



**BOARD MEETING AGENDA**  
**Monday, March 9, 2015**  
**Regular Meeting - 7:00 P.M.**

**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

David M. O'Hara  
*Attorney*

1. Call to Order.  
\_\_\_\_\_
2. Pledge of Allegiance.  
\_\_\_\_\_
3. Roll Call.  
\_\_\_\_\_
- Motion 4. Approve Minutes of the Meeting of February 23, 2015.  
\_\_\_\_\_
5. Written Communications.  
\_\_\_\_\_
6. Oral Communications.  

*The public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District office at least one working day prior to the meeting). This portion of the agenda is where a member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction that is not on the agenda. If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. Oral comments are limited to three minutes per individuals, with a maximum of 30 minutes per subject. Speaker's cards will be available in the Boardroom and are to be completed prior to discussion.*

  
\_\_\_\_\_
- Motion 7. Authorize the General Manager to Execute Change Order No. 10 with GSE Construction Company for the Thickener Control Building Improvements Project (*to be reviewed by Construction Committee*).  
\_\_\_\_\_
- Motion 8. Resolution No. \_\_\_\_\_ Accept a Sanitary Sewer Easement for Tract 8042 located near Mission Boulevard and Chantecler Drive, in the City of Fremont (*to be reviewed by Legal/Community Affairs Committee*).  
\_\_\_\_\_
- Motion 9. Approve Private Lateral Study Next Steps (*to be reviewed by the Legal/Community Affairs Committee*).  
\_\_\_\_\_
- Information 10. Information Items:
  - a. Check Register.
  - b. Publication of Global Plating and Safety-Kleen, Newark as Significant Violators in 2014 (*to be reviewed by Legal/Community Affairs Committee*).
  - c. Report on the EBDA Commission Meeting of February 19, 2015.
  - d. CASA 12<sup>th</sup> Annual Washington D.C. Conference.  
\_\_\_\_\_

- Information 11. Committee Meeting Reports. *(No Board action is taken at Committee meetings):*
- a. Legal/Community Affairs Committee – scheduled for Wednesday, March 4, 2015 at 4:30 p.m.
  - b. Construction Committee – scheduled for Thursday, March 5, 2015 at 8:45 a.m.
  - c. Budget & Finance Committee – will not meet.
  - d. Personnel Committee – will not meet.
- 
- Information 12. General Manager’s Report. *(Information on recent issues of interest to the Board).*
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- Information 13. Other Business:
- a. Comments and questions. *Directors can share information relating to District business and are welcome to request information from staff.*
  - b. Scheduling matters for future consideration.
- 
14. Adjournment – The Board will adjourn to the Combined Board Workshop – T&D Coach and Legislative Update in the Boardroom on March 17, 2015 at 6:30 p.m.
- 
15. Adjournment – The Board will then adjourn to the Closed Session – District Counsel RFP in the Alvarado Conference Room on March 23, 2015 at 5:30 p.m.
- 
16. Adjournment – The Board will then adjourn to the next Regular Meeting in the Boardroom on Monday, March 23, 2015, at 7:00 p.m.
- 

The Public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District at least one working day prior to the meeting).

If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. If the subject is within the Board’s jurisdiction but not on the agenda, the speaker will be heard at the time “Oral Communications” is calendared. Oral comments are limited to three minutes per individual, with a maximum of 30 minutes per subject. Speaker’s cards will be available in the Boardroom and are to be completed prior to discussion of the agenda item.

The facilities at the District Offices are wheelchair accessible. Any attendee requiring special accommodations at the meeting should contact the General Manager’s office at (510) 477-7503 at least 24 hours in advance of the meeting.

THE PUBLIC IS INVITED TO ATTEND

**NOTICE OF  
COMMITTEE MEETING**

All meetings will be held in  
the General Manager's Office



**BOARD MEETING OF MARCH 9, 2015**

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**Committee Membership:**

Budget and Finance	Directors Anjali Lathi and Tom Handley (Alt. – Pat Kite)
Construction Committee	Directors Pat Kite and Jennifer Toy (Alt. – Manny Fernandez)
Legal/Community Affairs	Directors Pat Kite and Tom Handley (Alt. –Anjali Lathi)
Legislative Committee	Directors Manny Fernandez and Jennifer Toy (Alt–Tom Handley)
Personnel Committee	Directors Manny Fernandez and Anjali Lathi (Alt. – Jennifer Toy)
Audit Committee	Directors Manny Fernandez and Tom Handley (Alt. Jennifer Toy)

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**Legal/Community Affairs Committee, Wednesday, March 4, 2015 at 4:30 p.m.**

8. Resolution No. \_\_\_\_\_ Accept a Sanitary Sewer Easement for Tract 8042 located near Mission Boulevard and Chantecler Drive, in the City of Fremont.
9. Approve Private Lateral Study Next Steps.
- 10b. Publication of Global Plating and Safety-Kleen, Newark as Significant Violators in 2014.

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**Construction Committee, Thursday, March 5, 2015 at 8:45 a.m.**

7. Authorize the General Manager to Execute Change Order No. 10 with GSE Construction Company for the Thickener Control Building Improvements Project.

Committee meetings may include teleconference participation by one or more Directors.  
(Gov. Code Section 11123)  
Committee Meetings are open to the public. Only written comments will be considered. No action will be taken.

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT  
FEBRUARY 23, 2015**

**CALL TO ORDER**

President Fernandez called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

PRESENT: Manny Fernandez, President  
Jennifer Toy, Vice President (arrived at 7:15 p.m.)  
Pat Kite, Director  
Anjali Lathi, Director

ABSENT: Tom Handley, Secretary

STAFF: Dave O'Hara, District Counsel  
Rich Cortés, Business Services Manager  
Sami Ghossain, Technical Services Manager  
James Schofield, Collection Services Manager  
Armando Lopez, Treatment & Disposal Services Manager  
Robert Simonich, Fabrication, Maintenance, & Construction Manager  
Maria Scott, Principle Financial Analyst  
Laurie Brenner, Organizational Performance Program Manager  
Paul Johnson, Store Keeper II  
Regina McEvoy, Assistant to the GM/Board Secretary

**APPROVAL OF THE MINUTES OF FEBRUARY 9, 2015**

It was moved by Director Kite, seconded by Director Lathi, to Approve the Minutes of the Board of Director's Meeting held February 9, 2015. Motion carried with the following vote:

AYES: Fernandez, Kite, Lathi  
NOES: None  
ABSENT: Handley, Toy  
ABSTAIN: None

**MONTHLY OPERATIONS REPORT**

The Budget and Finance Committee reviewed this item.

- a. Second Quarter FY15 District-wide Balanced Scorecard Measures – Laurie Brenner reported the following: The District experienced one employee injury during the second quarter of FY15, exceeding the target for the year with three total accidents resulting in lost days. Safety inspections are ongoing and well over target for areas corrected within 45 days. Staff will be noting common reoccurring safety issues for continued

improvement, and will explore the possibility of adjusting targets for areas experiencing recurring injuries. An action plan will be developed to address targeted employees who have not participated in safety specific training. The Stewardship objective focused on EOC and Emergency Preparedness, and the annual goal has been achieved. Response to Contact USD remains on target, and service call time within the hour is at 97.8%. There was a Category 1 incident on Palm Avenue in Fremont on October 28, 2014. Root intrusion was determined to be the causal factor, and an estimated five gallons made it to State waters.

- b. Treatment & Disposal Scorecard – Armando Lopez reported the following: The “Plant Health Index” measure tracks twelve aspects of treatment plant process performance. The index value average met the target of 85% or greater for FY14, and is currently meeting the target for FY15. The District met all NPDES compliance measures with the exception of the low chlorine residual exceedance during the December 11, 2014, exercise of the wet weather bypass valve to Alameda Creek. All laboratory measures were at 100% for FY14, and are on track to meet the target of 95% or greater in FY15. TPO met the target of 95% or greater for completing preventive maintenance work orders within the month they are scheduled, and are on track to meet the target for FY15. Electricity consumption at the plant is averaging 2,178 kwh/MG (kilowatt hours per million gallons treated), and the target value is 2,100 kwh/MG or less. Water usage for the first half of FY15 is on track to meet the target of 30,000 gallons or less per day. TPO updated four training modules in the first half of FY15, and will surpass the target for this measure.
- c. FMC Scorecard – Robert Simonich reported the following: The FMC team is averaging greater than 95% of completion for planned maintenance activities, surpassing the Water Environment Federation (WEF) “best practice” of greater than 90%. The FMC work group fell slightly below the target of 95% with 92.9% of preventive maintenance work orders completed within the month scheduled. This measure is expected to exceed the target in the 3<sup>rd</sup> quarter of FY15. Overtime continues to be above target as FMC continues to support multiple CIP projects throughout the plant and pump stations. The number of corrective work orders over 90 days continues to fall.
- d. Monthly Odor Report and Financial Reports –
  - d.1 Rich Cortés reported the following: There were three odor complaints received during the month of January, all from the City of Fremont. The first complaint was investigated, and the odor was determined to be emanating from the landfill located near Fremont Boulevard and Warren Avenue. The findings were relayed to the reporting party, and it was suggested they contact the City of Fremont. The other two complaints were investigated with no odor found, and staff relayed the findings to the reporting parties.
  - d.2 Maria Scott reported the following: Revenues – The District received \$105,000 in capacity fees during the month of January. Expenditures – The District spent \$500,000 on Capital Improvement Projects in January, and special projects are at 19% of budget. Only 4% of the vehicle and equipment budget has been spent to date, however, this will rise as the year goes on. Most expenses by type are under budget.

## **WRITTEN COMMUNICATIONS**

There were no written communications.

## **ORAL COMMUNICATIONS**

There were no oral communications.

**INFORMATION ITEMS:**

**Check Register** All questions were answered to the Board's satisfaction.

**COMMITTEE MEETING REPORTS:**

The Budget & Finance Committee met.

**GENERAL MANAGER'S REPORT:**

A General Manager's report was not presented.

**OTHER BUSINESS:**

Pat Kite stated she attended Lee Doty's memorial service on February 20, 2015.

**ADJOURNMENT:**

The meeting was adjourned at 7:26 p.m. to the Sewer Service Charge Rate Study Workshop in the Boardroom on Thursday, March 5, 2015 at 6:30 p.m.

The Board will then adjourn to the District Counsel RFP Closed Session on Monday, March 9, 2015 at 5:30 p.m.

The Board will then adjourn to the next Regular Meeting in the Boardroom on Monday, March 9, 2015 at 7:00 p.m.

SUBMITTED:

ATTEST:

\_\_\_\_\_  
REGINA McEVOY  
SECRETARY TO THE BOARD

\_\_\_\_\_  
TOM HANDLEY  
SECRETARY

APPROVED:

\_\_\_\_\_  
MANNY FERNANDEZ  
PRESIDENT

Adopted this 9<sup>th</sup> day of March, 2015



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge, PE  
*General Manager/  
District Engineer*

David M. O'Hara  
*Attorney*

**DATE:** March 2, 2015

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
Sami E, Ghossain, Manager of Technical Services  
Raymond Chau, CIP Coach  
Curtis Bosick, Associate Engineer

**SUBJECT:** Agenda Item No. 7 – Meeting of March 9, 2015  
**Authorize the General Manager to Execute Change Order No. 10 with GSE Construction Company for the Thickener Control Building Improvements Project**

### **Recommendation**

Staff recommends the Board authorize the General Manager to execute Change Order No. 10 to the construction contract with GSE Construction Company, Inc. ("GSE") for the credit amount of \$217,000 for the Thickener Control Building Improvements Project ("Project").

### **Background**

On May 27, 2014, the Board awarded the construction contract for the Project to GSE in the amount of \$9,990,050. The Project's scope includes the construction of a new Thickener Control structure with built-in utility trenches, three new progressing cavity sludge pumps, two grinder pumps, two flow meters, and numerous isolation valves along with associated piping and fittings. The Project was designed by Carollo Engineers, and The Covello Group is providing construction management services. The 790-day project is scheduled to be complete on September 10, 2016.

The District obtained financial assistance through the State Revolving Fund program administered by the State Water Resources Control Board ("SWRCB"). The approved budget for this financial assistance is \$12,200,000.

## **Grease Accumulation Issue**

In 2013, new progressing cavity sludge pumps, with temporary polyvinyl chloride (PVC) piping, were constructed outside the Thickener Building as a temporary arrangement to facilitate the demolition and reconstruction of the Thickener Building, while keeping the sludge thickening process in operation. In February 2014, District staff discovered and cleaned out a large quantity of grease from both the suction and discharge sides of the sludge pumps located at the Thickener Interim Pumping Slab. Approximately 80% to 90% of the pipe's cross-sectional area was blocked by grease, which was causing a significant decline in pump performance.

At that time, staff met with Carollo Engineers to discuss the potential causes of the grease accumulation and to implement design measures to minimize their effects in the new permanent facilities. The identified causes included: operating the pumps at lower velocities; the use of PVC pipe instead of glass-lined ductile iron pipe; the colder outdoor temperatures the pipe is exposed to; and the increase in the number of pipe fittings which increases the loss of pumping energy.

Per the recommendations of Carollo Engineers, staff authorized design modifications to the permanent facilities to account for the grease accumulation issue. These modifications included: the addition of a heat tracing cable system and insulation to sludge pipes that will be exposed to colder outdoor temperatures, the addition of insulation to sludge pipes that will be installed underground, and the addition of numerous cleanouts to provide for easier pipe access for cleanings. The intent of these changes was to heat the pipe wall to a temperature that inhibits grease accumulation, insulate the pipe to retain any added heat, and make maintenance easier for future cleanings. Already included in the design, was the use of glass-lined ductile iron pipe.

## **Bid Alternate D**

In addition to design changes made for the permanent facilities, Bid Alternate D was included in the construction contract to replace the existing temporary thickened primary sludge PVC pipes and fittings with glass-lined ductile iron pipes and fittings. This option was added to the project in case the PVC piping was found to be a contributor to the grease accumulation. In the contract, the District reserved the right to delete Bid Alternate D within eight months of the start of construction without causing a change in the other bid items or alternates. The awarded amount for this alternate is \$217,000, and the eight month period ends on March 13, 2015.

Since February 2014, District staff has been monitoring the thickened primary sludge processes to determine if the existing PVC pipes and fittings need to be replaced. This encompassed staff installing a short section of glass-lined ductile pipe and comparing its performance with corresponding PVC pipes. To date, staff has not observed any significant difference in grease accumulation inside the pipe within this section.

Although staff continues to deal with some grease accumulation issues, staff currently believes that the work associated with Bid Alternate D alone will not be sufficient to make any measurable improvements to the temporary pumping system. Therefore, staff recommends executing Change Order No. 10 to delete Bid Alternate D.

**Project Change Order Summary**

Nine Change Orders have been executed to date. A summary of these Change Orders follows in Table 1:

**Table 1  
 Change Order Summary**

<b>No.</b>	<b>Description</b>	<b>Amount</b>
1	Davis Bacon and Related Acts Wage Determination Rates	\$0
2	Vent-O-Mat Air Release Valve	\$4,421
3	Change the Valves from Domestic (Buy American) to Non-Domestic	Credit (\$139,292)
4	Revised Underground Utility Early Completion Date	\$0
5	Existing Sludge Transfer Pump Horsepower Modifications	\$6,725
6	Additional Excavations for Differing Site Conditions	\$14,685
7	Relocate Thickened Primary Sludge Pipe Trench	\$6,987
8	Relocate Paint Shop Utilities	\$1,384
9	Relocate Water Lines	\$2,044
10	Deletion of Bid Alternate D	Credit (\$217,000)
	<b>Total Cost of Change Orders</b>	<b>Credit (\$320,046)</b>

Change Order No. 10 will reduce the Change Order Rate to -3.20% of the original contract amount.

Staff recommends the Board authorize the General Manager to execute Change Order No. 10 to the construction contract with GSE Construction Company, Inc. for the credit amount of \$217,000 for the Thickener Control Building Improvements Project.

PRE/SEG/RC/CB:ks

Attachment: Site Map  
 Photos  
 Contract Change Order No. 10



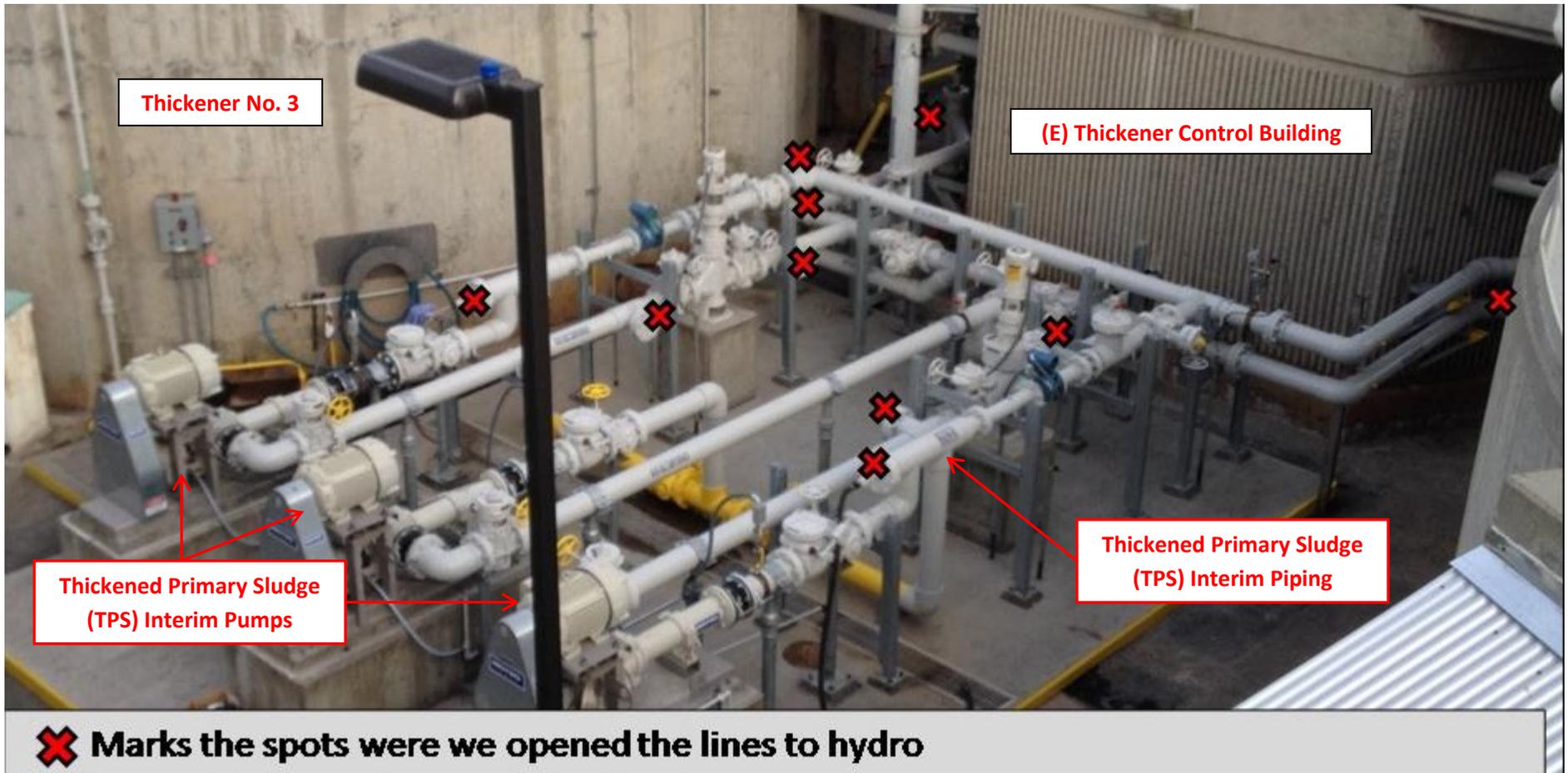
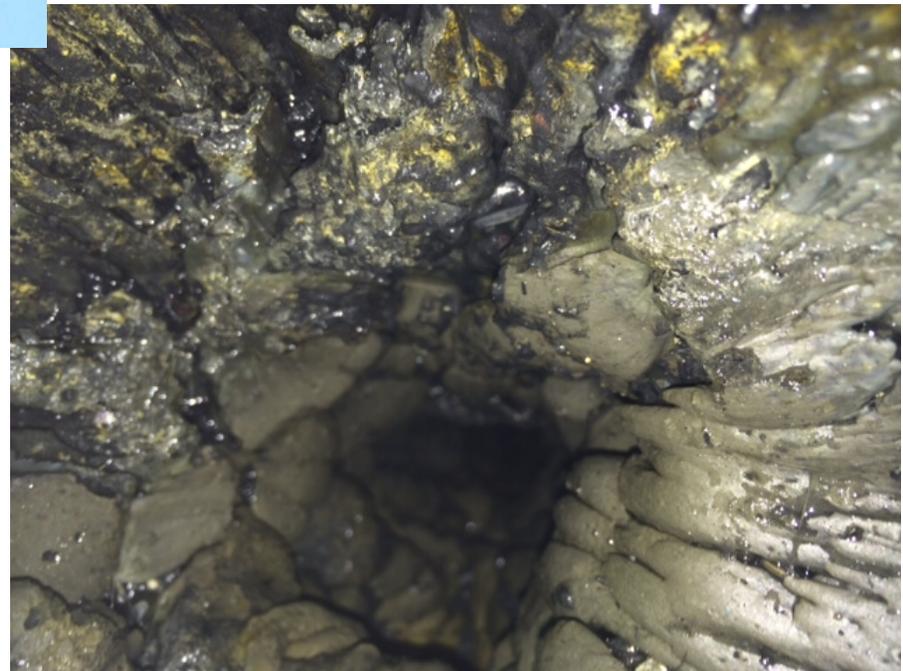


Photo 1 – Thickener Interim Pumping Slab



Photo 2 – PVC Pipe w/  
Grease Accumulation

Photo 3 – Grease Accumulation within Pipe



**CONTRACT CHANGE ORDER No. 010**  
**Union Sanitary District**  
**Thickener Control Building Improvements Project**  
**Project No. 800-394**

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**Item: Delete Bid Alternate D**

Contractor is hereby directed to make the herein described changes from the plans and specifications or do the following work not included in the plans and specifications of this contract. All new work herein described shall be done in accordance with the applicable provisions of the plans and specifications, except as specifically modified by this Contract Change Order.

**DESCRIPTION OF CHANGE:**

Delete the Bid Alternate D (Replace Existing PVC Pipes and Fittings with Glass-Lined Ductile Iron) scope of work in accordance with Specification Section 01025-2.0.

**REFERENCES:** Specification Section 01025 -2.0 Bid Alternate D

**COST OF CHANGE:** (\$217,000.00) Deduct

**CONTRACT TIME ADJUSTMENT:** none

We, the undersigned Contractor, have given careful consideration to all aspects of the change proposed and hereby agree. This Contract Change Order constitutes full and complete compensation for all labor, equipment, materials, overhead, profit, any and all indirect costs and time adjustment, including any delay and rescheduling, required to perform the above described change and will accept this Contract Change Order as full and final payment.

This document supplements the Contract Documents and all provisions of the Contract Documents will apply thereto. It is understood that the Contract Change Order shall be effective when fully executed by the District.

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**ACCEPTED:**

**GSE Construction Co., Inc.**  
Project Manager:

By: \_\_\_\_\_  
Mario Lozano

Date: \_\_\_\_\_

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**RECOMMENDED FOR ACCEPTANCE:**

**The COVELLO GROUP, Inc.**  
Construction Manager:

By: \_\_\_\_\_  
Mike Redig, P.E.

Date: \_\_\_\_\_

**AUTHORIZED STAFF APPROVAL:**

The Contractor shall not commence with the above-described work of this change order prior to the approval by the District's Authorized Staff.

**Union Sanitary District**  
Authorize Staff:

By: \_\_\_\_\_  
Paul R. Eldredge, P.E.  
General Manager/District Engineer

Date: \_\_\_\_\_



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge, PE  
*General Manager/  
District Engineer*

David M. O'Hara  
*Attorney*

**DATE:** March 2, 2015

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
Sami E. Ghossain, Manager of Technical Services  
Rollie Arbolante, Customer Service Team Coach  
Al D. Bunyi, Associate Engineer

**SUBJECT:** Agenda Item No. 8 - Meeting of March 9, 2015  
**Resolution No. \_\_\_\_\_, Accept a Sanitary Sewer Easement for Tract 8042 Located Near Mission Boulevard and Chantecler Drive in the City of Fremont**

### **Recommendation**

Adopt a Resolution to accept a sanitary sewer easement near Mission Boulevard and Chantecler Drive in the city of Fremont.

### **Background**

Edenbridge Capital Partners, L.P is constructing sixteen new, single-family detached homes identified as Treviso - Tract 8042. The housing development is located behind the Saint Joseph's Cemetery near the intersection of Mission Boulevard and Chantecler Drive in the city of Fremont. Service to the residential development has been provided by the construction of new 8-inch sewer mains and connecting them to the existing 8-inch sewer main on Mission Boulevard. The new sewer mains are within a private street named Felipe Common. Edenbridge Capital Partners, L.P. is granting the District a sanitary sewer easement for the sewer mains within the private street that provides the District the ability to access, maintain and service the new sewer mains. The easement is being granted at no cost to the District. A vicinity map is attached.

District staff has reviewed the legal description and plat map of the easement and recommends approval.

PRE/SEG/RA/ADB:ks

Attachments: Resolution  
Grant of Easement  
Vicinity Map

**RESOLUTION NO. \_\_\_\_\_**

**ACCEPT A SANITARY SEWER EASEMENT FOR TRACT 8042  
LOCATED NEAR MISSION BOULEVARD AND CHANTECLER DRIVE  
IN THE CITY OF FREMONT**

RESOLVED by the Board of Directors of UNION SANITARY DISTRICT, that it hereby accepts the Grant of Easement from Edenbridge Capital Partners, L.P., executed on October 9, 2013, as described in the Grant of Easement For Sanitary Sewer Purposes and by attached Exhibit A. Legal Counsel for the District is hereby authorized to attend to the recordation thereof.

On motion duly made and seconded, this resolution was adopted by the following vote on March 9, 2015:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
MANNY FERNANDEZ  
President, Board of Directors  
Union Sanitary District

Attest:

\_\_\_\_\_  
Tom Handley  
Secretary, Board of Directors  
Union Sanitary District

**GRANT OF EASEMENT**  
**FOR SANITARY SEWER PURPOSES**

THIS INDENTURE, made this 9<sup>th</sup> day of OCTOBER 2013 by and between Edenbridge Capital Partners, L.P., the Party/Parties of the First Part, and Union Sanitary District, the Party/Parties of the Second Part,

**WITNESSETH:**

That said Party/Parties of the First Part does hereby grant to the Party of the Second Part and to its successors and assigns forever, for the use and purposes herein stated, the rights of way and easements hereinafter described, located in the City of Fremont, County of Alameda, State of California:

**See Exhibit "A"**

together with the right and privilege of constructing, reconstructing, cleaning, repairing and maintaining at any time, a sanitary sewer and appurtenances along, upon, over, in, through and across the above described property; together with free ingress and egress to and for the said Party of the Second Part, its successors and assigns, its agents and employees, workmen, contractors, equipment, vehicles and tools, along, upon, over, in, through and across said right of way; together with the right of access by its successors and assigns, its agents and employees, workmen, contractors, equipment, vehicles and tools to said right of way from the nearest public street, over and across the adjoining property, if such there be; otherwise by such route or routes across said adjoining property as shall occasion the least practicable damage and inconvenience to the Party of the First Part, for constructing, cleaning, repairing and maintaining said sanitary sewer and appurtenances; together with free ingress and egress over the land immediately adjoining for maintenance, repair and replacement as well as the initial construction of said sewer.

IN WITNESS WHEREOF the said Party/Parties of the First Part have executed this indenture the day and year first above written.

  
\_\_\_\_\_  
Signature

By: PATRICK J. GEARY, AUTHORIZED SIGNATORY  
(Print or type name and title of signatory)  
**Edenbridge Capital Partners, L.P.**

(Notarize)

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

State of California

County of Santa Clara }

On Oct 9, 2013 before me, A. Tristen Watkins Notary Public,  
Date Here Insert Name and Title of the Officer

personally appeared Patrick J. Geary  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature: A. Tristen Watkins  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Individual
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



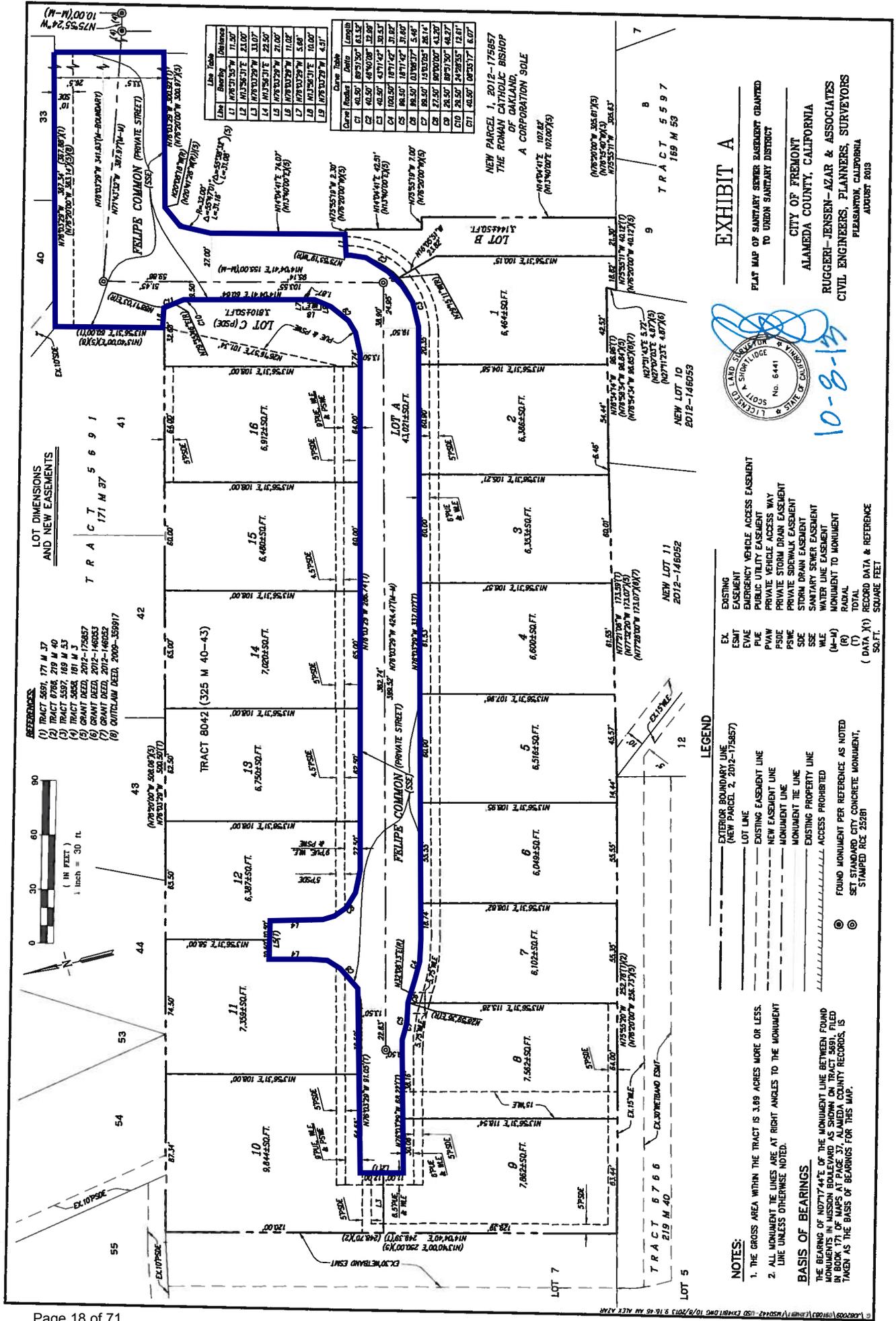
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Individual
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

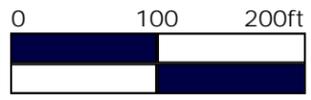


# TRACT 8042 - GRANT OF EASEMENT

## VICINITY MAP



Site	
	Sewer Mains
	Sewer Sheet Pile History
Sewer Manholes	
	Manhole
	Riser
	Cap
	Lamphole
	Other types
	Sewer Mains Historical
	Sewer Manholes Historical
Streets	
	Parcels
	Lakes
	2009 Aerial Photo



### For USD use only

*Disclaimer:*  
 The information on this map is provided by Union Sanitary District (USD) for internal use only. Such information is derived from multiple sources which may not be current, be outside the control of USD, and may be of indeterminate accuracy. The information provided hereon may be inaccurate or out of date, and any person or entity who relies on said information for any purpose whatsoever does so solely at their own risk.





**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager/District  
Engineer*

David M. O'Hara  
*Attorney*

**DATE:** February 23, 2015

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul Eldredge, General Manager/District Engineer  
James Schofield, Collection Services Manager, Rollie Arbolante,  
Customer Service Team Coach, Michelle Powell, Communications  
Coordinator

**SUBJECT: Agenda Item No. 9 - Meeting of March 9, 2015 APPROVAL FOR  
PRIVATE LATERAL STUDY NEXT STEPS**

### **Recommendation**

Staff recommends the Board adopts the implementation of the Lateral Inspection Grant Program and the development of materials to promote lateral awareness. Staff also requests that funds from the Private Lateral Study be reallocated to fund both the grant program and the development of products for the Lateral Awareness Outreach Program.

### **Background**

During the Board Workshop held October 20, 2014, staff reported out on the results of the District's Private Lateral Study. The purpose of this study was to better understand the condition of private residential laterals and how they might contribute to wet weather flow, and review alternatives for repair and replacement strategies. While the data from the study showed there were not an alarming number of structural defects in the study group, several maintenance issues were revealed.

At that time, the Private Lateral Task Force was advised by the Board to move forward with developing a "Lateral Awareness Outreach Program." Staff was also directed to explore the feasibility of adopting a lateral replacement loan or grant program. The task force was also encouraged to explore working jointly with the Association of Realtors to

develop and circulate Lateral Awareness Outreach materials to promote awareness of this issue.

The Association of Realtors expressed interest in participating in the development of the program and offered resources, possible grant funding, and access to its customer data-base. However, these resources were contingent upon other factors that staff does not believe is advantageous for the District to entertain at this time.

After visiting Castro Valley and obtaining additional information from other agencies, staff is recommending a multiphase approach to laterals ranging from a Lateral Inspection Program as phase 1 to a Loan and/or grant program in the near future as phase 2. The Lateral Inspection Grant Pilot Program will give the District an opportunity to provide assistance to rate payers either experiencing lateral issues or those customers who are interested in being proactive as to the condition of their lateral. The Program is intended to provide homeowners with incentive to have the condition of their lateral accurately diagnosed in order to better identify next steps in correcting defects with their lateral.

Currently the concept for this program is that homeowners can be reimbursed up to \$300 for costs incurred as the result of having their private residential sewer lateral video inspected. The program will target private residences with vitrified clay pipe laterals or residences built prior to 1973. Currently, there is a remaining balance of \$65,000 from the original Private Lateral Study funding. Staff is requesting that this amount be reallocated to pay for both the Lateral Inspection Grant Program (\$50,000) and the Lateral Awareness Outreach Program (\$15,000).

Staff recommends that the grant pilot program run for one year or until the \$50,000 is exhausted. Once the program is completed, it will be evaluated for its effectiveness and the results will be shared with the Board.

Staff will continue to evaluate adopting a "Lateral Replacement Loan Program" We are currently working with other organizations to determine the effectiveness, resources needed, and implications of using public funds for this purpose.

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156798	2/26/2015	800394.6	GSE CONSTRUCTION CO INC	THICKENER CONTROL BLDG IMPROV PHASE II	\$420,489.00	\$420,489.00
156752	2/19/2015	20141230.2	SWRCB - STATE WATER RESOURCES	SRF LOAN #C065220110 - CEDAR BLVD	\$127,349.06	\$284,676.28
	2/19/2015	20141230.1		SRF LOAN #C065221110 - SUBSTATION 1	\$157,327.22	
156781	2/26/2015	4185	DW NICHOLSON CORP	COGENERATION PROJECT	\$135,849.57	\$223,829.20
	2/26/2015	4186		PRIMARY DIGESTER #5 REHABILITATION	\$87,979.63	
156836	2/26/2015	4067	WINNER CHEVROLET INC	1 2015 CHEVROLET VOLT	\$36,198.30	\$122,552.50
	2/26/2015	4066		1 2015 CHEVROLET VOLT	\$36,198.30	
	2/26/2015	4065		1 2015 CHEVROLET TRUCK SILVERADO	\$50,155.90	
156738	2/19/2015	140120150205	PACIFIC GAS AND ELECTRIC	SERV TO 02/03/15 IRVINGTON PS	\$25.74	\$74,007.59
	2/19/2015	170120150209		SERV TO 01/21/15 PLANT	\$72,520.73	
	2/19/2015	013720150205		SERV TO 02/04/15 BOYCE RD PS	\$1,461.12	
156778	2/26/2015	201300823	COVELLO GROUP INC	COGENERATION PROJECT	\$20,336.00	\$55,094.71
	2/26/2015	20130359		THICKENER CONROL BUILDING IMPROVEMENTS PHASE II	\$34,758.71	
156759	2/19/2015	3976	WINNER CHEVROLET INC	1 2015 CHEVROLET TRUCK SILVERADO	\$50,155.90	\$50,155.90
156770	2/26/2015	81311	CDW GOVERNMENT LLC	MICROSOFT DATACENTER SOFTWARE ASSURANCE	\$8,692.00	\$41,628.76
	2/26/2015	22868		SIEM RENEWAL	\$7,285.00	
	2/26/2015	98882		THICKENER CONTROL BLDG IMP SWITCHES	\$4,395.41	
	2/26/2015	81313		MICROSOFT ANNUAL SOFTWARE ASSURANCE	\$21,256.35	

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156833	2/26/2015	2026641	WEST YOST & ASSOCIATES	VEASY ST SANITARY SEWER	\$2,666.50	\$22,567.56
	2/26/2015	2026662		PINE STREET EASEMENT	\$1,576.50	
	2/26/2015	2026787		ALVARADO-NILES ROAD SS REHABILITATION	\$15,758.06	
	2/26/2015	2026659		MISC SS SPOT REPAIRS PHASE V	\$1,014.00	
	2/26/2015	2026661		PLANT FACILITIES IMPROVEMENTS	\$1,552.50	
156755	2/19/2015	533620150122	US BANK CORP PAYMENT SYSTEM	MONTHLY CAL-CARD STMT - JAN 2015	\$22,374.89	\$22,374.89
156799	2/26/2015	800394.6E	GSE CONSTRUCTION CO INC	THICKENER CONTROL BLDG IMPROV PHASE II - ESCROW	\$22,131.00	\$22,131.00
156756	2/19/2015	789628	VALLEY OIL COMPANY	4,012 GALS CLEAR DIESEL & 4,0002 GALS UNLEADED 10%	\$18,858.94	\$18,858.94
156737	2/19/2015	86420150203	DAVID M O'HARA ATTY AT LAW	GENERAL LEGAL - JAN 2015	\$12,684.00	\$13,198.50
	2/19/2015	97720150203		CIP LEGAL - JAN 2015	\$514.50	
156769	2/26/2015	7105	BNBUILDERS	REFUND # 17851	\$8,629.20	\$12,726.70
	2/26/2015	6850		REFUND # 17850	\$4,097.50	
156722	2/19/2015	13706	EEC ENVIRONMENTAL INC	CWT & PRETREATMENT PROGRAM ASSISTANCE	\$12,677.50	\$12,677.50
156784	2/26/2015	902029094	EVOQUA WATER TECHNOLOGIES	2,420 GALS HYDROGEN PEROXIDE	\$11,235.58	\$11,235.58
156730	2/19/2015	9017431747	KEMIRA WATER SOLUTIONS, INC.	7.70 DRY TONS FERROUS CHLORIDE	\$5,035.80	\$10,045.44
	2/19/2015	9017432346		7.66 DRY TONS FERROUS CHLORIDE	\$5,009.64	

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156705	2/19/2015	63135	3T EQUIPMENT COMPANY INC	REPAIR AUXILIARY CONTROLLER STANDARD	\$226.39	\$9,462.12
	2/19/2015	63118		6 FERNCO FLEX ADAPTER & 4 CABLE GRIP	\$1,028.03	
	2/19/2015	63125		14 PIPEPATCH KIT - WINTER	\$5,242.86	
	2/19/2015	63124		1 FLOW THROUGH PACKER	\$2,964.84	
156723	2/19/2015	902029095	EVOQUA WATER TECHNOLOGIES	1,815 GALS HYDROGEN PEROXIDE	\$8,426.68	\$8,426.68
156826	2/26/2015	13575	SYSTEMATES INC	PROJECTMATES SOFTWARE ANNUAL MAINTENANCE	\$8,300.00	\$8,300.00
156720	2/19/2015	22759	DOUGLAS PRODUCTS AND PACKAGING	24 SAMAFOAM VAPOROOTER II, GALLON	\$7,903.81	\$7,903.81
156741	2/19/2015	942741	POLYDYNE INC	42,600 LBS CLARIFLOC WE-539	\$5,597.64	\$5,597.64
156805	2/26/2015	9017433444	KEMIRA WATER SOLUTIONS, INC.	7.53 DRY TONS FERROUS CHLORIDE	\$4,924.62	\$4,924.62
156712	2/19/2015	11555	BEECHER ENGINEERING	SCADA MASTER PLAN AND SCADA STANDARDS PROJECT	\$1,440.00	\$4,840.00
	2/19/2015	11556		MCC & PLC REPLACEMENT - PHASE 3	\$3,400.00	
156825	2/26/2015	57906	STANCOR INC	1 SUBMERSIBLE PUMP MODEL P-40C	\$4,783.43	\$4,783.43
156754	2/19/2015	665094	UNIVAR USA INC	5,015 GALS SODIUM HYPOCHLORITE	\$2,317.93	\$4,637.71
	2/19/2015	665179		5,019 GALS SODIUM HYPOCHLORITE	\$2,319.78	
156827	2/26/2015	666881	UNIVAR USA INC	4,951 GALS SODIUM HYPOCHLORITE	\$2,288.36	\$4,611.84
	2/26/2015	666114		5,027 GALS SODIUM HYPOCHLORITE	\$2,323.48	
156733	2/19/2015	2290	M-I-C INC	1 EA FLAME ARRESTER KIT	\$4,056.01	\$4,056.01
156800	2/26/2015	9223796	HACH COMPANY	1 EA SC200 CONTROLLER & 3 EA COMM MODULE FOR B4	\$4,018.20	\$4,018.20
156829	2/26/2015	789126	VALLEY OIL COMPANY	1,502 GALS DYED DIESEL	\$3,652.37	\$3,652.37

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156727	2/19/2015	9208251	HACH COMPANY	2 KITS - MEMBRANE REPLACEMENT	\$244.70	\$3,477.14
	2/19/2015	9209187		2 EA CHLORINE SENSORS	\$3,232.44	
156796	2/26/2015	5536	GREAT CHINA INVESTMENT	REFUND # 17868	\$3,437.00	\$3,437.00
156742	2/19/2015	150128	PROSAFE	32 HRS INSPECTIONS & 2 HRS SPCC	\$3,400.00	\$3,400.00
156776	2/26/2015	4501	CNB CORPORATION	REFUND # 17867	\$3,300.00	\$3,300.00
156746	2/19/2015	20150218	JAMIE ROJO	COMPUTER NOTE	\$2,797.65	\$2,797.65
156717	2/19/2015	20150128	COMMUNICATION & CONTROL INC	UTILITY FEE/ANTENNA RENTAL	\$2,710.53	\$2,710.53
156780	2/26/2015	478345	DOWNEY BRAND LLP	LEGAL SERVICES OCT & DEC 2014	\$2,558.90	\$2,558.90
156714	2/19/2015	136279	BORGES & MAHONEY, CO.	2 CELL UNIT FOR AMPEROMETER	\$2,532.09	\$2,532.09
156761	2/26/2015	11331	ALAMEDA COUNTY WATER DISTRICT	MISC SS SPOT REPAIRS PHASE V	\$2,415.04	\$2,415.04
156790	2/26/2015	17037	CITY OF FREMONT	RANGE 2 HAZMAT STORAGE PERMIT	\$313.96	\$2,376.12
	2/26/2015	17097		RANGE 5 HAZMAT STORAGE PERMIT	\$1,748.20	
	2/26/2015	17153		RANGE 2 HAZMAT STORAGE PERMIT	\$313.96	
156819	2/26/2015	XCTZ00H	PACHECO BROTHERS GARDENING INC	WEED ABATEMENT WORK FEB 2015	\$915.00	\$2,280.00
	2/26/2015	XCTZ00G		LANDSCAPE MAINTENANCE SERVICES FEB 2015	\$1,365.00	
156735	2/19/2015	20150130	NAPA AUTO PARTS	MONTHLY AUTO PARTS STMT - JAN 2015	\$2,029.72	\$2,029.72
156766	2/26/2015	763	AUTOMATED NETWORK CONTROLS	THICKENER CONTROL BUILDING	\$2,022.18	\$2,022.18
156721	2/19/2015	41418139	EATON CORP	GENERATOR 8 PROBLEMS	\$2,000.00	\$2,000.00
156806	2/26/2015	106112	KIER & WRIGHT CIVIL ENGINEERS	SURVEYING SERVICES - JARVIS QUITCLAIM ESMT	\$1,896.00	\$1,896.00

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156731	2/19/2015	10931	LOOKINGPOINT INC	REPLACE REMOTE SITE ROUTERS	\$1,800.00	\$1,800.00
156830	2/26/2015	900078	VINCENT ELECTRIC MOTOR CO	TEST MOTOR & REPAIR METAL SPRAY SHAFT	\$1,783.82	\$1,783.82
156812	2/26/2015	23327399	MCMASTER SUPPLY INC	ASTD PARTS & MATERIALS	\$175.99	\$1,584.30
	2/26/2015	23145547		3 EA INLINE MINIATURE AIR REGULATORS	\$116.77	
	2/26/2015	23523169		ASTD PARTS & MATERIALS	\$274.57	
	2/26/2015	23570915		3 EA PVC SADDLE TAPS	\$290.54	
	2/26/2015	23343176		ASTD PARTS & MATERIALS	\$726.43	
156719	2/19/2015	20150125.25	DALE HARDWARE INC	01/15 - ASTD PARTS & MATERIALS	\$1,518.69	\$1,518.69
156802	2/26/2015	5513518	HOSE & FITTINGS ETC	ASTD PARTS & MATERIALS	\$118.75	\$1,504.12
	2/26/2015	5514346		ASTD PARTS & MATERIALS	\$1,287.83	
	2/26/2015	5513519		ASTD PARTS & MATERIALS	\$94.51	
	2/26/2015	5513355		ASTD PARTS & MATERIALS	\$3.03	
156835	2/26/2015	24658	WILEY PRICE & RADULOVICH LLP	LABOR & EMPLOYMENT LAW FEES	\$1,380.50	\$1,380.50
156779	2/26/2015	253423	CURTIS & TOMPKINS LTD	2 LAB SAMPLE ANALYSIS	\$315.00	\$1,350.00
	2/26/2015	253421		45 LAB SAMPLE ANALYSIS	\$745.00	
	2/26/2015	253372		14 LAB SAMPLE ANALYSIS	\$290.00	
156813	2/26/2015	36553	METROMOBILE COMMUNICATIONS INC	HAYWARD MARSH ANTENNA RELOCATION	\$749.20	\$1,331.95
	2/26/2015	150243		RADIO SERVICE AGREEMENT - FEB 2015	\$582.75	
156831	2/26/2015	1063890	WATER HEATERS ONLY INC	INSTALL RHEEM 6 GAL ELEC WATER HEATER FMC	\$1,299.00	\$1,299.00

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156715	2/19/2015	6290	BURLINGAME ENGINEERS INC	2 MILTON ROY PUMP REBUILD KIT	\$1,293.15	\$1,293.15
156809	2/26/2015	2182	MATHESON ENVIRONMENTAL SERVICE	HAZARDOUS MATERIAL RECYCLING	\$997.70	\$1,272.70
	2/26/2015	2176		4 EA STEEL DRUMS	\$275.00	
156745	2/19/2015	19231	RMC WATER AND ENVIRONMENT	LOCAL LIMITS & WASTEWATER TREATABILITY	\$1,256.00	\$1,256.00
156794	2/26/2015	9645064297	GRAINGER INC	15 EA ASTD FUSES	\$135.33	\$1,198.31
	2/26/2015	9643112940		2 EA STORAGE CABINETS	\$966.11	
	2/26/2015	9641073730		3 EA HYDROCHLORIC ACID	\$40.37	
	2/26/2015	9641073748		4 EA HYDROCHLORIC ACID	\$56.50	
156793	2/26/2015	3126	GEOSPHERE CONSULTANTS INC	JARVIS AVE. SS REPLACEMENT COMPACTION TESTING S	\$1,082.12	\$1,082.12
156804	2/26/2015	1952	IRON MOUNTAIN	OFF-SITE STORAGE AND SERVICE - JAN 2015	\$773.82	\$1,066.37
	2/26/2015	7134		OFF-SITE STORAGE AND SERVICE - JAN 2015	\$292.55	
156753	2/19/2015	639899940	TELEPACIFIC COMMUNICATIONS	WIRELESS INTERNET BACKUP - FEBRUARY	\$960.00	\$960.00
156801	2/26/2015	601475972	HILLYARD/SAN FRANCISCO	ASTD JANITORIAL/BREAKROOM SUPPLIES	\$943.44	\$943.44
156747	2/19/2015	7557145700	RS HUGHES CO INC	ASTD SAFETY SUPPLIES	\$913.47	\$913.47
156795	2/26/2015	767564	GRANITE CONSTRUCTION COMPANY	10.15 TONS 1/2 MED TYPE A	\$838.90	\$838.90
156785	2/26/2015	33025	EXECUTRAIN	MS EXCEL INTERMEDIATE	\$810.00	\$810.00

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156734	2/19/2015	24838272	MOTION INDUSTRIES INC	1 EA HI-POWER V BELT	\$13.71	\$784.72
	2/19/2015	24838210		2 EA BUSHINGS & SHEAVES	\$185.69	
	2/19/2015	24838133		1 EA SHEAVE	\$99.69	
	2/19/2015	24838042		1 EA POWERGRIP BELTS	\$404.53	
	2/19/2015	24838160		1 EA BUSHING	\$37.18	
	2/19/2015	24838545		4 EA HI-POWER V BELT	\$43.92	
156818	2/26/2015	67584	NOZZTEQ INC	1 EA LUMBERJACK 200 SERIES CHAIN	\$729.00	\$729.00
156760	2/26/2015	9924749990	AIRGAS NCN	CYLINDER RENTAL	\$770.26	\$728.39
	2/26/2015	9600174247		CREDIT PARTS & MATERIALS	\$-24.56	
	2/26/2015	9800198220		CREDIT PARTS & MATERIALS	\$-17.31	
156791	2/26/2015	17421	CITY OF FREMONT	RANGE 3 HAZMAT STORAGE PERMIT	\$689.80	\$689.80
156788	2/26/2015	9554	FREMONT EXPRESS COURIER SVC	COURIER SERVICES: JAN 2015 INCL 2 DELIVERIES TO BOA	\$660.00	\$660.00
156775	2/26/2015	34292	CLAREMONT BEHAVIORAL SERVICES	MAR 2015 EAP PREMIUM	\$630.20	\$630.20
156782	2/26/2015	1069761728	EMPLOYMENT DEVELOPMENT DEPT	UI 4TH Q 2014 - T. DOUGLAS	\$597.00	\$597.00
156707	2/19/2015	7742	ABOVE ALL PLUMBING, INC.	REFUND # 17842	\$500.00	\$500.00
156739	2/19/2015	7690	PACIFIC PLUMBING & SEWER SERV	REFUND # 17841	\$500.00	\$500.00
156740	2/19/2015	7624	PLESKACH PLUMBING	REFUND # 17838	\$500.00	\$500.00
156751	2/19/2015	7748	DAVID SUTER	REFUND # 17837	\$500.00	\$500.00
156764	2/26/2015	7536	SHALINI ANAND	REFUND # 17870	\$500.00	\$500.00

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156807	2/26/2015	10983	LOOKINGPOINT INC	MONTHLY PREMIER SERVICE - FEB 2015	\$500.00	\$500.00
156814	2/26/2015	7564	MALALAI MOMAND	REFUND # 20150224	\$500.00	\$500.00
156822	2/26/2015	7432	RICH MATHERS CONSTRUCTION INC	REFUND # 17857	\$500.00	\$500.00
156834	2/26/2015	11097	WESTERN MACHINE & FAB INC	MACHINE ACME SLEEVE & PROVIDE SPACER	\$492.75	\$492.75
156725	2/19/2015	9638246133	GRAINGER INC	2 EA EMERGENCY LIGHTS	\$80.05	\$487.32
	2/19/2015	9646984477		CREDIT FOR DAMAGED COMPUTER CABINET	\$-318.65	
	2/19/2015	9633476008		4 EA BULT-SURFACE CLEANERS	\$34.74	
	2/19/2015	9637782310		1 EA COMPUTER CABINET	\$647.34	
	2/19/2015	9637395824		1 EA EXIT SIGN W/BATTERY BACKUP	\$43.84	
	2/19/2015	254761	HANIGAN COMPANY INC	1 LOT OF USD LETTER, 2500 SHEETS	\$217.50	
156728	2/19/2015	254762		49 PACKS OF USD LOGO ENVELOPES	\$257.42	\$474.92
156787	2/26/2015	1111307	FASTENAL	ASTD PARTS & MATERIALS	\$471.88	\$471.88
156744	2/19/2015	20150218	LOUIS RIVERA III	TRAVEL ADVANCE	\$450.00	\$450.00
156767	2/26/2015	315433	BAY AREA BARRICADE SERVICE INC	ASTD SHOVELS, MARKING PAINTS	\$431.87	\$431.87
156774	2/26/2015	48466	CITYLEAF INC	PLANT MAINTENANCE - FEB 2015	\$429.65	\$429.65
156758	2/19/2015	20150218	SHIRLEE WARREN	THIRD PARTY CLAIM	\$425.00	\$425.00
156718	2/19/2015	253291	CURTIS & TOMPKINS LTD	15 LAB SAMPLE ANALYSIS	\$400.00	\$400.00
156821	2/26/2015	8200000008093	RED WING SHOE STORE	SAFETY SHOES - HWANG & RODRIGUES	\$399.28	\$399.28
156808	2/26/2015	20150213	ARMANDO LOPEZ	EXP REIMB: REGIS FEE - CALPELRA SPECIAL SUBJECT A	\$399.00	\$399.00

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156732	2/19/2015	23080071	MCMaster SUPPLY INC	1 EA ALUMINUM LEVEL	\$32.10	\$398.67
	2/19/2015	22586045		45 PACKS ASTD BLANK ENGRAVING PLATES	\$366.57	
156816	2/26/2015	20150219	CHRIS NICOLETTI	EXP REIMB: TRAVEL EXPS TO LOS ANGELES TON OBTAIN	\$374.87	\$374.87
156772	2/26/2015	20150219	PETE CHAPARRO	TRAVEL REIMB: LODGING/MEALS/PARKING/VISA APP FEE	\$343.64	\$343.64
156837	2/26/2015	78087865	XEROX CORPORATION	MTHLY MAINTENANCE BASED ON USE	\$23.19	\$333.25
	2/26/2015	78087864		MTHLY MAINTENANCE BASED ON USE	\$213.28	
	2/26/2015	78087866		MTHLY MAINTENANCE BASED ON USE	\$14.98	
	2/26/2015	78087868		MTHLY MAINTENANCE BASED ON USE	\$81.80	
156729	2/19/2015	310891	HARRINGTON INDUSTRIAL PLASTICS	ASTD PVC FITTINGS	\$310.38	\$310.38
156736	2/19/2015	42215835	OFFICE TEAM	TEMP LABOR-BLANCHETTE, V., WKEND 01/23/15	\$307.84	\$307.84
156709	2/19/2015	5111133	ALL INDUSTRIAL ELECTRIC SUPPLY	50 OMNI LUA 1391803	\$169.92	\$305.05
	2/19/2015	5110776		1 APPLETON AAGL1PR	\$135.13	
156824	2/26/2015	4577	SKIL-PAINTING INC	SANDBLAST TWO PIPES & ONE STAND	\$300.00	\$300.00
156706	2/19/2015	30180	ABACUS PRODUCTS INC	2100 PLAN CHECKING LABELS FOR RESTAURANTS	\$275.24	\$275.24
156792	2/26/2015	115024	GENERAL FITNESS DISTRIBUTION	PREVENTATIVE MAINTENANCE - ALL EQUIP IN EXERCISE C	\$275.00	\$275.00
156716	2/19/2015	44078706	CINTAS FIRE PROTECTION	TROUBLESHOOT FALSE ALARM IPS	\$265.00	\$265.00
156820	2/26/2015	107830	PREFERRED ALLIANCE INC	JANUARY 2015 SERVICE FEE	\$249.60	\$249.60
156748	2/19/2015	2544554002	S & S SUPPLIES & SOLUTIONS	3 PRS KNEE PADS & 34 PRS LEATHER GLOVES	\$248.86	\$248.86
156786	2/26/2015	20150225	YIN FANG	EXP REIMB: CWEA MEMBERSHIP & LAB ANALYST CERTIFI	\$245.00	\$245.00

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156783	2/26/2015	90063819505	ENTERPRISE GOV 43-1514861	RENTAL: P. ELDRIDGE, ONTARIO, CA	\$143.32	\$244.53
	2/26/2015	90063822105		RENTAL: D. OHARA, ONTARIO, CA	\$101.21	
156803	2/26/2015	856433	INTERNATIONAL PAINT LLC	ASTD PAINT SUPPLIES	\$242.28	\$242.28
156713	2/19/2015	10573820	BLAISDELL'S	1 PK CC LABEL	\$3.82	\$236.49
	2/19/2015	10575750		1 STYLUS PEN	\$9.08	
	2/19/2015	10572130		ASTD OFFICE SUPPLIES	\$17.05	
	2/19/2015	10573390		1 PK CL LABEL	\$3.93	
	2/19/2015	10574360		1 BX LGL POCKET	\$58.02	
	2/19/2015	10577470		ASTD OFFICE SUPPLIES	\$144.59	
156750	2/19/2015	20150213	JAMES SCHOFIELD	EXP REIMB: AIRFARE CASSE MEETING LONG BEACH	\$223.97	\$223.97
156832	2/26/2015	20150220	WEF-WATER ENVIRONMENT FEDERATI	WEF MEMBERSHIP A LOPEZ	\$218.00	\$218.00
156768	2/26/2015	10590090	BLAISDELL'S	ASTD OFFICE SUPPLIES	\$20.71	\$214.47
	2/26/2015	10586740		2 ECONO CHAIRMAT	\$214.60	
	2/26/2015	10590470		1 DZ LEGL PAPER	\$6.55	
	2/26/2015	10585010		1 WALL CLOCK	\$49.26	
	2/26/2015	10583760		1 HS COIL CORD	\$5.46	
	2/26/2015	10548000C		1 ATOMIC CLOCK - RETURN	\$-82.11	
156743	2/19/2015	15322	R & S ERECTION OF S ALAMEDA	STRAIGHTEN CALL BOX, GOOSE NECK & CENTER POST	\$212.00	\$212.00

**UNION SANITARY DISTRICT  
CHECK REGISTER  
2/14/2015-2/27/2015**

<b>Check No.</b>	<b>Date</b>	<b>Invoice No.</b>	<b>Vendor</b>	<b>Description</b>	<b>Invoice Amt</b>	<b>Check Amt</b>
156771	2/26/2015	438321	CENTERVILLE SAW AND TOOL	REPAIR HUSQVARNA-450	\$112.21	\$210.27
	2/26/2015	438322		ASTD PARTS & MATERIALS	\$98.06	
156724	2/19/2015	1183502602	GLACIER ICE COMPANY INC	156 7-POUND BAGS OF ICE	\$205.92	\$205.92
156726	2/19/2015	1062507	GROENIGER AND COMPANY	ASTD PARTS & MATERIALS	\$188.79	\$188.79
156711	2/19/2015	17556100	BECK'S SHOES	SAFETY SHOES: A. TRINH	\$168.61	\$168.61
156815	2/26/2015	20150223	SHAWN NESGIS	EXP REIMB: MSA E-BOARD MTG - SAN DIEGO, CA	\$161.89	\$161.89
156777	2/26/2015	88513	COPYMAT OF NEWARK/FREMONT	250 DOORHANGERS	\$158.60	\$158.60
156710	2/19/2015	20150209	IRMA REGINA BASTIAN	TUITION REIMBURSEMENT FALL SEMESTER 2014	\$154.00	\$154.00
156789	2/26/2015	16745	FREMONT RECYCLING & TRANSFER	1.43 TONS MSW COMMERCIAL	\$141.40	\$141.40
156763	2/26/2015	5020811	ALPHA ANALYTICAL LABORATORIES	8 LAB SAMPLE ANALYSIS	\$135.00	\$135.00
156749	2/19/2015	2544554003	S & S SUPPLIES & SOLUTIONS	7 PRS KNEE PADS NOMAR WITH VELCRO CLOSURE	\$130.69	\$130.69
156773	2/26/2015	20150212	RAYMOND CHAU	EXP RIEMB: CIP TEAM QTLY SAFETY STRATEGY RECOGNI	\$128.28	\$128.28
156797	2/26/2015	20150225	TIMOTHY GRILLO	EXP REIMB: 6 EA \$20 COSTCO GIFT CARDS - 2ND QTR SFT	\$120.00	\$120.00
156811	2/26/2015	97147	MCINERNEY & DILLON, P.C.	LEGAL SRVS - MATERIAL STREAM AGMT-WESTERN ENER	\$70.00	\$70.00
156762	2/26/2015	7921	ALLIED PACKING AND SUPPLY CO	20 FLANGE GASKETS	\$63.48	\$63.48
156823	2/26/2015	20150225	KRISTINA SILVA	EXP REIMB: CIP BUDGET MEETING LUNCH	\$57.45	\$57.45
156817	2/26/2015	20150225	STEVEN NOEGEL	EXP REIMB: CALL OUT MILEAGE	\$57.15	\$57.15
156828	2/26/2015	9853055	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 01/31/15	\$55.71	\$55.71
156765	2/26/2015	7004347382	APPLIED INDUSTRIAL TECHNOLOGIE	2 GOODYEAR BX66	\$41.70	\$41.70

**UNION SANITARY DISTRICT  
CHECK REGISTER  
2/14/2015-2/27/2015**

Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
156708	2/19/2015	4047286120150202	ALAMEDA COUNTY WATER DISTRICT	SERV TO: 01/30/15 - PASEO PADRE	\$35.78	\$35.78
156810	2/26/2015	77754143	MATHESON TRI-GAS INC	CYLINDER RENTAL - JAN 2015	\$35.08	\$35.08
156757	2/19/2015	9739737483	VERIZON WIRELESS	WIRELESS SERV 01/02/15-02/01/15	\$26.84	\$26.84

**Invoices:**

Credit Memos :	4	-442.63
\$0 - \$1,000 :	126	37,334.17
\$1,000 - \$10,000 :	54	176,549.07
\$10,000 - \$100,000 :	16	525,279.79
Over \$100,000 :	4	841,014.85
<b>Total:</b>	<b>204</b>	<b>1,579,735.25</b>

**Checks:**

\$0 - \$1,000 :	73	26,317.37
\$1,000 - \$10,000 :	43	135,167.83
\$10,000 - \$100,000 :	13	366,703.07
Over \$100,000 :	4	1,051,546.98
<b>Total:</b>	<b>133</b>	<b>1,579,735.25</b>



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager*  
*District Engineer*

David M. O'Hara  
*Attorney*

**DATE:** March 2, 2015

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
Sami E. Ghossain, Manager of Technical Services  
Michael Dunning, Environment Compliance Coach  
Alex Paredes, Pretreatment Coordinator

**SUBJECT:** Agenda Item No. 10.b. - Meeting of March 9, 2015  
Information Item: **Publication of Global Plating and Safety-Kleen,  
Newark as Significant Violators in 2014**

### **Recommendation**

Information only.

### **Background**

In accordance with the requirements of 40 CFR Section 403.8(f)(2)(viii) of the General Pretreatment Regulations for new and existing Sources, the District is required to publish the names of all dischargers to the District's wastewater treatment plant that were in Significant Noncompliance (SNC) with EPA Pretreatment Regulations and/or the District's Ordinance No. 36 any time during the 2014 calendar year.

The following dischargers to the District's wastewater treatment plant had a significant violation during the SNC evaluation period covering April through September of 2014:

#### Global Plating

Sampling of Global Plating on September 5, 2014 detected a Cyanide (CN) level of 1,300 mg/L, which is in excess of the allowable Federal Daily Maximum limit of 0.65 mg/L and Monthly Average limit of 1.20 mg/L at the designated Categorical Pretreatment sample location. Global Plating was issued Notice of Violation No. N14-003, which required them to determine the cause of the violation and take immediate action to prevent a reoccurrence. In addition, they were also required to perform additional self-monitoring to confirm their compliance status. Global Plating was also issued an Administrative Penalty, which has been paid.

Safety Kleen of California

On September 22, 2014, while sampling at Safety-Kleen of California, Inc., District personnel observed a non-routine and uncharacteristic discharge of wastewater containing viscous oil with a strong volatile organic odor which did not comply with conditions of their Wastewater Discharge Permit No. 268.

On September 24, 2014, Safety-Kleen of California was issued Cease and Desist Order No. CD-14-001, citing its failure to comply with specific Discharge requirements and Wastewater Discharge Permit conditions. Safety-Kleen was required to cease all industrial wastewater discharges, report all future violations, schedule a Show Cause Hearing, and file monthly status reports of compliance.

On November 12, 2014, Administrative Order, AO-14-001, was issued to Safety-Kleen of California to close-out CD-14-001. The AO required compliance with Prohibition of Bypass, Prohibition of the Discharge of Petroleum or Mineral Oil Causing Pass-through or Interference, Prohibition of Discharges that pose a danger to life or safety of personnel, and compliance with both Wastewater Discharge Permit #268 and the District's Ordinance No. 36.

Attached is a copy of the publication that will appear in the Argus during the 2<sup>nd</sup> week of March.

PRE/SEG/MD/AP:av

Attachment: Public Notice: Notice of Significant Violator

# Public Notice

FOR IMMEDIATE RELEASE:     UNION SANITARY DISTRICT  
5072 BENSON ROAD  
UNION CITY, CA 94587  
CONTACT: SAMI GHOSAIN  
(510) 477-7600

## NOTICE OF SIGNIFICANT VIOLATOR

Notice is hereby given that, pursuant to the requirements of 40 CFR Section 403.8 (f) (2)(viii) of the General Pretreatment Regulations for New and Existing Sources, the Union Sanitary District (USD) is required to publish the names of all dischargers to the District's wastewater treatment plant that were in Significant Non Compliance (SNC) with EPA Pretreatment Regulations and/or the District's Ordinance No. 36 requirements at any time during the 2014 calendar year.

The following discharger to Union Sanitary District's treatment plant had significant violations during 2014:

Global Plating, Inc.  
44260 Grimmer Blvd.  
Fremont, CA 94538

Sampling of Global Plating on September 5, 2014 detected a cyanide level of 1,300 mg/L, which is in excess of the allowable Federal Daily Maximum limit of 0.65 mg/L and Monthly Average limit of 1.20 mg/L at the designated Categorical Pretreatment sample location 001. Global Plating was issued Notice of Violation N14-003, which required it to determine the cause of the violation and take immediate action to prevent a reoccurrence. In addition, they were also required to perform additional self-monitoring to confirm their compliance status. Global Plating was also issued an Administrative Penalty, which has been paid. Global Plating was classified as Significant Non-Compliance (SNC) for exceeding the CN TRC daily and monthly limits during the Third Evaluation Period (April-September 2014) in accordance with 40 CFR 403.8 (f)(2)(viii)(B); Technical Review Criteria

(TRC) violations, defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH. In addition, Global Plating was classified as Significant Non-Compliance (SNC) for the 3<sup>rd</sup> quarter of 2014 for discharge of a pollutant that has violated a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative limit) that the POTW determines has caused, alone or in combination with other Discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public pursuant to 40 CFR 403.8 (f)(2)(viii)(C), violation of Ordinance No. 36 requirements, and Global Plating's Wastewater Discharge Permit No. 249 Permit Condition G.4.2 (a).

Safety-Kleen of California, Inc.  
6880 Smith Avenue  
Newark, CA 94560

On September 22, 2014, while sampling at Safety-Kleen of California, Inc., Union Sanitary District personnel observed a non-routine and uncharacteristic discharge of wastewater containing viscous oil with a strong volatile organic odor which did not comply with conditions of their Wastewater Discharge Permit No. 268.

On September 24, 2014, Safety-Kleen of California was issued Cease and Desist Order No. CD-14-001, citing its failure to comply with specific Discharge requirements and Wastewater Discharge Permit conditions. Safety-Kleen was required to cease all industrial wastewater discharges, report all future violations, schedule a Show Cause Hearing, and file monthly status reports of compliance.

On November 12, 2014, Administrative Order, AO-14-001, was issued to Safety-Kleen of California to close-out CD-14-001. The AO required compliance with Prohibition of Bypass, Prohibition of the Discharge of Petroleum or Mineral Oil Causing Pass-through or Interference, Prohibition of Discharges that pose a danger to life or safety of personnel, and compliance with both Wastewater Discharge Permit #268 and the District's Ordinance No. 36.

Safety-Kleen of California was classified as being in Significant Non-Compliance (SNC) for the third quarter of 2014 for discharge of a pollutant that has caused imminent endangerment to human health, welfare, or to the environment and has resulted in the POTW's exercise of its emergency authority pursuant to 40 CFR 403.8 (f)(2)(viii)(D), violation of Ordinance No. 36

requirements, and Safety-Kleen's  
Wastewater Discharge Permit No. 268  
Part G.2.5.(b) Conditions.



**Summary of the EBDA Commission Meeting  
Thursday, February 19, 2015 at 9:30 a.m.**

Prepared by: P. Eldredge

- Commissioners Handley, Dias, Johnson, Peixoto and Prola were all present.
- The Consent Calendar was approved unanimously and included the Commission Meeting Minutes, the List of Disbursements and the Treasurer's Report.
- The Commission unanimously approved the reports from the General Manager, Managers Advisory Committee, Financial Management, Regulatory Affairs, Operation & Maintenance and Personnel Committees. The following items were discussed:
  - **General Managers Report** The General Manager indicated that the City of Hayward and Union Sanitary District approved the language changes to the Fourth JPA Amendment. The remaining member agencies are scheduled to review the revisions in March. The GM also mentioned that EBDA had a permit issue in the month of February related to a plant upset at the San Leandro facility caused by construction related activities. The CBOD daily limit was exceeded. It is anticipated that more information will be provided in next month's Regulatory Affairs update.
  - **Managers Advisory Committee (MAC)** The MAC discussed a strategy for moving the Hayward Effluent Pump Station. The Committee also discussed a BACWA Nutrients Treatment study to develop recommendations for plants to meet a nutrient reduction goal of 6 or 15 ppm Total Nitrogen.
  - **Financial Management Committee** approved the January List of Disbursements and Treasurer's Report. The Committee reviewed the Second Quarter Expense Summary for FY 2014/15 and noted overall costs are under budget ~\$100,000. In addition, the Committee reviewed rate assumptions for the FY 2015/16 budget. The Committee discussed a proposed increase to the Renewal and Replacement Fund budget from \$400,000 to \$450,000. A formal presentation will be made to the Commission in the coming months.

Commissioner Prola asked if the proposed increase to \$450,000 would be sufficient to cover future costs. Commissioner Handley stated there would be opportunities to increase this amount in future years if necessary. The thought being gradual increases would be prudent to minimize the impact on the budget.

- **Regulatory Affairs Committee** reviewed the status report (informational only, no action required) for the NPDES permit. EBDA staff did not determine any violations of the combined effluent in January of 2015. EBDA has not had any permit violations since April of 2006. The Regulatory Affairs Committee discussed January permit compliance. The Committee also discussed the status of the BACWA nutrients watershed permit. BACWA's consultant HDR will

perform a study on nutrients; a draft report will be available later this year in the Fall/Winter. The Water Board approved BACWA's strategy on nutrients.

The GM mentioned there will be a change in leadership at the SF Baykeeper Organization as the current Executive Director is leaving the area due to personal reasons.

- **O&M Committee** reviewed EBDA's performance and the status of O&M projects. Staff is working closely with Oro Loma staff on the OLEPS automation review and upgrade project. The distributor of the Water Champ is assisting Staff to obtain spare parts and to determine if there are alternative methods of *flash mixing* available.
- **Personnel Committee** The Personnel Committee met in closed session to review the details of the General Manager's transition strategy. There was nothing to report from the closed session.

The Commission had no resolutions for consideration.



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager/District  
Engineer*

David M. O'Hara  
*Attorney*

**DATE:** March 3, 2015

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul Eldredge, General Manager/District Engineer  
Tom Handley, Board Member

**SUBJECT:** **Agenda Item No. 10d - Meeting of March 9, 2015**  
Information Item: CASA 12<sup>th</sup> Annual Washington D.C. Conference

### **Recommendation**

This is an information item.

### **Background**

Director Tom Handley and General Manager Paul Eldredge attended the CASA 12<sup>th</sup> Annual Washington D.C. Conference February 23 – 25, 2015, and will provide an informational report.

Attachment: CASA Conference Program Guide  
CASA Congressional Meet and Greet: Talking Points  
CASA Talking Points Handouts  
CASA Handout – Biosolids are a Resource, Not a Waste!  
CASA Letter to Elected Officials  
CASA Conference Speaker Profiles  
USD Fact Sheet



# PROGRAM GUIDE

12TH ANNUAL | WASHINGTON,  
D.C. CONFERENCE | FEB 23 - 25, 2015

## **Federal Policymaking: Unlocking the Gridlock**



12th Annual Washington, D.C. Conference  
February 23-25, 2015  
Renaissance Mayflower Hotel  
1127 Connecticut Avenue, N.W. Washington, D.C. 20036

# Federal Policymaking: Unlocking the Gridlock

Monday, February 23 Location: Chinese Room

8:30 - 9:45 a.m. **Registration and Hot Breakfast**

9:15 - 11:45 a.m. **Opening Session**

9:15 - 9:30 a.m. **Welcome and Introduction**

*David R. Williams, President*

*Roberta L. Larson, Executive Director*

9:30 - 10:00 a.m. **Opening Address**

*The Honorable Kenneth J. Kopocis, Acting Assistant  
Administrator, Office of Water, U.S. Environmental Protection  
Agency*

10:00 - 10:30 a.m. **Congressional Outlook**

*Manu Raju, Senior Congressional Reporter, Politico*

10:30 - 10:45 a.m. **Break**

10:45 - 11:45 a.m. **Congressional Roundtable Panel**

*Moderator: Betty Burnett, Chair, Federal Legislative Committee*

*Ryan Seiger, Democratic Staff Director, Subcommittee on Water  
Resources and Environment, Committee on  
Transportation and Infrastructure, U.S. House of  
Representatives*

*Jonathan Pawlow, Republican Counsel, Subcommittee on Water  
Resources and Environment, Committee on  
Transportation and Infrastructure, U.S. House of  
Representatives*

*Susan Bodine, Chief Counsel, Committee on Environment and  
Public Works, U.S. Senate*

*Jason Albritton, Democratic Professional Staff, Committee on  
Environment and Public Works, U.S. Senate (Invited)*

12:00 - 1:15 p.m. **CONFERENCE LUNCHEON**

## Monday, February 23 Location: Chinese Room, Continued

12:30 - 1:00 p.m. **Luncheon Speaker:** Reid Wilson, Reporter and Editor of "Read In," *The Washington Post*

1:45 - 4:30 p.m. **Afternoon Session**

1:45 - 2:30 p.m. **Climate Resiliency and the Role of Water Infrastructure**  
**Moderator:** Paul Sciuto, Vice Chair, Federal Legislative Committee

*Mark Philbrick*, Fellow, Office of the Secretary, U.S. Department of Energy

*Cathleen Kelly*, Senior Fellow, Center for American Progress

*Jon Freedman*, Water and Energy Technology Global Leader, GE Power & Water

2:30 - 3:15 p.m. *Tim Alberta*, Senior Political Correspondent, *National Journal*

3:15 - 3:30 p.m. **Break**

3:30 - 4:30 p.m. **Congressional Visit Briefing**

*Betty Burnett*, Chair, Federal Legislative Committee

*Eric Sapirstein*, Federal Legislative Advocate

*Adam Link*, Director of Government Affairs

6:00 p.m. **Networking Session: Edgar's Restaurant**  
Dinner on your own

## Tuesday, February 24 Location: Chinese Room

8:00 - 9:00 a.m. **Hot Breakfast**

8:30 - 10:45 a.m. **Morning Session**

8:30 - 9:00 a.m. *Greg Dotson*, Vice President, Energy Policy, Center for American Progress

9:00 - 10:30 a.m. **Tax Reform, Municipal Finance and Building a Better Future**  
**Moderator:** *Traci Minamide*, City of Los Angeles

*Judy Sheahan*, Assistant Executive Director, U.S. Conference of Mayors

*Michael Placencia*, Managing Director, Municipal Securities Group, U.S. Bancorp

*Adam Krantz*, Managing Director, Government & Public Affairs, National Association of Clean Water Agencies

*Xan Fishman*, Senior Legislative Assistant, Office of Representative John Delaney

*Raffael Stein*, Director, Environmental Finance Center, Office of Water, U.S. Environmental Protection Agency

10:45 a.m. - 5:00 p.m. **Congressional Visits**

Tuesday, February 24 Location: Chinese Room, Continued

6:00 - 8:00 p.m. **California Water Congressional Reception**  
101 Constitution Avenue, N.W.  
7th Floor

Hosted by: CASA and ACWA

The Honorable Ken Calvert, 42nd Congressional District (Invited)  
Committee on Appropriations  
Committee on Budget

The Honorable Grace Napolitano, 32nd Congressional District  
Committee on Transportation & Infrastructure  
Committee on Natural Resources

Wednesday, February 25 Location: Chinese Room

8:30 - 9:00 a.m. **Hot Breakfast**

9:00 - 11:00 a.m. **Closing Session**  
President David R. Williams, Presiding

9:00 - 10:00 a.m. **Congressional Address**  
*The Honorable Mark DeSaulnier*, 11th Congressional District  
(Invited) Committee on Education and Workforce  
*The Honorable Mimi Walters*, 45th Congressional District (Invited)  
Committee on Transportation and Infrastructure  
Committee on the Judiciary

10:00 - 10:45 a.m. **Congressional Visit Debrief**  
*Roberta L. Larson*, Executive Director  
*Eric Sapirstein*, Federal Legislative Advocate

10:45 - 11:00 a.m. **Closing Remarks**  
*David R. Williams*, President

# SAVE THE DATE

## PUBLIC POLICY FORUM

SACRAMENTO, CA APRIL 27-28, 2015

CALIFORNIA ASSOCIATION  
OF SANITATION AGENCIES  
1225 8TH STREET, SUITE 595  
SACRAMENTO, CA 95814  
PHONE: (916) 446-0388

# CASA CONGRESSIONAL MEET AND GREET: TALKING POINTS

We ask that you stress four important points in your meetings with Legislators and their staff. These issues are discussed in greater detail in your “leave behind” packets, but the highlight messages are emphasized below. Do not worry if you do not have time to address all four of the issues in each meeting.

**CASA General Information:** CASA is an association of 114 public agencies that represent more than 90% of the sewered population of California. In addition to protecting public health and the environment through effective wastewater treatment, many our members are true utilities of the future, providing renewable resources such recycled water and sustainable energy.

**(1) Infrastructure Financing:** We urge you to prioritize water and wastewater infrastructure in the coming Session, and specifically we ask that you:

- Fully fund the State Revolving Fund (SRF) loan program at \$1.5 billion per year and modify SRF loan terms to allow for 40-year amortization schedules and enhanced loan subsidies such as principal forgiveness and negative interest loans;
- Protect tax-exempt municipal financing.

**(2) Regulatory Reform:** As part of any regulatory reform package that you consider the following requests that are crucial to the wastewater industry:

- Extend the length of NPDES permit renewal terms from current five-year terms to ten-year terms.
- Replace the current “income restriction” standard with a true “conflict of interest” standard for appointment to state permitting authorities such as the state and regional water boards.

**(3) Citizen Suit Reform:** The abuse of Clean Water Act citizen suit provisions, particularly against public wastewater agencies, continues to be a significant problem for our members. We ask that Congress:

- Update the Clean Water Act to: (1) clearly bar citizen litigation where the state has already initiated an administrative enforcement order for a violation; (2) provide a longer period for state and federal agencies to initiate an enforcement action for alleged rather than the current 60 days; and (3) provide for normally accepted, standard defenses as provided in other federal environmental statutes.

**(4) Drought and Climate Resiliency:** California is in the midst of a historic drought, and wastewater agencies stand ready to provide renewable resources to address the drought as well as renewable energy to reduce greenhouse gas emissions and address climate change goals. Specifically, we ask that:

- We support the W-21 water legislation (H.R. 291 Napolitano/S. 176 Boxer) that creates loans and grants for water recycling and watershed improvements. This bill will allow local agencies to create a more reliable water supply for the future.
- CASA agencies are a ready source of clean sustainable energy that has significant potential to meet energy demand and reduce greenhouse gas emissions. Explain that agencies can produce electricity for the grid, transportation fuels for next generation cars and buses, and receive green and food wastes to reduce land disposal and provide a reliable source of energy.

One other issue that may arise at your meetings is the pending USEPA proposal to define what constitutes a water of the United States. Feel free to respond by referencing the materials in the leave back packets.

- CASA appreciates the proposed rule’s preservation of the groundwater and waste treatment exemptions, though we have more detailed concerns (particularly as it relates to recycled water) as outlined in the Congressional Hearing testimony included in your packet.



## KEY CASA ISSUE

Today's clean water agencies face challenges from the impacts of drought and a changing climate. The nationwide cost for water and wastewater agencies to adapt to climate change is estimated at \$500 billion to one trillion dollars through 2050. Of this, the total cost of wastewater system climate change adaptation in the U.S. has been estimated as high as \$250 billion above and beyond existing wastewater system infrastructure upgrade and replacement programs.

At the same time, wastewater treatment plants are contributing to climate solutions through the production of renewable energy, recycled water, biosolids, and other resources. This new reality requires a comprehensive reevaluation of missions and needs of wastewater treatment agencies and the role of the Clean Water Act and its mandates. The Clean Water Act should be reexamined to ensure that constrained local agency resources are allocated to address key problems and to embrace opportunities for net environmental benefit in the 21st century.

## ANALYSIS

California is in the midst of a historic fourth year of drought, and the expected impacts of climate change are just beginning to be felt. These are new and real challenges that public officials must address in addition to the mounting demands on our limited resources for traditional infrastructure needs. Over the past several years, CASA has worked to identify opportunities to advance the resiliency of utilities and mitigate the impacts associated with a changing climate. The immediate challenge of identifying a reliable water supply has spotlighted the value of water recycling and the role that CASA agencies can play. Additionally, the threats from rising sea levels and inland subsidence demonstrate the importance of advancing alternative energy supplies that reduce greenhouse gas emissions and contribute to reduced operational costs associated with the treatment of wastewater flows.

To meet these challenges, we must look beyond the four corners of the Clean Water Act to define how to improve environmental performance, harvest the embedded energy in the water treatment process, benefit communities environmentally and economically while improving the utility's financial sustainability. The Water Resources Utility of the Future (UOTF) is defined by pioneering innovative technologies and cutting-edge practices with a focus on resource recovery. Public wastewater agencies can play an important role in crafting and delivering climate change solutions while simultaneously accomplishing their core mission of protecting public health and the environment. UOTF issues, whether related to energy production, water reuse, green infrastructure or watershed-based approaches, should receive top priority in Congress and the administration.

*continued on reverse*



California Association of Sanitation Agencies • 916.446.0388 • [www.casaweb.org](http://www.casaweb.org)

#### POTENTIAL SOLUTIONS

Along with its national partners, the National Association of Clean Water Agencies, the Water Environment Federation and the Water Environment Research Foundation, CASA urges the California Congressional Delegation to:

- Join the Congressional Clean Water Technology and Innovation Caucus to bring a focus to utility of the future issues;
- Refocus existing federal grant programs to support utility of the future initiatives such as energy production, water recycling, biosolids recycling, and other resource recovery opportunities that will alleviate drought, address climate impacts and sustain our public infrastructure; and
- Pass the W-21 legislation (S. 176/H.R. 291) to provide for federal support of water recycling infrastructure construction and to develop constructive partnerships to address resiliency needs of public agencies.



## KEY CASA ISSUE

CASA supports federal action to address abuses of the Clean Water Act's (CWA) citizen suit provisions (33 U.S.C. § 1365(a)). Over the last decade, a cottage industry has developed where a small number of plaintiffs' lawyers use the law's citizen suit provisions to secure settlements requiring significant expenditure of public dollars (often with sizeable amounts dedicated to attorneys' fees) without corresponding environmental or public health benefits. These tactics are costing local agencies millions of dollars in settlements and legal fees. This misuse of an important environmental law should be addressed.

## ANALYSIS

CWA citizen suits serve an important purpose in protection of the environment. Unfortunately, the existing framework for federal water quality regulation lends itself to abuses. A prime example is citizen suit actions based on sanitary sewer overflows (SSOs). Under the CWA, SSOs are strictly prohibited, and thus every SSO that reaches waters is automatically a violation of the CWA. SSOs can be reduced, but not completely prevented, and therefore all sewer systems inherently have exposure to citizen suits. Moreover, liability under the statute is strict, meaning that violations are subject to enforcement and penalties without regard to the good faith efforts of the collection system owner and operator. Thus, local public agencies who are good actors and doing everything within their power to control their collection systems are still subject to citizen suits, and ultimately the high cost to their ratepayers that accompanies liability under these provisions.

The availability of attorneys' fees is also a significant motivation for third party plaintiffs to bring or threaten lawsuits. Under the CWA, a "prevailing" citizen plaintiff is entitled to attorneys' fees and costs. Thus, there is very little downside to pursuing litigation for a citizen plaintiff. On the other hand, local agencies that choose to defend against these suits may find themselves responsible for the payment of not only their own attorneys' fees and costs, but also similar costs and fees incurred by the plaintiff. This discourages agencies from pursuing otherwise meritorious cases, placing plaintiffs' attorneys in a very strong bargaining position with regard to settlement.

## POTENTIAL SOLUTIONS

CASA urges federal action to curb these abuses while still protecting the vitality of CWA citizen suits. Federal legislative solutions to address this issue include:

- Clarify that where the state has initiated an administrative enforcement order for a violation pursuant to state law, citizen litigation for the same violation is barred, regardless of whether the state has assessed a monetary penalty for the violation;
- Revise the Clean Water Act to provide a longer period for state and federal agencies to initiate an enforcement action for alleged violations and/or for the discharger to come into compliance, rather than the current 60 days;

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POTENTIAL SOLUTIONS CONTINUED

- Provide for normally accepted criminal and standard defenses to the Clean Water Act as provided in other federal environmental statutes;
- Ensure consistent state and USEPA primacy in enforcement, with citizen suits providing a supplemental role as originally intended under the CWA.

Concerns have been raised in Congress regarding the use of various statutory provisions providing for citizen enforcement and the value of such suits in achieving the intent of Congress. CASA requests that the use of citizen suits against public agencies be considered as Congress considers the need for regulatory and other Clean Water Act reforms.



## KEY CASA ISSUE

The funding and financing of water infrastructure must remain a high priority for the coming Congressional Session. CASA urges Congress to provide for a vigorous financial assistance program to support the infrastructure project needs of Publicly Owned Treatment Works (POTWs) through a combination of state revolving fund (SRF) loans as well as other innovative financing options. In addition, CASA strongly supports the continued availability of municipal tax-exempt financing of water and wastewater infrastructure projects.

## ANALYSIS

SRF renewal is the number one priority for California wastewater treatment agencies. CASA asks that Congress preserve this important financing tool at no less than \$1.5 billion per year in order to address the nation's increasing water infrastructure needs. The SRF program emphasizes the provision of funds to small and disadvantaged communities for projects to prevent water pollution as well as to agencies that are pioneering innovative new approaches and technologies to address emerging clean water challenges. The continuation of this successful program is essential to funding our nation's growing water infrastructure needs.

As a corollary, proposals to reform the federal tax code to either eliminate or dramatically restrict the availability of tax-exempt financing would create economic hardships and set back local efforts to implement federal clean water mandates, including stormwater controls and nutrient management needs. Communities are already hard pressed to meet the challenge of maintaining existing water quality infrastructure. The American Society of Civil Engineers (ASCE) has consistently assigned wastewater infrastructure a "D" grade due to the disrepair of existing public works, and documented that more than \$300 billion of investment is necessary over the next twenty years simply to maintain a safe and reliable water supply. In California alone, \$30 billion in new infrastructure needs must be addressed. For 100 years, tax-exempt financing has provided a critical, cost-effective approach for communities to finance water and wastewater infrastructure needs. Given the priority to address both current and future needs, including climate resiliency, it is imperative that this financing tool that has proven to be administratively efficient and effective in delivering water infrastructure rehabilitation, restoration and construction remain unfettered.

## POTENTIAL SOLUTIONS

CASA urges Congress to resist efforts to restrict or eliminate the use of tax-exempt financing. In addition to this key priority, CASA believes the opportunity to close the infrastructure funding gap requires leveraging existing public and private resources. Toward this end, CASA encourages Congress to:

- Maintain funding of the SRF, the nation's core water and wastewater infrastructure program, at a minimum of \$1.5 billion annually;
- Modify existing SRF loan terms to allow for 40-year amortization schedules to better reflect life cycle costs of financed facilities;
- Authorize on a permanent basis enhanced loan subsidies including principal forgiveness and negative interest loans;
- Revise the Clean Water Act State Revolving Loan Fund Allocation Formula to provide a fair share of appropriated funds to California; and
- Authorize innovative financing tools including public private partnerships (P3s) that preserve public ownership, Build America Bonds and expanded use of Private Activity Bonds such as Qualified Infrastructure Financing Bonds.





## KEY CASA ISSUE

Regulatory reform and streamlining are high priorities for CASA in the current Congress. CASA continues to advocate for Congressional action to address the outdated “income test” for conflicts of interest that applies to appointees at state entities administering water quality programs. This obsolete standard is hindering states from appointing the most qualified individuals to positions charged with the important task of issuing National Pollutant Discharge Elimination System (NPDES) permits that protect the nation’s water quality. CASA previously supported legislation to establish a true conflict of interest standard in place of the income test (HR 836 of 2013-14, the “Sunshine on Conflicts Act”), and we believe advancing this change should be a component of any regulatory reform effort.

A second issue is the extension of NPDES permit terms from the currently mandated five years to ten years. Wastewater entities are facing increasingly restrictive requirements that push the limits of technology and local agency budgets. Mandating the renewal of complex permits every five years represents a perpetual “moving target” that achieves very little in the way of water quality benefits. The water quality needs of today require new ways of doing business to bring innovation to the way we make water quality improvements.

## ANALYSIS

A key regulatory reform with the potential to substantially reduce both state permitting costs and the burdens placed on wastewater agencies is to extend NPDES permit terms to ten years. As requirements become more stringent, and the treatment technologies necessary to meet those limits become more expensive and time intensive to implement, upgrades necessary to comply are often still underway when the agency is hit with new terms and requirements. At the same time, it is widely understood that the nation’s most challenging water quality problems do not derive from traditional point source dischargers. Requiring states to renew thousands of point source permits every five years diverts resources from addressing real water quality issues. Providing for a ten year permit term would allow for enhanced planning and efficient permitting of facilities and give agencies the time needed to comply with existing requirements before jumping to new ones. As a result, states could direct more resources to nonpoint and watershed-based solutions. Meanwhile, standard reopener provisions already available in permits would allow for new conditions to be inserted if necessary prior to permit expiration.

The second issue is no less important. Section 304 of the Clean Water Act directs the United States Environmental Protection Agency (USEPA) to issue regulations that prevent the appointment of individuals with financial conflicts of interest to permitting state authorities, such as the California state and regional water boards. USEPA’s regulations currently apply an “income restriction” standard, stating that anyone receiving 10 percent of his or her income from an entity that holds an NPDES permit, or a permit applicant, is ineligible for appointment to a state water quality permitting authority. Modern realities dictate that general and individual NPDES permits now cover the vast majority of local governments, school districts, and small businesses, and thus the pool of qualified and knowledgeable individuals is artificially constricted. A more rational and tailored approach would instead require individuals to recuse themselves on specific matters for which they have a direct or indirect financial conflict of interest. Replacing the “income restriction” standard with a true conflict of interest approach would address the existing unreasonable limitation while still protecting the public’s interest and ensuring the most talented individuals are given consideration.

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#### POTENTIAL SOLUTIONS

Congress must address latent issues with the Clean Water Act and modernize it to address the needs of the 21st century. CASA believes that a starting point of any update to the CWA that can be addressed through regulatory reform should include:

- Extending NPDES permit terms from the currently mandated five years to ten-years, including any necessary legislation and inclusion as part of congressional oversight hearings on other regulatory reform and streamlining initiatives; and
- Revising the manner in which the Clean Water Act defines “conflict of interest” for purposes of nominating and appointing individuals to sit on state permitting authorities. The current percent of income test should be replaced by a true conflict of interest test consistent with state and federal laws and regulation.



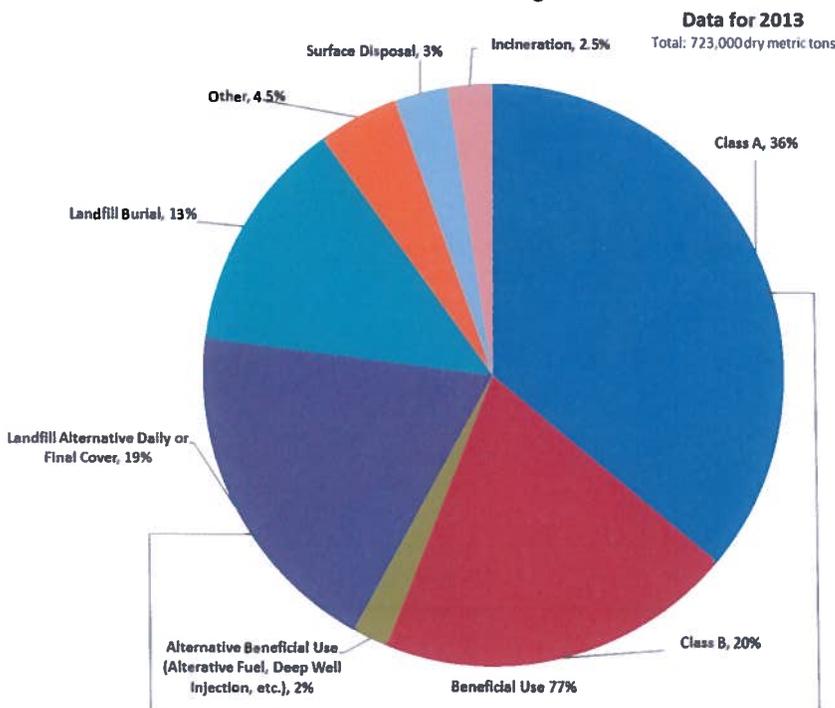
# BIOSOLIDS ARE A RESOURCE, NOT A WASTE!



## What Are Biosolids?

- Biosolids are the nutrient rich natural by-product of wastewater treatment. They are highly processed and analyzed to ensure their safety. Biosolids are generally used in one of four forms: as a nutrient-rich, moist solid, dried pellet, liquid, or compost. Biosolids are generally recycled as a soil amendment, but may also be used as final or alternative daily cover at landfills. Increasingly, they may also be used as an alternative energy source
- Class A biosolids contain less than detectable levels of pathogens (disease causing organisms) prior to land application or public distribution. Regulatory safeguards ensure that Class B biosolids are also safe to use even though they may have minimal levels of pathogens. Drying, sunlight, and other natural processes cause pathogens to rapidly die-off when applied to soils; essentially becoming equivalent to Class A standards within a short period following application. Rigorous treatment, management practices, and regulatory oversight for both Class A and Class B biosolids minimize the possibility of attracting any carriers of pathogens.
- Land applied biosolids must meet federal and state standards for 9 regulated pollutants (from arsenic to zinc). Virtually all California biosolids fall far below the risk based "High Quality" limits for all pollutants. This is in large part due to the successful implementation of strict pretreatment requirements enacted in the 1980's which regulate what industries can discharge to wastewater treatment plants.
- Californians generated approximately 723,000 dry metric tons of biosolids in 2013; the majority of which went to land application.

## How Are Biosolids Produced in California Managed?



## Environmental Benefits

- Biosolids recycling improves soil quality and crop health, and increases crop yields.
- Biosolids improves the soil's ability to absorb and store moisture, reducing the need to irrigate and providing natural drought resistance.
- Biosolids sequesters carbon in the soil and reduces greenhouse gas (GHG) emissions and energy consumption as compared to the production of fossil fuel based inorganic fertilizer.
- Biosolids use lowers fertilizer use and expense, as nutrient rich biosolids can supplement or replace commercial fertilizers.
- Biosolids can help reclaim fire ravaged land, superfund mine sites, and deforested areas.
- Biosolids can be treated for use as a supplemental or direct fuel source to create energy.
- Biosolids can be used as alternative daily or final cover at landfills, reducing the use of clean soil and other valuable materials.

## How Are Biosolids Handled?

- Comprehensive state and federal regulations govern biosolids recycling and ensure public safety.
- Trained personnel conduct quality testing at wastewater treatment plants to ensure all biosolids meet or exceed regulatory standards before recycling.
- Enclosed trucks transport biosolids.
- Biosolids are the most regulated material applied to land. Class B sites include buffer zones, limited public access, and harvesting restrictions. Class A biosolids are further regulated comparably to commercial fertilizer.



California Association of Sanitation Agencies

# BIOSOLIDS ARE A RESOURCE, NOT A WASTE!

Ensuring Clean Water for California



## Waste to Energy Benefits

- Anaerobic digestion, used in treating almost all biosolids, produces methane which is then used as a fuel source to power treatment plant operations. Excess power can be sold to the grid. Methane can also be converted to low carbon transportation fuel or injected into common carrier pipelines
- Biosolids can be used as an alternative fuel in place of coal in industrial processes such as the cement industry.
- Biosolids can produce energy directly via innovative technologies
- The energy thus produced from solids reduces the need for fossil fuels and reduces greenhouse gas emissions.

## What Major Laws Regulate Biosolids?

- US EPA's risk and technology based regulation is found in 40 CFR part 503
- California State Water Resource Control Board's General Waste Discharge Requirements (WDR) known as the "General Order"
- California Department of Resources Recycling and Recovery (CalRecycle) composting facility permits
- Local ordinances and permits, including Regional Water Board WDR's

## Who Oversees Biosolids Generation and Management?

- Local public agencies that produce biosolids
- Regional Water Quality Control Boards
- State Water Resources Control Board
- California Department of Resources Recycling and Recovery
- Air Pollution Control Districts/Air Quality Management Districts
- US EPA Region 9
- Local enforcement agencies

## Public Policy Issues

- Public policies need to support biosolids recycling through land application, composting and other energy and waste recovery means.
- Federal, state and local regulations affecting biosolids recycling reflect the findings of scientific research and should assure the public of the safety of biosolids and their value for society and the environment.
- Since federal (40 CFR 503) and state (General Order) regulations are based on sound science through exhaustive research, local regulations should be consistent with them.
- Some members of the public have voiced concern over the land application of biosolids in some parts of California. Best management practices should always be employed to assure the public that due diligence is given to their concerns.
- The fact that biosolids land application and beneficial use is one of the most successful recycling programs in the nation should be communicated frequently. Some rural residents view the practice as an urban "dumping" program. The tremendous benefits that farmers and soil realize by recycling biosolids to land should be better articulated.
- Biosolids possess energy and climate change mitigation potential, which should be utilized to the greatest extent possible.

## For More Information

- California State Water Resources Control Board  
[www.swrcb.ca.gov/programs/biosolids](http://www.swrcb.ca.gov/programs/biosolids)
- US Environmental Protection Agency  
[www.epa.gov/owm](http://www.epa.gov/owm)
- US EPA Region  
[www.epa.gov/region9](http://www.epa.gov/region9)
- California Association of Sanitation Agencies  
[www.casaweb.org](http://www.casaweb.org)
- Local Wastewater Treatment Plant websites
- National Biosolids Partnership  
[www.biosolids.org](http://www.biosolids.org)



### Mission Statement

The mission of the California Association of Sanitation Agencies is to provide leadership, advocacy and information to our members, legislators and the public, and to promote partnerships on clean water and beneficial reuse issues that protect public health and the environment.

### California Association of Sanitation Agencies

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# CALIFORNIA ASSOCIATION of SANITATION AGENCIES

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January 30, 2015

The Honorable James Inhofe  
Chairman  
Committee on Environment and Public  
Works  
U.S. Senate  
Washington, D.C. 20510

The Honorable Barbara Boxer  
Ranking Member  
Committee on Environment and Public  
Works  
U.S. Senate  
Washington, D.C. 20510

The Honorable Bill Shuster  
Chairman  
Committee on Transportation &  
Infrastructure  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Peter DeFazio  
Ranking Member  
Committee on Transportation &  
Infrastructure  
U.S. House of Representatives  
Washington, D.C. 20515

**Subject: Testimony of the California Association of Sanitation Agencies (CASA) to the Committee on Environment and Public Works' February 4, 2015 Hearing Into the U.S. Environmental Protection Agency's Waters of the U.S. Proposed Rulemaking**

Dear Mr. Chairmen Inhofe and Shuster and Ranking Members Boxer and DeFazio:

The California Association of Sanitation Agencies (CASA), a statewide association representing publicly owned clean water agencies serving the needs of more than 90 percent of California's 35 million residents and related businesses, respectfully requests that this letter be included in the formal record of the Committee on Environment and Public Works' February 4, 2015 hearing into the U.S. Environmental Protection Agency's (USEPA) Waters of the U.S. proposed rulemaking. CASA's member agencies operate wastewater treatment and water recycling facilities that discharge into waters of the United States, and as such have a direct interest in the proposed rule's promulgation as well as its implementation.

CASA believes that the history of this rulemaking demands this unprecedented bicameral hearing to ensure that all interested parties have an opportunity to detail their perspectives on the rule and its potential impacts. To this end, CASA expects that the extensive development of the proposed rule, the extended public comment period and the current review of the more than 600,000 public comments submitted to USEPA will ultimately lead to the promulgation of a thoroughly considered rule.

While the debate surrounding this rulemaking has been strident and unrelenting on all sides during the many years of this rule's evolution, CASA's focused message emphasizing support for the waste treatment exemption, the need for a specific exclusion of groundwater, and the necessity of addressing recycled water has been consistent over time. The effort officially began with the release of the draft *EPA and Army Corps of Engineers Guidance Regarding*

*Identification of Waters Protected by the Clean Water Act (Draft Guidance)*, in lieu of regulation. Making such changes through guidance rather than regulation raised serious concerns of creating a precedent of imposing significant new mandates on the regulated community while denying interested parties a fully transparent and open review and comment period. At that time, CASA urged USEPA to undertake a formal rulemaking process to ensure that the regulated community could submit informed comments on the proposal. CASA was pleased that the Administration heeded the many calls for such a formal rulemaking process, and submitted its comments as part of the formal rulemaking process. I am enclosing a copy of these comments as a reference.

Today, the controversy surrounding the rulemaking has reached a point where we feel it is vital to take a step back and consider first and foremost the underlying reason that this rule has spurred so much controversy. Although the rulemaking appears to be merely an effort to redefine which waters of the U.S. are subject to permitting under the Clean Water Act, CASA believes that, more importantly, it is symptomatic of a much larger issue. In fact, we believe that this issue is so significant that it has culminated in this bicameral hearing, which is highly unusual. Simply stated, the policy debate over the contours of what constitutes a water of the United States is just one more indicator of a much larger need and its associated challenge; the fact that the Clean Water Act is a forty-year old statute that has not been updated to address the needs and realities of today's water quality problems.

We appreciate the frustrations surrounding this rulemaking, but after today's hearing, we hope that one outcome will be a common understanding that we need to holistically revisit the manner in which we mandate water quality improvements. Whether the issue is terms and conditions of permits, or how funding should be targeted to address the variety of water quality impairments, for example, Congress needs to seize the opportunity to develop a new approach to meet the water quality and water infrastructure challenges of the twenty-first century. CASA would welcome the opportunity to work with you in this endeavor.

With respect to the pending rulemaking, CASA has expressed its concerns and voiced alternatives throughout the process. Some of these were accepted, such as the retention of the existing waste treatment exemption. In other areas, such as water recycling and the potential of imposing new mandates on such facilities, we continue to hope that the final rule establishes, with clarity, a process that recognizes that such facilities contribute to an improved environment and water quality while addressing the challenges of a changing climate. However, it remains an open question as to how the agency will address the matter.

First and foremost, however, CASA appreciates that the proposed rule explicitly specifies USEPA is proposing no changes to the longstanding regulations that exclude waste treatment systems designed to meet the requirements of the CWA from the definition of "waters of the United States." These regulations provide an essential component of the existing regulatory framework that ensures effective clean water agency operations. The retention of the waste treatment exemption is one of the highest priorities for clean water agencies. We also endorse the proposed rule's clarification that USEPA does not intend to alter the regulation of groundwater at the federal level.

Despite our general support for these crucial elements of the proposed rule, there are areas where clarification is needed in order to protect wastewater operations, particularly those pertaining to recycled water production and storage. Specifically, we would appreciate if USEPA could clarify segments of the rule that could potentially create regulatory barriers to the effective implementation of recycled water projects as well as aspects of the rule that could complicate and interfere with core components of the wastewater treatment process.

In order to address the historic drought conditions currently plaguing the western states, water and wastewater agencies must rely on a full suite of flexible options to provide potable and recycled water supplies for a variety of ongoing uses. Thus, CASA opposes any direct or indirect new regulatory impacts on water recycling, water storage, and other mechanisms that play a part in recycled water infrastructure and processes as a result of the proposed rule. We believe it is important that the proposed rule expressly state that the waste treatment exemption extends to recycled water facilities.

California water recycling projects often depend upon artificially created wetlands and storage ponds to treat millions of gallons of water a day. Because recycled water demand is variable with time of day and season, recycled water agencies maintain reservoirs or storage basins/ponds to store recycled water during periods of low usage in anticipation of peak demands. These features are an essential component of the recycled water process and integral to an agency's ability to continue reliably producing and supplying recycled water in many instances. If these features are considered waters of the U.S. and are not specifically included in the waste treatment exemption, they may no longer be considered an integral component of the waste treatment system, potentially forcing the closure of important recycled water projects critical to California's water supply. Moreover, a lack of clarity on this issue may stall or halt the development of recycled water projects at a time when recycling is urgently needed to address drought and climate resiliency priorities.

The proposed rule should affirm that these recycled water reservoirs, along with influent and treated effluent storage ponds, are within the scope of the waste treatment exemption, consistent with the existing federal regulatory definition of "complete waste treatment system." As the proposed rule and existing practice acknowledge, waste treatment systems designed to meet the requirements of the Clean Water Act are not waters of the U.S., and treatment systems should include any facilities, including storage ponds and basins, related not only to traditional treatment facilities and processes, but also to the production of recycled water.

In the alternative, recycled water facilities and features (including storage ponds, basins, artificially created wetlands, recycled water reservoirs and other features associated with water recycling) should be expressly exempted as part of the specifically identified features that are not considered waters of the U.S. within the proposed rule. In this case, recycled water facilities would be treated similar to artificial lakes, ponds, swimming pools, ornamental waters, and groundwater, which are specifically identified and expressly exempted. In either case, whether recycled water facilities are considered part of the waste treatment exemption or have their own specifically identified exemption, it is essential that the proposed rule not interfere with recycled water production and treatment by making those features jurisdictional.

The failure to include an explicit statement in the final rule would leave open the question of whether these features are considered “waters of the U.S.” Such a situation could lead to regulatory disincentives to produce recycled water in California and other western states, compounding a water scarcity situation that is already dire. Pending and adopted federal and state legislation to address the impacts of our historic drought contain a number of approaches to encourage recycled water projects. Transforming components of the recycled water process, including integral systems such as storage ponds, into jurisdictional waters would undercut efforts to address the drought and have resoundingly negative water supply ramifications across the state. We concur with the comments of Representative Grace Napolitano (D-CA) delivered to the House Committee on Transportation and Infrastructure Committee during the hearing held on June 11, 2014, as she questioned why, in light of the severe drought in California, USEPA would not expressly include recycled water within the scope of the waste treatment exemption. Given the drought and dire need to develop recycled water facilities in the arid west, clarification that excludes recycled water facilities from additional federal regulation is absolutely vital.

CASA’s prior comments on the proposed rule contain references to interpretations of the waste treatment exemption that could benefit from clarification. For example, CASA seeks to ensure that spreading grounds/basins, treatment ponds/lagoons, and constructed treatment wetlands used as part of the wastewater process are subject to the same exemption as other waste treatment processes and are covered by the existing waste treatment exemption. We also seek to clarify that wastewater treatment processes, including man-made spreading basins, that are located near or even “adjacent” to rivers and tributaries are covered by the exemption, despite potentially being considered jurisdictional based on other language within the proposed rule. Some of these issues are relatively straightforward to resolve and nearly all of these are offshoots of our core concern: preservation and proper scoping of the waste treatment exemption. The crucial component of the rule for wastewater agencies remains the preservation of the waste treatment exemption, the explicit exemption for groundwater, and the need to clarify that recycled water infrastructure is similarly exempt from jurisdiction. With relatively straightforward modifications, the proposed rule is well on its way to resolving all of these issues.

Thank you for the opportunity to provide testimony on this matter.



David R. Williams  
President, California Association of Sanitation Agencies



**CASA**

# SPEAKER PROFILES

## 12TH ANNUAL | WASHINGTON, D.C. CONFERENCE | FEB 23 - 25, 2015

**Tim Alberta** is Senior Political Correspondent for National Journal, reporting on the race for the White House in 2016. He previously covered Capitol Hill as House leadership reporter; prior to that he was senior editor of The Hotline, where he wrote the publication's popular tip-sheets and directed its coverage of the 2012 presidential election. A native of Michigan, Mr. Alberta was an award-winning reporter on state government while studying journalism and political science at Michigan State University. He later reported for the Wall Street Journal and Politico before joining National Journal in 2010. He lives in Virginia with his wife and son.

**Jason Albritton** is a Senior Policy Advisor to Barbara Boxer, Ranking Member of the Senate Committee on Environment and Public Works. He is responsible for a wide portfolio of environmental and public works issues on behalf of Senator Boxer. In this capacity, he worked on developing the 2014 Water Resources Development Act, addressing infrastructure funding needs through innovative financing tools, and addressing climate change impacts and resiliency needs. Prior to working in Congress, Mr. Albritton served as a senior policy advisor at The Nature Conservancy, where he worked closely with the U.S. Environmental Protection Agency, U.S. Army Corps of Engineers and the U.S. Department of Transportation. Mr. Albritton earned a Bachelor of Arts degree in biology from Murray State University, and a Masters Degree in ecological economics from the University of Leeds.

**Susan Bodine** joined the U.S. Senate Committee on Environment & Public Works (EPW) staff as Chief Counsel in 2015. From 2009 to 2015, Ms. Bodine was a partner with the law firm of Barnes and Thornburg in Washington, D.C. From 2006 to 2009, Ms. Bodine was the Assistant Administrator for the EPA's Office of Solid Waste and Emergency Response. From 2001 to 2005, she served as the Staff Director of the House Transportation and Infrastructure Subcommittee on Water Resources and Environment, and from 1995-2001 as the subcommittee counsel.

**Betty Burnett** is the General Manager to the South Orange County Wastewater Authority (SOCWA), a CASA member agency. SOCWA manages transmission, treatment and disposal of wastewater for more than 500,000 homes and businesses across South Orange County, California. Ms. Burnett enjoys working for SOCWA because it is "an example of successful regional partnerships for quality clean water services." Her background also includes 26 years of experience as an attorney managing environmental legal issues, transaction and compliance matters for public agency clients. Ms. Burnett's co-equal experience as counsel to public agencies and senior executive highlight her skills in agency management. Ms. Burnett serves as the Chair of the CASA Federal Legislative Committee and previously served as Chair of the CASA Attorneys Committee.

**Congressman Ken Calvert** represents the 42nd Congressional District of southern California. The 42nd District encompasses the western edge of Riverside County including the cities of Eastvale, Norco, Corona, Lake Elsinore, Wildomar, Canyon Lake, Menifee, Murrieta and a portion of Temecula. Rep. Calvert was first elected to the House in 1992. In the 114th Congress, Representative Calvert continues to serve on the House Appropriations Committee where he is Chairman of the Interior and the Environment Subcommittee. Representative Calvert is also a member of the Defense Subcommittee and the Energy and Water Subcommittee and was also selected to serve as the Chairman of the California Republican Delegation. Representative Calvert's legislative priorities include: creating long-term solutions to California's energy and water problems; reducing the time it takes to build infrastructure projects by making common sense, bi-partisan reforms to our environmental laws; and, much more. Ken Calvert is a lifelong resident of Riverside County and 17-year small business owner in the restaurant and real estate industries. Congressman Calvert received his Bachelor of Arts in economics from San Diego State University and is involved in several local community

# Federal Policymaking: Unlocking the Gridlock

**Congressman Mark DeSaulnier** represents California's 11th Congressional District. He was sworn-in as a member of the 114th Congress on January 6, 2015 and was appointed to serve on the Education and Workforce and Oversight and Government Reform Committees. Prior to being elected to Congress, Representative DeSaulnier served in the California State Senate and in the State Assembly. From 2008 to 2014, during the time he was in the state legislature, 61 of his bills were passed and became California state law. Representative DeSaulnier served locally as a Concord City Councilmember and as Mayor. He was appointed to the Concord Planning Commission and was a member of the University of California Toxic Substances Research and Teaching Program Advisory Committee. Born in Lowell, Massachusetts, Representative DeSaulnier earned his Bachelor of Arts degree in history from the College of the Holy Cross. In the early 1970s he moved to California, and over the next 35 years he owned and managed several successful Bay Area restaurants. Congressman DeSaulnier lives in Concord where he raised his two sons. He is an avid runner and has completed twenty-one marathons.

**Greg Dotson** is the Vice President for Energy Policy at the Center for American Progress. His work focuses on finding solutions to the nation's energy and environmental challenges. For more than 18 years, Dotson was the lead environmental and energy staffer for Representative Henry A. Waxman (D-CA) and a top staffer on the House Energy and Commerce Committee and the House Committee on Oversight and Government Reform. His major accomplishments include House passage of comprehensive climate change legislation and the enactment of laws on clean energy, pesticide safety, drinking water, and clean air. Mr. Dotson has also devoted countless hours to the strategic defense of existing environmental protection laws. Mr. Dotson is a graduate of the University of Oregon School of Law and earned an undergraduate degree from Virginia Tech.

**Alexander 'Xan' Fishman** is the Senior Legislative Assistant for Congressman John Delaney (MD-06). His policy portfolio includes Infrastructure, Taxes, Energy, Environment, Education, and Foreign Affairs. He is a graduate of Swarthmore College where earned his Bachelor of Arts and received his Master of Arts from Tel Aviv University.

**Jon Freedman** monitors and shapes domestic and international water policies and helps GE Power & Water develop technology collaborations with government entities. Jon also co-leads GE's Natural Gas Policy Working Group. Prior to assuming his current role in February 2005, Jon served as a director for GE's Corporate Marketing Initiatives Group. While in this role he was the project leader responsible for developing GE's global environmental sustainability initiative now called ecomagination. He also served as general manager, contractual services for GE Water & Process Technologies, with responsibility for developing and executing business plans to drive global expansion into a range of water service segments. Active in the community, Mr. Freedman serves as co-chair of the WaterReuse Association's Industrial Reuse Committee and served six years on the organization's board of directors. Jon teaches a class at the University of Pennsylvania called "The Future of Water." He has authored numerous articles and speaks frequently on the future of water, water reuse, and policy best practices. Mr. Freedman holds a bachelor's degree from the University of Virginia, a law degree from William & Mary, and an Master of Business Administration in finance from The Wharton School of the University of Pennsylvania.

**Cathleen Kelly** is a Senior Fellow at the Center for American Progress. She specializes in international and U.S. climate mitigation, preparedness, resilience, and sustainable development policy. Ms. Kelly served in the Obama administration at the White House Council on Environmental Quality, where she led a 20-plus-agency task force to develop a national climate-resilience strategy. This strategy helped form the basis of the climate-preparedness pillar of President Barack Obama's Climate Action Plan. Previously, Ms. Kelly directed the Climate & Energy Program at The German Marshall Fund of the United States, where she led a highly acclaimed paper series and events on climate and clean energy policy that drew the world's top energy and climate policy players. Ms. Kelly is an internationally recognized climate policy expert and a regular adviser to U.S. and European officials on environmental policy issues. She is a professor of international and environmental policy at the Johns Hopkins University Paul H. Nitze School of Advanced International Studies, or SAIS. She is also a senior adviser at Climate Advisers and on the advisory board of the Clean Energy Leadership Institute. Kelly is a prize-winning graduate of SAIS, where she earned a master of arts in international relations and energy and environmental policy.

**Kenneth J. Kopocis** is the Acting Assistant Administrator for the Office of Water at the U.S. Environmental Protection Agency (USEPA). Prior to his USEPA appointment, Mr. Kopocis was the Senior Counsel on the House Committee on Transportation and Infrastructure since 2008. From 2006-2008, he served as the Deputy Staff Director for Infrastructure on the Senate Committee on Environment and Public Works. From 1993-2006, Mr. Kopocis was the Staff Director and Senior Counsel for the House Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment. From 1985-1993, he served as Assistant Counsel on the House Committee on Public Works and Transportation, Subcommittee on Water Resources and Environment. Mr. Kopocis has worked on water issues in the United States Congress for over 25 years, and has played a role in crafting and defending numerous pieces of environmental legislation, including the Clean Water Act. He also previously served as an Attorney in the Government Accountability Office and at the General Services Administration. Mr. Kopocis holds a Bachelor of Science from the University of Nebraska-Omaha and a Juris Doctor from the College of William & Mary.

**Adam Krantz** is Managing Director of Government and Public Affairs for the National Association of Clean Water Agencies (NACWA). Mr. Krantz advocates on behalf of wastewater treatment agencies on an array of issues, including wet weather, infrastructure funding, and asset management. Prior to his position with NACWA, Mr. Krantz was associate editor/reporter at Inside Washington Publishers where he covered the U.S. Environmental Protection Agency and congressional water quality policymaking initiatives. Before entering the environmental arena, Mr. Krantz served as an attorney with the Washington, D.C. law firm, Dickstein, Shapiro, Morin & Oshinsky. In addition to his duties at NACWA, Mr. Krantz currently serves as the president of the Federal Water Quality Association and as vice president of the Clean Water America Alliance, a 501(c)(3) not-for-profit association. Mr. Krantz has degrees from Columbia University in New York City, the American University's Washington College of Law in Washington, D.C., and the University of Chicago. He is a member of both the District of Columbia and Maryland bars.

**Traci Minamide** is the Chief Operating Officer for the City of Los Angeles, Bureau of Sanitation, an organization of approximately 3,000 employees with annual revenue of nearly \$1 billion. In this capacity, she assists the director by maintaining bureau-wide oversight of operational activities in a program that consists of three core services: wastewater collection and treatment, solids resources, and watershed protection (stormwater). Her main areas of focus are wastewater treatment, water recycling, and biosolids management. Ms. Minamide has been with the city for 25 years and has previously served with the city's Department of Water and Power and the Irvine Ranch Water District. She holds a Bachelor of Science in civil engineering from California State Polytechnic University at Pomona and a Master of Science in environmental engineering from Loyola Marymount University. She is also a licensed professional civil engineer in the State of California and a Board Certified Environmental Engineer.

**Representative Grace Flores Napolitano** is currently serving her eighth term in the U.S. Congress. Her Los Angeles County-based district covers several cities and communities in the San Gabriel Valley and East Los Angeles County areas. Congresswoman Napolitano has been a member of the House Committee on Natural Resources since the 106th Congress, and is currently the Ranking Member on the Subcommittee on Water and Power. She has been a long-time promoter of conservation, water recycling, desalination, and groundwater management as solutions to Southern California's water needs. She is also a member of the House Committee on Transportation and Infrastructure, where she has advanced projects and policies that relieve congestion, improve transit, and reduce the negative impacts her district takes on as a primary shipping corridor from the Ports of Long Beach and Los Angeles. Along with Representative Tim Murphy (R-PA), Congresswoman Napolitano co-chairs the bipartisan Congressional Mental Health Caucus. The Congresswoman is also a member and former Chairwoman of the Congressional Hispanic Caucus, which addresses the impact of national issues on the Hispanic community.

**Jonathan Pawlow** is Majority Counsel for the Subcommittee on Water Resources and Environment of the House Committee on Transportation and Infrastructure. He is responsible for matters within the Subcommittee's jurisdiction relating to water pollution control and water infrastructure; wetlands; watersheds; hazardous waste cleanup; and water resources management, conservation, and development. Jon is an attorney and scientist/engineer with expertise in the environmental and intellectual property fields. He has over 15 years of private law practice experience, and substantial public sector legislative, regulatory, law, policy, and technical experience, originally with the U.S. Environmental Protection Agency, more recently as Assistant Chief Counsel with the Office of Advocacy of the U.S. Small Business Administration, and now with the House Transportation and Infrastructure Committee. He earned his law degree from the Georgetown University Law Center, and Master of Science and Bachelor of Science degrees in water resources engineering and environmental science, both from Rutgers University. Mr. Pawlow is a member of the District of Columbia and Virginia Bars, and is also registered as a patent attorney to practice before the U.S. Patent and Trademark Office.

**Michael Placencia** is the Director of the Municipal Securities Group at U.S. Bancorp. He joined U.S. Bank in March 2012 and has over 17 years of experience providing investment banking services to a variety of municipal general infrastructure, transportation, and airport clients. His clients have included Los Angeles County, the City of San Jose, the City of Roseville, the City of San Antonio, Texas, Shelby County, Tennessee, the Texas Water Development Board, East Bay Municipal Utility District, San Antonio Independent School District, and the University of California. Prior to entering the municipal finance industry, Mr. Placencia worked for the California Governor's Office and California State Resources Agency. He received a Bachelor of Arts in economics and political science from the University of California at Berkeley, and a Masters of Business Administration from the Wharton School of the University of Pennsylvania.

**Mark Philbrick** serves as the Technical Coordinator for the Department of Energy's (DOE) Water-Energy Technology Team, which includes a wide range of energy technologies. He also serves as a technical advisor to the waste-to-energy program of the DOE's Bioenergy office, and was the lead author for the technology chapter of the Water-Energy Nexus: Challenges and Opportunities report that the DOE released in June 2014. Dr. Philbrick previously served as an American Association for the Advancement of Science Fellow at the Department of Energy from 2011-13. He received his Ph. D. in Environmental Science, Policy, and Management from the University of California, Berkeley.

**Manu Raju** is a Senior Congressional Reporter at POLITICO. Prior to joining POLITICO, he covered the Senate leadership for The Hill newspaper, and prior to that reported for Congressional Quarterly, writing about energy and environmental issues for its weekly magazine and daily issue. Mr. Raju got his start in Washington as an associate editor and reporter at Inside Washington Publishers, where he covered federal environmental policy. Mr. Raju has won multiple journalism awards, including the 2012 Merriman Smith award for presidential reporting with a team of POLITICO reporters for coverage over the debt ceiling crisis. He is a graduate of the University of Wisconsin, a native of the greater Chicago area and a long-suffering Cubs and Bears fan. Mr. Raju lives in Northwest D.C. with his wife, Archana.

**Paul Sciuto** is the Deputy General Manager of the Monterey Regional Water Pollution Control Agency. He has over 25 years of experience in the potable water, wastewater, and recycled water industries with both private and public entities. Mr. Sciuto has a B.S. in Civil Engineering from the University of California at Davis, an MBA from California State University, Hayward, and an M.S. in Technology Management from Pepperdine University. Mr. Sciuto serves as Vice Chair of the CASA Federal legislative Committee.

**Ryan Seiger** is the Democratic Staff Director and Senior Counsel for the Subcommittee on Water Resources and the Environment of the House Committee on Transportation and Infrastructure. He is an expert on matters related to the Clean Water Act, Superfund-related issues and the U.S. Army Corps of Engineers. Mr. Seiger earned a Bachelor of Arts, from the University of Pennsylvania in 1996 and a Juris Doctor, from the Catholic University of America in 1998.

**Judy Sheahan**, is the Assistant Executive Director of the U.S. Conference of Mayors the voice of the nation's Mayors. Ms. Sheahan specializes in water infrastructure policy and financing.

**Raffael Stein** is the Director of EPA's Municipal Support Division and oversees the Clean Water State Revolving Fund, which has provided over \$ 100 billion in assistance since its inception. He is also responsible for other Agency infrastructure funding programs as well as the WaterSense conservation program. He is playing a leading role in launching the new WIFIA program and has been designated the Interim Director of the recently announced Water Infrastructure & Resiliency Finance Center. Mr. Stein has been with the Agency for over 23 years, starting as an economist in the Office of Water where he developed the Agency's water affordability methodology. He then held several positions in the Agency's Office of the Chief Financial Officer including senior water analyst in the budget office and analysis staff director in the planning office. As part of his executive training, he served briefly as the planning director in EPA's Region 9 office (West Coast). From 2009 to early 2014, Mr. Stein was the director of EPA's Office of Financial Services where he was responsible for all of the Agency's financial operations. Prior to coming to EPA he was an economist for Virginia's Department of Taxation and a financial analyst in a consulting firm specializing in municipal finance research. He earned a bachelor's degree from Grinnell College and a master's in public policy from Duke University.

**Representative Mimi Walters** represents the 45th Congressional District of California and currently serves on the House Judiciary Committee and the House Committee on Transportation and Infrastructure. She previously served in the California State Senate from 2008 - 2014, representing California's 37th District of the California State Senate. Having previously served two, two-year terms in the State Assembly, Walters was overwhelmingly elected to the State Senate in 2008, and reelected in 2012. Congresswoman Walters possesses a background in both business and local government. Her professional career has included time with the firm of Drexel, Burnham & Lambert as an Investment Executive; subsequently she joined Kidder Peabody & Company. She began her career in public service as a member of the Laguna Niguel City Council in 1996. Congresswoman Walters is a founder of the California Women's Leadership Association (CWLA) and has served on the Boards of the National Association of Women Business Owners (NAWBO), the Laguna Niguel Republican Women Federated, the American Cancer Society, and the South Coast Medical Center Foundation. Congresswoman Walters graduated from the University of California at Los Angeles in 1984 with a Bachelor of Arts degree in Political Science. She and her husband, David, have 4 children.

**Reid Wilson** is the Editor of The Washington Post's Read In and Former Editor-in-Chief of National Journal's The Hotline. Read In focuses on the newsmakers of Capitol Hill, K Street, and political campaigns. From his perch, Mr. Wilson spots political trends as they develop and forecasts election and legislative outcomes long before the results are in. He cuts through the spin and tells the truth about the state of politics and Washington today. His work has appeared in outlets as varied as the New York Times, the Washington Post, the Atlantic Monthly, and the major news networks. He is also the former editor and head of the Washington Post's GovBeat and the former editor-in-chief of National Journal's The Hotline. Before becoming editor-in-chief, Mr. Wilson was editor of Hotline On Call, Hotline's political blog. He has served as a staff writer at The Hill newspaper, where he covered Congress, politics, campaigns, and elections. Mr. Wilson has covered the Supreme Court, the Federal Election Commission, and top political races as they develop across the country.

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**PUBLIC POLICY FORUM**  
**APRIL 27-28, 2015**

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SANITATION AGENCIES**  
1225 8TH STREET, SUITE 595  
SACRAMENTO, CA 95814  
PHONE: (916) 446-0388



# UNION SANITARY DISTRICT

*Protecting The Tri-Cities and San Francisco Bay*



© 2014 Pictometry

*Looking East toward Union City*

## Founded

May 27, 1918

## Service Area

Total 60.2 square miles

- Fremont 36.4 sq. mi.
- Newark 13.8 sq. mi.
- Union City 9.9 sq. mi

## Population Served

339,983

*(CA Dept. of Finance January 2014 demographics)*

## Miles of Sewers Maintained

811

## Number of Employees

142

## Total Annual Operating Budget

\$56,680,161

## Green Energy Projects

- Powering our Treatment Plant with methane created by our processes, generating up to 1.6 MW per day - enough energy to power 2,266 homes annually
- Solar production 1,128,000 kwh annually

## Alvarado Treatment Plant Footprint

33 acres

## Alvarado Treatment Plant Capacity

33 MGD

*MGD = million gallons per day*

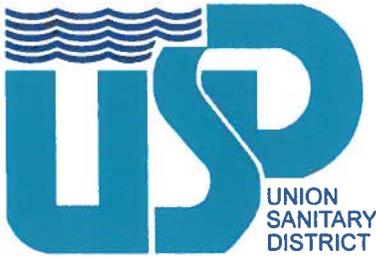
## Gallons of Wastewater Treated Daily

23 MGD

*2015 Average Dry Weather Flow*

## FY 2015 Annual Residential Service Charge

\$357.02



# UNION SANITARY DISTRICT

*Protecting The Tri-Cities and San Francisco Bay*

Union Sanitary District operates a 33-million gallon per day wastewater treatment facility in Union City, California. We provide 24/7/365 collection, treatment and disposal services for Fremont, Newark and Union City, which have a combined population of 339,983.

We also serve over 3,100 industrial and commercial customers in the Tri-Cities. We clean and maintain over 800 miles of underground pipelines in our 60.2 square mile service area.

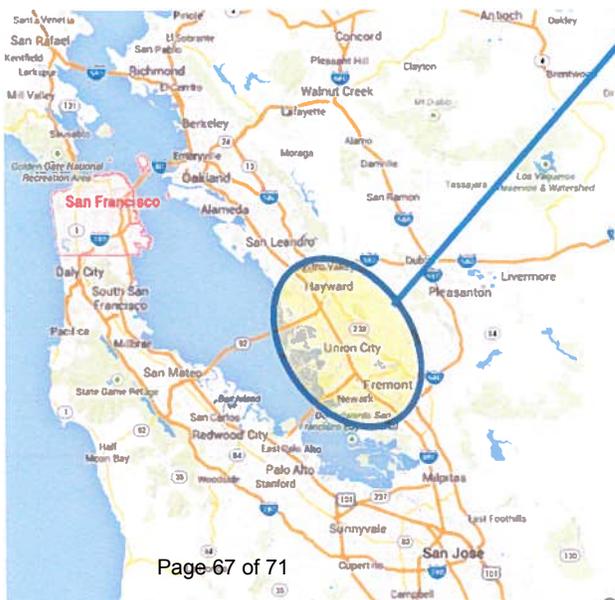
USD  
Administration  
Offices and  
Wastewater  
Treatment Plant



Union City

Fremont

Newark



STATE BOARD

# Water restrictions weighed

## Fountain, lawn sprinkling rules could be next

By Fenit Nirappil  
Associated Press

SACRAMENTO — As the California drought drags on, water officials are considering expanding mandatory outdoor water restrictions on homeowners and adding new limits on restaurants, hotels and decorative fountains.

At an informational meeting Tuesday, the State Water Resources Control Board also appeared ready to extend existing rules imposed last summer to boost water supplies.

That would mean Californians still won't be able to wash cars with hoses that don't shut off and must limit watering their lawns.

The emergency regulations also authorized agencies to fine water wasters up to \$500 a day, though such stringent enforcement has been rare.

Possible new rules under consideration include a ban on running outdoor water fountains and prohibiting lawn watering during cold and rainy periods.

"The key is to get away from very light mandatory restrictions," said Felicia Marcus, chairwoman of the board.

Other ideas presented

Tuesday targeted businesses such as requiring restaurants to only serve water on request and telling hotels not to automatically provide guests with fresh towels and sheets every day. Some cities have similar rules already in place.

The board has considered making some water restrictions permanent with the prospect of future droughts looming.

"We definitely need permanent regulations," said Frances Spivy-Weber, the board vice-chairwoman. "I just don't see how we can enter the next 30 years with climate change without them."

The board has the power

to define unreasonable water use. That power can also be used to ban golf course and cemetery owners from using drinking water to maintain landscapes when recycled water is available, but Marcus said the board isn't targeting those areas now.

The board could consider the extension of restrictions next month and take up other possible regulations later in the year.

DRASTIC MEASURES IN CALIFORNIA?

# Poll: Majority of voters say drought serious

Survey shows most favor voluntary cuts over mandatory one

By Lisa M. Krieger  
lkrieger@mercurynews.com

In what could be a fourth year of drought, virtually all Californians say the state's water situation is serious — but the majority still favors voluntary rather than mandatory restrictions, a new Field Poll released Thursday found.

They are concerned about water storage and supply, the poll found, an opinion reflected in passage of last November's Proposition 1, a \$7.5 billion bond measure for new water projects.

"There are certain trade-offs that voters support — and some they are reluctant to support, such as mandatory rationing," said

Mark DiCamillo, director of the Field Poll. "What they support is trying to expand the water storage and supply facilities on government property."

About half of voters polled supported the idea of relaxing government restrictions on projects in state parks and forests. Voters are also evenly divided about the idea of allowing the state to relax environmental regulations protecting fish and the San Francisco Bay and Delta.

The findings are part of a report released Thursday by the Field Research Corporation, a nonprofit, nonpartisan firm based in San Francisco. The survey questioned 1,241 registered California voters in six languages.

"One silver lining of this severe

See **WATER**, Page 2

## California voters' water concern

Should the state and other major water providers require mandatory water rationing or ask users to voluntarily cut back water use by 20 percent?

	Voluntary cutbacks	Mandatory rationing	No opinion
April 2014	67%	27%	6%
February 2015	61%	34%	5%

### By region, 2015

	Voluntary cutbacks	Mandatory rationing	No opinion
San Francisco Bay Area	55%	39%	6%
Other Northern California*	60%	37%	3%
Central Valley	63%	34%	3%
Los Angeles County	59%	35%	6%
Other Southern California	67%	31%	2%

\* Small sample size

Source: Field Poll survey of 1,241 registered California voters. Survey conducted Jan. 26-Feb. 16; sampling error is +/- 3.2 percentage points.

BAY AREA NEWS GROUP

# Water

Continued from Page 1

drought is that it has raised Californians' awareness of the importance of our water supplies," said Ellen Hanak of the Public Policy Institute of California. Passage of the state bond measure means that "funds will support more conservation, more use of treated wastewater and stormwater, and more effective storage both above and below ground. We can make these investments in ways that protect California's economy, society, and environment."

Bay Area voters were most likely to view the drought as serious, with 73 percent taking that view, compared with 63 percent in Los Angeles County.

But nowhere in the state does a majority support mandatory restrictions on water use. Bay Area residents are the most willing — 39 percent of those polled supported the idea — but 55 percent preferred voluntary steps. Southern Californians generally reject mandated restrictions, with support ranging from 31 percent to 35 percent in Los Angeles County and other parts of Southern California and the Central Valley.

"For some, it means government intrusion in everyday life," said DeCamillo. "It is interesting that even here in the Bay Area, which is more Democratic and liberal, voluntary cut-backs are still the preferred method."

The number of voters who consider state water storage and supply facilities inadequate has nearly doubled since the past two times The Field Poll posed this question in the 1980s. More than four times as many voters (43 percent) think they are inadequate, and 38 percent describe them as just barely adequate.

"California is a dry place, and the people of California get this," said Jay R. Lund, Director of the Center for Watershed Sciences at UC Davis.

"As illustrated by the Proposition 1 vote in November, they are willing to spend money to improve the state's infrastructure and management," he said. "The drought has helped bring state and local water agencies together to

improve water management statewide, but there remains a long way to go. Voters are clearly paying attention."

Big geographic differences highlight voter opinions on bypassing environmental regulations. In the Central Valley, 61 percent favors allowing the state to bypass laws that protect fish and the Bay-Delta region in serious shortages for farmers and residents. But Bay Area voters' support drops to 33 percent.

The poll, conducted between Jan. 26 and Feb. 16, comes as California suffers through another dry midwinter, with vegetation showing signs of growth and flowering typically not seen until well into the spring. The poll's margin of error is plus or minus 3.2 percentage points.

And it looks as though an anomalous high pressure system — dubbed the Ridiculously Resilient Ridge — has returned, according to Daniel Swain of Stanford University's Department of Environmental Earth System Science. This is forcing Pacific storm systems to veer sharply northward, directing warm, moist air toward Canada and Alaska.

But because the ridge is slightly further east than last winter, California has occasionally benefited from the constant northward stream of moisture, he said.

Clouds are expected to move into the Bay Area late Thursday, with a chance of showers on Friday and Saturday. Skies will clear on Sunday, before clouds return on Monday. But the region still has a long way to go to climb out of the drought. Reservoirs are only 67 percent of average and streamflow in most of California's creeks, streams and rivers is also well below average for this time of year. The Sierra Nevada snowpack, already low, shrank more during a mid-February heat wave.

The poll shows that voters recognize the drought is an emergency and want solutions, said Josué Medellín-Azuara, research scientist with the Center for Watershed Sciences.

But he cautioned: "There is a pervasive belief that surface water is one way to cope with drought — yet surface reservoirs are useless if there is not water to fill them."

HETCH HETCHY REGIONAL WATER SYSTEM

# Big upgrade for key pipeline

In continuous service since 1966, Irvington Tunnel is going offline

By Chris De Benedetti  
cdebenedetti@  
bayareanewsgroup.com

After decades of reliable service, a tunnel that has carried drinking water to millions of Bay Area residents will soon take a long-deserved break, stepping aside for a seismically stronger replacement next to it.

The 3.5-mile-long Irvington

Tunnel has carried most of the system's water from Sunol Valley to Fremont since 1932, staying in service without a single break since 1966.

San Francisco Public Utilities Commission leaders, who manage the tunnel and the Hetch Hetchy Regional Water System, say they will breathe easier now that the aging pipeline is out of commission.

The system instead will rely on the new \$340 million Irvington Tunnel, as the old one receives inspections, without interrupting

water delivery, said Daniel Wade, director of the SFPUC's water system improvement program.

"We're going to see if it needs any repairs," Wade said. "That hasn't been done for almost 50 years because the tunnel has been so critical for the system."

The two tunnels lie between the Calaveras and Hayward faults, which scientists say are overdue for a major earthquake. The new tunnel was built to withstand a 7.1-magnitude earthquake on the

See WATER, Page 12

## Water

Continued from Page 1

Calaveras Fault and a 7.25 on the Hayward Fault, said SFPUC leaders.

"We were truly in a race against time," Wade said. "Now we can restore water service to customers within 24 hours of a major earthquake."

Once inspections and repairs on the old tunnel are finished, it will go back into service and help the new one.

The Hetch Hetchy system serves 2.6 million customers in four Bay Area counties. The system's pipelines are about 167 miles long, from the Hetch Hetchy Reservoir in Yosemite National Park to the Bay Area.

The San Francisco utility agency is spending about \$4.8 billion to repair, replace and seismically upgrade 83 of the system's aging pipelines, reservoirs and dams. Page 71 of 71

"Sixty-five of those proj-



ARIC CRABB/STAFF

Miner Jason Mulkey is lowered 115 feet underground in the Vargas Shaft of the new Irvington Tunnel.

ects have been completed," said utility commission spokeswoman Betsy Lauppe Rhodes.

The Irvington Tunnel is a crucial junction in Alameda County, connecting Hetch Hetchy water to two pipelines that go south to Santa Clara County and three others that travel under the bay to San Mateo County and then north to San Francisco.

About 100 workers, including about 80 miners, worked on the new Irvington Tunnel project. They broke ground in 2011, building the

new tunnel by digging at four entry points between Sunol Valley and Fremont, going as deep as 700 feet.

Miners installed an 8.5-foot-diameter steel pipeline in a tunnel that, on average, will carry 90 million gallons of water a day, commission leaders said. "Water disruption would have a significant impact on the health, safety and economic viability of the Bay Area," Wade said. "We needed to make an investment in this major asset ... that will last decades for future generations."



Miner Jason Mulkey works in one of four entry points for the new Irvington Tunnel project between Fremont and Sunol. The new pipeline replaces a key link in the Hetch Hetchy system.

ARIC CRABB/STAFF