

# **SAN FRANCISCO BAY AREA WETLANDS RESTORATION PROGRAM MANAGEMENT GROUP**

## **MEETING SUMMARY FEBRUARY 14, 2003**

### **Attendees:**

John Brosnan (Wetlands Restoration Program)  
Tony Chappelle (Wildlife Conservation Board)  
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)  
Briggs Nisbet (Save San Francisco Bay)

### **1. Introductions**

Mike Monroe chaired the meeting and opened with a roundtable of introductions. Mike welcomed Tony Chappelle. Mike reviewed the agenda items and asked if there were any announcements. Beth Huning announced that she had invited Briggs Nisbet to the meeting to discuss the recently finalized Letter of Review for the Breuner Marsh Mitigation Bank project. Mike Connor asked John Brosnan about the potential subcommittee meeting for the sediment deficit work proposal to the Moore Foundation and reiterated that now might be a good time to get that meeting together. John stated that he had asked Nadine Hitchcock about it the week prior and that she had left a message with her contact at the foundation. John said that this was the last he'd heard of any progress. Beth Huning announced that she would be lobbying on behalf of the Joint Venture in Washington, D.C. next week. She also stated that the Joint Venture's legislative tours around the bay will take place during the third week of April. Molly Martindale pointed out that legislator attendance at State of the Estuary conferences has been low and that Beth's efforts in Washington could help in boosting those attendance numbers.

### **2. January 10 Management Group Meeting Summary**

John reviewed all of the action items from the January Management Group meeting. Each item had been addressed. All of the items that related to the Design Review Group had been incorporated and John stated that he has begun to include the Management Group on all correspondence for the Design Review Group as well as the Monitoring Group.

### **3. WRP Group Reports**

**Design Review Group (DRG).** John stated that the DRG has produced two Letters of Review in the past month; one Letter for the Lake Merritt Marsh Restoration study and one Letter for the Crissy Field Monitoring Plan and Protocols. Final sign-off has yet to come in for these letters but they should be sent out next week. John said that the DRG devoted a significant portion of its February meeting to review of process and progress made thus far and that

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discussion generated good feedback. In addition, the East Bay Regional Parks District presented the Coyote Hills Wetland Enhancement and Drainage Improvements project at the February meeting. Several guests from the Alameda County Flood Control and Water Conservation District attended the meeting. Discussion between the project proponents and the review team members was very productive.

Mike Connor stated that the DRG seems green, yet is proving useful and successful. **Mike suggested a project evaluation form that could be distributed to project proponents following their review experience.** Brian Mulvey questioned whether regulatory agencies might want to sit in on DRG review and whether other agencies might want to get in on early review. He asked if the DRG is the appropriate venue for this? **Brian stated that some of the discussion about the DRG should be flagged for future, more focused analysis.** Molly Martindale stated the DRG is not a regulatory forum. **Mike Connor suggested that the Management Group hold a six-month review of the DRG and take stock of the group's progress and its review processes (Mike asked: Are we helping to make projects more successful?).**

Briggs Nisbet stated that she had some concerns with the Breuner Marsh Mitigation Bank Letter of Review. She said that Bruce Bayer at the Bay Trail had forwarded the letter to her; public access is a very controversial issue at the project site and that there are very many interested stakeholders. Briggs stated the need to ensure the Letter of Review is not an endorsement of any project. Molly Martindale stated that the DRG process and the Letter of Review are not regulatory and should not be interpreted that way. She added that the process was solely focused on the technical aspects of habitat design; endorsement of a project is not a DRG role. Molly stated that the DRG does not and will not recommend project approval to any regulatory agency.

Briggs stated that the timing of the Breuner Letter was problematic. Molly stated that the project was in the DRG pipeline for 18 months and that it was mutually agreed to by the DRG and the project proponent that the review was somewhat of a "guinea pig" for the DRG's premiere project review. Mike Monroe stated that there is language in the Letter of Review that says the Letter is not regulatory and not an endorsement; Mike asked if Briggs could suggest additional language to include. Beth Huning expressed a concern with how the project proponent controls the timing of submission of projects to the DRG and that that could affect access to decision makers. **Brian Mulvey stated that perhaps the term "Letter of Review" was problematic and that "Habitat Design Review" might be more appropriate.** Steve McAdam suggested being more upfront in the letter about the intention. Steve suggested an initial and final sentence stating there is no endorsement; make sure that this process does not affect other review processes and state that. Brian suggested including language in the Letter that states how "this review may not be the final review."

John explained that during a recent presentation to the planners at ABAG, some Bay Trail planners had expressed an interest in being included in the DRG process. Steve stated that BCDC should be the entity to ensure public access is included in a project; he stated that this issue was more appropriate for BCDC's Design Review Board, not the Restoration Program's DRG. Steve stated that the DRG focus is on whether or not projects are being designed to meet habitat needs; public access is therefore not a central component of the DRG's feedback focus.

Mike Connor pointed out that there may be an issue with public and private project proponents receiving free design review from an entity that is funded with federal government money. Mike Monroe stated in the future, it is possible that a regional funding source may materialize. Mike Connor pointed to architectural review boards and how project proponents pay a fee to use that service.

**Wetlands Monitoring Group.** Molly Martindale briefed the group on the Wetlands Monitoring Group's meeting on the preceding Tuesday. She stated that people are anxious to establish an inclusive wetlands monitoring process and that the focus in recent group meetings has been what can be done in the present. For the most recent meeting, Molly had drafted a functional diagram for the group. The group has determined that its most important function is acting as a forum where information and views are exchanged (an information interchange). Molly stated that the group is looking to integrate with the recently funded CALFED monitoring projects that will begin soon in San Pablo Bay, Suisun Marsh and in the Delta. The group is presently supporting the Bay's wetlands project mapping efforts ([www.wrmp.org](http://www.wrmp.org)); the information in this map is linked to permit applications, thus resulting in a "living map" of projects around the Bay. The mapping effort also shows the shapes and types of wetlands in the pipeline.

Molly mentioned that Josh Collins continues work on the development of the California Rapid Assessment Method. She also stated that there is the potential for creation of review teams similar to those in the DRG; these teams would review monitoring plans and protocols. In terms of protocol development for the Wetlands Monitoring Group itself, the group is going to be focusing on plants, birds, and sediment. At present, the protocols are available online at [www.wrmp.org](http://www.wrmp.org), yet they are only available in narrative form (not recipe format). Molly added that she and Andree Breaux are working development of a decision-tree that will be used to determine when to use the protocols.

Mike Monroe suggested expanding the group's invitee list. Mike also asked if the Joint Venture's contract for its project tracking system had been adopted/awarded, and Beth said that it had. Beth added that the Joint Venture will be hiring a staff person to head up that effort. Beth stated that the system will track Joint Venture partners' project data (acreage, types, and others being determined). These projects will include those along the San Mateo, Marin and Sonoma coasts.

#### **4. Recent and Upcoming WRP Public Outreach Efforts**

John stated that he has given the WRP presentation at three locations - the Joint Venture's Management Board, BCDC staff, and ABAG's planning staff - in the past month. John said that each presentation has elicited many questions and he has received good feedback. John also stated that there is an upcoming presentation being given on Thursday, February 20th at 8:00 PM at the San Anselmo Town Hall for the Friends of Corte Madera Creek.

#### **5. Summary of Feedback from Joint Venture's Management Board**

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Beth stated that she had received feedback on the Wetlands Restoration Program and the Program's Working Principles document following John's presentation on January 28th. She said that feedback was limited to attempting to avoid duplication of efforts and seeking to clarify the distinct roles of each organization. The Management Board saw the forum for policy issue resolution as the most valuable component of the Restoration Program. In addition, the sharing of information, the maintaining of high-level focus and attention on Bay Area wetlands, the focus on mitigation projects, and the opportunities to solve mitigation policy conflicts were also seen as valuable and defining features of the Restoration Program. Concerns about the Program included ensuring that the Program does not determine mitigation policy, mixing mitigation and restoration (more specifically, ensuring that mitigation does not take precedent over restoration as the impetus behind projects), and making sure that the Program is not the authority on where projects are sited.

Molly asked Beth to clarify what she meant by restoration versus mitigation as the driver of projects. Beth said that the Joint Venture [Management Board] wants to make certain that moving a mitigation project forward does not take precedent over restoration projects moving forward. Molly stated that the Restoration Program does not prioritize projects. Steve McAdam saw the Program's view of projects and the agencies' view of prioritizing projects as two distinct things; he said that agencies maintain the focus on HOW to implement mitigation projects. **John will draft language and changes to the Working Principles pursuant to these comments.**

**6. Working Principles Discussion**

John restated the changes that had been incorporated into the Working Principles document during the past month. The changes were limited to incorporating the Federal Advisory Committee Act (FACA) statement and including the names of the Executive Council agencies. John said that Nadine Hitchcock had just submitted comments and that he had not had a chance to look at them yet. He opened up the discussion for any further input; those present had already provided feedback.

**7. Management Group Business**

Mike Monroe shared the recent suggestion that the Management Group meet every other month and asked everyone present what they felt about that idea. Steve McAdam stated that meetings should be scheduled for every other month with the option to postpone as necessary. Brian Mulvey said that either the current or proposed meeting schedule worked well for him. Beth agreed with Steve. **The group generally agreed it would be a better idea to meet every other month.**

Steve asked about the prospect of changing the Management Group's name to the Coordinating Committee. Beth thought this was a good idea. **Mike Monroe stated that this would be an issue the Executive Council could be interested in and that it would be put forth next week.**

Mike Monroe then asked the group what their thoughts were on whether or not to hold the planned March 11 Executive Council meeting and what items might be on the agenda if the meeting is held. Mike stated that there are not many agenda items aside of the Working

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Principles and we need to evaluate if this is enough to hold a meeting. Steve McAdam saw an upside and a downside to not holding the meeting; if it does not happen, the Program could slip off the radar of some Executive Council members, while if the meeting does happen, a meeting without adequate substance could be viewed as a day wasted. Molly agreed and suggested that it could be a good idea to postpone the meeting. **Mike Monroe explained that Alexis and Mary would be briefed (likely via a conference call) next week to determine this.**

Beth stated that the Joint Venture had begun working and establishing its program a good deal before it formed its Working Agreement; she pointed out that the Restoration Program is attempting to do both of these things simultaneously. Brian suggested that the Restoration Program might benefit from adoption of interim Working Principles. He and Beth agreed that better defining of the Program would lead to a better and easier process. Steve said that his perception of the Program was that it was something to keep everyone (multiple agencies) in the same loop to avoid "catastrophic" communication breakdowns. Mike Monroe agreed and said that not having an Executive Council meeting could diminish the Restoration Program's ability to fulfill this in the near term. Brian asked if the Executive Council's scope could be broadened to other obstacles beyond wetlands. Steve suggested that nonpoint source pollution issues as an example, as these issues require broad agency participation.

**8. Next Meeting Date**

**It was suggested that the group will meet on the first Fridays of even months - please provide to John your feedback on this idea.** The next meeting is scheduled for Friday, April 4th. The meeting time and exact location will be forthcoming. The meeting was adjourned.

**ACTION ITEMS:**

- **DRG - Mike Connor suggested a project evaluation form that could be distributed to project proponents following their review experience.**
- **DRG - Brian Mulvey stated that some of the discussion about the DRG should be flagged for future, more focused analysis.**
- **DRG - Mike Connor suggested that the Management Group hold a six-month review of the DRG and take stock of the progression of the group and its review processes (Mike asked: Are we helping to make projects more successful?).**
- **DRG - Brian Mulvey stated that perhaps the term "Letter of Review" was problematic and that "Habitat Design Review" might be more appropriate.**
- **Working Principles - John will draft language and changes to the Working Principles pursuant to comments from Nadine Hitchcock and the Joint Venture Management Board.**
- **Management Group - The group generally agreed it would be a better idea to meet every other month.**
- **Management Group - Mike Monroe stated that the term "Coordinating Committee" instead of "Management Group" would be an issue the Executive Council could be interested in and that it would be put forth next week.**
- **Management Group - It was suggested that the group will meet on the first Fridays of even months - please provide to John your feedback on this idea.**
- **Executive Council Meeting - Mary and Alexis will be approached next week to determine whether or not to hold the March 11 Executive Council meeting.**