

SAN FRANCISCO BAY AREA WETLANDS RESTORATION PROGRAM MANAGEMENT GROUP

MEETING SUMMARY JANUARY 10, 2003

Attendees:

John Brosnan (Wetlands Restoration Program)
Mike Connor (San Francisco Estuary Institute)
Beth Huning (San Francisco Bay Joint Venture)
Molly Martindale (U.S. Army Corps of Engineers)
Steve McAdam (San Francisco Bay Conservation and Development Commission)
Mike Monroe (U.S. Environmental Protection Agency)
Brian Mulvey (National Marine Fisheries Service)
Carl Wilcox (California Department of Fish and Game)
Bruce Wolfe (San Francisco Regional Water Quality Control Board)
Katie Wood (San Francisco Bay Conservation and Development Commission)

1. Introductions

Mike Monroe chaired the meeting and opened by asking for announcements. Mike Connor displayed the Wetlands Mapping Project maps for the entire bay, with the central and south bay map just recently completed. He informed the group that they can send Josh Collins an email (josh@sfei.org) if they would like copies of the maps. The maps will be available online at SFEI's website (www.sfei.org) in approximately 1-2 weeks. Steve McAdam asked how far along a project needs to be before it could be added to the map and Molly Martindale replied that they should be funded. She then suggested that potential applicants could fill out a brief application in order to be included on the map.

Beth Huning stated that the sale of the Bahia property closes on Monday. Bruce Wolfe told the group that the RFP for Prop 13 and 40 funds has been temporarily put on hold. Carl Wilcox said that all Cargill sale decision materials will become public; these will include the phase-out agreement and environmental evaluation reports. The complete documents will not likely be available online due to their large size, but summaries will be available on the planning agencies website, particularly the Coastal Conservancy's. Amy Hutzel is the contact person.

2. December 6 Management Group Meeting Summary

John highlighted the three main actions items of the last meeting. John was to set up a subcommittee meeting to establish a proposal to the Moore Foundation for the sediment budget deficit analysis work. John coordinated with Nadine Hitchcock and was informed that the foundation needed to make the next move and that there was no immediate need to have the meeting. **Mike Connor then said that it might be the right time to try to schedule that meeting sometime soon.** He added that CALFED has provided money to Philip Williams Associates to develop a white paper on the topic. The next step will be a February 6th CALFED workshop in Sacramento on the USGS place-based sediment model for the Sacramento River delta. Mike added that this is very relevant to our long-term goals. Mike Monroe asked what

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this group could do? Mike Connor responded with asking what questions that would need to be answered? What actions might we take? What about independent county flood control districts and their sediment disposal methods? Molly added that determining where sediment is needed and where it is more abundant is critical. **Mike Connor said that it might be helpful to have Phil Williams or Jeremy Lowe to brief the Management Group at its next meeting.**

John stated that Mike Monroe, Molly Martindale, Marcia Brockbank, Bruce Wolfe, Loretta Barsamian, and Will Travis attended the Working Agreement subcommittee meeting the day beforehand. Much progress was made at the meeting and more discussion on this topic would occur later in the agenda. John mentioned the final point from the last meeting, which was that after consulting with Mary Nichols and Alexis Strauss, the Restoration Program will sponsor the Invasive Spartina Project's Symposium in the spring.

3. WRP Group Reports

Design Review Group (DRG). John stated that the DRG has been very active lately. The Breuner Marsh Mitigation Bank review has been underway for over two months and the product was near complete. That will have completed the first official review of the DRG. At the recent January 6th meeting, the group featured the Lake Merritt Marsh Restoration project and the Crissy Field Monitoring Protocols. Presenters were with the City of Oakland and the Coastal Conservancy, and SFEI and the National Park Service, respectively. John stated that there were two more projects being scheduled for upcoming review, at Coyote Hills and the Bahia/Twin House Mitigation project. John also said that there were eight SOQs submitted in response to the DRG's RFQ for paid Design Review members. Seven people were selected. The most recent DRG meeting was the first to invite reviewers from those seven people. Mike Monroe told the group of the recent conflict of interest questions about the DRG and asked the group if that topic was necessary to discuss at the Management Group-level. **Mike Connor said that there should be some form of formal disclosure in the process. Mike Monroe suggested including the Restoration Program's geographic scope on the website's DRG page. Steve McAdam asked that the Management Group get cc'd on emails to the DRG.**

Monitoring Group. Molly stated that the last meeting of the Monitoring Group featured discussions of the EMAP and point sample updates. Molly said that two subcommittees had been formed; one dealt with permit applications to [??] and one developing bird protocols. She said that the mapping application was going forward and a database program with bird and vegetation monitoring to come first. Molly shared that the Wetlands Regional Monitoring Program (WRMP) is in transition. She stressed the need for a monitoring program that is simple, yet broad, and able to target specific data. She stated that Interagency Ecological Program (IEP) has done some of this work, but for a very specific area. Mike Connor said that it makes sense to include fish in this framework. She said that although the Crissy Field team has money to convene a group, there is little funding for the Monitoring Group as a whole. She stated that she was serving as the group's chair at the present time.

4. Restoration Program Hosting of South Bay Salt Ponds Planning Agencies and Regulatory Agencies

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Carl shared one outcome of a December meeting of the South Bay Salt Ponds planning agencies, which was that the Wetlands Restoration Program could host a meeting between the planning agencies and the regulatory agencies. Carl said that, with the concurrence of the partners, they want to bring together these groups to ensure the continuity of commitment and involvement. The meeting would create a forum to address the critical questions and concerns of the agencies and potentially begin to determine how all of the agencies would be involved. Molly stated that she saw problems with this idea, insofar as it involved bringing together the regulators. She stated that there are existing, monthly regulator (interagency) meetings. She also wondered what kind of precedent this might set in terms of John's time and involvement and where the line would be drawn when dealing with other entities that might want to "use" the Restoration Program's services. Carl stated that is the Restoration Program does not do this, someone else will.

Carl reiterated that one of the overarching issues of the December planning agencies' meeting was how the planning agencies could utilize the resources of the Wetlands Restoration Program and Carl suggested this. He added that this was a great way for the program to show that it's beneficial and that since this is a five-year process, hosting the pilot study was now critical. He said that many points remain to be hammered out, such as how the work will be conducted (e.g., different agencies picking parts of the plan and managing them, hiring a consultant to manage the whole process). Carl added that he would like to introduce the idea of utilizing the DRG and Monitoring Group involvement, as well.

Molly wondered where the line would be drawn, from a regulatory point of view, and what form of facilitation would be appropriate? Brian Mulvey suggested that the Executive Council draw that line. Carl said that if we can find ways to make the Restoration Program relevant, we can engender a feeling that it is worthy. Bruce agreed, and added the need to maintain a value-added approach and emphasizing that value. Carl said that this involvement could bring the Executive Council into the interagency meeting dynamic. Beth added that now is the time to finalize the roles of the Restoration Program and the Joint Venture. She also said that a subcommittee of the Joint Venture Public Outreach Committee specifically on the South Bay Salt Ponds would be forthcoming. **John will work with Carl on compiling the list of people to contact and then work towards establishing this meeting.** John added that Mary Nichols was enthusiastic about the Restoration Program's involvement in facilitating this meeting.

5. Joint Venture's Project Prioritization Process

Beth stated that the Joint Venture's project prioritization process recognizes different project needs and purposes. The process distinguishes projects into two categories; high-activity projects that need assistance in following through and ready-to-go projects that usually are farther along in the planning and permitting process and need only money to make them happen. Presently, Joint Venture has undertaken an assessment of large projects that could be ready to go. Beth presented this list, but did not disclose all of the projects' names. She handed out a list of ready-to-go projects and high activity projects.

Mike Monroe asked what could the Restoration Program do to support this effort? Write a letter? Steve questioned the inappropriateness for a regulatory agency to support an acquisition of a privately held property where a development project may be proposed. He added that if a

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regulatory agency supports private property acquisition and later has to act on a development proposal at the site, if that regulatory decision is adverse to the property owner, then an argument can be made that the agency is using its regulatory authority to force a public acquisition, perhaps at a lower price than would otherwise be the case. Steve said that regulatory agencies typically avoid allowing such an argument to be made.

6. National Estuary Program call for unfunded projects

Segueing in from the previous agenda item, John reminded the group that he'd sent out an email from the National Estuary Program calling for a total list of wetlands restoration projects in the region that are not yet funded. He stated that the list would be used to give Congress an idea of the funding amounts to be appropriated to the Habitat Restoration Council. John asked the group for any ideas or project names, but did not receive any beyond what was presented in the Joint Venture's project list (see #5, above).

7. Revised Draft Working Agreement Review

John stated the Executive Council- and Management Group-requested subcommittee meeting to address all comments to the Draft Working Agreement had taken place the day before. Attendees included Will Travis, Loretta Barsamian, Bruce Wolfe, Marcia Brockbank, Mike Monroe and Molly has attended the meeting. John summarized the result, which was that all comments submitted to the Restoration Program since August had been addressed.

The most significant point from the meeting was the tentative decision to alter the Working Agreement from a signed document into the Working Principles that would be adopted by the Council. In deleting the need to sign the document, some controversy surrounding the document would be diffused. **The group pointed out that the list of Executive Council agencies had been deleted from the document and that they should be added back into it.** Steve stated that he saw this as a step in the right direction, as going from quasi-binding to something that is wholly voluntary. Bruce rhetorically asked if signing the document would make people attend the meetings, to which he responded "not really". Mike Monroe reminded the group that the Working Agreement was built from the Southern California Wetlands Recovery Project's Working Agreement, which was signed. Mike added that the Southern California Project also has prioritization (in absence of a Southern California Joint Venture) and much more funding, and thus signatures were relatively more necessary there. **Katie Wood stated that it would be a good idea to include a "good faith" clause in lieu of no signature page.**

John will contact Mary and Alexis about adopting vs. signing the document. John will email out the new Working Principles on Monday. The Management Group will deliver to John all comments on the Working Principles by the next meeting.

8. Next Meeting Date

The group will meet on the second Friday of February - the 14th - at the State of California building, Room 9, 10 AM - 1 PM.

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The meeting was adjourned.

ACTION ITEMS:

- **Sediment Deficit Proposal - Per Mike Connor, it might be the right time to try to reschedule the sediment deficit subcommittee meeting sometime soon; Nadine remains the contact person.**
- **Next Meeting - Investigate having Phil Williams or Jeremy Lowe brief the Management Group at its next meeting.**
- **DRG - Create some form of formal conflict of interest disclosure in the project review process.**
- **DRG - Include the Restoration Program's geographic scope on the website's DRG page.**
- **DRG - Management Group to get cc'd on all emails to the DRG.**
- **South Bay Salt Ponds Planning Meeting - John will work with Carl on compiling the list of people to contact and then work towards establishing this meeting. Date reserved is February 20th.**
- **Working Principles - The list of Executive Council agencies should be added back into it.**
- **Working Principles - Include a "good faith" clause in lieu of no signature page.**
- **Working Principles - John will contact Mary and Alexis about adopting vs. signing the document.**