



LONG TERM MANAGEMENT STRATEGY

LONG TERM SOLUTIONS WORK GROUP MEETING
MONDAY, NOVEMBER 23, 2009
12:30 PM – 3:00 PM

MEETING ATTENDEES

Renee Ananda – Port of Oakland	Jim Haussener – CMANC
Mike Bishop – Hanson	Ellen Johnck – Bay Planning Coalition
Jessie Burton-Evans – USACE	Kristin Joseph – Cooper Crane/Western Dock
Dick Butler – NOAA Fisheries	Peter LaCivita – USACE
Len Cardoza – Weston Solutions	Rob Lawrence – USACE
Katie Chamberlin – Anchor QEA, L.P.	Craig Lewis – Winzler & Kelly
Brenda Goeden – BCDC	Steve Lowe – Port of Oakland
Frank Filice – SFDPW	Chelsea Pulegar – Winzler & Kelly
Jessica Hamburger – BCDC	J.T. Wick – Port Sonoma

GREEN STURGEON AND LONGFIN SMELT SYMPOSIA

The Long Term Solutions Group discussed the upcoming LTMS-sponsored symposia on green sturgeon and longfin smelt. Brenda provided an update on the symposia agenda, noting that it was originally intended to be science-focused but will now include some stakeholder input as well. There will be both morning and afternoon summaries and panels tying the scientific presentations to stakeholder issues. Ellen updated the Long Term Solutions Group on the stakeholder members that will be involved. Brenda noted that the main focus of the symposia is to talk about science so stakeholder questions or issues should be related to science (not policy or management).

Len agreed to give a morning summary at the symposia and described how he would approach his talk. Kristin noted that she would ask Cooper (of Cooper Crane/Western Dock) whether he would be interested in speaking as a stakeholder. In response to Len's summary, the Long Term Solutions Group discussed the following questions, which Ellen agreed to send on to SFEI in preparation for the symposia:

- What is the science of these species?
- How do we enter into a recovery plan?
- How do we continue doing business as we do this, noting that further impacts to the economy are not ideal?
- How do we get to the point where we can accomplish our work while being fully protective of resources?
- What tools should we be using?

LTMS LETTER TO CDFG REGARDING THE HERRING STUDY

Brenda revisited the history and purpose of LTMS' letter to CDFG which Ellen recently updated. The Long Term Solutions Group decided Brian and Brenda would take the lead on completing the letter (as it did not appear as though Brian's comments from last May were reflected in the most recent version). The Program Managers will then determine the correct signatory for the letter, and Pete will send Brenda the 5 hardcopies of the herring study in the mail.

WORK GROUP STATUS REPORTS

Science Work Group

Peter summarized Bill's updates as he was unable to attend the meeting. Brenda brought up the possibility of coupling the annual DMMO meeting with the Science Symposium; however, Jessie noted that she believed the symposium would likely require a full day. Jim recommended that the symposium address the three ongoing LTMS-sponsored literature reviews. Brenda suggested that the Science Work Group consider revisiting the Science framework. The Long Term Solutions Work Group discussed dates that could work in the month of May (the first week of the month and May 19 do not work). Dick noted that at the next meeting, the Science Work Group should have a proposed date and list of topics for the symposium ready to present. All ideas for topics should be sent to Bill.

Peter continued with Bill's updates, noting that green sturgeon will continue to be a priority topic for the Science Work Group, as well as potentially a risk assessment of dredging effects on herring (which he noted as a recasted form of the two herring studies that were previously proposed by CDFG. The LTMS Long Term Work Group did not recommend these studies to the Program Managers. However, under further pressing from the Science Chair, the LTMS Program Managers reviewed the proposals and determined they did not clear link the management question to dredging activities and the LTMS program funds were to be spent on dredging related projects.

Short Term Solutions Work Group

Brenda summarized the changing nature of several projects over the past couple of weeks. The Port of Redwood City decided not to dredge this year. Greenbrae Marina likely will not be dredging this year. San Leandro wants to dredge this year, but permits have expired and there has been no application or suitability determination for this project. Alameda Ferry Terminal is likely going to dredge one of their mounds this year and the other in March of next year. Brenda noted that either four or five projects will be requesting extensions, and that many, if not all, of these projects are being completed by the same contractor. The Long Term Solutions Group discussed the fact that the regulatory agencies don't have a way to deal with contractors not completing their work within the work windows other than to refrain from issuing window extensions.

Kristin pointed out that project sponsors often put projects out to bid early on in the year and plan to complete them earlier than they actually take place, but are delayed due to actions out of their control. This year, a lot of the projects became ready for construction at the same time - early October. Brenda noted Kristin's issue, and went on to say that her biggest concern is that the applications come in to the agencies so late in the season, particularly this year (not with the contractors themselves). She added that it is possible that extensions might not be issued in all cases. Ellen noted that it is the LTMS' goal to complete all dredging within the set work windows and, where this cannot be met, to come up with alternative procedures. J.T. added that this year, the economy is a huge factor in that it imposed a level of uncertainty. Jim commented that another issue is that there is barely enough work for the contractors we have in the Bay Area (and not enough to bring in more contractors with large equipment). He also noted that it's often the complaints of boaters in the spring that trigger the surveying, which informs dredging needs.

Ellen asked the rest of the meeting participants whether CDFG still issues waivers approving dredging continuing until December 15 if herring are documented as absent from the proposed dredging area by an onboard observer. Brenda noted that a herring observer training is being offered for the Alameda Ferry Terminal Project so the extension can be issued. If CDFG was to issue a waiver for other projects, they would need to attend the same training. Jessie noted that the DMMO has informal consultation guidance on their website, and that the agencies recognize the need of providing updated information to permit applicants and dredgers on the SAP approval process, extension requests, and requirements of the

DMMO. Brenda added that the DMMO is developing a database of historic sediment quality data which will allow the public to query data and see testing results in the vicinity of their project, but that this will not altogether replace the need for testing on an individual project basis.

Brenda requested that Ellen remind BPC members to take a look at their permits before December 31 so request amendments or new permits early in the year, if needed for dredging in 2010.

Frank asked whether the DMMO has an annual date by which SAPs need to be received so that dredging can be completed that year. Rob responded that the timeframe for review and approval of SAPs is often not predictable. The meeting participants agreed that this information should be included in the dredgers handbook that is currently being updated. Kristin added that it would be ideal to have a flowchart and ballpark timelines for the permitting process in the handbook, if possible.

Confounding Factors Work Group

Len informed the Long Term Solutions Work Group that he would be updating the schedule and the flow chart, and that he would send them both to Rob to be potentially added to the DMMO website. Jessie noted that she would like to work with Len on the updates.

REVIEW OF THE LTMS ENVIRONMENTAL WINDOWS WORK GROUP DRAFT WORK PLAN

Brenda informed the meeting participants that the Long Term Solutions Work Group intends to update the 2003 draft work plan, not finalize it as it is a living document. The meeting participants discussed the level of detail that should be in the revised work plan, and all agreed to keep the sections brief and the work plan succinct (i.e., use bullets where possible, add longer sections as appendices). The revised work plan should redefine the work groups and their purposes and remove sections that are outdated or no longer accurate. The meeting participants set a conference call for January 20, 2010, from 9am to 12pm to discuss the proposed revisions to the draft work plan. All updates need to be sent to Katie Chamberlin (kchamberlin@anchorqea.com) no later than December 24, 2009. Katie will then send out the revised sections to the LTMS distribution list. The people tasked with submitting revisions are as follows:

- Ellen – Sections I through IV
- Bill – Science
- Brenda – Short Term Solutions
- Len – Confounding Factors
- Jim and Al – Funding and Measures of Success

CONSIDERATION OF A REGIONAL, MULTI-USER DISPOSAL SITE

Brenda explained to the meeting participants the need for a facility that can handle small amounts of contaminated material for upland disposal that can be accessed by small dredging projects and that is low cost. Ellen noted that BPC did a study on the possibility of a rehandling facility about 10 years ago and could not find an operator. The bottom line is that for most entities with mid-depth access to water, dredged material rehandling is not the best use of their facility. Taking such material to Winter Island is difficult due to permitting and the high costs of transport so many times the material is left in the Bay, posing both sediment quality and navigation issues. Frank noted that there is also a need for a similar type of home for sandy material that is not permitted to go in Bay. (Sandy sediment can be disposed of in-Bay, however, the LTMS program prefers beneficial reuse of the sandy sediment). Kristin asked whether the USACE could examine the appropriateness of such materials going to any of their sites through issuance of either the Section 404 or 10 permits. Len added that it could be appropriate to look at the use of graving docks. Ellen noted that she would distribute the BPC study.

WRAP UP/SCHEDULE NEXT MEETING

The next Long Term Solutions Work Group meeting is set for Thursday, February 11, from 1:00 pm to 3:00 pm at BCDC.

ACTION ITEMS

1. Brian and Brenda will take the lead on completing the letter from the LTMS to CDFG.
2. Pete will send Brenda 5 hardcopies of the herring study in the mail.
3. Science Work Group should determine a proposed date and list of topics for the 2010 Science Symposium for the next Long Term Solutions Work Group meeting.
4. Ellen to remind BPC members to look at their permits before December 31 so that they can get them extended, if need be.
5. Len and Jessie to update the schedule and flow chart created by the Confounding Factors Work Group in the past.
6. Ellen, Bill, Brenda, Len, Jim and Al to send Katie their respective revisions to the LTMS Environmental Windows Work Group Draft Work Plan by December 24, 2009.
7. Ellen to circulate the BPC study on the possibility of a rehandling facility.