

SEWER AUTHORITY MID-COASTSIDE

Staff Report

Subject / Title

Manager's Informational Report

Staff Recommendation:

None. This is an informational item only.

Fiscal Impact:

None. This is an informational item only.

Discussion/Report:

San Mateo County Civil Grand Jury

As reported at our January 2008 meeting, the leachate discharge from Ox Mounting Landfill is of interest to the Grand Jury, Public Works Committee. Staff has provided them with information on this discharge on two occasions. Our contact with them, Mr. Matt Henry stated that they are preparing a 'cradle-to-grave' report on electronic wastes at Ox Mountain Landfill. To be comprehensive, the Grand Jury wants to include information on the disposal of the leachate in their report. SAM has provided information about the permit, plant processes, our experience with the discharge, and analytical data. On March 4, Manager Foley met with the Grand Jury. On March 5, Manager Foley discussed this matter with the Half Moon Bay Review. An article was published in the HMBReview on March 12 (copy in Board Mail).

Update - Claim to Pacific Gas & Electric (PG&E)

Staff is in the process of submitting a claim to PG&E on expenses incurred during recent periods of power outages and power quality problems. Staff will keep the Board apprised of this submission.

Update – LAFCO Municipal Services Review

The Ad Hoc Committee and staff have corresponded with LAFCo consultant on several occasions over the past 4 weeks. On March 19, the circulation draft was made available to the public. All of SAM's comments and concerns were addressed in that draft.

Comments will be invited until April 8. The Executive Officer will present the MSR to the Commission at their 4:00 PM meeting of April 16, at the Half Moon Bay High School.

Burnham Strip Property Purchase/Appraisal

In January, the Board requested that staff send a letter to the San Mateo County Harbor District indicating SAM's continued interest in purchase of the Burnham Strip. Attached is a copy of that letter.

In late February, I informed the Board that the Half Moon Bay Review has requested the Burnham Strip real estate appraisal. David Smydra Jr. of the Review informs me that San Mateo

County Harbor District General Counsel, Marc Zafferano, sent the Review a reply indicating the Harbor District's denial of the public records request. The Review is considering a response.

State Water Resources Control Board (SWRCB) Hearings

On March 18, 2008, the SWRCB conducted public hearing regarding Compliance Schedules and the Recycled Water Policy. Attached is an update from the California Association of Sanitation Agencies.

An Article From the Water Environment Federation:

Blumenauer Plans Water "Trust Fund" Proposal as Part of Larger Infrastructure Offensive
Representative Earl Blumenauer (D-OR) confirmed this week that he will draft and introduce a water "trust fund" proposal in this Congress. Although the legislation would not be expected to pass, Blumenauer sees its introduction as one part of a larger offensive to raise public and legislative awareness about the need for greater investment in public infrastructure. In addition to the water bill, the Oregon Democrat is drafting legislation to create a U.S. Commission on Infrastructure Investment, charged with conducting public hearings and producing a national assessment of infrastructure problems within 4 months, and a report with recommended solutions within 9 months. Blumenauer also hopes to hold an infrastructure "Summit" in Washington prior to the November elections. House Speaker Nancy Pelosi (D-CA) appeared with Blumenauer at a March 12 Capitol Hill briefing attended by WEF to express her support for the Commission legislation and to praise Blumenauer for his efforts. Pelosi agreed with the characterization of adequate public transit, clean water, and modern highways as a "civil rights issue" and, in a veiled reference to Iraq war spending, said that the U.S. needs to "create the future by investing in our own country."

Blumenauer previously distributed a one-page outline describing a potential Water Trust Fund bill that would be deficit-neutral and raise \$10 billion annually for grants and loans to support activities currently eligible under the Clean Water and Safe Drinking Water State Revolving Fund (SRF) Programs. New priorities, including security, conservation, energy efficiency, green infrastructure, non-point source pollution prevention, and correction of failing septic systems would also be eligible, and the grants portion of the new program would require a 35 percent match. According to the Blumenauer outline, new projects that contribute to urban sprawl would not be eligible.

Revenue sources under consideration by Blumenauer, who recently moved from the House Transportation and Infrastructure Committee to the tax-writing Ways and Means Committee, include a per container fee on bottled beverages, a tax on some "flushable" products, higher penalties for industrial discharges, taxes on fertilizers and pesticides, and a reinstatement of the Corporate Environmental Income Tax (CEIT). Blumenauer said that he understands that introduction of a bill that includes potential taxes or user fees could stir early opposition to the opposition to the trust fund concept, but that he is willing to "take the hit" in order to get the debate started. Rep. James Oberstar (D-MN), chair of the Transportation and Infrastructure Committee, has signaled his support for a trust fund and in January he joined Blumenauer and Rep. Eddie Bernice Johnson (D-TX), who chairs the key clean water subcommittee in Oberstar's committee, asked the U.S. Government Accountability Office (GAO) to produce a report on potential revenue sources that would raise at least \$10 billion annually. That report is due in January 2009. More information: <http://blumenauer.house.gov/>.

A PUBLIC AGENCY
SERVING
City of Half Moon Bay
Granada Sanitary District
Montara Water and Sanitary District

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SEWER AUTHORITY MID-COASTSIDE

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February 29, 2008

Mr. Peter Grenell
General Manager
San Mateo County Harbor District
400 Oyster Point Blvd., Suite 300
South San Francisco, CA 94080

SUBJECT: SAM Interest in Harbor District's El Granada median strip parcel

Dear Mr. Grenell:

This is in response to your letter of February 11, 2008. At their meeting of February 25, 2008, the SAM Board of Directors reviewed your letter and asked me to respond.

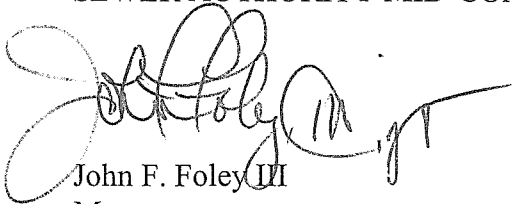
SAM is and will continue to be very interested in the Harbor District's El Granada median strip parcel. As you know, that property contains a possible site for a SAM facility.

You also ask the status of the Environmental Impact Report (EIR). This EIR is presently on hold pending further discussion of SAM's Wet Weather Flow Management program. The process will be resumed as soon as possible.

If you have any additional questions, please do not hesitate to contact me.

Sincerely,

SEWER AUTHORITY MID-COASTSIDE



John F. Foley III
Manager.



CALIFORNIA ASSOCIATION of SANITATION AGENCIES

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Via Electronic Mail

Memorandum

March 19, 2008

TO: CASA Member Agencies
CASA Associates
CASA Attorneys

FROM: Bobbi Larson, Director, Legal & Regulatory Affairs

SUBJECT: **STATE WATER BOARD GRANTS ADDITIONAL TIME TO
CONSIDER COMPLIANCE SCHEDULE POLICY AND RECYCLED WATER POLICY**

Yesterday, the State Water Resources Control Board was scheduled to consider two important statewide policies. As requested by CASA and other stakeholders, the Board deferred action on both policies. This was due in large part to the numerous comment letters received and the level of interest in these policies demonstrated by the significant number of public wastewater agency representatives who attended yesterday's workshop. Many, many thanks to those who took the time and effort to take part in the hearings—your participation truly made a difference.

COMPLIANCE SCHEDULE POLICY

Following nearly two of hours of testimony by more than 20 speakers (limited to 3 minutes each) the State Water Board directed staff to prepare an alternative draft of the proposed NPDES permit compliance schedule policy that allows in-permit compliance schedules of up to 10 years, and to present both the current draft and the alternative draft for Board consideration on April 15, 2008. The current proposal to limit compliance schedules to 5 years is one of CASA's major objections to the draft policy, and several of the Board members seemed persuaded by testimony from numerous POTWs about compliance projects that could not be completed within 5 years, as well as the concern that 5 years would not allow sufficient time to conduct alternative compliance strategies such as site specific objectives and use attainability analyses.

A representative of U.S. EPA spoke in favor of the policy as proposed, and speakers from environmental nongovernmental organizations (NGOs) opposed the policy on the basis that compliance schedules are unlawful and the policy is insufficiently restrictive.

CASA will work with Tri-TAC, CWEA and the regional wastewater associations in reviewing the proposed alternative policy, and plans to provide testimony and written comments for the April 15, 2008 meeting.

RECYCLED WATER POLICY

In light of the significant volume of comments received by the March 10, 2008 deadline, State Water Board staff reported that they were unable to adequately respond to the comments and that, as a result, the Board could not act on the policy. Staff presented the Board with four options for action:

- 1) Continue the item to the first meeting in May.
- 2) Open the hearing and hear all testimony and then continue action until May.
- 3) Grant the request of a "stakeholder group", including CASA, to work on an alternative Policy.
- 4) Suspend efforts to develop a Policy.

Staff recommended that the Board pursue option 3 and require the stakeholder group, consisting of representatives of the water, wastewater and NGO community, to report back to the Board on their progress within 90 days.

The key Board members who have been spearheading this effort, Frances Spivey Weber and Gary Wolff, made several comments about how important the issue is. Martha Davis (Inland Empire Utilities Agency) and Linda Sheehan (California Coastkeeper Alliance) presented a brief joint statement on behalf of CASA, the Association of California Water Agencies, the WateReuse Association, the California Coastkeeper Alliance, Heal the Bay and Planning and Conservation League. The statement emphasized our commitment to working together toward our shared goal of reaching the legislative goal of recycling 1 million acre feet of water as soon as possible.

The Board then agreed to support the stakeholder facilitated process as we requested, and Board members Spivy Weber and Wolff expressed their willingness to participate in the process as desired by the group.

cc: CASA Executive Board
 Catherine Smith, Executive Officer