

**San Francisco Estuary Project  
Implementation Committee Meeting**

February 2, 2007

Elihu M. Harris State Building  
Oakland, California

**DRAFT MEETING SUMMARY**

**1. Introductions/Approval of November 3, 2006 Meeting Summary**

Tom Mumley, Chair of the Implementation Committee, called the meeting to order at 9:40 am. He proceeded with a round table of introductions then provided an overview of the agenda. The Meeting Summary for November 3, 2006 was approved.

**2. Public Comments**

There were no public comments.

**3. 2007-08 Draft SFEP Work Plan and Budget**

Marcia Brockbank stated because the 2008 work plan and budget must be submitted to US EPA by May 31, SFEP's budget is uncertain at this time. Usually the budget increases with grants that are awarded later in the year. SFEP's only discretionary funds and the main source covering staff is the base funding from Congress through US EPA. For the last five years this National Estuary Program (NEP) funding has been about \$500,000. However, this year there is concern that EPA is reducing the NEP budget requested by the President and a further complication is EPA considers funds appropriated by Congress in excess of the President's proposed budget amount "an earmark". The process is to revise the SFEP work plan and budget as requested by the Implementation Committee (IC), forward it to the Executive Council for concurrence, and bring back to the IC in May for final approval. There was a discussion of how the IC can assist in increasing the funding for SFEP but it was noted the NEP's policy is to divide funding equally among the programs.

**Action: Staff should provide a case for full funding (\$ 1 million per program) for IC members to take to legislators on their spring trips to Washington DC. Emphasize what is not being done because of funding limitations; cite section of \$1 million authorization. Add that leveraging by the state for the ½ million federal funding is over \$ 6 million.**

**Action: Comments in writing are due to Marcia by February 28.**

**4. CCMP Update-Dredging and Waterway Modification**

Steve Goldbeck, BCDC briefly reviewed the history of the dredging controversies in SF Bay during the seventies and eighties which led to the establishment of the Long Term Management Strategy (LTMS) as called for in the CCMP. It was a joint program of BCDC, the Regional Water Board, US Army Corps of Engineers, US EPA and stakeholders. The LTMS Management Committee regards the CCMP Update as an opportunity to talk about the success of the program. The Management Committee was given the proposed work plan and schedule for the CCMP Dredging update at their January meeting. The Managers will review the document and recommend changes. These recommendations will be sent to the LTMS Interested Parties and the SFEP IC/Interested Parties lists.

The Management Committee wants to combine the CCMP recommendations with the DMMO annual meeting. There will be a public meeting on April 13, 2007 to discuss lessons learned as the basis for updating the CCMP chapter, followed by actual revisions, and sending them to the IC for approval. Steve passed out a tentative schedule and work plan and a modification objectives worksheet (Attachment #1 and 2).

Arthur Feinstein noted this was the only CCMP Update component that seems to be staff oriented rather than a more public workgroup process. Steve stated he would be happy to meet with anyone that wants to be involved. The April 13 meeting is to solicit public comment. Anyone can attend and send comments to Steve. He can also set up workshops or meetings if needed.

**Action: Send Steve IC/Interested Parties Mailing List**

Ellen Johnck said there is ample opportunity for public comment and the update will not be staff driven but will cover what has changed in the goals in the last 10 years; the environmental windows program; the use of dredged material for wetland restoration at Hamilton and Montezuma; the change to sediment management not just disposal.

Mike Connor noted two big changes that must be considered; sea level rise and the information coming from the Regional Monitoring Program that has changed the perception of the Estuary from a system overloaded with sediment to a system losing sediment.

Arthur Feinstein noted the impact of ocean disposal needs more information; there is an issue regarding sand for Ocean Beach.

Rick Morat stated the Delta LTMS should also be included in the update.

Steve Goldbeck replied many things are covered; new initiatives including the subtidal goals process, the sediment dynamics in the Bay, uncovering legacy sediments, tidal marsh restoration. He felt the chapter would be updated but not fundamentally changed.

Peter LaCivita noted the Corps is involved in coast-wide sediment initiatives and collaboration.

Tom Mumley stated the SFEP Management Committee agreed 14 years ago to defer to the LTMS which works because it is a public process.

**5. CCMP Update: Aquatic Resources and Wildlife Chapters**

Rick Morat began his presentation by reminding IC members they are not here to debate the actions but to assure their interests are addressed; comments should be to clarify the text. SFEP staff will receive written comments which need to be submitted by February 23. The workgroup will not provide a line by line response to comments but the meeting summary from the workgroup's follow-up meeting will consider and address the comments.

**Action: Staff to mail electronic versions of the chapters to IC members for their comments.**

Rick did not go into the Introductory material or the objectives but focused on the action items to be updated or added. He briefly went over the index to the updates.

Comments:

Gary Bobker: both the introduction and several actions call out concerns about global warming on bay species; monitoring, tributary inflow; tidal habitat. He stated the global warming effects on ecosystem habitats are so dramatic this should be elevated in the Updated CCMP. Global climate change applies across the board; it is an overarching issue and not in any one category. The CCMP is not just a list of recommendations; but a plan on what we are going to do - the CCMP should cite specific actions that will be done in the foreseeable future.

David Lewis: climate change impacts for major projects should be added to the CEQA checklist; the CEQA process is one place where this consideration could be reinforced.

Arthur Feinstein: the workgroup should add another objective to research the impacts of global climate change on aquatic resources and come up with a plan to address the impacts.

Tom Mumley repeated members need to put their recommendations and concerns in writing.

Jerry Bruns: regarding the “Who’s”—the CCMP is giving recommendations to the agencies to do something. What does it mean when people sign this document?

Tom Mumley: the CCMP is a collaboratively based management plan; it is not regulatory. Its recommendations should make sense and be achievable.

Steve McAdam: the recommendations reflect BCDC’s current policies, and he will bring the recommendations back to the Commission and staff so they can carry forward the recommendations. Steve wants BCDC added to the “Who” for action 2.1. On performance measures add percentage of BCDC permits with conditions requiring adherence to ballast water program.

Tom Mumley: ballast water recommendations may require NPDES permitting, so the Water Board needs to be added to the “Who”.

Mike Connor: action AR 4.2 Entrainment—add language to minimize biological impacts using best available technology.

AR 5.1- Bay Inflow: text does not actually say to implement the plan. Need to review text of action item for compatibility with the objective.

Andrew Michael: a comprehensive conservation plan for the Delta is being developed; it likely will affect flow needs and inflow for aquatic resources.

Jerry Bruns: there is also the 2006 Water Quality Control Plan development with SWRCB as the lead.

Gary Bobker: it is important to say protect inflow dependent aquatic resources and do something about insuring their flow needs. The Delta Vision is looking at effects in the legal Delta, but not at downstream effects – there must be a connection.

Cindy Darling: there are currently 3 major initiatives under development for the Delta; they are not looking at downstream flow needs. Given the potential for major manipulation in the Delta and climate change, determining flows for the downstream needs covers a major gap. However, the action needs connection to the Delta. For the action to be effective it needs to be funded and implemented.

Rick encouraged Cindy to comment or come to the workgroup meeting.

Steve McAdam: Based on changes in AR 5.1, workgroup needs to edit AR-5.2 which is soft and doesn't reflect the changes in AR-5.1. Then AR-5.3 says to implement, needs consistency.

AR-6.3: change "What" to implement not facilitate.

AR-6.1: language is dated; Marcia emphasized all dated information was not deleted; workgroups only had time to consider a portion of really outdated actions in the allowed time frame. Workgroups did not work on every action item, if not harmful, left original language.

Mike Connor: AR-6.6 - add hydrographs to language; need to emphasize collecting and analyzing existing information, not generating new data.

Ellen Johnck: AR-7.1 - Subtidal habitats—need to present as a bay planning management effort; objects to supporting implementation of its recommendations without knowing what the recommendations will be (p. 38).

Arthur Feinstein: can substitute "policies" for recommendations.

Tom Mumley: endorses "policies" substitution.

Ellen will provide some suggested language.

Beth Huning: fish are also wildlife, the action should read, "fish, other wildlife..."

David Lewis: keep the language the way it is; recommends agencies have policies on subtidal habitats; action is simple, elegant, straight-forward.

Gary Bobker: don't create a separate threshold for subtidal habitat.

AR-8.1-Sand and Shell Resources—Beach habitat is disappearing, add whether extraction has physical impacts on shoreline beaches as well as critter impacts.

AR 9.1 and 9.2-Marine Debris- Steve McAdam: need definition of marine debris; should include sunken ships and abandoned pile structures.

Ellen Johnck: Army Corps of Engineers wants to enhance their debris collection.

David Lewis: action 9.2 - add "and create new" marine debris prevention and clean up programs, don't rule out new initiatives.

There was a brief discussion of public education and outreach for each chapter and it was decided this issue should be handled by the CCMP Steering Committee.

Elaine Archibald (CUWA): an action is needed on the potential impacts to aquatic resources of algal toxins now present in the estuary. Also she noted the 1993 Problem Statement acknowledged multiple problems whereas the current Introduction just focuses on pumping.

### **Wildlife Chapter**

Beth Huning will submit comments on the introduction and she wants Marin Audubon added to the “Who” on WL-1.6

Mike Connor: the workgroup should look at whether the recommendations should change because of sea level rise. Will the southern range (habitat) still be the southern range? The CCMP needs to address uncertainty, how should we spend/use our resources in restoring and protecting species that may not be in the estuary 20 years from now.

Barbara Salzman: we don’t know how fast this change will occur.

Rick Morat: the document needs to address uncertainty.

Arthur Feinstein repeated the need for an overarching action on climate change.

There was a discussion on how to plan for climate change as it progresses. Does the CCMP focus on strategic changes or efforts we want to support? Need to think about how to discuss in the introductory material. The message should be that change is coming; anticipate projected changes and make recommendations for addressing in plans and policies. Need mechanisms for adaptive management of changes. CEQA checklist- needs to evaluate climate change impacts to projects. Provide or develop guidance about climate change.

Wildlife 1.6 - Beth had an update on Skaggs Island—transfer for conservation purposes should be completed. Add Coastal Conservancy to “Who”.

Ellen Johnck supported the establishment of the refuge proposed in WL-1.6 and will comment on the particulars. Barbara Salzman thanked her for her support.

WL-4.6-Colony nesters: Beth Huning questioned as to why some species are addressed specifically and others more generally—she wondered why snowy plover not mentioned. Rick invited her to suggest some language.

WL-4.7-Barbara Salzman: there is conflict between the addendum paragraph and the draft action item.

WL-5.1-Landside access- Barbara Salzman: language is not protective enough; include language that says “avoids or minimizes where avoidance is not possible.”

Andrew Michael: this is a definite area where climate change/sea level rise should be addressed.

WL-5.2- Water trail: Barbara Salzman: add “minimize if avoidance is not possible.”

WL-6- Wildlife Protection and WL-7-Wildlife Monitoring: Arthur Feinstein proposed switching the order so monitoring comes first, followed by protection if monitoring shows a problem. SF Bay Joint Venture should be added to “Who” for monitoring.

It was suggested the chapter introduction provide a description of why the issues addressed in the update are important; a link between the introductions and the actions proposed. It was recommended the overall CCMP Introduction provide an overview that describes the update process and why some actions were revised and not others. Final document will be submitted to the Executive Council.

Rick Morat will call another workgroup meeting to consider comments. Let him know if you wish to attend.

**Action: Send all written comments to Marcia Brockbank by Feb. 23.**

## **6. CCMP Update: Water Use Chapter: Final Presentation**

Cindy Darling, water use workgroup facilitator, stated there were many edits following the first IC presentation which were incorporated into the document. She proceeded to review and highlight the changes. She noted the costs and dates for the actions are not all realistic.

In the problem statement there was clarification language added for the environmental water account (p.2). Also there was language added as submitted by Steve Macauley throughout the introductory sections to clarify and update topics.

Document-wide: Need to change all references from reclamation/reuse to recycled.

WU-1.2: the “what” was made more generic.

WU-1.3: include language suggested by Friends.

WU-2.1: change US Soil Conservation Service to Natural Resources Conservation Service (NRCS); EWMP list out of date but not looked at in this effort.

WU-2.3: there was a spirited discussion on this action. The revised action language is as follows: “Existing Best Management Practices (BMPs) and additional water conservation measures developed through feasibility studies should be implemented by municipalities and water districts.” All language after the first paragraph in the “What” will be deleted. Ted Smith moved the revised action be accepted, seconded by Barbara Salzman, and unanimously approved by the IC by voice vote.

Geoff Brosseau: recommended there be a mechanism in the updated CCMP to show new or revised language that was updated in 2007.

WU-2.4: the “can” was changed to “should”

WU-2.5: make more generic; delete “on Delta islands”

WU-3.2: State control of CVP was deleted

Barbara Kondylis raised the issue of the peripheral canal currently discussed at the state level as part of the delta evaluation and water supply management. Cindy did not think it should be included in this chapter on water use; it is part of the Delta Vision process. Barbara strongly felt the updated CCMP needs to address the issue. Rick Morat offered that workgroups did not touch some big issues, it was felt they should be covered in the master introduction. It was agreed that the CCMP Steering Committee should discuss an approach for this topic.

Mike Connor moved to approve the Water Use chapter with the corrections proposed; Barbara Salzman seconded. The motion was unanimously approved by voice vote (all ayes, no nays).

### **7. Updates**

There was a brief discussion of options for signing off on the document and members agreed they would like a resolution of support. They also discussed the need for fund raising for printing which Marcia estimated at \$20,000-\$50,000, depending on the number of copies; however the update would be posted on the web and available on CD—no decision on printing or format for printed document was made. The CCMP Steering Committee will discuss further.

The 2007 State of the Estuary Conference will be October 16-18 at the Scottish Rite Temple on Lake Merritt in Oakland. The first meeting of the Conference Coordinating Committee was Wed. Jan 31 and is pursuing ideas for sessions, sponsorships, etc. Anyone wishing to participate should contact Karen McDowell at [kmcdowell@waterboards.ca.gov](mailto:kmcdowell@waterboards.ca.gov).

### **8. Items/Assignments: NEXT IC MEETING FRIDAY, MARCH 2, 2007-- FIRST PRESENTATIONS OF POLLUTION PREVENTION AND WETLANDS.**

The meeting was adjourned.