

CALIFORNIA WATER QUALITY MONITORING COUNCIL

Monitoring Council Meeting Notes

Wednesday, December 8, 2010 – 9:00 AM to 4:00 PM

Conference Room 2540 – Twenty-fifth Floor
 Joe Serna Jr. Cal/EPA Headquarters Building
 1001 I Street, Sacramento



Monitoring Council Members and Alternates in attendance:

Jonathan Bishop	Rich Breuer	Parry Klassen	Armand Ruby
Dale Hoffman-Floerke	Mike Connor	Karen Larsen	Steven Steinberg
Sarah Aminzadeh	Sarge Green	Carl Lischeske	Stephen Weisberg

Others in attendance or on the phone:

Dale Anderson (phone)	Tam Doduc, SWRCB Board Member
Adam Ballard, SWRCB	Terry Fleming, USEPA
Brock Bernstein, SWRCB Consultant	Maria Macario, SARWQCB (phone)
John Borkovich, SWRCB	Michael Gjerde, SWRCB
Dennis Bowker, SWRCB Consultant	Brian Lewis, DTSC
Clay Brandow, CalFire (phone)	Kevin Lunde, UC Berkeley (phone)
Pam Buford, CVRWQCB (phone)	Jon Marshack, MC Coordinator, SWRCB
Josh Collins, SFEI	Stephen McCord, Larry Walker Assoc. (phone)
Jay Davis, SFEI	

ITEM:	1	
Title of Topic:	INTRODUCTIONS AND HOUSEKEEPING	
Purpose:	a) Introductions b) Review draft notes from October 13, 2010 Council meeting c) Review agenda for today's meeting	
Desired Outcome:	a) Approve October 2010 Monitoring Council meeting notes b) Preview what will be presented today and overall meeting expectations c) Adjust today's agenda, as needed	
Attachment Links:	Notes from October 13, 2010 Council meeting	
Contact Person:	Jon Marshack	jmarshack@waterboards.ca.gov , 916-341-5514
Decisions:	October 13, 2010 meeting notes approved without amendment	

ITEM:	2	
Title of Topic:	ANNOUNCEMENTS AND UPDATES	
Purpose:	a) State budget update (Jonathan Bishop and Dale Hoffman-Floerke) b) Portal Development Update (Jon Marshack) c) Rapid bacterial indicator methods and Orange County test (Steve Weisberg)	

Desired Outcome:	Information and feedback	
Background:	c) Rapid Bacterial Indicators – In the summer of 2010, SCCWRP participated in an Orange County study to demonstrate the effectiveness of rapid bacterial indicator methods to achieve same-day notification of swimming safety to beachgoers. Additional information is on the SCCWRP website .	
Contact Person:	Jon Marshack	jmarshack@waterboards.ca.gov , 916-341-5514
Notes:	<p>b) Portal Development – Mike Connor recommended that <i>My Water Quality</i> web portal hit statistics be compared with other websites, such as Heal the Bay, Water Keepers, and Water Boards, to provide a perspective on the success of the portals. Tracking of portal hits should be expanded to all portal pages. Information on the types of users (e.g. agency) and trends in use would also be helpful. He suggested that “Was this page helpful?” be added to each portal page.</p> <p>Sarah Aminzadeh recommended that news releases be sent to BC Water News (Brown & Caldwell).</p> <p>Steve Steinberg indicated that it would be useful to know how many queries were made on each page, to judge use of the tools provided. He also suggested that it be determined how far toward the top the portals appear on Google searches for terms like “California swimming”.</p> <p>c) Rapid Bacterial Indicators – A variety of labs with varying degrees of prior experience were involved in the test. Good correlation was found between new method (QPCR) and older method (bacterial colony counts). Same-day answers by 12:30 p.m. were the main goal, giving swimmers information that was relevant to their recreational water use. Logistics was the largest challenge, e.g., labs close to beaches being tested. It will not be possible to use the new method and obtain same-day results at all beaches without significant additional costs. USEPA will be releasing new recreational use bacterial criteria and methods in October 2012. Areas of research include automating the method to allow use of continuous flow devices and development of portable devices. NGOs (e.g. Surfriders, Heal the Bay) want more regular sampling and will push for new technology to be developed and implemented.</p>	

ITEM:	3
Title of Topic:	WORKGROUPS AND PORTALS – ANNUAL PROGRESS REPORTS
Purpose:	<p>Update Council Members on progress during 2010</p> <p>a) Bioaccumulation Oversight Group (BOG) – Safe to Eat Fish and Shellfish Portal (Jay Davis)</p> <p>b) Beach Water Quality Workgroup and Central/Northern California Ocean and Bay Water Quality Monitoring Group – Safe to Swim Portal (Michael Gjerde)</p> <p>c) California Wetland Monitoring Workgroup (CWMW) – CA Wetlands Portal (Josh Collins)</p> <p>d) Groundwater Ambient Monitoring and Assessment (GAMA) Program – Safe to Drink, Groundwater Portal (John Borkovich)</p>

	<p>e) Healthy Streams Partnership – CA Streams and Rivers Portal (Karen Larsen)</p> <p>f) Multi-Agency Rocky Intertidal Network (MARINe) – Tide Pool Portal (see written report)</p> <p>g) California Water Quality Monitoring Collaboration Network (see written report)</p>		
Desired Outcome:	Information and feedback		
Background:	Each workgroup has provided a written summary of their 2010 progress		
Attachment Links:	<p>Progress reports and presentations:</p> <p>a) Bioaccumulation Oversight Group (BOG) – Safe to Eat Fish and Shellfish Portal</p> <ul style="list-style-type: none"> • Presentation by Jay Davis <p>b) Beach Water Quality Workgroup and Central/Northern California Ocean and Bay Water Quality Monitoring Group – Safe to Swim Portal</p> <p>c) California Wetland Monitoring Workgroup (CWMW) – CA Wetlands Portal</p> <ul style="list-style-type: none"> • Presentation by Josh Collins <p>d) Groundwater Ambient Monitoring and Assessment (GAMA) Program – Safe to Drink, Groundwater Portal</p> <p>e) Healthy Streams Partnership – CA Streams and Rivers Portal</p> <p>f) Multi-Agency Rocky Intertidal Network (MARINe) – Tide Pool Portal</p> <p>g) California Water Quality Monitoring Collaboration Network</p>		
Contact Person:	<table border="0" style="width: 100%;"> <tr> <td style="width: 40%;">Jon Marshack</td> <td style="width: 60%;">jmarshack@waterboards.ca.gov, 916-341-5514</td> </tr> </table>	Jon Marshack	jmarshack@waterboards.ca.gov , 916-341-5514
Jon Marshack	jmarshack@waterboards.ca.gov , 916-341-5514		
Notes:	<p>a) Bioaccumulation Oversight Group – See presentation by Jay Davis. There was a large amount of media coverage upon the release of lake sampling reports and data. Portal data release was coordinated with release of the reports. Follow-up sampling is needed to develop safe eating guidelines for high priority waterbodies. Future portal development will involve adding coastal and rivers/streams sampling data, adding other existing data sets, and converting to CEDEN to feed data to the portal. Integration of coastal fish sampling with SF Bay Regional Monitoring Program and Bight sampling program was a huge success. BOG needs to expand membership beyond its initial SWAMP community. Need other agencies to buy in, especially Natural Resources Agency, e.g., Dept. of Fish & Game (fishing licenses, inland fisheries branch, Sandy Morey and Kevin Hunting). Will need Monitoring Council help with future funding. A policy success would be for these data to influence the Water Boards to develop a broadly applicable TMDL for mercury either for multiple Regions or statewide. A policy challenge will be resolving the variety of existing benchmarks while recognizing differing agency foci. A communication challenge would be developing a report card for the portal.</p> <p>b) Beach Water Quality Workgroups – Challenges include expanding involvement to inland freshwater bacterial monitoring and speeding data delivery to the portal. The new BeachWatch database being developed by SCCWRP will help feed data to CEDEN, which will feed data to portal,</p>		

allowing integration of coastal and inland monitoring data. Funding of coastal beach monitoring has been the largest challenge, with no long-term funding source yet identified. The Governor had eliminated funding with the line-item budget veto. The State Water Board dedicated Prop 13 bond funds to cover monitoring through 2011. It was suggested that coalitions of dischargers could fund monitoring, with Regional Water Boards working with NPDES and stormwater permits to redirect toward regional monitoring. But success is likely limited to urban areas with higher densities of dischargers. New legislation to restore funding was another suggestion. The Monitoring Council viewed funding as more of a county issue, restricting the Monitoring Council's focus to coordination and efficiency. The role of the Safe to Swim portal in providing real-time data was questioned. Links are already provided to county health agency and Heal the Bay websites that provide more real-time information. Portal products should focus on trend analysis, rather than daily swimming advice. It was suggested that stormwater bacterial monitoring data from streams be added to the portal.

- c) **California Wetland Monitoring Workgroup** – See [presentation by Josh Collins](#). Major achievements include the release of the Wetland and Riparian Area Monitoring Program (WRAMP) and endorsement by the Monitoring Council. This endorsement has been helpful in getting traction with various agency programs. WRAMP delivers tools to existing programs at a variety of agencies, including standardized definitions and methods. Using the Monitoring Council's endorsement, CWMW is having success getting WRAMP implemented in a number of infrastructure projects. A common base map (California Aquatic Resource Inventory or CARI) with common definitions was recommended for all aquatic habitats, which would feed into federal mapping efforts (NHD and NWI). CARI would eventually replace the Google base map for all of the portals to inform local, state and federal decision making, CRAM and more intensive monitoring, and the permitting process. In 2011, the Wetland Portal will be revised to be more consistent with the other two portals and the [Monitoring Council's guidelines](#). New trackers will be developed at the Regional Data Centers to help data users, better informing 401 and 404 processes, CDFG streambed alteration permits, and tracking project information. More intensive training in the use of tools will be needed for agency staff and consultants. Obstacles include the lack of a statewide wetland program, hesitation to implement tools in advance of policy decisions (i.e., the Water Board's developing Wetland and Riparian Area Policy), resistance to public data access by some parties, cost of coordination and developing and disseminating new tools. To maintain effectiveness, the workgroup needs a staff person to manage outreach, coordination, follow-up hand-holding, and to foster consistency. Greater communication between workgroups would be helpful to address common needs and to share lessons learned. Coordination between workgroup chairs may be helpful. Showing continuing progress is very important to the continued success of workgroup efforts.
- d) **Groundwater and Safe to Drink** – Groundwater Ambient Monitoring and Assessment (GAMA) program includes the priority basin monitoring project with USGS, special studies with Lawrence Livermore National Laboratory (LLNL), the domestic well project that focuses on particular county issues, and the GeoTracker GAMA database in which data are shared with other agencies. Drinking water safety is not the mission of GAMA. Groundwater quality is not necessarily the quality of water that people drink. Rather, GAMA's mission is to identify constituents of concern and communities

	<p>impacted. But the Water Boards have a duty to protect drinking water-related beneficial uses of groundwater. The GeoTracker GAMA Interagency Task Force is not a formal Monitoring Council workgroup; it does not drive development of the Safe to Drink portal. The request for CDPH to ask larger water purveyors to post their Consumer Confidence Reports (CCRs) was not accepted by CDPH management. In response, Carl Lischeske sent Jon Marshack contact information for water purveyors throughout the state. He indicated that approximately 2/3 of the larger systems have their CCRs on line presently. For all public water systems, laboratories are required to submit data to CDPH electronically. CDPH has a large IT backlog, preventing it from being more involved in delivery of information to public at present. CDPH expects it to take two years to update its data management system. The smallest water systems potentially pose the largest risks to consumers, since they are not subject to much if any regulation. 7% of the state population is on private wells or very small water systems.</p> <p>e) Healthy Streams Partnership – Expect a working portal by the end of June 2011. Currently working on portal display options for SWAMP Perennial Streams Assessment and Toxicity Assessment information and exploring various options for report card scores. Will be broadening from a largely-SWAMP focus to include other agency programs, such as DWR water plan information, CalFish and BIOS. Getting participation from Natural Resources Agency organizations is proving to be a challenge. Expanding from streams to all freshwaters will take time; lead players for lakes monitoring and other aspects will be needed. Consultant Dennis Bowker has been interviewing data users and sources to determine data needs and how people want to use the portals. This information will also be of use to other workgroups.</p>
<p>Decisions:</p>	<p>Information on groundwater levels from DWR should be incorporated into the Safe to Drink portal.</p>
<p>Action Items:</p>	<p>a) Add to the strategy cover letter, under achievements for 2010, that the State of the State Wetlands report highlighted the WRAMP developed by CWMW and endorsed by the Monitoring Council, and that the Monitoring Council endorsement of WRAMP has been influential in a number of projects.</p> <p>b) Add to workgroup guidelines that workgroups need to identify roadblocks, needs, and lessons learned for Monitoring Council.</p> <p>c) Sarge Green will approach the Association of California Water Agencies, Safe Drinking Water Committee about the CCR web posting issue.</p> <p>d) Dennis Bowker will present the results of his investigations at the February 2011 Monitoring Council meeting.</p>

<p>ITEM:</p>	<p>4</p>
<p>Title of Topic:</p>	<p>ANNUAL REPORTING TO AGENCY SECRETARIES</p>
<p>Purpose:</p>	<p>Report to Agency Secretaries is due by the end of 2010</p>
<p>Desired Outcome:</p>	<p>Direction on content and emphasis of the progress report</p>
<p>Background:</p>	<p>In the transmittal letter to its December 2008 Recommendations, the Monitoring Council agreed to deliver annual progress reports to the Agency Secretaries.</p>

	Many of the achievements of 2010 are outlined in the Comprehensive Monitoring Program Strategy document. At the October 13, 2010 meeting, the Monitoring Council decided that the annual report should be included within the cover letter for the Comprehensive Monitoring Program Strategy document, calling out significant progress made in 2010, such as engagement with the Natural Resources Agency.	
Attachment Links:	a) Draft cover letter to the recommended Comprehensive Monitoring Program Strategy b) Meeting notes of the October 13, 2010 Monitoring Council meeting (item 8)	
Contact Person:	Jon Marshack	jmarshack@waterboards.ca.gov , 916-341-5514
Decisions:	a) Performance measures should be used to evaluate annual progress in future b) Add headings for annual report and strategy transmittal portions of letter c) Reorganize and group bulleted items under subheadings in annual report section d) Add Monitoring Council Members to letterhead, in the left margin e) See Action Item (a) in agenda item #4, above. f) Add distilled message up front to highlight workgroups, alliances between key agencies, influence on policy and the work of outside organizations, and getting information out to the public under "Council's Philosophy Is Working"	

ITEM:	5
Title of Topic:	MONITORING COUNCIL GOVERNANCE
Purpose:	Governance document to be attached to the Monitoring Council's Comprehensive Monitoring Program Strategy document
Desired Outcome:	Direction on content of a Monitoring Council governance document
Background:	<p>The MOU establishing the Monitoring Council include the following under the heading <i>The Monitoring Council's Responsibilities</i>:</p> <p>Develop a more complete governance structure that describes any needed advisory committees and contractual relationships, specifics of the Monitoring Council's deliberative process, including procedures for identifying and prioritizing issues, assigning tasks and tracking progress, and communication and outreach. In addition, the governance structure should describe the Monitoring Council's relationship with the Secretaries of Cal/EPA and Resources and set forth a mechanism for decision making in cases where members of the Monitoring Council cannot reach agreement.</p> <p>At the October 13, 2010 meeting, the Monitoring Council decided that a short Monitoring Council governance document should be added to the Comprehensive Strategy document for submission to the Agency Secretaries.</p>
Attachment Links:	a) Draft Monitoring Council Governance document b) MOU between Cal/EPA and Natural Resources establishing the Monitoring Council

	c) Meeting notes of the October 13, 2010 Monitoring Council meeting (item 8)	
Contact Person:	Jon Marshack	jmarshack@waterboards.ca.gov , 916-341-5514
Decisions:	<p>a) Combine member category list with list of vetting organizations</p> <p>b) Add that six Members need to be present for a quorum to exist</p> <p>c) Add that where decisions are not made by consensus, decisions are to be made by the collective vote of a simple majority of the voting Members present</p> <p>d) Make sure data management sections are in accord with statewide IT efforts – see Little Hoover Commission report Review of Governor’s Reorganization Plan to Consolidate Information Technology Functions, November 2008</p> <p>e) The Data Management Workgroup does not determine portal content. Work of the Data Management Workgroup should support the needs of the theme-specific workgroups and should not delay portal development.</p>	

ITEM:	6	
Title of Topic:	POTENTIAL AMENDMENTS TO ENABLING LEGISLATION	
Purpose:	Proposed legislation to enhance the Monitoring Council’s actions	
Desired Outcome:	Agreement between non-governmental Monitoring Council Members on potential legislation and assignments to develop proposed legislative language	
Background:	<p>On October 21, Steve Weisberg, Jon Marshack, and Water Board Legislative Director Rob Egel briefed Linda Barr, Principle Consultant to Senator Christine Kehoe, the author of CA SB 1070. The briefing was intended to seek concurrence on the direction of the Monitoring Council’s Comprehensive Monitoring Program Strategy and support for continued Monitoring Council involvement coordinating implementation of the strategy. Linda Barr expressed enthusiastic support for the Monitoring Council’s vision and the efforts of the workgroups to create the initial portals. Toward the end of the briefing, Linda Barr invited the Monitoring Council to provide Senator Kehoe with specific proposed changes to the enabling legislation for consideration during next year’s legislative session. Such changes could clarify roles or make other changes to make the Monitoring Council’s work easier and potentially more successful. Specific draft language would be needed by mid January.</p> <p>Staffs of California boards, departments, commissions and offices are normally barred from proposing legislation without approval from their respective agency secretaries and the Governor’s office.</p>	
Attachment Links:	CA SB 1070	
Contact Person:	Steve Weisberg	steve@scworp.org , 714-755-3203
Notes:	State agency staff will not be directly involved in proposing legislation. Other Monitoring Council Members and Alternates will carry this item.	
Decisions:	Senator Kehoe should be asked to schedule briefings for key legislative	

	<p>committees (e.g., Senate Natural Resources and Water)</p> <p>Focus of new legislation:</p> <ul style="list-style-type: none"> a) Memorialize continuing role of Monitoring Council, beyond development of the strategy, to guide implementation, address issues and break down barriers b) Elevate CDPH stature (e.g., have them sign MOU) c) Broaden the focus of legislation (i.e., include “and associated ecosystem” to “water quality” throughout the statute)
Action Items:	<ul style="list-style-type: none"> a) Carl Lischeske will raise the issue of CDPH signing on to the MOU with CDPH Director Dr. Mark Gordon. Steve Weisberg or Linda Sheehan will follow-up. b) Linda Sheehan will draft potential legislative language for consideration

ITEM:	7
Title of Topic:	RECOMMENDED COMPREHENSIVE MONITORING PROGRAM STRATEGY
Purpose:	Review and approve final draft of the recommended Comprehensive Monitoring Program Strategy
Desired Outcome:	Comment and approval of the recommended strategy
Background:	<p>The strategy is required by California Senate Bill 1070 (Kehoe, 2006) and the Memorandum of Understanding (MOU) between Cal/EPA and Natural Resources. Each of these documents provides specific direction on the content of the strategy.</p> <p>The Monitoring Council considered the September 2010 draft of the strategy at its October 2010 meeting and provided specific comments and direction. A final draft of the strategy document has addressed all Monitoring Council comments and direction to date. The strategy document is to be completed and submitted to the Agency Secretaries by the end of 2010.</p> <p>The Monitoring Council requested briefings with the two Agency Secretaries and with key legislators prior to finalizing the strategy. Agency Secretary briefings have occurred and both Secretaries provided support for the direction of the strategy. Senators Kehoe and Alquist were co-authors of CA SB 1070. A briefing with Senator Kehoe’s staff occurred on October 21, which also resulted in enthusiastic support and an offer to publicize the work of the Monitoring Council and its workgroups to fellow California legislators. Water Board Legislative Affairs staff has attempted to schedule a briefing with Senator Alquist’s staff, but has not been able to gain their interest in having such a meeting.</p>
Attachment Links:	<ul style="list-style-type: none"> a) California Senate Bill 1070 [see Section 13181(a) and (e)] b) MOU between Cal/EPA and Natural Resources c) Meeting notes of the October 13, 2010 Monitoring Council meeting (item 7) d) Comprehensive Monitoring Program Strategy - Final Draft

Contact Person:	Brock Bernstein	brockbernstein@sbcglobal.net , 805-646-8369
Notes:	Users include decision makers (e.g., permit writers, agency staff, and agency management) in addition to the public. Information delivery should inform decision making about priorities and water resource and environmental management geared toward improving conditions.	
Decisions:	<p>The Comprehensive Monitoring Program Strategy document is approved with the following changes:</p> <ol style="list-style-type: none"> Mention workgroups before portals – strengthen emphasis on the essential role of workgroups for data sharing and improving the efficiency and effectiveness of monitoring and assessment efforts Add back subsection (6) to quote of Water Code Section 13181(e) In recommendations section, remove specifics about grant monitoring and indicate that the Monitoring Council will enlist the support and cooperation of state agencies to ensure that water quality improvement projects financed with state and federal funds are able to measure effectiveness (see SB 1070 language) Remove out-of-state travel recommendation and replace with the importance of coordination with the National Water Quality Monitoring Council 	
Action Items:	Jon Marshack and Brock Bernstein will make the above changes before submitting the strategy document to Agency Secretaries	

ITEM:	8	
Title of Topic:	2011 MONITORING COUNCIL MEETINGS	
Purpose:	Set dates and locations for meetings	
Desired Outcome:	Agreement on meeting dates and locations	
Background:	<ol style="list-style-type: none"> 2010 meetings were generally held on the second Wednesday of alternate months, beginning in February CDPH Member Gary Yamamoto has indicated a conflict on second Wednesdays of the month Meetings have generally alternated between the Cal/EPA Building in Sacramento and the offices of SCCWRP in Costa Mesa 	
Contact Person:	Jon Marshack	jmarshack@waterboards.ca.gov , 916-341-5514
Notes:	Gary Yamamoto will be retiring at the end of 2010. A new Monitoring Council Member will be needed to represent Public Health.	
Decisions:	<p>Dates and locations of 2011 Monitoring Council Meetings will be as follows:</p> <ul style="list-style-type: none"> February 23 – Sacramento April 27 – Sacramento June 15 – Costa Mesa August 24 – Sacramento 	

	<ul style="list-style-type: none"> • October 26 – Costa Mesa • November 30 – Sacramento <p><i>Note: The February and April meetings were later canceled and the June and October meetings moved to Sacramento, due to travel restrictions.</i></p>
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ITEM:	9	
Title of Topic:	MEETING WRAP-UP	
Purpose:	<ul style="list-style-type: none"> a) Summarize meeting b) Plan agenda for next Council meeting 	
Desired Outcome:	Develop agenda items for next meeting	
Contact Person:	Jon Marshack	jmarshack@waterboards.ca.gov , 916-341-5514
Decisions:	<p>Agenda items for the February 23, 2011 Monitoring Council meeting:</p> <ul style="list-style-type: none"> a) Dennis Bowker will present the results of his investigation of data users and sources to determine data needs and how people want to use the portals b) Data Management Workgroup c) Grant project monitoring (formation of Monitoring Council subcommittee?) d) Potential legislation update 	

December 31, 2010
Approved June 15, 2011