

SAN FRANCISCO BAY AREA WETLANDS RESTORATION PROGRAM EXECUTIVE COUNCIL

MEETING SUMMARY JUNE 9, 2004

Executive Council members present:

Co-chair Alexis Strauss (U.S. Environmental Protection Agency)
Co-chair Dave Widell (California Resources Agency)
Celeste Cantu (State Water Resources Control Board)
Val Chambers (NOAA Fisheries)
Robert Floerke (California Department of Fish and Game)
Cal Fong (U.S. Army Corps of Engineers)
Eugene Leong (Association of Bay Area Governments)
Dave Means (Wildlife Conservation Board)
Paul Thayer (California State Lands Commission)
Cdr. Steve Thompson (NOAA Ocean Service)
Will Travis (San Francisco Bay Conservation and Development Commission)
Wayne White (U.S. Fish and Wildlife Service)
Bruce Wolfe (San Francisco Regional Water Quality Control Board)

Staff and Others:

Andree Breaux (San Francisco Bay Regional Water Quality Control Board)
Marcia Brockbank (San Francisco Estuary Project)
John Brosnan (Wetlands Restoration Program)
Mike Connor (San Francisco Estuary Institute)
Beth Huning (San Francisco Bay Joint Venture)
Amy Hutzal (State Coastal Conservancy)
Shin-Roei Lee (San Francisco Bay Regional Water Quality Control Board)
Karl Malamud-Roam (Contra Costa Mosquito and Vector Control District)
Molly Martindale (U.S. Army Corps of Engineers)
Steve McAdam (San Francisco Bay Conservation and Development Commission)
Mike Monroe (U.S. Environmental Protection Agency)
Peggy Olofson (Invasive Spartina Project)
Chris Potter (California Resources Agency)
Steve Ritchie (State Coastal Conservancy)
Karin Tuxen (University of California, Berkeley)

Summary Highlights

- The Executive Council will review the Design Review Group's mitigation project policy at its next meeting, likely in December 2004. (Item #3, Page 2)
- The San Francisco Bay Area Wetlands Restoration Program completed its first Annual Report. (Item #4, Page 2)
- The Coordinating Committee will follow up on suggestions for long-term funding of the Restoration Program. (Item #5, Page 3)

**EXECUTIVE COUNCIL MEETING SUMMARY
JUNE 9, 2004**

- Overall, the Coordinating Committee was directed to establish the next Executive Council meeting date, and work with staff to evaluate the following items: providing a comprehensive evaluation on the WRP's function in terms of its policy coordination, filling of programmatic gaps, and projects; clarifying the WRP's parallels to the CEQA process; summarizing the cases for DRG review of privately-sponsored mitigation projects; investigating the WRP's creation of a spill response plan for wetlands; and, providing a complete inventory of the WRP's work.
 - The Executive Council was given updates on West Nile Virus in California (Item #6, Page 4), the San Francisco Estuary Invasive Spartina Project (Item #7, Page 5), and the South Bay Salt Pond restoration project (Item #8, Page 5).
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* **Bold** text found within the body of this summary denotes specific, actionable items.

Agenda Item #1: Coffee and Greeting

Agenda Item #2: Introductions and Review of Agenda Items

Dave Widell, sitting in for Executive Council co-chair Mike Chrisman, introduced himself and deferred to Executive Council co-chair Alexis Strauss. Alexis initiated a roundtable of introductions.

Agenda Item #3: June 10, 2003 Executive Council Meeting Summary

WRP Coordinator John Brosnan stated the last meeting saw the Executive Council take two significant actions, which were the endorsement of the WRP's Charter of Working Principles document and the adoption of the Design Review Group's policy on reviewing mitigation projects. The Design Review Group policy states that the group may take review of a mitigation project only if the project has a public agency sponsor (i.e., a local municipality's public works project, or a Caltrans project) and the project is referred to the Design Review Group by a reviewing, permitting agency. John noted the Bahia Homeowners' Association project, which was the project that led to the policy decision, was the only project he was aware of that was excluded from review based on its status as a privately sponsored mitigation project. John noted that given the lack of demand for taking review of private projects, the Coordinating Committee did not recommend the Council change the policy at this time.

Cal Fong noted that while he did not object to maintaining the policy for now, he felt peer review for all wetlands projects was invaluable. Molly Martindale added there has been a lack of demand to review these projects since she and others have not been broadcasting the option of review to private sector proponents. Carl Wilcox echoed Cal's comments, and noted that permitting agency staff people do not always have ideal technical capabilities. Beth Huning cautioned against changing the policy, and noted that some important elements of projects can be taken out of context and less favorable projects can be helped along. Molly replied that the DRG intends to look at a narrow range of issues on some projects. Andree Breau felt all aspects of a project could be brought to light if the public and agencies were allowed to ask questions and provide comments on projects in the DRG context. **Will Travis stated he disagreed with implementing the policy, yet felt it was politically advantageous to the WRP.**

**EXECUTIVE COUNCIL MEETING SUMMARY
JUNE 9, 2004**

He felt the group should keep the policy while the WRP pursues funding, and then notice all interested parties before any Executive Council discussion on the issue. Alexis expressed her desire to see this discussion come up in 6 months' time. Paul Thayer asked how the DRG overlaps with or parallels the CEQA process and asked staff to clarify that at the next meeting. Wayne White wanted to make sure there was a clear distinction between the DRG's role and regulatory review; Molly and Travis both noted the DRG has gone to great lengths to distinguish itself from the regulatory process.

Agenda Item #4: WRP Annual Report Presentation

John gave a presentation that provided an overview of the WRP's Annual Report (see Wetlands Restoration Program 2004 Annual Report for additional details; please contact John Brosnan at (510) 622-5048 to obtain a hard copy of the document). At the presentation's conclusion, John presented the list of WRP objectives and potential opportunities where the program could get more involved; the Coordinating Committee had suggested the WRP might be able to play a role in some large projects either underway or upcoming and in design review and monitoring review at military base closures around the bay. John then sought the Executive Council's input on other potential objectives and opportunities for the program in the coming year.

Carl Wilcox expressed his expectation the DRG would plan a long-term technical advisory role in the Napa Plant Site restoration. Cal Fong asked if the group could consider taking on new roles by broadening its purview beyond wetlands, perhaps including watersheds as well. Steve Thompson noted the BCDC and NOAA are establishing their work plans for subtidal habitat goals and that the WRP could play a role there. Bruce Wolfe proposed the WRP could get more involved in riparian restoration. Alexis felt these suggestions for an expanded purview could be developed for a discussion at the next Executive Council meeting. In the meantime, she stated the group could continue to expand opportunistically as it has over the past year.

Shin-Roei Lee referenced the recent Kinder-Morgan pipeline spill in Suisun and suggested the WRP could assist with coordination among the many agencies involved in the response. She then proposed the WRP could assist the agencies develop a general spill response plan specifically for wetlands spills. Peggy Olofson noted the Invasive Spartina Project would have many interagency coordination issues she expects to bring to the Executive Council and the Monitoring Group. Amy Hutzler noted the Southern California Wetlands Recovery Project is adept at getting local governments involved in their processes; Chris Potter felt it might be time to revisit a local governments outreach strategy. Beth Huning stated the Southern California project is more analogous to a Joint Venture in its functions.

Carl Wilcox noted the WRP is good at bringing agencies together on policy and regulatory issues and proposed the WRP could better develop its policy coordination approach. He added that since the San Francisco Bay Joint Venture is more analogous to the Southern California Recovery Project, the WRP should focus on being more effective with regulatory coordination. Steve McAdam reminded the group that the Coordinating Committee meets more regularly than this group and its crucial function is not something readily quantifiable. Gene Leong felt it was time for Bay Area cities and counties to get a WRP briefing again. Wayne White suggested a key strength of the WRP was filling voids where coordination is not happening. Paul Thayer agreed, and added the WRP could seek out those programmatic gaps and focus its energies there. Travis noted the WRP provides an avenue to meet key directors when administrations

change or new people fill those positions and allows the directors to build and maintain the relationships critical for positive cooperation.

Agenda Item #5: WRP Long-Term Funding

John presented the WRP funding situation. He noted the program was initially funded by grants from the U.S. EPA and NOAA via the Resources Agency; current funding will allow the WRP to maintain full-time staff through September 2004. The program requires about \$90,000 per year and that money pays staff salary and travel, compensation to the Design Review Group review team members, printing, and Association of Bay Area Governments administrative overhead. John stated that the WRP is limited in the funding it can seek as it's a government program and, thus, limited to seeking funds from other government agencies; private foundations contribute funds almost exclusively to non-governmental bodies. John noted the Coordinating Committee has not been able to identify additional operational funds and sought the Executive Council's input on potential sources of funding.

Molly Martindale clarified that John's position would be eliminated without additional WRP funding. Molly thanked John for his work. Chris Potter noted the WRP is called for in the state's wetlands conservation policy. Val Chambers stated NOAA is focusing more resources in the Bay and that more funding may be available for efforts such as the WRP; she noted such funding would not be available until fiscal year 2007. Will Travis suggested each WRP member agency could offer up \$5,000, which could mean up to \$90,000. He added that if the agencies do feel the WRP is beneficial, such a form of interim support could buy the program some time as well as demonstrate support. Val Chambers noted she could provide \$5,000. Celeste Cantu felt her agency could not provide funds at this time. Cal Fong suggested the DRG could charge a fee, but some members felt this would be politically and logistically challenging. Andree Breaux noted this group could raise awareness of the value of monitoring and use that information as leverage in seeking funds. Alexis proposed a conference call on this sometime before September and directed the Coordinating Committee to further explore these suggestions.

Agenda Item #6: West Nile Virus Presentation

Dr. Karl Malamud-Roam, with the Contra Costa Mosquito and Vector Control District, presented recent information on West Nile Virus and the potential impacts on the public's perception of wetlands restoration. Part of the District's mission is to ensure wetlands do not create a public health threat; wetlands can produce mosquitoes, which can carry and transmit West Nile Virus. The virus is primarily a bird disease, but can be transmitted to horses and humans via mosquitoes. Entities that create, restore or manage wetlands can be held liable if their sites produce a public health threat. Different wetlands types present different potentials to produce mosquitoes; wetlands that are repeatedly wet and dry (such as seasonal wetlands) and have dense vegetation are more likely to produce mosquito populations. Additional problematic situations include where multiple, smaller wetland sites are dispersed over an area, where plumbing and/or operations and maintenance for the site are inadequate, and when restrictions are placed on methods of control. Karl noted that good planning that includes an adequate operations and maintenance budget serves as an effective means of preventing mosquito nuisances; minimization of site flooding between July and October will assist in

keeping mosquito populations down. In design planning, the fewer shallow, seasonal wetlands on a site, the lower the site's potential to produce mosquitoes. Effective monitoring is also essential in mosquito prevention and control. Effective communication and coordination among the agencies working on wetlands restoration are essential for addressing West Nile Virus and its effects.

Agenda Item #7: Invasive Spartina Project

Peggy Olofson, Program Director of the San Francisco Estuary Invasive Spartina Project (ISP), presented an overview of the ISP. The State Coastal Conservancy and the U.S. Fish and Wildlife Service have undertaken this effort to provide a coordinated means of addressing invasive *Spartina alterniflora* (Atlantic cordgrass) and its hybrids. Invasive Spartina is endemic to the east coast of North America, but has propagated around the world and caused extensive loss of mudflats in some areas, such as Willapa Bay, Washington. Peggy provided an overview of the different species of invasive Spartina; *Spartina alterniflora* and its hybrids most vigorously out-compete the native smooth cordgrass. Invasive Spartina is found throughout San Francisco and San Pablo Bays, yet it has not reached Suisun Marsh. The ISP has estimated that, in 2000-2001, there were 500 net acres and 5,000 gross acres of invasive Spartina infestation throughout the Estuary. A 2003 inventory of 28 sites estimated a 300% increase in invasive Spartina cover. Overall, the spread of the plant is associated with several problems, such as loss of flood storage and conveyance, loss of open tidal mudflats, loss of shorebird foraging habitat, loss of endangered species habitat (i.e., clapper rails, salt marsh harvest mouse, and endangered plants), and genetic assimilation of the native cordgrass. Peggy expressed her desire that regulatory agencies do not approve projects where non-native Spartina might invade those sites until control measures have been put in place. Coordination of this effort with wetlands restoration will come up many times in the future and Peggy wanted the Executive Council members to be aware of that.

Agenda Item #8: South Bay Salt Ponds update

Steve Ritchie, Executive Project Manager of the South Bay Salt Pond restoration project, presented an overview of the project; Steve discussed the acquisition of the salt ponds, transfer to public ownership, and the long-term planning process. In the spring of 2003, the state and federal government acquired 16,500 acres of former salt making ponds. The California Department of Fish and Game will retain and manage the Baumberg Ponds, while the U.S. Fish and Wildlife Service will oversee management of the Alviso and West Bay ponds. Cargill is charged with reducing the ponds' salinities and overall pond management during phase-out. The project's mission is to prepare a scientifically sound and publicly supported restoration and public access plan that can begin to be implemented within five years. Long-term goals include providing a mix of habitats, flood management, and wildlife-oriented public access. Habitats will include tidal marsh, managed ponds and tidal mudflats. The project will address a wide variety of technical issues, including nuisance species, contaminants, subsidence and sea level rise, sediment availability, protecting existing infrastructure and monitoring and adaptive management. An interagency MOU has been established between the resource, regulatory and trustee agencies in order to define agency roles and cooperation on policy and permitting issues. In the near future, the project will finalize detailed objectives and evaluation criteria,

**EXECUTIVE COUNCIL MEETING SUMMARY
JUNE 9, 2004**

narrow the range of alternatives at the landscape level, define the relationship with Corps of Engineers Shoreline Study, and continue to engage agencies, scientists, and the public.

Agenda Item #9: General Public Comment

No comments were given.

Agenda Item #10: Summary of Action Items

Alexis stated the next meeting should be held in early December, but the group did not specify a date and elected to work through the Coordinating Committee. **Alexis directed staff to work with the Coordinating Committee on the following items: provide a comprehensive evaluation on the WRP's function in terms of its policy coordination, filling of programmatic gaps, and projects; clarify the WRP's parallels to the CEQA process; summarize the cases for DRG review of privately-sponsored mitigation projects; investigate the WRP's creation of a spill response plan for wetlands; and, provide a complete inventory of the WRP's work.** It was suggested that the Coordinating Committee invite staff from NOAA to update the Executive Council on subtidal habitat goals progress.

The meeting was adjourned.