

Delta LTMS

Combined Technical Work Group Meeting

Department of Water Resources*
1416 9th Street, Room 1603
Sacramento, CA

Wednesday, July 16, 2008
9:30 am - 2:30 pm

Meeting Minutes

Meeting Attendees:

| | |
|-----------------------------------------------|-------------------------------------------|
| Tom Sheeler – Port of Sacramento | Roberta Goulart – Contra Costa County |
| Christine Boudreau - DCS | Bill Brostoff – USACE SPN |
| Brooke Schlenker – USACE SPK | Phil Giovaninni – CV Regional Water Board |
| Bill Darsie – KSN Inc. | Gilbert Cosio – MBK Engineers |
| Jessica Burton Evans-USACE SPN | Bob Yeadon - DWR |
| Cory Koger – USACE SPK | Victor Izzo-CV Regional Water Board |
| Kate Dadey-USACE SPK | Mike Moncrief-MBK Engineers |
| Amy Simpson - DWR | Dan Fua-CV Flood Protection Board |
| Brian Ross-EPA | Jeff Wingfield- - Port of Stockton |
| John Headlee- concerned citizen | Cindy Tejeda-USACE SPK |
| Linda Ngim-USACE SPK | Steve Cappellino-Anchor Environmental |
| Cal Fong – Representing Port of Stockton | Jack Malone-Anchor Environmental |
| Darryl Foreman – Land Planning + Entitlements | |

INTRODUCTIONS AND ANNOUNCEMENTS

- Future meetings – Dates for various technical work groups:
 - 1) August 6th for next joint work group meeting. 10:00 am to 3 pm (DWR’s Resource Building). MEETING IS NOW CANCELLED.
 - 2) Sept 17th joint work group meeting. 10:00 am to 3 pm (DWR’s Resource Building). We will target the Permitting TWG agendas for the afternoon portion of each of these meetings to accommodate a standing meeting conflict that Kate has on Wednesday mornings.
- Status of the draft JPA – We are ready to send it to the Management Committee for approval to proceed to legal review. The most recent change was the addition of a checkbox designating “application” or informal “pre-application” at the beginning of the form.
 - Kate Dadey stated USACE/EPA mitigation rule requires conceptual mitigation plan must be included for application to be deemed complete. She suggests including space after Section 5.
 - Steve Cappellino will draft revisions and send to Kate for approval then to Al Paniccia for delivery to the Management Committee.

- Next Management committee meeting – we should try to schedule one for sometime this summer.
 - Potential meeting topics include: JPA discussion; status of the DDRMT, Delta database presentation, Sacramento & Stockton DWSC project updates, and progress to date on the alternatives TWG.
 - Bill suggested that we might consider scheduling the meeting at the same time as the CALFED Delta meeting scheduled for October 22-24, similar to the year before last.
- Budget/Funding Updates – No money for Delta LTMS in any of the budgets. Roberta Goulart stated that there was no money in the House report and \$500,000 Senate. The Corps has expressed a capability of \$2 million for FY09.
- Staffing
 - LTC Laurence Farrell is the new DE for San Francisco District (SPN) USACE
 - BG McMahon will remain in his position for another 6 months
 - Cindy Tejada, chair of the Alternatives TWG, has accepted a job with South Pacific Division (SPD) USACE so will not be able to attend future LTMS meetings.
- The San Francisco Estuary Institute (SFEI) will hold an implementation committee meeting on August 1st at the State building at 1515 Clay Street from 10 to 12:30 that will include a presentation by Mike Conner on Bay-Delta Water Quality.

PROTOCOLS WORK GROUP ITEMS

Sacramento DWSC SAP

- Brian Ross requested a report on the status of the SAP. He stated that he has seen a copy and had some questions.
- Cory Koger stated that the SAP was ready to be distributed via ftp site, but there were some questions to the project managers about who should receive a copy.
- Cory presented a brief overview of the SAP contents:
 - Plan is to use existing maintenance disposal sites. Alternate placement sites are along ship channel – 14 or 15 existing sites currently identified along ship channel.
 - Sampling program: 133 cores collected and skewed toward shoal areas which will have sub cores. 47 total samples analyzed. Option to conduct higher resolution sampling later or analyze archived samples. Each sample represents approximately 50,000 cy.
 - Test for upland disposal only.
 - Characterize material to -37 feet MLLW (-35' plus 2' for over dredge).
 - Designate geological distinction between recent and native material and sample. Collect archives of top, middle and bottom layers.

- The Corps' Engineering Research and Development Center (ERDC) will conduct all the necessary chemical analyses and will contract with a local firm (Pinnacle) to collect the samples.
- The Corps needs to get the contract obligated with 2008 funds
- Sampling is scheduled for after the beginning of FY09 (October).
- Brian questioned how the SAP will address side slopes in regard to sample collection?
- Cory stated that there will not always be enough sediment in the central areas of the channel so they will likely need to sample the side slopes to obtain a suitable volume of material for the required analyses.
- Cal asked if the targeted disposal sites been sampled? Yes, through other dredging efforts.
- Brian asked if the sampling was designed to satisfy requirements for levee placement anywhere in Delta. Is it the USACE's view that the General Order (GO) would cover it? Cory stated that the USACE will request a WDR unless a new GO is available.
- Phil added that the GO for reuse that may or may not occur is different from the WDR that is set for the Sacramento DWSC. The Port of Sacramento is not waiting for a GO. Instead they are focusing on getting a WDR to allow for multiple placement sites and reuse.
- Brian asked if the SAP will generate data that will allow RWQCB to approve multiple reuse options.
- Phil responded that all the SAP does is characterize material. Subsequent testing may be required based on initial results. If clean then additional testing is NOT necessary. We have a good idea based on past data that the material will be in that grey area. So the question will be what additional testing will be necessary to provide extra flexibility for reuse. Project proponent may want opportunity to refine testing based on initial results.
- Phil stressed that they don't require any specific testing but that the proponent provides adequate tests and data to allow the RWQCB to have confidence in data for presentation to the Board for decisions.
- Brian added that these issues tie into placement alternatives discussions. Testing designs could be constructed to determine whether specific sediments could be placed in specific upland cells. Can we distinguish whether there are different classes of sediment that would need to be segregated?
- Unknown commenter asked how does this relate to GOs? Is the RWQCB happy with testing for placement along Delta (levees)? If it has been previously characterized prior to dredging and placement then is additional testing required.
- Phil responded that a WDR is usually for a specific placement site and if not then subject to a separate NOI.
- Tom S. suggested that we just find area of concern and sample before it is dredged and or placed.
- Brian suggests data interpretation and alternative placement come back to LTMS for joint review. **Concerned** about what we are going to do with 7 million cy that are currently waiting for reuse. USACE should propose these sites sooner rather

than later to assess viability and suitability for end uses. Maximize beneficial reuse.

- Bill suggested that we notify USFWS, NMFS, CDFG about the availability of the SAP and request their input based on their previous stated interest.
- Brian stated that EPA needs to make it a project purpose to make the material available for reuse (i.e. where it is accessible). May not have final home for the 7 million CY now but it will certainly need to be determined. It is important not just for testing but for NEPA, air quality, etc.
- Jessie added that the project purpose is navigation so can't adjust it too much.
- Brian clarified that he meant the purpose not necessarily in the tightly defined 404(b)1 analysis sense, but in a broader sense. For example, it could be stockpiled for other people to reuse.

ACTION ITEMS –

- 1) Anchor will immediately send out a copy of the DWSC SAP and place a link to the figures on the LTMS website and send email to group. Comments due to Cory by end of July**
- 2) Fish and Wildlife, Fish and Game and NMFS should be contacted for review –Cory will send email to pertinent agencies or call to request their review**
- 3) Cory will review comments at the next meeting**

EPA's Comments on Bay/Delta Strategic Work Plan

- Brian passed out copies of their comments: Plan as written doesn't include LTMS or dredging so EPA suggested including them and the Sac/Stockton DWSC projects that will be a significant workload and change to the Delta. Brian has copies of earlier comments that this letter references.
- Anchor will post a link to the State's work plan along with EPA's comments on the LTMS website.

PERMITTING WORK GROUP ITEMS

Review June 23rd meeting Action Items

- Steve reviewed the steps that occurred at the last meeting to get to where we are today with the example GO.
- Steve then reviewed the action items from the previous meeting and discussed the status of each.
 - The Example GO from the Water Board was placed on the website, followed by an additional document detailing the monitoring plan requirements.
 - No comments received thus far.
- Kate asked a few questions about the example GO such as why the scope of the order was limited to 75,000 CY?

- Phil noted that the GO is an example of one that was proposed in the past rather than a true draft of one developed specifically for this effort.
- Cal asked if the GO would be limited to maintenance dredging rather than new work? The group all agreed that GO should include a specific definition of maintenance dredging?
- Brian agreed that a reasonable definition of “maintenance” was needed to encompass facilities that have been generally maintained (i.e. not reverted to wetlands) with respect to other permitting. In other words, has the use of facility has been maintained. Not necessarily a fixed year cutoff. Therefore, it is logical to limit the GO to maintenance at this point.
- Phil responded that the key point is whether the material has changed in some way over time. The example GO specifies maintenance to return to original depths.
- Christine added that the definition could be written to allow other evidence of existing operations such as surveys, leases, operational data etc. She will work on a draft definition of maintenance for purposes of the GO and circulate it to the group. Bill Darsie agreed to assist Christine with that effort.
- Since no formal efforts had occurred to date to provide edits to the GO as agreed to at the last meeting, Steve suggested that (a) the group table the effort until the next meeting and (b) that Anchor work with the participants to gather and consolidate all the comments into a marked up version for discussion at one of the next meetings.
- All agreed on that course of action and Kate provided her comments to Jack Malone of Anchor.

ACTION ITEMS –

- 1) **All to provide their input to Steve and or Jack Malone regarding edits to the example GO (posted on the LTMS website).**
- 2) **Christine and Bill Darsie to draft a definition of “maintenance” dredging for use in the example GO.**

ALTERNATIVE DEVELOPMENT WORK GROUP ITEMS

Review Work Group Directives

- Steve reviewed the directives for this work group - goal is to develop a list of agency approved, cost effective and technically feasible disposal and reuse alternatives for use with Delta projects.
- Brian commented that these tasks are essentially the same as the alternatives development for the DWSC EISs because both groups need to perform the same development. The DWSC folks should remain involved in the LTMS meetings and potentially resources from DWSC could be used by LTMS.
- Bill re-introduced Jessie and Brooke from the Corps as the representatives preparing the DWSC EIS documents and stated that they will continue to participate in the LTMS process.
- The group agreed that Anchor should be sure to include the alternatives developed for the DWSC EIS documents into the matrix table for consistency.

- Steve told the group that he felt one of the goals of the group could also be to develop a decision tree/users manual for dredging and disposal alternatives. An example was provided from the L.A. Regional DMMP Management Alternatives. Steve explained the general process behind development of the decision tree and its organization.
- Brian mentioned that the DMMP tree doesn't address prioritizing alternatives, such as beneficial reuse but it does help define the potential options.
- Steve agreed – the Delta LTMS could perhaps make use of the efforts accomplished already for the DMMP, but they would need to be customized by adding overarching directives such as prioritizing beneficial reuse. All agreed that these directives would need to come from the MC to the TWG, rather than the other direction.

Review Draft List of Delta Alternatives

- Steve reviewed that Anchor had agreed to prepare a matrix table of potential alternatives based on past docs, etc. A draft was prepared and handed out to the group for review.
- Several comments were received and Anchor agreed to revise the table and re-circulate it. Some of the more noteworthy comments included:
 - Use “near bank” instead of “near shore”.
 - Footnote secondary placement and uses with specific method for movement or distribution.
 - Additional categories for direct sale (sand miner), additional fill alternatives, agricultural augmentation, and use as potential capping material to limit subsidence (fill category).
 - Don't use the term “CDF”, instead call it “temporary storage”.
- Brian asked how to identify long-term volume needs? Accessibility/practicability of sites (existing and new) in terms of prioritizing them over less accessible sites. For example, near rail, deep water, transportation options. Availability of space alone shouldn't be the only criterion when considering sites.
- Steve responded that the next step would be to create a secondary data table just for the disposal sites that listed capacity, location, disposal limitations, etc. The group will also need to start thinking about updating the table of dredging projections presented in the Work Plan last year.

ACTION ITEMS –

- 1) Corps staff to forward alternatives development info from DWSC projects to Anchor for inclusion into the matrix tables.**
- 2) Anchor to modify table of alternatives and circulate to the group.**
- 3) Anchor to begin developing a second table containing detailed information on regional disposal sites.**