



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
FAX (510) 278-6547

A Joint Powers Public Agency

NOTICE: In compliance with AB 361 (2021), the meeting scheduled below will be conducted virtually via Zoom video conferencing.

- Members of the public may participate in the meeting by clicking on the following Zoom link: <https://us02web.zoom.us/j/87948013822>
- You may also participate via telephone by dialing 1(669) 900-6833 and entering Meeting ID number: 879 4801 3822.

COMMISSION MEETING AGENDA

Thursday, October 20, 2022

9:30 A.M.

EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580

1. Call to Order
2. ~~Pledge of Allegiance~~ (Deferred Due to Remote Meeting)
3. Roll Call
4. Public Forum

CONSENT CALENDAR

- | | |
|--------|---|
| MOTION | 5. Commission Meeting Minutes of September 15, 2022 |
| | 6. List of Disbursements for September 2022 – See Item No. FM4 |
| | 7. Preliminary Treasurer’s Report for September 2022 – See Item No. FM5 |
| | 8. Resolution Authorizing Remote Teleconference Meetings Pursuant to AB 361 |

REGULAR CALENDAR

- | | |
|-------------|---|
| INFORMATION | 9. General Manager’s Report
(The General Manager will report on EBDA issues.) |
| INFORMATION | 10. Report from the Manager’s Advisory Committee
(The General Manager will report on Manager’s Advisory Committee activities.) |
| INFORMATION | 11. Report from the Regulatory Affairs Committee
(The General Manager will report on the meeting.) |
| INFORMATION | 12. Report from the Financial Management Committee
(The General Manager will report on the meeting.) |

INFORMATION 13. Report from the Operations & Maintenance Committee
(The Operations & Maintenance and General Managers will report on the meeting.)

INFORMATION 14. Items from the Commission and Staff
(The Commission and staff may address items of general interest.)

15. Adjourn in Memory of Farid Ramezanzadeh

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.

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**The next Commission meeting will be held
Thursday, November 17, 2022 at 9:30 a.m.**

GLOSSARY OF ACRONYMS

ACWA	Association of California Water Agencies	DSRSD	Dublin San Ramon Services District
AQPI	Advanced Quantitative Precipitation Information	DTSC	Department of Toxic Substances Control
AMP	Asset Management Plan	EBDA	East Bay Dischargers Authority
ANPRM	Advanced Notice of Proposed Rulemaking	EBRPD	East Bay Regional Park District
BAAQMD	Bay Area Air Quality Management District	EIS/EIR	Environmental Impact Statement/Report
BACC	Bay Area Chemical Consortium	EPA	United States Environmental Protection Agency
BACWA	Bay Area Clean Water Agencies	FOG	Fats, Oils and Grease
BPA	Basin Plan Amendment	GASB	Government Accounting Standards Board
BCDC	Bay Conservation and Development Commission	HEPS	Hayward Effluent Pump Station
BOD	Biochemical Oxygen Demand	JPA	Joint Powers Agreement
CARB	California Air Resources Board	LAVWMA	Livermore-Amador Valley Water Management Agency
CASA	California Association of Sanitation Agencies	LOCC	League of California Cities
CBOD	Carbonaceous Biochemical Oxygen Demand	MAC	Managers Advisory Committee
CDFA	CA Department of Food & Agriculture	MCC	Motor Control Center
CEC	Compound of Emerging Concern	MCL	Maximum Contaminant Level
CEQA	California Environmental Quality Act	MDF	Marina Dechlorination Facility
CFR	Code of Federal Regulations	MG	Million Gallons
CMMS	Computerized Maintenance Management System	MGD	Million Gallons per Day
COH	City of Hayward	MMP	Mandatory Minimum Penalty
CPUC	California Public Utilities Commission	MOU	Memorandum of Understanding
CSL	City of San Leandro	MSS	Mixed Sea Salt
CTR	California Toxics Rule	N	Nitrogen
CVCWA	Central Valley Clean Water Association	NACWA	National Association of Clean Water Agencies
CVSAN	Castro Valley Sanitary District	NBS	Nature-Based Solutions
CWA	Clean Water Act	NGO	Non-Governmental Organization
CWEA	CA Water Environment Association	NOX	Nitrogen Oxides
DO	Dissolved Oxygen	NPDES	National Pollutant Discharge Elimination System
DPR	Department of Pesticide Regulation	NPS	Non-Point Source

GLOSSARY OF ACRONYMS

O&M	Operations & Maintenance	SSO	Sanitary Sewer Overflow
OLEPS	Oro Loma Effluent Pump Station	SWRCB	State Water Resources Control Board
OLSD	Oro Loma Sanitary District	TDS	Total Dissolved Solids
OMB	Office of Management and Budget	TMDL	Total Maximum Daily Load
P	Phosphorous	TN	Total Nitrogen
PAHs	Polynuclear Aromatic Hydrocarbons	TP	Total Phosphorus
PCBs	Polychlorinated Biphenyls	TRC	Total Residual Chlorine
PLC	Programmable Logic Controller	TSO	Time Schedule Order
PFAS	Per and Polyfluoroalkyl Substances	TSS	Total Suspended Solids
POTW	Publicly Owned Treatment Works	UEPS	Union Effluent Pump Station
PPCPs	Pharmaceutical and Personal Care Products	USD	Union Sanitary District
QA/QC	Quality Assurance / Quality Control	UV	Ultraviolet Treatment
Region IX	Western Region of EPA (CA, AZ, NV & HI)	VFD	Variable Frequency Drive
ReNUWit	Re-Inventing the Nation's Urban Water Infrastructure Engineering Research Center	VOCs	Volatile Organic Compounds
RFP	Request For Proposals	WAS	Waste Activated Sludge
RFQ	Request For Qualifications	WDR	Waste Discharge Requirements
RMP	Regional Monitoring Program	WEF	Water Environment Federation
RO	Reverse Osmosis	WET	Whole Effluent Toxicity or Waste Extraction Test
RWB	Regional Water Board	WIN	Water Infrastructure Network
RWQCB	Regional Water Quality Control Board	WLA	Waste Load Allocation (point sources)
SBS	Sodium Bisulfite	WPCF	Water Pollution Control Facility
SCADA	Supervisory Control and Data Acquisition	WQBEL	Water Quality Based Effluent Limitation
SCAP	Southern California Alliance of POTWs	WQS	Water Quality Standards
SEP	Supplementary Environmental Project	WRDA	Water Resource Development Act
SFEI	San Francisco Estuary Institute	WRF	Water Research Foundation
SLEPS	San Leandro Effluent Pump Station	WWTP	Wastewater Treatment Plant
SRF	State Revolving Fund	WWWIFA	Water and Wastewater Infrastructure Financing Agency
SSMP	Sewer System Management Plan		

CONSENT CALENDAR

Consent calendar items are typically routine in nature and are considered for approval by the Commission with a single action. The Commission may remove items from the Consent Calendar for discussion. Items on the Consent Calendar are deemed to have been read by title. Members of the public who wish to comment on Consent Calendar items may do so during Public Forum.

- Item No. 5 Commission Meeting Minutes of September 15, 2022
- Item No. 6 List of Disbursements for September 2022 – See Item No. FM4
- Item No. 7 Preliminary Treasurer’s Report for September 2022 – See Item No. FM5
- Item No. 8 Resolution Authorizing Remote Teleconference Meetings Pursuant to AB 361

Recommendation

Approve Consent Calendar

ITEM NO. 5 COMMISSION MEETING MINUTES OF SEPTEMBER 15, 2022

1. Call to Order

Chair Andrews called the telephonic meeting to order in compliance with AB 361 (2021) at 9:30 A.M. on Thursday, September 15, 2022. Dial-in information for the meeting was provided in the agenda for public attendees.

2. Pledge of Allegiance – Deferred

3. Roll Call

Present:	Pauline Russo Cutter	City of San Leandro
	Anjali Lathi	Union Sanitary District
	Rita Duncan	Oro Loma Sanitary District
	Ralph Johnson	Castro Valley Sanitary District
	Angela Andrews	City of Hayward

Absent: None

Attendees:	Jacqueline Zipkin	East Bay Dischargers Authority
	Howard Cin	East Bay Dischargers Authority
	Juanita Villasenor	East Bay Dischargers Authority
	Bert Manzo	East Bay Dischargers Authority
	Eric Casher	Legal Counsel
	Alex Ameri	City of Hayward
	David Donovan	City of Hayward
	Hayes Morehouse	City of San Leandro
	Jimmy Dang	Oro Loma Sanitary District
	Paul Eldredge	Union Sanitary District

4. Public Forum

No members of the public requested to address the Commission.

C O N S E N T C A L E N D A R

- 5. Commission Meeting Minutes of July 21, 2022**
- 6. List of Disbursements for July 2022**
- 7. List of Disbursements for August 2022**
- 8. Preliminary Treasurer's Report for July 2022**
- 9. Preliminary Treasurer's Report for August 2022**
- 10. Preliminary Fourth Quarter Expense Summary, Fiscal Year 2021/2022**
- 11. Resolution Authorizing Remote Teleconference Meetings Pursuant to AB 361**

Commissioner Cutter moved to approve the consent calendar. The motion was seconded by Commissioner Lathi and carried unanimously 5-0, by roll call vote.

Ayes: Commissioners Cutter, Lathi, Duncan, Johnson, Chair Andrews

Noes: None
Absent: None
Abstain: None

REGULAR CALENDAR

12. General Manager's Report

The General Manager (GM) provided an update on the algae bloom in San Francisco Bay and Lake Merritt. In addition, the GM informed the Commission that the Hayward Marsh Permit is being rescinded in October 2022. The GM also discussed pending PFAS (per- and polyfluoroalkyl substances) legislation and the status of EBDA's strategic planning process.

13. Report from the Manager's Advisory Committee (MAC)

The GM reported that the MAC meeting was rescheduled for the afternoon of September 15. The Water Research Foundation (WRF) staff will give a presentation and discussion on research related to innovation and technology.

14. Report from the Financial Management Committee

The GM reported on the September 12 meeting of the Financial Management Committee. The Committee reviewed the Lists of Disbursements and Preliminary Treasurer's Reports for July and August and recommended approval of the items. The Committee also reviewed preliminary expense reports for Fiscal Year 2021/2022. The Committee recommends unspent funds be held in reserve by EBDA. This issue will be further discussed at the next Committee meeting.

15. Report from the Operations and Maintenance Committee

The Operations and Maintenance (O&M) Manager and GM reported on the September 12 meeting of the Operations and Maintenance Committee. The O&M Manager discussed the status of EBDA facilities and provided an update on the HEPS Security Camera Installation, OLEPS Main Electrical Switchboard Upgrade, and the Heater Replacement Project at MDF. The GM provided an update on the Cargill project.

16. Motion Authorizing the General Manager to Execute an Agreement with Garland/DBS, Inc. for Roof Replacements at the EBDA Administration Building, the MDF SBS Storage Building, and OLEPS in the Amount of \$501,606

Commissioner Johnson moved to approve the item. The resolution was seconded by Commissioner Cutter and carried unanimously 5-0, by roll call vote.

Ayes: Commissioners Cutter, Lathi, Duncan, Johnson, Chair Andrews
Noes: None
Absent: None
Abstain: None

17. Motion Authorizing the General Manager to Issue a Purchase Order to National Auto Fleet Group for a Ford F-150 Vehicle in the Amount of \$38,316

Commissioner Lathi moved to approve the item. The resolution was seconded by Commissioner Duncan and carried unanimously 5-0, by roll call vote.

Ayes: Commissioners Cutter, Lathi, Duncan, Johnson, Chair Andrews
Noes: None
Absent: None
Abstain: None

18. Motion Authorizing the General Manager to Execute Amendment No. 5 to the Contract with Brown and Caldwell for Due Diligence Work Related to Acceptance of Cargill Mixed Sea Salt Brine for Discharge at the EBDA Outfall in the Amount of \$114,932, for a Total Not to Exceed Amount of \$514,195

Commissioner Duncan moved to approve the item. The resolution was seconded by Commissioner Johnson and carried unanimously 5-0, by roll call vote.

Ayes: Commissioners Cutter, Lathi, Duncan, Johnson, Chair Andrews
Noes: None
Absent: None
Abstain: None

19. Motion Authorizing the General Manager to Enter into a Cooperative Agreement to Provide Funding for Shared Deployment of Precipitation Forecasting System with Sonoma County Water Agency

Commissioner Cutter moved to approve the item. The resolution was seconded by Commissioner Lathi and carried unanimously 5-0, by roll call vote.

Ayes: Commissioners Cutter, Lathi, Duncan, Johnson, Chair Andrews
Noes: None
Absent: None
Abstain: None

20. Items from Commission and Staff

Commissioner Johnson announced that the CASA Education Foundation awarded the inaugural Bruce Wolfe Scholarship. Commissioner Duncan reported on Oro Loma's Horizontal Levee project. Chair Andrews announced Science in the Park will take place October 1 at California State University, East Bay.

21. Adjournment

Chair Andrews adjourned the meeting at 10:38 a.m.

ITEM NO. 8 RESOLUTION AUTHORIZING REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

Recommendation

Adopt the resolution authorizing continued use of remote teleconference meetings pursuant to AB 361.

Background

All meetings of the East Bay Dischargers Authority (EBDA) Commission and EBDA's other legislative bodies are open and public, as required by the Ralph M. Brown Act, Government Code section 54950 *et seq.* Any member of the public may attend, participate, and watch EBDA's legislative bodies conduct their business.

On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for an anticipated broader spread of the novel coronavirus disease 2019 ("COVID-19"). On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means in order to slow the spread of COVID-19. As a result of Executive Order N-29-20, staff set up virtual meetings for all Commission meetings and other EBDA legislative bodies. Executive Order N-29-20 expired on September 30, 2021.

On September 16, 2021, Governor Newsom signed AB 361 (2021) which allows for local legislative bodies to continue to conduct meetings via teleconferencing without complying with certain Brown Act provisions under specified conditions and includes a requirement that the Commission make specified findings. AB 361 (2021) took effect October 1, 2021. Pursuant to AB 361, legislative bodies are allowed to continue to meet remotely during a declared State of Emergency if the legislative body finds that meeting in person would present imminent risks to the health or safety of attendees. In addition, remote meetings are also permitted, irrespective of a State of Emergency issued by the State, if local health officials continue to impose or recommend measures to promote social distancing and the legislative body finds that meeting in person would present imminent risks to the health or safety of attendees. AB 361 provides that it will sunset on January 1, 2024.

On November 10, 2021 Governor Newsom issued Executive Order N-21-21, extending the sunset of the State of Emergency through March 31, 2022, in light of the surge in COVID cases due to the novel Omicron variant and to ensure the staffing and resources needed to prevent potential strain on the State's health care delivery system. On February 25, 2022, Governor Newsom issued Executive Order N-04-22, further extending the State of Emergency to an unspecified date. (See Executive Order N-04-22 at ¶ 20, extending Executive Order N-21-21). Most recently, on March 15, 2022, a resolution was put before the senate to declare that the State of Emergency proclaimed by Governor Gavin Newsom on March 4, 2020, is at an end and that the emergency powers granted to the Governor as

a result of that proclamation are hereby terminated. The resolution was denied. To date, the State of Emergency stands.

The Commission adopted resolutions authorizing remote teleconference meetings at its October 2021 through September 2022 Commission Meetings. The resolutions included all of the necessary findings required pursuant to AB 361.

Discussion

In order to continue to hold remote meetings during a proclaimed State of Emergency, the Commission must declare every thirty (30) days that either (i) the State of Emergency continues to directly impact the ability of the members to meet safely in person, or (ii) State or local officials continue to impose or recommend measures to promote social distancing. Thus, the Commission has a standing opportunity to discuss a return to in-person meetings every thirty (30) days.

The conditions that justified the Commission adopting a resolution authorizing teleconference meetings at its September 2022 meeting continue to exist. Health officials continue to recommend measures to slow the spread of COVID-19. Specifically, the Centers for Disease Control and Prevention (“CDC”) continues to recommend physical distancing of at least 6 feet from others outside of the household and masking in all indoor settings in communities of high COVID-19 rates and among persons at high risk for severe illness. The CDC believes the Omicron variant is spread more easily than the original SARS-CoV-2 virus, with breakthrough infections occurring in people who are fully vaccinated.

The proposed resolution includes the necessary findings in order for the Commission and the other legislative bodies of EBDA to continue to hold remote teleconference meetings pursuant to AB 361, provided that

1. The State of Emergency issued by the Governor remains in effect; OR
2. “State or local officials continue to impose or recommend measures to promote social distancing.”

The Governor’s State of Emergency is still in effect. In addition, the Alameda County Public Health Department continues to “impose or recommend measures to promote social distancing.” Currently, Alameda County has not removed physical or social distancing as a COVID-19 prevention strategy.

As noted previously, several bills were introduced in the state legislature this session to allow flexibility in teleconferencing beyond a declared emergency or public health risk. These included AB 2449 (Rubio) and AB 2647 (Levine).

AB 2449 amends the non-emergency teleconference provisions within the Brown Act to allow members of a legislative body of a local agency to use teleconferencing without identifying each teleconference location in the notice and agenda of the meeting, and without making each teleconference location accessible to the public, so long as at least

a quorum of the public board does participate in person from an open and public location within the jurisdiction of the agency. Any members wishing to participate in the meeting via teleconference must have “just cause” for doing so (childcare or family caregiving need, contagious illness, physical or mental disability need, or travel while on official public business), or be experiencing an emergency circumstance.

AB 2647 amends the Brown Act requirements related to availability of agenda-related documents. The Brown act currently requires local agencies to make agendas of public meetings and other writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates. This bill removes the requirement to make those writings available for public inspection at a public office if the local agency immediately posts the writings on the local agency’s internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

Both bills were signed by the Governor on September 30, 2022 and are now law. The teleconferencing provisions of AB 2449 go into effect January 1, 2023.

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

RESOLUTION NO. 22-14

INTRODUCED BY _____

**RESOLUTION AUTHORIZING REMOTE TELECONFERENCE MEETINGS
PURSUANT TO AB 361**

WHEREAS, all East Bay Dischargers Authority (“EBDA”) meetings are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch EBDA’s legislative bodies conduct their business; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for an anticipated broader spread of the novel coronavirus disease 2019 (“COVID-19”), and Governor Newsom has continued to confirm the continued existence of the State of Emergency to the present with no expiration date presently set; and

WHEREAS, On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, as a result of Executive Order N-29-20, staff set up virtual meetings for all EBDA Commission meetings and meetings of all EBDA legislative bodies; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which, effective September 30, 2021, repealed the provisions of Executive Order N-29-20 that allowed local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (2021) which allows for local legislative bodies and advisory bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the EBDA Commission make specified findings. AB 361 (2021) took effect October 1, 2021; and

WHEREAS, AB 361 provides that it will sunset on January 1, 2024; and

WHEREAS, in order for legislative bodies to continue to conduct meetings via teleconferencing pursuant to AB 361 (2021), a proclaimed State of Emergency must exist; and

WHEREAS, AB 361 (2021) further requires that State or local officials have imposed or recommended measures to promote social distancing, or, requires that the legislative body determines that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, AB 361 (2021) allows EBDA to continue to conduct meetings via teleconference upon a finding every thirty (30) days thereafter, that either a declared state of emergency continues to directly impact the ability of the members to meet safely in person, or state or local health officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, such conditions now exist in EBDA's jurisdiction, specifically, Governor Newsom has declared a State of Emergency due to COVID-19; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") continues to recommend physical distancing of at least 6 feet from others outside of the household and masking in all indoor settings in communities of high COVID-19 rates and among persons at high risk for severe illness; and

WHEREAS, because of COVID-19, the EBDA Commission is concerned about the health and safety of all individuals who intend to attend EBDA Commission meetings and meetings of EBDA's other legislative bodies; and

WHEREAS, the EBDA Commission desires to provide a way for Commissioners, staff, and members of the public to participate in meetings remotely, without having to attend meetings in person; and

WHEREAS, on October 21, 2021, November 18, 2021, December 16, 2021, January 26, 2022, February 17, 2022, March 17, 2022, April 21, 2022, May 19, 2022, June 16, 2022, July 21, 2022, and September 15, 2022, the Commission found that the presence of COVID-19 would present imminent risks to the health or safety of attendees, including the legislative bodies and staff, should EBDA's legislative bodies hold in person meetings; and

WHEREAS, the EBDA Commission hereby finds that the presence of COVID-19 and the prevalence of the highly-contagious Omicron variant would present imminent risks to the health or safety of attendees, including the legislative bodies and staff, should EBDA's legislative bodies hold in person meetings; and

WHEREAS, EBDA shall ensure that its meetings comply with the provisions required by AB 361 (2021) for holding teleconferenced meetings.

NOW, THEREFORE, BE IT RESOLVED that the Commission of the East Bay Dischargers Authority hereby declares as follows:

1. The above recitals are true and correct, and incorporated into this Resolution.

2. In compliance with AB 361 (2021), and in order to continue to conduct teleconference meetings without complying with the usual teleconference meeting requirements of the Brown Act, the EBDA Commission makes the following findings:

- a) The EBDA Commission has considered the circumstances of the State of Emergency; and
- b) The State of Emergency, as declared by the Governor, continues to directly impact the ability of the EBDA Commission and EBDA's legislative bodies, as well as staff and members of the public, from meeting safely in person; and
- c) The CDC continues to recommend physical distancing of at least six feet due to COVID-19 and as a result of the presence of COVID-19 and the highly-contagious Omicron variant, meeting in person would present imminent risks to the health or safety of attendees, the legislative bodies and staff.

3. The EBDA Commission and all of EBDA's other legislative bodies may continue to meet remotely in compliance with AB 361, whether in whole or in part, in order to better ensure the health and safety of the public.

4. The EBDA Commission will revisit the need to conduct meetings remotely at its next monthly meeting.

SAN LORENZO, CALIFORNIA, OCTOBER 20, 2022, ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS AUTHORITY

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

ITEM NO. 9 GENERAL MANAGER'S REPORT

The General Manager will discuss items of interest to EBDA.

ITEM NO. 10 REPORT FROM THE MANAGERS ADVISORY COMMITTEE

**MANAGERS ADVISORY COMMITTEE
AGENDA**

**Thursday, October 13, 2022
1:30 P.M.**

Via Zoom

- 1. Brine Project Contracting Discussion**
- 2. Biosolids Management Next Steps**
- 3. EBDA Commission Agenda**
 - Regulatory Affairs
 - Finance
 - O&M
- 4. Strategic Planning**
- 5. EBDA Managers Information Sharing**

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A Joint Powers Public Agency

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ITEM NO. 11

REGULATORY AFFAIRS COMMITTEE AGENDA

Tuesday, October 18, 2022

4:30 P.M.

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

Committee Members: Lathi (Chair); Johnson

- RA1. Call to Order**
- RA2. Roll Call**
- RA3. Public Forum**
- RA4. EBDA NPDES Compliance – See Item No. OM4**
(The Committee will review NPDES Permit compliance data.)
- RA5. Reporting Checklist**
(The Committee will review a checklist of completed regulatory reporting items.)
- RA6. BACWA Key Regulatory Issues Matrix**
(The Committee will review BACWA's issue summary.)
- RA7. Update on San Francisco Bay Nutrient Management**
(The Committee will receive an update on science and regulatory activities related to nutrients.)
- RA8. Adjournment**

Any member of the public may address the Committee at the commencement of the meeting on any matter within the jurisdiction of the Committee. This should not relate to any item on the agenda. Each person addressing the Committee should 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 Committee on any agenda item should do so at the time the item is considered. Oral comments should

Agenda Explanation
East Bay Dischargers Authority
Regulatory Affairs Committee
October 18, 2022

be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available and are to be completed prior to speaking.

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<p>The next Regulatory Affairs Committee meeting is scheduled on Wednesday, December 14, 2022 at 11:00 a.m.</p>
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ITEM NO. RA5 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 through September 30, 2022; there are no outstanding activities.

<i>Authority</i>	<i>Required Action</i>	<i>Occurrence</i>	<i>Date</i>
			<i>Complete</i>
State of California	Annual posting of EE Reimbursements Report to EBDA Website (GC §53065.5)	Annual	7/1/2022
Bay Area Air Quality Management District	Pay renewal fee for <i>Permit to Operate</i> Plant #14531	Annual	7/16/2022
Bay Area Air Quality Management District	Complete <i>Data Update</i> form Plant #14531 - Permit Expiration Date: Aug 1, 2022	Annual	7/27/2022
State Water Resources Control Board	NPDES Quarterly Report (Apr-Jun)	Quarterly	7/29/2022
CalPERS	Out-of-Class Appointment Reporting	Annual	8/2/2022
Department of Toxic Substances Control	EPA ID Number (CAL000072039) Verification Questionnaire and Manifest Fees Assessment	Annual	8/11/2022
Oro Loma Sanitary District	Lease Fees	Annual	8/15/2022
ADP Business Payroll	Print Payroll Quarter-End Tax Returns	Quarterly	8/25/2022
ADP Business Payroll	Print Payroll Quarter-End Tax Returns	Quarterly	8/25/2022
State Water Resources Control Board	NPDES monthly reports	Monthly	8/29/2022
CalPERS	SSSA Annual Information Request	Annual	8/31/2022
Bay Area Air Quality Management District	Complete <i>Data Update</i> form Plant #14528 - Permit Expiration Date: Nov 1	Annual	9/1/2022
Alliant Insurance Services, Inc	CSRMA Pooled Liability Program Renewal Questionnaire	Annual	9/14/2022
East Bay Dischargers Authority	Website review/update	Quarterly	9/24/2022
Regional Water Quality Control Board	Recycled Water monthly reports	Monthly	9/29/2022
Bay Area Air Quality Management District	Pay renewal fee for <i>Permit to Operate</i> Plant #14528	Annual	9/30/2022
Regional Monitoring Program % SFEI	Participant Fee Installment (See: annual invoice)	Semi-Annual	9/30/2022

ITEM NO. RA6 BACWA Key Regulatory Issues Matrix

Recommendation

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

Background

Periodically, BACWA's Regulatory Program Manager updates a Key Regulatory Issues Summary that contains succinct information on regulatory issues of interest to Bay Area wastewater agencies. The Summary matrix contains background, challenges and recent updates, next steps for BACWA, and links to key resources and documents.

Discussion

The most recent issue summary is attached. This latest version highlights updates made in purple. Previous versions are available at <https://bacwa.org/regulatory-issues-summaries/>.



KEY REGULATORY ISSUE SUMMARY

Updated September 2, 2022

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

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New updates in this version are shown in Purple highlighting

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
NUTRIENTS IN SAN FRANCISCO BAY			
<ul style="list-style-type: none"> 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 SF Bay, stakeholders in the region are participating in the Nutrient Management Strategy (NMS) steering committee to prioritize scientific studies and ensure that all science to be used for policy decisions is conducted under one umbrella. 	<ul style="list-style-type: none"> For FY23, BACWA is contributing \$1.8M to fund scientific research needed to make management decisions for the 3rd Watershed Permit. This funding is required by the 2nd Watershed Permit. The focus of current scientific efforts is improving model representation of biogeochemistry, light attenuation, dissolved oxygen, and Harmful Algal Bloom dynamics. Field and lab observations are supporting these improvements. The science team is developing an Assessment Framework for Open Bay habitats and Lower South Bay sloughs. In summer 2022, a harmful algae bloom in San Francisco Bay has brought increased public attention to this topic. The NMS science team is assisting with monitoring and data interpretation. 	<ul style="list-style-type: none"> Continue to participate in NMS steering committee, Nutrient Technical Workgroup, and planning subcommittee meetings, and provide funding for scientific studies. Continue to assist with preparation of a brief "State of the Science" document summarizing the scientific accomplishments of the NMS team for public use. Continue to engage with Nutrient Technical Team and BACWA's Nutrient Management Strategy technical consultant, Mike Connor, to provide review of recent work products and charge questions for the science team. 	<p>BACWA Nutrients Page: https://bacwa.org/nutrients/</p> <p>NMS FY23 Program Plan https://drive.google.com/drive/folders/17wLKFEJlkyAyt31IMmgxHhrl8GL5OcJP</p> <p>NMS Work Products https://sfbaynutrients.sfei.org/books/reports-and-work-products</p> <p>Summer 2022 Algae Bloom (BACWA; SFEI): https://bacwa.org/general/ongoing-algal-bloom-in-sf-bay/</p> <p>https://docs.google.com/presentation/d/1IRa5uHmdKC8zUsJUnXk8xk_Pyg2LiFx7eUzpWajGlnU/</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
SF BAY NUTRIENT WATERSHED PERMIT			
<ul style="list-style-type: none"> • The 1st Nutrient Watershed Permit was adopted in 2014, and required a regional study on Nutrient Treatment by Optimization and Upgrades, completed in 2018. • The 2nd Nutrient Watershed Permit was adopted in 2019. It includes: <ul style="list-style-type: none"> ○ Continued individual POTW 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 2014 to 2017 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: <ul style="list-style-type: none"> ○ Group Annual Reporting ○ Regional Studies on Nature-Based Systems and Recycled Water ○ Support of scientific studies through the Regional Monitoring Program (RMP) with \$11M over the five-year permit term. 	<ul style="list-style-type: none"> • Studies related to Recycled Water and Nature-Based Systems are underway, and will be completed by the due date of July 1, 2023. • Each year by February 1, BACWA submits a Group Annual Report on behalf of its members. The report summarizes trends in nutrient concentrations and loading for each agency, and for all the agencies as a whole. The annual reporting period in the 2nd Watershed Permit is based on a water year (October 1 – September 30th). The 2021 report showed a decline in TIN concentrations compared to the previous year. • Agencies with plans to substantially reduce nutrients are recognized in the Fact Sheet of the 2nd watershed permit, and BACWA is continuing to track “early actor” nutrient reduction projects. BACWA has synthesized this information into a projection of Baywide nutrient loading. • BACWA has been working with a consultant team to complete a statistical analysis of historical TIN loading. In July 2022, BACWA met with Regional Water Board staff to propose use of these statistically-based load estimates within the 3rd Watershed Permit. Negotiations are ongoing. 	<ul style="list-style-type: none"> • BACWA continues to convene a Nutrient Strategy Team (NST) to develop BACWA’s key tenets for the 3rd Watershed Permit. The NST is actively engaging with the Regional Water Board to develop details related to load cap implementation in the 3rd Watershed Permit. • Agencies with plans to implement projects that will reduce nutrient loads should keep the Regional Water Board and BACWA apprised, to get credit for “early actions.” • Review draft reports by HDR and SFEI for the Nutrient Removal by Recycled Water Evaluation and the Nature-Based Systems study. Draft agency reports for the Recycled Water Evaluation have already begun to be distributed for agency review, and more are expected in early- to mid-2022. • Agencies will continue to report nutrient monitoring data both through CIWQS and directly to BACWA. Submittals for the 2021-2022 water year will be due to HDR in November 2022. The 2021-2022 water year will likely mark the end date of data compiled to inform load cap calculations for the 3rd Watershed Permit . 	<p>2nd Nutrient Watershed Permit: https://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2019/May/6_ss_r.pdf</p> <p>Special Studies of Recycled Water and Nature-Based Systems: https://bacwa.org/document-category/2nd-watershed-permit-studies/</p> <p>Optimization/Upgrade Study Information: https://bacwa.org/document-category/optimization-and-upgrade-studies/</p> <p>BACWA Group Nutrient Annual Reports: http://bacwa.org/document-category/nutrient-annual-reports/</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
CHLORINE RESIDUAL COMPLIANCE			
<ul style="list-style-type: none"> • 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. 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 worked with BACWA to develop a Basin Plan Amendment modifying the effluent limit for chlorine residual. 	<ul style="list-style-type: none"> • The Basin Plan Amendment includes: <ul style="list-style-type: none"> ○ A 0.013 mg/L Water Quality Objective in marine and estuarine waters, which will be applied as a WQBEL in permits and 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. • The Basin Plan Amendment was adopted by the Regional Water Board in November 2020, approved by the State Water Board and Office of Administrative Law in 2021, and is now awaiting final review by EPA. • Sections of the Basin Plan Amendment related to removal of Oil & Grease effluent limits are now in effect. This change is being implemented in reissued NPDES permits. • In October 2021, the Regional Water Board adopted a blanket permit amendment (Order R2-2021-0019) implementing the Basin Plan Amendment within each individual NPDES permit. The order will only become effective once the Basin Plan Amendment is approved by the EPA. Prior to approval, EPA needs to update its biological evaluation to address potential toxicity to fish and conduct a formal consultation with US Fish & Wildlife Service. As of August 2022, this process was expected to take at least six additional months. 	<ul style="list-style-type: none"> • Prepare for a short turnaround time for implementation of the new chlorine residual limits, as follows: <ul style="list-style-type: none"> ○ Ensure compliance with the new minimum required frequency of once every 5 minutes. ○ Ensure the monitoring system complies with the new minimum level of 0.05 mg/L. ○ Members that plan to discharge detectable residual chlorine may need to adapt sampling and analysis procedures for other constituents for which residual chlorine could interfere, such as whole effluent toxicity and ammonia. ○ Use the highest one-hour arithmetic mean as the daily value reported into CIWQS. 	<p>Background and Status information about Basin Plan Amendment: https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/planningtmdls/amendments/chlorinebpa.html</p> <p>Final Amendment adopted by Regional Water Board: https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/planningtmdls/amendments/chlorinebpa/2_Chlorine_Resolution_R2-2020-0031.pdf</p> <p>Blanket Permit Amendment for Chlorine and Oil & Grease: https://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2021/R2-2021-0019.pdf</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
PESTICIDES			
<ul style="list-style-type: none"> 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 scientific and regulatory advocacy program so that pesticides will not impact POTWs' primary functions of collecting and treating wastewater, recycling water, and managing biosolids, or impact receiving waters via the "down the drain" route. 	<ul style="list-style-type: none"> EPA reviews all registered pesticides at least once every 15 years. Each review allows opportunity for public comment. BACWA continues to fund consultant support to write comment letters advocating for the consideration of POTW and surface water issues by EPA and the California Department of Pesticide Registration (CalDPR). Funding for pesticide regulatory outreach in FY23 is \$60K. The pesticides regulatory team also supports the California Stormwater Quality Association (CASQA), and recently produced a fact sheet on collaboration between BACWA and CASQA related to urban pesticides. The Regional Water Board leverages BACWA's efforts to provide their own comment letters. 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. Pet pesticides were the focus of BAPPG's public outreach campaign in Spring 2022. 	<ul style="list-style-type: none"> Continue to comment on EPA pesticide re-registrations and CalDPR actions. Work with veterinary associations on messaging with respect to flea and tick control alternatives. Continue to develop summaries of EPA actions on pesticides. Look for opportunities to work with CalDPR on pesticides research. Work with other regional associations, such as the CASQA to collaborate on funding pesticide regulatory outreach. 	<p>BACWA Pesticides Regulatory Update and Call to action: https://bacwa.org/wp-content/uploads/2016/02/BACWA-Pesticide-Regulatory-Update-2016-1.pdf</p> <p>BACWA Pesticide Regulatory Support Page: https://bacwa.org/bappg-pesticides/</p> <p>Baywise flea and tick pages: https://baywise.org/residential/pets/keep-pets-free-of-fleas-and-ticks/ https://baywise.org/residential/pets/</p> <p>BACWA-CASQA Urban Pesticides Collaboration Fact Sheet: https://bacwa.org/wp-content/uploads/2022/08/CASQA-BACWA-Factsheet-July2022.pdf</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
MERCURY AND PCBs			
<ul style="list-style-type: none"> • The 2017 Mercury & PCBs Watershed Permit expires at the end of 2022, when it is expected to be reissued. The Watershed Permit is based on the TMDLs for each of these pollutants. • Aggregate mercury and PCBs loads have been well below waste load allocations through 2021, the last year for which data have been compiled. • 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. • In 2017, EPA adopted federal pretreatment program rules requiring dental offices to install dental amalgam separators. The rule is intended to reduce dental office discharge of mercury. The compliance date was July 14, 2020. 	<ul style="list-style-type: none"> • The 2017 Watershed Permit requires continued risk reduction program funding. For FY23, BACWA granted an extension to an ongoing contract worth \$12,500 to the California Indian Environmental Alliance to conduct risk reduction activities related to fish consumption.. • As of January 2022, monitoring requirements for mercury have been reduced for most dischargers per Order R2-2021-0028 (see link at right). • As part of the 2021 Triennial Review of the Basin Plan, the Regional Water Board has prioritized designation of three new beneficial uses: Tribal Tradition and Culture (CUL), Tribal Subsistence Fishing (T-SUB) and Subsistence Fishing (SUB). Water bodies designated these beneficial uses could also be assigned lower mercury objectives. • In mid-2022, BACWA worked with Regional Water Board staff to compile PCB congener data from the previous two permit terms. BACWA also prepared and submitted a request to reduce the monitoring frequency of PCB congeners. • In August 2022, Regional Water Board staff released an administrative draft Mercury & PCBs Watershed Permit for BACWA member review. Comments are due September 12, 2022. 	<ul style="list-style-type: none"> • Member agencies should review and provide comments on the administrative draft and Tentative Order versions of the Mercury & PCBs Watershed Permit, which is slated for Regional Water Board consideration in December 2022. BACWA will compile member comments for Regional Water Board consideration. • Continue outreach to dentists BAPPG and BACWA's pretreatment committee. Per federal rules, all dental facilities were required to submit one-time compliance reports by October 2020. • Schedule risk reduction presentations by the grantees to the Regional Water Board in 2022. • Track potential Basin Plan Amendments resulting from the Triennial Review project related to new beneficial use designations. The new designations are not expected to impact the bay-wide mercury TMDL in the near term, but there could be localized or longer-term impacts. 	<p>2017 Mercury & PCBs Watershed Permit: https://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2017/November/5b_final_to.pdf</p> <p>Risk Reduction Materials: https://bacwa.org/mercurypcb-risk-reduction-materials/</p> <p>Updated BACWA PCBs Protocol: https://bacwa.org/wp-content/uploads/2014/02/PCBs-Sampling-Analysis-and-Reporting-Protocols-Dec13.pdf</p> <p>One-Time Compliance Report for Dental Offices: https://www.waterboards.ca.gov/water_issues/programs/npdes/docs/drinkingwater/one-time_compliance_report_for_dental_offices.pdf</p> <p>NPDES Permit Amendment for Monitoring and Reporting https://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2021/R2-2021-0028.pdf</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
STATE WATER BOARD TOXICITY PROVISIONS			
<ul style="list-style-type: none"> • 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 • 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. • Proposed Final Statewide Toxicity Provisions were released in October 2020, incorporating revisions to previous versions from 2018 to 2020. The Provisions establish: <ul style="list-style-type: none"> ○ 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 >5 MGD 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 <i>Ceriodaphnia dubia</i> as most sensitive species, numeric targets rather than limits until after completion of state-wide study on lab/ testing issues (Dec. 31, 2023). 	<ul style="list-style-type: none"> • The State Water Board first adopted the Statewide Toxicity Provisions in December 2020. In October 2021, the State Water Board affirmed that the Statewide Toxicity Provisions were adopted as state policy for water quality control for all inland surface waters and estuaries. The Toxicity Provisions will go into effect following EPA approval, which is expected sometime between September 2022 and early 2023. • 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. Under the Toxicity Provisions, agencies will be required by the provisions to do sensitive species screening once every 15 years. • BACWA 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. POTWs' only recourse is to challenge individual permits that include the procedure. • The State Water Board is collaborating with stakeholders on a special study to improve the quality of <i>Ceriodaphnia dubia</i> testing. The laboratory analysis portion of the study was approved in August 2022, and laboratory testing will begin shortly. 	<ul style="list-style-type: none"> • Review draft NPDES permits implementing the Toxicity Provisions. As of August 2022, NPDES permit language implementing the Toxicity Provisions is being added to draft individual NPDES permits. Regional Water Board staff developed this language with BACWA member input. The permit language only becomes effective after EPA approves the Toxicity Provisions. BACWA is working with member agencies to review and provide comments on these draft permits. The language will ultimately be copied into each newly adopted permit in the region. • Share information on the special study on the <i>Ceriodaphnia dubia</i> test method with agencies who have that species in their permits. 	<p>SWRCB Toxicity Page: http://www.swrcb.ca.gov/water_issues/programs/state_implementation_policy/tx_as_s_cntrl.shtml</p> <p>Toxicity Provisions adopted December 2020: https://www.waterboards.ca.gov/water_issues/programs/state_implementation_policy/docs/provisions_final.pdf</p> <p>Toxicity Workshop Presentations from 2017 BACWA Workshop: https://bacwa.org/bacwa-toxicity-workshop-september-18-2017/</p> <p>Regional Water Board presentation on implementation of Statewide Toxicity Provisions from December 2020: https://bacwa.org/wp-content/uploads/2021/01/Sli-des-from-RWQCB-Regarding-R2-Tox-Language-in-NPDES-Permits-2020-12-08.pdf</p> <p><i>Ceriodaphnia</i> Quality Assurance Study https://www.sccwrp.org/about/research-areas/additional-research-areas/ceriodaphnia-toxicity-testing-quality-assurance/</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
COMPOUNDS OF EMERGING CONCERN (CECS)			
<ul style="list-style-type: none"> 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 has formed a Pretreatment and CECs Unit. 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 monitoring program is already being implemented in Region 2 through the RMP. 	<ul style="list-style-type: none"> 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. Bay dischargers are continuing to provide supplemental funding for RMP CECs studies through the NPDES Permit Amendment for Monitoring and Reporting adopted in December 2021 by the Regional Water Board. 	<ul style="list-style-type: none"> Continue to participate in the RMP Emerging Contaminants Workgroup. Participate in RMP studies by collecting wastewater samples at member facilities. Studies in 2022 will include ethoxylated surfactants in wastewater, in addition to the Regional PFAS Study and OPC-funded microplastic study (see below). 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. 	<p>RMP Emerging Contaminant Workgroup: http://www.sfei.org/rmp/ecwg#tab-1-4</p> <p>BACWA CECs White Paper: https://bacwa.org/document/bacwa-cec-white-paper-updated-june-2020/</p> <p>NPDES Permit Amendment for Monitoring and Reporting https://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2021/R2-2021-0028.pdf</p>
MICROPLASTICS			
<ul style="list-style-type: none"> Microplastic pollution is a environmental threat with the potential to impact wastewater disposal and reuse, as well as biosolids end uses. 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. As a result, the RMP is focusing future microplastics sampling efforts on stormwater pathways. 	<ul style="list-style-type: none"> In February 2022, the Ocean Protection Council (OPC) adopted a Statewide Microplastics Strategy that calls for increased water recycling, additional monitoring of wastewater, source control in wastewater, and additional scientific research. In 2021, the OPC funded a study investigating microplastic removal through wastewater treatment processes. The study is being carried out by SCCWRP. The study commenced in 2021 with a pilot study involving BACWA member agency participation. Full-scale sampling and analysis of influent, effluent, and biosolids is planned for 2022. 	<ul style="list-style-type: none"> Continue to participate in the RMP Microplastics Workgroup. One or more BACWA member agencies may be selected to participate in the OPC-funded microplastic study. Continue tracking State Water Board and Ocean Protection Council actions via the CASA Microplastics Workgroup. CASA is working with SCCWRP to provide additional funding for testing of new sample collection and/or analysis methods. 	<p>BACWA Microplastics Fact Sheet: https://bacwa.org/wp-content/uploads/2019/09/BACWA-Microplastics-flyer.pdf</p> <p>SFEI Microplastics project: https://www.sfei.org/projects/microplastics</p> <p>Ocean Protection Council Microplastics Strategy: https://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20220223/Item_6_Exhibit_A_Statewide_Microplastics_Strategy.pdf</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS)			
<ul style="list-style-type: none"> Per- and polyfluoroalkyl substances (PFAS) are a group of human-made substances that are very resistant to heat, water, and oil. PFAS have been used 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 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. 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 biosolids. In July 2020, the SWRCB issued an Investigative order for POTWs. Similar orders have been issued for landfills, airports, chrome platers, and refineries & bulk terminals. The July 2020 SWRCB investigative Order for POTWs is <u>not</u> applicable to Region 2 agencies. In April 2021, the formation of an “EPA Council on PFAS” was announced. 	<ul style="list-style-type: none"> The EPA and State of California are developing drinking water standards for PFAS compounds. <ul style="list-style-type: none"> DDW has developed drinking water notification levels (NLs) and response levels for PFOA, PFOS, and Perfluorobutane Sulfonic Acid (PFBS), and has proposed a NL for Perfluorohexane Sulfonic Acid (PFHxS) as of July 2022. At DDW’s request, OEHHA is developing NLs for other PFAS compounds. In July 2021, OEHHA proposed draft public health goals for PFOA (0.007 ng/L) and PFOS (1 ng/L) as the next step in establishing drinking water MCLs. In June 2022, EPA released interim health advisories for PFOA (0.004 ng/L) and PFOS (0.02 ng/L) that are significantly lower than current detection limits in wastewater. EPA also issued health advisories for PFBS and GenX. EPA is conducting pretreatment standards rulemaking for two types of industrial users: Metal Finishing, and Organic Chemicals, Plastics and Synthetic Fibers. In June 2022, EPA released a 2nd Draft Method 1633 for analysis of PFAS in complex matrices like wastewater. In August 2022, EPA proposed a rule designating PFOA and PFOS as hazardous substances under CERCLA (the Superfund law). 	<ul style="list-style-type: none"> BACWA worked with RWB staff and obtained State Water Board approval to fund and conduct a Regional PFAS Study in lieu of the statewide investigative order. SFEI is conducting this study in two phases: <ul style="list-style-type: none"> In Phase 1, fourteen representative facilities collected samples in Q4 2020 for influent, effluent, RO concentrate, and biosolids. BACWA has prepared a Fact Sheet regarding Phase 1 results (see link at right). Sample collection for Phase 2 of the PFAS Regional Study was completed in mid-2022 and included sampling of influent, effluent, and biosolids; residential sewersheds, commercial and industrial users; hauled organic waste used as digester feed; and groundwater. BACWA’s Phase 2 study results will support CASA’s legislative efforts related to PFAS, such as sponsorship of AB 2247, which would initiate a publicly accessible reporting platform for PFAS in products. BACWA will continue tracking developments at the federal, state and regional level, in particular to understand the impact of the CERCLA designation. 	<p>BACWA PFAS Documents: https://bacwa.org/pfas-links/</p> <p>SWRCB PFAS Resources: https://www.waterboards.ca.gov/pfas/</p> <p>OEHHA Drinking Water: https://oehha.ca.gov/water</p> <p>EPA PFAS Resources https://www.epa.gov/pfas</p> <p>EPA PFAS Strategic Roadmap (Oct 2021) https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024</p> <p>AB 2247: https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB2247</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
SSS WDR REISSUANCE			
<ul style="list-style-type: none"> • The State Water Board plans to reissue the statewide Sanitary Sewer System General Order (SSS-WDR) in 2022. • State Water Board staff sought out early stakeholder engagement through outreach to CASA and the Regional Associations, and NGOs. • The State Water Board's goals for the update are: <ul style="list-style-type: none"> ○ Updating the 2006 Order ○ Clarifying compliance expectations and enhancing enforceability ○ Addressing system resiliency, including climate change impacts ○ Identifying valuable data and eliminating non-valuable reporting requirements 	<ul style="list-style-type: none"> • A draft for public review and comment was released on January 31, 2022. This version addressed many of BACWA and CASA's comments on the previous February 2021 informal staff draft. • BACWA worked with the Collection Systems committee, CASA, CVCWA, SCAP, and other allies to review the public review draft SSS-WDR, provide oral comments for the State Water Board and its staff, and prepare a detailed comment letter. Written comments were submitted in April 2022. • State Water Board staff are reviewing the comments submitted by BACWA and other stakeholders, and plan to bring a revised draft to the State Water Board for consideration in December 2022. A State Water Board workshop is also planned for November 2022. • State Water Board staff plan to prepare a response-to-comments document in addition to the revised draft SSS-WDR. 	<ul style="list-style-type: none"> • Review the Revised Draft SSS-WDR when it is released later in Fall 2022. BACWA is continuing to coordinate with State Water Board staff in a limited fashion as the revised draft version of the SSS-WDR is prepared. • Coordinate with CASA, CVCWA, and SCAP on testimony for the adoption hearing in December. • Coordinate with CASA and CWEA on training opportunities for members as they transition to enrollment under the new SSS-WDR. • Discuss response to issues such as exfiltration via BACWA's Collection Systems Committee. 	<p>State Water Board SSS-WDR page: https://www.waterboards.ca.gov/water_issues/programs/sso/</p> <p>Public Review Draft of SSS-WDR: https://www.waterboards.ca.gov/water_issues/programs/sso/docs/2022-01-draft-sanitary-sewer-systems-general-order.pdf</p> <p>BACWA Comment Letter on Public Review Draft: https://bacwa.org/wp-content/uploads/2022/04/BACWA-Comments-to-SWRCB-on-Draft-SSS-WDR-2022-04-08.pdf</p> <p>State Water Board July 2022 presentation to CWEA on Draft SSS-WDR: https://bacwa.org/wp-content/uploads/2022/08/SWRCB-Presentation-to-CWEA-on-SSS-WDR-2022-07-23.pdf</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
ELAP UPDATE <ul style="list-style-type: none"> • In May 2020, the State Water Board adopted new comprehensive regulations for the Environmental Laboratory Accreditation Program. • Adoption of the new regulations was required by AB 1438, legislation that became effective in 2018. • The new ELAP regulations will replace the current state-specific accreditation standards with a national laboratory standard established by The NELAC Institute (TNI). 			
	<ul style="list-style-type: none"> • The new ELAP regulations became effective as of January 1, 2021. Compliance with TNI standards is required beginning January 1, 2024. • Adoption of TNI standards poses a challenge since there are more than 1,000 individual requirements. Setup costs may include: <ul style="list-style-type: none"> ○ Hiring and/or training staff; ○ Hiring consultants to set up the TNI documentation framework; ○ Purchasing Laboratory Information Management System (LIMS) software; ○ Purchasing documents and training material from TNI, etc. • The new standards will be a particular burden on small laboratories, which may choose to close if they cannot economically meet the new standards. • ELAP's "Roadmap to ELAP Accreditation" Program is the outreach and training component of the new regulations. ELAP staff have presented to the Lab Committee in June 2020, February 2021, April 2021, and June 2022. ELAP has contracted with A2LA Workplace Training to provide training sessions. • The BACWA Lab Committee began providing monthly TNI training sessions beginning in July 2021. BACWA has provided funding for the TNI training sessions to continue through FY23. 	<ul style="list-style-type: none"> • Offer monthly training sessions to BACWA members. The free virtual training sessions are open to BACWA members holding a valid copy of the 2016 TNI Standard, and are occurring on the 3rd Tuesday of each month throughout 2022. Training is provided by Diane Lawver of Quality Assurance Solutions, LLC, and other subject matter experts. • Communicate with ELAP staff on behalf of BACWA's Laboratory Committee as new guidance and training materials are developed for TNI implementation and methods updates (e.g., new timeline tool linked at right) • Continue to work through BACWA's Laboratory Committee to support members as they navigate laboratory accreditation under the new TNI standards. • Publicize training opportunities offered by consultants, ELAP, and others. • Provide a forum for BACWA laboratories to share experiences and lessons learned from various approaches to TNI implementation. 	<p>State Water Board's 'Roadmap to ELAP Accreditation' page: https://www.waterboards.ca.gov/drinking_water/certlic/labs/roadmap_to_elap_accreditation.html</p> <p>Roadmap to Accreditation Presentation to BACWA Lab Committee: https://bacwa.org/wp-content/uploads/2020/06/California-ELAP-Regulations-BACWA_06092020.pdf</p> <p>State Water Board's ELAP regulations page: http://www.waterboards.ca.gov/drinking_water/certlic/labs/elap_regulations.shtml</p> <p>Monthly Training Session flyer: https://bacwa.org/wp-content/uploads/2021/07/BACWA-Lab-TNI-Training-Series-Flyer.pdf</p> <p>ELAP Timeline Guidance Tool: https://www.waterboards.ca.gov/drinking_water/certlic/labs/docs/2022/elap-scheduler-1-1.xlsx</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
PHASE-OUT OF BIOSOLIDS AS ALTERNATIVE DAILY COVER			
<ul style="list-style-type: none"> Regulatory drivers are indicating that biosolids used as alternative daily cover (ADC) or disposed in landfills will be phased out: <ul style="list-style-type: none"> 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) Regulations implementing SB 1383 went into effect on January 1, 2022, so the State can begin enforcement on jurisdictions. Jurisdictions can begin local enforcement January 1, 2024, and compliance is required by January 1, 2025. While the regulations implementing SB 1383 do not 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. The Bay Area Biosolids Coalition (BABC) was formed to find sustainable, cost-effective, all-weather options for biosolids management. BABC is a BACWA Project of Special Benefit. 	<ul style="list-style-type: none"> BACWA's 2021 Biosolids Trends Survey Report compiles member agency activities in 2018-2020, as well as survey responses regarding SB 1383 implementation. Requirements for SB 1383 implementation include: <ul style="list-style-type: none"> Diverted biosolids must be anaerobically digested and/or composted to qualify as landfill reduction. As of January 2022, CalRecycle is accepting applications to consider whether other specific treatment technologies can qualify as landfill reduction (per Article 2 of SB 1383). Local ordinances restricting land application are disallowed. Jurisdictions that divert organic waste must also procure the end products of diversion, such as biogas, biomethane, and compost (but not biosolids). Currently, some County ordinances restrict the beneficial reuse of biosolids. CalRecycle considers bans on land application to be unenforceable, and Cal Recycle has agreed to approach Counties with restrictive ordinances to conduct outreach and assess compliance. CalRecycle continues to make new training materials available for jurisdictions regarding 1383 compliance, and also recently formed a Jurisdiction and Agency Compliance and Enforcement (JACE) branch to assist with compliance. 	<ul style="list-style-type: none"> Follow efforts of the Regional Water Board to revise biosolids permitting requirements for land application and disposal. The <i>Biosolids in the Baylands</i> white paper was released earlier this year by the San Francisco Bay Joint Venture. The white paper identifies data gaps that need to be filled. Current research by EPA, NRCS, and the University of AZ is being followed and reviewed to understand if the data collected could be used. Studies funded by BACWA and BABC (e.g., PFAS) will be considered to help fill remaining data gaps before identifying new monitoring requirements at land applications sites. Actively work through CASA with California Air Resource Board, CalRecycle, State Water Board, and California Department of Food and Agriculture to develop sustainable long-term options for biosolids beneficial use. Participate in BAAQMD's Organics Recovery Technical Working Group to educate their staff on implementation of SB 1383 at the Air District level. Meet with BAAQMD regularly in 2022 to discuss alignment of state and local regulations. 	<p>BACWA 2021 Biosolids Trends Survey Report: https://bacwa.org/wp-content/uploads/2021/12/BACWA-2021-Biosolids-Trends-Survey-Report.pdf</p> <p>BABC website: http://www.bayareabiosolids.com/</p> <p>CASA White Paper on SB 1383 Implementation: https://bacwa.org/document/summary-of-sb-1383-and-its-implementation-casa-2020/</p> <p>CalRecycle website for California Short-Lived Climate Pollutant Reduction Strategy https://www.calrecycle.ca.gov/organics/slcp</p> <p><i>Biosolids in the Baylands</i> White Paper https://bacwa.org/wp-content/uploads/2022/07/Biosolids-in-the-Baylands-White-Paper-March-2022.pdf</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
CLIMATE CHANGE MITIGATION			
<ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ○ Short-lived climate pollutants ○ Carbon sequestration on Natural and Working Lands ○ Largest emitters (transportation, electricity, and industrial sectors) The Scoping Plan is being updated in 2022 targeting carbon neutrality by 2045 and, if possible, 2035. • SB 1383 (Short-Lived Climate Pollutant Reduction) calls for: <ul style="list-style-type: none"> ○ 40% methane reduction by 2030 ○ 75% diversion of organic waste from landfills by 2025 ○ Policy / regulatory development encouraging production/use of biogas • BAAQMD developed a Clean Air Plan requiring GHG emissions supporting CARB's 2050 target. • BAAQMD has proposed the development of Regulation 13 (climate pollutants) targeting GHG 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. 	<ul style="list-style-type: none"> • CARB is pursuing rapid fleet electrification, including medium and heavy-duty vehicles, through the Advanced Clean Fleet rule. Complete electrification will be difficult for heavy-duty trucks, and will remove a potential market for biogas. CASA is engaging on this issue through the Scoping Plan Update and other avenues to request continued allowance of biogas as a sustainable transportation fuel. • In addition to pushing for electrification, CARB is proposing changes to the Low Carbon Fuel Standard that reflects increasing emphasis on hydrogen as a transportation fuel. Conversion of biogas into hydrogen is currently in research & development stage. • 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. • The EPA is revisiting procedures for allocation of renewable fuel credits (RINs) for food waste-based and sludge-based biogas. CASA has engaged on this issue, and a draft rule for public comment is expected soon. • BAAQMD is developing a suite of Rules under Regulation 13 for climate pollutants methane and nitrous oxide. However, rule development has been deprioritized. 	<ul style="list-style-type: none"> • BACWA is supporting CASA's enhanced advocacy to CARB to preserve existing pathways that allow biogas to be used for fueling vehicles. The outreach is required so that biogas produced at treatment plants continues to have a permissible and economical end use, and so utilities have reliable power for heavy-duty vehicles. CASA and BACWA members are also providing public comments at CARB's public workshops. • Review a summary of the AIR committee-led survey regarding current methane management practices at anaerobic digesters and sludge lagoons, to be shared with BAAQMD staff. • Look for ways to inform BAAQMD on opportunities and challenges for climate change mitigation by Bay Area POTWs, including education about anaerobic digesters and POTW operations. • Work with PG&E and BAAQMD to explore options for POTWs to inject biogas into PG&E pipelines. In February 2022, the CPUC approved a mandatory biomethane procurement program for CA's four large gas IOUs (including PG&E) under SB 1440. CASA has been discussing the barriers to pipeline injection with CPUC staff. 	<p>Climate Change Scoping Plan, including 2022 Update: https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan</p> <p>CARB Low Carbon Fuel Standard: https://ww2.arb.ca.gov/our-work/programs/low-carbon-fuel-standard</p> <p>CARB Advanced Clean Fleet Rule: https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets</p> <p>SB 1383: https://www.calrecycle.ca.gov/organics/slcp</p> <p>BAAQMD Clean Air Plan: http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans</p> <p>BAAQMD Regulation 13 http://www.baaqmd.gov/rule-s-and-compliance/rules/regulation-13-climate-pollutants</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
CLIMATE CHANGE ADAPTATION			
<ul style="list-style-type: none"> Climate change and water resilience are a strategic priority of both the State Water Board and Regional Water Board. The Regional Water Board is modifying the Basin Plan to address climate change and wetland policy. The changes will occur through multiple Basin Plan amendments. In April 2019, Governor 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. Bay Area coordination occurs through Bay Adapt, BayCAN, and other venues. BACWA has signed a letter of support for the Bay Adapt Joint Platform. In April 2022, the State released a California Climate Adaptation Strategy, including an updated climate change assessment for the Bay Area. The California Coastal Commission's November 2021 Sea Level Rise Planning Guidance recommends that agencies "understand and plan" for 2.7 feet of sea level rise by 2050. 	<ul style="list-style-type: none"> The State Water Board is planning to send a survey 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. Survey results would be used to determine the need for funding assistance and/or new permit requirements. The February 2022 Executive Officer's Report included a synthesis of the Regional Water Board's 2021 POTW questionnaire regarding climate change vulnerability and adaptation. In June 2022, the Bay Conservation and Development Commission received a grant to develop "Regional Shoreline Adaptation Guidance" and minimum standards for the Bay Area by 2023. In July 2022, the Regional Water Board adopted a Basin Plan amendment addressing dredge and fill procedures near the region's shorelines, especially for climate adaptation projects. The Amendment also references wastewater discharges to horizontal levee projects. Wastewater discharges are not addressed by the Amendment, but the NPDES division has released information regarding NPDES permitting of nature-based solutions. Changes to NPDES permitting would be incorporated into a future Basin Plan Amendment if the effort were prioritized in a future triennial review. 	<ul style="list-style-type: none"> Follow up with members regarding sea level rise planning, as discussed at a member agency roundtable in August 2022. Prepare for engagement with Regional and State Water Boards on expectations for sea level rise planning. Engage with BCDC during the agency's development of Regional Shoreline Adaptation Guidance, which would likely impact most BACWA member agencies. 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 released in 2022. Continue to work with Regional Water Board and other resource agencies to look for regulatory solutions to encourage wetlands projects for shoreline resiliency. 	<p>California Coastal Commission's <i>Critical Infrastructure at Risk</i> https://documents.coastal.ca.gov/assets/slr/SLR%20Guidance_Critical%20Infrastructure_12.6.2021.pdf</p> <p>OPC Sea Level Rise Action Plan – August 2022 https://www.opc.ca.gov/webmaster/media_library/2022/08/SLR-Action-Plan-2022-508.pdf</p> <p>Climate Change Basin Plan Amendment https://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2022/July/7_ssr.pdf</p> <p>California Climate Adaptation Strategy https://climateresilience.ca.gov/</p> <p>Bay Adapt Joint Platform https://www.bayadapt.org/</p> <p>Bay Area Climate Adaptation Network (BayCAN) http://www.baycanadapt.org/</p> <p>NPDES Permitting for Nature-Based Solutions https://bacwa.org/wp-content/uploads/2022/08/NPDES-Permitting-for-Nature-Based-Solutions-5.pdf</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
TOXIC AIR CONTAMINANTS			
<ul style="list-style-type: none"> Regulation 11, Rule 18 (Rule 11-18), adopted in 2017, is BAAQMD's effort to protect public health from toxic air pollution from existing facilities, including POTWs. Per the Rule, BAAQMD will conduct site-specific Health Risk Screening Analyses (HRSAs) and 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 air toxics and GHGs). POTWs within communities already impacted by air pollution may have to accelerate implementation of risk reduction measures. AB 2588 (Air Toxics “Hot Spots” Program) - Establishes a statewide program for the inventory of air toxics emissions from individual facilities, as well as requirements for risk assessment and public notification of potential health risks. 2020 updates expanded compound list from >500 to >1,000. 	<ul style="list-style-type: none"> BACWA developed a White Paper on BAAQMD Rule 11-18 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. 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. In the <i>Final Statement of Reasons</i> for rulemaking on AB 617 and AB 2588, CARB provided 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 2028). In December 2021, BAAQMD amended Rule 2-5 to reduce allowable levels of toxic air contaminants in new source permitting. In March 2022, BAAQMD and BACWA convened a working group to address concerns related to toxic air contaminants and rule-making, which is meeting quarterly. 	<ul style="list-style-type: none"> Continue participating in the BAAQMD working group to discuss toxic air contaminants, rule development, and related issues. BACWA is coordinating with BAAQMD about implementation of the two-step process and its timing relative to BAAQMD Rule 11-18 and 2-5. Participate in CASA Subgroup meetings to develop Step 1 of the two-step process and understand funding needs. For Rule 11-18, members will need to respond to BAAQMD data requests, which will have a 60-day turn-around. Following data collection and verification, BAAQMD will develop HRAs for facilities with a cancer PS>10 or non-cancer PS>1.0. Use the tool developed by the AIR Committee to address emission contributions from influent flows and update emissions inventory values. Report “business as usual” for air toxics through 2028. If BAAQMD requests additional monitoring of air toxics, member agencies should refer to the one-page handout on this topic prepared by CASA. The wastewater sector has until 2028 to perform a statewide “two-step process” in collaboration with CARB and air districts to determine a shortlist of compounds relevant to the wastewater sector to report. 	<p>BAAQMD Rule 11-18 page: https://www.baaqmd.gov/rules-and-compliance/rules/regulation-11-rule-18-reduction-of-risk-from-air-toxic-emissions-at-existing-facilities</p> <p>Rule 11-18 Process Flowchart: https://bacwa.org/document/baaqmd-11-18-process-flowchart-08-17-17/</p> <p>CARB page on AB 617 and AB 2588: https://ww2.arb.ca.gov/our-work/programs/criteria-and-toxics-reporting <i>Final Statement of Reasons</i> https://ww3.arb.ca.gov/board/15day/ctr/fsor.pdf</p> <p>CASA One-Page Handout on Air Toxics Reporting (Updated) https://bacwa.org/wp-content/uploads/2022/03/CTR-EICG_CASAPageIss ue-Approach_March2022.pdf</p> <p>BAAQMD Rule 2-5 https://www.baaqmd.gov/rules-and-compliance/rules/reg-2-permits?rule_version=2021%20Amendments</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
RECYCLED WATER			
<ul style="list-style-type: none"> Approximately 10 percent of the municipal wastewater of Region 2 POTWs is currently recycled. Expansion of recycled water projects is a goal of many BACWA members, but implementation is slowed by high costs, regulatory uncertainty, and administrative requirements. As of 2018, the State Water Board has adopted uniform water recycling criteria for two types of Indirect Potable Reuse: surface water augmentation and groundwater augmentation. As of 2020, virtually all recycled water in Region 2 was produced at centralized facilities using municipal wastewater, and was treated to meet standards for non-potable reuse. 	<ul style="list-style-type: none"> Beginning in 2020, all agencies have been required to report monthly wastewater and recycled water volumes into the State's Geotracker database. In August 2022, the State Water Board released volumetric use data for 2021. In the Bay Area, usage increased slightly (about 1%) compared to 2020. Regulations for Direct Potable Reuse are under development. The State Water Board is required to adopt criteria for raw water augmentation by December 31, 2023, and is pursuing a regulatory path that also includes treated water augmentation. In June 2022, the DPR Criteria Expert Panel recently a review of the State Water Board's draft criteria, and State Water Board staff issued a response. The State Water Board will issue draft regulations in 2023. By the end of 2022, the State Water Board is required to adopt risk-based water quality standards for onsite treatment and reuse of non-potable water in multi-family, mixed use, and commercial buildings. Draft regulatory concepts for onsite non-potable reuse were released in a State Water Board workshop in August 2022. San Francisco has already begun to implement a similar program for large developments in the city. BACWA is currently completing a Regional Evaluation of Potential Nutrient Discharge Reduction by Water Recycling, as required by the 2nd Nutrient Watershed Permit. 	<ul style="list-style-type: none"> BACWA Members with water recycling projects should plan to review forthcoming draft facility reports to be included in the Regional Evaluation of Potential Nutrient Discharge Reduction HDR / Woodard & Curran are preparing the draft reports. Review draft regulations for Direct Potable Reuse and Onsite Non-potable Reuse and work through Recycled Water committee to develop comments, as needed. Track California legislation with potential impacts on recycled water funding, mandates, or regulations. For the study of nutrient removal via recycled water, review barriers and challenges to recycled water expansion identified by the study, and strategize next steps. 	<p>Water Boards Recycled Water Policy and Regulations https://www.waterboards.ca.gov/water_issues/programs/recycled_water/</p> <p>"Purple Book" of Recycled Water Regulations https://www.waterboards.ca.gov/drinking_water/certlic/drikingwater/documents/lawbook/rwregulations.pdf</p> <p>Direct Potable Reuse framework documents https://www.waterboards.ca.gov/drinking_water/certlic/drikingwater/direct_potable_reuse.html</p> <p>Volumetric Annual Reporting Data: https://www.waterboards.ca.gov/water_issues/programs/recycled_water/volumetric_annual_reporting.html</p> <p>Special Studies of Recycled Water and Nature-Based Systems: https://bacwa.org/document-category/2nd-watershed-permit-studies/</p>

Previously covered issues with no updates can be found in previous [BACWA issues summaries](#).

ACRONYMS

ADC	Alternate Daily Cover	PCB	Polychlorinated Biphenyl
BAAQMD	Bay Area Air Quality Management District	PFAS	Per- and Polyfluoroalkyl Substances
BACT	Best Available Control Technology	PFBS	Perfluorobutane Sulfonic Acid
BTU/SCF	British thermal units per standard cubic foot	PFHxS	Perfluorohexane Sulfonic Acid
CalDPR	California Department of Pesticide Registration	PFOA	Perfluorooctanoic Acid
CARB	California Air Resources Board	PFOS	Perfluorooctane Sulfonic Acid
CASA	California Association of Sanitation Agencies	POTW	Publicly Owned Treatment Works
CAP	Criteria Air Pollutant	PS	Prioritization Score
CEC	Compound of Emerging Concern	RMP	Regional Monitoring Program
CIWQS	California Integrated Water Quality System	RPA	Reasonable Potential Analysis
CVCWA	Central Valley Clean Water Agencies	SCAP	Southern California Alliance of POTWs
CWEA	California Water Environment Association	SF Bay	San Francisco Bay
DDW	Division of Drinking Water, State Water Resources Control Board	SFEI	San Francisco Estuary Institute
EC25/IC25	25% Effect Concentration/25% Inhibition Concentration	TAC	Toxic Air Contaminant
ELAP	Environmental Laboratory Accreditation Program	TMDL	Total Maximum Daily Load
ELTAC	Environmental Laboratory Technical Advisory Committee	TIN	Total Inorganic Nitrogen
EPA	United States Environmental Protection Agency	TNI	The NELAC Institute
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act	TST	Test of Significant Toxicity
FY	Fiscal Year	WQBEL	Water Quality Based Effluent Limitation
GHG	Greenhouse Gas	WQO	Water Quality Objective
HRSA	Health Risk Screening Analyses		
HRA	Health Risk Assessment		
MCL	Minimum Contaminant Level (Drinking Water)		
MGD	Million Gallons per Day		
NACWA	National Association of Clean Water Agencies		
NELAC	National Environmental Laboratory Accreditation Conference		
NMS	Nutrient Management Strategy		
OAL	Office of Administrative Law		
OEHHA	Office of Environmental Health Hazard Assessment		
OPC	Ocean Protection Council		

ITEM NO. RA7 UPDATE ON SAN FRANCISCO BAY NUTRIENT MANAGEMENT

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. Scientists believe this resilience to stem at least in part from high turbidity (i.e., the Bay is cloudy); which blocks the light that phytoplankton need to grow; presence of filter-feeding clams, which reduce phytoplankton concentrations; and strong tidal mixing, which reduces nutrient concentrations.

Over the last decade, concerning trends caused the scientific and regulatory community to question whether the Bay's resilience is weakening. Dams in upstream watersheds have decreased the Bay's turbidity by trapping sediments, and clam populations have been on the decline. At the same time, climate conditions are changing.

To begin to proactively address these nutrient-related risks, Bay Area wastewater agencies, through the Bay Area Clean Water Agencies (BACWA), have participated since 2012 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.

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, which 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.
- 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 through water recycling.
- Inclusion of load targets for 2024.
- Recognition of agencies implementing early action projects that will reduce nutrient loads during this permit term.

Discussion

In late July of 2022, public reports started noting discoloration in the Bay, particularly around the Oakland estuary and Lake Merritt, a tidally influenced impoundment. Scientists identified the cause to be a harmful algae bloom, which ultimately spread throughout the deep channels of the Central Bay and into the South Bay. The algae species was identified

as *Heterosigma akashiwo*, which has been observed intermittently in various locations around the Bay over the past 20 years, after first being detected here in 2002. *Heterosigma akashiwo* can be toxic to fish, although the nature of that toxicity is not well understood. In addition, the bloom caused unprecedented decreases in dissolved oxygen in the Bay. These effects combined to cause significant fish kills around the Bay in areas the bloom was observed.

While it is unclear exactly what triggered this bloom, its timing did correspond with a prolonged period of unusually clear skies in the Bay Area, making available more light than usual for photosynthesis. Scientists believe that the bloom was nitrogen limited, meaning that nitrogen loads to the Bay sustained the bloom and likely contributed to its extent and duration. This conclusion, along with the increased media attention garnered by the event, has led to public and political pressure on wastewater agencies and on the regulators, particularly the Regional Water Quality Control Board (Water Board), to act quickly to reduce nutrient loads to the Bay, with a goal of preventing or lessening the impact of future blooms.

The EBDA member agencies have already making significant capital investments to reduce nutrient loads in advance of requirements to do so, including the following efforts:

- Oro Loma and Castro Valley Sanitary Districts implemented the [Nutrient Optimization Project](#) and a solids dewatering sidestream nutrient removal process using [Microvi](#) technology. These two projects have already significantly reduced nitrogen loading to EBDA and the Bay.
- Union Sanitary District has begun construction on its [Enhanced Treatment and Site Upgrade \(ETSU\) Program](#), a major upgrade that will include nutrient reduction from EBDA's largest plant.
- Hayward has begun design for a [project](#) that will reduce nutrient loads by 50% and is evaluating opportunities to integrate multi-benefit nature-based solutions into their strategy.
- San Leandro has plans to build a [treatment wetland](#) that will reduce nutrients by 20%.
- The LAVWMA treatment plants, owned and operated by Dublin San Ramon Services District and the City of Livermore, both have significant water recycling programs that divert flows from EBDA almost entirely during the dry season, when the Bay is most sensitive to wastewater nutrient inputs, with plans to further expand recycling.

Wastewater agencies, including EBDA members, who are investing in nutrient upgrades in advance of load caps or reduction requirements, are referred to as "early actors" in the current Watershed Permit. The permit states,

If the most up-to-date scientific information indicates that nutrient loads must be capped or reduced, the Regional Water Board will recognize early actions (i.e.,

Dischargers' capital or operational improvements or other means that significantly reduce nutrient loads during this Order term) when considering compliance with nutrient load caps or reductions in a subembayment. This will likely result in findings that no further actions by these Dischargers will be necessary for the design life of the associated capital improvements, provided that other Dischargers can implement capital improvements to reduce nutrient loads below the subembayment cap.

Preliminary conversations with Water Board staff indicate that they intend to honor the early actors concept as negotiations continue on the next Watershed Permit, which will be adopted in 2024. Negotiations prior to the algal bloom had focused on the concept of a Bay-wide load cap, limiting nitrogen discharges to treatment plants' current performance, on the assumption that the Bay was resilient to that level of nutrient loading. Now, the focus has shifted to identifying specific actions to reduce nutrients, particularly for those agencies that have not yet begun capital upgrades. Though the wastewater community recognizes the need for action, BACWA will continue to advocate that time should be allowed for implementation of complex, multi-benefit projects such as water recycling and nature-based solutions like horizontal levees, so that agencies are not compelled to pursue simpler traditional plant upgrades due to aggressive deadlines.

BACWA's Nutrient Strategy Team is currently considering actions that the wastewater community can put forward to prevent and reduce future harmful algal blooms. Concepts under discussion include:

- Continued investment in science and modeling to gain a better understanding of the causes of algal blooms in the Bay, their likelihood in the future, and levels of nutrient reductions that would make a difference in their occurrence and trajectory.
- Development of early warning signs for future blooms and "emergency response" actions that could be taken to achieve short-term nutrient reductions or other benefits to the Bay.
- Implementation of low or no capital plant optimization efforts to reduce nutrients where feasible.
- Commitments to capital investments for nutrient reductions by non-early actors.

BACWA and the Water Board are actively discussing next steps on the Watershed Permit, and staff will keep the Commission apprised as developments unfold.

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EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
FAX (510) 278-6547

A Joint Powers Public Agency

NOTICE: In compliance with AB 361 (2021), the meeting scheduled below will be accessible via Zoom video conferencing.

- Members of the public may participate in the meeting by clicking on the following Zoom link: <https://us02web.zoom.us/j/88633216376>
- You may also participate via telephone by dialing 1(669) 900-6833 and entering Meeting ID number 886 3321 6376.

ITEM NO. 12

FINANCIAL MANAGEMENT COMMITTEE AGENDA

Monday, October 17, 2022

11:00 A.M.

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

Committee Members: Duncan (Chair); Andrews

FM1. Call to Order

FM2. Roll Call

FM3. Public Forum

FM4. Disbursements for September 2022
(The Committee will review the List of Disbursements.)

FM5. Preliminary Treasurer's Reports for September 2022
(The Committee will review the Treasurer's Reports.)

FM6. Member Agency Credit Allocations for Fiscal Year 2021/2022 and EBDA Reserve Policy Review
(The Committee will review a summary of the credits available to the Member Agencies and the intersection with EBDA's Reserve Policy).

FM7. Adjournment

Any member of the public may address the Committee at the commencement of the meeting on any matter within the jurisdiction of the Committee. This should not relate to any item on the agenda. Each person addressing the Committee should 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 Committee on any agenda item should do so at the time the item is considered. Oral comments should be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available and are to be completed prior to speaking.

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
October 17, 2022

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 Juanita Villasenor at juanita@ebda.org or (510) 278-5910. 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 also posted on the East Bay Dischargers Authority website located at <http://www.ebda.org>.

<p>The next Financial Management Committee meeting is scheduled on Monday, November 14, 2022 at 11:00 a.m.</p>

ITEM NO. FM4 DISBURSEMENTS FOR SEPTEMBER 2022

Disbursements for the month of September were a total of \$586,392.81.

Reviewed and Approved by:

Rita Duncan, Chair	Date
Financial Management Committee	

Jacqueline T. Zipkin	Date
Treasurer	

EAST BAY DISCHARGERS AUTHORITY

List of Disbursements

September 2022

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25823	09/30/2022	3022071	REGIONAL MONITORING PROGRAM C/O SFEI	SEMI-ANNUAL PARTICIPANT FEE FOR THE RMP 2022 BUDGET	159,434.50	159,434.50
25800	09/15/2022	002877	UNION SANITARY DISTRICT	O&M - JUL	48,057.08	48,057.08
25832	09/30/2022	20210105.02-8	ASCENT ENVIRONMENTAL, INC	CONSULTING SERVICES - CARGILL CEQA	47,722.50	47,722.50
25797	09/15/2022	388891	CITY OF SAN LEANDRO	O&M - JUL	39,170.53	39,170.53
25824	09/30/2022	197747	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	35,375.00	38,556.60
25824	09/30/2022	197746	MEYERS NAVE	LEGAL SERVICES - AUG	3,181.60	
25807	09/15/2022	197124	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	33,362.50	34,051.30
25807	09/15/2022	197123	MEYERS NAVE	LEGAL SERVICES - JUL	688.80	
25798	09/15/2022	6647	ORO LOMA SANITARY DISTRICT	O&M - JUN	16,587.94	32,001.91
25798	09/15/2022	6663	ORO LOMA SANITARY DISTRICT	O&M - JUL	15,413.97	
25815	09/30/2022	6682	ORO LOMA SANITARY DISTRICT	O&M - AUG	16,856.29	16,856.29
25825	09/30/2022	50544036	UNIVAR	SODIUM BISULFITE - DELIVERED 09/2/2022	7,739.72	15,640.82
25825	09/30/2022	50573698	UNIVAR	SODIUM BISULFITE - DELIVERED 09/16/2022	7,901.10	
25828	09/30/2022	178263	ENVIRONMENTAL SCIENCE ASSOCIATES	FIRST MILE PROJECT WORK ORDER NO. 1	14,097.50	14,097.50
25822	09/30/2022	00013.11-12	LARRY WALKER ASSOCIATES	PROFESSIONAL SERVICES - WORK ORDER NO. 2	6,893.25	6,893.25
25818	09/30/2022	51910	CALCON	ELECTRICAL, INSTRUMENTATION, AND MAINTENANCE SERVICES - OLEPS	3,037.50	6,690.22
25818	09/30/2022	51944	CALCON	ELECTRICAL, INSTRUMENTATION, AND MAINTENANCE SERVICES - OLEPS	937.50	
25818	09/30/2022	51945	CALCON	ELECTRICAL, INSTRUMENTATION, AND MAINTENANCE SERVICES - SKYWEST	450.00	
25818	09/30/2022	51907	CALCON	MDF SBS BUILDING HEATING UPGRADE	1,751.18	
25818	09/30/2022	51909	CALCON	MDF REPLACEMENT PLC ETHERNET CARD	514.04	
25829	09/30/2022	9/19/2022	AZYURA	WATERBITS LICENSING AND SMR/EDMR REPORT SERVICES	4,750.00	4,750.00
25827	09/30/2022	11456300	BROWN & CALDWELL	ENGINEERING SERVICES - BRINE ASSESSMENT	2,757.67	2,757.67
25811	09/15/2022	02310	CROPPER ACCOUNTANCY	AUDITING SERVICES	2,250.00	2,250.00
25796	09/15/2022	811595	VANTAGEPOINT	MISSION SQUARE DEFERRED COMPENSATION 09/15/2022	2,156.24	2,156.24
25814	09/30/2022	820189	VANTAGEPOINT	MISSION SQUARE DEFERRED COMPENSATION 09/30/2022	2,156.24	2,156.24
25830	09/30/2022	636458	CALTEST	LAB TESTING SERVICES	2,017.80	2,017.80
25813	09/15/2022	037	CURRIE ENGINEERS	PROJECT / CONSTRUCTION MANAGER SERVICES - WORK ORDER NO. 2	1,507.00	1,507.00
25799	09/15/2022	52205703	CITY OF HAYWARD	BENEFIT PREMIUMS - SEP	1,383.33	1,383.33
25806	09/15/2022	4246044555687627	US BANK	PURCHASING CARD EXPENSES	1,304.58	1,304.58
25801	09/15/2022	1000924858	SCIF	WORKERS COMPENSATION	810.00	810.00
25803	09/15/2022	FB27000	CAROLLO ENGINEERS	ENGINEERING SERVICES - WORK ORDER NO. 4	735.00	735.00
25819	09/30/2022	T143673	BAAQMD	PERMIT TO OPERATE MDF	442.00	442.00
25810	09/15/2022	10110000001	EBMUD	WATER & SEWER, MDF	328.37	328.37
25805	09/15/2022	8368	CAYUGA INFORMATION SYSTEMS	IT SERVICES	210.00	210.00
25812	09/15/2022	CD_000453748	RINGCENTRAL INC	DIGITAL PHONE SERVICE	207.01	207.01
25817	09/30/2022	510-483-0439-716-6	AT&T	TELEPHONE SERVICE - MDF	203.19	203.19

EAST BAY DISCHARGERS AUTHORITY

List of Disbursements

September 2022

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25809	09/15/2022	51445	COMPUTER COURAGE	WEBSITE HOSTING - SEP	150.00	191.25
25809	09/15/2022	51480	COMPUTER COURAGE	GENERAL WEBSITE UPDATES	41.25	
25804	09/15/2022	3105690418	PITNEY BOWES INC	QUARTERLY LEASING CHARGE FOR DIGITAL MAILING SYSTEM	150.55	150.55
25816	09/30/2022	44777800001	EBMUD	WATER SEWER, ADMIN	128.57	128.57
25808	09/15/2022	2092457	ALPHA ANALYTICAL LABORATORIES	LAB SAMPLES FOR SKYWEST	85.00	85.00
25826	09/30/2022	2093454	ALPHA ANALYTICAL LABORATORIES	LAB SAMPLES FOR SKYWEST	85.00	85.00
25820	09/30/2022	126	TG'S BACKFLOW SERVICE	TEST & INSPECT BACKFLOW ASSEMBLY @ MDF	85.00	85.00
25831	09/30/2022	3581596	CALTRONICS	COPIER USAGE AND MAINTENANCE	82.79	82.79
25802	09/15/2022	9914743941	VERIZON WIRELESS	WIRELESS PHONE SERVICES	62.08	62.08
25821	09/30/2022	9915593650	VERIZON WIRELESS	MODEM FOR SCADA	22.02	22.02
TOTAL CHECK PAYMENTS					483,283.19	483,283.19
ELECTRONIC PAYMENTS						
	09/06/2022		PG&E	GAS & ELECTRIC SERVICE	37,258.72	37,258.72
	09/02/2022	100000016905471	CALPERS	HEALTH PREMIUMS - SEP	7,198.00	7,198.00
	09/20/2022	100000016834365	CALPERS	PENSION CONTRIBUTION, CLASSIC 9/1 - 15/2022	4,975.51	4,975.51
	09/02/2022	100000016864993	CALPERS	PENSION CONTRIBUTION, CLASSIC 8/16 - 31/2022	4,975.51	4,975.51
	09/20/2022	100000016834377	CALPERS	PENSION CONTRIBUTION, PEPRA 9/1 - 15/2022	162.45	162.45
	09/02/2022	100000016865026	CALPERS	PENSION CONTRIBUTION, PEPRA 8/16 - 31/2022	162.45	162.45
TOTAL ELECTRONIC PAYMENTS					54,732.64	54,732.64
PAYROLL						
	9/29/2022		ADP, LLC	PAYROLL PERIOD: 09/16-30/2022	25,163.50	25,163.50
	9/14/2022		ADP, LLC	PAYROLL PERIOD: 09/01-15/2022	23,058.88	23,058.88
	9/30/2022		ADP, LLC	PAYROLL FEES, 09/01-15/2022	77.30	77.30
	9/9/2022		ADP, LLC	PAYROLL FEES, 09/16-30/2022	77.30	77.30
TOTAL PAYROLL					48,376.98	48,376.98
TOTAL DISBURSEMENTS					586,392.81	586,392.81

ITEM NO. FM5 PRELIMINARY TREASURER'S REPORTS FOR SEPTEMBER 2022

The beginning cash balance on September 1, 2022 was \$5,607,126.89. Total receipts for the month of September were \$253,786.58 and disbursements totaled \$586,392.81, bringing the cash balance to \$5,274,520.66 at September 30. EBDA's LAIF balance is \$3,771,626.54 and the average monthly effective yield for September was 1.513%.

EBDA currently has a two-pronged investment approach that includes Local Agency Investment Fund (LAIF) and traditional bank accounts.

Approval is recommended.

**EAST BAY DISCHARGERS AUTHORITY
PRELIMINARY
TREASURER'S REPORT
September 30, 2022**

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	1,844,317.61	110,483.50	277,429.87	1,677,371.24
13	PLANNING & SPECIAL STUDIES	535,265.42	44,763.50	173,532.00	406,496.92
14	RECLAMATION O & M (SKYWEST)	84,797.55		3,691.60	81,105.95
15	BRINE ACCEPTANCE	164,839.94	98,539.58	126,110.92	137,268.60
31	RENEWAL & REPLACEMENT	2,977,906.37		5,628.42	2,972,277.95
TOTALS		5,607,126.89	253,786.58	586,392.81	5,274,520.66

Sep-22

10/12/2022

SUPPLEMENTAL TREASURERS REPORT

DATE	TRANSACTION	RECEIPT	DISBURSEMENT CHECKING	DISBURSEMENT PAYROLL	PAYROLL TRANSFER	LAIF TRANSFER	WELLS FARGO CHECKING BALANCE	WELLS FARGO PAYROLL BALANCE	LAIF BALANCE	TOTAL CASH
08/31/22	BALANCE						2,247,095.38	88,404.97	3,271,626.54	5,607,126.89
09/01/22	DEPOSIT - DSRSD	20,000.00					2,267,095.38	88,404.97	3,271,626.54	5,627,126.89
09/02/22	ELECTRONIC BILL PAY		162.45				2,266,932.93	88,404.97	3,271,626.54	5,626,964.44
09/02/22	ELECTRONIC BILL PAY		4,975.51				2,261,957.42	88,404.97	3,271,626.54	5,621,988.93
09/02/22	ELECTRONIC BILL PAY		7,198.00				2,254,759.42	88,404.97	3,271,626.54	5,614,790.93
09/06/22	ELECTRONIC BILL PAY		37,258.72				2,217,500.70	88,404.97	3,271,626.54	5,577,532.21
09/07/22	DEPOSIT - CSL	155,247.00					2,372,747.70	88,404.97	3,271,626.54	5,732,779.21
09/09/22	PAYROLL FEES			77.30			2,372,747.70	88,327.67	3,271,626.54	5,732,701.91
09/14/22	PAYROLL			23,058.88			2,372,747.70	65,268.79	3,271,626.54	5,709,643.03
09/15/22	DISBURSEMENT		164,661.23				2,208,086.47	65,268.79	3,271,626.54	5,544,981.80
09/20/22	ELECTRONIC BILL PAY		4,975.51				2,203,110.96	65,268.79	3,271,626.54	5,540,006.29
09/20/22	ELECTRONIC BILL PAY		162.45				2,202,948.51	65,268.79	3,271,626.54	5,539,843.84
09/23/22	PAYROLL FEES			77.30			2,202,948.51	65,191.49	3,271,626.54	5,539,766.54
09/28/22	DEPOSIT - CARGILL	78,539.58					2,281,488.09	65,191.49	3,271,626.54	5,618,306.12
09/28/22	LAIF TRANSFER					500,000.00	1,781,488.09	65,191.49	3,771,626.54	5,618,306.12
09/29/22	PAYROLL			25,163.50			1,781,488.09	40,027.99	3,771,626.54	5,593,142.62
09/30/22	DISBURSEMENT		318,621.96				1,462,866.13	40,027.99	3,771,626.54	5,274,520.66

TOTAL	253,786.58	538,015.83	48,376.98	-	500,000.00	1,462,866.13 ^①	40,027.99 ^②	3,771,626.54 ^③	5,274,520.66
CURRENT BALANCE									

Reconciliation

① Per Bank Statement @ 9/30/22	\$ 1,785,375.09
Less: Outstanding Checks	322,508.96
	\$ 1,462,866.13
② Per Bank Statement @ 9/30/22	\$ 40,027.99
③ Per LAIF Statement @ 9/30/22	\$ 3,771,626.54

The Supplemental Treasurer's Report is prepared monthly by the General Manager. It also serves as EBDA's cash and investments reconciliation.

ITEM NO. FM6 MEMBER AGENCY CREDIT ALLOCATIONS FOR FISCAL YEAR 2021/2022 AND EBDA RESERVE POLICY REVIEW

Recommendation

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

Background

As presented to the Committee in September 2022, EBDA's annual expenses for Fiscal Year 2021/2022 were under budget. Accounting for the \$188k that was carried over for Special Studies projects that are still underway, approximately \$707k was collected from the Member Agencies and not spent.

The Commission's direction at the September meeting was to hold these funds in EBDA reserve. However, in the intervening weeks, agencies have requested that the Commission reconsider this approach in terms of its consistency with EBDA's Emergency Reserves Policy (see attached).

Discussion

The table below shows the amounts owed by each agency for FY 2021/2022 Operations & Maintenance (O&M) and Special Studies, as well as the amounts collected. The difference, plus revenues received from other sources, is the credit accruing to each agency. Costs associated with the Cargill project, for which Cargill has reimbursed the Authority, have been deducted from the O&M expenses. Each Member Agency will be receiving a memo detailing their FY 2021/2022 payments and credits.

	San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA	Total
Total O&M Expenses	\$ 165,520.28	\$ 447,650.28	\$ 198,994.22	\$ 455,590.76	\$ 1,095,397.51	\$ 493,500.81	\$ 2,856,653.85
Total O&M Paid	\$ 225,192.38	\$ 527,143.26	\$ 247,494.52	\$ 551,637.06	\$ 1,343,680.46	\$ 646,209.12	\$ 3,541,356.80
O&M Balance	\$ (59,672.10)	\$ (79,492.98)	\$ (48,500.30)	\$ (96,046.30)	\$ (248,282.95)	\$ (152,708.31)	\$ (684,702.95)
Total Special Studies Expenses	\$ 96,903.73	\$ 148,506.11	\$ 70,248.46	\$ 295,015.17	\$ 414,369.53	\$ 295,279.82	\$ 1,320,322.82
Total Special Studies Paid	\$ 99,825.36	\$ 152,552.26	\$ 74,504.50	\$ 289,294.66	\$ 450,471.66	\$ 284,476.80	\$ 1,351,125.24
Special Studies Balance	\$ (2,921.63)	\$ (4,046.15)	\$ (4,256.04)	\$ 5,720.51	\$ (36,102.13)	\$ 10,803.02	\$ (30,802.42)
Other O&M Revenue	\$ (5,500.00)	\$ (553.45)	\$ (296.67)	\$ (426.31)	\$ (1,216.59)	\$ (880.48)	\$ (8,873.50)
Share of R&R Fund	\$ 857.46	\$ -	\$ -	\$ -	\$ -	\$ 15,974.44	\$ 16,831.90
Total Available Credit	\$ (67,236.27)	\$ (84,092.57)	\$ (53,053.00)	\$ (90,752.10)	\$ (285,601.68)	\$ (126,811.34)	\$ (707,546.97)

While the Preliminary Fourth Quarter Expense Report approved by the Commission in September 2022 was correct, the associated staff report incorrectly indicated that approximately \$1.4 million would be available as unspent FY 2021/2022 budget. That value reflected revenues from Cargill without accurately accounting for the expenses those revenues were intended to offset. The correct value is just over \$700k, as shown above.

In November 2021, the Commission adopted the Emergency Reserves Policy. The Policy adopted a reserve dollar value that each Member Agency and LAVWMA was responsible for, adding to \$1.25 million as follows.

Agency Allocations					
San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA
13.74%	19.14%	10.30%	14.72%	42.10%	26.10%
\$ 126,923	\$ 176,806	\$ 95,146	\$ 135,976	\$ 388,899	\$ 326,250

The Policy then states that each Member Agency shall have the option to:

- a) deposit its share of funds with EBDA to be managed in an Authority reserve fund, or
- b) to clearly identify within their Agency's capital reserves, a line item for EBDA that is equal to the Agency's allocation.

Holding all unspent funds from FY 2021/2022 in EBDA reserves, as recommended by the Committee last month, may be interpreted as inconsistent with this policy, in that it does not permit each agency to make its own determination on whether to hold funds with EBDA or in its own accounts. Staff is seeking Committee and Commission direction on the following options:

- Maintain recommendation. One interpretation of the adopted Emergency Reserves Policy is that it deals with a specific amount and use of reserves, and use of unspent budget for supplementing reserves can be a separate decision process.
- Permit each Member Agency to make its own decision as to whether to have EBDA hold their unspent funds in reserve or to receive the unspent funds back as a credit on their next FY 2022/2023 EBDA invoice.
- Revise the Emergency Reserves Policy to specifically address the use of unspent funds and/or to adjust reserve amounts and processes.

POLICY NUMBER: 1.8

NAME OF POLICY: Finance – Emergency Reserves

LAST REVISED: November 18, 2021

PREVIOUSLY REVISED: NA

PURPOSE: The purpose of the Finance – Emergency Reserves Policy is to ensure that EBDA will reliably and expeditiously be able to access funds in the event of an emergency.

POLICY: Each member of the EBDA Joint Powers Authority is financially responsible for its share of EBDA's expenses and liabilities, as laid out in EBDA's Amended and Restated Joint Exercise of Powers Agreement (JPA). As such, the Member Agencies serve as a financial backstop for EBDA, and it is key to EBDA's continued efficacy that EBDA be able to efficiently access Member Agency funds in the event of an emergency.

It is the policy of the Authority that each Member Agency and LAVWMA shall retain in its reserves sufficient assets to provide emergency funding to EBDA in the event that the Authority's required expenditures exceed available funds. Such a request may be made, for example, if significant emergency repairs to Authority infrastructure are required as a result of an unforeseen event such as an earthquake.

Section 10(c)(5) of EBDA's Amended and Restated JPA governs "Allocation of Costs of Repairing Failure of the Transport System," and states:

"Depending on the extent of the Failure, it is likely that the Authority will not have sufficient funds in its reserve to pay for the repairs or abandonment and will require funds from the financially responsible Agencies, based on the allocations set forth above, in advance of performing any repair or abandonment. The Authority need not exhaust its reserve before requiring advance payment as described in this subsection."

Similarly, the Amended and Restated Master Agreement with LAVWMA states:

"LAVWMA is responsible for its share of costs for any capital project that is intended to replace or repair any EBDA facility, except those costs

specifically associated with UEPS, HEPS and their associated force main sections, as well as facilities owned by the City of San Leandro.”

To ensure that EBDA can rapidly and effectively address a Failure of the Transport System or any other emergency affecting EBDA infrastructure for which expenses exceed available funds, each Member Agency and LAVWMA commits to providing EBDA with access to the Agency’s share of \$1,250,000 within 30 days of the Authority’s request.

Agencies’ shares of the emergency funding shall be derived based on JPA Schedule B (Fixed Costs) as follows:

Agency Allocations					
San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA
13.74%	19.14%	10.30%	14.72%	42.10%	26.10%
\$ 126,923	\$ 176,806	\$ 95,146	\$ 135,976	\$ 388,899	\$ 326,250

The above allocations govern reserve requirements. Actual costs will be allocated per the appropriate schedule, depending on the asset(s) affected. Revenues from federal or state sources, when available, will also be used to offset Member Agencies’ obligations during an actual emergency.

Each Member Agency shall have the option to:

- a) deposit its share of funds with EBDA to be managed in an Authority reserve fund, or
- b) to clearly identify within their Agency’s capital reserves, a line item for EBDA that is equal to the Agency’s allocation.

The Member Agencies and LAVWMA commit to complying with this Policy on an ongoing basis beginning July 1, 2022. On or by August 1 of each year, each Agency retaining funds in its own accounts shall provide EBDA with a statement confirming that an EBDA line item remains allocated in their reserves.

Agencies that do not comply with this Policy are subject to the conflict resolution remedies identified in the JPA and LAVWMA Master Agreement.



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
FAX (510) 278-6547

A Joint Powers Public Agency

NOTICE: In compliance with AB 361 (2021), the meeting scheduled below will be conducted virtually via Zoom video conferencing.

- Members of the public may participate in the meeting by clicking on the following Zoom link: <https://us02web.zoom.us/j/83944888857>
- You may also participate via telephone by dialing 1(669) 900-6833 and entering Meeting ID number 839 4488 8857.

ITEM NO. 13

OPERATIONS & MAINTENANCE COMMITTEE AGENDA

Monday, October 17, 2022

9:00 A.M.

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

Committee Members: Johnson (Chair); Cutter

OM1. Call to Order

OM2. Roll Call

OM3. Public Forum

OM4. EBDA Permit Compliance

(The Committee will be updated on EBDA's NPDES compliance.)

OM5. Status Report

(The Committee will be updated on EBDA's O&M activities.)

OM6. 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, contact Juanita Villasenor at juanita@ebda.org or (510) 278-5910. 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.

Agenda Explanation
East Bay Dischargers Authority
O&M Agenda
October 17, 2022

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 O&M Committee meeting will be held
Monday, November 14, 2022, at 9:00 a.m.**

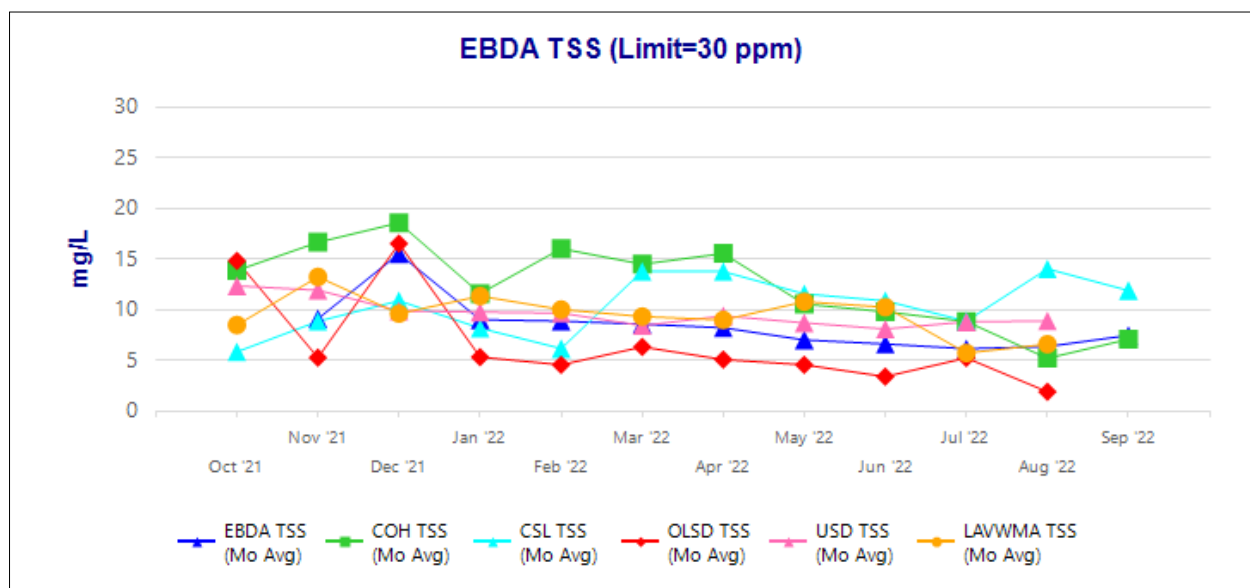
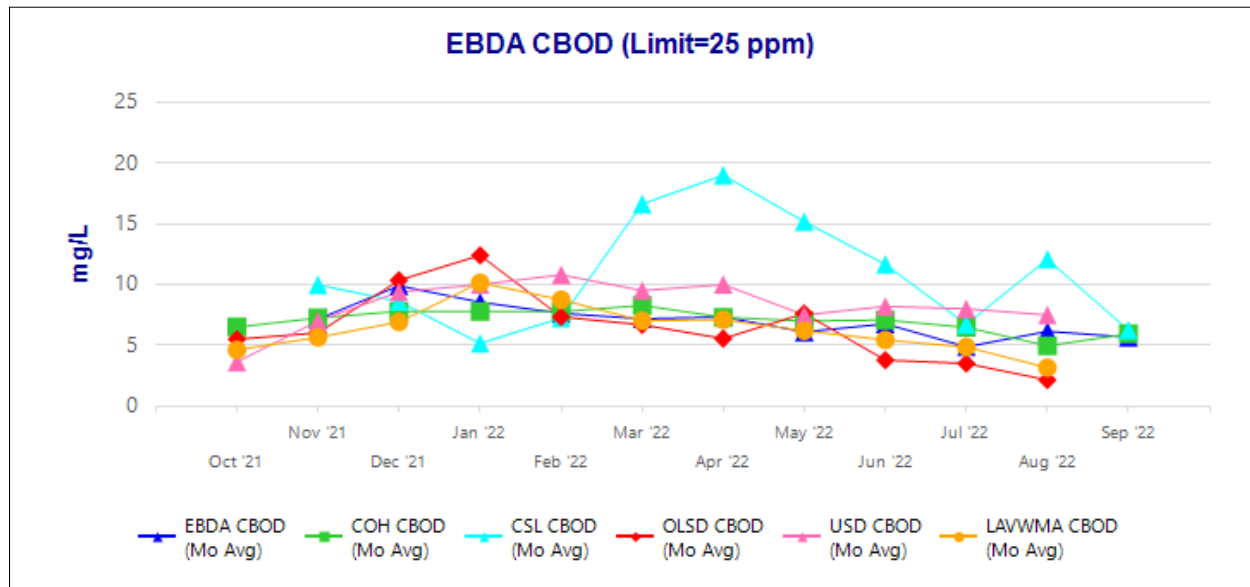
ITEM NO. OM4 EBDA PERMIT COMPLIANCE

Recommendation

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

Discussion

EBDA's new NPDES permit went into effect on September 1, 2022. There were no NPDES permit violations in August, and preliminary data from September are also free of permit exceedances. Member Agency CBOD and TSS performance are shown below. A table with bacterial indicators is also included.



EBDA Bacterial Indicators

Date	FECAL	ENTERO
	MPN/ 100mL	MPN/ 100mL
Permit Expiring Aug 31, 2022		
Limit (90th Percentile)	1100	
Limit (Geomean)	500	240
Permit Beginning September 1, 2022		
Limit (90th Percentile)	1100	1100
Limit (Geomean)	500	280
November 2021 Geomean	13	8
December 2021 Geomean	22	8
January 2022 Geomean	4	2
February 2022 Geomean	6	6
March 2022 Geomean	7	4
April 2022 Geomean	2	7
May 2022 Geomean	5	48
June 2022 Geomean	5	57
July 2022 Geomean	20	6
8/1/2022	23	6
8/2/2022	11	31
8/3/2022	8	< 2
8/8/2022	7	8
8/9/2022	170	15
8/15/2022	13	19
8/16/2022	33	46
8/22/2022	5	15
8/23/2022	240	2407
8/29/2022	2	38
8/30/2022	4	1226
August 2022 Geomean	15	34
9/5/2022	170	19
9/6/2022	1100	8
9/7/2022		34
9/12/2022	4	10
9/13/2022	13	63
9/14/2022		15
9/19/2022	22	51
9/20/2022	350	37
9/26/2022	13	24
9/27/2022	13	115
September 2022 Geomean	43	28

ITEM NO. OM5 STATUS REPORT

Union Effluent Pump Station (UEPS)

No change; all equipment is operational.

Hayward Effluent Pump Station (HEPS)

Effluent Pump Replacement Project

The Notice Inviting Bids for this project was advertised on October 4 and 11, 2022, a pre-bid conference is scheduled for October 18, 2022, at HEPS and the bids are due on November 15, 2022.

Oro Loma Effluent Pump Station (OLEPS)

Wet Well Preventative Maintenance Activities

During the weeks of September 26th and October 3rd, staff coordinated with the OLSD Operations and Maintenance Departments to isolate and pump down the North and South wet wells at OLEPS to facilitate preventative maintenance activities.

While the wet wells were pumped down, the OLSD Maintenance Department performed confined space entries to inspect the heat exchangers on the No. 2 and 3 Effluent Pumps. The heat exchangers were found to be in good condition. Staff would like to thank the OLSD Operations and Maintenance Departments for their assistance completing these preventative maintenance activities.

Effluent Pump No. 2 Inlet Gate

In the process of completing the preventative maintenance activities described above, the Effluent Pump No. 2 Inlet Gate got stuck in the closed position when the actuator drive threads failed. OLSD Maintenance staff disassembled the gate actuator, opened the gate using the OLEPS Bridge Crane, and sent the old actuator part out to have a new one custom fabricated. With the Bridge Crane holding the Inlet Gate open, the pump is fully operational and ready for wet weather.

Emergency Outfall Upgrade

Carollo Engineers (Carollo) completed an evaluation of the OLEPS emergency outfall to determine the outfall's maximum capacity and whether modifications to the outfall weir would increase system detention time and delay or prevent an unanticipated bypass in the event of a catastrophic failure at OLEPS. Carollo recommended that the existing lumber weir be replaced with a permanent concrete weir at an increased elevation. On September 16, 2022, Carollo Engineers completed the drawing and specifications that will be used for construction of the new elevated weir. Staff plans to request bids for this project next month.

Main Electrical Switchboard Upgrade

There are two outstanding items that still need to be addressed prior to completing the OLEPS Main Electrical Switchboard Upgrade Project. Schneider Electric, the project contractor, must fabricate and install new blanks or spacers to cover the space between the new breakers and the front panels. Schneider Electric also needs to issue a credit of approximately \$4,800 to reimburse EBDA for expenses incurred during the June 23, 2022, shutdown that was cancelled due to their oversights.

Skywest Pump Station

Recycled Water Production

During the month of September 2022, the Skywest Recycled Water System operated for two days and produced 1.0 million gallons of recycled water.

Marina Dechlorination Facility (MDF)

Sodium Bisulfite (SBS) Storage Building Heating System Replacement

The SBS Storage Building is heated because the chemical SBS will crystalize in cold temperatures. One of the heaters in the SBS Building recently failed, and staff recommended a project to replace both heaters and the heating control system. The Commission approved the project as part of the FY 2022/2023 Renewal and Replacement Fund project list. On September 19, 2022, B.A. Morrison, EBDA's HVAC contractor, installed the two new heaters in the SBS Storage Building at MDF. Calcon, EBDA's electrical and instrumentation contractor, assisted with the integration to the new heating control system. The new heaters are operational and the last item to be completed is to connect the new heating system to the SCADA system.

Force Main

No change; all equipment is operational.

Operations Center

No change; all equipment is operational.

Miscellaneous Items

Underground Service Alerts

EBDA received eleven (11) Underground Service Alert (USA) tickets during the month of September 2022. Five required an Electronic Positive Response (EPR), and of the five, two required calls/emails to the excavators, and three required field verification.

COVID-19 Response

All EBDA staff members are fully vaccinated and boosted. Staff will continue to work with the Commission to determine, on a month-to-month basis, whether Commission and Committee meetings will continue to be conducted via Zoom or whether to resume in-person meetings. To continue conducting remote meetings, the Commission must adopt a resolution compliant with AB 361 – see Item No. 8.

EBDA Vehicle

On September 16, 2022, a Purchase Order was submitted to National Auto Fleet Group for EBDA's new F-150 Truck. On September 26, 2022, staff traded in EBDA's 2008 Ford Ranger for \$9,100. Due to the high trade-in value, it was necessary to trade-in the truck as soon as possible before the trade-in value was reduced. The new F-150 is on order, and EBDA is waiting for an estimated delivery date from Ford.

Special Projects

Roof Replacement Projects

On September 26, 2022, the Agreement with Garland/DBS, Inc. for the roof replacements at the EBDA Administration Building, the MDF Sodium Bisulfite (SBS) Storage Building, and OLEPS was signed. The contractor is planning on starting the project in two to four weeks.

Cargill Brine Project

Staff is continuing to work with the Authority's CEQA consultant, Ascent Environmental, on preparation of the Environmental Impact Report (EIR) for the project. A draft of the EIR is currently undergoing internal review, and staff expects to release it for public comment this Fall. Information about the project and the CEQA process are being kept up to date here: <https://ebda.org/projects/cargill-partnership/>.

Staff has begun negotiations with Cargill on a Project Development and Operating Agreement, which would be brought to the Commission for consideration coincident with EIR certification, likely in Spring 2023. A draft technical addendum has been developed that outlines water quality limitations and monitoring requirements to ensure EBDA's continued compliance with our NPDES permit once brine discharge commences. The addendum will also include a corrosion monitoring plan, with triggers for action if accelerating corrosion is observed.

Advanced Quantitative Precipitation Information (AQPI) Project

The regional AQPI project continues to move forward with a goal of improving prediction of rainfall events in the Bay Area. Installation of the radar at Rocky Ridge has faced some additional delays relating to contractor approval by American Tower, who controls the Rocky Ridge site via lease from EBMUD. A new contractor has now been identified, and the team is awaiting American Tower's approval. The installation is now estimated for this Fall.

ITEM NO. 14 ITEMS FROM THE COMMISSION AND STAFF

The Commission and staff may comment on items of general interest.

ITEM NO. 15 ADJOURN IN MEMORY OF FARID RAMEZANZADEH

The Commission adjourns in memory of Farid Ramezanzadeh, City of Hayward Public Works Department Laboratory Supervisor. Farid began working for the City as a Lab Supervisor in April 2003, and held that position for almost 20 years. He was a warm and kind person and was a key member of EBDA's lab team, supporting NPDES permit compliance. Farid had a positive attitude and infectious smile, and he always made himself available to help colleagues. He was a dedicated public servant, and he will be missed by the EBDA community.

Colleagues and friends through the Bay Area water laboratory community have shared memories and tributes to Farid, and others are invited to do so, at <https://www.kudoboard.com/boards/NN4jYBvq>. Farid's family has requested that in lieu of flowers, donations be made to a favorite cause of Farid's, www.charitywater.org.