

## **Regional Monitoring Program for Water Quality in San Francisco Bay**

### ***Stakeholder Assessment Findings & Preliminary Recommendations***



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Steering Committee Meeting  
November 13, 2014

# Presentation Outline

- Project Overview
- Purpose of the Assessment
- Assessment Process
- Guide to Acronyms
- Key Findings & Analysis Topics
- Preliminary Process Design Recommendations
- Draft Charter – Purpose and Main Elements



# Project Overview

- RMP conducts periodic review to ensure optimal performance
- Steering Committee authorized review to update RMP governance, procedures and organizational tools
- Primary objective: document RMP governance by creating a written charter
- Approach: Center for Collaborative Policy conducts assessment with RMP participants to inform charter development
- Steering Committee reviews, refines and ratifies draft charter



# Purpose of the Assessment

- Gather information from a cross-section of RMP members, staff & key external partners
  - Historic & current conditions surrounding the RMP
  - Governance practices (past, present & future)
  - Future program opportunities & challenges
- Prepare assessment report for RMP Steering Committee
  - Assessment process description
  - Key findings & analysis
  - Preliminary process recommendations / draft charter



# Assessment Process

- Development of standardized questionnaire
- Phone & face-to-face interviews
- All interviews confidential; no attribution
- 17 questions to explore RMP governance, membership, decision-making & future opportunities / challenges
- Optional follow-up questions based on responses



# Assessment Process

## *Individual interviews*

- John Coleman – Bay Planning Coalition
- Eric Dunlavy – City of San Jose
- Jim Ervin – City of San Jose
- Kelly Moran – TDC Environmental
- Bridgette DeShields – Integral Consulting
- Karin North – City of Palo Alto
- Rob Lawrence – Army Corps of Engineers
- Arleen Feng – County of Alameda
- Dan Tafolla – Vallejo Sanitation and Flood Control District
- Harry Ohlendorf – CH2M Hill
- Luisa Valiela – US Environmental Protection Agency
- Mike Connor – East Bay Dischargers Authority



# Assessment Process

## *Group interviews*

- Peter Carroll and Dan Glaze  
Tesoro Corporation
- Adam Olivieri, Tom Hall, Chris Sommers  
EOA, Inc.
- Tom Mumley and Karen Taberski  
San Francisco Bay Regional Water Quality Control Board
- Phil Trowbridge, Jay Davis, Meg Sedlak  
San Francisco Estuary Institute

# Guide to Acronyms

## *Acronyms used throughout the presentation*

- RMP – Regional Monitoring Program for Water Quality in the San Francisco Bay
- SFEI – San Francisco Estuary Institute
- SC – RMP Steering Committee
- TRC – RMP Technical Review Committee
- WG – RMP Work Group
- ST – RMP Strategy Team
- RWQCB – Regional Water Quality Control Board



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- **Key Findings & Analysis Topics**
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# Key Findings & Analysis Topics

- Governance
- Membership
- Decision-making
- Future opportunities & challenges
- Overarching perspectives on the RMP

## Key Findings – Governance

### *Past RMP practices & understanding of different groups*

- Broad agreement with “characterization of RMP practices” document, though not read thoroughly by all
- Broad understanding of purpose & role of different RMP groups, notably the SC
- Many acknowledge that SC participation requires big, but necessary, commitment (positive perspective)
- Some note big commitment inhibits broad participation



## Key Findings – Governance

### *Past RMP practices & understanding of different groups*

- Many recognize & understand important linkages between the SC & TRC (*“The TRC vetting process works well”*)
- Strategy teams critical to the bottom up process of setting the RMP focus & direction
- Science advisors / peer review a valuable WG contribution
- SFEI viewed positively, yet room to improve information sharing (generally) & timely distribution of meeting materials



# Key Findings – Governance

## *Coordination & information sharing*

- Good coordination between & within groups, though much is informal & not documented
- Cross-representation & longstanding relationships enable communication & information sharing
- SFEI is “glue” that links groups / helps meeting preparation
- Equity concerns: some perceive most active members / dominant personalities may drive process too much



# Key Findings – Membership

## *Member engagement & expectations*

- Active members generally plan to stay involved
- Some want / expect to become more involved, especially to better represent less active stakeholders (e.g. dredgers)
- Conflicting responses on TRC representation: some see broad, others see gaps (*“Need to address gaps to achieve equity”*)
- Unbiased science that supports sound decisions the most common expectation of program



# Key Findings – Membership

## *Member expectations (continued)*

- Interviewees noted many additional expectations of the RMP
  - Continue to collect information about bay health, prioritize pollutants that need attention, & fulfill permit requirements
    - *“Maintain confidence that discharge is not impacting the bay”*
  - Consistently achieve clarity on science needed to answer key issues
  - Ensure status & trends data is robust for future permits
  - Educate the public about source reduction & pollution prevention



# Key Findings – Membership

## *Member expectations – specific stakeholder interests*

- Some interviewees focused on interest-based needs
  - Conduct “receiving water monitoring” to fulfill permit requirements
  - Facilitate more research into data gaps that exist for dredging issues (e.g. endangered species, sediment quality, sediment in bay etc.)
  - Look at other ways to dispose & re-use dredged material
  - Ensure stakeholders are not overcharged & work is legitimately tied to permit requirements
  - Maintain stakeholder satisfaction with the program



# Key Findings – Membership

## *Member attendance, participation & replacement*

- Desire for stakeholder interests to choose their participants
- Significant minority suggest alternates; open question is whether formalized or not
- Several recognize technical expertise requirements
- Conflicting perspectives on web based meeting tools: some feel ok, others say hard to run meeting with only some present



## Key Findings – Membership

### *Member attendance, participation & replacement (continued)*

- A significant minority stress that all stakeholder groups need to participate, particularly on the TRC & SC

*“We need continuity of attendance at the TRC, not decisions made by whoever happens to show up at a meeting”*

- Many say structure / attendance less important in WGs & STs
- Common sentiment: *“A little more structure helpful to enhance participation, but no need to rock the boat”*



# Key Findings – Decision Making

## *Communication & past decision-making methods*

- SC / TRC interaction has become more clear in recent years
- SC generally achieves consensus through effective process
  - Facilitate open discussion & dialogue
  - Weigh pros & cons
  - Give minority opinion due consideration
  - Take time needed to get to consensus
- Some think email decisions in between meetings works, others suggest conference calls sometimes warranted



# Key Findings – Decision Making

## *Methods to resolve differences & reach consensus*

- Broad agreement on consensus as a fundamental principle
- Several suggest a fall back decision-making procedure
- Some note occasional RWQCB influence to advance desired projects; SFEI may also inadvertently support projects at times
- A few note consensus is unnecessary at the WG / ST level
- SFEI facilitation / task work helpful, particularly with TRC



# Key Findings – Decision Making

## *Communicating meeting outcomes*

- Most appreciate core elements in summaries
  - Decisions made
  - Action items
  - Pros, cons & rationale behind proposals & decisions
  - Any presentations or science shared
- Additional suggestions
  - Tighter summary for SC, more detail for TRC
  - More detail on WG summaries
  - Allow WG members to review / comment on draft summaries
  - Share all agendas & summaries more broadly with all groups



# Key Findings – Future Challenges/Opportunities

- Nearly all interviewees spoke to challenges more than opportunities, with funding the only commonly cited issue
- Other potential future challenges
  - Nutrients, emerging contaminants & changing ecology of the bay
  - How to handle stormwater management program
  - Relationship between RMP governance & permits not always clear
  - Lack of clarity on which projects are part of RMP & which are not
  - Product bans or source limitations
  - What to do when RWQCB staff turnover
  - Dynamic between region 2 & region 5
  - Future conditions may require greater participation of affected stakeholder groups



# Key Findings – Opportunities/Lessons Learned

- RMP continues to demonstrate effective multi-party negotiation & decision-making
- Stay focused on mission as the program delves into new areas
- Maintain adequate stakeholder representation & clarify roles of non-stakeholders (e.g. science advisors, EPA)
- Continue to operate in an open, transparent manner

*“We need trust among participants, but even more important is the trust of the larger community that the RMP operates in a scientifically robust and financially responsible manner”*



## Analysis – Overarching Perspectives on the RMP

- Broadly positive views of program effectiveness / efficacy

*“The RMP is a high quality program that works well & should be kept strong”*

- Broad understanding of purpose / role of various RMP groups
- Benefits seen to fleshing out governance structure while not fundamentally changing what works well
- Broad desire for more timely & comprehensive information sharing, & continuation of good public communication



## Analysis – Overarching Perspectives on the RMP

- Clarity on decision-making procedures will help balance individual stakeholder interests with broad desire for consensus
- Consideration / selection / use of alternates should...
  - Be encouraged yet not required
  - Be decided by each respective stakeholder group; not mandated
  - Aim to ensure consistent representation among stakeholder groups
  - Occur only if alternates are adequately prepared for a meeting
  - Be revisited on occasion to ensure necessary representation



## Analysis – Overarching Perspectives on the RMP

- Need to improve representation & involvement across groups, but especially on the TRC
- Need to expand & track communication between groups, & share more information generally (e.g. agendas, summaries)
- Need to clarify some membership, process management & decision-making procedures
- Need to better maintain the established timeline for distributing pre-meeting packages to stakeholder groups
- Need to memorialize the purpose & role of RWQCB members in RMP operations



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# Preliminary Recommendations

## *Communication & information sharing*

- Clarify & memorialize communication methods / documentation between groups, notably the TRC & SC
- Broadcast meeting information more widely & consider setting up a clearing house of information for members
  - Orientation document: purpose, structure & focus of all groups
  - Meeting agendas & summaries for all groups
  - Membership roster for all groups
  - Information flowing down & up (better use of existing list serv)
- Re-establish & maintain appropriate timeline for distribution of preparatory meeting packages to all groups



# Preliminary Recommendations

## *Membership*

- Assess current member representation & recruit as needed to ensure equitability, especially on the TRC & SC
- Memorialize membership roles & responsibilities for all groups, as well as SFEI's overarching role
- Define “active” membership & discuss pros & cons of requiring meeting attendance
- Consider alternates for stakeholder groups & prepare protocols for alternate participation



# Preliminary Recommendations

## *Membership (continued)*

- Continue to allow RMP participants to self-select members
- Ensure appropriate technical qualifications / interest of TRC members (*“We should not require participation from non-technical people as this doesn’t work.”*)
- Develop a process & product for new member orientation
- Create & maintain a membership roster for all groups
- Clarify & memorialize the role of the RWQCB



# Preliminary Recommendations

## *Decision-making*

- Clarify / refine decision-making process across all groups
  - How consensus and quorum is defined (for SC & TRC)
  - Who weighs in to achieve consensus decisions
  - Who weighs in on special studies
  - When / how voting is used as a fall back protocol
  - How minority opinions are documented
- Develop criteria for when decisions in between meetings require a conference call versus email thread
  - Inability to make decision via email
  - Complexity of subject or length of email thread
  - Conference call request by member(s)



Open Discussion  
Questions, comments or issues  
needing clarification?



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# Draft RMP Charter – Purpose and Main Elements

## *Purpose*

- Describes RMP governance procedures such as membership, participant responsibilities, and decision-making rules
- Orients new committee members and program participants
- Essentially serves as the “rules of engagement” for all participants

## *Main elements*

- Guiding RMP Principles
- RMP Organizational Structure
- Communication, Public Education and Outreach
- Other Regional Efforts
- General RMP Operating Guidelines
- Decision-making Protocols

