California Water Quality Monitoring Council

Council Meeting Notes

July 27, 2009 – 9:00 AM to 4:00 PM

Conference Room 550 – Fifth Floor
Joe Serna Jr. Cal/EPA Headquarters Building
1001 I Street, Sacramento

Monitoring Council Members and alternates in attendance:

Jonathan Bishop	Sam Mowbray	Linda Sheehan
Sarge Green	Armand Ruby	Stephen Weisberg

Monitoring Council Alternates in attendance:

Mike Connor	Valerie Connor	Terry Macaulay

Others in attendance or on the phone:

Steve Becker, DTSC	Sam Harader, SWRCB
Edward Belden, LASGRWC	Rainer Hoenicke, SFEI
Brock Bernstein, SB 1070 Consultant	Brian Lewis, DTSC
Clay Brandow, Cal Fire	Jason Lofton, Sac Regional
Bob Brodberg, OEHHA	Jon Marshack, SWRCB
Dave Clegern, SWRCB	Vyomini Pandje, Sac Regional
Carol DiGiorgio, DWR	Bruce Posthumas, San Diego RWQCB
Melenee Emanuel, SWRCB	Dorothy Rice, SWRCB
Terry Fleming, USEPA	Anke Mueller-Solger, CALFED
Tod Granicher, Cal State Sacramento	Carolyn Yale, USEPA

ITEM:	1	
Title of Topic:	**INTRODUCTIONS AND HOUSEKEEPING**	
Purpose:	1) Introductions 2) Approve notes from May 22, 2009 Council meeting 3) Review agenda for today's meeting	
Desired Outcome:	1) Approve May 22, 2009 Monitoring Council meeting notes 2) Adjust today's agenda, as needed	
Attachments:	Draft Notes from May 22, 2009 Meeting	
Contact Person:	Jon Marshack	jmarshack@waterboards.ca.gov, (916) 341-5514
Decisions:	May 22, 2009 Monitoring Council meeting notes approved without edits.	

ITEM:	2	
Title of Topic:	**ANNOUNCEMENTS AND UPDATES**	
Purpose:	1) Legal questions posed by the Monitoring Council at the May 22, 2009 meeting. A memorandum of responses has been prepared.	

	(Jon Marshack, Ted Cobb, Nathan Jacobsen)
	2) Welcome Karen Larsen, new Assistant Director of the State Water Board's Office of Information Management and Analysis
	3) State budget update (Jonathan Bishop)
	4) Support for geographic-based and citizen monitoring efforts - California Water Quality Monitoring Collaboration Network (Melenee Emanuel)
	5) Progress of outreach to state government organizations (all)
Desired Outcome:	1) Information
	2) Understanding of Monitoring Council Member and staff responsibilities under the Bagley-Keeene Open Meeting Act
	3) Recommendation on the timing of Monitoring Council efforts, including implementation of the comprehensive monitoring program strategy, in light of the current state budget situation (discussion may best occur during items # 4 and 5, below)
Attachments:	a) Legal Q&A Memorandum
	b) California Water Quality Monitoring Collaboration Network web page
	c) Outreach Letter to Boards, Departments, Offices, & Commissions
Contact Person:	Jon Marshack jmarshack@waterboards.ca.gov, (916) 341-5514
Notes:	Additional Bagley-Keene requirements:
	a) Monitoring Council members may not participate in meetings remotely unless their location is included in the notice and is accessible and open to the public.
	b) A meeting of 3 or more Monitoring Council members constitutes a meeting of the Monitoring Council and must be noticed. (clarified with Ted Cobb)
	c) Working groups or committees of the Monitoring Council may not contain more than two members without triggering notice requirements.
Action Items:	a) Steve Steinberg, Jon Marshack and Brock Bernstein should meet to determine how to include citizen monitoring efforts in the strategy document. Rules for inclusion of data are needed.
	b) Add links to California Water Quality Monitoring Collaboration Network web page from other web pages, e.g., Clean Water Team.
	c) Terry Macaulay will arrange a briefing for Natural Resources Secretary Mike Chrisman, including Joe Grindstaff, Jon Marshack, and Val Connor.

ITEM: #	**3**
Title of Topic:	**INTERAGENCY ECOLOGICAL PROGRAM**
Purpose:	Anke Mueller-Solger, IEP Lead Scientist, will present an overview of IEP

	monitoring and research efforts/program, followed by a discussion about how IEP products can feed into the Monitoring Council's efforts.
Desired Outcome:	Determination on IEP role in Monitoring Council efforts and next steps.
Background:	The Interagency Ecological Program is a long-term monitoring and research program by nine State and Federal agencies that was initiated in 1970. IEP Agencies often partner with universities and others to cooperatively conduct ecological investigations in the San Francisco Estuary aimed at producing high-quality information for management and conservation of the estuary. Many IEP monitoring activities are legally mandated and subject to regular reviews by the IEP Science Advisory Group. For more information about the IEP and access to IEP data and other information products, see http://www.water.ca.gov/iep/.
Attachments:	Anke Mueller-Solger's IEP Presentation
Contact Person:	Anke Mueller-Solger Anke.Mueller-Solger@Calwater.ca.gov, (916) 445-0147
Decisions:	A future web portal on Delta Ecosystem Health or a link to the IEP website should be included in the portals.
Action Items:	Jon Marshack will make a presentation on SB 1070 and the Monitoring Council at the October 14 IEP workshop on "Bay-Delta monitoring questions and tools for the 21st century"

ITEM: #	**4**
Title of Topic:	**PUBLIC ROLL-OUT OF THE WEB PORTALS**
Purpose:	1) Review Safe-to-Swim web portal (Jon Marshack) 2) Review proposal to rephrase web portal questions (David Clegern) 3) Review proposed communication plan for the web portals (David Clegern)
Desired Outcome:	1) Approval of initial public release of the Safe-to-Swim web portal 2) Decision on the level of review by the Monitoring Council of the other three portals prior to public release 3) Final decision on the phrasing of main web portal questions 4) Approval of a portal publicity plan
Background:	In its December 1, 2008 recommendations report, the Monitoring Council outlined identified four theme-based web portals for initial development, based on existing efforts by workgroups already in existence: 1) Groundwater sub-theme of "Is our water safe to drink?" – Water Boards' Groundwater Ambient Monitoring and Assessment (GAMA) program 2) Coastal beaches, bays, and estuaries sub-theme of "Is it safe to swim in

	our waters?" – Beach Water Quality Work Group (BWQW)
	3) Sport fish sub-theme of "Is it safe to eat fish and shellfish from our waters?" – Bioaccumulation Oversight Group (BOG) of the Water Boards' Surface Water Ambient Monitoring Program (SWAMP)
	4) Wetlands sub-theme of "Are our aquatic ecosystems healthy?" – California Wetlands Monitoring Workgroup (CWMW)
	At the May 2009 meeting, the Monitoring Council decided that these portals should be released individually, over a period of a few months, to maximize publicity for the work of the Monitoring Council and the theme-based work groups. The Safe-to-Swim portal, a product of State Water Board staff, is ready for initial public release. The Beach Water Quality Workgroup has agreed to guide further development of this portal, once it has been released. The other three portals are expected to be released in the following order:
	1) Safe-to-Eat Sport Fish
	2) Wetland Ecosystem Health
	3) Safe-to-Drink Groundwater
	In a meeting with State Water Board Public Affairs Director, William Rukeyser, over web portal publicity, Bill questioned the appropriateness of the main portal questions. A proposal for rephrasing these questions has been prepared for Monitoring Council consideration.
	Publicity will accompany the release of each of the four initial web portals. The State Water Board's Office of Public Affairs has prepared a plan for publicizing their public release for consideration by the Monitoring Council.
Attachments:	a) Proposal for Rephrasing Portal Questions
	b) Portal Publicity Plan
Contact Person:	Jon Marshack | jmarshack@waterboards.ca.gov, (916) 341-5514
Decisions:	a) Web portals should display multiple perspectives (filters) on the data
	b) Safe-to-Swim Portal is ready to go public
	c) Use Safe-to-Swim Portal plus requested corrections as a template for other three initial portals
	d) Monitoring Council presentation and approval not needed for other portals
	e) Prior to going public, share beta version of other portals with Monitoring Council members via email and ask if there are major concerns
	f) Due to the lack of a majority vote for change among the Monitoring Council members, the portal questions will not change from "Is it safe to…"
	g) News release for Safe-to-Swim portal is OK
	h) Monitoring Council Members need not attend September 1 Water Board meeting portal demo
	i) Monitoring Council Members should attend Water Board meeting at which December 2009 report is presented

Action Items:	a) Inform Heal the Bay of Safe-to-Swim portal release and ask them to provide link from their site to portal
	b) Office of Legislative Affairs should set up a meeting with SB 1070 authors to demonstrate portals and review December 2008 recommendations
	c) Safe-to-Swim Portal changes delegated to Beach Water Quality Work Group:
	• Remove "Today" from "Can I swim at my beach, lake or stream?" (done)
	• Provide a link to the Sanitary Sewer Overflow interactive map (done)
	• Add explanation to Impaired Waters map that listing does not necessarily mean it is unsafe to swim at a given time.
	• Add link to the federal Beach Act – Section 4 of Clean Water Act (done)
	• Make gray county outlines able to be toggled off on main map
	• Add ability to track hits on portal pages (done)
	• Add text inviting comment from portal users: "For more information or to provide comments/questions…" (done) "Did we answer your questions?"
	• Explain why apparent discrepancies between data sets and assessments
	• Identify shortcomings of data sets and assessments – readers need to know and provides motivation to fix
	• Add statewide level perspective overview
	• Show monitoring data before and after CBI projects

ITEM:	5
Title of Topic:	**COMPREHENSIVE STATE WATER QUALITY MONITORING PROGRAM STRATEGY**
Purpose:	Monitoring Council approach to a comprehensive long-term strategy for implementing the Council's December 2008 recommendations. An annotated outline of the strategy will be presented for review and comment, which will provide the basis for drafting the report describing the strategy.
Desired Outcome:	Direction on drafting a proposed strategy and integration with the SWAMP monitoring and assessment strategy.
Background:	In its December 1, 2008 recommendations report, the Monitoring Council committed to provide recommendations for this strategy to the agency secretaries, as part of a December 2009 progress report.
	SB 1070 added Water Code Section 13181(a) and (e), which provide direction for this effort.

	In 2005, the Water Boards' Surface Water Ambient Monitoring Program (SWAMP) developed a *Comprehensive Monitoring and Assessment Strategy to Protect and Restore California's Water Quality* that focuses on USEPA's 2003 *Elements of a State Water Monitoring and Assessment Program*, which identifies 10 basic elements of a state program. At the February 2 Monitoring Council meeting, Val Connor provided an overview of progress on the SWAMP strategy. The SWAMP strategy and the Monitoring Council's December 2008 recommendations could provide a foundation of the Monitoring Council's recommendations for its comprehensive long-term strategy. In its 2008 recommendations, the Monitoring Council consolidated EPA's 10 elements into 6 performance measures: • Program strategy, objectives, and designs • Indicators and methods • Data management • Consistency of assessment endpoints • Reporting • Program sustainability
Attachments:	a) Annotated SB 1070 Strategy Outline b) December 2008 Recommendations Report - full c) Senate Bill 1070 - Chaptered d) SWAMP Monitoring and Assessment Strategy e) SWAMP Overview
Contact Person:	Brock Bernstein brockbernstein@sbcglobal.net, (805) 646-8369
Notes:	Due to budget situation it may be wise to delay request to legislature for resources for initial phase (3 years?)
Decisions:	a) Include focus on infrastructure and institutional support b) Data Centers (nodes) act as intermediaries between State and data providers c) Go forward with CEDEN & Regional Data Centers as data model, but check whether conflicts exist with efforts at other agencies or with directives from Office of the Chief Information Officer (CIO) d) Lay out conceptual data structure without providing detailed IT solutions – flag issues and level of effort needed to resolve e) Strategy should request that Feasibility Study Report (FSR) be completed f) Portals need continual maintenance and feedback improvement loops g) Report should address each deliverable in SB 1070, e.g., gap analysis (figure) of what is monitored – coverage and coordination
Action Items:	a) Brock should contact Office of the CIO on data management and GIS b) Terry Macaulay will assist Brock in making contacts with key Resources Agency staff

ITEM: #	6
Title of Topic:	**MEETING WRAP-UP**
Purpose:	1) Summarize meeting 2) Plan agenda for next Monitoring Council meeting on September 29, 2009 in Costa Mesa
Contact Person:	Jon Marshack jmarshack@waterboards.ca.gov, (916) 341-5514

Decisions:	September 29 Monitoring Council meeting at SCCWRP in Costa Mesa:
	
	a) Draft Strategy Report in a.m.
	
	b) Aquatic Ecosystem Health in p.m. – presentations by several groups involved in monitoring aquatic ecosystems plus discussion:
	  • What sub-themes should be covered?
	  • What level of detail for each?
	  • How dependent or independent are the sub-themes?
	  • Should some sub-themes be lumped together?
	  • Who are the players in each sub-theme?
	  • Are there established work groups?
	  • What are the low-hanging fruit?
	  • What kinds of data should be included (water quality, ecosystem)?
	  • How to handle good data that covers only a portion of the state?

Action Items:	Draft Strategy Report should be sent out for review 2 weeks prior to meeting

September 17, 2009
Approved September 29, 2009