DELTA LTMS
Joint Meeting:
Testing Protocols Technical Work Group
Permitting Work Group
Meeting Notes

Location: Bay-Delta Room
Tuesday, July 24, 2007
11:00am – 2:00pm

ATTENDING:

Brian Ross, USEPA
Josh Burnam, Anchor Environmental
Bill Brostoff, USACE SF District
Jessica Burton Evans, USACE SF District
Sergio Guillen, Calfed.DV
Sue McConnell, CVRWQCB
Kathleen Dadey, USACE Sac District
Bob Yeadon, DWR
John Headlee, USACE Sacramento District
Christine Boudreau, DCS LLC
Gilbert Cosio, MBK Engineers
Sarah Martin, MBK Engineers
Bill Darsie, Kjeldsen, Sinnock & Neudeck
Darryl Foreman, Land Planning & Ent.
Roberta Goulart, Contra Costa Co. Water Agency
Steven Michelson, Environmental Risk Services
Brian Mulvey, Kleinfelder
Teresa Pacheco, Dawson & Associates
Tom Scheeler, Port of Sacramento
Al Paniccia, USACE SF District (via phone)
Fari Tabatabai, USACE SF District (via phone)
Steve Cappellino, Anchor Environmental (phone)

Announcements

- Nov 1 and 2, 2007 – National Dredging Team Seminar in Emeryville, CA
- April 15-18th 2008 EPA and Corps Sediment Testing Class, Holiday Inn Capital Mall, Sacramento
- USACE and EPA seeking comments on the National Dredging Policy Review deadline is August 4th, 2007.
- Anchor Environmental and Dynamic Construction Services will be handling facilitation. Please see contact information on the website: www.deltaltms.com

Permitting Workgroup Update:

1. VSA update – next meeting has been scheduled for August 16th, 2007 location in Sacramento TBD.
2. Identified that General order would need:
    a. CEQA - environmental documentation
    b. Pathways dynamics at disposal sites is the was identified as a priority to clarify the collective understanding
    c. Funding difficulties will further complicated contract out production of CEQA document

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Testing Protocols Workgroup Update:

Summary of Background Information

A summary of available background material that have reviewed and or established testing procedures was presented and discussed (these documents or websites will be available on the website shortly)

a) Delta Dredging and Reuse Strategy
b) Northwest Regional Sediment Testing Framework
c) USACE documents
    i) Inland Testing Manual
    ii) Upland Testing Manual
    iii) San Francisco LTMS and DMMO guidance
    iv) Green Book
d) Regional Water Quality Control Board TMDL guidance and development

Technical Work Group Overview and Direction

1) Discussion about revising the Tasks outlined in Technical Work Group Overview and Direction. Are these still the group's priorities or did they just need refinement? The following topics were discussed:

Literature Search

a) Literature search suggested relative to methods and protocols; data gaps; etc. –EPA felt that this task has largely already been accomplished 2 years ago in the 2005 ERDC study proposal. Using ERDC's draft scope and comments as a possible basis to develop path forward for evaluating multiple methods and protocols.
b) It was suggested that the group look back to previous work 2 years ago rather than repeat the effort. Use this as a starting point to identify gaps. Then conduct a methods comparison study instead. Revise the literature search to focus on priorities for protocols. Review current methods and protocols in order to make comparisons and priorities for necessary and/or revised methods.
c) Clarification of whether the group wants to focus on developing standards or protocols needed to be addressed. How the criterion and test go hand in hand and what needs to be considered when comparing results of tests. Concern was raised over the fact that most of the background material (DDRS) focused on validation of testing protocols and not clearly define how to interpret results for various placement options. It was also stated that proponents have felt frustrated with multiple interpretations of test results from one test or another. What is the correct interpretation for each test at various placement sites?

d) To address (c) above, Water Board suggested that a monitoring regime as opposed to refining or developing new methods would provide more definitive support of a particular test and its results. Their concern lies in that the current leachate tests are not representative of the conditions at various placement sites.

The Water Board would like to develop a baseline for monitoring GW and protocols development that more accurately represents leachate properties at a particular placement site.

Having monitoring data and comparing to methods/test that more accurately represent field results would provide more confidence in these tests and what their results indicate.

e) Brian Ross EPA – 3 issues:

- What Steps do we need to take to get a permit
- What are the criteria/standards?
- What is the test method? Is it appropriate?
- Clarify what this work group wants to talk about: standards, test itself, or both.
- "Right test answering right question" relative to appropriate criteria

Identifying type of Framework

1) Brian Ross, EPA posed the question: Are we trying to set up a system to address characterization and placement option OR do we pursue with a multi-step process: one characterization for multiple placement sites utilizing a step or tiered approach. If not, then the characterization splits into dredging proponent responsibility to place in approved sites, and additional beneficial reuse responsibility to put elsewhere (levee).

2) Water Board is currently using DIWET test at pre-dredge test point and this would fit into a single system is using wet test at the pre-dredge as well as when reusing material. What is the difference before and after placement? Water Board has been allowing reuse for foundation and roads in more confined reuses. The question of whether or not there is a change in the data after you dredge needs to be addressed perhaps re-running the WET test would accomplish this.

3) Brian Ross EPA we have to assume the test works both times or come up with a factor that is applied so that the test does not have to be run twice. At this point an applicant should be able to use the one measure up-front approach which feeds into permit streamlining. This leads to the following questions for the group:
   - Can you develop interpretative guidelines so you get multiple answers from various tests? DDRS Chapter 6
   - Is DIWET test the right test? Regulators and applicants tend to believe the DIWET test as currently utilized and interpreted as overly conservative?

4) Steve Michelson , Environmental Risk Services stated that groundwater contains contaminants that are lower than what comes out of dredge material. DI considered to be representative. From field tests, dredge material leachate concentrations are much less than the concentrations from the DI WET. Does DIWET do a fair job of what's in there before percolation into groundwater after placement? What happens between placement and saturation after rain event? DIWET was not designed to tell you what GW will be. It is designed to tell you worst case leachate from dredge material. Question is what will be contributed to gw from placement of dredge material not what will gw be at site afterward. The test generally over-predicts what leaches out.
   - It's an aggressive test
     - However is that appropriate? What is really happening during percolation? Can you calculate attenuation and cation exchange and predict GW quality?
     - DIWET is not a GW screen – it's a worst case leachate screen – diff between what is discharged to GW vs. what is GW looking like?

5) Roberta Goulart, Contra Costa County Water Agency stated that it is important to look at a test to see if it accurately represents the placement site dynamics. She would like to see that the tests examined are fair and not overly conservative which restricts what placement options could be utilized. As an applicant dredging proponent, she feels currently the testing and interpretation are very restricted at this point. If better science allows flexiblility and additional placement options that would be a welcome outcome.

6) Brian Ross, EPA – Steve's point is the right direction – pathways is the right way to look at developing a framework for characterization.

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Pathway Development

1) What are different end uses that need to be considered when applying these tests? DDRS addresses developing Matrices to interpret different categories of reuse.

2) What are the pathways of concern; what are chemical constituents leaching properties pathways from dredge material placed at different locations around the delta.

3) The pathways for chemical migration for a particular site will need to be outlined. Then appropriate tests can be targeted for that location.

4) Focus on developing pathway diagram and target at disposal ponds, levee reuse, and other upland category use.

Regulatory Interface

Sue McConnell stated that in terms of regulation of a site, there is difficulty in having a test that shows that potentially the material is inert. Discussion about whether shallow groundwater (gw) is a resource. All gw must be protected and the Water Board cannot disregard the resource of any gw.

Brian Ross EPA– There may be a role to address engineering constraints based on test results for identifying pathway issues. There are a variety of ways to manage sediment but this working group needs to focus on testing regime.

Additional Discussion Items:

CEQA:

Roberta Goulart asked about the CEQA documentation for new GO? Should we be looking at more general items for funding? CVRWQB needs funding/contract for a CEQA doc. Consider priorities for funding of more than just protocols group.

Brian Ross, EPA Response to R. Goulart: In theory you could tier off the LTMS level CEQA/NEPA doc for RGPs/GOs, such as CEs, CatExs, EAs, MNDs whatever. However that is far down the road, so we may want to do some project specific CEQA/NEPA support information development in the interim. **This task is really a Management Committee level discussion.** Will forward this item to MC agenda.

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Upland Return Water Issues:

Tom Scheeler, Port of Sacramento: West Sacramento just got flood damage assessment and they need levee material ASAP. These needs are urgent and to address those needs, this process need to be expedited. What about upland material? Can they use material they already have in uplands? The Port of Sacramento has 7 MCY of dried out dredged material. This has to get worked out now – it's critical. Remain focus on what the real issues are here with the levees.

Brian Ross EPA – Will another protocol be needed for this type of material? We should be open to extending our scope a bit to look at materials that are not dm to help solve the levee issue.

Sue McConnell, CVRWQCB– material from upland borrow pit is not treated as a waste and is not regulated. Dredged material from the bottom of a channel though is treated as a waste that is possibly inert. So dried out dredge material sitting in uplands is treated totally different than the upland derived stuff. Waste has to be proven to be inert where it is placed.

Risk Analysis

Bob Yeadon, DWR – Risk analysis is an issue. He would like us to come up with benefit on Risk Reduction for levee maintenance and accepting a certain amount of risk with lower quality material. How can we address larger benefits of risk reduction. DETLA vision may go here to establish ----program to accept lower quality sediment to utilize material for protection and reducing risk of levee destabilization.

Roberta Goulart, Contra Costa County Water Agency – Delta Vision process looks like a serious process to fulfill the Governor's goal and establish sustainability of DELTA. In all alternatives – a conveyance through Middle River moves it to middle of Delta which would make western delta saltier a lot saltier. Blue Ribbon task force asked what does this mean for the western Delta? Where they were going is that it is worth it to make it saltier.....This will impact regulatory structure…..World may be changing a lot and the groups end products may need to be managed differently.

ACTION ITEMS

1) Pathways need to be identified for various placement options. The Agencies will develop a first draft for these pathways to be presented at the next meeting.
2) Steve Michelson, Environmental Risk Services will provide a PowerPoint on groundwater movement and delta island hydrology at the next meeting

3) Develop test validation for pathways identified: Develop process to compare results from test methods to field data.
4) Establish Baseline/monitoring
    a) All agencies, applicants, consultants who have access to groundwater monitoring data. Please compile the types of monitoring data that are available for ground water for the group to review.
    b) Identify highest priority data collection efforts for next FY
    c) Comparative protocol study (ERDC scale scope or other).
5) Develop framework for prioritizing areas of low, medium, and high concern for both dredging sites and disposal sites
6) Each Agency please provide requirements of characterization of sediments proposed for dredging
7) Redraft Technical Work Group Overview and Direction

Action Items to present to Management Committee -

- CEQA Funding - Find out mechanism for transferring funds to USACE
- Addressing Risk Reduction by maintaining levees with dredge material etc. For Public Benefit

NEXT MEETING DATE – August 28, 2007 10–3pm