

California Bay-Delta Authority

Environmental Justice Subcommittee

Bay-Delta Public Advisory Committee
CDBA Delta Conference Room

December 12, 2003 - 10:00 a.m. – 12:00 noon

Meeting Summary

I. Welcome and Introductions

Dr. Henry Clark, West County Toxics Coalition and Cal EPA EJ Committee, acting as the Subcommittee's Interim Co-Chair, welcomed the group and had each participant introduce themselves.

Those present were:

Alisha Deen: EJ Coalition for Water
Eugenia Laychak, CBDA adviser to BDPAC
Jana Machula, CBDA Science Program Coordinator
Ken McGhee, CBDA EJSC coordinator
Ernie Merrifield, Round Valley Reservation
John Olson
Irenia Quitiquit, CBDA Tribal Coordinator
Michiyo Sakamoto, EJ coordinator for surface storage programs, Dept. of Planning and
Local Assistance, Department of Water Resources
Patrick Wright, Director, CBDA

Others in attendance:

Keith Coolidge, CBDA Director of Communications
Heidi Rooks, Assistant to the CBDA
Olene Chard, CBDA support and meeting note taker

Ken explained the light attendance was partly due to a water planning meeting being held. He had received comments from some of those who would miss today's EJ meeting.

II. Previous Meeting Notes and Agenda Review

Approval of the previous meeting's notes compiled by Judie Talbot would be tabled to the next meeting when more members would be in attendance and there had been time to review the detailed notes. Later in the meeting, it was requested that the notes be distributed more quickly after the meetings. Ken explained there are no resources to directly staff this activity, and he has had to rely on volunteers.

Action: The draft notes of the November 14, 2003 meeting will be posted on the web and will be considered for approval at the January 9, 2004 meeting.

III. Discussion Items

California Bay-Delta Authority and the Bay-Delta Public Advisory Committee Meeting

Patrick Wright was asked to highlight the first joint meeting of the California Bay Delta Authority and the Bay Delta Public Advisory Committee, which was held the previous day. Patrick said the morning was largely spent on a panel discussion of improvements in the Delta and evolving uses in the Delta. The afternoon session included a lengthy discussion on Program progress towards maintaining balance. He said the BDPAC members want to empower Authority staff to work more closely with the agencies. He noted that the EJ Committee had a pretty good attendance at its previous meeting. He strongly urged that the new membership be established in the near future and that the Subcommittee should make sure to look to the Authority to get the kind of clout needed for moving forward. Ken said one of the BDPAC members suggested that the CBDA should fully utilize the subcommittee process in order to be responsive the concerns of CBDA and BDPAC members. Ken added that there seemed to be a good response at the joint meeting to seeing all programs getting started on performance measures and that Patrick wrapped up yesterday's discussion on balance by saying performance standards are underway.

Action: A final draft of the membership proposal will be on the next meeting's agenda for discussion.

Authority Program Plans

At a recent CBDA Program Managers' meeting, the format for the next version of Program Plans was discussed. This new version will have separate heading entitled "Environmental Justice" and some other areas. Ken believe this is an important step that will help clearly identify what Programs are doing related to EJ, and will further encourage Programs to seek out EJSC guidance in completing the sections. The other subcommittees are looking to this body to tell them what they can do to show how to integrate environmental justice into their programs. Ken reiterated the importance of all of us attending other subcommittee meetings and reporting back to this one.

Action: Examine past years's Program Plans on the CBDA website (www.calwater.ca.gov).

Resignation of Co-Chair

Alisha Deen delivered Leslie Lohse's formal resignation letter to Ken. Ken noted that the resignation made an "official void" in the leadership structure. Dr. Clark has unofficially chaired three meetings, but cannot currently be appointed to the position because one requirement is that every subcommittee chair and co-chair be a member of BDPAC.

EJ Mailing List / Listserve

There are currently 803 names on the electronic list, and approximately 250 on the postal mailing list.

Action: It was suggested that a questionnaire be sent to all the interested parties to update the list. The questionnaire should ask if they would like to continue receiving notices or if they would like their name removed

A. Review revisions and edits to EJSC [Work Plan](#)

Ken said Paula Daniels had communicated a number of edits. He noted that Strategies 1a and 3a are the only ones that are completed. Eugenia added that Item 2c should read “Process for 2005/Year 5”. Dr. Clark asked if these were two-year Program Plans. Eugenia answered that there will be a multi-year Program Plan for Years 5, 6, 7 and 8 and then there will be a more detailed Annual Plan done for Year 5.

Ms. Quitiquit asked if the accomplishments were going to be listed. Eugenia suggested that those be included in the “Status” column.

Action: Dr Clark instructed the subcommittee to send comments to [Ken McGhee](#).

Eugenia asked how the Work Plan is going to be used. Ken said that basically the narrative has not changed in the last few years, but they may now want to prioritize the line items.

Action: Post the revised Draft [Work Plan](#) on the web and mail to Merrifield and Ohlson.

Dr. Clark held up a brochure about Mercury concerns. He says his agency works with a lot of organizations that relate to people fishing in polluted water and the health impacts from mercury exposure. The article did not give acknowledgment to CALFEDs contribution to production of the brochures in several different languages.

Action: Dr. Clark had only a single copy. Ken said he would make it available to the group.

Action: Ken suggested that mercury strategies would be something that could be added to the performance measures. Ms. Quitiquit said that ERP has done that in their performance measures/[Program Plan](#).

Ms. Machula took this opportunity to invite the subcommittee to attend the CBDA Science Program workshop on February 4-5 entitled, “[Contaminant Stressors in the Bay-Delta Watershed](#)”. It anticipated that the workshop will provide a forum to discuss pressing issues regarding aquatic contaminants from a scientific and resource management perspective and identify the “next-step” unknowns that need to be addressed

to assess contaminant effects on populations of critical species. She said they hoped to have a draft agenda on the website next week.

Ms. Machula also announced the CBDA Science Conference 2004 to be held October 4-6. Ken noted that currently there is no mention of environmental justice in the Science Program. Ms. Machula referred to an email from Kim Taylor to the Authority Program Managers, which contained Anke Mueller-Solger, Ph.D.'s summary of 2004 Science Conference Planning. Dr. Mueller-Solger is with the Office of Water Quality in DWRs Division of Environmental Services. Ms. Machula will forward an email from Dr. Sam Luoma, which contains suggested Conference speakers. In answer to Dr. Clark's question about the attendees, Ms. Machula said it is mostly scientists.

Ms. Quitiquit invited the subcommittee to attend an all-day conference _____ A call to end in June. They are trying to have environmental justice be one of the morning topics.

B. Draft EJ Performance Measures for CBDA

Ken received an email from Lauren Buffaloe, CBDA ER Program. He read, in part, her remarks:

- She felt the document reads more like a list of goals and objectives rather than a list of measures of effectiveness. We need to have a way to assess outcomes much like a scorecard to quantify results. Tighten them up.
- She doesn't think they should be stated in a question format

Action: Contact ERP Subcommittee Co-Chairs. Gary Bobker is out of the country, but this Subcommittee could continue the dialogue with Grant Davis. The ERP Subcommittee is looking for this Subcommittee to tell them what to do.

Action: Areas to look at more closely:

- Mercury funding
- I was hoping to see more analysis
- Grant criteria should be available to all communities. We need to have stronger role in the grant criteria. Ms. Quitiquit said there is not enough outreach—the tribes do not know. Ms. Deen suggested doing an EJ analysis to find out what the problems are. Mr. McGhee suggested that there may need to be a series of workshops to walk people through the process.
- Go to more meetings and get on the agenda

Ken noted that Robinson Rancheria is trying to bring the agencies on Clear Lake together to come up with quantifiable measures.

Ken said he would like to see a few meet to word smith and tighten up this document. Lauren Buffaloe would want to be a part of this.

Eugenia suggested a number of performance measures for assessing success of integrating environmental justice into the Proposal Solicitation Process.

- How many proposals were received?
- How many were funded?
- Did they meet the intended results?
- Was there outreach?

Peter Jacobsen, Metropolitan Water District of Southern California, emailed a number of suggestions regarding the Draft Performance Measures:

- Priorities would be desirable.
- EJ be presented as a statewide/Solution Area issue.
- Water Transfer section would benefit from additional attention.
- Be consistent with DOJ's explanation regarding the public rights in water.

Ken had an opportunity to review the Drinking Water Quality proposals:

<http://www.swrcb.ca.gov/funding/docs/2003rfcp.doc> He suggested the more the Subcommittee can be at the table during the review process and to ask them what their EJ plan is/

Ms. Machula suggested that EJ be clearly stated in the priorities of the PSPs and have integration with the Program Plans and exactly where the meeting of these two are.

Dr. Clark asked if there are clear statements about EJ in the PSPs. Ken said they are in those of the DWQ and Watershed Programs.

Action: Eugenia asked that they get copies of that criteria in the DWQ and Watershed Proposals for next meeting. She added that the Draft Water Use Efficiency PSP was included in the 12/11/03 BDPAC and CBDA meeting and is available as [Agenda Item 9A](#) in the meeting packet material posted on the website. She said the draft proposal will be up for a 30-day comment period and released February 26, 2004 by the Department of Water Resources.

C. Draft Membership Proposal for EJSC

Ken suggested that the membership structure be changed from open to definite members. Eugenia said that recommendations for subcommittee co-chairs and members go to Gary Hunt for signature.

Action: Start creating a list of names. Eugenia suggested working with Patrick Wright and Gary Hunt, so that staff could have recommendations ready. She advised the Subcommittee co-chairs be comfortable with a slate of recommended Subcommittee members to help ensure a good, working Subcommittee.

Action: Take a look at [Cal EPA protocol](#) about the set up of its advisory committee.

Travel Reimbursement

Martha Guzman had asked Ken him to check with CALFEDs legal counsel about reimbursement of costs to come to these meetings. The Committee members are paid through the Federal reimbursement process, because it is a Federally chartered body. The Subcommittee though does not qualify for Federal reimbursement

Action: Per Ms. Sakamoto suggestion, contact Cal EPA to see how they are able to do it.

D. Draft Goals and Objectives for CBDA

Ken said that these come directly from the ROD. Lauren and other suggest merging the goals and objects and performance measures and then prioritizing them.

Action: Meet on Monday, December 15 and 22 from 1 – 5 p.m. at CBDA to bring these two documents together. Participants to include: Lauren Buffaloe, Linda Cole, Alisha Deen, Irenia Quitiquit and Ernie Merrifield.

IV. Local Issues / New Business / Announcements

Announcements:

Henry Clark showed a newspaper article on North Richmond/saving the shoreland

Mr. McGhee: Putah Creek Council: Salmon Have Returned to Putah Creek.

Action: Reserve van

Alisha: January 12 Environmental health bills

2/11 legislative and electoral presentation targeted

V. Adjourn - Next Meeting Date: January 9, 2003 at 9 a.m. – Note early start time
Meeting adjourned at 12:20