

**California Bay-Delta Public Advisory Committee
Environmental Justice Subcommittee Meeting Summary
May 10th, 2002
Resources Building, Room 1131
Sacramento, CA
Meeting start: 10:10 a.m.**

- Welcome and Introduction by Martha Guzman (EJ Subcommittee Co-Chair)
- Announcement that Martha Davis, the Watershed Subcommittee Co-Chair, will participate via telephone
- Request for comments to the notes from last month's meeting. These notes and the California Bay-Delta Public Advisory Committee (BDPAC) packet will be posted on the CALFED web page. Notes from meetings will be provided to all participants and available on the CALFED web page expediently. Workshop notes, with exception of the Richmond Workshop, have not yet been transcribed because of resource issues.

Integration with CALFED Program Elements

Water Use Efficiency Program – guest speaker:

Tom Gohring, CALFED Water Use Efficiency Program Manager

- For the purpose of encouraging a dialogue between the committee and the speakers, no formal presentation was prepared. The concept for the program from the CALFED ROD to the implementation stage is to support local programs and practices that support the four CALFED objectives: 1) ecosystem restoration, 2) improving drinking water quality, 3) improving the levee system and 4) water supply reliability.
- The agricultural program links water quantity and timing. The goal is to increase the usable water supply through reduction of diversion and an increase in stream reaches.
- The urban program involves funding local programs with grants and loans. This presents a potential connection in EJ communities because of the 3 pronged approach: 1) local programs, 2) good science (verifying benefits) and 3) a set of assurance packages. Urban issues require a more regulatory approach, certifying best management packages.
- Tom Gohring expressed agreement with the Potential Environmental Justice Issues chart. The link between EJ issues and Water Use Efficiency is avoiding negative impacts. An example of this is technology-based canal systems impacting agricultural labor.
- One notable success story is the Mothers of East LA water resources/toilet rebate program. However, EJ concepts are often not understood by the people looking at proposals, thus not everything is being done to be sensitive to EJ issues.
- EJ Subcommittee members interjected with a discussion of EJ policy and its role beyond mitigation. The subcommittee addressed the deficiency in the proposal process, where projects that do not necessarily fall under one particular program description go unsupported. For example, a Community Service District proposal to increase water use efficiency with groundwater recharge, while also improving water quality of the aquifer, did not receive funding from the Water Use Efficiency Program and fared very low in the Conjunctive Use proposal process. Tom responded that the objective is to spend money wisely. The effect is that only projects that match specific criteria are funded. The issue is that a process for sharing resources has not been institutionalized.

- The EJ Subcommittee commented that beyond mitigation and avoiding disproportionate hardships, another aspect of EJ is proactive implementation. For instance, at-risk young adults can participate in proposals.
- Tom suggested that methods for writing requests for proposals should not close doors to urban, minority or low-income communities. The EJ Subcommittee commented that the engagement of communities that have not been involved in the past with water issues at the local level is the goal of integrating the CALFED programs. The goal is also to make sure that the same communities that have always received funding do not continue to receive funding without regard to other communities just entering the process. Bay View/Hunters Point was identified as a key location in the SF Bay Area where a technology-based water use efficiency program could be very effective because of the high rate of home ownership.
- The group discussed the multi-step process for involving EJ communities in the funding process. The steps identified were 1) letting people know about the program, 2) providing assistance and help with preparing the proposal and 3) evaluation. The group determined that the programs are still in the incipient stages of determining how to reach and inform communities and provide technical assistance. The EJ Subcommittee suggested that “capacity building” should be incorporated. It behooves CALFED programs to recognize that minority population such as American Indian tribes can provide inside knowledge on how to best utilize resources. School education was identified as a starting point for informing and engaging communities.
- The EJ Subcommittee asked for guidance on how to most effectively work with the Water Use Efficiency Program. Tom suggested that an EJ member on the Water Use Efficiency Subcommittee would be a good start. The group agreed that linkages between the 2 programs are substantial. The Co-Chairs of the EJ Subcommittee agreed to set up a meeting with the Co-Chairs of the Water Use Efficiency Subcommittee, this would be an open forum with the public invited. Martha also accepted the action step to contact Gary Bobker, a BDPAC member from The Bay Institute, to hold an Environmental Justice meeting with the BDPAC (see Action Items Chart on p. 8). The group determined that EJ education need to extend to BDPAC.
- The group began a discussion about the necessity for cooperative pro-action. If EJ communities are not aware of opportunities, ensuring their involvement may need to be action from the top down. A suggestion was presented that a designated percentage of proposal funding could be set aside for EJ communities. The group discussed the possibility that this action could require legislation and whether the EJ Subcommittee would be willing to pursue the implementation. The Subcommittee considered that identifying tangible targets for integration of EJ could set up a quantifiable scenario for determining progress. A suggestion to create a minimum percentage (such as 5%) of proposal funds going to EJ communities sparked the conversation that this could be beneficial because it could function as an opportunity to see how and if the number could be reached or why it could not be reached. The possibility that a minimum percentage could be limiting to the potential number of dollars allotted to EJ community proposals was also discussed.
- The group discussed the common ingredients of successful projects in low-income, rural and minority communities (i.e. cleanup of former log mills, Mothers of East LA). The ingredients identified were 1) a linchpin person with vision and influence and 2) an external, community-based organization to frame the program.
- Tom accepted the requests of the EJ Subcommittee to 1) look into the possibility of setting proposal funds aside to EJ communities, 2) provide technical assistance and 3) follow through on putting EJ representatives on the Water Use Efficiency Subcommittee. Tom did express concern about resource constraints. The group agreed that coordination between subcommittees will help with the integration of EJ and that EJ could be a forcing function within CALFED.
- The EJ Subcommittee asked when the next proposal solicitation package (PSP) will be issued for the Water Use Efficiency Program. Tom responded that no funding is available for the next PSP, however

a water bond will be on the November ballot. If funding comes through, the next PSP will be in fiscal year 2004.

- Tom emphasized that the WUE Program Plan is a work in process and intended to be co-invented with public advisory participation. Tom suggested that the members of EJ Subcommittee review the document and provide comments. The next Water Use Efficiency Subcommittee meeting is on June 24th, 2002.
- The group returned to the subject of determining a minimum percentage of proposal funds for EJ community projects. Suggestions for setting this up included formulation of a structured request will validate the action at the higher levels and looking at what types of programs have received PSP funding in the past gives insight into an appropriate percentage. The group determined that solicitation and recruiting activities could be effective if lists of EJ communities, projects and allotted funds are created and utilized. As a starting point, the State Board has a list of “small, disadvantaged communities,” as defined by population and median income, for regulation of Prop. 13 funds.
- The group segued into a discussion of coordinating meetings and schedules with the Water Use Efficiency Program. The group proposed coordination between EJ and other programs at community events. The group discussed several success stories including Santa Clara County, The Regional Task Force, Hunters Point and Association of Bay Area Governments. The Colorado River project (Dr. Susan Michaels) is a point of interest because of labor rights issues. Another significant EJ issue is tribal water rights. The group agreed to look into these organizations and projects to see how EJ is being incorporated.
- The EJ Subcommittee asked about the effectiveness of previous CALFED EJ Training. Tom commented that including EJ as a “case study” at an already planned event would be more effective. A participant from the Watershed Subcommittee commented that demonstrating successful projects and program momentum would propel the integration of EJ. When other programs see that the EJ constituency is willing to do something, they will want to be involved.

Watershed Program – panel included:

John Lowrie, CALFED Watershed Program Manager

Martha Davis, Watershed Subcommittee Co-Chair (via speaker telephone)

Robert Meacher, Watershed Subcommittee Co-Chair

- John Lowrie provided a Venn diagram to demonstrate the integration between 1) watershed communities’ (often farming communities, people of color) interests, goals & objectives 2) CALFED Program overall objectives and 3) tools such as technical assistance, education & outreach, contracting and review of proposals. The panel reported that EJ and Watershed have the strongest connection because of stakeholder and community involvement. Typically communities are invested in watershed issues because the watershed is essential to their livelihood. Tweaking of the tools can ensure more sensitivity to goals of full integration of EJ in every project. The EJ Subcommittee can encourage support of community-based efforts with specific EJ criteria for funding.
- The EJ Subcommittee asked for a specific definition and defining geographic range of a watershed. The Subcommittee also asked how the Watershed Program has evaluated EJ issues coming up in their projects and areas. The Watershed panel responded that narrowly focused projects without community involvement do not receive funding. The group agreed that this process should be a model for PSP selection. The Watershed panel reported that the Drinking Water Quality Program and the Watershed Program worked together and went outside CALFED to establish this approach. The two programs had to jointly solicit the approach to the State Board and still the agencies are not fully convinced. However, the agencies are sold on soliciting concept proposals. Within a competitive framework, these concept proposals would develop into full proposals with the help of technical assistance provided by the programs.

- The EJ Subcommittee asked if the Watershed Program had identified specific geographical areas where they are not participating in projects. The Watershed panel responded that these areas have not been identified and that the program is in the initial implementation stages of learning more about where to extend the program. The goal of the program is to make strategic investments to pay off dividends. The first 1-3 years will be an evaluation process to discover relationships and refine implementation. Follow-up will include future outreach, finding gaps in the process, targeting low-income communities and determining if these communities have the potential to maximize the CALFED Program goals. The Watershed panel also offered the suggestion that the evaluation of concept proposals should be conducted by subject specific panels and should be timed so that comments can be provided to improve the final proposal. Expertise within agencies should be utilized on evaluation panels to provide a more meaningful CALFED-based approach. This CALFED-based approach has often been very focussed on technological solutions, and the challenge has been to convince communities to agree with the solutions. An improvement of the CALFED-based approach would be to communicate with communities to determine if their goals & objectives can be involved in CALFED goals and funding. Expanding the policy to include a broader, integrated perspective hinges on ensuring that community-based proposals have an adequate level of scientific basis.
- Olin Webb from the Bay View/Hunters Point community asked about the flow of funding to approved projects, specifically to his communities' project. The Watershed panel responded that 50 projects approved for funding have hit a bottleneck in the contract stage and only 10 have actually received contracts. Issues with turning funding over to the projects is a barrier that must be addressed in CALFED overall. CALFED projects that receive Prop. 13 funding are allowed by law to receive 25% of funding up front, whereas projects funded by the state's General Fund receive funding on a reimbursable basis.
- Sustainability of projects after funding is depleted is also a concern for rural, low-income and minority communities. The counties of Santa Clara and Los Angeles are examples of communities with extraordinary resources at the local level. Lack of resources in rural communities continues to be an issue. Olin Webb added that his community has partnered with the SF Dept. of Public Works to generate income. Sustainability for the Hunters Point community is not as much of a concern as getting their initial funding from CALFED.
- The group suggested traveling meetings as an opportunity to inform communities about upcoming PSPs. Traveling meetings also provide an opportunity to help communities make a connection between what they want to do and how CALFED can help. Contracting and logistical issues should be revisited at coordinated regional workshops.
- The Watershed panel commented that Prop. 40 is a potential future source of funding for their program. There is urgency to get something in writing regarding the SB23 money so that it can be processed by the Dept. of Water Resources. The Watershed and Water Quality programs are at risk of losing the money if this does not get figured out. The EJ Subcommittee suggested that the EJ Coalition for Water should be contacted regarding this matter.

12:45 p.m. Lunch Break

1:30 p.m. Resource Issues and Priority Tasks for Subcommittee

Handouts: Existing job description for EJ Coordinator and the 2002-03 Work Plan/Budget

- CALFED Deputy Director Wendy Halverson Martin restarted the meeting with the good news that the hiring of the EJ Coordinator had been approval on the Federal side. Torri Estrada from the Latino Issues Forum and Environmental Justice Coalition for Water was offered the job, however he is unavailable and declined. There is a need to identify the individual for EJ Coordinator position. A six-month block of funding is set aside from last year to pay for this position. A Federal IPA is the best choice for expediting the process because the person can be picked up from other agencies, as well as non-profits. A State IPA does not allow hiring of individuals from non-profits.

- An official announcement of this position must be crafted in order to ensure that we are recruiting for what we want this person to do. The job description handout is not a recruitment piece. There is no close date or target date but we do want to move quickly. The EJ Subcommittee Co-Chairs agreed to write the EJ Coordinator Position Announcement (see Action Items Chart p. 8).
- The May revise of the CALFED Program budget will be available for public review on May 14, 2002. Wendy Halverson Martin recommended that the EJ Subcommittee think about how the estimated \$250,000 allocated to EJ will be used. Because the budget is not done, it is important to have a voice to ensure that EJ continues to be funded. The EJ Subcommittee asked when the real dollar amount for EJ would be known. Wendy responded that reconciliation between different groups should be settled by July 1st, however there will be a lot of negotiation to be done.
- The good news is that there is a water bond on the November ballot, and this is definitely a mechanism for bringing more money to CALFED. Senator Feinstein's bill as well as Senators Tauscher and Napolitano's bill have the potential to stimulate activity on the Federal side. CALFED will be a decisive issue between the candidates. Because water has continued to be a priority, CALFED has at least the current level of support.
- The EJ Subcommittee discussed other potential funding sources to help achieve the common goal. The EPA's Office of Environmental Justice has funding available that the EJ Subcommittee might be eligible to receive. Dan Wermiel accepted the action item to ask EPA to come to a Subcommittee meeting and give an overview of their program (see Action Items Chart p. 8). Ideas for the discussion included identifying how EPA sets priorities, what process they use for evaluating proposals for funding, and the possibility for integration of the programs.
- The group also identified the California Biodiversity Council as an agency with natural resource management responsibility; the Council has an upcoming meeting with an EJ theme. The group discussed the need to identify if there is an opportunity for synergy, to build and network amongst existing programs. Co-Chairs of the EJ Subcommittee agreed to attend the meeting (see Action Items Chart p. 8).
- The EJ Subcommittee discussed their role as a leader in the integration of EJ into government agencies. The Governor's Office of Planning & Research is one of a core group of agencies developing a plan to address EJ issues. Training sessions may be a good forum for offering assistance to agencies in the initial stages.
- The group also addressed the importance of incorporating EJ into official CEQA regulations. Working closely with Cal EPA introduces an opportunity to push for a standard process for EJ review within CEQA. We want to position EJ so that the next time Cal EPA revises CEQA regulations we can influence inclusion of EJ. The group also discussed that it would be interesting to have a conversation with Cal EPA regarding the planning phase of SB115 and potential overlap with CALFED.

Summary of Strategies for Integration with CALFED Program Elements

- Incorporate criteria in PSPs that encourage improving communities as well as meeting CALFED goals
- Provide technical assistance to organizations to do good proposals
- PSP "set asides" for furthering EJ goals
- Use schools for information transfer
- Request Steering Committee to meet on EJ and/or integration of CALFED activities and programs
- Encourage project proponents to partner with community-based organizations
- Dealing with limited resources: find a forcing function and coordinate PSP outreach

Next Steps

- Subcommittee Chairs of Water Use Efficiency and EJ should meet

- Water Use Efficiency – include CALFED agencies, Dept. of Water Resources and Bureau of Reclamation in plan to incorporate EJ and integrate
- Carving out EJ funding in PSP budget
- Include technical assistance in PSP
- Add EJ members to Water Use Efficiency Subcommittee
- Report to EJ Subcommittee on past grants and EJ benefits for background for setting %s and technical assistance
- EJ Subcommittee to develop criteria or guidance for incorporating EJ actions into PSPs
- Distribute Prop. 13 list of economically, disadvantaged communities to start identifying target community database
- Coordinate local outreach to cover several CALFED Program PSPs
- Potential for the EJ Subcommittee to attend traveling meetings, joint with other Subcommittees
- Coordinate with local organizations
- Check in with other State, Federal and local government for lessons learned
- Look at Colorado River planning process for examples/lessons learned on EJ outreach and activities
- Use a project or activity to highlight EJ as a “case study”
- Concept proposals – focus comments on how local communities can meet EJ objectives and incorporate in full proposal and potential to have EJ panel member.
- EJ Subcommittee identify contracting and other barriers, such as cash flow issues with community based organizations’ capacity building to maintain sustainable programs

Resource Issues and Priority Tasks for Subcommittee

Handouts: Dan Wermiel’s and Torri Estrada’s Draft EJ Budgets

- The group decided that the goal of analyzing the budget would be to prioritize and to determine tasks with specified dollar amounts with the objective of identifying a set of strategies, timeline, lead agency, staff, budget and resource applications.
- The group decided to work off of Torri’s table to look at numbers and begin to prioritize. It was also decided that the group would try to designate dollar amounts instead of FTE so as not to confuse in CALFED terms. The suggestion was made that because Federal and State money comes in phases, that resources should be spent with those schedules in mind.
- The group agreed on Objective 1 of Torri’s table, to hire an EJ Coordinator. The group discussed how much this individual would cost, including benefits, and decided it would cost approximately \$120,000 to hire this person. Support for EJ Subcommittee and the revising of the work plan was designated also included in Objective 1. Although the group discussed that these might be two different actions.
- Road shows were also discussed as a part of Objective 1; the group discussed how many would be appropriate and feasible. The group considered that there are 5 regions in CALFED however, 5 road shows would be too many. The group decided the 3 road shows would be feasible, with the possibility of adding a fourth. The group also revisited the idea of teaming up with other CALFED programs to leverage resources and to further the goal of integration. The group decided that consultation with the different groups would be necessary to determine if they would be open to joint meetings.
- Also as part of Objective 1, the group discussed the need to hire a facilitator that could help the group make progress on the work plan and “to develop and integrate environmental goals, objectives, strategies and performance measures across CALFED’s programs.” There was mixed feelings in the group whether a facilitator would be necessary and whether resources should be used to hire this person.
- The group determined that an additional column should be added to Torri’s table to show specific amounts of money spent from the EJ Subcommittee budget. The column with hours for current participants in the EJ Subcommittee and incurred costs covered by outside resources should remain on the table as a heads up to people to know how much time they should allot for EJ activities.

- Objective 2 of Torri's table, "Develop annual work plans for the EJ Subcommittee (and EJ Coordinator) to assist programs with implementation of program-wide goals, objectives, strategies and performance measures," was agreed upon by the group. The group decided that program evaluation would be an integral strategy for implementing EJ in CALFED and for the overall sustainability of all CALFED programs. The group determined that help from the science program might be necessary to determine metrics and provide technical assistance.
- Objective 3 of Torri's table came directly from page 2 of the annual plan. Each program covers its own public outreach so it is imperative that there is a system to identify EJ communities, develop a proactive outreach strategy and ensure that it is implemented effectively. The group determined that it would be the EJ Coordinator's role to take the lead on these actions. The group also discussed that if EJ is to be integrated into other CALFED programs that the other programs should be required to report back on their EJ outreach. It was suggested that the EJ program could offer training to these groups on how to outreach to EJ communities. EPA was identified as an agency that could provide guidance on how to do these training sessions. Dan accepted the action item to contact EPA to find out if they could provide a presentation on outreach methods to the Subcommittee (see Action Items Chart p. 8).
- The group agreed on Objective 4 of Torri's table, "Develop and implement a CALFED program-wide environmental justice education and technical skills program." The group determined that crafting the EJ Coordinator Position Announcement to reflect this objective and the overall work plan would be the first step to ensuring the recruitment of an individual capable of envisioning the education and technical program. Objective 4c, "to implement a tailored training program to provide needed education and technical assistance to CALFED programs and staff" was designated as an action for next year. The group considered that when the "how" is identified, then the "what" and "why" can be addressed.
- Objective 5, "Develop tools and capacity of CALFED agencies and staff to identify, avoid/mitigate, and evaluate EJ issues" spurred a discussion on the role of the EJ Coordinator. The group discussed that data analysis using GIS mapping and ARC View would be necessary to collect demographic and environmental information and whether the EJ Coordinator would be responsible for collecting the data and providing analysis. The group determined that using existing information would be less expensive and asked meeting participant Naomi Mabins, from the CALFED Science Program, to report back on how much it would cost to do GIS mapping for objectives 5a and 5b (see Action Items Chart p. 8). The group decided EPA would be an appropriate resource to determine cost of implementing objective 5c and 5d and whether it would have to come out of the Subcommittee budget.
- The Subcommittee briefly discussed the possibility of hiring an outside consultant to perform the duties of the EJ Coordinator. The benefit of a consultant would be that they would have previous experience with this kind of work. The drawbacks to hiring a consultant included cost and the perpetuation of the distinction of EJ as different from other CALFED programs. The group agreed that a consultant could ultimately have a role in the process, however there are restrictions in funding.
- The group reiterated the need to communicate with organizations identified as potential teaming partners. Norman Calero is a direct line to the EPA, as well as Rod Johnson.
- Dan agreed to incorporate the changes discussed at the meeting into Torri's budget table (see Action Items Chart p. 8).
- The next EJ Subcommittee meeting is scheduled for June 14th, 2002, 10 a.m. – 3 p.m. in the Bonderson Building Board Room. EJ Subcommittee meetings are generally scheduled for the second Friday of the month. The featured CALFED programs for next month's meeting will be the Ecosystem Restoration Program and the Drinking Water Quality Program.

Final action items discussed:

- Follow up on coordination with Watershed Program
- Follow up on contracting issues with grants
- Development of outreach database
- Identify the EJ Coordinator and consideration of potential candidates in other agencies

Action Items Chart

Meeting Participant	Action Item
Martha Guzman, Co-Chair	To contact Gary Bobker to hold an Environmental Justice meeting with the BDPAC
EJ Subcommittee Co-Chairs	To set up a meeting with the Co-Chairs of the Water Use Efficiency Subcommittee
EJ Subcommittee Co-Chairs	To write the EJ Coordinator Position Announcement
Dan Wermiel, Acting EJ Coordinator	To ask EPA to come to a Subcommittee meeting and give an overview of their EJ Program
EJ Subcommittee Co-Chairs	To attend the California Biodiversity Council meeting
Naomi Mabins, CALFED Science Program	To report back on how much it would cost to do GIS mapping for objectives 5a and 5b
Dan Wermiel, Acting EJ Coordinator	To incorporate the changes discussed at the meeting into Torri's budget table