

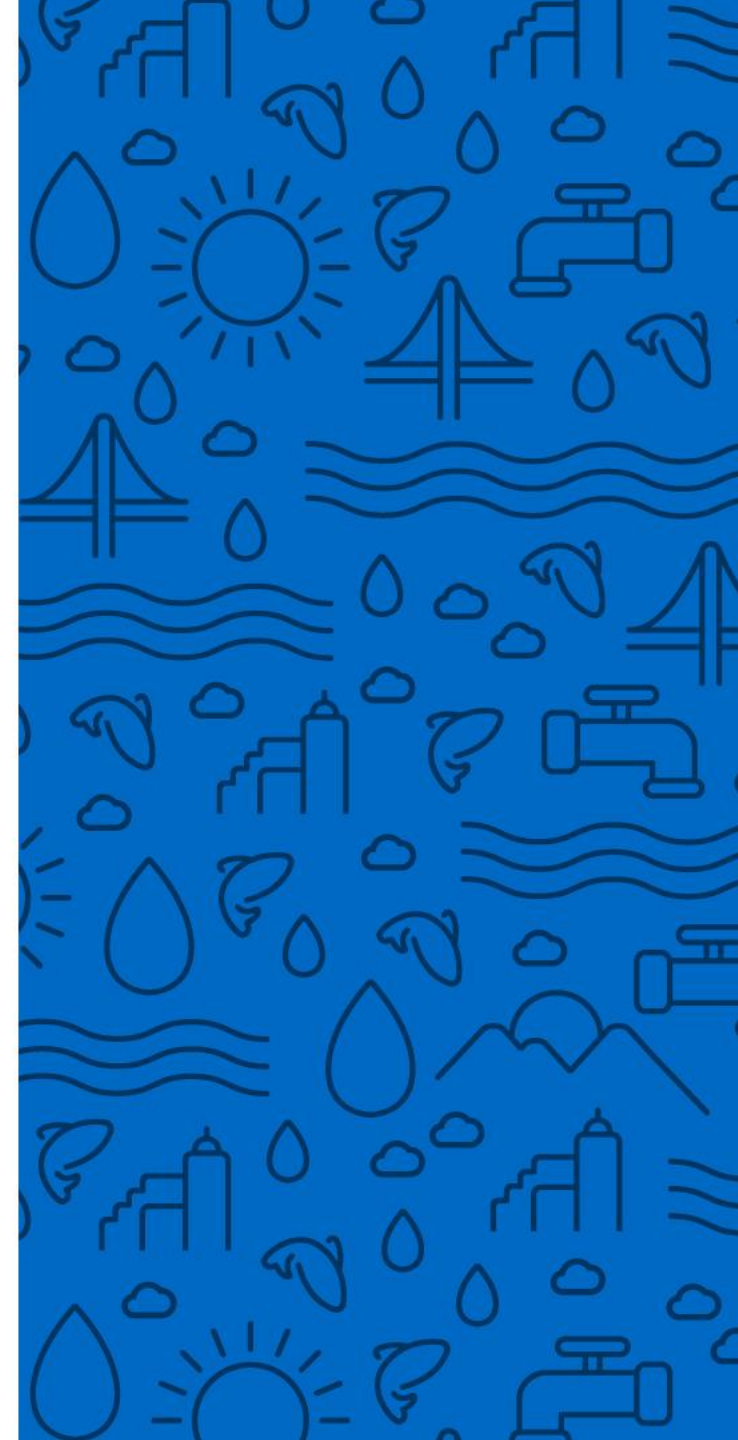
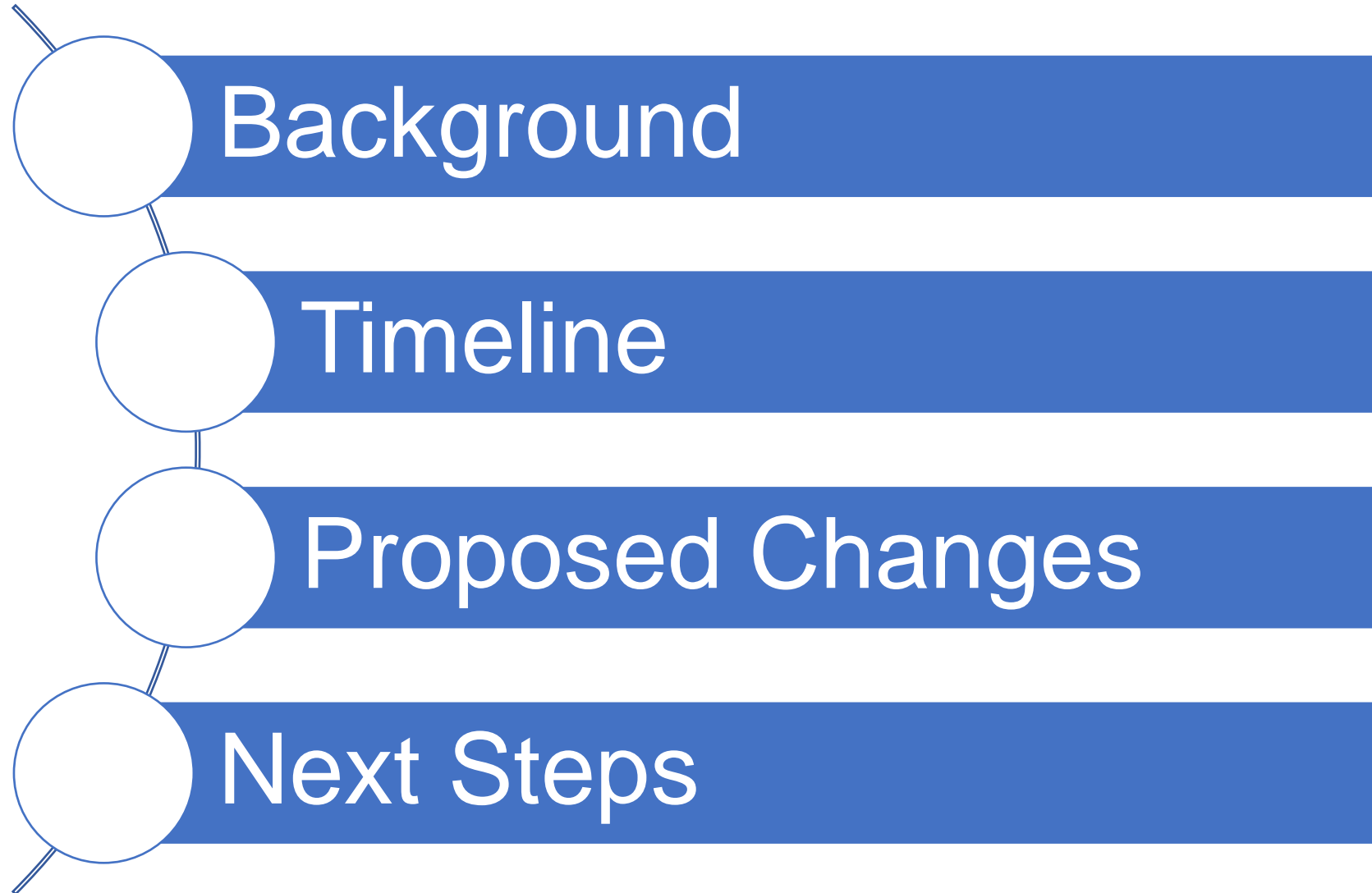


Proposed Amendments to the Wastewater Control Ordinance

Board of Directors

July 9, 2024

Agenda

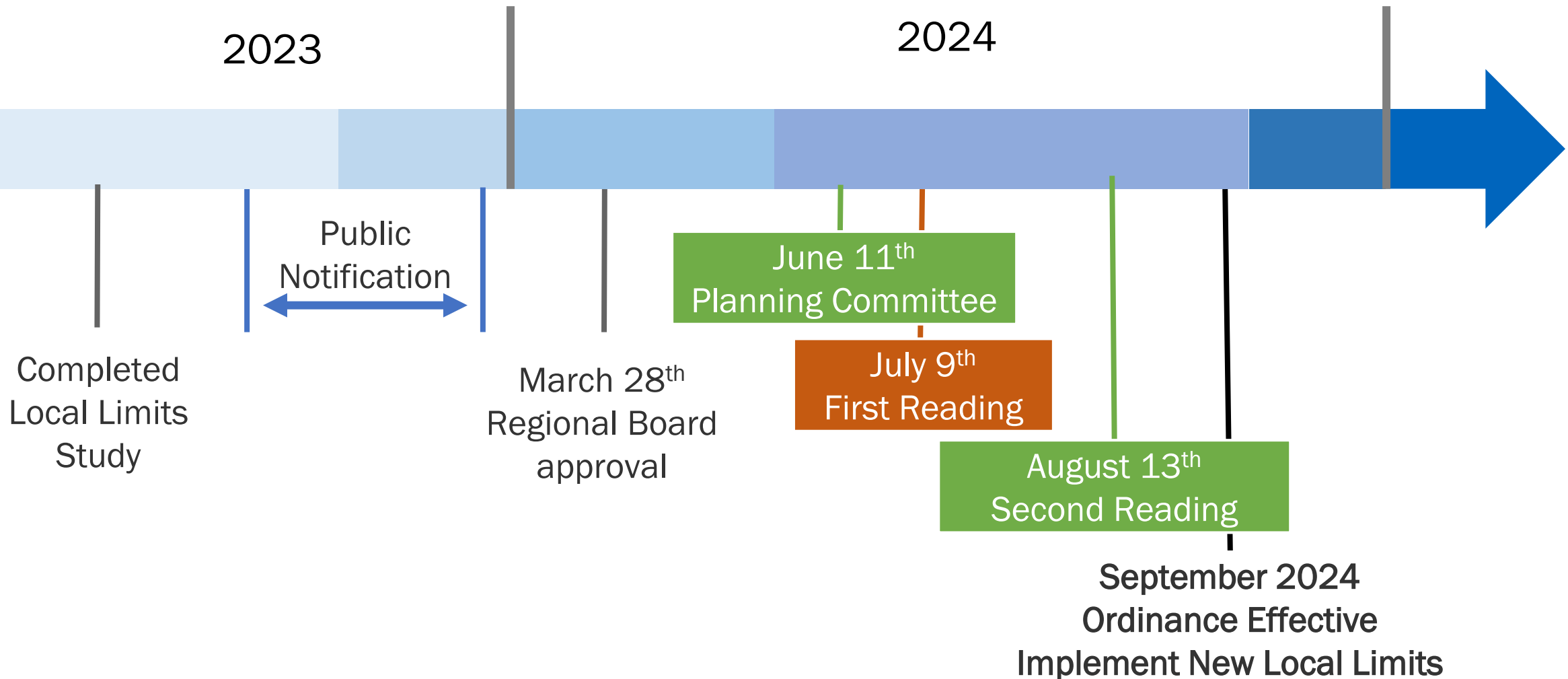


Background: Wastewater Control Ordinance

- Establishes regulations for the collection, treatment and disposal of wastewater
- Provides District authority to operate the Pretreatment Program
- Lists prohibited substances, effects and numeric limits for wastewater quality (Local Limits)



Background: Process for Local Limits Changes



Summary of Proposed Changes

Title I – General

Title II – Regulation of Wastewater Discharges Local Limits

Title III – Discharger Classification and Calc of WW Disposal Charges

Title IV – Wastewater Discharge Permits Permit Types

Title V – Administration

Title VI – Enforcement and Penalties Appeal Processes

Title VII – Resource Recovery Program

Title VIII – Severability

Title IX – Effective Date

Title I - General

- Section 3: Updates definitions
- Section 4: Modernizes language regarding new connections
- Section 5: Clarifies restrictions on discharge of water suitable for discharge to storm drains. Expands prohibition to include Bay water.



Title II – Regulation of Wastewater Discharges

Section 1: Replaces “strength” with the more general term, “concentration” to include all pollutants

Section 2: Emphasizes prohibition on disposal directly to interceptors

(d) Prohibited Locations. ~~Except for sewer construction and maintenance by public agencies and contractors, n~~No Person shall discharge any Waste or W~~wastewater~~ directly into a maintenance hole or other opening in a Community S~~sewer system~~ other than through ~~side s~~Sewer Laterals approved by the ~~p~~Public a~~Agency~~ owning the system; provided that a Public Agency may Discharge Wastewater directly into its system for sewer construction or maintenance and the Director may grant permission for ~~such direct d~~Discharges to the Community Sewer, upon written application, at locations approved by the ~~p~~Public a~~Agency~~ and ~~with-upon~~ payment of applicable Wastewater sewage disposal charges to the District. No Person shall Discharge any Waste, Wastewater, or any other material directly into District facilities, including Interceptor maintenance holes, unless authorized by the Director.

Title II – Regulation of Wastewater Discharges (cont'd)

(a) ~~Wastewater Strength~~ Local Limits. No person shall discharge wastewater from a ~~side~~ sewer lateral into a community sewer if the concentration of these constituents in the ~~strength of the~~ wastewater exceeds the following limitations:

Arsenic	2	mg/L
Cadmium	1	mg/L
Chlorinated Hydrocarbons (total identifiable)	0.5	mg/L
Chromium (total)	2	mg/L
Copper	5	mg/L
Cyanide	5	mg/L
Iron	100	mg/L
Lead	2	mg/L
Mercury	0.05	mg/L
Nickel	5	mg/L
Oil and Grease	100	mg/L
pH	not less than 5.5	S.U.
Phenolic compounds	100	mg/L
Silver	1	mg/L
Temperature	150 ⁽¹⁾	°F
Zinc	5	mg/L

→ **Total Toxic Organics (TTOs)** **2.1** **mg/L**

→ **Oil and Grease (mineral)** **100** **mg/L**
Oil and Grease (animal/vegetable) **300** **mg/L**

Title III – Wastewater Classification/Charges

Section 2: Clarifies that permitted industrial customers may be billed according to either their assigned business classification, or calculated based on monitoring data

Section 3: Changes “he/his” to the nonbinary “they/their.”

Title IV – Wastewater Discharge Permits

Section 1: Expands permit descriptions to explain different permit types

(iii) Dischargers disposing using of an Unmetered source of wWater, to whom the District may issue the following types of permits:

(a) Limited-Term Permits. Permits for Users who request a permit for temporary Dischargers of Unmetered Water during a specific term;

(b) Groundwater Permits. Permits for Users who request a permit to Discharge groundwater on an ongoing basis; or

(c) Industrial User Permit. Permits for any other User that requests a permit to discharge Unmetered Water

Title IV – Wastewater Discharge Permits

Section 2: Adds items for inclusion in permit applications. Adds description of permit review and appeal of denials.

The Director shall evaluate the application in light of this Ordinance's stated purposes and approve, conditionally approve, or deny the application as appropriate under the circumstances. Any Discharger aggrieved by the Director's decision to deny an application may appeal that decision by utilizing the procedures described in Title VI, Section 1(f) of this Ordinance.

Section 4: Clarifies how a permit may be modified with minor changes or due to change in law.

Title IV – Wastewater Discharge Permits

Section 5: Revises to allow transfer of permit with approval.

Section 6: Broadens Termination section

TERMINATION AND MODIFICATION FOR VIOLATIONS

The Director may terminate or modify any Wastewater Discharge Permit for violation of the terms and conditions of the permit or the provisions of this Ordinance. Any person or entity aggrieved by the Director's decision to terminate or modify a Wastewater Discharge Permit based on such violations may appeal that decision using the procedures described in Title VI, Section (1)(f). A Discharger whose permit has been terminated based on such violations, and who intends to continue discharging, shall apply for a new permit within 30 days of notice of termination.

Title V - Administration

Section 2: Clarifies reporting for Categorical Industrial Users

Section 7: Changes “Trade Secrets” to “Confidential Information” and consolidated language from Title II.

TRADE SECRETS CONFIDENTIAL INFORMATION

All information and data obtained from a Discharger in connection with Federal Pretreatment Standards or Local Limits shall be available to the public or other governmental agencies without restriction. Dischargers may request that information provided to the District in ~~When requested by a person furnishing a report, or permit application, or questionnaire, or in the course of an inspection the portions of the report, or other document, which might disclose trade secretes or secret processes~~ be treated as confidential. shall not be made available for inspection by the public In all such cases, confidential information ~~but~~ shall be made available to governmental agencies including U.S. EPA, the State, and ...

Title VI – Enforcement and Penalties

Section 1: Adds Notices of Violations. Updates appeal procedures for enforcement orders

Section 2: Includes 90-day statute of limitations for challenges District's final decision on administrative civil liability in accordance with State law.

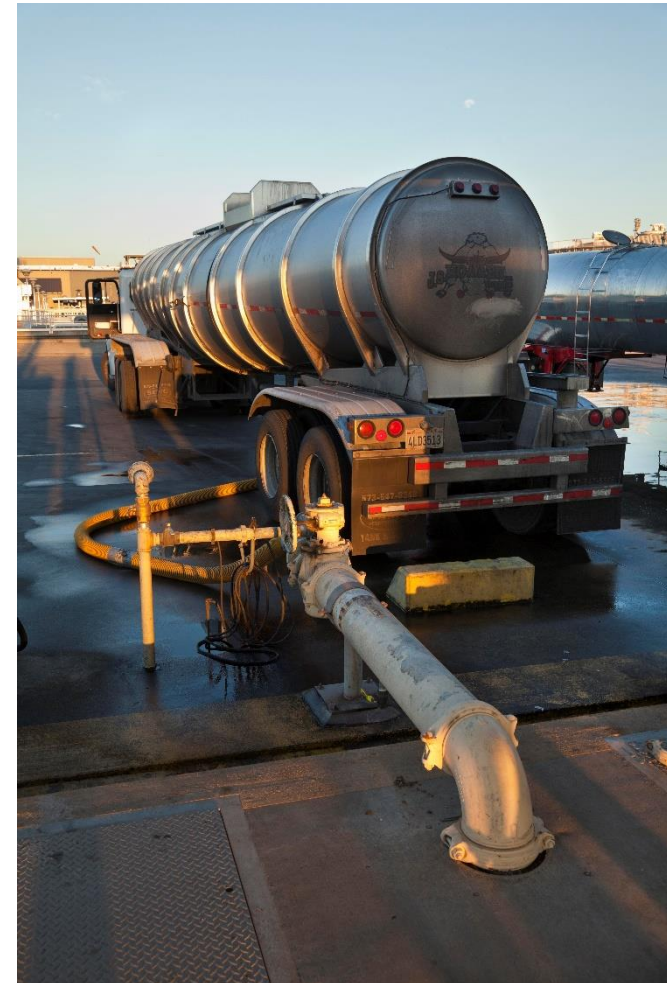
Title VII - Resource Recovery Program

Section 1: Clarifies that discharges are to “designated receiving stations.”

Section 2: Modifies regulation of discharge to clarify application of local limits and specific prohibitions regarding pH. Adds requirements for compliance with Federal Pretreatment Standards.

Section 3: Adds information for permit applications.

Section 4: Clarifies permit termination and enforcement procedures.



Additional Modifications

- Title IX – Effective Date to be updated
- Additions based on recommendations from regulators during 2019 audit
- Terminology updates to ensure consistency
- Replaces “he” with “their” as appropriate

TITLE IX – EFFECTIVE DATE

This Ordinance shall become effective on September 13, 2024 ~~August 22, 2013~~.

Next Steps

- Second Reading: August 13, 2024
- Effective Date: September 13, 2024
- Transmit updated Ordinance to the San Francisco Bay Regional Water Quality Control Board
- Implement new local limits in all new permits and update existing permits



Questions?





Board Governance Policies

Board of Directors
July 9, 2024

Development of Governance Policies

- Board requested development of governance policies at the November 3, 2023 Board Retreat.
- Ten draft policies based on:
 - Past Board resolutions and Board President directives;
 - Practices memorialized by the Secretary of the District;
 - Policies and administrative ordinances of other California government entities; and
 - Collaboration of the General Counsel, the General Manager and the Secretary of the District.

Draft Policies to Be Discussed

- Role of the Board of Directors
- Board Member Code of Conduct
- Board Meetings
- Election of Board Officers and Committee Assignments
- Board Member Orientation and Training
- Role of Board Committees
- Ethics of the Board of Directors ([updated](#))
- Protection of Whistleblowers
- Board Member Compensation and Benefits
- Reimbursement of Director Expenses ([updated](#))

Role of the Board of Directors

- Describes the role and purpose of the Board;
- Describes the Board's role and how they work with the General Manager; and
- Describes the roles and responsibilities of the Board Officers, Committee chairs, and Joint Powers Authority (JPA) representatives.

Board Member Code of Conduct

- Provides general principles of Board member conduct; and
- Provides specific principles of conduct in Board member interactions with each other, with staff, and when representing the District.

Board Meetings

- States the time and place of regular Board meetings and committee meetings;
- Describes the process for setting meeting agendas and the requirement for posting agendas;
- States the applicability of the Sturgis Standard Code of Parliamentary Procedure to the conduct of Board meetings;
- Describes the process for providing public comment at Board meetings and the handling of documents provided to the Board by members of the public; and
- Describes the process for addressing disruptions during Board meetings.

Election of Board Officers and Committee Assignments

- Describes the process for electing the Board officers (President and Vice President);
- Lists the qualifications for these positions;
- States the term of the offices;
- Describes the process for removal of a Board officer; and
- Describes the process for appointment of committee members and JPA representatives.

Board Member Orientation and Training

- Describes the onboarding and training for newly elected or appointed Board members;
- Lists ongoing training requirements for Board members; and
- States consequences for a Board member's failure to complete required training.

Role of Board Committees

- Describes the roles and responsibilities of each standing Board committee;
- Describes the process to create ad hoc committees and the role of ad hoc committees;
- Describes Board member service on JPAs and other authorities; and
- Describes the District Retirement Board and its membership.

Ethics of the Board of Directors

- Replaces existing District Policy 6.04;
- Adds a mandatory reporting duty for violations of District Policy 6.06 – Equal Employment Opportunity;
- Removes section on Board Member-General Manager Relationship to new Governance Policy on the Role of the Board of Directors;
- Removes section on reporting of improper activities to a separate Governance Policy on the Protection of Whistleblowers; and
- Removes section on Board Compensation to the new Governance Policy on Board Member Compensation and Benefits.

Protection of Whistleblowers

- Extracted from existing Policy 6.04;
- Describes the role of the Board in ensuring the General Manager operates the District according to law;
- Requires Board members to report improper activities; and
- Requires formal complaints against the General Manager or General Counsel to be reported to the Board.

Board Member Compensation and Benefits

- Provides the requirements for Board member receipt of compensation;
- Describes the process for adjusting the Board member compensation; and
- Describes benefits received by Board members.

Reimbursement of Director Expenses

- Replaces existing District Policy 4.14;
- Describes requirements for Board member expense reimbursement;
- Includes a requirement that Board member expenses not specified in the policy be approved in advance by the full Board; and
- Adds a requirement that Board members provide both a written and a public report on conferences attended at District expense.

Questions?





Walnut Creek Water Treatment Plant Pretreatment Project

Final EIR and Project Approval
Board of Directors

July 9, 2024



Agenda

- Update on Community Dialog
- Future Project Outreach
- Schedule and Next Steps
- Recommended Action

Community Meetings

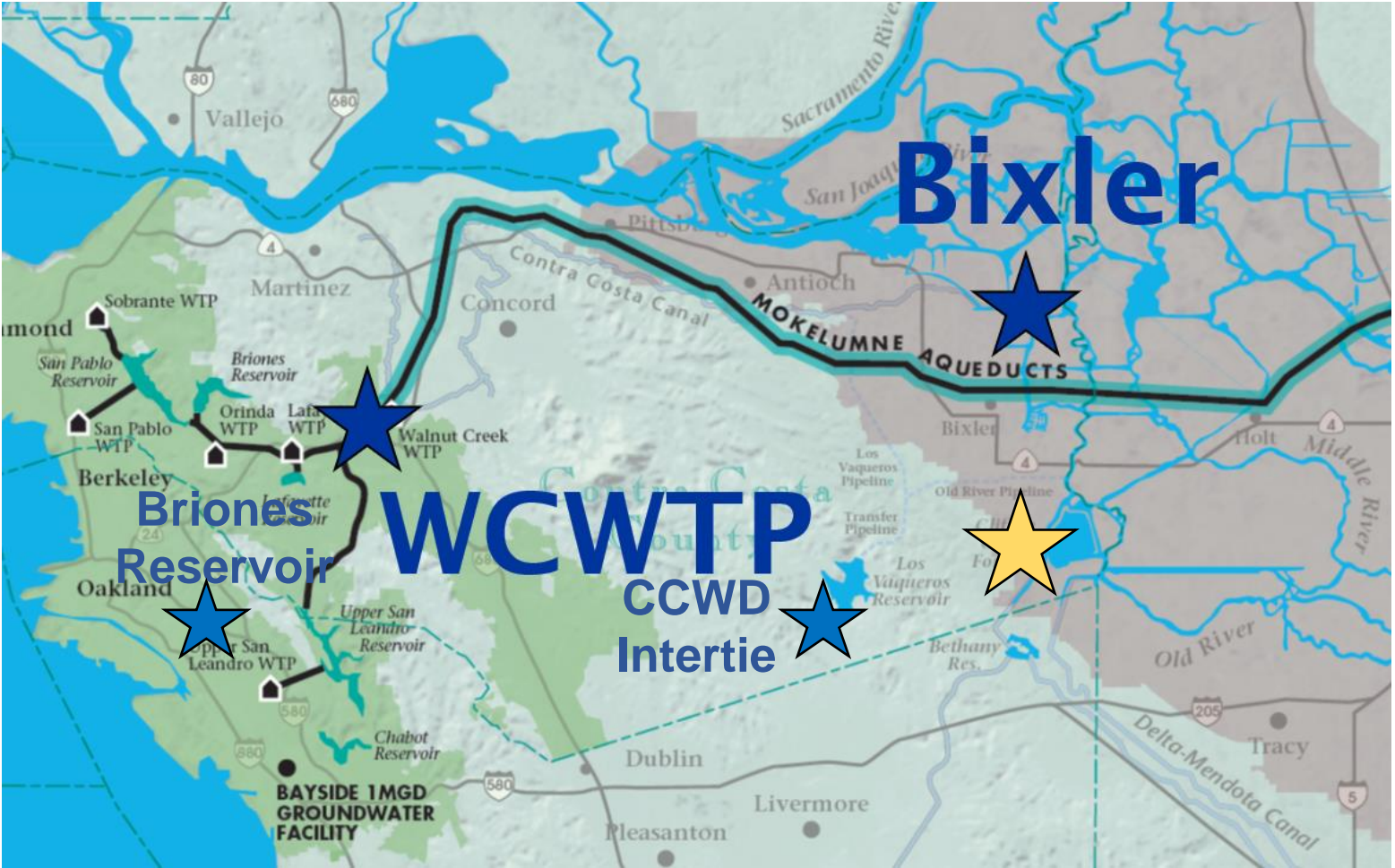
- Meetings held June 21 and 27, 2024
- Purpose of meetings:
 - Seek to understand neighbors' comments on Project Alternatives
 - Continue conversations and engage in a meaningful dialogue about the neighbors' issues and concerns with the Project.

Project Alternatives Analyzed in the EIR

- Off-site Alternatives
 - Upcountry Pretreatment at Bixler
 - Pretreatment of Freeport Water near Camanche Reservoir
- On-site Alternatives (at Walnut Creek Water Treatment Plant)
 - Micro/ultrafiltration
 - Ballasted Flocculation and Ozone
 - Thickened Solids Treatment – No Dewatering Building
- No Project Alternative

Bixler Alternative

- Neighbors continued to recommend pretreatment or full conventional treatment at Bixler site
- The Bixler alternative does not meet the project objectives due to the need to pretreat Briones Reservoir and (CCWD) raw water intertie, and the operational challenges due to the distance between Walnut Creek WTP and how the Bixler Pretreatment Alternative did not achieve this objective was explained
- Neighbors acknowledged the Bixler alternative did not meet the project alternatives but felt the likelihood of the District's reasons for eliminating the alternative was low



EBMUD Mokelumne Aqueducts and Service Area, including locations of the Bixler site, Contra Costa Water District (CCWD) Intertie, Walnut Creek Water Treatment Plant (WCWTP) and Briones Reservoir

Need for Pretreatment of Briones Reservoir and CCWD Intertie

- Historical detail on Briones Reservoir use (42% of days over the last 10 years) and water quality (recent algal blooms)
- Historical detail showing overall source water quality events over last 10 years due to high rainfall events, droughts and increased risk of wildfire
- More background on the need and use of CCWD Intertie



Briones Reservoir



Pardee Reservoir Typical Conditions

Pardee After Atmospheric River Event February 2017

Neighbor Dialog on Other Issues

More information provided on the following:

- Long term plans and costs for improvements at all WTPs
- Lack of a sites to pretreat Briones Reservoir for Walnut Creek WTP
- How facilities are designed to withstand major earthquakes
- How operations staff would respond in an emergency
- Operational worker and vehicle trips

Vehicle Type	Existing Operations	Typical Post-Project Operations	Typical No Project Future Operations
Worker	32 per day	36 per day	32 per day
Chemical Delivery	2 per week	3 per week	2 per week
Sludge Off-haul	2 per day (wet)	3 per day (dry)*	9 per day (wet)

All trips are round trip

* Increased sludge off-hauls post-Project are due to higher future turbidities and demands

Future Project Outreach

- There will be community meetings throughout future phases of the Project
- The designated Community Affairs Representative will continue to work with the community
- The Project website will continue to be updated
- There will be advance notice of potentially disruptive activities during construction
- There will be a Project sign visible at the Walnut Creek WTP site with Community Affairs Representative contact information

Schedule and Next Steps

- Board Considers Final EIR and Project Approval – July 9, 2024
- Design – 2024 to 2027
- Construction of Phase 1 – begins 2027 (3.5 – 5 years)
- Construction of Phase 2 – TBD

Recommended Actions

- Certify the Final EIR for the Walnut Creek WTP Pretreatment Project (Project)
- Make findings in accordance with the California Environmental Quality Act (CEQA) including a Statement of Overriding Considerations
- Adopt the Mitigation Monitoring and Reporting Plan (MMRP) in accordance with CEQA
- Adopt the Practices and Procedures Monitoring and Reporting Plan
- Approve the Project

Questions?



**FLOWING
INTO
THE
FUTURE**



Service Award Recipients (April 2024 - June 2024)

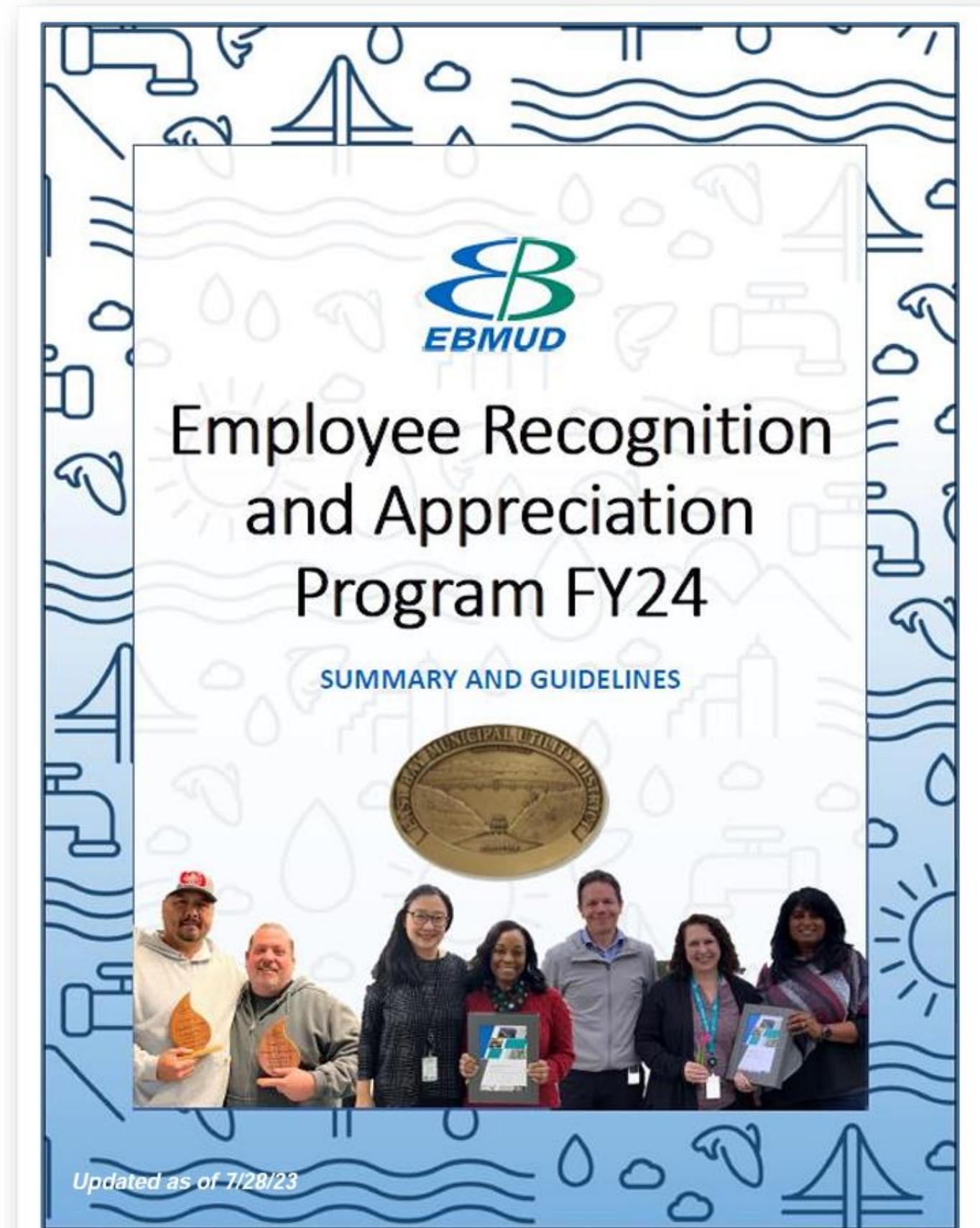
Board of Directors

July 9, 2024

Employee Recognition Program

The District's Employee Recognition Program includes the following elements:

- Peer Recognition Program
- Local Celebration
- Employee Recognition Month (September)
- Longevity/Service Awards



Service and Retirement Awards

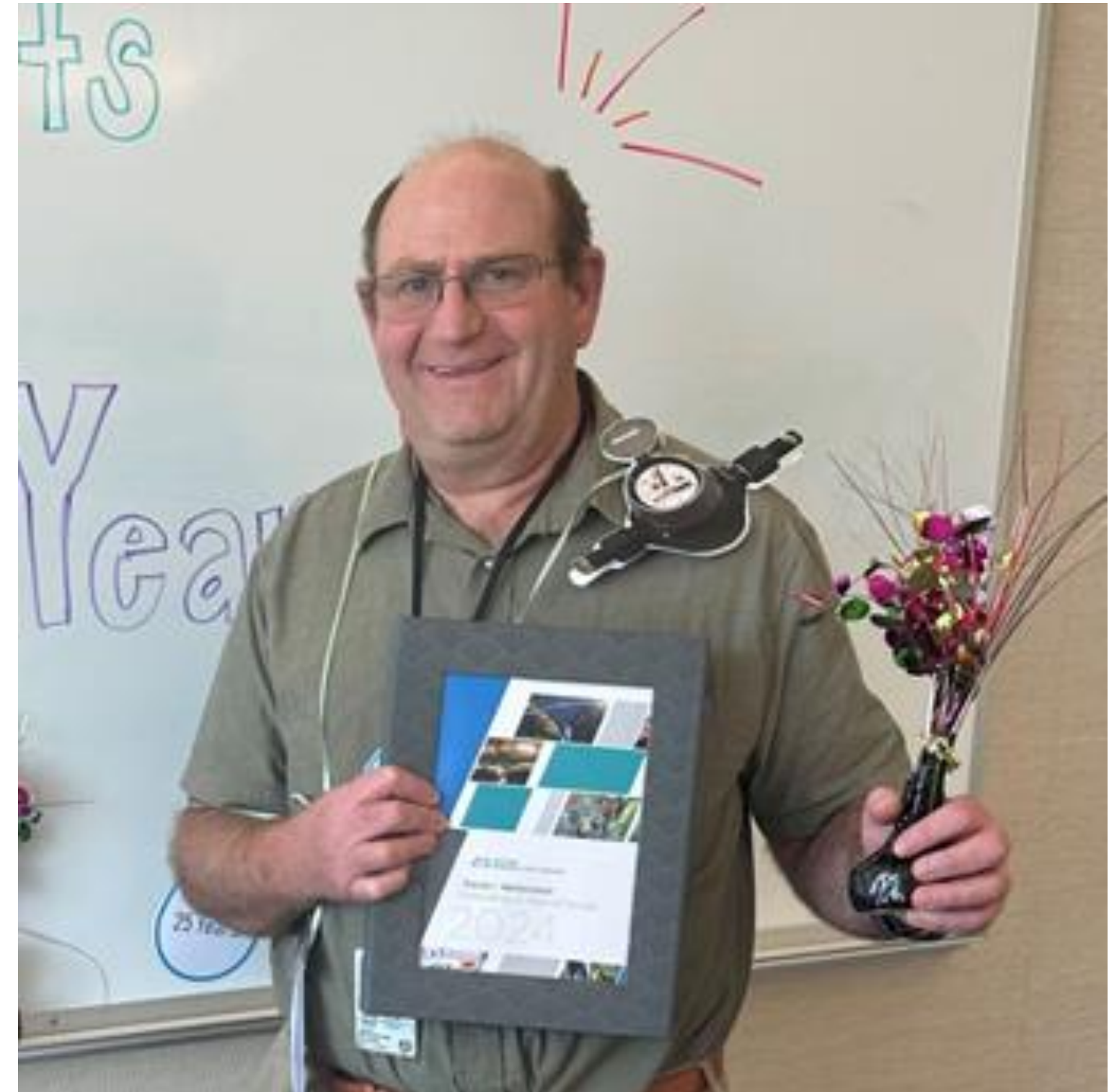
- Employee Service awards are given for every five years of service and includes a District pin, certificate, and gift.
- Employees reaching 20 years of service receive the Wooden Water Drop.
- Retirees may choose to receive a belt buckle, or the buckle emblem placed on a vase.
- Retirees with 25 or more years of service may choose to receive a wooden plaque.

25 Years of Service Recipients

- Kevin Haslett – Maintenance Machinist
- Hazell Razote-Triana – Human Resources Technician
- Serge Terentieff – Director of Engineering & Construction
- Kam Tong - Janitor
- David Wallenstein – Associate Civil Engineer



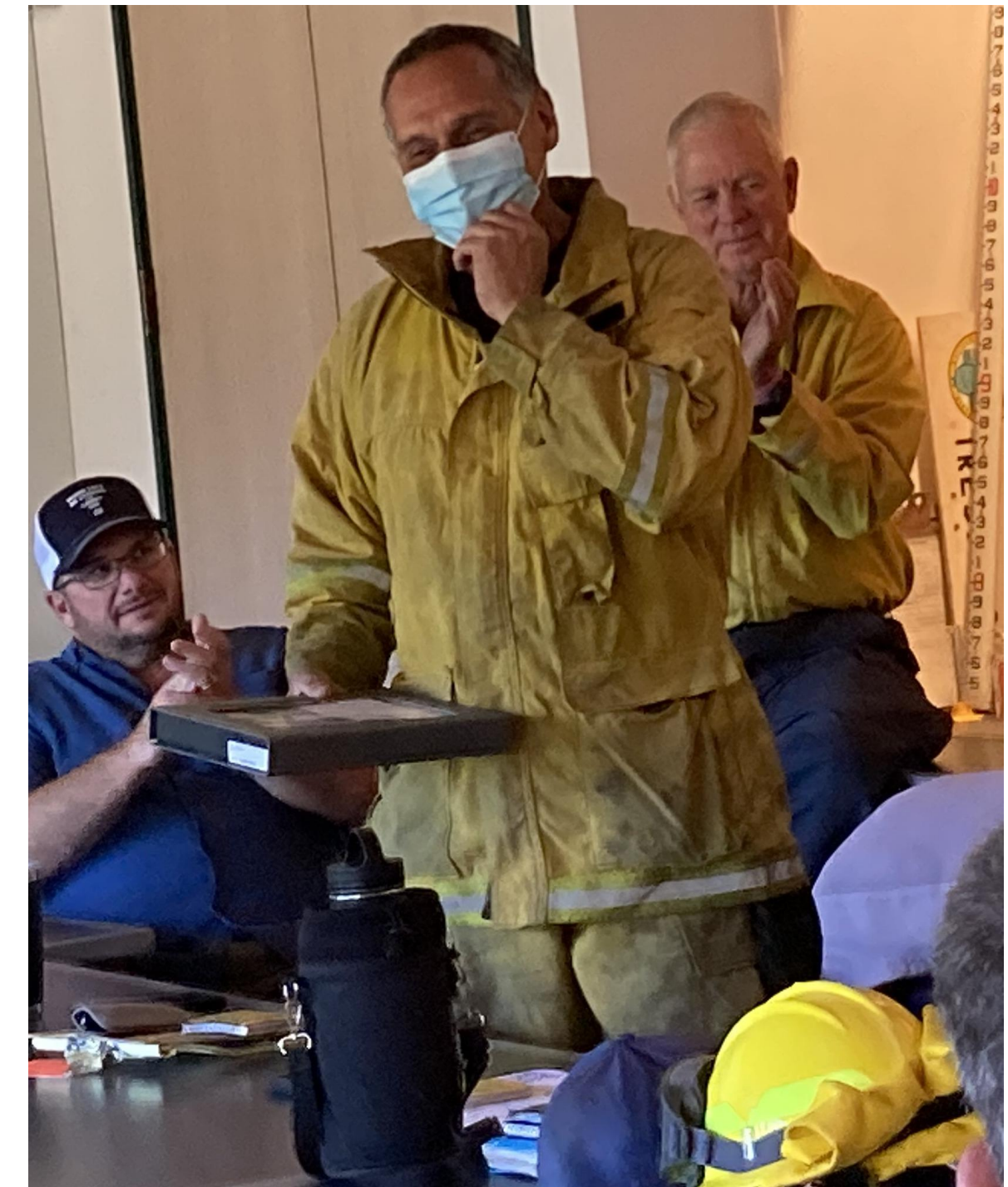
Director of Engineering and Construction **Jimi Yoloye**, congratulates his successor **Serge Terentieff** on reaching 25 years of service to EBMUD.



Associate Civil Engineer **Dave Wallenstein** reached 25 years of service with EBMUD.

20 Years of Service Recipients

- Peter Anthony – Storekeeper II
- Shawn Carlson – Plant Inspector
- Mark Esquivel Sr. - Ranger/Naturalist II
- Sharon Hu - Manager of Facilities Maintenance & Construction
- Brian Kong – Chief of Party



*Ranger/Naturalist II **Mark Esquivel Sr.** (center) celebrating 20 years was presented his award in full gear with the team in preparation for their annual fire training.*

20 Years of Service Recipients

- Jin Lin – Assistant Engineer
- Jennifer McGregor – Senior Civil Engineer
- James McNaughton – Maintenance Machinist
- Kenneth Russell – Instrument Technician
- Angelee Strawder – Supervising WW Control Representative



*Supervising WW Control Rep **Angelee Strawder** (left) and Senior WW Control Inspector **Khi Lai** (right) celebrates 20 and 15 years with the District, respectively.*

15 Years of Service Recipients

- Eric Fukada – Wastewater Treatment Superintendent
- Khi Lai – Senior Wastewater Control Inspector
- Robert Musick – Electrical Technician
- Justin Nickell – Pardee Water/WW Supervisor
- William Sharp – Manager of Operations/Maintenance Planning

10 Years of Service Recipients

- Lyzanne Alfonso – New Business Coordinator I
- Fiona Au – Accountant II
- Michael Bogetti Jr. – Heavy Equipment Operator
- Richard Coelho – Maintenance Specialist III
- Troy Davis – Construction Inspector
- Arnold Gacusan – Material Storage Foreman



Material Storage Foreman **Arnold Gacusan** (left) celebrates 10 years of service with Stores Supervisor **Jason Bouslog** (right)

10 Years of Service Recipients

- Juan Herrera Jr. - Assistant Wastewater Shift Supervisor
- Catalina Lopez - Executive Assistant II
- Michael Maddocks - Crane Operator
- Leanne Maloney - Accountant III
- Derry Moten - Special Assistant III
- Veronica Muhanoff - Senior Administrative Clerk



*Special Assistant III **Derry Moten** (right) celebrates 10 years of service at the District with General Manager **Clifford Chan**.*

10 Years of Service Recipients

- Lauren Patton - Water System Inspector II
- Adrian Robinson - Survey Technician I
- Zachary Thieme - Wastewater Plant Operator II
- Melody Wang - Accounting & Financial Sys Analyst
- Christina Wong - Public Affairs Specialist
- Zhihui Zhang - Senior Software Engineer

5 Years of Service Recipients

- Raymond Bennett - Water Distribution Plumber I
- Carla Cartagena - Senior Administrative Clerk
- Fermin Cazares Jr. - Water Distribution Plumber IV
- Thomas Christopher - Janitor
- Bernadette Deleon - Management Analyst II
- Joseph Gavazza - Maintenance Machinist

5 Years of Service Recipients

- Talia Gonzalez - Human Resources Technician
- Reina Lopez - Buyer II
- Ryan Mackey - Senior Water Distribution Operator
- Shaun Moore - Heavy Equipment Operator
- Benjamin Moreno - Maintenance Specialist III
- Terriane Reed - Senior Construction Inspector
- Mitchell Riccobuono Sr. - Heavy Equipment Operator



*Sr. Construction Inspector **Terriane Reed**, center, receives her award from Senior Civil Engineer **Tim Karlstrand** and Supervising Construction Inspector **Jason Reza**.*

5 Years of Service Recipients

- Martin Serena - Assistant Engineer
- John Smyth - Water Distribution Plumber III
- Shane Sorahan - Paving Raker A
- Justin Trautner - New Business Coordinator I
- Anacani Villasenor-Kaimuloa - Water System Inspector II
- Scott Wagner - Hydroelectric Power Plant Operator II



Assistant Engineer **Martin Serena** (center) celebrates 5 years at the District from Manager of Wastewater Engineering **Garin Warren**, left, and Senior Civil Engineer **Angela El-Telbany**, right.