



SOUTHERN CALIFORNIA ALLIANCE OF
PUBLICLY OWNED TREATMENT WORKS

MONTHLY UPDATE

June 2008

A Message from the Executive Director...

All throughout history there have been certain events that have had a major effect on the course of civilization and our environment. Some of these events have been religious in nature, others have been cultural, and still others have been geological. Nearly every major religion can point to some period in time when their founding father walked the face of the earth. For those of that faith, this became their defining moment. Cultural changes have also played a significant role in shaping our world's history. For example, the Dark Ages, the Renaissance, the Industrial Revolution, and for those of my generation- the Sixties all had life changing effects on our civilization. But when it comes to geological events, nothing can compare with the Ice Ages. Notice that I said, "Ages," as in the plural meaning. Little did I know that there have been at least 4 major ice ages in Earth's past. Beginning nearly 2.5 billion years ago and occurring intermittently up to the present, the current ice age is believed to have started 2.58 million years ago. [Editor's Note: Unlike dog years, that's like yesterday in earth years.] Even with all of these ice ages, it is conjectured that the Earth was ice free for much of the time between these periods.

Upcoming Meetings

Air Quality Committee Meeting – Tuesday, June 3rd, 10 am – 12 noon, at LACSD.

Water Issues Committee Meeting – Thursday, June 5th, 9 am – 12 noon, at IEUA.

Board of Directors Meeting – Tuesday, June 17th, 10 am – 12 noon, at LACSD.

Collection Systems Committee Meeting – Wednesday, July 23rd, 10 am – 2 pm, at Vallecitos Water District.

Surprisingly, periods of severe wet weather and extreme dry weather are prevalent during any given ice age. The colder, wetter cycles are called glacial periods and the warmer, drier periods are aptly named interglacial. Interglacials are characterized by glacial retreat or, as we are seeing today, glacial melting. It is well documented that the Earth is currently going through an interglacial period. According to leading scientists, this began anywhere from 10,000 to 15,000 years ago and is responsible for the disappearance of the major ice sheets formed during the last glacial period. What we now see in Greenland and Antarctica are the remnants from these last glaciers, which still occupy nearly 10% of the Earth's land mass.

So, I ask you, the reader, this million dollar question: Is the rapid meltdown of our glaciers due to the effects of global warming from the proliferation of greenhouse gases, or is it caused by the interglacial effects of the current geologic episode known as the Pleistocene glaciation? I wonder how many of us will discover the answer within our lifetime.

While on the subject of global warming and greenhouse gases, I was honored recently to attend, at the invitation of my good friend Chuck Rogers, the unveiling of a solar energy array

and cogeneration system at the City of Thousand Oaks' Hill Canyon Wastewater Treatment Facility. The solar array (made up of 2,783 tracking solar panels) and their cogeneration system that runs off of digester gas, is expected to produce over 1 megawatt of electricity. This coupled with other state of the art energy efficient equipment, such as their Turblex blowers and energy efficient lighting, will enable them to take their entire wastewater facility off of the commercial power grid. Although this is not the first wastewater agency of its kind or the last to achieve this milestone, what I found most encouraging was the attitude of the people involved. Starting with the City's mayor on down to the treatment plant operators, the amount of enthusiasm was amazing and contagious. You could feel the pride of ownership and accomplishment from not only Chuck and the other city employees, but by the attendees within the community and nearby cities. It was just another example of the brotherhood we all share in this profession. As another old friend of mine, Ray Miller, likes to say, "It's a people world."

In that same vein, SCAP and the other Clean Water Summit Partners brought to conclusion nearly 12 months of planning and worrying the other day, when we hosted the first of its kind, Cal-EPA Roundtable Discussion on Cross-Media Regulatory Issues. The meeting concept was originally the brainchild of OCSD's Michael Moore and was attended by key board and staff members from the State's Water Board, Air Board, Integrated Waste Management Board, US EPA office, CALTRANS and the regional air and water quality districts across the state. It was a significant event in that it allowed all of us to interact with these officials and staff in an informal and non-confrontational setting. In everyone's estimation, the event was a huge success and we all left with hopes of doing it again next year. What I thought was one of the most important accomplishments to come out of the meeting was the revelation by the regulators that, while they agree with many of our viewpoints, they are sometimes hamstrung by certain state and federal mandates of their agencies. It was refreshing to participate in such open and honest dialogue with these dedicated civil servants. Lest I forget, I wish to give special thanks to Greg Kester, CASA's Biosolids Program Manager and Debbie Welch, CASA's Executive Secretary, for all of their hard work in coordinating this event. It was a monumental task trying to get that many individuals to show up at the same time.

Geophysically Yours,

John Pastore

Air Quality by Chair Daniel McGivney

Imperial County APCD

Imperial County APCD is currently in the process of developing two State Implementation Plans (SIPs). The two SIPs are for the formation of ozone and particulate matter of 10 microns (PM10). Both plans are required to be submitted to US EPA by December 2008. ICAPCD recently released a new Microsoft version of UREMIS (Urban, Emission), which is a software model used for estimating air pollution emissions from a wide variety of land use projects. The ICAPCD Board of Directors voted unanimously on November 6, 2007 to adopt the Imperial

County CEQA Air Quality Handbook, which is available on the County of Imperial's website at www.co.imperial.ca.us.

Mohave Desert AQMD

The Mohave Desert AQMD has received its 2006 CCAR GHG Inventory Certification and reports that it has made significant reductions that exceed the state-mandated 2020 emissions reduction goal of 25% required under AB32. The MDAQMD boasts that they are the first air district in California to meet and exceed the Governor's reduction standard. The MDAQMD is currently accepting proposals for up to \$377,419 in grants for projects that reduce smog-forming emissions from heavy-duty vehicles and other mobile diesel equipment operated in the High Desert portion of San Bernardino County and Riverside's Palo Verde Valley. The MDAQMD's adopted CEQA Guidelines are available on its website at www.mdaqmd.ca.gov.

San Diego APCD

San Diego APCD reports that San Diego County is not currently in attainment for the 1-hour ozone state standard or the 8-hour ozone state and federal standards. It is also not in attainment for the PM10 and PM2.5 state standards. SDAPCD will be required to submit an Air Quality Plan to EPA in 2013 outlining the emission control regulations necessary to bring the entire region into attainment.

SDAPCD has added a custom Google search engine exclusively for their website. The search engine can be accessed at www.sdapcd.org.

Santa Barbara APCD

The Santa Barbara APCD reports that Santa Barbara County has not reached attainment status for the 8-hour ozone standard or the state and federal standards for PM10. Furthermore, efforts to reach attainment status for both state and federal standards for PM2.5 are still being studied.

On March 20, 2008, the SBAPCD approved participation in Year 10 of the Carl Moyer Program, making approximately \$619,000 available for eligible projects during the upcoming year. Typical projects include heavy-duty engine repowers, replacements and retrofits for both diesel and alternative fueled equipment. Other project categories include zero-emission projects, old car buy backs and agriculture assistance.

There are currently no new rule workshops scheduled by SBAPCD at this time.

Committee Chair Contact Info

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Ventura County APCD

The Ventura County APCD reports that Ventura County is considered a non-attainment area for both federal and state ozone air quality standards. Additionally, Ventura County does not meet the state particulate matter (PM) standards.

In July 2008, VCAPCD will make application forms available for the Carl Moyer Program. The program will provide approximately \$2 million of grant funds for projects within Ventura County. The grant funds are available to qualifying owners of heavy-duty diesel powered equipment that want to reduce air pollution by upgrading or replacing their present equipment.

Draft Rule 55 (Fugitive Dust) – On May 13, 2008, the VCAPCD was to consider adoption of Rule 55. This public hearing to consider the adoption of Rule 55 was continued until June 10, 2008. This draft rule implements VCAPCD's previously adopted program for reduction of PM emissions, as mandated by SB656.

Rule 42 (Permit Fees) – On April 8, 2008, VCAPCD adopted revisions to Rule 42, which among other things, increased permit renewal fees by 8 percent.

South Coast AQMD

SCAQMD Rule 1110.2 Update

When the SCAQMD Governing Board adopted proposed amendments to Rule 1110.2 which regulates prime engines, the SCAQMD committed to convening an Implementation Advisory Group comprised of SCAQMD staff and the affected regulated community. The purpose of this group was to help resolve issues that were sure to arise from the many complicated and new requirements of the rule. However, since the rule adoption hearing held on February 1, 2008, the regulated community (including SCAP member agencies) has had no success in getting the SCAQMD to begin holding meetings of this group. In the meantime, many implementation issues and difficult rule requirement interpretations have occurred. Recently, SCAP submitted a formal comment letter to the SCAQMD requesting that meetings of this advisory group begin. Well, it appears our efforts have been rewarded; the SCAQMD has scheduled the first meeting of this advisory group for June 4, 2008 (meeting begins at 9:30 a.m. in SCAQMD conference room GB). Topics scheduled for discussion at this meeting include the SCAQMD Rule Compliance Guide, quarterly reports, portable emissions analyzer training, applications for more than 10% natural gas use in biogas engines, the I&M plans and the EPA requirement for a non-resettable fuel meter. An update on the results of this meeting will be provided next month. Again, if there are any questions regarding the requirements of this rule, please contact the SCAP office and the SCAP Air Quality Committee will get back in touch with you.

SCAQMD Rules 1146 and 1146.1 (by Tom C. Fang)

There were little developments with the boiler rules amendments over the past month. The proposed rule changes were presented during the May 16, 2008 meeting of the Stationary Source Committee. During the brief presentation, no new information was released; however,

Joe Cassmassi said they now plan to bring these two rules to the Board in September 2008 instead of July. There were no comments or discussion on the proposed changes. More meetings as well as draft language and Staff Reports are expected.

Wastewater Industry Climate Change Issues (by Frank Caponi and Greg Adams)

AB32

Since the passage of AB 32 (California Global Warming Solutions Act of 2006), the California Air Resources Board (CARB) has been very rapidly developing a statewide program to achieve the Governor's goal of reducing greenhouse gas emissions (GHG) to 1990 levels by 2020. CARB's current focus is on developing a Scoping Plan to achieve the Governor's 1990 goals. The process is on a fast track with the plan scheduled to be considered by CARB's Governing Board in November 2008. Leading up to the final plan, CARB has been conducting a series of "Economic Analysis and Program Design Stakeholder Technical Work Group Meetings." These meetings are focused on very specific technical aspects of the plan, such as modeling of economic factors, allocation of allowances in a cap and trade program, and the development of offsets to be used in a cap and trade program. At the next meeting to be held on June 3, ARB will explore the issues surrounding "cost effectiveness" related to AB32 implementation. To the extent possible, SCAP members have participated in some of these workgroup meetings, especially with regard to the offset issue that could impact the wastewater industry. The wastewater industry could be in a position to develop offsets that could be tradable in a cap and trade program. The actual draft plan will be released in June, with workshops to follow (July 8 at SCAQMD). SCAP membership will be following the development of the draft plan very closely to determine if the wastewater industry will be impacted.

CWCCG

SCAP continues to be part of the California Wastewater Climate Change Group (CWCCG) composed of over 40 wastewater agencies and three wastewater associations, including SCAP. The purpose of this group is to provide a unified voice in the regulatory process, one of the most important components of which is the developing of an emissions protocol that accurately reflects GHG emissions from wastewater treatment processes. An accurate emissions protocol ensures that the wastewater industry statewide inventory is correct, and the industry is treated fairly in the regulatory process, such as AB32.

CCAR Inventory and Local Government Protocol

Currently, the emissions protocol is being developed under the voluntary California Climate Action Registry (CCAR). SCAP members have been very active with CWCCG, CCAR and CARB to ensure that a protocol be developed that reflects the best science available. To that end, SCAP members have been working with the Water Environment Research Foundation (WERF) on a research program that would develop nitrous oxide (an important wastewater industry GHG) emission factors by testing actual facilities nationwide. These factors would be

developed from the best science available. CCAR, in conjunction with CARB, is also developing a Local Government Operations Protocol to establish emissions protocols for greenhouse gas emissions from government agencies, such as cities and counties. A component of the protocol is an emissions protocol for wastewater treatment facilities. CCAR is on a track to finalize this protocol by August or September. At the request of CWCCG, CCAR established a wastewater industry working group to develop the wastewater component of the overall Government protocol. SCAP members are included in this subgroup. Since the Local Government Operations Protocol is on a much quicker time frame than the CCAR wastewater protocol that CWCCG has been developing, a two-phased approach is being proposed. In the first phase, an emissions protocol would be developed utilizing standard EPA approaches to calculating greenhouse gas emissions with some updated emission factors. This would satisfy CCAR's need to develop the Local Government protocol quickly. In the second phase, which could take up to two years, an approach would be developed based upon the WERF research, which would satisfy the overall long-term needs of the wastewater industry and allow for the Local Government protocol to be amended with the new approach. Currently, the wastewater industry working group is working with CCAR and CARB on a first phase approach. Alternate EPA greenhouse gas emission factors have been proposed and are awaiting workgroup comments.

SCAQMD Climate Activities

The SCAQMD scheduled two climate change related meetings on the same day at the same time. The first was the Board Climate Change Committee during which the SoCAL Climate Solutions Exchange was discussed. A working group meeting preceded the Board meeting on May 22, 2008 during which many issues were thoroughly vetted including voluntary uses for CEQA, the "additional" (surplus) nature of the credits generated, ownership, ownership of any co-benefits of GHG reductions, registration, verification, incentives for EJ areas, performance audits, etc. Many of these topics were reported to the Board committee members. The white paper summarizing the staff recommendations should be out by Friday, May 30th, for action by the Board at the June meeting.

The CEQA GHG Threshold Working Group also met the same day and discussed numerous variations on a threshold scheme developed by the SCAQMD staff. Staff estimates there will probably be at least five more meetings before the end of the year when they will bring their proposal before the Board. Despite obligatory regulatory guidance action by the Office of Planning and Research by January 2010, SCAQMD staff is insistent that interim guidance is necessary on their part because they have been asked by numerous local governments for same and because of potential lawsuit pressures brought by the Attorney General's office.

Federal Climate Change Activities

Two main areas of activity are taking place on the federal level. The first is the development of a federal mandatory reporting program. Under a Spending Appropriation Bill passed in December 2007, EPA has been charged with developing a nationwide mandatory reporting program by July 2009, with a draft by September/October 2008. Additionally, the Lieberman-Warner Bill (proposed climate change legislation), which largely relies on "cap and trade" for

greenhouse gas reductions, will be debated by the Senate in the coming weeks. The wastewater industry is beginning an effort to lobby congress to consider the impacts of climate change on wastewater operations and services. It is important that any federal legislation, such as the Lieberman-Warner Bill, provide federal funding for "adaptation" that would be directed to infrastructure and physical impacts resulting from climate change. To this end, CASA, with members of the SCAP Air Committee, drafted a letter to Senator Boxer on April 23, 2008 detailing these issues and needs.

Biosolids by Chair Mike Sullivan

AP Stories on the Land Application of Biosolids – USDA Court Case

The U.S. Department of Agriculture (USDA) announced that it would not appeal the decision of the United States District Court for the Southern District of Georgia in *McElmurray v. U.S. Department of Agriculture*. The recent court decision, by U.S. District Judge Anthony Alaimo, ordered the USDA to compensate the farmer (McElmurray) for loss of crop production. The next step is for the court to determine how much compensation McElmurray will receive.

AP Story on the Land Application of Biosolids – Baltimore Compost Story

The U.S. Department of Housing and Urban Development has released a fact sheet in an effort to correct the recent press reports stating that the HUD-funded scientific study, conducted in 2000 - 2001, involved placing "sludge" on yards may have posed a threat to the health and safety of low-income families living in inner city Baltimore. The full text of the fact sheet can be found on the HUD website at: <http://www.hud.gov/offices/lead/Baltimore.cfm>.

The Associated Press removed the reporter, John Heilprin, from covering the Baltimore compost stories, and will write a mea culpa piece acknowledging the AP's lack of satisfaction with the original story written by Heilprin. A new reporter has been assigned and will interview representatives of Kennedy Krieger Institute and John Hopkins University.

Senator Boxer Letter (Update provided by Layne Baroldi, OCSD and Greg Kester, CASA)

Representatives from NACWA and CASA met with Democratic and Republican staff members of the Senate Environment and Public Works (EPW) Committee in early May. Senator Barbara Boxer, chair of the committee, has signaled her intention to conduct an oversight hearing by the end of the summer about the land application of biosolids after the recent Associated Press stories. The Senator's staff was receptive to the information that was provided regarding the safety of land application and the effectiveness of the U.S. Environmental Protection Agency's Part 503 regulations. The majority staff was briefed on the importance of land application to the nation's clean water agencies, and the critical role it plays in California. The meetings follow a letter sent by NACWA on May 2, 2008, requesting that EPW ensure a balanced panel of witnesses if a biosolids hearing is scheduled and recommending Chris Westhoff, NACWA President, as an expert witness. The committee's

minority staff, during a separate meeting this week, expressed an interest in inviting Westhoff to testify if the Democrats do not.

SJVAPCD Green Waste Composting Rule 4566

A technical working group meeting was held on May 19, 2008 to provide a forum for open discussion of issues and technical concerns for consideration in the rulemaking process. More information can be found on the SJVAPCD website – www.valleyair.org.

Kern County Litigation

It appears that Kern County is in the process of gathering information related to biosolids production from certain Southern California POTWs in order to address CEQA requirements as part of their proposed ban on land application of biosolids. The City of Riverside recently received a survey request from their consultant, Ecology & Environmental, Inc. If any of our other members receive a similar request, we would appreciate your letting the SCAP office know.

Collection Systems by Chair Ralph Palomares

Well, I don't have to tell you that June 1st means half the year is already behind us. Doesn't time fly by when you're having fun root foaming, root cutting or just plain TV video inspecting your sewer system and then writing up repairs for work to be done so that your agency can meet the WDR guidelines?

For most of us, July 1st means the start of a new budget year. As usual, we will have to do more with less money this year but somehow we manage to get done what needs to be done with a little careful planning. Have you recently seen how much the going rate for a sewer combination truck costs? Somewhere in the neighborhood of \$275,000 up to \$350,000. And that's just one truck! But it's a vehicle that we must have to address sewer spills in order to properly recover spilled sewage. We also must video inspect all of our sewer lines and that's another \$100,000 for a sewer camera rig. Then there are all the little special tools that we need in order to do an efficient job maintaining our sewer lines, not to mention our training that we receive at local seminars, requiring us to take time away from our jobs so that we can receive our contact units and keep our collections certificates updated.

Sewer collections maintenance has changed drastically in the last 20 years, as evidenced by all of the modern technology that we see at the annual conferences and local seminars. One that I can think of is the alarm cover that notifies you via cell phone of an up and coming surcharging manhole water level. I mean, who would have thought that this would have worked 20 years ago to prevent an SSO? Nowadays, our trucks have laptop computers, 32 inch flat-panel TV monitors, and wireless internet service so that we can send a picture back to engineering asap. Then there are cell phones, microwave ovens, kitchens and bathrooms in our vehicles now plus a lot of other gadgets that I won't mention. But you can see how far we have come from then to the present. A collections person is now a collections technician, who has to attend a local college to take wastewater classes so even the job description has

changed. Thankfully, we are finally receiving the respect that we have so long deserved. Now for the good news: The state's statistics on monthly SSO reporting show a drop of 90 percent over the last two years and that means we are all doing a great job. Keep up the excellent work!

Disposable/Flushable Paper Products Problem

SCAP has prepared a draft work plan addressing the problems encountered by a significant number of our wastewater agencies in dealing with the proliferation of so called disposable products that are routinely flushed down the drain. As many of you are aware, these products routinely clog pump impellers and generally cause a maintenance nightmare. SCAP's Executive Director recently met with SWRCB Deputy Director Barbara Evoy, who heads up the Division of Financial Assistance, in order to request financial assistance from the state to address this problem. It was SCAP's intent to use a portion of the state's Cleanup and Abatement funds for this purpose; however, it turns out that it does not meet the state's eligibility requirements. Although, Ms. Evoy did agree to send the work plan out to all of the regional boards with the hope of generating some interest for regional SEP (Supplemental Environmental Project) funding.

Here's hoping that you and your families have a safe summer vacation wherever you go and if you need any questions answered about any of the topics or upcoming meetings, please go to the SCAP website for more information.

Water Issues Committee by Chair Gus Dembegiotes

Water Issues Committee Meeting – June 5, 2008

The next meeting of the Water Issues Committee will be on June 5th at 9 am at the Inland Empire Utilities Agency. The agenda will include a presentation by Heather Collins and Kurt Souza of the California Department of Public Health regarding the State's Draft Criteria for Groundwater Recharge with Reclaimed Water and emerging constituents. There will also be a presentation by Jim Colston of the Orange County Sanitation District on the "No Drugs Down the Drain" Campaign. There will also be updates on the State's Stakeholder Process for developing a Recycled Water Policy and on the State's Statewide General Permit for Irrigation with Recycled Water.

Proposed Statewide General Permit for Landscape Irrigation Uses of Recycled Water

The State Water Resources Control Board (State Water Board) will be holding a Workshop/CEQA Scoping meeting on June 18th in Sacramento to seek public input regarding the scope and content of a statewide general permit for landscape irrigation uses of recycled water and its associated environmental document. The passage of AB 1481 (De LaTorre) enacted a new law, California Water Code section 13552.5, which requires the State Water Board to adopt the General Permit by July 31, 2009. The new law would require uniform interpretation of state standards to ensure the safe, reliable use of recycled water for landscape irrigation uses, consistent with state and federal water quality law. The new law is also intended

to expedite permitting for use of recycled water for landscape irrigation. State Water Board staff is starting this process by completing an environmental review process, as required by CEQA, prior to the adoption of the permit. For the workshop/scoping meeting, staff will provide a description of the General Permit adoption process and its schedule; it will present an overview of the regulatory and technical issues associated with landscape irrigation uses of recycled water; and, it will discuss potential elements of the General Permit. Afterward, participants will have an opportunity to provide comments regarding the appropriate scope and content of the General Permit and the environmental documents to be prepared pursuant to CEQA. Written comments to the State Water Board must be received by **noon on June 26, 2008**.

In its Project Discussion Paper, the State Board identifies key issues and questions regarding the permit. Issues noted include: eligibility criteria; recycled water benefits; recycled water concerns including salt, emerging contaminants, and anti-degradation; agency coordination between CDPH and the State and Regional Boards; existing water reuse authorizations; and fees. The Public Notice can be found at:

http://www.swrcb.ca.gov/water_issues/programs/water_recycling_policy/docs/notice_ceqa_landirrigation_project_paper.pdf

Proposed Draft General Permit for Discharges of Storm Water Associated with Construction Activities

The comment period for the Draft General Permit for Discharges of Storm Water Associated with Construction Activities has been extended. Written comments are now due to the State Water Board by noon on June 11th. The proposed Draft Construction Permit is available to view or download at: <http://www.waterboards.ca.gov/stormwtr/index.html>. A formal hearing on the permit will be held on June 4th in Sacramento.

Statewide Pharmaceutical Campaign – “No Drugs Down the Drain”

SCAP is participating with the other Clean Water Summit Partners to assist Tri-TAC with sponsoring a no drugs down the drain public awareness week scheduled for this coming October. This is intended to be a statewide event and will feature pharmaceutical take-back centers in different regions. Literature and event notification templates are being prepared to assist individual agencies that may want to conduct their own events. Further information on this campaign will be posted on the SCAP website in the near future.

Regulatory Affairs by Regulatory Affairs Consultant Mary Jane Foley

Emerging Contaminants: Come hear the latest from the California Department of Public Health. Heather Collins and Kurt Souza will be attending the SCAP Water Issues Committee on June 5th at IEUA from 9 a.m. – 12 noon.

I want to reiterate this event even though it is highlighted in other sections of this update. If I had to pick the number one issue that I think the water and wastewater industry have to be engaged in, it is this topic of emerging contaminants. We really are fortunate to have two leaders from CDPH agreeing to come and share their latest scientific information on this issue. It is vitally important that there is an opportunity to dialogue and communicate with the officials

from the Department of Public Health so that we are all on the same page and working together on this issue. This will be a major area of concern with political and community leaders. I hope every SCAP member takes the opportunity to send a representative to attend this meeting.

This month I was invited to participate on the Governor's Office Environment Stakeholder Briefing Call. This was on the afternoon of the Governor's revised May budget. There were five agency Directors on the call along with the Governor's outreach staff. After a presentation on what was in the new budget, the participants had the opportunity to ask questions. I raised two questions: concern on fee increases at the Waterboard and CalEPA agencies to offset budget cuts and the status of Prop 84 grant fund dollars. On the fees, of course, no one would comment. On the Prop 84, they said that the appropriation was held up in the Senate.

On the legislative activities this month, SCAP and I worked with our members to gain support for AB2270 (Laird and Feuer) Recycled Water Use. The main goal of this bill is to assist California in meeting the statewide goal of recycling one million acre feet per year by 2010. Included in the bill was language that would give water districts more control over water softeners. I'm sure many of you remember when we could prohibit water softeners that discharged salts into the sewer. That didn't last long; the water softener industry fought back and it is a huge problem again for salt management to groundwater and discharges into waterways. In helping with the campaign to get support for this bill, I faxed our SCAP letter of support, called the legislative offices of folks that I knew, etc. It has made it out of the appropriations committee, which was a critical step. Our members who are sponsoring this believe this will be a tough fight. That is why you may get more requests to send letters of support. Thanks to all who sent letters on short notice. They really help. One of my former legislative friends says she often just asks the question as she is walking to a committee..."how many for, how many against?" Letters matter!

SCAP also sent a letter opposing AB2986 (Leno). The bill would have a report card system done by the regulatory agency assigning a letter grade from A to F to all publicly-owned collection systems and wastewater treatment plants. I don't have to say more about how this could be mishandled and not representative of the overall health of a wastewater system.

An activity of interest to those of us who have been following the Perata SB 1176 legislation on the reorganization of the waterboards is the recent Little Hoover Commission's project to review the structure and governance of the State and Regional Waterboards. There have been three official sessions on the topic and an Advisory Committee.

On May 21, there was an Advisory Committee meeting and the questions presented were:

- Is the state's current board structure achieving the goal of improving California's water quality?
- Given the continuing complaints about inconsistency among boards, should regional boards be abolished in favor of an administrative department?
- If boards are preferable, what should the governance relationship be between the state and regional boards?
- Should the boards split their duties to separate policy-setting and adjudicatory functions?

How would you answer these questions? I am following this closely. I would welcome any feedback you have on the above topics. As a former State and Regional Waterboard Member, I am very interested in the outcome of these sessions. I will be receiving all of the minutes from the advisory meetings and following the testimony of the participants in the sessions. I have reviewed much of the testimony presented so far. One testimony that I think is interesting is from the former Chief Counsel of the Waterboard. He made specific recommendations for structural changes to help the Water Boards refocus and to change the structure. As far as organization, he thinks the State Waterboard should have one full-time Chair and four part-time Members (Air Board model). Regional Boards should have one full-time Chair and six part-time Members.

One thing I heard through the grapevine that hasn't been in written testimony was a philosophy on ex-parte rules. The ex-parte model preferred is the one used by the Integrated Waste Board and the Coastal Commission. The "sunshine rules" let you discuss your issues with Board Members and they just record them either in a written form or orally during a meeting. I am careful on my opinion since I am so connected with the SCAP members and don't know how everyone feels on this topic. It is my experience that the "sunshine" model is superior because it represents good government and the ability to educate policy makers on tough issues that go beyond the general knowledge of most appointees.

Finally, I know John Pastore referenced the Cross-Media Roundtable event hosted by our industry associations under the Clean Water Summit Partners with CalEPA regulators. It was a very successful forum and I am sure there will be more in the future. I do want to credit this effort to Mike Moore of OCSD. It has been his vision to get something like this event for years. Good for the industry that he never gave up!

Help Desk

Remember, the HELP DESK is open 24/7 for members who need to discuss permitting issues and strategies to assist agencies in resolving problems with regulatory agencies. Please contact Mary Jane Foley at mfoley@scap1.org

Non Sequitur

"A perfect summer day is when the sun is shining, the breeze is blowing, the birds are singing,
and the lawn mower is broken."

—James Dent

(1928-1992) U.S. humorist - wrote the *Gazetteer* column in the West Virginia newspaper, *The Charleston Gazette*.