

DELTA LTMS MULTIPLE TECHNICAL WORK GROUPS MEETING

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

Thursday, May 28, 2009

9:00 am – 1:00 p.m.

MEETING NOTES

Meeting Attendees

Bill Brostoff – USACE SPN
Steve Cappellino – Anchor QEA, L.P.
Bill Darsie – Kjeldsen, Sinnock, & Neudeck
Darryl Foreman – SDWA-JPA
Phil Giovannini – CV Regional Water Board
Jim Haussener – CMANC
John Headlee – DWR
Victor Izzo – CV Regional Water Board
Cory Koger – USACE SPK

Tina Lunt – MBK Engineers
Misty Kaltreider – Solano County DRM
Susan Ma – USACE SPN
Jack Malone – Anchor QEA, L.P.
Al Paniccia – USACE SPN
Brian Ross – U.S. EPA
Amy Simpson - DWR
Jeff Wingfield – Port of Stockton
Tom Zuckerman – CDWA

INTRODUCTIONS AND ANNOUNCEMENTS

FUTURE MEETING SCHEDULE

- The next TWG meetings were scheduled for **July 9, 2009**, **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 location will be determined, but the preference will be for the DWR building again, likely Room 435, if available.

UPDATE ON MANAGEMENT COMMITTEE MEETING SCHEDULING

- Jack Stated that an invitation was sent to the Management Committee members with replies requested by June 9, 2009 soliciting their availability for a meeting date in the last two weeks of July 2009.

BUDGET UPDATES

- Al stated that \$239,000 was received in the FY 2009 omnibus bill (less than half of the previous year's amount) and that they had some carryover from previous years so the LTMS is fine for the remainder of this FY.
- The Delta LTMS is not in the FY 2010 President's Budget but he is hopeful that the House and/or Senate will include the project in their versions of the appropriations bills as a direct result of the support expressed by project proponents such as Roberta Goulart of the Contra Costa County Water Agency.
- The USACE San Francisco District is working on their FY 2011 submission to HQ expressing a capability of \$2 million for the Delta LTMS.
- There was a general discussion of whether the potential exists for reprogramming funds from other projects with the consensus that it is unlikely.
 - Brian asked whether there are tasks or efforts that need to be done in addition to the general LTMS process that could be funded by other sources.
 - Bill B. stated that there are several relatively high-cost efforts remaining:
 - EIS
 - Programmatic BO for dredging in the Delta
 - Sediment management plan
 - Bill B. also stated that there are several lower cost efforts (like the Water Board's General Orders for example) that are also underway.
- There was a general discussion of the Sherman Island sediment placement project. Amy reported that the project is in jeopardy because no agency or entity has committed to assuming responsibility for an encroachment permit from the reclamation district.
 - Jeff W. suggested that the contractor could obtain the permit but the Port is not likely to be willing to obtain the encroachment permit for this project. Contra Costa County is the local sponsor for this project.
 - There was a consensus that the Delta LTMS is merely interested in the project but not in a position to make the decision on this issue. It was suggested that the

USACE project manager should coordinate a meeting of all the project team members to resolve the issue as soon as possible.

NEW CHAIR FOR ALTERNATIVES DEVELOPMENT WORK GROUP

- Bill stated that Brooke Schlenker is the new Alternatives Development Work Group Chair.

UPDATE ON DELTA REGIONAL MONITORING PROGRAM

- Bill stated that he has not heard anything further on this program.

ANNOUNCEMENTS

- Brian announced that the Environmental Division Director for the City of San Francisco is being considered for the position of EPA Region 9 Administrator. Laura Yoshii is currently the Acting Administrator.

ACTION ITEMS

1. Amy Simpson will reserve meeting rooms for the next TWG meetings.
2. Anchor QEA will contact the TWG chairs to confirm that future meeting dates will work for them. An alternative July date of July 16 was considered in the event that July 9 does not work for the TWG chairs.
3. Anchor QEA will coordinate with Management Committee members to resolve a July date for the Committee meeting and will keep the TWG participants up to date on the schedule.
4. Anchor QEA will contact Brian to update acting Region 9 administrator contact list.
5. Anchor QEA will contact Steve Michelson to obtain a summary of his background conditions proposal for posting on the LTMS website.
6. Al will contact Karen Rippey, project manager for Suisun/Pinole maintenance dredging, about the Sherman Island project to facilitate resolution of the encroachment permit issue.

PROTOCOLS WORK GROUP ITEMS

- Steve Michelson announced that DWR refocused his background conditions survey proposal on 10 western Delta islands. The public comment period on the proposal has

ended and the project received positive responses from 7 of the 10 islands. Now the DWR needs to go through their internal processes and negotiate work orders with the reclamation districts to work out cost shares. Finally, the State will have to provide funding.

- Brian asked for a quick summary of the project and Steve M. replied that it is designed to characterize background conditions on the islands (groundwater and shallow soils). Groundwater will be characterized on transects perpendicular to the river because groundwater quality has been found to change with distance from the river. Quarterly groundwater well monitoring will be conducted for a year. As part of well drilling process, soil would be collected and analyzed for chemical constituents. The overall goal is that the data would then facilitate decisions about what materials would be generally appropriate for placement at the islands and would aid development of a general order for placement of material at these islands. The ideal schedule of implementation for the study should make use of the dry season as much as possible to allow field work involving drilling rigs.
- Bill B. pointed out that the Delta LTMS submitted a letter in support of the project.
- Al asked whether it is envisioned that this project would be expanded geographically. Steve M. replied that this project could be considered a pilot study with the possibility of expanding it in the future if it is deemed successful by the agencies and proponents. Steve M. confirmed that he has worked with the Water Board during the process of developing the plan.
- There was general discussion about who Steve M. envisions as being the “ultimate clients” for this study. There was consensus that the Ports and the USACE are probably the ultimate clients because they have the largest sediment placement needs. In addition, the reclamation districts have the greatest need for levee material. The long-term goal is to facilitate a way to provide more certainty in the approval process for project proponents.
 - Phil pointed out that having the background data for particular sites will make it easier to approve sediment placement that is similar to or better than the placement sites and over the long-term such studies will result in useful data. Brian also suggested that it might be possible to do some demonstration projects using material that is perhaps marginally worse than the placement site and then monitor the site.

- Daryl Foreman asked whether upland materials might be placed on levees rather than being trucked to landfills, a topic discussed in previous meetings. There was general discussion that overall the cost would have to be acceptable for such placement and soil would have to be characterized and chemically and geotechnically suitable.

SACRAMENTO DWSC PROJECT UPDATE

- Bill B. stated that Craig Conner is no longer the project manager because he is now in a different position within the USACE (Program Manager for Flood Risk). Bill expects that the draft SEIS/SEIR will be completed in the last quarter of the 2009 calendar year. It is unclear who will be Craig's replacement. The baseline condition study is currently being completed.
- Al asked whether they have sufficient capacity for the material. Bill responded that they are short approximately 100,000 CY according to the USACE engineers' latest calculations.
- Brian expressed concern that the sites proposed for placement are ones that don't make it easy for the material to be made available for subsequent reuse. He stated that EPA's scoping comments focused heavily on this issue.
- Phil asked whether potential future reuse sites have been identified. A general discussion ensued in which it was agreed that in the past significant attention had not been paid to encouraging beneficial reuse.
- Brian asked once these sites are full, where would future material be placed? This concern argues for attempting to facilitate beneficial reuse now.
- Susan confirmed Bill's suggestion that at least some of the sites have road access, which could facilitate beneficial reuse.
- Bill B. encouraged Brian to remind the DWSC team of EPA's concerns and suggestions. Brian responded that the primary concern is placing material where it can be easily accessed in the future for reuse. EPA suggests a focus on beneficial reuse as a purpose in the EIS to maximize affordable reuse opportunities.
- Tom Z. stated that in the Stockton DWSC in the past they had employed a hydraulic dredge to place the sediment directly behind the levee on McDonald Island by using retention structures. This was economical and effective for the reclamation district.
- Brian reiterated that the DWSC projects are the vast majority of the dredging in the Delta by volume so beneficial reuse should be pushed and funding for the civil work

should be used to help facilitate the overall Delta LTMS EIS. Meshing the DWSC and LTMS processes should be the goal. The EISs for the DWSC should look at the reuse opportunities.

- Darryl F. pointed out that the individual reclamation districts generally don't have the funding to pay even a small portion of the cost of environmental studies and dredging work. Phil stated that he concurs that determining placement sites that would facilitate beneficial reuse now before the dredging work is done is critical to minimize future costs.
- Bill D. stated that the Sacramento and Stockton DWSC projects have different issues to address. Sacramento has too much material in placement sites that they view as a resource but there isn't demand for it now. Stockton has different issues. As it stands now, it is cheaper for reclamation districts to purchase material from the S.F. Bay area to use on levees than to even obtain permits for a dredging project.
- Bill B. reminded the group that Anchor QEA has been working on a sediment placement site table and map and asked whether a list of reuse sites has been developed too.
 - Jack responded that the table and map are still being populated with information and that a list of beneficial reuse sites has not been developed.
- Jeff W. stated that the Port of Stockton has been maintaining their own sites and managing their sediment with the long-term view of identifying the reclamation districts who would be the primary end users of the material. Phil suggested that another end user would be developers interested primarily in cost and restoration proponents who are interested in cost as well as material suitability.
- Brian reemphasized that in the context of the Sacramento DWSC, there is a unique opportunity to focus on these alternatives. In EPA's view, if the project were delayed a year in order to maximize beneficial reuse, that would not be a significant problem. In addition, as far as the USACE's internal processes, the EIS and navigation aspects seem to be run as separate projects rather than in tandem and the overall potential benefits of reuse should not be lost just to meet an EIS schedule.
- Jim H. pointed out that there are partners in these projects in addition to the USACE so additional costs resulting from delays are also borne by the partners through the sharing requirements.

- Bill B. reminded the group that there are also scheduling issues as a result of bond issues and other constraints. Brian cautioned that if the EIS is found to be inadequate, the project will be delayed anyway. EPA is not suggesting specific alternatives should be selected, just that they be analyzed carefully.
- Steve C. reminded the group that the President's FY 2010 budget currently has \$10 million for the Sacramento DWSC project.

UPDATE ON SACRAMENTO DWSC SEDIMENT TESTING

- Cory reported that the Sacramento DWSC sampling plan generally consisted of 133 cores with a total of 47 composite samples analyzed for the usual analytes under the Water Board order in addition to water column analyses every 5 river miles. The USACE analyzed the Z layer for Hg and methyl Hg at the center core from each river mile.
 - Cory reported the following general results: Pesticides were not detected. PCBs were not detected. There were traces of PAHs. Chromium, nickel, and selenium were detected in the sediment but not in the elutriate. Barium appeared as an exceedence in the elutriate but not in the sediment. Total Hg screening values were not exceeded in the sediment but were exceeded in the elutriate. Mercury in background water was not detected. The USACE is comparing mercury levels in elutriate to the 0.05 effluent limit for Hg in the current water board order.
 - Brian pointed out that nickel in the area is typically high so not viewed as concern if not toxic.
 - Cory stated that most exceedences were only slightly elevated but that approximately half of the samples may have exceeded the 0.05 limit. He also pointed out that the sediment reuse restrictions are based on the bulk sediment chemistry rather than the effluent limits.
 - Cory reported that in general the chemistry results are consistent with historical observations. They are planning further studies to characterize the sediment currently in the potential placement sites for geotechnical parameters to see if they can be reused. This material was previously placed and has already been chemically characterized.

- DWSC sediment was characterized down to two feet below design depth (i.e. includes 2 foot overdepth). Overall the NOIs are expected to be similar to the typical maintenance dredging ones, but on a larger scale.
- Phil asked what the annual dredging volume would be and Cory replied that it is anticipated to be approximately 200,000 CY.
- Cory doesn't anticipate additional sampling efforts based on these initial results. He expects validation of the remaining data this week and then the USACE will link the sampling data to a map and generate a report in the next few weeks.
- Phil and Cory discussed a mercury methylation study of return water in which the Corps measured methyl mercury before and after settling in the placement ponds for several sites during last year's maintenance dredging. The results showed an increase in methyl mercury during the settling period over a relatively short period of less than two weeks. These results are very preliminary and merely suggest the need for more focused study. Phil stated that he anticipates having more data collected by December.
- Darryl stated that they might have a mercury problem in a S.F. Bay dredging project in which dredging has not occurred in many years. In such cases, the mercury concentration in the dredged material might not be consistent with current background Hg levels. In cases where maintenance dredging has been conducted frequently, this problem is less likely to occur.
- Phil suggested that the USACE would need a new order for the Sacramento DWSC dredging.

STOCKTON DWSC PROJECT UPDATE

- Neil Hedgecock has transferred to Germany as a USACE employee and is no longer the project manager. Bill B. stated that he will be replaced shortly.
- Bill B. stated that both DWSC projects have begun salinity modeling with final results expected in mid-August in draft report form. They have also initiated oxygen depletion studies for the Stockton project.
- Bill B. is expecting the draft EIS in the fourth quarter calendar year 2010.
- Brian asked about the status of the SAP for the project. Bill B. and Cory stated that it has not been completed and submitted to the agencies or the LTMS for review.

LEVEE STABILITY PROGRAM AND DELTA ISLANDS AND LEVEES FEASIBILITY STUDY

- Neither Brooke Schlenker nor Russ Rote was present to address this topic.

ACTION ITEMS

1. Phil will forward Hg methylation information to Bill and Brian.
2. Anchor QEA will contact Phil to get more details about the Hg methylation study and future actions.

ALTERNATIVE DEVELOPMENT WORK GROUP ITEMS

BETHEL ISLAND PROJECT UPDATE

- Neither Russ nor Brooke was present to address this topic.

CALFED LEVEE STABILITY PROGRAM UPDATES

- Neither Russ nor Brooke was present to address this topic.

UPDATE ON DRAFT DELTA PLACEMENT SITE TABLE AND MAP

- Jack reported that the placement site tables and map have been revised and posted on the LTMS website and that revisions continue as more information is developed for the placement sites. 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. In some cases, no information is readily available.
- Susan suggested that the LTMS group start to look at potential reuse sites in coordination with the placement sites. Steve C. suggested that we could add that as an agenda item for discussion at future meetings.
- Bill D. and Steve M suggested that the reclamation districts and the DWR would be key participants in making use of the dredged material for reuse so that they would likely be able to provide useful information about potential beneficial reuse sites.
 - Cory stated that the Stockton DWSC project would generate a vast volume of sediment that needs to be placed somewhere.

Tom Z. stated that the Delta residents feel that existing programs are not moving forward and that the State agencies are not working with the residents. He feels that improving the levees could be done effectively through direct sediment

placement and should not be held up, at tremendous financial cost, over small issues like parts per billion of contaminants.

- Bill B. asked how we ought to go about identifying potential beneficial reuse sites. Brian suggested that we ought to ensure that the Alternatives TWG chair and contacts from the USACE attend the LTMS meetings to essentially kick off the group.
- Steve C. suggested that we focus on Sacramento first because its schedule is ahead of the Stockton project. There was a general consensus that USACE people like Russ Rote and Brooke Schlenker will be important for development of beneficial reuse information.
- Jeff W. stated emphatically that they need the same coordination to occur for the Stockton project.
- Brian stated that the main dredging (i.e. shoaled) areas should also be reviewed to identify localized potential reuse sites and Steve asked if that sediment volume information could be added to the placement site map already developed to indicate sources of greatest sediment volume.
- Bill D. suggested that a 1.5 mile linear distance from the center of each channel might be a good starting point for thinking about hydraulic dredging and direct placement of sediment for beneficial reuse.
- With reference to the idea of having a workshop/meeting about identifying reuse sites, Bill B. stated that staff from both USACE districts would be important for the meeting and Cory suggested that he could arrange for a meeting at the USACE office.

ACTION ITEMS

1. Anchor QEA will continue to work on the sediment placement site map and table and develop more site information and questions for discussion at the July TWG meeting.
2. Anchor QEA will contact Cory and Jeff W. to obtain geographic information about sediment volumes to be dredged along the DWSCs.
3. Anchor QEA will coordinate with Brooke Schlenker to formulate an invitation to be sent to the LTMS general distribution list for a workshop to identify potential beneficial reuse sites and levees in critical need of work. The goal will be to have the meeting in June. A review of the official charter of the Delta LTMS and the goals of the Alternatives TWG will be delivered at this Alternatives TWG kickoff meeting.
4. Anchor QEA will contact Phil to obtain the dredging primer that he developed for the Delta.

PERMITTING WORK GROUP ITEMS

REVIEW COMMENTS ON DRAFT MAINTENANCE DREDGING GENERAL ORDER

- Phil stated that AI's were the only comments he received and the Water Board addressed them. Victor stated that they will issue the tentative GO for 30-day comment and then go to the Board for approval in August, 2009.
- Phil reiterated the overall size of the projects covered under the GO, which is currently at 100,000 CY over 5 years. The GO allows direct placement from the channel to the back of the levees. Phil provided clarification that maintenance dredging alone does not require CEQA but placement in a new site would.
- Bill D. stated that he still feels that 100,000 CY is not enough volume and Phil and Victor replied that they want to avoid very large sites to keep the maintenance GO viable. General discussion ensued that this maintenance GO does not apply to large channel projects like the DWSCs. Bill D. stated that this exclusion probably eliminates his concern about volumes because the GO is not applicable to large channel projects.
- The maintenance dredging GO requires sediment characterization but not toxicity testing. Phil stated that the Board can require such testing if the initial sediment characterization data suggest the need for it.
- Darryl explained that he can conceive of marina maintenance dredging needs where there is a large initial volume followed by smaller episodic maintenance dredging.
- Tm Z. mentioned that there had been a previous USACE NWP available for maintenance dredging in the Delta that expired and was never renewed. Phil explained that this maintenance dredging GO would address that issue and would allow maintenance of basins and channels to previously authorized depths.
- There was discussion of what would constitute a "previously authorized depth" because in some cases there were no formal plans or the plans have been lost over time. Brian stated that the Federal permitting entities might view maintenance differently under their regulations than the State would.
- Darryl stated that resolving that issue will be crucial for helping project proponents navigate the approval process.

UPDATE ON STATUS OF DRAFT NOI DEVELOPMENT

- Tom Scheeler was not present to address this topic.

UPDATE ON STATUS OF JPA

- Kate Dadey was not present to address this topic.

REVISIONS TO DDRMT MOU

- Bill B. stated that the USACE is working on Phil's revisions in coordination with the Water Board.
- Brian stated that the group would benefit from learning from the efforts of the S.F. Bay DMMO and the southern CA DMMT. He explained that potential issues to resolve might include the roles of the group in making decisions versus recommendations and procedures for scheduling meetings and making permit decisions.
- Darryl stated that project proponents want a consensus (not permit approvals) from the group of agencies so that the project proponents could feel comfortable enough to move forward with project development and financial commitments. He suggested it might be similar to the S.F. Bay DMMO process.
- Brian asked whether we can set an IWG meeting prior to the Management Committee meeting so that the DDRMT MOU can be presented to the Committee. The USACE and Water Board parties involved thought that schedule might be possible.

SOLICITATION OF PROJECTS FOR DMMO-LIKE ENTITY REVIEW

- Susan reminded the group of the goal of a trial run of a DDRMT entity.
- Darryl said that they have a project in the lower San Joaquin that might potentially receive funding at some point and could potentially submit information to the DDRMT.
- Brian stated that one issue the group should resolve is what types of projects the DDRMT would even address. Darryl reiterated that dredging proponents would like to pursue anything that would increase the certainty they might have. Brian suggested that the DDRMT should be composed of regulatory agencies free of advocacy roles in dredging projects. The group could serve as pre-application meeting for dredging projects and also would review projects that already have pending applications.
- Phil said that they have a recently passed order for small-scale, low-threat dredging projects that, combined with the maintenance dredging general order, will probably

cover 80% of the projects they typically see. They are also working on the beneficial reuse GO. This would leave only fairly large new work projects without a GO, but even that that could potentially be addressed in the future.

- Jeff W. stated that soon they will be working on their Docks 16-20 project that has already gone through the EIR process but still needs to go through the EIS process. Jeff and Steve M. suggested that the Port of Stockton East Complex and Stockton Sailing Club projects might be good ones to work through the DDRMT. Steve M. asked what benefits there might be to the applicant in going through a trial run of the DDRMT and the general consensus was that it would be beneficial to have an opportunity to discuss the project in front of all of the required agencies at once.
- Steve M. said that including the biological resource agencies in the DDRMT would be crucial for the project proponents to participate and would be beneficial for the agencies too. Brian concurred and said that in order for the DDRMT to be successful the resource agencies must be involved.
- Bill reported that he supplied geotextile tube information to Hillary Applegate and asked the S.F. Bay folks about dredge volumes.

ACTION ITEMS

1. Anchor QEA will check with Kate to determine the status of the JPA.
2. Bill, Al, Susan, and Phil will continue to work on the DDRMT MOU. They will send the MOU to the IWG for review far enough in advance to allow an IWG meeting to be scheduled prior to the Management Committee meeting.