

Emerging Constituents Workgroup

January 13, 2009

ATTENDEES:

Bobby Gustafson, City of SBMWD
Linda Garcia, WMWD
Chandra Johannesson, City of Riverside
Hope Smythe, CRWQCB
Max Rasouli, City of Riverside
Jayne Joy, EMWD
Roger Lewis, LACSD
Erika de Hollan, LACSD
Edward Filadelfia, EMWD
Greg Woodside, OCWD
LeAnne Hamilton, IEUA
Tim Moore, Risk Sciences
Gerry Thibeault, CRWQCB
Jim Hyde, IRWD
Douglas Headrick, SBVMWD

Jack Safely, WMWD
David Aladjem, SBVMWD/WMWD
Mark Bulot, SBVMWD/SAWPA
Sam Fuller, SBVMWD
Jack Nelson, YVWD
Joe LeClaire, WE Inc.
Kathy Kunysz, MWDSC
Bart Koch, MWDSC
Karen Baroldi, OCSD
Heather Collins, CDPH
Robert Kent, USGS
Carmen Burton, USGS
Cindy Li, CRWQCB
Mark Norton, SAWPA
Regina Patterson, SAWPA

Call to Order / Introductions

The Emerging Constituents Workgroup meeting was called to order at 9:05 a.m. at the Santa Ana Watershed Project Authority located at 11615 Sterling Avenue, Riverside, California. Introductions were made.

Approval of October 21, 2008 Meeting Summary

Mark Norton asked if there were comments or revisions to the October 21, 2008 Meeting Summary. Greg Woodside referred to page 5, first sentence of the first full paragraph, and asked that the word "permit" be replaced with "program". Hearing no additional comments or revisions, the meeting summary was received and filed as amended.

Upon motion by Greg Woodside seconded by Jayne Joy, the motion unanimously carried:

EC 09/01-01

MOVED, approve the October 21, 2008 Meeting Summary as amended.

First Draft Summary Report Outline – Risk Sciences

Mark Norton reported he has received comments/revisions from IEUA, SBVMWD/WMWD, OCWD and MWD on the 2008 Progress Report for the Emerging Constituents Workgroup. Tim Moore stated the most common comment was that the report itself include more detail about what the experts said. Mr. Moore stated he would pull the key points forward from each technical presentation that we intend to rely on to formulate our own investigation for Phase 2.

The question was asked if the report draws out the appropriate conclusion? Several other comments stated the fate of ECs vary dramatically depending on what it is.

Heather Collins said they want to be able to characterize that the water being pulled out from the downstream groundwater source or surface water source for our facilities is not being impacted or influenced by that recharged water. Is there a one size fits all for all agencies? There may not be because there are so many variables to every agency. Gerry Thibeault said we know and the public knows that these constituents are in several different waters, and it is not living up to our responsibilities or providing an indication of what's in the water. Mr. Moore said he believes the public trust issue should be included. His thought was that the data would be used to help EPA and the Regional Board make a determination as to whether or not a given well was comprised of more than 50 percent effluent. Comments were also received saying the ECs were not appropriate for making that determination. The primary concern of DPH was that they were surrogates for things such as viruses that were a greater concern. Ms. Collins said they don't want to prolong it so they may move forward with what they have. Mr. Moore said if we are monitoring something because we believe it to be risky, then that determination of health hazard is best made by EPA or OEHA (Office of Environmental Health Assessments). Discussion ensued and comments were invited on additional items recommended for inclusion, or that are underserved.

Mr. Moore asked if it is more appropriate to design this as a collective effort or if the two groups work separately? One group would design a program that will be governed primarily by permits, and a separate program would look at the ambient water quality and recharge qualities. The feedback from the group was that it made the most sense to continue as a combined workgroup.

Jayne Joy expressed concern about interpretation and public perception and stated she would like to see consistent factual public literature. Mr. Thibeault said when this came out last year the public flared and then died down instantly. David Aladjem suggested avoiding misrepresentation by politicians. Ms. Joy emphasized approaching it wisely and paying attention to it. Robert Kent said it is for the tracer purpose because this is what we are trying to accomplish.

Mr. Moore said if we start with DPH's different categories, classes of chemicals and different concerns, then the list of what's persistent and what we have metrics to analyze from, the list gets shorter. Part of the unintended consequences is how the data can be used in a regulatory content in making decisions by antidegradation, contamination determinations and potential toxicity to aquatic life. The questions should be addressed. How will we integrate what we've developed with the current regulatory structure? We may not be able to answer them, but we can work on them. Get the hard work done first by taking the presentations and developing that sieve to prepare a short list that may differ from source to source. This can be done in three meetings and then the better part of the summer can be spent on the issue of what to do with the data once it is gathered; how to report it, copy it, store it, and retain the context. He proposed to first work on the purpose, structure and reporting over the next three months. Then refer to the regulatory implications of the data once it exists and reexamine structure.

To keep to the September delivery schedule promised to the Regional Board, **the next revision will be available the first week of February if comments can be provided to Regina by January 26th.**

Phase 2 Scope of Work and Budget

Mark Norton presented the FY 2008-09 Emerging Constituents Workgroup current budget reporting the original available revenue was \$100,000 with projected expenses of \$40,000 for SAWPA Task Force Administration and Contract Administration, Phase 1 expenses for Risk Sciences projected at \$4,000 and Phase 1B at \$45,200. Phase 1B ends with a final draft of the summary report. Tim Moore said he projects the costs will be less than half. Mr. Norton reported that based on a letter received from SBVMWD and WMWD, they indicate they will fund 50 percent of the workgroup expenses for the remaining fiscal year, subject to their respective board approvals.

Mr. Moore said the next step after completing this in the Fall of 2009 depends on whether it becomes a specific monitoring effort or a watershed-wide effort. There will be some kind of sampling in early 2010. Agencies could monitor their own projects for the substances. There may not be a need to continue this workgroup on a regular basis, but to meet once a year to discuss the draft final report that is submitted on our behalf. The dischargers will desire to see the data collectively.

Mr. Norton said he will assume to continue carryover of funds that have been contributed so there should be sufficient funds for the coming fiscal year and possibly into the next year. **David Aladjem will ask the WMWD and SBVMWD Boards for their approval to provide 50 percent of the workgroup expenses for the remaining fiscal year.**

Future Meeting

- February 10, 2009 at 9:00 a.m.
- March 24, 2009 at 1:30 p.m.
- April 30, 2009 at 1:30 p.m.

Adjournment

The Emerging Constituents Workgroup meeting adjourned at 10:35 a.m.