

Delta RMP Steering Committee Meeting

September 29, 2014

9:30 AM – 3:30 PM

Sacramento Regional County Sanitation District Building

Sunset Maple Room

10060 Goethe Road, Sacramento, CA 95827

Draft Summary

Attendees:

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

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

Tim Vendlinski, Regulatory – Federal (USEPA)

Gregg Erickson, Coordinated Monitoring (Interagency Ecological Program)

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

Linda Dorn, POTWs (SRCSD)

Josie Tellers, POTWs (City of Davis)

Dalia Fadl, Stormwater, Phase I Communities (City of Sacramento)

Val Connor, Water Supply (SFCWA)

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

Erich Delmas, POTWs (City of Tracy)

Others present:

Brock Bernstein, Facilitator

Thomas Jabusch, SFEI-ASC

Jay Davis, SFEI-ASC

Philip Trowbridge, SFEI-ASC

¹ Name, Representation (Affiliation)

Brian Laurenson, LWA/Sacramento Stormwater Quality Partnership

Meghan Sullivan, State Water Board

Karen Ashby, LWA

Adam Laputz, Central Valley Water Board

Patrick Morris, Central Valley Water Board

Jeanne Chilcott, Central Valley Water Board

Stephen McCord, MEI

Debbie Webster, CVCWA

Shakoor Azimi-Gaylon, Delta Conservancy

Tom Grovhoug, LWA

1.	<p>Introductions A quorum was established.</p>
2.	<p>Announcements from Committee Members Ken Landau introduced Adam Laputz, who will replace him as the Central Valley Water Board SC representative starting November 7. The proposed permit language amendment for NPDES dischargers in the Delta that would allow for participation in the Delta RMP in lieu of individual receiving water monitoring requirements is scheduled as the last item of the agenda for Friday afternoon at the 9/10 October Central Valley Regional Board meeting. The proposed permit language amendment signifies that modifications to individual permits are coming but there are no details yet. Linda Dorn explained that the resolution is different from an amendment to an individual permit. Debbie Webster added that the permit language as written in the resolution represents a proposal. The decision to bring the permit language to the Regional Board for adoption is to lay the legal framework within which the details of individual permit modifications can be figured out. Comments received by Regional Board staff indicate that some interest groups want to see a decision about RMP participation on a discharge-by-discharge basis. The position of Regional Board staff is to provide reassurances that even though receiving water monitoring is going away, there will still be monitoring. They are also referencing the Bay RMP, where NPDES dischargers don't have receiving water monitoring but have an RMP, and where the corresponding permit condition is only 2 lines and very generic.</p>

<p>3.</p>	<p>Approve Agenda and Summary There were no comments on the agenda or the 14 July meeting summary.</p>
<p>4.</p>	<p>Discussion: Program Funding Based on statements made during this discussion, there would be a commitment to the program by potential participants and base funding for Year 1. In addition, the RMP has the opportunity to draw in additional resources and making sure that questions are addressed through other mechanisms. There is interest in coming up with a formula for program structuring and funding. However, as observed by Tim Vendlinski, it is unlikely that the SC would find the “Rosetta stone” to get everything right from the get-go.</p> <p>There was some discussion on what would constitute “base funding” for a “core program”. Linda Dorn suggested looking into the program structure of other programs as an orientation point. For example, the core program of the Bay RMP consists of monitoring along the spine of the bay. Ken Landau remarked that in the Bay RMP, there is an understanding that studies in some year may benefit, for example, refineries more, and in other years, other participants may see more benefit overall in proposed activities. Jay added that in these instances, participants with a strong interest in a study might add more money to it. Brock added that the Bight Program does the same. Gregg Erickson commented that the terminology would need to be clear. He suggested that special studies are more ephemeral in nature compared to the core program. For example, pathogens could be seen as a first special study that would sunset and not as a component of the core program, which would be things to look at year after year.</p> <p>Brock Bernstein summarized that there would be a lot of benefit in coordinating with external efforts but that clearly some conversations will need to finish, even without finding the “Rosetta stone”. Meanwhile, Regional Board staff will have conversations about the legal flexibility of NPDES permit conditions and the TAC will have conversations about internal and external coordination. Ken Landau and Tim Vendlinski are investigating opportunities for directing SWAMP and/or additional federal funds towards the RMP. The total SWAMP budget for R5 is \$750K, of which EPA funds half.</p> <p><u>Outcomes/recommendations:</u></p> <ul style="list-style-type: none"> - Keep in mind the idea of hiring a neutral facilitator to evaluate the situation

	<p>and prepare a funding proposal.</p> <ul style="list-style-type: none"> - Further develop ideas for funding the program
<p>5.</p>	<p>Discussion: Criteria for adequate participation</p> <p>The draft criteria are generic principles and leave it up to each group to develop their own formula for the expected contributions for each of its members. Jay Davis explained that this is the model used in the Bay RMP, where each group has to figure out contributions of members to the group’s share of the program budget. The dredgers are the biggest and most complicated group in the Bay RMP and have a complicated formula. In general, there are three things that keep participants in programs like this: 1) peer pressure, 2) benefits that a program provides, or 3) some sort of penalty. Jay noted that in more mature programs such as the Bay RMP, nobody thinks about dropping out due to the benefits of participation. He suggested that this is something that Delta RMP participants will realize further down the road.</p> <p>Brock Bernstein noted that some programs consider participation on the TAC as a funding contribution, whereas others don’t. He added that there is a cost associated with accountability. Moreover, free in-kind time would allow adding additional services to the program.</p> <p>The role and significance of in-kind support from participants would still need to be determined. Some programs rely mostly on in-kind support (Bight Program), others mostly on cash contributions (Bay RMP).</p> <p><u>Outcomes/recommendations:</u></p> <ul style="list-style-type: none"> - Draft criteria to be reworked based on upcoming discussions
<p>6.</p>	<p>Lunch break</p>
<p>7.</p>	<p>TAC update: status of monitoring design</p> <p>Stephen McCord (TAC co-chair) presented outlines of the monitoring designs for each of the four focus areas (TAC co-Chair Joe Domagalski was not able attend the meeting). Overall, the monitoring designs are coming along well, but there is still some work to do on internal and external coordination. The full monitoring plan will be completed by January 2015 and will include the final designs and overall program costs (including data management and program management).</p> <p>The current focus of the TAC is on completing the monitoring designs and their</p>

costs to inform funding decisions, as requested by the SC. The budgets associated with the proposed designs don't yet account for cost sharing with other programs.

Mercury

Methylmercury monitoring would focus on the development of a long-term data record to address Status and Trends questions about changes of concentrations in fish tissue and water. Water sampling would be more often (1x/month) than fish sampling (1x/year) but at less sites. There are 5 proposed sites for water and 10 proposed sites for fish monitoring. Pending a decision by the SC to move forward on mercury, the subcommittee would be working on minor adjustments. The required standard techniques for both fish and water sampling make it challenging to piggyback onto another program. Potential data products include graphs of a) ranges of methylmercury concentrations (mean and 95% confidence intervals) in sportfish in Delta waterbodies and tributaries, grouped by subareas, and b) long-term trends for the Delta as a whole for average methylmercury in muscle fillets of largemouth bass >350mm. Largemouth bass is a good indicator species for mercury in fish, even though it is an invasive species in the Delta. It has a small home range and sits at the right level in the food chain. It is being used statewide as an indicator of mercury in fish.

Next steps for the mercury subcommittee include the mapping of proposed RMP sites and other sites and coordination with partners, such as the USGS National Water Quality Assessment (NAWQA) program and DWR mercury modelers (DWR currently funds most of the mercury work in the state). Although USGS and DWR are IEP member agencies (and DWR participates in IEP's wetlands mercury group), the NAWQA and DWR's mercury modeling effort are outside of the IEP coordination. DFW is the biggest funder of MeHg research in the state.

Nutrients

The plans of the nutrients subcommittee are to a) firm up the budget estimate, b) leverage and augment existing funding to fill data gaps, c) synchronize the proposed analysis/synthesis with the Delta Nutrient Research Plan, and d) focus on the analysis/ synthesis prior to developing the monitoring design. Val Connor asked the nutrients subcommittee to obtain SFWCA's database of nutrients/foodweb project data, which includes data from studies conducted by USGS, IEP, RTC, UC Davis (e.g., Randy Dahlgren's' group) and others.

Pathogens

Pathogens management questions to be addressed include: 1) Status and Trends: Are current pathogen levels supportive of the municipal drinking water quality beneficial use as described in the Basin Plan? And 2) Sources, Pathways, Loadings, and Processes: Can any changes in bin level be attributed to an identifiable event, condition, or changes in a source? The proposed RMP study would be an add-on to existing monitoring, by supporting additional analyses. The sample collection would be at no cost to the RMP. Data products would include a Basin Plan Trigger Assessment, performed as a tabular comparison of partial intake results to identify a potential trigger (80% of bin level).

The proposed study would be completed in two years. The study objectives for Year 1 are well defined and will determine the detection frequency for pathogens and indicator species. Year 2 would be a follow-up study using PCR to determine sources of pathogens at areas with high detection frequencies. Year 1 data are needed to plan the details for Year 2. As a next step, the subcommittee is planning to finalize the design and monitoring plan to have options to move forward on, even though there is uncertainty whether the RMP would fund a pathogens study. The subcommittee is also establishing a communication plan and a benefits analysis that would inform the costing of the study.

Current Use Pesticides

The current use pesticides subcommittee has not yet agreed on a final recommendation for the monitoring design. The pending main issue to be resolved is the recommended proportion of chemical analyses vs. toxicity testing, because the preferred option of doing "everything everywhere" is cost-prohibitive. Additional options for scaling back include reducing the number of sites or frequency. The subcommittee is planning to meet again on October 8. Josie Teller stated that it would be difficult and unusual to decide on funding without an agreement on a recommendation by the subcommittee. Val Connor indicated that she would be ok with phasing pesticides monitoring in over several years.

Outcomes/recommendations:

- Mercury subcommittee to coordinate with IEP's tidal wetland monitoring project work team, which is developing a MeHg monitoring component.
- Pesticides subcommittee to agree on a recommendation to the TAC and SC

	<p>and finalize design, consolidate with other RMP elements, and coordinate with external partners</p> <ul style="list-style-type: none"> - Pesticides subcommittee to keep overarching question in mind when developing recommendation: "Is there a problem?" - Moving forward, better define TAC and subcommittee decision-making process - Stephen McCord to facilitate next pesticides subcommittee meeting
<p>8.</p>	<p>Decision: Committee roles and responsibilities</p> <p>There was some discussion about whether the Regional Board should be identified as the lead agency for the Delta RMP in the Roles and Responsibilities document. Ken Landau commented that, hopefully, data coming out of the RMP would not solely benefit the Regional Board and that not all RMP data would necessarily be feeding Regional Board basin plan decisions. In Region 2, the Basin Plan is an important driver for the RMP but it isn't the only one. Brock Bernstein explained that he is currently setting up a similar program in the San Diego region. Although the San Diego Regional Board initiated the program, Forest Service, USDA, and other agencies have become the main drivers of the San Diego RMP.</p> <p>The discussion also revealed the need to further clarify the role of the implementing entity. According to Brock, one main function of the implementing entity is setting up RMP contracts.</p> <p><u>Outcome:</u></p> <ul style="list-style-type: none"> - The section on the Implementing Entity should be edited to clarify who are the staff and the Leadership team for the Delta RMP. - Add paragraph about the genesis of the program and what it is about
<p>9.</p>	<p>SC transition to co-Chairs</p> <p>The committees are currently in the heavy lifting phase of the program development and the TAC will soon be completing its initial task of developing a monitoring plan. The SC will need to find a chair by the time Brock's contract ends. Brock explained that the job of the chair would not be not to steer the program. Main responsibilities would include setting the SC meeting agenda, working with staff to make sure meeting materials are valuable, etc. Gregg Erickson explained that he is mainly doing scut work in his role as the IEP chair as someone who's</p>

	<p>responsible the crew follows up etc. He advised that it would be good to have one person act as the chair at the meeting, and have a second person (co-chair) to step in, make sure notes reflect what is said, etc. Overall, participants felt confident in the overall process.</p> <p><u>Outcome:</u></p> <ul style="list-style-type: none"> - It was decided to have two chairs, one chair from the regulatory agencies and one from the non-regulatory participants. - The chairs will act as co-chairs and will alternate terms (either yearly or at some other frequency) starting with the chair representing non-regulatory participants. - The two groups will each convene and nominate a person to be one of the chairs at the next meeting.
<p>10.</p>	<p>Next meeting The next meeting has been scheduled for November 7 (9:30 am -3:30 pm) at the Sacramento Regional County Sanitation District). Meeting topics will include: 1) Year 1 monitoring plan</p>
<p>11.</p>	<p>Action items:</p> <ul style="list-style-type: none"> - Send out reminder note to the SC about the Board meeting (Thomas, by October 9) - Email ideas for program funding to Thomas Jabusch (Steering Committee representatives, by October 10) - Forward MeHg TMDL language for participation to Thomas (Patrick Morris, by October 18) - Provide final draft design summaries and budgets (TAC, by October 31). - Obtain SFCWA’s nutrients/foodweb projects database (Nutrients subcommittee, by October 31) - Further develop budgets for monitoring designs and estimate overall program management costs (SFEI-ASC, by October 31) - Edit Roles and Responsibilities document based on discussion (Thomas, by October 31) - Finish monitoring design “cover”, including a description of relative timelines (SFEI-ASC/TAC co-Chairs, by October 31, 2018)