

California Bay-Delta Authority Committee  
Drinking Water Subcommittee  
Draft Minutes  
Meeting of August 22, 2003

The Drinking Water Subcommittee met on August 22, 2003. Co-chair Greg Gartrell welcomed the group and introduced co-chair Marguerite Young, who participated in the meeting via telephone. Meeting participants introduced themselves. A list of attendees from the voluntary sign-in sheet is at the end of this document.

***Meeting Summary***

Draft Minutes June 27, 2003

The Subcommittee reviewed and approved the minutes from the June 27 meeting without additional comment.

Bulletin 160 Meetings Update

Tom Zuckerman provided the subcommittee with a brief report on the Bulletin 160 (B160) meetings held to date. A summary of the B160 Water Plan Update Water Quality Workshop held on June 26, 2003, was provided to meeting participants. Drafts of the three narratives which were discussed at the June 26<sup>th</sup> meeting were also distributed. Tom noted that other members of the Drinking Water Subcommittee and its implementing agencies have participated in the B160 meetings, including Martha Davis, Lynda Smith, Elaine Archibald, and Carolyne Yale. Tom reported that the purpose of the meetings is to develop remedies to the State's water problems, through a comprehensive, collaboratively-based outreach program with all the appropriate stakeholders. The overriding question being addressed is "How will the needs of the state be met regarding water and water quality?" Looking not only to State and Federal sources for recommendations, meeting participants also brainstormed ways of involving local governments and public advisory committees (PACs). Tom reminded the subcommittee that the B160 group is very similar in scope and purpose to the Drinking Water Subcommittee, only they examine issues and solutions on a state-wide scale (not just within the CBDA solution-area). John Andrews with DWR, who used to be the head of the Drinking Water Council which later became the Drinking Water Subcommittee, has been very involved drafting several chapters of B160, thus there is a great deal of common language, strategies, and tools familiar to the DWS in the documents. Tom feels that the B160 group and the DWS are on similar and supportive tracks towards improved drinking water quality objectives. Tom noted that the first four or five chapters of the Bulletin are to be drafted and completed by early 2004.

Martha Davis reiterated that the first chapters are currently in a draft/public-review stage, thus she encouraged DWS members to visit the DWR website to review all of the chapters and provide input to DWR. Martha recommended that readers pay particular attention to the issues and suggestions identified in their specific region. She encouraged subcommittee members to see if something similar to the ELPH strategy is discussed adequately in the chapters. Martha also asked DWS meeting participants to consider the tools needed for planning or assessing issues for the next Bulletin 160 regarding groundwater supply and quality.

A subcommittee member asked if water recycling was being included or considered in the B160 discussions. Tom responded that many issues are being considered, including water recycling.

### California Watershed Council Update

Martha Davis reported to the group on the recent establishment of the California Watershed Council, which had been formed by the Resources Agency and the California EPA to address the implementation of funds from Propositions 40 and 50. A Memorandum of Understanding (MOU) was formed between the Resources Agency and Cal EPA, required by the Watershed, Clean Beaches, and Water Quality Act of 2003, authored by Assembly Member Fran Pavley. Martha distributed a letter describing the Council and announcing its inaugural meeting on August 28<sup>th</sup> at the Cal/EPA Building in Sacramento. The agenda of the first meeting is on the reverse side of the letter. As part of the MUO, the agencies are establishing the Council, a partnership of state agencies, the public, regional and local watershed organizations, interested federal and local governmental agencies, tribal nations, water management organization groups, and other organizations. The purpose of the Council is to provide advice and recommendations to Cal/EPA and the Resources Agency on the development of California's watershed programs, and to serve as a forum for problem-solving. The Council has an open membership, and is chaired by Mary Nichols, Winston Hickox, and Martha Davis. About 200 people are expected at the meeting on August 28<sup>th</sup>; many are curious about the funding and guidelines of Propositions 40 and 50. Martha expects that the Council will form Working Groups to tackle priority issues, such as funding. She repeated that anyone could attend meetings of the Council, however the Council wants participants who are committed and who will do work.

Co-chair Marguerite Young stated that someone from the DWS needs to commit to attending these meetings and speak on behalf of the CBDA's Drinking Water Subcommittee. Greg Gartrell speculated that someone from his agency (Contra Costa Water District) would regularly attend Council meetings. Martha recommended waiting until the Working Groups had been formed so that members could be placed in appropriate areas of concern and be most efficient.

***Action Item:***

*Appoint someone from DWS to attend California Watershed Council meetings.*

### Central Valley Drinking Water Policy Update

Karen Larsen (CVRWQCB) and Elaine Archibald (CUWA) presented to the subcommittee a draft Power Point presentation discussing the background, current framework, and general overview of the Central Valley Drinking Water Policy. A final version of this presentation will be shown at a workshop on the issue to be held at the CVRWQCB on September 5<sup>th</sup>. Elaine explained that the water resources issues being examined by this Policy covers nearly the entire state of California. The current regulations and policies regarding drinking water quality in the area include the Clean Water Act, the Safe Drinking Water Act, and the Sacramento and San Joaquin Rivers Basin Plan. Elaine added that these policies do not appear to be adequately protecting drinking water. She explained the multiple barrier principle, which provides for three areas of protection: source protection, treatment effectiveness, and distribution integrity. The CVDWP Work Group was formed in 1998 and it includes various stakeholders. It has technical Work Plans and resources (funding).

Regarding the policy development process, there is a technical work plan, which should become a Basin Plan Amendment developed by 2007 (although the ROD dictates it be completed by 2004). The Regional Board has the responsibility to demonstrate progress and commitment towards policy development. They expect to have a draft completed in fall 2003, revised and to the Board by mid-2004. September 5<sup>th</sup> will be the first presentation for the Board.

A meeting participant was informed that the regulations regarding anti-degradation have been included. A subcommittee member asked how the Work Group had been selected. Elaine and Karen explained that CUWA and SRCSD had formed the original work group, and asked others to join to represent specific stakeholder groups, such as agriculture or storm-water run-off representatives. The final work product for the Regional Board will be the Basin Plan amendment that may be more narrative in policy versus setting specific numerical standards which may not be attainable. Members of the DWS and meeting participants offered additional advice to the presenters regarding the Power Point show after the DWS meeting adjourned.

#### Napa Agreement Report

Tim Quinn, scheduled to speak on this agenda item, was unavailable to attend the DWS meeting this month, and requested that the Napa Agreement report be deferred to the next meeting. Greg Gartrell announced that he had attended the CBDA's Water Supply Subcommittee meeting the day before (August 21<sup>st</sup>) where he had mentioned the Napa Agreement and issues regarding the EWA while he presented on the Drinking Water Policy Framework. Marguerite asked Eugenia Laychak if an update on the Napa Agreement could be placed on an upcoming CBDA agenda. Eugenia agreed that the issue should be taken up by the CBDA and that she would discuss it with them.

#### Regional Planning in Progress

At the last DWS meeting in June, several participants were interested in hearing about regional planning in progress. Particularly, they were interested in learning how the ELPH strategy was being implemented. No one present at this meeting was prepared to make a report. Additionally the group recognized that the subcommittee member who had requested that agenda item was not present, nor were the two members who had indicated having some knowledge of the subject. The item was deferred to the next DWS meeting.

#### ***Action Item***

*Sam Harader, Greg Gartrell, and Marguerite Young shall brainstorm about a regional planning presentation to occur at a later DWS meeting.*

#### Grant Possibilities for Regional Planning

This item was also deferred to a future DWS meeting.

#### DHS and SWRCB RFP -- Plans and Criteria

According to a DHS representative at the meeting, DHS RFP criteria should be ready by October. Like many other agencies, DHS is facing on-going staffing problems with many vacant unfunded positions. As part of the pre-meeting materials, the SWRCB RFP criteria related to the CALFED Drinking Water Quality Program for funding projects under Propositions 13 and 50 was distributed. Sam Harader reviewed the Program priorities and project selection criteria which are listed in Attachment 8 in the SWRCB RFP. This information can also be found on the SWRCB web site. It was recommended to distribute Proposition 50, Chapter 5, Attachment 8 again before the next DWS meeting so that members can review the criteria more thoroughly. Marguerite suggested adding examples to Attachment 8.

#### ***Action Item:***

*Sam will distribute Proposition 50, chapter 5, attachment 8 to DWS meeting participants so that a clearer discussion regarding DWQP criteria can occur at the next meeting.*

#### CBDA and BDPAC Meeting Updates

Eugenia Laychak informed the subcommittee of upcoming meetings of the California Bay-Delta Authority and the BDPAC that should be of interest to the DWS. She reported that on December 11<sup>th</sup>, a joint BDPAC/CBDA meeting will be held to review 2004 priorities. Potential agenda items for that meeting include agricultural water measurements, the issue of In-Delta storage, and PSPs. In the event that there are sufficient issues to discuss, organizers are considering holding the meeting over two days. On October 9<sup>th</sup>, the CBDA will meet to provide recommendations and review coordination among the subcommittees. On September 11<sup>th</sup>, a BDPAC meeting will access Year 3 progress towards balanced invitation, provide an overview of 2004 funds for water bonds and propositions, and an overview of the Bay-Delta program and activities. The BDPAC will also look at program accomplishments, water operations, and the California Water Plan Update - *Water 2025*. The BDPAC has requested feed-back from specific subcommittees, such as water storage and conveyance. For other subcommittees, such as the DWS, the BDPAC will want to review its activities, including the DWQP and the Policy Framework. Greg noted that the Water Supply Subcommittee recommended working with DWS on In-Delta storage. It was noted that the Environmental Justice Subcommittee also wants to become more involved in the In-Delta storage issues. Eugenia recommended forming the 2003 Assessment Working Group immediately and start working on this requirement of the ROD. She suggested keeping the BDPAC apprised of the short timeframe available for completing this task.

#### 2003 SWRCB Drinking Water Quality Grants

Sam Harader provided the subcommittee with an update about the 2003 SWRCB CBDA Drinking Water Quality grants. The list of projects that were advanced towards full proposal status include: 17 agricultural grants, eight watershed projects, six science-research studies, two urban grants, one exchange project, and one educational program. A regional breakdown of the grants that were forwarded reveal that 16 are in the San Joaquin area, five are considered statewide, five are in the Delta region, four are in the Sacramento Valley, three are in Southern California, and one is in the Bay Area. Sam referred meeting participants to the SWRCB web site for additional details regarding grant specifics. Marguerite Young requested that the applicants include the ELPH strategy in their proposals, or stress how their projects forward the ELPH strategy. She suggested that the reviewers should give direction to applicants about the ELPH strategy, if needed. Marguerite also asked if the DWS had any money to distribute for grants. Sam responded that the DWS does not have grant money available.

#### Nominal Group Technique (NGT) Workshop Follow-Up

Marguerite Young proposed that this agenda item be deferred until the next DWS meeting. She requested that, if possible, the two co-chairs, Sam Harader, and Karen Schwinn could have a sub-meeting before the next DWS meeting to discuss the salient points of the workshop. Marguerite also requested that members and participants of the DWS who attended the NGT Workshop thoroughly review the summary document and submit in writing a one-page summary of the workshop, the document, and how NGT might assist the DWS in its next steps towards finalizing their strategic and policy goals. It was requested that NGT Workshop participants e-mail their short reviews to Sam Harader and the co-chairs prior to the next DWS meeting.

#### ***Action Item***

*NGT Workshop participants should e-mail to Sam Harader and the co-chairs a one-page summary of how NGT can benefit the DWS and assist with the group's next steps.*

### Policy Framework Update

Co-chair Greg Gartrell reported that he had presented the draft Policy Framework to the CBDA Water Supply Subcommittee meeting the previous day (August 21<sup>st</sup>). Materials for this DWS meeting included a revised Policy Framework reflecting suggestions made by DWS members at the previous meeting in June. Also included in the meeting materials were the original draft Policy Framework with the changes Greg had made, and the attachment of examples of impacts and mitigation strategies from the CALFED Programmatic EIS/EIR. Greg briefly reviewed the edits to the Framework, calling to attention the changes in items 4c and 4d.

Rick Soehren of DWR provided meeting attendees with a handout entitled Proposed DWR Edits to DWQ Policy Framework (8/22/03). Rick explained that the main concerns of DWR centered on items 4c and 4d. He reviewed the proposed changes, which included striking out some of the language of 4c and providing additional verbiage. DWS members agreed to the change the wording of 4c as offered by DWR. Regarding 4d, Rick explained that DWR day-to-day operations simply could not abide with this policy in its current text which reads that water quality impacts should be considered "on equal footing" with water supply and fishery impacts. DWR recommended, and the subcommittee agreed, replacing "on equal footing" with "concurrently". A meeting participant suggested striking the second "should" in that sentence, so it would read "...should be balanced and consider water quality impacts concurrently with water supply and fishery impacts." DWR also requested that the last sentence of 4d be omitted completely, however, a meeting participant suggested adding the words "where appropriate" after "mitigation should be provided" to make that policy more acceptable.

Regarding 4c, a subcommittee member suggested that it might be useful for the DWS to encourage drinking water quality models. This subcommittee member strongly recommended establishing these models or strategies and encouraging their implementation. He also felt that some type of public health index should be determined. Sam Harader responded that there are many efforts to establish models such as that, and stated its inclusion could be possible. Rick informed the group that DWR is developing many forecasting tools for real-time day-to-day operations. He added that comprehensive modeling is a goal of DWR, but that the Department is concerned that the policy might be getting ahead of the technology. Rick stated it would be practically impossible to do mitigation on a daily basis. A subcommittee member suggested creating a model to link water quality on a long-term basis, and to examine treatment technologies. Rick reiterated that day-to-day mitigations are not currently possible, but perhaps a compromise could be arranged, such as a monthly report. DWR's Director presently receives a monthly report outlining Department operations, and this could be where operational concerns are listed. It was requested that the Director reports with that addition be posted.

#### ***Action Item***

*Greg Gartrell will implement the comments suggested by DWR and DWS meeting participants under 4c and 4d and re-circulate the Policy Framework to DWS members.*

### Task Force Creation for ROD 2003 Assessment

Sam Harader provided meeting participants with a proposal for conducting an "Initial Assessment of Progress" that is required by the ROD at the end of 2003. Sam stated that the assessment needs to focus on water quality targets, and will most likely require the services of a consultant

since the report needs to be completed in a fast but thorough manner. Sam proposed that that a work group be formed to give direction to the consultant. He suggested a small work group of five to six people, comprised of himself, one DWS member (Tom Zuckerman volunteered), one additional member selected by the DWS, and one member from each of the implementing agencies (EPA, DHS, and SWRCB). The end product would be a detailed report approximately 30-40 pages long, that would review of each goal in the ROD and re-package them.

Tom Zuckerman suggested a review of the grants that have received funds, and which projects have been successful. Sam responded that a large part of the document would be an update of the database of DWQ projects (approximately 30), and the progress of those projects. Sam hopes the consultants and report would give the Authority real feedback and direction. A participant of the meeting suggested that more than five on the work group might be needed to help guide the consultant, the choice of which will be crucial. Another recommended listing lessons learned, difficulties or obstacles of the ELPH strategy, and other levels of risk.

Sam stated that he wants to commence the work group activity before the next DWS meeting, and noted that the RFP for the consultant would most likely come through ABAG (Association of Bay Area Governments). Sam requested that members suggest appropriate consultants to him ASAP. In addition to Tom Zuckerman, it was suggested that perhaps Elaine Archibald help with the work group.

***Action Item***

*DWS participants should suggest consultants appropriate for the 2003 Assessment to Sam Harader as soon as possible so that the work group can be formed and started.*

**Public Comment**

Greg Gartrell announced to the group that Bob Neufeld was not able to be present at this meeting because his water district is suddenly being faced with a perchlorate problem. Greg suggested that the perchlorate issue be put on the agenda of the next DWS meeting.

***Action Item***

*Determine who could give a presentation about perchlorate, perhaps at the next DWS meeting. Lynda Smith volunteered that Metropolitan Water District might be able to provide a report.*

Sam Harader announced that budget issues were of concern, and he was not sure if they would have the support resources needed to have a meeting in September. He also reported that all meetings would have to be held in Sacramento, since a travel budget is not available. Greg Gartrell suggested that perhaps someone from his agency (CCWD) could assist with meeting preparation, and also that CCWD has a contract with PAM for support which might be transferable.

**Next Meeting**

September 26, 2003. In Sacramento at the CBDA offices at 9 a.m.

**Agenda for September 26, 2003**

NGT workshop summary  
Discussion of Attachment 8 (SWRCB RFP criteria)

Napa Agreement Update

Update on 2003 Assessment Work Group

Report on grant possibilities for regional water quality planning

Regional planning in progress update/report/presentation

Perchlorate problem issues and technology

**Partial List of Attendees for the DWS Meeting 08-22-03**

**The following Subcommittee members attended the meeting:**

1. Martha Davis
2. Greg Gartrell
3. Ruben Robles
4. David Tompkins
5. Kevin Wattier
6. Marguerite Young (via telephone)
7. Tom Zuckerman

**Other meeting participants:**

8. Elaine Archibald
9. Elizabeth Borowiec
10. Brian Campbell
11. Anna Fock
12. Dave Forkel
13. Sam Harader
14. Ed Horton
15. Syed Khasimuddin
16. Eugenia Laychak
17. G. Fred Lee
18. Terry Macaulay
19. Lee Mao
20. Frank Roddy
21. Rick Soehren
22. Lynda Smith
23. Phil Wendt