

Delta RMP Steering Committee Meeting

August 21, 2013

9:00 AM – 12:00 PM

Sacramento Regional County Sanitation District Building

Sunset Maple Room

10060 Goethe Road, Sacramento, CA 95827

Summary

Attendees:

Voting Steering Committee (and/or Alternate) members present¹:

Dave Tamayo, Stormwater, Phase I Communities (Sacramento Stormwater Quality Partnership)

Gregg Erickson, Coordinated Monitoring (IEP/CDFW)

Kenneth Landau, Regulatory – State (Central Valley Regional Water Board)

Mike Wackman, Agriculture (San Joaquin County and Delta Water Quality Coalition)

Tim Vendlinski, Regulatory – Federal (U.S. EPA)

Linda Dorn, POTWs (SRCSD)

Tony Pirondini, POTWs (City of Vacaville)

On phone:

Stephanie Reyna-Hiestand, Stormwater, Phase II Communities (City of Tracy)

Stephanie Fong, Alternate-Water Supply (SFCWA)

Val Connor, Water Supply (SFCWA)

Debbie Webster, POTWs (CVCWA)

Others present:

Brock Bernstein, Facilitator

Thomas Jabusch, ASC

Stephen McCord, MEI

¹ Name, Representation (Affiliation)

Brian Laurenson, LWA

Meghan Sullivan, Central Valley Regional Water Board

Stephen Clark, Pacific Ecorisk

Rachel Kubiak, Western Plant Health

Patrick Morris, Central Valley Regional Water Board

Jason Lofton, SRCSD

Vyomini Upadhyary, SRCSD

Stephen Clark (Pacific EcoRisk)

Joe Domagalski, USGS

Dalia Fadl, City of Sacramento

On phone:

Karen Ashby, LWA

Casey Wichert, City of Brentwood

Erich Delmas, City of Tracy

1.	<p>Introductions Brock Bernstein reviewed the agenda and expected outcomes. A quorum was established. Linda Dorn announced that Jeff Willett retired and the POTWs will announce his replacement on the SC at the next meeting.</p>
2.	<p>Approval of agenda and minutes There were no comments on the agenda. The June 4, 2013, meeting minutes were approved.</p>
3.	<p>Information: Finalized Guiding Principles Guiding principles have been finalized and approved.</p>
4.	<p>Information: Permit Workgroup Update Draft resolution language for the Oct 3-4 Regional Board meeting is now on Pamela Creedon's desk for review. Board meetings will be held in Stockton (Oct 3) and Rancho Cordova (Oct 4). There is no fundamental disagreement on content among the participants of the permit workgroup, which includes representatives of the Regional Water Board, POTWs, and stormwater management agencies. Ken Landau indicated that modifications to POTW permits would be implemented first. At the same time as the discharger permits are being modified to accommodate regional monitoring, the Regional Board staff is also trying to figure</p>

	<p>out whether to issue individual MS4s vs. a regional permit for stormwater. A key question is how many changes can dischargers and regulators absorb at the same time. Dave Tamayo suggested that changes in individual permits would be an impediment to a regional permit. Ken Landau responded that he would make sure that the State Board Phase II language would not withhold the opportunity for in-lieu monitoring through the RMP. Linda Dorn suggested that it would be helpful if the permit workgroup would meet again after the draft permit language is available for review. The draft language will go out to the permit workgroup first, then the SC.</p>
5.	<p>Action: Panel discussion proposed for Oct Meeting</p> <p>Following up on a suggestion by the permit workgroup, program staff have invited SC representatives of the Bay RMP and Bight Program to participate in a meeting with the Delta RMP Steering Committee to discuss the implementation, governance, and participation of their programs. Gregg Erickson asked what the expected outcomes are. He suggested that it would be helpful to plan preparing a synopsis of the planned panel discussion that would be posted on the Delta RMP website together with other meeting products. Mike Wackman asked whether any of the invited panelists have any experience with agricultural issues. Brock Bernstein replied that the Bight Program used to look at agricultural issues, although not much agricultural land is left in Southern California. He will talk to Ken Schiff from the Southern California Coastal Water Research Project (SCCWRP), so he can prepare to address this concern to his ability.</p> <p>In the context of SCCWRP, Ken Landau mentioned that he is part of a technical workgroup on CECs that is organized by SCCWRP and will attend a meeting at SCCWRP headquarters next month.</p> <p><u>Outcomes:</u></p> <ul style="list-style-type: none"> - The panel discussion with SC representatives from the San Francisco Bay RMP and Bight Program is scheduled for Oct 10, 10-noon - Delta RMP staff will send out draft panel questions for review - Delta RMP will try to include a panelists who can speak to the agricultural component of regional monitoring
6	<p>Action: Delta RMP development schedule</p> <p>Thomas Jabusch reviewed the development schedule of the Delta RMP in relation to expectations set by the Regional Board and the SC, and in the context of the timeline and deliverables of the current ASC contract.</p> <p>The formalizing of participation and organizational arrangements, such as by drafting Memoranda of Agreement (MoAs) or Memoranda of Understanding (MoUs), is one of the elements of the development schedule and ASC contract.</p>

Dave Tamayo commented that the approach preferred by stormwater management agencies would be that there are no MoAs. The stormwater agencies need permit language to allow for in-lieu participation in the RMP. Gregg Erickson commented that the IEP needs MoUs and adequate time for developing and entering MoUs. An important consideration is that a MoU entered by IEP needs to be implemented in accordance with the IEP budget cycle. Ken Landau suggested that IEP could come aboard in Year 2. Linda Dorn commented that the Regional Board cannot take permittees alone to task as initial participants for Year 1 and if there is a need to do MoAs, it takes the time it takes. The general consensus was that the current scope and timeline for the Delta RMP are ambitious.

Ken Landau commented that other programs have started out with focused questions, whereas the Delta RMP is starting out without a well-defined order from the Regional Board and is unfocused in that way. SC members agreed that the scope is to be watched very carefully and that starting out by trying to address the bigger picture questions may not result in a functioning program model. Tim Vendlinski commented that EPA wants to see the Delta RMP aligned with the Delta Science Plan and that the two efforts would be reinforcing each other. Val Connor recommended to go with smaller-scale monitoring but not to forget big-scale thinking. Gregg Erickson commented that he sees the Delta RMP integrating with the IEP, similar to the integration of the Bay RMP with the IEP. Linda Dorn commented that the implementation and coordination with other efforts depends on the program priorities being decided on and that it is difficult to talk about the schedule if the priorities aren't clear. She suggested moving on to discuss the constituent factsheets and what to include in the monitoring. Meghan Sullivan pointed out that the sequence of steps is more important than the timeline per se. Ken Landau added that the Regional Board needs some basis for trust that the RMP is moving towards implementation. The governance structure is one important keystone, but both regulators and the dischargers have agreed on the need to identify additional criteria to be met in the development phase to define progress and at the same time provide a basis for assessing the level and adequacy of participation during the development phase. The current contract with ASC extends through March 2015 and the Regional Board has additional provisional funds (\$250,000) available through 2016. These funds would be ideally used for implementing the program and not towards developing the program. The Regional Board is hoping to arrive there by making these funds part of the budget for the first year of implementation.

Debbie Webster asked why the State Water Board wouldn't ask for SWAMP funding for Delta RMP implementation. Meghan Sullivan responded that the Regional Board is hoping to get a budget item for the Delta RMP. Ken Landau added that the Regional Board Executive Management Team hasn't yet ruled out the possibility of

	<p>using SWAMP funding. There was a mutual understanding among discussion participants that if there was a functioning Delta RMP in place, it would be a higher priority and there would be a better chance of obtaining SWAMP funding. Debbie Webster commented that the sooner the SC will get the priorities in place, the better the chances are to apply for SWAMP funding. Val Connor added that the participants would have to demonstrate to funders and prospective partners that they can implement the Delta RMP.</p> <p>The Regional Board intends to develop a new contract with ASC and is seeking a decision from the SC to reconfirm and approve ASC as the interim lead entity for the program, such that a contract can be developed. The contract scope needs to be developed by October to secure the funds. Thus, a decision is sought on reconfirming ASC as the interim program lead for the initial implementation phase (next 1-3 years).</p> <p><u>Outcomes:</u></p> <ul style="list-style-type: none"> - A decision is sought at the next SC meeting to reconfirm and approve ASC as the interim lead entity for the program, such that a contract can be executed by October. The decision is needed to secure and utilize funding (\$250,000) that is provisionally available to the Regional Board toward Delta RMP implementation.
7	<p>Update: RMP priorities review</p> <p>The designated leads for each factsheet provided brief overviews of the status and content of each constituent factsheet to obtain initial input and direction from the SC.</p> <p>Linda Dorn noted that the factsheets are in various stages of development, with those being further along that are tied to efforts that have been worked on a lot, such as the pathogens special study and the methylmercury TMDL. She suggested that monitoring that is tied to these efforts would make more sense to take on as an initial priority. Brock Bernstein noted that there is a tradeoff between “adding to an existing package” and “putting own stamp on” RMP activities.</p> <p>Dave Tamayo commented that the pesticides factsheet would need to get away from the idea that all pesticides can be lumped together. He suggested that rather than discussing pesticides globally in one factsheet, it would be preferable to develop specific “white sheets” on pyrethroids or insecticides or other pesticide-related issues where there is a similar body of knowledge. The SC generally agreed that the pesticides factsheet should focus on the question “Is there a problem?” There also was agreement that the discussion of pesticides needs more linkages to existing management programs.</p>

	<p>Mike Wackman commented from a non-technical point of view that the factsheets would need to address the following questions: “What is the problem?” “What can we do about it?” and “What can the RMP do about it?” Or “What is the issue?” and “How do we want to address it?” He emphasized that there need to be links to solving the problem.</p> <p>Linda Dorn suggested that it might make more sense to focus Phase I of the RMP on those topics that seem to be better defined, i.e. methylmercury and Cryptosporidium/Giardia, realizing that nutrients, pesticides, and toxicity might be part of Phase II in the 2nd year of implementation. Dave Tamayo commented that toxicity might be something to move forward on, if more detail is available. Val Connor requested that a summary of facts (content of papers) and guidance (any specific thoughts) be provided to the SC.</p> <p><u>Recommendations:</u></p> <ol style="list-style-type: none"> 1. Make factsheets more concrete at the big-picture level: <ul style="list-style-type: none"> ⇒ What is the problem? ⇒ What can we do about it? ⇒ What can the RMP do about it? 2. Make linkage between different pieces, i.e. describe what the monitoring looks like if the RMP prioritizes an issue 3. Describe how information is going to be used: <ul style="list-style-type: none"> ⇒ What is going to happen if we have collected all this information? How is it going to be used toward solving the problem? 4. Some factsheets need to be more specific. For example, the toxicity factsheet needs to include a discussion about the application of toxicity testing in the context of management programs. A table will be useful listing the different types of toxicity tests, sensitivities of testing organisms used, and their applications.
<p>8.</p>	<p>Next meetings The next meeting will be on September 23rd at the Central Valley Regional Board (1:00 to 4:00 PM). On Oct 10, there will be an afternoon meeting following a panel discussion with representatives from governing bodies of other RMPs.</p>
	<p>Action items:</p> <ol style="list-style-type: none"> 9.1. Stephen Clark to draft table compiling available toxicity testing methods and their applications for the toxicity factsheet (due: Aug 27) 9.2. Meghan Sullivan to send draft questions for Oct 10 panel discussion to SC

	<p>for review (due: Aug 30)</p> <p>9.3. SC to submit questions for Oct 10 panel discussion to Meghan (due: Sep 9)</p> <p>9.4. Meghan Sullivan to send doodle poll to permit group (due: when sending out draft).</p>