

California Bay-Delta Authority Committee  
Drinking Water Subcommittee  
Minutes  
Meeting of November 21, 2003

The Drinking Water Subcommittee met on November 21, 2003 at 2:00 pm. The primary meeting location was at the ABAG office in Oakland, with teleconference satellites at the offices of Jones and Stokes in Sacramento, and Metropolitan Water District in Los Angeles. Co-chairs Greg Gartrell and Marguerite Young welcomed the group and requested that participants introduce themselves over the telephone. A list of meeting attendees from the voluntary sign-in sheet is at the end of this document.

***Meeting Summary***

Agenda Revision

Greg Gartrell received subcommittee approval to revise the order of the agenda so that the Colusa Drain presentation could occur before the Updates and Reports section of the meeting.

Draft Minutes September 26, 2003

Suggested changes to the Central Valley Drinking Water Policy Update section of the September meeting notes were incorporated and reflected in the revised notes. With these edits, the draft minutes from the September 26<sup>th</sup> meeting were approved and finalized.

Draft Minutes October 24, 2003

The Subcommittee reviewed and approved the minutes from the October 24<sup>th</sup> meeting without additional comment.

Potential Water Quality Projects—Colusa Drain

Greg Gartrell introduced Jerry Meral, BDPAC, who gave a brief explanation of the proposed Colusa Drain project. Hand-outs and maps associated with this agenda item were distributed to the group. Jerry provided hydrologic and geographic background on the project and informed the Subcommittee that this area drains the eastside of the Sacramento Valley. Rice-farming is an important agricultural component of this area. The Colusa Drain has operated as a water supply source to this area for many years.

Jerry shared information regarding the constituents found in the Colusa Drain, as well as in the Sacramento River up- and down-stream of the drain. Jerry mentioned that these numbers are considered conservative when compared to earlier numbers. He focused the group's attention on constituents of concern, particularly to the high levels of herbicides in the water as a result of rice crops. Jerry mentioned that there are numerous abandoned mines in the area which also likely contribute to current water quality. Subcommittee members focused on a few constituents on the chart, and remarked that the declining water quality numbers were not consistent with the theory that the drain would improve water quality conditions in the Sacramento River downstream of the drain. Also, comparisons between the three locations could not be made because some measurements reflected an average constituent level while others displayed a range of constituent levels. Jerry responded that the data was collected by three different agencies and merged in an attempt to make comparisons available.

Jerry was asked if this project (which has been put on hold) could be completed by substituting an easy, inexpensive physical project. He responded that a feasibility study would probably be the first recommended step. Jerry was also asked if the degraded water could be cleaned-up and re-used in the service area. He responded that solving the ground water problem would have to occur before re-using the water for drinking purposes, and that effort might be more expensive. He noted that at this point, the water quality is sufficient for habitat and wildlife restoration, and this application could be a benefit of this project. Jerry added that there are other options than the Colusa Drain project, but feels that this project has the potential to provide the highest level of water quality.

Jerry requested that the DWS direct CBDA staff to address this issue; he feels that the CBDA should take the lead position on addressing the concerns raised by the information, and that the DWS is the most appropriate venue to bring this issue to CBDA staff. Jerry stated that many agencies and stakeholders are engaged in the Colusa Drain project, but no one has taken the initiative regarding this issue.

Karen Schwinn asked if the TDS levels had been measured. Jerry answered that he wasn't certain, but that the numbers would probably be similar to those in the Sacramento River.

Pankaj Parekh inquired what the volume of water moving through this system might be. Jerry and Greg estimated it to be between 250,000 and 300,000 acre-feet of water per year.

Marguerite Young asked if a ground water recharge solution had been proposed. Jerry responded that the project was addressing native ground water and not groundwater recharge options.

Michael Hanemann inquired about the cost of diverting the flow into the Yolo Bypass. Jerry answered that there is already discharge into that area near the North Bay Aqueduct; he stated that the local pollution problem might be exacerbated by adding another discharge to the area. Jerry also commented that irrigation occurs in the Bypass, and that there is potential for irrigation in local wetland areas, as well.

Steve Macaulay asked if the Bureau of Reclamation might have water rights objections to taking water from the Sacramento River. Jerry responded that Reclamation had not been involved in the previous meetings about this project, and that some assumptions were made on their behalf. Jerry feels it would be appropriate for Reclamation to examine this project at this time. Lee Mao, from Reclamation, stated that he would have to check with his staff before making a statement to the group about water rights. Steve Macaulay agreed that someone should conduct a quick feasibility study on the project.

Bob Neufeld asked Jerry how the over-draft situation might be solved. Jerry responded that Northern Yolo County and other irrigation districts would have to coordinate and demonstrate how water quality values would improve with the project. Bob asked if the project would include off-stream or ground water storage, and if treatment would be required. Jerry answered that treatment would not be required for the small, off-stream storage sites envisioned for the project.

Pankaj Parekh requested that a broader cross-section of contaminants be investigated to gain a better understanding of how this project would improve water quality.

Michael Hanemann asked Jerry if the Regional Water Quality Control Board might be best suited for implementing and monitoring this project. Jerry replied that since this would affect water

diverters and water users, he felt that DWR might be most appropriate. However, CBDA should assist in getting things started by funding a quick feasibility study.

***Action Item: DWS will follow-up with the Colusa Drain project, and consider recommending to CBDA funding a small feasibility study which would, among other tasks, provide a more detailed account of constituents in the area.***

#### Updates and Reports

Greg Gartrell reported to the Subcommittee that he and Marguerite Young have recommended the appointment of three agricultural representatives to serve on the DWS. These three nominees are: Aaron Ferguson, Lynn Barris, and Walt Ward. As soon as their nominations are approved, the three will be officially asked to join the Subcommittee. Michael Stanley-Jones stated that he had recently spoken with Lynn Barris, who indicated that she was planning on joining the group as soon as her nomination was officially recognized.

#### Central Valley Drinking Water Policy Update

Samantha Salvia, CCWD, reported on the status of the CVDWP. Since it would not be possible to meet the ROD commitment for a policy by the end of 2004, the CVDWP Work Group has developed a draft resolution for RWQCB approval. Samantha added that the draft resolution (which was provided as a hand-out) has been shared only with the Subcommittee and with Ken Landau of the RWCQB. She explained that the intention of the Work Group was to solicit support and comments about a revised resolution between February and May, and submit it to the RWQCB for official approval in June.

Marguerite Young remarked that the “WHEREAS” section of the resolution was okay, but requested it mention a combined approach including the ELPH concept and the stated ROD target of 50/3 as well. Samantha encouraged all DWS participants to review the draft resolution and provide revisions, as needed.

Michael Hanemann asked how the Regional Board might interpret the parameters of the drinking water policy. Samantha responded that while she cannot speak on behalf of the RWCQB, their charge is to protect both source and consumptive water quality of the Central Valley. Michael added a question about the cost-effectiveness of various projects in the Valley, and whether the issue of land use might be critical to this discussion. He asked if the Work Group might need assistance in adding language to that effect in the resolution. Samantha stated that the wastewater and agricultural stakeholders in the Work Group have been very focused on cost-effectiveness, but she encouraged DWS input and proposed language.

Sam Harader reminded the Subcommittee that the CVDWP Work Group is really focusing on one box of the ELPH diagram—that which focuses on Delta water quality.

Marguerite Young commented that terms such as reasonable, appropriateness, and cost-effective are not technically established, definable terms. She added that the language should be technically more accurate. It was clarified that the document was not a technical study, but rather a resolution. Marguerite stated that she had no objection with the mission of the Work Group or the document; she commented rather that she thought the group was becoming an ad hoc committee that was guiding policy, which she questioned.

Dave Tompkins, a DWS member who is not part of the CVDWP Work Group, commented that he was very familiar with the legal charge of the Regional Board, which is based on the Porter-Cologne Act. The Porter-Cologne Act has the word “reasonable” in its language. The members of the DWS felt that the inclusion of the word reasonable was not necessary in the document, and recommended striking it entirely. It was suggested to replace “reasonable” with the text “in consistency with the Porter-Cologne Act” where appropriate.

Michael Stanley-Jones agreed with other DWS members who stressed the need for a fuller clarification in the “WHEREAS” section of the ELPH model. Samantha referred the Subcommittee to the first point of the “THEREFORE” portion of the document, which explains the need for a multi-barrier approach, which is similar to the ELPH strategy. Michael had other suggestions for the Work Group as well. Samantha responded that many of his suggestions would expand the focus of the Policy beyond available resources.

***Action Item: CVDWP Work Group will make the above recommended changes to the word “reasonable” in the draft resolution, and members of the DWS Subcommittee will review the resolution further and provide written feedback to Samantha Salvia (ssalvia@ccwater.com), Elaine Archibald (awconsult@aol.com), or Karen Larsen (larsenk@rb5s.swrcb.ca.gov).***

#### CBDA/BDPAC Meeting Preview

Sam Harader reported that a combined meeting of the CBDA and the BDPAC would happen on December 11 at the Sheraton Hotel in Sacramento. Sam mentioned two issues that might be of interest to members of the DWS. The first is a Panel Discussion of a Delta Improvement Implementation Package, which include items such as 8500 Banks and the CVP/SWP Intertie. The CBDA would like to bring these discussions and proposals under their umbrella. The second is a recommendation to the Department of Water Resources to proceed with the award of a grant to Contra Costa Water District to begin implementation of the Rock Slough and Old River Water Quality Improvement Project.

Subcommittee members discussed the past and future extent of stakeholder outreach which has been conducted for the Napa Proposal meetings and others. Sam Harader explained that CBDA did not manage any of these meetings, and would like to have a better understanding of the issues discussed and projects proposed.

#### Funds at ABAG

Sam Harader reported that discussions had resulted in the decision that the best use of funding available at ABAG would be best used for building regional ELPH drinking water plans. There will be a solicitation process but with a focus on regional planning. Funding from Proposition 50 is available for regional plans. Roughly \$850,000 has been designated in the ABAG contract for this type of use.

Subcommittee members suggested the grantors consider giving more resources to some groups and less to others to ensure the most “bang for the buck.” The history of stranded investments was mentioned, and the group cautioned against repeating this.

Sam Harader speculated that the RFP would be distributed within the next four months. Marguerite Young requested that Sam provide the Subcommittee with criteria for the grants.

Bob Neufeld asked Sam what the Subcommittee could do to assist him with these efforts. Sam responded that he could use some support writing a draft RFP. Lisa Holm offered to assist Sam in writing the RFP.

***Action Item: Lisa Holm will assist Sam in drafting an RFP. The draft criteria for the grant proposals shall be provided to the DWS for comment.***

#### Potential Water Quality Projects—Frank's Tract

Frank's Tract is located within Contra Costa County in the middle of the Delta. In the 1930s, it was flooded and was never reclaimed. It is ringed by a series of levees that have holes in them to allow water to circulate through the tract. Studies have found that Frank's Tract is critical to pumping water into the Delta, and that closing off direct contact would have the potential to reduce salinity up to 30 percent. This project would also affect those concerned about the amount of salt load entering the San Joaquin.

#### Potential Water Quality Projects—Measures to Shift Salt Load

Improvements to the water quality in the San Joaquin River have the potential to improve water quality downstream. There have been many suggested measures and projects (some from the Napa Discussions) to shift salt loads. One example would be to shift the timing of drainage in a wildlife refuge to reduce its salt concentration. Another would be to use or re-use drainage water on salt-tolerant crops.

Greg Gartrell was asked if there is an order of magnitude regarding water quality benefits associated with the proposed measures/projects. Greg answered that each project has many benefits, including ecosystem restoration. He added that Patrick Wright has asked the DWS to provide a list of the types of projects that should be funded from Proposition 50 (not designated for CALFED projects). These are the Delta Improvement projects that will be discussed for resolution at the December 11<sup>th</sup> CBDA/BDPAC meeting.

The Subcommittee discussed the fact that very few people from the DWS were familiar with the Delta Improvements package, and therefore it might be difficult to endorse the projects described. The DWS discussed what the role of the Subcommittee would be after this Panel discussion had occurred on 12/11. They asked Sam Harader to provide them with a copy of the resolution.

Sam agreed to provide the DWS with the resolution, and commented that the projects mentioned shouldn't be portrayed as a comprehensive package, but part of a bigger picture that will recognize water quality as an issue of concern. He described the resolution as a short list of potentially fundable projects for the CBDA to preview, but might require final approval from the DWS. The majority of Subcommittee members stressed the importance of previewing the resolution and avoiding bypassing the advisory structure of the DWS.

***Action Item: Sam Harader will provide DWS Subcommittee members the text of the resolution proposed to the CBDA regarding potential fundable projects and possibly inform the CBDA that the sense of the DWS was that they did not have adequate time to review and approve this list, if it is deemed necessary.***

(At this point, technical problems resulted in the disconnection of the Sacramento teleconference connection. Participants in Sacramento were unable to re-join the DWS meeting via telephone.)

### Strategic Planning and Performance Measures

Sam Harader addressed the Subcommittee and informed them of the plan to involve a consultant firm to assist the group in developing a strategic plan and identifying performance measures. Public Affairs Management (PAM) was awarded this contract from ABAG to assist in the process and for general meeting support. A workshop regarding performance measures was held on October 22, where good progress was made and a few example measures using the model of the CBDA Science Program were developed. One outcome of this meeting was the determination that a strategic plan is needed for the DWS. Two workshops are scheduled for December 2<sup>nd</sup> at the CUWA office in Sacramento to address both these issues. Sam invited meeting participants to review the agendas for the workshops which were provided as meeting hand-outs.

Charles Gardiner, PAM principle and workshop facilitator, asked the Subcommittee to review the materials provided, which included a one-page summary of the first Performance Measures Workshop and a PowerPoint slide show about strategic planning, and reflect on three things:

1. What is missing from the picture?
2. How do you want to be involved?
3. Please consider attending one or both of the workshops on December 2.

Charles went through the PowerPoint presentation, stressing that those involved in the work shops would work at a management level and inform the DWS of their progress at each monthly meeting.

Marguerite Young inquired where the strategic process would examine economic criteria. Charles responded that funding is always difficult to determine, but that it could be a factor in how one prioritizes risks (or elsewhere).

Michael Hanemann suggested creating a spreadsheet model of agencies, water sources, and water quality to determine the strength and weaknesses associated with establishing the costs of target numbers. He wasn't certain if this process was part of developing a strategic plan, or of some other type of planning document. Michael recommended the creation of a technical task force similar to that of the Finance Group that could advise the DWS on technical aspects of the strategic plan. Charles explained that the hope of the work shops was to establish a task force similar to that which would report monthly to the DWS.

Lisa Holm suggested that local entities should work on their ELPH plans, and then coordinate the development of regional ELPH strategies. Karen Schwinn commented that Lisa's approach sounded like a "bottom-up" approach.

Charles Gardiner agreed that identifying priorities, risks and opportunities is a critical point in the strategic planning process which may require additional time than the other subjects highlighted in the proposed work group timeline. A two-part day-long workshop (or longer) for that subject was suggested. However, the DWS was reminded of the overall time restraints for the strategic planning process.

Marguerite Young asked about the strategy to involve more people in the workshops. She offered the time of the co-chairs to make phone calls encouraging people to attend. She stressed that human contact is as important as repeated e-mails requests. Charles Gardiner asked meeting participants and the co-chairs to review each box of the ELPH diagram and compare them to the topics outlined in the timeline, consider who should be engaged in those conversations, and if

regional interests are being addressed. It was agreed to coordinate outreach efforts with the co-chairs when possible.

Charles Gardiner urged the DWS to become engaged in the strategic plan process, and recognized that a great deal of work had already been accomplished by the group to date. He commented on the targets in the ROD, the ELPH diagram, the Policy Framework, and the NGT work shop. He asked for participant input on the NGT process, focusing on issue prioritization. Marguerite Young responded that it had been a great brain-storming session that resulted in the prioritization of some issues, but not others.

Michael Stanley-Jones and Michael Hanemann commented that a major accomplishment for the next five months would be the development of a draft regional ELPH strategy. Concrete examples are needed as a reference. Bob Neufeld agreed and commented that he thought the Southern California Dialogue was making good progress on their regional ELPH plan.

#### Status of Drinking Water Policy Framework

Greg Gartrell stated that he will provide Patrick Wright with a status report of the Drinking Water Policy at the 12/11 CBDA meeting.

#### Public Comment

There were no comments from the public. Marguerite Young asked meeting participants how they liked the format of the teleconference meeting. Despite technical difficulties with the phone line to Sacramento, most involved felt that the meeting had gone well. Participation was greater than it had been regularly, and the co-chairs suggested using this format on a bi-monthly basis. Sam Harader reminded them that technical and logistically speaking, these types of meetings present some challenges not associated with traditional meetings, but with a short, structured agenda, it could work.

#### Review Action Items

Action items were reviewed and it was agreed that Sam, the co-chairs, and/or DWS support staff would follow-up with those whom have been assigned action items, as needed.

#### Next Meeting

The December meeting was cancelled. It was suggested that a brief, phone-in meeting occur the first full week of January (possibly 1/9) to report on the December 2<sup>nd</sup> work shops. The DWS would have a regular meeting without teleconferencing ability the fourth week of January, 1/23. The time, location, and agenda will be determined later.

## **Partial List of Attendees for the DWS Meeting 11-21-03**

### **The following Subcommittee members participated the meeting:**

1. Martha Davis (in Sacramento)
2. Greg Gartrell (in Oakland)
3. Michael Hanemann (in Oakland)
4. Robert Neufeld (in L.A.)
5. Pankaj Parekh (in Sacramento)
6. Michael Stanley-Jones (in Oakland)
7. David Tompkins (in Sacramento)
8. Marguerite Young (in Oakland)

### **Other meeting participants:**

9. Elizabeth Borowiec (in Oakland)
10. Alisha Deen (in Sacramento)
11. Kathy Caldwell (in L.A.)
12. Dave Forkel (in Oakland)
13. Dennis Fox (in Sacramento)
14. Aaron Ferguson (in Oakland)
15. Charles Gardiner (in Oakland)
16. Paul Gilbert-Snyder (in Oakland)
17. Sam Harader (in Oakland)
18. Lisa Holm (in Oakland)
19. Karen Larsen (in Sacramento)
20. Steve Macaulay (in Sacramento)
21. Lee Mao (in Sacramento)
22. Jerry Meral (in Oakland)
23. Kathy Russick (in Sacramento)
24. Samantha Salvia (in Oakland)
25. Karen Schwinn (in Oakland)
26. Lynda Smith (in Sacramento)
27. Mike Zanolli (in Sacramento)