San Francisco Estuary Institute

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RMP Master Planning Workshop

October 21st, 2011

9:00 AM - 2:00 PM

Draft Meeting Summary

Attendees:

Dave Allen, USS POSCO
Amy Chastain, BACWA
John Coleman, Bay Planning Coalition
Mike Connor, EBDA
Brian Hubinger, Chevron Richmond Refinery
Rob Lawrence, US Army Corps of Engineers
Trish Mulvey, SFEI Board of Directors
Tom Mumley, SFB RWQCB
Karin North, City of Palo Alto
Adam Olivieri, EOA/ BASMAA
Chris Sommers, EOA/ BASMAA
Kirsten Struve, City of San Jose
Karen Taberski, SFB RWQCB
Dan Tafolla, Vallejo Sanitation and Flood Control District
Luisa Valiela, USEPA

Others Present:

Rachel Allen, SFEI
Jay Davis, SFEI
Rainer Hoenicke, SFEI
Meg Sedlak, SFEI

1) Goals for the Meeting

Tom Mumley was chair for the meeting. He indicated that the meeting was designed to address anticipated management decisions, policies, and information needs of the Water Board and RMP stakeholders. The goal of the meeting was not to solve problems, but

rather to identify the problems that needed to be solved and a process for addressing them. The meeting should conclude with closure on the Master Plan (MP) and agreement on the next steps. Adam Olivieri noted that this group would make recommendations to the Steering Committee (SC) who will approve and modify them as necessary.

2) **Anticipated Management Decisions and Policies, and Related Information Needs**

Tom Mumley reviewed page 6 of the MP: "Current and Anticipated Water Quality Management Decisions, Policies and Actions", which lists existing and possible policies and their timing.

Karen Taberski asked that toxicity be included, as changes in the state policy on toxicity testing may affect POTW outfalls. Tom Mumley noted that water column toxicity in the Bay has not been observed for 10 years, and that data are collected on an infrequent basis. He asked if the RMP should be generating information to better inform decisions on water toxicity. He suggested that a brief review of water column toxicity be included in the Status and Trends (S&T) review. *(A review of water column toxicity was presented at the September TRC meeting.)* Amy Chastain indicated that the final state policy is expected to be released in early spring of 2012.

Luisa Valiela asked about the implementation plan for the scheduled revisions of the Hg and PCB TMDLs. Tom Mumley indicated that these timelines are reflective of plans to consider revising the TMDLs, depending on the availability of new information. They reflect a 10-year check-point for the original TMDLs.

Karin North suggested organizing the subjects by category, such as sediment, ambient water, as well as adding color to indicate whether each subject has an established, developing, or upcoming policy.

Adam Olivieri suggested that Jay Davis and others spend time wordsmithing the Master Plan, with an eye towards releasing it to a larger audience. He and Trish Mulvey strongly supported making it available to distribute more broadly.

Additions/ Revisions to the Master Plan:

- Add a placeholder for toxicity testing to the page 6 table, pending the final state policy.
- Add a color indicator of "established, developing or upcoming" policies on page 6, and organize them in a logical order.
- Jay Davis and others spend time wordsmithing the Master Plan, with an eye towards releasing it to a larger audience.

3) **Overview of Existing Plans and Budgets, Possible Future Directions, and updated Master Plan**

Jay Davis reviewed the updated MP. He noted that it is a living document, and he intends to bring an updated version to the Master Planning meeting each year. Jay Davis pointed out the updated organization chart of RMP committees and workgroups. Tom Mumley indicated that if any outside entities are pointed out, all of them should be accounted for. He also noted that the nutrients group is a work in progress, and is not yet an official RMP workgroup. Its strategy, designed by many other players, will be larger than an RMP strategy. However, the nutrients work still needs to be recognized, as the RMP is investing considerable funding in this.

Trish Mulvey asked about indicating on page 7 of the MP that the RMP is focused on permit compliance. Adam Olivieri agreed that this should be clarified, suggesting that the RMP should clarify its general rules for establishing priorities. He recalled sending a document on this subject to Meg Sedlak within the past few years, and indicated that he would locate it. Given that the Water Board allows RMP participants to meet permit requirements through the RMP (via language in permits such as "conduct or cause to be conducted"), this should be made transparent. Jay Davis suggested that the MP could also indicate which projects are driven by permit requirements to make this clearer. Kirsten Struve suggested that the flag also point out which permit holders benefit via each study, in a "benefits" column. She volunteered to review this with Jay Davis.

Jay Davis noted that page 9 of the MP is in flux, as the S&T budget is still under review. In response to a question, Meg Sedlak clarified that the data management costs cover only S&T, and each Special Study (SS) has data management built into its budget, although programmatic costs such as maintenance of the web query tool are also included in the general data management category. Karin North asked that data management for S&T be encompassed in S&T. Adam Olivieri asked that the pieces of the RMP pie each have an accompanying description or direction to a page with further details. For example, the quality assurance performed by the RMP differs from lab QA, and should be explained.

Jay Davis indicated that with the proposed trimming of S&T, a large amount of money is freed up for 2012 studies. Kirsten Struve asked how the reduction from annual to biannual sampling would affect the rolling averages for copper in water. Amy Chastain indicated that there should be a write-up of the conclusions of the S&T review and its implications for permit requirements, including the rolling averages.

Jay Davis reviewed the major elements of the Special Study component of the RMP. He noted that the mercury (Hg) synthesis will be completed shortly. Pending review by the Hg workgroup, future Hg projects may include a workshop to bring in outside experts to develop next steps based on the Hg synthesis. John Coleman noted that the salt ponds are running out of funding to continue their Hg monitoring, and that the RMP could consider helping with this work. Jay Davis noted that the RMP has traditionally not been involved in wetland studies, but that intervening in the MeHg cycle in salt ponds is one of the most promising areas for potentially reducing exposure of sensitive wildlife species.

The PCB synthesis is about to get started. Regarding dioxins, a five-year body of work is currently wrapping up, and a synthesis and modeling effort is slated for 2014. Jay Davis suggested increasing the funding amount for this synthesis and conceptual model update from $40,000 to $50,000 or more. Regarding emerging contaminants, Jay Davis indicated that the RMP is affecting management by showing that some of these pollutants are of low concern. An exception is PFOS. The mussel study, however, could move towards including other contaminants. The Small Tributaries Loading Strategy has a new five-year budget table, showing the contributions by funding agency. The Exposure and Effects Workgroup met on Oct 18th, 2011, to review recently completed studies and discuss next steps. They suggested addressing the Bay-wide issue of moderate sediment toxicity via a nationwide workshop, as well as developing a benthic index for the mesohaline portion of the Bay, although this latter idea did not have the same degree of support as the moderate toxicity workshop. Forecasting and modeling is expected to overlap with the nutrient strategy. First steps will require developing an open Bay model to answer nutrient questions, and then expanding it into the margins and to other contaminants. Karin North suggested using footnotes to indicate how these two strategies are working together and sharing funding. A proposal for nutrient work will be discussed at the next SC meeting.

Jay Davis also pointed out SFEI's new initiative "Project Mario", which is aimed at making data accessible on the internet. This will be relevant to the RMP as it develops.

Additions/ Revisions to the Master Plan:

- Indicate which studies are driven by permit requirements in the Master Plan, and who benefits from them.
- Meg Sedlak will break out programmatic and S&T data management costs, and include the latter in the total S&T costs.
- Create a page for each large piece of the RMP budget pie, ordered by percent of budget.

Action Items:

- Adam Olivieri to locate a document on rules for establishing RMP priorities, and send it to Meg Sedlak.
- Write up and distribute the technical justification for adjusting the S&T program, and its implications for permit requirements.

4) Program Review

At the last SC meeting, it was decided to discuss a plan for program review at the MP workshop. The SC had recommended maintaining the status quo, with ongoing internal and external review, and revisit the question of whether a broader review is needed on a regular basis. Tom Mumley asked what could cause the RMP to decide to have an external review. He also indicated that the program currently has $125,000 allocated to conduct a review, and that the group should consider what to do with this funding. His suggestion was to leave the money allocated, and tap it if needed for some form of review arises. Kirsten Struve asked that the process for deciding to conduct a program review be

included in theMP. Adam Olivieri asked that the on-going peer review activities be included in the MP as well.

Trish Mulvey asked for clarification on the use of data and information generated by the RMP. The MP does not indicate how results from a specific study might influence management actions. Mike Connor agreed that this is a key issue, but that an outside review panel may not be able to solve it. Trish Mulvey commented that a review to "close the loop" on how RMP study results influence management actions be added to the workplan and budget. She indicated that the Chesapeake Bay Journal could be a good model for this sort of information presentation. Tom Mumley stated that each strategy should point to anticipated influence on management decisions and actions.

Rainer Hoenicke suggested that the ongoing science review is sufficient, but that a programmatic review may be warranted sooner. This could help improve transparency of information transfer and its application.

The group agreed that the program did not need an immediate, broad-scale review, and that the process for addressing this in the future should be detailed in the Master Plan.

Additions/ Revisions to the Master Plan:

- Include the process for deciding whether and how to conduct a program review as a page in the MP.
- Include a discussion of what peer review is already conducted, such as published articles and workgroups.
- Address the need to link workplan elements with management actions.

5) Specific Program Priorities for 2012 and General Priorities for 2013-2016

Meg Sedlak updated the group on the status of the S&T program revisions. She is developing a memo to reflect the recommendations of the TRC to move to biennial sampling of water and sediment, with organics in water being collected every 4 years (option 3). Tom Mumley asked that the final decision be communicated to the workgroups. He noted that this recommendation was reached via discussions with the stakeholders. Jay Davis indicated that the 2012 budget for special studies would increase by the amount saved from not collecting water and sediment samples in that year, but that subsequent years would have lesser amounts of savings, due to the need to spread the cost out evenly and facilitate long-term planning. Chris Sommers noted that the savings in 2012 need not be spent immediately, and could be saved for future years.

Meg Sedlak noted that currently $380,000 is allocated as an unencumbered reserve. Traditionally, this is used for urgent needs during the year and as a rainy day fund. The intent is to maintain at least $200,000 in this fund. Tom Mumley noted that the RMP has historically been conservative about tapping this fund. Adam Olivieri motioned to move $180,000 from the unencumbered reserve and made available for use in 2012 or as soon as desired, maintaining only $200,000 in the reserve. Mike Connor seconded this motion, and the group agreed to recommend releasing $180,000 from the reserve, so that it will

remain at $200,000. Karin North and Kirsten Struve asked that this decision and the general policy about the amount and use of the reserve be documented in the Master Plan.

The group moved on to discussion of specific program priorities in 2012. Tom Mumley noted that some of the SS funding could be allocated back to S&T to augment it, with additions such as emerging contaminants, toxicity, support of modeling and forecasting, or greater emphasis in the shallows (potentially including the salt ponds). Jay Davis clarified the planning schedule and process, indicating that the Master Planning group should propose priorities for the program, also recognizing that workgroups will respond to the program priorities and also may recommend studies for funding. Mike Connor and Tom Mumley asked that regular (half hour) discussions be added to the quarterly SC meetings so that the committees stay abreast of the ongoing decisions and considerations.

Regarding special studies, Karen Taberski pointed out the upcoming need for nutrients work. How Jim Cloern's monitoring program will continue is currently unclear, and will likely require increasing S&T and bringing in other funders. Jay Davis noted that the nutrient workgroup will work on this.

Jay Davis informed the group that the EEWG had recommended convening a workshop to address the moderate toxicity in the Bay, such as a SETAC Pellston workshop. They also agreed that there was an urgent need to develop a mesohaline index, but no consensus as to how to approach this. Karen Taberski indicated that we currently do not know how to interpret the benthos data collected in mesohaline regions, and that if we cannot interpret it, there is no reason to collect it. However, Mike Connor suggested that since there is no management plan for responding to SQO assessments, there is no immediate need to calculate them. Karen Taberski suggested that SCCWRP could develop this index for about $50,000. Regarding sediment toxicity, she supported holding a workshop with experts across the country to get their input on potential causes and implications of the widespread moderate toxicity. Jay Davis suggested that $50,000 from the RMP could be used to hold a workshop, with another $50,000 to follow up on outcomes of the workshop. Chris Sommers was hesitant to commit to a Pellston workshop, as the RMP's questions could be diluted by questions from the other funders, and suggested that the RMP hold its own workshop. The group concluded that the EEWG should discuss a plan for a workshop further in light of this feedback from the SC. The group supported the concept of spending a moderate amount to get a gross answer on the influence of particles in sediment toxicity tests. Mike Connor noted that the widespread toxicity may only appear alarming because the classification as "toxic" is too strict. If a national team agreed that the Bay is not toxic, the RMP would have a case to take to the State Board that no listing for sediment toxicity in the Bay would be needed. Karen Taberski commented that it is unclear whether there are any management actions that can be taken in response to SQO assessments, but that a good-faith effort to apply the tool is warranted.

Tom Mumley suggested performing more SQO assessments in Bay hotspots, however Karen Taberski indicated that the only remaining hotspot in the Bay is Mission Creek, which was surveyed in 2011, therefore no additional hotspot work is needed. Mike

Connor suggested that sediment reuse is a higher priority, as it is currently restricted by the moderate toxicity. Rob Lawrence indicated that the Bay Area Joint Venture is already discussing this issue, and that the RMP could join the group to consider implementing the science coming out of these discussions.

Regarding mercury, Jay Davis indicated that he discussed with Richard Looker the idea of holding a workshop to discuss recommendations stemming from the mercury synthesis. A workgroup, perhaps including some of the team that wrote the CALFED Mercury Strategy could provide high level peer review of the recommendations, and could possibly be jointly funded with the Region 5 Water Board. No other mercury work is currently planned for 2012 or 2013. Mike Connor recommended seeing whether Region 5 or BDSC would be interested in jointly sponsoring this workshop.

The PCB synthesis is in progress, and should be completed in 2012, and PCB data from small tributaries is currently being collected, which will enable better loading estimates. The TMDL will need to be revisited at some point, most likely in 2014-2015, and could have a regulatory impact on BASMAA, but no new studies are currently needed to inform this. Rob Lawrence noted that bioaccumulation triggers are based on PCB rolling averages, so they are still an issue within the dredging community. Tom Mumley noted that a large amount of uncertainty surrounds estimates of natural attenuation, and that this is a major driver. Adam Olivieri recommended re-assessing information needs after results from the pilot studies are in.

Mike Connor suggested that the dioxin strategy should include increased funding for modeling and a rewrite of the conceptual model report. Tom Mumley indicated that the funding amount for these tasks should be updated in 2012.

Jay Davis noted that the Emerging Contaminants synthesis, to be performed in 2012, will produce recommendations for future projects, as will the State Emerging Contaminants Report. He suggested allocating funding for EC work in 2013, to follow up on these recommendations. Adam Olivieri indicated that the state panel seems to be moving towards monitoring specific constituents and bioassays, and suggested adding funding to the S&T matrices for analyzing for emerging contaminants. Tom Mumley suggested that a minimum of $100,000 for EC work in 2013 should be allocated, with the possibility for additional funding from unencumbered funds. Mike Connor suggested increasing the amount for the EC synthesis in 2012 to $30,000. He also asked if the RMP can continue to leverage funding from the National Mussel Watch, such that the RMP would perform the field work and receive funding from the National Mussel Watch for other work or analyses. Jay Davis indicated that the status of the National Mussel Watch is currently unclear. Recommendations for additional EC studies will be needed for the next MP Workshop in October 2012.

Chris Sommers noted that the Small Tributaries Loading Strategy (STLS) Pollutants of Concern (POC) loadings project does not include funding for interpretation or documentation in 2012. He suggested putting this work off until 2013, and allocating $40-50,000 for reporting in 2013. He noted that all data will be used to calibrate loadings

to the Bay, and asked if the spreadsheet model and representative land use studies were also adequately funded. Mike Connor noted a 2-to-1 BASMAA to RMP funding match on STLS projects, and suggested that this would be a good model for leveraging RMP funding for other stakeholder groups. Tom Mumley suggested allocating $100,000 for the spreadsheet model and event mean concentration monitoring, and asking Lester McKee to determine the appropriate division between the projects. Chris Sommers noted that nitrogen and phosphorus are measured as part of these studies, albeit at a lower level of effort than PCBs and Hg. Mike Connor indicated that nutrient loadings will be helpful for the nutrient model.

Rob Lawrence stated the information needs of the dredgers, noting that he appreciated the new web page displaying the thresholds for bioaccumulation testing of dredged materials. He suggested that the Master Plan should consider finding a new reference site for sediment in the Bay, and determining the recovery of benthic communities after dredging. Tom Mumley indicated that determining recovery of benthic communities is a tough issue, and may not be feasible for the RMP. Mike Connor suggested that $50,000 be allocated, pending other funding from USACE and dredging organizations, to find a new reference site in the Bay to support management decisions and would be an appropriate use of funds. Rob Lawrence noted that the LTMS program budget has been reduced to zero his year, so it is unclear whether the Corps could contribute matching funds.

Trish Mulvey suggested incorporating the salt pond work into the RMP. Tom Mumley suggested that the needs of the RMP – regarding funding and information – should be reviewed before expanding the scope of the RMP to salt ponds. Mike Connor and Adam Olivieri discussed monitoring pathogens in the water column as a potential expansion of RMP monitoring, but Tom Mumley suggested that it is not yet needed. Brian Hubinger noted that selenium in the tributaries is still important to understand. Other information needs include the effects of selenium inputs from the Delta, variability in concentrations and flows in the Sacramento and San Joaquin rivers, and speciation. Mike Connor suggested that loads monitoring at Mallard Island should be performed more frequently than once every 5 years, and should include selenium, as well as nitrogen and phosphorus. He recommended that Lester McKee evaluate collecting these data. Tom Mumley also brought up increasing fees in 2013 and bringing in additional stakeholders, such as the water agencies. Luisa Valiela suggested that the RMP consider bringing in new stakeholders responsible for the managed ponds. Mike Connor asked if this would allow EPA to give more leeway to the SFBRWQCB to reduce the TMDL requirements on BASMAA. The RMP would be more inclined to focus funding on these ponds that can be managed if it could be taken from other pieces, such as stormwater, that are more difficult to manage.

Tom Mumley noted that placeholders for funding in 2012 and 2013 were designated on the planning spreadsheet. This will be revisited quarterly at the SC meetings with workgroup updates. He noted that not all funding for 2012 was allocated, but that it may be wiser to hold on to some of it to spend in the future. The placeholder for a sediment toxicity workshop in 2012 is tentatively allocated, pending fuller development of this

proposal from the EEWG. Tom Mumley also indicated that the increase of funding from $15,000 to $30,000 for the EC synthesis in 2012 be approved at the SC.

Karin North indicated that she would like time to review the Master Plan, and Jay Davis indicated that he would send out an editable version of the Master Plan for review by the SC members, with comments due Nov 4th. Chris Sommers noted that the Master Plan will be updated annually, and that the target audience remains to be discussed. Tom Mumley indicated that an external version should be ready by Jan 1, 2012.

Action Items:

- Document the amount of the reserve and the policy for accessing it in the Master Plan.
- Include a discussion of MP developement at each SC meeting.
- Comments on the Master Plan due Nov 4th.
- Finalize an external version of the Master Plan for release on Jan 1, 2012.

6) Plus/Delta

Tom Mumley praised the teamwork of the participants at the meeting, and suggested that they could all come more prepared by receiving materials earlier and giving more guidance to Jay Davis about what information would be needed ahead of time.

Trish Mulvey suggested that the review of existing plans and budgets (item 3) may be redundant. She also asked that the group determine when it will discuss communications, data management, and program management as part of the Master Plan.

Kirsten Struve and Tom Mumley asked that the redundancy between the Master Planning Committee and Steering Committee be reduced by making the Workshop be part of a regular, but extended, SC meeting.

Action Items:

- Discuss communications, data management, and program management as part of the Master Plan item at the next SC meeting.