

**REGIONAL MONITORING PROGRAM FOR WATER QUALITY
STEERING COMMITTEE MEETING MINUTES
October 16th, 2006**

Members Present:

Dave Allen, USS POSCO/Industry
Kevin Buchan, WSPA/Refineries
Beth Christian, RWQCB
Bob Hale, Alameda County Clean Water Program
Ellen Johnck, Bay Planning/Dredging
Rob Lawrence, Army Corps
Trish Mulvey, Board Member
Adam Olivieri, EOA/Stormwater Agencies
Dan Tafolla, Vallejo Sanitation and Flood Control District/Med. POTWs
Chuck Weir, EBDA/Large POTWs
Dyan Whyte, SFB RWQCB

Others Present:

Mike Connor, SFEI
Jay Davis, SFEI
Lester McKee, SFEI
Meg Sedlak, SFEI

1. Approval of Agenda and Minutes

Kevin Buchan opened the meeting and asked for comments on the July 2006 minutes. Kevin Buchan motioned that the minutes be approved; Chuck Weir seconded and the minutes were approved unanimously.

Meg Sedlak briefly outlined the status of several action items from the July meeting. Ms. Sedlak is working with Dyan Whyte to develop a contract for transferring Caltrans funds to another state agency (e.g., UC-Santa Cruz). Dyan Whyte indicated that the Joint Powers Authority discussion was on the Water Board meeting scheduled for October 24th and that she would have additional information after that meeting.

Mike Connor indicated that he had discussed the elimination of the Alcatraz site with the dredging community and there is a lot of interest in maintaining this station for suspended sediment analysis (USGS sampling). It was decided that the existing six stations will be maintained for 2007 (i.e., Pt San Pablo, Benicia, Mallard, Dumbarton, Alcatraz, and San Pablo Bay). Ms. Sedlak indicated that there is \$20,000 remaining to be allocated for pilot and special studies. Ben Greenfield has proposed a food web study which will be consider by the TRC at the December meeting.

Action: Meg Sedlak to work with Dyan Whyte to resolve outstanding Caltrans fees.

2. Committee Member Updates

There were no Committee member updates.

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

Meg Sedlak summarized the minutes from the TRC meeting on October 3rd, 2006. The major items were: an update on the prioritization of the Status and Trends (S&T) program (redesign meeting); a discussion of the episodic toxicity program; an update on the sediment coring and air mercury deposition projects; and tentative approval for contingency funds in the event of extreme precipitation in the Guadalupe watershed.

The first redesign meeting occurred on September 19th to discuss the existing Status and Trends elements. For each element, a brief synopsis of the regulatory context, the important concepts, recent highlights and potential design options were presented. A second redesign meeting to discuss new elements is scheduled for November 15th.

Sarah Lowe summarized the work conducted to date on the episodic toxicity program and put forth a proposal for episodic toxicity work to be conducted in 2007. It was noted that the program is trying to answer two different questions: what is the biological significance of the toxicity we are observing in sediments vs. what is causing the toxicity that we are observing. The TRC recommended that Ms. Lowe convene a meeting to further refine the episodic toxicity plan for 2007 and present the revised plan at the December TRC meeting.

Lester McKee requested the use of contingency funding for a heavy rainfall in the Guadalupe watershed (i.e., more than two inches of precipitation in 24 hours). He explained that there are very few data for extreme precipitation events in the Guadalupe watershed and based on the results at the Mallard Island sampling station, extreme rainfall events can be associated with significant contaminant loads. The TRC recommended that this plan be approved. Ms. Sedlak asked the Steering Committee whether they would support the use of contingency in the event that there was significant precipitation in the Guadalupe watershed. Dyan Whyte motioned for approval; Kevin Buchan seconded and the motion was approved. Lester McKee indicated to the extent that it was possible he would notify the Committee in advance if he thought he would be using the contingency funds.

4. Information: Budget Status

Ms. Sedlak reviewed the RMP budget summary memorandum. At present, unpaid fees from 2006 are \$96,000 (Caltrans \$70,000 and Greenbrae Marina \$24,000).

Approximately 75 percent of the labor budget has been expended (i.e., \$1,024,688 out of an approved budget of \$1,392,885). Approximately the bulk of the subcontracts have been written. Contracts to written in the last quarter include sportfish chemical analysis (\$100,000), and EEPS endocrine disrupters in fish (\$40,000). Approximately 80 percent of the direct costs have been spent (\$80,000 out of a total allocation of \$101,000).

No financial issues were identified as a result of the SFEI financial audit.

5. Information: Summary of Outcomes of the September 19th Status and Trends Redesign Meeting

Meg Sedlak discussed the summary table from the September redesign meeting. The committee had recommended a reduction in the number of water chemistry sampling stations (31 to 20) and had requested additional information on the episodic toxicity program and the bivalve program. It was recommended that the sediment chemistry alternate seasons and that the sediment toxicity stations be reduced from 27 to 14. The committee endorsed the current frequency and number of sites for the sport fish.

Kevin Buchan encouraged the redesign group and TRC to focus on the important science that needs to be conducted to some extent without respect to cost and that if it was good science the SC would develop a mechanism for funding it. It was recommended that SFEI look beyond BACWA and BASMAA for funds. Dyan Whyte indicated that based on her discussions with CEP and others, it appears that some of the municipalities may be willing to contribute additional funding if the studies are relevant. Chuck Weir noted that the CEP is undergoing significant changes that could lead to the RMP and CEP being more closely joined together, that the JPA could have an impact, and that BACWA is not opposed to putting more funds into the Program if there is a good cost/benefit ratio. Adam Olivieri indicated until the MRP permit is finalized, it is unlikely that BASMAA would consider additional funding. Dyan Whyte noted that the RMP fulfills the receiving water monitoring component of permits and could expand to fulfill more TMDL requirements, such as the MRP, risk reduction, and mercury bioavailability questions. Ellen Johnck gave an example of Bay Planning Coalition partnering with UC-Davis to develop a better understanding of the impacts of water quality on steelhead migration. She emphasized the importance of tying monitoring/research into answering specific questions. Dave Allen commented that very little RMP work addressed thermal/temperature issues.

Dyan Whyte reminded the group that the purpose of the RMP is to address regional issues, not specific individual studies or impacts. Mike Connor commented that a lot of issues are related to biological effects (e.g., dredging and thermal effects) and perhaps NOAA or Cal Fish and Game should be involved. There was a mixed response to this suggestion. Several individuals noted that the RMP addresses a water permit condition and that this focus should be maintained. Chuck Weir thought that NOAA or DFG could be added to the structure if they bring money to the table.

6. Discussion: RMP Relevance to Dredgers

Ms. Sedlak stated that the implementation of the LTMS could have dramatic consequences to RMP revenues (i.e., reduction in-Bay disposal could affect the amount of revenue received). Kevin Buchan suggested that the dredgers could move to a flat fee where the percentage owed to the RMP would be divided by the number of dredgers. There would be some difficulty in implementing a flat fee as there could be fluctuation in the fee amount depending on the number of dredgers; this would make financial planning difficult. Mike Connor commented that the RMP base could be expanded to include wetlands restoration and desalination plants. Chuck Weir commented that the method used to allocate fees was somewhat arbitrary and that each industry category has seen a

substantial decrease in impact on the Bay (e.g., POTWs have reduced metal loadings significantly over the last decade). Rob Lawrence suggested that the gap could be filled by assessing the fee on amount dredged not location of final disposal. Dyan Whyte indicated that the permit regulates disposal, not dredging. The group agreed that it would be a waste of time to re-evaluate the allocation of costs among the different sectors of the RMP.

Ellen Johnck stated that the dredgers need to understand the value of the RMP to them. Rob Lawrence commented that RMP monitoring and studies don't seem related to dredging. Chuck Weir stated that the value of the program for dredgers and the other sectors should be measured through the impact of RMP data on decision-making, and that this is a decades long process. Dyan Whyte stated that the key value is the TMDL for mercury, with a limit of 0.2 instead of 0.4, and that this has a large fiscal impact on dredgers and others.

7. Action: Program Plan for 2007

Meg Sedlak presented the program plan for 2007. The program plan was approved unanimously.

8. Information: Annual Meeting

Meg Sedlak reviewed a memorandum summarizing the Annual Meeting. The attendance was the same as last year, 191 attendees; however, only 10 percent of the surveys were returned as compared to last year's 20 percent. Ms. Sedlak summarized the comments and reviews. Dyan Whyte commented that the Executive Officer and 10 – 15 staff attended the meeting and got a lot out of it.

Meg queried the group about the location of the Annual Meeting. The consensus was that the Oakland Museum is very convenient (easy access to freeway and BART) and that members were happy with this location. Staff should check to make sure we avoid timing conflicts with CASQA, SOE, and the Regional Board meeting (second Wednesday of the month).

9. Pulse Feedback

Jay Davis indicated that several of the RMP industry sectors had volunteered to write Pulse articles on improvements in the Bay. Jay agreed to further develop the outline and bring it back to the Committee.

The meeting was adjourned at 3:00 pm.