

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

Thursday, September 5, 2024

Agenda

2:00 PM

Zoom Meeting: <https://us02web.zoom.us/j/89055428051>

	1.		Call to Order and Self Introductions
	2.	Action	Approval of Agenda
	3.		Public Comments
<b>Pages 2 – 4</b>	4.	Action	TAC Meeting Minutes of July 11, 2024
<b>Pages 5 – 6</b>	5.	Discussion	Status of Phase 1 Reconciliation and Closeout Activities
<b>Pages 7 – 9</b>	6.	Discussion	Resilience Arena Status Reports
<b>Page 10</b>	7.	Discussion	Title XVI Funding Opportunity
<b>Page 11</b>	8.	Discussion	Status of Consultant Agreements for FY2024/25
<b>Page 12</b>	9.	Discussion	Plans for Next Board Meeting, September 30, 2024
<b>Page 13</b>	10.	Discussion	Program Manager Replacement Options (Without B&C, ESA, and DI)
	11.	Information	Next Meeting, October 3, 2024
	12.		Adjournment

**North Bay Water Reuse Authority  
Technical Advisory Committee  
Zoom Meeting Minutes  
July 11, 2024**

**DRAFT**

Approved \_\_\_\_\_

**1. Call to Order and Self Introductions**

Acting Chair Kevin Booker called the Technical Advisory Committee (TAC) meeting to order at 2:03 p.m. on Thursday, July 11, 2024. The meeting was a Zoom meeting only and attendees participated via the following link: <https://us02web.zoom.us/j/89055428051>.

**Committee Members Present**

Kevin Booker, Chair	Sonoma Water
Andrew Damron, Vice Chair	Napa Sanitation District
Angela Beran	Las Gallinas Valley Sanitary District
Oriana Hart	Petaluma
Chelsea Thompson	Petaluma
Tony Williams	North Marin Water District

**Consultant Team**

Chuck Weir, Program Manager	Weir Technical Services
Rene Guillen	Brown & Caldwell
Mark Millan	Data Instincts
Jim O’Toole	ESA
Michael Savage	Data Instincts
Dawn Taffler	Kennedy Jenks

**2. Approval of the Agenda**

The Agenda was approved with no changes.

**3. Public Comments**

There were no public comments.

**4. Status of TAC Chair and Vice Chair**

The TAC discussed the positions of Chair and Vice Chair as well as participation allowed by the Memorandum of Understanding. It was agreed that associate members that were participating in Resilience Arena projects could serve as voting members of the TAC. A motion by Angela Beran, seconded by Tony Williams to approve Kevin Booker as Chair and Andrew Damron as Vice Chair was unanimously approved.

**5. TAC Meeting Minutes of June 6, 2024**

A motion by Andrew Damron, seconded by Tony Williams to approve the June 6, 2024 minutes with one change to the attendance list was unanimously approved.

**6. Status of Phase 1 Reconciliation and Closeout Activities**

Chair Booker noted that he had received an email update from Brad Elliot who noted that the information in the packet has not changed since the Board meeting. He also hopes to finalize the costs soon and that invoices would likely go out in August 2024. The TAC agreed that when this is reported to the Board as an information item that a summary of the original projects, from 2008, and those that were added or deleted should be included in the report to help explain the charges or credits to the participating agencies.

### **7. Resilience Arena Status Reports**

Rene Guillen gave an update on the Recycled Water Resilience Arena. Petaluma is seeking funding from the Bureau of Reclamation. Unfortunately since the NEPA process had not been completed prior to construction of the Ellis Creek project they have stated that their rules will not allow funding for the construction. They may provide funding for funding and design. Petaluma needed to proceed with construction in order to gain state funding. The CEQA process had been completed. There was discussion of appealing that ruling with the assistance of local elected officials, including Supervisor Rabbitt. The cost to Petaluma could be as much as 25% of a 20M project. There was additional discussion of adding projects from the Phase 2 Feasibility Study to the next funding request.

Jim O'Toole provided an update on the NEPA process and the various reports that are required for completions.

Dawn Taffler provided an update on the Financial Capability Analysis Report. It has been submitted to the member agencies for review. She requested that TAC members focus on the section applicable to their agency. Comments are requested to be submitted by Friday, July 19, 2024.

Rene Guillen provided an update on the Drought Contingency resilience arena project.

Jim O'Toole discussed the Sea Level Rise Resilience Arena, including the three workshops that have been held and the status of Tech Memo No. 1. Discussions were held with all the agencies and the Tech Memo was modified based on those discussions. The final Tech Memo has been submitted to all the participating agencies. It was also shared with the other member agencies as it was included in the agenda packet.

### **8. Title XVI Funding Opportunity**

Rene Guillen discussed the upcoming funding opportunity through Title XVI. It is applicable to all Phase 2 projects. There is budget remaining to process a grant application. The deadline for submitting an application is September 30, 2024 and projects must be completed within three years. In addition, USBR is eager to distribute funds before the November election.

### **9. FY2024/25 Budget**

The Board approved the FY2024/25 Budget at the June 24, 2024 Board meeting. A copy of the approved budget was included in the agenda packet. Chair Booker provided an update on the status of amending the consultant agreements pursuant to the budget.

**10. Plans for Next Board Meeting**

A Board meeting has been scheduled for September 30, 2024 at 9:30 a.m. via Zoom. The Board should be updated on the following:

1. Status of Phase 1 closeout and reconciliation.
2. Status of Phase 2 projects.
3. Status of the Resilience Area projects
4. Financial Report
5. Status of consultant agreements for FY2024/25
6. Other Items

**11. Next Meeting**

The next meeting is scheduled for August 1, 2024.

**12. Adjournment**

There being no further business, Chair Booker adjourned the meeting was adjourned at 2:55 p.m.

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## ITEM NO. 5 STATUS OF PHASE 1 RECONCILIATION AND CLOSEOUT ACTIVITIES

### Action Requested

None at this time

### Summary

Since the last meeting, several questions regarding the closeout of Phase 1 have been asked of Sonoma Water. Following are those questions and Sonoma Water's responses in blue.

- Basic questions:
  - Are the "Assessments" grant-related support costs incurred by the various NBWRA consultants involved? The "assessments" total is the total amount each Phase I member paid for Phase I services. Phase I services include consultant costs and Sonoma Water admin related to Phase I work. They are grant related in that this work allowed us to apply for grant funding for Phase I projects.
  - Are the "Grant Administration Costs" cost incurred by Sonoma Water staff only? Yes. This is the total cost of Sonoma Water's time for managing the USBR Phase I grant (Title XVI). This is separate from the "assessments" because the grant administration costs are costs Sonoma Water actually incurred to manage the Title XVI grant. The "assessments" are held in a NBWRA trust account and these costs are not incurred by Sonoma Water.
- How are the amounts in the "Original Assessments Paid" column paid calculated? This is based on the Phase I cost share that was established in the MOU, which was based on the expected grant funds each agency expected to receive. See Exhibit B in the NBWRA Fourth Amended MOU
  - Are these funds that each agency paid to Sonoma Water to date for phase 1 assessment costs? This is the total amount each Phase I member paid for Phase I services which includes consultant costs and Sonoma Water admin related to Phase I work
  - Is there a list of total expenses? Yes, the total is based on the Phase I budgets that were approved each fiscal year.
- I understand the reallocation of these costs were based on the amount of grant funds actually received compared to what was originally assumed (\$25M to \$17M?). The reallocation is based on the amount each agency expected to receive versus what they actually received. Total grant funding awarded is still \$25 million when accounting for Title XVI and the American Recovery and Reinvestment Act (ARRA) of 2009. It is slightly confusing because when USBR awarded funding, the funding we actually received was less than the official award amount because USBR reduced our funding amount to cover their administration costs.

- Can you provide a breakdown of the grant funds received by each agency? *Yes, the amount of grant funding each member agency received will be provided. Sonoma Water still confirming all amounts under ARRA and title XVI are correct for all agencies, which is one of the reasons the information currently given is “draft.”*
- The amount that is shown as underpaid by Member Agency for Phase 1:
  - Can this be offset by the current Member Agency’s Balance and/or the balance in the Member Agency’s Joint Use account? *The underpaid amount is the current Phase I balance for each member agency and we would assume that this amount could be offset against the current underpaid amount. This will need to be confirmed, as we believe this will need to be approved by the TAC and the Board. Giving agencies the ability to offset underpaid Phase I amounts with their current unspent Phase I balance makes the most sense to Sonoma Water.*
- The amount shown as underpaid by Member Agency for administrative costs:.
  - Can this be offset by the current Member Agency’s Balance and/or the balance in the Joint Use account? *These two balances are specific to the NBWRA trust that each member agency paid in to help cover NBWRA expenses like consultant costs. The amount in administrative costs is specific to the cost Sonoma Water incurred for managing the Title XVI grant, which is not part of the NBWRA trust. The current balance each member agency has under Phase I and JU cannot be used to offset this expense.*
- When can we expect to receive the final reconciling invoice for Phase 1? *We are still working on this, and Sonoma Water would like to ensure the final reconciliation is as accurate as possible. This involves going back in our records to 2005 to confirm all numbers are correct. We don’t have an accurate timeline right now, but the hope is to have something in the next few months.*

### **Recommendation**

None at this time. This is an information item only.

### **Attachments**

None.

## **ITEM NO. 6 RESILIENCE ARENA STATUS REPORTS**

### **Action Requested**

None at this time.

### **Summary**

The Consultant Team will provide an update on the status of the Resilience Arena Projects.

### **Resiliency Arena 1: Recycled Water Support**

- **Grant Administration**

- City of Petaluma has been working on identifying other Phase 2 projects that might be added as a replacement for the Ellis Creek Tertiary Expansion Project.
  - Reclamation let us know that because ground had already been broken on the Ellis Creek Tertiary Expansion project before the completion of NEPA it would be ineligible for grant funding.
  - Activities with the Ellis Creek Tertiary Expansion project needed to move forward ahead of NEPA completion due to other State grant funds that had been previously awarded that had certain timelines attached to them.
- City of Petaluma is working on pulling together a revised budget that includes estimates for some of the new projects/components being added as replacement for the Ellis Creek Tertiary Expansion Project.
- This revised budget will be submitted to Reclamation for review and approval.

- **NEPA Status**

- Environmental Assessment/FONSI
  - EA made available for public review August 6 to August 20, 2024.
  - No Public Comments Received
  - ESA prepared Final EA; Posted to Reclamation Webpage
  - FONSI will be filed following completion of Federal Consultations
- Draft Biological Assessment
  - USFWS requested minor modification to two conservation measures August 9, indicating close alignment with submitted Biological Opinion.
  - Reclamation accepted modifications after consulting with ESA.
  - Anticipate Biological Opinion by October 2024.
- Cultural Resources Section 106 Addendum
  - Documentation submitted to SHPO and Tribal Representatives in May to initiate 90-day Section 106 Consultation.
  - Anticipate completion of Section 106 October 2024, getting update from Reclamation/SHPO.

- **Financial Capability Analysis Report Status**
  - The Financial Capability Analysis (FCA) Report has been submitted to Reclamation for review and approval.
  - Reclamation has a meeting scheduled with the City of Petaluma and Sonoma Water on September 9 to confirm the funding amounts being requested for each agency.
  - Reclamation is preparing a draft report to summarize their findings and planning to have it available by 9/20.
- **Next Steps:**
  - Continue to make progress on the environmental documentation
  - Plan to respond to questions or comments Reclamation might have on the FCA Report.
- **Timeline:**
  - The team hopes to have the NEPA process completed by late Summer/early Fall.
  - Reclamation is expected to provide a draft report summarizing their review and findings of the FCA Report by September 20, 2024.

### **Resiliency Arena 3: Drought Contingency Planning**

- **Project Status**
  - The Consultant team has continued to review the Drought Resiliency Analysis TM that was prepared as part of the Sonoma Water Regional Water Supply Resiliency Study (Study).
  - The Consultant team met with Sonoma Water staff to discuss the proposed project approach and gather additional information to help conduct the gap analysis.
  - Have scheduled a meeting with Reclamation to inform them about our approach to develop an NBWRA DCP.
- **Next Steps:**
  - Gather any additional documents and/or analysis that were developed for the Study and are relevant to the DCP development.
  - Continue to review available Study information and compare to Reclamation's drought framework.
  - Schedule a meeting with Reclamation to get them engaged and let them know we've started the process of developing an NBWRA DCP.
- **Timeline:** Will look to have a meeting with Reclamation in the next couple of weeks.

### **Resiliency Arena 4: Sea Level Rise Adaptation**

- **Project Status**
  - ESA has convened 4 workshop meetings with SLR Vision Agencies.
  - Final TM1 with Vision, Goals Objectives; Planning Criteria and Study Areas distributed July 9, 2024.
  - Successful Outreach to SMART, Private Property Owners, and SFEI.



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- June 26/July 17, Preliminary Vulnerability Mapping reviewed with individual agencies; Draft Criteria (BayWave) reviewed with individual agencies.
- Draft Vulnerability TM anticipated September 12, 2024.
- **Next Steps:** Adaptation Vision 1 Technical Memo
- **Timeline:** The target completion date for the Draft Vision Document has been revised to October 2024.

**Recommendation**

None at this time. This is an information item only.

**Attachment**

None.

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**ITEM NO. 7 TITLE XVI FUNDING OPPORTUNITY**

**Action Requested**

None at this time.

**Summary**

Currently, there are no member agency projects that are ready to be submitted for a funding application that is due September 30, 2024. As a consequence, this item will no longer be included in the TAC Agenda. It will be added when the next funding opportunity is announced by USBR.

**Recommendation**

None at this time. This is an information item only.

**Attachment**

None.

**ITEM NO. 8 STATUS OF CONSULTANT AGREEMENTS FOR FY2024/25**

**Action Requested**

None at this time

**Summary**

The FY2024/25 Budget was approved by the Board on June 24, 2025. The budget included the following:

<b>Contract</b>	<b>Amount</b>	<b>Project</b>
Brown & Caldwell	\$150,000	Continued Recycled Water Support
Brown & Caldwell	\$87,488	Sea Level Rise Adaptation
Weir Technical Services	\$0	Program Management (using carryover funds)
Sonoma Water	\$92,537	Administration
<b>Total</b>	<b>\$330,025</b>	

The no-cost extension of the agreement through December 31, 2024 with Weir Technical Services was approved by Sonoma Water on August 9, 2024. The extension was an administrative item that did not need to be approved by the Sonoma Water Board of Directors.

Sonoma Water will report on the status of the Brown & Caldwell agreement. The agreement also includes funds for ESA and Data Instincts.

**Recommendation**

None at this time. This is an information item only.

**Attachment**

None.

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**ITEM NO. 9 PLANS FOR NEXT BOARD MEETING**

**Action Requested**

The next Board meeting is scheduled for Monday, September 30, 2024 at 9:30 a.m. via Zoom.

**Summary**

The Board should be updated on the following:

1. Status of Phase 1 closeout and reconciliation.
2. Status of Phase 2 projects.
3. Status of the Resilience Area projects
4. Financial Report
5. Status of consultant agreements for FY2024/25
6. Plans for Replacing the Program Manager
7. Other Items

**Recommendation**

Discuss plans for the Board meeting scheduled for September 30, 2024 at 9:30 a.m. via Zoom.

**Attachment**

None.

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**ITEM NO. 10 PROGRAM MANAGER REPLACEMENT OPTIONS**

**Action Requested**

Discuss options for replacing the retiring Program Manager.

**Summary**

Sonoma Water staff and the TAC will discuss options for replacing the Program Manager, who is retiring. His agreement ends December 31, 2024.

**Recommendation**

None at this time. This is an information item only.

**Attachment**

None.