



The May 8, 2003 meeting is a Joint Tri-TAC/SCAP meeting and will be held at:

Hilton Ontario Airport
700 North Haven Avenue
Ontario, CA 91764
Telephone (909) 980-0400

General Meeting and Water Committee — Salon 2
Land Committee — Parlor A

TRI-TAC MEETING

THURSDAY, MAY 8, 2003

9:00 A.M. – 12:00 P.M.

Hilton Ontario Airport
700 North Haven Avenue
Ontario, CA 91764
Telephone (909) 980-0400

9:00 A.M. – GENERAL MEETING

ATTACHMENTS

1. INTRODUCTIONS
2. APPROVAL OF THE APRIL 10, 2003 –
TRI-TAC MEETING MINUTES SUMMARY/ACTION ITEMS PAGES 6-11
3. FUTURE MEETING SCHEDULE PAGE 12
4. TRI-TAC ROSTER PAGES 13-19
5. COMMITTEE ASSIGNMENTS PAGE 20
6. OTHER BUSINESS/NEW ISSUES

9:00 A.M. – 11:30 A.M. – COMMITTEE MEETINGS

COMMITTEES WILL MEET SEPARATELY

11:30 A.M. – GENERAL MEETING

COMMITTEE REPORTS

- A. LAND
- B. WATER

1:15 P.M. - AFTER TRI-TAC MEETING

CHANGES TO THE SB709 Q&A DOCUMENT

LAND COMMITTEE AGENDA
May 8, 2003

	<u>Who</u>	<u>Time</u>
<u>A. Agenda Review and Approval</u>		
<u>B. Committee Action Items</u>		
1. Biosolids Recyclers of CA, status,	Marlaigne Hudnell	10 min.
2. SWRCB Biosolids Final EIR & Lawsuit	Layne Baroldi/Bobbi Larson	10 min.
3. 40CFR 503 Dioxin Regulations/Data	Diane Gilbert	5 min.
4. Radioactivity Testing, Dose Modeling & Guidance	Diane Gilbert	2 min.
5. CIWMB Compostable Organic Mtls. Regs.	Diane Gilbert	5 min.
6. SCAQMD Rule 1133-Implementation	Layne Baroldi	5 min.
7. Ongoing Biosolids Litigation Discussion	Layne Baroldi	10 min.
8. Biosolids Legislation	Layne Baroldi	10 min.
9. NAS Report Update	Layne Baroldi	10 min.
10. WEF Residual & Biosolids Committee Relationship	Mike Moore	5 min.
11. Environmental Justice	Liz Ostoich	5 min.
<u>C. Information and Discussion Items</u>		
12. New Biosolids Contracts/Technologies	Ed McCormick	10 min.
13. Research	Ed McCormick	10 min.
14. Local Ordinances		
• Kern County	Layne Baroldi	5 min.
• Kings County	Layne Baroldi	5 min.
• San Luis Obispo County	Bob Gillette/Diane Gilbert	0 min.
• Riverside County	Anne Briggs/Liz Ostoich	10 min.
• Solano County	Ed McCormick	10 min.
• La Paz/Yuma/Mojave AZ	Layne Baroldi	10 min.
<u>E. Other</u>	All	<u>10 min.</u> 120 min.

WATER COMMITTEE AGENDA
May 8, 2003

<u>Priority</u>		<u>Estimated Duration (minutes)</u>	<u>Further Information</u>
	Items of Highest Priority:		
1	Sediment Criteria	20	Attachment 1
2	LACSD Permit Appeal	15	
3	SoCal Setac Meeting	5	Attachment 2
4	Environmental Justice	10	Attachment 3
5	SWRCB Fees Update	10	
6	OCSD – Cease and Desist Order	10	
7	LA/Burbank NPDES Judicial Appeal	10	
8	SWRCB 303(d) List (as necessary)	5	
9	New EPA TMDL Rule (as necessary)	5	
	Pre-Regulatory Issues		
10	Nutrient Criteria	10	
11	Storm Drain Diversions	5	
12	Sanitary Sewer Overflows	5	
13	Meeting with DHS	5	
14	Potential Legislation Regarding Due Process For Non-NPDES Reqt's (WDRs, CDOs, TSOs, etc.)	5	
15	Other Permit Appeals (as necessary)		
16	PAG Update (as necessary)		
	If Time, We Will Also Discuss:		
17	Legislation of interest		

2 hours

MEETING SUMMARY
THURSDAY, APRIL 10, 2003
DELTA KING RIVERBOAT
SACRAMENTO, CA

SUBCOMMITTEE ISSUES AND GENERAL MEETING

THE FOLLOWING MEMBERS AND INTERESTED PARTIES WERE PRESENT:

Melissa Thorne, Downey Brand	Jim Gratteau, LACSD
Chuck Weir, EBDA	Jim Marchese, City of Los Angeles DPW
Ed McCormick, EBMUD	David Tompkins, City of Vacaville
Clayton Yoshida, City of Los Angeles	Gail Chesler, CCCSD
Dave Tucker, City of Merced	
Jeff Berlin, Carollo Engineers	
Steve Medberry, San Francisco PUC	
Phil Bobel, Palo Alto	
Jack Nelson, Yucaipa Valley WD	
Anne Briggs, EMWD	
Valerie Housel, San Bernardino MWD	
Bob Gillette, Carollo Engineers	
Layne Baroldi, OCSD	
Liz Ostoich, Synagro	
Karen Vargas, LACSD	
Rodney Cruze, City of Riverside	
Jackie Kepke, CH2M HILL	
Jerry Troyan, SRCSD	
Roger W. Turner, EMWD	
Sharon Green, LACSD	
Monica Oakley, LWA	
Jim Colston, OCSD	
Dave Bruns, LACSD	
Dave Williams, EBMUD	

Announcements and Discussion Items

Approval of Last Meeting's Action Items

Future Meeting Schedule

LAND COMMITTEE MINUTES FROM APRIL 10, 2003 MEETING
LAYNE BAROLDI AND ROBERT GILLETTE

1. Biosolids

CASA has hired a biosolids program manager, Marlene Hudnell. She has a very strong environmental background and will be starting May 1. She will be working the first year out of OCSD offices and will be at the May CASA and Tri-TAC meetings. We are still working to get the funding so if anyone hasn't gotten their funding into CASA, please do so.

2. SWRCB Biosolids EIR & Lawsuit

This has been remanded to the lower court. The SWRCB is deciding what to do about this. CASA is scheduling meetings with the SWRCB to discuss how this will move forward and how much funding is needed. Since the Central Valley Regional Water Quality Control Board has converted almost all of the land application permits to new general order permits, if the courts do not confirm the general order, most of the permitted as land application sites will lose their permits.

3. NAS Report

On April 8, EPA issued their proposed action in response to the National Academy of Sciences report. The Land Committee is in the process of reviewing the proposed actions and responding to EPA within the 90-day review period. This response will be prepared working with the WEF RBC.

4. Local Ordinances

Kern County. There are currently several ongoing lawsuits.

As a result of implementation of the Class A ordinance, the county started a Groundwater Committee to look into whether or not biosolids application over usable groundwater should be banned. The original proposal was to ban the use of everything other than composted biosolids over usable ground water. Usable ground water was defined as groundwater having a total dissolved solids of less than 1000 ppm, which encompasses most of the land application sites. A Committee meeting is scheduled on April 21, 2003. Layne and others will make presentations on the conservative nature of the protection the 503 regulations and Kern County ordinance provide. The Committee will come back to the Board in June or July with a recommendation of how to amend the ordinance, if at all.

Riverside County. Riverside County is in the process of adopting a Class A ordinance, which will have 4 tiers; tier 1 - compost or pellets - and it appears that the farmers are

saying now that they would only allow tier 1 to be land applied on their farms, so it's academic what the rest of the tiers are.

5. Environmental Justice

The Land Committee will work with the Water Committee to prepare a comment letter to the Cal EPA on the proposed Environmental Justice Strategy Recommendations Document. The general approach will be to recognize the need for environmental justice policies that are fair and equitable, but they should be based on the need to use good science. The use of the precautionary principle is a dangerous precedent and essentially stops any action unless it can be proved that there is no risk. It is extremely difficult to impossible to prove no risk and this does not allow the weighing of alternative risks. Information on the proposed strategy should be transmitted to other agencies and industries.

WATER COMMITTEE MINUTES FROM APRIL 10, 2003 MEETING
JIM COLSTON AND MONICA OAKLEY

1. SRF Sponsorship

Last month Tri-TAC had an afternoon session in which an State Revolving Loan Fund (SRF) was discussed. About 20 people attended, including Celeste Cantu and Water Committee members. Tri-TAC indicated the potential of supporting an administrative fee, if it was directly related to the administration of the SRF program only. Another issue that was discussed pertained to the ability of agencies to get a reduced interest rate loan in order to sponsor a non-point project. Dave Bruns from the Los Angeles County Sanitation Districts will be following up on this issue with the EPA and the State as it relates to this sponsorship program. The State must pass legislation to be able to implement this program.

2. Environmental Justice

Cal EPA has a statutory mandate to develop an environmental justice (EJ) strategy. The deadline is December 31, 2003. SB89 created a working group on environmental justice, which includes Cal EPA agencies. The bill also created an advisory group. A draft document is being discussed by the advisory group. The most active industry representative is CCEEB, California Council on Environmental and Economic Balance. CCEEB consists of large industry folks and utilities, and a few public agencies, mostly water utilities. It would be very timely for a group like Tri-TAC to perhaps put in a brief comment letter now on the discussion draft.

There is some language that's in legislation that was enacted in 1999 which was one of the first bills on environmental justice. It defines environmental justice as calling for the fair treatment of all people irrespective of race, culture, and income. Tri-TAC supports that goal, however it is important for decisions to be risk-based, science-based. It was agreed that Tri-TAC would prepare a one-page comment letter that addresses this issue by early next week. Sharon, Roger, Tom, Steve, Dave, Jim, Phil, and Monica will work on this committee.

3. Use Attainability Analyses

A Notice of Public Hearing has been released by the LA Regional Board on the issuance of a draft Use Attainability Analysis to modify the recreational beneficial use designations for Ballona Creek and adjacent reaches (concrete channels). The public hearing is scheduled for June 5 and comments are due May 19. There are no POTWs that discharge to that channel. It's a stormwater issue, but this is being viewed as the first UAA, and if it goes smoothly then the Regional Board expects to continue to look at other concrete-lined channels in the region and do something similar. The Ballona Creek Document is on the website under basin plan and can be downloaded.

3. Sediment Criteria

In 1989, the California Water Code was changed to require the State Board to adopt sediment quality objectives in bays and estuaries. The State made a decision not to set sediment quality objectives. They were sued a couple of years ago and lost based on what's in the water code. Now they're back to developing sediment quality objectives.

A Work Plan has been released for comment. Comments are due April 22. A workshop will be held on May 6. The Work Plan must be adopted by June per the court order. Tri-TAC will prepare a comment letter. Sediment criteria will also be discussed this afternoon at a special Water Committee session.

4. LACSD Permit Appeal – Draft State Board Order

The two issues in the appeal that are big, new types of issues are the use of CTR and NTR human health criteria for organisms only-based effluent limits, and the fact that it is based on a REC-1 use designation, which includes fishing. An argument was made that there is a separate commercial and sport fishing use designation, which is not designated for these water bodies. In addition, the State Board has said in the draft order that the way the CTR is written, you don't need any particular use designation; the criteria automatically apply. In particular, any water body that doesn't have an MUN designation gets the human health criteria for organisms only, and if you have MUN you get both. This applies to fresh water and salt water.

The other issue is that numeric chronic toxicity limits are being proposed for the permits although there are no numeric objectives in the LA Basin Plan, nor are they anywhere else. The Regional Board specifically considered and rejected the option of putting a numeric objective in the basin plan in 1994 and said that they were going to defer to the State. The State considered it through the SIP process and rejected it. The final order is expected to be adopted April 30.

5. EPA Technical Support Document for the Assessment of Detection and Quantitation Concepts

Comments on this draft document are due in July. The document does not address compliance issues. A decision on whether Tri-TAC will comment was deferred. It may be appropriate to let organizations with more emphasis on laboratory issues take the lead on this issue. Or, individual agencies can provide comments on their own.

6. Arsenic Public Health Goal

DHS is proposing a low public health goal below the newly adopted MCL for arsenic. This is a concern because it is a new target for the water agencies. Tri-TAC should comment on this. Source water is above the limit so when it comes through the plant you're already above the level. Dave Thompkins, Tom Grovhoug, Jim Colston, Dave

Tucker (Merced), Margie Nellor, and Melissa Thorme will work together to prepare comment a letter.

7. SIP Changes Update

In the SF Bay Area we heard from Regional Board staff that they had a conference call with the State Board. Apparently the State Board is having conference calls with each of the regions individually. The SF Board discussed their comments on the SIP, which included two things that we agree on: 1) not using the background ambient concentration as a trigger for reasonable potential, 2) if background is used, to use dissolved concentrations for metals. The State Board's next step is to have a round table with all the regional boards in one room, in April. Following that, the State Board is expected to talk to the executive officers of each of the Boards in April or May. There is talk about possibly including stormwater in the SIP and also including conventional pollutants in addition to toxics. Art Baggett has indicated that there would be a public workshop this spring after the meetings with the Regional Boards. Monica Oakley, Bobbi Larson, and Sharon Green agreed to work on obtaining more information from State Board staff.

8. Sewer Root Control Response

Tri-TAC and LACSD both submitted comment letters expressing concern about the use of root and pest control chemicals in sewer manholes, due to potential toxicity problems in the effluent. LACSD received a response from DPR which indicated that there was no action planned for this issue.

9. LA/Burbank NPDES Judicial Appeal

Additional information was allowed into the record regarding the fact that Basin Plan decisions did not take into account 13241 considerations. The new date for an expected court decision is July 1. We are cautiously optimistic on how it will turn out. The appellate court vacated their earlier decision, which means that it is no longer a legal document.

10. SWRCB Fees Legislation

Bobbi Larson attended a meeting of the state fee advisory group on March 28. At that meeting, alternatives and a schedule were discussed. Apparently another meeting was planned for next week on April 17 and then workshops, one in Northern California on May 20 and Southern California on May 22. However, the meeting next week and the workshops in May will not be held because the law hasn't taken effect. So, it is expected that the future activities will be implemented in the next fiscal year, which starts July 1. The options discussed for the fee cap range are: \$27,500, \$50,000, and \$100,000. Various distributions are being considered, for different fee holders. The dairies are getting a special waiver.

11. Pharmaceutical Waste

Bruce Jennings, a committee consultant, who moved from the Assembly to the Senate and now works for the Senate Environmental Quality Committee, got wind of this issue and he contacted Bobbie and subsequently LACSD to attend a meeting on April 9 with DHS, a representative of the medical industry, and Ann and Bobbie also went to the meeting. DHS isn't budging on their position but they are willing to issue clear, additional, explicit guidance saying you have to talk to a POTW and follow their rules.

12. Enforcement

The State Water Board is revising the SB709 Question and Answer document to take into consideration recent experience with implementation as well as new amending legislation that was passed in 2002. An afternoon session at the May Tri-TAC meeting will be held to discuss how Tri-TAC can comment on the new Q&A document.

TRI-TAC MEETING LOCATION & SCHEDULE 2003

TRI-TAC MEETING DATE ¹	LOCATION/HOTEL	AFTER TRI-TAC MEETINGS ²
JANUARY 15, 2003	HILTON ONTARIO AIRPORT 700 NORTH HAVEN AVENUE ONTARIO, CA 91764 (909) 980-0400	
FEBRUARY 13, 2003	HOLIDAY INN AIRPORT 500 HEGENBERGER ROAD OAKLAND, CA 94621 510-562-5311	STORM DRAIN DIVERSIONS
MARCH 13, 2003	DELTA KING RIVERBOAT 1000 FRONT STREET OLD SACRAMENTO, CA 95814-3231 916-444-5464	SRF LOAN PROGRAM
APRIL 10, 2003	DELTA KING RIVERBOAT 1000 FRONT STREET OLD SACRAMENTO, CA 95814-3231 916-444-5464	SEDIMENT QUALITY OBJECTIVE
MAY 8, 2003	HILTON ONTARIO AIRPORT 700 NORTH HAVEN AVENUE ONTARIO, CA 91764 (909) 980-0400	CHANGES TO THE SB709 Q&A DOCUMENT
JUNE 12, 2003 Air Committee	HOLIDAY INN AIRPORT 500 HEGENBERGER ROAD OAKLAND, CA 94621 510-562-5311	
JULY 10, 2003 Baseball?	HOLIDAY INN AIRPORT 500 HEGENBERGER ROAD OAKLAND, CA 94621 510-562-5311	

¹ IF YOU WOULD LIKE TO ADD AN AGENDA ITEM OR SCHEDULE A PRESENTATION FOR AN UPCOMING MEETING, PLEASE CONTACT ONE OF THE COMMITTEE CO-CHAIRS AT LEAST 14 DAYS BEFORE THE DESIGNATED MEETING DATE.

² If you would like an “after Tri-TAC” meeting noted in the agenda package, please contact Dave Williams at least ten days before the designated meeting date.

Tri-TAC Roster

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Name	Company	E-mail Address	Phone Number	Fax Number
Michael Moore	Orange County Sanitation District P.O. Box 8127 Fountain Valley, CA 92728	mmoore@ocsd.com	714 593-7450	714 962-2591
Arleen Navarret	San Francisco PUC Water Quality Bureau 3500 Great Highway San Francisco, CA 94132	anavarre@puc.sf.ca.us	415 242-2201	415 242-2285
Jeremy Neill	Los Angeles County Sanitation Districts Wastewater Monitoring Section 1955 Workman Mill Rd. Whittier, CA 90601	jneill@lacsds.org	562 699-7411 x 2809	562 692-5103
Margaret Nellor	Sanitation Districts of Los Angeles County 1955 Workman Mill Road Whittier, CA 90601	mnellor@lacsds.org	562 699-7411 x 2502	562 692-5103
John "Jack" Nelson	Yucaipa Valley Water District PO Box 730 Yucaipa, CA 92399	jnelson@yvwd.dst.ca.us	909 797-5119 ext 3	909 797-6381
Monica M. Oakley	Larry Walker Associates 250 Lafayette Circle, Suite 200 Lafayette, CA 94549	monicao@lwa.com	925 962-9700	925 962-9701
Lisa Ohlund	SCAP	omts@cox.net		
Liz Ostoich	Gresham, Savage, Nolan & Tilden 3750 University Avenue, Suite 670 Riverside, CA 92501	Elizabeth.ostoich@gsnt-law.com	909-684-2171	909-684-2150
Dipak Patel	City of Los Angeles	dxp@san.lacity.org		
Michele Pla	CH2M HILL 155 Grand Avenue, Suite 1000 Oakland, CA 94612	mpla@ch2m.com	510 251-2888 Ext 2056	510 893-8205
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Robert Reid	West Valley Sanitation District 100 East Sunnyside Avenue Campbell, CA 95008	rreid@wvwd.dst.ca.us	408 378-2407 X 11	408 364-1821
Carlos Reyes	Las Virgenes Municipal Water District 4232 Las Virgenes Road Calabasas, CA 91302	creyes@lvmwd.com	818-251-2330	818 251-2159
Martha Rincon	LACSD	mcincon@lacsds.org	562-699-7411 x2386	
Ruben Robles	Sacramento Regional County Sanitation District 10545 Armstrong Avenue, Suite 101 Mather, CA 95655	roblesr@saccounty.net	916 876-6119	916 876-6160
Shahrouzeh Saneie	City of Los Angeles Regulatory Affairs Division 433 S. Spring St., Suite 500 Mail Stop 544-01 Los Angeles, CA 90013	ssaneie@san.lacity.org	213-473-8566	213-473-8544
Chris Scheuring	Somach, Simmons & Dunn 813 Sixth St., Third Floor Sacramento, CA 95814	cscheuring@lawssd.com	916-446-7979	916-446-8199
Randy Schmidt	CCCSD	rschmidt@centralsan.dst.ca.us	925-229-7333	

Name	Company	E-mail Address	Phone Number	Fax Number
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John Schroeter	East Bay Municipal Utility District Environmental Compliance Division 375 11 th St., MS 704 Oakland, CA 94607	jschroet@ebmud.com	510 287-0345	
Jennifer Smith	East Bay Municipal Utility District P.O. Box 24055, MS 704 Oakland, CA 94623-1055	jsmith@ebmud.com	510 287-0509	510 287-1712
Keith A. Smith	City of Davis Wastewater Administrator Public Works Department 23 Russell Blvd. Davis, CA 95616	keithsmith@ci.davis.ca.us	530 757-5686	530 758-4738
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Herb Stone	Industrial Dischargers 330 Galli Court Los Altos, CA 94022	herbgalli@aol.com	650 948-6580	650 948-6580
Mike Sullivan	Sanitation Districts of Los Angeles County 1955 Workman Mill Road Whittier, CA 90601	msullivan@lacs.org	562 699-7411 X2824	562 692-5103
Bonnie Teaford	City of Burbank 275 E. Olive Avenue Burbank, CA 91502	bteaford@ci.burbank.ca.us	818 238-3921	818 238-3918
Warren Tellefson	County of Placer 11476 C Avenue Auburn, CA 95603-2702	wtellefs@placer.ca.gov	530 889-7511	530 889-6809
Melissa Thorme	Downey Brand LLP 555 Capitol Mall 10th Floor Sacramento, CA 95814-4686	mthorme@dbsr.com	916 444-1000	916 444-2100
Kimberly Toepfer	City of Fresno 5607 West Jensen Avenue Fresno, CA 93706	kim.toepfer@ci.fresno.ca.us	559 498-1704	559 498-1700
Dave Tompkins	City of Vacaville P.O. Box 220 Elmira, CA 95625	dtompkins@ci.vacaville.ca.us	707 469-6400	707 469-6480
Jerry Troyan	Sacramento Regional County Sanitation Dist 10545 Armstrong Avenue, Suite 101 Mather, CA 95655	troyanj@SacCounty.net	916 876-6077	916 876-6160
David L. Tucker	City of Merced 678 W. 18 th Street Merced, CA 95340	Tuckerd@cityofmerced.org	209 385-6846	209 725-8775
David W. Tucker	City of San Jose Environmental Services Dept 4245 Zanker Road, Suite L San Jose, CA 95134	david.tucker@ci.sj.ca.us	408 945-3711	408 934-0491
Roger W. Turner	Eastern Municipal Water District P.O. Box 8300 Perris, CA 92572-8300	turnerr@emwd.org	909 928-3777 x 6345	909 928-6115
Karen Vargas	LACSD	kvargas@lacs.org		

Name	Company	E-mail Address	Phone Number	Fax Number
Ray von Dohren	Carmel Area Wastewater District 3945 Rio Road Carmel, CA 93922	vondohren@cawd.org	831 624-1248	831 624-0811
Larry Wasserman	City of San Diego 4918 N. Harbor Drive San Diego, CA 92106	lwasserman@sandiego.gov	619 758-2370	619 758-2309
Coleen E. Weeks	City of Riverside 5950 Acorn St. Riverside, CA 92504	ceweeks@ci.riverside.ca.us	909-351-6014	
Charles Weir	East Bay Dischargers Authority 2651 Grant Avenue San Lorenzo, CA 94580	cweir@ebda.org	510 278-5910	510 278-6547
Kris Whisenhunt	SCAP	kris@scap.occoxmail.com		
David Williams	East Bay Municipal Utility District 375 - 11th Street, MS 702 Oakland, CA 94607	dwilliam@ebmud.com	510 287-1496	510 287-1351
Jay Witherspoon	CH2M HILL 155 Grand Avenue, Suite 1000 Oakland, CA 94612	jwithers@ch2m.com	510 251-2888 ext 2177	510 893-8205
Bob Witzgall	Brown and Caldwell 2701 Prospect Park Drive Rancho Cordova, CA 95670-6025	bwitzgall@brwnaald.com	916 444-0123	916 635-8805

TRI-TAC SPONSOR REPRESENTATION

League of California Cities	CASA	CWEA
Phil Bobel, Rod Cruze Steve Medbery Dave Tucker Chuck Turhollow Larry Wasserman	Sharon Green, Tri-TAC Vice-Chair Layne Baroldi Jim Bewley Jim Colston Ed McCormick Margie Nellor Melissa Thorme Dave Tompkins Dave Williams	Gail Chesler Jim Clark Bob Gillette Tom Grovhoug Mike Moore Monica Oakley Keith Smith Harry Tow Jerry Troyan Chuck Weir Dave Williams

Tri-TAC Liaison Representation

BACWA	Dave Williams
CASA	Roberta Larson; Sharon Green
SCAP	Ray Miller

COMMITTEES

AIR	LAND	WATER	
Committee Co-Chairs: Daniel McGivney & Jay Witherspoon	Committee Co-Chairs: Bob Gillette & Layne Baroldi	Committee Co-Chairs: Jim Colston & Monica Oakley Finance Subcommittee Chair: Jim Gratteau	
Gregory Adams James H. Clark Joyce Clark Alex Coate Margaret Figeroid Preeti Ghuman Jacqueline Kepke Paul Pau John Schroeter Jennifer Smith Brian Whitaker	Jeffrey Bell Maura Bonnarens Anne Briggs Nancy Evan Diane Gilbert Lesley Lundgren Ed McCormick Mike Moore Liz Ostoich Rueben Robles Terry Schmidtbauer Mike Sullivan Kimberly Toepfer Karen Vargas	Jeff Berlin Jim Bewley Phil Bobel Dave Bruns Fred Burnett Michelle Buzbee James Chen Gail Chesler Joyce Clark Jim Colston Rod Cruze Stan Dean Nancy Evans Tad Foster Jackie Gambl Robert Ghirelli James Gratteau Sharon Green Tom Grovhoug Tom Hall Ben Horenstein Valerie Housel Jim Kelly Jacqueline Kepke Wendell Kido Roberta Larson Kris Lindstrom Rich Luthy Jim Marchese Steve McDonald	Patricia McGovern Steve Medbery Traci Minamide Terrie Mitchell Mike Moore Arleen Navaret Margie Nellor Jack Nelson Monica Oakley Michele Plá Bob Reid John Schroeter Jennifer Smith Keith Smith Roxanne Stachon Herb Stone Warren Tellefson Dave Tompkins Melissa Thorme Jerry Troyan David Tucker (SJ) David L. Tucker Roger W. Turner Ray Von Dohren Larry Wasserman Penny Weiland Chuck Weir Dave Williams Clayton Yoshida



David R. Williams
Tri-TAC Chair
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April 22, 2003

Mr. Chris Beegan
Environmental Scientist
Ocean Standards Unit, Division of Water Quality
SWRCB
P.O. Box 100
Sacramento, CA 95812-0100

Dear Mr. Beegan:

Subject: Comments on SWRCB Draft Revised Work Plan for the Development of Sediment Quality Objectives for Enclosed Bays and Estuaries of California

The following comments have been developed by Tri-TAC, a technical advisory group comprised of representatives from the California municipal wastewater treatment industry.

General Comment

The draft revised work plan is intended to entirely replace the 1991 work plan for development of Sediment Quality Objectives for enclosed bays and estuaries in California, which was developed by SWRCB staff. Tri-TAC supports this approach.

The proposed work plan is an improvement over the 1991 version. The tasks in the plan are presented in a coherent and rational manner. The plan includes review at important points by a Scientific Steering Committee comprised of eight members. The emphasis of the work plan is to use available sediment chemistry, toxicity and benthic macroinvertebrate information collected in California and elsewhere over the past ten years as the basis for derivation of sediment quality objectives. Statistical approaches will be used to examine relationships between contaminant levels in sediments and observed laboratory and field effects. This information will presumably form the basis for development and evaluation of proposed objectives. This appears to be a fundamentally sound approach.

We believe that the SWRCB should embrace a weight-of-evidence approach to the development and implementation of sediment quality objectives. This approach

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Mr. Chris Beegan
April 22, 2003
Page 2

should build off the statistical approaches described in the proposed work plan and should consider correlative relationships between chemical-specific threshold concentrations, toxicity test responses and benthic community conditions.

The proposed work plan contains a limited amount of information about the development of a Program of Implementation. We request that more detail be provided to describe the tasks involved in Section 3.6.2 “Applications and Enforcement”. We are unable to provide specific comments on this important section at this time due to the lack of detail in the proposed work plan.

Specific Comments

Page 3, item 1.1, paragraph 1 - Several specific sources of pollutants are listed. The list should be separated into two categories: (1) active sources and (2) legacy sources. The list of sources should be expanded to include urban runoff, mining, natural and atmospheric deposition.

Page 5, item 1.3, paragraph 3 – It is stated that the SWRCB will hold annual workshops to present the status of activities to develop objectives. It is requested that a commitment be added to provide a written status report to the public in advance of the annual workshop and that opportunities for public comment be provided. The status report should list the pollutants that are being considered for sediment objectives. Additionally, it is requested that key technical reports produced pursuant to this work plan, such as items under Tasks 3.3 and 3.4, be made available for public review as they are produced.

Page 7, item 2.2., No. 7, – It is stated that recent data collected by SCCWRP suggest that Apparent Effects Thresholds (AETs) and equilibrium partitioning guidelines may have the predictive capacity to protect beneficial uses in California. Please provide the reference(s) that contain this recent data and support this statement. It is also suggested that the statement be revised to state that these guidelines warrant continued evaluation instead of saying that they protect beneficial uses, which implies significant policy interpretation. This is clearly beyond the level of detail of the work plan.

Page 9, item 3.1, paragraph 2 – The work plan should provide a description of the process to select Steering Committee members. A goal should be stated to assemble a Steering Committee with expert technical qualifications. It is recommended that one position on the Scientific Steering Committee be from the San Francisco Estuary Institute, given the importance of San Francisco Bay as an estuarine system in California.

Mr. Chris Beegan
April 22, 2003
Page 3

Page 10, item 3.2, top of page – Add San Francisco Bay TMDL studies to the list of studies to be examined.

Page 12, item 3.4.4, paragraph 1 – In addition to the calculation of accumulation factors from empirical data, the significance of correlations between sediment concentrations and levels in biota must be examined. In the absence of significant and meaningful correlations and meaningful relationships, accumulation factors have no predictive relevance or validity.

Page 12, item 3.5 – The criteria to be used in the selection of candidate pollutants for numeric sediment quality objectives should be stated. Priority should be given to 303(d) listed pollutants. Also, an acceptable method of identifying and soliciting public comment on those candidate pollutants should be included. For selected pollutants, it is recommended that some level of conceptual model be produced and provided for scientific and public review. Finally, the data quality objectives for information to be used in the development of sediment quality objectives should be clearly stated.

Page 12, item 3.5.2 – We have significant ongoing concerns regarding the use of narrative standards in setting regulatory requirements (e.g. numeric effluent limits). We believe that the process outlined in the proposed work plan to derive numeric sediment quality objectives leads to numeric objectives where adequate scientific information exists. We therefore question the idea of setting narrative objectives, which would apparently not be supported by adequate science.

If narrative objectives are used, the implementation procedures for candidate narratives should be clearly stated if narrative standards are adopted. The existing Basin Plan narrative objectives listed in the work plan are imperfect and should be re-evaluated prior to consideration for adoption as a new Sediment Quality Objective. The work plan should specify a public participation process for the evaluation of candidate narrative objectives, including an alternative to not adopt narrative objectives.

Page 13, item 3.5.3 – The process or the criteria to be used to select the pollutant and region for the bioaccumulation-based case study should be provided.

Page 13, item 3.5.4, fifth sentence – The qualifier “If appropriate” should be added to the sentence that begins “Proposed objectives will be adopted ...”.

Mr. Chris Beegan
April 22, 2003
Page 4

We appreciate the opportunity to provide these comments and look forward to working with you in this process.

Sincerely,

David R. Williams, Chair
Tri-TAC

DRW:akg



PROGRAM SUMMARY



Southern California Society of Environmental Toxicology and Chemistry 2003 Annual Meeting

30-31 May 2003

U. C. Santa Barbara

Santa Barbara, CA

Program Highlights

**Short Courses - GIS for Environmental Scientists and Managers
Sediment Toxicity Test Methods**

Plenary - TMDLs in Southern California: Where are we now?

The plenary session will cover the main Total Maximum Daily Load programs in Southern California, discussing policy and science issues that have developed and are being addressed by the stakeholders. Speakers will include representatives from Regional Water Quality Control Board, City of Los Angeles, Southern California Coastal Water Research Project (SCCWRP), and the Bren School at UCSB.

Poster Social (includes lunch)

Poster Presentations and Awards

Presentation of SoCal SETAC High School Science Fair Awards

Platform Sessions on a Variety of Environmental Issues Including:

- Science and the TMDL process
- Coastal Pollution Management and Toxicology
- Ecotoxicology Research in Baja California
- Mechanisms of Toxicity
- Aquatic Toxicology
- Environmental Chemistry

Tentative Schedule of Events

Friday, May 30	0700 - 1700	Registration
	0800 - 1700	Short Course – GIS for Environmental Scientists and Managers
		Short Course - Sediment Toxicity Test Methods
	1700 -??	Informal Mixer and Social Activities
Saturday, May 31	0700 - 1400	Registration
	0900 – 0930	Welcome, Science Fair Awards and Board Presentations
	0940 – 1200	Plenary - TMDLs in Southern California: Where are we now?
	1200 – 1400	Poster Session Including:
		Free Lunch
		Author Attended Poster Session
		Student Poster Presentations
	1400 – 1700	Platform Sessions



SHORT COURSE



Southern California Society of Environmental Toxicology and Chemistry 2003 Annual Meeting

30-31 May 2003

U. C. Santa Barbara

Santa Barbara, CA

Sediment Toxicity Test Methods

Friday, May 30: 8:00 a.m. to 5:00 p.m.

The assessment of sediment quality plays an important role in numerous environmental monitoring and regulatory programs. Sediment toxicity tests are an integral component of many monitoring or assessment programs because these laboratory tests provide a direct measure of biological effect that incorporates variations in contaminant bioavailability and minimizes variation due to habitat differences. This short course is designed for professionals and students involved in the assessment of the ecological effects of contaminated sediments.

The course will describe the various methods to assess sediment toxicity, provide hands-on experience with the key aspects of various test methods, and discuss important aspects of data review and evaluation. The different experimental designs used to measure the toxicity of bulk sediment, pore water, and the sediment-water interface will be described, as well as methods to assess the bioavailability of contaminants. Recommendations regarding selection of test species, quality assurance, and study design for different applications will be provided. The participants will gain direct experience in conducting all aspects of sediment toxicity tests, including preparation of the sample, handling of test organisms, and data evaluation. Examples of the application of sediment toxicity tests for research and monitoring programs will be provided.

Instructors:

Steven Bay, Southern California Coastal Water Research Project (SCCWRP). Steve directs the toxicology research program at SCCWRP and has helped develop test methods for sediment, pore water, and receiving water.

Michelle Anghera, University of California Los Angeles. Shelly has recently completed research examining the variability of sediment and porewater toxicity in wetland environments of southern California.

Cost: Advance registration fee is \$50 for SoCal SETAC members and \$70 for nonmembers.

Location: This course will be held on the UCSB campus. Directions to the classroom will be provided upon receipt of the registration fee.

To register: Complete the meeting/short course registration form included with this announcement and return it with the appropriate fee to SoCal SETAC at P.O. Box 655, Riverside, CA 92502. Late registration will be permitted on the day of the short course, space permitting.



SHORT COURSE



Southern California Society of Environmental Toxicology and Chemistry 2003 Annual Meeting

30-31 May 2003

U. C. Santa Barbara

Santa Barbara, CA

The Nuts and Bolts of GIS

A Hands-On Crash Course for Environmental Scientists and Project Managers

This one day short course is designed for busy environmental scientists and project managers that need to know the benefits and limitations of Geographic Information Systems (GIS). All topics will be presented in the context of current environmental applications through demonstration and hands-on exercises. Although multiple GIS software packages will be discussed, the course exercises will use ArcView Version 3.2 with an introduction to ArcGIS Version 8.2. Topics include:

- Software availability, what do I need to know to get started or update systems
- Understanding raster and vector files
- Spatial data analysis and integration
- Satellite image processing and application
- Trend surface analysis
- Database design and implementation
- Data publication and report generation

Instructor:

Timothy H. Robinson, University of California, Santa Barbara. Tim is a doctoral candidate in the Bren School of Environmental Science and Management. He has extensive GIS experience both in California and Costa Rica where he was a GIS consultant and director of the GIS Laboratory for the National University of Costa Rica. His present research interests include water quality, watershed analysis and nutrient export coefficient modeling.

Cost: Advance registration fee is \$50 for SoCal SETAC members and \$70 for nonmembers.

Location: This course will be held on the UCSB campus. Directions to the classroom will be provided upon receipt of the registration fee.

To register: Complete the meeting/short course registration form included with this announcement and return it with the appropriate fee to SoCal SETAC at P.O. Box 655, Riverside, CA 92502. Late registration will be permitted on the day of the short course, space permitting.

SECOND CALL FOR PAPERS



ABSTRACT DEADLINE: 30 APRIL 2003

Southern California Society of Environmental Toxicology and Chemistry 2003 Annual Meeting

30-31 May 2003

U. C. Santa Barbara

Santa Barbara, CA

The Southern California Society of Environmental Toxicology and Chemistry (SoCal SETAC) announces the first call for papers to be presented at the 2003 Annual Meeting. The Board of Directors is busy putting together a strong technical program including short courses, a plenary, and various platform and poster sessions related to environmental toxicology and chemistry. More details on these events will be made available soon, but we need your help to ensure the success of the meeting.

We are requesting abstracts for platform or poster presentations at the conference. Any primary research, case study, monitoring program data, or policy-based papers related to environmental toxicology and chemistry are acceptable. We also encourage presentation of student proposals and research at the meeting by offering a Best Student Paper Award. **Every student presenter will receive a free 2004 SoCal SETAC membership and the best student presentation will be awarded \$200.** This meeting is also a great opportunity to present information from the SETAC Annual Meeting to those who could not attend or prepare for next years meeting.

The abstract deadline is April 30th, 2003, and the format for submission is as follows. The abstract, including the authors and title, are not to be longer than 300 words. Longer abstracts may be edited. At the top of the file, provide the name, address, phone, FAX, and e-mail information of the presenting author. Then skip a line and list your preference for a platform or poster presentation and whether this paper is to be judged for the Best Student Paper Award. Skip a line and type the title of the abstract in bold using title case. Then list the authors, last name first, then the first and middle initial, and place an asterisk (*) after the name of the presenting author. Include the name, city, and state of the institution for each author but not the department or street address. Without skipping a line, begin the text of the abstract. An example of the correct submission format can be found on the next page. Abstracts must be submitted as e-mail attachments as a Windows-based WordPerfect (*.wpd) or Microsoft Word (*.doc) file.

Please note: new abstract submission procedure!

Send abstracts to Jeff Armstrong, Orange County Sanitation District at: jarmstrong@ocsd.com.
The presenting author will be notified of acceptance status within two weeks of receipt.

Needless to say, the SoCal SETAC 2003 Annual Meeting promises to be an exceptional educational and social experience for everyone in attendance. We look forward to and thank you in advance for your contribution.

ABSTRACT DEADLINE: 30 APRIL 2003

SECOND CALL FOR PAPERS



Southern California Society of Environmental Toxicology and Chemistry 2003 Annual Meeting

30-31 May 2003

U. C. Santa Barbara

Santa Barbara, CA

Example of correct abstract format

Philip Markle
County Sanitation Districts of Los Angeles
San Jose Creek Water Quality Laboratory
1965 Workman Mill Rd.
Whittier, CA 90601
T: 562-699-0405 ext. 3055
F: 562-695-7267
E: pmarkle@lacsds.org

My preference is a PLATFORM presentation
I do not wish to be judged for the Best Student Paper Award

Effects Based Evaluation of Toxicity Test Data Using Probability Distributions. J. Gully, R. Baird, P. Markle*, and J. Bottomley, County Sanitation Districts of Los Angeles County, Whittier, Ca. A methodology is proposed which incorporates the intra- and inter-test variability and the biological effect of toxicity test data in evaluating the

ABSTRACT DEADLINE: 30 APRIL 2003



MEETING APPLICATION FORM

Southern California Society of Environmental Toxicology and Chemistry - 2003 Annual Meeting
May 30-31, 2003 – UC Santa Barbara



Donald Bren School of Environmental Science & Management,
Santa Barbara, CA

MEETING APPLICATION FORM MUST COMPLETE AND RETURN WITH REGISTRATION FORM

Please print

Name:	Affiliation:
Address:	City:
State: ZIP:	Phone:
FAX:	E-Mail:

Check if new contact information

Membership Renewal (will be applied to 2004 membership)

New Member (through 12/31/03)

Category of Employer:(check one)

- Government
- Consultant
- Student

- Academic
- Industry/Business
- Other _____

Technical Background:(check as many as apply)

- Atmospheric Science
- Biology
- Chemistry
- Earth Science
- Other _____

- Engineering
- Health Science
- Toxicology
- Ecology

Degree(s) earned:

- B.A./B.S.
- M.A./M.S.
- Ph.D.
- P. E.
- Other _____

Class of Membership:(check one)*

- Active Member Regional Member \$20.00 per year
- Student Member \$10.00 per year

* **Active Members** and **Regional Members** are qualified professionals who share the stated purpose of the Chapter and who have education, training, research or applied experience in environmental toxicology and/or chemistry. **Active Members** must also be members of SETAC NA (National). **Student Members** are individuals who share the stated purpose of the Chapter and are students showing promise of becoming qualified for Regional or Active status at a later date.

Pre-registration Deadline: May 21, 2003



MEETING REGISTRATION FORM



Southern California Society of Environmental Toxicology and Chemistry 2003 Annual Meeting Donald Bren School of Environmental Science & Management, Santa Barbara, CA

Meeting Registration:(circle one)

	Pre-registration (Before 05/21/03)	On-site (After 05/21/03)	Subtotal
Saturday, May 31st, 0800-1700			
Active/Regional Member	\$50	\$70	
Student Member	\$25	\$35	
Non-Member	\$70	\$90	
Student Non-Member	\$35	\$45	_____

Short Courses: (circle those you wish to attend)

	Pre-registration (Before 05/21/03)	On-site (After 05/21/03)	Subtotal
GIS			
Friday, May 30th, 0800-1700			
Active/Regional Member	\$60	\$75	
Student Member	\$30	\$45	
Non-Member	\$80	\$95	
Student Non-Member	\$40	\$55	
Sediment Toxicity			
Friday, May 30th, 0800-1700			
Active/Regional Member	\$60	\$75	
Student Member	\$30	\$45	
Non-Member	\$80	\$95	
Student Non-Member	\$40	\$55	_____

REGISTRATION NOTES

- 1) Cancellations must be received in writing by May 23, 2003 in order to receive a refund (minus a 25\$ cancellation fee). No refunds will be given after May 23, 2003.
- 2) Cash, checks, and money orders will be accepted during on-site registration. Sorry, we cannot accept PO's or credit cards.

PAYMENT

Mail the Meeting Registration Form and Membership Application to Karen Riveles, SoCal SETAC Secretary, P.O. Box 655, Riverside, CA 95202 (check or money order ONLY!). Please make checks payable to SoCal SETAC.

LODGING: Lodging is likely to be limited and there is no "sponsored" lodging for this SoCal SETAC meeting so please make your own arrangements for lodging and make them early.

Pre-registration Deadline: May 21, 2003



David R. Williams
Tri-TAC Chair
EBMUD
375 11th Street
Oakland, CA 94612
(510) 287-1496
dwilliam@ebmud.com

By electronic mail and U.S. Mail

April 16, 2003

Romel Pascual, Assistant Secretary For Environmental Justice
Cal/EPA
1001 I Street
Sacramento, CA 95814

Dear Mr. Pascual:

Subject: TRI-TAC Comments On Cal/EPA Advisory Committee On
Environmental Justice's Proposal with Draft Recommendations from the
Committee's March 18-19 Meeting

On behalf of Tri-TAC, I am writing to express our concerns regarding the Cal/EPA Advisory Committee on Environmental Justice's proposal with draft recommendations from the Committee's March 18-19 meeting. Tri-TAC is a statewide organization of local public agencies responsible for wastewater collection, treatment, reuse, and disposal. Tri-TAC is an advisory group including representatives from the California Association of Sanitation Agencies (CASA), the California Water Environment Association, and the League of California Cities. CASA's membership includes approximately 105 agencies responsible for the operation of publicly owned treatment works (POTWs). Together, the constituent agencies of CASA and Tri-TAC serve most of the sewered population of California.

Tri-TAC recently learned of the Cal/EPA Advisory Committee on Environmental Justice's activities. We have reviewed the Committee's proposal with draft recommendations from the Committee's March 18-19 meeting, and have the following comments, which we ask be provided to Committee members for their consideration at their April 21st meeting. Tri-TAC strongly supports the statutory mission of Cal/EPA's Environmental Justice Program, which requires that Cal/EPA agencies conduct their programs, policies and activities in a manner "that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the state." However, we are concerned about the manner in which the Advisory Committee's Recommendations Document appears to be advocating the incorporation of the "precautionary principle" into Cal/EPA's EJ strategy. In particular, it

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appears that the Committee is considering recommending an approach that is not based first and foremost on sound scientific principles and information.

It is not clear, for instance, that the Committee has recognized the ways in which existing environmental regulations may already be extremely conservative and health protective, and hence, embody a strong element of precaution already. An example of this is the air and water quality pollutant standards, upon which many requirements in air emissions and surface water discharge permits issued to sources such as POTWs are based. Current federal and state environment laws require standards to be protective of human health and the environment. The regulations promulgated by U.S. EPA and Cal/EPA Boards, Departments and Offices rely on the best available peer-reviewed science along with conservative safety factors and uncertainty multipliers to ensure that the standards are highly protective of human health and the environment. We support the continued use of science in environmental policymaking and in addressing environmental justice impacts. If the burden to definitively prove that no impacts will occur is placed on the applicant and the standards require employment of the precautionary principle without regard to proven causation, it is conceivable that nothing could be approved, despite good science to support the facility or process in question.

Additionally, key concepts we believe should be incorporated into Cal/EPA's EJ strategy include measures to ensure that if alternative approaches are selected, they do not create environmental, human health, or environmental justice impacts; consideration of cost-effectiveness when selecting alternatives; incorporation of the underlying premise that the process of identifying, selecting, and implementing alternatives for processes or facilities should be voluntary; and the use of a risk-based approach when selecting and prioritizing environmental risks. Lastly, we ask that Cal/EPA, and the Advisory Committee, recognize the primacy of local governments in making land use decisions, and recommend that the focus of the EJ strategy be on providing tools to assist local agencies and their staff to make balanced and scientific, risk-based decisions about the siting of facilities that may adversely impact their communities.

Tri-TAC appreciates the opportunity to comment as the Advisory Committee develops its recommendations and Cal/EPA adopts an EJ strategy. Please add us to the mailing list for future notification of opportunities for public comment on these activities.

Sincerely,

David Williams, Chair
Tri-TAC

cc: Detrich Allen, City of Los Angeles, Advisory Committee Co-Chair
Diane Takvorian, Environmental Health Coalition, Advisory Committee Co-Chair