



COMMISSION MEETING AGENDA

Thursday, October 17, 2024

4:00 PM

**Oro Loma Sanitary District Boardroom
2655 Grant Avenue, San Lorenzo, CA**

**This meeting will be teleconferenced from the following location:
Hyatt Regency Long Beach, 200 South Pine Avenue, Long Beach, CA**

**Teleconference link: <https://us02web.zoom.us/j/89796898677>
Call-in: 1(669) 900-6833 and enter Webinar ID number: 897 9689 8677**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Public Forum**

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

- MOTION**
- 5. Commission Meeting Minutes of September 19, 2024**
 - 6. List of Disbursements for September 2024 – See Item No. FM4**
 - 7. Treasurer’s Report for September 2024 – See Item No. FM5**

R E G U L A R C A L E N D A R

- INFORMATION**
- 8. General Manager’s Report**
(The General Manager will report on EBDA issues.)
- INFORMATION**
- 9. Report from the Managers Advisory Committee**
(The General Manager will report on Managers Advisory Committee activities.)
- INFORMATION**
- 10. Report from the Regulatory Affairs Committee**
(The General Manager will report on the meeting.)
- INFORMATION**
- 11. Report from the Financial Management Committee**
(The General Manager will report on the meeting.)
- INFORMATION**
- 12. Report from the Operations and Maintenance Committee**
(The Operations & Maintenance and General Managers will report on the meeting.)
- INFORMATION**
- 13. Review of Commissioner Compensation Policy**
(The Commission will discuss any desired updates to the Policy.)

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

15. Adjournment

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

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

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**Next Scheduled Commission meeting is
Thursday, November 21, 2024 at 4:00 pm**

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

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 19, 2024
- Item No. 6 List of Disbursements for September 2024 – See Item No. FM4
- Item No. 7 Treasurer’s Report for September 2024 – See Item No. FM5

Recommendation

Approve Consent Calendar

ITEM NO. 5 COMMISSION MEETING MINUTES OF SEPTEMBER 19, 2024

1. Call to Order

Chair Simon called the meeting to order at 4:00 P.M. on Thursday, September 19, 2024 at the Oro Loma Sanitary District, 2655 Grant Avenue, San Lorenzo, CA 94580.

2. Pledge of Allegiance

3. Roll Call

Present:	Anjali Lathi	Union Sanitary District
	Ralph Johnson	Castro Valley Sanitary District
	Bryan Azevedo	City of San Leandro
	Angela Andrews	City of Hayward
	Fred Simon	Oro Loma Sanitary District

Absent: None

Attendees:	Jacqueline Zipkin	East Bay Dischargers Authority
	Howard Cin	East Bay Dischargers Authority
	Juanita Villasenor	East Bay Dischargers Authority
	Erica Gonzalez	Legal Counsel
	Alex Ameri	City of Hayward
	David Donovan	City of Hayward
	Hayes Morehouse	City of San Leandro
	Jimmy Dang	Oro Loma Sanitary District
	Roland Williams	Castro Valley Sanitary District

4. Public Forum

No requests were made by the public 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 18, 2024

6. List of Disbursements for July 2024

7. List of Disbursements for August 2024

8. Treasurer's Report for July 2024

9. Treasurer's Report for August 2024

10. Personnel Policy Holiday Schedule Revisions

Commissioner Andrews moved to approve the Consent Calendar. The motion was seconded by Commissioner Lathi and passed unanimously.

Ayes: Lathi, Johnson, Azevedo, Andrews, Simon

Noes: None

Absent: None

Abstain: None

REGULAR CALENDAR

11. General Manager's Report

The General Manager (GM) updated the Commission on the Bruce Wolfe Scholarship. This year's recipient is Krystle Catamura, a civil engineering student at UC Davis. The GM also discussed media attention on per- and polyfluoroalkyl substances (PFAS) and the resources available to the Commission. Additionally, the GM noted her participation in the California Association of Sanitation Agencies' interview panel for the Director of Renewable Resources. This position became open with the announcement of Greg Kester's retirement. Finally, the GM reviewed upcoming conference opportunities and her plans to attend WEFTEC and the Danish government's fact-finding information exchange program in Denmark.

12. Report from the Managers Advisory Committee

The GM reported the Managers Advisory Committee (MAC) meeting is taking place on Friday, September 20.

13. Logo Design and EBDA Branded Merchandise

The Commission provided direction to staff for the purchase of EBDA branded merchandise. The Commission supports spending up to \$5,000 and including alternate Commissioners in the apparel order.

14. Report from the Financial Management Committee

The GM reported on the September 16, 2024, meeting of the Financial Management Committee. The Commission reviewed the Preliminary Fourth Quarter Expense Summary for FY 2023/2024. Staff informed the Commission that Fremont Bank has been unresponsive in facilitating EBDA's transition to their bank. In response, Commissioner Toy offered to contact Fremont Bank on behalf of EBDA.

15. Report from the Operations and Maintenance Committee

The Operations and Maintenance (O&M) Manager and GM reported on the September 16, 2024 meeting. The O&M Manager reviewed compliance and bacterial indicators and provided project updates. The GM provided a status update on the Cargill project approval agreement. The Commission requested staff coordinate another tour of the AQPI radar location.

16. Items from Commission and Staff

No items to report from Commission or staff.

17. Adjournment

Chair Simon adjourned the meeting at 4:51 pm.

Jacqueline Zipkin
General Manager

ITEM NO. 8 GENERAL MANAGER'S REPORT

The General Manager will discuss items of interest to EBDA.

ITEM NO. 9 REPORT FROM THE MANAGERS ADVISORY COMMITTEE

**MANAGERS ADVISORY COMMITTEE
AGENDA**

**Friday, October 4, 2024
9:00 am**

Via Zoom

- 1. Nutrients Watershed Permit**
 - a. Early Actor Status and Reporting**
 - b. Data Summary**
 - c. Compliance Schedule Policy**
- 2. Biosolids Updates/Check-in**
- 3. EBDA Commission Agenda**
- 4. Managers Information Sharing**



ITEM NO. 10

REGULATORY AFFAIRS COMMITTEE AGENDA

Tuesday, October 15, 2024

9:00 A.M.

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

Committee Members: Johnson (Chair); Simon

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. Nutrients Data Summary and Regulatory Update
(The Committee will review Member Agency and EBDA nitrogen data and discuss regulatory developments related to nutrients.)

RA6. BACWA Key Regulatory Issues Summary
(The Committee will review BACWA's issues summary.)

RA7. Adjournment

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**Next Scheduled Regulatory Affairs Committee Meeting
December 17, 2024 at 9:00 a.m.**

ITEM NO. RA5 NUTRIENTS DATA SUMMARY AND REGULATORY UPDATE

Recommendation

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

Strategic Plan Linkage

1. **Regulatory Compliance:** Proactively meet or exceed regulatory requirements for protection of the environment and public health.
 - a. Represent EBDA and the Member Agencies' interests by preemptively engaging in development of emerging regulations and permits and advocating for reasonable, science-based decisions.
 - b. Maintain consistent compliance with EBDA's National Pollutant Discharge Elimination System (NPDES) Permit.

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 communities to question whether the Bay's resilience is weakening.

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 the San Francisco Bay Regional Water Quality Control Board (Water Board) staff to negotiate a Watershed Permit for nutrients, which was issued in 2014 and reissued in 2019.

In Summer 2022, a harmful algae bloom caused unprecedented decreases in dissolved oxygen in the Bay, resulting in significant fish kills. 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 regulators, particularly the Water Board, to act quickly to reduce nutrient loads to the Bay, with a goal of preventing or lessening the impact of future blooms. A brief, and thankfully less consequential, recurrence of the bloom

in 2023 amplified that pressure.

EBDA and our partners with BACWA negotiated the [third Watershed Permit](#) for nutrients, which was adopted on July 10, 2024 and became effective on October 1, 2024. The permit relies on modeling to set a Bay-wide target of a 40% reduction in nitrogen loads in ten years. Reductions are then allocated to individual dischargers in the form of effluent limits that would be enforceable in 2035.

The Water Board expressed support for continuing to refine the underlying science and for allowing additional time for multi-benefit projects such as water recycling and nature-based solutions. While the permit does not expressly allow for more time to complete these projects, it states that the Water Board will “consider available regulatory mechanisms to provide more time to comply.” A new section was also added to the permit at EBDA’s request, recognizing early actors that have already completed or begun construction or implementation of projects to reduce total inorganic nitrogen discharges to San Francisco Bay. For these dischargers, the permit contains the same language regarding the Water Board considering available regulatory mechanisms to provide more time to comply.

In conjunction with adopting the permit, the Regional Water Board also adopted a [Resolution](#) directing staff to:

- a) evaluate the feasibility of amending the Compliance Schedule Policy to provide more time for multi-benefit projects or innovative technologies;
- b) compare the pros, cons, and timelines needed to pursue other available regulator mechanisms to provide more time, as warranted, particularly for multi-benefit projects; and
- c) report to the Board on its findings.

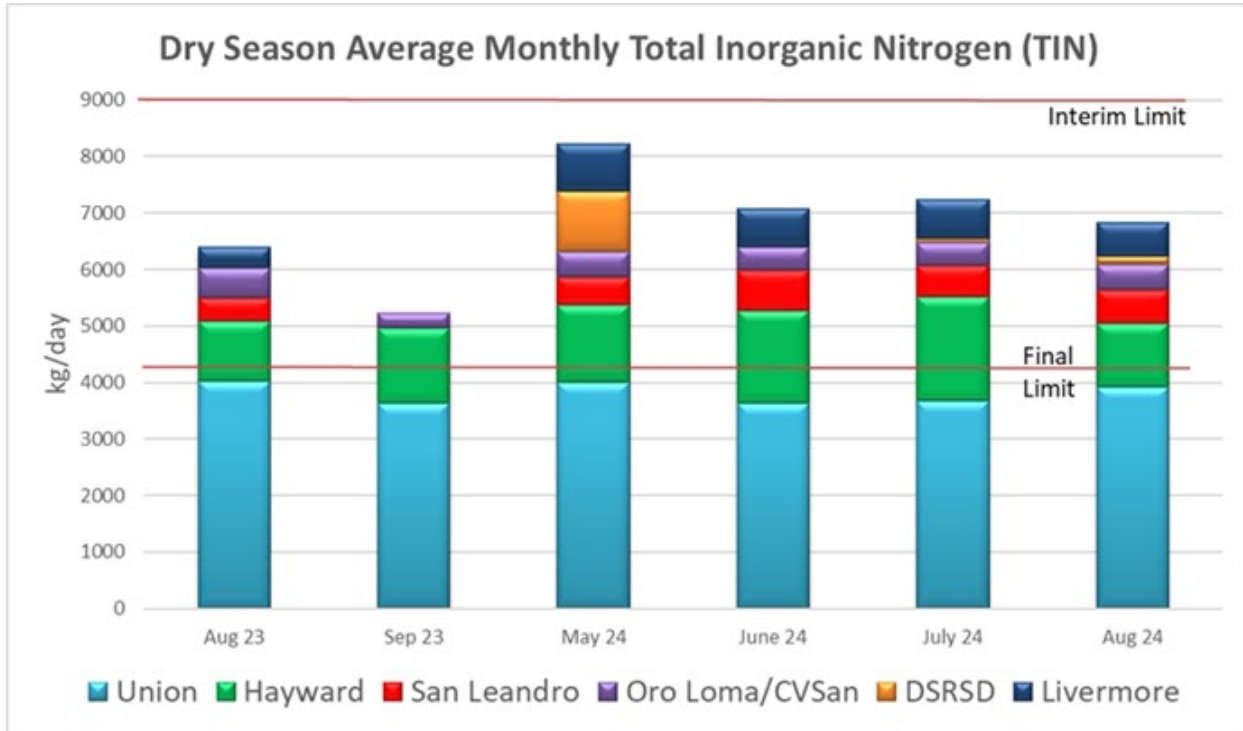
Discussion

Since adoption of the permit and Resolution, EBDA staff, along with BACWA partners, have had several productive meetings with the Regional Water Board’s Chair and Executive Officer regarding updates to the Compliance Schedule Policy, and the process for amendments is beginning to move forward.

Per the Commission’s request, the following graph presents data summarizing total inorganic nitrogen (TIN) discharges for the EBDA and LAVWMA member agencies. The Watershed Permit includes an interim limit for EBDA, which is now in effect, of 9000 kg/day TIN as a dry season average. The final dry season average limit of 4200 kg/day TIN takes effect in the 2034 dry season. Allocations for the individual agencies to meet EBDA’s limit have not yet been determined.

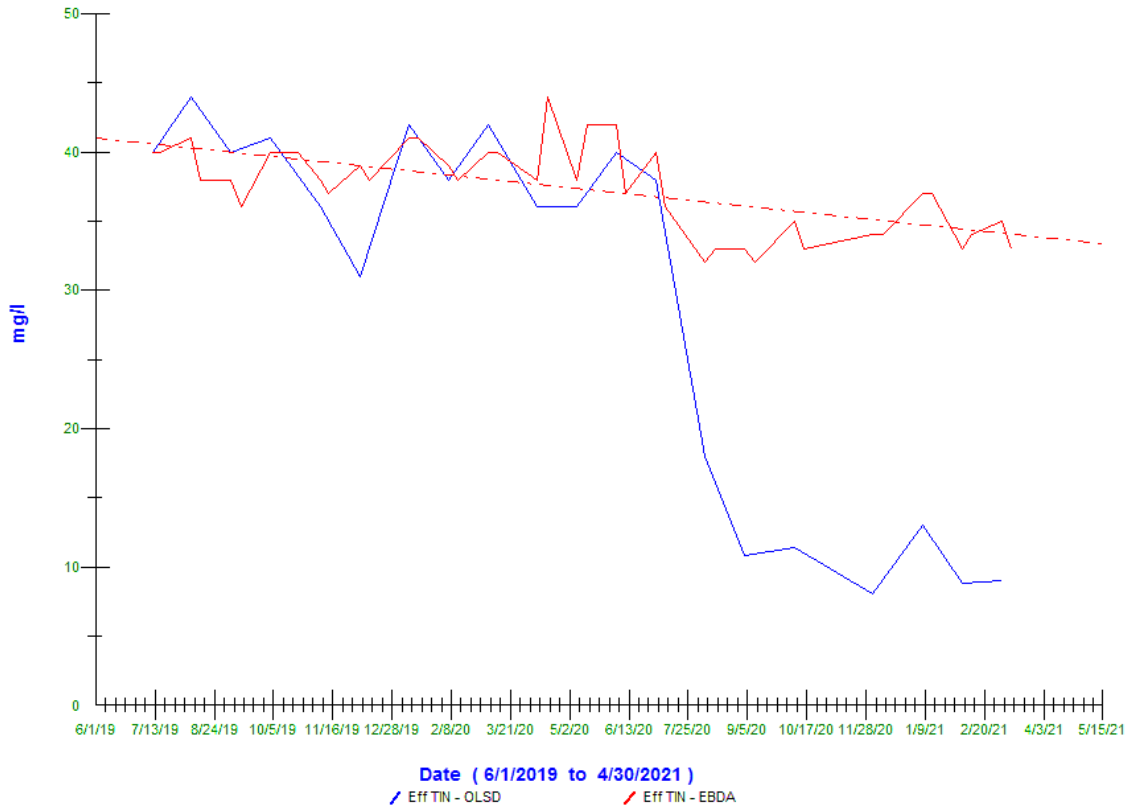
Staff notes that historically, different agencies have monitored nitrogen compounds at different frequencies, so some data sets are less complete. In particular, where no loads are shown for San Leandro, DSRSD, or Livermore, that means that data was unavailable, not that loads were zero. Going forward, all agencies have agreed to increase monitoring,

so the data sets will become more consistent over time. Staff recommends that the Commission review this data annually, given that the limit is measured on a dry season average basis.



As agencies' nutrient reduction projects are complete, staff expects to see step changes in loading. As an illustration, the blue line on the following graph shows TIN concentration in effluent from the Oro Loma/Castro Valley Treatment Plant before and after their Nutrient Optimization Project went online in 2020. The red line shows EBDA's effluent TIN concentration over the same period.

Effluent Total Inorganic Nitrogen (TIN) Concentration



Beginning in April 2025, all dischargers under the Watershed Permit are required to begin reporting on actions they are taking toward compliance with the permit. Agencies that have not yet begun nutrient reduction projects are required to identify alternatives in 2025, perform an Alternatives Analysis by 2026, and submit a Compliance Plan in 2027. Because EBDA is considered an “Early Actor,” having already begun nutrient reduction before the start of this permit, EBDA is instead required to report annually on the status of our projects. EBDA’s annual reports will have a section for each contributing treatment plant detailing the status of their nutrient reduction efforts.

ITEM NO. RA6 BACWA KEY REGULATORY ISSUES SUMMARY

Recommendation

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

Strategic Plan Linkage

2. **Regulatory Compliance:** Proactively meet or exceed regulatory requirements for protection of the environment and public health.
 - a. Represent EBDA and the Member Agencies' interests by preemptively engaging in development of emerging regulations and permits and advocating for reasonable, science-based decisions.
 - c. Ensure compliance with non-NPDES permits and regulatory requirements, including air quality and hazardous waste.
 - e. Track and share scientific and regulatory developments related to emerging contaminants, and advocate for source control.

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 4, 2024

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

Contents	Page		
Nutrients in San Francisco Bay	1	Sanitary Sewer Systems General Order	10
SF Bay Nutrient Watershed Permit	2	Laboratory Accreditation	11
Chlorine Residual Compliance	3	Biosolids	12
Pesticides	4	Climate Change Adaptation	13
Mercury and PCBs	5	Climate Change Mitigation	14
State Water Board Toxicity Provisions	6	Toxic Air Contaminants	15
Compounds of Emerging Concern (CECs)	7	Best Available Control Technology	16
Microplastics	8	Recycled Water	17
Per- and Polyfluoroalkyl Substances (PFAS)	9	Acronyms	18

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 FY25, BACWA is contributing \$2.2M to fund scientific research by the NMS science team, fulfilling a requirement of the 2024 Watershed Permit. The focus of current scientific efforts is improving model representation of biogeochemistry, light attenuation, dissolved oxygen, and harmful algal bloom dynamics. The science team is also developing an Assessment Framework for Open Bay habitats and Lower South Bay sloughs. In summer 2022, a harmful algae bloom in San Francisco Bay brought increased public attention to this topic. A smaller bloom recurred in summer 2023. In both cases, the NMS science team modified the science plan to conduct monitoring and assist with 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 via the Nutrient Surcharge. Continue to work with NMS scientists to obtain summaries of scientific accomplishments 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 FY25 Science Program Plan Materials https://drive.google.com/file/d/1zqgZiJSPOy9oU4iiNxQeQ0R5ivcgjEsQ</p> <p>Baywise https://baywise.org/about-wastewater-infrastructure/understanding-algal-blooms/</p> <p>NMS Work Products https://sfbaynutrients.sfei.org/books/reports-and-work-products</p> <p>Real-Time Satellite Data on Harmful Algae Blooms https://fhab.sfei.org/</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 Nutrient Watershed Permit was first adopted in 2014. It required effluent monitoring and a regional study on Nutrient Treatment by Optimization and Upgrades, completed in 2018. • The 2019 Nutrient Watershed Permit required continued monitoring and reporting of nutrient loads, significantly increased funding for scientific studies, and completion of a regional assessment of nutrient diversions through nature-based systems and recycled water, completed in 2023. • The Nutrient Watershed Permit was reissued in 2024 and requires: <ul style="list-style-type: none"> ○ Continued individual POTW nutrient monitoring and reporting; ○ Continued funding for science; ○ Effective in the 2025 dry season, interim performance-based effluent limits for Total Inorganic Nitrogen (TIN); ○ Effective in the 2035 dry season, final water quality-based effluent limits for TIN; ○ Continued group annual reporting for each water year (Oct. 1 – Sep. 30), with additional reporting related to the permit's 10-year compliance schedule; ○ Recognition of “early actors” that began implementing nutrient removal projects before the permit's effective date of October 1, 2024; ○ Completion of a regional planning study. 	<ul style="list-style-type: none"> • Through the nutrient surcharge levied on permittees, BACWA will fund compliance with the following provisions of the 2024 Nutrient Watershed Permit behalf of its members: <ul style="list-style-type: none"> ○ Group Annual Reporting, including compliance schedule reporting ○ Funding for scientific studies ○ Completion of a regional planning study • The final effluent limits in the 2024 Nutrient Watershed Permit are 40% lower than actual loads from the 2022 dry season, when San Francisco Bay experienced a harmful algae bloom. The Regional Water Board prepared a memo describing the translation of nutrient modeling scenarios of the 2022 algae bloom into numeric water quality-based effluent limits (see link at right). • The permit contains a 10-year compliance schedule for complying with the final effluent limits. Some agencies will have difficulty meeting this deadline due to the magnitude and complexity of implementing nutrient reduction projects. • To address this challenge, the Regional Water Board is working to identify a regulatory mechanism to extend the compliance schedule beyond 10 years where necessary. This commitment is outlined in a Board resolution (see link at right) and likely require a change in the State Water Board compliance schedule policy. 	<ul style="list-style-type: none"> • By early 2024, POTWs must identify their preliminary alternatives for meeting final effluent limits, per Table 5 of the Nutrient Watershed Permit. “Early actors” and plants without final effluent limits are exempt from this requirement. • Work with Regional Water Board staff and other stakeholders to identify a regulatory mechanism for extending compliance schedules beyond 10 years. Preliminary work is focusing on possible edits to the State’s 2008 Compliance Schedule Policy. • Develop and release an RFP for consultant support for Group Annual Reporting and a Regional Planning Study. The RFP is expected to be released in September 2024. • Agencies will continue to report nutrient monitoring data both through CIWQS and directly to BACWA. 	<p>2024 Nutrient Watershed Permit: https://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2024/R2-2024-0013.pdf</p> <p>Regional Water Board Resolution on Extending Compliance Schedule: https://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2024/R2-2024-0014.pdf</p> <p>Memo on Numeric Translation of Narrative Objective https://bacwa.org/document/memo-on-numeric-translation-of-narrative-objective-april-2024/</p> <p>BACWA Press Release on Nutrient Watershed Permit: https://bacwa.org/wp-content/uploads/2024/07/BACWA-Watershed-Permit-Press-Release_07152024.pdf</p> <p>Resources from 2024 BACWA Annual Members Meeting https://bacwa.org/bacwa-annual-members-meeting-2024/</p> <p>BACWA Nutrients Page: https://bacwa.org/nutrients/</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 effluent limit for residual chlorine is 0.0 mg/L. Prior to 2024, residual chlorine was the most frequent parameter for violations for Bay Area 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%). • Prior to 2024, agencies were overdosing their effluent with the dechlorination agent, sodium bisulfite, to prevent chlorine violations, a practice which cost the region approximately \$2 million each year. • Regional Water Board staff and BACWA worked together for more than decade to modify the effluent limit for chlorine residual. 	<ul style="list-style-type: none"> • In November 2023, the Regional Water Board adopted an NPDES Permit Amendment that modifies effluent limits for residual chlorine for most dischargers. The revised limits are based on a translation of the Basin Plan’s existing narrative toxicity objective. The NPDES Permit Amendment includes: <ul style="list-style-type: none"> ○ Limits calculated based on a 0.013 mg/L water quality objective in marine and estuarine waters, and incorporating dilution for deep water dischargers. The limits are applied as a 1-hour average. ○ A Minimum Level of 0.05 mg/L for online continuous monitoring systems. • The NPDES Permit Amendment required most dischargers to prepare a Chlorine Process Control Plan targeting a chlorine residual of 0.0 mg/L at discharge points. The Chlorine Process Control Plan is part of the Operation and Maintenance Manual; updates are to be summarized with annual self-monitoring reports. 	<ul style="list-style-type: none"> • Comply with new effluent limits for residual chlorine, new reporting requirements, and new Chlorine Process Control Plan requirements beginning January 1, 2024. • BACWA has prepared a guidance document for agencies to use to meet the new chlorine process control requirement. 	<p>Blanket NPDES Permit Amendment, Effective January 1, 2024: www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2023/R2-2023-0023.pdf</p> <p>BACWA Guidance on Complying with Amended NPDES Permit Requirements for Residual Chlorine bacwa.org/document/complying-with-amended-npdes-permit-requirements-for-residual-chlorine-2023-12-20/</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
PESTICIDES			
<ul style="list-style-type: none"> • Pesticides are regulated via the Federal Insecticide, Fungicide, and Rodenticide Act (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. • EPA reviews all registered pesticides at least once every 15 years. Each review allows an opportunity for public comment. • Through BAPPG’s Pesticides Committee, 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. • Based on the current (2023) BAPPG/BACWA Pesticide Watch List, the pesticides of highest concern in wastewater are: <ul style="list-style-type: none"> ○ Pyrethroids (21 chemicals) ○ Fipronil ○ Imidacloprid 	<ul style="list-style-type: none"> • 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 FY25 is \$72k. • The Regional Water Board leverages BACWA’s efforts to provide their own comment letters. • CalDPR is beginning implementation of its Sustainable Pest Management Roadmap developed in 2023. The Roadmap identifies actions to enhance understanding of pesticide use in urban areas and enhance outreach to urban pesticide users. Recently enacted legislation (AB 2113) authorizes CalDPR to significantly increase the “Mill Fee,” a tax on pesticide sales, to fund activities identified in the Roadmap. Effective June 1, 2024, the “Mill Fee” tax is increasing from \$.021 to \$.0245 per dollar of pesticides sales, including sodium hypochlorite. • Baywise.org has flea and tick control messaging for pet owners and veterinarians. In addition, the BACWA website offers toolkits for conducting outreach to pet owners and veterinary offices. 	<ul style="list-style-type: none"> • BACWA members can conduct public and veterinary office outreach using flea and tick outreach toolkits. • Advocate for implementation of specific actions from the Sustainable Pesticide Management Roadmap. • Continue to comment on EPA pesticide re-registrations and CalDPR actions. • Engage with EPA on proposed changes to the regulatory approval process for pesticides. • 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 CASQA, to collaborate on funding pesticide regulatory outreach. 	<p>BACWA Pesticide Regulatory Support Page: bacwa.org/bappg-pesticides/</p> <p>Flea and Tick Outreach Toolkits: bacwa.org/bappg-pesticides/flea-and-tick-outreach-toolkits/</p> <p>Baywise flea and tick pages: baywise.org/residential/for_your_pets/</p> <p>CalDPR Sustainable Pest Management Roadmap www.cdpr.ca.gov/docs/sustainable_pest_management_roadmap/</p> <p>BAPPG/BACWA Pesticides Watch List bacwa.org/wp-content/uploads/2023/08/FINAL-BACWA-Pesticides-Watch-List-Aug-2023.pdf</p> <p>Mill Fee Assessment https://www.cdpr.ca.gov/docs/mill/masesmnu.htm</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
MERCURY AND PCBS			
<ul style="list-style-type: none"> The Mercury & PCBs Watershed Permit is based on Total Maximum Daily Loads (TMDLs) for San Francisco Bay for each of these pollutants. The Mercury & PCBs Watershed Permit was most recently reissued in December 2022, and it continues to require discharger support for risk reduction activities. BACWA is funding risk reduction activities on behalf of its members to comply with this permit provision. For FY25, BACWA has budgeted \$12,500 to support risk reduction activities related to fish consumption. Aggregate mercury and PCBs loads have been well below waste load allocations through 2023, the last year for which data have been compiled. EPA Method 1668C for measuring PCB Congeners has not been promulgated by EPA. Effluent limitations are based on PCB Aroclors quantified using EPA Methods 625.1 or 608.3. 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 in 2020. 	<ul style="list-style-type: none"> The Regional Water Board plans to designate three new beneficial uses for Bay Area water bodies: Tribal Tradition and Culture (CUL), Tribal Subsistence Fishing (T-SUB) and Subsistence Fishing (SUB). Water bodies with these beneficial uses could also be assigned lower mercury objectives. For the previous (2017) Mercury & PCBs Watershed Permit, BACWA supported risk reduction programming on safe fish consumption. BACWA provided grants to two community-based organizations for this work. Through 2026, State Water Board and Regional Water Board staff are working on a Bioaccumulation Monitoring Program Realignment effort in the San Francisco Bay region. BACWA intends to support risk reduction activities related to this effort, which may include public outreach related to subsistence fishing. In 2024, SFEI worked with stakeholders to develop a fish consumption survey. In January 2022, monitoring requirements for mercury were reduced for most dischargers by a blanket NPDES Permit amendment (Order R2-2021-0028). Revised monitoring frequencies are also reflected in the reissued permit. Recent consolidations among contract laboratory providers of PCB analysis via EPA Method 1668C has led to difficulties with electronic reporting. 	<ul style="list-style-type: none"> Work with Regional Water Board staff to finalize revised guidelines for electronic reporting of PCB congeners analyzed via EPA Method 1668C. The proposed guidance will supplement the monitoring requirements in the Mercury & PCBs Watershed permit. Continue to coordinate with local community-based organizations and Water Boards staff to develop concepts for risk reduction activities that BACWA could support during the term of the 2022 permit. 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. Participate in the Regional Water Board's 2024 Triennial Review process. The Triennial Review determines the prioritization of Basin Plan amendments, including designation of new beneficial uses associated with lower mercury objectives. A draft Triennial Review staff report is expected in September 2024. 	<p>2022 Mercury & PCBs Watershed Permit (Effective Feb. 1, 2023) https://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2022/R2-2022-0038.pdf</p> <p>Risk Reduction Materials https://bacwa.org/mercurypcb-risk-reduction-materials/</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> <p>Mercury and PCB Load Trends 2013- 2023 (Updated June 2024) https://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2024/June/4_ssr.pdf</p> <p>2024 Triennial Review of the Basin Plan https://www.waterboards.ca.gov/sanfranciscobay/basin_planning.html#triennialreview</p> <p>Planning for Fish Consumption Survey of Subsistence Fishers https://www.sfei.org/projects/consumption-survey-questionnaire</p>

STATE WATER BOARD TOXICITY PROVISIONS

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| <ul style="list-style-type: none"> • The State Water Board adopted the Statewide Toxicity Provisions in 2021 as state policy for water quality control for all inland surface waters and estuaries. 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; ○ Numeric limits for chronic toxicity for POTWs >5 MGD and with a pretreatment program; smaller POTWs will 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 were initially in effect until completion of a statewide quality assurance study in December 2023. | <ul style="list-style-type: none"> • EPA approved the Statewide Toxicity Provisions in May 2023, and they became effective in June 2023. Individual NPDES permits reissued in the San Francisco Bay Region are implementing the Toxicity Provisions and requiring use of the TST for chronic toxicity testing. Reissued permits no longer require acute toxicity monitoring. • EPA has not yet approved the Alternate Test Procedure for whole effluent toxicity testing. Until the Alternate Test Procedures are approved, the Regional Water Board has advised that dischargers should use the full five-concentration series for all tests, including routine monitoring and Species Sensitivity Screening Studies. • From 2016 to 2023, agencies 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 are now required by the provisions to do sensitive species screening once every 15 years. • The State Water Board collaborated with stakeholders on a special study to improve the quality of <i>Ceriodaphnia dubia</i> testing. The multi-laboratory study of toxicity testing was completed and presented to the State Water Board in 2023. The State Water Board has compiled resources related to the study for dischargers that plan to use <i>Ceriodaphnia dubia</i> for chronic toxicity monitoring. | <ul style="list-style-type: none"> • Begin conducting toxicity testing using the Statewide Toxicity Provisions. All member agencies with individual NPDES permits reissued after August 2022 have transitioned to the new toxicity testing requirements. • Plan to conduct a species sensitivity screening to comply with the Toxicity Provisions, which require a study no more than 10 years old be used to determine a “Tier I” species for use in compliance monitoring. The BACWA laboratory committee has compiled some tips related to sensitivity screening studies for member agencies’ use. • Members hiring a contract laboratory to perform testing using <i>Ceriodaphnia dubia</i> should utilize the <i>Ceriodaphnia dubia</i> <i>Quality Assurance Guidance Recommendations</i> from the multi-laboratory study, including the performance metrics listed in Appendix E of the report. | <p>SWRCB Toxicity Page: http://www.swrcb.ca.gov/water_issues/programs/state_implementation_policy/tx_ass_cntrl.shtml</p> <p>Regional Water Board presentation on implementation of Statewide Toxicity Provisions from December 2020: https://bacwa.org/wp-content/uploads/2021/01/Slides-from-RWQCB-Regarding-R2-Tox-Language-in-NPDES-Permits-2020-12-08.pdf</p> <p>EPA Approval of Statewide Toxicity Provisions https://bacwa.org/wp-content/uploads/2023/05/05.01.23-EPA-CWA-303c-Approval-of-California-Toxicity-Provisions.pdf</p> <p><i>Ceriodaphnia dubia</i> Study Resources, including link to <i>Quality Assurance Guidance Recommendations</i> https://www.waterboards.ca.gov/water_issues/programs/state_implementation_policy/docs/ceriodaphnia-dubia-study-resources.pdf</p> <p>CASA Webinar on Lessons from <i>Ceriodaphnia</i> Study https://casaweb.org/resources/speaker-presentations/</p> |
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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. The San Francisco Bay region'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 the Bay Area through the RMP. The Regional Water Board has stated that voluntary and representative participation in RMP CECs studies is key to avoiding regulatory mandates for CECs monitoring. These studies are informational and not for compliance purposes. BACWA developed a White Paper on representative participation to support facility selection for these studies. 	<ul style="list-style-type: none"> Bay dischargers are continuing to provide supplemental funding for RMP CECs studies through the NPDES Permit Amendment adopted in 2021 by the Regional Water Board (R2-2021-0028). The State Water Board has recently increased its focus on CECs. In April 2023, a State Water Board Science Advisory Panel released a report identifying risk-based and occurrence-based monitoring strategies in aquatic ecosystems. Similar approaches are already in use in the Bay Area by the RMP. In the Bay Area, the RMP has designated organophosphate esters (OPEs) and PFAS as CECs of "high" concern. CECs of "moderate" concern include alkylphenols and alkylphenol ethoxylates, bisphenols, fipronil and its degradates, imidacloprid, and microplastics. Carbendazim, a preservative used in paints and other products, was added to the "moderate" concern tier in 2024. Quaternary Ammonium Compounds (QACs) are categorized as a "potential concern" due to lack of data. Monitoring studies of Bay water and stormwater are planned in coming years. A report on QACs in wastewater was recently prepared by SFEI. 	<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. For 2025, the Emerging Contaminants Workgroup plans to support studies of plastic additives in Bay water and sediment (OPEs, bisphenols, and other plastic additives); QACs in Bay water and sediment; synthetic dyes in Bay sediment, water, wastewater, and stormwater; and several other stormwater-related studies. Update the 2020 White Paper created for use by the RMP or others in selecting representative POTWs for participation in CEC studies. The 2020 White Paper will be updated to note recently completed and ongoing studies of CECs in Bay Area wastewater. 	<p>RMP Emerging Contaminant Workgroup: https://www.sfei.org/rmp/</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> <p>State Water Board CECs webpage: https://www.waterboards.ca.gov/water_issues/programs/cec/index.html</p> <p>SFEI Report on QACs in Wastewater https://www.sfei.org/documents/investigation-quaternary-ammonium-compounds-qacs-wastewater-effluent-influent-biosolids</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
MICROPLASTICS			
<ul style="list-style-type: none"> • Microplastic pollution is an 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. • 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. 	<ul style="list-style-type: none"> • OPC funded a study of microplastic removal through wastewater treatment processes. The study commenced in 2021 with a pilot study involving BACWA member agency participation. Full-scale sampling and analysis of influent, effluent, and biosolids was completed in 2023. The study was completed in August 2024 and found overall removal efficiencies between influent and effluent averaged 95% 99%, and 99.9% for primary, secondary, and tertiary treatment, respectively. • The 2024 California Integrated Report (303(d) List) was adopted by the State Water Board in February 2024 and has been submitted to EPA. The Integrated Report notes that San Francisco Bay is “potentially threatened” by microplastics. Due to data limitations, the Bay was <u>not</u> listed as an impaired water body during this listing cycle. • Additional research to improve scientific understanding of microplastics in aquatic ecosystems will be needed to support a future impairment determination for the Bay. The Water Boards and OPC are supporting allocation of funding towards these research efforts. • Ongoing microplastics investigations by the RMP are focused on tire particles in stormwater. 	<ul style="list-style-type: none"> • Continue to participate in the RMP Microplastics Workgroup. • Review and share the final report for the OPC-funded microplastics study, which was completed in August 2024. Three BACWA member agencies participated in the OPC-funded microplastic study. CASA has also funded the study team at the Southern California Coastal Water Research Project (SCCWRP) to complete add-on work comparing results between different sampling methods, including use of an autosampler. The add-work will be completed later in 2024. • Continue tracking State Water Board and Ocean Protection Council actions via the CASA Microplastics Workgroup. 	<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> <p>2024 California Integrated Report / 303(d) List https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2024-integrated-report.html</p> <p>SCCWRP Report on Microplastics in California Wastewater Treatment Plants https://ftp.sccwrp.org/pub/download/DOCUMENTS/TechnicalReports/1378_MicroplasticsWastewaterPlants.pdf</p>

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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 2020, the SWRCB issued an investigative order for POTWs. At that time, BACWA obtained SWRCB approval to fund and conduct a Regional PFAS Study in lieu of the investigative order. In 2021, EPA formed a Council on PFAS, then released a PFAS Strategic Roadmap. 	<ul style="list-style-type: none"> In April 2024, EPA finalized Maximum Contaminant Levels for PFOA, PFOS, PFHxS, PFNA, and HFPO-DA (commonly referred to as GenX Chemicals), and mixtures containing two or more specific PFAS compounds. The MCLs are very close to the current limits of quantification. California has not yet adopted the EPA's drinking water limits. Drinking water limits will not be applicable to wastewater discharges to the Bay, but they could be used in NPDES permits for inland dischargers. In April 2024, EPA designated PFOA and PFOS as hazardous substances under CERCLA (the Superfund law). EPA simultaneously released a memo stating that it intends to focus enforcement on PFAS manufacturers, not on public agencies. EPA is conducting pretreatment standards rulemaking for three types of industrial users: Metal Finishing, Organic Chemicals, Plastics and Synthetic Fibers, and landfills. EPA is planning a POTW Influent PFAS Study to collect nationwide data on industrial and domestic sources of PFAS. The first step will be a survey. Proposed legislation restricting the sale of PFAS-containing products in California (SB 903) did not pass in 2024. Based on a study recently completed by UC Irvine, the top three household activities contributing to PFAS in residential wastewater were laundries (28%), showers (23%), and urine (23%). 	<ul style="list-style-type: none"> Members should use Clean Water Act methods (EPA Method 1633 or 1621) for monitoring effluent, biosolids, or industrial wastewater. Develop a proposal for the next phase of BACWA's regional PFAS study to support the "PFAS Sources to Solutions" project being funded by USEPA and led by SFEI and the California Department of Toxic Substances Control. The first two phases of the study were conducted by SFEI in 2020 and 2022. The study found that residential areas and industrial laundries are potential sources of PFAS. Review the draft risk-based values for PFOA and PFOS in biosolids, which will be released by USEPA by early November 2024 (see Biosolids page). Continue tracking developments at the federal, state and regional level, in particular to understand the impact of the CERCLA designation on biosolids reporting. Continue to support PFAS source control efforts by participating in monitoring studies, and by supporting regulatory and legislative efforts to limit the use of PFAS. 	<p>BACWA PFAS Study Summary bacwa.org/wp-content/uploads/2024/02/BACWA-PFAS-Study-Summary-2024-02-07.pdf</p> <p>SWRCB PFAS Resources: www.waterboards.ca.gov/pfas/</p> <p>EPA PFAS Resources www.epa.gov/pfas</p> <p>EPA Drinking Water Limits https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas</p> <p>EPA POTW Influent Study https://www.epa.gov/eg/study-pfas-influent-potws</p> <p>EPA NPDES Permitting Guidance (Dec. 2022) www.epa.gov/system/files/documents/2022-12/NPDES_PFAS_State%20Memo_December_2022.pdf</p> <p>Presentation on BACWA's Regional PFAS Study at RMP 2023 Annual Meeting www.sfei.org/projects/rmp-annual-meeting</p> <p>UC Irvine Report on PFAS in Residential Wastewater https://water.uci.edu/files/2024/08/Final-PFAS-report-exec.summary.pdf</p> <p>"PFAS Sources to Solutions" Project Overview https://bacwa.org/document/pfas-sources-to-solutions/</p>

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SANITARY SEWER SYSTEMS GENERAL ORDER			
<ul style="list-style-type: none"> • In 2022, the State Water Board reissued the statewide Sanitary Sewer Systems General Order (SSS-WDR). The reissued order replaced the 2006 Order and the 2013 Monitoring and Reporting Program. • The 2022 SSS-WDR became effective in June 2023 and contains numerous new and modified requirements, such as: <ul style="list-style-type: none"> ○ A prohibition on discharges to groundwater ○ Reduced spill reporting requirements for small spills (spills from laterals or <50 gallons) ○ New spill monitoring requirements such as photo documentation and faster water quality sampling ○ New requirements for preparation of Sewer System Management Plans (SSMPs), including a focus on system resiliency, prioritizing corrective actions, and coordinating with stormwater agencies ○ Modified annual reporting requirements ○ New mapping requirements ○ Modified timelines for preparation of audits and SSMPs. 	<ul style="list-style-type: none"> • The first annual reports under the reissued SSS-WDR were due April 1, 2024. • Due dates for the first audits and SSMPs under the reissued SSS-WDR vary by agency. Audit due dates begin later in 2024, and SSMP due dates begin in 2025. The State Water Board has prepared an online tool to assist agencies in determining compliance dates (see link at right). • Maintaining an updated SSMP continues to be a core requirement of the SSS-WDR. SSMP updates are now required every six years (instead of five) and must contain the 11 updated elements described in the reissued SSS-WDR. BACWA has assisted members by preparing a <i>Guide for Developing and Updating SSMPs</i>, now available through the BACWA and State Water Board websites. • In May 2024, BACWA completed a member survey of sewer lateral ordinances in the region. Agencies are using sewer lateral replacement ordinances and incentive programs to address ongoing concerns about infiltration and inflow (I&I). 	<ul style="list-style-type: none"> • Continue to use the Collections System Committee as a forum for discussing best practices for completing audits and SSMPs. • Continue to coordinate with CASA and CWEA on training opportunities for members to address compliance with new requirements in the 2022 SSS-WDR. 	<p>State Water Board SSS-WDR page: https://www.waterboards.ca.gov/water_issues/programs/sso/</p> <p>Reissued SSS-WDR (General Order 2022-0103-DWQ), Effective June 5, 2023 https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo_2022-0103-dwq.pdf</p> <p>Materials from Clean Water Summit Partners Webinars on Reissued SSS-WDR https://casaweb.org/sss-wdr/</p> <p>SSMP and Audit Due Dates Lookup Tool from State Water Board https://www.waterboards.ca.gov/water_issues/programs/sso/lookup/</p> <p>Guide for Developing and Updating Sewer System Management Plans https://bacwa.org/document/guide-for-developing-and-updating-ssmps-july-2024/</p> <p>BACWA Private Sewer Lateral Survey Results https://bacwa.org/wp-content/uploads/2024/05/Private-Sewer-Lateral-Survey-Results-2024-05-09.pdf</p>

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LABORATORY ACCREDITATION			
<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 replaced the previous state-specific accreditation standards with a national laboratory standard established by The NELAC Institute (TNI). • Compliance with TNI standards was required beginning January 1, 2024. • The TNI standards pose a particular challenge to small laboratories, many of which have closed because they cannot economically meet the new standards. This reduction contributed to significant ELAP fee increases for the remaining laboratories in FY24 (30% increase). 	<ul style="list-style-type: none"> • The TNI standards apply to every ELAP-certified laboratory, regardless of certificate expiration date and regardless of location. Some laboratories have not yet been assessed to the TNI standard. Starting January 1, 2024, ELAP will be sending laboratories a written request asking for information about assessment plans and requesting a TNI-compliant Quality Assurance manual. • From 2021 to 2024, the BACWA Lab Committee hosted 30 virtual sessions on the TNI standards. Diane Lawver of Quality Assurance Solutions, LLC, provided the training. The training sessions were recorded, and are available to download with a password (available upon request). • For FY25, ELAP is planning to restructure its fees to increase fees for large laboratories with more than 500 fields of accreditation. Smaller laboratories will see no fee increase. • ELAP is now implementing EPA's 2021 Method Update Rule, and advised labs to update any outdated methods by February 2024. • In April 2024, EPA finalized the 2023 Method Update Rule. The 2023 Method Update Rule will be implemented by ELAP at a later date. 	<ul style="list-style-type: none"> • Provide member training on the 2023 Method Update Rule. The Laboratory Committee plans a training event at its October meeting. • 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. 	<p>State Water Board's ELAP regulations page: https://www.waterboards.ca.gov/drinking_water/certlic/labs/</p> <p>ELAP Timeline Guidance Tool: https://www.waterboards.ca.gov/drinking_water/certlic/labs/docs/elap-scheduler.xlsx</p> <p>ELAP Implementation of 2021 Method Update Rule: https://www.waterboards.ca.gov/drinking_water/certlic/labs/mur.html</p> <p>2023 Method Update Rule: https://www.epa.gov/cwa-methods/methods-update-rules</p> <p>Materials from BACWA TNI Training Sessions 2021-2024 <i>request password from BACWA</i> https://bacwa.org/committees/laboratory/recordings-from-tni-training-sessions-2021-22/</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
BIOSOLIDS			
<ul style="list-style-type: none"> Regulatory drivers are leading to the phase-out of biosolids used as alternative daily cover (ADC) or disposed in landfills. SB 1383, requiring reductions in the amount of organic material deposited in landfills, went into effect in 2022. CalRecycle is the state agency responsible for implementation. Local enforcement of SB 1383 began in 2024, and compliance is required by January 1, 2025. Requirements include: <ul style="list-style-type: none"> Diverted biosolids must be anaerobically digested and/or composted to qualify as landfill reduction. CalRecycle is accepting applications to qualify other specific treatment technologies as landfill reduction (per Article 2 of SB 1383). Local ordinances restricting land application are disallowed. 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"> Jurisdictions that divert organic waste must also procure the end products of diversion, such as biogas, biomethane, and compost (but not biosolids). Procurement rules are being phased in over three years (2023 to 2025) and there are interim rules regarding procurement of biogas from POTWs. CalRecycle and biosolids stakeholders are continuing to conduct outreach to counties with ordinances that restrict land application of biosolids. In 2024, biosolids land application in Solano County was discontinued due to property acquisitions by the "California Forever" project. CalRecycle reviews technologies that may be equivalent to landfill diversion/reduction per Article 2 of SB 1383. CalRecycle has also provided clarification on technologies that <i>already</i> comply with SB 1383, and need not apply under Article 2 (e.g., land application of biosolids that have not been anaerobically digested). USEPA is developing draft risk-based values for PFOA and PFOS in biosolids, which are expected to be released for public comment by early November 2024. Later phases will include a risk management analysis and regulations for biosolids end uses. New York and Michigan are already imposing restrictions on land application of biosolids with levels of PFAS >20 ppb for PFOA or PFOS. Synagro's recent acquisition of Denali's California municipal biosolids business may affect agencies' biosolids hauling contracts. 	<ul style="list-style-type: none"> Complete and circulate the latest Biosolids Trends Survey Report covering 2021-2023. The draft report is currently under review by study participants. Respond to EPA's Influent Study of POTWs, anticipated as soon as early 2025, which will also function as a nationwide sewage sludge survey. Facilities larger than 10 MGD may be required to participate in the survey and conduct sampling. Continue to follow emerging science and regulatory developments regarding PFAS in biosolids, particularly related to EPA's draft risk assessment for PFAS in biosolids and the impact of EPA's designation of PFOA and PFOS as hazardous substances under CERCLA (see page 9). Engage through CASA and BABC to follow development of regulations implementing AB 1857, with the goal of avoiding limits on POTWs using pyrolysis for organic waste management. Actively work through CASA with State agencies to develop sustainable long-term options for biosolids beneficial use. Meet with BAAQMD regularly to discuss alignment of state and local regulations that affect biosolids treatment and end uses. 	<p>BACWA Biosolids Reports: https://bacwa.org/committees/biosolids/</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 - Short-Lived Climate Pollutant Reduction Strategy https://www.calrecycle.ca.gov/organics/slcp</p> <p>CalRecycle Procurement FAQ (Updated by AB 1985) https://calrecycle.ca.gov/organics/slcp/faq/recycledproducts/</p> <p>SB1383 Article 2 Determination https://calrecycle.ca.gov/organics/slcp/recyclingfacilities/article2/</p> <p>EPA National Sewage Sludge Survey https://www.epa.gov/eg/study-pfas-influent-potws</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 strategic priorities of both the State Water Board and Regional Water Board. In 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, the Bay Area Climate Adaptation Network (BayCAN), and other venues. BACWA has signed a letter of support for the Bay Adapt Joint Platform. In 2022, the State released a Climate Adaptation Strategy, including an updated climate change assessment for the Bay Area region. 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. The California Coastal Commission's November 2021 <i>Sea Level Rise Planning Guidance</i> recommends that agencies "understand and plan" for 2.7 feet of sea level rise (SLR) by 2050. 	<ul style="list-style-type: none"> In June 2024, the Regional Water Board adopted a Climate Change Basin Plan amendment addressing dredge and fill procedures near the region's shorelines, especially for climate adaptation projects. Shallow groundwater response to SLR is a concern in low-lying Bay Area communities. Information about current and future depth-to-groundwater maps is summarized in a January 2023 report now available from Pathways Climate Institute and SFEI. The Bay Conservation and Development Commission (BCDC) is developing regional SLR adaptation planning guidelines for the Bay Area as part of the Regional Shoreline Adaptation Plan. The guidelines must be adopted by Dec 31, 2024, to comply with SB 272, signed by the Governor in Oct. 2023. SB 272 requires cities and counties to develop regional sea level rise adaptation plans by 2034. A draft guidance document will be circulated for public review in September 2024. In 2024, the Ocean Protection Council (OPC) adopted updated SLR guidance. Compared to the 2018 version, projections for extreme SLR (i.e., H++ scenario) have been removed, and the range of projections has narrowed considerably, especially for 2050. The California Coastal Commission has released a public review draft of its latest SLR policy guidance update. Comments are due by September 23rd. 	<ul style="list-style-type: none"> Begin using the OPC's updated Sea Level Rise Guidance. Updates to the Coastal Commission's "Critical Infrastructure at Risk" SLR planning guidance are expected to follow. Continue to develop webinars on technical topics related to climate change, such as sea level rise projections and changes in precipitation. The BACWA Climate Change Community of Practice will provide a forum to discuss these topics. Engage with BCDC during the agency's development of Regional Shoreline Adaptation Plan guidance, which will likely impact most BACWA member agencies. BACWA is participating in an advisory group for the Regional Shoreline Adaptation Plan. Prepare for engagement with the Regional Water Board on expectations for SLR planning. Continue to work with Regional Water Board and other resource agencies to look for regulatory solutions to encourage wetlands projects for shoreline resiliency. 	<p>Regional Water Board Basin Plan Amendment on Climate Change and Aquatic Habitat https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/climate_change/</p> <p>OPC 2024 Sea Level Rise Guidance https://opc.ca.gov/wp-content/uploads/2024/05/Item-4-Exhibit-A-Final-Draft-Sea-Level-Rise-Guidance-Update-2024-508.pdf</p> <p>California Coastal Commission SLR Policy Guidance Update https://www.coastal.ca.gov/climate/slrguidance.html</p> <p>California Coastal Commission's <i>Critical Infrastructure at Risk</i> https://documents.coastal.ca.gov/assets/slr/SLR%20Guidance%20Critical%20Infrastructure%2012.6.2021.pdf</p> <p>BayCAN Funding Tracker https://www.baycanadapt.org/</p> <p>Bay Adapt Joint Platform (includes Regional Shoreline Adaptation Planning info) https://www.bayadapt.org/</p> <p>2023 Report on Shallow Groundwater Response https://www.sfei.org/projects/shallow-groundwater-response-sea-level-rise</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. The latest Scoping Plan was updated in 2022 targeting carbon neutrality by 2045, including policies addressing: <ul style="list-style-type: none"> ○ Short-lived climate pollutants ○ Carbon sequestration on Natural and Working Lands ○ Largest emitters (transportation, electricity, and industrial sectors) • 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 January 1, 2025 ○ Policy / regulatory development encouraging production/use of biogas • BAAQMD developed a Clean Air Plan requiring GHG emissions supporting CARB’s 2050 target (80% below 1990 levels). • BAAQMD proposed the development of Regulation 13 (climate pollutants) targeting methane and nitrous oxide reductions related to organics diversion and management. After a pause of several years, BAAQMD is revisiting Regulation 13 in 2024. • CARB states POTWs are part of the solution for reducing fugitive methane and encourages diversion of organics to POTWs to use available digester capacity and produce biogas. 	<ul style="list-style-type: none"> • CARB is pursuing rapid fleet conversion to zero-emission vehicles (ZEVs), including medium and heavy-duty vehicles, through the Advanced Clean Fleet rule. • In March 2024, CARB re-opened the Advanced Clean Fleet regulations to incorporate requirements of AB 1594 by expanding ZEV purchase and daily usage exemptions for public agency utilities. The rulemaking process is expected to be complete by early 2025. CASA is working with CARB on recommended language. • In addition to pushing for ZEVs, CARB is proposing changes to the Low Carbon Fuel Standard to emphasize hydrogen rather than biomethane as a transportation fuel. Proposed changes to the Low Carbon Fuel Standard were released in early 2024, and CARB intends to vote on a final version on November 8, 2024. • Due to a 2022 CPUC mandate for the state’s four largest gas utilities, PG&E now has an active biomethane procurement program. • In 2023, EPA finalized updates to its Renewable Fuel Standard Set Rule allowing apportionment of renewable identification numbers (RINs) or “Credits for food-waste-based (D5) or sludge-based (D3) biogas. • In fall 2024, as a first step in revisiting Regulation 13, BAAQMD staff are developing a white paper on anaerobic digesters and potentially associated emissions. 	<ul style="list-style-type: none"> • Support BAAQMD’s development of a white paper on anaerobic digestion by providing more information on digestion and associated energy generation infrastructure. • Continue to track implementation of the Advanced Clean Fleet rule. This includes modifications to the rule being developed in 2024 that will exempt some traditional utility-specialized vehicles used by public agency utilities, per AB 1594. • Continue to advocate for changes to the Low Carbon Fuel Standards to maintain a viable pathway for biomethane used as CNG in vehicles. In August and September 2024, CARB will accept public comment on the most recent version of proposed changes to the Low Carbon Fuel Standards. . • Work with PG&E and BAAQMD to explore options for POTWs to inject biogas into PG&E pipelines. 	<p>Climate Change Scoping Plan: https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan</p> <p>CARB Low Carbon Fuel Standard Rulemaking: https://ww2.arb.ca.gov/rulemaking/2024/lcfs2024</p> <p>CARB Advanced Clean Fleet Rule: https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets</p> <p>CARB AB 1594 Information: https://ww2.arb.ca.gov/sites/default/files/2024-03/240325acfpres_ADA.pdf</p> <p>SB 1383: https://www.calrecycle.ca.gov/org/organics/slcp</p> <p>BAAQMD Regulation 13: http://www.baaqmd.gov/rules-and-compliance/rules/regulation-13-climate-pollutants</p> <p>EPA Renewable Fuel Standards: https://www.epa.gov/renewable-fuel-standard-program/final-renewable-fuels-standards-rule-2023-2024-and-2025</p> <p>PG&E Procurement: http://www.pge.com/mngrfo, & https://casaweb.org/wp-content/uploads/2023/11/PGE-at-CASA-Webinar.pdf</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
TOXIC AIR CONTAMINANTS			
<ul style="list-style-type: none"> • CARB’s Climate Change Scoping Plan lays out the approach for the State to meet its greenhouse gas (GHG) emissions reduction targets through 2030. The 2022 Scoping Plan targets carbon neutrality by 2045 with policies for: <ul style="list-style-type: none"> ○ Short-lived climate pollutants ○ Carbon sequestration on Natural and Working Lands ○ Largest emitters (transportation, electricity, and industrial sectors) • 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 January 1, 2025 ○ Policy / regulatory development encouraging production/use of biogas • BAAQMD developed a Clean Air Plan requiring GHG emissions supporting CARB’s 2050 target (80% below 1990 levels). • BAAQMD proposed the development of Regulation 13 (climate pollutants) targeting methane and nitrous oxide reductions related to organics diversion and management. After a pause of several years, BAAQMD is planning to revisit Regulation 13 in 2024. • CARB states POTWs are part of the solution for reducing fugitive methane and encourages diversion of organics to POTWs to use available digester capacity and produce biogas. 	<ul style="list-style-type: none"> • CARB is pursuing rapid fleet conversion to zero-emission vehicles (ZEVs), including medium and heavy-duty vehicles, through the Advanced Clean Fleet rule. • In March 2024, CARB re-opened the Advanced Clean Fleet regulations to incorporate requirements of AB 1594 by expanding ZEV purchase and daily usage exemptions for public agency utilities. The rulemaking process is expected to be complete by early 2025. CASA is working with CARB on recommended language. • In addition to pushing for ZEVs, CARB is proposing changes to the Low Carbon Fuel Standard to emphasize hydrogen rather than biomethane as a transportation fuel. Proposed changes to the Low Carbon Fuel Standard were released in early 2024, and CARB intends to vote on a final version on November 8, 2024. • Due to a 2022 CPUC mandate for the state’s four largest gas utilities, PG&E now has an active biomethane procurement program. • In 2023, EPA finalized updates to its Renewable Fuel Standard Set Rule allowing apportionment of renewable identification numbers (RINs) or “Credits for food-waste-based (D5) or sludge-based (D3) biogas. • In fall 2024, as a first step in revisiting Regulation 13, BAAQMD staff are developing a white paper on anaerobic digesters and potentially associated emissions. 	<ul style="list-style-type: none"> • Support BAAQMD’s development of a white paper on anaerobic digestion by providing more information on digestion and associated energy generation infrastructure. • Continue to track implementation of the Advanced Clean Fleet rule. This includes modifications to the rule being developed in 2024 that will exempt some traditional utility-specialized vehicles used by public agency utilities, per AB 1594. CARB plans to hold a hybrid workshop on the amendments on September 24th. • Continue to advocate for changes to the Low Carbon Fuel Standards to maintain a viable pathway for biomethane used as CNG in vehicles. In August and September 2024, CARB will accept public comment on the most recent version of proposed changes to the Low Carbon Fuel Standards and have scheduled a public hearing to consider amendments for November 8, 2024. Work with PG&E and BAAQMD to explore options for POTWs to inject biogas into PG&E pipelines. 	<p>Climate Change Scoping Plan: https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan</p> <p>CARB Low Carbon Fuel Standard Rulemaking: https://ww2.arb.ca.gov/rulemaking/2024/lcfs2024</p> <p>CARB Advanced Clean Fleet Rule: https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets</p> <p>CARB AB 1594 Information: https://ww2.arb.ca.gov/sites/default/files/2024-03/240325acfpres_ADA.pdf</p> <p>SB 1383: https://www.calrecycle.ca.gov/org-anics/slcp</p> <p>BAAQMD Regulation 13: http://www.baaqmd.gov/rules-and-compliance/rules/regulation-13-climate-pollutants</p> <p>EPA Renewable Fuel Standards: https://www.epa.gov/renewable-fuel-standard-program/final-renewable-fuels-standards-rule-2023-2024-and-2025</p> <p>PG&E Procurement: http://www.pge.com/rngrfo, & https://casaweb.org/wp-content/uploads/2023/11/PGE-at-CASA-Webinar.pdf</p>

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
BEST AVAILABLE CONTROL TECHNOLOGY			
<ul style="list-style-type: none"> • Best Available Control Technology (BACT) is a requirement for major new or modified sources of air pollution. • BACT is defined locally as part of BAAQMD’s Rule 2-2, “New Source Review.” BACT is established based on the most stringent level of emissions control that is achieved in practice and that is technologically feasible & cost effective. • CARB is working on proposed amendments to the off-road new diesel engine standards, called “Tier 5” rulemaking. The Tier 5 rulemaking aims to reduce oxides of nitrogen (NOx), particulate matter, and may also include first-time carbon dioxide (CO₂) emissions standards. 	<ul style="list-style-type: none"> • In December 2020, BAAQMD issued a BACT determination for Tier 4 emissions standards for large standby generators (≥ 1,000 bhp). The determination applied retroactively to applications deemed complete after January 1, 2020. The retroactive BACT designation resulted in cost increases and schedule delays for standby generator installations at some BACWA member agencies. • Based on this experience, BACWA has been working with BAAQMD to provide better notice of future BACT determinations. • BAAQMD plans to issue a BACT determination for Tier 4 emissions standards for standby generators > 50 bhp and < 1,000 bhp. Other regions of the state, such as the Sacramento area, have already adopted Tier 4 emissions standards for diesel engines > 50 bhp. As of June 2024, BAAQMD staff were not planning for the BACT determination to apply retroactively. BACWA has expressed a preference for the use of Tier-4 compliant engines in lieu of Tier 4 certified engines for backup generators in the wastewater sector, as recommended by the National Fire Protection Association (Standard 110). Public notice and workshops are planned for later in 2024. • CARB has announced a public workshop on the proposed off-road diesel engine emissions standards (Tier 5 rulemaking). The virtual workshop will be held September 27th. 	<ul style="list-style-type: none"> • Coordinate with BAAQMD to distribute information to members about BACT determination for standby generators > 50 bhp. Continue to advocate for the use of Tier 4 compliant engines in lieu of Tier 4 certified engines. • Continue to coordinate with CASA to participate in review and public comment on CARB’s Tier 5 rulemaking. • 	<p>BAAQMD BACT/TBACT Workbook https://www.baaqmd.gov/en/permits/permitting-manuals/bact-tbact-workbook</p> <p>CARB Tier 5 Rulemaking https://ww2.arb.ca.gov/our-work/programs/tier5</p> <p>National Fire Protection Association Standard 110 https://www.nfpa.org/110</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 Bay Area POTWs is currently recycled. Expansion of recycled water projects is a goal of many BACWA members, but implementation is slowed by high costs and administrative requirements. In 2018, the State Water Board adopted uniform water recycling criteria for two types of Indirect Potable Reuse: surface water augmentation and groundwater augmentation. In December 2023, the State Water Board adopted uniform water recycling criteria for two types of Direct Potable Reuse: raw water augmentation and treated water augmentation. As of 2020, virtually all recycled water in the Bay Area was produced at centralized facilities using municipal wastewater, and was treated to meet standards for non-potable reuse. There are not yet any Indirect or Direct Potable Reuse projects in the Bay Area, although several are in the planning stage. 	<ul style="list-style-type: none"> The State Water Board is currently developing standards for onsite treatment and reuse of non-potable water in multi-family, mixed use, and commercial buildings. The rulemaking process for onsite non-potable reuse is slated to begin in late summer 2024 with a projected Board adoption in 2025. In June 2023, BACWA completed a Regional Evaluation of Potential Nutrient Discharge Reduction by Water Recycling, as required by the 2nd Nutrient Watershed Permit. In December 2023, the Regional Water Board approved a Basin Plan Amendment that will allow greater flexibility for NPDES permitting of reverse osmosis concentrate discharges to San Francisco Bay. As of August 2024, this Basin Plan Amendment has received all necessary approvals and is now in effect. The Direct Potable Reuse regulations were finalized in August 2024 upon approval from the state's Office of Administrative Law. The regulations go into effect October 1, 2024. 	<ul style="list-style-type: none"> Review draft regulations for Onsite Non-Potable Reuse when they are released by State Water Board staff, which is expected in late summer 2024. Continue to provide members with technical resources related to interagency coordination, such as cost-sharing agreements and permitting. These topics are based on feedback from the September 2023 workshop on interagency collaboration in which wastewater and water agency representatives convened to discuss challenges and opportunities for expanding water recycling in the Bay Area. Continue to track the role of recycled water projects in diverting nutrient loads from San Francisco Bay. Significant nutrient load reductions and annual reporting on recycled water nutrient load diversions are required by the 2024 Nutrient Watershed Permit (see page 2). Track California legislation with potential impacts on recycled water funding, mandates, or regulations. 	<p>Water Boards Recycled Water Policy and Regulations www.waterboards.ca.gov/water_issues/programs/recycled_water/</p> <p>Direct Potable Reuse Regulations www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/dpr-regs.html</p> <p>Onsite Nonpotable Reuse Regulations www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/onsite_nonpotable_reuse_regulations.html</p> <p>BACWA Special Studies of Recycled Water and Nature-Based Systems: bacwa.org/document-category/2nd-watershed-permit-studies/</p> <p>California's Water Supply Strategy (August 2022) Resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Water-Resilience/CA-Water-Supply-Strategy.pdf</p> <p>Basin Plan Amendment affecting Water Recycling: https://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2023/December/5_final_to.pdf</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	PFHxS	Perfluorohexane Sulfonic Acid
BCDC	Bay Conservation and Development Commission	PFNA	Perfluorononanoic Acid
bhp	brake horsepower	PFOA	Perfluorooctanoic Acid
CalDPR	California Department of Pesticide Registration	PFOS	Perfluorooctane Sulfonic Acid
CARB	California Air Resources Board	POTW	Publicly-Owned Treatment Works
CASA	California Association of Sanitation Agencies	PS	Prioritization Score
CEC	Compound of Emerging Concern	QAC	Quaternary Ammonium Compound
CIWQS	California Integrated Water Quality System	RMP	Regional Monitoring Program
CWEA	California Water Environment Association	RPA	Reasonable Potential Analysis
EC25/IC25	25% Effect Concentration/25% Inhibition Concentration	SF Bay	San Francisco Bay
ELAP	Environmental Laboratory Accreditation Program	SFEI	San Francisco Estuary Institute
ELTAC	Environmental Laboratory Technical Advisory Committee	SLR	Sea Level Rise
EPA	United States Environmental Protection Agency	SSMP	Sewer System Management Plan
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act	TMDL	Total Maximum Daily Load
FY	Fiscal Year	TIN	Total Inorganic Nitrogen
GHG	Greenhouse Gas	TNI	The NELAC Institute
HFPA-DA	Hexafluoropropylene Oxide (HFPO) Dimer Acid, also known as GenX	TST	Test of Significant Toxicity
MCL	Minimum Contaminant Level (Drinking Water)	WQO	Water Quality Objective
MGD	Million Gallons per Day	ZEV	Zero-Emission Vehicle
NACWA	National Association of Clean Water Agencies		
NELAC	National Environmental Laboratory Accreditation Conference		
NMS	Nutrient Management Strategy		
OEHHA	Office of Environmental Health Hazard Assessment		
OPC	Ocean Protection Council		



ITEM NO. 11

FINANCIAL MANAGEMENT COMMITTEE AGENDA

Monday, October 14, 2024 at 11:00 AM

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

Committee Members: Andrews (Chair); Toy

- FM1. Call to Order**
- FM2. Roll Call**
- FM3. Public Forum**
- FM4. Disbursements for September 2024**
(The Committee will review the List of Disbursements.)
- FM5. Treasurer's Reports for September 2024**
(The Committee will review the Treasurer's Report.)
- FM6. Year-End Financial Summary for FY 2023/2024**
(The Committee will review the FY2023/2024 financial summary.)
- 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.

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>.

**Next Scheduled Financial Management Committee is
Monday, November 18, 2024 at 11:00 am**

ITEM NO. FM4 DISBURSEMENTS FOR SEPTEMBER 2024

Disbursements for the month of September totaled \$385,721.80.

Reviewed and Approved by:

Angela Andrews, Chair Date
Financial Management Committee

Jacqueline T. Zipkin Date
Treasurer

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
September 2024

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
26565	09/15/2024	--	BACWA	MEMBERSHIP AND SPECIAL PROGRAMS FEE	552,274.00	552,274.00
26572	09/15/2024	220635	MEYERS NAVE	LEGAL SERVICES - NUTRIENTS PERMIT	37,582.20	50,658.40
		220360	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	13,076.20	
26577	09/15/2024	003100	UNION SANITARY DISTRICT	UEPS & FORCE MAIN O&M AND PG&E - JUL	47,778.35	47,778.35
26579	09/30/2024	57391	CALCON	OLEPS EXTERIOR WATER SYSTEM UPGRADE	42,350.00	44,369.11
		57398	CALCON	HEPS POND 3 VALVE ACTUATOR UPGRADE	1,080.94	
		57364	CALCON	SKYWEST TROUBLESHOOT COMMUNICATIONS & PROGRAMMING	680.20	
		57365	CALCON	HEPS SECURITY CAMERA	257.97	
26574	09/15/2024	042096D	PUMP REPAIR SERVICE	HEPS EFFLUENT PUMP REPLACEMENT	25,574.00	25,574.00
26582	09/30/2024	397398	CITY OF SAN LEANDRO	MDF O&M - JUL	24,877.22	24,877.22
26589	09/30/2024	17341	REGIONAL GOVERNMENT SERVICES	MANAGEMENT AND ADMINISTRATIVE SERVICES	14,578.16	14,578.16
26564	09/15/2024	NO. 1	AZYURA	DMR IMPLEMENTATION FOR 2022 ORDER & DATA RESUBMISSIONS	13,000.00	13,000.00
26587	09/30/2024	83598	NACWA	MEMBERSHIP DUES	11,135.00	11,135.00
26590	09/30/2024	2024250105456	THATCHER COMPANY OF CA, INC	SODIUM BISULFITE - DELIVERED 9/06/2024	8,640.58	8,640.58
26573	09/15/2024	20014	PACIFIC ECORISK	NPDES TOXICITY TESTING	6,184.00	6,184.00
26585	09/30/2024	4070	LAURA PATTERSON DESIGN	EBDA LOGO DESIGN	3,056.25	3,056.25
26576	09/15/2024	4246-0445-5568-7627	U.S. BANK	PURCHASING CARD EXPENSES	2,383.60	2,383.60
26570	09/15/2024	32843	FOSTER & FOSTER	ACTUARIAL SERVICES GASB 68 JUNE 30, 2024	1,700.00	1,700.00
26588	09/30/2024	11995	REDWOOD PUBLIC LAW, LLP	LEGAL SERVICES - AUG	1,668.50	1,668.50
26569	09/15/2024	766470	CORRPRO COMPANIES, INC	FORCE MAIN BI-ANNUAL CATHODIC PROTECTION SYSTEMS SURVEY	1,395.00	1,395.00
26567	09/15/2024	52205703	CITY OF HAYWARD	EMPLOYEE BENEFIT PROGRAMS - SEP	1,377.18	1,377.18
26580	09/30/2024	722711	CALTEST	LAB TESTING SERVICES - AUG	1,081.36	1,081.36
26571	09/15/2024	111928	HUNT EQUIPMENT	OLEPS AST ANNUAL INSPECTION	960.00	960.00
26578	09/30/2024	T176611	BAY AREA AIR QUALITY MGMT DISTRICT	MDF PERMIT TO OPERATE	552.00	552.00
26566	09/15/2024	8442	CAYUGA INFORMATION SYSTEMS	IT SERVICES	446.25	446.25
26583	09/30/2024	44777800001	EBMUD	ADMIN WATER SERVICE	116.49	219.68
		44777800001	EBMUD	ADMIN WATER SERVICE	103.19	
26575	09/15/2024	CD_000902031	RINGCENTRAL INC	DIGITAL PHONE SERVICE	209.81	209.81
26568	09/15/2024	56890	COMPUTER COURAGE	WEBSITE HOSTING	150.00	150.00
26584	09/30/2024	Sep-24	JACQUELINE ZIPKIN	REIMBURSABLE EXPENSES	135.32	135.32
26586	09/30/2024	10347	MBC CUSTODIAL SERVICES INC	JANITORIAL SERVICES - AUG	130.00	130.00
26581	09/30/2024	4178916	CALTRONICS	COPIER USAGE AND MAINTENANCE	66.55	66.55
26547	09/05/2024	--	BACWA	VOID CHECK	(552,274.00)	(552,274.00)
					262,326.32	262,326.32

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
September 2024

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
ELECTRONIC PAYMENTS						
	09/03/2024	5105948980-0	PG&E	GAS & ELECTRIC SERVICE	45,697.91	45,697.91
	09/11/2024	100000017647274	CALPERS	HEALTH PREMIUMS - SEP	7,610.48	7,610.48
	09/05/2024	100000017609705	CALPERS	PENSION CONTRIBUTION, CLASSIC 8/16 - 31/2024	5,877.93	5,877.93
	09/17/2024	100000017641168	CALPERS	PENSION CONTRIBUTION, CLASSIC 9/01 - 15/2024	5,877.93	5,877.93
	09/06/2024	6936666	MISSION SQUARE	DEFERRED COMPENSATION CONTRIBUTION 8/31/2024	2,115.22	2,115.22
	09/17/2024	6358155	MISSION SQUARE	DEFERRED COMPENSATION CONTRIBUTION 9/15/2024	2,115.22	2,115.22
	09/20/2024	1002368903	STATE COMPENSATION INSURANCE FUND	WORKERS COMPENSATION PREMIUM - AUG	893.00	706.47
	09/20/2024	1002368904	STATE COMPENSATION INSURANCE FUND	WORKERS COMPENSATION PREMIUM - SEP	893.00	
	09/20/2024	1002452099	STATE COMPENSATION INSURANCE FUND	WORKERS COMPENSATION 2023/2024 AUDIT	(1,079.53)	
	09/05/2024	100000017644499	CALPERS	GASB REPORT FEES	700.00	700.00
	09/16/2024	51048304397166	AT&T	MDF TELEPHONE SERVICE	282.33	282.33
	09/05/2024	261637899	INTERMEDIA.NET INC	EMAIL EXCHANGE HOSTING	91.36	91.36
	09/27/2024	9972792454	VERIZON WIRELESS	WIRELESS PHONE SERVICES - AUG	63.78	63.78
TOTAL ELECTRONIC PAYMENTS					71,138.63	71,138.63
PAYROLL						
	09/27/2024		ADP, LLC	PAYROLL PERIOD: 09/16-30/2024	27,505.61	27,505.61
	09/12/2024		ADP, LLC	PAYROLL PERIOD: 09/01-15/2024	24,569.36	24,569.36
	09/06/2024		ADP, LLC	PAYROLL FEES, 8/16-31/2024	90.94	90.94
	09/27/2024		ADP, LLC	PAYROLL FEES, 9/01-15/2024	90.94	90.94
TOTAL PAYROLL					52,256.85	52,256.85
TOTAL DISBURSEMENTS					385,721.80	385,721.80

ITEM NO. FM5 TREASURER'S REPORT FOR SEPTEMBER 2024

The cash balance as of September 30, 2024 is \$5,516,602.85. EBDA's LAIF balance is \$1,313,851.40, and the average monthly effective yield for September is 4.575%. EBDA's CAMP balance is \$1,596,978.04, and CAMP's 7-day yield is 5.06%.

Approval is recommended.

EAST BAY DISCHARGERS AUTHORITY

TREASURER'S REPORT

September 2024

FUND	FUND DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	\$ 1,843,885.46	\$ 335,785.77	\$ 302,327.49	\$ 1,877,343.74
13	PLANNING & SPECIAL STUDIES	364,527.81	151,406.92	-	515,934.73
14	RECLAMATION O & M (SKYWEST)	75,792.04	9,000.00	1,055.20	83,736.84
15	BRINE ACCEPTANCE	163,563.12	-	13,076.20	150,486.92
31	RENEWAL & REPLACEMENT	2,822,854.26	135,509.27	69,262.91	2,889,100.62
<hr/>					
TOTALS		\$ 5,270,622.69	\$ 631,701.96	\$ 385,721.80	\$ 5,516,602.85

Ending Balance per STR \$ 5,516,602.85

Sep-24

10/10/2024

SUPPLEMENTAL TREASURER'S REPORT

DATE	TRANSACTION	RECEIPT	DISBURSEMENT CHECKING	DISBURSEMENT PAYROLL	PAYROLL TRANSFER	LAIF	CAMP	WELLS FARGO CHECKING BALANCE	WELLS FARGO PAYROLL BALANCE	LAIF BALANCE	CAMP BALANCE	TOTAL CASH
08/31/24	BALANCE							2,290,870.68	83,074.31	1,313,851.40	1,582,826.30	5,270,622.69
09/03/24	DIVIDENDS	7,259.27					7,259.27	2,290,870.68	83,074.31	1,313,851.40	1,590,085.57	5,277,881.96
09/03/24	DEPOSIT - COH	9,000.00						2,299,870.68	83,074.31	1,313,851.40	1,590,085.57	5,286,881.96
09/03/24	ELECTRONIC BILL PAY		45,697.91					2,254,172.77	83,074.31	1,313,851.40	1,590,085.57	5,241,184.05
09/04/24	DEPOSIT - ABAG	1,249.20						2,255,421.97	83,074.31	1,313,851.40	1,590,085.57	5,242,433.25
09/05/24	ELECTRONIC BILL PAY		91.36					2,255,330.61	83,074.31	1,313,851.40	1,590,085.57	5,242,341.89
09/05/24	ELECTRONIC BILL PAY		700.00					2,254,630.61	83,074.31	1,313,851.40	1,590,085.57	5,241,641.89
09/05/24	ELECTRONIC BILL PAY		5,877.93					2,248,752.68	83,074.31	1,313,851.40	1,590,085.57	5,235,763.96
09/05/24	VOID CHECK 26547		(552,274.00)					2,801,026.68	83,074.31	1,313,851.40	1,590,085.57	5,788,037.96
09/06/24	PAYROLL FEES			90.94				2,801,026.68	82,983.37	1,313,851.40	1,590,085.57	5,787,947.02
09/06/24	ELECTRONIC BILL PAY		2,115.22					2,798,911.46	82,983.37	1,313,851.40	1,590,085.57	5,785,831.80
09/11/24	ELECTRONIC BILL PAY		7,610.48					2,791,300.98	82,983.37	1,313,851.40	1,590,085.57	5,778,221.32
09/12/24	PAYROLL			24,569.36				2,791,300.98	58,414.01	1,313,851.40	1,590,085.57	5,753,651.96
09/15/24	DISBURSEMENT		704,090.59					2,087,210.39	58,414.01	1,313,851.40	1,590,085.57	5,049,561.37
09/16/24	ELECTRONIC BILL PAY		282.33					2,086,928.06	58,414.01	1,313,851.40	1,590,085.57	5,049,279.04
09/16/24	DEPOSIT - COH	614,193.49						2,701,121.55	58,414.01	1,313,851.40	1,590,085.57	5,663,472.53
09/17/24	ELECTRONIC BILL PAY		5,877.93					2,695,243.62	58,414.01	1,313,851.40	1,590,085.57	5,657,594.60
09/17/24	ELECTRONIC BILL PAY		2,115.22					2,693,128.40	58,414.01	1,313,851.40	1,590,085.57	5,655,479.38
09/20/24	PAYROLL FEES			90.94				2,693,128.40	58,323.07	1,313,851.40	1,590,085.57	5,655,388.44
09/20/24	ELECTRONIC BILL PAY		706.47					2,692,421.93	58,323.07	1,313,851.40	1,590,085.57	5,654,681.97
09/27/24	ELECTRONIC BILL PAY		63.78					2,692,358.15	58,323.07	1,313,851.40	1,590,085.57	5,654,618.19
09/27/24	PAYROLL			27,505.61				2,692,358.15	30,817.46	1,313,851.40	1,590,085.57	5,627,112.58
09/30/24	DISBURSEMENT		110,509.73					2,581,848.42	30,817.46	1,313,851.40	1,590,085.57	5,516,602.85
	TOTAL	631,701.96	333,464.95	52,256.85	-	-	7,259.27	2,581,848.42	30,817.46	1,313,851.40	1,590,085.57	5,516,602.85
	CURRENT BALANCE							2,581,848.42	30,817.46	1,313,851.40	1,590,085.57	5,516,602.85

Reconciliation - 09/30/2024

① Bank Statement Balance	\$ 2,714,619.33
Less: Outstanding Checks	132,770.91
	<u>\$ 2,581,848.42</u>
② Payroll Bank Statement	\$ 30,817.46
③ LAIF Statement	\$ 1,313,851.40
④ CAMP Statement	\$ 1,596,978.04
Less: Accrual Income Dividend	6,892.47
	<u>\$ 1,590,085.57</u>

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 YEAR-END FINANCIAL SUMMARY FOR FY 2023/2024

Recommendation

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

Strategic Plan Linkage

1. **Financial:** Develop financial strategies and practice sound fiscal management to ensure wise use of ratepayers' resources.
 - a. Operate EBDA's system efficiently.
 - b. Proactively manage expenditures to stay within adopted budget.
 - c. Identify and manage opportunities for revenue generation.
 - d. Secure grant funding for innovative projects.

Background

As presented to the Committee in September 2024, EBDA's annual expenses for Fiscal Year 2023/2024 were under budget. Per the Authority's Budget Policy,

“At the end of each Fiscal Year, the General Manager shall provide year-end closing statements to each Member Agency and LAVWMA detailing that agency's share of actual expenditures, and comparing that to the amounts budgeted and collected. If an agency's share of actual expenditures exceeded the amount collected, EBDA shall invoice that agency for the additional funds owed. If the agency's share of actual expenditures was less than the amount collected, that agency shall have the option to request that EBDA hold all or a portion of the surplus funds as fulfillment of that agency's reserve contribution under the Emergency Reserves Policy, or that EBDA return the surplus funds to the agency as a credit on their next EBDA invoice.”

Staff's understanding is that all Member Agencies currently prefer a credit against their FY 2024/2025 obligations.

Discussion

The following table shows the amounts owed by each agency for FY 2023/2024 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. Reimbursements from Cargill have been deducted from the O&M expenses. No Capacity Exceedance Fees were incurred in FY 2023/2024. Also, while Oro Loma, Castro Valley, Hayward, and USD pay their \$750k Renewal and Replacement Fund (RRF) contribution up front each fiscal year, because they only participate in certain projects, San Leandro and LAVWMA pay their RRF share as part of this annual true-up process.

Each Member Agency will be receiving a memo detailing their FY 2023/2024 payments and credits.

Agenda Explanation
 East Bay Dischargers Authority
 Financial Management Committee
 October 14, 2024

	San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAWMA	Total
Total O&M Expenses	\$ 211,472	\$ 557,196	\$ 264,688	\$ 587,973	\$ 1,334,257	\$ 680,769	\$ 3,636,355
Total O&M Paid	\$ 266,132	\$ 601,263	\$ 313,905	\$ 725,614	\$ 1,693,707	\$ 765,959	\$ 4,366,580
O&M Balance	\$ (54,660)	\$ (44,067)	\$ (49,217)	\$ (137,641)	\$ (359,450)	\$ (85,190)	\$ (730,225)
							\$ -
Total Special Studies Expenses	\$ 94,645	\$ 136,255	\$ 68,608	\$ 259,450	\$ 420,733	\$ 297,766	\$ 1,277,457
Total Special Studies Paid	\$ 107,521	\$ 119,135	\$ 62,545	\$ 258,660	\$ 412,464	\$ 332,581	\$ 1,292,906
Special Studies Balance	\$ (12,876)	\$ 17,120	\$ 6,063	\$ 790	\$ 8,269	\$ (34,815)	\$ (15,449)
Capacity Exceedance Fee	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other O&M Revenue		\$ (508)	\$ (272)	\$ (391)	\$ (1,116)	\$ (808)	\$ (3,094)
Other Funding Credit	\$ -	\$ (508)	\$ (272)	\$ (391)	\$ (1,116)	\$ (808)	\$ (3,094)
Share of R&R Fund	\$ 18,780					\$ 83,566	\$ 102,345
Agency Total:	\$ (48,757)	\$ (27,455)	\$ (43,426)	\$ (137,242)	\$ (352,297)	\$ (37,246)	\$ (646,423)

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ITEM NO. 12

OPERATIONS & MAINTENANCE COMMITTEE AGENDA

Monday, October 14, 2024

4:00 PM

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

**This meeting will be teleconferenced from the following location:
Hyatt Hotel Lobby, 1 Market Place, San Diego, CA**

**Teleconference link: <https://us02web.zoom.us/j/85748282191>
Call-in: 1(669) 900-6833 and enter Webinar ID number: 857 4828 2191**

Committee Members: Simon (Chair); Azevedo

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 14, 2024

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>.

**Next Scheduled Operations and Maintenance Committee is
Monday, November 18, 2024, at 4:00 pm**

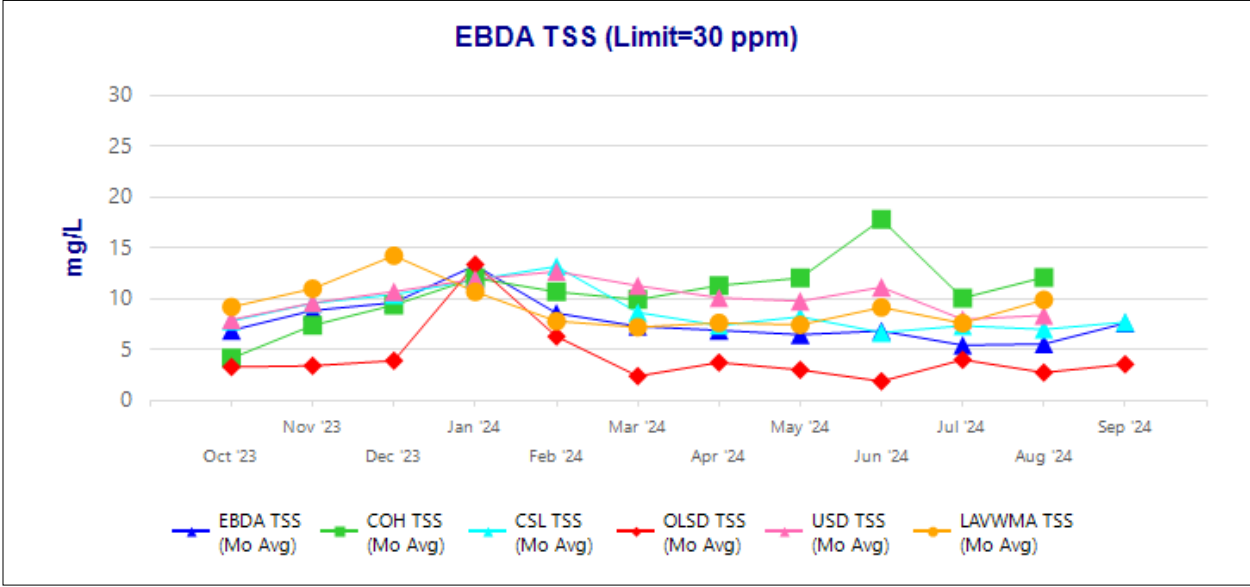
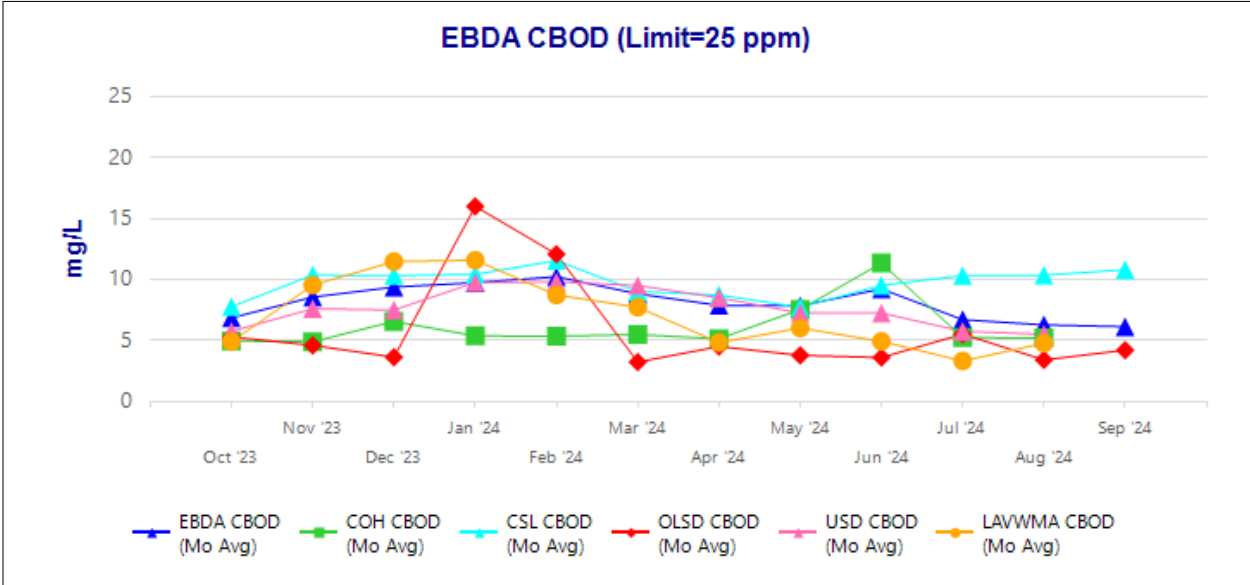
ITEM NO. OM4 EBDA PERMIT COMPLIANCE

Recommendation

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

Discussion

EBDA and its members continued our NPDES compliance in August, and preliminary September data indicates compliance as well. Member Agency CBOD and TSS performance are shown below. A table with bacterial indicators follows.



EBDA Bacterial Indicators

Date	FECAL	ENTERO
	MPN/ 100mL	MPN/ 100mL
Limit (90th Percentile)	1100	1100
Limit (Geomean)	500	280
October 2023 Geomean	18	3
November 2023 Geomean	8	8
December 2023 Geomean	7	5
January 2024 Geomean	12	4
February 2024 Geomean	8	15
March 2024 Geomean	6	7
April 2024 Geomean	9	3
May 2024 Geomean	12	4
June 2024 Geomean	60	9
July 2024 Geomean	59	5
8/5/2024	70	10
8/6/2024	13	17
8/7/2024	NA	20
8/12/2024	350	10
8/13/2024	130	20
8/14/2024	NA	86
8/19/2024	350	24
8/20/2024	920	24
8/26/2024	49	17
8/27/2024	460	24
August 2024 Geomean	153	21
9/2/2024	540	22
9/3/2024	140	22
9/5/2024	NA	13
9/9/2024	240	24
9/10/2024	13	46
9/16/2024	920	< 2
9/17/2024	350	10
9/23/2024	13	2
9/24/2024	170	12
9/30/2024	13	29
September 2024 Geomean	109	13

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

On September 30, the second new HEPS Pump was installed. Both new pump bases will be grouted in the next few weeks and then vibration testing will be scheduled. Once the vibration testing is completed and a couple of small punch list items are addressed, the two new pumps will be placed in service. After the new pumps have operated for several weeks without any issues, work will start on the third new pump.

Oro Loma Effluent Pump Station (OLEPS)

Wet Well Preventative Maintenance Activities

During the weeks of September 9 and 16, EBDA 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.

Wet Well Sluice Gate Preventative Maintenance

During the preventative maintenance activities described above, GSE Construction Co., Inc. (GSE) cleaned and performed preventative maintenance on all seven of the large OLEPS Wet Well Sluice Gates, including pressure washing the Wet Wells in preparation for the OLSD Maintenance Department confined space entries. This work, along with the replacement of the North Wet Well Influent Gate shaft and guide-bearing, which were installed last October, completes the Wet Well Sluice Gate project on the FY 2023/2024 Renewal and Replacement Fund List.

PG&E Power Outage

On September 10 and 13, PG&E scheduled power outages from 9:00 am to 3:30 pm. The first outage affected the West end of Grant Avenue, including the EBDA and OLSD Administration Buildings, OLEPS, and the OLSD/CVSan Treatment Plant. The second outage affected only OLEPS and the OLSD/CVSan Treatment Plant. Another power outage affecting the West end of Grant Avenue is scheduled for October 18. During the first outage, OLEPS received backup power from OLSD, and one diesel pump operated

without any issues. During the second outage, the OLEPS generator and one diesel pump operated without any issues.

Skywest Pump Station

Recycled Water Production

During the month of September 2024, the Skywest Recycled Water System operated for two days and produced 1.08 million gallons of recycled water.

Marina Dechlorination Facility (MDF)

No change; all equipment is operational.

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 2024. Two required an Electronic Positive Response (EPR), calls/emails to the excavators, and field verification.

Special Projects

Cargill Brine Project

As discussed at previous Commission Meetings, following certification of the Final Environmental Impact Report (EIR) for the proposed project, Cargill informed EBDA staff that they have made the decision to re-evaluate the “Bayside” pipeline route. Cargill is continuing to refine the route and expects it to be very similar to the Bayside alternative outlined in the EIR. Cargill is continuing to meet with landowners along the new proposed route. Cargill is also investigating an alternative that would upgrade and repurpose a former Shell pipeline.

Cargill’s preliminary schedule shows revised CEQA analysis in 2025, and construction beginning sometime between 2027 and 2030 depending on permitting, with operation commencing between 2031 and 2033. Cargill has requested that EBDA consider an interim Project Approval Agreement between the parties that would allow Cargill to begin construction on elements of the project that do not directly affect EBDA, such as reconfiguration of intakes and pond structures at Cargill’s Newark salt facility. Staff is

currently working with Cargill to negotiate this agreement and expects to bring it to the Commission for consideration in the coming months. Once negotiated, the Project Approval Agreement would be superseded by the final Operating Agreement.

Advanced Quantitative Precipitation Information (AQPI) Project

The regional AQPI project continues to move forward with the goal of improving the prediction of rainfall events in the Bay Area. Following a series of delays, the East Bay radar was installed at [Rocky Ridge](#) in Las Trampas Regional Wilderness Park in December 2022. Data from the Rocky Ridge site finally became available in early December 2023, and the AQPI Program Management team is developing an updated website and data management tools, which they expect to make available before the 2024-2025 wet season. Commissioners and staff attended a site visit at Rocky Ridge on the afternoon of June 28, 2024, and were able to see the radar close up. Another site tour will be scheduled for after the rainy season.

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ITEM NO. 13 REVIEW OF COMMISSIONER COMPENSATION POLICY

Recommendation

Provide direction to staff.

Strategic Plan Linkage

4. **Sustained Organization:** Sustain a functional, productive, resilient organization to ensure EBDA can strive to achieve its Mission and Vision.

Background

Per the Sanitary District Act of 1923, Commissioners may receive compensation for each day of service in an amount adopted by the Commission. In December 2020, the Commission adopted the Authority's Commissioner Compensation Policy, which governs the daily compensation rate and the activities that are eligible for compensation. The Policy was revised in May 2023, and again in November 2023. Modifications in May addressed changes to what activities were eligible for compensation. In November, the rate of compensation was increased to \$300. Per the Sanitary District Act, Commissioners are paid per day of service to the Authority, not per meeting, and Commissioner compensation is limited to no more than six (6) days of service in a calendar month.

Discussion

Staff is suggesting minor clarifying edits to the Policy and is seeking input from the Commission on whether the daily Commissioner compensation rate should be adjusted, and/or whether any other changes to the Policy are warranted. Interest has been expressed in adding compensation for attending Hayward Area Shoreline Planning Agency (HASPA) Trustees Meetings. The current rate of \$300 per day of service may be increased by up to 5%, to \$315. The following table includes current rates for EBDA's sanitary district members and other local agencies.

Pending feedback from the Committee, staff will bring the Policy back to the Commission for consideration next month. Any rate increase would be effective on January 1.

BOARD MEMBER COMPENSATION OVERVIEW SELECTED PUBLIC AGENCIES WITHIN THE REGION	
Agency	Stipend Per Compensable Meeting
West County Wastewater District	\$400.00
East Bay Dischargers Authority	\$300.00
Oro Loma Sanitary District	\$265.00
Castro Valley Sanitary District	\$260.00
Union Sanitary District	\$218.99
Dublin San Ramon Services District	\$195.00
Fairfield Suisun Sewer District	\$179.91
Alameda County Water District	\$175.00
Delta Diablo	\$170.00
Livermore-Amador Valley Water Management Agency	\$50.00

POLICY NUMBER:	5
NAME OF POLICY:	Commissioner Compensation
LAST REVISED:	November 16, 2023
PREVIOUSLY REVISED:	<u>November 16, 2023</u> May 18, 2023
PURPOSE:	The purpose of this Policy is to prescribe the manner in which Authority Commissioners may be compensated and/or reimbursed for actual and necessary expenses related to official business of the Authority as well as for attendance at professional, educational, or vocational meetings.

POLICY: It is the policy of the Authority to provide fair and appropriate compensation for Commissioners performing their official duties.

Per the Sanitary District Act of 1923, Health and Safety Code sections 6400 et seq. Health and Safety Code section 6489(a) provides that board members may receive compensation not to exceed one hundred dollars (\$100) “for each day’s attendance at meetings of the board or for each day’s service rendered as a director by request of the board, not exceeding a total of six days in any calendar month, together with any expenses incident thereto.” Health and Safety Code section 6489(b) provides that the board may adopt by ordinance an increased amount of compensation received by board members above the amount of one hundred dollars (\$100) per day.

On this basis, Commissioners shall be paid per day, not per meeting. Effective January 1, 2024, the current daily compensation rate is \$300 for each day of service. This compensation rate shall be reviewed once each calendar year in October and may be adjusted by up to 5% annually effective January 1 by action of the Commission. The Authority shall compensate Commissioners for up to six (6) days of service per month.

The following activities shall be considered Commission service eligible for compensation:

- Attendance at Authority Commission Meetings, Committee Meetings, or other Commission workshops or meetings subject to the Brown Act
- Representing the Authority at meetings or events at the request of Authority staff or Commission
- Meetings with legislators while representing the Authority

- Attendance at an Authority tour or special training
- Meetings with the General Manager regarding the Commission agenda or other business within the subject matter jurisdiction of the Authority

For the events above, Commissioners shall be entitled to the daily service stipend as well as reimbursement for associated travel costs.

For other activities, including conferences, meetings, and professional development, Commissioners shall be compensated by their appointing Member home agencies. Commissioners may seek exceptions whereby the Authority provides compensation by requesting pre-approval by the Commission. The Commission may consider pre-approving compensation for these and any other activities on a case-by-case basis.

For additional clarity, the following activities are ineligible for compensation:

- Attendance at meeting of a Standing, Liaison, Ad Hoc, or Advisory Committee of the Board on which the Commissioner does not serve
- Attendance at any meeting solely with Authority staff other than those identified above
- Internal Authority events with non-business or community-public relations functions, including groundbreaking, ribbon cuttings, dedications, and anniversary celebrations
- Social gatherings such as retired Commissioner dinners, ~~and~~ pre-conference activities, and nonpartisan welcoming or retirement events for the staff or fellow appointees of local agencies and organizations
- Any activity for which a Commissioner is representing their appointing Member home agency and/or receives compensation from another agency

All EBDA Commissioner compensation shall comply with relevant sections of the Codes of the State of California, and this Policy is subordinate to any applicable revisions to State law. EBDA Commissioner compensation shall be subject to disclosure.

ITEM NO. 14 ITEMS FROM THE COMMISSION AND STAFF

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

ITEM NO. 15 ADJOURNMENT