

**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**

**March 30, 2010
9:30 AM**

COMMISSIONERS PRESENT

Mas Dojiri (Chair) - *City of Los Angeles*
Tracy Egoscue (Vice-Chair) - *Los Angeles Regional Water Quality Control Board*
Janet Hashimoto - *US Environmental Protection Agency, Region IX*
Brian Baird - *Ocean Protection Council*
Darrin Polhemus - *State Water Resources Control Board*
Gerard Thibeault - *Santa Ana Regional Water Quality Control Board*
David Gibson - *San Diego Regional Water Quality Control Board*
Philip Friess - *Sanitation Districts of Los Angeles County*
Ed Torres - *Orange County Sanitation District*
Steve Meyer - *City of San Diego*
Gerhardt Hubner - *Ventura County Watershed Protection District*
Mark Pestrella - *Los Angeles County Flood Control District*
Chris Crompton - *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*
Steve Bay - *Principal Investigator*
Keith Maruya - *Principal Investigator*
Eric Stein - *Principal Investigator*
Peter Miller - *Principal Investigator*
Shelly Moore - *Information Systems Manager*
Karen Setty - *Science Writer*
John Griffith - *Supervising Microbiologist*
Yiping Cao - *Microbiologist*
Nathan Dodder - *Senior Scientist*
Marlene Merchain - *Programmer*
David Gillett - *Ecologist*

OTHERS PRESENT

Gerry McGowen - *City of Los Angeles Environmental Monitoring Division*
Michael Lyons - *Los Angeles Regional Water Quality Control Board*
John Kappeler - *City of Newport Beach*
Lydia Mikhail - *County of Orange Health Care Agency*
Larry Honeybourne - *County of Orange Health Care Agency*

Brandon Steets - *Geosyntec Consultants*
Kurt Berchtold - *Santa Ana Regional Water Quality Control Board*
Polly Barrowman - *MWH Consultants*
Ted von Bitner - *Orange County Public Works*
Dominic Gregorio - *State Water Resources Control Board*
Barbara Cameron - *City of Malibu*
Brad Fowler - *City of Dana Point*
Lisa Zawali - *City of Dana Point*
Ian Adam - *Fusco Engineering/MiOcean*

Commission Chair Dojiri called the meeting to order at 9:35 AM.

CONSENT AGENDA

- 1. MINUTES OF COMMISSION MEETING HELD DECEMBER 2, 2009**
- 2. QUARTERLY FINANCIAL STATEMENT FOR THE PERIOD ENDED DECEMBER 31, 2009**
- 3. QUARTERLY STATEMENT OF INVESTMENTS AT DECEMBER 31, 2009**
- 4. MINUTES OF CTAG MEETING HELD NOVEMBER 16, 2009**

Commissioner Dojiri requested two minor changes to the December Commission minutes. Commissioner Meyer then motioned for approval of consent items, seconded by Commissioner Friess, and the items were unanimously approved.

Commissioner Gibson arrived at 9:40 AM.

REGULAR AGENDA

5. EXECUTIVE DIRECTOR'S REPORT

The Executive Director began his verbal report by noting SCCWRP's high productivity over the last year despite the financial challenges associated with the bond fund freeze. The 2009 SCCWRP Annual Report featured 23 articles, coauthored by 62 co-investigators from 34 different institutions (including 5 member agencies). He emphasized the importance of partnership and how he tries to position SCCWRP as an agency that helps to develop scientific consensus. He described several lines of evidence regarding the agency's success in that area: SCCWRP staff having published scientific articles with co-authors from 65 different academic institutions over the past two years; the last quarterly Director's Report listed three pages of meetings that took place at SCCWRP over the last quarter; SCCWRP meetings and events booked over 600 room-nights at SCCWRP's recommended hotel in 2009, as well as 100 room-nights in January 2010 alone.

Weisberg went on to highlight some specific meetings of particular interest that have been or are about to be held at SCCWRP. The first was a meeting of the world's leading genetic barcoding experts, which was attended by representatives from most of SCCWRP's member agencies. The next was an ocean acidification workshop that will be held in July and will bring together scientists, federal agency personnel and the commercial shellfish industry to assess how ocean acidification is affecting shellfish recruitment. In response to a question from Commissioner Baird, Weisberg indicated that one of the reasons for holding the workshop in

July was to develop scientific consensus ahead of, and for presentation at, the September California and the World Ocean conference. Commissioner Hashimoto added that it might be useful to compile reference information from the workshop, as the USEPA was seeking scientific input on how ocean acidification potentially relates to 303(d) listing. Weisberg confirmed that the workshop would be a good forum to address that matter.

Another workshop that will be held later in July will bring together users of harmful algal bloom (HAB) information, such as researchers, mammal and bird rescue centers, shellfish regulators and the desalination industry, to discuss how HAB monitoring data can be best provided so that it is of maximal value for management decisionmaking. Finally, Weisberg announced that the Water Environment Research Foundation (WERF), which is conducting a freshwater analog to SCCWRP's ambient water panel on contaminants of emerging concern (CECs), has agreed to hold their next CEC meeting at SCCWRP in conjunction with the SCCWRP CEC panel meeting, probably around the end of September.

The Director's next topic dealt with emerging partnerships at SCCWRP. Lee Ferguson, a leading expert in assessing the effects of nanomaterials from Duke University, visited SCCWRP the day before to give a seminar and discuss several possible joint projects with SCCWRP scientists. Another partnership was being developed with the NOAA Southwest Fisheries Science Center in La Jolla, which possessed many marine mammal tissue samples and was interested in testing them for CECs. Lastly, SCCWRP and CTAG were undertaking a new effort to develop a document that would summarize the effectiveness of the Clean Water Act (CWA) in Southern California, based on their access to some unique and extensive datasets. Weisberg felt that this partnership was reminiscent of the productive collaboration between CTAG and SCCWRP when they developed the Model Monitoring Program at the Commission's request. He noted that Dominic Gregorio would give more information on this collaboration during the CTAG report.

The final topic of the Director's Report was Weisberg introducing a book called "Dirty Water: One Man's Fight to Clean Up One of the World's Most Polluted Bays" by Bill Sharpsteen. The book discussed the history of the City of Los Angeles' CWA waiver and illustrated interesting local history. Several of the chapters focused on SCCWRP's formation and role. Several SCCWRP Commissioners, former Commissioners and employees were also highlighted in the book.

Commissioner Baird responded to Weisberg's discussion of partnerships by thanking Weisberg for his outstanding performance as the interim Executive Director of the Ocean Science Trust, indicating that he strengthened partnerships and the organization as a whole during the period of his service. Commissioner Egoscue called attention to the Spotlight on Commissioners in the written Director's Report, which featured Commissioner Thibeault. She indicated that she liked that new portion of the report and was particularly pleased that it recognized Thibeault's long service to SCCWRP, particularly given his impending retirement.

6. CTAG REPORT

Dominic Gregorio, Chair of the Commissioner's Technical Advisory Group (CTAG), presented a summary of their February 11 meeting. Gregorio indicated that he was re-elected as the CTAG Chair, and Tim Stebbins was re-elected as the Vice-Chair. CTAG received updates during the verbal Director's Report on CEC-related projects with the Packard Foundation and the Mussel Watch program. The new SCCWRP project on whole effluent toxicity testing was then discussed, with Steve Bay providing a description of the project and status update. CTAG provided positive feedback on the SCCWRP Symposium held in January and will choose the

date for the next Symposium at their August meeting. CTAG also spent time planning for their second annual joint meeting with the San Francisco Estuary Institute's Regional Monitoring Program Technical Review Committee, to be held in May.

He reported that Ken Schiff had given CTAG a Research Plan presentation, which led to discussion of how SCCWRP could get involved with desalination and brine disposal issues. Schiff next gave a presentation on the new bio-objectives project, for which SCCWRP will provide technical assistance to the State in a manner similar to the Sediment Quality Objectives process. Gregorio recommended that the Commission request a presentation from SCCWRP on this project. CTAG lastly received an update on the Rapid Methods Task Force activities.

At a special CTAG meeting held March 4 at SCCWRP, CTAG and SCCWRP discussed the concept, outline and approach for publishing a joint document on the effectiveness of the CWA in southern California. They scheduled their next meeting for April 12. All of the CTAG representatives present were in favor of the member agencies participating in the effort, though they were concerned about the availability of staff resources. A draft outline of the proposed document was distributed. Gregorio added that the group was interested in adding an economic evaluation of the costs and benefits of the CWA. CTAG wanted to encourage the Commission to support their staff in this effort and Gregorio requested feedback from the Commission on this topic.

Discussion followed among the Commissioners. Commissioner Gibson requested a bio-objectives presentation, and Weisberg responded that they could schedule it for the June meeting. Weisberg was asked how much of the member agency staff time would be involved in preparing the CWA document. Weisberg responded that it would involve meetings approximately once a month for a year, with additional time between for compiling and analyzing data. The Commissioners indicated that current personnel, budget, and time limitations might constrain their ability to contribute. In general, though, their reaction was positive, and they suggested incorporating flexibility into the timeline to accommodate these limitations. In addition, Commissioners Dojiri and Egoscue recommended that SCCWRP get in contact with a group of students from Europe that was also studying the effectiveness of the CWA.

7. CONTRACT REVIEW

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

- 1) State Water Resources Control Board (\$231,000)
Effects of Hydromodification on In-stream Biological Condition
- 2) County of San Diego (\$360,000)
Nutrient-Stream Algae
- 3) Boeing (through LARWQCB) (\$350,000)
Developing a Design Storm for Stormwater Management

Upon the motion of Commissioner Friess, seconded by Commissioner Crompton, the above contracts were unanimously approved by Resolution, with Commissioners Hashimoto and Polhemus abstaining from item #1, Commissioners Tesoro and Hashimoto abstaining from item #2, and Commissioners Polhemus, Hashimoto, and Egoscue abstaining from item #3.

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.

- 4) David and Lucille Packard Foundation (\$200,000)
Contaminants of Emerging Concern in Coastal and Marine Ecosystems
- 5) Moss Landing Marine Laboratory/San Jose State (\$125,000)
SWAMP Special Studies
- 6) Weston Solutions (\$2,405)
Scientific Review
- 7) Tessera Solar (\$160,000)
Solar Two CRAM Assessment
- 8) San Francisco Estuary Institute (\$57,182)
Gene Expression Analysis
- 9) Moss Landing Marine Laboratory/San Jose State (\$65,000)
SWAMP Support Services
- 10) California Sea Grant (\$5,000)
University of Southern California Sea Grant (\$5,000)
Washington Sea Grant (\$5,000)
Oregon Sea Grant (\$5,000)
California Ocean Science Trust (\$5,000)
NOAA's Integrated Ocean Observing System (\$10,000)
Ocean Acidification Workshop

There were no objections to any of these contracts. Commissioner Dojiri posed a question on item #6 (review of the City of San Diego's water-effect ratio workplan and QAPP), to which Steve Bay responded that the contract referred to trace metals (copper, zinc, and lead) in the Chollas Creek watershed. Commissioner Hashimoto next asked a general question about whether projects involving CECs had a defined list of compounds. Weisberg responded that there was a list for contract item #4, which he would be glad to share with the Commission. The two CEC panels that SCCWRP was facilitating were working toward issuing a recommended list and standardized process for adding new compounds.

8. RAPID MICROBIOLOGICAL METHODS

Commission Chair Dojiri gave a verbal update on the Commission's Rapid Methods Task Force, first reminding the Commission of the Task Force's formation, membership and charge. He indicated that the Task Force met three times and recommended implementation of rapid methods on a demonstration basis starting this summer. The Task Force felt that there was a need for some continuing technical studies, but their concerns were mostly non-technical logistic issues. Dojiri asked Steve Weisberg to present the technical findings and rollout strategy, and indicated that he would ask for a vote of the Commission at the end of the presentations about whether they endorsed the Task Force's recommendation to begin implementation this summer.

Weisberg began his presentation with an overview of five technical studies done to support the Task Force. He indicated that the side-by-side comparison with traditional methods and epidemiology studies were the highest priority studies for the Task Force. Regarding the former, Weisberg showed that staff found nearly comparable results with the two traditional methods (EPA 1600 and Enterolert) when sampling local beaches. Epidemiology study results showed some significant health risk relationships for both traditional and rapid QPCR methods. Importantly, though, the relationships for the traditional methods were not significant when results were lagged by one day, reflecting the time it typically takes to process the samples and indicating the better health protection provided by the rapid methods. This was a large decision factor for the Task Force. Weisberg next showed preliminary results of the method alternative evaluation. These indicated very little difference in results among laboratories, QPCR platforms, reagent and probe chemistry, calculation algorithms, and calibration methods. The fourth study focused on inhibition and found that even for storm drain samples, which had the highest prevalence of substances inhibiting the QPCR reaction, internal controls and use of dilution techniques led to 1% of samples yielding underestimates. SCCWRP's final technical study looked at differential degradation of the DNA signal, to understand the chances of false positive test results from non-viable DNA. The difference among signal degradation time among QPCR and two traditional methods was evident, but was not large enough to concern the Task Force.

After presenting the technical results, Weisberg next presented the Task Force's recommended rollout strategy. The strategy involved using rapid methods for health warnings at nine beaches, three from each of three laboratories in Orange County. Using multiple laboratories would allow evaluation of the technology transfer process to organizations with varying levels of experience. The demonstration would take place in July and August, with training taking place in May and a proficiency testing taking place in June. The Task Force planned to get together in late June to review the proficiency testing before making a final recommendation to proceed. The Task Force also recommended processing all samples with both new and traditional methods during the demonstration period so that the Health Officer had all the information they have always had in the past, plus the information from the new methods.

Weisberg indicated that the Task Force placed a priority on being able to issue health warnings by noon, before most people entered the water. The concern was that although the test only took two hours to complete, sample collection usually took two hours, quality assurance took an additional hour and then two hours was needed for communication with the health department and deployment of the signs, which collectively would place the signs out after most swimmers had gotten out of the water. Weisberg indicated that to resolve timing issues, they would send out separate runners to collect samples at the demonstration beaches, upgrade software to less calculation time and implement electronic signage. They had formed a partnership with MiOcean to install electronic signs at the beach which the Health Officer could update using a keyboard from his office. Finally, Weisberg showed the Task Force plans for training and outreach, including a press demonstration and method training opportunities for NGOs.

Weisberg and the Task Force members present responded to questions from the Commission. In response to a question from Commissioner Meyer, Weisberg explained where EPA was at in their development process, planning to roll out QPCR methods in 2012 to comply with a court order. He indicated that the method planned for use this summer was similar to that of the EPA method, but an hour faster. Responding to questions about whether data from the summer would be used for regulatory purposes, Weisberg responded that they would only be used for beach health warnings. Larry Honeybourne of the Health Care Agency amplified that the data would mostly be used to post advisory signs, though it would also benefit the re-opening of

beaches in a timely manner. He further noted that outreach was an important part of the process owing to associated political issues. Commissioner Crompton voiced some concern about immediate public health use of the data. The Task Force members replied that after discussing this issue at length, they felt comfortable that the methods and decisions would be scientifically supported and were ready to be shared. In response to a question from Commissioner Friess, Weisberg noted that, if need be, the rollout process could be stopped after the June proficiency testing or at any time during the summer at the Health Department's discretion. Weisberg communicated that the Task Force sought to remain in existence throughout the demonstration period so that they could review the outcomes of training and proficiency testing before moving ahead with the demonstration in July.

After public questions were addressed, upon a motion from Commissioner Baird and second from Commissioner Pestrella, the Commission unanimously voted to approve the rapid methods rollout. They also voted to retain the Task Force through at least the end of the year, so that the Task Force could develop next step recommendations based on the lessons learned during the demonstration project. Weisberg agreed to give an update at the June Commission meeting.

9. CONFERENCE SUPPORT

The Executive Director presented a memo seeking guidance from the Commission about whether the agency should provide financial support for conferences. He indicated that SCCWRP receives numerous such requests from a variety of entities and routinely declines them based on previous Commission guidance, but the last Commission discussion on this topic was more than a decade ago. Commissioner Baird explained that one of the reasons for renewing this discussion was that his agency was looking for SCCWRP to potentially co-sponsor the upcoming California and the World Ocean conference, which is more management focused than most of the requests SCCWRP receives. He described the background of the conference and why it might interest SCCWRP and the member agencies. The Commissioners expressed hesitancy for SCCWRP to provide financial sponsorship for a number of reasons, including hesitancy to be seen as a funding source rather than as scientific partner, difficulty establishing clear criteria that define which types of conferences are appropriate to support, and the challenge of differentiating between science and policy at some conferences. In the end, they advised SCCWRP to decline conference sponsorship requests but supported donation of staff time to help plan and implement conferences. Commissioner Baird indicated that even if SCCWRP did not provide financial support for the California/World Ocean conference, he still appreciated the uncompensated time that Weisberg and Stein were providing by serving on the conference session planning committee.

10. FUTURE MEETING AGENDA ITEMS

Two items were identified for the June Commission meeting: 1) bio-objectives; and 2) rapid methods rollout report. A third item on ocean acidity issues was identified for the September meeting.

11. OTHER BUSINESS AND COMMUNICATIONS

Weisberg noted that this was Commissioner Thibeault's final Commission meeting and that SCCWRP intended to give him a plaque at the next Santa Ana Regional Board meeting to thank him for his over 20 years of service to SCCWRP. Thibeault was the longest-running Commissioner in the history of SCCWRP and contributed greatly to the agency's present success. Commissioner Meyer communicated that Jim Barrett had resigned from his post and was no longer a Commissioner. He requested a copy of Form 700, which Bryan Nece agreed to send him.

12. PUBLIC COMMENTS

There were no public comments.

13. ADJOURNMENT

The meeting was adjourned at 12:09 PM, until the next Commission meeting on June 2, 2010.

ATTEST:
Bryan Nece
Secretary