

## Delta RMP Steering Committee Meeting

April 25, 2016

9:30 AM – 3:00 PM

Sacramento Regional County Sanitation District Building

10060 Goethe Road, Sacramento, CA 95827

Sunset Maple Room

### Summary

#### Attendees:

*Voting Steering Committee (and/or Alternate) members present<sup>1</sup>:*

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

Brendan Ferry (El Dorado County), Stormwater Phase II

Gregg Erickson (Interagency Ecological Program), Coordinated Monitoring

David Cory (Westside San Joaquin River Watershed Coalition), Agriculture

Greg Gearheart (State Water Board), Regulatory – State

Karen Gehrts (DWR), Coordinated Monitoring

Tom Grovhoug (LWA), POTWs

Tony Pirondini (City of Vacaville), POTWs

Melanie Okoro (NMFS), Resource Agencies

\*Co-Chairs

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<sup>1</sup> Name, Representation (Affiliation)

*By phone*

Val Connor (GEI), Water Supply

Debbie Webster (CVCWA), POTWs

*Others present:*

Brock Bernstein, Facilitator

Thomas Jabusch, SFEI-ASC

Brian Laurenson, LWA (TAC)

Phil Trowbridge, SFEI-ASC

Michael Johnson, MLJ-LLC (TAC)

Stephen McCord, MEI (TAC co-Chair)

Rachel Kubiak, WPHA

Meg Sedlak, SFEI-ASC

Karen Ashby, LWA (TAC)

Patrick Morris, Central Valley Water Board

Jeff Stuart (NMFS), Resource Agencies (Alternate)

Dalia Fadl (City of Sacramento), Stormwater Phase I (Alternate)

Bruce Houdesheldt (SVWQC)

Joe Domagalski, USGS (TAC co-Chair)

Paul Bedore, RBI

Selina Cole, Central Valley Regional Water Board

Jim Kelly, SFEI-ASC Board of Directors

1.	<p><b>Introductions and Review Agenda</b> A quorum was established.</p>
2.	<p><b>Decision: Approve Meeting Summary from December 18th, 2015</b> POTWs provided additional comments and edits by hardcopy and email on April 25.</p> <p>OUTCOMES → <b><u>Decisions:</u></b> ⇒ Starting on April 25, 2016, minutes from the Steering Committee meetings should reflect only major discussion points, decisions, and action items.</p>

	<ul style="list-style-type: none"> <li>⇒ ASC staff will provide a schedule for receiving comments when they send out draft minutes.</li> <li>⇒ For the completion of more significant action items, a brief update will be given in the stoplight table describing the outcome of the item.</li> </ul> <p><b><u>Action Items:</u></b></p> <ul style="list-style-type: none"> <li>⇒ Incorporate edits from Debbie Webster and Linda Dorn on the December SC meeting minutes and sent the revised meeting summary via email back to the SC (Thomas Jabusch, by May 6).</li> <li>⇒ Reply approval of changes via email (SC members, by May 13).</li> </ul>
<p><b>3.</b></p>	<p><b>Information: Delta RMP Financial Update</b></p> <p>This update covered remaining balances of all budgets, balance of the Undesignated Funds Reserve, and SWAMP contract funds in FY16/17. For FY14/15, all tasks are closed out except for the subcontracts with USGS and the pathogen study labs. For FY15/16, most of the expected revenue has been received (minus 2 outstanding invoices). The FY15/16 SFCWA contribution of \$100K has been approved by SFCWA Board; ASC is awaiting the contract. As of March 31, 36% of the total annual budget has been spent.</p>
<p><b>4.</b></p>	<p><b>Information: TAC Meeting Summary</b></p> <p>Stephen McCord shared that in their March 30 meeting the TAC heard about and commented on the draft high-frequency nutrient monitoring network synthesis report. The TAC will provide written comments to USGS by May 2. Subsequent discussions within the TAC resulted in a general consensus to prioritize mercury over nutrients with the funding available at the beginning of FY16/17. The main reasons are that for mercury there is a monitoring design ready to implement and monitoring is needed (after nearly a decade gap) to support DWR’s mercury cycling model and the TMDL review after 2018. The TAC recommended that a more detailed nutrients synthesis scope be developed to accommodate the \$30K-\$120K remaining balance. The smaller amount (\$30K) would allow an update of the synthesis report completed by SFEI-ASC for DWR with more recent data (2012 - 2016). The larger amount would allow for additional analyses and modeling to evaluate existing data relative to assessment questions and inform nutrient design</p> <p>The TAC suggested that the SC host a joint meeting with the TAC in the future to prioritize collaboratively.</p> <p>Stephen McCord provided an update on current use pesticides (CUPs) and pathogens monitoring. CUPs monitoring continues on a monthly basis. A total of 50 samples have been collected for chemical analysis (152 pesticide analytes and additional water quality constituents such as copper, DOC/POC, TSS, and hardness)</p>

	<p>and toxicity testing (test organisms are <i>Selenastrum capricornutum</i>, <i>Ceriodaphnia dubia</i>, and <i>Pimephales promelas</i>). So far, 58 different pesticide compounds have been detected. Only one sample had toxicity (in January 2016 at Buckley Cove) above a TIE threshold, but the initial TIE test found no toxicity and chemical testing did not indicate an obvious cause of the initial toxicity. There was a request to have USGS or TAC to provide information that reflects which of these 60 detects exceeded the aquatic life benchmark threshold. The pathogen monitoring consists of monthly collections of ambient samples by the DWR Municipal Water Quality Investigations Program (MWQI) and intake sampling by drinking water agencies (about 12 locations each). So far, there have been no exceedances of Basin Plan objectives for <i>Cryptosporidium</i> or <i>Giardia</i>. The Pathogens Subcommittee is planning to review the full set of Year 1 data (completed in March 2016) in the next two months, to decide if a special study should be developed.</p> <p>OUTCOMES</p> <p>→ <b><u>Decisions:</u></b></p> <ul style="list-style-type: none"> <li>⇒ The TAC co-chairs will prepare a short summary of Delta RMP preliminary monitoring results/activities for the SC agenda package for each meeting. This item will not be distributed on Iyris.</li> </ul> <p>→ <b><u>Action Items:</u></b></p> <ul style="list-style-type: none"> <li>⇒ Prepare a one-page summary update of Delta RMP preliminary monitoring results/activities for the July SC agenda package (Stephen McCord, by July 20).</li> </ul>
<p>5.</p>	<p><b>Action: Approval of the FY16/17 Detailed Workplan</b></p> <p>ASC staff presented elements of the detailed workplan proposed for FY16/17. The SC approved a planning budget in December 2016 of \$948K. Based on this budget and subcommittees' input, the TAC made a recommendation for study elements for FY16/17. However, several TAC members suggested it would be helpful if the SC could first provide direction on the priorities for the FY and how much funding should be allocated to each focus area. Then the TAC could develop a technically sound monitoring plan based on the given budget for each priority. It was suggested that a joint SC-TAC meeting in the fall could be convened to indicate priorities and funding for each element. The SC agreed with the need to provide priorities and budgets to the TAC for workplan development and that the process would be documented in the Charter. The Steering Committee is considering a joint TAC/SC committee meeting in the fall.</p>

Additional key discussion items were:

1. The December 18, 2015, decision to increase contributions from each Participant Group by 2.5% from FY15/16 to keep up with inflation.
  - The majority of participants did not or should not have supported this decision. The majority of the SC felt that a default 2.5% increase per year would be problematic, because program costs may or may not increase, and that inflation adjustments should be decided on a year-by-year basis. Given that the proposed budget for FY16/17 (\$1,043,030) was less than the proposed revenue (\$1,056,000) with no fee increase, several stakeholders questioned the need for a fee increase. The minority view was that inflation is a reality and that an annual 2.5% increase would prevent step increases in the future. Subcontractors have already increased their rates from FY15/16 to FY16/17.
2. SFCWA proposed that their contribution in April would be allocated to FY16/17, so that future SCFWA contributions will arrive prior to deciding the Delta RMP budget rather than late in the Fiscal Year.
3. SC requested deducting \$20,000 from the undesignated reserves to be placed in the FY15/16 budget for a possible pathogen trigger follow-up study. The undesignated reserve will be \$31,903 after this action is taken.
4. Water toxicity testing with *Hyalella* is not included in the FY16/17 workplan.

The outcomes from these discussions are summarized below

#### OUTCOMES

##### → **Decisions:**

- ⇒ Approve the FY16/17 budget of \$1,043,030 to complete the FY16/17 Detailed Workplan. Approved: 11-0-0.
- ⇒ Retract the RMP fee increase of 2.5% for FY16/17 that was previously approved in December 2015. Moved by Dave Tamayo. Seconded: Stephanie Hiestand. Approved: 10-0-1.
- ⇒ Allocate \$20,000 from undesignated reserve funds to FY15/16 for possible pathogen trigger follow-up studies. Approved. 11-0-0.
- ⇒ SFCWA funding for FY15/16 (\$100,000) was originally accounted for the FY15/16 budget. However, due to the unexpected surplus for FY 15/16 and for accounting purposes, SFCWA request to allocate their contribution to FY16/17 was approved. The next contribution from SFCWA for FY16/17

	<p>(scheduled for April 2017) will be allocated to the FY17/18 budget.                  Approved: 11-0-0.</p> <p>→ <b><u>Action Items:</u></b></p> <ul style="list-style-type: none"> <li>⇒ Revise the FY16/17 Detailed Workplan as follows: Table 1 to reflect the changes in FY16/17 revenue approved at the 4/25/16 meeting; and the last paragraph of the pathogens study description to reflect the allocation of funding for pathogens trigger studies to the FY15/16 budget (Meg Sedlak, by May 30).</li> <li>⇒ Report back to the SC in July as to whether additional funds, besides the extra \$20,000 added to the FY15/16 budget, are needed for pathogens trigger studies (Brian Laurenson, by July 20).</li> </ul>
<p>6.</p>	<p><b>Decision: Approval of the Draft Charter (including adequate participation)</b>                  The following revisions were discussed:</p> <ol style="list-style-type: none"> <li>1. <i>Further define governance, including communications and interaction between the SC, TAC, and ASC.</i>                      There is general agreement that the SC should be setting priorities and allocating resources, and that the TAC should be providing technical recommendations with options and justifications based on these guidelines. These activities need to be clearly described in the Governance Section of the Charter so there is not a gap between the priorities/budget the SC sets and how they are being filled by ASC. Specific interactions such as a joint planning meeting should also be described. Chapter 1 and Chapter 7 were discussed at length for revision needs.</li> <li>2. <i>Add language describing the roles of the Coordinating Committee and Finance Committee.</i>                      The Finance Committee was formed at the October 23, 2015, SC meeting. The expectations have not yet been fully defined. The Charter is expected to provide guidance to this group moving forward. The Coordinating Committee consists of the SC co-Chairs, facilitator, and ASC staff. The committee plans agendas, refines concepts discussed at the meetings, assists with logistics, and serves as an additional communication link between SC, TAC, and ASC. Its role should be acknowledged and further refined.</li> <li>3. <i>Contingency Fund</i>                      ASC needs guidance for how to make decisions about the use contingency funds, including maximum balance threshold limits. Placeholder threshold limits: program</li> </ol>

	<p>manager may allocate up to \$5K without SC authorization for unforeseen activities (e.g. field equipment failure) and up to \$25K with consultation with Coordinating committee. The SC should approve amounts exceeding \$25K (either via e-mail or meeting). The contingency fund will have a not-to-exceed cap of \$50K.</p> <p>4. <i>Composition of the TAC</i></p> <p>The TAC composition should mirror the SC composition, i.e. each SC member should appoint a corresponding TAC member.</p> <p><i>OUTCOMES</i></p> <p>→ <b><u>Decisions:</u></b></p> <ul style="list-style-type: none"> <li>⇒ The TAC nominates the TAC co-Chairs. The SC confirms TAC co-Chairs and authorizes the payment of co-chairs, if TAC co-chair is a paid position.</li> <li>⇒ ASC will provide a detailed financial memo to the Finance Subcommittee, including the internal accounting reports used to prepare these documents.</li> </ul> <p>→ <b><u>Action Items:</u></b></p> <ul style="list-style-type: none"> <li>⇒ Set up a Finance Subcommittee meeting (members include Dalia Fadl, Mike Wackman, Linda Dorn, and Adam Laputz, only 3 needed for quorum). The Finance Subcommittee will address questions such as: is the program as cost-efficient as possible?; what format and information is needed for the financial memorandums?; Are there places where the budget assumptions are flawed?; is the program on the right track financially? (Val Connor, by July 20).</li> <li>⇒ SC members to submit in writing revisions (or language) to ASC (SC members, by June 1).</li> <li>⇒ Revise the Charter with edits from SC members (at the meeting and in writing) particularly regarding the Coordination Committee, Finance Committee, Revenue Committee, use of contingency funds, adding/changing members, financial management, and minimum balance for Reserve funds (Meg Sedlak, by July 20).</li> </ul>
<p>7.</p>	<p><b>Action: Approve the Memorandum of Agreement (MOA)</b></p> <p>Individual MOAs would be a useful vehicle for Sacramento County and Regional San to facilitate program contributions to ASC. MOAs between ASC and these organizations may serve as a template for additional members that may want to use an MOA in the future.</p> <p><i>OUTCOMES</i></p>

	<p><b><u>Decisions:</u></b></p> <ul style="list-style-type: none"> <li>⇒ The decision was made not to use the MOA for all entities participating in the program (i.e., not all participants need to sign/ approve/ modify changes).</li> </ul> <p><b>→ <u>Action Items:</u></b></p> <ul style="list-style-type: none"> <li>⇒ Work with Linda Dorn and Dave Tamayo to review the MOA to determine how they can adapt it to be contract template for use by their respective organizations (Phil Trowbridge, by May 30).</li> </ul>
<p>8.</p>	<p><b>Member updates</b></p> <ul style="list-style-type: none"> <li>a. The Central Valley Regional Water Board plans to hold a workshop on <i>Hyalella</i> testing as part of the June 23/24 or August Board Meeting. At the workshop, stakeholders will provide perspectives to inform a decision on whether water column toxicity testing with <i>Hyalella</i> should be requested from dischargers.</li> <li>b. The Independent Science Board (ISB) is conducting a review of monitoring and adaptive management in the Delta to complete a Water Quality review. Val Connor and Adam Laputz are on an adaptive management/resource management panel. Val Connor is also a paid consultant to the ISB for the Water Quality review. No one identified this as a conflict of interest with her also representing SFWCA on the SC. Linda Dorn will present and answer questions on behalf of the Delta RMP. One of the questions the ISB is seeking to answer is “What kind of water quality monitoring do we need to answer questions now and in 10 years from now?” In this context, meeting participants pointed to the nexus of the Delta RMP with the pyrethroid TMDL, regarding the need for tools for efficiently monitoring and managing pyrethroids and other pesticides.</li> </ul>
<p>9.</p>	<p><b>Action: Update on SEP and Prop 1 Funding</b></p> <p>The SC co-Chairs and ASC are evaluating and actively pursuing additional funding opportunities for the Delta RMP. Reapplying for Mercury Monitoring will be discussed at a May 10 meeting with CA Department Fish and Wildlife, Linda Dorn, and Meg Sedlak.</p>
<p>10.</p>	<p><b>Discussion: Status of Deliverables, Action Items and Upcoming Meetings</b></p> <p>This Item was not discussed.</p>
<p>11.</p>	<p><b>Set dates and agenda topics for upcoming meetings</b></p> <p>The next SC meetings are on July 20 and October 18.</p>

	<p><i>OUTCOMES</i></p> <p>→ <b><u>Action Items:</u></b></p> <ul style="list-style-type: none"> <li>⇒ Send meeting invitations for the next SC meetings on July 20, 2016 and October 18, 2016 (Thomas Jabusch, by May 6).</li> <li>⇒ Add an agenda item for the July SC meeting to discuss fees for FY17/18 (Meg Sedlak, by July 20).</li> <li>⇒ Add an agenda item to the July SC meeting regarding the Hyalella workshop being organized by the Regional Board (Meg Sedlak, by July 20).</li> </ul>
<p><b>12.</b></p>	<p><b>Plus/Delta</b> This Item was not discussed.</p>