

CENTRAL VALLEY  
REGIONAL WATER QUALITY CONTROL BOARD

IRRIGATED LANDS CONDITIONAL WAIVER PROGRAM

TECHNICAL ISSUES COMMITTEE

WORKSHOP

TUESDAY, APRIL 3, 2007

9:00 A.M.

HELD AT

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD  
RANCHO CORDOVA, CALIFORNIA

REPORTED BY: ESTHER F. SCHWARTZ  
CSR NO. 1564

1 ATTENDEES

2

3 FACILITATOR:

4 JEFF LOUX

5 TECHNICAL ISSUES COMMITTEE:

6 LENWOOD HALL

JOE MCGAHAN

7 CLAUS SUVERKROPP

STEPHEN CLARK

8 TINA LUNT

JOHN MEEK

9 MIKE NEIMI

DEBBIE LIEBERSBACH

10 ROBERTA FIROVED

MIKE JOHNSON

11

CVRWQCB BOARD MEMBERS:

12

KARL E. LONGLEY (Telephonically)

13

COUNSEL:

14

FRANCES MCCHESENEY

15

CVRWQCB STAFF:

16

MARGIE LOPEZ READ

17

WILLIAM CROYLE

DANIA HUGGINS

18

JOHN SWANSON

JEANNE CHILCOTT

19

JON MARSHACK

MARGARET WONG

20

KELLY BRIGGS

SUSAN FREGIEN

21

JODI PONTURERI

22

23

(Continued...)

24

25



1                    ATTENDEES (CONT.)

2 INTERESTED PERSONS:

- 3    MARSHALL LEE
- G. FRED LEE
- 4    NASSER DEAN
- AL VARGAS
- 5    MICHAEL WACKMAN
- DAN WALIGORA
- 6    DANIEL SONKE
- ALLISON KUNZ
- 7    ARTURO CARVAJAL
- BECKIE CHALLENGER
- 8    MARK RENTZ
- JOEL MILLER
- 9    CHRIS STEELE
- PETER STENT
- 10   JIM ATHERSTONE

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1 RANCHO CORDOVA, CALIFORNIA

2 TUESDAY, APRIL 3, 2007, 9:05 A.M.

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4 MR. LOUX: I am just pinch-hitting for Dave  
5 Ceppos from the Center for Collaborative Policy at  
6 U.C. Davis [verbatim]. Let me go around this  
7 direction.

8 MS. LUNT: Tina Lunt, Sacramento Valley  
9 Water Quality Coalition.

10 MR. LEE: Marshal Lee, Department of  
11 Pesticide Regulation.

12 MR. STEELE: I am Chris Steele. I am a  
13 farmer in the valley.

14 MR. STENT: Peter Stent, a farmer and  
15 landowner up in the valley.

16 MR. MCGAHAN: Joe McGahan. I am  
17 representing the Westside Coalition.

18 DR. LEE: Fred Lee, Fred Lee & Associates.

19 MR. SUVERKROPP: Claus Suverkropp with  
20 Larry Walker & Associates.

21 MR. THOMAS: Bill Thomas, South San Joaquin  
22 Water Quality Coalition.

23 MR. WACKMAN: Mike Wackman, San Joaquin  
24 County Delta Water Quality Coalition.

25 MR. MEEK: John Meek, San Joaquin County



1 and Delta Water Quality Coalition.

2 MR. JOHNSON: Mike Johnson, East San  
3 Joaquin and San Joaquin County Delta Coalitions, and  
4 also the Central Board's Phase II monitoring  
5 program.

6 MS. FIROVED: Roberta Firoved, California  
7 Rice Commission.

8 DR. HALL: Lenwood Hall, University of  
9 Maryland.

10 MR. CLARK: Stephen Clark, Pacific Eco  
11 Risk.

12 MS. LIEBERSBACH: Debbie Liebersbach,  
13 Turlock Irrigation District.

14 MR. NEIMI: Mike Neimi with Modesto  
15 Irrigation District.

16 MR. ATHERSTONE: Jim Atherstone, South San  
17 Joaquin Irrigation District.

18 MR. CROYLE: Bill Croyle with Regional  
19 Board.

20 MS. MCCHESENEY: Frances McChesney with the  
21 State Board.

22 MS. LOPEZ READ: Margie Lopez Read with the  
23 Regional Board.

24 MS. KUNZ: Allison Kunz with Sutter County  
25 Resource Conservation District.



1 MS. HUGGINS: Dania Huggins with Regional  
2 Board.

3 DR. MARSHACK: Jon Marshack with Regional  
4 Board.

5 DR. SONKE: Dan Sonke with Protected  
6 Harvest.

7 MS. CHILCOTT: Jeanne Chilcott, Regional  
8 Board.

9 MR. WALIGORA: Dan Waligora, pesticide  
10 investigation unit, Department of Fish and Game.

11 MR. MILLER: Joel Miller, consultant, San  
12 Joaquin National Wildlife Refuge.

13 MR. LOUX: The agenda in front of everybody  
14 is pretty self-explanatory. There is a lot of  
15 written and technical material. We are not going to  
16 try to do it page by page. It is a good overview.  
17 We will have a chance to talk about certain issues  
18 and the process and things for reviewing it and how  
19 we are going to get down to details. Hopefully we  
20 will be done by 12:15 or 12:30, thereabouts.

21 The one thing I would ask is that at least in  
22 the beginning, for the first hour or so, for awhile,  
23 say your name before you make a comment so that our  
24 reporter can get everything recorded down. If we  
25 start listing out issues --



1 (Phone interruption.)

2 MR. LOUX: Hello.

3 DR. LONGLEY: Karl Longley.

4 MR. LOUX: You are back.

5 If we get to listing out issues, I might write

6 it up on the flip charts that are up on the wall.

7 Keep them visible for us. Otherwise, we will go as

8 fast as we can.

9 Are there announcements that you have, Margie?

10 MS. LOPEZ READ: Well, the announcements I

11 have are just -- I just want to update people on the

12 MRP schedule, the workshop schedule.

13 MR. CROYLE: Margie.

14 MS. LOPEZ READ: One of my big problems is

15 not speaking loud enough. If that is ever an issue

16 for anybody, make sure you let me know.

17 The essence is that the MRP will still be

18 going to the Board at the June Board meeting. The

19 monitoring workshop is still scheduled for the May

20 meeting before the Board. So, obviously, what has

21 slipped a little is our opportunity to give you all

22 draft documents to review. You now have, and we

23 will talk about a little bit later today, the MRP

24 draft and documents that are associated with that.

25 We have been able to share with some parties



1 tables and maps related to the workshop. We still  
2 have not be able to have a draft document that is  
3 ready to present, but we expect that that should be  
4 ready to give to all of you this week. What that  
5 does, because we have to have it in final form as an  
6 agenda item at the end of next week, is going to  
7 give you a very short span of time to take a look at  
8 it. I just wanted to let you know we're working  
9 double-time and overtime to get things ready. And  
10 it is a lot of information and a lot of data we have  
11 had to go through and try to pull together. It  
12 hasn't been for lack of trying of getting it to you  
13 sooner. This is the best we can do.

14 I also think it is worth mentioning again.  
15 This is really a very unique opportunity, you might  
16 call it. Typically, the Water Board has produced  
17 documents, presented them as tentative documents to  
18 the whole world, and there really hasn't been an  
19 interactive opportunity as we are having here right  
20 now for both of these. So I think even though the  
21 schedule is tight, it is tough, the opportunity is  
22 there and we certainly very, very much appreciate  
23 your input.

24 If there are any questions about the schedule  
25 or any issues related to that?



1 I think that is it.

2 MR. CROYLE: Be clear when we send out the  
3 zone reports who they should contact if they have  
4 questions or comments.

5 MS. LOPEZ READ: Okay. I will do that.

6 So the next topic that we have for the agenda  
7 is something that has been discussed with the  
8 stakeholders group before, and it also -- let me  
9 just get these out first and then I will talk about  
10 them.

11 One of the issues that has come up both and  
12 has been --

13 MS. MCCHESENEY: Margie, do you want to tell  
14 Karl what you are looking at? Does he have it?

15 MS. LOPEZ READ: Dr. Longley, have you  
16 received your documents yet? Karl?

17 What we are looking at right now is a  
18 preliminary draft outline for use of limits to  
19 comply with the conditional waiver, and associated  
20 with that is also a flow chart that was developed to  
21 kind of just go along with this preliminary draft.  
22 And it is a subject that has come up frequently with  
23 the Technical Issues Committee; and when we had the  
24 stakeholders committee meetings to also discuss  
25 nontechnical issues of the MRP, it also came up.



1 And that is the fact that how do you use  
2 numbers, what standards apply to which water bodies  
3 and what limits are we considering when we're  
4 talking about compliance with the conditional  
5 waiver.

6 And it really -- if anything can be said,  
7 there are no easy answers. So what we have started  
8 to work through is this preliminary draft outline of  
9 an approach to dealing with providing answers about  
10 what standards apply to which water bodies and which  
11 beneficial uses are applicable. In some cases it is  
12 going to be easy and straightforward and in other  
13 cases it is not. And what there is embedded in this  
14 is also an opportunity to get feedback from you all  
15 as stakeholders in terms of how this applies. I  
16 think this outline describes that, and it is not a  
17 final outline by any means. It's definitely a  
18 preliminary draft. I want to emphasize that it does  
19 describe the approach we are going to use. I guess  
20 the easiest way for me to talk about it is to go  
21 through the flow chart. Let me pop that out and  
22 make it a little bigger.

23 Is that readable?

24 Everybody has one. That is true; that is a  
25 good point.



1       So basically the approach -- I will try to  
2 talk through this right now -- is -- well, the whole  
3 thing starts off with the MRP plan submittal. This  
4 will take place. It is not part of the MRP itself.  
5 It will come when we start moving through these  
6 processes. It will happen when coalition groups or  
7 individual dischargers submit their MRP plan. At  
8 that point in time part of the MRP plan should  
9 propose what coalition groups think the beneficial  
10 uses are for that particular water body. That will  
11 start the process.

12       And the next step in the process will be  
13 approval of the MRP plan. And the Regional Board,  
14 the Water Board, will clarify beneficial uses and  
15 identify the numeric Basin Plan objectives that will  
16 go along with that. Again, this is one of those  
17 areas where in some cases it will be really  
18 straightforward and easy and in other cases it will  
19 be more difficult. This is particularly true  
20 because not all of the water bodies have clearly  
21 identified beneficial uses.

22       So the next -- this actually is where the  
23 process kind of bifurcates. And the easy step is  
24 going down what is here on the chart as 1.E, Basin  
25 Plan objectives for promulgated criteria. Those



1 will be straightforward. Those will be put in  
2 place. That will be easy. And the appropriate  
3 action will be identified for the  
4 discharger/coalition groups, what actions should be  
5 taken based on the limits that are identified.

6 Are there any questions so far just with that  
7 part?

8 No. Okay.

9 MR. JOHNSON: Margie, this is Mike Johnson.

10 You say identify, so is this the place to ask  
11 about the numeric plan objectives? Is there going  
12 to be a single set of objectives for all coalitions,  
13 all groups, so that one set of beneficial uses won't  
14 trigger a different set of criteria in one location  
15 as opposed to another location?

16 MS. LOPEZ READ: I guess I am not sure what  
17 you're saying. I think you just answered your own  
18 question.

19 MR. JOHNSON: They have the same beneficial  
20 uses. Will there be the same criteria across all  
21 locations?

22 MS. LOPEZ READ: If the beneficial uses are  
23 the same, the criteria will be the same; that is  
24 correct. But the kick is that not all the  
25 beneficial uses are the same for all the water



1 bodies.

2       So as we move down the other branch of the  
3 chain, then 1.D, this is where there is a lot more  
4 interactive opportunity for feedback. So there is  
5 interpretation of pesticide objectives. We have in  
6 our Basin Plan right now persistent chlorinated  
7 hydrocarbons and also prohibited pesticides. And  
8 those, in a very real sense, they are Basin Plan  
9 objectives, and we could put them right over here in  
10 the straightforward chain, except that they are very  
11 -- the trigger limits that we use for that are  
12 almost the equivalent of what we have for laboratory  
13 practical quantitation limits or reporting limits.

14       So there has to be an aspect of reasonable  
15 consideration of what is feasible in most  
16 laboratories that are accessible to you. So that is  
17 an opportunity there. We have done some of that  
18 already through the laboratory roundtable, but I  
19 think that is a process that needs to continue.

20       Is that clear, that part?

21           MR. SUVERKROPP: This is Claus Suverkropp.

22       I have a specific question about the  
23 chlorinated pesticide limits on that. You can tell  
24 me if this is not the right time to bring this up,  
25 if you like.



1 My question is: In some of these  
2 interpretations they have been interpreted as being  
3 zero because it says the discharge is prohibited.  
4 However, in other places in the Basin Plan it says  
5 they're linked to quantitation limits specific to  
6 the methods, and that is how they are implemented in  
7 NPDES permits and in storm water permits. And so my  
8 question is: Are we going to be consistent among  
9 those different programs and use method-based  
10 quantitation limits as triggers or are you  
11 interpreting zero as a numeric objective in this  
12 case for chlorinated?

13 MS. LOPEZ READ: I guess the difference is  
14 subtle.

15 MR. SUVERKROPP: It is zero. It is a real  
16 number. Not that subtle.

17 MS. LOPEZ READ: Except that you are not  
18 supposed to have any discharge. Any discharge means  
19 zero. The only thing is if you detect it, if you  
20 detect it at all, that is too much. So the question  
21 is: Do you use a laboratory procedure that has a  
22 very high detection limit and then you don't need to  
23 worry, or do you pick a laboratory procedure that  
24 you know is as close as you can get to what we would  
25 like it to be?



1 MR. SUVERKROPP: My question is: When you  
2 get back to the root of that is it going to be  
3 consistent as it is with some of the other programs  
4 that also regulate the organic chlorine pesticides?  
5 NPDES permits, they set a limit based on a  
6 laboratory method that is approved by the EO or --

7 MS. LOPEZ READ: I think that is --

8 MR. SUVERKROPP: And so that's what's been  
9 done in other programs. And here what we've seen so  
10 far is a limit of zero. And that is not consistent  
11 among those programs, and it also is not practical  
12 the way to do it.

13 MS. LOPEZ READ: And some of this is news  
14 to me. So what I am going to have to say, that is  
15 one of those opportunities where we should discuss  
16 that later.

17 MS. MCCHESENEY: I can clarify that, but I  
18 need the microphone.

19 MR. LOUX: Dr. Longley, are you hearing us?  
20 I think we have lost him.

21 MS. MCCHESENEY: The Basin Plan on those  
22 persistent chlorinated hydrocarbon type ones does  
23 say use the EPA method or a method approved by the  
24 Executive Officer. And the Board does attempt to be  
25 consistent with that throughout all the programs.



1 So I think it is safe to say in this program they  
2 will try to be consistent with what they do with the  
3 NPDES permits, which is to -- but I think what  
4 Margie is talking about is coming up with the method  
5 that is reasonable in the circumstances and the labs  
6 that are available. That is what the NPDES program  
7 does, too.

8 (Phone interruption.)

9 MS. MCCHESENEY: If there are  
10 inconsistencies, if you are aware of some, you can  
11 point those out to us.

12 DR. LONGLEY: I am hearing you.

13 MS. MCCHESENEY: I know in permits where it  
14 says zero or it is prohibited, then you still try to  
15 use the detection limit that is below it that is  
16 reasonable. If you have a detection, then it is  
17 violating the limits.

18 MR. SUVERKROPP: Right. And the specific  
19 language says you do approved methods and approved  
20 detection limits in the Basin Plan. And for this  
21 program we have specific approved detection limits  
22 or quantitation limits that we're required to meet.  
23 Taken at face value, those would appear to be limits  
24 that we would have to live by.

25 MS. MCCHESENEY: Right.



1 MR. SUVERKROPP: That is my interpretation.

2 We don't have any other numbers to use.

3 MS. MCCHESENEY: So if it is zero in this

4 case, the Basin Plan says nondetect. So what is?

5 MR. SUVERKROPP: It doesn't say nondetect.

6 It says --

7 MS. MCCHESENEY: It says you cannot have

8 detectable levels of chlorinated hydrocarbon

9 pesticides in the receiving water.

10 MR. SUVERKROPP: It doesn't exactly say

11 that. It says detectable at the level -- at the

12 limit for the approved method.

13 MS. MCCHESENEY: Right.

14 MR. SUVERKROPP: That is not the same as

15 not detectable. That is variable.

16 MR. LOUX: A couple of other hands went up.

17 Let's get some other statements on this before we

18 move on.

19 Dr. Lee: Fred Lee.

20 It is important to understand, as I discussed

21 in my report I sent to the Central Valley back in

22 2002, zero and nondetect doesn't mean there is not a

23 problem. You can have bioaccumulation of these

24 organochlorine pesticides at nondetect levels. We

25 know that from the field. So this is a problem with



1 how this whole thing is set up. You really should  
2 be working with fish tissue, not water.

3 MR. LOUX: Jon.

4 DR. MARSHACK: Just to mention, there is a  
5 discussion about consistency with NPDES. The  
6 federal regulations under NPDES do limit the methods  
7 that can be used for that program, and that those  
8 kind of limitations on applicable methods aren't  
9 necessarily applicable to this program. So we have  
10 a little more flexibility in selecting methods than  
11 the NPDES folks do.

12 MR. CLARK: What is the justification, Jon,  
13 on selecting those methods in the NPDES program? I  
14 am sure EPA had a real solid background.

15 DR. MARSHACK: The issue comes from the  
16 fact that the methods are listed in federal  
17 regulations. And, of course, to amend regulations  
18 takes a lengthy process. We are not bound by that  
19 process necessarily in this program. And so we can  
20 incorporate methods that are more current than the  
21 ones that are listed in the NPDES regulations.

22 MR. LOUX: I'm not sure that you are  
23 completely satisfied or convinced on that. Let's  
24 hold that. We are going to come back to it, anyway.  
25 It sounds like one that is not going to be quite



1 resolved.

2 Let's have Margie finish. When Margie  
3 finishes, I have about seven or eight new folks. I  
4 want you guys to introduce yourselves, so when you  
5 talk we make sure we get your name on the report.

6 MS. LOPEZ READ: So moving down to the next  
7 step is 1.G, and this again gets to the narrative  
8 objectives and interpretation using established  
9 numeric limits. So the Water Board -- right now we  
10 have this process by which we use specific numeric  
11 limits, such as IRIS, USEPA, various limits that are  
12 listed and identified in the water quality  
13 objectives, water quality goals, guidance documents  
14 that is mentioned in the Basin Plan.

15 So, as for starters, that is where we will go  
16 in terms of identifying narrative objectives once  
17 the beneficial uses are decided. So that is, again,  
18 where we would ask for technical input to determine  
19 relevant, appropriate limits to apply to the  
20 narrative objectives. That is a feedback mechanism,  
21 and I think that is definitely a place where the TIC  
22 has weighed in, said they want to start  
23 participating. So I am really counting on that. In  
24 fact, I am hoping we can have some good dialogue,  
25 good discussion there.



1 Are there any questions on that stuff?

2 DR. HALL: Lenwood Hall.

3 Margie, last month EPA's Office of Pesticide

4 Programs published a document where they put

5 together benchmarks for various pesticides that I

6 think would be extremely useful to this process.

7 These benchmarks were developed based on

8 preregistration requirements for different

9 registrants. What this document does is it provides

10 at least some initial screening on toxicity data

11 that was used within the regulatory documents.

12 We need to bring this information to the

13 table. Perhaps we can do this through our focus

14 group when we start addressing this issue. I found

15 it to be a fairly valuable document, so I think you

16 should consider it.

17 MS. LOPEZ READ: I really appreciate you

18 mentioning that. I am sure that is part of what

19 we'll start working with. I saw it come through. I

20 know it is there. I haven't had a chance to crack

21 it open. When we get there, that will certainly be

22 a part of it, Lenwood.

23 Thank you.

24 DR. MARSHACK: Just to let you know, the

25 information that Lenwood brought up has been added



1 to the data water quality database that staff has  
2 access to in their work and will be published in a  
3 new version of water quality goals as soon as we can  
4 produce that.

5 Yes, we have recognized that that information  
6 is available, and EPA is making use of it in many of  
7 their programs, not just pesticide programs. It  
8 will be incorporated.

9 DR. HALL: Good.

10 MR. JOHNSON: This is Mike Johnson.

11 Just a quick question. For establishing  
12 natural background, I know for some metals there --  
13 that's going to be an issue for some of the  
14 coalitions. Does Regional Board have an established  
15 method for natural -- for determining background  
16 concentrations, or is that going to be something  
17 that the stakeholder, the TIC will be addressing,  
18 proposing methods and working through that?

19 DR. MARSHACK: The only place I am aware  
20 where the Board does have guidance on natural  
21 background is regulations adopted by the State Water  
22 Board for waste containment. There is discussion  
23 there for determining what background levels would  
24 be for a particular site. That program is focused  
25 more on groundwater than on surface water. There



1 may be some aspects of that process that could be  
2 usable in this context. That is the only place that  
3 I know of where we have actual written  
4 documentation.

5 MR. JOHNSON: That may be an issue that  
6 the TIC will address.

7 MS. LOPEZ READ: Yes. You're jumping ahead  
8 on my outline.

9 MR. JOHNSON: Sorry, Margie.

10 MR. LOUX: Finish up, Margie.

11 MS. LOPEZ READ: So I.F, again, so we have  
12 also an opportunity to discuss narrative objectives  
13 interpretation using valid studies. The Basin Plan  
14 also has in it language relevant to one-tenth of the  
15 LC50 of a valid study, can also be used to interpret  
16 narrative objectives.

17 So the big question mark there is what is a  
18 valid study and which ones are appropriate to  
19 beneficial uses that we are talking about.

20 Again, that is an opportunity for the  
21 technical issues group. Number one, we need to  
22 prioritize what pesticides or contaminants we are  
23 even looking at because some won't be an issue.  
24 They are not detected or very seldom detected, or  
25 they are detected at such a high level it doesn't



1 really matter what study you use.

2 And then the other part is going through the  
3 process of deciding the validity of the study, and  
4 that certainly is something that Stephen Clark has  
5 looked into quite a bit already. Again, that is  
6 looking forward to some good discussions on that.

7 Are there any questions about that?

8 MR. CLARK: Just trying to link this to  
9 your narrative sheets that go along with that. The  
10 box on the right says that II.E and II.F, reference  
11 for II.F on the bottom. Go to II.F on the sheets  
12 refers us to step I.E7. I.E7 doesn't have any  
13 numbers below it. I am not sure what the seven is  
14 in reference to.

15 MS. LOPEZ READ: So we have an error on  
16 this outline.

17 MR. CLARK: I wanted to make sure I wasn't  
18 missing something to try to link these two together.

19 MR. LOUX: Other questions for Margie on  
20 this conceptual flow chart? Obviously, the details  
21 aren't here, but the framework is.

22 Bill.

23 MR. THOMAS: Margie, as you know in our  
24 preceding discussions when the preliminary draft  
25 outline was sent around, the coalitions had



1 collectively said that they would be looking at that  
2 and would be responding to that. All the coalitions  
3 have gotten together, as you are aware, along with  
4 their consultants, lawyers, engineers, et cetera,  
5 and had sent a collective letter, position letter,  
6 back relative to this whole process.

7       So, I guess, we are -- we need any response  
8 that you have. I'd appreciate this kind of new flow  
9 chart to that document, but the ag, water and  
10 coalition industries are on record with you as to  
11 our concerns with that. We are awaiting feedback  
12 from you. You have our position.

13           MS. LOPEZ READ: We did receive the letter.  
14 It was in an envelope from NCWA, and it was signed  
15 by a number, I believe.

16           MR. THOMAS: Each of the coalitions  
17 signed.

18           MS. LOPEZ READ: It was addressed to  
19 Pamela. We need to consult with her.

20           MR. THOMAS: I was just making reference to  
21 it. I think everybody around here knows that it is  
22 in. I just wanted to acknowledge that, the position  
23 we still share.

24           MS. LOPEZ READ: I appreciate that. Thank  
25 you.



1       So last step. This is, again, all of these  
2 feed into the appropriate action to be taken by the  
3 discharger. But the caveat with that, no matter  
4 which route you come through to get to that final  
5 bubble here, there can still be natural background  
6 issues that need to be resolved. Again, there is  
7 apparently not a real clear cut approach to  
8 determining -- providing technical information about  
9 exactly what constitutes background level. That is  
10 something that we will be working on.

11       I think that pretty much covers it. I am sure  
12 it is not error free. So please point out errors  
13 that we found in here, and also we will work through  
14 some of the comments that were made by whoever  
15 wishes to make them, including the letter that Bill  
16 Thomas was referring to.

17       Are there any questions in general to this  
18 approach?

19       MR. MCGAHAN: Joe McGahan, Westside  
20 Coalition.

21       On the beneficial uses it says here coalitions  
22 on the MRP submittal will have proposed beneficial  
23 uses. Is that in the new MRP, that request?

24       MS. LOPEZ READ: Good question. I don't  
25 know that we really languaged that in there, but it



1 definitely should be there.

2 MR. MCGAHAN: Your expectation is that as  
3 we submit our new MRPs we'll propose beneficial uses  
4 for our water bodies?

5 MS. LOPEZ READ: Correct, because you are  
6 the ones that are down there. You identify what you  
7 think is the beneficial use. We may or may not be  
8 in agreement on that. We'll have to go through our  
9 process of evaluating that and going through issues  
10 which include Tributary Rule consideration. But I  
11 think that is the best way to start.

12 I thought I saw a question.

13 MR. LOUX: He's not sure. Why don't we  
14 take this break to go to those people who kind of  
15 came in. Those who didn't get a chance to identify,  
16 do so, so that we have everybody's name.

17 MR. RENTZ: I'm Mark Rentz, Department of  
18 Pesticide Regulation.

19 MS. FREIGIEN: Susan Fregien, Regional  
20 Board - --

21 MR. VARGAS: Al Vargas, Department of Food  
22 and Agriculture.

23 [INAUDIBLE AUDIENCE MEMBER.]

24 MR. CARVAJAL: Arturo Carvajal, USDA, NRCS  
25 in Davis.



1 MS. CHALLENGER: Beckie Challenger for  
2 NRCS.

3 MS. PONTURERI: Jodi Pontureri, Regional  
4 Board.

5 MS. WONG: Margaret Wong, Regional Board.

6 MR. LOUX: Thanks.

7 Other questions or things that Margie should  
8 be thinking about as this framework moves forward?

9 MS. LOPEZ READ: I am assuming that all of  
10 you have received, either in the back of the room or  
11 by E-mail, a copy of the working draft. It's not  
12 tentative yet, the working draft of the MRP as well  
13 as attachments. One of those documents is an  
14 information sheet, which will be incorporated with  
15 the MRP, and an attachment, which is acronyms and  
16 definitions, and the quality assurance program  
17 plans, which actually was sent out to this group.  
18 We have made a few changes in it since, but  
19 initially sent out in December.

20 So am I correct that everybody's seen those  
21 documents?

22 Just to give -- we have a few new people. I  
23 am just going to give a little background on what  
24 got us to where we are today.

25 Just about a year ago, in December, the Water



1 Board decided it would be appropriate to consult  
2 with a Technical Issues Committee and try to develop  
3 some recommendations for changes to a tentative MRP  
4 that was about to be posted. So we had a tentative  
5 monitoring reporting program in October '05. It was  
6 October '05 that was about to be posted, and there  
7 were a number of issues that coalition groups and  
8 dischargers had associated with it.

9       So the Water Board did create the opportunity  
10 for the technical issues to be discussed by a group  
11 that was already -- that already had been  
12 functioning. And it is the Technical Issues  
13 Committee for the Irrigated Lands Program. So the  
14 technical issues group broke out into focus groups  
15 and developed a number of recommendations, in the  
16 vicinity of 15 recommendations, and brought them  
17 forth to the TIC. I think all of them were decided  
18 upon, reached consensus by the TIC, except for one,  
19 and right now I don't remember what that was. It  
20 was a minor one that the group dropped. But all the  
21 recommendations that went forth to the Water Board  
22 were used pretty much in one form or other in this  
23 working draft MRP.

24       Some of that is in the MRP itself and some of  
25 it is in the Quality Assurance Program Plan. All of



1 those additions are -- we attempted to highlight all  
2 of them. So when you go through it and you are  
3 trying to find out where your recommendations are  
4 and where they fit in, look for the gray shade. You  
5 should be able to find it that way.

6       Additionally, what happened is there were  
7 other issues that were not really technical, but  
8 they kept coming up with the TIC. And so I guess it  
9 was February we started holding a few, what we call,  
10 stakeholder meetings to discuss some of the  
11 nontechnical issues. And actually what I felt is  
12 that we had some very good suggestions and ideas and  
13 comments that came out of that. Some of that was  
14 actually used and incorporated into the MRP. Those  
15 include, just from my memory, things like annual  
16 reporting instead of semiannual and defining down  
17 what we meant by raw data submittals and, actually,  
18 also this outline of how we approached the limits  
19 and narrative limits and how those apply. That also  
20 is something that came out of the stakeholder  
21 groups. I think some really good valuable efforts  
22 came out of that as well, and they should be  
23 incorporated into the MRP, working draft MRP.

24       So some of the other features that this MRP  
25 has in it is, one, we made use of something called



1 an information sheet, which many other permits and  
2 programs in the Regional Board actually already do  
3 use, but we haven't used it yet for this waiver  
4 program. And what that does is it pulls out some of  
5 the issues that you don't really need for the MRP  
6 itself. It provides the background and what the  
7 objectives of the program are and various issues  
8 like that. Because the idea was to try to  
9 streamline the MRP as much as we could and keep it  
10 more of a manual that you would use to try to figure  
11 out how to write your program.

12 Another feature of that is that instead of  
13 having a list of seven, eight, nine, ten different  
14 objectives that coalitions should try to meet when  
15 they're developing their MRP, we changed that. We  
16 actually -- those are program objectives, and we  
17 moved them in the information sheet. But what we  
18 did instead was formulate five different management  
19 questions. So as you go about developing your  
20 monitoring and reporting program try to see how you  
21 can answer those questions, and that will really  
22 help you go a long way toward complying with the  
23 program objectives themselves.

24 The other thing in here, and this one was a  
25 big one with the Technical Issues Committee, is an



1 opportunity for an individual approach to be used in  
2 terms of the various issues that the TIC did discuss  
3 such as monitoring parameters, monitoring frequency  
4 and follow-up when there are exceedances. That is  
5 written in there several different times, and that  
6 is not trivial, that is not a trivial attempt at  
7 all. It is a very serious attempt to try to get at  
8 the things that are very unique to your coalitions.

9       Part of what actually was the technical issues  
10 committee recommendation was to stay with the  
11 long-term monitoring strategies. So this MRP does  
12 define a long-term monitoring strategy approach  
13 which breaks out to three different types of basic  
14 monitoring. So there is the assessment monitoring,  
15 which is the more comprehensive scope of things that  
16 most of you are doing right now, such as toxicity,  
17 pesticide, metals, et cetera. That settles -- once  
18 you have done that a full year, that then breaks  
19 down into core monitoring parameters, which are less  
20 expensive but they are still a very informative  
21 measurement, and from that, that is an approach that  
22 you can use to help establish trends.

23       But at some point in time you will have to  
24 come back and do a test. Monitoring things do  
25 change in the watershed. Crops change. Cities



1 grow. A lot of different things can happen that can  
2 change, so the conditions might change for you as  
3 well.

4 The final type of monitoring that is written  
5 into the MRP is special project monitoring, and I  
6 think it is really important to take a good look at  
7 that. Because what that references is the  
8 management plans as well as the TMDL limitation. So  
9 I think all of you are aware that our Board has now  
10 put into the policy that when there is more than one  
11 exceedance within a three-year period that a  
12 management plan must take place. That is where,  
13 with a management plan, you do define  
14 contaminant-specific approach to monitoring. And so  
15 I think just in many locations, many water bodies,  
16 many sites are already there. Management plans are  
17 being developed. That is a whole approach that you  
18 might do a little differently.

19 The other thing that the MRP does do is it  
20 takes away a lot of the -- if you follow this  
21 program that we have and you don't come up with  
22 something on your own that also meets all of the  
23 objectives, it does take away the approach to follow  
24 up when exceedances occur. So this routine monthly  
25 type approach for monitoring eliminates the



1 necessity of going back every time you have a DO  
2 exceedance or a pH exceedance or pesticide result or  
3 whatever. So you have your routine approach; that  
4 is what you stick with.

5 The other thing that it also eliminates is the  
6 redundancy of reporting that we had prior, such as  
7 communication reports and evaluation reports on top  
8 of the management plans. So I think all of those  
9 are efforts that are in this MRP that should make  
10 some things easier and make it more common sense.

11 So any questions on that? There is just a few  
12 things to mention about the QAPP.

13 MR. LOUX: Go ahead and finish.

14 MS. LOPEZ READ: The QAPP is different than  
15 before. Now it is written more as a guideline  
16 document to provide you an outline for developing  
17 your QAPP. And what we have tried to do is  
18 incorporate into it a lot of useful features that  
19 were sort of an unknown before, such as identifying  
20 the data quality objectives for different types of  
21 methodologies and giving you the table that  
22 describes what kind of computer types and hold times  
23 we need you to hold to and corrective action steps  
24 that laboratories should be taking when something  
25 goes wrong.



1 It also incorporates into it a table for  
2 analytical methods which also identifies the  
3 practical quantification levels or reporting levels;  
4 and it also has in it the option for  
5 performance-based methodology, if that is needed,  
6 for a particular contaminant type or detection  
7 level.

8 That is sort of a really brief summary of the  
9 types of changes that are in this, and I look  
10 forward to your comments.

11 MR. LOUX: Let me -- I don't meant to be  
12 too heavy handed here. Let me organize this  
13 conversation in this way. Why don't we start out  
14 with clarifying questions, questions to Margie or  
15 questions that come up for you rather than comments  
16 or suggestions, ideas, concerns, et cetera. Start  
17 with some basic clarifying, then I want to see what  
18 issues we have out there.

19 DR. LEE: What is the staff thinking in how  
20 long this MRP will stand before it is revised? I  
21 think if there is some clue there, it is not clear.

22 MR. CROYLE: The MRP doesn't have an  
23 expiration date, and it certainly, as we have gone  
24 through this process, historically the MRP was  
25 proposed to be updated on the same schedule that the



1 waiver. So we are working on a five-year waiver  
2 process, which was adopted in 2005. There is no  
3 expectation on our part on how soon or how long this  
4 thing would last. What we have done here is try to  
5 come up, based on a lot of input from both the TIC  
6 and the stakeholders and internally with multiple  
7 programs in our office and our program staff, to  
8 come up with more an efficient monitoring program to  
9 address a number of different issues.

10 So the hope is that we can develop this  
11 long-term monitoring strategy. I think a question  
12 that has come up in the past has been: How long  
13 shall we plan these strategies? And I think way  
14 back at one of the Board meetings we had in '05, we  
15 said from our perspective it could be on any time  
16 scale that the coalition groups might have, but  
17 certainly a three-, five- or even ten-year strategy  
18 for trying to meet the programs' goals and  
19 objectives would be appropriate, subject to this  
20 strategy building it out.

21 With that in mind, if you come up with a  
22 ten-year strategy and it works, then to me there is  
23 no reason why the MRP process doesn't need to be  
24 changed, if it works. So I think what we are trying  
25 to do here is take another positive step forward,



1 make it a more efficient and effective monitoring  
2 program.

3 MR. LOUX: Other clarifying questions?

4 MR. MCGAHAN: Joe McGahan.

5 Margie, the MRP refers to Attachment C, which  
6 is an example table. Do we have that? I couldn't  
7 find it. It is on Page 17.

8 MS. LOPEZ READ: It really should. It  
9 should, but maybe you found another error for us,  
10 Joe. Page 17?

11 MR. MCGAHAN: Page 17 of that document,  
12 yes.

13 MR. SUVERKROPP: Refers to MRP Attachment  
14 C, and there isn't one, as far as I can find.

15 MR. MCGAHAN: The next page.

16 MS. LOPEZ READ: We did have a -- I think  
17 that was moved into the QAPP. That is something  
18 that we need to fix.

19 MR. MEEK: Moved to where?

20 MS. LOPEZ READ: Within the QAPP itself.

21 There are a few things we moved out of the MRP. I  
22 am pretty sure that was one of them.

23 MR. LOUX: Do you know which table that is?

24 MS. LOPEZ READ: It is an example of a type  
25 of form where to present your monitoring results,



1 like here is a good way to put your results in a  
2 table and put it in a form.

3 MR. LOUX: Like these form templates,  
4 Appendix C in the QAPP, a form template. It is  
5 Appendix C in the QAPP, one of four and one, two of  
6 four of the QAPP.

7 MS. LOPEZ READ: I am going to highlight  
8 that. I will make notes of where that is. We'll  
9 fix that.

10 MR. LOUX: Other clarifying questions kind  
11 of stuff? Questions as opposed to issues and  
12 interests.

13 DR. HALL: Lenwood Hall.

14 I think this is a clarifying question. I am  
15 not sure. You can tell me if it is not.

16 The original MRP which the coalitions use now  
17 was developed in October, approximately October of  
18 2005. Now you have developed a new MRP recently. I  
19 guess my major question is during that two-year time  
20 frame there was a lot of data that was developed.  
21 There has been a lot of interaction between Regional  
22 Board staff and coalition groups. You have had a  
23 chance to interpret some data; you have had a chance  
24 to deal with a lot of logistical problems; you have  
25 had a chance to come up with some solutions.



1 I guess my question is: Does the new MRP that  
2 you have now developed reflect the knowledge that  
3 you have gained over a two-year period of time so  
4 you actually have a better operating document than  
5 you did two years ago?

6 MS. LOPEZ READ: My feeling is yes. I  
7 think that we put a lot of thought into some of the  
8 things that didn't work right with the other one.  
9 Just as an example. One of the things we talked  
10 about, this is with the TIC, is the difficulty of  
11 doing storm event monitoring. How do you figure out  
12 how to do that when you are talking about acres and  
13 acres of property and what rainfall might be  
14 happening in one end doesn't happen in the other?  
15 Or by the time you get out there, there is no water  
16 or you're not really sure when the berm was created,  
17 actually occurred. There are a number of issues  
18 related to that alone that we have talked about.

19 DR. HALL: I agree with you. I guess the  
20 thing I am trying to point out is if this document  
21 could reflect that I think that would be very  
22 useful. And when I tried to read it, I didn't have  
23 the old document in front of me and. I understand  
24 you can't do track changes because there are some  
25 many differences. But I still think the knowledge



1 that you gained to produce a better document needs  
2 to be somehow displayed within this document.

3 MR. LOUX: Just as a suggestion, would a  
4 kind of lessons learned, sort of summary of lessons  
5 learned in the staff report do that?

6 DR. HALL: That is one way.

7 MR. LOUX: I am thinking of a way to do it  
8 that doesn't involve rewriting orders. Just as a  
9 suggestion.

10 MR. CROYLE: I think one of the ideas  
11 behind the information sheet is to try to  
12 characterized a process that we have gone through  
13 and things that we have learned and maybe haven't  
14 learned. So I think that there is an attempt on  
15 Page 6 of the Information Sheet, under Section 5, to  
16 kind of go through that historical process. But  
17 maybe what is not there, which could easily -- I am  
18 thinking three or four paragraphs is at least what  
19 is coming to mind, is to kind of go through that  
20 process that you just described. I think there is  
21 -- the idea behind the Information Sheet was to  
22 provide some of the rationale of how we -- what  
23 happened in the past and how we got here and who was  
24 involved and some of the decisions that are being  
25 proposed.



1 MR. LOUX: I think what Lenwood is  
2 suggesting is not so much process but a bit of  
3 content to add to that. It seems like it would be a  
4 good place to add it.

5 MR. CROYLE: I am thinking somewhere in  
6 five or towards the end of five is where we can add  
7 that process or that we can see the content of. I  
8 guess the reason for my comment is we are trying to  
9 take some of the background information out of the  
10 MRP itself because it is more of a regulatory  
11 document itself, but not lose that information or  
12 process, and get into the Information Sheet. That  
13 is a comment we can address before it goes  
14 tentative.

15 MR. LOUX: Back to clarifying questions.  
16 We may be back to it, may reflect suggestions for  
17 moving forward. We won't lose that idea.

18 Other questions? Try to keep it there and  
19 then we will go to bigger stuff. Some other  
20 question kind of things?

21 All right. So now we open it up to --

22 MR. STEELE: Chris Steele.

23 Just a point of order. When you say questions  
24 about the specific subject, is that where we are  
25 right now?



1 MR. LOUX: Yeah.

2 MR. STEELE: Yeah.

3 MR. LOUX: The only difference I make is  
4 some people have more statements to make or  
5 concerns, go past just clarifying questions.  
6 We will get to that in just a second. I don't want  
7 to stifle anybody. I just want to keep it  
8 organized.

9 MR. THOMAS: Transitioning. I am waiting  
10 for the other.

11 MR. LOUX: We will transition, but I would  
12 like to do it in this way rather than open it up to  
13 kind of whoever puts there hand up first. I'd  
14 actually like to see if we can kind of organize this  
15 into some topics so we can sort of get done with  
16 some topics and stay on it.

17 If you could, throw up your hand and tell me  
18 the issue. If you can tell me in two words or less,  
19 that would be good. Give me the issue. I don't  
20 mean to control.

21 MR. THOMAS: But you are doing it.

22 MR. LOUX: But I am going to because that  
23 is my job.

24 Bill, you first. What is your first issue?

25 Do you have lots of them?



1 MR. THOMAS: I have a couple different  
2 layers of them. The general approach, how we got  
3 here, the mass of it and some of the content.

4 MR. LOUX: Mass, content. We will get to.  
5 Other issues? We will leave these categories here  
6 so we can stay on some sort of target. We want to  
7 be able to get as far and as much as we can in the  
8 time we have.

9 What other issues?

10 MR. STEELE: I have an organizational  
11 question. I am a user of water out there and feel  
12 very uninformed and here to try to become better  
13 informed. I just have some organizational  
14 questions. I think you may think you are in better  
15 touch with the farming community than maybe you are.  
16 Maybe I'm just all by myself, ignorant. I don't  
17 know.

18 When would be a good time to discuss those  
19 things?

20 MR. LOUX: Keep going, get the issues an  
21 come back.

22 What other issues are there?

23 MS. LUNT: Page 3, nutrients.

24 MR. LOUX: Other ones?

25 MR. SUVERKROPP: Claus.



1 Just several comments on the general section  
2 on the general requirements of the MRP plan.

3 MR. CLARK: Stephen Clark.

4 Consistency in the document, couple items.

5 MR. MCGAHAN: Joe McGahan.

6 Just on timing, what are the timing  
7 requirements.

8 MR. LOUX: Anything else?

9 Just 'cause it is not up here, doesn't mean we  
10 are not going to talk about it. If there are some  
11 issues we can clump together, take in an organized  
12 way.

13 DR. HALL: Organizational question. You  
14 have a lot of components you are putting on the  
15 board. Wouldn't it make more sense -- I realize we  
16 can't go blow by blow, page by page, could we go  
17 section by section before we start mixing these  
18 up.

19 MR. LOUX: We might be. We might want to  
20 do that.

21 DR. HALL: You've got background. You've  
22 got objectives here. We have components of the  
23 different plans. Rather than mixing it, I think if  
24 we put in --

25 MR. LOUX: I may go in that direction. I



1 want to see if there are any big, over-arching kind  
2 of deals that took care of four documents or general  
3 philosophical thing, something that we wouldn't go  
4 through page by page. Thank you, that is probably  
5 the way.

6 Are there other big kind of issues? I am sure  
7 there are page by page issues. I am not sure we  
8 will get to every page. I think -- well, let's just  
9 take it from the top, go through those that are what  
10 I would call not page-specific or issue-specific.  
11 Get those out of the way and do what Lenwood  
12 suggests.

13 MR. CLARK: It's been a rare occurrence for  
14 us to have a user or grower here. I would encourage  
15 us to go straight to this gentleman here, new to the  
16 group and find out what his concerns are. We have  
17 had our eyes very focused on a piece of paper; maybe  
18 we need to take a step back.

19 MR. STEELE: Thank you. Chris Steele.  
20 I am a rice farmer, and I'm also a person who  
21 has wetlands, restored wetlands, and we are not in a  
22 group. We are doing some self-monitoring, fairly  
23 thorough monitoring. My concern is that the people  
24 that we ask what to do and when to do it don't seem  
25 to have any knowledge of how it all works. Or if



1 they do, they are not sharing with us. The specific  
2 thing is we were told that the rice land is covered  
3 some other way, that there is some -- rice land is  
4 not part of a group because it is part of some other  
5 group. And so we kind of went with that.

6 Well, the rice land is covered. We didn't  
7 really realize that the mitigation wetlands -- I  
8 thought they were part of the solution. I didn't  
9 realize they were part of the problem. We just  
10 weren't aware that those things need to be  
11 monitored, too. We now know that. We are doing  
12 monitoring. Fairly expensive.

13 But our rice land moves around, and so if you  
14 are not in a group for that, then what do you do  
15 when it is not rice? Our ground is in several  
16 different areas. They don't appear to be connected  
17 drainages, unless you go down to the Sacramento  
18 River and say, well, that is the connection. We are  
19 going to monitor down there. And no one has given  
20 us any definition of where our group is or what it's  
21 going to do or how we fit that.

22 And someone told us that we are already  
23 supposed to be in a group, even though they told us  
24 that the rice land is in some kind of floating  
25 group, but we're supposed to be in another group.



1 We really don't know. And we feel like the state  
2 should be giving us a little clearer path. We would  
3 like to be good citizens and complying with the  
4 rules.

5 One person's response to us, we have land in  
6 many counties, many counties, and one county's  
7 response was, "We don't know what the purpose of our  
8 group is. We don't know. Send us money." --

9 They did say that. They said they didn't --  
10 this is an honest paraphrase of what they said. "We  
11 don't know what the money is for. We don't know who  
12 is going to get the money. We don't know even what  
13 this it is all about, but send the money."

14 Then we said, "How would you calculate what to  
15 send you?"

16 "We don't know."

17 "Well, in some places rice is not a part. Is  
18 it a part in your county?"

19 "No. Rice is in some other group."

20 Well, just as a logical person, watching the  
21 water flow off the fields and out to sea, that  
22 doesn't make sense. How could my little restored  
23 wetland differentiate whatever is happening with it  
24 in a sea of rice that is not part of the group?

25 That water goes across their fields, into a ditch,



1 recirculated back into ours. How does that work?

2 Those kinds of things.

3 And then we are just listening this morning to  
4 this and thinking: Well, should we join a group just  
5 somewhere so we can say we are in a group? It  
6 doesn't do anything for pollution or solution to  
7 pollution. But is that what we should be doing?  
8 Who should be telling us this? Maybe you think it  
9 is clear and the whole world knows this is  
10 happening, but I don't think so. I talked to my  
11 neighbors, coffee shop talk. It's pretty convoluted  
12 and pretty puzzling.

13 MR. LOUX: Let Margie or Bill respond. Or  
14 can you help clarify a little bit about or where  
15 Chris is in this deal?

16 MR. CROYLE: Well, Chris, thank you for  
17 coming. Because this is kind of the typical  
18 question that we get as staff when we go out to  
19 grower meetings. We work with PCAs and others that  
20 support the agricultural community.

21 I am a little frustrated when I hear your  
22 comments because I think a lot of people in this  
23 room are working very hard to make sure we get clear  
24 and accurate information to the growers, because the  
25 growers are actually the ones that are on the hook.



1 They are the ones on the hook to protect water  
2 quality. So when I hear these kinds of concerns  
3 that you have come up, I'm very frustrated.

4 Some of the issues I need to talk to you not  
5 in this forum to make sure that you get the  
6 information from us, the Regional Board, at least on  
7 our perspective on how this is supposed to work.  
8 Whether you have rice in the Sacramento or rice in  
9 the San Joaquin you are supposed to be covered by  
10 a group. If you have other crops those crops need  
11 to be covered by a group. So if you have questions  
12 on which group is covering which properties in which  
13 counties and in what areas of Central Valley, I  
14 mean, if you've got those kinds of dynamics  
15 throughout the valley, you need to contact us. We  
16 will help you get in touch with the right coalition  
17 group.

18 Part of the challenge is there is a deadline  
19 that is past now. The Board has been working very,  
20 very hard on trying to get this information out in  
21 concert with coalition groups, other agencies. Many  
22 of which are in this room. Water districts. We  
23 have been speaking all over the valley. We've been  
24 sending all kinds of enforcement letters to those  
25 not engaged in the program. Some are engaged. Some



1 are not. And so, additional actions being taken  
2 against those growers.

3 But a lot of it is information. But we can't  
4 have coalition groups, subwatersheds, county reps,  
5 other agencies saying they don't know. I am really  
6 frustrated by that. But I think the key is for you  
7 as a grower to come forward and say, "I have some  
8 questions," whether it is this forum, the other  
9 forums or contacting my staff. You need to do that  
10 so that we can get you going in the right direction.

11 So I mean in one sense I would like -- you are  
12 touching on actually some issues that are coming up  
13 for us as we review the monitoring data, such as  
14 rice and other areas of the Central Valley, other  
15 than Sacramento, because there are certain  
16 prohibitions that exist in our Basin Plan which are  
17 now coming to light. They are going to focus on  
18 rice operations outside the Sac Valley, which are  
19 really kind of serious. Serious for those growers  
20 that are discharging those chemicals.

21 This is an area that's been highlighted for us  
22 over the last six months. We've been working with  
23 the Eastside Coalition to make sure their growers  
24 that are rice growers and are using some particular  
25 chemicals are well aware of the risks that we have



1 and they have as grower discharging certain  
2 chemicals.

3 So some of these issues we can talk after this  
4 meeting and later. I have Kelly Briggs and Margie,  
5 our senior staff, can spend time with you.

6 MR. STEELE: I want a little -- I can be  
7 done in a minute. I have one more comment.

8 MR. CROYLE: Sure.

9 MR. STEELE: It doesn't quite address the  
10 issue if you established a crop subspecies, rice.  
11 It is a subspecies. It is not fixed on a piece of  
12 ground. It moves around. And then that water  
13 interacts with the other waters that are apparently  
14 fixed. My restored wetlands are fixed. If I'm  
15 exempted from the rice, so I am not in a specific  
16 ground -- based fixed coalition and the rice moves,  
17 does that mean I can't join a coalition because we  
18 put up a date and I wasn't in it on that date?  
19 The rice being the predominant crop where I  
20 am, I haven't been too concerned about this because  
21 I felt like, well, it's being taken care of at some  
22 level, somebody is doing something. Another vague  
23 program and somebody, the rice Board or somebody is  
24 taking care of it and I am sure I'll get a bill  
25 somewhere and something for it, but it's being



1 handled. Then discovering, well, that is just a  
2 crop thing and the wetlands thing not being covered  
3 but being fixed in there and not being in a  
4 coalition, even though the water moves from one  
5 field to the other.

6       There is an administrative logical fault here,  
7 a break here, and I am sure there has been meetings.  
8 It sound like lots of meetings. I came to this one  
9 interested in the process and program. And my thing  
10 is I don't know if I was out on a data search and I  
11 was looking for farmers, I think I could find them  
12 all. If I'm looking for landowners, I think I can  
13 find them all. If I was looking for irrigated  
14 lands, I think I could find them all.

15       So how come you didn't find it all and put it  
16 forward in an organized way rather than, well, just  
17 join a group? Just join a group. And it's a real  
18 issue, a real world issue.

19       MR. LOUX: It is real and I am not -- I  
20 think a couple people want to respond that maybe had  
21 similar kind of thoughts. Mike and Peter.

22       MR. JOHNSON: Mike Johnson.

23       Two points. First of all, somebody who spent  
24 the last three years trying to find all the farmers  
25 in my two coalition areas, it is actually not quite



1 as easy as it sounds for a lot of reasons that are  
2 not important here. But the most important thing I  
3 wanted to ask you, earlier in your statement you  
4 said that the people with whom I work or something  
5 don't know. I don't want the names, but who is it  
6 that doesn't know about this program with whom you  
7 work? One of first statements you made, you talked  
8 about this process. You said the people with whom I  
9 work don't know about this process. The question:  
10 Who are those people generally, not specific?

11 MR. STENT: I am a landowner. I never  
12 received any notice.

13 Peter Stent.

14 We are easily identified. I'm very sorry to  
15 disagree with you. It's easy up in our yeah, maybe  
16 not down where you are. Up in our area, by 5:00  
17 today I can give you a list of every acre and every  
18 owner. That is not a problem.

19 Why didn't they send us a letter? I never  
20 received anything. The way I heard about this was  
21 in the coffee shop. That was in December. Some guy  
22 said, "Have you seen this? It says we got to by the  
23 31st, we have to meet this enrollment deadline."

24 I said, "I don't know what the hell you're  
25 talking about." How come they don't send us a



1 letter. Was there a letter sent?

2 MR. CROYLE: There was not letters sent to  
3 every single grower in the Central Valley.

4 Jeff, I don't know if we want to get into  
5 this. This getting back into the some of the  
6 nuances of how this waiver program started.

7 MR. LOUX: What I would suggest, give a  
8 kind of overview of how the waiver works relative to  
9 coalition groups and individual growers. I also  
10 suggest after the meeting, you might want to get  
11 these two guys together with you and Kelly or  
12 Margie. You have specific issues, and we are not  
13 going to handle in the big group.

14 DR. LONGLEY: Isn't it getting off the  
15 topic? It seems to me the topic is the MRP. This  
16 is another very important issue, but it seems to me  
17 to be outside the MRP.

18 MR. LOUX: Karl, this is Jeff Loux. I tend  
19 to agree with you. I think it would be appropriate  
20 for Bill to kind of close the loop here because  
21 Peter brought these issues up, and then we will get  
22 back to the MRP issue, if that is okay.

23 MR. CROYLE: I guess I would ask Karl to step on my  
24 toes if he needs to. I will try to keep this brief.

25 Basically, what the Board chose to do in



1 December of 2002 is come up with a locally driven,  
2 global, coalition/stakeholder-based process.  
3 Instead of the Board acquiring the resources, staff,  
4 number of staff, to interact with each individual  
5 grower, they chose a group approach. Originally it  
6 was called the stakeholder approach. Now it is  
7 called the coalition group approach. The idea  
8 between, especially with rice as a particular  
9 commodity, we work on rice for a number of years,  
10 had history with rice, understood they had an  
11 industry mechanics that allowed them to interact  
12 directly with their growers and had been on behalf  
13 of Regional Board for a number of years.

14 That concept was moved through and put through  
15 the public process, and the Board adopted kind of an  
16 arm's reach approach interacting with specific  
17 growers. So one of the challenges I think, frankly,  
18 that the Farm Bureau brought up, you need to give  
19 every individual grower notice that they need to  
20 comply with the law. The decision was not to do  
21 that because of resource needs on all parties  
22 involved. So the coalition groups took that role on  
23 as they go out and do their outreach as well as  
24 staff to inform the regulated community that they  
25 need to make a decision.



1       How effective that was, certainly we have a  
2 number of areas that we think should have a lot more  
3 growers involved than are involved. That is one of  
4 the reasons over the past four years that the Board  
5 set a deadline. That deadline is firm, and those  
6 growers now need to interact with us directly.  
7 Because whether the public process worked for the  
8 Regional Board or whether it reached for the  
9 coalition group, they need to step it up. So that  
10 is the process that we have. So if we are going to  
11 change the dynamics, we are interacting with every  
12 grower in the Central Valley, which is somewhere  
13 between 70- and 80,000 growers, the number of staff  
14 for the Regional Board is going to be real  
15 different. So that is one of the challenges that we  
16 have as an agency, to come up with an effective  
17 program that protects water quality and also  
18 provides a mechanism for the growers to easily  
19 comply with the Water Code.

20       At the moment we think that is through the  
21 coalition groups or others that can operate like  
22 groups.

23       MR. LOUX: I am going to suggest that --  
24 thanks for the explanation. This actually may not  
25 quite satisfy what you are thinking, Chris and



1 Peter. I am going to suggest that after the meeting  
2 or soon after you get together with Margie or Kelly  
3 or both to kind of get some clarity on your  
4 particular situation. Who might your coalition be  
5 or not be and what you can do.

6 We have to get back to the MRP if that is  
7 okay.

8 MR. STEELE: Okay. Thank you.

9 MR. THOMAS: That occurs right after this,  
10 maybe Tina and Roberta could join in this, too,  
11 because this issue of rice movement and coordination  
12 between the coalition, they might as well be  
13 involved in that so you can get all the answers to  
14 these guys when they are right here.

15 MR. LOUX: That is a very good point.

16 MR. THOMAS: Mr. Steele took an  
17 extraordinary step in coming here. He should walk  
18 away with some clarity.

19 MR. LOUX: Does that work, you can stay a  
20 little bit?

21 Back to your list. Claus, maybe you had some  
22 thoughts in general requirements. That may be a  
23 place to start. You start in and I will probably go  
24 to Bill. He had some general stuff and talk and  
25 then start working on some details.



1 MR. SUVERKROPP: Some of these are  
2 questions and I'll just kind of go through my list  
3 of markups and comments on here. I guess my first  
4 one is a list of requirements for the MRP plan is a  
5 requirement that the coalitions identify potential  
6 water quality impairments. That seems to be real  
7 problematic element of the MRP without any guidance  
8 or putting responsibility on coalitions to identify  
9 potential impairments with no process in place for  
10 doing that, no basis for establishing what a  
11 potential impairment is. Seems to be unworkable and  
12 unenforceable.

13 How do you determine whether we have done that  
14 properly?

15 MS. LOPEZ READ: I think I know where you  
16 are on the MRP, but if you are referencing specific  
17 places you have worked up, tell me page numbers.  
18 That way I can write it down and be able to go back  
19 to it.

20 MR. SUVERKROPP: I am looking at Page 3 of  
21 the document, in the working draft, Part 1.A,  
22 Requirements for MRP Plan. It's the fourth bullet  
23 down in that list of specific requirements on  
24 there.

25 MS. LOPEZ READ: Okay.



1 MR. SUVERKROPP: And I don't have a comment  
2 or request to do it differently. It doesn't seem  
3 like something that is actual doable for the  
4 coalitions without additional information.

5 Couple of other specific questions in this  
6 area. There is requirement for up-to-date pesticide  
7 use reports. Without a little bit of additional  
8 information on there, if that is up-to-date with the  
9 DPR pesticide use reporting system, then that seems  
10 to be a little redundant. Obviously we could  
11 republish those and reinclude those in the MRP, if  
12 you would like. Seems, again, it is information  
13 that the Board seems to already ever.

14 Beyond that, if there is some of the requests  
15 in there that are pretty specific. I think we would  
16 have to have a lot more specific information to  
17 address some of those requests. On what scale of  
18 specificity do you want this information? Is it  
19 coalition-wide application of the pesticide? Is it  
20 the specific crop application information that you  
21 want or specific acre? There is no way to know from  
22 looking at this.

23 Again, the next section, the next bullet on  
24 here, nutrients, there is a request for where  
25 applications of specific nutrients, total amounts,



1 timing of applications. That is data that simply  
2 doesn't exist. It's not recorded. It is not  
3 reported. There is no process for it, and there is  
4 no way for the coalitions to provide summary or the  
5 details of it.

6 I understand why you would like the data, but  
7 it doesn't exist. There is no way to get it.

8 MR. LOUX: Let me slow down a little bit.  
9 We are sort of mixing and matching.

10 MR. SUVERKROPP: I am going down the  
11 list.

12 MR. LOUX: If you are going page by page,  
13 we might as well do that as a group once and get  
14 through it. I was trying to get at sort of  
15 over-arching issues or big picture issues, and I  
16 probably failed in that attempt. Let me go back to  
17 that and then we'll come back to you, Claus, and we  
18 will go through it page by page.

19 MR. SUVERKROPP: Let me make a general  
20 comment about that section. The general thing is  
21 that there is a number of specific requirements in  
22 this section that you read them as very specific  
23 requests are not -- they are not fulfillable by the  
24 coalitions because that level of information just  
25 does not exist without further guidance on some of



1 these things. No coalition will be able to comply  
2 with although for at least four or five of these  
3 specific requests.

4 MR. LOUX: We'll come back to this very  
5 page.

6 MR. MEEK: John Meek.

7 In the next paragraph, basically you say the  
8 same thing.

9 MR. LOUX: Hang on.

10 Does anyone have comments that are not  
11 page-specific, issue-specific, general comments,  
12 framework, how it is put together, how the documents  
13 sit on top of each other, which comes first?

14 Let's get that out of the way.

15 Bill.

16 MR. THOMAS: I was quite surprised when  
17 this was sent to the office and caught up with me.  
18 And we immediately -- the office had turned it  
19 around, sent it out to our subcoalitions. Their  
20 reactions were the same as mine. The piece of  
21 foundation to this, we have had a very disciplined,  
22 organized, very defensible way that we have gone  
23 through the TIC process to deal with the various  
24 amendments to the MRP. Identified issues. We  
25 talked through them. We dealt with language. And



1 certainly I see those ten or twelve things that had  
2 been agreed to in their various sentences in this.

3 And then we have, beyond those, let's say, 15  
4 lines, we have the about 300 lines of stuff that is  
5 totally new. Hasn't been seen before. Far bigger  
6 issues than those that we dealt with specifically,  
7 like what to do with the 20 percent and the  
8 laboratory, the issues that were very important but  
9 very small. And then now we launch into volumes.  
10 Through that TIC process we said several times that  
11 we encouraged the staff to participate both on what  
12 we were talking about and any additional ideas  
13 because we didn't want to come down and see an MRP  
14 quite like we had seen the waiver amendment before  
15 that caused such a wreck, that had all sorts of  
16 rewrite stuff on top of it that had never been seen.  
17 And we encouraged that.

18 We hoped not to see that when we see the MRP.  
19 Well, we see just that. We see something here that  
20 has three different kinds of monitoring. We had  
21 talked in the MRP about going to a long-range  
22 monitoring plan that coalitions would advance, that  
23 would justify monitoring sites and what they  
24 monitored so as to get a representative sample of  
25 water quality off the coalition areas. We expect to



1 see that as a sentence. Not taking that and  
2 launching then into all sorts of details which we  
3 have here about three different types of monitoring.  
4 Going to monthly monitoring.  
5 One of our coalitions that have read through  
6 this sent me an E-mail this morning that said this  
7 is going to cost between four and a half and five  
8 times what they are doing now. We didn't get a  
9 chance to talk about any of that, of course. We  
10 were worried about what to do with the 20 percent.  
11 But comparatively is minutia. It calls for  
12 quarterly reporting. Puts upon the coalition very  
13 different then we talked in the TIC about SWAMP  
14 compatibility needs to be something between the labs  
15 and you. This takes a whole different approach.  
16 Puts that obligation on the coalition.  
17 Others said -- I probably said 30 times we are  
18 not going to manipulate data that comes from our  
19 laboratories. To coordinate with the laboratories  
20 so we can send you what we get and is in the proper  
21 form to digest. This totally departs from all of  
22 that. Claus put his finger on three paragraphs here  
23 that I have detailed column notes that says no on  
24 each of those. There is no system for reporting or  
25 no system of regulating fertilizers in this state.



1 You can't ask the coalition to take that step and  
2 self-regulate that. That information isn't  
3 available. There is no process to it.

4 If that was put forward as a topic in the TIC,  
5 we would have talked about that and we wouldn't be  
6 putting such things that are so severe and invite  
7 coalitions to say, "Puh, this is another crazy  
8 thing," and react to it. Right now the reaction I  
9 am getting from my coalition borders on costing.

10 So I think that this is going to be a struggle  
11 because there is some good things in this that we  
12 worked hard to get and now we have overloaded it  
13 with things that haven't been well thought out. I  
14 think we are going to get a lot of reaction to that.

15 So, anyway, that is kind of both my overall  
16 and hitting some areas that I think are fundamental  
17 concerns.

18 MR. LOUX: The over-arching being some of  
19 things you did work out in detail you see in various  
20 places. A lot of things that you don't feel you  
21 worked out, you didn't work out, or different ways  
22 of organizing new information, new requirements that  
23 are causing you guys some serious heartburn. You  
24 are going to have to work through it to figure out  
25 the specifics on that and see which things can



1 survive and which things can't.

2 MS. LOPEZ READ: May I make request.

3 MR. LOUX: Yea, that's okay.

4 MS. LOPEZ READ: You brought up the issue

5 of cost, Bill, and that is something at the last

6 stakeholder meeting you had already left the room.

7 But I'm also trying to flirt through the cost issue

8 myself, try to figure out what this meant, what the

9 other approach met, which I think is a well thought

10 out approach, by the way. And so what I did is I

11 took all the types of tests --

12 MR. THOMAS: Where did it get thought out?

13 Was it the stakeholder group? The TIC group? Where

14 did that all get thought and worked out?

15 MR. LOUX: Let Margie finish.

16 MS. LOPEZ READ: So what I did is I took

17 all the different types of analyses that -- and this

18 is core monitoring. This is not management plan

19 monitoring when you've already had more than one

20 exceedance. This is starting fresh, new place. You

21 are wanting to check it out. And you don't find any

22 problems during assessment monitoring. You move

23 into core. It becomes a routine process, no

24 exceedances involved.

25 So it won't apply to most areas. But



1 regardless, just taking -- I took the different  
2 analyses and I took it from a survey that we've done  
3 with the laboratories that do work for your  
4 coalition, we took their costs and we projected out  
5 to a four-year period. We compared it to the amount  
6 of testing that most coalitions currently do right  
7 now, and it actually came out less, if you project  
8 it over three and four years, per sample site than  
9 what it otherwise would now.

10 MR. THOMAS: For monitoring five time --

11 MR. LOUX: One at a time.

12 MS. LOPEZ READ: At the stakeholder meeting

13 what I did request was that -- this doesn't talk

14 about labor. It doesn't talk about contract work.

15 Just talks about laboratory results. My request

16 then and it is to you now as well, if you can

17 provide some information about the cost that that

18 piece would involve, that will help.

19 MR. THOMAS: Going to monthly over -- going

20 from five times to 12 times, going from two reports

21 a year to four reports, doesn't get cheaper.

22 Doesn't get cheaper. Gets more expensive.

23 MR. LOUX: There may be a lot specifics

24 underlying the general comments. We are not going

25 to get anywhere until we get to those specifics



1 ultimately. We may not get to those specifics in  
2 this room with 40 people. We may have to find  
3 another avenue for some of this detail.

4 Does anyone have any other what I would call  
5 big picture, overarching questions, concerns?

6 DR. LONGLEY: I have a question. My  
7 question is I heard people comment and quite  
8 frankly, Bill, you had a lot of comments. Margie,  
9 would it be a benefit for you to get those comments  
10 in writing so that we can consider them in a little  
11 more detail?

12 MS. LOPEZ READ: Yes, I think it would be,  
13 particularly if they are specifics. Rather than  
14 just sort of general thoughts about why things can't  
15 work or what maybe they are. If there are questions  
16 about what certain things are, if there are specific  
17 recommendations about how things could be made  
18 different and more clear. All of those would be  
19 appreciated, especially specific references to pages  
20 where issues come up. All of that would be very  
21 helpful.

22 That is why we are here today because we --  
23 this is not a deja vu if what has happened before,  
24 by any means. What we are looking at here today is  
25 a working draft of something before it comes



1 tentative, which is something you have never had  
2 before. So this is the opportunity to get those  
3 comments and to get your thoughts and to get  
4 constructive suggestions. That would be very  
5 helpful.

6 MR. LOUX: There may be a number of  
7 processes that we are going to need to go through in  
8 order to get to the next, to get things ironed out.

9 DR. LONGLEY: Bill made a comment about  
10 changes to the waiver. I have the same concerns he  
11 has, and I would like to work these issues out  
12 before it comes in front of the Board.

13 MR. LOUX: Thank you.

14 Any other general ones, and then I'm going to  
15 specifics. We're going to end up going page by  
16 page.

17 MR. RENTZ: Mark Rentz, DPR.

18 Just a general comment, and I don't know if  
19 this is appropriate. I went through and looked  
20 quickly went through the first parts of this. One  
21 of the concerns I have, because our staff is  
22 stretched thin, and in dealing with all of the  
23 Regional Water Boards' programs and this is just one  
24 of many Regional Boards, there is no recognition in  
25 your discussion of how this effort which is quite



1 extensive might tie into other regulatory programs  
2 that might be coming down the line or that are  
3 proceeding on parallel tracks at this time. One  
4 immediately comes to mind, the total maximum daily  
5 load program. A lot of work being done. A lot of  
6 resources invested here. You have another  
7 regulatory program that may be able to be utilized.  
8 A lot of this good work that is going to be done  
9 however this plan plays out.

10       So my suggestion is, if this is the  
11 appropriate group, is at least give some  
12 consideration to recognizing how this effort might  
13 dovetail in, as far as providing information for  
14 other regulatory programs that this Board is  
15 responsible for.

16       Mr. LOUX: Tina.

17       MS. LUNT: Tina Lunt.

18       My understanding is that the coalition groups  
19 were going to have flexibility to develop their own  
20 program. And it doesn't come across that well, at  
21 least to me, in here that there is much flexibility  
22 in and how we are able to create the program. I  
23 don't know if a wording issue. We'll think of  
24 specific comments for you. Doesn't come across very  
25 well.



1 MS. LOPEZ READ: I appreciate that. I  
2 guess I don't know how to get that because we tried  
3 to highlight it, and we have it in the information  
4 sheet. We have it in a variety of places that is  
5 there. There is flexibility. We just need certain  
6 objectives met and certain questions answered. And  
7 there is a baseline approach for a long-term  
8 monitoring strategy from which coalitions can  
9 propose changes, technically sounded changes, as  
10 long as they continue to meet the objectives and  
11 answer the questions.

12 So, Tina, and anyone else, if there is another  
13 way or another place to put it or another way to say  
14 it, I would appreciate those suggestions.

15 MR. LOUX: Lenwood.

16 DR. HALL: General comment on the overall  
17 document. The long-term monitoring strategy, as  
18 described on Page 4, has three components: the  
19 assessment monitoring, the core monitoring and  
20 special project monitoring. If there was a way you  
21 could put together a flow chart or a schematic  
22 diagram like you did for the limits that we talked  
23 about earlier, to show how all those three pieces  
24 interact with each other, I think it would be  
25 extremely reader friendly. As I read through this



1 document, it is fairly difficult to try to piece  
2 this together in terms of a big picture. I think a  
3 flow diagram would be very helpful to enable one to  
4 understand how the pieces fit together.

5 The other comment I had, which is also fairly,  
6 I guess, general comments is it is not clear to me  
7 about this special project monitoring. That almost  
8 seems like a new piece to me here. It's talking  
9 about dealing, as I understand it, some of the  
10 303(d) list water bodies and impaired waters and  
11 that sort of thing. As I recall from the original  
12 MRP, weren't those water bodies actually excluded  
13 from selecting sites? Do you remember this? To me  
14 that was a big change from the old version versus  
15 the new version. We need to make that very clear.

16 MS. LOPEZ READ: First of all, I think your  
17 flow chart idea is excellent, and actually maybe  
18 that might help fit in the piece about where  
19 coalition specific options could be inserted.  
20 'Cause maybe I see it my head, but it is not coming  
21 across on this typed document, and a flow chart  
22 would probably help.

23 Forgot what the other thing was.

24 DR. HALL: The 303(d) list. That is more  
25 of a specific question for later. It did concern me



1 because it is a whole new venue of work, the way I  
2 see it. And originally that was not part of what  
3 this program was about, as I understand it.

4 MS. LOPEZ READ: That kind of touches on  
5 what Mark Rentz was suggesting earlier, too, about  
6 incorporating TMDLs. It is sort of new in the sense  
7 that it is new in many ways. There are two very  
8 important reasons for having that. One of them is  
9 the TMDL issue, where it is ag related and where  
10 there is, if we have separate programs dealing with  
11 it separately, that can be redundant and it is maybe  
12 not the way to approach it.

13 So it might be better to have implementation  
14 of the TMDL in one type of program. So that could  
15 very well be through some of the special projects  
16 monitoring. The other piece that that is meant to  
17 deal with is the Board's new requirement that a  
18 management plan be put in place automatically when  
19 one or more exceedances occur within a three-year  
20 period.

21 So we are already been working through some of  
22 the coalitions developing management plans. And the  
23 question comes up, well, so were dealing with some  
24 sediments and pyrethroids or sediment toxicity or  
25 whatever, does the same monitoring approach really



1 make sense, especially the part about exceedances  
2 and going back out and all this kind of thing that  
3 would occur right now? Or would a more specialized  
4 monitoring project that helps approach the  
5 management practice implementation and when they  
6 expect to see changes occur, would that make more  
7 sense? So that is where special project monitoring  
8 wouldn't be core, wouldn't be assessment. It would  
9 be something that would fit the problem that we are  
10 dealing with. And it wouldn't be something you can  
11 plan ahead in an MRP. It would specific to the  
12 issue. That is what that pretty new item is made  
13 for.

14 MR. CROYLE: I actually think Margie missed  
15 a major step in the special project monitoring. And  
16 part of the scenario here is that we are removing  
17 the communication reports and the exceedance report  
18 process and replacing it with that process. So to  
19 extent that you are no longer needing to go through  
20 the communication process and the management plan  
21 process to deal exceedances, whether they are TMDL  
22 constituents or otherwise. The idea is that you can  
23 come up with your site-specific, coalition-specific  
24 special project monitoring to address those issues,  
25 instead of the communication report and



1 effectiveness reporting process.

2       So the idea was to consolidate all that  
3 reporting process into one process and not have all  
4 these dates and triggers and reports after reports,  
5 is that you have the freedom to come up and develop  
6 your own TMDL implementation plan, your own  
7 exceedance response, your own management plan  
8 process. That is what that section is all about.

9       MR. LOUX: Mike.

10       MR. JOHNSON: Margie answered the question.

11       MR. LOUX: Any other general comments?

12       MR. SUVERKROPP: I have one follow-up  
13 comment on the 303(d), a site question and another  
14 one about the management plan implementation.

15       MS. LOPEZ READ: What pages?

16       MR. SUVERKROPP: First one on the 303(d)  
17 list. We are not page specific yet, as I  
18 understand.

19       MR. LOUX: I am trying to do that.

20       MR. SUVERKROPP: I am not going to give you  
21 any page numbers. Relating back to the 303(d) list,  
22 the question was some readings of this it would  
23 suggest that in the monitoring plan that you would  
24 be monitoring all 303(d) listed water bodies in your  
25 coalition. I don't know if that is the intent. If



1 it is not the intent, that should be made clear in  
2 that action. If it is representative or limited to  
3 compliance monitoring sites or whatever the intent  
4 is there, that needs to be made clear. Otherwise it  
5 appears that it is the coalition monitoring sites  
6 and all 303(d) listed water bodies.

7 MR. THOMAS: How do you do it, it's all the  
8 Delta?

9 MR. SUVERKROPP: That is a practical  
10 consideration.

11 The other issue here that is an overarching  
12 issue with the monitoring plan and management plan  
13 implementation or the special project monitoring is  
14 that the monitoring program is made a change, at  
15 least the way I interpret it, to sort of a  
16 representative site methodology, where you are  
17 picking a few sites to represent a lot of area and a  
18 lot of coalition lands. But there still seems to be  
19 some kind of legacy that is much more site-specific  
20 in how you follow up on exceedances and develop  
21 management plans, and it is not clear when you have  
22 a representative site and a few exceedances out of  
23 several representative sites, does that then require  
24 a management plan or special project monitoring for  
25 all the represented land areas? How exactly does



1 that work? That seems to be a little disconnect in  
2 how we assess exceedances and apply it to whatever  
3 kind of follow-up happens from that. I am not sure  
4 that has been worked all the way through in a  
5 thought process.

6 MS. LOPEZ READ: Maybe not in the written  
7 process, but certainly the idea if the coalitions  
8 designate a site that is supposed to represent other  
9 sites, that is fine. There needs to be some  
10 technical justification about why that works. And,  
11 yes, if there is an exceedance at that  
12 representative site, then whatever action needs to  
13 be taken there needs to be taken at the other sites  
14 as well.

15 I am not remembering where, but I know we did  
16 put that language in the MRP. So you have skimmed  
17 through it, so it is not clear. We need to bring  
18 that out.

19 MR. SUVERKROPP: There is some language,  
20 some differences in how that is expressed in  
21 different parts of here that may suggest that some  
22 responses are site-specific or drainage-specific as  
23 opposed to representative. And so I think that  
24 representative concept isn't carried all the way  
25 through here and gone all the way through.



1 MS. LOPEZ READ: That is a good comment.

2 Thank you.

3 MR. SUVERKROPP: If that is the goal, that  
4 needs to be through the whole list.

5 MR. LOUX: Stephen had made mention of the  
6 consistency issue.

7 MR. CLARK: That is one general, and there  
8 are some very specific ones. Clause captured that.

9 MR. LOUX: At the risk of trying to move us  
10 forward, what I have been sort of resisting, page by  
11 page, we are kind of getting there any way. We  
12 should probably go, anyway. I want to preface this  
13 by saying I don't think we are going to edit this  
14 document line by line, resolve all the issues. But  
15 the general issues that Bill brought up would be 300  
16 lines' worth in this room.

17 I think what we should do is go through it,  
18 identify the problem, state it quickly. If you have  
19 a quick fix, kind of get through the sort of problem  
20 so Margie and Bill and everyone has kind of a list  
21 of things that need to get talked about. But I  
22 don't know -- if you've got the quick answer and  
23 it's easy, lets go through it. But if not, let's  
24 make sure we know what the problem areas are.

25 I'm assuming we are going to be spending our



1 time on the MRP itself or just start there as  
2 opposed to all the appendices and all the background  
3 documents. We are going to have -- there is going  
4 to be opportunities for, I suspect, a smaller group  
5 of you to get together and hash out specifics.  
6 There is obviously opportunities for the written,  
7 where you put everything in writing, and that is  
8 going to have to happen. This stuff has to be in  
9 writing. If we can get through the issues, the big  
10 things that are really inconsistencies, it doesn't  
11 really make sense, I don't understand this, this  
12 seems like to much, this seems like a big change.  
13 Get through them and identify them.

14 DR. LONGLEY: I totally agree. And I think  
15 that if individuals feel the issues are not  
16 addressed, they do need to be sent to Margie and/or  
17 Bill in writing so they can be soft lined.

18 MR. CLARK: This is Stephen Clark.  
19 We are on a fairly tight timeline to get -- we  
20 are going to be expressing comments here. We have a  
21 public comment window. My expectation, of course,  
22 on public comments, these are some as well as what  
23 individuals might submit in writing, there will be a  
24 response from the Regional Board staff on those  
25 particular comments. The response could be duly



1 noted. We are all aware of that. The other  
2 response could be it's be incorporated on page such  
3 and such.

4 We are going to follow standard procedure in  
5 terms of how these comments will be taken into  
6 account and they will be in the minutes.

7 MS. LOPEZ READ: Yes. One way or another  
8 there will be a response. I have to talk with Bill  
9 and see how formal we want this pretentative version  
10 type of response to occur. But there will  
11 definitely be answers to the specific items.

12 MR. CLARK: I would encourage not  
13 necessarily to treat groups differently, but this  
14 group has spent a lot of time trying to get input  
15 into the MRP. So I would hope to see very few  
16 responses that are duly noted, more some  
17 justification for why it's not going to be included  
18 or how it is going to be tweaked. Just simply  
19 because I think people feel very vested in this  
20 process.

21 MS. LOPEZ READ: I agree.

22 MR. LOUX: Maybe I am misunderstanding.  
23 But I understand this to be a little bit different  
24 than the usual because this is a working draft. So  
25 if things can be worked out and fix it, that is



1 going to happen. Then there may be another set of  
2 comments where here is concern people had, and,  
3 well, we didn't put it in there kind of response.

4 So both of those are going to happen; is that  
5 correct?

6 MS. LOPEZ READ: Yeah.

7 MR. LOUX: Those things we can clean up and  
8 fix in this document. Everybody gets closer to a  
9 place where you're feeling like the TIC is -- stuff  
10 is representative.

11 I don't quite know to handle it then starting  
12 at Page 1. I just encourage us to go for the  
13 important stuff and recognize that there has to be a  
14 response.

15 MR. CLARK: Ninety days. There was one TIC  
16 recommendation. I think it was a recommendation or  
17 at least along a bit of dialogue about -- it was a  
18 recommendation -- anywhere between four months to  
19 six months to integrate --

20 MR. THOMAS: Six months.

21 MR. CLARK: To integrate this process once  
22 it is approved into MRPs and adjusted QA plans and  
23 long-term management strategies. But it's been  
24 dropped to 90 days, reduced to 90 days.

25 Can you guys fill us in on -- I also obviously



1 see down below the iterative process. Can you fill  
2 us in on the thought process, how that particular  
3 request was tweaked?

4 MS. LOPEZ READ: So I guess I lost track of  
5 that six-month request. I don't remember if that  
6 was an informal recommendation or not, but that is  
7 something we need to look at.

8 MR. THOMAS: Originally it was six months.  
9 Then when the revised MRP came out, it was changed  
10 to four months unless you contact the EO and justify  
11 your six months, and now it's being dropped to 90  
12 days. And it's too short.

13 MR. LOUX: Is there a reason, Bill?

14 MR. CROYLE: In my perspective this was a  
15 TIC issue. We talked about it, and a number of the  
16 key technical people that were working on MRPs and  
17 trying to anticipate this process said they could  
18 get it done in three months, and that there might be  
19 other cases that might not be able to get it done.  
20 And the three coalitions I talked about, and I won't  
21 mention their names, said they are already working  
22 on the process. Other than the final Board action  
23 and working through the nuances of that with staff,  
24 in some cases we are working on how we move forward.  
25 So to me it running this idea by Pamela seems like,



1 based on the TIC's comments, 90 days is appropriate.

2 MR. LOUX: You might want to push back on  
3 that.

4 MR. CLARK: I think that -- correct me if I  
5 am wrong, Bill. Those that participated in that  
6 trigger focus group, there were some they can do it  
7 more quickly than others and one-size-fits-all might  
8 present some challenge for some groups versus other  
9 groups. That is the only reason I am raising that  
10 because the 90 days was definitely not something we  
11 all sat around the table and held hands, yes, we can  
12 do it within that window time. Many felt they could  
13 and others felt they couldn't. That is the only  
14 reason I bring it up.

15 MS. LUNT: The Sac Valley Coalition has  
16 already been talking about the MRP. But I look at  
17 this and say when we start sending it back out to  
18 our groups and have them start reviewing stuff and  
19 getting back to us, 90 days may be a little short.

20 MR. THOMAS: Same paragraph. The notion  
21 that the Executive Officer will prescribe the MRP  
22 plan to the coalition. You don't have the authority  
23 to impose anything on the coalitions. You could say  
24 you are going to disprove their MRP, but you are not  
25 in a legal position to impose duties on the



1 coalitions.

2 MR. LOUX: The word "prescribe" that is

3 language --

4 MR. THOMAS: It is important language.

5 MR. LOUX: Other ones on this?

6 Drifting aimlessly to Page 2, objectives.

7 Stated as five key questions as opposed to the more

8 traditional objectives.

9 DR. HALL: Lenwood Hall.

10 Question number one, obviously a very

11 important question in this whole document. When you

12 get to the end of that question, it basically ends

13 with beneficial uses. And this is a question that

14 Joe McGahan had asked earlier. To me it would be a

15 good idea here to provide maybe some examples of

16 beneficial uses in that sentence. For example,

17 freshwater habitat. Some of the beneficial uses

18 that we know are common among all the coalitions.

19 And that is a very important part of that objective,

20 is that you are tying everything back to a

21 beneficial use.

22 We certainly understand that most of what we

23 are doing for the coalitions deals with aquatic

24 organisms, protecting the water quality for them.

25 But once we start entering this realm of looking at



1 E.coli and some of these other things which are  
2 perhaps human health issues, we are getting into  
3 another arena.

4 Generic question here: Is that an arena that  
5 we want to get in here? Aren't we primarily  
6 concerned with protecting water for aquatic life?  
7 And this human health issue is to me almost another  
8 issue completely.

9 MS. LOPEZ READ: I have to disagree.

10 DR. HALL: If the beneficial uses protect  
11 drinking water, that would be right. My question  
12 is, it is not clear.

13 MS. LOPEZ READ: We need to make it clear.  
14 Here at the Water Board we have to protect all  
15 beneficial uses, not just some. It is to the  
16 question: Which beneficial uses apply to that water  
17 body? That is the question. Once you know that, we  
18 have to protect them.

19 DR. HALL: Let's ask the question a  
20 different way. How often is protecting the  
21 beneficial use of drinking water going to be an  
22 issue across all the coalitions?

23 MS. LOPEZ READ: There are exceedances of  
24 MCLs in a variety of places, so it will be an issue.

25 MR. CROYLE: It is an issue.



1 MR. JOHNSON: That was one of my earlier  
2 questions that I didn't raise, was, I think it says  
3 in the Basin Plan that if there are no beneficial  
4 uses assigned, municipal beneficial uses  
5 automatically assigned to that water body, does that  
6 change if the beneficial uses are assigned by the  
7 Tributary Rule? Or if they're assigned by the  
8 Tributary Rule as a municipal beneficial use  
9 automatically remain in play?

10 MS. LOPEZ READ: Those are all questions  
11 that we need to get into when we start working  
12 through the individual water -- through the  
13 individual MRP plans and how those are designated.  
14 I know that municipal is supposed to apply if  
15 nothing else is identified, but there are exceptions  
16 to the Tributary Rule as well which are related to  
17 ag drainage water bodies. So this is an area that  
18 we will need to work through when we have that -- we  
19 go through that flow chart and we have the steps.

20 MR. THOMAS: There are areas expressly  
21 excluded from the MUN applicable in the San Joaquin  
22 Valley.

23 MS. LOPEZ READ: The Basin Plan does have  
24 some specifically identified areas that are  
25 excluded. I guess if I learned anything from this



1 process over the last year and a half it is that  
2 nobody is really very clear about what beneficial  
3 use applies.

4 MR. LOUX: What I'm hearing, though, is  
5 that because this applies to so many different  
6 settings, potentially any beneficial use might be  
7 subject, might come up in this case.

8 MS. LOPEZ READ: Right.

9 MR. LOUX: You can put a number of examples  
10 in here, but at some point you to have refer to the  
11 beneficial use list. You have a list of beneficial  
12 uses?

13 MS. LOPEZ READ: Right.

14 DR. HALL: Just to summarize the point.  
15 Identify beneficial uses for all the coalitions for  
16 the water bodies is a critical part of this whole  
17 process. So that's got to be done up front.

18 MR. LOUX: Right. It seems like that might  
19 need to be emphasized a little bit. That is going  
20 to -- seems like that drives a lot of monitoring.

21 MR. SUVERKROPP: It is a specific  
22 requirement for the coalitions to provide, to say  
23 this is the beneficial uses for this water body or  
24 class of water bodies, I guess, since we are doing  
25 to the representative approach. So, basically, that



1 is -- that job the Regional Board has kind of been  
2 pushed onto the coalitions to make that call at  
3 first cut.

4 MS. LOPEZ READ: I don't see that. I see  
5 that as something you guys wanted.

6 MR. SUVERKROPP: That is what it says.

7 MS. LOPEZ READ: So you say, "Well, we  
8 don't know. We give up. You guys tell us. Do  
9 that."

10 What I hear from coalitions is kind of the  
11 opposite, is that we know what beneficial uses this  
12 body is good for. We know, we'll tell you.

13 MR. LOUX: Proactive.

14 MS. LOPEZ READ: Give us your first shot.  
15 If you can't do it, you can't do it.

16 DR. LEE: Fred Lee.

17 Didn't we start to discuss this a couple years  
18 ago and quit? I know we did. The Regional Board  
19 was going to get back to us, what this is all about  
20 and how we define the Tributary Rule beneficial  
21 uses. I never heard the final resolution to that.

22 MR. SUVERKROPP: It is not about -- my  
23 understanding is it is not about the application of  
24 the Tributary Rule, but just assigning a specific  
25 use.



1 DR. LEE: Most Tributary Rules would mean  
2 that rec-1 would apply. Rec-1 has fecal coliform  
3 standards. You don't have to have drinking water.  
4 You can be swimming in it, wading in it.

5 MS. LOPEZ READ: I don't know if that was  
6 before me. What I do know is now we have identified  
7 this outline of a process to get there. So let's  
8 hang onto that. Let's improve that process. Let's  
9 move through it as we move through the MRPs, and we  
10 will get there.

11 MR. VARGAS: Al Vargas.

12 We've been going around in circles for  
13 sometime as Fred mentioned. It was a subject of a  
14 lawsuit. The court said, asked the Board to clarify  
15 its position on the Tributary Rule. I never knew  
16 what came out of that, and I don't know where we  
17 stand. You are telling coalitions you tell us and  
18 we will think about it. It is very ambiguous as to  
19 what thought process you are going to be using.  
20 There has to be some guidelines as to how this is  
21 going to play out.

22 This goes back to 1991 Inland Surface Plan,  
23 which the State Water Board never completed.  
24 Recognized there was unique uses in the water  
25 bodies. Now we've gone back to the Tributary Rule



1 which says everything is drinking water, everything  
2 is cold water fishery. We are not sure what is  
3 going to apply to these water bodies in terms of  
4 objectives.

5 MS. LOPEZ READ: Al, I think you know that  
6 outline is our first attempt to try to describe to  
7 everybody how we'll go about doing it. It is more  
8 than just saying we'll think about it. So it is not  
9 just we'll think about it. Investing in this draft.  
10 Maybe it is not clear enough. And I would like to  
11 ask you to work with me on figuring out how to make  
12 it more clear.

13 MR. DEAN: Nasser Dean, Western Plant  
14 Health Association.

15 In looking at this question, and maybe you can  
16 help to clarify this. But how is the staff or the  
17 Board defining protective? I mean, is there a legal  
18 definition already; and if there is, shouldn't it be  
19 incorporated into this document?

20 MS. LOPEZ READ: Is there a legal  
21 definition? Do you know, Bill?

22 MR. CROYLE: I don't know.

23 MS. LOPEZ READ: What I do know is that  
24 certain regulatory levels for contaminants are  
25 geared towards beneficial uses. We have -- the



1 MCLs, for example, are protective of drinking water  
2 purpose, for MUN. And someone was mentioning  
3 coliform levels. Some of those are geared toward  
4 body contact recreation. So we have different  
5 numbers that you are supposed to achieve for  
6 different beneficial uses. But if there is a term,  
7 a legal definition for protective, I am not sure.

8 MR. DEAN: It is a very subjective term. I  
9 don't know what that means, to be quite honest. It  
10 could be something different to the Board and  
11 something different to the coalitions.

12 MS. LOPEZ READ: That is worth exploring.

13 MR. LOUX: To be protective. What I would  
14 suggest we do in the interest of moving along, we  
15 are probably not going to resolve some of these  
16 where there is a lot of difference of opinion or  
17 debate, let's identify the issue and kind of  
18 discipline ourselves to not comment on the comment,  
19 kind of keep moving. Because I think we are going  
20 to be -- it is a good discussion, but we are  
21 obviously going to be going back either big groups  
22 or small groups or something, passing some of this  
23 stuff through it, working out the details. Let's  
24 make sure we identify stuff so Margie knows what her  
25 to-do list is, if nothing else.



1       Anything else on two? We have the issue of  
2 beneficial uses and how that is going to be applied;  
3 the issue of protective and the ambiguity that that  
4 might raise; the definition question, that might  
5 raise.

6       Other ones, basic objectives, basic questions  
7 raised for us?

8       Going on to Page 3, we have -- Claus, you  
9 talked about the water quality impairment problem  
10 that is unanswerable. You talked about the issue of  
11 the pesticide use report being redundant with DPR  
12 and having to do this and what scale. We talked  
13 about the question of right underneath the nutrients  
14 being unavailable, that being difficult if not  
15 impossible one. We have three issues from you  
16 there. I think I cut you off at that point.

17       MR. SUVERKROPP: The next bullet, the  
18 description of water management practices. That is  
19 something -- again, I think that could be done  
20 categorically for crop types and commodities. Can't  
21 be down on an acre-by-acre basis. It is just  
22 impractical, if that is what the goal is here. It  
23 is not clear from this how that requirement should  
24 be satisfied. Certainly interpretation could not be  
25 complied with.



1 MR. LOUX: You could do it generally, but  
2 not specific to crop, specific to land parcel.

3 MR. MEEK: John Meek.

4 Actually you answered that question. The  
5 question is in the last three lines you say water  
6 management practices include. That is the answer.

7 MR. LOUX: That would be a generic answer

8 MR. MEEK: That is the generic answer.

9 MR. LOUX: That is the stuff we are going  
10 to do with the water.

11 Bill.

12 MR. THOMAS: On five and, incidentally, I  
13 think all through this, rather than bullets and  
14 paragraphs we should number these in various ways.  
15 But on number five, I am not sure it says and  
16 drainages, that could be anything. That needs  
17 clarification or probably omission because you  
18 already have channels and canals.

19 The notion of which fields are represented by  
20 each monitoring site, that needs more discussion. I  
21 see where that is very difficult or impossible to do  
22 in some situations.

23 MR. LOUX: Maybe Margie got that, but I --

24 MS. LOPEZ READ: I did.

25 MR. LOUX: That one slipped right from my



1 ears.

2 MR. CLARK: Stephen Clark.

3 Given that beneficial use assessments is a  
4 critical element for understanding whether you have  
5 an impaired water body or not, whether you are  
6 improving the conditions or not. Either I have  
7 breezed over this four times and missed it or that  
8 is not integrated.

9 MS. LOPEZ READ: I missed that one.

10 MR. CLARK: It was on outline of the  
11 questions to be addressed. Beneficial uses has to  
12 be in one of these steps because we can't answer the  
13 question without identifying what the beneficial  
14 uses of the water bodies are. It might fall under  
15 item for, identification of known potential water  
16 quality impairments, or under the site  
17 identification.

18 MR. LOUX: You might be able to link that  
19 up Claus' concerns that the impairments were vague  
20 and unanswerable. Maybe it does down to something  
21 specific.

22 MR. SUVERKROPP: A follow-up on that and  
23 link up with representative versus real  
24 site-specific thing. To make that work again,  
25 basically, you can't just assign beneficial uses to



1 the water bodies you monitor now. Now you have to  
2 assign beneficial uses to every water body that is  
3 represented by the sites you do monitor. That is  
4 not a small task.

5 MS. LOPEZ READ: It isn't. I agree.

6 MR. SUVERKROPP: As a matter of fact, it is  
7 so big that the Regional Board hasn't done it for  
8 most of the water bodies.

9 MR. LOUX: The monitoring is being done in  
10 a representative sample approach. Beneficial uses  
11 would be every water body approach, a complete  
12 blanket.

13 MR. SUVERKROPP: I don't have an answer on  
14 how to do it. Basically, we have to come up with a  
15 process to satisfy that requirement.

16 MR. LOUX: Other ones on this page, Page 3,  
17 and slide over to the top of 4, the long list of  
18 requirements, basically? Other things that struck  
19 you as very difficult or too much, too vague, not  
20 enough?

21 MR. SUVERKROPP: Again, the question of how  
22 specific do we need to be about locations where  
23 management practices occur on that first bullet on  
24 Page 4 there? Again, if that is very specific, that  
25 is very difficult to comply with. If it is regional



1 and percentages and had categorical, it is not so  
2 bad. But, again, if the locations mean a specific  
3 field, I don't think you can do that.

4 MR. LOUX: As a general category, say,  
5 general crop types, general land types, you might be  
6 able to do it, but not deal with it.

7 Bill.

8 MR. THOMAS: Down, next to the bottom  
9 paragraph. It's okay on the second line through  
10 pesticides. When you say --

11 MR. LOUX: Are you on Page 3?

12 MR. THOMAS: I am on Page 4. Did I take  
13 you buy something?

14 MR. SUVERKROPP: Go ahead.

15 MR. LOUX: Claus already turned the page.  
16 We are on four.

17 MR. THOMAS: I don't know what you mean by  
18 chemicals. And nutrients has to come out of there.  
19 We don't have any information as to that. So  
20 clarification and concern as to chemicals and  
21 nutrients.

22 MR. SUVERKROPP: You are looking --

23 MR. THOMAS: Second to last paragraph,  
24 second line.

25 MR. LOUX: Other ones on Page 4?



1 MR. CLARK: This is really more a  
2 conceptual and timing integration process with some  
3 of the previous pages. The quality assurance  
4 project plan is to be submitted with the MRP which  
5 logically makes sense. The submittal timeline,  
6 whether it is the 90 days or four to six months, the  
7 table up on Page 1 indicates that Regional Board  
8 will expect a final and approved MRP, which by  
9 default will have a QAPP in with it, within 90 days  
10 after receipt.

11 There is a lot of vetting of issues back and  
12 forth and an approved MRP would also include a  
13 signed QAPP. And I have never known, because of  
14 Regional Board staffing levels, to receive a QAPP  
15 signed back within anything close to 90 days. So I  
16 encourage you to look real strongly at that because  
17 ultimately moving forward without a signed quality  
18 assurance project plan is moving forward with an  
19 approved program, an approved document, and also  
20 structured teeth for everybody that is involved,  
21 whether Bill, technical program managers, labs, et  
22 cetera. So I already know that your QA officer has  
23 a variety of these stacked on her desk, I believe.

24 MR. LOUX: Would it be your recommendation  
25 to pull the QAPP out and list it separately?



1 MR. CLARK: No.

2 MR. LOUX: Additional time?

3 MR. CLARK: I encourage the Regional Board  
4 to reassess Page 1 in terms of with that included in  
5 there they can really meet the 90-day turnaround  
6 time on their end with the interactions that go back  
7 and forth with the coalitions about revisions and  
8 have a signed document.

9 MR. LOUX: You encourage it to stay as a  
10 package, just have more time?

11 MR. CLARK: I don't think the timeline is  
12 realistic, based on history and the staffing level  
13 at the Board right now. That one QA officer will be  
14 responsible for reviewing all of these? Frankly  
15 impossible within 90 days because everybody will  
16 have the same timeline, or she'll be working 120  
17 hours a week.

18 MR. LOUX: Other things on Page 4?  
19 Moving on to five.

20 MR. THOMAS: Jeff, in the second line there  
21 where it says monitoring shall not be limited to  
22 larger volume water bodies. Needs to be some  
23 qualifier in there somewhat to reflect the South San  
24 Joaquin where all we have is our few major water  
25 bodies to monitor. In the Kings, Kaweah, Tule and



1 Kern you are monitoring on the rivers and only about  
2 one other water around you. Does need to change  
3 that language; the concept is fine. Their needs to  
4 be flexibility.

5 MR. LOUX: A little caveat.

6 MR. THOMAS: Or else we can say, okay, we  
7 have no place to monitor. Maybe that is our  
8 preference.

9 MR. LOUX: What else on five?

10 A lot of the bullets below. A lot of these  
11 are bullets that I think you have worked out or at  
12 least issues that you recommended bullets.

13 DR. HALL: On the fourth bullet from the  
14 bottom discussed the criteria for selection of each  
15 monitoring site. This is a question for Margie.  
16 When we put together that recommendation for  
17 assessment completeness and had all the bullets or  
18 criteria for sites, is that somewhere in this  
19 document in the appendices as guidance?

20 MS. LOPEZ READ: Are you talking about the  
21 spreadsheet where we had different --

22 DR. HALL: Wasn't so much a spreadsheet,  
23 but when we went through and we revised -- I don't  
24 remember what recommendation it was -- I think it  
25 was eight. The assessment complete list



1 recommendation. We had a series of bullets that we  
2 mentioned different criteria we would use to select  
3 monitoring sites.

4 My question is: Is that in here somewhere?

5 MS. LOPEZ READ: The way those were done,  
6 it was kind of a little background about why the  
7 recommendation was necessary and then the  
8 recommendation. I think what you're saying is maybe  
9 that was part of the background for the  
10 recommendation. I can go back and look and see if  
11 that is something we can --

12 MR. THOMAS: There are nine bullets in that  
13 recommendation.

14 DR. HALL: Nine or ten bullets.

15 MS. LOPEZ READ: Are those what are shaded  
16 in gray?

17 DR. HALL: They were more specific. Like  
18 looking at hydrologic parameters, selecting sites to  
19 represent different fields. It was a whole list of  
20 criteria.

21 MR. LOUX: Criteria that one could pick  
22 from, essentially. These are ones you are generally  
23 going to look for.

24 MR. SUVERKROPP: Some of those exceed in  
25 strength through this list.



1 DR. HALL: Some of them are, but some  
2 aren't. Let's go back and look at that  
3 recommendation.

4 MS. LOPEZ READ: That sounds good.

5 MR. LOUX: What else on Page 5?

6 MR. SUVERKROPP: Question. Again, coming  
7 back to the representative site-specific issue.  
8 Third bullet talks about assessing the entire  
9 coalition group area and all drainages. Again,  
10 depending on how you look at that, that may be a  
11 requirement to monitor every water body in the  
12 coalition or else you mean to represent or assess  
13 representative of all drainages. And that is a  
14 different issue. That needs to be clarified.

15 MS. LOPEZ READ: I will put a note on the  
16 record. That goes back where you were saying  
17 earlier, Claus, about representative things not  
18 being carried forward throughout.

19 MR. SUVERKROPP: Conceptually it is not  
20 clear, how it intends to be.

21 MR. LOUX: Potentially consistency  
22 situation if you see the word "all."

23 MR. SUVERKROPP: I get scared when I see  
24 all in here.

25 MR. STENT: This may have been discussed at



1 other meetings, but has there been scientific  
2 evaluations as to what you are requesting is  
3 possible and with the representative of what is  
4 happening out there?

5 The reason I ask, just sampling one or two  
6 times a year and you're sampling commingled waters,  
7 and I don't think honestly those standard tests for  
8 reliability from a scientific standpoint. I am  
9 quite familiar with some water quality scientist at  
10 Davis who told me to really evaluate a field  
11 effectively would require monitoring at least on a  
12 six-hour interval and cover the entire irrigation  
13 season. If you think you have just begun your work,  
14 it is going to be a lot of work. Even then, the  
15 results are suspect, especially when you try to do  
16 all the things that you are asking to be done.

17 The pesticide evaluation is basically  
18 impossible to do. So I think you are spending an  
19 awful lot of time doing something that  
20 scientifically won't stand the test of reliability.  
21 So what are we going to get at the end of it? The  
22 fees in the three counties of the coalitions where I  
23 have my fields went from 50 cents an acre to 75  
24 cents an acre to \$1.35 an acre in two years. What  
25 are they going to be in ten years? They're going to



1 be more than \$10, \$20 an acre. And even then you  
2 are not going to get reliable results.

3 I am just asking, has a scientific panel  
4 reviewed whether this is technically possible and  
5 brought it to the Board for evaluation?

6 MR. CROYLE: My comment. Actually the  
7 people in this room are the technical people that  
8 have engaged this program. And certainly one of  
9 comments that came up over the last couple of weeks  
10 is peer review of this proposal, how that might  
11 affect the schedule in going to the Board.

12 So that is something that staff internally is  
13 looking at doing. But the members around this room,  
14 and not all are here today, because there is a  
15 number of credible people that are participating in  
16 another element of this Technical Issues Committee,  
17 which is the focus group, that kind of have tried to  
18 work through these issues. So I think the balance,  
19 if I could speak on, wide variety of interests, the  
20 challenge that the Board and the regulated community  
21 has is to come up with a balance of economically  
22 feasible to try to address the questions that the  
23 Board is asking.

24 MR. STENT: Economically feasible and  
25 scientifically reliable are very different things.



1 MR. CROYLE: That is the challenge this  
2 particular group has, is to come up with a  
3 scientifically credible process.

4 MR. LOUX: As I understand it --

5 MR. STENT: At a cost that doesn't break  
6 the farmer.

7 MR. LOUX: As I understand, even the  
8 coalition process itself sometimes is -- sometimes  
9 you will say that isn't going to end up being  
10 something that -- it is not how I do it. If I was a  
11 scientist, I would do it differently.

12 MR. STENT: My rice area is 10,000 acres of  
13 rice. Basically, all the water comes together at  
14 one place. What are we going to do, blame everybody  
15 in the district for the problem? How are we going  
16 to assess who is creating the problem? The drain  
17 waters are commingled, not to mention storm runoff  
18 that gets into the same drain, not to mention the  
19 homeowners that are washing into the same drains.  
20 Suddenly now you're going to have this coagulated  
21 sample, and you are going to draw some conclusions  
22 from it about what the problem is?

23 MS. LOPEZ READ: I think the coalition  
24 approach is the best thing that can be feasibly done  
25 right now. Otherwise we go to individual farmers



1 and then that problem that you just mentioned, we'd  
2 know how to address. Would you be able to do it?

3 MR. STENT: You have been given an  
4 impossible task.

5 MS. LOPEZ READ: I agree, but I think we  
6 have seen progress. We have seen some good things  
7 happen, so management practices being put in place,  
8 and actually some improvements made. So I don't  
9 think all is lost. I think we are struggling. We  
10 need to work together. We need to try to work  
11 through the process. We will get there.

12 DR. LONGLEY: I would like to add to what  
13 Margie said. I have to commend everybody for the  
14 effort they've put into this. It is far from  
15 perfect. Certainly, it is best the thing around, I  
16 believe.

17 The other part of that, down the road we have  
18 to be looking at do we really want to move to a  
19 watershed approach. And this being the first step,  
20 down the road we talk about other kinds of  
21 dischargers coming into those waters, we probably  
22 need to find ways to pick them up as we move this  
23 process forward.

24 MR. LOUX: Roberta.

25 MS. FIROVED: Roberta Firoved.



1 Peter, what counties do you grow in?

2 MR. STENT: Yuba, Colusa and Yolo.

3 MS. FIROVED: What's happened is there has  
4 been a rice water quality program in place for 20  
5 years, and so we do have established drains.

6 MR. STENT: I am aware of.

7 MS. FIROVED: Those are being monitored.  
8 We do coordinate that with the Sac Valley group to  
9 monitor the results. We know that through  
10 experience in capturing 90 percent of the rice field  
11 drainage from the sites that we monitor. So we know  
12 there's never been a case from any one true site  
13 that's specific to a single crop. But it is very  
14 good representation, and so that is the approach we  
15 are using with what we are given here. So I'll talk  
16 to you more about that after the meeting, too.

17 MR. LOUX: Anybody else on five?

18 MR. SUVERKROPP: On Page 5, that is the  
19 fourth, fifth bullet down, sampling sites and area  
20 of known water quality impairment, which isn't  
21 really defined. The impairments that aren't  
22 identified on the 303(d) list, that puts the  
23 coalitions in a position of identifying  
24 nonimpairment without a process to do that and then  
25 establishing sampling sites for them.



1 MR. LOUX: Six?

2 MR. CLARK: I have two items. One is in  
3 the paragraph right in the middle, last sentence  
4 after the comma. Indicates that data must be  
5 submitted with coalition groups' semiannual  
6 monitoring report. That semiannual report  
7 monitoring report component in the last couple words  
8 is inconsistent with what the current document  
9 reads.

10 And then slightly up above with the  
11 representativeness, right where it is in quotes,  
12 this representativeness, which is kind of squiggly  
13 underlined, seems to imply that in order to submit  
14 your long-term management strategy you have to have  
15 one full year of assessment monitoring done. As you  
16 are aware, what the coalition groups have been doing  
17 is up to six irrigation season events and two wet  
18 season events. So nobody will have a full year of  
19 assessment monitoring to support the justification  
20 of the selection of their sites and monitoring  
21 approach. So I think somehow tweaking the language  
22 in that sentence will address that issue.  
23 Obviously, in future years if this is a model that  
24 is mandated, everybody goes with, you would have one  
25 full year of monitoring to justify your work in the



1 future, but right now nobody does.

2 MR. LOUX: Suggestion there would be to tweak  
3 it relative to what is being done.

4 MS. LOPEZ READ: I think what Stephen is  
5 suggesting is that what we have in here is  
6 coalitions, they know a lot about certain monitoring  
7 sites already. So maybe the language there could be  
8 tweaked.

9 MR. CLARK: Based on historical records.

10 MS. LOPEZ READ: Could be based on what you  
11 already know.

12 MR. CLARK: Historical data.

13 MR. LOUX: Base upon appropriate data,  
14 something like that, so you can use what you have.

15 MR. SUVERKROPP: It does need to be tweaked  
16 to allow us to use the three years of assessment  
17 monitoring that's already have been completed by the  
18 time this comes into play.

19 MR. LOUX: What else on six?

20 Seven?

21 MR. CLARK: Margie, on this 303(d) list  
22 item, I keep coming back to that. I heard a couple  
23 of different rumors and/or guidance kind of  
24 statements provided from Board staff. One is if the  
25 water body that you are monitoring is 303(d) listed,



1 you have to monitor for those constituents.  
2 The other is any water body draining into that  
3 303(d) listed water body would have to be monitored  
4 for 303(d) listed constituents, which, to me, you  
5 can go all the way up to -- our drainage goes up  
6 above Shasta Dam. So we should be monitoring to the  
7 Pit River and Sacramento River, for example. Being  
8 a little bit facetious, of course. I would like to  
9 see clarity on this requirement for 303(d) list  
10 monitoring. It is either in the very specific  
11 drainage that is listed, which logically makes sense  
12 to me, or there is some very clear statement in this  
13 statement that includes the drainages which, of  
14 course, I would debate the validity of.

15 MR. THOMAS: Isn't it, Steve, 303(d)  
16 process lists a water segment, and the parameters of  
17 that segment should be the parameter of the  
18 obligation.

19 MR. CLARK: My understanding of what the  
20 303(d) list process is about, yes. I have been a  
21 little puzzled, but I have been receiving guidance  
22 from coalitions that modify the sample plans to  
23 include some 303(d) list constituents in connecting  
24 drainages. If that is what they are telling me to  
25 do, I'll do it. It just simply doesn't really sink



1 up.

2 MS. LOPEZ READ: Makes perfect sense.

3 MR. LOUX: How far up in tribes?

4 MS. LOPEZ READ: Not all constituents, just  
5 related.

6 MR. LOUX: Other things on seven?

7 MR. CLARK: When -- there is a QAPP  
8 component on there and there are a couple of items  
9 of consistency and some changes in the tables in the  
10 QAPP that relate to an upcoming table, so maybe I'll  
11 wait for that. It relates to monitoring  
12 constituents.

13 MR. LOUX: Eight?

14 DR. HALL: Lenwood Hall here.

15 On the Table 2A we talked about the monitoring  
16 frequency of parameters in reference to the sentence  
17 above that, which says assessment monitoring should  
18 be conducted on a monthly basis for 12 months during  
19 year one and all assessment and core monitoring  
20 sites.

21 When we were discussing in our focus group the  
22 idea about having monthly monitoring, I thought that  
23 our recommendation, Margie, correct me if I am  
24 wrong, was on monthly basis we were considering  
25 monitoring very basic field parameters, DO, pH, some



1 of these other things. When we started talking  
2 about water column toxicity and some of these other  
3 constituents, the thinking was that we would do  
4 those less frequently than a month. Perhaps once  
5 every two months, something like that.

6 When I read this document and I saw the  
7 monthly requirement for everybody, I was a bit  
8 confused in terms of our thought process. Could you  
9 comment on that?

10 MS. LOPEZ READ: And I would like to. We  
11 did talk about that, and I think there is a couple  
12 of different approaches that could be used. Some of  
13 these we borrowed from other monitoring programs.  
14 There is that choice of less frequent, more  
15 expensive ones every other month. But how about  
16 doing that just one year, monthly, and then not for  
17 a couple years, and then coming back to it.  
18 Costwise it comes out better, and it might give more  
19 complete information, given what we now about how  
20 water is used in the Central Valley.

21 I think both of those are optional. The every  
22 other month for the more expensive ones;  
23 continually, year after year for --

24 DR. HALL: I understand what you are  
25 saying. We were talking about a different temporal



1 window at that point in time.

2 MS. LOPEZ READ: We were.

3 DR. HALL: What you are saying is compress

4 it into a year. When I first read, I was thinking

5 that is not the way that we were -- that is not the

6 context in which we were discussing it.

7 MS. LOPEZ READ: It is a different tweak.

8 I think costwise it comes out better, and I think

9 information-wise it is in some ways better. But

10 that is certainly one of the things we can continue

11 to discuss.

12 DR. HALL: The way it is written it is a

13 requirement. I am not reading any flexibility into

14 that sentence. Correct me if I wrong.

15 MR. LOUX: Bill.

16 MR. THOMAS: Same comment. We monitor now

17 during the time that there is irrigation drainage

18 water because this is an agricultural waiver for ag

19 irrigation surface water program. And then we do it

20 a couple of times in the smaller years because of

21 dormant application assets.

22 We totally resist the motion that we are going

23 to go out and monitor virtually twice as often and

24 in areas where we are not monitoring our irrigation

25 water deliveries. Often in our coalition you don't



1 have water at some of those times, but apart from  
2 that you are not monitoring ag runoff which is the  
3 overall purpose of this program. You get some urban  
4 and some runoff from casual waters.

5 That is not what this program is about. You  
6 are asking the coalition to step out of this program  
7 and monitor something that apparently is a concern  
8 to you by other jurisdictional issues you have. Not  
9 us. We are going to resisting going out and  
10 monitoring, other than our irrigation return  
11 flows.

12 MR. LOUX: Let me see if I understand the  
13 difference here. I am reading between the lines and  
14 trying to put into it what you all did before. What  
15 Margie is talking about here is monthly monitoring  
16 for the first year only.

17 MS. LOPEZ READ: For assessment.

18 MR. LOUX: For one year. And after which  
19 time what?

20 MS. LOPEZ READ: Then core monitoring of  
21 the less expensive stuff like pH, DO, sediment.

22 MR. LOUX: And what you were talking about  
23 before and you were describing it was an every  
24 two-month approach and perhaps some flexibility.

25 DR. HALL: Had a different context of a



1 temporal window period of time.

2 MR. LOUX: For a longer period of time.

3 DR. HALL: Right.

4 MR. LOUX: For a three-year period or  
5 specified. So it's sort of a different approach,  
6 but I am not sure, Bill, if I am understanding the  
7 two different approaches, that one is not simply  
8 doubling the other one in terms of amount of  
9 monitoring.

10 MR. THOMAS: If we are doing it six and  
11 then to 12, I am not a math major, but I got that  
12 far.

13 MR. LOUX: After which time you are going  
14 to core monitoring only.

15 MR. THOMAS: Which is 12 times a year.  
16 Cost of putting our people out there and taking  
17 these samples doesn't change if you are taking a 25  
18 milliliter or if you are taking --

19 MR. LOUX: That is why I am asking the  
20 questions. Maybe I don't get what's on your mind.

21 MR. MEEK: John Meek.

22 One of comments, Bill, I believe you mentioned  
23 it back to me on kind of a question of doing it or  
24 it may have been Margie, but all we are doing is  
25 substituting doing it monthly rather than having to



1 go back and resample an exceedance.

2 MS. LOPEZ READ: That's correct.

3 MR. MEEK: So I think what the factoring in  
4 is that in some sites we may have had to go back  
5 two, possibly three times, to determine what the  
6 exceedance was. And as I understand it, that  
7 requirement will be dropped and we will go to a  
8 monthly because we are almost -- by the time we get  
9 the answers back from the lab, we are out there  
10 doing our monthly sampling, anyway. Wasn't that the  
11 rationale.

12 MS. LOPEZ READ: That is part of the  
13 ambiguous labor cost that I can't figure out cost.  
14 Analytical laboratory cost, I have been able to peg  
15 it as being less expensive if you take it out three  
16 years, three and four years. The labor cost is hard  
17 to peg because we don't know what you do in terms of  
18 having to go back and retest for exceedances, send  
19 troops out. We don't know what it cost to have  
20 people on standby to go out on storm events. All of  
21 those things add to the cost. On the other hand you  
22 would have regular, routine monthly the other way.  
23 So it is hard for me to figure out which would be  
24 more expensive. I can't tell.

25 MR. LOUX: Let me make a suggestion here.



1 As I am listening to this, it sounds like quite a  
2 resolvable issue. Not one we are going to resolve  
3 at this moment. The reason I think it sounds quite  
4 resolvable is because it comes down to sort of  
5 cost-effectiveness is what you are talking about.  
6 The Water Board wants effective monitoring, so do  
7 the coalitions. Coalitions don't want to pay a  
8 whole bunch of money they don't have to pay. It is,  
9 A, just a matter of figuring it out. B, putting it  
10 on paper, writing it in a way that everybody knows  
11 what they've got.

12 MR. THOMAS: That is what water you are  
13 monitoring.

14 MR. LOUX: I am suggesting that this is an  
15 issue that kind of can stand alone in a small group,  
16 hammer something out that you guys can be okay with.  
17 I'm intuiting that at this moment. I don't think we  
18 are going to solve it around this table at 20 to 12.

19 MR. SUVERKROPP: Can I make a general  
20 comment about this? I think you are right that this  
21 may be resolvable with some work on some of the  
22 language on here. If this is really taken really as  
23 kind of a baseline starting point or modification on  
24 the coalition-specific level or just  
25 graphic-specific level or seasonal or whatever



1 specifics you need to enter into it, if that is the  
2 way it is being approached, it is workable and  
3 probably would reduce some of the costs. Again, the  
4 devil is in the details, number of sites and all  
5 that sort of thing.

6 That being said, if it really is flexible, I  
7 think it could be worked out and maybe that is just  
8 a coalition-specific working on. But the other  
9 thing that -- the other concern that goes along with  
10 that is that there is some language in here that  
11 says if we don't like what you propose, you will do  
12 what we tell you. I mean, that is -- that kind of  
13 limits your flexibility with one hand and potential  
14 with no basis for satisfying necessarily the  
15 requirement of this because there aren't really  
16 benchmarks on what is sufficient for a lot of the  
17 flexibility.

18 It appears, at least in the language, to take  
19 that away with the left hand. I am sure that is a  
20 concern that a number of the coalitions have. Parts  
21 of it look workable and then the other part, we  
22 don't really know what that means. If you can just  
23 be -- if the rug could be pulled at any time with no  
24 benchmarks or what is good enough.

25 MS. LOPEZ READ: I am sure you don't want



1 me to get into that.

2 MR. SUVERKROPP: I am not asking for an  
3 answer. That is a concern. That is where some of  
4 the this stems from.

5 MR. CLARK: Taking a step back from these  
6 larger coalitions, there are some very small  
7 coalitions that are currently required to only  
8 monitor two storm events because there is no water  
9 in the drainages the rest of the year. At least one  
10 of them, I think both of them are coalition groups.  
11 Since they will not be targeting storm events, will  
12 simply be going out monthly, take a picture, going  
13 back, I can see that there will never be samples for  
14 those sites unless they just happen to be out there  
15 when that one flushing or two flushing events occur  
16 over 365 days. I also see from them, you are  
17 guaranteed to get a comment, why the heck am I going  
18 out for ten months or eight months when the  
19 historical record for 50 years, or however long it  
20 is, they are consistently dry?

21 MR. THOMAS: It does you know lows --

22 MR. CLARK: I am not asking for an answer  
23 on that. Be aware that I will be shocked if you  
24 don't get a response like that.

25 MR. LOUX: It sounds to me like there are



1 two issues here. Just take them -- one of them is  
2 coalition-specific flexibility which implies  
3 geographic flexibility. And the second is what is  
4 kind of the starting point. Is the starting point a  
5 one year, monthly or less; or is it once every two  
6 months for three years as the beginning point,  
7 recognizing there will be some specific nuances or  
8 modifications for specific coalition groups? What  
9 Stephen discussed makes no sense, to monitor for a  
10 month and try to catch a storm event.

11 MR. THOMAS: Reinforcement to the coalition  
12 specificity. As John Meek was pointing out, if you  
13 have a -- certainly same would be true for NorCal  
14 and Joe McGahan, if you have a number of exceedances  
15 and you, therefore, have had to implement, to go  
16 back out a number of times, all of a sudden -- you  
17 get the advantage of the trade-off. If you've only  
18 had, if you've only had two flathead minnow and no  
19 ceriodaphnia exceedances, so you really haven't got  
20 to do that, you just don't get the benefit.

21 Mr. LOUX: You don't get the cost benefit.  
22 This one needs to be worked through in detail, I  
23 think. I don't think it is unresolvable. I think  
24 it is a question of language. Maybe I am being  
25 naive.



1 Let's do Page 9. I am going to do a couple  
2 more pages then we are going to sort of need to  
3 figure out where we are. We are not going to get  
4 through the whole deal. I want going to make sure  
5 we have enough time where we are plugged in here to  
6 know how we are going to follow up.

7 So, Page 9.

8 MR. SUVERKROPP: Speak up and I think it's  
9 been raised before. The question about resulting in  
10 near exceedances and how that needs to be worked  
11 into the monitoring program. Again, that doesn't  
12 make sense to me how we can assess near  
13 exceedances.

14 MR. LOUX: Where?

15 MR. THOMAS: Footnote.

16 MR. SUVERKROPP: The double asterisk  
17 footnote on that first table on Page 9. Parameters  
18 of concern, including near exceedances. And the  
19 coalitions are to define that. How do they  
20 determine that?

21 MR. LOUX: What is near and is that  
22 appropriate.

23 MR. SUVERKROPP: A, is it appropriate, and  
24 I would say no. If it is determined to be  
25 appropriate, how the heck do we determine how near



1 is near enough?

2 MR. CLARK: It is not operationally defined

3 in the working draft Attachment B.

4 MR. SUVERKROPP: It's not a regulatory

5 definition.

6 MR. CLARK: At a minimum it is not defined.

7 MR. THOMAS: A near exceedance, another

8 term for it is a lawful discharge. Why are we

9 worrying about that?

10 MR. LOUX: This a horseshoes issue.

11 MR. THOMAS: When you get that ticket for

12 going 54 miles an hour in a 55 mile zone.

13 MR. LOUX: What else on Page 9?

14 Page 10?

15 MR. SUVERKROPP: Back to one question about

16 the assessment of exceedances. And this is maybe

17 more general than specific to Page 9. There is a

18 number of constituents on, again, the program that

19 are -- the objectives for them are human

20 health-based, based on safe daily consumption

21 levels. And the assessment of once in three year

22 exceedances doesn't really make sense for those kind

23 of constituents, and I'm thinking organochlorines in

24 this particular case. We are talking about

25 something that, basically, the level is intended to



1 be implemented at a safe daily intake dose, so once  
2 in three years, which is tied to recovery of aquatic  
3 life system and surface waters from catastrophic  
4 level exceedances, doesn't really make sense in  
5 setting a priority to identify a problem that needs  
6 fixing.

7 MS. LOPEZ READ: Unfortunately maybe you  
8 don't want to use that example, that one example.

9 MR. SUVERKROPP: I do.

10 MS. LOPEZ READ: That is a promulgated  
11 criteria.

12 MR. SUVERKROPP: Once in three years is not  
13 a promulgated number.

14 MS. LOPEZ READ: Maybe some of the other,  
15 once in three years.

16 MR. SUVERKROPP: In the Basin Plan does it  
17 say once in three years for determining --

18 MS. LOPEZ READ: I believe it does.

19 MR. SUVERKROPP: I don't believe so.

20 MS. LOPEZ READ: Well --

21 DR. LEE: Exceed water quality criteria.

22 MR. SUVERKROPP: For aquatic life, not for  
23 assessing human health drinking water exceedance.

24 It is not what it is about. It's certainly not the

25 intention of that.



1 MR. CLARK: Just for going beyond that  
2 questioning, but really getting to what now we have  
3 been informed is more than one exceedance in this  
4 window of time, there are a variety of places in the  
5 document where the exceedance language is  
6 inconsistent. On Page 4 of the working draft, which  
7 is one or more exceedances; that is inconsistent  
8 with what Regional Board themselves said.

9 On page -- bottom of Page 9, Executive Officer  
10 can request a written management plan for an  
11 exceedance. That to me suggests one.

12 MR. SUVERKROPP: Says they can.

13 MR. CLARK: It leaves it open. Right now  
14 it is supposed to be more than one.

15 Also in that same footnote you have  
16 highlighted there an exceedance. Maybe the  
17 statement is you need to do additional work in core  
18 monitoring based on an exceedance. Right before  
19 that yellow section.

20 I encourage you to -- I know this has been a  
21 challenge to try to pull this all together. Go  
22 through the document, just basically look up the  
23 work -- do a find for exceedance. Make sure it is  
24 consistent with what the Board itself mandated,  
25 what, some six months ago.



1 MR. LOUX: Are you going to be submitting  
2 written specifics?

3 MR. CLARK: Likely.

4 MR. LOUX: That's helpful. If you catch  
5 it, it is one catch.

6 MS. LOPEZ READ: I agree with Stephen.  
7 There are little things we need to go through and  
8 fix. There is part of the waiver that was renewed,  
9 that is also the part where the Executive Officer  
10 can request a management plan with one exceedance or  
11 even without an exceedance. She can do it at any  
12 time. That is in the waiver. So somehow we have to  
13 --

14 MR. CLARK: What I'm getting at is that is  
15 inconsistent with the Regional Board indicated in  
16 terms of what they were expecting. Am I correct  
17 about that?

18 MS. LOPEZ READ: What the Board decided is  
19 if there is more than one in a three-year period the  
20 management plan is automatic, where the Executive  
21 Officer can request one when she sees the need for  
22 it.

23 MR. SUVERKROPP: Maybe you can resolve that  
24 by deleting the exceedance part of that, second  
25 part. If your goal there is to restate that the



1 exceedance offer can ask for one anytime she wants,  
2 you don't need to make any references to  
3 exceedances. It is only confusing.

4 MS. LOPEZ READ: I think it is only fair to  
5 say we have to make things a little smoother.

6 MR. MCGAHAN: Joe McGahan.

7 There is a comment on the bottom of Page 9  
8 that talks about automatic management plans are not  
9 required for the physical parameters. Was that part  
10 of the -- I wasn't aware of that.

11 MS. LOPEZ READ: That's what we are hoping  
12 to put in the --

13 MR. MCGAHAN: That is a new thing, new from  
14 what the Board decided?

15 MS. LOPEZ READ: That is one of the  
16 advantages of having this approved by the Board is  
17 that when they approve that, that will take place.

18 MR. MCGAHAN: Thanks.

19 MR. CLARK: Again, Margie, sorry if I am  
20 kind of badgering a particular point. But the  
21 sentence right in middle of that last paragraph says  
22 management plans shall be required when more than  
23 one exceedance of same constituent has occurred.

24 And I understand what you are saying, that the  
25 waiver previously indicated that the EO could



1 request a management plan on any exceedance, but  
2 that is -- there is that inconsistent.

3 MS. LOPEZ READ: Part of it.

4 MR. CLARK: I am happy with the middle  
5 statement.

6 MS. LOPEZ READ: We will certainly work  
7 through this and get back.

8 MR. LOUX: Ten and 11, 11 begins with a  
9 long list of constituents. The rest of ten, the  
10 written part of ten, then I'm going to take a stop  
11 moment and see what in the world we do next.

12 MR. CLARK: Before we get on to the table?  
13 Since that goes for a couple of pages.

14 MR. LOUX: Yes. Let's take a break there  
15 and see where we are going to be going.

16 Anything on ten, the text part of ten?

17 So not knowing sort of anything about the  
18 specifics that people might be concerned about in  
19 the rest of these pages or how many specifics maybe  
20 haven't been dealt with, my question: Where do we  
21 go from here? I could make some suggestions, but  
22 you all have been working together a lot longer than  
23 I have. So I don't want to venture. But it seems  
24 to me that it would be productive to get at least  
25 some part of this group together to see if you can



1 get through as many of these bumps in the road as  
2 possible and come up with a resolution. There is  
3 going to be some you probably are going to have  
4 continued, different interpretation or disagreement  
5 or whatever about that. It seems that a lot of  
6 these may be able to resolve given where you have  
7 been, with all the issues you dealt with.

8 I don't know how you handled these in the  
9 past, if you used a small group to get together and  
10 tried to hammer things out, or whether you are  
11 going to do it in writing. I don't know. We are  
12 not going to get through this. We haven't touched  
13 on the other documents. That is important as well.  
14 We have been halfway through this. We have left a  
15 couple big issues laying there, waiting to be  
16 resolved. I am looking for advice. I am new to you  
17 all.

18 DR. HALL: I would just suggest that maybe  
19 the triggers group could try to wrestle with this  
20 document, if that's agreeable with Margie, to try to  
21 resolve some of the issues, finish going through and  
22 bring these recommendations back to the group.

23 Margie, is that feasible?

24 MS. LOPEZ READ: The only problem is the  
25 timeline in bringing it back to the group.



1 MR. LOUX: Who is the triggers group?

2 MR. CLARK: Anybody who wants to  
3 participate.

4 MR. LOUX: Who has been participating? So  
5 a representative of a lot of coalitions and  
6 scientific. That's exactly what I would recommend  
7 to do. Margie, you're not sure we can get this  
8 group together again before your deadline?

9 MS. LOPEZ READ: That's right. If we want  
10 to have this go in June, I think that our Executive  
11 Officer will be really unhappy with me if we don't  
12 go to the June Board.

13 MR. LOUX: What about if we do it by  
14 E-mail? What if the triggers group gets together  
15 and wrestles with as many pieces of this that it  
16 can, with the remaining ten pages, kind of the way  
17 we're doing it, and then goes back and tries to get  
18 some clarity around language issues and consistency  
19 issues and whether it is twice a month or monthly or  
20 a year, those issues, gets as far as it can and  
21 sends that out to everybody else for another shot of  
22 written comments?

23 MR. MCGAHAN: To get this to the in -- your  
24 process you have to have this in a tentative by a  
25 week?



1 MS. LOPEZ READ: The tentative needs to go  
2 out around April 16th, and the tentative can't go  
3 out until our Executive Officer has had a chance to  
4 review it. If we give it to her on the 10th, that  
5 is probably pretty tight for her.

6 MR. SUVERKROPP: When would the triggers  
7 group need to be able to meet and provide any  
8 additional -- obviously haven't made it half way  
9 through the details.

10 MR. LOUX: My understanding, there is other  
11 issues.

12 MS. LOPEZ READ: The only thing I would say  
13 if there is some way we could prioritize issues,  
14 because minor changes can be made even when it is  
15 tentative. So we can't make major changes after  
16 it's tentative without prolonging the process.

17 MR. THOMAS: It's going to be hard to  
18 bifurcate that.

19 MS. LOPEZ READ: The major things, if we  
20 want to put those in a tentative document, we need  
21 to talk about them now.

22 MR. THOMAS: That is what we have been  
23 doing. We've been hitting the major items.

24 MS. LOPEZ READ: There are a lot of minor  
25 ones that can be fixed and will be. The major ones



1 are more like whether it is every other month versus  
2 one full year or every three years.

3 MR. LOUX: You guys got a working  
4 arrangement that works for you. The suggestion,  
5 Lenwood made the suggestion, get the triggers group  
6 together, bang through what you can. Crank through  
7 what you can do. Try to fix everything you can.  
8 Send it out send it out to everybody. There is a  
9 very short window to be able to respond. That is  
10 where you are.

11 DR. HALL: Is it possible to do something  
12 after this meeting today while we have people here?  
13 Is that feasible?

14 MR. THOMAS: There are other meetings.

15 MS. LOPEZ READ: Trigger group meeting this  
16 afternoon? I could do that.

17 DR. HALL: I could.

18 MR. LOUX: Three yeses and two nos.

19 DR. HALL: We'd have to have a majority.

20 MR. THOMAS: I think the triggers group  
21 should be the core. But I know there are going to  
22 be people that want to participate in this beyond  
23 that. So I think that we need to think of some way  
24 to do it as to a few days.

25 MR. CLARK: Basically, what that gives us



1 is Thursday day or Friday of this week to submit  
2 comments.

3 MR. THOMAS: I think the truth of the  
4 matter, we have to be -- we have to be loyal to  
5 those that are going to have live under it. So  
6 their timeline to me is far more important than the  
7 Board's timeline that chose to just put it out. We  
8 can't cut off those that are undertaking the duty.

9 MR. SUVERKROPP: Can we get folks to submit  
10 comments directly to the triggers group and  
11 basically would have to trust the triggers group to  
12 prioritize stuff and capture it. I don't know if  
13 that is satisfactory for the broader stakeholders  
14 involved in it.

15 MR. THOMAS: I'm not sure how else you are  
16 going to get something.

17 MR. CLARK: There is a public comment  
18 window after that. The 10th is a week away. There  
19 is a lot to do.

20 MR. SUVERKROPP: For then to actually make  
21 changes in this, to get something to the EO next  
22 week on this statement, whenever it is.

23 MR. THOMAS: Do we think there is an  
24 opportunity to figure a time to Friday or Monday or  
25 --



1 MR. MEEK: Just a suggestion. Possibly if  
2 there can be a group that can meet this afternoon  
3 that they get started with an outline that can be  
4 distributed to the balance of the focus group and  
5 they can comment back. Maybe just a starting point  
6 so it doesn't take up too much discussion as things  
7 are going on. Just a thought.

8 MS. LOPEZ READ: Sounds good.

9 MR. MEEK: Just a beginning of that group.

10 MR. LOUX: Get as far as you can.

11 MR. SUVERKROPP: Even if we can just get  
12 through a listing of what the issues are and make a  
13 first cut, high priority, lower priority, level  
14 stuff, and get that out to people. Say here's what  
15 I see.

16 MR. JOHNSON: Mike Johnson.

17 It seems to me that a lot of the issues today  
18 had to do with flexibility. These are flexibility  
19 issues within the waiver that -- what seems to work  
20 fine for me in my coalition isn't going to work fine  
21 for Bill. And so if we can do that, it seems to me  
22 the thing to do is to find a way to make sure that  
23 there is explicit flexibility written into it so  
24 that these are -- this is what you do unless you can  
25 make a better plan. I am not sure how to do that.



1 Rather than trying to go through lots and lots of  
2 individual, tiny, little issues between now and the  
3 10th, which I don't see that happening. I really  
4 don't. To give people time to really think things  
5 through some. I would be willing to stay around and  
6 try to get that hammered out.

7 MS. LOPEZ READ: I agree with you 100  
8 percent, Mike. What Tina said first, and I don't  
9 really see the language flexibility, doesn't seem to  
10 be here. I tried to put it in as many places as I  
11 can.

12 So the wetland's issue, they don't have any  
13 water in the wintertime or they don't have any water  
14 at all. All of those things refer to the fact that  
15 there are technical, real reasons why there should  
16 be an individual approach. And that was supposed to  
17 be here. And if it isn't there, maybe that is what  
18 we most need to work through. That would cover all  
19 of the big issues. We can worry about the knits  
20 later.

21 MR. JOHNSON: I can sit down with Dania,  
22 and we can discuss how many -- all of those sort of  
23 little things, how many months do we do this and how  
24 many months do we do that. We can talk through  
25 those issues and really work them out. Get the



1 flexibility to do so.

2 MS. LOPEZ READ: I think that is right.

3 Maybe this afternoon. Why don't we try that.

4 MR. LOUX: Don't look at me.

5 MS. LOPEZ READ: Let's try to get together

6 and see how to word that. I will show you what I

7 thought I did, and let's see how to word that.

8 MR. THOMAS: This afternoon, Margie, you

9 are going to get together with those who can. And

10 what is going to be the work product of that? You

11 are then going to have a list of issues that then

12 you send around and we next need to figure out when

13 the focus group can get together and start dealing

14 with it?

15 DR. HALL: We don't have time for that

16 phase.

17 MS. LOPEZ READ: I don't think we do.

18 MR. THOMAS: Just a few of you are going to

19 talk among yourselves this afternoon, and we just

20 wait for the tentative? I heard Karl say that we

21 could work some of these out before it got to that

22 point.

23 MS. LOPEZ READ: So, no, that wasn't the

24 approach, just to wait for the tentative. The idea

25 would be to work through some of the language



1 changes and E-mail it to the group.

2 MR. THOMAS: How are you going to do that?

3 You are going to meet with some people this

4 afternoon.

5 MS. LOPEZ READ: Right.

6 MR. THOMAS: What happens after that?

7 MS. LOPEZ READ: Then if changes can be

8 made, it sounds like there is good number of us that

9 like it can, that will make it work. Then we'll put

10 those in a revised working draft.

11 MR. THOMAS: You are going to put whatever

12 you work out with those who are going to meet with

13 you this afternoon in the tentative?

14 MS. LOPEZ READ: And pending approval of my

15 supervisor, Bill Croyle, yeah.

16 MR. THOMAS: Those that can't meet this

17 afternoon have no opportunity.

18 MS. LOPEZ READ: You still have the option

19 to comment on anything, on this one or that one or

20 the tentative. That is always there.

21 MR. LOUX: Let me make a slight variation

22 on that alternative. It seems like the group that

23 is able to stay today is kind of nice convenience

24 and appreciates people's willingness to take a

25 little more time. It seems like there is still



1 time. If I am looking at your calendar -- I am not  
2 looking at yours. I am looking at Margie's -- there  
3 would still be time for the trigger group to get  
4 together. Again review what the trigger group came  
5 up with, try to land some of those things and to  
6 continue the process.

7 MR. THOMAS: That is what I am asking.

8 MR. LOUX: It just strikes me that you've  
9 gone so far.

10 MR. THOMAS: The answer is --

11 MR. LOUX: Excuse me. You've gone so far  
12 here when you were doing this for so long, process  
13 is pretty consensus based. I think taking the extra  
14 effort to try to get as many of these glitches  
15 worked out before the tentative, is the right thing  
16 to do in terms of the tenure of how this would be  
17 presented to the Board. I can't speak for your time  
18 or anybody else's time. It seems to me you would be  
19 wise to try to do what you can this afternoon and  
20 have a couple hours for as many of the trigger group  
21 that can meet and give it one more shot before you  
22 send it out. That would be my suggestion. You can  
23 certainly disagree. I am just trying to do the job  
24 here.

25 MS. LOPEZ READ: Is this going to be



1 considered adequate representation by the meeting  
2 that we have? So we work out, something out this  
3 afternoon, and we schedule a tele meeting. Is the  
4 triggers group going to be considered sufficient to  
5 look at that before it goes out as a second working  
6 draft? Or is it not?

7 DR. HALL: I think you might want to expand  
8 that group. If more people want to get involved.

9 MR. THOMAS: Absolutely.

10 MS. LOPEZ READ: Have a potential tele  
11 meeting.

12 MR. LOUX: Real simple. This afternoon who  
13 is staying? Four of you. Five of you. So we have  
14 five members of the triggers group plus Margie. Now  
15 your job is to go through the rest of the document,  
16 do what we just did. Try to identify problem areas  
17 or inconsistencies, concerns. And then go as far as  
18 your energy levels will allow you in terms of seeing  
19 if you can resolve a few of them that we went  
20 through. I think many of the ones that Margie was  
21 clicking off, it sounded like a resolution. Just a  
22 matter of putting some flexibility language. Matter  
23 of saying four months instead of three months.  
24 There are some things there that I am not sure -- it  
25 didn't feel to me to be unresolvable.



1       You are going to do that. Then you are going  
2 to send that -- I guess you do strike-out/underline  
3 at this point for a little while. These are changes  
4 that I think people need to see what got changed.  
5 Figure it out. Send out an edited draft to the  
6 trigger group. Then the trigger group meets one  
7 more time, if you can, this week to try to resolve  
8 whatever you didn't get to, because you are not  
9 going to get to it all this afternoon, and to go  
10 over and make sure -- do what you can do to scrub it  
11 as clean as you can scrub it. At then at the end of  
12 that process, send that out to everybody. And at  
13 that point it is going to be written comments. It  
14 is going to be people coming back as a big group.  
15 You won't have time at that point to make changes.

16       Did I muddy the waters even further?

17       MR. MCGAHAN: What comes out of that  
18 process is the tentative MRP, it sounds to me. The  
19 triggers group, once this interaction happens and  
20 you can send out a marked up draft this week. But  
21 after that it is the tentative MRP. It seems to  
22 me.

23       MS. LOPEZ READ: Well, pretty close to it.  
24 It would still be a working draft. We still need to  
25 run whatever we have through our Executive Officer.



1 There is always a screening level there.

2 MR. LOUX: The EO screening level. But  
3 essentially what you do, this afternoon do what you  
4 can. Get those edits to the trigger group right  
5 away. E-mail them. The trigger group meets, does  
6 another round of edits, which is essentially a  
7 continuation of that same set of edits, in effect.  
8 Then that becomes -- that edited draft goes to  
9 everybody. And basically what that draft says is  
10 that is as good as Margie could get it in the time  
11 allowed with the trigger group. The close as she  
12 could get it. That is highly likely to wind up to  
13 be very close to the draft tentative that would go  
14 to EO.

15 You are going to have -- still going to be  
16 written comments, still some disagreement and public  
17 comments. EO may have some modifications, changes,  
18 and then it comes out as the tentative and normal  
19 public review process.

20 That may sound kind of complicated, but  
21 basically it's just taking two opportunities to try  
22 to weed out as many things that can be resolved as  
23 possible.

24 MR. MCGAHAN: I appreciate that. I know  
25 this is totally not normal for the staff to do it.



1 Because normally they just come out with the  
2 tentative. They've committed coming to us and  
3 letting us have this input. I would just like to  
4 say I appreciate it.

5 MS. LOPEZ READ: Thank you, Joe.

6 MR. LOUX: I don't want to commit you and  
7 Bill and you guys to a whole bunch of work here. I  
8 am trying to read the tea leaves in terms of what is  
9 reasonable. Some of these things aren't go to be,  
10 but many of them are.

11 MR. THOMAS: When on Friday would that  
12 trigger group meet?

13 MR. LOUX: When could you meet?

14 MS. LOPEZ READ: It will be somewhat  
15 dependent on when I can get a teleconference line.  
16 I need to make a request for that. See what is  
17 available.

18 What's that?

19 MR. THOMAS: I think everybody's got a  
20 lines.

21 MR. MEEK: Call in a company that provides  
22 that and you've got your group.

23 MS. LOPEZ READ: See how behind we are at  
24 the state.

25 MR. MEEK: We know that, Margie. That is



1 okay.

2 MR. LOUX: Who in the trigger group can  
3 make Friday? Who is going to be on the trigger  
4 group for Friday? Who wants to take responsibility  
5 for creating the meet me line?

6 MR. MEEK: I can.

7 MR. LOUX: John will the get the meet me  
8 line.

9 MR. THOMAS: Are we also going to have a  
10 physical location for this meeting or purely call  
11 in?

12 MR. LOUX: We can schedule a meeting room  
13 here for those that want to come here, if that works  
14 better.

15 MR. THOMAS: What time do we want to do it?

16 MS. LOPEZ READ: My Friday is open.

17 UNIDENTIFIED AUDIENCE MEMBER: Not any  
18 more.

19 MS. LOPEZ READ: It's open within the  
20 constraints of all the stuff I have to get done for  
21 you guys. Other than that.

22 MR. LOUX: What time Friday? You set it.

23 MS. LOPEZ READ: 10:00.

24 MR. LOUX: You've got this afternoon, get  
25 as far as your stomach and patience will allow you,



1 and then Friday at ten continue that process.  
2 Essentially call it good in terms of specific  
3 technical input of everybody. If anybody else,  
4 though, we don't just want to limit it, if anybody  
5 has written comments get them in sooner rather than  
6 later. The trigger group might be able to pick out  
7 a couple of those, too.

8 MR. THOMAS: Do you know a number for that?

9 MR. MEEK: I will let you know.

10 MR. LOUX: What else needs to be done  
11 Margie, what other damage can we do? What other  
12 damage can I cause you?

13 MS. LOPEZ READ: I think that is  
14 sufficient. I think the next thing is let's maybe  
15 confirm the next official TIC meeting. I would like  
16 to say that the other thing that we are trying to  
17 squeeze in this process is three different outreach  
18 meetings to talk about the MRP. I know probably  
19 someone has been in contact with you, John, about a  
20 meeting in Stockton. We are looking at Fresno and  
21 somewhere north as well.

22 MR. THOMAS: When are you going to set  
23 those?

24 MS. LOPEZ READ: We are going to set them  
25 this week. But they won't be until after the



1 tentative goes out.

2 MR. LOUX: In May, those would occur in

3 May; is that the idea?

4 MS. LOPEZ READ: Sometime between April

5 16th and May 11th.

6 MR. CLARK: Before scheduling another TIC

7 meeting what is the conceptual framework for an

8 agenda?

9 MS. LOPEZ READ: What we have back in the

10 room, you should have a piece of paper that has some

11 of topics that folks have talked about. And, you

12 know, this is your committee in terms of selecting

13 where you want to go. I am having a hard time

14 thinking about what is the most important thing is

15 next because I am so wrapped up in the MRP and

16 monitoring workshop. I am willing to entertain any

17 agenda items that you guys want.

18 DR. HALL: To me, the criteria issues is

19 number one.

20 MR. CLARK: Given that there hasn't been an

21 iterative feedback to the coalitions when they

22 submitted some comments to the general technical

23 approach proposed the Regional Board staff, the

24 outline and the flow diagram, in essence, what would

25 we do during that meeting in regard to discussion of



1 evaluation of the criteria?

2 MS. LOPEZ READ: Maybe that is something we  
3 should put on that.

4 MR. CLARK: All I am trying to do is play a  
5 little devil's advocate. These are all very  
6 important issues. I am not sure what we are going  
7 to do on any of them or even some of them without  
8 having a clear path. Just putting on an agenda, I  
9 am meeting it out, I want to have a meeting that is  
10 productive.

11 MS. LOPEZ READ: I think that further  
12 discussion about that outline and we should have  
13 some feedback from Pamela also.

14 MR. CLARK: Why don't I encourage this, why  
15 don't we go ahead and set a date and get an agenda  
16 around, and if that agenda seems like it is putting  
17 the cart before the horse on some these issues  
18 before the MRP is approved or we can't move forward  
19 because we don't have any feedback from the EO on  
20 comments from this --

21 MS. LOPEZ READ: We had meeting dates  
22 already.

23 MR. CLARK: But, again, having a meeting  
24 date and having something productive to work on --

25 MR. LOUX: You can always drop a meeting.



1 MS. LOPEZ READ: You want to put one for  
2 all of those topics. I am hearing number one for  
3 the June meeting.

4 MR. CLARK: I don't think you followed what  
5 I am said. Maybe I am fuzzy.

6 MS. LOPEZ READ: It could be me.

7 MR. CLARK: We've got a June meeting date.  
8 Let's go ahead and set a time. Let's get an agenda  
9 out. If the agenda is the cart before the horse, we  
10 can cancel the meeting. If there really is  
11 something substantive talk about, move forward on.

12 MR. LOUX: The agenda topic being around  
13 numeric criteria, assuming there is enough meat to  
14 have a meeting.

15 MR. THOMAS: The number two bullet there  
16 was bioassessment monitoring. Because there has  
17 gotten to be a lot of controversy out in the field  
18 regarding what Fish and Game is doing now and  
19 because Fish and Game is apparently in the last year  
20 of their three-year contract to do that, maybe that  
21 needs to be pushed up in priorities just because of  
22 those timing issues and what's gone on now. I would  
23 add that; I would be suggesting that be added to  
24 that same agenda.

25 MR. CLARK: When is the Board meeting that



1 would have approval hypothetically of the MRP? June

2 what? This meeting would be before June.

3 MS. LOPEZ READ: Absolutely would.

4 DR. LONGLEY: You folks take care.

5 Appreciate your participation.

6 MS. LOPEZ READ: Thank you. So I send out

7 a draft list, send out a draft agenda for the June

8 12th meeting; is that what you are asking for, a

9 list of topics for subsequent meetings?

10 MR. CLARK: Sure.

11 MR. LOUX: Thanks, everybody.

12 We are adjourned.

13 (TIC meeting adjourned at 12:15 p.m.)

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1 REPORTER'S CERTIFICATE

2

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 ) ss.  
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8 I, ESTHER F. SCHWARTZ, certify that I was the  
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12 That I thereafter caused my shorthand writing  
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