Business Payroll	Print Payroll Quarter-End Tax Returns	Quarterly	7/20/2019
State Water Resources Control Board	NPDES Quarterly (Apr-Jun) Reports	Quarterly	7/28/2019
State Water Resources Control Board	NPDES Semi-Annual (Jan-Jun) Reports	Semi-Annual	7/28/2019
CalPERS	Post Commission approved Compensation Plan to EBDA website	Annual	8/1/2019
Bureau of Labor Statistics	Report monthly employment figures	Monthly	10/12/2019
State Water Resources Control Board	NPDES monthly reports	Monthly	8/29/2019
Oro Loma Sanitary District	Lease Fees	Annual	8/31/2019
CalPERS	SSA Annual Information Request	Annual	9/3/2019
State of California Govt Code 53065.5	Annual Posting Reimbursement Report over 100\$ to EBDA Website	Annual	9/4/2019
Regional Water Quality Control Board	Recycled Water monthly reports	Monthly	9/28/2019
Department of Toxic Substances Control	EPA ID Number (CAL000072039) Verification Questionnaire and Manifest Fees Assessment	Annual	10/1/2019
Alliant Insurance Services, Inc	CSRMA Pooled Liability Program Renewal Application	Annual	10/9/2019
Bay Area Air Quality Management District	Renew <i>Permit to Operate</i> Plant #14528	Annual	10/15/2019
Bay Area Air Quality Management District	Pay renewal fee for <i>Permit to Operate</i> Plant #14528	Annual	10/17/2019

ITEM NO. RA6 NUTRIENTS UPDATE

Recommendation

For the Committee's information only; no action is required.

Background

While the loads of nutrients such as nitrogen and phosphorus to San Francisco Bay are higher than other estuaries, the Bay has historically been very resilient, and negative impacts of nutrient enrichment such as eutrophication have not occurred. Over the last decade, concerning trends caused the scientific and regulatory community to question whether the Bay's resilience is weakening. Bay Area wastewater agencies, through the Bay Area Clean Water Agencies (BACWA), have participated in a positive collaboration with a wide variety of stakeholders to implement a Nutrient Management Strategy that focuses on conducting scientific research and modeling to determine the effects of nutrients on the Bay ecosystem and protective levels of nutrient loading going forward.

An initial Watershed Permit for nutrients was adopted in 2014 and required BACWA to begin reporting on nutrient loads and trends, conduct a study estimating the cost for each plant to optimize or upgrade for nutrient reduction, and provide funding to advance the science.

Earlier this year, BACWA worked closely with staff of the San Francisco Bay Regional Water Quality Control Board (Water Board) to negotiate a second Watershed Permit for nutrients. The new permit went into effect on July 1, 2019 and includes the following key elements:

- Influent and effluent monitoring and continued annual regional reporting.
- Increased funding for scientific research on the fate and effects of nutrients in the Bay. BACWA is contributing \$2.2M annually, of which EBDA will be responsible for \$273k per year.
- A regional assessment of the feasibility and cost for reducing nutrients through multi-benefit nature-based solutions, including wetlands and horizontal levees.
- A regional assessment of nutrient reductions that will be achieved through water recycling.
- Establishment of a baseline nutrient load based on current nitrogen discharges over the dry season. EBDA's baseline includes EBDA's current loads plus current loads to Hayward Marsh that may in the future be discharged through the EBDA outfall.
- Inclusion of load targets for 2024 that may be used as effluent limits if supported by scientific research. The targets are based on addition of a 15% buffer to the baseline for growth and variability. The Water Board is currently anticipating establishing load caps on a subembayment basis, meaning a cap for San Pablo Bay, Central Bay, South Bay, etc. EBDA discharges into the South Bay, though subembayment boundaries are still being refined based on scientific research.
- Recognition of agencies implementing early action projects ("early actors") that will reduce nutrient loads during this permit term, which includes Oro Loma and Hayward. The goal of the list is to express the Water Board's intent not to request additional nutrient reductions from those agencies undertaking early action projects until the end of the useful lives of those projects. By establishing a baseline, the permit also provides a framework for future credit trading.

Discussion

While the five-year permit was only adopted a few months ago, work is already beginning in preparing for the next permit renewal. The existing permit sets a framework for regulation of nutrients going forward, but there are some complex issues that BACWA will need to work through before the next permit is adopted, and starting early will put the wastewater community in a much better position when negotiations on the next permit begin. Key challenges include the following:

Early Actor Identification

The Watershed Permit lists eight early actors, but leaves the door open for others to be recognized. Questions that BACWA will need to grapple with include:

- Is the identification of early actors strictly a determination between the Water Board and the agency?
- Should a subembayment priority list be formal (i.e. you know where you stand)?
- Will all others in the subembayment be required to do upgrades across the board if further reductions beyond load caps are needed?

Adjustments to Planning Level Targets (PLTs)

The Watershed Permit sets PLTs for all plants. Several plants provided anticipated factors that would impact nutrient loads (e.g. recycling, organic diversions, daytime worker population, etc.). For example, EBDA requested future consideration of decreased recycled water diversions from Hayward to Russel City Energy Center. Going forward, the most likely scenario is that as we approach 2024, each agency will negotiate with the Water Board if they feel their PLT should be adjusted. The result may be a significant delay for some agencies on the timing for meeting load caps. This prompts several questions:

- Will other plants in the subembayment have a stake in the granting of increases in PLTs?
- Should the negotiation be open to other interested parties or be just between the agency and the Water Board?

Imposition of Load Caps

The Water Board has forecasted that their intent is to include load caps in the third Watershed Permit pending conclusions from scientific research. A key question is whether all subembayments will be treated the same and whether BACWA should take a position on differentiating amongst subembayments.

Negotiation of Compliance Schedules

The Water Board has indicated that if an agency can demonstrate diligent planning but cannot meet a load cap by 2024, a compliance schedule could be negotiated, extending their timeline to comply. Going forward, an agency actively engaged in efforts to meet their PLT by 2024 but projecting they will exceed the PLT in 2024 will likely try to negotiate a compliance schedule. This raises the following questions:

- Will other agencies in the subembayment have a stake in the negotiation in terms of equitable treatment?
- Should the negotiation be open to other interested parties or be just between the agency and the Water Board?

- Should the compliance schedule be set forth in the third Watershed Permit?
- Should BACWA be involved in negotiation of compliance schedules?

Trading

The Watershed Permit recognizes the potential for a trading program, but Water Board staff has noted that they will not lead the development of a trading program but will react to concepts and proposals. Realistically, a trading program will take years to develop and require resources. Therefore, if there is a genuine interest in trading, work should start soon. Questions remain as to whether BACWA should play a leading role in the development of a trading program or whether the most likely participants should develop it on their own.

Continued Science Funding

The Watershed Permit currently requires \$2.2M/yr for science funding. Water Board staff has stated that a longer-term monitoring and modeling program will be needed. It's likely that the Water Board will expect BACWA to negotiate on behalf of its members for some level of continued funding for the ongoing monitoring and modeling efforts. Questions include:

- How will the level of funding be determined/negotiated?
- Will it continue to be based on nutrient load regardless of subembayment?
- Will all BACWA members continue to participate, even those who have taken early actions?

Progress on the Science Plan

The Science Manager has indicated that he will need a full five years to implement the planned program, which means expected answers will not likely be available before the current permit expires to use as a basis for negotiation of the next permit. Water Board staff has expressed support for extending the current permit for a year or more to maximize the scientific information on which to base the third watershed permit.

ITEM NO. RA7 RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A FUNDING AGREEMENT WITH THE ASSOCIATION OF BAY AREA GOVERNMENTS FOR THE TRANSFORMING SHORELINES PROJECT

Recommendation

Approve the resolution authorizing the General Manager to enter into a funding agreement with the Association of Bay Area Governments (ABAG).

Background

Wetlands, horizontal levees, and other “Nature-Based Solutions” (NBS) have the potential to provide multiple benefits including water quality improvement through reduction of nutrients and contaminants of emerging concern, creation or restoration of habitat, and protection from sea level rise.

In June 2019, the San Francisco Estuary Partnership (SFEP), was awarded a grant from the EPA Region IX Water Quality Improvement Fund for the Transforming Shorelines Project. The project contains a number of components aimed at advancing NBS at wastewater treatment plants. Elements include:

- Establishment of the Transforming Shorelines Collaborative, a stakeholder group that will collaborate on challenges and opportunities associated with NBS projects around the Bay, including San Leandro, Hayward, Oro Loma, and others
- Development of a toolkit for NBS at wastewater treatment plants, including cost-benefit analysis and design guidelines
- Collaboration with San Leandro’s ongoing treatment wetlands pilot project
- Continued UC Berkeley research at the Oro Loma Horizontal Levee demonstration project, including study of reverse osmosis concentrate treatment
- A feasibility study for NBS at the Hayward Ponds
- Design and environmental permitting of the EBDA “First Mile” horizontal levee project

As a sub-grantee, EBDA will be responsible for leading, in close partnership with SFEP, implementation of the Hayward Ponds Study and the First Mile Project, both of which are described further below.

Hayward Ponds Study

This study will evaluate the feasibility of seasonally converting portions of the existing wet weather effluent storage ponds into a multi-benefit NBS shoreline infrastructure capable of removing nitrogen, heavy metals, and contaminants of emerging concern while maintaining the current storage function during wet weather flows. The study will compare and contrast multiple NBS strategies, including open water wetlands and horizontal levees. EBDA will be the financial agent for the project and will procure the consultant(s) and manage the project on behalf of the City. \$50,000 in grant funds have been allocated for the study, and Hayward has pledged to match with another \$50,000 in in-kind staff resources.

First Mile Project

The “First Mile” project will build on the success of the Oro Loma Horizontal Levee demonstration project to develop concepts for a full-scale project. The project will include design as well as pursuit of permitting of a horizontal levee along the San Leandro or San Lorenzo Shoreline. As the name suggests, the idea for the “First Mile” project is that it will be approximately one mile long, and in addition to providing water quality and habitat-related benefits, the project will enhance flood protection to inland communities. Staff anticipates that there will be challenges in permitting the project, and so a primary goal of this effort is to identify those barriers to implementation and develop strategies for overcoming them. Through the Transforming Shorelines Collaborative that is also being established through the grant, staff will be working with project teams from the City of Palo Alto, West County Wastewater District, and others who are working through horizontal levee implementation in parallel to develop regional strategies for addressing implementation challenges.

EBDA staff will manage the design and permitting of the project, including procuring consultants. Staff will also lead community engagement, working with SFEP staff. \$600,000 of grant funding has been allocated to this project. Matching funds were provided by Oro Loma through their nutrient optimization project, so no cash match is expected from EBDA. EBDA staff time will be provided as an in-kind service.

One early challenge of the First Mile Project is project siting. Staff is currently evaluating two potential sites. One site runs north of the Oro Loma treatment plant along the San Leandro Shoreline between San Lorenzo Creek and Estudillo Canal. The other site is south of Oro Loma adjacent to Bockman Canal. As discussed with the Commission previously, residents of the Heron Bay Homeowners Association have expressed concerns with the northern alignment, and EBDA staff is working with them to understand and address those concerns. Land for the southern alignment is owned primarily by East Bay Regional Parks District, so staff has been working with them to determine feasibility of moving that site forward in the process. Staff is also coordinating with HASPA, whose Shoreline Master Plan includes the southern alignment as well as the Hayward Ponds. Staff hopes to have a site preliminarily selected by early 2020 and then move forward with consultant procurement.

Discussion

Because of the evolving nature of the scope for these projects, particularly the First Mile, staff proposes to enter into a Funding Agreement with ABAG, SFEP’s fiscal agent. The Funding Agreement maximizes flexibility to continue defining the project and deliverables while providing a framework for flow of grant funds and documentation. Under the agreement, ABAG will reimburse EBDA for external project expenses, expected to total \$650,000 for the two projects.

As noted previously, work under the Transforming Shorelines Project is also being closely coordinated with the BACWA Regional NBS study under the Nutrients Watershed Permit (see Item No. RA6). The core project teams for Transforming Shorelines, BACWA, and a third project that San Francisco Estuary Institute is implementing – Phase 2 of the Adaptation Atlas released earlier this year – are meeting regularly to ensure that all regional NBS efforts are aligned.

EAST BAY DISCHARGERS COMMISSION
EAST BAY DISCHARGERS AUTHORITY
ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 19-42

INTRODUCED BY _____

**RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A
FUNDING AGREEMENT WITH THE ASSOCIATION OF BAY AREA
GOVERNMENTS FOR THE TRANSFORMING SHORELINES PROJECT**

WHEREAS, the Association of Bay Area Governments (ABAG) has received a grant from the United States Environmental Protection Agency for the Transforming Shorelines Project, a project to advance Nature Based Solutions for multiple benefits around the San Francisco Bay; and

WHEREAS, the East Bay Dischargers Authority (Authority) intends to take the lead on two sub-projects under Transforming Shorelines – the EBDA First Mile Project and the Hayward Feasibility Study Project; and

WHEREAS, the Authority, through these projects, has the opportunity to better understand opportunities and challenges associated with development of multi-benefit projects that may reduce nutrients and emerging contaminants, restore habitat, and protect against sea level rise; and

WHEREAS, the Authority wishes to enter into a Funding Agreement with ABAG to formalize the sub-grantee relationship; and

WHEREAS, the Funding Agreement provides a framework for the flow of funds and information under the grant.

NOW, THEREFORE BE IT RESOLVED, the Commission authorizes the General Manager to enter into a Funding Agreement on behalf of the Authority in the amount of \$650,000 for the Transforming Shorelines Project.

SAN LORENZO, CALIFORNIA, NOVEMBER 21, 2019, ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS COMMISSION

ATTEST: _____
GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY

ITEM NO. RA8 RESOLUTION AUTHORIZING THE GENERAL MANAGER TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH PACIFIC ECORISK LABORATORY IN THE AMOUNT OF \$13,500 FOR ACUTE TOXICITY TESTING SERVICES THROUGH FY 21/22, FOR A TOTAL CONTRACT VALUE OF \$61,500

Recommendation

Approve the resolution amending the Professional Services Agreement with Pacific EcoRisk Laboratory.

Background

EBDA's NPDES discharge permit requires quarterly testing of the effluent's acute and chronic toxicity to ensure that the discharge is not impacting the organisms living around the outfall. Tests are performed using live fathead minnows, and their survival and growth response are measured while exposed to a range of concentrations of effluent.

The Authority has used Pacific EcoRisk for bioassay testing services for the past eight years. Most recently, the Commission approved a contract with Pacific EcoRisk in June 2019 in the amount of \$48,000 for three fiscal years, ending in June 2022.

Discussion

As discussed at the Committee's September 2019 meeting, the result of the bioassay test performed by Pacific EcoRisk the first week of August 2019 was an acute toxicity survival rate of 47.5%. As noted in September, the result was not considered a violation because follow-up tests demonstrated that the cause of the poor survival was ammonia toxicity, for which an exception is provided in the permit.

Staff is requesting an amendment to Pacific EcoRisk's contract to address two cost items stemming from the August exceedance:

1. August Follow-up Testing: As described in September, two sets of follow-up tests were conducted in August to demonstrate that the exceedance was not a violation. The first was a Toxicity Identification Evaluation showing that ammonia was the proximate cause of the mortality. The second was a follow-up acute toxicity test required by the permit "if results of an acute bioassay test indicated a violation or threatened violation (e.g. the percentage of surviving test organisms is less than 70 percent)."
2. Standalone Acute Toxicity Testing: In the Authority's current permit, acute toxicity may be monitored concurrently with chronic toxicity, and therefore there is no requirement to run a separate test. For efficiency and cost-effectiveness, Pacific EcoRisk has therefore been extracting acute toxicity results from the chronic toxicity tests since the permit went into effect in 2017. One drawback of this approach is that the organisms used for the chronic test are younger and more sensitive than the organisms that would otherwise be used for the acute test. In response to the August excursion, Pacific EcoRisk recommended that the Authority consider returning to separate chronic and acute tests so that the older, more resilient fish can be used for the acute test, decreasing failure risk. Pacific EcoRisk provided the attached quote for separate acute testing for the remainder of this fiscal year. Staff recommends proceeding with the separate tests out of an abundance of caution.

Agenda Explanation
 East Bay Dischargers Authority
 Regulatory Affairs Committee
 November 20, 2019

The following table summarizes the costs for the elements described above.

Future Acute Testing			
	# Tests	Cost per Test	Total
FY 19/20	3	\$ 868	\$ 2,600
FY 20/21	4	\$ 894	\$ 3,600
FY 21/22	4	\$ 921	\$ 3,700
August Acute Follow-up Test			\$ 1,500
August Toxicity ID Eval			\$2,100
Amendment Total			\$ 13,500
Existing Contract			\$ 48,000
New Total			\$ 61,500

EAST BAY DISCHARGERS COMMISSION

EAST BAY DISCHARGERS AUTHORITY
ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 19-43

INTRODUCED BY _____

RESOLUTION AUTHORIZING THE GENERAL MANAGER TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH PACIFIC ECORISK LABORATORY IN THE AMOUNT OF \$13,500 FOR ACUTE TOXICITY TESTING SERVICES THROUGH FY 21/22, FOR A TOTAL CONTRACT VALUE OF \$61,500

WHEREAS, the East Bay Dischargers Authority and its member agencies operate under a NPDES permit to discharge treated effluent to San Francisco Bay; and

WHEREAS, the Authority requires the services of a certified laboratory to conduct toxicity testing for NPDES permit compliance; and

WHEREAS, the Commission authorized a professional services agreement with Pacific EcoRisk to perform toxicity testing services on June 20, 2019; and

WHEREAS, the agreement assumed that acute toxicity results would be extracted from chronic toxicity tests; and

WHEREAS, it is in the Authority's interest to conduct separate acute toxicity test going forward and to compensate Pacific EcoRisk for follow-up testing and studies as may be required; and

WHEREAS, the Regulatory Affairs Committee has recommended authorization for the General Manager to amend the professional services agreement with Pacific EcoRisk for toxicity testing services; and

NOW, THEREFORE BE IT RESOLVED, the Commission of the East Bay Dischargers Authority authorizes the General Manager to amend the professional services agreement with Pacific EcoRisk in the amount of \$13,500 for FY 2019/2020, 2020/2021, and 2021/2022, for a total contract amount of \$61,500.

SAN LORENZO, CALIFORNIA, NOVEMBER 21, 2019, ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS COMMISSION

ATTEST: _____
GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY

ITEM NO. RA9. RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ISSUE A PURCHASE ORDER FOR THE PERIOD JANUARY 2020 THROUGH JUNE 2021 TO AZYURA IN THE AMOUNT OF \$30,000 FOR WATERBITS LICENSING AND REPORTING SERVICES

Recommendation

Adopt the resolution authorizing a purchase order for Azyura in the amount of \$30,000 for Waterbits licensing and SMR/eDMR reporting services for January 2020 through June 2021.

Background

EPA and the State Water Board have been requiring EBDA to submit its NPDES permit data electronically for the last several years. EBDA works with its member agencies to keep up to date a uniform laboratory database using Hach's Water Information Management Solution (Hach WIMS) software. While WIMS provides an effective way of storing the extensive data sets of EBDA and its member agencies, it is not well suited for combining the operations and agency laboratory data with the chemistry data provided by Caltest and the toxicity data provided by Pacific Ecorisk into required format for submittal through the California Information Water Quality System (CIWQS).

Discussion

For the last four years, EBDA has been using Azyura, a local woman-owned business, to combine data and convert it into the format required by CIWQS. While WIMS has the potential to do this, it is a much bulkier system and their technical experts are in the Midwest. Darlene Reddaway, Azyura's founder, is able to quickly respond to EBDA's needs, and the EBDA agency laboratory staff have found her to be quite responsive to meeting the Water Board's deadlines and requirements. She has also provided outputs in multiple formats to facilitate agency review. Finally, Darlene conducts data review, providing another set of eyes to make sure that data sets are complete and correct.

For these reasons, staff is proposing the attached \$30,000 purchase order to Azyura to continue to provide this service. The funding has been included in the EBDA budget for consultant support. Historically, this purchase order has been approved on a calendar year basis. In an effort to align with the fiscal year calendar, the proposed purchase order is for 18 months. Azyura's rate has not increased over last year's.

In the long term, it may be possible to shift these services to one of the member agencies. In particular, EBDA staff is working with San Leandro staff to evaluate incorporating EBDA's data management in its upcoming Laboratory Information Management System (LIMS) replacement project. This is a logical partnership since San Leandro's lab takes the lead on compliance sampling for EBDA's outfall. Staff will continue to explore this opportunity and evaluate whether it has the potential to replace WIMS or Azyura's services in the future.

November 7, 2019

**PROPOSAL TO EBDA FOR
AZYURA WATERBITS HOSTING, REPORTING AND DATA MANAGEMENT
SERVICES
PERIOD JAN 2020 TO JUNE 2021**

SERVICES TO BE PROVIDED FOR THE PERIOD JAN 2020 TO JUNE 2021

MONTHLY AND ONGOING SERVICES AND LICENSING \$22,500/18 MO

Azyura validates, cleans, and stores CIWQS data in its Waterbits application.
Azyura hosts the Waterbits application and provides all software and maintenance updates.
Azyura generates all eSMR, eDMR, Annual Mercury Loading, Annual HDR Nutrient, and monthly Agency Reports.
Azyura converts the data to WIMS or other applications formats.
Azyura provides support on data inquiries necessary for any study.
Azyura provides up to 5 more report templates for recurring reports

**AS NEEDED TRAINING, CALC MODULE AND OTHER SERVICES \$100/HR
NOT TO EXCEED \$7500**

Provide support for writing SOP so that staff can generate reports to satisfy fallback plans.
Other services, customizations, implementations, as needed.

EAST BAY DISCHARGERS COMMISSION
EAST BAY DISCHARGERS AUTHORITY
ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 19-44

INTRODUCED BY _____

RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ISSUE A PURCHASE ORDER FOR THE PERIOD JANUARY 2020 THROUGH JUNE 2021 TO AZYURA IN THE AMOUNT OF \$30,000 FOR WATERBITS LICENSING AND REPORTING SERVICES

WHEREAS, the East Bay Dischargers Authority requires the reporting services of Azyura to perform its monthly SMR/eDMR reporting; and

WHEREAS, Darlene Reddaway of Azyura is qualified to perform said services and has demonstrated competence through the completion of similar projects for EBDA; and

WHEREAS, the Regulatory Affairs Committee has determined that the proposal is acceptable and that Ms. Reddaway is well-qualified to perform the reporting.

NOW, THEREFORE BE IT RESOLVED, the Commission of the East Bay Dischargers Authority hereby accepts the proposal from Azyura for reporting services.

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized to issue a purchase order for the period January 2020 through June 2021 to Azyura in the amount not to exceed \$30,000, unless additional services are required by the General Manager.

SAN LORENZO, CALIFORNIA, NOVEMBER 21, 2019, ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS COMMISSION

ATTEST: _____
GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY