

**REGIONAL MONITORING PROGRAM FOR WATER QUALITY  
STEERING COMMITTEE MEETING  
DRAFT MINUTES  
August 13th, 2009**

**Members Present:**

Dave Allen, USS POSCO (Industry)  
Kevin Buchan, WPSA (Refineries)  
Adam Olivieri, EOA (BASMAA)  
Tom Mumley, SFB RWQCB  
Dave Tucker, City of San Jose (BACWA)

**Others Present:**

Jay Davis, SFEI  
Lawrence Leung, SFEI  
Meg Sedlak, SFEI

**1. Approval of Agenda and Minutes**

The SC members warmly welcomed Kevin Buchan back; Adam Olivieri ceded his responsibilities as chair to Kevin. Kevin Buchan opened the meeting and asked for comments on the May 2009 minutes. Dave Tucker motioned that the minutes be approved; Adam Olivieri seconded and the minutes were approved unanimously.

Ms. Sedlak informed the committee that approximately \$39,000 from the contingency funds had been used to write contracts for use of two vessels for the 2009 Status and Trends cruise. Use of 2009 contingency funds had been approved at the May meeting. Ms. Sedlak also stated that she needed to know whether the SC would approve the replenishment of the 2009 contingency from the reserve as this would effect the funding available for 2010 pilot studies. (The contingency fund typically rolls over into the next year if it is unspent and serves as a source of revenue for the next year.) The SC approved the replenishment of the reserve. Dave Tucker made a motion for \$50,000 to be taken from the reserve to replenish the contingency fund. Adam Olivieri seconded and the motion passed unanimously.

Ms. Sedlak also gave a brief overview of the current status of the financial health of the Institute. Small surpluses were recognized in June and July (\$10 and \$3,600 respectively); prior months had resulted in a deficit of approximately \$70,000 since the start of the year. Based on the June and July financial indicators, the Executive Director decided to implement the employee raises that were deferred at the beginning of the year and to conduct the financial audit of the Institute that was also deferred. The Institute continues to suspend employee 403 (b) contributions.

**2. Committee Member Updates**

There were no member updates.

### **3. Information: Technical Review Committee (TRC) Meeting Summary**

Ms. Sedlak summarized the July meeting, noting that several of the July TRC items were included on today's agenda (e.g., Pulse, agenda for Annual Meeting, and RMP planning update).

Ms. Sedlak indicated that the TRC had requested a more substantive review of the data integration tasks (e.g., the multi-box model). In response, funding for data integration was moved from project management to the pilot and special study pool. The projects that typically would have been conducted under the data integration task are now being reviewed by the workgroups and submitted as pilot and special study projects.

Ms. Sedlak summarized some of the key findings from the recently completed Coast vs. Estuary report comparing RMP fish caught in the Bay to SFPUC fish caught in the ocean. The report had several interesting findings. Significant spatial differences were not observed. A significant difference was observed in the PCB concentrations, with Bay fish having much higher concentrations.

Ms. Sedlak also indicated that Lester McKee was beginning a project that will identify appropriate numeric endpoints for nutrients (e.g., algal blooms, hypoxia, ammonia toxicity). This is part of a larger state-wide program developing indicators for estuaries that SCCWRP is overseeing. The SC recommended that Lester McKee keep the TRC informed of the progress of this project and provided with the opportunity to review products.

**Action item:** Ask Lester McKee to keep the TRC informed of the progress of the nutrient endpoint project.

### **4. Information: Budget Status**

Ms. Sedlak presented the budget memorandum and budget. She indicated that approximately 95 percent of the 2009 revenue has been received. Outstanding participant fees include Caltrans stormwater fees and Paradise Cay. She indicated that the budget was largely on track for the year.

Ms. Sedlak indicated that based on discussion with SFEI accounting staff, there will likely be a decline in anticipated interest revenue. In January, the estimated interest for the 2009 budget was \$65,000. Based on discussions with SFEI accounting staff and interest payments to date, this will more likely be \$50,000. Adam Olivieri noted that a number of the banks charge additional fees for municipal/ government funds and indicated that he could provide the name of several financial brokers that do not.

Ms. Sedlak indicated that in 2009, the RMP had a decrease in revenue due to the late notice that one of the NPDES dischargers was no longer discharging directly to the Bay. Ms. Sedlak indicated that the fees for 2010 had been reallocated among the remaining industry participants. She indicated that this was consistent with prior practices (e.g., when Crockett Cogen was added as an RMP participant, the individual fees for this sector were reduced).

Ms. Sedlak indicated that she is continuing to work with the RWQCB to obtain the Caltrans RMP fees for 2005 through 2007. At present, approximately \$175,717 is outstanding. Ms.

Sedlak indicated that the MOU between Caltrans and the RWQCB had been signed and she was currently working with the State RWQCB on a contract to begin obtaining the 2005-2007 fees. The State RWQCB indicated that funds for this contract could be made available as soon as September 1 and it is anticipated that they will be dispensed over the next year.

With regard to the 2008 and 2009 Caltrans fees, Ms. Sedlak indicated that she was still continuing to work with Caltrans. These fees will be included in a five-year contract with the Aquatic Science Center. Ms. Sedlak indicated that based on discussions with Caltrans, it appears that the funds will be made available in the next three to five months. Tom Mumley offered to contact Jim Richard at Caltrans to see if they could be made available more quickly.

**Action item:** Meg Sedlak to provide Tom Mumley with an update on the status of the RMP Caltrans fees so Dr. Mumley can contact Jim Richard to ask whether these funds can be made available sooner. Meg Sedlak to contact Adam Olivieri to obtain the names of financial institutions which may provide a better interest rate and lower fees.

#### **6. Information: Development of RMP Master Plan**

Jay Davis gave a status update on the development of the RMP Master Plan indicating that he preferred a shorter document but that this would be a challenge to synthesize the strategies and work plans into a short 10 to 15 page document. Jay walked the committee members through an outline indicating that he needed input from the SC on Section 3 - Stakeholder Priorities. He requested that each group (RWQCB, BASMAA, BACWA, Dredgers, and Industry) review (or submit) their respective tables to make sure that the sector tables accurately captured information needs.

Dave Tucker asked who the audience was for the Master Plan as this will guide the format/content of the plan. Jay Davis indicated that the major audience was RMP participants. The document will guide longer term planning and provide a context for pilot and special studies. Jay also indicated that it could be a useful tool for communicating the RMP priorities and goals to a larger audience such as non-governmental agencies and the SFEI Board. It could also be useful tool for obtaining input on the program. Dave cautioned Jay not to write a lengthy document that would be of limited use.

Tom Mumley emphasized the importance of the Master Plan in providing a context for planning purposes. Tom stated that there was no nexus for all the strategies and workgroup plans and the Master Plan would provide the crosswalk among the workgroups and strategy teams and outline priorities. Adam Olivieri thought the document would be useful for several reasons: it would explain the structure and goals of the program and could quell some of the concerns that stakeholders have as to how the funds are being spent and the types of useful information that the RMP provides to stakeholders. Both Dave Tucker and Adam Olivieri emphasized that the document needs to be short to be useful. Adam Olivieri suggested it include some of the information dissemination tools that the RMP is employing (e.g., web sites, publications, meetings, etc.).

Dave Tucker recommended that the Master Plan be used to prioritize studies (e.g., Can a study idea be delayed? Do we need this type of information now? Why?) and to outline a longer

planning horizon as to what needs to be done this year, next year, etc. He encouraged the RMP staff to consider multi-year planning and develop a PERT chart.

The SC recommended that the document be completed in time for the next budget cycle (late 2009) so it could be used in the solicitation and selection of studies.

Kevin Buchan asked Jay to elaborate on what he meant by “anticipated management decision?” Tom Mumley explained that this addresses the outcome of the collection of data (i.e., what decision will be affected if I have this information?).

**Action item:** Each group (RWQCB, BASMAA, BACWA, Dredgers, and Industry) review (or submit) their respective tables to make sure that the table captures information needs.

#### **7. Information: Program Review**

Jay Davis mentioned that during the course of discussion of the Master Plan at the last TRC meeting, a question had arisen about the next Program Review. The last Program Review occurred in 2003; Jay indicated that for a number of reasons, the TRC did not feel any urgent need to have a review in the near future but that we should begin thinking about when we would like to conduct the review and what we hope to accomplish through the review. Jay Davis recommended that the review be conducted after the Master Plan was complete and after Meg Sedlak returned from her leave of absence (September 2010).

Tom Mumley did not see any compelling need for an external review. Dave Tucker asked what we were trying to accomplish through the review? Adam Olivieri indicated that the type of review would be governed by the questions we are trying to answer. Are they related to management of the program? Financial aspects (how are public funds be expended)? Technical? In the case of the latter two questions, we may be addressing these issues through the annual financial audit and through the review of the program elements by the workgroups.

Dave Tucker indicated that another question could be how well does the RMP integrate with other monitoring programs? Are other programs doing a better job than the RMP? He suggested that we spend time over the next couple of SC meetings thinking about this issue. Dave requested that the TRC and SC be asked what they would like to see the Program Review address. Jay Davis indicated that based on the meeting, it seemed like there were at least three issues to be addressed: Are funds being effectively used? Is the RMP well connected with other monitoring programs? Are there lessons we can learn from other monitoring programs? The Committee suggested that the Master Plan should lay out the timing and questions for the Review.

**Action item:** Send an e-mail to the TRC and SC to ask them what they would like to see the Program Review address.

#### **8. Action: Pilot and Special Studies for 2010**

Tom Mumley began the discussion with a comment that it wasn't clear which groups could vote and it appeared that several sectors had more than one vote. He also indicated that the averaging of the votes did not seem a very appropriate method for conveying the consensus of the TRC. In

addition, the rationale behind several of the votes was ambiguous and at times conflicting. He gave three examples: the mercury air deposition project; development of an egg threshold for PBDEs; and the emerging contaminant project to screen for anthropogenic compounds.

Tom Mumley also requested the rankings of the workgroups; Ms. Sedlak indicated that only the studies that were highly ranked were brought forward to the TRC.

Jay Davis indicated that in the past, several vested stakeholders had been allowed to vote and participate in the process. The voting results were regarded as information for the SC to consider in their decisions on funding.

Dave Tucker requested that the TRC come to consensus on the studies and rank the studies in order of priority. He indicated that the recommendation needs to indicate a priority as to why the study needs to be completed next year. He also indicated that the pilot and special study pool might not need to be expended entirely. It might make sense to retain a portion of the pool if there wasn't a strong rationale for expending the funds in 2010.

**Action item:** Have the TRC review the studies and reach consensus on which studies need to be funded for 2010 and why.

#### **9. Information: Pulse and Annual Meeting**

Jay Davis gave a short update on the status of the Pulse and Annual Meeting. Jay Davis indicated that all of the Pulse articles have been written and that a complete draft version of the Pulse would be available the week of the 24<sup>th</sup> for review.

Jay then handed out the latest version of the Annual Meeting agenda. Jay proposed having two sediment experts to kick off the meeting (Schoellhamer and Jaffe), followed by a panel discussion. The panel would address the question of whether the RMP was doing enough to address the anticipated changes in sediment dynamics and implications for the estuary. Jay Davis indicated that Jim McGrath was assisting in the development of the panel questions and discussion topics.

Jay Davis indicated that the proposed agenda was flexible and that a number of other speakers could potentially be tapped. He suggested that sediment modeling talks by John Oram and Mark Stacey (UC-Berkeley) discussing the RMP modeling strategy and the South Bay work, respectively. The Committee liked this idea and encouraged Jay to contact Mark Stacey. A request was made that Don Yee's coring talk discuss future predictions based on the cores.

The Committee also liked the water quality summary that Jay Davis had presented at prior Annual Meeting. Jay indicated that he was updating this table to reflect new findings for a presentation to the AAAS Pacific Division meetings being held on Monday August 17<sup>th</sup>. Dave Tucker indicated that it was important to summarize the overall condition of the Bay – what's getting better, what's not, and what we can and cannot do about the Bay.

The SC recommended that the SQO presentation be deferred as the SQO indirect effects are still in the process of being developed. Several recommendations were made for an MC for the meeting including Rainer Hoenicke, Mike Connor, Chuck Weir, and Dyan Whyte.

A number of SC members indicated that they would not be attending the meeting due to annual retreats. Jay Davis asked whether the timing of the meeting should be changed but the group seemed to think that the Fall was an appropriate time.

**10. Information: Program Update**

Meg Sedlak gave a short update on the program including the tracking of collaborative projects that were recommended at the joint CTAG / TRC meeting.

The meeting was adjourned at 12:50. Next Steering Committee meeting will be October 26<sup>th</sup> at 10:30.

Action Item	Who?	Status
Have the TRC review the studies and reach consensus on which studies need to be funded for 2010 and why	TRC	Bring to the September meeting.
Send an e-mail to the TRC and SC to ask them what they would like to see the Program Review address.	Meg Sedlak	Discuss at September meeting
Each sector review their respective information needs tables for the Master Plan	SC representatives	
Provide Tom Mumley with an update on the status of the RMP Caltrans fees so Dr. Mumley can contact Jim Richard to ask whether these funds can be made available sooner. Contact Adam Olivieri to obtain the names of financial institutions which may provide a better interest rate and lower fees.	Meg Sedlak	E-mail sent to Tom and Adam.
Lester McKee to keep the TRC informed of the progress of the nutrient endpoint project.	Meg Sedlak	

Clarify the roles and responsibilities of the RMP and RMP staff with regards to San Leandro Bay CAF proposal	Jay Davis	
Develop a list of short term and longer term projects to be funded through SEP using the existing RMP strategies. TRC to review and comment on list.	Meg Sedlak and Jay Davis	
Discussion 2010 fees on the October SC meeting agenda and information needs	Meg Sedlak	