

**March 11, 2004**

**To: South Bay Salt Pond Restoration Project Stakeholder Forum**

**From: Center for Collaborative Policy**

**Re: Outcomes from the February 18, 2004 Stakeholder Forum Meeting**

---

**Background:** The third meeting of the Stakeholder Forum (Forum) was held Wednesday, February 18, 2004 from 12:30 to 3:00 pm at Centennial Hall located in Hayward, California. This Forum has been convened to provide ongoing input to the South Bay Salt Pond Restoration Project Management Team (PMT) and its technical consultants on the restoration project's objectives and on elements of the restoration plan itself.

For two hours prior to the actual Forum meeting, the Center for Collaborative Policy conducted the second portion of a two-part Collaborative Skills Enhancement Training for all Forum members. The training was well attended and provided participants with an overview of the foundational concepts of collaborative dialogue, an opportunity to practice collaborative problem-solving skills, and a better understanding of interest-based negotiation. The training presentation is available for review at the project website - <http://www.southbayrestoration.org/Events.html>.

Following the actual Forum meeting, the Habitat Restoration, Flood Management, and Public Access/Recreation Work Groups held their first meetings from 3:00 to 4:10 pm. Meeting outcome memos for each Work Group are available from the project website and will be distributed to the various Work Group members.

**Meeting Attendance:** Attachment 1 lists meeting participants.

**Meeting Materials:** In advance of the meeting, Forum members were provided a meeting agenda, revised Guiding Principles, Revised Restoration Plan Objectives, Proposed Operating Protocol Revisions, and an updated Project Timeline. At the meeting, copies of assorted slideshows presented were distributed as well as a revised Forum 1/21/04 Meeting Outcomes Memo, diagram depicting Opportunities for Stakeholder Input, and a detailed schedule of the design consultant's deliverable schedule. These presentations are available from the project website.

**Substantive Meeting Outcomes:**

1. *Welcome, Introductions, and Agenda Review*

Nadine Hitchcock, California Coastal Conservancy (CCC), welcomed everyone and thanked Forum members for participating in the morning training session. Hitchcock welcomed Congressman Mike Honda's aide, Bernadette Arrellano, as a new member to the Forum.

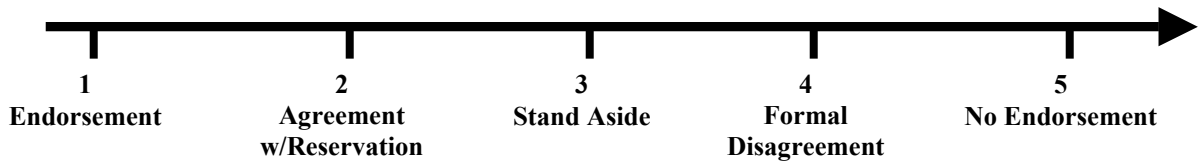
Mary Selkirk (Center for Collaborative Policy) was introduced as the facilitator of the Forum. She provided an overview of the meeting's objectives:

- Finalize Guiding Principles;
- Finalize Project Objectives;
- Provide Overview of Design Consultant Team Scope; and
- Launch Work Groups.

2. *Description of Forum’s Decision-Making Protocol*

Selkirk explained the “majority consensus” decision-rule that had been discussed and agreed upon by the Forum during the Collaborative Skills Enhancement Training conducted earlier in the day. Specifically, the selected decision-rule allows Forum members to express their level of support for any proposed action utilizing a “gradient of agreement” from 1 to 5.

Gradient of Agreement



Forum members will be asked to state their level of agreement for every formal action/recommendation the Forum makes. Forum members who do not fully endorse an action are permitted to prepare short (up to 3 pages) “minority reports” within a timely fashion. These minority reports will be submitted to the PM Team along with the meeting outcomes memorandum in order to present the breadth of discussions held.

3. *Review and Approval of Meeting Outcomes Memo and Revised Agreements in Principle*

Selkirk distributed the revised 1/21/04 Forum meeting outcomes memo and explained that the new version more accurately reflects the Forum’s discussions and outcomes on the Agreements in Principle. Forum members identified a minor typographical error in the third Agreement in Principle and modified the statement to end “...as the restoration plan is developed.”

Utilizing the new decision-making protocol, the Forum unanimously approved the meeting outcome memo and the revised Agreements in Principle.

4. *Update on Public Outreach Activities*

Tracy Grubbs (Center for Collaborative Policy) provided an update on recent public outreach activities that included:

Bay Nature Magazine Insert: The 16 page insert about the Salt Ponds is scheduled for release in the July issue of *Bay Nature* magazine. Paul Revier will be coordinating the piece while David Loeb is on medical leave over the next few months. The following writers will be working on the piece and may contact a few of the Forum members: Glenn Martin, Lisa Owens-Viani, Peter Behr and Robin Grossinger.

Project Brochure: Grubbs reported that CCP is putting together a simple project brochure that can be distributed at conferences and events and used by speakers who are giving presentations. The brochure will include a map of the project site as well as photographs and a graphic of the project timeline.

Docent-Led Site Tours: In partnership with Wildlife Stewards, the USFWS is launching a program to train volunteer tour docents. Docents are individuals who will lead tours and introduce the public to the restoration project. To find out how you can become involved, call Carmen Leong-Minch at 510-792-0222 and ask about the Salt Pond Tour Docent Program.

Stakeholder Forum Outreach Effort: The Forum continues to serve as the hub of the project's public outreach effort. Forum members have identified the organizations and communities with which they maintain regular communication about the project. A list of those organizations (and the names of Forum members who are covering them) was distributed to the Stakeholder Forum. Most of the Forum members have committed to giving the power point presentation to their targeted organizations in addition to making phone calls, attending regular meetings, etc. Grubbs encouraged all Forum members to begin updating the organizations that they have identified on their Public Outreach Forms between now and the next meeting as we plan to start tracking public outreach progress at the next Stakeholder Forum Meeting. She also encouraged Forum members to contact her with any questions or requests for additional materials.

Electronic Newsletter: The next issue of the electronic newsletter will be sent in April.

Speakers Bureau: Caroline Warner of the SF Bay Joint Venture continues to coordinate presentations and speakers from the Joint Venture's Public Outreach Committee. After doing a "test run" of the presentation to several audiences, last fall, Committee members have each committed to doing three additional presentations this year. We are coordinating those presentations with ones given by Stakeholder Forum members and will keep you posted on our progress.

#### 5. *Public Comment*

Selkirk reminded the Forum that at multiple times during each meeting, the general public would be allowed to comment on issues related to the restoration planning process. To this end, Selkirk asked if anyone wanted to address the Forum. One individual, who identified himself as a recreation advocate, raised the following points:

- Restoration process needs to be undertaken in an organized manner;
- Need for flood management as an outcome of process;
- Need for a full mosaic of habitats in the final design;
- All navigable waters need to be recognized and protected;
- Map of the project area is out-dated;
- Channel geometry has changed drastically and flood issues are significant; and
- Sediment issues are very dynamic and must be considered.

#### 6. *Revised Guiding Principles*

Amy Hutzel (California Coastal Conservancy) summarized the revisions the PM Team made to the Guiding Principles based on Forum members' input provided at the January 21, 2004 meeting. The first, third, fourth, and fifth bullets remained unchanged. "At the earliest possible time" was added to the second bullet. The sixth bullet was revised into two new principle statements as the previous statement was really expressing two separate, but related concepts. The seventh bullet was clarified by adding "management" to the first sentence.

The Forum agreed to these changes and unanimously adopted the revised Guiding Principles, which are presented as Attachment 2 to this memo.

7. *Revised Project Objectives*

Hutzel summarized the revisions the PM Team made to the Project Objectives based on Forum members' input provided at the January 21, 2004 meeting. She explained that the objectives are overarching for the restoration planning process and that the design consultant team will be beginning work on more detailed objectives immediately. The objectives are not listed in a ranked order. However, habitat restoration is of the highest priority, but all other objectives are of importance and will not be overlooked.

Discussion amongst Forum members focused on Objective #4 and the need to reduce mercury levels in wildlife dependent upon the San Francisco Bay. After much discussion, the Forum agreed to modify the objective to state:

4. Protect or improve existing levels of water and sediment quality in the South Bay, and take into account ecological risks caused by restoration.

The Forum agreed upon the revisions and unanimously adopted the revised Project Objectives, which are presented as Attachment 3 to this memo.

8. *Public Comment*

Selkirk asked for public comment on either the Project's Guiding Principles or Objectives. The following comments were raised:

- The word "restore" should be added to Project Objective #1 as the project is inherently a restoration project.
- Project Objective #3 should be revised to indicate that the project would maximize public access, not just provide public access. Tom Phillips asked if the ponds, notably the Baumberg ponds, would be open access for hunting, as a Type C land designation, as is the case with other CDFG lands.
- Project Objective #4 should not be limited to ecological risks as humans consume fish from the Bay and, thus, are susceptible to mercury poisoning.

The Forum responded to the public's comments in the following manner:

- Project Objective #1 was modified to include the word "restore" in the first sentence. Project Objective #3 was not revised as Forum members felt that the statement was clear and that the project would provide public access, but not necessarily maximize public access. John Krause (Department of Fish & Game) explained that DFG has two different land designations codified in the regulations. DFG's lands within the Project area are an "Ecological Reserve" rather than a "Wildlife Area" and, thus, the area regulations regarding access type (Type A, B or C) that Mr. Phillips mentioned do not specifically apply, as the "Type A, B, or C" designation applies only to Wildlife Areas. The Baumberg ponds are an Ecological Reserve and have their own regulations, and any

hunting access during the Interim Stewardship period will be controlled and will likely be provided via public lottery drawings for specific dates for those hunters drawn.

- Project Objective #4 was not revised as Forum members felt that ecological risk could be more restrictive than human health measures.

#### 9. *Revised Forum Operating Protocols*

Selkirk explained that based on Forum member feedback, the PM Team recommended modifications to the Operating Protocols to clarify the role of alternates and the mechanism for member succession. Selkirk distributed revised protocol language for these two topics.

Alternates: The use of alternates is not anticipated or encouraged. If you are not able to attend a specific meeting, you may certainly request another person to attend in your place. But their participation will be limited to observing the proceedings, except under the following conditions: the alternate regularly attends Forum meetings, and the Forum member commits to close and ongoing communication with that alternate on issues before the Forum. If a Forum member is not able to maintain the commitment to thoroughly briefing his/her appointed alternate, and/or the alternate does not regularly attend the Forum meetings, then the alternate will observe only.

Succession: In the event that a member of the Stakeholder Forum must resign or step down, his/her organization may appoint a replacement. The appointed individual must represent the same organization, community or constituent group as the Forum member for whom s/he is replacing. Prior to leaving, the departing Forum member will inform the PM Team and the Forum of his/her intentions. In addition, the departing member will make a good faith effort to brief his/her replacement on the key activities and discussions taking place at the Forum.

The Forum accepted these revised protocols and clarified that the conditions for alternates does not apply to Work Groups.

#### 10. *Overview of Phillip Williams & Associates Planning Approach*

Michelle Orr introduced herself as the overall project manager for the Phil Williams & Associates team (PWA Team) and used a PowerPoint presentation to overview the PWA Team Scope of Services and Opportunities for Public Input (the presentation is available from the project website). The presentation covered:

- PWA role in project planning;
- Alternatives development process;
- Year 1 services and schedule; and
- Integration with Stakeholder Forum and Work Groups.

In addition, Orr distributed two handouts that provided: 1) a detailed timeline of the PWA Team's deliverable; and 2) a diagram depicting Opportunities for Stakeholder Input. During the presentation, Forum members raised the following questions:

- *How will the differing federal and state environmental laws be addressed during the planning process?*

Response: A joint National Environmental Policy Act (NEPA)/California Environmental Quality Act (CEQA) compliant Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) will be prepared. This joint document will address all relevant federal and state laws. All efforts will be made to keep both these processes on the same timeline.

- *How are public parties going to be able to weigh in on issues?*

Response: There are a number of ways for the general public to participate in the process. The public is encouraged to participate in one of the Work Groups and to provide the PWA Team with any information/data that might help with the effort.

- *How can public learn more about who is on the PWA Team?*

Response: A detailed listing of all team members will be provided on the project website. In addition, Attachment #4 to this memo provides the team's composition.

- *How is the No-Action project alternative going to be defined and how/when will the "baseline" conditions be established?*

Response: The No-Action alternative needs to predict what the conditions within the San Francisco Bay will be in the future if no restoration is pursued in the South Bay. This is a difficult task to undertake and will require a number of significant assumptions that must be publicly discussed and agreed upon. The discussion regarding what the "baseline" conditions is underway and will be further discussed at future Work Group and Forum meetings.

#### 11. *Public Comment*

The following public questions and comments were raised after hearing the PWA Team's presentation:

- *Will there be specific managers for the various geographic areas within the restored ponds?*

Response: Yes, the Baumberg Pond area will be managed by the California Department of Fish & Game and the US Fish & Wildlife Service will manage all the other areas within the restoration project.

- *Would like to see pilot projects undertaken during the implementation of the restoration project.*
- *Need for increased public access and increased hunting opportunities.*
- *Need for invasive species control as part of the restoration project.*

#### 12. *Brief Orientation to the Project for New Work Group Members*

Marge Kolar, U.S. Fish and Wildlife Service (USFWS), thanked the public meeting attendees for coming out to participate in the Work Groups. Kolar gave a slideshow presentation to orient everyone to the geographic scope and long-term goal of the restoration project (presentation is available at the project website). She explained the difference between the Initial Stewardship Project (ISP) and the Long-term Restoration Project, and that construction for the ISP is expected to begin this Spring with funding from the Resources Legacy Fund and the Wildlife Conservation Board, and with the technical assistance of

Cargill and the California Wildlife Foundation. She briefly discussed the technical issues that need to be addressed in order to develop a restoration project that provides adequate habitat protection, public access, and flood management.

13. *Convene Work Groups*

As an outcome of the interviews conducted with interested parties over the past summer, the Center for Collaborative Policy recommended that Work Groups be established to support the deliberations of the Forum. The Work Groups will engage in detailed, open public discussions of specific elements of the plan development. Work Group topics include:

- Habitat Restoration
- Public Access and Recreation
- Flood Management
- Long-term Funding
- San Francisco Joint Venture (SFJV) Public Outreach Working Group

The Habitat Restoration, Public Access and Recreation, and Flood Management Work Groups all held their first meetings from 3:00 to 4:10 pm after the Forum meeting adjourned. Detailed outcome memos for each Work Group are available from the project website.

14. *Next Forum Meeting*

The next Forum meeting will be held April 15, 2004 at a location to be determined. Meeting materials and detailed directions to the venue will be sent out ahead of the meeting.

15. Stakeholder Forum Tasks

<b>No.</b>	<b>Task Description</b>	<b>Responsible Individual(s)</b>	<b>Anticipated Completion Date</b>	<b>Status and Issues</b>
<b>1</b>	Prepare and present overview of design consultant's workplan	PMT and consultants	2/18/04	Completed
<b>2</b>	Develop revised Forum Agreements in Principle	PMT	2/18/04	Adopted
<b>3</b>	Develop revised Project Goals and Objectives	PMT	2/18/04	Adopted
<b>4</b>	Review ISP Draft EIR/S	Interested parties	3/8/04	Completed
<b>5</b>	Update Forum Protocols	PMT/CCP	2/18/04	Adopted
<b>6</b>	Begin making presentations to and contacting constituent groups and organizations about the project. Be prepared to report back on your public outreach activity at the next Stakeholder Forum meeting.	Forum Members	6/04	Pending
<b>7</b>	Prepare for Local Government Forum	PMT/CCP	3/18/04	Pending
<b>8</b>	Update Project website with meeting materials and information on PWA Team	PMT/CCP	3/1/04	Pending
<b>9</b>	Post roster of the Regulatory Agency Group to the project website	PMT		Completed

Note: The Stakeholder Forum Task List will be updated after each Forum meeting.



## **Attachment 1: Meeting Attendance**

### ***Project Management Team***

<b>Organization</b>	<b>Representatives</b>
California Coastal Conservancy	Nadine Hitchcock, Amy Hutzal, Tim Corrigan
California Department of Fish & Game	John Krause
U.S. Fish and Wildlife Service	Marge Kolar
Alameda County Flood Control District	Ralph Johnson
Santa Clara Valley Water District	Jim Fiedler, Beth Dyer
Center for Collaborative Policy	Mary Selkirk, Austin McNerny, Greg Bourne, Tracy Grubbs, Jennifer Krebs
San Jose State University	Lynne Trulio

### ***Stakeholder Forum***

<b>Organization</b>	<b>Representatives</b>
Alameda County Mosquito Abatement District	John Rusmisl
Audubon, SF Bay Restoration Program	Mike Sellors
Bay Planning Coalition	Ellen Johnck
California Waterfowl Association	Mark Hennelly
Cargill Salt	Robert C. Douglass
Citizens Committee to Complete Refuge	Arthur Feinstein
City & County of SF-Public Utilities Commission	Jane Lavelle
City of Hayward	Joseph Hilson
City of Palo Alto	Phil Bobel
City of San Jose	Kirsten Struve
East Bay Regional Park District	Brad Olson
Eden Shores Community	Peter Dunne
Environmental Justice Coalition for Water	
Federation of Fly Fishers; Flycasters Inc.	Mondy Lariz
George Mayne Elementary	Denise Stephens
Laine Co. Bait Sales; South Bay Yacht Club	Tom Laine
Mid-Peninsula Regional Open Space Trust	
NASA Ames Research Center	Sandra Olliges, Ray Schuler
Port of Oakland	Jim McGrath
San Francisco Bay Trail	Janet McBride
Santa Clara Valley Audubon Society	Craig Breon
Santa Clara Valley Water District	Richard P. Santos

<b>Organization</b>	<b>Representatives</b>
City of San Jose	Dan Bruinsma
Save The Bay	Felicia Borrego
Sierra Club, Loma Prieta Chapter	Melissa Hippard
Silicon Valley Manufacturing Group	Margaret V. Bruce
The Bay Institute	Marc Holmes
Hon Mike Honda	Bernardette Arellano

***Interested Public***

<b>Last Name</b>	<b>First Name</b>	<b>Organizational Affiliation</b>
Ali	Nafisah	Dept of Interior, OEPC
Breaux	Andree	RWQCB
Brosnan	John	SF Bay WRP
Catalini	Todd	
Cormier	Evelyn	Wildlife Stewards
Delfino	Frank and Janice	Citizens to Complete the Refuge
Fiala	Steve	East Bay Regional Park District
Ford	Tom	SFBB
Junge	Sheila	
LaClair	Joe	BCDC
Nixon	Elizabeth	
Noonan	Trizzy	East Bay Regional Park District
Peavy	Chindi	San Mateo MAD
Phillips	Tom	
Revuer	Paul	Bay Nature
Ringer	Alice	Santa Clara WMI
Roselli	John	
Schmidt	John	RLF
Strickman	Dan	Santa Clara Vector Control
Squires	Louise	Santa Clara Valley Water District
Windham	Linda	Lehigh/Stanford Universities

***Design, CEQA/NEPA Technical Consultant Team***

<b>Organization</b>	<b>Representatives</b>
Phillip Williams & Associates (PWA)	Bob Battalio, Don Danmeier, Michelle Orr, Donna Plunkett
EDAW	David Blau, Marie Galvin
HT Harvey	John Bourgeois, Scott Terrill

## **Attachment 2: Guiding Principles (adopted February 18, 2004)**

- The Long-Term Restoration Plan is based on the best available science, and independent scientific review is an integral part of its development and implementation.
- The Long-Term Restoration Plan is developed through an inclusive and open process that engages all stakeholders and interest groups at the earliest possible time and promotes partnerships and alliances across all interests.
- Numerous federal, state and local agencies are partners in the Long-Term Restoration Plan and their views are considered fully.
- The Long-Term Restoration Plan is a flexible plan that is based on the concept of adaptive management - recognizing that information gathering is part of implementation and that modifications will be made in the future based on that information.
- The Long-Term Restoration Plan is implemented in phases, including achieving early, visible successes.
- The Long-Term Restoration Plan emphasizes naturally sustaining systems while acknowledging that management will be required to provide a mix of habitats.
- The Long-Term Restoration Plan integrates habitat restoration actions at a regional scale to provide ecosystem-level benefits.
- Development of the Long-Term Restoration Plan will consider costs of implementation, management, and monitoring so that planned activities can be effectively executed with available funding. Partnerships and alliances will be formed to develop and institute a long-term viable funding strategy.

**Attachment 3: Project Objectives (adopted February 18, 2004)**

1. Create, restore, or enhance habitats of sufficient size, function, and appropriate structure to:
  - Promote restoration of native special-status plants and animals that depend on South San Francisco Bay habitat for all or part of their life cycles.
  - Maintain current migratory bird species that utilize existing salt ponds and associated structures such as levees.
  - Support increased abundance and diversity of native species in various South San Francisco Bay aquatic and terrestrial ecosystem components, including plants, invertebrates, fish, mammals, birds, reptiles and amphibians.
2. Maintain or improve existing levels of flood protection in the South Bay area.
3. Provide public access and recreational opportunities compatible with wildlife and habitat goals.
4. Protect or improve existing levels of water and sediment quality in the South Bay, and take into account ecological risks caused by restoration.
5. Implement design and management measures to maintain or improve current levels of vector management, control predation on special status species, and manage the spread of non-native invasive species.
6. Protect the services provided by existing infrastructure (e.g., power lines, railroads).

## **Attachment 4: CONSULTANT TEAM DIRECTORY**

Input to the consulting team should be provided through the Stakeholder Forum and Work Groups, or by email or letter to the State Coastal Conservancy or Center for Collaborative Policy. Please do not contact the consulting team directly.

**Lead Firm**                      **Philip Williams & Associates, Ltd. (PWA)**  
San Francisco, CA

- Focus Areas                      Restoration Planning and Design, Hydrology, Geomorphology, Flood Management, Project Management
- Michelle Orr, P.E.
  - Philip Williams, Ph.D., P.E.
  - Steve Terusaki
  - Don Danmeier, Ph.D.
  - Jeremy Lowe
  - Bob Battalio, P.E.
  - Jeff Haltiner, Ph.D., P.E.

**Firm**                                      **H.T. Harvey & Associates**  
San Jose, CA

- Focus Areas                      Biology, Restoration Planning and Design, Environmental Permitting
- Ron Duke
  - Dan Stephens
  - Patrick Boursier
  - Scott Terrill
  - John Bourgeois
  - Max Busnardo
  - Howard Shellhammer
  - Jane Hendricks

**Firm**                                      **EDAW, Inc.**

- San Francisco, CA
- Focus Areas                      Environmental Compliance (CEQA/NEPA), Public Access and Recreation Planning, Cultural Resources
- David Blau
  - Marie Galvin
  - Mark Winsor, PhD
  - Richard Nichols
  - Laura Watt
  - Donna Plunkett

- Megan Gosch
- Chiquita Yan

**Firm**

**Brown and Caldwell**

Walnut Creek, CA  
 Focus Areas Civil and Environmental Engineering, Water and Sediment Quality

- Cindy Paulson, Ph.D., P.E.
- Marc Beutel, Ph.D.
- Bill Faisst

**Firm**

**DHI Water & Environment**

Newtown, PA  
 Focus Areas Numerical Hydrodynamic Modeling

- Dale Kerper

**Firm**

**Schaaf & Wheeler**

San Francisco and Santa Clara, CA  
 Focus Areas Hydrology, Initial Stewardship Plan

- Kirk Wheeler
- Craig Benson

**Firm**

**Life Science!**

Chico, CA  
 Focus Areas Initial Stewardship Plan

- Lisa Stallings, Ph.D.

**Firm**

**Geomatrix Consultants, Inc.**

Oakland, CA  
 Focus Areas Geotechnical Engineering

- Cindy Egan

**Firm**

**Applied Marine Sciences**

Livermore, CA  
 Focus Areas Mercury Cycling, Mercury Methylation

- Khalil Abu-Saba

**Firm**                    **Anchor Environmental**  
Oakland, CA  
Focus Areas            Dredge Material Evaluation and Disposal Analysis  
▪ Christine Boudreau

**Firm**                    **Han-Padron Associates, LLP**  
Oakland, CA  
Focus Areas            Dredge Material Reuse Studies and Planning  
▪ Rob Andrews

**Firm**                    **Gennis & Associates**  
Sacramento, CA  
Focus Areas            Civil Engineering  
▪ Ivan Gennis

**Independent Consultants:**

▪ Stephen Monismith, Ph.D.  
Dept. of Civil & Environmental Engineering  
Stanford University

Focus Areas: Hydrology, Numerical Modeling

▪ Peter Goodwin, Ph.D.  
Boise, ID 83712

Focus Areas: Hydrology, Geomorphology

▪ Phyllis Faber  
Mill Valley

Focus Areas: Marsh Plants

▪ Glenn Gibson  
Clovis, CA

Focus Areas: Constructability Analysis

▪ Mike MacWilliams

Focus Areas: Hydrodynamic Modeling, Initial Stewardship  
Plan

▪ Wesley Maffei  
American Canyon, CA

Focus Areas: Mosquito Abatement, Vector Control