

CV-SALTS Executive Committee Meeting

April 12, 2011 9:00 AM to 3:00 PM

Sacramento Regional Sanitation District Offices – Sunset Maple Room
10060 Goethe Rd, Sacramento 95827

Teleconference (218) 339-4600 Code: 927571#

Posted 4-2-11 – Revised 4-10-11

Meeting Objective:

- Review, discuss and refine committee member nominations for waterbodies that should be designated MUN, or exempt from that designation, and
- To identify waters that clearly meet the exemption criteria set forth in the Sources of Drinking Water Policy that can serve as uncontroversial reference archetypes for making subsequent MUN determinations.

AGENDA

1) **Welcome and Introductions Chair**

- a) Review/Approve [Executive Committee Meeting Notes for March 17, 2011](#) notes – 2 min
- b) Committee Roll call and [Membership Roster](#)

2) **Basin Plan MUN Designations – 3 hours**

Tim Moore – Review & discuss [Executive Committee Homework #1](#).

Action: Establish MUN designation criteria based on agreed upon waterbody examples.

Lunch on your own

3) **Basin Plan MUN Designations – 2 hours**

Tim Moore – Review & discuss [Executive Committee Homework #1](#).

Action: Establish MUN designation criteria based on agreed upon waterbody examples.

4) **Set next meeting dates and objectives (April 22 and May 5, 2011)**

5) **Future Items**

- a. All administrative items are deferred to the April 22, 2011 Executive Committee Conference call.

CV-SALTS meetings are held in compliance with the Bagley-Keene Open Meeting Act set forth in Government Code sections 11120-11132 (§ 11121(d)). The public is entitled to have access to the records of the body which are posted at www.cvsalinity.org

CV-SALTS Executive Committee Meeting Notes
March 17, 2011 10:00 AM to 4:00 PM
Sacramento Regional Sanitation District Offices
10060 Goethe Rd, Sacramento 95827

Attendees are listed on the Membership Roster

AGENDA

1) Welcome and Introductions Chair

- a) Meeting was brought to order by Chair, Parry Klassen, and roll call completed.
- b) Debbie Webster moved to approve, and Mike Nordstrom seconded, and by general acclamation the February 10, 2011 meeting action notes were approved.

2) Basin Plan Identified Issues

A discussion on current project status, and specific basin plan issues, was led by Tim Moore. With the progress review checkpoint scheduled in front of the state and regional boards at the end of 2011, the focus will be how to build trust, credibility, and establish buy-in to the process, to ensure funding for year two.

The success rate for groups undertaking this type of effort is only 33%. Stakeholders quit due to

1. frustration over regulatory “orneriness”
2. it costs too much, mostly because it was underfunded from the beginning
3. they get overwhelmed by the complexity

Things that can cause regulatory failure:

1. How much flexibility you have if something is an existing use or not
2. Water quality standards have to protect the most “sensitive” use
3. The need to protect downstream uses
4. The cost of having to show that something is in fact fully protected can be astronomical

Per Tim, the trick to making this work is to *“Agree on the rules and live with the outcome.”*

The “Axioms for Establishing or Revising Water Quality Standards” document, covering the domain of discretion the state and regional boards have, was reviewed.

The interactive “debate model” will be used by the committee to debate the technical merits of each proposal. Arguments, pro and con, will be structured into a spreadsheet matrix to view side by side. Once there is no rebuttal, that will be considered an accepted position.

Specific items on the Basin Plans Needs and Issues document were reviewed for clarification:

- Public health impact of nitrates
- Intended use the of the term “holistically”
- Rationale for “including drought” in Volume/Concentration and Flow
- Beneficial Use: MUN v. AG
- Anti-degradation

The committee when asked to name “the most important issue that has to be addressed in the first year,” offered the following:

- Tulare Lake – groundwater is MUN by default, looking for consideration or study to look at de-designating.
- First encounter of water and whether it be designated as MUN, if you couldn’t drill a well that meets state standard and used as a useful water source.
- How flexibility can be implemented with regard to the application of the objectives, enabling us to carve out a plan that can be implemented going forward.

- San Joaquin basin: some areas draining into the San Joaquin river are challenged areas. Shallow groundwater not used for drinking any longer. How would you treat these regions differently?

HOMEWORK:

Daniel will provide a link to the GIS map for homework discussion purposes. Tim will email homework to committee members.

Examples provided by committee members will be synthesized down to some generally acceptable criteria. The homework, and responses to it, will serve to complete a lot of the pre-work debate prior to the next meeting.

The first step is the application of the Sources of Drinking Water Exemption Policy to the MUN designations in this watershed. Most of the committee time at next meeting will be dedicated to that.

3) Salinity Leadership Group Meeting Recap and notes from February 24, 2010

A discussion was held regarding the current form and function of the Leadership Group. Concerns were voiced regarding the effectiveness of the forum, particularly with regard to the lack of feedback from the group on issues presented. Suggestions were made that the group might better serve the initiative in the capacity of a steering committee, or board of directors.

Charles Gardiner presented a detailed summary of his observations and recommendations for the Leadership Group in the attached memo to the committee dated March 2, 2011. In an effort to improve the future effectiveness of the Leadership Group forum, Daniel will survey the group regarding current interest of upper level management in actively participating in the leadership group, and report back at the April 22nd meeting.

4) 2011 CV-SALTS Progress Milestones Updated

Daniel reviewed the Milestones for the group and indicated this document would remain a permanent part of the agenda as a tool for monitoring progress. Concern over meeting the July Milestone of "FINAL updated strategy including policy and framework," resulted in a revised, and accelerated, Executive Committee Meeting schedule for April and May. (see #8 below)

Daniel provided a summary of used/available funds in Cleanup and Abatement.

5) Technical Project Manager Scope Committee Update

Daniel is functioning as interim chair. Recommendations generated on the next subcommittee conference call may be forwarded to the Executive Committee for comment and review prior to the 4/22 meeting so they may be finalized and approved on 4/22.

6) Groundwater Strategy CV-SALTS Workplan revised

The revised workplan with table and supporting narrative were reviewed. Presentation before the board is delayed until June.

7) Management Practice Subcommittee Update Status

Parry indicated Renee Pinel and Tim Johnson have committed to serving on this committee and a conference call date is being set for the next call.

8) Set next meeting objectives and date (April 21, 2011)

The committee is now scheduled to meet: April 12, April 22 (teleconference only), May 5, and May 26.

9) Public Education and Outreach Committee breakout communications and messages

A detailed summary of the PEO committee session provided by Charles Gardiner can be found in the attached document: Public Education and Outreach Committee Coordination Meeting – March 17, 2011.

10) Future Items

- a) [Technical Objective Recommendations](#) and [Questions](#) from the Knowledge Gained Committee Update – Lisa - 15 min Deferred
- b) 3a/3b Task Force Status – 10 min
- c) Expected Future Roles of the State and Regional Boards, stakeholders, CVSC

CV-SALTS meetings are held in compliance with the Bagley-Keene Open Meeting Act set forth in Government Code sections 11120-11132 (§ 11121(d)). The public is entitled to have access to the records of the body which are posted at www.cvsalinity.org

Axioms for Establishing or Revising Water Quality Standards

- 1) Appropriate beneficial uses must be designated. (40 CFR 131.10a)
- 2) Uses must be designated where the use is actually being attained. (40 CFR 131.10i)
- 3) Existing uses may not be downgraded or deleted. (40 CFR 131.10-h-1)
- 4) Existing uses are those uses actually attained in the water body on or after November 28, 1975, whether or not they designated. (40 CFR 131.3e)
- 5) REC1 and Aquatic Life Habitat (ALH) are presumed to be attainable (40 CFR 131.10d)
- 6) Failure to designate Recreation or Aquatic Habitat requires a UAA (40 CFR 131.10j)
- 7) All surface and groundwaters of the state are presumed capable of supporting a MUN use and should be so designated unless the specific waterbody or aquifer qualifies for exemption. (Sources of Drinking Water Policy; SWRCB Res. No. 88-63 & Res. No. 2006-0008)
- 8) Unnamed or undesignated waterbodies are presumed to have the same beneficial uses and objectives as the designated waterbodies to which they are tributary (CV Basin Plans)
- 9) Deleting or downgrading a designated use requires a UAA (40 CFR 131.10j)
- 10) May delete, downgrade or subcategorize a use only under certain conditions (40 CFR 131.10g)
- 11) Seasonal uses are allowed. (40 CFR 131.10f)
- 12) Uses are deemed attainable, and may not be removed, if the use can be achieved with cost-effective and reasonable best management practices for nonpoint source control. (40 CFR 131.10d and 40 CFR 131.10-h-2)

- 13) Water quality objectives must protect the designated uses. (40 CFR 131.11a)
- 14) Water quality objectives must protect the most sensitive use. (40 CFR 131.11a)
- 15) The level of water quality necessary to protect existing uses must be maintained. (40 CFR 131.12-a-1)
- 16) Water quality objectives must protect downstream beneficial uses (40 CFR 131.10b)
- 17) EPA's recommended water quality criteria are presumed to be protective for the associated designated uses. (40 CFR 131.11)
- 18) Subcategorizing uses to apply less stringent water quality criteria requires a UAA (40 CFR 131.10j)
- 19) Regional Board must consider factors identified in Section CWC §13241, including economics, when adopting water quality objectives to protect beneficial uses.

- 20) Where current water quality is better than necessary to protect designated uses, the existing higher quality must be preserved unless allowing lower quality would provide "maximum benefit to the people of California" (SWRCB Res. No. 68-16) and (for surface waters) is "necessary to accommodate important economic or social development in the area in which the waters are located." provided that all existing uses will remain fully protected (40 CFR 131.12-a-2).
- 21) States may adopt and implement mixing zones, variances and low flow policies (40 CFR 131.13)

MEMO

To: Daniel Cozad and Executive Committee
From: Charles Gardiner
Cc: Tim Moore
Date: March 2, 2011
Re: CV-SALTS Leadership Group

The following are my observations regarding the CV-SALTS Leadership Group meeting on February 24th and recommendations for future meetings.

Observations

Presentations

The presentations were concise and well organized. They were clearly designed to provide a brief progress report on key program activities and accomplishments. Given the current state of the program, they provided a good overview of program status. One missing element from most presentations was a clear statement of what is needed in each area from the Leadership Group (see discussion and Dialogue below).

Discussion and Dialogue

The meeting included about the right number of opportunities for discussion and dialogue to break up the presentations and allow participants an opportunity for questions and discussions. It was quite obvious that few participants were ready or able to engage in discussion. Daniel had to work too hard to get people to speak up. There may be several reasons for the discussion challenges:

- Lack of clear purpose and role for the Leadership Group itself
- Inadequate understanding among participants of their role or authority to contribute, responsibilities etc.
- Participants waiting for perceived leaders to speak up and provide guidance
- General acceptance of the information provided, which could indicate that the presentations are not sufficiently bold or provocative
- Lack of clarity about what participant input is most valuable, i.e., the questions may be too broad to engage participants
- The format and structure of the meeting is not conducive to participant discussion

I suspect the low level of engagement and discussion is a result of a combination of all of these factors.

Meeting Structure and Room Layout

More specifically on the meeting structure and format, there are two potentially conflicting purposes of the meeting. First, it is designed primarily as an update and progress report for interested parties. Second, the meeting seeks input and guidance on the program from executive leaders, who are not present and accountable. For example, the message at the meeting that the program is behind schedule and results are needed to meet the milestones was delivered too broadly to a large group to effect real action and accountability at the executive level. The participation by the target executive leaders is declining, primarily because the progress report and update is the dominant purpose, which is not time efficient for executive leaders.

The basic features of the room with a panel of presenters in the front, PowerPoint presentations, and theatre seating is most closely associated with a lecture or conference presentation. This format puts the audience in a mode to receive information and ask clarifying (or critiquing) questions. I would further note that the seating arrangement potentially confuses the roles of the participants. Leadership Group, Executive Committee members, and other interested parties were all among participants and not clearly defined as to their roles in the meeting. With this structure, fostering discussion and obtaining feedback and direction from the Leadership Group is challenging at best.

Recommendations

My recommendations for the future of the Leadership Group generally fall in three areas: purpose and structure, meeting design and format, and dialogue and decisions.

Leadership Group Purpose and Structure

I understand that the purpose of the Leadership Group has evolved slightly as the program has evolved. It seems that the program is at a point where further refinement and clarification of the Leadership Group members and role is needed. If the primary purpose of the Leadership Group is to achieve executive level support and commitment for the policy recommendations developed through CV-SALTS and the funding to evaluate and develop those policy recommendations, the group should be chartered with that specific purpose.

This approach would entail chartering the Leadership Group as a board of directors for the CV-SALTS program with oversight responsibility for program focus and direction, schedule and milestones, funding and efficiency, and resolving conflicts when consensus cannot be reached at the Executive Team level. The State and Regional Boards can maintain their ultimate policy making responsibility by chartering the Leadership Group to weigh in on the critical elements needed to develop a consensus Basin Plan Amendment recommendation for review and approval by the State and Regional Boards. The initial members of a reconstituted Leadership Group would be the executive leaders of the organizations contributing funding and resources to the effort.

Meeting Design and Format

The first action in redesigning the meeting is to separate the two conflicting purposes. If the primary goal is to gain executive level support and commitment for program recommendations and funding, the meeting should be designed as a board of directors, where the directors have a clear role in ensuring constructive, objective, efficient results.

The organizations putting money and resources into the program should have a clear and direct role in overseeing program activities. Even though executive leaders are all busy, a clear purpose and role, along with some encouragement and recruitment, will ensure better participation. With this structure, I would also recommend more frequent meetings of the Leadership Group, at least every six months, better still if they meet quarterly. That will keep the Executive Team accountable for progress and reporting to the executives.

Regardless of the frequency of the Leadership Group meetings, the room layout should be designed with the executive leaders around a table as the key audience. Presentations can still be provided by members of the Executive Committee and others. Other interested participants can observe. This structure puts the executives as the focus of attention and supports discussion and dialogue among them.

At the same time, a general progress report to all interested parties remains an important activity. The program should remain committed to reporting on progress, new study results and findings, program challenges, etc. An annual meeting is the correct format for that reporting. With the executive leader focus in another forum, the annual progress report could be expanded to include the state of the science, pilot projects, and other topics in a day-long event and workshop.

If specific input and guidance is desired from a larger group meeting, clear, provocative questions should be formulated and specific methods for soliciting input should be designed (e.g., round robin commenting, comment cards, audience polling, etc.).

Dialogue and Decisions

Regardless of the structure of the Leadership Group, each meeting should be designed with a clear understanding of the type of discussion and dialogue desired. Generally, there are three types of discussion the program might plan:

1. Information/Educational (e.g., presentations with clarifying questions)
2. Review and Comment (delivery of a presentation or document seeking specific input to improve the program)
3. Collaborative (working together to develop or refine an element of the program)

The key question for each discussion is “What input from the participants would be most constructive for the program?” This question will help clarify the program decisions (who, what, when) associated with each topic. The key to improving discussion and dialogue in the Leadership Group will be framing each discussion opportunity in one of these types and then ensuring that the participants are fully prepared to engage appropriately.

For the next Leadership Group meeting (and/or program update meeting) the team should define each of the following:

1. What input from the participants would be most constructive for the program?
2. What type of discussion is best to gather that input?
3. What decisions need to be made on this topic and who will make them?
4. What information do the participants need to participate effectively?
5. What format is most effective for sharing information and fostering dialogue?
6. What questions will be most likely to engage participants and gather the desired input?

7. What will the program do with the results of the discussion and how will results be communicated back to the participants?

Summary

The Leadership Group has two potentially conflicting purposes that appear to be undermining the effectiveness of the meetings. For the Leadership Group meetings (and indeed all meetings), the CV-SALTS program should rethink the meeting purposes and ensure that purpose, format, meeting design, and room layout are all aligned to maximize knowledge transfer to the participants and constructive input to the program.

Public Education and Outreach Committee

Coordination Meeting – March 17, 2011

Draft Notes

The Public Education and Outreach Committee met briefly following the March 17, 2011 Executive Committee meeting to review activities and accomplishments from 2010 and begin planning outreach activities for 2011.

2010 Activities

The group reviewed the activities completed in 2010, which included the following:

- Outreach/Scoping Meetings – (Joe, can you fill in how many were done, when, and where?)
- Leadership Group Meeting (postponed to February 2011)
- Others?

Priorities for 2011

The group discussed four potential areas of outreach and education to stakeholders and the public:

- A. Engage additional leaders and organizations to participate in CV-SALTS and commit resources to the program
- B. Engage stakeholders and underserved communities in the Basin Plan Amendment planning process
- C. Inform executives and funders (including legislators) about progress and needs
- D. Motivate behavior change among target audiences to reduce salts and nutrients and improve management

After some discussion of these four general approaches and communications techniques and activities, the group agreed to the following:

1. The PEO Committee should take a lead role in developing a concise description of CV-SALTS and the priority messages for specific audiences
2. Increasing the number of organizations that participate in CV-SALTS and provide resources (Item A above) is primarily the responsibility of the Funding Committee. The PEO Committee will provide assistance with messages, target audiences, and materials.
3. Developing and implementing a plan for engaging stakeholders, particularly underserved communities, in the planning process (Item B above) is the highest

- priority because the substantive planning work is now getting underway. Certain audiences such as the environment justice and environmental organizations are critical to engage now.
4. Informing executives and funders about progress and accomplishments (Item C above) is important and will be considered as part of discussions to revise the structure of the Leadership Group.
 5. Motivating public behavior change on salt and nutrient management (Item D above) is important, but not a high priority for effort and resources until the Basin Plan Amendment is developed. Other outreach activities for 2011, such as good public engagement in planning, will help support the long-term public education goals.
 6. Near-term activities should include (1) updates to the website to make it more public friendly and informative and (2) a newsletter (hard copy or electronic) to keep participating agencies and stakeholders informed.

Next Steps

1. Update the PEO Committee work plan for 2011 and gain approval of the Executive Committee.
2. Develop concise CV-SALTS story and messages for specific audiences.
3. Develop and implement a plan for gaining constructive input from stakeholders and underserved communities into the planning process at critical milestones.
4. Develop a plan and schedule for website updates and program newsletter.
5. Coordinate with the Funding Committee on outreach activities and messages.

Participants

Joe Digiorgio, Committee Chair
Jeanne Chilcott, Regional Board
Mark Felton, Culligan Water Conditioning
Charles Gardiner, CV-SALTS Program Support Team

CV-SALTS Committee Rosters

Executive Committee Membership		2011 March	2011 12-Apr
Nomination Category	Name and		
Leadership Partners 1	Pamela Creedon/Jeanne Chilcott Regional WQCB	✓	
	2 Darrin Polhemus, State Water Resources Control Board	✓	
	3 Jose Faria/Ernie Taylor Department of Water Resources	✓	
	4 Lisa Holm, US Bureau of Reclamation	✓	
	5 TBD - Environmental Justice		
	6 TBD - Environmental, Water Quality		
Comm. Co-chairs 1	Parry Klassen, Chair Executive Committee	✓	
	2 Jeff Willett, Vice Chair Executive Committee	✓	
	3 Joe DiGiorgio, Public Education & Outreach Comm.	✓	
	4 Lisa Holm, Technical Advisory Committee	✓	
	5 Nigel Quinn, Technical Advisory Committee	✓	
	6 David Cory, Economic and Social Cost Committee	✓	
CV Salinity Coalition 1	Bobbi Larson, CASA	✓	
	2 Debbie Webster, CVCWA	✓	
	3 Dave Cory, San Joaquin River Drainage Authority	✓	
	4 Steve Hogg, City of Fresno		
	5 Trudi Hughes/Mona Shulman, Ca League of Food Processors	✓	
	6 Tim Schmelzer/Chris Savage, Wine Institute		
	7 Steve Bailey, City of Tracy		
	8 Jeff Willett, City of Stockton	✓	
	9 Linda Dorn, Sacramento Regional CSD	✓	
	10 Dennis Westcot, San Joaquin River Group		
	11 Nick Pinhey, City of Modesto		
	12 Tim Johnson, California Rice Commission		
	13 Phil Govea, City of Manteca		
	14 Parry Klassen, E. San Joaquin Water Quality Coalition	✓	
	15 Mike Nordstrom/Doug Davis Tulare Lake Drainage/Storage Districts	✓	
	16 Karna Harrigfeld, Stockton East Water District	✓	
	17 Renee Pinel, Western Plant Health Association		
	18 Travis Peterson, City of Vacaville	✓	

Participants Identified:

Geoff Anderson, DWR	Erica DeHollan, LA C	Karl Longley, CSU Fresno
Bruce Houdesheldt, NCWA/Sac Valley WQC	Tess Dunham, Somach	Andy Malone, Wildermuth Env.
Dan Odenweller, RWQCB	Stan Dean, SRCD	Chad Dibble, CDFG
Danny Merkely, California Farm Bureau	Fern Wilson, City of Vacaville	David Miller, GEI Consultants
Emily Alejandrino/Jim Martin, CVRWQCB	Jim Martin, RWQCB	Gary Carlton, Kennedy Jenks
Emily Robidart Rooney, Ag Council	Rob Neenan, CA League Food Proc	Jamil Ibrahim, MWH Global
Gail Cismowski, CVRWQCB	Melanie Thomson, CUWA	Jay Simi, CVRWQCB
Jenny Crouse, Ironhouse Sanitary District	Leila Khatib, Kennedy Jenks	Jodi Pontureri, SWRCB
Erick Althorp SSJWQC	Sue Giampietro, The Wine Group	Joe LeClaire, Wildermuth Env.
Mark Dorman, Rainsoft Water PWQA	Jean-Pierre, J.P., Cativiela, Dairy	Ken Landau, RWQCB
Mark Felton, Culligan Water and PWQA		Larry Rodriguez, Kern County WA
Mark Gowdy, SWRCB, Water Rights		Mark Larsen, Kaweah Delta WCD
Rick Staggs, City of Fresno		Rita Schmitt-Sudman, WEF
Robert Chrobak and Stuart Childs Kennedy/Jenks		Rob Beggs, Brown and Caldwell
Ron Crites, Brown and Caldwell		Roberta Firoved