



## **RMP Steering Committee Meeting**

**January 24<sup>th</sup>, 2012**

**San Francisco Estuary Institute**

### **Draft Meeting Summary**

#### **Attendees:**

Dave Allen, Industry (USS POSCO)  
Peter Carroll, Refineries (Tesoro Golden Eagle Refinery)  
Trish Mulvey, SFEI Board  
Tom Mumley, SFB RWQCB  
Karin North, Small POTWs (City of Palo Alto)  
Adam Olivieri, BASMAA (EOA)  
Kirsten Struve, Large POTWs/ BACWA (City of San Jose)  
Dan Tafolla, Medium POTWs (Vallejo Sanitation and Flood Control District)

#### **Others Present:**

Rachel Allen, SFEI  
Jay Davis, SFEI  
Rainer Hoenicke, SFEI  
Thomas Jabusch, SFEI  
Lawrence Leung, SFEI  
Meg Sedlak, SFEI

#### **Via telephone:**

Rob Lawrence, US Army Corps of Engineers  
Mike Connor, EBDA

#### **1) Approval of Agenda and Minutes**

Kirsten Struve motioned to approve the minutes from the November 2011 SC meeting, and Karin North seconded it. The minutes were approved unanimously.

Meg Sedlak reviewed select action items from previous SC meetings. She noted that the RMP has submitted ideas for Supplemental Environmental Project (SEP) funding to the San Francisco

Estuary Partnership, in response to a corrective action for the Waste Management Guadalupe Rubbish Disposal Administrative Civil Liability. As broad ideas, the RMP suggested studying dioxins, perfluorinated compounds, and contaminants of emerging concern and effects on fish. If they are selected, RMP staff will work with the SC to develop them into full proposals. Tom Mumley noted that these proposals are reactive to existing corrective actions and funding opportunities. Trish Mulvey asked if RMP staff could work proactively with Regional Water Quality Control Board (Water Board) staff and staff from the Bay Area Clean Water Agencies (BACWA) to develop projects of interest to BACWA that would have a possibility of being funded. She admitted that the appropriate process is unclear, as all players need to have simultaneous buy-in; however, Tom Mumley and Kirsten Struve volunteered to meet with Meg Sedlak to develop ideas further, so that there is a better chance of these projects moving forward with the larger organizations.

Meg Sedlak also indicated that the RMP is creating a web tool for the waste water treatment plants (WWTPs) to be able to submit their metals loading data online. She will share this with the SC at the April meeting.

**Action Items:**

- Meg Sedlak to meet with Tom Mumley and BACWA (Kirsten Struve/ Amy Chastain) to discuss projects to submit for SEP funding of interest to BACWA and the Water Board.
- Demonstrate the new web tool for submitting WWTP metals data online at the April SC meeting.

**2) Committee Member Updates**

Peter Carroll joined the Steering Committee (SC) as the representative from the refineries, to replace Brian Hubinger, whose responsibilities changed in January 2012.

Kirsten Struve indicated that she has a new role with the City of San Jose. She is now the acting division manager of sustainability and compliance. However, this does not affect her duties pertaining to the RMP.

**3) Technical Review Committee (TRC) Meeting Update**

Meg Sedlak noted that the December TRC meeting focused on the highlights from 2011 and the plans for 2012, so discussions were limited and there were no noteworthy outcomes for the SC from the meeting. Kirsten Struve asked that the SC, as well as the TRC, be kept up to date regarding the progress of projects pertaining to permit requirements.

**Action Items:**

- Keep the SC up to date regarding the status of projects pertaining to permit requirements.

**4) Budget Status**

Lawrence Leung reported on the status of the RMP budget. Meg Sedlak noted that a memorandum was distributed as part of the SC meeting agenda package requesting \$23,500 from

the unencumbered reserve to cover the expected costs for renting a boat for the 2012 wet season sediment cruise. The program expected to continue to use the Bureau of Reclamation's boat *Endeavor*, which was free of charge. However, that vessel is no longer available. Meg Sedlak has identified the USGS *Turning Tide* as an appealing alternative. In response to a question, Ms. Sedlak confirmed that she has investigated private firms, but the vessels are generally more expensive, although she is open to suggestions of other possible boats. Kirsten Struve noted, for future reference, that the City of San Jose has a whaler. Ms. Sedlak indicated that they have used this vessel in the past for special studies, but that unfortunately it is woefully too small for the Status and Trends needs.

Adam Olivieri asked where the funding would come from: contingency funds, reserve funds, or other 2012 funding. He noted that the SC had previously agreed to limit the reserve to \$200,000, making the remainder of the funds available for use. Jay Davis suggested that the group use the terms "Unencumbered reserve" to refer to the \$200,000 that is closed to use, "unencumbered funds" to refer to any excess funding that is available for use, and "contingency" to refer to the \$50,000 that is available for immediate data needs (such as extremely large storm event sampling), which is replenished each year if spent.

**MOTION.** Adam Olivieri made a motion to approve up to \$28,000 out of the unencumbered funds for use on a boat for wet season sediment sampling. **SECOND.** Karin North seconded. **APPROVAL.** All approved.

Meg Sedlak also indicated that the Copper Development Association (CDA) is interested in contributing an additional \$38,000 to the special study on the effect of copper on the olfactory nerve of salmon. Preliminary results from the National Oceanic and Atmospheric Administration (NOAA) Northwest Fisheries Center conducting the study suggest that toxic effects in salt water are not seen below 10 µg/L, which is much higher than the levels that cause toxicity in fresh water. The CDA is proposing to augment these studies with more work focused on identifying toxicity levels in estuarine salinity ranges, and asking the RMP to vet the science. Adam Olivieri asked what the contractual obligations would be, and how the CDA is suggesting providing the funding. He suggested keeping contractual obligations to a minimum, and encouraged that SFEI accept the money as a grant rather than as a contract. He also asked if adding to the study would delay the initial work product, and indicated that the SC is looking for closure on this project as soon as possible because it is permit related. Meg Sedlak indicated that she would explore these questions and report back. Previous collaborations with the CDA (e.g., metals analyses in the sediment coring study) have shown that they are amenable to sharing data publically.

Lawrence Leung also indicated that the 2011 CalTrans fees have not yet been received, pending completion of the 2011 Pulse. Meg Sedlak clarified that the 2009-2011 budgets have not been closed largely due to delays in some projects and continued subcontracts. She indicated that it takes some of the larger and more bureaucratic partners years to invoice the RMP. With regard to labor delays, Tom Mumley suggested that this be addressed during the April SC discussion of program management, so that the SC can consider the process for deciding to stop a project.

**Action Items:**

- Update the budget memo (and the Annual Multi-Year Plan) to include consistent language to describe the reserve: “Unencumbered Reserve”, “Unencumbered Funds”, and “Contingency”.
- Meg Sedlak to explore the possibility of receiving a grant from the CDA for additional work on the copper and salmon study, instead of a detailed contract.

### 5) SC Meeting Calendar and Activities

Meg Sedlak outlined the proposed SC meeting calendar and general activities for 2012, noting that the meeting duration has increased to 5 hours. Karin North asked that the April meeting be set for April 30<sup>th</sup> instead of April 16<sup>th</sup>, and Dave Allen noted that he would likely be unable to attend the August meeting, but that he would send an alternate. Karin North suggested that the group revisit the date for the August meeting at the April meeting.

Tom Mumley noted that the agenda items for April will include a planning focus on program and data management, giving direction to the workgroups, and reporting on the progress with SEP projects. Meg Sedlak added that she will also update the SC on the cross-check between RMP book-keeping and SFEI book-keeping for RMP funds that is performed annually after the SFEI audit. Jay Davis indicated that the April meeting will also include follow-up items from the discussion on communication planning.

#### Action Items:

- Revisit the date for the August SC meeting at the April SC meeting.

### 6) Setting Fees for 2013

Adam Olivieri indicated that he was surprised by the 2.4% increase proposed in the updated version of the fee increase memo, compared to the previously proposed 2%. He noted that he all local agencies are facing the same situation that they have been facing for the last several years and that any increase is problematic. However, he noted that he has discussed the situation with the BASMAA representatives and has some buy-in from the stormwater agencies to commit to increase fees by 1.5 to 2% during the next 3 years, given a commitment by the RMP SC to prioritize stormwater and nutrients studies as the top items to be addressed by the RMP resources. He noted that the RMP resources used to address a portion of the stormwater loading question were an essential assumption in all stormwater agency budgets through the term of the MRP. Tom Mumley indicated that he was reluctant to call out earmarks for funding, but that he felt that the RMP could agree to commit to the priorities laid out in the Multi-Year Plan (MYP), which include stormwater and nutrients. Karin North suggested that the fees be increased by 1.5% in 2013, and 2% in 2014 and 2015, to make it more palatable to the funding agencies.

**MOTION.** Adam Olivieri made a motion to make a 3-year agreement to increase fees by 1.5% in 2013 and 2% in 2014 and 2015, with the highest strategic priorities to include stormwater and nutrients work, as designated in the MYP. **SECOND.** The motion was seconded by Kirsten Struve. **APPROVAL.** Unanimously approved.

### 7) Multi-Year Plan

Jay Davis noted that there are small notes to fix in the MYP, but that pending these additions, it is ready for approval by the SC. Adam Olivieri asked that the document clarify who the voting members of the TRC are, and that page 6 change “agencies” to “regulatory agencies”. He also asked that description of the “Unencumbered Reserve” on page 9 not include usage for fee shortfalls and that the language in the MYP be consistent with the SC discussion and decision under item 4. Jay Davis noted that the MYP will read “2012 Annual Update” and “approved by the SC on Jan 24<sup>th</sup>, 2012” to indicate that it is the final version for this year. Tom Mumley also asked that the funding tables (such as on page 17) use a modified system to indicate the future plans for funding specific areas. He suggested that

- TBD = discussion are underway and funding, of an unknown amount, is expected;
- another code (such as dollar amounts) = funding for this project is certain;
- white box = no funding planned, but the project is not necessarily closed;
- grey box = project is closed, no future funding expected

Jay Davis asked the BACWA representatives to clarify what modeling work was funded in 2011, and what numbers should be included in the box on page 17. Kirsten Struve will provide this answer by the close of business on Monday, Jan 30<sup>th</sup>.

**Action Items:**

- Update the MYP with the input from the SC members, and distribute the 2012 final version.
- BACWA members to provide Jay Davis with funding amounts for BACWA funded 2011 modeling work by close of business, January 30<sup>th</sup>.

**8) Multi-Year Planning: Communications**

Jay Davis presented the 2012 RMP communications plan, noting that the primary audience for external communications is RMP stakeholders. The RMP can also leverage other organizations, such as the San Francisco Estuary Partnership (SFEP), SFEI, and the California Water Quality Monitoring Council (CWQMC), for reaching some of the secondary audiences. Tom Mumley asked for clarification about some of the existing forms of communication, including the Annual Monitoring Results and the Estuary Insert. Jay Davis indicated that the Annual Monitoring Results are produced annually to document the methods and report results from the Status and Trends Monitoring, and is primarily for a technical audience. The Estuary Insert is produced for the interested public, and is distributed by SFEP inside their Estuary Newsletter. It goes out to a large audience, with little effort by the RMP. Karin North, Kirsten Struve, and Trish Mulvey all noted that they read the Estuary Insert. Jay Davis suggested that the USGS fact sheet currently being produced could work as a future Estuary Insert. Adam Olivieri and Kirsten Struve noted that the Estuary Insert has an advantage over fact sheets in that it does not have to be distributed, and suggested that the budgets be unified to reflect the combined work product. Kirsten Struve suggested that the link to the meeting web page be included on the agenda, so that the most recent version of the agenda package is available there. Karin North added that the workgroup updates should include brief abstracts from completed reports and electronic links to the documents.

The 2011 Pulse is being finished up this week, and will be distributed electronically by the end of January, with the printed version to follow 3 weeks later. Jay Davis proposed that the Pulse move to a biennial cycle, where a “Pulse Lite” is produced in even years and a full Pulse in odd years. This would enable the Contaminants of Emerging Concern theme for the next Pulse to be delayed to 2013, when a number of work products will be available and ready for prime time, and the 2012 Pulse to get back on schedule, following the delays of 2011. Karin North noted that the full version Pulse will now occur at the same time as the State of the Estuary (SOE) conference, and that producing it in communication with this conference will enable more coordination, larger distribution of the Pulse, and potential cost savings. The RMP Annual Meeting could even be part of the SOE conference. Jay Davis asked for a small group of SC members to help develop the plans for the “Pulse Lite”, and another group to help craft a survey to distribute to stakeholders that will accurately assess their communication needs. Trish Mulvey noted that she prefers a full Pulse to be distributed annually, as a Pulse Lite, focused on Status and Trends results, would likely not have information of interest to stakeholders. She proposed skipping a 2012 Pulse, and continuing to produce full annual Pulses. Karin North suggested that the Pulse Lite could also include sound bites or abstracts from recent publications, and Tom Mumley suggested including a page on key management decisions and key accomplishments of the RMP. He noted that the Pulse is also a significant draw on Water Board staff, as well as other local agency staff, and that he would prefer to move to the biennial Pulse to lessen this burden. He proposed piloting the Pulse Lite in 2012, with a full Pulse in 2013 to focus on Contaminants of Emerging Concern. Jay Davis clarified that the \$40,000 estimated to produce a Pulse Lite does not include printing costs, and Peter Carroll suggested that the document may not need to be printed, just published on the web. Karin North suggested that the 2012 Annual Meeting may not need to have a theme, but rather could highlight accomplishments from each of the workgroups. Jay Davis noted that an engaging key note speaker would also be needed, but that a hot item, like nutrients, could work for this. Rainer Hoenicke noted that the Bay-Delta Science Conference is October 16-18.

Kirsten Struve and Karin North volunteered for Pulse Lite and communications survey workgroups, and Tom Mumley volunteered for the Pulse Lite team. Adam Olivieri offered to test and review the survey before distribution. The plans will be vetted through the SC before they are distributed to a wider audience.

**MOTION.** Adam Olivieri made a motion to approve the MYP, pending the decisions made on communications and the edits from this meeting. **SECOND.** Karin North seconded it.

**APPROVAL.** The motion was approved.

**Action Items:**

- Post SC meeting materials on-line, with a link to the site included on the agenda. Include abstracts from completed reports, and links to the electronic versions, in the workgroup update.
- Draft an outline for the Pulse Lite (2012) and a communications survey to distribute to RMP stakeholders, with input from a SC workgroup.

**9) Joint CTAG-TRC Meeting**

Meg Sedlak noted that the joint meeting with the TRC and the Southern California Coastal Water Research Project (SCCWRP) Commission's Technical Advisory Group (CTAG) has a proposed agenda to cover regional monitoring, with a deep dive into the topics of nutrients and toxicity. The CTAG is meeting on February 1<sup>st</sup>, and more details will follow that meeting.

### **10) Program Update**

Meg Sedlak distributed the workgroup update, noting that SFEI will be hosting the statewide panel meeting for Emerging Contaminants on March 22<sup>nd</sup> and 23<sup>rd</sup>, and Adam Olivieri indicated that a draft report will be distributed in the middle of February. The meeting on the 23<sup>rd</sup> is open to the public. Tom Mumley asked that the workgroup update be distributed ahead of the meeting with the agenda package. Meg Sedlak asked for feedback on the document in general, and Jay Davis indicated that it would be reviewed as part of the planning for Pulse Lite, as it may have a role in that document. Tom Mumley noted that the committee runs out of time to discuss the workgroup updates at every meeting, and suggested focusing instead on one workgroup each meeting.

#### **Action Items:**

- Meg Sedlak will distribute the workgroup update and deliverables scorecard electronically, and the SC and TRC members will give her feedback on them by February 15<sup>th</sup>.

### **11) Plus/ Delta**

Trish Mulvey noted that the pre-meeting briefing with the committee chairs was helpful, and Kirsten Struve indicated that it should continue in the future. Kirsten Struve volunteered to serve as time keeper to keep the committee on track with the agenda.