

Delta RMP Steering Committee Meeting

June 16, 2015

9:30 AM – 4:00 PM

Central Valley Regional Board, 11020 Sun Center Drive #200, Rancho Cordova, CA

Board Room

Summary

Attendees:

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

Tim Vendlinski (USEPA), Regulatory – Federal

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

Linda Dorn* (Regional San), POTWs

Josie Tellers (City of Davis), POTWs

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

Adam Laputz* (Central Valley Water Board), Regulatory – State

Dave Tamayo (Sacramento County), Stormwater, Phase I Communities

Karen Gehrts (Interagency Ecological Program), Coordinated Monitoring

Lynda Smith (MWD), Water Supply

Debbie Webster (CVCWA), POTWs

*Co-Chairs

Others present:

Brock Bernstein, Facilitator

Thomas Jabusch, SFEI-ASC

Brian Laurenson, LWA/Sacramento Stormwater Quality Partnership

Patrick Morris, Central Valley Water Board

Joe Domagalski, USGS

¹ Name, Representation (Affiliation)

- Phil Trowbridge, SFEI-ASC
- Selina Cole, Central Valley Water Board
- Bruce Houdesheldt, Sacramento Water Quality Coalition
- Tom Grovhoug, LWA
- Val Connor, State Water Resources Control Board
- Dalia Fadl, City of Sacramento
- Karen Ashby, LWA
- Vyomini Upadhyay, Regional San
- Thomas Sinclair, City of Modesto
- Lori Webber, State Water Resources Control Board
- Michael Johnson, MLJ-LLC
- Greg Gearheart, State Water Resources Control Board

On phone:

- Stephen McCord, MEI
- Stephen Clark, Pacific EcoRisk
- Paul Bedore, RBI
- Kathy Garcia, City of Lodi
- Michael Renfrow, City of Oakdale

1.	<p>Introductions and Review Agenda</p> <p>A quorum was established. Linda Smyth will replace Val Connor as the Water Supply representative.</p>
2.	<p>Decision: Approve Meeting Summaries from January 22, 2015 and March 27, 2015</p> <p>It was requested that on page 13 of the 1/22/15 meeting summary “5-year MoU” be changed to “multi-year MoU”.</p> <p>There was some discussion about the note in the March 27 summary about “discussion whether some “pay to play” aspect should be factored in when voting is concerned”, which will be addressed in the adequate participation document.</p> <p>Participants also discussed the process that should be used for sharing the agenda package and meeting materials with the public. Some participants favored sharing all materials while others wanted to limit distribution of draft meeting summaries. The decision of the group is noted below.</p>

	<p><i>OUTCOMES</i></p> <p>→ <u>Decisions:</u></p> <ul style="list-style-type: none"> ⇒ January and March summaries as amended approved. Moved: Linda Dorn. Seconded: Stephanie Hiestand. Approved: 10-0. ⇒ The agenda package for the Steering Committee should be posted on the Regional Board’s Delta RMP website in advance of the meeting with the except of draft meeting summaries, which will be emailed to the Steering Committee directly. The Regional Board’s website will have a note saying that “Draft meeting summaries are available upon request from the Regional Board”. – Decision by consensus and straw poll, not a motion. <p>→ <u>Action Items:</u></p> <ul style="list-style-type: none"> ⇒ Post all final minutes to the Regional Board's Delta RMP website and add a note to the website saying “Draft meeting summaries are available upon request from the Regional Board” (Selina Cole, by June 30)
<p>3.</p>	<p>Information: Delta RMP Financial Update</p> <p>Phil Trowbridge gave an update on the Delta RMP budget. Finances continue to be a moving target requiring close month-by-month tracking and planning adjustments of expected revenue, actually received funds available for program activities, and activities that can be implemented based on actual funds received. Some of the highlights were: 1) the Regional Board’s SWAMP contract paying for some of the toxicity testing has been approved on June 5; 2) if all goes well, there will be \$50K more FY14/15 revenue than planned, and 3) preparation of the Quality Assurance Program Plan (QAPP) has cost \$20K as of today and addressing additional comments will come out of the pesticide coordination budget. Phil explained the difference between program management (contracting, financial management, and workplan development) and governance (TAC and SC coordination, meetings, preparing meeting materials). Phil advised that the SC would need to approve a FY15/16 budget or ASC would be out of money starting July 1. The funds needed to support the first full year of pathogen monitoring have been encumbered in FY14/15 and are secure.</p>
<p>4.</p>	<p>Decision: TAC Meeting Summary</p> <p>Joe Domagalski began his update with the TAC’s recommendation to approve the Monitoring Design. He explained that there were no fundamental changes to the program design. Bruce Houdesheldt and Mike Wackman stated that the importance of the Monitoring Design for agricultural coalitions would be for determining how they can participate in-kind. The decision about the Monitoring Design is</p>

	<p>summarized in Item 5.</p> <p>Joe also conveyed that the TAC did not reach consensus on whether some of the recommended members of a TIE (Toxicity Identification Evaluation) subcommittee would have a perceived conflict of interest and, thus, was looking for confirmation of TIE subcommittee members by the SC. Members of the SC agreed that there should be a clear policy for determining a potential conflict of interest. Further, the SC recognized that all entities have “interests” and the policy should take this into account. The SC concurred limiting the decision to a yes or no on the TAC’s recommendation for the proposed TIE subcommittee members and to defer and revisit the conflict of interest issue in a future agenda item. Tim Vendlinski commented that he would like to see the conflict of interest policy catch up with the ongoing process.</p> <p>OUTCOMES</p> <p>→ <u>Decisions:</u></p> <ul style="list-style-type: none"> ⇒ TAC TIE subcommittee members are confirmed for the duration of the FY15/16 workplan; their term is to end in June 2016: Bryn Phillips/UCD Granite Canyon Lab (alternate: Brian Anderson/UCD Granite Canyon Lab), Cam Irvine/CH2MHILL (alternate: Tony Pirondini/City of Vacaville), Stephanie Fong/SFCWA, Stephen Clark (alternate: Michael Johnson/MLJ-LLC) – Decision made by consensus (no motion, no vote). <p>→ <u>Action Items:</u></p> <ul style="list-style-type: none"> ⇒ Put an agenda item on the next SC meeting agenda to discuss the conflict of interest policy and the guidelines for issuing RFPs (Phil Trowbridge, by October 23, 2015)
<p>5.</p>	<p>Decision: Approve Delta RMP Monitoring Design</p> <p>The discussion of the Monitoring Design approval was initiated under Item 4. Val Connor commented that the program would lose defensibility without a power analysis of the Design. Some participants expressed concerns over the inclusion of a proposed 5-year schedule in the design, because decisions beyond the first year of implementation have not been made. In response, others explained the need for a roadmap that provides an idea for how the initial program implementation fits into a larger plan, which would be revisited and modified on an annual basis, in connection with developing the annual workplan and budget. Participants supported the idea of an in-kind high-level review of the design, which could be</p>

done by the Delta Stewardship Council's Independent Science Board (ISB) or the California Estuaries Monitoring Workgroup, or the Delta Science Program.

The remainder of the discussion focused on a review of edits to assessment questions that were made by the TAC and its subcommittees after they were presented to the Steering Committee in July 2014. The monitoring design was approved with the following changes that were advised at the meeting. All changes made during the meeting are in the final monitoring design:

1. Added a sentence to Section 1 Overview (p. 2):
 "The Steering Committee has expressed that the study design and data evaluation should always take into consideration co-variance of influencing factors such as flows and hydrodynamics, invasive species (e.g. grazing by non-native bivalves), organic carbon, salinity, temperature, and turbidity."
2. Edits to the assessment questions (Table 1, p. 3-7):
 - a. Pesticides, Forecasting Scenarios 3. "How will climate change affect concentrations and/or loading of pesticides and impacts to aquatic species?"
 - b. Nutrients, Effectiveness Tracking. "[none]"
3. Added a sentence to Section 5 Schedule (p. 14):
 "Actual tasks to be completed during the next five years will depend on approval of annual plans by the SC and available funding. "

The TAC had some additional changes to the monitoring design assessment questions that were not considered by the SC. The decision was to defer those potential edits until the monitoring design is revised next year. In the discussion, the question was posed: What management decisions does the Central Valley Regional Water Board need to make in the next 3 years that will impact prioritization of the monitoring design?

OUTCOMES

→ **Decisions:**

- ⇒ Approve the Monitoring Design dated 6/7/2015 as amended at the 6/16/15 meeting. Moved: Dave Tamayo. Seconded: Linda Dorn. Approved: 10-0

→ **Action Items:**

- ⇒ Update the Monitoring Design as amended at the meeting and then post as final on the website (Thomas Jabusch, by June 30)

	<p>⇒ Schedule a discussion for the next meeting to identify the scope and panel for an external review of the Monitoring Design (Thomas Jabusch, by October 23, 2015)</p>
6.	<p>Lunch break</p>
7.	<p>Decision: Approve a FY15/16 Budget and Preliminary Workplan Based on Available Funding</p> <p>Phil Trowbridge presented a proposed FY15/16 budget and workplan with request for approval. He proposed several steps in the approval process: 1) approve overall budget allocations and programmatic workplan for FY 15/16 (at meeting), 2) approve detailed monitoring plan and budget (later in month), and 3) check-in about revenue (fall). He explained that ASC is expecting to have \$545K by the end of June, which consists of the remaining \$20K in ASC's current State Board contract, \$200K from the approved SWAMP contract, and \$325K from program contributions by POTWs and Phase II Stormwater programs. For the second half of the year, \$310k of revenue is expected from Stormwater Phase I Communities and SFCWA (pending approval by SFCWA Board of Directors in February 2016). The budget does not include any revenue from agricultural coalitions. Adam Laputz stated that contributions by agricultural coalitions would start to come in late summer/early fall, which would provide an additional boost. However, the proposed budget is based on funds that can be expected to arrive with a degree of certainty.</p> <p>Stephanie Hiestand explained that there was an issue with the fees for some Phase II Stormwater programs, because their initial costs estimated for participation were based on 2010 population data and the participation letters sent by the Regional Board were based on 2013 data. Adam Laputz explained that there were equity reasons for doing this. Stephanie explained that the cost of participation for some communities has increased because fees are based on population and populations have increased between 2010 and 2013. Also, some Phase II communities, that have not had prior monitoring requirements, do not know what it would cost to do their own monitoring and to develop QAPP documents. Stephanie also stated that 10 Phase II communities inside or at the periphery of the Delta were initially contacted and have agreed to participate. Adam stated that many additional Phase II communities in the Region have the option to participate and that the Regional Board is planning to work with these communities. He expects that the Phase II contributions would ultimately be in the range of \$300-400K/year. Phil explained that the Delta RMP FY15/16 budget is based on revenue from Phase II communities that have already agreed to participate.</p>

As proposed, the budget includes \$275k for programmatic activities. Phil explained that ASC aims to reduce program management costs but doesn't see the level of effort changing based on current projections. He explained that ASC is sensitive to the concern over administrative costs and aims to provide good value to the program. However, it would also be a problem to underbudget for the service. For instance, governance is a very important aspect, because the program's success depends on a high level of engagement by stakeholders.

For the science program, Phil explained that there were insufficient funds to fully implement the Monitoring Design so the Steering Committee needed to set priorities for what is wanted to fund. At the direction of the Steering Committee co-chairs, ASC prepared a proposed FY15/16 budget to achieve the priorities set by the Steering Committee previously (this proposal was handed out at the meeting).

The proposed FY 15/16 funding for scientific activities (\$645K) assumed "bare minimum" cost options that were recommended by the TAC for each of the priorities proposed for the initial phase of implementation (current use pesticides, nutrients, and pathogens). The budget assumes \$513K for current use pesticides, \$50K for nutrient synthesis, and \$82K for pathogens. Phil explained that implementing these activities would require additional budget cuts, proposed as follows: 1) postpone FY14/15 sampling event for pesticides to FY15/16 and carry forward these funds into the FY15/16 budget (\$41K), 2) cut out additional stakeholder meetings (outside of SC and TAC meetings, \$9,500), 3) reduce cost of Stephen McCord's contract for TAC co-chair from \$32K as proposed to \$19K (minimal cost), and 4) cut out website updates (\$4K). The budget proposal was divided into two 6-month periods. Since revenue for the second 6-month period was less certain, the Steering Committee would review expected revenue before starting the work for the second half of the year.

There was extensive discussion about the budget allocations for the different priorities and how they would match up with the different interests and priorities of participants. Overall, program participants agreed to move forward with the proposed budget as presented, with the addition that any additional revenue that would come in from program participants and freed up by in-kind contributions by agricultural groups would be put towards additional nutrient work in the second half of FY15/16. The following topics were covered during the discussion:

- Agricultural coalitions are hoping to provide \$80K of in-kind services for pesticide monitoring. This contribution would free up cash contributions to be used for nutrient synthesis. The Regional Board and agricultural coalitions will meet to discuss this option.
- There was a vigorous discussion about the proposed investments in pesticide monitoring. Pesticide monitoring represents the largest portion of the proposed FY15/16 budget but also leverages the most funds. Leveraged funds would include the FY14/15 and FY15/16 SWAMP funds that can only be used towards toxicity testing and USGS' matching funds for pesticide sampling and chemical analyses. NPDES permittee representatives commented that the large percentage of the total budget (nearly 60%) going towards pesticides was not sustainable and suggested looking at options for reducing the cost. They also commented specifically on the high cost of the toxicity testing. Others commented on the importance of moving forward on pesticides and that a smaller budget would not sustain a meaningful pesticide monitoring program. Debbie Webster suggested that too much money was being invested in pesticide monitoring, and it should be cut or delayed. Brock Bernstein reminded Debbie that \$70,000 was already invested last year toward nutrients. Adam Laputz stated that he would want to see nutrient information collected as is going on, but that it would also be important to move ahead with pesticides/toxicity. He explained that it would be a business decision to focus on pesticides/toxicity now instead of mercury. Debbie said that POTWs were 'being pushed' to make billion dollar upgrades on nutrients and therefore would need to get going on science toward nutrients. Val Connor reminded that group that mercury was set aside last year in part because there were no emerging management questions to answer. Bruce Houdesheldt (co-representing agricultural sector with Mike Wackman) observed that the agricultural sector is encumbered with significant investments in monitoring nutrients (nitrate) in groundwater. Lynda Smith said it would be premature to start talking about how to cut the budget for pesticides next year when 'we don't know what we are going to find'. Adam suggested that the program has funding now for starting pesticide monitoring, so it shouldn't be held up. Phil and Brock stated that currently an additional \$65K, as proposed, is needed to complete the recommended nutrient synthesis work and monitoring design. Brock reminded the group that the lack of a detailed design for nutrients limited the program's ability to make significant

	<p>immediate investments in nutrients anyway.</p> <ul style="list-style-type: none"> • The pesticide monitoring budget will continue to include funds for <i>Hyaella azteca</i> testing but these tests will not be performed until authorized by the Steering Committee. The unused funds will remain in the pesticide monitoring budget line until the Steering Committee decides to allocate these funds for something else. • Brian Laurenson noted that the Pathogens Workgroup may want to propose a modified study design for year 2 of the study while still staying within the budgeted amount (\$82k). • Several people indicated that mercury monitoring should be planned for FY16/17. Tim Vendlinski mentioned that USGS (and the Delta Conservancy) had embarked on an update to the 2003 Bay Delta Mercury Strategy, and that to the greatest extent possible, participants in the Delta RMP should ask USGS to address questions relevant to mercury and the Delta RMP (e.g., sources, patterns of air deposition, methylation, opportunities to link methylmercury sequestration with carbon farming and subsidence reversal). A workshop is being planned for January 2016, and representatives from the RMP should definitely participate. <p>OUTCOMES</p> <p>→ <u>Decisions:</u></p> <ul style="list-style-type: none"> ⇒ Approve the FY15/16 Budget and Workplan as proposed, with the understanding that there will be a check-in before the second six-months of the fiscal year and that additional nutrient studies will be moved the top of the list for studies to be completed when additional funds are available. Moved: Adam Laputz. Seconded: Tim Vendlinski. Approved: 10-0. <p>→ <u>Action Items:</u></p> <ul style="list-style-type: none"> ⇒ Schedule and hold a conference call between the Regional Board and MS4 Phase II communities regarding participation and fees for the Delta RMP (Stephanie Hiestand, by July 31). ⇒ ASC to send detailed work plan for monitoring and special studies with approved funding; SC to review and approve (by July 31).
<p>8.</p>	<p>Decision: Approve Delta RMP QAPP</p> <p>Joe Domagalski reported that the TAC suggested an independent review by the Surface Water Ambient Monitoring Program (SWAMP) Quality Assurance Officer (QAO) for the entire document, not just the SWAMP-funded toxicity portion. Val Connor commented that she expected it wouldn't be a big deal to do the review,</p>

	<p>but that it would be a big deal not to do it. Thomas Jabusch confirmed that the QAPP is already SWAMP-compatible. Phil explained that the QAPP was so expensive and difficult because the scope of the document changed from a research document to a 200 page, regulatory-level QAPP that needed SWAMP approval. Linda Dorn reminded the group that SWAMP approval might be needed for the nutrient and mercury portions of the QAPP when they are added. The SC approved sending the completed QAPP to SWAMP for review and beginning current use pesticide monitoring immediately upon SWAMP's approval of the toxicity component. Signatures can be obtained in parallel to beginning the monitoring.</p> <p>OUTCOMES</p> <p>→ Decisions:</p> <ul style="list-style-type: none"> ⇒ The Steering Committee approves sending the completed QAPP as soon as possible to the SWAMP Quality Assurance Officer for review and beginning pesticide/toxicity monitoring immediately upon SWAMP approval of the toxicity portion of the QAPP. Moved: Dave Tamayo. Seconded: Stephanie Hiestand. Approved: 8-0-2 (representative from Coordinated Monitoring had left before the vote) <p>→ Action Items:</p> <ul style="list-style-type: none"> ⇒ Add Stephanie Hiestand to the QAPP as the representative for MS4 Phase II communities (Thomas Jabusch, by June 30) – <i>Completed</i>.
9.	<p>Discussion: Adequate Participation</p> <p>This agenda item was postponed.</p>
10.	<p>Discussion: Framework for interpreting Delta RMP monitoring data</p> <p>This agenda item was postponed.</p>
11.	<p>Discussion: Status of Deliverables, Action Items and Upcoming Meetings</p> <p>This agenda item was postponed.</p>
12.	<p>Plus/Delta, set dates and agenda topics for upcoming meetings</p> <p>Tim Vendlinski commended participants for a “great meeting”.</p> <p>OUTCOMES</p> <p>→ Action items:</p> <ul style="list-style-type: none"> ⇒ Use a doodle poll to schedule the next meeting in September or October. (Phil Trowbridge, by June 30). ⇒ Regional Board staff will set up an internal meeting with Diane Messina and Adam Laputz to discuss potential participation by Caltrans (Patrick Morris/Selina Cole, by September 1)