

**LTMS Environmental Windows Work Group
Long-Term Solutions Meeting**

**June 27, 2002, 10:00 a.m. – 1:00 p.m.
BCDC Offices, 50 California Street
San Francisco, California**

MEETING NOTES

Agenda Modifications:

- Science gaps
- Burden of proof: impact, who proves
- Add facilitation

GROUP GOALS

Total problem...environmental windows?

Real problem: dredging not getting done

Some months, not enough dredging work, other months more than get done

Bigger picture: anything we can agree on as group goals?

- Protect environment, endangered species
- Dredging needs t get done
- Windows confound, but protect species

Other reasons:

- Historic backlog
- Permits not ready

Brenda Goeden (BCDC) list

Windows: still needs to be worked out (process)

- Process for a number of items
- Protect species (have enough information)
- Windows go directly to other issues: time constraints
- Familiarity of rules with windows important
- Keep Brenda's list in back of mind
- Responsibility to fairly and accurately implement windows
- Solutions: technical/operational solutions to avoid impacts
- Advance maintenance dredging is an idea
- "Process": process to decide on windows, or long-term goals?
- LTMS is process already developed
- Windows: green—not problem with dredging
- Yellow—need to take an extra step (consultation)
- Windows perhaps too conservative
- Time for dredging is not long enough

Report "262" Process:

Windows—hard for Corps to complete work

- This report addresses.

Template handout and report

- Absence of scientific information—gather additional information, review what we have
- Need consistency, reliability
- Opportunity to be example to the nation

262 Process: (means to an end)

Organized way to come to a predefined goal

- Like a Habitat Conservation Plan (HCP), which is a land-based planning process
 - Identify stakeholders
 - Discuss length of time
 - Identify issues, concerns, regions

Many steps have already been done.

Crux of proposal:

- Form science team
- Form engineering team
- Science team will identify threats to species of concern, and time frame
- Engineering team—how to address issues and solutions
- Core communication needs to happen

Step 3: evaluate dredging projects from both ends (science, engineering)

- Teams work together (back and forth collaboration between science and engineering teams)
- Can windows change if dredging practice is different?

Consultation: multi-year level, programmatic level?

- Want everyone's name on the process; is amorphous right now
- Science team prioritizes recommendations

LTMS focused on disposal—did not look in level of detail needed now

- Opportunity for resource agencies to say what additional science is needed

Current window makes things hard because level of certainty is not here

We don't know the consequences of new scientific studies (results are open-ended)

KEY -everyone needs to commit

Science team cooperates with engineering team

Can work in to the process Brenda's list

- Level of agreement to focus on this idea

Windows is important; needs fine tuning

See as a real opportunity

- Gather science
- "adaptive management"
- structure
- LTMS Letter to Ellen: (qualified)

-Good elements, specific structure doesn't need to be followed

Programmatic windows almost entirely driven by endangered and threatened species.

- Specifically, can't accept science team decides acceptable level of impact
- Want to use as much of this as makes sense.

Met with management committee, endorsed working groups as LTMS committees.

Haven't subdivided yet, but we are already adopting parts of this.

- Science gaps; operational, technical solutions—all on the table.
- Dredgers do legwork for funding
- Commitment from agencies? To agreed upon process

Q: Are programmatic windows open to revision?

- LTMS issue: programmatic windows are what they are for now, could change in the future.
- Programmatic windows will not go away. "Yellow" means more planning Project by project

Report 262: Science team: role in consultation process?

- Doesn't specify
- Endangered species—see consultation handbook

Consultation process is not a consensus-based procedure.

Results of science and engineering teams could inform but not decide consultation.

Agencies involved in process

Looking for fine-tuning process

- Give chance for better tools to be used
- Rpt. 80% of Corps national projects are subject to windows

Consultation process—think it through

Permittee: can participate in informal consultation? Yes, but Corps needs to be allowed to be "in the loop"

Corps fills gap when smaller marinas can't afford consultants (endangered species issues)

Report 262 process:

- One idea launched: establish demonstration implementation process (East Coast, West Coast)
- Institute, get funding for process here (possible congressional funding)
- National Academy of Science may be the leader, but it is being discussed.
- Another process (Successful) is the Great Lakes
 - Windows advisory team
 - Stakeholders, agencies
 - Facilitator
 - All types of issues run through that team
 - *Chief goal: act as a team

- Purpose not to avoid consultation, goal is to make it work better and smoother. Scientific team not to take away legal responsibilities.

Need structure:

- A) Facilitator
- B) “Manifesto”—have windows, want to fine-tune them

Port marine group still playing catch-up

Need to be comfortable with science

Sees need for science team

- add one or two other scientists
- need to agree on engineering team
- need rules, some steps go through fast

Future agenda item: go through report steps: discuss each one: accomplished yet? Do we want to adjust?

Funding: two types:

“PY” man power-hiring freeze for State

LTMS management committee has prioritized this effort of work groups

Group needs:

- Facilitator
- Structure
- “Manifesto”—takes in all caveats; says goals; joint agreement on purposes

Brian offers to make the first draft

Additional Studies

What do we need to know to make better decisions? Came up with a laundry list; then created a task list—much based on existing information; needed to be gathered in one place

- Making presentations—issues being put aside using good science
- Look at issues with dredging and disposal
- Concerns to put on table: real impact of dredging that is of concern, how to measure; what other information used in consult?

Funding:

Data is being collected (Port of Oakland); can use existing data

- Confusion over what information we have and don’t have
- Hear from agencies and outside scientific community
- Agencies: do we need fish tracking studies?
- Study to examine volume threshold of sediment with effects?
- Collect data to help manage windows
- That has allowed other processes to move forward

Key function for this group:

Focusing what kinds of studies—fish tracking may be best, but we need to be careful: what are best studies that will make our operations more clear.

*Studies need to directly benefit operations (funding will be limited)
“bang for buck”

Consultation process—maybe needs help
Add “regulatory team”
- Way for process to be streamlined?

LTMS 2001 management plan has schematic of list of information to streamline process

Baseline in San Francisco Bay discussed in Biological Opinion.

- Impact (habitat, population status)
- Not to say we can't improve, this is existing status
- Need to look at existing information
- Look at effects of contamination and suspended solids
- Not complete “reinvent wheel”
- Methyl mercury

2nd week in July: conference on dredge management

Get standard information together, existing state of knowledge' then look at sand miners' model.
Corps has put stuff in motion

- I. Invite USGS, Water Board, Cal Fed, etc.
- II. Changing fleets takes \$\$, but dredgers need to know needs. Can design around needs.

I.E.P.—has studies from early 80's (not peer-reviewed)

Listed species are hard to track (too few)

Need process for agreeing on existing info and info gaps

FUNDING

Corps—trust fund (too little \$\$)

- a. Prioritize maintenance dredging
- b. Corps projects take hit on supporting LTMS
- c. Proposed funding LTMS as line-item
- d. Composite EIS for dredging projects in Bay
- e. Are working on funding

B.P.C. requested congressional funding, asked 250-500 K for “windows”.

Ellen needs scope of work to justify funding request

Getting congress to fund is possible avenue to pursue

September 30—Fiscal cutoff (federal)

Scope of work needed ASAP

1-2 more meetings to agree on structure

manifesto

structure of work group (separate from field study scope

—those two should happen by next few weeks

Longer term funding:
Incorporate into WRDA 2002 (Water Resource Development Act)
Could get authorized as a project
(LTMS could still get funded for other things)

Harry Seraydarian available no sooner than last 2 weeks in July

Official LTMS project, LTMS pay for facilitator.

BPC now has private foundation—now getting up and running. Could share fee

Rate, level of resources, etc.
Subgroups need facilitator?

LTMS staff has part-time secretary (can type meeting minutes type contents of charts)
Minutes/agenda—make changes during meetings.

Brenda and Ellen—Contact Harry Seraydarian.

AGENDA FOR NEXT MEETING:

Friday, July 26, at BCDC 9:30-1pm

- I. Manifesto Discussion
- II. Organization of Group
 - a. Related ideas: process, structure
- III. Overall, discuss concerns/driving issues: what problems are we solving)
- IV. Funding draft document

What steps addressed, need/don't need
Manifesto
List of scientific studies
Funding possibilities
Facilitation

Meeting notes prepared by Christine Boschen, RWQCB