

**SAN FRANCISCO BAY AREA WETLANDS RESTORATION PROGRAM
COORDINATING COMMITTEE**

**MEETING SUMMARY
JULY 18, 2003**

Attendees:

Marcia Brockbank (San Francisco Estuary Project)
John Brosnan (Wetlands Restoration Program)
Dan Bruinsma (City of San Jose)
Sy Forsythe (Bahia homeowner)
Lynne Hosley (CH2M Hill)
Molly Martindale (U.S. Army Corps of Engineers)
Mike Monroe (U.S. Environmental Protection Agency)
Robert Ray (Bahia homeowner)
Steve Thompson (NOAA Ocean Service)
Carl Wilcox (California Department of Fish and Game)
Bruce Wolfe (San Francisco Bay Regional Water Quality Control Board)
Katie Wood (San Francisco Bay Conservation and Development Commission)

1. Introductions

Mike Monroe chaired the meeting and opened with a roundtable of introductions. Mike asked for any announcements and there were none.

2. May 23 Coordinating Committee Meeting Summary

John Brosnan noted there were three significant action items from the previous meeting. First, he was to arrange a subgroup on monitoring issues, which was done with an update to come later in the agenda. Second, John was to complete final planning for the Executive Council meeting, which was done. Third, John and Mike were to investigate the prospect of holding an interagency meeting with the Invasive Spartina Project staff; John and Mike investigated this and found it may be too premature to arrange this, but the option is still open for later in the coming months.

3. WRP Group Reports

Executive Council. John said the June 10 Executive Council meeting had gone very well and resulted in two major decisions. First, the Executive Council endorsed the Charter of Working Principles document, which had been in revision for just over a year. Second, the Council weighed in on how the Design Review Group should approach the review of mitigation projects. The Council determined the group could review mitigation-based projects only when the project has a public agency sponsor (i.e., a public works project) and when that project is referred to the DRG by a reviewing, permitting agency. This policy will be continually reviewed at all Executive Council meetings and will remain in place on an indefinite basis; a detailed account of this policy's effects will appear in the Wetlands Restoration Program's premiere annual report, due June 10, 2004. Lynne Hosley noted she intends to bring Pond A4

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before the DRG and wanted to clarify that it would be allowable; Carl Wilcox noted that would be allowed, as it is an already-permitted public works project.

Design Review Group (DRG). Mike noted the Bahia Lagoon Dredging and Lock project presentation, given in March, had been the second mitigation project reviewed by the DRG that raised concerns about the DRG's involvement in mitigation review. Concerns originated from the environmental community and were related to the perception that DRG review provided a credibility and support to that portion of the project, particularly in advance of the permitting process. In response to these concerns, the Coordinating Committee recommended limiting review of mitigation projects for an indefinite period; thus, no letter of review if forthcoming for the Lagoon Dredging project. Dr. Robert Ray felt that since the portion of Bahia is being restored to tidal wetlands by Marin Audubon was originally bay, how could it be "restored" to tidal marsh? Mike said the DRG had begun review of the Marin Audubon project as of July 14 and staff from Marin-Sonoma Mosquito and Vector Control was on hand providing comments to ensure low or no mosquito population. Sy Forsythe noted the Novato City Council will be discussing an alternative dredging and lock proposal soon, but the alternative proposal was not adequate. He noted the alternative proposal does not address individual property rights. Mike noted the Marin Audubon Society's Letter of Review should be complete in about 3-4 weeks. Dan Bruinsma asked Mike to clarify what a public project is, and Mike said it was one undertaken by a public party (i.e., not a land developer).

Wetlands Monitoring Group. Molly Martindale briefed the group on the last Wetlands Monitoring Group meeting. She noted the meeting had many updates, including on the Wetlands Rapid Assessment Process she and Andree Breaux are working on (which has a report in draft form). Initial results from the work show that larger sites and sites with bay margins get higher scores. Molly noted Stuart Siegel updated the group on the CALFED monitoring getting underway, which assesses six sites among San Pablo Bay, Suisun Bay and the Delta, comparing one natural site to a restored site at each. Also at the meeting, Karl Malamud-Roam talked about the new GIS-based mosquito information system being compiled in Contra Costa County. Anitra Pawley covered the Bay Institute's Ecological Scorecard, which - through the prescription of letter grades - attempts to illustrate the health of the bay and its attributes and express what we're gaining and losing (Marcia Brockbank noted this will be presented in its final form at the October State of the Estuary conference). Josh Collins also discussed the new tidal datums, as the standard is switching from NGVD to NAVD. Paul Jones suggested a local workshop to address conversions between the two; Lynne noted these are very site specific. Carl stated the need to have calibrated data. Steve Thompson said he'd like to offer NOAA's help on this. Molly said such a workshop would focus on how to establish tidal levels and what you need to do to use them. **Steve said he would call Paul Jones and coordinate with him on this effort.**

Public Outreach Efforts. John said he'd given an overview presentation on the Wetlands Restoration Program to the Regional Water Board staff and was asked to repeat it in September. John offered anyone at the meeting to inquire about a presentation to their respective staffs. John said he'd submitted an abstract for a poster at the State of the Estuary conference and for the H2O Conference in Long Beach. He also sent a public outreach announcement to the Bay Area RDC directors and to the Mosquito and Vector Control districts. John had also written a press release and would be working to distribute that soon. Upcoming public outreach efforts

included creation of the Wetlands Restoration Program brochure and the South Bay Salt Ponds Speakers' Bureau.

4. Monitoring Subgroup Report

Mike reminded the group the last meeting featured the question of how to expand the function of the Monitoring Group? He noted a presentation had twice gone before the Executive Council. Mike asked Molly to review the points of the July 14 Monitoring Subgroup meeting. Molly stated the group began by reviewing a summary of past Monitoring Group proposals. The group reviewed the current position of the wetlands tracker its lack of long-term maintenance funding. Molly noted there are standard protocols but that they need to be street ready and consistent among themselves, along with standard data sheets. Molly said she and John were going to provide a first rough draft of making one protocol street ready to see how much time and effort is required and then use that data to come up with a number required to pay someone to revise them all, as well as maintain the wetlands tracker. An original estimate was \$100,000 per year.

John mentioned the need to create interest in monitoring issues outside of the Wetlands Restoration Program in order to increase the likelihood of success for such a proposal. Mike added the group discussed a possible revision to monitoring guidelines, as well. Molly stated draft revision for the guidelines were in process, but the group should be focusing on providing information on what is absolutely necessary to be included in monitoring plans. Carl felt there was a need for a standard form of the bare essentials of what needs to be included in monitoring plans, along with a description of the items on the next tier of importance (i.e., what would be highly beneficial to know, but is not required). Mike mentioned the subgroup also discussed funding sources and asked Marcia to elaborate; Marcia noted the Bay Planning Coalition had established a foundation, currently called the Bay Planning Foundation. The Foundation has been established in order to seek out resource needs and make funding available to those initiatives that seek to protect the bay; once the foundation is established, it may offer funding for such monitoring initiatives. Mike also mentioned potential funding opportunities could occur with the Joint Venture, the Regional Board, and the Conservancy.

5. South Bay Salt Ponds Regulatory Agency MOU

John stated he's been assisting with coordination of the regulatory agencies involved in the South Bay Salt Ponds organizational structure. That group - the Regional Board, the Corps, BCDC, EPA, CDFG, USFWS, NOAA Fisheries and the Conservancy - is proposing an MOU to outline commitments and procedures for the agencies. Within the MOU, the whole of the Wetlands Restoration Program's Executive Council is listed as the "achieving consensus" body, to which unresolvable issues are elevated from the group, through management. However, only those agencies involved in the regulatory group would sign the document, while all 18 Executive Council agencies are listed in their role in the appendices. Clyde Morris and Marge Kolar at the U.S. FWS had expressed interest in the alternative to only use the signatory subset of the Executive Council whenever an issue was to come before it.

Mike said he was hesitant about having these eight agencies sign the document without getting feedback from the committee and from some Executive Council members. Bruce Wolfe said

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that if the group involved in the South Bay Salt Ponds planning is multi-agency, than there was no reason to duplicate the Executive Council and establish a separate track. He added that dealing with this issue was within the mission of the Council. He felt the MOU did not need all Executive Council members to sign but that **the eight agencies should be designated as the group that reports to the Council on these issues.** Mike pointed out that there would rarely be instances when all 18 agencies will have to be involved. **Mike suggested committee members give a heads-up to their Council counterparts. Mike recommended John suggest the Council be retained in whole, within the appendices of the MOU, at the next regulatory group meeting.** Bruce proposed the Council designate an Executive Council subgroup, being those that have the signatory responsibility; that group would then be responsible for notifying the entire Council if such an action were necessary. Katie Wood noted there might be Council members who do not sign the MOU who may still be interested in assisting with any conflict resolution.

6. WRP Permitting Workshop

John reported the idea for the WRP to host some sort of facilitated meeting, inviting members of the public and the environmental community, had been expressed at a recent Coordinating Committee meeting. Such an event could serve as good advertising for the WRP and create good faith with invitees. The meeting idea was refined to focus on permitting. John presented the idea to the Executive Council and members responded favorably to the WRP hosting such a meeting. John referred participants to the draft permitting workshop agenda and list questions to be answered and asked for the group's feedback.

Molly emphasized the meeting should focus on on-the-ground realities of permitting, not just the rules and regulations. Mike noted many people are surprised to hear that all regulatory agency staff persons are not experts in all of the aspects of wetlands science; such a meeting to inform people would have a big impact and draw several interested parties. **The group suggested it be an all-day event. They suggested John do outreach and receive questions beforehand to gauge top concerns.** Carl noted this would be a crucial means in the regulatory community's getting feedback, opposed to regulators only informing the participants. The committee recommended several possible co-hosts and noted several would attract a great many more participants. Katie noted NGOs would be very effective sources for outreach assistance. Dan recommended being very clear with the objectives of the meeting, in terms of what kinds of permitting are being covered and under what jurisdiction. Sy wanted John to include Chambers of Commerce, the business community, realtors, and property owners, saying these sources are hubs of interest. The group suggested John work through ABAG and the Bay Planning Coalition to obtain this information. **Mike suggested a steering committee to oversee the planning of the meeting.** Molly stressed the meeting must be informal and there has to be open dialogue. John suggested he'd canvas potential invitees and determine when to hold the meeting, such as on a Saturday or during the week and whether such a thing would be regional or centrally located. Bruce suggested starting with one meeting, but noted this had the potential to become more than one meeting. Steve suggested talking to Ellen Johnck about this. **Mike suggested it occur sometime between the end of the State of the Estuary and Thanksgiving;** Marcia recommended advertising it at the Estuary Conference. **Molly suggested smaller, breakout groups that act as permitting teams, with the realities of permitting presentation in the afternoons.** Katie felt providing the teams with worksheets

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listing all of the laws to be considered could do this. Dr. Ray suggested using an example from another state, and Molly echoed the suggestion. **John will create an initial interview/assessment form and distribute that to potential invitees.**

7. Wrap-up/Next Meeting Date

John will email around to Committee members and determine the date of the next meeting, to be held in early September. Mike Monroe adjourned the meeting.

ACTION ITEMS:

- **Steve said he would call Paul Jones and coordinate with him on the potential tidal datums workshop.**
- **Mike recommended John suggest the Council be retained in whole, within the appendices of the MOU, at the next regulatory group meeting. Mike suggested committee members give a heads-up to their Council counterparts.**
- **The group suggested the permitting workshop be an all-day event. They suggested John do outreach and receive questions beforehand to gauge top concerns. Mike suggested a steering committee to oversee the planning of the meeting. Mike suggested it occur sometime between the end of the State of the Estuary and Thanksgiving; Marcia recommended advertising it at the Estuary Conference. Molly suggested smaller, breakout groups that act as permitting teams, with the realities of permitting presentation in the afternoons. John will create an initial interview/assessment form and distribute that to potential invitees.**
- **John will email around to Committee members and determine the date of the next meeting, to be held in early September.**