

California Bay-Delta Authority Committee
Drinking Water Subcommittee
Minutes
Meeting of April 23, 2004

The Drinking Water Subcommittee met on April 23 from 10:00 am to 3:30 pm at the Department of Health Services' East End Complex in Sacramento. Co-chairs Greg Gartrell and Marguerite Young welcomed the group. Meeting participants introduced themselves, including those participating via teleconference. A list of attendees from the voluntary sign-in sheets is at the end of this document.

Meeting Summary

Revised Notes from January 23, 2004 Meeting

The revised notes from the January 23 meeting were approved.

Notes from February 27

The draft notes from the February 27 meeting were approved.

Central Valley Drinking Water Policy Update

Karen Larsen reported that the draft policy resolution, previously presented to the DWS, has been revised and finalized. The Workgroup expects to bring the resolution to the Board in July. Members of the workgroup have finalized the text of the outreach brochure/fact sheet, which they expect to produce in the next two or three weeks. They are continuing their outreach efforts regarding the development of the policy, and will be part of the ACWA Conference in Monterey Bay on May 6, 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. The RFP for the contract has been approved as part of Proposition 50 funding. The contract will most likely be ready to be issued later this year or early in 2005.

Regional RFP through ABAG

Sam Harader reported that the RFP soliciting regional planning efforts through ABAG is soon to be released. It was drafted with assistance from Lisa Holm, and reviewed by numerous people. The RFP will be distributed to everyone on the DWS distribution list, as well as to the CALFED Regional Coordinators. Sam would like to fund at least one proposal in each of the five CALFED regions. Roughly \$850,000 is available for the projects, all of which must be completed within a year. The criteria for the RFP are purposely loose to encourage creative regional solutions to improve drinking water quality. The RFP calls for the involvement of at least three agencies that use the Delta or its tributaries as a water supply.

Marguerite Young encouraged the inclusion of a community participation component, and suggested providing applicants with a "tool box" of suggested regional water quality solutions. Sam informed the group that the review panel will include members of the DWQP implementing agencies, the CALFED Board, and others. Martha Davis suggested coordinating with the Environmental Justice Subcommittee. Sam reported that due to the short timeframe, the RFP is

expected to be open for only one month. He was encouraged by Subcommittee members to cast a wide net when distributing the RFP, particularly since it is using public funding; Greg Gartrell suggested announcing it through existing water resources clipping services, and Leah Wills recommended posting it in ACWA's Water News. Sam explained that he hoped members of the DWS, particularly the co-chairs, would help to distribute the RFP to a wide audience.

Delta Improvements Package

Sam Harader informed the Subcommittee that the Delta Improvements Package is being discussed by a sub-group of agency staff, and an MOU has been established to further involve the resource agencies. The Package is on the agendas of upcoming BDPAC and CBDA meetings.

Finance Options Report

Sam explained to the Subcommittee that CALFED's Finance Options Report will soon be posted on the CALFED web site. It will contain a great deal of information pertinent to CALFED programs. Greg Gartrell, who has been part of a working group for the Report, agreed that much discussion has resulted from report's development. It was suggested to have this as an agenda item for the next meeting.

CBDA Meeting Update

Sam reported that the California Bay-Delta Authority met April 7 and 8, and approved funding of two grants related to water quality: one for the Central Drinking Water Policy (of which Karen Larsen already spoke), and the second for Contra Costa Water District. Dr. John Moore was appointed as the lead scientist for CBDA. The Authority encouraged further investigation and development of the Delta Improvements Package. Sam expects that this Package, as well as program plans, the Finance Options Report, Prop 50 RFP's, and Science Program RFP's will be discussed at upcoming Authority meetings.

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 agreed to distribute the list of abstracts already suggested to members of the DWS. He added that Steve Macaulay of CUWA is developing a water quality panel for the conference

Drinking Water Quality Program Plan

Sam reported that the final draft of the DWQP Plan has been completed. He provided the DWS with a version of the Plan for review and comment. Sam explained that the timeframe for presenting the Program Plan to the BDPAC and CBDA has been expanded; it will probably go to the BDPAC in August. He requested time at the next DWS meeting to thoroughly review comments from the Subcommittee and ask for their endorsement of the Plan. **Comments regarding the Program Plan should be submitted to Sam by May 7.**

Sam informed the Subcommittee of the accomplishments the Plan aims to highlight, including 24 projects that were awarded for \$40.5 million. Sam noted that some of these projects are still in progress and not yet completed. He explained that the CBDA has requested an abbreviated Program Plan, thus every funded project is not necessarily listed in it. Sam said it is his intention to have all of the grants posted on the DWS web site for review in the near future.

When reviewing the major activities of the DWQP, Marguerite Young commented that she felt DWQP support of Prop 50 funds is a major activity that merits separate attention. The group discussed its role in developing criteria and ensuring that RFP's are well-coordinated since funding is not ear-marked. Dave Spath, DHS, was asked if the Subcommittee's comments on Prop 50 criteria had been incorporated. He responded that they were incorporated to the greatest extent possible, and noted that some of the criteria may align with the goals of the DWQP (results in multiple benefits), but some will not because of the broad distribution required and the inclusion of southern California / Colorado River appropriations. The group agreed that it cannot bias the distribution of DHS funds; DHS projects should focus on public health improvements. Pankaj Parekh commented that public health benefits have not been established, and the role of the DWS should be to help guide the approval of grants specific to water quality. Leah Wills stated that the linkages between the various grants are not clear without discussion; coordination is needed. Tom Gohring suggested creating one timeline that lists all of the grants available for drinking water quality to facilitate coordination. He recommended having such a timeline available at the next BDPAC meeting, where DHS grants will be discussed. **The group agreed that a timeline would be a good idea—Sam will provide one at the next BDPAC meeting.**

Sam reviewed DWQP issues, which include staffing, funding uncertainties, funding for Science and Monitoring, technical uncertainties, timing, and the Drinking Water Policy Framework. He asked if this list seemed complete to the Subcommittee. Tom Gohring commented that another issue which should be of concern to the group is that in December 2003, the CBDA nearly determined that CALFED is not in balance because the Drinking Water Quality Program appears to have fallen behind. Undoubtedly, this is due to the issues mentioned by Sam. In Tom's opinion, the sooner and greater extent to which the DWS can improve upon those issues, the better. At the very least, the DWS should recognize these limitations and begin to address them.

DHS Prop 50

Dave Spath reported that DHS has finished developing and revising the grant criteria, and expect their approval within a week or two. The criteria will be formally sent to the Legislature, and then posted on the web site once approved. The issue of whether to offer funding to private water companies remains to be resolved; DHS staff recommends being able to fund private companies, including those that are not regulated by the CPUC. Dave noted that if that criterion is accepted and private water companies are eligible, the amount available for funding could reach \$60 million.

State Water Board

Beth Jines provided a handout of the 2003 consolidated grants and CALFED proposals that are recommended for funding. These include Prop 50 and 13 funds for both the Drinking Water Quality Program and the Watershed Program. The total amount recommended to be funded is approximately \$52,097,530. Sam commented that he would have liked to have seen more urban proposals recommended for approval, but that this list mostly captures projects that satisfy the goals of the DWQP.

Strategic Plan

Sam Harader began the discussion of the Strategic Plan by thanking members of the Strategic Plan Workgroup for all of their hard work in developing the list of actions for consideration. Charles Gardiner stressed to the Subcommittee that the balloting exercise of the DWQP actions

will be an iterative process used as a mechanism to start a discussion of actions and priorities. It will increase the group's understanding of DWQP actions. Ultimately, the goal of the exercise will be to come to a group consensus on actions and priorities. Charles explained the approach of the prioritizing exercise, where scoring is based on the best professional judgment of members of the Subcommittee. He acknowledged that complete information is not available for each action. Also, Charles commented that the lists themselves may not be complete, and there are likely to be missing actions that the DWS should identify. Once initial voting is done, discussion will focus on areas where there is a wide discrepancy in the scoring (large standard deviation). This discussion should result in an improved group understanding of projects and priorities, and will be followed by further rounds of scoring. Charles projected initial results from the Treatment Technology ballots and explained the breakdown of the numbers.

Lynda Smith provided background for the DWQP Actions List. She started by explaining a graphic that divides the actions of the DWQP into five categories: source improvement, treatment technology, regional water quality planning, science and improved understanding, and institutional and program management. Lynda gave the basic definitions of these categories and explained the types of actions which might be included in such categories. She informed the DWS that the actions had been collected from various sources, including the Program ROD, the Drinking Water Quality Program Plan, the Conceptual Framework, the NGT Workshop summary, and from DWS and Workgroup meeting discussions. Lynda outlined the organization of the 44-page DWQP Priorities/Actions document for the Subcommittee.

Marguerite Young recommended matching the actions (using Post-Its) with the boxes of the ELPH diagram. The Workgroup agreed to conduct this exercise at their next Strategic Plan meeting.

Charles asked the Subcommittee to provide comments on major missing actions. Marguerite noted the absence of water use efficiency actions, which she felt belonged in the source improvement category. Leah Wills commented that groundwater is briefly mentioned in each category, but its importance and value is not stressed enough. Sujatha Jahagirdar seconded Leah's feeling that groundwater is an overarching issue the merits more actions and attention. Various members of the Subcommittee commented on the need for clearer and stronger connections with regional planning.

The Subcommittee discussed the suggested priority factors to consider when voting. The priority factors were developed by the Strategic Plan Workgroup to serve as an informal checklist when initially evaluating actions. Eventually, a more technical method for prioritizing actions might be employed. Members of the DWS commented that some people in the Subcommittee are more familiar with various aspects of the actions, thus a knowledge bias exists. Those who aren't clear on the details of an action might give it a zero vote because they don't know the specifics of the action. It was clarified that a blank vote would be appropriate in that scenario where there is a knowledge gap. It was suggested to prioritize the priority factors.

Regional Water Quality Planning

Lisa Holm gave a presentation entitled "Putting ELPH to Work" in which she described the CALFED and DWS background associated with regional water quality planning. Lisa provided the Subcommittee with the text of the regional planning objective, and explained the basic philosophy behind its importance. She commented that while the Workgroup has been working to define regional planning, a Regional Planning RFP has been drafted and will distribute \$850,000. Lisa is also developing a white paper on regional planning for DWS review and

approval. She discussed the criteria that might help define what a region is. Lisa explained the advantages of a regional plan and its ideal components. She then projected a hypothetical regional profile (bar graph) which showed a group of seven participating agencies, their water supplies, the population served, the water quality risks addressed, the projects costs, and the resulting water quality. DWS meeting participants expressed their strong support for charts and projects similar to this. **They encouraged Lisa to proceed with a Regional Planning Strategy.**

Lisa explained that the definition of a region will be essentially self-selected. Sam informed the DWS that he doesn't anticipate getting regional plans for broad areas such as the SF Bay area or the Sacramento Valley, but for much smaller, more specific regions. The group discussed the requirement of an existing governance structure that can easily absorb the regional planning strategy and oversee regional implementation. It was explained that to the greatest extent possible, existing governance should serve as an umbrella organization for project oversight and management; creating new governance structures might extend beyond the scope and timeframes of the projects. The Regional Water Boards of the SWRCB were suggested as providing some type of governance structure. The group discussed how there is often a disconnect between water quality planning, watershed planning, and actions of the Regional Boards. Also, an approach that would work with the Regional Board structure in Northern California may not work in Southern California. Karen Larsen commented that however one defines a region, the RWQCB will need to be a part of the plan. Different approaches to regional water planning will reveal gaps, which will be educational. Aaron Ferguson asked why governance is needed; he suggested coalitions that have been formed for the ag waiver permits can act as oversight groups, or an umbrella group such as Northern California Water Agencies. He was informed that the umbrella groups might be acceptable, but ideally, governance ensures public health protections.

Priorities

The Subcommittee discussed the suggested priorities and was asked to provide additional criteria. It was recommended to convert the one Cost priority into two: "potential for stranded investments, more scores less" and "cost relative to benefits, less scores more." The word CALFED was removed from the fourth Scale priority. The Fairness/Equity priority was converted from one to two priorities: "contributes to regional/geographic balance, more scores higher" and "addresses environmental justice issues/vulnerable population, more scores higher." The group was asked to identify their top five priorities. With the exception of Timeliness/Urgency, each of the categories had at least one priority that received high marks. The DWS agreed with the fact that the priorities appeared to be on the right track, since nearly each major priority had a sub-priority receiving more than six votes.

The most important factors for DWS consideration in prioritizing actions included the following:

- the level of risk/importance of contaminants addressed
- cost relative to benefits
- the relevance/importance to Program objectives
- the size of population benefited/multi-party benefits
- the implementability/feasibility
- contributes to regional/geographic balance

Treatment Technology

Lisa Holm described the background for the actions under the Treatment Technology section. Referring to the treatment technology list in the All DWQP Actions/Priorities document, she reviewed the new, existing, and funded projects. The group was told that the funded projects had been listed for informational purposes only, and they would not vote on any funded actions.

Three actions were added to the ballot:

- survey treatment practices/needs of utilities,
- demonstrate membrane technology, and
- demonstrate treatment strategy to reduce largest risk contributors.

The group discussed what CALFED's main role in treatment technology should be. Many said tracking, others said educating or serving as a clearing-house of treatment technology advances, still others said demonstrating treatment technologies through funding pilot studies. Charles asked the group to consider the extent to which CALFED leads or follows research; differing opinions were expressed. The group further discussed the actions and voted. The results of the balloting process showed the following priorities:

- Establishing & Using an Expert Panel was a consistently high priority for participants
- Most of the demonstration projects were also high priority

The workgroup will begin to draft a Treatment Technology strategy based on the initial feedback from the participants.

Next Steps

Several participants suggested the Workgroup take a first shot at prioritizing the actions in each category. The Workgroup specifically stated that it did not want to prioritize because the priorities should be set by the DWS members and the implementing agencies.

The Workgroup will reconvene to develop and refine the information as follows before the next DWS meeting.

- Review and revise the actions to describe actions as studies or programs, not specific projects and remove funded projects from the list.
- Wherever possible, add information about the important prioritizing factors
- Map the actions to the ELPH diagram to determine the Program's distribution and identify and gaps
- Begin drafting the regional planning strategy and the treatment technology strategy

Public Comment

Greg Gartrell asked about the public review process that had been used for the CALFED Annual Report. He commented that many people have complained to him about the Drinking Water Quality Program summary, which appears to be incomplete.

There was no comment from the public.

Next Meeting

The group was reminded that the next regular meeting of the DWS falls on the Friday before Memorial Day (5/28); it was suggested to determine another date. Sam will see what days the week before and the week after might be appropriate by not conflicting with other meetings. He would query DWS members and ask Terry Macaulay to reserve a training room at DHS for another whole day session.

Partial List of Attendees for the DWS Meeting 4-23-04

The following Subcommittee members participated the meeting:

1. Martha Davis (via telephone)
2. Aaron Ferguson
3. Greg Gartrell
4. Sujatha Jahagirdar (via telephone)
5. Pankaj Parekh
6. Kevin Wattier
7. Leah Wills
8. Marguerite Young

Other meeting participants:

9. Jennifer Clary
10. John Clerici
11. Bill Crooks
12. Dave Forkel
13. Charles Gardiner
14. Paul Gilbert-Snyder
15. Tom Gohring
16. Sam Harader
17. Lisa Holm
18. Beth Jines
19. Karen Larsen
20. Steve Macaulay
21. Terry Macaulay
22. Julie Maclay
23. Dan Otis
24. Heidi Rooks
25. Sandra Salazar-Thompson
26. Karen Schwinn
27. Lynda Smith
28. Dave Spath