

**California Bay-Delta Public Advisory Committee
Environmental Justice Subcommittee Meeting Summary
June 14, 2002
Bonderson Building, Hearing Room 102 A
Sacramento, CA
Meeting start: 10:15 a.m.**

- Welcome and Introduction by Leslie Lohse (EJ Subcommittee Co-Chair)

Integration with CALFED Program Elements

Ecosystem Restoration Program – guest speaker:

Dan Castleberry, Chief CALFED Ecosystem Restoration Program

- The Ecosystem Restoration Strategic Plan provides the back bone for the Ecosystem Restoration Program (ERP) and the basis for the Ecosystem Restoration Plan, ERP Regional Plans, Delta Regional Plan and Stage 1 Implementation Plan. The goals defined by the Strategic Plan include: recover at risk species, maintain harvested species, rehabilitate natural processes, protect and restore habitat, prevent the introduction of exotics, and preserve water quality.
- The ERP staff is organized by regions. In each region, there are individual coordinators assigned to restoration, science, and water quality.
- The projects funded by the ERP range from very small projects to \$30 million acquisition and restoration projects. The Program has multiple sources of funding; this year's funding came primarily from the state (Propositions 204 and 13), federal government (CVPIA), and the Iron Mountain Mine Program (a settlement agreement).
- Proposals are broadly solicited biennially via a Proposal Solicitation Package (PSP). This year, 260 proposals were received and \$472 million was requested (individual requests ranged from \$28,000 to \$32 million). All proposals are subjected to a rigorous review process in which over 400 individuals from throughout North America provide various levels of review (including external science, regional, administrative, and external engineering reviews). From Program inception through this year, the ERP has funded a total of approximately 400 restoration projects totaling \$400 million.
- The Ecosystem Restoration Program's web site (www.calfed.water.ca.gov/ecosystem_rest.html) includes all of the supporting plans and the PSP.
- The EJ Subcommittee discussed how they would define environmental justice in terms of the ERP.
- Dr. Henry Clark of West County Toxics Coalition stated that environmental justice communities are often overlooked in restoration projects. EJ communities are not considered when building parks and reserves, therefore the residents have fewer opportunities to be exposed to natural environments in their communities. The challenge to CALFED agencies is to enable and encourage access to natural areas by EJ communities. Dan Castleberry responded that the ERP has been successful in restoring areas and opening them up to communities; however, public access is not suitable for some restoration efforts.
- The group discussed the impacts on EJ communities of the ERP's efforts to purchase and acquire lands. In the past, communities that farm, use, or place great importance on their land have been affected by ERP acquisition. Tribal trust lands were given as an example. ERP staff stated that the Program has worked hard to address this conflict in recent years. They added that the comments that

the ERP has received from the public have been generally positive. The Program has been particularly successful of late in working to preserve agricultural lands.

- The group asked the ERP staff if environmental justice is being included as a PSP selection criterion and inquired about EJ representation on the PSP selection panels. Dan Castleberry responded that the ERP has improved their focus on EJ issues over the years and has at least one EJ member on the ERP Subcommittee (Michael Shaver). The PSP selection criteria are refined after every solicitation based upon community and applicant input. Dan added that the Program is very receptive to change and welcomes outside comments.
- The group discussed the “digital divide” faced by applicants (especially those from EJ communities) desiring to apply to the CALFED PSP process. While the CALFED process has gone fully electronic, many applicants do not have access to the Internet. Dan Castleberry responded that an effort was made this year to have UC Davis staff assist and advise potential applicants on the PSP process. The suggestion was made that in the future, ERP might want to conduct community workshops versus requiring applicants find transportation to UC Davis.
- Subcommittee members stated that EJ projects are still at a disadvantage because they must compete with all other projects. Dan Castleberry suggested that the most effective way to get EJ projects considered for funding is to incorporate criteria into the ERP PSP standards that would help EJ communities get funding. Similarly, by incorporating wildlife-friendly farming into the criteria, the ERP has enabled the agricultural community to compete for more projects.

Drinking Water Quality Program (DWQP) – guest speaker:

John Andrew, Program Manager for CALFED Drinking Water Quality Program

**Handouts: Environmental Justice in the Drinking Water Quality Program
Equivalent Level of Public Health Protection**

- The goal of the Drinking Water Quality Program (DWQP) is to improve water quality from source to tap.
- While the DWQP also has a PSP program, the Program is not as well funded as the ERP.
- The DWQP’s attempts to integrate EJ issues have accomplished the following:
 - ¾ of DWQP’s funding goes to pollution prevention (including source control, control run-off into conveyance structures, and San Joaquin ground water).
 - The Program is a focused approach of water at the tap, not just in the Delta; this focus promotes good public health.
 - PSPs have undergone subtle and substantive changes over the years -- references to “source control” have been changed to “pollution control”, and applicants must respond to EJ questions in their proposals.
 - The Drinking Water Subcommittee is well represented by EJ members.
- Future issues/challenges facing incorporating EJ into DWQP include:
 - The limitation of Proposition 13 funding on the types of organizations that can apply.
 - The current CALFED Program focuses on large water systems vs. small water systems.
 - Degradation of water quality at the distribution system level.
 - There is a need to identify communities that use groundwater for drinking and investigate how they approach drought.
 - Are people actually drinking tap water or are they buying bottled water and using point of use devices?
 - There is a need to investigate communities with vulnerable populations. Should we treat water differently for these communities? When people get sick from drinking water how do they deal with it and is it reported?

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- Lack of “lifeline” water rates for poorer communities. Generally everyone pays the same amount for drinking water regardless of income.
- Opportunities for the EJ Community:
 - Funding is available for projects via the PSP route.
 - EJ participation in technical work groups will build support for EJ issues.
 - Look at the long-term – develop more scientists in EJ communities by providing more science education.
 - Encourage citizen-based water quality monitoring.
- Opportunities for the DWQP with EJ Involvement:
 - Citizen-based outreach will stress the importance of drinking water quality.
 - Grassroots involvement within the CALFED Program can help build the public’s trust of the CALFED process.
- Communication is needed between the DWQP and the EJ Subcommittee, however:
 - Building a “meaningful public participation” is challenging because there are limited resources.
 - EJ issues would be better served if they were substantiated with data. CALFED’s audience is technical, therefore the arguments must also be technical.
- The limitation of some organizations to apply for certain funding (e.g. Proposition 13 funds) was mentioned as an impediment to EJ groups. The Subcommittee identified that in these situations, as in many others, strategic partnerships are needed. Appropriate outreach is necessary so that EJ communities know who to go to for assistance and vice-versa.
- Infrastructure improvements and source control were identified as issues of importance to both EJ and DWQP objectives. CALFED should work to identify where they are investing resources for upgrading and improving drinking water delivery systems. They need to compare this information with census data to see if EJ communities are being left out. DWR Bulletin 160, currently in draft form, outlines the communities in California that do not have potable water (the contact for this report is Monique Wilbur).
- David Thompson from the City of Vacaville volunteered to consider his community for a pilot program to test water at sampling sites in EJ communities.
- Greg Gartrell, Drinking Water Subcommittee Chairman, shared a diagram outlining the decision tree for addressing the equivalent level of public health protection by the DWQP. He stated that the diagram would help to identify where investments need to be made to protect public health. Education and outreach are critical at all levels of the process because public perception is a huge issue. This diagram reveals that water quality does not entirely depend on treatment.

General discussion regarding integration with these program elements

- EJ Subcommittee members discussed the suggestion that technical/scientific input would add value to EJ constituents needs. Many communities lack the technical capacity to provide statistics but can relate their own experience. One Subcommittee member suggested that CALFED attempt to balance the technical and human approaches to describing resource issues.
- The EJ Subcommittee considered how to most effectively work with the CALFED Program elements. The EJ challenge is to integrate EJ issues into previously established program elements. The group identified the need to translate real-world problems and issues and suggest how they fit within the goals of CALFED. The group agreed that there is a disconnect between the on-the-ground issues and what is coming to CALFED through the PSPs. They identified a need to highlight where the ecosystem needs are in relation to EJ and make suggestions to CALFED staff. A suggestion was made that a list of EJ groups be composed so that CALFED can notify them of upcoming PSPs.

- The group asked if there were opportunities for geographically directed actions. Directed actions were described as requests for proposals on specific project needs that are not met through the general PSP. Dan Castleberry stated that directed actions are within the scope of the ERP but the project has to be consistent with ERP goals.
- Leslie Lohse, EJ Subcommittee Co-Chair, commented that environmental “justice” may not be the appropriate way to view the charge of this Subcommittee. Instead, she suggested that “equity” is a better goal for CALFED efforts.

12:45 p.m. Lunch Break

1:30 p.m. Integration with CALFED Program Elements

Next steps – Strategies for Integration with ERP and Water Quality

The EJ Subcommittee agreed to continue the discussion on how EJ can integrate with ERP and EWQP elements.

- The group considered consumption of contaminated fish in the San Joaquin Delta as an issue that overlaps both Ecosystem Restoration and Environmental Justice. Naomi Mabins of the CALFED Science Program stated that this issue is currently being considered by a joint effort of the Ecosystem Restoration and Science Programs. The Subcommittee decided that if this project is still in the design phase, there is still an opportunity for their input. Involving EJ communities in such a study would be key. Dan Wermiel, acting CALFED EJ Coordinator, agreed to find out who the project leader is on this effort and invite he/she to give a presentation at the next EJ Subcommittee meeting. The Subcommittee discussed the value of bringing in outside parties involved in the fish consumption issue to discuss this study. The Subcommittee agreed to invite these people to attend the next Subcommittee meeting. Dan Wermiel agreed to set up a remote site in the Bay Area so that these folks could participate by conference call if they chose. EBMUD, CCWD, and the Latino Issues Forum were all suggested as potential meeting sites.
- The Subcommittee briefly discussed EJ Program integration with the CALFED Science Program. They identified a challenge for the Science Program to bring science down to the grassroots level. The “bucket brigade” was used as an example of an effort in which community members are involved in air quality monitoring; this effort not only helps build an understanding of the issues associated with air quality, but also helps build the level of trust between the community and environmental monitoring agencies. Naomi Mabins agreed to ask Kim Taylor or another representative from CALFED’s Science Program to give a presentation on integrating with EJ at the next Subcommittee meeting. (The Subcommittee suggested that the Science Program use John Andrew’s presentation as an example of what the EJ Subcommittee is looking for in a presentation).
- Martha Guzman, EJ Subcommittee Co-chair, mentioned that arsenic in drinking water is an issue affecting EJ communities in the Central Valley. She suggested that such a project might be of interest to the Drinking Water Subcommittee.
- Martha also suggested that the EJ Subcommittee work on developing a project on source water protection for drinking water in the San Joaquin Valley. She explained that there are nitrates in the water; this is a re-directed impact as the nitrates come from fertilizer use. The Subcommittee agreed that this issue is appropriate for the EJ Subcommittee. Martha agreed to draft a letter from EJ to all of the other subcommittees proposing that nitrate contamination of drinking water is an issue that is important to the EJ Subcommittee and should be included in future PSPs.
- The Subcommittee further discussed creating a list of EJ groups/organizations or identifying EJ communities so that the subcommittee could provide proper notification of PSPs and/or provide assistance or encouragement to them to submit proposals for CALFED funding. It was suggested that

the EJ Subcommittee might want to consider a pilot project that entails assisting an EJ group(s) in the PSP process and thereby facilitating the funding of EJ projects by CALFED Program components.

- The Subcommittee briefly noted that CALFED Public Affairs Staff should be invited to a future Subcommittee meeting. Efforts need to be made to work with Public Affairs on to EJ communities. Dan Wermiel agreed to contact Public Affairs.

2:30 p.m. Resource Issues and Priorities for Subcommittee

Environmental Coordinator Announcement

Handout: Draft Coordinator Position Description/Announcement

- Dan Wermiel announced that 4 candidates have already expressed their interest in this position. He asked the EJ Subcommittee to review the draft announcement and suggest any changes. The position will be funded for the first 6 months using U.S. Bureau of Reclamation funding; subsequent funding will come from the state. Dan stated that he would work with Reclamation to broadly advertise the position. The Subcommittee agreed that filling the position is a priority and should be completed as rapidly as possible.

2002-2003 Environmental Justice Workplan and Budget

- The Subcommittee briefly discussed how they should approach setting recommendations for September meeting of BDPAC. They agreed to begin outlining recommendations at the next meeting of the Subcommittee.

Action Items Chart

Meeting Participant	Action Item
Dan Wermiel, Acting EJ Coordinator	Identify the project leader on the fish contamination project and invite him/her to give a presentation at the next EJ Subcommittee meeting
Naomi Mabins, CALFED Science Program	To ask Kim Taylor, Sam Luoma, or another Science Program representative to present at the next EJ Subcommittee meeting.
Dan Wermiel, Acting EJ Coordinator	To invite members of the EJ community involved in fish consumption issues to participate in person or by conference call in the next EJ Subcommittee meeting.
Dan Wermiel, Acting EJ Coordinator	To set up a remote meeting site and conference call for the next Subcommittee meeting.
Dan Wermiel, Acting EJ Coordinator	To invite CALFED's public affairs staff to a future EJ Subcommittee meeting to discuss integration of outreach efforts.
Martha Guzman, EJ Subcommittee Co-Chair	To draft a letter to all other BDPAC subcommittees on importance of studying nitrate contamination in drinking water.
EJ Subcommittee Members	To review EJ Coordinator announcement and provide edits/suggestions to Dan Wermiel. To suggest members that might sit on a review panel.
Dan Wermiel, Acting EJ Coordinator	To work with Reclamation to get the EJ Coordinator position announced.
Dan Wermiel, Acting EJ Coordinator	To invite the U.S. EPA's Environmental Justice office to the next subcommittee meeting to discuss their EJ program and opportunities for training.