

San Francisco Estuary Institute

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RMP Steering Committee Meeting
November 29th, 2011
San Francisco Estuary Institute
Draft Meeting Summary

Attendees:

Dave Allen, USS POSCO
Amy Chastain, BACWA
Mike Connor, EBDA
Brian Hubinger, Chevron Richmond Refinery
Tom Mumley, SFB RWQCB
Karin North, City of Palo Alto
Adam Olivieri, EOA/ BASMAA
Kirsten Struve, City of San Jose
Dan Tafolla, Vallejo Sanitation and Flood Control District

Others Present:

Rachel Allen, SFEI
Jay Davis, SFEI
Lawrence Leung, SFEI
Meg Sedlak, SFEI
David Senn, SFEI

Via telephone:

Rob Lawrence, US Army Corps of Engineers
Trish Mulvey, SFEI Board of Directors

1) Approval of Agenda and Minutes

Meg Sedlak reviewed action items from previous meetings. She noted that she is working with SCCWRP to prepare a joint TRC/CTAG meeting for March 2012, but that the SC should still discuss the value of holding these meetings. She also thanked Karin North for her help in distributing the triclosan factsheet.

Brian Hubinger indicated that there was a typo in the minutes from the August 2011 SC meeting – Kevin Buchan will be resigning at the end of 2011, not 2012. Pending this correction, he motioned to approve the minutes. Tom Mumley seconded it, and the minutes were approved.

2) Selection of New Chair

Meg Sedlak indicated that the group should agree to a process for selecting a new chair, and reminded them that the nominees were Tom Mumley, Adam Olivieri, Kirsten Struve, and Karin North. Karin North asked to be removed from consideration, due to other commitments. Amy Chastain suggested that the committee have a chair and a vice-chair, which Dan Tafolla supported. Karin North suggested that Tom Mumley serve as chair with Kirsten Struve as vice-chair, with the plan to switch roles once Kirsten becomes more familiar with the SC and the duties of chair. Brian Hubinger motioned to move from a single chair to a chair and vice-chair, and have Tom Mumley and Kirsten Struve fill these roles. The motion was approved.

Meg Sedlak will distribute an earlier memo on the duties of the SC chair to the SC. This topic will be an agenda item at the next meeting if the committee feels that it needs more discussion.

Action Items:

- Meg Sedlak to distribute a prior memo on duties of the SC chair to the SC.

3) Technical Review Committee Meeting Summary

Meg Sedlak reviewed the most recent Technical Review Committee (TRC) meeting. At the meeting, the options for using the funding from the 6th USGS station funded by the RMP, which was previously a temporary station at the Hamilton Disposal Site that has been discontinued, were discussed. The TRC recommended using these funds in 2012 for calculating the sediment flux out the Golden Gate based on previously collected data. She also noted that Dave Schoellhamer will be adding dissolved oxygen probes to six existing suspended sediment stations, primarily at the margins of the Bay.

4) 2011 Budget Status

Lawrence Leung indicated that the budget is on track for all years. He noted that Dow Chemical no longer has an NPDES permit, resulting in a shortfall of funds from the industrial sector. He proposed replacing this shortfall (\$14,075) using unencumbered RMP funds. Tom Mumley asked why the other industrial dischargers should not cover the shortfall from Dow Chemical, and a discussion about the allocation of fees ensued. The group discussed the origins of the fee allocations by sector, and concluded that it was reasonable to reinvoice the other industrial dischargers for the shortfall. Adam Olivieri suggested that the Water Board work with the RMP and other permit holders in the future to ensure that other permit changes do not have more severe adverse impacts on the RMP budget. Trish Mulvey asked that Lawrence Leung follow up the letters with a phone call

to explain the circumstances and inform them about the changes for subsequent years. Adam Olivieri motioned to reinvoice the other industrial dischargers for the Dow Chemical shortfall, which Brian Hubinger seconded, and the motion was approved.

Lawrence Leung indicated that 98% of the 2011 RMP fees have been received, with the only outstanding payments from Caltrans, which is waiting on the printing of the Pulse. Meg Sedlak noted that during the RMP Planning meeting, the group recommended holding only \$200,000 in unencumbered funds. At present, there is close to \$450,000; approximately \$250,000 can therefore be used for additional work..

Action Items:

- Re-invoice the other industrial dischargers for the shortfall due to Dow Chemical's permit repeal. Lawrence to follow up with a phone call explaining why they are receiving an additional invoice.

5) RMP Planning

Jay Davis reviewed the previous discussions on the Master Plan. The current version is nearly final, needing updated budget figures and other modifications before it can be sent for review by the SC. He proposed discussing RMP communications at this meeting as part of the periodic planning updates to the SC requested by the planning committee, as there are upcoming decisions to be made regarding the Pulse and factsheets. Kirsten Struve noted that the headers in the Master Plan do not match the headers in the Program Plan. Jay indicated that this would be corrected.

The planning committee also suggested preparing this document in a format understandable for outsiders. Jay Davis indicated that this might not be worth the amount of time needed, and asked how it would be used. Mike Connor noted that SC representatives could find this document useful for explaining to their constituencies what the RMP does and how it works, however this could also be accomplished through yearly meetings with Meg Sedlak and Jay Davis and each of the sectors. The group concluded that the Planning document should be public, for transparency, but does not need to be modified to serve as a promotion or explanation of the program.

Tom Mumley and Adam Olivieri indicated that they were dissatisfied with the current title "The RMP Master Plan: 2013-2017" because it does not cover the entire program. Tom Mumley motioned that the name be changed to "The RMP Multi-Year Plan", which Karin North seconded. Jay Davis clarified that the date is listed as 2013 because the document is focusing on plans for 2013, as the planning for 2012 is already set.

There were a few comments on the document. Tom Mumley did not support the new table on page 17 of the document, which details the funding agency for the different elements of the nutrients strategy, because the nutrients strategy is not yet ready. He also questioned the box on page 21 that names partners in Emerging Contaminants work. Meg Sedlak noted that over \$175,000 has been donated as pro bono EC work through various partnerships. Karin North suggested listing the partners in parentheses after the

project where applicable to indicate who contributed which amounts, to replace the Partners box.

Jay Davis will complete the modifications to the Multi-Year Plan, and send the draft to the SC for review. The SC should use discretion to determine whether their comments should be sent to the whole committee or just Jay, so that the committee has an opportunity to weigh in on larger changes. Jay Davis will then redistribute the revised Multi-Year Plan to the SC one week before the next SC meeting, so that the annual final version can be approved at that meeting.

Jay Davis noted that page 31 of the Plan describes RMP Communications. He asked that the SC consider whether the Pulse should be produced every year, and if there are less intensive products that would still meet the stakeholder needs. Tom Mumley asked that this discussion be continued at the next SC meeting, and that further information be distributed ahead of time. Jay Davis will write up a memo for the SC on the pros and cons of the current Pulse format and how it has changed over the years. Tom Mumley pointed out that the primary cons are the cost and the people resources – the Pulse occupies a lot of Jay Davis’ time. Meg Sedlak noted that an important pro is the availability of the graphics for use in other presentations and publications throughout the year.

Karin North indicated that Phil Bobel, the manager of the City of Palo Alto, uses the Pulse every year for outreach and justification for funding the program.. She also suggested sending out an online survey to poll RMP stakeholders to determine what they use the Pulse for. Adam Olivieri suggested that a “Pulse Light” could be produced every other year, with only a few short factsheets, or only the Status and Trends update. Jay Davis noted that more of the resources for producing the Pulse go to the feature articles than the Status and Trends update. Trish Mulvey suggested that if the Pulse decreases its depth or scope, that the RMP should work with the San Francisco Estuary Partnership (SFEP) to increase the scale of their newsletters in order to fill the gap left by the Pulse.

Jay Davis indicated that it is still timely to produce a Pulse in 2012 on Emerging Contaminants, and that any changes to the Pulse schedule should commence in 2013. The group approved producing a Pulse on Emerging Contaminants, following the standard model, in 2012, and will continue the discussion of the Pulse and RMP communications at the next SC meeting.

Action Items:

- Jay Davis will revise the Master Plan, send it out to the SC for review by Dec 6, and receive comments and modify it for final approval at the January SC meeting.
- Jay Davis will send out a memo on the pros and cons of the current approach to RMP communications, focusing on the Pulse.
- Use surveymonkey (or another online survey tool) to poll the RMP stakeholders about their use of the Pulse and what needs it fulfills.

6) Changes to Status and Trends Monitoring

Meg Sedlak distributed a summary of cost savings from the proposed Status and Trends (S&T) monitoring reductions. Only the water and sediment chemistry reductions are currently recommended for approval by the SC; the cost savings from sport fish and bird egg reductions were provided for reference. She noted that the proposed sport fish reductions will be discussed by the sport fish committee, and that the TRC did not support reducing the bird egg monitoring to every 5 years from every 3 years based on a power analysis and the low cost of the existing effort. Mike Connor asked how managers would respond to trends in bird eggs, but not in other matrices. Meg Sedlak indicated that bird eggs reveal different food web dynamics from bivalves that could be important for assessing the risk due to specific contaminants, such as perfluorinated compounds, that do not accumulate in other matrices. Tom Mumley and Mike Connor suggested that the RMP needs an emerging contaminants strategy that indicates why we are tracking trends and how this would affect a management response.

Amy Chastain noted that the discussions on S&T reductions were productive and appropriate. Kirsten Struve motioned to approve the S&T reductions in water and sediment (including benthos), which Adam Olivieri seconded. Tom Mumley amended the motion to include periodic reviews of the S&T program, including considering what data are needed for modeling, additions to monitoring for Emerging Contaminants, and how it should be adjusted to complement the nutrients monitoring program. The motion was approved, given annual or bi-annual review of the S&T program.

7) Setting the 2013 Budget

Tom Mumley proposed increasing RMP fees by 2% in 2013. Adam Olivieri noted that the Santa Clara program managers approved a 0% increase because the program does not seem to need additional resources. Kirsten Struve indicated that a 2% increase is not unreasonable, but the budget memo sent out to the SC, which they distributed to their constituencies for approval, did not adequately justify the necessary increase. Mike Connor asked her to work with RMP staff to draft a more compelling justification. The memo does not need to tie the additional funding to specific activities, but it does need to better reflect the importance of budget increases to the RMP. Tom Mumley noted that previously the RMP had decided to increase fees with the consumer price index, which three years ago they decided not to implement. If this is no longer the policy, the program should revoke and replace that decision. Rob Lawrence noted that the US Army Corps of Engineers fees have not increased since 1993, and that the reasoning behind the static USACE fees should be explained in the memo. Jay Davis noted that the impact of the static USACE fees on the other dredging agencies needs to be clarified. The SC will discuss increasing fees again at the January SC meeting after a revised memo has been drafted and distributed.

Action Items:

- Kirsten Struve to work with Meg Sedlak to redraft the memo on the proposed RMP fee increases.

8) 2012 Nutrients Proposals and Strategy Update

Jay Davis indicated that the 2012 nutrients work needs approval now, and that there are two proposals for consideration: 1) Nutrients Conceptual Model and Strategy development (\$110,000) and 2) Augmentation of the 2012 MRP compliance Watersheds Monitoring (\$30,000). David Senn presented background on the nutrients strategy and the proposals. He noted that proposal 2 has not been reviewed by the TRC due to time constraints. The first proposal includes \$10,000 for management and coordination of the nutrients strategy development activities. Brian Hubinger asked that David Senn distribute a memo to the SC and TRC providing more details on what this task will entail.

Tom Mumley asked why the second proposal includes \$15,000 for reporting after only 1 year of data. Mike Connor indicated that these data may inform our approach in future years, as they will provide a first estimate of loadings to the Bay. Given that they will take advantage of the reporting efforts for the watersheds monitoring, the proposed reporting provides a straightforward checkpoint to determine next steps with relatively low effort.

Adam Olivieri made a motion to approve \$110,000 for Nutrients Proposal 1 in 2012, which was seconded and approved. Karin North motioned to approve \$30,000 for Nutrients Proposal 2 in 2012, which was also seconded and approved.

Action Items:

- David Senn to distribute more details on the management task of Nutrients Proposal 1 to the TRC and SC.

9) Approval of the 2012 Program Plan and Budget

Meg Sedlak stated that per Karin North's request, the 2012 Budget includes a description of each general task. She reviewed the 2012 budget, pointing out tasks 4.11 and 4.12, which have been added since the approval of the 2012 special studies. Task 4.12, the Benthic Tools and Causes of Toxicity proposal suggested by the Exposure and Effects Workgroup (EEWG), is a good way to address the sediment permits and Sediment Quality Objectives. It will be vetted by the EEWG, and will include a workshop to help clarify the RMP sediment strategy in the Bay.

Adam Olivieri asked that the SC be updated with the decision of the sport fish workgroup to either perform or delay sport fish monitoring in 2012. The current schedule would continue sport fish monitoring in 2012, however if the group approves the move to a 5-year sample plan, as recommended, monitoring would be delayed until 2014. The current budget assumes that the group will recommend the modification. Given these assumptions, there is a \$7,000 deficit for 2012. Meg Sedlak noted that NIST is billing the RMP every two years for long-term sample storage, and Brian Hubinger suggested including a set-aside in future years to average out the cost of this work among years. The 2012 budget and program plan was approved. *Rob Lawrence, who had left the*

meeting prior to this discussion, approved the budget and program plan by email after the meeting.

Action Items:

- Include an annual set aside for NIST billing every 2 years.

10) Annual Meeting and Pulse

Jay Davis noted that the Pulse was delayed by the move to the new building, and that the current schedule is to have an electronic version by the beginning of January and a printed version by the end of January. Karin North asked if the electronic version could be more dynamic and user friendly. Mike Connor noted that it is very helpful to have a printed version of the Pulse at the RMP Annual Meeting.

Action Items:

- Improve the electronic version of the Pulse to make it more dynamic and user friendly.

11) Potential Fact Sheet authored by USGS

Mike Connor indicated that he approved of the idea of the USGS fact sheets, but that the draft version was not well written enough for RMP publication. Jay Davis noted that one requirement for RMP publication of USGS fact sheets is that the process be easy, with little to no editing or modifications by RMP staff. Mike Connor suggested that \$3,000 - \$5,000 be allocated out of the RMP communications budget for editing of the fact sheet. Jay Davis indicated that he would find a way to edit the existing fact sheet, and if the budget came to more than \$5,000 he would bring it to the SC for approval. He noted that he was inclined to ask Chris Werme who has worked on prior Pulses to work on this project.

Action Items:

- Determine a strategy for editing and improving the draft fact sheet by USGS for RMP publication.

12) Plus/ Delta on the Meeting, Next Meeting Date

Tom Mumley noted that a “Delta” for next meeting is getting the material out with adequate time for review. He suggested ensuring that future meetings are not scheduled after holidays so that a week before the meeting is a full work week. Trish Mulvey noted that calling in to the new location was successful, and Brian Hubinger indicated that the prior discussions on S&T modifications were productive. Mike Connor suggested that the chair be briefed before the next meeting. The next meeting was set for January 24th from 10 to 12:30, with the agenda package to be released on January 17th.

Action Items:

- Brief the SC chair prior to the next SC meeting.