

California Bay-Delta Authority Committee  
Drinking Water Subcommittee  
Minutes  
Meeting of February 27, 2004

The Drinking Water Subcommittee met on February 27 from 9:00 am to 12:30 pm, at the California Bay-Delta Authority office in Sacramento. Co-chair Greg Gartrell welcomed the group and announced that Marguerite Young would not be in attendance at the day's meeting. Meeting participants introduced themselves. A list of attendees from the voluntary sign-in sheet is at the end of this document.

Aaron Ferguson and Walter Ward, newly appointed DWS members, were welcomed to the Subcommittee. Greg Gartrell announced the open vacancy left by the departure of Michael Stanley-Jones. Greg suggested that the person who replaces Michael at Clean Water Action should serve as his replacement on the Subcommittee.

It was recommended to begin all DWS meetings at 9:30 am instead of 9:00 am to accommodate those traveling from locations outside of the Sacramento area. Delays caused by extensive security screening at the entrance of the CBDA building were also discussed. Greg re-confirmed the Subcommittee's desire to have a meeting with a Southern California phone-in location available for future meetings.

***Meeting Summary***

Agenda Revision

The Subcommittee decided to move brief updates to the beginning of the agenda, and incorporate the Delta Improvements Package update into the discussions of the Strategic Plan and the Drinking Water Quality Program Plan.

Notes from January 23, 2004 Meeting

Bob Neufeld asked for clarification of the second full paragraph on page three regarding the issue of groundwater in the Strategic Plan goal statement. Greg explained that the Subcommittee had expressed its opinion in support of keeping a broad focus that includes groundwater issues. Greg requested that the fourth sentence of the fourth paragraph on page two be revised to read "New issues the plan will address include the relocation of monitoring locations in the Contra Costa County..." Karen Schwinn reported that she had edits regarding her discussion of the US EPA Grants and Budget; she agreed to provide a hard-copy of the edits to Sonja Wadman.

CBDA Meeting Update

Sam Harader reported that the California Bay-Delta Authority met on February 11, 2004. There was not a quorum, so no action was taken. Sam reported that the CBDA stressed completion of Program Plans with performance measures and revised ROD targets. The next CBDA meeting will be on April 7, 2004. The agenda for that meeting includes a recommendation on appointing a lead scientist for CBDA and an update on CBDA financial planning, which may include a list of projects eligible for grant funding.

CBDA Science Conference

Sam reported that the CBDA will be hosting a Science Conference in early October. Conference details and call for abstracts is on the CBDA website. Abstracts are due June 4, 2004. Sam added that he has been working with CUWA to organize a water quality session for the Science Conference. The group discussed the origins of the Annual Science Conference and the Science Panel. DWS members expressed concern that water quality issues have not been adequately represented in previous Science Program events. Karen Schwinn informed the group that the Ecosystem Restoration Program has received the majority of focus and funding in the Science Program because the ERP was one of the first CBDA elements with tangible, scientific results. Karen reported that the second day of the event would include a focused workshop on drinking water quality. Dave Tompkins suggested showcasing the work of Montgomery in a poster board presentation. It was suggested to contact Randy Brown to become involved in the Science Conference, and to write a letter to Gary Hunt requesting that water quality issues be given greater emphasis at future Science Program events.

*Action Item: Co-chairs Greg Gartrell and Marguerite Young will write a letter to Gary Hunt explaining the Subcommittee's interest in including drinking water quality in future Science Program events.*

#### State Water Board

Beth Jines reported that the State Water Board would have project recommendations for the consolidated RFP finalized by April, and they expect to make a presentation at the next CBDA meeting. Beth announced that the State Board has approximately \$20 million available for agriculture water quality grants. On March 8, 2004, a workshop on these types of grants will be held at the CAL EPA building (1001 I St from 1:00 to 4:00 pm). Beth introduced Sandra Salazar-Thompson, who will be facilitating the workshop. Sandra asked that interested persons RSVP if they plan on attending. An announcement about the workshop will be forwarded to meeting participants later.

#### ABAG Funds

The group was informed that the funding available to the DWS through a contract with ABAG was proceeding. This funding, which includes meeting support, is valid through May 2005.

#### DHS Prop 50

Terry Macaulay reported that DHS has finished holding public meetings on grant applicant criteria, and will be revising the criteria accordingly. DHS has received funding to establish staff positions for Prop 50 selection and proposal management. The positions will start as two-year stints that will likely become permanent, and they will be open in the Sacramento office as well as in field operation offices. DWR will still be the contracting arm for the grants.

#### Central Valley Drinking Water Policy Update

Karen Larsen reported that the draft policy resolution, previously presented to the DWS, has been revised and finalized. Members of the CVDWP Workgroup have been providing special outreach presentations to groups including NCWA, local sanitation districts, and the CBDA Tribal Forum. They have finalized the text of the outreach brochure/fact sheet, which they are producing courtesy of funding through SRCSD. The Workgroup expects to bring the resolution to the Board in July. The next meeting of the CVDWP Workgroup will be March 17, 2004.

Karen also reported on the progress of the Technical Workplan RFP for a conceptual model that they are coordinating with EPA, CUWA, the Bureau of Reclamation, and SRCSD. They have hired a consultant (Larry Walker Associates) to collect the meta-data. The data collection effort is nearly complete.

### Strategic Plan

Charles Gardiner reported on the Strategic Planning process and the Strategic Plan workgroup meeting held on February 17, 2004. Fifteen people attended the meeting, the focus of which was to update the schedule, receive comments on Chapter 1, assign chapter sections, revisit Program targets, and discuss the prioritization strategy and the Plan of Action chapter. He reported that the goal of the workgroup is to have the Plan completed by June 2004. Charles asked for comments from the Subcommittee on Chapter 1. Members of the Subcommittee approved Chapter 1, however Pankaj Parekh recommended adding a "Funding Context" section to the first chapter. The group discussed the reasoning behind the ten-year timeframe of the Strategic Plan. Meeting participants agreed that the ten-year planning horizon is consistent with other documents.

Looking at Chapter 2, Sam clarified that the "Existing Conditions" section would be very brief regional descriptions of water systems to provide context for the Program. Subcommittee members encouraged the Workgroup to move towards Chapter 3, Plan of Action, with all possible speed.

Lynda Smith provided an update on the progress her sub-group has made towards categorizing potential DWQP activities for the Plan of Action. Once the list is established, the DWS will prioritize these activities. Lynda's subgroup has divided the DWQP actions into five categories: research & improved understanding, source improvement, treatment technology, regional ELPH plans, and institutional & program management. These categories are consistent with previous DWS discussions of the ELPH strategy. She explained the connections between the categories, and provided examples of what types of actions might be included in each. She reported that the sub-group is currently organizing all activities from a variety of CBDA and DWQP documents. She asked the Subcommittee to provide input on how extensive the list should be.

Sam Harader commented that he felt the list should look beyond existing projects. Greg Gartrell suggested pulling together as many activities as possible that are relevant, and vetting the list through the DWS. Tim Quinn commented that early in its formation the DWS enjoyed greater Subcommittee member participation. He recommended that Subcommittee members give presentations on issues critical to the DWS, like the Delta Improvements Package. These should be listed and prioritized in the Action Plan. Greg Gartrell reiterated this desire for a list detailing projects that can be easily implemented and demonstrate success. Pankaj Parekh commented that the approach towards improving drinking water quality appears to be becoming more regional, even though the regions have not been defined. He expressed his concern over pursuing "low-hanging fruit" because he sees a need to foster projects that have tangible water quality results and data that demonstrates improvement in drinking water quality. He cautioned that the "low-hanging fruit" projects may not show the results the Program needs.

Sam Harader raised the subject of targets, suggesting that they may need to be revisited during the Strategic Plan process. Kevin Wattier, Long Beach Water Department, reported that they have been having a significant problem with the levels of bromide and TOC. These standards have been violated at Cal Poly Pomona due in part to poor water quality coming from the Delta. He noted that the DWS is the appropriate forum to discuss concerns and solutions. Bob Neufeld asked if the Subcommittee has the responsibility for drinking water quality for the entire state.

Sam responded that the Subcommittee is responsible for the entire solution-area of the CBDA program, which comprises the majority of the state. Bob responded that the Subcommittee should address any improvement in water quality in the solution area (protecting the Delta or groundwater, promoting desalination on the coast, etc). He added that there are projects occurring throughout the state promoting improved drinking water quality, and that should be the focus of the group—not just the Bay-Delta or Central Valley. Charles asked Subcommittee members representing Southern California to provide a list of projects to Lynda to incorporate into Chapter 3.

Walt Wadlow commented that chapters 3 (Action Plan) and 4 (Implementation Plan) should be considered at the same time. The Strategic Plan workgroup will consider the request, however due to time constraints, it is likely that the chapters will be drafted separately.

Charles explained the one role of the workgroup is to gather as many projects for DWS prioritization as possible. This prioritization process will occur iteratively, and will likely take several drafts. The outcome will be a list of DWQP activities with as much project detail as feasible, which the DWS will prioritize within the five categories. The group noted that this would be a time-consuming process. Tim Quinn encouraged the group to identify meaningful, immediate actions that demonstrate incremental progress in the spirit of CBDA.

Charles asked the Subcommittee to review a draft list of criteria developed at the Strategic Plan workshop that could be used in the prioritization activity. The list included:

- Certainty/confidence in benefits
- Level of risk addressed
- Length of time of benefit
- Geography and breadth of benefits
- Population/multi-party impacts
- Implementability/feasibility
- Scientifically-defendable
- Timeliness
- Relevance/importance to Program Objectives
- Multiple benefits/objectives
- Regional vs. system-wide
- No redirected impacts

Greg Gartrell requested that the criteria list be distributed electronically to the DWS to review. Charles commented that the list will be refined before the next Strategic Plan workshop, scheduled for March 12, and will probably be refined again before the DWS prioritize activities. Subcommittee members will be included in the distribution of any list or Strategic Plan materials for future meetings.

Lisa Holm reminded the Subcommittee to remember that “simple is better” and that regional might need to be more clearly defined. She commented that this will be a difficult activity, and encouraged DWS members to seriously consider the appropriate criteria. Pankaj responded that it is okay if the project cannot be tied to regional benefits, so long as it results in a positive end-point. There is a need to tie in the technically-tangible results at a minimum. Greg recommended focusing on projects like the Delta Improvements Package in the Plan of Action.

Charles asked if the DWS would be willing to have a special session to discuss the list and prioritize activities at their next meeting. Greg announced that he has a scheduling conflict, and recommended postponing the next DWS meeting until April 2.

*Action Item: The next DWS meeting was scheduled for April 2. Prioritization process will happen in the morning starting at 9:30 am. The group will then break for lunch and resume in the afternoon for a normal business meeting of the DWS.*

#### Drinking Water Quality Program Plan

Sam reported that the first draft of the DWQP Plan has been completed. He provided the DWS with a shortened version of the Plan for review and comment. The Plan will be finalized by the end of April. He also distributed a draft Program Plan schedule which highlights due dates and corresponding actions; it is to go to the BDPAC for final approval on May 13, and then to the CBDA on June 10. Sam explained that he wasn't anticipating putting much more detail into the Program Plan, because the Strategic Plan will serve as the "what's next/looking forward" section. Sam reviewed the goals, objectives, and targets in the draft Program Plan. The Program Plan states that the targets (identified as such in the ROD) are being clarified and refined as part of the effort to develop a strategic plan for the DWQP.

Kevin Wattier expressed his opinion that the 50 bromide/3 TOC "target" is actually an objective that is very difficult to reach. He stated his objection to the use of the term "target" in this case, and does not think there should be numeric "targets" for bromide or TOC. He recommended substituting the word "objective" for target. Karen Larsen objected to this suggestion citing that the word "objective" is a specific term defined in Water Board Basin Plans. Lisa Holm commented that "target" falls short of a regulation, but "objective" has a different legal meaning. She sees nothing wrong with documenting the Subcommittee's objection to the use of that word. Sam commented there may be a need to clarify terms in the document and with the Subcommittee.

Pankaj commented that 50/3 was an objective, but then the ELPH concept was born. The ELPH concept needs to be regionalized, so that if the bromide or TOC targets can't be reached, the public health risk can be minimized by reducing perchlorate, if the example were to be a Los Angeles regional ELPH plan. Pankaj stated that this type of information should be in the Action Plan. Greg agreed that bromide and TOC could have standards, but there are other contaminants that are being marginalized in the "Public Health" clause.

Dave Tompkins, Tim Quinn, and Walt Wadlow all commented that it was accepted when the ROD was written that there would have to be an exception (ELPH clause) because it would be very difficult to reach the 50/3 target. Walt reported that when drafting the ROD, they had recognized that ELPH may not be able to be clarified. Sam repeated that perhaps they did not need to revisit the targets, but rather to clarify whether they were using the 50/3 target or the ELPH, and what has been accomplished to achieve the ELPH.

Tim Quinn suggested identifying actions that will make water quality improvements to see if 50/3 is achievable. If not, then try again with a different action(s). He commented that water quality always comes out last when compared to protecting water supply or fish through the Endangered Species Act. Tim said the frustration over a marginalized water quality is very real.

After Sam explained to Lisa Holm the origin of the questions on page 11, he asked the Subcommittee to review the draft Program Plan and provide comments to him ASAP.

### Working Landscapes Subcommittee Letter

Ken Trott, Working Landscapes Subcommittee Program Manager, requested that the DWS support the efforts of the WLS to include an agricultural socio-economist on the CBDA Science Panel. The WLS has drafted a letter requesting CBDA to appoint an agricultural economist to the Panel, and would like other CBDA subcommittees to also sign the letter. Sam informed the Subcommittee that Bill Glaze is the water quality specialist on the Science Panel. Lisa Holm commented that the Ecosystem Restoration Program Subcommittee had asked that the letter request a specialist familiar with broader economics issues (resource management, human ecology), not just agriculture. Bob Neufeld made a motion for the DWS to co-sign the letter supporting an economist with a broader scope. Pankaj Parekh seconded the motion, and it was approved.

Bill Crooks reported on the presentation that Sam made to the Ecosystem Restoration Subcommittee on the DWQP Program Plan, and recommended that the Program Managers of the other Subcommittees give short presentations as well. This would encourage cross-integration between the DWS, WLS, ERP, and the Environmental Justice Subcommittees. Greg Gartrell requested copies of the draft Program Plans for each element so that members of the Subcommittee could review them and consider integration before making comments to Sam or Patrick Wright. Ken Trott agreed to provide Subcommittee members with the Program Plans.

### Environmental Justice Performance Measures

Alisha Deen, Environmental Justice Coalition for Water and EJ Subcommittee representative, presented the Subcommittee with revised list of draft performance measure related to the Drinking Water Quality Program. The EJ Subcommittee would like to receive comments on the measures (a term which may change to “targets”). Greg Gartrell commented that revisions discussed with Martha Guzman were not incorporated into the current version. These edits include: striking “CBDA Agencies” from Objective 3 on page one, rewording DWQP performance measure 1 on page seven so that it reads “in the CALFED solution area” and does not read “fully quantifies”, rewording DWQP performance measures 3 and 5, and reconsidering the \$50,000 CBDA funding threshold requiring EJ analysis because it is too low.

Lisa Holm recommended that the EJ Subcommittee coordinate with the Central Valley Drinking Water Policy workgroup on the last three performance measures. Bob Neufeld expressed concerns over performance measure 2 and asked if the EJ Subcommittee had coordinated with the California Coastal Commission or Desalination Task Force in drafting the measure. Kevin Wattier, a member of the Desalination Task Force, clarified that the EJ Coalition for Water had recommended that the Task Force adopt the performance measure designating water for desalination, but the Task Force had not officially approved it. The Task Force felt that implementing the measure would be difficult. Ruben Robles commented that members in the sanitation field would have difficulty adopting the desalination performance measure.

Pankaj Parekh asked if the EJ Subcommittee is also concerned with urban disadvantaged populations. He commented that the focus of the performance measures appear to be focused on low-income people of rural areas, such as the Central Valley. Alisha responded that it was not the intention to focus on rural populations, the Central Valley is an easy example; pinpointing water quality problems in urban areas is often difficult because the demographic information required to identify the population is a sub-section of a census tract.

Tim Quinn asked if the CBDA or DHS might have an idea of how many communities would be considered as requiring special outreach, affordable water quality options, etc. He and Bob Neufeld asked if the EJ Subcommittee had prepared cost estimates for options for low-income populations or estimates on how many potential vulnerable populations exist. Alisha replied that they have not. Jennifer Clary, Clean Water Action, explained that the reason behind the numbers not being available is itself an environmental justice issue. Kevin Wattier suggested conducting a rough survey to determine estimates. The DWS expressed its desire for a more thorough presentation of the performance measures with the recommended edits incorporated and estimates of numbers and costs associated with implementing the measures. It was suggested that the EJ performance measures be discussed in the Strategic Plan workshops.

#### Public Comment

Ken Trott announced that on April 1, a joint meeting will occur between the WLS and the Environmental Justice Subcommittee to discuss water transfers. He suggested that the afternoon of April 1 would be a good opportunity for Program Managers to give Program Plan updates to two Subcommittees at one time.

There was no additional comment from the public.

#### Next Meeting

The group was reminded of the upcoming Strategic Plan workshop on Friday, March 12, and of the special DWS meeting that will take place on April 2 (instead of on the regular date of March 26). The April 2 meeting will begin at 9:30 am and will focus on prioritizing DWQP activities for the Strategic Plan in the morning. After breaking for lunch, Subcommittee members will reconvene for a regular business meeting of the DWS. Agendas for all meetings will be forthcoming.

## **Partial List of Attendees for the DWS Meeting 2-27-04**

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

1. Aaron Ferguson
2. Greg Gartrell
3. Robert Neufeld
4. Pankaj Parekh
5. Tim Quinn
6. Ruben Robles
7. David Tompkins
8. Walt Wadlow
9. Walter Ward
10. Kevin Wattier

### **Other meeting participants:**

11. Elaine Archibald
12. Elizabeth Borowiec
13. Jennifer Clary
14. John Clerici
15. Bill Crooks
16. Alisha Deen
17. Dave Forkel
18. Paul Gilbert-Snyder
19. Charles Gardiner
20. Sam Harader
21. Lisa Holm
22. Beth Jines
23. Syed Khasimuddin
24. Karen Larsen
25. Terry Macaulay
26. Julie Maclay
27. Lee Mao
28. Sandra Salazar-Thompson
29. Karen Schwinn
30. Lynda Smith
31. Steve Setodeh
32. Phil Wendt