

**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**

**September 2, 2009  
9:30 AM**

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**COMMISSIONERS PRESENT**

Mas Dojiri (Chair) - *City of Los Angeles*  
Tracy Egoscue (Vice-Chair) - *Los Angeles Regional Water Quality Control Board*  
Gerard Thibeault - *Santa Ana Regional Water Quality Control Board*  
Robert Ghirelli - *Orange County Sanitation District*  
Mary Anne Skorpanich - *County of Orange*  
Gerhardt Hubner - *Ventura County Watershed Protection District*  
Jon Bishop - *State Water Resources Control Board*  
Janet Hashimoto - *US Environmental Protection Agency, Region IX*  
Mark Pestrella - *Los Angeles County Flood Control District*  
Steve Maguin - *Sanitation Districts of Los Angeles County*  
John Robertus - *San Diego Regional Water Quality Control Board*  
Jo Ann Weber (for Cid Tesoro) - *County of San Diego*

**STAFF PRESENT**

Stephen Weisberg - *Executive Director*  
Bryan Nece - *Administrative Officer*  
Wesley Beverlin - *Legal Counsel*  
Ken Schiff - *Deputy Director*  
Steve Bay - *Principal Investigator*  
Keith Maruya - *Principal Investigator*  
Eric Stein - *Principal Investigator*  
John Griffith - *Supervising Microbiologist*  
Karen Setty - *Science Writer*

**OTHERS PRESENT**

Dominic Gregorio - *State Water Resources Control Board*  
Karen Larsen - *State Water Resources Control Board*  
Chris Crompton - *Orange County Public Works*  
Joe Gully - *Sanitation Districts of Los Angeles County*  
Phil Friess - *Sanitation Districts of Los Angeles County*  
Gerald McGowen - *City of Los Angeles*  
Kai Lee - *Packard Foundation*

Commission Chair Dojiri called the meeting to order at 9:33 AM. He recognized Jo Ann Weber as acting Commissioner for the County of San Diego. He also announced that Mark Pestrella would be in attendance as the new Alternate Commissioner for the County of Los Angeles.

## **CONSENT AGENDA**

- 1. MINUTES OF MEETING HELD JUNE 12, 2009**
- 2. QUARTERLY FINANCIAL STATEMENT FOR THE PERIOD ENDED JUNE 31, 2009**
- 3. QUARTERLY STATEMENT OF INVESTMENTS AT JUNE 31, 2009**
- 4. MINUTES OF CTAG MEETING HELD MAY 28, 2008**

The Executive Director reminded the group that some minor changes to the May CTAG minutes had been sent to the Commission in advance of the meeting. Commissioner Maguin motioned for approval of consent items, seconded by Commissioner Ghirelli. They were unanimously approved.

## **REGULAR AGENDA**

### **5. EXECUTIVE DIRECTOR'S REPORT**

The Executive Director first noted that the meeting was being webcast, as per the Commission's request at the last meeting. He next gave a financial report, noting that revenues have been below forecast due to the State bond freeze, but that the organization was still on target to break even for the year because the agency was able to reduce expenses by a comparable percentage. He also indicated that the agency was well-positioned to weather future uncertainties with liquid assets (cash on hand plus receivables) of around \$6.7M. He noted that while SCCWRP has been successful at managing the budget in the short term, the rate of contract replenishment had slowed below current expenditures. Thus, he might need to make further adjustments if State bond-funded projects were not restored by the end of the year.

Weisberg continued by indicating his pride in the organization staff, who have continued their high productivity in these difficult financial times. He noted the large number of publications over the last quarter and the 24 scientific articles that were planned for inclusion in the 2009 SCCWRP Annual Report. He also handed out a list of current staff participation on external advisory committees.

Weisberg next discussed SCCWRP's preparation for studying the effects of fire on water quality. Eric Stein, the lead investigator on the project, provided an update on current collaborations with the US Forest Service and California Department of Forestry and Fire Protection. A game plan for sampling waterways had been developed and was ready for implementation. SCCWRP and partners were mobilizing to collect data during the first rain after the fires.

Alternate Commissioner Mark Pestrella arrived at 9:50 AM. Pestrella was welcomed by Commission Chair Dojiri and asked to introduce himself. Commissioner Hubner arrived at 10:05 AM.

Weisberg then announced that the State's Recycled Water Policy Blue Ribbon Task Force for addressing questions about contaminants of emerging concern (CECs) would hold their first meeting at SCCWRP at the end of September. The Panel was expected to complete their

charge within the next year. In response to a request from Commissioner Ghirelli, Weisberg offered to share the tentative agenda for the first meeting and take suggestions for modifying it. Weisberg added that there may be an opportunity through the Packard Foundation to convene a second panel with a similar role, focused on CEC effects on ambient marine waters. He introduced Dr. Kai Lee from the Packard Foundation and asked him to say a few words. Dr. Lee discussed the Foundation's longtime interest in marine conservation issues and their desire to take advantage of the momentum from the recycled water initiative. Commissioner Egoscue welcomed Dr. Lee to the meeting and asked about the initiation of interactions between the Packard Foundation and SCCWRP. Lee responded that the Foundation was seeking opportunities to fund projects that would have a direct impact on environmental management and that he saw SCCWRP, through the power of its Commission, as potentially providing such opportunities. Commission members were invited to speak further with Dr. Lee over lunch following the meeting.

The next topic Weisberg described was the NOAA Mussel Watch project, which was shifting from monitoring legacy contaminants to CECs in response to suggestions from the SCCWRP Commission. SCCWRP was hosting a planning meeting at the San Francisco Estuary Institute (SFEI) on September 19-20 to kick off this effort. SFEI and SCCWRP would begin sampling for this program in early 2010.

The Executive Director next discussed progress in activities related to SCCWRP's goal to transition molecular methods to practical application. He talked about how currently used benthic invertebrate sampling and processing methods might potentially be simplified through a faster and cheaper DNA barcoding method. Though many institutions were investigating this approach from an academic perspective, SCCWRP had unique opportunities through partnerships with its member agencies assess the viability of such methods in practical application. Along these lines, a colloquium would be held at SCCWRP September 16 featuring Dr. Paul Hebert, the originator of the DNA barcoding concept and Director of the Canadian Centre for DNA Barcoding at Guelph University, Ontario. Participants from the EPA Molecular Ecology Branch and SCCWRP would also present information on their current work. Weisberg distributed flyers for the event and encouraged member agency staff to attend.

Lastly, Weisberg reminded the Commission that they had previously discussed potentially adopting a resolution to convey the importance of retaining NOAA's Southern California Coastal Ocean Observing System (SCCOOS) during a period of financial hardship. Because SCCOOS funding had been restored, Commission action was no longer needed.

## **6. CTAG REPORT**

Dominic Gregorio, Chair of the Commissioner's Technical Advisory Group (CTAG), presented a summary of their meeting on August 27. CTAG approved the minutes from the May joint meeting with SFEI, and requested that a private section of the SCCWRP website (accessible only to CTAG and the Commission) be built to post the minutes and other related items. At the meeting, the Executive Director announced that SFEI had plans to alter their Research Plan timing to match SCCWRP's. CTAG selected January 20, 2010 as the date for the next SCCWRP Symposium. They discussed and unanimously supported the new format of the Director's Report, recommending that SCCWRP post it online. They were also unanimous in recommending retention of the current SCCWRP Annual Report and improvement of the Bight Regional Monitoring Executive Summary. They planned to discuss options for publishing a topic-specific synthesis report in conjunction with SCCWRP at a future meeting. They received a presentation on website analytics which showed that the site was being used by the target

audience. Finally, CTAG received presentations from Ken Schiff on Bight '08 and fish tissue advisories, as well as from Steve Bay on Sediment Quality Objectives. At their November meeting, they planned to discuss research interests and consider perspectives on standardizing approaches to determine compliance with water quality objectives in California's Ocean Plan.

In response to an inquiry from Commissioner Ghirelli about the Annual Report discussion, Weisberg explained that SFEI produces a report called the "Pulse of the Estuary" which is like an issue-specific report card, in contrast to SCCWRP's technically-oriented multi-topic Annual Report. After their joint meeting with SFEI, CTAG was initially enamored with the "Pulse" format, but during later discussion decided to recommend sticking with the existing Annual Report format. Advantages of the Annual Report were that it communicated the breadth of SCCWRP's activities and promoted staff recognition. Copies of recent "Pulse" documents were distributed. Commissioner Dojiri recalled that he had brought this topic up with the Commission previously, but they decided that the general public was not a major SCCWRP audience. Commissioner Ghirelli asked that the Commission be kept informed about the decisions made by CTAG on this topic.

#### **7. APPOINTMENT OF COMMISSION CHAIR AND VICE-CHAIR**

The Executive Director remarked that the Commission Chair and Vice-Chair officially serve one year terms, but traditionally have been renewed to serve two terms. He indicated that this was the end of the first year for the present Chairs. Commissioner Dojiri asked for nominations for these positions. Commissioner Bishop motioned to retain Commission Chair Dojiri and Vice-Chair Egoscue for another year, which was seconded by Commissioner Maguin. The motion was approved unanimously.

#### **8. FUTURE MEETING DATES**

The December 2009 Commission meeting, which was scheduled for a furlough day, was rescheduled to Wednesday, December 2. The Commission then selected meeting dates for calendar year 2010. The Commission agreed to schedule these for the first Wednesday of the month, rather than the second Friday they have used in previous years, because the latter coincides with the State furlough days. Weisberg identified those as March 3, June 2, September 1, and December 1. There were no objections to these dates, and the Executive Director volunteered to email them to the members of the Commission.

#### **9. CONTRACT REVIEW**

The Executive Director requested that the Commission approve a resolution regarding the following contract that had been or would be offered to the Authority.

- 1) The David and Lucile Packard Foundation (\$200,000)  
Environmental Impacts of Contaminants of Emerging Concern

Upon the motion of Commissioner Egoscue, seconded by Commissioner Robertus, the above contract was unanimously approved by Resolution, with Commissioner Hashimoto abstaining.

As an informational item, Weisberg described 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 contracts were described to inform and ensure that the direction of the Authority's work is consistent with the desires of the Commission.

- 2) Orange County Sanitation District (\$30,000)  
Spatial Variability of Ocean Sediments
- 3) City of Los Angeles (Through Black & Veatch Corporation) (\$11,380)  
Los Angeles River Special Study

There were no objections to either of these contracts.

#### **10. DIRECTOR'S REPORT FORMAT**

Karen Setty gave a presentation on the new format of the Director's Report. She indicated that the previous format was difficult to skim, not optimized for electronic viewing, and failed to call attention to the most important information. The new version had compacted project updates, hyperlinks to find more information, and several added features. Overall, the Commission's reaction to the new format was positive. Commissioner Bishop commented that the images were helpful, but that SCCWRP should not expend extra resources to obtain them. There were no objections to CTAG's suggestion of posting the Report online.

#### **11. FISH TISSUE ADVISORIES**

Deputy Director Ken Schiff gave a presentation on the new California Office of Environmental Health Hazard Assessment (OEHHA) fish advisories for southern California and how the Bight '08 fish bioaccumulation studies might affect future advisories. He indicated that OEHHA recently changed their warning system from one based on a single, high concentration action level for white croaker issued on a pier-by-pier basis to a new zone-based system which issues warnings for 19 different species and several more contaminants. It also features separate consumption advisories for men versus women and children. He indicated how the new system was an improvement, but expressed concern that warnings can quickly become outdated because they are not tied to ongoing monitoring efforts. This provides potential collaboration opportunities with NPDES monitoring, Bight Regional Monitoring, and the State Water Board's Surface Water Ambient Monitoring Program (SWAMP).

Describing the Bight '08 fish bioaccumulation study, Schiff explained that the monitoring data will result in a regionally consistent distribution of fish tissue concentrations. He indicated that the Bight '08 program is having good catch success. Six laboratories also participated in an intercalibration exercise, for which the preliminary data looks good. Fishing will be completed by October, and results will be reported by fall 2010.

Following his presentation, Schiff took questions from the Commission. Commissioner Robertus asked about the pathway for fish bioaccumulation and its relationship to sediment contamination. Schiff responded that Steve Bay would address this in the next presentation. In response to Commissioner Ghirelli's question about the relationship between NPDES monitoring and OEHHA warnings, Weisberg explained that the OEHHA's new warning framework might be useful in interpreting NPDES monitoring data.

#### **12. SEDIMENT QUALITY OBJECTIVES INDIRECT EFFECTS**

Steve Bay gave a presentation on the development of protocols for assessing the relationship between sediment contamination and effects on humans and wildlife. He began with background information on the State Water Board's court-ordered mandate to develop Sediment Quality Objectives (SQOs) in bays and estuaries. He indicated that SCCWRP was requested to develop a technical foundation for the SQOs and has completed the first phase of the project dealing with direct effects. The State Board adopted narrative SQOs in September

2008 for the direct effects of sediment contamination on infaunal biota, but has not yet addressed indirect effects on wildlife or humans. The SQOs were approved by the EPA a week prior to the Commission meeting, making California only the second state to adopt SQOs and the first to use a multiple line of evidence (MLOE) approach. Commissioner Hashimoto noted that with differences between the SQOs and other existing regulations such as TMDLs, there were still questions among agency staff about how to use the SQO tools, and thus a need for further training. Weisberg responded that SCCWRP was holding a number of training workshops for this purpose.

Bay went on to describe the status of the indirect effects assessment phase of the project. The data integration framework was approved by the SQO Scientific Steering Committee (SSC) in July 2009, and SCCWRP staff members were now focused on development of data analysis tools. The indirect effects conceptual framework aimed to determine whether pollutants in seafood pose a high risk to consumers, and whether sediment contamination contributes to that health risk. The assessment framework was broken down into three tiers, including rapid screening, site assessment, and refined site assessment. Bay showed the decision flowchart for Tier 1, which uses conservative chemical concentration levels to screen seafood tissue and sediment samples, determining where a Tier 2 assessment is needed. Tier 2 relies on multiple lines of evidence to classify each site's risk level. Tier 3 represents an optional, more comprehensive site assessment, for which the approach varies depending on the management questions of concern.

Bay next demonstrated the draft decision support tool to standardize data interpretation. With sediment contaminant levels input by the user, the tool estimates seafood tissue concentrations using a peer-reviewed bioaccumulation model, and also provides categorical summary data to answer questions of management concern. He finished the presentation with the schedule for completing the project, including data integration method refinement, case studies, development of a user interface, documentation, and external scientific review. The State Water Board will consider adoption of the phase II SQO policy by the end of 2010.

In response to a question from Commissioner Robertus, Bay noted that scientific evidence suggests that sediment particle size does not have a significant influence on toxicity, although SCCWRP continued to use QA (quality assurance) samples to control for this. Commissioner Robertus then commented that with the cost and side effects of sediment removal, it was good to see careful examination of contaminant dissipation. Weisberg observed that while this type of MLOE assessment costs more than former methods, it remains lower than the cost of unnecessary sediment cleanup.

### **13. FUTURE MEETING AGENDA ITEMS**

Weisberg offered to make a presentation on natural water quality compliance assessment at the December Commission meeting, to correspond with a topic that CTAG had requested for their November meeting. He was also asked to give a brief update on activities to support the Commission's Rapid Methods Task Force. Commissioner Robertus additionally requested feedback on the potential for SCCWRP to do a brine constituent impact assessment.

### **14. OTHER BUSINESS AND COMMUNICATIONS**

The Executive Director noted one change in the Commission Minutes from June 12, 2009, where the reference to Meg Sedlak of SFEI on page 7 should have been to David Sedlak of UC Berkeley. There were no objections to this change. Weisberg next noted that Alan Langworthy of the City of San Diego had recently retired, but was being retained by the City as a contract

employee and would remain the SCCWRP Commissioner until at least the next meeting. He continued by describing recent developments with permitting for the City's Point Loma Wastewater Treatment Plant. The City has proposed moving the plant towards complete recycling of wastewater, rather than moving towards secondary treatment in this permit cycle. Their request was approved by the San Diego Regional Water Quality Control Board and supported by EPA, but was recently ruled against by the Coastal Commission.

Commission Chair Dojiri described the performance evaluation process for the Executive Director, which includes establishing goals by the Commission's Personnel and Finance Committee, a written self-evaluation by the Executive Director, and a meeting between the Executive Director and the Chair of the Commission. Dojiri offered to forward a copy of the Personnel and Finance Committee's evaluation to any interested Commissioner.

Weisberg next announced that there would be a public hearing of the Interagency Ocean Policy Task Force held September 17 at the Hyatt Regency Hotel in San Francisco. This was in response to President Obama's order for development of a national ocean policy. The California Ocean Protection Council planned to represent California's position at the event.

**15. PUBLIC COMMENTS**

There were no public comments.

**16. ADJOURNMENT**

The meeting was adjourned at 12:00 PM, until the next Commission meeting on December 2, 2009.

ATTEST:

Bryan Nece  
Secretary