

**California Bay-Delta Public Advisory Committee  
Environmental Justice Subcommittee  
Meeting Summary  
June 13, 2003  
Heritage Senior Apartments  
1555 Third Street  
Richmond, CA  
10:00 a.m. – 3:00 p.m.**

**I. Welcome/Introductions**

The meeting commenced at 10:20 a.m. Martha Guzman, Environmental Justice Subcommittee (EJSC) Co-Chair, welcomed the group. EJSC members, participants and guests introduced themselves. Ms. Guzman introduced Ms. Janelle Beland, legislative director for Assemblymember Cindy Montañez (39<sup>th</sup> District), chair of the Assembly Select Committee on Environmental Justice. A partial list of attendees is included at the end of this summary.

**II. Agenda Review/Updates**

Ms. Guzman reviewed the agenda and went over what was to be discussed during the meeting: a review of the minutes, a discussion about the budget and review of the current fiscal year, and a discussion about action plan and funding priorities for the upcoming fiscal year.

At the request of the co-chair, a motion was made to approve the minutes, the motion was seconded, and the minutes were passed.

**III. EJSC Activities/Expenditures through June 2003**

Ms. Guzman provided an overview of the budget for fiscal year 2002-2003. The EJSC received a \$250,000 allocation from the Bay-Delta Authority, funds that have to be expended by June 30, 2003. Ms. Guzman stressed the importance of spending the allocated \$250,000 in the next fiscal year; failure to do so may be taken to indicate no need for future funding at the allocated levels.

Ken McGhee, Bay-Delta Authority Environmental Justice Coordinator, provided further explanation regarding the budgeting process. As a background to the discussion, Mr. McGhee explained that the EJSC recently learned it had been allocated \$250,000 to its budget for the 2002-2003 fiscal year. Mr. McGhee further explained that the EJSC is an activity within the Bay-Delta Authority under oversight and coordination and receives 100 percent of its funds from state General Fund monies. Recognizing such knowledge came close to the end of the fiscal year, making it difficult to fully utilize the funds, Mr. McGhee solicited (and received) advice from EJSC Members on how to use the funds.

Based on the advice received, Mr. McGhee enlisted the support of Jones & Stokes Associates, an environmental consulting firm under contract with the Bay-Delta Authority for research, planning, and outreach. Mr. McGhee explained that during the month of June 2003, Jones & Stokes will be supporting EJSC efforts via meeting support,

workshop planning, a Geographic Information System (GIS) project, development of reports and development of a EJSC PowerPoint presentation.

Mr. McGhee explained that a portion of the \$250,000 is being used to gather supplies to bring the subcommittee up to speed, creating a library for resources, coordinating with the Environmental Health Investigation Bureau of the California Department of Health Services to translate documents, and attending and supporting other Bay-Delta Authority subcommittee meetings. He concluded the discussion by noting that there is a limited opportunity to use the remaining funds past the June 30, 2003 fiscal deadline by earmarking them to be used in support of other state projects consistent with the mission of the EJSC.

A suggestion was made that some of the remaining funds be earmarked to a community-based organization. Mr. McGhee responded by explaining how the fund expenditure process works. Basically, the authority has contracted with Jones & Stokes as its master consultant; sub-consulting arrangements can be made that support a specific project, but they must be made via the master consultant contract.

A subcommittee member inquired about the total amount of money the Bay-Delta Authority receives from the General Fund. Mr. McGhee responded he would find out so members could get a sense of what the EJSC receives in funding in relation to the Bay-Delta Authority overall as well as other subcommittees

Ms. Guzman commented about the process the Bay-Delta Authority goes through in requesting money via the state legislature.

A subcommittee member inquired about how the “earmarked” money can be spent. Mr. McGhee explained that there are four places where money can be “earmarked”:

- The Department of Water Resources (DWR) Efficiency Grant Program
- The DWR Local Groundwater Grant Program
- The Watershed Program
- In-house, using general fund money and applying it to a specific program

It was agreed that it is necessary to get a concrete status of how much money is available and where it can go. Ms. Guzman proposed writing a letter to be sent from the EJSC to the Bay-Delta leadership, the director of the Bay-Delta Public Advisory Commission, and other appropriate parties, stressing that any “earmarked” dollars be utilized as determined by the EJSC. It was also suggested that a letter come from Assemblywoman Montañez, and such a request was made directly to the Ms. Beland. A motion to send such letters was made, seconded, and approved.

During the discussion of expenditures for the month of June, general comments were made by EJSC members and meeting participants. Mr. McGhee expressed that an important lesson was learned regarding how the funding process works as to Authority programs and activities. Mr. Johnnie White queried as to why more people from Sacramento were not at the meeting. Mr. Michael Walbert commented that people

representing the Bay-Delta Authority were not at the meeting. Mr. Roy Nakadegawa asked if the Bay-Delta Authority looks at water from a systems-analysis approach. Ms. Guzman noted there is an interconnectedness with air/water/transportation and planning. The Bay-Delta Authority funds planning and studies regarding storage. She stressed they need to also look at environmental justice too.

#### **IV. EJSC Workplan and Budget Priorities**

Co-Chair Guzman opened the discussion by focusing on the outline of the draft workplan that was to be reviewed. She stressed the importance that the group begin the new fiscal year with a workplan in place, and with specific budgetary request attached to this workplan. Ms. Guzman noted that as a first step, discussion occurred between subcommittee leadership and staff that resulted in the development of a draft workplan. Ms. Guzman suggested the group should now focus on 1) reviewing and commenting on the items included in the draft workplan and 2) proposing new action items / goals / objectives to be incorporated.

Discussion ensued, and suggestions regarding additions/changes to the draft 2003-2004 Workplan were made, as follows:

##### *General Items*

- Creating performance measures and objectives/strategies for each program area.
- Working to get every Bay-Delta Authority subcommittee to have at least one environmental justice project completed by the end of the year
  - Example: Getting information from the Drinking Water Subcommittee about a local impact community study being done by the Metropolitan Water District
- Evaluation of Public Assets by the Bay-Delta Authority
- Gathering of GIS data and using to understand environmental justice issues within the program area.
- Enhancing public participation tools.
  - Example: funding of a toll free number so that community-based groups can participate in all EJSC meetings via telephone.
  - Example: travel stipends.

##### *Program/Area Specific*

- Development of environmental justice criteria regarding the water transfer program.
- Develop processes through which community-based environmental justice organizations can access allocated funds, and provide information/training to the organizations so they can successfully access these funds.
- Relating to prior bullet, develop pre-qualification process for community-based organizations, so that when funds become available, timely use can be achieved.
- Organize workshops and/or develop materials explaining how environment justice analysis of Authority programs should proceed. Conduct more than one training session.
- Engage in internal education of Authority staff so that staff can understand why activities relating to environmental justice are different than other activities, and why each program area needs to be proactive in integrating environmental justice.

- Relating to prior bullet, each Authority program/activity/subcommittee should have a representative attend the EJSC meetings and activities.
- Secure increased funding to support staff additions to manage Authority's Environmental Justice activities. Additional funding to provide logistics support for EJSC meeting and activities.
- Identify five environmental justice-related projects for each Authority program area.

*Possibilities Discussed:*

<u>Problem Area</u>	<u>Authority Program Link</u>
Bruner Marsh	Watershed Mint./Ecosystem Restoration
Color Spot	Watershed Mint./Drinking Water Quality/Working Landscape
Inertial Creeks	Watershed Mint./Ecosystem Restoration
Yosemite Slough	Watershed Management
Wildcat Creek	Watershed Management
1300 Filbert	Drinking Water Quality (groundwater contamination)
Chelsea Project	Drinking Water Quality (groundwater contamination)

*Question:* Which group/individual at the Authority oversees runoff issues?

- Help link specific Authority programs with community groups.
- Do a needs assessment as to the barriers that keep environmental justice issues from being addressed/considered by Authority programs.
- Explore possibility, including legislative procedures, of EJSC becoming a grants funding source.

Mr. Robin Freeman proposed to tentatively pass the draft workplan. He noted that in looking at the amounts allocated for action items, too much was being spent on the Geographic Information System project; that money could be put into other areas of the community. He also discussed a stipend input and integrating with other federal/state and local planning.

Ms. Guzman concluded the discussion by thanking the group for their input, and describing the next steps. Next steps include: updating the draft plan to reflect the group's input; assigning proposed funding amounts to each task; presenting to Authority administration for discussion regarding funding and implementation.

## **V. UPCOMING ENVIRONMENTAL JUSTICE WORKSHOPS**

Mr. McGhee discussed the possibility of holding two environmental justice workshops. It was agreed that two workshops/meetings would be held at the end of the month. The first workshop will be an evening dinner in San Francisco on Friday, June 27, following the meeting of the Environmental Justice Coalition for Water. At the dinner, presentations about the EJSC can be made to guests, agency recruits and other member organizations.

The second workshop will be held on Monday, June 30. It will take place as a breakfast meeting before the Bay-Delta Authority's Watershed Meeting. It was tentatively scheduled that Assemblywoman Montanez will give a speech about environmental justice; her attendance will be confirmed through Ms. Janelle Beland.

#### **VI. PLANNING DISCUSSION: JOINT ENVIRONMENTAL JUSTICE/WATERSHED SUBCOMMITTEES MEETING – JULY 11, 2003**

A joint meeting is scheduled with the EJSC and Watershed Subcommittee for July 11, 2003, at Hunters Point. The EJSC discussed items to be included on the meeting agenda. They are as follows:

- Success stories relating to environmental justice and watershed issue.
- Working with the Watershed Subcommittee on giving preference and input on their selection of programs
- Touring a watershed facility
- Sharing a draft of the EJSC Workplan/Action Items at the meeting
- Allowing grant recipients to give presentations about their programs/activities

#### **VII. LOCAL ISSUES/NEW BUSINESS**

*Agricultural Waiver:* Ms. Deborah Braver spoke of the Agricultural Waiver. Basically, the state's water quality law (Porter-Cologne) requires that anyone discharging waste into the state's waters must only do so if authorized by a state-issued permit that outlines waste discharge requirements (WDR). Some known classes of dischargers, such as agricultural irrigation returns, have been exempt from the permitting process via a broad waiver.

Ms. Braver explained that legislation was passed recently which set a "sunset" to the broad waivers. Thus, as of January 2003, agricultural dischargers whose irrigation result in irrigation water entering the waters of the state must get a WDR from the state's Water Resources Control regional boards. The board can still issue waivers, but they must be tailored to a particular discharger, and they must be preceded by a full California Environmental Quality Act review. This issue has become very controversial, as agricultural interests try to secure another broad waiver. How the issue will be resolved remains uncertain.

The State Water Resources Control Board – Central Valley Region approved environmental justice as a subwatershed issue to be included in the submittal for \$30 million in grants.

*EJSC Co-Chair:* Co-Chair Guzman announced that Ms. Leslie Lose resigned as co-chair for the EJSC. Mr. Henry Clark volunteered to take her place. The participants supported this interim co-chair. Mr. McGhee explained that the appointment process is formal one, which requires the involvement of the Authority leadership. Mr. McGhee concluded by stating that he will commence the procedures for aiding in Mr. Clark's official appointment as co-chair.

It was noted during the discussion of local issues and new business that there is not an item on the agenda to devote time for public comments. Mr. McGhee explained that this is so because the EJSC is an open membership and everything said is considered public comment.

**VII. Local Tour/Site Visit**

Before attending the tour of the Bruner Marsh site, Mr. Whitney Dotson gave a background and history of development around the area.

The group toured the site at 2 pm and the meeting was adjourned after the tour.

**Meeting Participants**

<b>Name</b>	<b>Affiliation</b>	<b>Phone</b>	<b>Email</b>
Johnny White	CCHS	925/313-6822	white_johnny@yahoo.com
Delphine Smith	Community Asthma Advocate	510/412-0580	cncomsen@lmi.net
Kelly Torres	UC Davis, ESP	530/754-5827	ktorres@ucdavis.edu
Kevin Ward	UC Davis, ICE	530/7522378	keward@ucdavis.edu
Robin Freeman	EJCW	510/434-3840	robinf5713@aol.com
Deborah Braver	Water Resources Assn. of Yolo County	530/666-2733	wra@dcn.org
Alisha Deen	EJCW	916/341-0612	adeen@ufwsacramento.org
Dr. Li Pennyman	WCTC	510/232-3427	
Dr. Henry Clark	WCTC	510/232-3427	
Jessie Levine	EJCW	415/369-9160 ext. 333	jmlevine@socrates.berkeley.edu
Roy Nakadegawa	SF BART	510/526-5094	
Rochelle Johnson	EJCW	510/251-1600 ext. 121	rjohnson@pacinst.org
Cynthia Jordan	NHMR	510/235-9780	
Sarah Forina	EJCW	415/369-9160	sarah@ejwatercoalition.org
Oscar Cisneros	LIF	415/901-1218	ocisneros@lif.org
Lola Ejiwunmi	PPH (NHNR)	510/520-2495	Intol52@hotmail.com
Janelle Beland	Assemblywoman Montanez's Office	916/319-2039	Janelle.beland.asm.ca.gov
Michael Warburton	PT Alliance	510/644-0752	
Lee Jones		510/234-1997	
Bruce Jones		510/235-9780	
Olin Webb	BUHP Community Advocates	415/671-2862	6hunterspoint@sbcglobal.net
Debbie Landshoff	Sierra Club		dl@igc.org
Thiln Le	Mulet Youth Academy	510/222-6594	thiln@isc.org