

DRAFT
Technical Issues Committee (TIC)
Meeting Notes
19 September 2006

Attendees:

Dr. Karl Longley, Central Valley Water Board
Dan Odenweller, Central Valley Water Board
Stephen Clark, Pacific EcoRisk
Marshall Lee, California Department of Pesticide Regulation
Dave Ceppos, Center for Collaborative Policy
Joe McGahan, Summers Engineering
Susan Fregien, Central Valley Water Board
Dania Huggins, Central Valley Water Board
Bill Croyle, Central Valley Water Board
Tina Lunt, Sacramento Valley Water Quality Coalition
Claus Suverkropp, Larry Walker and Associates
Roberta Firoved, California Rice Commission (CRC)
Bill Thomas, South San Joaquin Water Quality Coalition
Jim Atherstone, South San Joaquin Irrigation District
John Meek, SJCDWQC
Dana Kulesza, Central Valley Water Board
Jay Rowan, Central Valley Water Board
John Swanson, Central Valley Water Board
Melissa Morris, Central Valley Water Board
Margie Lopez Read, Central Valley Water Board
Wendy Cohen, Central Valley Water Board
Maryam Khosravifard, California Department of Food and Agriculture
Keith Larson, Turlock Irrigation District
Karen Johnson, Scharff
G. Fred Lee, G. Fred Lee & Associates

Current Action Items

1. The Triggers Focus Group Recommendation #7 on Flow and Load was again tabled for further discussion by the Focus Group and other TIC participants. This recommendation will be modified and submitted for final consensus at the 23 October TIC Meeting.
2. The Triggers Focus Group Recommendation #6 for Assessment Completeness reached consensus and will be forwarded to the Central Valley Water Board staff for comment.
3. The Triggers Focus Group Recommendation for Follow-up to Failed Control Tests was presented, and some changes had been made since the August TIC meeting. It was decided that the changes were significant enough to make it necessary to wait until the October meeting for decision about consensus.

4. Minor language changes were made to the Laboratory Round Table Recommendation #1 (Performance Based Methods) which reached consensus during the August meeting. The minor changes were presented at the September meeting without disagreement. Central Valley Water Board Staff will provide feedback on this recommendation and others in the near future.
5. Laboratory Round Table (LRT) Recommendation #2.1 (Method Blanks) reached consensus at the 19 September TIC Meeting and will be forwarded to the Central Valley Water Board staff for comments.
6. LRT Recommendation #2.2 (Field Duplicates) will be returned to the LRT Focus Group with some of the concerns that were expressed by TIC members. If the LRT Focus Group wishes, they may make modifications to the recommendation and again bring it to the 23 October TIC Meeting for consideration. Or, they may elect to forgo the recommendation altogether.
7. LRT Recommendation 3 (Field Exceedances), reached consensus at the 19 September meeting and will be forwarded to the Central Valley Water Board staff for comments.
8. LRT Recommendation 4.1 (Fenpropathrin), reached consensus at the 19 September meeting and will be forwarded to the Central Valley Water Board staff for comments.
9. LRT 4.2 (TOC) reached consensus at the 19 September meeting and will be forwarded to the Central Valley Water Board staff for comments. (ILP-MA staff: *was this not discussed a bit and changed to have it happen only if toxicity occurred?*)
10. Central Valley Water Board will provide all comments to the TIC about TIC recommendations in writing. Comments will not longer be provided solely in verbal format. Comments for recent recommendations are expected to be made available before the draft MRP is completed.

Meeting Summary

- I. **Introductions and Announcements:** The facilitator (Dave Ceppos) described that the recent decision of the Board to address the MRP (rather than it being handled as a decision of the Executive Officer), coupled with the participation on the TIC by two Board members necessitates that all TIC meetings be publicly noticed. All attendees introduced themselves and described their expectations for the meeting. There was a brief review of the purpose, history and accomplishments of the TIC to date. The agreed upon 2-step process for reaching consensus on recommendations for the MRP was also described again.

An announcement was made regarding the Monitoring Workshop that had been scheduled for the October Board Meeting and to solicit participation by interested stakeholders. A representative of the coalitions (Tim Johnson, CRC) had made a verbal proposal to the Central Valley Water Board AEO (Ken Landau) for a modified approach to the Monitoring Workshop. Based on this, staff has been asked to wait on the Workshop Planning until Tim Johnson provides a proposed format in writing to the Central Valley Water Board. This has not yet been received and planning is temporarily delayed.

There was also a discussion regarding providing the draft MRP to the TIC prior to posting it to the public for comment. Having the MRP provided in track changes mode will not be possible, due to the fact that the structure of the MRP is significantly altered, including incorporation of a number of TIC recommendations. However, a document will be provided that identifies new sections and identifies if they were put in place due to TIC recommendations, Policy decisions, clarification of existing language, or other. Dave Ceppos of CCP has agreed to help in making this a readable document.

Staff has set the goal to do this, although this may not be possible if other considerations, such as allowing a stakeholder group to comment on the policy issues, results in further delays in preparation of the draft. It was expressed that there was a need to consult with the Central Valley Water Board's EO regarding the timing of this. The EO was not going to become available to staff before 25 September.

It was also announced that there had been a mix-up in the numbering of the Triggers Recommendations #6 and #7. This has now been corrected, effective the date of the September meeting.

II. Triggers Focus Group Recommendation on Flow & Load (#6). Stephen Clark spoke for Lenwood Hall, who was the author of the Flow and Load recommendation. Initially the group expressed the concern that they did not understand the objective for the recommendation flow and load requirement in the waiver. Margie Lopez Read repeated the objective, which had been summarized in the recommendation. It was repeated that flow measurements were very necessary for staff to be able to interpret the potential impact of various concentration measurements. The example was given that it would make a very big difference if 1 ppb of some contaminant was measured in a small stream, as opposed to a large water body like Butte Slough. III. There was some concern expressed regarding the Harrington and Born float method, which is just for velocity and not for flow, and other shortcomings of the methods that were recommended. Fred G. Lee expressed that the uncertainties of the data used from monthly monitoring of grab samples would not provide sufficient data to calculate reliable load values. Rather information of continuous discharges would be necessary. The concern was that the reports would be used to determine compliance with TMDL load calculations, when the data had this high level of

uncertainty. Marshall Lee discussed that given the frequency of monitoring the information would only be useful for instantaneous load calculations, and that when a TMDL is being implemented that would be the place to address the type of monitoring that is being used.

Joe McGahan suggested that it would make the most sense to have a phased approach to determining load. That initially having some flow information that is rough would be ok, but later when it was proven that the site needed more complete information that included load, then the proper equipment could be put in place to get more continuous monitoring.

There was lengthy discussion, which included a focus group breakout session to discuss the language in flow and load recommendation. The issues seemed to be a blend of concerns some of which related to how flow is calculated and some of which related to how load information would be used. In the end it was decided that the Focus Group would attempt to revise the recommendation to separate out recommendations for flow calculations from a possible recommendation regarding use of load calculations based on varying degrees of uncertainty in flow calculations.

II. Triggers Focus Group Recommendation #7 (Assessment Completeness).

This recommendation was presented by Mike Johnson at the August TIC meeting, and had been distributed to all TIC members for comments. There were none by email, nor at the September TIC meeting. Therefore, the recommendation achieved consensus by the TIC and it will be forwarded to Central Valley Water Board staff for comment.

III. Triggers Focus Group Recommendation for Follow-up to Failed Tests.

Stephen Clark presented a Draft Recommendation in the August meeting for steps to deal with failed control tests. Some changes were made subsequent to the original presentation. It was felt that the changes were sufficient to make it necessary to route the recommendation one more time to the TIC and to consider it for consensus at the October meeting.

IV. LRT Recommendation #1. Analytical Methods Used for Chemistry Analysis.

A few minor editorial changes were made subsequent to the August TIC meeting. Dania Huggins presented the minor language change (a reference to PBM document). There was no disagreement with the minor change and the recommendation remains on the table for Central Valley Water Board comment.

V. LRT Recommendation #2.1. – Quality Control Sample Requirements. This recommendation reached consensus, and will be forwarded to Central Valley Water Board for comment.

VI. LRT Recommendation 2.2. – Field Duplicate criteria for follow-up. There were no members from the LRT at the September meeting, and concerns continued to be

expressed regarding the recommendation. The concern was that there was no distinction in recommendation between a field split and a field duplicate. It was requested that Dania Huggins return to the LRT Focus Group and advise them of the concerns, and see if they would like to make a different recommendation or not. It is possible that this recommendation may not move forward if consensus is not reached.

- VII. **LRT Recommendation 3 – Method Blanks.** TIC participants did not provide any comment or discussion for this recommendation, and it reached consensus by the TIC and will be forwarded to the Central Valley Water Board staff for comments.
- VIII. **LRT Recommendation 4.1 (Fenpropathrin.** TIC participants did not have any disagreement with this recommendation and it will be forwarded to the Central Valley Water board staff for comments.
- IX. **LRT Recommendation 4.2. (TOC).** TIC participants did not provide any comment or discussion on the recommendation to add this to the MRP Table 1. The recommendation will be forwarded to Central Valley Water Board staff for comments.

Open Discussion on Plans for 2007. This agenda item was tabled for the October meeting, due to time constraints. Meeting ended at 1315.

Next Meeting:

The next meeting will be held on **Monday, 23 October 2006** at the CALEPA Building in downtown Sacramento.

STATUS of Previous Action Items

1. TIC Members will develop alternative language to address concerns expressed about the Tentative MRP, page 8, last paragraph on Management Practices implementation. *(Item from February meeting – no recommendations received; no action has taken place)*
2. The SWAMP program will work with the Irrigated Lands Coalitions to 1) develop a crosswalk between ToxCalc and SWAMP, 2) provide training for utilizing the database, QAPP development, and 3) to solicit constructive comments and suggested changes for modifications that can be made to the database. *(Margie Lopez Read will communicate with Val Connor regarding the status of the crosswalk and training opportunities. No comments or suggestions received to date)*

3. TIC members wish to work on re-wording the ILP QAPP so that it is better coordinated with the SWAMP QAPP. A focus group (laboratory?) discussion for this will be arranged. *(Staff prepared a comparison table between the two QAPPs, and this was presented at the 9 May 2006 TIC meeting)*
4. TIC members are going to provide comment on the studies that are used to provide numeric interpretation of narrative quality objectives. The appropriate focus group may be the Triggers Focus Group. *(This was discussed at the 9 May 2006 meeting, and at the 13 June meeting)*
5. The Triggers group will continue to expand upon and improve the Options Table for storm water that was presented, and to draft up Problem Statements and language for a recommendation. *(no additional information has been submitted by members of the Focus Group)*
6. Language in the Tentative MRP will need to be clarified by staff so that the submittal of data for the ILP is consistent with SWAMP requirements. *(to be added by Staff with next version of a tentative MRP)*
7. Stephen Clark of Pacific EcoRisk, and Sandy Nurse of Sierra Foothill Labs will work on developing cost-estimates for a laboratory to submit electronic data in a SWAMP comparable format. *This was completed and presented at the 13 June 2006 meeting.*
8. Water Board staff will organize a presentation by Fish and Game regarding the Bioassessment project in Central Valley agriculture lands. *(This is tentatively postponed until the MRP recommendation process can be completed.)*
9. CCP will provide recommendations to staff about comment tracking protocols and methods to enhance readability of subsequent MRP recommendations/revisions from the TIC and Staff. *(to take place in near future)*
10. Staff and the TIC will further discuss the term "source" in a future meeting to ensure that there is shared meaning on the term and that there is clarity on it's use. *(ideas for language alternatives were shared via email communications and language was modified for the TIC focus group recommendations presented at the 9 May 2006 meeting.*
11. Focus groups will continue to meet to provide proposed recommendations for the 11 April meeting. *(done and will be continued)*
12. Central Valley Water Board staff will provide comments regarding the TIC Recommendation #1 at the 9 May 2006 TIC meeting. If there are questions or concerns from staff regarding the recommendation they can be discussed at that time. *(This was completed at the 13 June 2006 meeting)*

13. Central Valley Water Board Staff will re-introduce to the TIC the objectives behind the requirement for utilizing a SWAMP comparable format at the 9 May meeting. *(This did not occur, due to lack of time availability. The discussion will occur at a later date).*
14. Stephen Clark will work with the Laboratory Round Table to provide a comparison of the types of entries required by the SWAMP comparable database with a minimal submittal that might be considered necessary for compliance evaluation with the ILP. Real world examples of data entries will be used to the extent feasible. *This was completed at the 13 June 2006 meeting.*
15. Comments received on Triggers Group Recommendations 2, 3, and 4 will be addressed by the Focus Group, and the revisions will be recirculated to the TIC with the goal of ratifying these Recommendations on 9 May 2006. *(Done)*
16. Triggers Focus Group will consider developing recommendations for the scenario of a failed toxicity test and appropriate follow-up in order to address comments regarding TIC Recommendation #1. *(action still pending)*
17. Triggers Focus Group will work on minor language changes to the Recommendations #2-4, for which there was agreement by the TIC to forward them to Water Board staff.
18. FG Recommendation #6 will be routed to the entire TIC by email to see if any comments are made. If only minor changes are requested or suggested, the recommendation will be forwarded to Water Board staff as a comment to the tentative Conditional Waiver documents. *The Recommendation reached consensus and is being forwarded to the Water Board staff for consideration in the MRP and for comment by the September 2006 TIC meeting.*
19. Sediment Toxicity Focus Group Recommendation #1 was presented at the 13 June 2006 meeting, for approval by the TIC. *After some modifications, the Recommendation was accepted by the TIC and forwarded to the Regional Board for comment at the September 2006 TIC meeting.*
20. TIC members should reviewed the Triggers Focus Group Recommendation #5 at the 11 July meeting and agreed that it be used as a recommendation to Water Board staff. *Comments will be provided from staff to the TIC at the September 2006 TIC meeting.*
21. The CVRWQCB staff did solicit comments from various programs at the CVRWQCB regarding Triggers Focus Group Recommendations 2-5, and for Sediment Toxicity Focus Group Recommendation #1. *These were presented at the 11 July 2006 meeting.*

22. The Sediment Toxicity Focus Group Recommendation #2 reached consensus during the August 2006 meeting and was forwarded to the CVRWQCB for comments.
23. The Triggers Focus Group Recommendation #5 was approved during the July TIC Meeting. Central Valley Water Board Staff will provide feedback in the near future on this recommendation and all of the TIC recommendations that have been reached.