

**Delta LTMS**  
**Permitting and Protocol Technical Work Group Combined Meeting**

**State Water Control Board**  
**1001 I. Street (Training Rooms 1 East/West on 1<sup>st</sup> Floor)**  
**Sacramento, CA**

Thursday, April 3<sup>rd</sup>, 2008  
10:30 am - 3:30 pm

**MEETING MINUTES**

**Attendees:**

Christine Boudreau – DCS	Cory Koger – USACE-SPK
Bill Brostoff – USACE-SPN	Steve Michelson - ERS
Josh Burnam – Anchor (phone)	Al Paniccia – USACE-SPN
Jessie Burton Evans – USACE-SPN	Brian Ross – US EPA
Steve Cappellino – Anchor	Tom Scheeler – Port of Sacramento
Lori Clamurro – CA DFG	Bob Yeadon - DWR
Kate Dadey – USACE-SPK	Rhonda Ghilarducci – USACE-SPN
Bill Darsie – Kjeldsen	Michael Moncrief – MBK Engineers
Calvin Fong – Port of Stockton	Dan Fua – CV Flood Protection Board
Phil Giovannini – CVWQCB	Amy Simpson - DWR
Roberta Goulart – Contra Costa County	Anne K. Sturm – USACE-SPN
John Headlee – concerned citizen	
Ellen Johnck – Bay Planning Coalition	
Darryl Foreman – Land Planning + Entitlements	

**Introductions and Announcements (Corps/Anchor)**

- Introduce new LTMS participants
  - Dr. Cory Koger from the Sacramento District Corps will take over the work that John Headlee was performing and has already been assisting in the database review process.
  - Anne Sturm from the San Francisco District Corps is working on the deepwater ship channel dredging projects so will be attending the meetings to present/discuss that work.
  - Rhonda Ghilarducci from the San Francisco District Corps will be assisting Bill and Al the role that Jessie was filling. Jessie will be back full time in the next month or so.
  - Amy Simpson from DWR will be assisting Bob Yeadon on Delta LTMS issues.
- Public comment period for the proposed Stockton Navigation Improvement Project
  - Comment period is open until April 30<sup>th</sup>. A one page flyer was available with details on the public meetings. Additional info can be found at the Corps project website: [http://www.spn.usace.army.mil/projects/stockton\\_navigation](http://www.spn.usace.army.mil/projects/stockton_navigation)
- ERDC/DOTS Dredge Material Management Seminar, April 15-17 – Sacramento
- Bay LTMS Science Symposium Annual Meeting, May 13<sup>th</sup> – San Francisco
- Status of Database
  - Completed and through QA/QC review by USACE (SF and Sac)
  - Goal is to have Peggy Myre present either at next PPTWG meeting or combine it with an already scheduled meeting in May to present the Bay LTMS database
  - Steve Cappellino to get more details for the group
- The Bay Planning Commission Decision maker's Annual Conference is scheduled for April 18, 2008 at the Oakland Marriott.

## Permitting Work Group Agenda

### Discussion of Revised Joint Permit Application (Dadey)

- Kate Dadey presented the latest draft of the JPA and requested comments from the group.
- Steve Cappellino mentioned that the overall goal was to have the current version reviewed at the staff level within the next week or two with comments provided back to Kate. A revised version would then be distributed back to the group for Management level review within each organization to determine if it was acceptable to bring before the LTMS Management Committee for approval.
- Bill Darsie mentioned that he felt that the process was a little backwards because usually what happens is that consultation meetings occur to discuss a project and decide on a testing strategy, then data is collected to support the proposed project, then the application is prepared along with any required fees as the final step.
- Several folks then noted that the JPA could have value by providing baseline info on a project to all agency members at the same time (similar to a pre-application) and would also provide a nice record of the decisions that were made.
- The group then discussed ways to make the JPA useful under both scenarios by adding boxes at the top of the form that provided the flexibility for using it at the front end for kicking off a project and at the back end once a final application was ready for submittal.
- Kate Dadey will work on a modification to address this item.
- Brian Ross added that it would be good to include a way for one or more JPAs to be created for use with existing sites (i.e., general orders).
- The group then discussed this option and agreed to form a sub-committee of TWG members to create a series of general orders for basic dredging issues in the Delta.

### Discussion of Draft DDRMT MOU (Dadey, Brostoff)

- Kate Dadey briefly reviewed the draft MOU for the DDRMT and solicited comments from the group. Like the JPA, comments from the staff members are requested now, followed by an update and then Management level review and eventually request for approval and signatures from the EC members.
  - Received comments from Donn Oetzel from SLC, most significantly of which was related to the status of the DDRMT if it was considered a pilot study or not. Apparently, if the DDRMT was not considered a pilot study, the SLC could not participate without a formal authorization from the State. The Corps has concluded that it is a pilot study so no issues are expected as a result of this comment. Because some dredge areas are located on private land, it was noted that SLC participation will be limited to sites where State ownership applies according the California Public Trust Doctrine
  - Ellen Johnck stated that she has had communications with the NMFS and USFWS regarding the DDRMT and both are not sure that their participation is valuable at this time given their limited resources. The group responded that the project will be entering a phase (working towards a programmatic Biological Opinion for the Delta) where their participation is critical. Ellen agreed to contact them again and pass on the information.
- Bill discussed the process for transitioning from Permitting TWG to DDRMT
  - Goal is to have completed by October 2008.
  - Meetings will be open to the public
  - Host agency and funding (likely tied together) is biggest hurdle at this time
- Plans for handling SAPs

- Similar to other DMMO-like agency groups, the plan will be to have SAPs for proposed dredging projects submitted to the DDRMT for review and discussion. This led the group into the next topic which was to discuss the Sacramento DSC dredging project.
- Sacramento Deepwater Ship Channel Update
  - Bill Brostoff provided the group with a brief project description and distributed a handout on the project. Delta LTMS involvement will be development of a SAP, testing protocols, ESA issues, and selecting placement sites.
  - SAP status – Cory Koger handed out a summary of 2004 sampling procedures for the site and discussed the plans for moving forward.
    - Draft EIS/EIR mid 2009
    - Construction is projected for 2010.
    - Consensus today to work through permitting group on advice for preparation of the SAP

#### Action Items from Permitting TWG

1. **Staff level comments on Draft JPA/Draft MOU needed from all within the next two weeks. Please forward to Steve or Bill.**
2. **Form a subgroup meeting (Phil Giovannini/Water Board, Port of Sacramento, Port of Stockton, Corps Sacramento and San Francisco districts. Daryl Foreman, Bill Darsie, and Bob Yeadon) to discuss and propose General Orders for various dredging functions like upland disposal.**
3. **Roberta Goulart will speak to Bob Yeadon to discuss DWR funding opportunities for State and Federal agency staff (other than the Corps) for Delta participation.**
4. **Dan Fua will send the Corps copies of the CV Flood Protection Board's regulations for dredging near levees and placement of dredge material onto levees within the Delta.**
5. **Ellen Johnck (together with Bill Brostoff) will continue discussions with NMFS and USFWS to solicit their participation now in the LTMS as a way for all the agencies to get coordinated.**
6. **Steve will send Phil Giovannini a copy of the MOU in WORD so that he can add his edits directly to the file.**

#### Testing Protocols Work Group Agenda

##### Summary of Sherman Island Meetings (Ross)

- Brian Ross handed out a memo summarizing the discussions that occurred at two recent meetings (2/13 and 3/20) to discuss a possible Sherman Island Demo Project.
- Concept is to utilize a portion of the disposal area for maintenance material from Suisun Channel/NY Slough and then monitor water quality.
- Key discussions focused on the following items:
  - Getting a sponsor cost share agreement between the USACE and Contra Costa County in place.
  - Ensuring that baseline monitoring data are adequate and that all necessary monitoring wells are in place.
  - Modify existing WDR to include material from NY Slough.
  - USACE Sacramento District or EPA respond to technical information needs from the CVWQCB related to the existing WDR.
- Conclusion from meetings was that the project could not move forward in 2008, but would be possible for 2009.

**Other Possible Demo Projects**

- USACE (SPN) and Water Board may already have a substantial amount of data as a result of the Sacramento and Stockton deep water EIS/EIR process. **Action Item – Bill Brostoff and Anne Sturm and Cory Koger will coordinate to establish inventory list**

**Discussion of 2008/2009 (calendar) planned dredging projects (Koger)**

- Agenda item not discussed due to lack of time.

**Discuss Roberts Island Monitoring report (Ross/Brostoff)**

- The Water Board has reviewed Roberts Island Data reports and concurs with the conclusions provided by the Port of Stockton's consultants. Bill/Christine will write a draft letter asking the CV Water Board to provide confirmation that they concur with the conclusions from the monitoring report for Roberts Island.
- **Christine will coordinate with Steve Michelson on letter to get water board concurrence on Roberts Island conclusions.**

**Next Steps and Schedule Future Meeting Dates (Cappellino)**

- The next meeting date for the PPTWG will be Wednesday May 14<sup>th</sup> from 10:30-3:30 at DWR's Resource Building, Room 1603
- The next Management Committee meeting should be scheduled for sometime in June. Date TBD as we complete the JPA and MOU deliverables.