

REGIONAL MONITORING PROGRAM
STEERING COMMITTEE MEETING
DRAFT MINUTES
August 4th, 2010

Members Present:

Dave Allen, USS POSCO
Kevin Buchan, WSPA
Mike Connor, EBDA
Ellen Johnck, Bay Planning Coalition
Trish Mulvey, SFEI Board of Directors
Tom Mumley, SFB RWQCB
Arleen Navarret, SFPUC
Adam Olivieri, EOA/ BASMAA

Others Present:

Rachel Allen, SFEI
Jay Davis, SFEI
Rainer Hoenicke, SFEI
Lawrence Leung, SFEI

1. Approval of Agenda and Minutes, Update on Action Items

Kevin Buchan made a motion to approve the minutes from the May 5th 2010 Steering Committee (SC) meeting, which Adam Olivieri seconded. The minutes were approved. The committee then reviewed action items from previous meetings.

Kevin Buchan indicated that he had followed up with his contacts to encourage more participation. Ellen Johnck indicated that she would talk with Rob Lawrence of the US Army Corps of Engineers (USACE) to encourage more participation on their part as well. Arleen Navarret introduced herself as the new large POTW representative, replacing Dave Tucker. As a member of BACWA, she will look into finding a new small POTW representative to the SC as a replacement for Ken Kaufman.

Jay Davis recommended that the SC not discuss a process for voting on issues, as the current consensus based system largely works, and that methods of voting (majority, super majority, etc.) was discussed extensively previously and the SC agreed that the consensus system best meets the needs of all parties involved. Kevin Buchan concurred with Jay Davis' recommendation that a discussion of voting methods could be disregarded.

Trish Mulvey and Adam Olivieri will wait for Meg Sedlak's return before further developing the set of accounting terms to describe the RMP budget (action item #5). This task will be completed by the October SC meeting.

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Regarding the USACE fees, Kevin Buchan noted that their contribution is largely voluntary, and Adam Olivieri suggested that by asking for a fee increase, we could jeopardize the funding that we currently receive from them. Rainer Hoenicke mentioned a discussion he had with a USACE chief scientist, who indicated that the USACE might be interested in routing more money through the RMP as a means of funding research in the Bay without the USACE bureaucratic hurdles for contracting. Ellen Johnck and Rainer Hoenicke will speak with him about increasing collaborations between the USACE and the RMP and potentially increasing RMP funding. Jay Davis mentioned that their work could benefit from the technical oversight provided by the RMP.

Jay Davis mentioned that a discussion of RMP factsheets has been delayed to the October meeting.

Regarding the outstanding question of modifying the SEP process to potentially fund Bay projects that do not receive RMP funding, Tom Mumley indicated that the issue is consolidating small monies to create a pool to fund larger studies, and that the RWQCB is currently reviewing options for doing this. He will update the SC in October.

Action items:

- Ellen Johnck will talk with Rob Lawrence to encourage more participation by the USACE in the RMP.
- Arleen Navarret will look for a new small POTW representative to the SC among the ranks of BACWA.
- Trish Mulvey, Adam Olivieri, and Meg Sedlak to develop a set of accounting terms for the RMP budget discussion by the October 2010 meeting.
- Ellen Johnck and Rainer Hoenicke to speak with USACE about the possibility of increasing RMP funding from USACE through additional Bay research projects that are of mutual interest.
- Tom Mumley will continue exploring options for streamlining SEP funds to RMP high priority projects.

2. Committee Member updates

There were no further committee member updates.

3. Technical Review Committee Meeting Summary

At the joint Technical Review Committee (TRC) – Commission’s Technical Advisory Group (CTAG) in May 2010, the group discussed convening an all-day joint Northern California-Southern California meeting on stormwater. Chris Sommers and Ken Schiff are leading this effort with input from Lester McKee. A similar meeting on nutrients was also suggested; however it will likely occur in early 2011. Tom Mumley indicated that that while a meeting on the emerging issue of nutrients is warranted, it is not urgent.

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At the June TRC meeting, the group recommended that the supporters of the regional rainfall tool, primarily Mike Connor, Chris Sommers, and Lester McKee, define its goals and purpose better, and the idea will be reconsidered in 2011.

Tom Mumley pointed out that the SC recommendation regarding the role of TRC members in the Pulse review process was not consistent between the TRC and the SC minutes. The SC minutes, he felt, accurately expressed his intent to streamline the Pulse review process and remove the redundancy between participants. At the TRC meeting, it was indicated that the TRC should “begin developing a review process for future Pulses”, which is a larger task that would not necessarily serve the aim of providing good and timely reviews. Jay Davis noted that he is looking for adequate review of the Pulse, which has not happened in recent years. He wishes to avoid instances where stakeholders or others do not approve of the final product, as was the case with Jay Ach (Port of San Francisco) regarding the PAH effects sidebar a few years ago.

Trish Mulvey and Arleen Navarret suggested that the SC review the table of contents to determine if there are articles that require additional review, either with regard to technical or policy issues, and then designate an appropriate individual to review these pieces. Ellen Johnck suggested that it is the author’s responsibility to ensure that his or her article is adequately reviewed before it is published. Adam Olivieri suggested considering that the detailed special studies portion of the Pulse be published only once every two years, to reduce the burden on Jay Davis and the funders, with another means, such as factsheets, for conveying information from RMP special studies.

Action Items:

- Define a Pulse review process that provides adequate oversight and is more efficient.

4. Budget Status

Lawrence Leung reviewed the status of the budget, noting that it is on track for 2010. Jay Davis changed some of the terms in the budget memo to better describe RMP funds, which had been labeled as “revenue”. Expenditure is expected to increase in August and September, to bring the budget closer to target for the year.

There was a revenue shortfall in 2009 due to a reduction in the number of industrial dischargers. There are not many changes to previous year budgets since the last meeting. Assuming Caltrans continues to pay their fees in full, the reserve will contain \$514,000 by the end of 2010.

Lawrence Leung demonstrated the new format for the budget summary in the second attachment. The numbers in this handout are not finalized, but the format is designed to provide an overview of the budget without too much detail. Kevin Buchan noted that he liked the “status of the reserve” table on page 5 of the budget memo.

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Ellen Johnck noted that as a director of a non-profit organization, she is used to a different, standardized organization of budget information. She offered to share an example of her accounting spreadsheets with RMP staff and the SC.

In response to Adam Olivieri's question, Rainer Hoenicke noted that the RMP is audited as part of the SFEI audit package, as its own division. He will ask Steve Slakey, the WSPA Chief Financial Officer, who is serving as the RMP representative on the independent audit committee to pay particular attention to the RMP component of the audit report. The report is due by the end of August, and the committee will finish its review by the end of October. At that point, the audit report and the independent review will be available to SC members.

Tom Mumley suggested moving towards paperless reporting of loading for POTWs. A discussion ensued regarding the mechanism for calculating POTW fees. Given that the annual adjustments are slight, Arleen Navarret suggested that she work with Lawrence Leung to use data from the last 5 years to set a flat rate for POTWs, to reduce the annual workload of recalculating fee distributions. This will be presented at the October SC meeting.

Kevin Buchan suggested having a further discussion of RMP fees in October, at which point the issues of what to do when permit holders cease discharging or operating (e.g., power plants close) and are therefore no longer part of the RMP can be addressed. Ellen Johnck mentioned that dredging disposal locations are changing, which may also have implications for RMP fees.

Action items:

- Ellen Johnck will send an example of the standard balance sheet to Lawrence Leung and SC members.
- Lawrence Leung and Arleen Navarret to propose a method for calculating flat fees for POTWs.
- Discuss at the October SC meeting how to address fees when there is a change in the number of permit holders.

5. SFEI Salary Adjustment Plan

As SFEI salaries adjust with staff promotions and cost of living increases, if RMP fees do not increase as well, the amount of work that the program can produce will necessarily decrease. At the current time, Rainer Hoenicke noted that the cost of living is not being adjusted, so it is not an issue. As the economy changes, this will need to be revisited.

6. Planning Update

a) Approval of Minutes

Regarding the action items from the SC Planning Workshop in April 2010, Jay Davis noted that the strategy development ideas are on the long-term list of things to do, and the

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LTMS discussion between Meg Sedlak and Ellen Johnck will be held this fall. All items are being addressed.

Adam Olivieri asked that it be noted on page 9 of the minutes from the SC Planning Workshop that he agreed with Mike Connor on regarding shallow water discharges, and Ellen Johnck corrected a statement attributed to her on page 8: that she is interested in “coordination with” the Regional Board on treated materials, rather than regulation. Adam Olivieri motioned to approve the minutes with these changes, which Ellen Johnck seconded. The minutes were approved.

b) Annual Planning Cycle

Jay Davis presented two options for the Steering Committee annual planning cycle, which will henceforth include an annual Planning Workshop. Detailed on the item 6 handout, the first option is a slight modification of the status quo, and aims to complete planning early in each year. The second option is designed to avoid having to skip years for multi-year strategies, and pushes planning later in the year so that 2011 work, for example, can inform studies proposed for 2012. This could be done on a targeted basis, when strategy teams are conducting syntheses or conceptual model updates.

Trish Mulvey noted that she likes the first option, and suggested including placeholder funds in the special study budget for mercury studies to be developed based on the results of the mercury synthesis report. Tom Mumley and Arleen Navarret voiced their support for option 1, noting that it allows sufficient time for the workgroups to convene and assess studies. Additionally, July approval of SS allows projects that need to start in the fall, such as stormwater work, to begin with assured funding.

Kevin Buchan supported the use of a placeholder, but he suggested that the RMP identify studies that could use the money, if less mercury work is needed than was assumed. The TRC should be informed of this process, so that they can recommend studies appropriately. Decision points for evaluating which studies receive these placeholder funds should be highlighted in the planning cycle. The group agreed that option 1, with the placeholder amendment, was their preferred option.

Rainer Hoenicke noted that SFEI can also help find other funding sources for RMP suggested projects that do not receive RMP funds.

Adam Olivieri noted that BASMAA drafts its annual budget in October – December, but it is not ratified until March or April. Until that point, he cannot guarantee any budget increases. He is attempting to provide more lead time to the organization by recommending fee increases two years in advance. Trish Mulvey suggested that the RMP adopt this rolling two-year planning strategy as well, thus discussing 2013 fees and a rough Master Plan as well as the 2012 fees and Master Plan at the January 2011 Planning Workshop.

Kevin Buchan noted that while it may feel better to approve the budget and the Master Plan at the same time, traditionally the budget dictates what work can be done and all

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planning is based on a set budget, so there is no need to approve them concurrently. Mike Connor noted that a finalized Master Plan may be a long shot for October, given Jay Davis' workload with the Pulse and the Annual Meeting.

c) Master Plan

Jay Davis presented the internal Master Plan, which is nearing its final version. Page 5 contains a new "bull's-eye" figure, which is designed to illustrate the process for creating a cleaner SF Bay and how the RMP structure fits into this process. Adam Olivieri noted that the ultimate goal should be a "Cleaner" rather than a "Clean" Bay. Trish Mulvey noted that the diagram is especially helpful in defining the expectations on the TRC, which needs to be able to consider scientific issues from a management perspective. The group expressed their confusion regarding the figure, noting that its goal needed clarification and that its organization is misleading, especially the elements around the border.

Jay Davis noted that the current version is designed specifically for the SC, and that once the group is satisfied with it, he will develop a slimmed down external version. He presented a mock-up of the external version, which would provide the same broad outlines in about 10 pages. Adam Olivieri noted that the external version is important because it will go to the RMP funders, and will hopefully promote support by RMP participants. It should include a condensed version of the last table. Ellen Johnck noted that she hopes to take this external Master Plan to the LTMS, to promote more synergy between the RMP and the LTMS.

Tom Mumley suggested that the last table presenting detailed funding allotments for the 5 year plan indicate better where the RMP expects to spend money in the future. Areas that do not yet have defined projects should have a placeholder, rather than \$0.

Jay Davis asked for SC members to send him by email their detailed comments on the Master Plan by the end of August. He specifically asked for input from Tom Mumley to fill in the Current and Anticipated Water Quality Management Decision, Policies, and Actions Table. Tom Mumley noted that the next 303(d) listing will occur in 2012, and that it is important that the RMP is comfortable with Regional Board priorities.

Action Items:

- Make the recommended changes to the minutes from the Planning Workshop.
- Revise the Bull's-eye figure in the Master Plan.
- SC members to review the Master Plan, and send their comments to Jay Davis by September 1, 2010.

7. 2011 Special Studies

Jay Davis noted that TRC removed the placeholder funding for modeling work for 2012, but the work is continuing in 2011 with 3D model development and conceptual model updates. If the work is ready to move forward in 2011, the SC can consider financing it with unallocated funds. Otherwise, this will shift all of the modeling work back by 1

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year. He added that most of the work is being subcontracted out, and Ben Greenfield is taking on John Oram's oversight role. Ellen Johnck noted that the USACE is also conducting modeling work, which should be coordinated with SFEI's project.

Ellen Johnck motioned to approve the 2011 special studies budget, which Adam Olivieri seconded. The budget was approved.

8. Pulse

Jay Davis suggested considering Effects for the 2011 Pulse, given that a review on Contaminants of Emerging Concern (CEC) is scheduled to be completed in 2012. The 2011 Pulse will be discussed at the October SC meeting.

9. Annual Meeting

Jay Davis asked for SC input on the proposed agenda for the Annual Meeting. He noted that Rainer Hoenicke will be the Master of Ceremonies.

The group agreed that a talk on LID would be appropriate and interesting at the meeting, and Adam Olivieri suggested that Laura Prickett would be a good speaker. Nicole David could potentially help with this talk, though Mike Connor suggested having fewer SFEI speakers.

Mike Connor suggested asking Dave Schoellhamer to talk about the status of sediment the Bay, as a wrap-up from last year's meeting, and Susan Klosterhaus to provide an introduction to CECs, as a preview to next year. This could include information on Meg Sedlak's PFC report that will be coming out.

Jay Davis noted that his regular Status and Trends update is absent this year, but that with the development of the Estuary Report Card, next year will be a good time to bring it back.

Action items:

- Adam Olivieri will inform Laura Prickett that Jay Davis will be contacting her about speaking at the RMP Annual Meeting.

10. Deliverables Update

The Deliverables update will be conducted via email following the meeting.

Action Items:

- Jen Hunt will send out the deliverables update to SC members.

11. Adjourn

The next SC meeting will be held on October 19th, from 10:00 to 12:30.

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Tom Mumley and Kevin Buchan both noted that they liked holding SC meetings in the 2nd floor SFEI conference room.

#	Action Items – August 2010	Who?	When?	Status 8/5/2010
1	Speak with Rob Lawrence to encourage more participation by the USACE in the RMP.	Ellen Johnck		
2	Find a new small POTW representative to the SC.	Arleen Navarret		
3	Develop a set of accounting terms for the RMP budget discussion.	Trish Mulvey, Adam Olivieri, and Meg Sedlak	October SC Meeting	
4	Speak with the USACE about RMP and USACE coordination and funding collaboration.	Ellen Johnck and Rainer Hoenicke		
5	Continue looking into streamlining SEP funds to RMP high priority projects.	Tom Mumley		
6	Define a Pulse review process that provides adequate oversight and is more efficient.	SC Members	October SC Meeting	
7	Send an example of the standard balance sheet to Lawrence Leung and SC members.	Ellen Johnck		
8	Develop an option for flat fees for POTWs.	Lawrence Leung and Arleen Navarret	October SC Meeting	
9	Develop a proposal for addressing potential shortfalls due to changes in participants in the program		October SC meeting	
10	Make the recommended changes to the minutes from the Planning Workshop.	Rachel Allen		Completed
11	Revise the Bull's-eye figure in the Master Plan.	Jay Davis		
12	Review the Master Plan, and send comments to Jay Davis.	SC Members	By September 1	
13	Inform Laura Prickett that Jay Davis will be contacting	Adam Olivieri		

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	her about speaking at the RMP Annual Meeting.			
14	Send out the deliverables update to SC members.	Jen Hunt		Completed

#	Action Items – January 2010	Who?	When?	Status 8/4/2010
1.	Prepare a communications plan for the fact sheets that addresses the purpose, audience, and updates necessary for factsheets	Jay Davis	March TRC meeting	Discussed at March TRC meeting – to be discussed by SC at the August meeting
3.	Proceed with the fact sheets pilot in 2010	Jay Davis, staff	2010	In progress, first topic: triclosan and triclocarban. Pending input from the SC.
5.	Develop a Strategy for Status and Trends	Meg Sedlak	Fall 2010	Pending

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RMP Sector Represented	MEMBER	Affiliation	2008				2009				2010			
			1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q
POTW-Large	Dave Tucker (1)	City of San Jose	X	P	P	P	X	X	P	P	P	P	X	
POTW-Large	Arleen Navarret (3)	SFPUC	X	X	X	X	X	X	X	X	X	X	P	
POTW-Med	Dan Tafolla	Vallejo Sanitation and Flood Control District	P	P	P	P	P	P	X	P	X	P	X	
POTW-Small	Ken Kaufman	South Bayside System Authority	X	X	X	X	X	X	X	X	X	X	X	
Refineries	Kevin Buchan	WSPA	P	P	P	P	X	(2)	P	P	P	P	P	
Industry	Dave Allen	USS POSCO	P	P	P	P	X	P	P	P	X	P	P	
Cooling Water	Steve Bauman	Mirant Delta, LLC	X	X	X	X	X	X	X	X	X	X	X	
Stormwater	Adam Olivieri	EOA, Inc	P	X	P	P	P	P	P	P	P	P	P	
Dredgers	Ellen Johnck	Bay Planning Coalition	X	P	P	P	X	X	X	P	P	W*	P	
SFBRWQCB	Tom Mumley	SFB RWQCB	P	P	P	P	P	P	P	P	P	P	P	
USACE	Rob Lawrence		C	X	X	X	X	X	X	X	X	X	X	

P = present

W* = provided input at RMP master planning workshop 4/21/10

C = call-in

X = not present

Notes:

1. Dave Tucker elected to SFEI Board, June 2008
2. Marcus Cole filled in for Kevin Buchan
3. Replaced Dave Tucker as Large POTW Rep in May 2010