



SAN FRANCISCO ESTUARY INSTITUTE

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RMP Multi-Year Planning Workshop

October 15th, 2013

San Francisco Estuary Institute

Draft meeting summary

Attendees:

Tom Mumley, SFB RWQCB

Jim Ervin (City of San Jose)

Adam Olivieri, Stormwater (BASMAA/EOA Inc)

Karin North, Small POTWs (City of Palo Alto)

Dan Tafolla, Medium POTWs (Vallejo Sanitation and Flood Control District)

Mike Connor (East Bay Dischargers Authority)

Peter Carroll, Refineries (Tesoro Golden Eagle Refinery)

Amy Chastain (AECOM/SFPUC)

David Williams (BACWA)

Daniel Chow (Bay Planning Coalition)

Meg Sedlak (SFEI)

Jay Davis (SFEI)

Emily Novick (SFEI)

Ellen Willis-Norton (SFEI)

Lawrence Leung (SFEI)

I. Goals, ground rules [Tom Mumley]

Tom Mumley reviewed the goals of the meeting, which were to provide guidance to the TRC and Workgroups for special study selection in 2014 and to begin establishing a general framework for 2016 and beyond. He also listed the meeting's ground rules that were established to maintain an open and constructive dialogue that did not focus on unnecessary details.

II. Action: Anticipated management decisions and policies, and related information needs [Tom Mumley, SC]

Tom Mumley reviewed the current and anticipated management decisions that are listed in the RMP Multi-Year plan (MYP). He noted that the State Water Board is currently not on track to complete the updated 303(d) List and 305(b) Report by 2014. Therefore, the State Board is considering a new approach where the 303(d) List is reviewed every two

years in only three of the nine Water Board regions. If the new approach is accepted, Region 2 will need to update the 303(d) List and 305(b) Report in 2016.

Tom mentioned that Sediment Quality Objectives (SQOs) may begin informing 303(d) listings, but there is not enough information to include SQOs in NPDES permits. The RMP's reporting of SQO station assessments for Status and Trends (S&T) stations from 2008-2012 has made it so SQOs have not been enforced via permit requirements. But, the considerable number of sites listed as Possibly Impacted could influence how SQO assessments are implemented in the Bay. Daniel Chow also questioned the possible inclusion of SQO assessment requirements in future dredging operations.

Tom then reviewed the timeline for the TMDLs. The North Bay Selenium TMDL is on track for completion in the spring of 2014. The timeline for the revised Mercury and PCB TMDL has changed. The review of the existing TMDLs was initially scheduled for 2013-2015, which is not realistic. Therefore, the review of the existing TMDL and establishing plans to revise, if necessary, will occur in 2018 for Mercury and in 2020 for PCBs.

Nutrient management actions include the completion of the nutrient numerical endpoints, which is now scheduled for 2016 rather than 2015. Tom informed the committee of a new management action - the creation of WWTP permit requirements for nutrients, which will be developed 2014 through 2019. The permit development process will be informed by special studies, which the RMP will have a role in overseeing as well as BACWA.

Other management actions include de-listing legacy pesticides and re-assessing 303(d) listed sediment hot spots to determine if the sites that have been cleaned-up can be de-listed (e.g., Castro Cove). There are no specific regulatory actions for Contaminants of Emerging Concern (CECs), but the RMP should ensure that an annual review of the strategy document is performed.

Discussion:

Adam Olivieri stated that he does not want to wait until the new Mercury and PCB TMDLs to make changes to Mercury and PCB management and monitoring. Tom Mumley agreed, stating that the RMP should be making changes ahead of regulatory actions. Adam suggested keeping a record of work the RMP has done on Mercury and PCBs before the 2018 and 2020 review of their respective TMDLs. Peter Carroll asked if there were any upcoming management actions related to harmful algal blooms (HABs). Tom responded that HABs were implicitly included in the new nutrient numerical endpoints and that the end dates for ammonia/ammonium had been extended.

Karin North noted that the table of future management policies should list 2014 as the date for the adoption of a new state policy on effluent and receiving water toxicity instead of 2013. Amy Chastain noted that she would like to see a timeline for any additional re-assessment studies or management actions occurring in Mission Creek. Jay suggested listing the major permits (e.g. the Municipal Regional Stormwater Permit) in the MYP. Tom agreed with Jay's suggestion, stating that the permits explain the rationale behind

completing various RMP special studies. The title of the section listing the permits should read “San Francisco Bay Watershed Permits.”

Action Items:

- 1) Jay Davis will include a table in the MYP section on Management Plans and Questions titled “San Francisco Bay Watershed Permits”
- 2) Jay Davis will change the date for adopting a new state policy on effluent and receiving water toxicity to 2014 in the MYP section on Management Plans and Questions.
- 3) Tom to send revised version of the MYP table to Jay.
- 4) MYP to be approved at the January meeting.

III. Information: Overview of existing plans and budgets, possible future directions, updated Multi-Year Plan [Jay Davis]

Jay Davis provided an overview of the RMP budget from 2013 through 2018. He began the discussion by reminding the group that RMP fees will increase by 2% in 2014 and 2015. Jay noted that the fee increases have not kept pace with Bay Area inflation rates and that labor costs will be increasing by 2.5% in 2014. The last version of the MYP stated that there was \$281,000 of unencumbered funds (in addition to the unencumbered reserve of \$200,000). However, the unencumbered funds are currently at \$393,000 and are expected to be at \$532,000 once the Caltrans fee is received.

Jay then discussed the overall budget for 2013-2018. Potential changes to the S&T sampling design have not yet been approved; therefore the numbers included in the MYP budget handout are only projections. The communication budget varies annually because of the alternating Pulse of the Bay/RMP Update schedule. If margins work is approved, approximately \$180,000 of work is budgeted for both open Bay and margins sediment chemistry sampling. Jay proposed only conducting sediment toxicity studies in the margins. Nutrient funding is another unknown over the next few years because of the transfer of Jim Cloern’s work to other agencies. The RMP’s potential contribution to the program is not reflected in the budget.

Jay noted that the funds dedicated to special studies in 2015 is \$192,000 over the allocated budget. The large special study items include nutrients, small tributaries (until 2015), emerging contaminants, and PCB work from 2015-2018.

Discussion:

Tom Mumley stated that the Caltrans should be included in the unencumbered funds before the payment is received because the RMP has a contract with them. Adam Olivieri noted that the MYP’s mention of how fees have not kept pace with inflation does not agree with the amount of unencumbered funds available. Adam suggested taking out the sentence about inflation, both Karen Taberski and Dan Tafolla agreed.

Tom noted that the RMP has not decided to double the funding for Jim Cloern’s work. He added that the USGS Menlo Park Division Chief is interested in sustaining the program, so the funding situation may not be as dire as the RMP previously thought.

Tom then asked why the budget for 2015 special studies is \$200,000 less than the 2014 budget and when the \$100,000 special study deficit in 2014 will be resolved. Meg Sedlak responded that there are set asides that are serving as additional revenue for 2014 and some money will be coming from the unencumbered reserve. Adam added that there will most likely be carryover from 2013. Meg agreed, stating that \$150,000 of 2013 stormwater funding will be carried over into 2014 as a result of the lack of rain this year; there will also be carryover from the 2013 nutrient modeling funds. Tom noted that closing the previous year's budget takes time and the details of the 2013 budget will be discussed in the afternoon. Amy Chastain added that discussing the budget is challenging because revenue and expenses are episodic.

Action Items:

- 5) Jay Davis will remove the text about Bay Area inflation rates from the MYP.

IV. Specific program priorities for 2015 and general priorities for 2016-2019 [Tom Mumley, Group]

Tom Mumley stated that the afternoon portion of the meeting should be dedicated to discussing future priorities for special studies work, without focusing on allocating particular amounts to certain projects. Jay Davis added that workgroup members should have an idea of what the Steering Committee is likely to fund, but wants people to have the option to develop additional proposals.

Mike Connor asked if there were any regulatory decisions that would be informed by funding special studies from certain workgroups. For example, both stormwater and nutrient work are related to permit requirements. Tom Mumley responded that sediment hotspot and sediment quality objective work would also help inform management decisions. Mike noted he was unsure there was enough funding to de-list sediment hotspots. Peter Carroll asked why a significant portion of the special study funds are allocated to CEC work when regulatory action is not required. Tom responded that the RMP's CEC work is avoiding the need for regulatory action and that there is a need for more data.

Mike also asked why PCB work was funded from 2015 through 2018. Tom responded that not funding PCB work will result in regulatory consequences. Jay Davis added that the funding for PCB work is for developing a conceptual model to determine whether cleanup actions in watersheds will have an impact on PCB concentrations in the downstream margin areas and for subsequent monitoring in those margin areas.

Adam Olivieri mentioned that no funding was allocated for mercury work. Jay responded that the Mercury synthesis indicated the marshes and salt ponds were the locations where management actions should be focused. One potential RMP task is determining the regional impact of restored marshes. However, the RMP samples sport fish infrequently so it will take a long time to detect a trend. Karin North noted that a spike in Hg has been observed directly after salt pond restoration, but the concentrations drop after. Sampling small fish in the marshes receiving waters may be useful, but sport fish would not be a

useful indicator as a result of their lack of site fidelity Tom asked if RMP resources should be allocated to answer these questions. Mike wondered if the risk of Hg remobilization was larger than the benefit of restoring salt ponds and marshes. Mike observed that this type of study may refocus the RMP on the biological health of the Bay rather than just the chemical health, which also be a useful evolution for future RMP nutrient work. The discussion ended with Mike and Tom noting that, as of now, there are still no funds allocated to Hg studies and there are some funds allocated to PCB work starting in 2015.

Mike asked the group what type of work they want to encourage people to develop proposals for and study. He noted that there is currently no funding allocated to dredging, selenium, modeling, and exposure and effects studies. Jay noted that funding for modeling work is now included in the nutrients budget. Mike and Tom agreed that the group needs to identify the RMP's priorities and determine what the RMP can afford to fund.

Additional Funding Possibilities:

1) Adam Olivieri recommended completing dissolved oxygen (DO) studies because DO monitoring was included in the Basin Plan. Mike then brought up the possibility creating dilution zones around near-shore discharges. Mike noted that some facilities are considering discharging to wetlands. Mike noted that there is some tension between maintaining a long outfall pipe versus upgrading a POTW facility. If long outfalls are removed, then increased funding can be allocated to improving POTW treatment. Tom noted that new WWTP discharge master plans are being discussed, including near-shore discharges into marshes. Tom wondered if near-shore discharges would improve the sediment quality at the margins of the Bay. Tom noted that we have very little data on the margins. Mike indicated that dischargers in lower South Bay are expending substantial resources to model dilution/ impacts. It may be appropriate for the RMP to evaluate questions about regional impacts of restored watershed marshes. There was an extended discussion on monitoring in the margins (targeting drainages from five watersheds with management actions). David Williams asked about the timing for the new discharge plans. Tom responded that a working master plan should be completed by the end of 2014. Tom noted that the new plan should not affect RMP work, but monitoring on the margins will be useful for addressing questions about the effects of near-shore discharge.

2) Tom Mumley mentioned that the North Bay Selenium TMDL project is moving forward. A plan for the TMDL and a list of additional data needs should be prepared by 2014. He also noted that South Bay is listed as well. Peter recommended collecting additional wildlife data, such as more frequent sport fish collections or Asian clam monitoring. Mike noted that the important driver for Selenium regulatory action is reproductive effects. Jay noted that documenting reproductive effects is difficult because some of the sport fish are not abundant (e.g. Sturgeon) so we cannot kill too many. Tom suggested conducting a diet/feeding study. Jay recommended approaching the Sport Fish and Exposure and Effects Workgroups to help develop feasible Selenium studies. Meg Sedlak said that there is an informational need and suggested allocating funds for 2014

work. Peter stated that the work could also be completed in 2015. Mike suggested sending aside \$25,000 to develop a Selenium study in 2014.

3) Jay Davis asked if funding should be allocated to re-assessing 303(d) listed hotspots. Tom Mumley replied that he would like a placeholder for funding and wondered if the work could be combined with margins monitoring. Tom noted that the problem with last year's pilot hotspot study was that there wasn't any follow-up study planned. Mike asked if any funding was available for applying Sediment Quality Objectives at hotspots. Tom responded that some level of effort was needed on SQO/hotspot studies and the RMP should spend time developing options for possible future studies. Adam asked if there were any special studies that could be moved to 2015 and beyond to free up funding; Tom said that there were none. Peter asked if the RMP contribution to nutrients work could be reduced. Tom responded that the nutrient management structure and the RMP's contribution to nutrient work will become clearer in the next six months. Jay ended the discussion on hotspots by asking how much funding should be allocated for the work. Tom responded that the placeholder amount didn't matter as long as a proposal was written; Jay suggested \$50,000.

Tom Mumley summarized the discussion, stating that the group agreed to allocate the majority of the special study funding to Small Tributaries and Nutrients work. Smaller allocations were dedicated to Emerging Contaminants, PCBs, Selenium, and Exposure and Effects work. Jay noted that the lowest priority appeared to be dioxin work. Tom stated that similar to 2013, the Steering Committee will continue to entertain proposals for studies that are not within the categories listed above.

Action Items:

- 6) Jay Davis will allocate \$25,000 for developing a Selenium strategy in 2014.
- 7) The RMP will develop a proposal for a 2014/2015 hotspot study.

V. Summary, Action Items, Adjourn Planning Session

Tom Mumley summarized the action items from the meeting. Daniel Chow ended the meeting by asking if the RMP has been involved with studies that address spawning/migration patterns for fish species. He noted that dredging work windows are affected by the patterns. Tom responded that the RMP has not worked on the issue in the past and he is unsure if the RMP is in a position to improve the knowledge of fish migration patterns. Jay Davis suggested that Daniel talk to Rob Lawrence about the studies.