

**NORTH BAY WATER REUSE AUTHORITY
TECHNICAL ADVISORY COMMITTEE**

Agenda – Phase 1

Monday, July 18, 2011
9:30 AM
Novato Sanitary District
500 Davidson Street
Novato, CA 94945

	1.		Call to Order and Self Introductions
	2.	Action	Approval of Agenda
	3.		Public Comments
Pages 2 – 4	4.	Action	Consent Items a. Minutes June 20, 2011
Page 5 Pages 6 - 12 Pages 13 - 14	5.	Information	Report from the Program Manager a. Consultant Progress Reports b. Action Items from June 20, 2011 Meeting
Pages 15 - 16	6.	Discussion	Budget Summary for the Period Ending June 30, 2011
	7.	Information	Status of WaterSMART Grant Applications
	8.	Information	ARRA Projects Report
Pages 17 - 20	9.	Action	ARRA Training
Page 21 - 23	10.	Information	Federal Legislative Update
Pages 24 - 28	11.	Information	State Legislative Update
Pages 29 - 30	12.	Information	Proposition 84 – Integrated Regional Water Management Program Update and Status
Page 31	13.	Information	EIR/EIS Approval Process Update
Pages 32 - 40	14.	Action	Ohlone Mitigation Bank Agreement
	15.	Information	Outreach Program Report
	16.	Information	Items from Committee, Agency Staff, or Consultants
	17.	Information	Items for Next Agenda (August 15, 2011, Novato Sanitary District)

The North Bay Water Reuse Authority complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. Please contact **Chuck Weir** at **510-410-5923** with any questions.

**North Bay Water Reuse Authority
Technical Advisory Committee
Minutes
June 20, 2011**

1. Call to Order and Self Introductions

Chair James called the Technical Advisory Committee (TAC) meeting to order at 9:34 a.m. on Monday, June 20, 2011. The meeting was a conference call. The call in number was 1-866-502-8312 and the Passcode was 190367#.

Committee Members Present

Chair Beverly James	Novato Sanitary District
Pam Jeane	Sonoma Valley CSD
Drew McIntyre	North Marin Water District
Phillip Miller	Napa County
Jeff Tucker	Napa Sanitation District
Renee Webber	Sonoma County Water Agency
Mark Williams	Las Gallinas Valley Sanitary District

Others Present

Chuck Weir, Program Manager	Oakley Water / RMC
Kevin Booker	Sonoma County Water Agency
Ginger Bryant	Bryant & Associates
Grant Davis	Sonoma County Water Agency
Taylor McDaniel	Rauch Communications
Susan McGuire	Las Gallinas Valley Sanitary District
Monica Oakley	Oakley Water / RMC
Pilar Oñate-Quintana	KP Public Affairs
Michael Savage	CDM

2. Approval of the Agenda

The Agenda was unanimously approved as presented.

3. Public Comments

There were no public comments.

4. Consent Items:a. Minutes, May 23, 2011

The minutes were approved with the following minor changes: change Drew McIntyre to Chris DeGabriele in the attendance list and change the date in the heading for Item No. 16 to June 16, 2011. Jeff tucker abstained from the voting.

5. Report from the Program Managera. Consultant Progress Reports

Consultant progress reports, consistent with the tasks in their scopes of work for May 2011 were included in the packet.

b. Status of Action Items from May 23, 2011 Meeting

A list of action items, including task, responsible party, due date, status, and completion date was included in the packet. All items are either complete or are in process.

6. Budget Summary for the Period Ending May 31, 2011

The TAC reviewed the budget summary. Kevin Booker noted that he has an updated listing of member agency assessments and will send it to the Program Manager. As an action item, the Program Manager will update the Budget Summary for the Period Ending May 31, 2011 and distribute it to the TAC.

7. Status of WaterSMART Grant Applications

The WaterSMART grant application for approximately \$1.3 million has been conditionally approved. Kevin Booker indicated that he is waiting for the paperwork from USBR. Ginger Bryant indicated that the next round of applications will be in September or October 2011.

8. ARRA Projects Report

The ARRA projects are proceeding. Kevin Booker indicated that the Ohlone Mitigation Bank agreement has been received and that their attorney has recommended that it be approved by the NBWRA Board prior to its approval by the SCWA Board. As an action item, the Ohlone Mitigation Bank agreement will be included in the July 18, 2011 TAC Agenda to provide a recommendation for the Board at its August 15, 2011 meeting.

9. Federal Legislative Update

Ginger Bryant provided an update for the TAC.

10. State Legislative Update

Pilar Oñate-Quintana provided an update for the TAC.

11. Proposition 84 – Integrated Regional Water Management Program Update and Status

It has been agreed that the member agencies will contract individually with BACWA for management of the IRWM funding. Kevin Booker listed contacts from the member agencies to provide BACWA.

12. EIR/EIS Approval Process Update

ESA updates were provided in the agenda packet.

13. Outreach Program Report

Taylor McDaniel reviewed current and future outreach activities, including updates to the website. She recommended issuing an E-news update in July and the TAC agreed. As an action item, the member agencies will provide an update of their ARRA projects for the E-news.

14. Items from Committee, Agency Staff, or Consultants

The TAC members provided verbal updates on their ARRA projects.

15. Items for Next Agenda (Next Meeting July 18, 2011)

The next meeting will be held at Novato Sanitary District, 600 Davidson Street, Novato, CA at 9:30 a.m. on July 18, 2011.

Action items resulting from the Board and TAC meetings include:

- a. Program Manager will update the Budget Summary for the Period Ending May 31, 2011 and distribute it to the TAC.
- b. The Ohlone Mitigation Bank agreement will be included in the July 18, 2011 TAC Agenda to provide a recommendation for the Board at its August 15, 2011 meeting.
- c. The member agencies will provide an update of their ARRA projects to Taylor McDaniel for the E-news.

Chair James adjourned the meeting at 10:16 a.m.

NEXT MEETING INFORMATION: Next meeting will be at Novato Sanitary District, 600 Davidson Street, Novato, CA on July 18, 2011 at 9:30 a.m.

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ITEM NO. 5 REPORT FROM THE PROGRAM MANAGER

The June 2011 Report from the Program Manager includes the following items:

Item No. 5.a Consultant Progress Reports for June 2011

Item No. 5.b Status of Action Items from the June 20, 2011 Meeting

Additional Agenda Items

Following is a brief summary of some additional Agenda items:

Item No. 7 Status of WaterSMART Grant Applications

The WaterSMART Grant Application in the amount of \$1,291,175 was approved. Ginger Bryant and Kevin Booker will update the TAC on the status of completing all necessary paperwork.

Item No. 8 ARRA Projects Report

Andria Loutsch and Kevin Booker will update the TAC on the status of the ARRA projects, including reporting requirements.

Item No. 9 ARRA Training

Please refer to Agenda Item No. 9.

Item No. 10 Federal Legislative Update

Please refer to the information provided by Bryant & Associates in Agenda Item No. 10.

Item No. 11 State Legislative Update

Please refer to the information provided by Pilar Oñate-Quintana, which includes a summary of current bills of interest.

Item No. 12 Proposition 84 – Integrated Regional Water Management Program Update and Status

Please refer to the support letter to DWR. Participants will update the TAC on this item.

Item No. 13 EIR/EIS Approval Process Update

Please refer to the update provided by Jim O’Toole, ESA, in Agenda Item No. 13.

Item No. 14 Ohlone Mitigation Bank Agreement

Please refer to Agenda Item No. 14.

Item No. 15 Outreach Program Report

Martin Rauch and Taylor McDaniel, Rauch Communications, will discuss current and future outreach efforts.

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Agenda Explanation
North Bay Water Reuse Authority
Technical Advisory Committee
July 18, 2011

ITEM NO. 5.a CONSULTANT PROGRESS REPORTS

Action Requested: None at this time.

Attached are progress reports from NBWRA consultants for June 2011. The progress reports are of similar format and are based on the tasks in each of the consultant agreements. The intent is for the reports to be consistent with the budget information and will be for the previous month.

Note that the Report from Bryant & Associates is included in Agenda Item No. 10, since it provides additional information on federal legislation and other items.

Consultants will also provide verbal reports on items at the meeting.

North Bay Water Reuse Authority
Professional Services by Oakley Water / RMC
RMC Job Number 0047-046.01

Progress Report

June 2011

Task 1 – Orientation of Program Manager

- No work was conducted on this task during the period.

Task 2 – Board Meeting Management

- Prepared Agenda Packet for June 20, 2011 Technical Advisory Committee (TAC) conference call meeting.
- Prep for and participate in June 20, 2011 TAC conference call meeting.
- Drafted minutes for June 20, 2011 TAC conference call meeting. Revised minutes based on comments received.
- Prepared list of short-term action items discussed at the June 20, 2011 TAC meeting. Transmitted action items to meeting attendees. Tracked progress of action items from previous meetings. Revised list based on comments received.

Task 3 – Financial Management

- Updated Consultant costs and Budget Summary through May 31, 2011 and included in TAC Agenda packet.
- Reviewed FY2010/11 Budget amendments assessments to member agencies. Revised budget summary to include assessments.

Task 4 – Consultant Management & Coordination

- Participated in one consultant team conference call.
- Public Outreach Consultant: Reviewed consultant monthly invoice and cost summary and notified Agency staff that they were approved for payment. Updated budget summary. Reviewed plans for outreach services through September 2011. Reviewed plans for issuing outreach services Request for Proposal.
- State Legislative Consultant: Reviewed Integrated Water Management Program support letters. Reviewed monthly report. Reviewed California legislative bill summary.

Task 5 – Program Planning

- Reviewed Prop 84 agreement plans with Bay Area Clean Water Agencies.
- Reviewed and commented on draft agreement for Program Management services for FY2011/12. Reviewed suggested modifications to agreement.
- Reviewed American Recovery and Reinvestment Act reports to Reclamation.

- Reviewed City of Petaluma Resolution approving joining NBWRA.
- Prepared June 2011 Program Progress Report, budget status report, earned value graph, and invoice

Task 6 – Point of Contact for Inquiries

- No work was conducted on this task during the period.

Task 7 – Contingency for Additional Meetings

- No work was conducted on this task during the period.

June 2011 - KP Public Affairs - NBWRA Report

Below, please find a summary of significant activities conducted on behalf of NBWRA in June 2011:

- Continued to monitor legislation relevant to/of potential concern to NBWRA.

In particular, KP continues to monitor bills included in the agenda report (Item No. 11) – which include measures pertinent to integrated regional water management plans and recycled water. KP continues to monitor all legislation for emergence of potential areas of interest or concern.
- Continued to monitor and provide NBWRP with updates regarding the Prop. 84 “Round 1” Implementation Grants. Additionally, in light of public comment period pertaining to “Round 1” draft funding recommendations, (which ended June 10), KP worked to:
 - Draft suggested NBWRP support letters for the Bay Area IRWM recommended funding/NBWRP funding included in the Bay Area IRWM.
 - Vet suggested NBWRP joint/individual letters by key NBWRP staff and legislators.
 - Assisted in finalization and sending of NBWRP support letter and provided a suggested individual draft letter for use by NBWRA agencies.
- Provided update/forwarded WaterSMART-grant-related press release to key legislative contacts.
- Participated in June 20 TAC call – provided updates on state budget, DWR’s state finance committee within the water plan process, DWR’s anticipated “Round 2” of Prop 84 grants, etc.

**Rauch Communication Consultants Inc.**

936 Old Orchard Rd – Campbell, CA 95008

PH 408-374-0977

FX 408-374-2197

E info@rauchcc.com

M E M O**Progress Report, June 2011*****North Bay Water Reuse Authority Program Outreach Activities:*****Task 1 – Hold Kickoff Meeting**

- No activities were carried out on this task for this period.

Task 2 – Research and Information Gathering

- No activities were carried out on this task for this period.

Task 3 – Update Outreach Materials

- No activities were carried out on this task for this period.

Task 4 – Update Outreach Plan, Themes and Messages

- No activities were carried out on this task for this period.

Task 5– Acquaint the Public with the Recycled Water Program

- Wrote and posted web updates: homepage text edits, updated members listing. Created a schedule and a minutes sub-link in the board and Agenda section. Updated site map to reflect new link. Posted press release. Posted Board minutes.
- Tracked media.
- Gathered information for and developed initial draft of e-newsletter.
- Enlarged logo and provide for construction signage.
- Reviewed topics and timing for potential press releases.

Task 6 – Conduct Focused Outreach Activities

- No activities were carried out on this task for this period.

Task 7 – Conduct Remaining Outreach Actions

- No activities were carried out on this task for this period.

Task 8 – Coordination and Support

- Prepared monthly report.
- Participated in June 20 TAC meeting.
- Responded to calls and e-mails through hotline service.

North Bay Water Reuse Authority
Professional Services by CDM

June 2011 Progress Report

Engineering Support for NBWRA Activities in Fiscal Year 2010/2011

- Participated in conference calls with Reclamation regarding revisions to and status of Phase 2 Cooperative Agreement; prepared materials for submittal of Cooperative Agreement.
- Attended NBWRA TAC meeting.
- Project management activities.

Dual Purpose Storage Investigation

- Reviewed and revised draft TM.
- Project management activities.

ARRA Reporting Coordination

- Reviewed and rectified quarterly report and reimbursement data for member agencies.
- Prepared requirements for certified payroll submittals and provided instructions to member agencies.
- Led member agency conference call on construction issues.
- Reviewed member agency construction records.
- Reviewed reimbursement data for the January - March 2011 quarter.
- Reviewed and revised member agency audit summary letters.
- Met with SCWA and ESA to coordinate auditing and reporting.
- Project management activities.

Phase 2 Feasibility Studies: Membership and Outreach Task

- Prepared draft report summarizing activities and progress.
- Project management activities.

Sonoma County Water Agency
Professional Services by ESA
ESA project # 206088.01

Progress Report

June 1-30, 2011

Environmental Science Associates (ESA) Activities:

Task 3 – EIR/EIS

Task 4- Final EIR/EIS

- Record of Decision signed January 26, 2011. No Activity

Task 5- Project Management

- Participated in consultant conference call.
- Reviewed invoices and created budget spreadsheets for Agency.

Task 6 – Biological Opinion (BO)

- BO issued 7/7/10. No Activity.

Task 7 – Permitting

- Section 106 consultation completed March 21. No Activity.

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North Bay Water Reuse Authority
Technical Advisory Committee
July 18, 2011

ITEM NO. 5.b STATUS OF ACTION ITEMS FROM JUNE 20, 2011 MEETING

Action Requested: None at this time.

Attached is a summary of the action items following the June 20, 2011 TAC meeting. It was distributed following those meetings and has been updated for the July 18, 2011 meeting. The list includes task, responsible party, due date, status, and completion date. All items are either complete or in progress.

Meeting Date: June 20, 2011

NBWRA Board and TAC Short-Term Action Item List

Task	Responsible Party	Due Date	Status	Completion Date
Finalize consultant agreements per the FY2011/12 approved budget	SCWA	6/30/2011	In progress. Kevin Booker can provide an update at the July 18, 2011 TAC meeting	
Issue a Request for Proposal for Outreach Services	SCWA	6/30/2011	In progress. An update can be provided during the July 18, 2011 TAC meeting	
Program Manager will update the Budget Summary for the Period Ending May 31, 2011 and distribute it to the TAC	Weir	6/21/2011	Complete.	6/21/2011
The Ohlone Mitigation Bank agreement will be included in the July 18, 2011 TAC Agenda to provide a recommendation for the Board at its August 15, 2011 meeting.	Booker and Weir	7/11/2011	Agreement included in July 18, 2011 TAC Agenda packet to provide a recommendation for the Board to approve on August 15, 2011	7/11/2011
The member agencies will provide an update of their ARRA projects to Taylor McDaniel for the E-news.	Member Agencies	6/30/2011		
Develop a Conflict of Interest Policy for Board consideration at the August 15, 2011 meeting	SCWA Legal Counsel	8/9/2011	In progress.	
Check on the status of the \$500,000 funding for Marin Municipal Water District for the Peacock Gap project	Booker	6/15/2011	In progress	
Include approval, including funding, for federal reporting training in the June 20, 2011 TAC Agenda	Weir and Booker	6/14/2011	Information included in July 18, 2011 TAC Agenda packet	7/11/2011
Review the Assessments Due column in the budget summary document for the Member Agencies.	Weir and Booker	4/30/2011	To be completed once SCWA completes year end accounting for FY2010/11	
Share notices regarding conference presentations and award programs with the TAC	All	Ongoing		
The master schedule will be updated based on discussion and input from the Member Agencies.	O'Toole & Member Agencies	Ongoing		
Update the final versions of the PR documents to reflect correct dates when available.	RCC	subject to EIR/EIS finalization	Ongoing. PR documents tend to be tailored for each meeting with elected officials.	

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Agenda Explanation
North Bay Water Reuse Authority
Technical Advisory Committee
July 18, 2011

ITEM NO. 6 BUDGET SUMMARY - PERIOD ENDING JUNE 30, 2011

Action Requested: None at this time.

Attached is the budget summary for the period ending June 30, 2011. All tasks have remained within the approved budget. The data include some estimates, but will be finalized for the August 2011 meetings. Sonoma County Water Agency is in the process of year end accounting and will update the member agency cost data in August 2011. Once that is completed, the TAC can begin the reconciliation process described in the revised Memorandum of Understanding.

Recommendation

None at this time.

North Bay Water Reuse Authority

Monthly Project Cost Summary

Period Ending: June 30, 2011

I. TOTAL PROJECT COSTS

A	B	C	D	C + D + E	F	G	F + G + H	E - H = I	J	K	J + K + L	H - L = M	% MI/H
Project	Consultant	Original Budget	Amendments	Revised Budget	Original Contract	Amendments	Total Contract	Uncommitted	Prior Expenses	This Period Expenses	Total Expenses	Remaining	% Avail.
Program Manager	RMC / Oakley Water	100,000	150,000	250,000	100,000	150,000	250,000	-	243,484	3,153	246,637	3,363	1.3%
Program Development and Federal Funding	Bryant & Associates	225,000	636,300	861,300	225,000	636,300	861,300	-	839,306	21,836	861,142	158	0.0%
Federal Authorizations and Appropriations	The Ferguson Group	50,000	-	50,000	50,000	-	50,000	-	45,000	5,000	50,000	-	0.0%
Legislative/Program Development (State)	KP Public Affairs	35,000	95,000	130,000	60,000	70,000	130,000	-	121,065	5,000	126,065	3,935	3.0%
Public Outreach	Rauch Comm.	120,000	246,000	366,000	108,935	253,200	362,135	3,865	361,042	1,065	362,107	29	0.0%
Engineering/Economic	CDM	240,000	466,800	706,800	240,000	466,800	706,800	-	653,124	17,748	670,871	35,929	5.1%
Environmental	ESA	1,000,000	391,000	1,391,000	999,308	391,000	1,390,308	692	1,390,285	-	1,390,285	23	0.0%
Contingency	n/a	10,000	85,000	-	-	-	-	-	-	-	-	-	NA
TOTAL BUDGET		\$1,780,000	\$2,070,100	\$3,755,100	\$1,783,243	\$1,967,300	\$3,750,543	\$4,557	\$3,653,306	\$53,802	\$3,707,107	\$43,436	1.2%

Notes:

- Budget data based on NBWRA approved budgets for FY2007/2008, FY2008/2009, FY2009/2010, and FY2010/2011. In general Amendments implies FY08/09, FY09/10, and FY10/11, but the original budget may cover more than one fiscal year.
- Uncommitted indicates either a contract has not been issued or an existing contract has not yet been amended per approved NBWRA FY Budgets.
- \$58,000 moved from contingency to Federal Legislative for a total in this project of \$208,000 for FY2009/10. Approved January 25, 2010. Moved \$37,000 from contingency to environmental. Approved August 16, 2010.
- \$120,000 in CDM Total Contract is funded entirely by USBR for the dual-purpose and financial capability analysis.
- \$42,000 budget amendment approved September 20, 2010 for CDM ARRA reporting.
- FY2010/2011 Budget adopted May 17, 2010. Total was for \$545,000
- Budget amendment approved February 14, 2011 increases Bryant & Associates agreement by a total of \$79,300, ESA agreement by \$65,000, and CDM agreement by \$28,200. RMC agreement also approved for \$1,600 increase but will not be implemented du

2. USBR and NBWRA COST SHARING

Project	Consultant	Original Budget	Amendments	Revised Budget	USBR Original	USBR Amended	USBR Revised	NBWRA Original	NBWRA Amended	NBWRA Revised
Program Manager	RMC / Oakley Water	100,000	150,000	250,000	-	-	-	100,000	150,000	250,000
Program Development and Federal Funding	Bryant & Associates	225,000	557,000	782,000	-	-	-	225,000	557,000	782,000
Federal Authorizations and Appropriations	The Ferguson Group	50,000	-	50,000	-	-	-	-	50,000	50,000
Legislative/Program Development (State)	KP Public Affairs	35,000	95,000	130,000	-	-	-	35,000	95,000	130,000
Public Outreach	Rauch Comm.	120,000	246,000	366,000	80,000	-	80,000	240,000	246,000	486,000
Engineering/Economic	CDM	240,000	437,000	677,000	175,000	120,000	295,000	175,000	395,000	570,000
Environmental	ESA	1,000,000	326,000	1,326,000	500,000	74,000	574,000	570,000	289,000	859,000
Contingency	n/a	10,000	85,000	-	-	-	-	10,000	27,000	37,000
TOTAL BUDGET		\$1,780,000	\$1,896,000	3,581,000	\$755,000	\$194,000	\$949,000	\$1,355,000	\$1,809,000	\$3,164,000

3. MEMBER AGENCIES

NBWRA Agencies	Total Assessments	Assessments		Previous FY Carryover	Assessment Balance		Interest Earned		This Period Expenses		Revised Member Balance
		Assessments Paid	Assessments Due		Assessment Balance	Assessment Due	Expenses Paid	Expenses Due	Bdgt Amnts Paid	Member Balance	
Las Gallinas Valley Sanitary District	583,157	360,698	222,459	65,298	415,996	5,844	\$389,920	14,464	17,456	19,076	36,532
Napa Sanitation District	1,078,594	815,581	263,013	28,140	843,721	5,625	\$715,343	26,666	107,337	-	107,337
Novato Sanitary District	776,003	571,414	204,589	18,432	589,846	6,613	\$553,974	20,680	21,805	25,157	46,962
Sonoma Valley County Sanitation District	769,641	478,527	291,114	69,295	547,822	8,016	\$512,268	19,003	24,567	23,516	48,083
Sonoma County Water Agency	450,848	276,462	174,386	42,753	319,215	4,708	\$301,458	11,183	11,282	15,863	27,145
Total	\$3,658,243	\$2,502,682	\$1,155,561	\$213,919	\$2,716,601	\$30,805	\$2,472,963	\$91,996	\$182,447	\$83,612	266,059

4. MEMBER AGENCIES FY 2010/2011

NBWRA Agencies	Total Assessments	Assessments		Assessments Due
		Assessment Paid	Assessments Due	
Las Gallinas Valley Sanitary District	85,689	3500	89,189	-
Napa Sanitation District	157,974	3500	161,474	-
Novato Sanitary District	122,512	3500	126,012	-
Sonoma Valley County Sanitation District	112,577	3500	116,077	-
Sonoma County Water Agency	66,248	-	66,248	-
Total	\$545,000	\$14,000	\$559,000	\$0

Notes:

) Payments made on behalf of member agencies may not match consultant expenses due to timing of invoicing and payment processing.

ITEM NO. 9 ARRA TRAINING

Action Requested: Review the attached information regarding ARRA training and provide input on desired training topics.

At the May 23, 2011 TAC meeting, Susan McGuire and Kevin Booker provided information regarding training for member agency staff related to ARRA reporting. The training will be offered by the CalCPA Education Foundation. Please refer to the attached Course Proposal. The proposal includes options for programs of one or two days depending on content. Sonoma County Water Agency is requesting that the member agencies review the topics and agree on content such that a specific program can be developed. As noted previously, cost sharing would be based on the number of participants.

Recommendation

Review the Cal CPA Education Foundation Course Proposal and agree on specific topics such that a training program can be finalized.



Course Proposal

Lynne Rosselli; Sonoma County Water Agency; Revised June 27, 2011

*Administrative Rules for Federal Grants; FFGV
Cost Principles for State and Local Governments and Nonprofits; CPAG
Price Comparison for 20 people, two full days vs. One and one-half days.*

Instructor/Short Code	CalCPA Membership	Budgeted Attendance	Instructor Fee	Content Fee*	Content Total	PDF of course materials**	Instructor Expense***	Sonoma County Water		Per Person Average****	Per Person Per Day Average
								Water	County		
Two Full Days											
Sefton Boyars	Member	20	\$3,500	\$100	\$2,000	\$0	\$750	\$6,250		\$313	\$157
Sefton Boyars	Nonmember	20	\$3,500	\$160	\$3,200	\$0	\$750	\$7,450		\$373	\$187
One and one-half Days											
Sefton Boyars	Member	20	\$3,250	\$100	\$2,000	\$0	\$750	\$6,000		\$300	\$150
Sefton Boyars	Nonmember	20	\$3,250	\$160	\$3,200	\$0	\$750	\$7,200		\$360	\$180

* CalCPA Members receive a \$60 discount, reflected in the content fee. As a courtesy to Sonoma County Water Agency, a governmental entity, we will extend the member price to all attendees. Invoice based upon actual attendance.

** Standard instructor fee is \$3700 for two days. Instructor fee is reduced to \$3500 for two days, or \$3250 for one and one-half days. Content fee is the same regardless of length of course.

*** Master PDF of course materials assumes Sonoma County Water will print the course materials, and includes a one-time license for the course taught. CalCPA can print and ship books for an additional charge.

**** Expenses are approximate and based upon travel from instructor's home. Actual submitted costs will be paid with original receipts, according to CalCPA Instructor Expense Guidelines.

***** Compare to CalCPA member/nonmember price \$630/\$830, or Coupon price \$496 per person (two coupons at \$248 per person), plus staff travel expenses.

Kay Phelan Director, Customized Training CalCPA Education Foundation 1800 Gateway Drive San Mateo, CA 94404 (650) 522-3150 kphelan@educationfoundation.org	Rebecca Duffy Associate Director, Customized Training CalCPA Education Foundation 1800 Gateway Drive San Mateo, CA 94404 (650) 522-3151 rduffy@educationfoundation.org
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NBWRA ARRA Training Topics:

AICPA is arranging training for a group of 20 staff. Options include the following:

1. 1 Day Training focusing on OMB Circular A-102 Grants and Cooperative Agreements with State and Local Governments. This Circular establishes consistency and uniformity among Federal agencies in the management of grants and cooperative agreements. Topics are:
 - Budgets for federal grants
 - Federal rules/regulations – cross-cutters for grants and cooperative agreements; ARRA requirements
 - Budget adjustments
 - Financial status reports
 - Procurement and DBE processes
 - Reimbursement requests
 - Match funds
 - Grant closeout

Other topics of interest that could be covered include:

- what activities require prior approval from the funding agency;
- procurement pitfalls;
- rules that apply after grant period has ended;
- consequences when federal rules are violated/sanctions;
- requests for reimbursement – dos and don'ts;
- documentation of match funds;

AND/OR

2. 1 Day Training focusing on 2CFR 225 (Formerly OMB Circular A-87) Cost Principles for State, Local, and Indian Tribal Governments. This Circular establishes principles and standards for determining costs for Federal awards carried out through grants, cost reimbursement contracts, and other agreements with State and local governments and federally-recognized Indian tribal governments. Topics are:
 - Allowable costs
 - Reasonable costs
 - Documentation of costs
 - Classification of costs (direct, indirect, excluded)

Other topics of interest that could be covered include:

- costs and activities that are allowable/permitted vs. not allowable
- fringe and indirect costs issues (when you don't have an approved rate).

Items of Cost and Allowability

1. Advertising and public relations costs
2. Advisory councils
3. Alcoholic beverages
4. Audit costs and related services
5. Bad debts
6. Bonding costs
7. Communication costs
8. Compensation for personal services
9. Contingency provisions
10. Defense and prosecution of criminal and civil proceedings, and claims
11. Depreciation and use allowances
12. Donations and contributions
13. Employee morale, health, and welfare costs
14. Entertainment costs
15. Equipment and other capital expenditures
16. Fines and penalties
17. Fund raising and investment management costs
18. Gains and losses on disposition of depreciable property and other capital assets and substantial relocation of Federal programs
19. General government expenses
20. Goods or services for personal use
21. Idle facilities and idle capacity
22. Insurance and indemnification
23. Interest
24. Lobbying
25. Maintenance, operations, and repairs
26. Materials and supplies costs
27. Meetings and conferences
28. Memberships, subscriptions, and professional activity costs
29. Patent costs
30. Plant and homeland security costs
31. Pre-award costs
32. Professional service costs
33. Proposal costs
34. Publication and printing costs
35. Rearrangement and alteration costs
36. Reconversion costs
37. Rental costs of building and equipment
38. Royalties and other costs for the use of patents
39. Selling and marketing
40. Taxes
41. Termination costs applicable to sponsored agreements
42. Training costs
43. Travel costs.



Date: July 18, 2011
To: North Bay Water Reuse Authority Members
From: Ginger Bryant, Bryant & Associates
Re: July 2011 Federal Program Development

Activities performed in support of the NBWRP

Program Development

- Developed white paper on regional-scale Title XVI funding for planning and construction and coordinated with The Ferguson Group (TFG) on presenting proposal to Commissioner Connor in DC and Dave Gore in Sacramento – see attached white paper
- Coordinated with TFG on DRAFT language for WRDA bill to amend sec 5053 for future project construction options – see attached draft language
- Coordinated with TFG on scheduling the Commissioners fall tour

Phase 2 Studies

Membership and Outreach Study

- Completed Membership Outreach Study Memorandum

Project Definition Study

- Began initial study activities with study team

Program Development Next Steps

- Continue to develop USACE and USBR funding options
- Continue tasks associated with the Project Definition Study
- Work with KP Public Affairs on Funding Presentation for Board Meeting

DISCUSSION DRAFT

The Opportunity:

To develop a regional-scale, grant program within US Bureau of Reclamation's WaterSMART Title XVI Feasibility Study and Construction Grants Programs.

The Need:

Increasingly water managers are relying on recycled water to assist in providing reliable, sustainable water supplies for urban, environmental and agricultural uses.

Throughout the west, surface and groundwater sources are stretched beyond sustainable levels and must meet competing and complex demands that include regulatory, economic, and environmental uses. Often, the only new supply available is recycled water and even then, the demands on this resource far exceed what can be met by a single-facility or small-scale water recycling project.

This is where Reclamation's expertise in water resource management is particularly important. The development and use of recycled water on a regional-scale can contribute significantly to water supply reliability throughout the west. Understanding of the value of the resource is endemic to Reclamation's culture and it is this perspective that allows recycled water to move beyond single agency urban reuse projects to broad, diverse regional applications where multiple demands on water resources can be met.

Reclamation's Title XVI Program plays an increasingly important role in contributing toward regional water supply reliability by providing technical and financial assistance to local sponsors in planning for and developing this vital new supply

Most Title XVI projects are small-scale and have a total project cost less than \$80,000,000 and a Federal cost-share less than \$20,000,000. Many of the large-scale projects now being considered and designed have a total project cost in excess of \$150,000,000. Because these large projects could out-compete the smaller projects for Federal funding, there is a need to internally separate projects based on their scale.

Benefits of a Regional Approach to Planning and Construction:

Regional-scale planning and implementation is where the benefits of water reuse accrue on multiple levels.

This approach allows partners to collaborate, identify and integrate diverse needs into water reuse programs. It allows for leveraging of non-Federal funding sources to provide local cost-share and local entities to realize benefits that would be out of their reach without regional collaboration.

It also allows many projects to be included into larger programs that when implemented over time, increase both program yield and community benefits while maximizing the value of the Federal dollar invested.

Current Title XVI WaterSMART Grant Program Constraints:

The two existing Title XVI WaterSMART grant programs, feasibility studies and construction, are primarily directed toward assisting single agency or project planning and implementation.

The timeframe and grant amount for completion of project feasibility studies, currently 12-months and \$150,000, is not adequate to support the development and completion of a regional feasibility study and report.

The same situation applies to the construction grant program that has a maximum grant amount of \$2,000,000 and a 24-month completion timeframe. With regional approaches, project construction costs will exceed these amounts and timeframes simply due to scale.

Both of the existing grant programs provide great opportunity for single agency, small-scale applications but fall short of meeting regional-scale planning and construction needs.

The Proposal:

Within Reclamation's Mid-pacific region are three regional, large-scale water reuse programs. Two of these programs have construction authorizations and plan to continue with additional feasibility planning and project implementation, while the third program is starting the feasibility study process.

These three entities are seeking to develop as part of the suite of WaterSMART assistance programs, new grant funding opportunities specifically for regional-scale Title XVI programs.

We are requesting that the initial feasibility study grant program be funded with a capacity of \$7,500,000 and a maximum grant of \$2,500,000 per study over a 5-year planning timeframe. This would provide regional programs the time and resources needed to produce comprehensive feasibility reports.

We are also requesting that the initial construction grants program be funded with a capacity of \$30,000,000 which would provide for a maximum grant of \$15,000,000 to be implemented within a 5-year timeframe.

These amounts and timeframes also allow the non-federal sponsors to undertake the financial planning required to meet their obligations in providing local cost-share for feasibility studies and construction financing.

Finally, we understand and support Reclamation's significant investment in establishing the WaterSMART program and understand that accountability and return for the Federal dollar invested are paramount.

Indeed, the potential output from these three programs could show a significant return on the Federal investment as the combined yield is estimated at over 70,000 acre-feet of new recycled water supplies to meet urban, agricultural and environmental needs.

In proposing these regional-scale grant programs, we can further demonstrate the applicability of WaterSMART's Title XVI programs throughout the west. And if funded, it is our intention to demonstrate that regional-scale reuse programs can contribute and build on the integrity and accountability of the existing WaterSMART programs.

**AB 134 and SB 34
Short Bill List as of 7/11/2011**

[AB 134 \(Dickinson D\)](#) Appropriation of water: Sacramento Regional County Sanitation District.

Current Text: Amended: 4/15/2011 [pdf](#) [html](#)

Introduced: 1/12/2011

Last Amend: 4/15/2011

Status: 6/28/2011-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (June 28). Re-referred to Com. on APPR.

Is Urgency: N

Is Fiscal: Y

Location: 6/28/2011-S. APPR.

Calendar: 7/11/2011 Anticipated Hearing SENATE APPR., Not in daily file. **Summary:** Would authorize the Sacramento Regional County Sanitation District to file an application for a permit to appropriate a specified amount of water that is based on the volume of treated wastewater that the district discharges into the Sacramento River, as specified. The bill would authorize the state board to grant a permit to appropriate that treated wastewater upon terms and conditions determined by the state board. The bill would require the board, prior to granting a permit pursuant to these provisions, to comply with permit, approval, and review requirements and other laws applicable to the appropriation of water. This bill contains other related provisions and other current laws.

Water Funding

[SB 34 \(Simitian D\)](#) California Water Resources Investment Act of 2011.

Current Text: Amended: 4/13/2011 [pdf](#) [html](#)

Introduced: 12/6/2010

Last Amend: 4/13/2011

Status: 5/4/2011-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 4. Page 858.) (May 4). Re-referred to Com. on APPR.

Is Urgency: N

Is Fiscal: Y

Location: 5/4/2011-S. APPR.

Summary: Would enact the California Water Resources Investment Act of 2011 to finance a water resources investment program. To finance the program, the bill would impose on each retail water supplier in the state an annual charge based on the volume of water provided in its service area that is provided for nonagricultural uses and an annual charge based on each acre of land within its service area that is irrigated for agricultural purposes. The bill would require the State Board of Equalization to collect the charges from retail water suppliers in accordance with the Fee Collection Procedures Law, and would authorize the State Board of Equalization and the Department of Water Resources to adopt and enforce regulations for the administration and enforcement of the charges and related requirements as emergency regulations. This bill contains other related provisions and other current laws.

NBWRA Short Bill Report as of 7/12/2011

[AB 83](#)

(Jeffries R) Environment: CEQA exemption: recycled water pipeline.

Current Text: Introduced: 1/5/2011 [pdf](#) [html](#)

Introduced: 1/5/2011

Status: 5/10/2011-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 4/11/2011)

Location: 5/10/2011-A. 2 YEAR

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts specified pipeline projects from the above requirements. This bill would additionally exempt a project for the installation of a new pipeline, not exceeding a specified length, for the distribution of recycled water within an improved public street, highway, or right-of-way. Because a lead agency, which may include a local agency, is required to determine whether a project qualifies for those exemptions, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 134](#)

(Dickinson D) Appropriation of water: Sacramento Regional County Sanitation District.

Current Text: Amended: 4/15/2011 [pdf](#) [html](#)

Introduced: 1/12/2011

Last Amend: 4/15/2011

Status: 7/11/2011-From committee: Be placed on second reading file pursuant to Senate Rule 28.8.

Location: 7/11/2011-S. SECOND READING

Calendar: 7/14/2011 #14 SENATE ASSEMBLY BILLS-SECOND READING FILE

Summary: Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the state board grants permits and licenses to appropriate water. This bill would authorize the Sacramento Regional County Sanitation District to file an application for a permit to appropriate a specified amount of water that is based on the volume of treated wastewater that the district discharges into the Sacramento River, as specified. The bill would authorize the state board to grant a permit to appropriate that treated wastewater upon terms and conditions determined by the state board. The bill would require the board, prior to granting a permit pursuant to these provisions, to comply with permit, approval, and review requirements and other laws applicable to the appropriation of water. This bill contains other related provisions and other existing laws.

[AB 157](#)

(Jeffries R) Safe, Clean, and Reliable Drinking Water Supply Act of 2012.

Current Text: Introduced: 1/19/2011 [pdf](#) [html](#)

Introduced: 1/19/2011

Status: 5/10/2011-Set for Hearing in W.,P. & W.

Location: 5/10/2011-A. W.,P. & W.

Summary: Existing law creates the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, which, if approved by the voters at the November 6, 2012, statewide election, would authorize the issuance of bonds in the amount of \$11,140,000,000 pursuant to the State General Obligation Bond Law to finance a safe drinking water and water supply reliability program. This bill would reduce by 25% the total amount of bonds authorized to be issued pursuant to the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, and would make conforming reductions to amounts specified to be allocated from these bond funds for certain purposes. This bill contains other related provisions.

[AB 275](#)

(Solorio D) Rainwater Capture Act of 2011.

Current Text: Amended: 6/7/2011 [pdf](#) [html](#)

Introduced: 2/7/2011

Last Amend: 6/7/2011

Status: 7/6/2011-Do pass as amended.

Location: 7/7/2011-S. E.Q.

Summary: Under existing law, the State Water Resources Control Board (state board) and the California regional water quality control boards prescribe waste discharge requirements for the discharge of stormwater in accordance with the national pollutant discharge elimination system (NPDES) permit program and the Porter-Cologne Water Quality Control Act. Existing law authorizes a city, county, or special district to develop, jointly or individually, stormwater resource plans that meet certain standards. This bill would enact the Rainwater Capture Act of 2011, which would authorize residential, commercial, and governmental landowners to install, maintain, and operate rain barrel systems, as defined, and rainwater capture systems, as defined, for specified purposes, provided that the systems comply with specified requirements. The bill would require a local agency to provide notification to the operator of a public water system, as defined, if the local agency chooses to adopt a permitting program for rainwater capture systems and approves a permit for a rainwater capture system connected to the public water system. This bill contains other related provisions and other existing laws.

AB 806 **(Torres D) Common interest developments.**

Current Text: Introduced: 2/17/2011 [pdf](#) [html](#)

Introduced: 2/17/2011

Status: 5/12/2011-Referred to Coms. on T. & H. and JUD.

Location: 5/12/2011-S. T. & H.

Summary: The Davis-Stirling Common Interest Development Act provides for the creation and regulation of common interest developments. This bill, operative January 1, 2014, would make various technical conforming changes to reflect a proposed revision and recodification of the Davis-Stirling Common Interest Development Act, and the operation of this bill would be contingent upon the enactment and operation of that revision and recodification.

AB 1048 **(Harkey R) Water quality: recycled water and wastewater: fluoride.**

Current Text: Introduced: 2/18/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Status: 5/10/2011-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.S. & T.M. on 3/16/2011)

Location: 5/10/2011-A. 2 YEAR

Summary: Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the 9 California regional water quality control boards are the principal state agencies with responsibility for the coordination and control of water quality in the state. The act requires the state board to formulate and adopt state policies for water quality control, and requires the regional boards to adopt regional water quality control plans in compliance with the state policies. This bill would require the state board, on or before July 1, 2012, to adopt a statewide policy establishing standards for levels of fluoride in recycled water and wastewater, as specified. The bill would require the state board to provide direction to the regional boards to revise their respective regional water quality control plans to ensure consistency with that statewide policy.

AB 1152 **(Chesbro D) Groundwater.**

Current Text: Amended: 6/30/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Last Amend: 6/30/2011

Status: 6/30/2011-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/30/2011-S. APPR.

Calendar: 8/15/2011 10 a.m. - John L. Burton Hearing Room (4203)
SENATE APPROPRIATIONS, KEHOE, Chair

Summary: Existing law authorizes specified entities, including, among others, local agencies managing a groundwater basin or subbasin pursuant to existing law relating to groundwater management plans or integrated regional water management plans, to assume responsibility for monitoring and reporting groundwater elevations in all or a part of a groundwater basin or subbasin. Existing law requires an entity seeking to assume those functions to notify the Department of Water Resources, and requires the department to determine which entities will perform monitoring functions. Existing law requires monitoring entities to commence monitoring and reporting groundwater elevations on or before January 1, 2012. This bill would add to the list of entities that may assume responsibility for monitoring and reporting groundwater elevations, a local agency that has been collecting and reporting groundwater elevations and that does not have a groundwater management plan, if the local agency adopts a groundwater management

plan in accordance with specified provisions of existing law by January 1, 2014. The bill would permit the department to authorize the local agency to conduct monitoring and reporting of groundwater elevations on an interim basis, until the local agency adopts a groundwater management plan or until January 1, 2014, whichever occurs first. This bill contains other related provisions and other existing laws.

AB 1221 (Alejo D) State Water Quality Control Fund: State Water Pollution Cleanup and Abatement Account.

Current Text: Amended: 6/28/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Last Amend: 6/28/2011

Status: 7/11/2011-Action From APPR.: To APPR. SUSPENSE FILE.

Location: 7/11/2011-S. APPR. SUSPENSE FILE

Summary: Existing law, the Porter-Cologne Water Quality Control Act, authorizes the imposition and collection of civil and criminal penalties for specified violations of that act. The act requires certain moneys, including General Fund revenues of penalties, collected pursuant to these provisions to be deposited in the State Water Pollution Cleanup and Abatement Account in the State Water Quality Control Fund. The act continuously appropriates the money in the account to the State Water Resources Control Board for specified cleanup programs. This bill would additionally authorize the state board to pay these moneys to specified tribal governments and not-for-profit organizations serving disadvantaged communities, as defined, that have authority to clean up or abate the effects of waste. By authorizing new expenditures from a continuously appropriated account, this bill would make an appropriation. This bill contains other existing laws.

SB 34 (Simitian D) California Water Resources Investment Act of 2011.

Current Text: Amended: 4/13/2011 [pdf](#) [html](#)

Introduced: 12/6/2010

Last Amend: 4/13/2011

Status: 5/4/2011-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 4. Page 858.) (May 4). Re-referred to Com. on APPR.

Location: 5/4/2011-S. APPR.

Summary: Under existing law, various measures provide funding for water resources projects, facilities, and programs. This bill would enact the California Water Resources Investment Act of 2011 to finance a water resources investment program. To finance the program, the bill would impose on each retail water supplier in the state an annual charge based on the volume of water provided in its service area that is provided for nonagricultural uses and an annual charge based on each acre of land within its service area that is irrigated for agricultural purposes. The bill would require the State Board of Equalization to collect the charges from retail water suppliers in accordance with the Fee Collection Procedures Law, and would authorize the State Board of Equalization and the Department of Water Resources to adopt and enforce regulations for the administration and enforcement of the charges and related requirements as emergency regulations. This bill contains other related provisions and other existing laws.

SB 834 (Wolk D) Integrated regional water management plans: contents.

Current Text: Amended: 6/29/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Last Amend: 6/29/2011

Status: 6/30/2011-Read second time. Ordered to third reading.

Location: 6/30/2011-A. THIRD READING

Calendar: 7/14/2011 #55 ASSEMBLY SENATE THIRD READING FILE

Summary: The Integrated Regional Water Management Planning Act of 2002 authorizes a regional water management group, as defined, to prepare and adopt an integrated regional water management plan. The act requires an integrated regional water management plan to address specified water quality and water supply matters. This bill would additionally require an integrated regional water management plan to identify the manner in which the plan complies with a specified state policy concerning reducing reliance on the Sacramento-San Joaquin Delta for water supply and improving regional self-reliance for water, if the region depends on water from the Delta watershed. The bill would require integrated regional water management plans to incorporate that requirement when they are developed, updated, or amended in accordance with guidelines established by the Department of Water Resources. For an application for funding for a plan that is made prior to an update or amendment of the plan, the bill would require an applicant to specify how the existing plan advances the specified state policy concerning reducing reliance on the Delta for water supply and improving regional self-reliance for water.

SB 846 (**Berryhill R**) **The California Water Plan: water data.****Current Text:** Amended: 5/3/2011 [pdf](#) [html](#)**Introduced:** 2/18/2011**Last Amend:** 5/3/2011**Status:** 6/28/2011-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 13. Noes 0.) (June 28). Re-referred to Com. on APPR.**Location:** 6/28/2011-A. APPR.**Summary:** Existing law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as The California Water Plan. Existing law prescribes the contents of The California Water Plan, and requires the department to include a discussion of various strategies in the plan, including strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, and water transfers that may be pursued in order to meet the future needs of the state. This bill would additionally require the department to include in the plan an assessment of the state's water data system and would prescribe requirements relating to the contents and conduct of the assessment .**Total Measures: 11****Total Tracking Forms: 46**



North Bay Water Reuse Authority

Las Gallinas Valley Sanitary District | Napa County | Napa Sanitation District | North Marin Water District
Novato Sanitary District | Sonoma County Water Agency | Sonoma Valley County Sanitation District

June 7, 2011

Trevor Joseph
Project Manager
California Department of Water Resources
Division of Integrated Regional Water Management
Financial Assistance Branch
P.O. Box 942836
Sacramento, CA 94236

RE: Support for the Bay Area Clean Water Agencies' Integrated Water Resources Management (IRWM) "Round 1" Implementation Grant Application/North Bay Water Reuse Authority Projects

Dear Mr. Joseph:

On behalf of the North Bay Water Reuse Authority, we are writing in support of the Department of Water Resources' recently released draft funding recommendation for the Bay Area Clean Water Agencies' Integrated Water Resources Management (BACWA IRWM) implementation grant application.

As you are likely aware, Sonoma, Marin and Napa Counties face long-term challenges in providing reliable water supplies. Only a small corner of the region is served by the state water project, surface and groundwater sources are limited and some groundwater basins are over-pumped. Urban, agricultural and environmental demands exceed the region's sustainable water supply. In response to the regional water supply challenges, local leaders formed the North Bay Water Reuse Authority more than a decade ago to expand the use of recycled water as a drought-proof supply.

Overall, we believe that the process associated with the BACWA IRWM implementation grant application was conducted with great transparency and integrity and believe that the grant application reflects a fair balancing of requests. Moreover, we believe that the Department of Water Resources' draft recommendation for full funding of the requested amount of \$29,715,426 as reflected in the BACWA IRWM application is reflective of the quality of that process.

June 7, 2011

NBWRA Letter of Support to DWR

Page 2

With respect to the North Bay Water Reuse Authority projects that are included in the BACWA IRWM implementation application, we wish to register our strong support for these critically important projects and to briefly highlight the importance of the projects to regional water supply reliability.

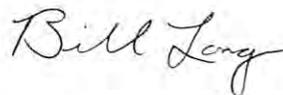
Specifically, the four North Bay Water Reuse Authority projects proposed for funding will facilitate use of approximately 1,490 acre feet of recycled water.

Implementation of these projects - which include the North Marin Water District/Novato Sanitary District's Novato North Service Area Project, Las Gallinas Valley Sanitation District/North Marin Water District's Novato South Service Project, Napa Sanitation District's Napa State Hospital Pipeline Construction Stage 1 project and Sonoma Valley County Sanitation District's Sonoma Valley Recycled Water Stage 1 project - all represent a significant step in the North Bay Water Reuse Authority's ongoing efforts toward implementation of Phase 1 of this critical regional program.

Overall, the North Bay Water Reuse Authority is proud to have advanced quality projects within the context of the Bay Area IRWM grant application and strongly believe that these projects well reflect the regional vision that is core to the Department's Integrated Water Resources Management program.

If you have any questions pertaining to this letter, please do not hesitate to contact Kevin Booker of the Sonoma County Water Agency at (707) 521-1865.

Sincerely,



Bill Long
Chair



Keith Caldwell
Vice Chair

NBWRA Technical Advisory Committee Meeting
July 18, 2011
Information Item Summary

1. Reclamation signed Record of Decision January 26, 2011.
2. USFWS issued Biological Opinion July 7, 2010.
3. Section 106 Consultation Process Completed March 21, 2011
4. Ohlone Mitigation Bank: SCWA proceeding with signature process.
5. Met with SCWA regarding Reclamation environmental reporting requirements.
6. Individual Projects:
 - a. NMWD South Project:
 - i. NMWD South Project pipeline route revisions:
 1. Cultural Resources APE Modification accepted and complete.
 2. Submitted EA/FONSI for Reclamation review.
 - ii. Wetland delineation and Corps/CDFG/RWQCB permit applications submitted July 1, 2011
 - iii. Assisted in design and specifications review.
 - b. NMWD North Project
 - i. Segment 1.
 1. Contracted with Graton Rancheria for monitoring
 2. Conducting pre-construction clearance
 - ii. Segment 2 and 3.
 1. Assisting in design review.
 - c. SVCSD Watmaugh Road Alignment:
 - i. Section 106 Cultural Resources Report Addendum submitted and accepted by Reclamation. In SHPO consultation.
 - ii. NEPA Addendum submitted July 13, 2011 for Reclamation review.
 - d. Napa State Hospital.
 - i. Storm drain culvert exposed July 7, 2011. ESA assessed, prepared site record and submitted July 13, 2011. Coordinating with Reclamation for SHPO consultation.
 - ii. Assisting with CDFG permitting at stream crossings.
 - e. LGVSD
 - i. Reviewed specifications for environmental mitigation measures.

ITEM NO. 14 OHLONE MITIGATION BANK AGREEMENT

Action Requested: Review the Agreement for Sale of Conservation Credits and provide a recommendation for the Board of Directors at the August 15, 2011 meeting.

Please refer to the attached memo from Kevin Booker and the Agreement for Sale of Conservation Credits. As discussed previously, the member agencies are required to mitigate construction related impacts to the California red-legged frog. ESA has arranged for the purchase of conservation credits through the Ohlone Mitigation Bank. The cost of the credits is \$40,250, which will be shared by the member agencies on the basis of mitigation percentage, as noted below:

Agency	Mitigation Percentage (rounded to nearest %)	Cost
Napa SD	1%	\$536.67
Sonoma Valley CSD	67%	\$27,012.23
Novato SD	8%	\$3041.11
Las Gallinas Valley	24%	\$9660.00

Recommendation

Recommend that the Board of Directors approve the Agreement for Sale of Conservation Credits in the amount of \$40,250.00. Approval will also authorize Sonoma County Water Agency to invoice the member agencies for their cost share of the \$40,250.00.

MEMORANDUM

DATE: July 18, 2011
TO: North Bay Water Reuse Authority, Technical Advisory Committee
FROM: Kevin Booker
RE: AGREEMENT FOR CONSERVATION CREDITS

Dear North Bay Water Reuse Authority Technical Advisory Committee,

As a requirement to implement the North Bay Water Reuse Authority (NBWRA) projects, NBWRA is required to purchase conservation credits. NBWRA is seeking to implement projects that would unavoidably and adversely impact the California red-legged frog (CRLF), and seeks to compensate for the loss of CRLF habitat by purchasing CRLF Credits. Environmental Science and Associates contacted the Ohlone Preserve Conservation Bank (Bank) to determine if there is availability/adequate balance of credits remaining for sale.

The Bank was approved by the U.S. Fish and Wildlife Service and the State of California Department of Fish and Game on June 23, 2005. The Bank has received approval from the U.S. Fish and Wildlife Service (Service) and The California Department of Fish and Game (CDFG) to offer California red-legged frog, Alameda whipsnake, and California tiger salamander Conservation Credits ("Credits") for sale as compensation for the loss of California red-legged frog, Alameda whipsnake, or California tiger salamander habitat through the Ohlone Preserve Conservation Bank.

The Bank has authorized Robert N. Fletcher to act as General Manager and to process sales agreements, collect funds and disburse funds relating to the sale of Credits of the bank. NBWRA has been authorized by the Service, File No. 8140-2009-F-1272-2 to purchase from the Bank two and three-tenths (2.3) acres of CRLF Credits upon confirmation by the Bank Owner of Credit availability /adequate balance of Credits remaining for sale. The Bank has confirmed that there are two and three-thirds (2.3) acres of CRLF Credits available for sale.

The total cost for the conservation credits is \$40,250.00. This cost is allocated to NBWRA Member Agency based upon mitigation percentage (see attached sheet).

Table 1. Pipeline Length, Vegetation Disturbance, and Compensation

Service Provider	Service Area	Pipeline Length (miles)	In-Pavement Disturbance (miles)	Off-Pavement Disturbance (miles)	Total Vegetation Disturbed (acres)	Compensation at 0.1:1 (acres)	Mitigation %	Mitigation \$
Napa SD	MST Creeks	16.6	16.5	0.1	0.32	0.03	1%	\$ 536.67
SVCSD	Napa Salt Marsh	8.9	5.5	3.4	10.2	1.02	45%	\$ 18,246.67
	SVWRP	5.2	1.5	3.7	4.9	0.49	22%	\$ 8,765.56
Novato SD	NMWD North Central	10.8	9.9	0.9	1.7	0.17	8%	\$ 3,041.11
LGVSD	NMWD South	6.3	4.5	1.8	5.4	0.54	24%	\$ 9,660.00
Total		47.8	37.9	9.9	22.5	2.25	100%	\$ 40,250.00

AGREEMENT FOR SALE OF CONSERVATION CREDITS

Bank SERVICE File No. 1-1-00TA-3256
Bank CDFG Tracking No. 1802-2000-050-3

This Agreement for Sale of Conservation Credits ("Agreement") is made and entered into this 17th day of May, 2011 ("Effective Date"), by Robert N. Fletcher and Patricia A Fletcher, husband and wife as joint tenants, Richard S. Fletcher, and C. Nelson and Betty S. Fletcher, Trustees of the C. Nelson and Betty S. Fletcher Revocable Inter Vivos Trust, dated July 21, 1976, DBA Ohlone Preserve Conservation Bank ("Bank"), and Sonoma County Water Agency, c/o North Bay Water Reuse Authority ("Project Applicant") as follows:

Recitals

- A. The Bank has developed the Ohlone Preserve Conservation Bank located in Alameda County, California; and
- B. The Bank was approved by the U.S. Fish and Wildlife Service and the California Department of Fish and Game June 23rd, 2005 and is currently in good standing with these agencies; and
- C. The Bank has received approval from the U.S. Fish and Wildlife Service ("Service") and The California Department of Fish and Game ("CDFG") to offer California red-legged frog, Alameda whipsnake, and California tiger salamander Conservation Credits ("Credits") for sale as compensation for the loss of California red-legged frog, Alameda whipsnake, or California tiger salamander habitat through the Ohlone Preserve Conservation Bank Bank Agreement ("Bank Agreement"); and
- D. The Bank has authorized Robert N. Fletcher to act as General Manager and to process sales agreements, collect funds and disburse funds relating to the sale of Credits of the bank; and
- E. Project applicant is seeking to implement the project described on Exhibit "A" attached hereto ("Project"), which would unavoidably and adversely impact the California red-legged frog (CRLF), and seeks to compensate for the loss of CRLF habitat by purchasing CRLF Credits from the Bank; and
- F. Project Applicant has been authorized by the Service, File No. 8140-2009-F-1272-2 to purchase from the Bank two and three-tenths (2.3) acres of CRLF Credits upon confirmation by the Bank Owner of Credit availability /adequate balance of Credits remaining for sale; and
- G. Project Applicant desires to purchase from Bank and Bank desires to sell to

Project Applicant two and three-tenths (2.3) acres of CRLF Credits. Bank hereby confirms Credit availability /adequate balance of Credits remaining for sale;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Bank hereby sells to Project Applicant and Project Applicant hereby purchases from Bank two and three-tenths (2.3) acres of CRLF Credits for the purchase price of \$40,250.00. Upon payment of the purchase price, the Bank will then deliver to Project Applicant an executed Bill of Sale in the manner and form as attached hereto and marked Exhibit "B". The purchase price for said Credits shall be paid by check or other method approved by Bank.
2. The sale and transfer herein is not intended as a sale or transfer to Project Applicant of a security, license, lease, easement, or possessory or non-possessory interest in real property, nor the granting of any interest of the foregoing.
3. Project Applicant shall have no obligation whatsoever by reason of the purchase of the Credits, to support, pay for, monitor, report on, sustain, continue in perpetuity, or otherwise be obligated or liable for the success or continued expense or maintenance in perpetuity of the Credits sold, or the Bank. Pursuant to the Bank Agreement and any amendments thereto, Bank shall monitor and make reports to the appropriate agency or agencies. As required by law, Bank shall monitor and make reports to the appropriate agency or agencies on the status of any Credits sold to Project Applicant. Bank shall be fully and completely responsible for satisfying any and all conditions placed on the Bank or the Credits by all state or federal jurisdictional agencies.
4. The Credits sold and transferred to Project Applicant shall be non-transferable and non-assignable, and shall not be used as compensatory mitigation for any other Project or purpose, except as set forth herein.
5. Project Applicant must submit payment within ¹⁰⁵~~thirty (30)~~ days of the Effective Date of this Agreement. If Project Applicant fails to submit payment within the ¹⁰⁵~~thirty (30)~~ day period, this Agreement will be considered null and void.
6. Upon acquisition of the Credits, the sale is final and under no circumstances shall the Bank be obligated to re-purchase any or part of the Credits.
7. Upon purchase of the Credits specified in paragraph E above, the Bank shall submit to the parties listed in the Notice section of the Bank Agreement / Bank Enabling Instrument, copies of the: a) Agreement for Sale of Conservation Credits; b) Description of Project to be Mitigated (Exhibit A); c) Bill of Sale (Exhibit B); d) Payment Receipt (Exhibit C); and e) an updated ledger. The updated inventory / ledger must detail: i) Project Applicant; ii) Project Name; iii) Status (sale complete/sale not complete); iv) Credit Sale Date; v) Service File Number and /or CDFG tracking number; vi) U.S. Army Corps of Engineers File Number (if applicable); vii) Total Number of Credits Authorized to Sell; viii) Total Number of Credits Sold

to Date (inclusive); and ix) Balance of all Credits Available. The inventory / ledger should include all sales data from bank opening/establishment to the present.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

BANK

Ohlone Preserve Conservation Bank

By: *Robert N. Fletcher* Date: 6/10/11
Robert N. Fletcher, General Manager

PROJECT APPLICANT

Sonoma County Water Agency

By: _____ Date: _____

Print Name: _____

Title: _____

Exhibit "A"

DESCRIPTION OF PROJECT
TO BE MITIGATED

North Bay Water Recycling Program Project, Service File 8140-2009-F-1272-2.

Project components include construction of 41.1 miles of new pipeline, installed mostly within existing roadways, increased storage capacity at existing storage ponds, expanded treatment capacities at existing wastewater treatment plants, and construction of new pump stations within developed footprints. Facilities would be implemented in Napa, Sonoma and Marin Counties, as described in USFWS Biological Opinion 8140-2009-F-1272-2.

Exhibit "B"

BILL OF SALE

Sales No.1053

Bank Service File No. 1-1-00TA-3256

Bank CDFG Tracking No. 1802-2000-050-3

Project Applicant Service File No. 8140-2009-F-1272-2

In consideration of \$40,250.00, receipt of which is hereby acknowledged, Ohlone Preserve Conservation Bank does hereby bargain, sell and transfer to Sonoma County Water Agency two and three-tenths (2.3) acres of CRLF Credits in the Ohlone Preserve Conservation Bank in Alameda County, California, developed and approved by the U. S. Fish and Wildlife Service and the California Department of Fish and Game.

Ohlone Preserve Conservation Bank represents and warrants that it has good title to the Credits, has good right to sell the same, and that they are free and clear of all claims, liens, or encumbrances.

Ohlone Preserve Conservation Bank covenants and agrees with the buyer to warrant and defend the sale of the Credits hereinbefore described against all and every person and persons whomsoever lawfully claiming or to claim the same.

Ohlone Preserve Conservation Bank

By: _____
Robert N. Fletcher, General Manager

Dated: _____

Exhibit "C"

OHLONE PRESERVE CONSERVATION BANK

PAYMENT RECEIPT

PARTICIPANT INFORMATION

Name: Sonoma County Water Agency
Address: P.O. Box 11628
Santa Rosa, CA 95406-1628
Telephone: 707-526-5370
Contact: Kevin Booker, Principal Engineer

PROJECT INFORMATION

Project Description: North Bay Water Recycling Project, Napa, Sonoma and Marin Counties, California.
Service File Number: 8140-2009-F-1272-2

Species/Habitat Affected: California red-legged frog
Credits to be Purchased: Two and three-tenths (2.3) acres of CRLF Credits
Payment Amount: \$40,250.00

Project Location: Within existing roadways, increased storage capacity at existing storage ponds, expanded treatment capacities at existing wastewater treatment plants, and construction of new pump stations within developed footprints in 3 county area.

County/Address: Napa, Sonoma and Marin Counties

PAYMENT INFORMATION

Payee: Ohlone Preserve Conservation Bank

Payer: Sonoma County Water Agency

Amount: \$40,250.00

Method of payment: Cash _____ Check No. _____ Money Order No. _____

Received by: _____ Date: _____
(Signature)

Name: Robert N. Fletcher