

Delta RMP Steering Committee Meeting

November 7, 2014

9:30 AM – 3:30 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:

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 (Regional San)

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)

Margaret Orr, POTWs (City of Stockton)

Others present:

Brock Bernstein, Facilitator

Thomas Jabusch, SFEI-ASC

Brian Laurenson, LWA/Sacramento Stormwater Quality Partnership

Karen Ashby, LWA

¹ Name, Representation (Affiliation)

- Adam Laputz, Central Valley Water Board
- Patrick Morris, Central Valley Water Board
- Jeanne Chilcott, Central Valley Water Board
- Stephen McCord, MEI
- Tom Grovhoug, LWA
- Sam Safi, Regional San
- Dave Tamayo, Sacramento County
- Bruce Houdesheldt, Sacramento Valley Water Quality Coalition
- Casey Wichert, City of Brentwood
- Joe Domagalski, USGS
- Rachel Kubiak, WPHA
- Rainer Hoenicke, Delta Science Program
- On phone:*
- Jay Davis, SFEI-ASC
- Jeff Lafer, RBI
- Tony Pirondini, City of Vacaville

1.	Introductions A quorum was established.
2.	Announcements from Committee Members Val Connor will leave SFCWA and the SC in March. SFEI-ASC's has a new Executive Director, Warner Chabot. The IEP is currently looking for new lead scientist.
3.	Approve Agenda and Summary The agenda was approved. There were no additional comments on the 14 July meeting summary. Linda Dorn requested that the SC chair item in the 29 September summary be changed to refer to SC co-chairs rather than Chair and Vice Chair, based on the decision by the SC to have co-chairs rather than a Chair and Vice Chair. One co-Chair will be from the regulatory and one from the regulated side.
4.	Discussion: Program Funding

SC members appreciated Ken Landau's proposal for a funding framework. Ken presented the funding proposal as a spreadsheet that details suggested program contributions from all participating groups. The group then provided input to the funding proposal. The edited funding proposal spreadsheet is provided as an attachment.

Most participants agreed with the overall proposed Year 1 contributions for their group. Gregg Erickson suggested that it might be good to outline cash flow that would be available right away for moving forward. The group proceeded to tally up and document realistic amounts of funding that various groups can commit to the RMP by January, March, and July of 2015.

Discussion participants expressed interest in exploring whether additional State and federal funds could be accessed to support the Delta RMP. [The question about the potential use of funds derived from CWA section 106 for the Delta RMP would best be addressed to managers at the State Water Board. The State Water Board makes the budget allocations each year for funds they receive from EPA, and EPA is rather deferential to the choices they make. Approximately 80% of the 106 grant funds go to the State to fund salaries and State contracts \(mostly SWAMP\). In principle, EPA would support allocating 106 funds to the Delta RMP given its priority status in EPA's Bay-Delta Action Plan, but doing so would mean reducing the allocation from one or more other budget categories. The in-kind service contract work comprises about 20% of the grant. If funding were re-routed to the Delta RMP, the State would need to find ways for State staff to perform work now done by contractors, such as pretreatment inspections.](#)

The ongoing drought was discussed as an additional impetus for accessing additional federal resources. For example, the IEP is being tasked to fill in gaps as to what is an early warning sign for a drought. Val Connor suggested that the Delta RMP, being a high priority for the State and USEPA, might have a high propensity for attracting additional sources such as drought-related funding opportunities.

Proposition 1 (the "Water Bond" that was just proved in the last election) represents yet another funding opportunity. However, Prop 1 funds would not be available by July.

Several discussion participants suggested that a functioning program and early

	<p>success would attract additional funds.</p> <p><u>Outcomes/recommendations:</u></p> <ul style="list-style-type: none"> - Agreement on overall framework, not on formula for individual groups - Phase in 2015 funding as it becomes available (January, March, July) - Edited funding proposal spreadsheet (see attachment)
<p>5.</p>	<p>Lunch break</p>
<p>6.</p>	<p>Decision: Year 1 monitoring plan</p> <p>Stephen McCord provided an overview of the completed monitoring designs for current use pesticides, mercury, nutrients, and the <i>Cryptosporidium/Giardia</i> special study. One of the next major steps in completing the monitoring plan will be the coordination of sampling activities with potential partners.</p> <p>There was some discussion about the timing of review vs. implementation and questions and concerns whether the proposed designs would receive adequate review. Gregg Erickson suggested that the issue suggests the need for a lead scientist for the RMP.</p> <p>Linda Dorn suggested that it would be timely to turn the focus onto bigger picture programmatic issues such as the data management component of the monitoring plan. Discussion participants supported the idea of convening a subcommittee for data management and data quality.</p> <p>Several discussion participants questioned the proposed idea of moving forward with a pathogens study as an initial step. Tim Vendlinski made a case for making mercury an initial priority. He pointed to DWR’s considerable investments in studying mercury in the Delta region in partnership with USGS, and toward planning large-scale wetlands restoration (as part of BDCP) that could create the anaerobic conditions that make mercury more bioavailable as methylmercury. In addition, EPA has provided research funding to USGS to build upon the studies they are doing within the Delta regarding dissolved organic matter to learn whether methylmercury can be sequestered in accreting wetlands along with carbon. Thus, Tim concluded, mercury monitoring done under the umbrella of the Delta RMP could support these ongoing interagency efforts.</p> <p>SC members supported the revised monitoring design proposal for current use pesticides, which proposes water toxicity testing and chemical analyses at all sites.</p>

<p>There was continued debate about the use of <i>Hyalella azteca</i> for water toxicity testing. Stephen and Brock Bernstein emphasized that <i>H. azteca</i> is a USEPA approved species for water testing, in addition to being a widely used sediment testing species. However, the RMP is not planning on sampling sediment and would include data from the SWAMP Stream Pollution Trends (SpOT) sediment monitoring. <i>H. azteca</i> is a sediment test species used by the SpOT. There was some discussion whether there's a rationale to concurrently test sediment and the overlying water column. However, SpOT collects samples only once a year, SpOT sampling sites are not all identical with proposed DRMP sites, and selection criteria for water and sediment sampling sites are different. Linda Dorn noted that she would be fine with the use of <i>Hyalella</i> for research but not for any compliance decisions. Stephen confirmed that the RMP would not use <i>Hyalella</i> for regulatory monitoring. Margaret Orr responded that the test would likely be used for making monitoring and management decisions in the context of the RMP, and therefore POTWs would have objections. Brock replied that the test is being used widely for toxicity testing across the state. <i>Hyalella</i> is highly sensitive to the presence of pyrethroids in the water column. Therefore, use of the <i>Hyalella</i> water toxicity test can detect the presence of pyrethroids at parts per trillion (ppt) levels.</p> <p>Thomas Jabusch explained the projected budget to fund all recommended Year 1 activities, which is \$1.5M and does not yet include reporting. The proposed funds for 2015 add up to \$1.3 million, which is a little less than would be needed to fund all recommended Year 1 activities. Stephen suggested that once the plan would be completed in January, there would be a clearer sense of the actual cost. Brock advised that the available funding will have to cover the cost and thus the work would have to be phased in.</p> <p>The discussion participants agreed that a decision about prioritization should be made, so that there would be a proposed program budget at the end of the day towards which they can start allocating funding. Thus, the SC decided to vote on the priorities to be started within the first 6 months. Voting results:</p>		
	Yes, in favor	No, against
Mercury	0	
Nutrients	7	2
Pesticides	7	3
Pathogens	7	0

	<p><u>Outcomes/agreements:</u></p> <ul style="list-style-type: none"> - Develop 6-month budget, assuming pro-rated costs based on availability of funding and in-kind contributions - Ensure funding delivery (ASC's job) - There are no additional major issues to discuss with regards to the monitoring design, i.e. the designs are substantially done.
8.	<p>Decision: Committee roles and responsibilities</p> <p>Per discussion, staff further revised the roles and responsibilities document to add additional program background and further clarify the role of the implementing entity. There were no substantial comments on these changes.</p> <p><u>Outcomes/recommendations:</u></p> <ul style="list-style-type: none"> - New program description narrative should be added as an "about us" section to RMP website and other opportunities for public display
9.	<p>SC transition to co-Chairs</p> <p>Linda proposed to keep Brock involved for an additional two meetings to conclude the discussions about funding and monitoring design. She suggested that a neutral facilitator would be required for these discussions. Tim Vendlinski nominated Adam Laputz as the co-Chair for the regulatory side, seconded by Ken Landau. There were no other nominees.</p> <p><u>Outcome:</u></p> <ul style="list-style-type: none"> - Linda Dorn and Adam Laputz were nominated and approved as the co-Chairs of the Delta RMP Steering Committee
10.	<p>Plus/Delta, Next meeting</p> <p><i>Plus/Delta:</i> need to better keep meetings on track.</p> <p><i>Next meeting:</i> Thursday, January 22, 9:30-3:30</p>
11.	<p>Adjourn</p> <p>Ken Landau received a standing ovation for his gentle shepherding of the program development. He then rode off into the sunset.</p>
12.	<p>Action items:</p>

	<ul style="list-style-type: none"> - Ensure Regional San background characterization planning notification gets done by permit writer by December 15 (Adam, by November 28) - Convene data management/data quality subcommittee (ASC, by November 28) - Fill out Funding Proposal summary spreadsheet columns for SWAMP (Regional Board staff, by December 31) - Agree on who needs to do what where when to complete monitoring design and start implementation (ASC/SC, by December 31) - Prepare 6-month budget (ASC, by January 8) - Post revised Roles and Responsibilities document to Delta RMP website (Patrick Morris, by January 8) - Edit SC Chairs item in September 29 meeting summary (Thomas, by January 8) - Review need to adjust Attachment G language for Stormwater Phase II communities (Adam Laputz, by January 22) - Investigate access to drought-related funding opportunities (Adam, by January 22)
<p>13.</p>	<p>Parking lot:</p> <ul style="list-style-type: none"> - Use of Test of Statistical Significance (TST) vs. other test for evaluating toxicity results

RMP Funding Proposal by Ken Landau

November 7, 2014 DRAFT

DRAFT

SUMMARY SHEET

Basic Approach	
	Set fees for Phase 2s which do no monitoring currently. Include Phase 2's from entire Sacramento and San Joaquin River watersheds Fees are more than they are spending now (which is zero), but less than individual monitoring required by State Board Phase 2 General NPDES Permit
	Add in SWAMP, IEP and Water Contractor funding.
	Divide remainder of \$1.5 million evenly between Phase 1 MS4s, POTWs and Irrigated Lands.
	Remember some cash funding has been advanced that should be credited.

Dischargers	Annual Fee	by Jan 2015	by March 2015	by 30 June 2015	July 1 2015 for FY 1516	
Stormwater Phase I	\$210,000	\$70,000			\$210,000	
Stormwater Phase II	\$600,000	\$100,000			\$100,000	\$100,000 Sac, \$50,000 each Stockton and Modesto, \$10,000 Contra Costa (population in R5?)
POTW	\$200,000	\$100,000	\$50,000	\$50,000	\$200,000	All Phase II Permittees in Sacramento and San Joaquin River watersheds at \$10,000 for smaller and \$20,000 for larger, \$1000 each for faigrounds, schools, etc. Should the universe of POTWs be expanded to the entire Sacramento and San Joaquin River watersheds?
Irrigated Lands	\$200,000				\$200,000	Include all irrigated lands in Sacramento and San Joaquin River watersheds. No proposal on how to distribute fees to Coalitions.
SFCWA	\$100,000		\$100,000			
SWAMP	\$200,000				\$200,000	
IEP (in kind services)	\$100,000					
USEPA	???					
Regional Board (1 PY, in kind)						
TOTALS	\$1,610,000	\$270,000	\$150,000	\$50,000	\$910,000	

FUTURE YEARS

Other NPDES - almost entirely groundwater cleanups that discharge high quality water.
 CalTrans (currently no Delta monitoring)
 Dredging (Ports / ACOE, small dredging operations)
 San Francisco (Hetch Hetchy diversion)
 EBMUD (Pardee diversion)

DWR (Delta diversions) Overlap with Water Contractors, but recognizes diversions are much larger than just the Water Contractors
 BOR (Delta diversions and redirection of San Joaquin River)
 Note that in future years ~\$300,000 per year of ASC funding by SWRCB contract will need to be covered by the RMP