

DELTA LTMS MULTIPLE TECHNICAL WORK GROUPS MEETING

**Department of Water Resources
1416 9th Street, Room 1142
Sacramento, CA**

Thursday, July 9, 2009

9:00 am – 1:00 p.m.

MEETING NOTES

Meeting Attendees

Deb Biswas – CVFPB

Christine Boudreau – Boudreau Associates

Bill Brostoff – USACE SPN

Steve Cappellino – Anchor QEA, L.P.

Dennis Clark – USACE SPK

Kate Dadey – USACE SPK

Dan Fua – CVFPB

Roberta Goulart – Contra Costa County

Ellen Johnck – Bay Planning Coalition

Misty Kaltreider – Solano County DRM

Tina Lunt – MBK Engineers

Susan Ma – USACE SPN

Jack Malone – Anchor QEA, L.P.

Nancy Moricz – CVFPB

Brian Ross – U.S. EPA

Tom Scheeler – Port of West Sacramento

Brooke Schlenker – USACE SPK

INTRODUCTIONS AND ANNOUNCEMENTS

UPDATE ON MANAGEMENT COMMITTEE MEETING

- Jack stated that the Management Committee meeting has been scheduled for July 29, 2009 from 9:00 to 12:00 and will be held in Room 550 at the Cal-EPA Building. Kate suggested that the meeting hours be shortened and there was consensus that the exact meeting hours would be resolved through the IWG as the agenda is developed and that every effort will be made to take advantage of the presence of the Management Committee members.

FUNDING FOR FY09 and FY10

- Roberta stated that the LTMS is first on Contra Costa County's list and suggested that other entities like the Ports help to push for funding. Bill and Brian explained that the LTMS funding has not been sufficient for large capital efforts so the focus has been on meeting and coordination efforts.
- Roberta suggested that we coordinate with Ellen to learn from the Bay LTMS's successes in strategic funding. Ellen cited the example of the restoration of Bair Island, which was linked with the South Bay Salt Pond restoration project funding, thus streamlining the process with the aid of Senator Diane Feinstein.
- Brian asked whether the federal stimulus funding benefited any of the DWSC projects. The general consensus is that the timing of the stimulus funding for "shovel ready" projects was such that the DWSC projects are not directly benefiting from it.

NEW CHAIR FOR ALTERNATIVES DEVELOPMENT WORK GROUP

- Bill stated that Brooke Schlenker is the new Alternatives Development Work Group Chair and that the ATWG had an initial meeting with her on June 30, 2009 to "kick off" the group under her leadership.

FUTURE MEETING SCHEDULE

- TWG meetings were previously scheduled for **August 13, 2009**, and **September 17, 2009** and will be joint Protocols, Alternatives, and Permitting TWG meetings beginning at 9 a.m. Future meeting agendas will assume no lunch break and anticipate ending at noon or 12:30 p.m. The meeting locations for August and September are at the DWR building.
- Brian stated that he won't be able to attend the August 13 meeting. There was a discussion of whether to meet the afternoon of July 29th to discuss the Sacramento DWSC sediment sampling report. This would be a Protocols TWG meeting to review the data and have a general discussion of potential placement sites.
- A multiple TWG meeting was set for **Tuesday, October 13, 2009** from 9:00 to 12:00.

ACTION ITEMS

1. Anchor QEA will follow up with Phil to finalize a meeting date and time to discuss the draft Sacramento DWSC sediment sampling results, potentially the afternoon of July 29 after the Delta LTMS Management Committee meeting.

2. Anchor QEA will arrange meeting sites for the meeting described in Item 1 and for the October 13, 2009 TWG meeting.

PROTOCOLS WORK GROUP ITEMS

UPDATE ON SACRAMENTO DWSC PROJECT

- Tom stated that the project is in the President's budget for \$10 million to complete the LRR and start dredging in 2010. The project is in both House and Senate bills for \$10 million as well. He explained that there are not many projects nationwide that are so well positioned so we all need to work hard to take advantage of the opportunity to keep the project moving forward.
- Kate said that she had read a news story in the Sacramento News and Review extolling the virtues of maritime transportation efficiency, with the Port of West Sacramento as an example.
- Bill stated that the interagency partnering meeting scheduled for July 23, 2009, attended by management from USACE and resource/regulatory agencies, will consider topics including permit streamlining and potential environmental work window modifications for projects like the DWSCs.
- Ellen said that she has been very involved in the Port of Oakland deepening project, which in her opinion drove the Bay LTMS. She feels that the Sacramento and Stockton DWSC projects could drive the Delta LTMS in a similar fashion. The Bay LTMS upper management entities like the USACE District Engineers met regularly to focus on moving the project forward. These meetings also involved stakeholders and the meetings were held every 6 weeks. Ellen asked as the Delta LTMS moves forward along with the DWSC projects, how can we encourage similar coordination? She suggested that the Management Committee meeting agenda include discussion of means to encourage participation of the resource agencies in the LTMS and the DWSC projects.
- Bill reported that David Patterson is the new USACE Project Manager for both the Sacramento and Stockton DWSC projects.
- Dan F. asked about the status of the DWSC environmental documents and their schedule and there was general discussion that the process is under way and that the Sacramento DWSC construction needs to begin in 2010. Bill said that the USACE is conducting associated technical studies to update analyses since the last EIS.

- Roberta asked whether placement sites have been identified for the Sacramento DWSC project and Tom said that they have sufficient capacity available. Roberta suggested that she and Tom talk offline about availability of capacity at Dutch Slough.
- Jack requested confirmation from Tom and Bill that sufficient capacity is available for the Sacramento DWSC project and Tom explained that they may need to increase retention levee heights or make other internal placement site modifications to provide sufficient capacity.
- Steve C. asked about the timeline required for the environmental documents to be completed to meet the required funding and construction contracting deadlines. Bill and Tom said that they expect the construction will be put out to bid, and that the bid and contracting process would take at least 4 months or so. There was general discussion that the overall project schedule is very time-sensitive.
- Ellen and Roberta stated that the Management Committee meeting agenda include project task timelines and updates on the status of both DWSC projects. The Ports and the USACE would present the material in tandem.

UPDATE ON SACRAMENTO DWSC PROJECT SEDIMENT TESTING

- Cory reported via email that the Sacramento DWSC sediment data draft report should be sent out Monday, July 13.

STOCKTON DWSC PROJECT UPDATE

- Jeff said that they are actively trying to identify sediment placement sites by contacting RCDs and coordinating with the USACE.
- Bill stated that the USACE is working to identify placement sites for both DWSC projects.

ACTION ITEMS

1. Anchor QEA will coordinate production of draft timelines and status updates on the Sacramento and Stockton DWSC projects for presentation to the Management Committee.
2. AQ will send a meeting reminder to Tom, Jeff, and David Patterson (via Bill B.) about the Management Committee meeting date, time, and location.

3. Anchor QEA will coordinate with Ellen, Roberta, and Susan about encouraging USFWS, CDFG, and other Management Committee members to send participants to the Management Committee meeting.

ALTERNATIVE DEVELOPMENT WORK GROUP ITEMS

SUMMARY OF ALTERNATIVES WORK GROUP MEETING ON JUNE 30, 2009

- Brooke briefly summarized the June 30, 2009 ATWG meeting, including the topics of sediment beneficial reuse sites and internal review of the ATWG charter.
- Brooke gave a brief summary of her projects and role at the USACE and distributed a Levee Stability Program summary handout.

CALFED LEVEE STABILITY PROGRAM UPDATES

- Brooke explained that the USACE has construction authority under this program primarily for flood risk management, but also for water conveyance, water management, and ecosystem restoration. \$196 million is programmed to be authorized for the program with approval delegated down to SPD rather than at the Washington DC level. The USACE has a contractor visiting 46 of the highest priority sites and beginning the first stage of their Project Implementation Reports. Approximately 20 reports have been completed so far. Landside levee placement of dredged material is envisioned, pending sediment suitability determinations.
- Brian asked for clarification about the NEPA process for the LSP and Brooke replied that NEPA is done during development of the Project Implementation Report. She anticipates EAs will be tiered off the CALFED report.
- Roberta asked Brooke about coordination between the DWR and the USACE on the DILFS project. Roberta said that there is stakeholder concern about how the USACE and DWR will work together. Brooke replied that the USACE will pursue their internal process before they look at the DWR DRMS study as a USACE/DWR team. The USACE is now reviewing the draft Phase 1 DRMS study to provide comments, specifically in areas where the USACE had expressed negative comments initially. Specifically seismicity and sea level rise are areas of USACE concern, though the USACE doesn't have official policies on these issues.
- Roberta asked what opportunities the stakeholders have to participate in DILFS. Brooke responded that they have not yet had public scoping meetings or issued an NOI. She

explained that funding this year was less than half what they had requested, which limited their progress on certain aspects of the project. They secured reprogrammed funds so they are now able to restart their internal process before moving into public processes. Roberta urged that there be an open process in addition to the scoping and NOI processes to facilitate stakeholder participation. In response to Tom's request that that Brooke briefly expand on the Delta Risk Management Strategy (DRMS) background, Brooke explained that it was DWR's version of DILFS and the first phase has been finalized. Brian pointed out that the LTMS charter references the DRMS study as a potential start point for LTMS work. Roberta said that there are many concerns about the assumptions built into the study and that the independent scientific peer review of the document had major concerns with the initial draft.

- Jeff asked how much dredged material will be needed for Bethel Island and Brooke explained that the project is generating its own sediment in one phase that will be used in a different phase, and will even generate some excess material for potential restoration use elsewhere.

UPDATE ON DRAFT DELTA PLACEMENT SITE TABLE AND MAP

- Jack reported Anchor QEA continues to contact various Delta entities and pursue sediment placement site information. Jack stated that obtaining the necessary information to populate the placement site table requires a great deal of research and effort to resolve conflicting information and in some cases, no information is readily available. He explained that there were no responses to his email query of the entire LTMS participant group regarding the sediment placement site table.
- Steve C. explained that Anchor QEA drafted a map of the Sacramento DWSC project area illustrating the project reaches and projected dredge volumes for each reach.
- Brooke explained that the LSP project data will be updated as the site visits are conducted, which will result in more spatially explicit data instead of generic centroids.
- Brooke explained that the USACE has a Division-wide team working on Delta issues and has generated a matrix of all of the Delta projects. This matrix might be useful for the LTMS participants.
- Jack pointed out the DWR special projects and subventions map and LSP map. The future project information is not yet available and Roberta pointed out that DWR is not

likely to provide that information far in advance because there are so many projects vying for funding.

- Roberta suggested that the CALFED Levee subcommittee meetings (July 31 is the next one) would be good places to solicit placement site information and Ellen asked whether LTMS has ever given them a formal presentation. There was general discussion about the value of coordination with this subcommittee and it remained unclear whether the LTMS had given them a formal presentation.

ACTION ITEMS

1. Anchor QEA will continue to work on the sediment placement site maps and table and develop more site information
2. Anchor QEA will contact Brooke to obtain an electronic version of the LSP handout.
3. Anchor QEA will contact Steve M. to obtain a copy of his proposed study document.
4. Anchor QEA will contact Brooke to coordinate revision of the Schlenker matrix for possible inclusion on the LTMS website.
5. Anchor QEA will contact Roberta about attendance and coordination with the CALFED Levee subcommittee and this item to the IWG meeting agenda.
6. The group will send RCD contact information to Jack. Jack will follow up with Roberta, Jeff, and Tina.
7. Anchor QEA will incorporate an item for Delta LTMS outreach and external coordination on the Management Committee meeting agenda.

PERMITTING WORK GROUP ITEMS

UPDATE ON DRAFT MAINTENANCE DREDGING GENERAL ORDER

- Phil stated that the draft maintenance GO comment period ends tomorrow (July 10, 2009) at 5 pm.
- Ellen requested a brief synopsis of the GO and added that she thinks there should be something in the record from the group in support of the GO.
 - Phil stated that if this GO is approved, the next step will be to draft a non-maintenance dredging project GO. The delay in developing a GO was because of concerns that CEQA documents would be needed, when in fact the RWQCB believes that CEQA is not needed for this action.

- Letters of support may be submitted up until the hearing date but submitting them by tomorrow at 5 pm would be beneficial.

BETHEL ISLAND PROJECT UPDATE AND PERMITTING

- Brooke explained that this project will be handled by the USACE in-house and has participation by the resource agencies and wants to encourage them to attend the LTMS meetings. She provided printed maps of the proposed project and explained the general features of the project. There would be dual purposes of levee repair and ecosystem restoration.
- Brooke explained that the DILFS program may provide even greater potential for sediment placement and reuse opportunities though it is further down the line than the LSP.
- Brian asked how the NEPA process would be completed for Bethel Island and Brooke replied that she anticipates an EA will be prepared. Brian asked whether external coordination with other agencies would occur and how it would occur. Brooke said that she is not the USACE project manager, but that he will attend the LTMS meetings starting next month to discuss potential coordination.
- Tom asked whether there have been internal USACE discussions regarding modifications of USACE levee material engineering standards to encourage beneficial reuse of dredged material from adjacent sources, providing lower cost and enhanced environmental benefits.
 - Brooke replied that the USACE has very specific design criteria, which limit their flexibility. Brooke thinks that their geotechnical engineer is willing to consider other options and be as flexible as possible.
- Tom also stated that the Bethel Island project also includes in-water placement of dredged material, which advances the general discussion of beneficial reuse of material in-water. If that use is possible at Bethel, might it also be possible on other levees? Phil concurred that the project could potentially advance the in-water placement issue but that it must be considered on its own merits and done correctly. Roberta encouraged Phil and Brian to participate actively in the project.
- Brooke stated that the proposed schedule anticipates construction in August, 2010.
- Brooke noted that she would try to get Miki Fujitsobo, USACE-SPK planner for the Bethel Island project, to attend the next Delta LTMS joint TWG meeting.

- Roberta asked why the geotechnical field work has to be conducted during allowed environmental work windows and there was general discussion that it seemed strange to be constrained in that way. Brooke explained that the USACE environmental group had interpreted an existing BO to require that this work occur during the work windows or consultation would be required.
 - There was general discussion that the environmental work windows need to be modified and the question of how best to approach this issue, likely by informally contacting staff at resource agencies (through the USACE) to discuss the issues before presenting it to the Management Committee.

UPDATE ON STATUS OF DRAFT NOI DEVELOPMENT

- Tom continues to talk to agencies about potential projects that would generate material for beneficial reuse. There is a potential project in West Sacramento that might produce sediment to be reused. Tom explained that they have been working on this general issue with the agencies in the past and expects to move forward as a result of working with Phil and Victor, who are interested in moving forward.

UPDATE ON STATUS OF JPA

- Phil and Jack explained that Phil had reviewed the draft JPA with reference to the State Board's comments and Jack distributed them to the IWG electronically for review and discussion at the next IWG meeting.

REVISIONS TO DDRMT MOU

- Phil stated that he had provided comments on the DDRMT MOU and that he is still waiting for his comments to be addressed by the USACE.
- Steve C. suggested that we might update the Management Committee and explain that the plan is to have the DDRMT meet to address real projects and to develop revisions to the MOU as that process moves forward. The consensus was that the actual draft MOU document should not be distributed to the Management Committee.
- Ellen suggested that it might be useful to discuss the issues that have been encountered in the DDRMT MOU discussion process. For example with the Bay DMMO, the stakeholders weighed in and suggested that the USACE be the host agency for multiple reasons. Bill pointed out that part of the host agency decision will be based on funding

availability and that the USACE is probably the better host agency choice. Ellen said that the USACE staff working on the SF DMMO is funded through the LTMS.

SOLICITATION OF PROJECTS FOR DMMO-LIKE ENTITY REVIEW

- Susan explained that there are currently two projects that could potentially use the draft JPA and DDRMT process: Bethel Island and Stockton Sailing Club. She reminded the group that we are still soliciting potential projects for the DDRMT process. Bill stated that he is going to contact the resource agencies and convince them to participate in the DDRMT with the USACE, USEPA, and RWQCB. Brooke pointed out that the USACE has funded staff participation from NMFS and USFWS for Delta projects so that they have good participation from them on the Bethel Island project. Bill said that the LTMS is not likely to fund resource agency staff to participate in the LTMS. Brian and Ellen confirmed that the Bay LTMS doesn't fund resource agency participation.
 - The consensus is that using the Bethel Island project to facilitate resource agency participation in the Delta LTMS would be a good approach.

ACTION ITEMS

1. Anchor QEA will contact Brooke to obtain electronic versions of the Bethel Island Project map handouts.
2. Brooke will coordinate communication between Brian and Miki F. regarding the Bethel Island project meetings and coordination.
3. Anchor QEA will add the Bethel Island project to the Management Committee meeting agenda.
4. Brian will informally communicate with the resource agencies regarding concerns about the environmental work window restrictions for geotechnical sampling.
5. Anchor QEA will schedule an IWG meeting prior to the Management Committee meeting to review the agenda and plans for the July 29, 2009 meeting.
6. The USACE will review Phil's DDRMT MOU comments and respond to them.
7. Anchor QEA will remind the IWG members to review and respond to Phil's comments on the draft JPA. Anchor QEA will incorporate the revisions and post the revised draft documents on the LTMS website.
8. LTMS participants will submit support letters on the maintenance GO to the RWQCB.
9. Anchor QEA will revise new draft maps and post them on the LTMS website.

10. Brooke will update the LTMS TWG participants in attendance about progress on the Bethel Island project. Anchor QEA will provide her with the attendee list from today's meeting.
11. Anchor QEA will add an item to the beginning of future TWG meeting agendas to briefly review the agenda and solicit any potential additions or schedule concerns.