

Delta Tributaries Mercury Council
December 13, 2005
Sacramento Regional County Sanitation District Offices
Mather, CA

Facilitator: Carol Atkins, Harris & Company

Meeting Summary: Carol Atkins, Harris & Company

Attendees:

Larry Bahr, Fairfield-Suisun Sewer District

Rocky Chase Homestake Mining Company

Paul Forsberg, Dept. Fish and Game

Vicki Fry, SRCSD

John Headlee, US Army Corp of Engineers

Mary Lee Knecht, SRWP

David Lawler, BLM

G. Fred Lee, G. Fred Lee and Associates

Lori Copan, DHS

John Key, BLM

Carrie McNeil, Delta keeper

Stephen McCord, LWA

Patrick Morris, CVRWQCB

Sarah Reeves, Dept. of Conservation

Kathy Russick, SRWP

Jim Sanborn, OEHHA

Elana Silver, DHS

Jerry Troyan, SRCSD

Alyce Ujihara, DHS

Michelle Wood, CVRWQCB

Agenda:

I. Introductions, Agenda Review, Meeting Summary Approval

II. Announcements

III. Presentations

§ Total Maximum Daily Load for Mercury in the Delta, Michelle Wood, CVRWQCB

§ Localized Mercury Bioaccumulation Study Outreach, Stephen McCord, LWA

IV. Project Updates: Technical Advisory Group, Alyce Ujihara, DHS

V. Phase IX Funding Recommendations

VI. Sacramento River Watershed Program

- VII. DTMC Facilitation
- VIII. Other Updates
 - § AML Forum
- IX. Next Meeting

Meeting

I. Introductions and Agenda Review

Introductions: Meeting participants introduced themselves.

Agenda Review: The group reviewed the agenda. Carol reviewed how the day's agenda was different from the one distributed to the group. There were no additional changes.

Meeting Summary Approval: The group had no changes to the summary of the October 11, 2005 meeting.

II. Announcements

§ Sarah Reeves with the Department of Conservation announced that the next California Abandoned Mine Lands Forum Meeting would be held on December 14th from 9 to noon at the Sacramento offices of Shaw Environmental located at 1326 N. Market Blvd. in Sacramento.

III. Presentations

Total Maximum Daily Load for Mercury in the Delta – Michelle Wood with the Central Valley Regional Water Quality Control Board gave a presentation on the Methylmercury Basin Plan Amendment for the Sacramento-San Joaquin River Delta Estuary. She covered general background for the TMDL and proposed amendment and discussed ideas for a control program in the Delta for both methyl and total mercury. Due to the complex nature of the presentation, we have posted the presentation for your review and consideration. It can be found at http://www.sacriver.org/subcommittees/dtmc/documents/CVRWQCB_Delta_MeHg_BPA_Presentation.pdf Please note that the “apparent spaces” in the link are underscores. An alternative link (namely, one without underscores) is <http://www.sacriver.org/subcommittees/index.php?action=ShowNode&subcommittee=dtmc&node=documents>

As a reminder, because the control program is still in the development phase, future staff reports may differ from the contents of the presentation.

The August 2005 Regional Board staff TMDL report can be downloaded from <http://www.waterboards.ca.gov/centralvalley/programs/tmdl/deltahg.html>

A draft Basin Plan Amendment report will be released soon for scientific peer review and will be available at the above website. Michelle noted that the formal public comment

period on the Basin Plan Amendment is expected to begin in March 2006, with the release of the second draft of the Basin Plan Amendment staff report. Staff anticipates that the Board will consider the amendment in the summer of 2006.

Participants had the following questions for Michelle:

Q: How do you account for the mercury intake coming from several sources, namely sport fish and commercial fish?

A: We consider total consumption of fish.

Q: What is being done in Minnesota?

A: Fish advisories are based on US EPA methodology.

Q: Implementation of the proposed control language could lead to a moratorium on development and new industrial hook-ups.

A: We are not advocating “connection bans”, but rather adoption of a total mercury offset program and implementation of best available technology management practices for methylmercury.

Q: How will the implementation be funded?

A: We are currently looking at alternatives. Any suggestions are welcome.

Localized Mercury Bioaccumulation Study Outreach – Stephen McCord with Larry Walker Associates (LWA) reminded the participants that LWA is working on a localized mercury bioaccumulation study for the Sacramento Regional County Sanitation District. Stephen indicated that Fraser Shilling was leading efforts to help answer the following questions:

- § Where do shore and boat fishers come from?
- § What and how much do they catch and eat?
- § How do they get health information that they trust?
- § What are their concerns and input on this study?

The project team gave a similar presentation at the recent Department of Health Services Forum on Fish Contamination Issues in Sacramento. Alyce Ujihara gave a brief overview of the forum. She indicated that approximately 65 people attended the event that was focused on reaching out to community-based organizations and local agencies. The goal was to promote collaborations and discuss ways to undertake education with diverse populations. The Forum culminated with a discussion period on what future projects are needed. Suggestions included

- § Raise issue to a higher level (including legislature and city officials)
- § Concerns about funding for CBOs, monitoring, and other projects

§ Need for additional networking opportunities

Stephen continued to explain that the outreach effort for the Localized Mercury Bioaccumulation Study was surveying people who are fishing around the SRCSD outfall in the Sacramento River. They are noting ethnic background of those fishing and asking about whether those fishing no about the mercury warnings/advisories with regard to fish. In addition, the group has held to a community meeting and anticipate holding another one. Stephen reviewed the results from the survey thus far.

Group questions included:

Q: Are you experiencing any language barriers?

A: Not yet.

Q: Did you coordinate this effort with the work being done by the Department of Health Services?

A: Yes. Both efforts are using essentially the same questions, but in different locations.

Q: Have you sampled any clams yet?

A: We will not begin that facet of the project until next summer.

Q: Will you be looking for seasonal changes?

A: Yes. We will be sampling the clams monthly for five months.

IV. Project Updates: Technical Advisory Group, Alyce Ujihara, Dept. of Health Services: Alyce Ujihara introduced Elana Silver, who gave a presentation on the Woman, Infant, and Children (WIC) survey that was conducted in October 2004. She explained the survey was conducted at a WIC clinic in Stockton, due to the diverse population that utilizes the clinic. Elana summarized the data from the survey.

Group participants had the following questions:

Q: Did you survey the income level of the client?

A: No. All participants were low income. In addition, we have found that this question really puts people off. Moreover, people will answer that they fish because they enjoy the activity, not because they can't afford other food.

Alyce updated the group on other TAG activities. She indicated that:

§ The TAG is moving forward with an angular survey in the Delta and San Joaquin River at four sites.

§ The TAG is working on posting the "East Delta Fish Safely Sign".

- § The two projects for the DTMC/SRWP are getting underway.
- Alyce invited Lori Copan to discuss ideas that were being researched for the fish consumption/clinic survey task to take place in the lower Sacramento Valley. Lori indicated that she had spoken with staff with the Comprehensive Perinatal Services Program and with Sacramento County. They had made a couple of recommendation including:
 - Working with the UC Davis Perinatal Health Clinic
 - Working with the Refugee Health clinic
 - The Birthing Project (a predominantly African American outreach effort)

Lori noted that if they decide to work with a health clinic there is the potential to be able to add a biomonitoring element to the work effort. She also discussed the Physicians for Social Responsibility “In Harms Way” curriculum, which addresses a patient’s risk of mercury exposure. She also noted that she would be meeting with Sacramento County on December 19th to further discuss this topic.

- The second DTMC/SRWP project was considered at the last meeting and would involve some of the unspent Phase IX funds. Alyce indicated that they had planned to use the allocated \$5000 to fund an additional project from their recent mini-grant proposal. The DHS received five applications and would likely be funding three. Each proposal would be funded up to the sum of \$10,000. There were no \$5000 proposals.

Alyce asked if the DTMC would allow DHS staff to consider using the \$5000 in Phase IX funds to do one of the following:

- Develop an education activity for children
- Fund Sacramento County staff to do additional education
- Fund tribal work in the Chico area
- Seek out a specific organization to conduct education work.

Carol asked that this conversation be held under Phase IX Funding Recommendations.

V. Phase IX Funding Recommendations

Carol reminded the group that at the October 2005 meeting the group considered projects by three proponents. The attendees recommended that all three projects be fund and that

the funding amounts be determined by the proponents. Carol reported that the proponents determined the following funding split:

- § Department of Health Services - \$5,000
- § Friends of Deer Creek - \$5,000
- § Dredge Tailings Workgroup – \$3,905

Carol indicated that Harris & Company would not be able to continue their work for the Dredge Tailings Workgroup. She asked the group how to proceed. Dave Lawler indicated that he wanted to see the group continue and would look into other facilitators.

The participants discussed Alyce's suggested projects. The group's discussion topics included:

- § Whether there would be administrative barriers to funding a tribe. (No, the funding source was federal monies.)
- § Focusing the work on younger kids. It was noted that 4th grade students learn about the gold rush in school, and that it might be possible to tie something to this school work.
- § Using a comic book as an educational tool
- § Geographical considerations, and where in the watershed to focus the work. The group discussed the Chico/Paradise area and the 303(d) listings in waterbodies near those towns and the fish advisories. A suggestion was made to work around Red Bluff. Group members noted that the water and biota around Red Bluff were not impaired for mercury.
- § A suggestion was made to expand one of the DHS proposals to include education work. The group indicated that this idea was acceptable.

The group directed Alyce and her staff use this information as they continue to narrow their thought process and determine an appropriate project for these funds. Meeting participants reiterated that all of the ideas generated would meet the needs of the DTMC.

VI. Updates

- **Sacramento River Watershed Program:** Kathy Russick announced that:
 - § The SRWP Annual Stakeholder meeting held on October 27th in conjunction with the Sacramento River Preservation Trust's, State of the River Watershed Conference was well attended.
 - § The SRWP is working with the Water Education Foundation on a layman's summary for the six year's of monitoring data collected by the program. They are targeting a 32 page document and a completion date in 2006. Carol asked if the DTMC could be involved in reviewing the

document. Kathy indicated that the DTMC could review the document prior to its publication.

- **BLM Five Year Action Plan:** Dave Lawler with BML reported that the BLM Action Plan for remediation work for the next eight years was contained in the Five Year Action Plan. He indicated that he would be presenting on this topic at the December 14th Forum meeting.

VII. DTMC Facilitation

Carol indicated that she had accepted another job and would no longer be able to facilitate the DTMC. She asked those attending for any recommendations on a replacement. Mary Lee Knecht (SRWP Education Coordinator) was suggested as an interim facilitator. Sarah Reeves discussed recent experience that the Department of Conservation used to find a facilitator for the AML Forum and other tools such as a group charter and a guiding committee to develop agendas. Eugena Lychek was suggested; Eugena facilitated the SRCSD's Offset Program meetings. Lori Copan had suggestions and indicated that she would provide Kathy with this contact information outside of the meeting.

The group discussed using a full RFP process and a process where applicants were invited to respond. The question was raised as to whether or not the funding source had requirements for selecting a new subcontractor. Kathy Russick will follow-up on this. It was suggested that a workgroup be set up to work on this issue. Their responsibilities would include developing a scope of work, determining appropriate process, developing a list of potential candidates, oversee solicitation process, develop shortlist, review qualifications and budget, and select new facilitator. Vicki Fry volunteered to work with Kathy Russick and Mary Lee Knecht. It was suggested that other volunteers be recruited by sending an email to the DTMC email group. Kathy indicated that she would send an email to the DTMC informing them about the change in facilitator, soliciting input on suggestions for a new facilitator, and inviting participation on the selection workgroup.

The question was raised as to the time duration of the contract. Kathy indicated that her preference was to have it for two years. The group discussed whether hiring a firm or an individual would be better. Merits were determined for both. The group discussed what to do if they were unsatisfied with performance. Kathy indicated that there would be language in the contract that would allow them to release someone who was not performing.

VIII. Next Meeting

The next DTMC meeting is tentatively scheduled for March 2005. Kathy Russick will

notify the group of meeting place, time, and agenda.

The group made suggestions on presentation topics for future meetings. They included:

- Delta Mercury Offset Program (contact person Darcy Jones or Rik Rasmussen with the State Water Resources Control Board)
- Statewide Mercury Offset Program (contact person – Office of Chief Council with the State Water Resources Control Board – Mike Levy or Steven Blum)
- San Francisco Bay Offset Program (contact person – not known)
- More presentations on the CALFED mercury projects, in particular on the Food web dynamics work being done by Robin Stewart
- Update on the Peer Review comments on the mercury TMDL for the Delta (contact person: Patrick Morris, topic not ready for presentation until sometime in April)

It was noted that usually the DTMC agenda has contained regular updates on projects such as the Delta Fish Technical Advisory Group, Charlie Alpers mercury studies being funded by the DTMC/SRWP, and updates on other mercury projects within the watershed. In addition, the agenda provides time at the end of the meeting for the meeting participants to determine meeting logistics and to identify potential presentations for the next meeting.