

**MINUTES OF THE REGULAR MEETING
OF THE COMMISSION OF
SOUTHERN CALIFORNIA COASTAL WATER RESEARCH PROJECT AUTHORITY**

**HELD AT THE OFFICES OF THE AUTHORITY
3535 Harbor Blvd., Costa Mesa, California 92626**

**December 3, 2010
9:30 AM**

COMMISSIONERS PRESENT

Sam Unger (Chair) - *Los Angeles Regional Water Quality Control Board*
Steve Meyer (Vice-Chair) - *City of San Diego*
Darrin Polhemus - *State Water Resources Control Board*
Kurt Berchtold - *Santa Ana Regional Water Quality Control Board*
David Barker – *San Diego Regional Water Quality Control Board*
Mas Dojiri - *City of Los Angeles*
Steve Maguin - *Sanitation Districts of Los Angeles County*
Robert Ghirelli - *Orange County Sanitation District*
Gerhardt Hubner - *Ventura County Watershed Protection District*
Mark Pestrella - *Los Angeles County Flood Control District*
Mary Anne Skorpanich - *County of Orange*
Cid Tesoro - *County of San Diego*

STAFF PRESENT

Stephen Weisberg - *Executive Director*
Bryan Nece - *Administrative Officer*
Wesley Beverlin - *Legal Counsel*
Ken Schiff - *Deputy Director*
Martha Sutula - *Principal Investigator*
Steve Bay - *Principal Investigator*
John Griffith - *Principal Investigator*
Shelly Moore - *Information Systems Manager*
Karen Setty - *Science Writer*
Yiping Cao - *Scientist*

OTHERS PRESENT

Joe Gully - *Sanitation Districts of Los Angeles County*
George Robertson - *Orange County Sanitation District*
Ron Coss - *Orange County Sanitation District*
Deb Smith - *Los Angeles Regional Water Quality Control Board*
Irwin Haydock - *Newport Bay Conservancy*
Rik Rasmussen - *State Water Resources Control Board*

Commission Chair Unger called the meeting to order at 9:32 AM.

CONSENT AGENDA

- 1. MINUTES OF MEETING HELD SEPTEMBER 1, 2010**
- 2. QUARTERLY FINANCIAL STATEMENT FOR THE PERIOD ENDED SEPTEMBER 30, 2010**
- 3. QUARTERLY STATEMENT OF INVESTMENTS AT SEPTEMBER 30, 2010**
- 4. MINUTES OF CTAG MEETING HELD AUGUST 12, 2010**
- 5. 2010 FINANCIAL AUDIT**

There were no comments on the consent agenda. Commissioner Ghirelli motioned for approval of the consent items, seconded by Commissioner Maguin, and the items were unanimously approved.

Commission Chair Unger asked if there were any adjustments to the meeting agenda. Dr. Weisberg responded that the US Environmental Protection Agency Commissioner requested that Item 9 (the nutrients presentation) be postponed until the next meeting as this item was of great interest to them and neither of their Commissioners could attend this meeting because of the meeting date change. Commissioner Maguin asked if this was an informational item or one that required Commission action and Dr. Weisberg responded that this was an informational item. Following discussion, the Commission elected to retain the item on the agenda as the project was in its early stages and there would be opportunity to engage EPA at future meetings as the project matures and more results become available for discussion.

REGULAR AGENDA

6. EXECUTIVE DIRECTOR'S REPORT

Dr. Weisberg began the Director's Report by describing the value and challenges associated with the increasing relevance of the Agency's science. One challenge is the subpoena of Agency Scientists for environmental lawsuits. For example, Steve Bay was recently subpoenaed as a material witness by the San Diego shipyards in their dispute with the Regional Water Quality Control Board. While the Agency is not a party to the lawsuit and Mr. Bay was not an expert witness on behalf of the shipyards, he was subpoenaed because SCCWRP's research was one factor used in setting remediation targets. While such activities are a complement to the relevance of our work, they do distract our scientists from their research and have associated costs for legal advice and specialized courtroom training.

The next example of the challenges with Agency relevance was technology transition. Dr. Weisberg indicated that SCCWRP is one of the few organizations bridging the gap between scientific research and everyday application, but that the organization is not the appropriate agency to conduct routine training, certification, and support after the initial protocols are established and verified with early adopters. He provided two examples of how the agency was adapting to this challenge. The first was a request by the State Water Board to have the Agency coordinate statewide monitoring for Areas of Special Biological Significance. The Agency had

helped develop the initial monitoring designs, but felt that statewide implementation was outside of its core research mission, a concern also raised by CTAG. The solution was to incorporate enough research into the effort that the State Board's need was met, without compromising SCCWRP's core mission. Another example was implementation of the wetlands assessment techniques that the Agency had helped develop. The Agency provided initial training to ensure the success of the method, but felt that widespread training and ongoing certification responsibilities were outside of its mission. In this case, the solution was to engage the University of California Extension Service to conduct the ongoing training, having SCCWRP train the trainers. The Agency is exploring expansion of the relationship with UC Extension to include training activities needed in the future, such as when widespread adoption of the rapid microbiological measurement methods begins.

The remainder of the Director's Report dealt with communication, starting with excellent progress on the 2010 Annual Report, which will be released on January 25, 2011. That is the date for the next SCCWRP Symposium, an annual communication forum to which Weisberg encouraged the Commission to send staff. He next described CTAG's thematic retrospective document looking at the effectiveness of the Clean Water Act in the Southern California Bight that Agency staff is collaborating on. This new document will target the Boards and Councils for each of the Commissioners. Commission Chair Unger asked if the Commission would be able to review the document prior to its publication. Dr. Weisberg responded that the opportunity existed, expanding that there were presently plans to have it reviewed by CTAG and several high-level individuals from different sectors who will be asked to write perspective pieces. Dr. Weisberg asked whether the Commission would like to review it collectively or through interaction with their CTAG representatives. Commissioner Skorpanich and Meyer indicated that they would like to review it as a Commission, since they are more familiar with the target audience than CTAG and wanted to ensure its readability to their Boards. Weisberg agreed to work with the Commission Chair about how and when in the process to best achieve this review.

Dr. Weisberg next described other new mechanisms for information dissemination, including two-page fact sheets that SCCWRP planned to begin developing. Commission Chair Unger complemented SCCWRP on their communication and publication activities, but asked for an agenda item at the next Commission meeting to discuss how SCCWRP communicates their real-time activities to member agency staff. Commissioners Unger and Ghirelli suggested beginning the discussion with a review by Dr. Weisberg of SCCWRP's present overall communication strategy.

7. CTAG REPORT

Neither the Commissioner's Technical Advisory Group (CTAG) Chair nor Vice-Chair was in attendance due to illness, but they had prepared a presentation which they asked Dr. Weisberg to give on their behalf. The presentation touched on CTAG's discussion of the ASBS contract and planning for the Symposium, including CTAG's request for a panel session at the Symposium on the newly established Marine Protected Areas. The principal technical presentation at their meeting was a preview of the Commission presentation on nutrient numeric endpoint research. CTAG liked the presentation and was complementary of the work SCCWRP was doing in this area. They had an ensuing discussion about the relative merits of the different technical approaches being used as the basis for criteria development in Florida and California. CTAG held their annual discussion of research interests and special studies that begins SCCWRP's research planning process and noted many commonalities in their top priorities.

Finally, CTAG discussed their Clean Water Act retrospective document, received a rapid microbiological methods update, and a 2008 Bight Regional Monitoring Program update.

Weisberg then offered to give a presentation on what SCCWRP learned from CTAG research priority discussion and the Commission asked to see it. Weisberg started by showing the top ten research items prioritized by CTAG. He explained that SCCWRP is already working in seven of those areas, which comprise about 55% of the agency's current research budget. He next highlighted the three potential research areas raised by CTAG that were not presently part of SCCWRP's research portfolio and discussed how he would respond to CTAG's suggestions.

The first potential research topic was creating synergy between member agency monitoring and the Marine Protected Area Monitoring Enterprise (MME). Weisberg indicated that he had extensive interaction with the MME and that SCCWRP had hosted an all day meeting between the MME and CTAG agencies exploring potential opportunities for interaction. Weisberg asked the Commission how flexible they might be in adjusting NPDES permits or the Bight Regional Monitoring Program to accommodate synergy. Commissioners Maguin, Meyer and Skorpanich indicated that they still did not have a clear idea of the MME's directions, nor how this might overlap with existing monitoring. The Commission indicated that they favored efficient use of public resources, but was unable to answer the question regarding their monitoring flexibility without more information about the MME goals. One possibility raised was to invite someone from the Monitoring Enterprise to give an overview presentation at the next Commission meeting. Commission Chair Unger indicated that he would interact with CTAG to determine whether they thought such an invitation would be beneficial.

The second topic of interest was brine disposal, with some CTAG members interested in it from a water reuse perspective and others from a desalination perspective. Weisberg indicated that there were two parts to this discussion, one having to do with the toxicity of brine and the other having to do with modeling of negatively buoyant plumes. He indicated that the organization was more focused on negatively buoyant plumes because it was a less site specific issue and that he was actively pursuing partnerships with the desalination industry since they had a common interest in the issue.

The third topic of interest to CTAG was climate change. Dr. Weisberg indicated that while he had great personal interest in this topic, most research on this topic was beyond SCCWRP's scope because it involved larger spatial scales than southern California and was more focused on atmospheric than water quality management. Instead, we were looking to collaborate with other scientists who could help place southern California issues into that larger perspective. In addition, the Agency was looking to engage in smaller projects, such as beta-testing of new pH monitoring technologies in order to measure ocean acidification.

Dr. Weisberg lastly mentioned some communication items that came out of CTAG's research priorities discussion. An enhancement of interactions with the Southern California Coastal Ocean Observing System (SCCOOS) and the San Francisco Estuary Institute (SFEI) were encouraged. Commissioner Polhemus added that he wanted to encourage interaction with the Aquatic Science Center, the joint powers authority arm of SFEI that was formed to function like SCCWRP in northern California.

8. CONTRACT REVIEW

The Executive Director requested that the Commission approve a resolution regarding the following contract that had been offered to the Authority:

- 1) State Water Resources Control Board (\$1,050,000)
Areas of Special Biological Significance (ASBS) Regional Monitoring

Commissioner Meyer asked if this contract entailed routine Proposition 84 grant monitoring. Ken Schiff replied that each grantee is required to do their own monitoring. These contract funds are set aside to coordinate the grantee monitoring and determine success of the Proposition 84 program for reducing contaminant inputs to ASBS. A second question asked by the State Water Board is to assess the status of ASBS condition, which parallels the Agency's existing research efforts on assessing the quality of rocky reef habitats.

Weisberg asked the Commission consider addition and approval of another pending contract that was not described on the written contract memo:

- State Water Resources Control Board (\$700,000)
Biological Screening Tools for Contaminants of Emerging Concern (CECs)

This contract follows up on recommendations of the State Advisory Panel for CECs in Recycled Water. SCCWRP will work with other experts and oversee an effort to develop biological screening approaches for CECs.

Commissioner Meyer motioned to approve the two contracts, seconded by Commissioner Maguin. They were unanimously approved, with Commissioner Polhemus abstaining.

As an informational item, Weisberg also presented contracts with a value of \$250,000 or less that the Authority has accepted or indicated a willingness to accept. While the governing agreement of SCCWRP requires no Commission action on these, the contract was noted to ensure that the direction of the Authority's work is consistent with the desires of the Commission.

- 2) US Fish & Wildlife Service (\$30,000)
Coastal Wetland Historical Ecology

There were no objections to this contract.

9. NUTRIENT NUMERIC ENDPOINT RESEARCH

Dr. Martha Sutula described the Agency's research to support development of nutrient criteria. She explained that there are three basic approaches: reference system, empirical stressor-response, and cause-effect. SCCWRP is focusing its research on the cause-effect approach because it emphasizes biological response, is more directly linked with beneficial uses, and integrates loads over time. She next described the three core aspects of the Agency's work: developing appropriate response indicators, developing algorithms to integrate multiple lines of evidence, and using modeling to link response indicators to nutrient concentrations and loads. Dr. Sutula then described how she was adapting these elements to the different endpoints of interest in streams, estuaries, and marine ecosystems.

Following the presentation, the Commission discussed the relative merits of the three approaches. They agreed that each approach has its own value and drawbacks and determined that exploring multiple options can add to available knowledge. They opened the discussion to the public audience, and heard additional suggestions by Alternate Commissioner Deb Smith and Rik Rasmussen that blending of approaches may reduce uncertainty.

10. RAPID MICROBIOLOGICAL METHODS UPDATE

Dr. Weisberg introduced this topic by noting that the Commission's Rapid Indicator Task Force had met once since the last Commission meeting and their meeting included interviews with all of the study participants. Dr. John Griffith then gave a presentation, describing the summer 2010 Demonstration Project outcomes sharing what the Task Force learned from those interviews. Overall, the participants were extremely pleased with the Demonstration Project, but there were two areas of small technical concern: (a) the rapid method resulted in 5% more beach postings than traditional methods, and (b) about 14% of the samples had no result from the rapid method due to inhibition. Griffith went on to discuss potential causes for increased postings and research the Agency was doing to lessen inhibition.

Commissioner Ghirelli began the discussion asking if the study would be repeated again next year. Commissioner Dojiri, Chair of the Task Force, added that there was little need to repeat the process in Orange County, but was interested in extending trials to Santa Monica Bay. Dr. Weisberg added that the method should be tested at a variety of different beaches to assess its robustness, with beaches in northern California also being considered. Commissioner Polhemus asked what EPA is going to do differently based on what we learned during the Demonstration Project. Dr. Weisberg responded that he was interacting extensively with both EPA's Office of Research and Development and Office of Science and Technology to ensure they were aware of the findings. He indicated that what these groups found most interesting about the Demonstration Project was not technical aspects of the qPCR methods, but what we learned about the challenges associated with sampling timing, data dissemination, and public notification. Commissioner Maguin asked about the interaction with the public health agencies. Dr. Weisberg stated that the Orange County Public Health Agency was thrilled with the Demonstration Project, but that the State Public Health Agency was worried mostly about challenges with laboratory certification if use of the method expands. Commissioner Skorpanich inquired about other rapid methods besides qPCR. Dr. Weisberg responded that the Agency has six other new technologies that they are presently working on, but that these are all still a few years away. He indicated that the one he was most excited about was automation of qPCR so that we could have pier mounted sensors that provide real-time *Enterococcus* concentrations delivered over the internet and that he hoped to pilot this technology in summer 2011.

11. FUTURE MEETING AGENDA ITEMS

The Commission Chair identified that he wanted to discuss communication strategies, including the Director's Report, at the March Commission meeting. Weisberg volunteered to report on the SCCWRP Symposium as part of that agenda item.

12. OTHER BUSINESS AND COMMUNICATIONS

Commissioner Skorpanich mentioned that she gave a presentation on the rapid methods demonstration project to the Orange County Board of Supervisors and that it was well-received. Commissioner Ghirelli acknowledged Dr. Weisberg on his 15th anniversary at the Agency.

13. PUBLIC COMMENTS

Irwin Haydock provided his ideas for the Agency's next steps. He encouraged SCCWRP to help the Ocean Science Trust serve the public by improving monitoring, specifically to assist,

teach, mentor, and guide the marine protected area monitoring. He closed stating that improved monitoring can improve policy decision making.

14. ADJOURNMENT

The meeting was adjourned at 12:16 PM, until the next Commission meeting on March 4, 2011.

ATTEST:
Bryan Nece
Secretary