

**DMMO & LTMS Operations During the First Year of Implementation of the
LTMS Management Plan for the San Francisco Bay Region
January 30, 2003**

Note: The Listening Session was held at BCDC's offices from 10 am to 4 pm. Approximately 26 people attended representing several stakeholder groups including Bay area ports, BPC and CMANC, dredging contractors, consultants, and the PCFFA. Comments were accepted on any LTMS or DMMO subject, written on flip-charts, and transcribed to the below "Listening Session Notes". The LTMS Management Committee has reviewed and approved posting of the "Listening Session Notes" to the DMMO website.

Listening Session Notes

Meeting Agenda:

1. **Introduction** (Steve Goldbeck)
 - a. Goals, Process, Ground Rules
 - b. Introductions
 2. **LTMS Overview** (Brian Ross)
 3. **DMMO Announcements**
 - a. DMMO Newsletter (David Dwinell)
 - b. New Draft SAP Guidance Update (David Dwinell)
 - c. Update on Sediment Quality Guidelines Study (Beth Christian)
 - d. Update on Environmental Windows Process (Brenda Goeden)
 - e. Alternative Analysis Template—Brenda (Brenda Goeden)
 4. **Listening Session**
 5. **Wrap Up** (Roger Golden)
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Listening Session Notes

(Italics = Suggested Solutions from Stakeholders at the Meeting)

General Comments/Concerns:

- USACE and/or dredger RMP \$ (some % of) should support DMMO database
- LTMS/DMMO should discuss TMDL/303(d) list, and concerns of Maritime Community re: impacts to dredging/sediment management
- Agencies don't always fully appreciate how helpful/cooperative ports here have been compared to elsewhere in the U.S
- Kudos for LTMS response to concerns about Environmental Windows - good adaptive management ☺

- Want update on Hamilton status and process, evolution of cost share policy, and how ports can help get it on-line ASAP
- Report on this Listening Session (and responses) at the DMMO Annual Meeting in April
- Also report on status and budget issues re: Hamilton, etc. at DMMO Annual Meeting

Improved DMMO Guidance needed:

- For sampling, analysis***
- Toxicity test interpretation***
- Bioaccumulation*** (for both when to test, and how to interpret results)
- Perhaps use RMP \$ for this?***

Sediment Suitability Determinations:

- DMMO Decisions seem to be "Black Box"
 - Seem based on perception, not science: "BPJ" seems to be personal opinions
 - "Concerns" not made specific
 - No documentation/justification given for decisions
 - Decisions seem inconsistent at times
 - Document concerns, and the basis for suitability decisions, more fully.***
- "Unwritten" standards being used
 - "Unwritten" 5ppm trigger being used as a PAH standard by RWQCB
 - Non-degradation seems to be the "concern" that drive decisions (i.e., Bay "ambient" sediment chemistry concentrations are being used as "surrogate" SQVs)
 - Ambient values for sediment chemistry are meant to identify low concern areas ("spine" of the Bay, removed from pollutant sources; i.e. clean reference areas), not standards in and of themselves. Exceeding them does not necessarily indicate risk.
 - Ambient sediment chemistry values are not good indicators of risk and should not drive decisions. But, if ambient conditions must be a direct part of disposal decisions, DMMO should compare mud to like mud: i.e., refer to ambient conditions in depositional areas specifically.***
 - No SQVs exist. ***So, either establish them formally or use toxicity test data as the basis of suitability determinations.***

Sediment Management:

- Don't control/minimize dredge volumes on a "berth-by-berth" basis*** (dredgers must be able to maintain full depth and overdepth of entire facility). Raised as both a sampling issue, and as an issue of whether they can fully dredge the whole berth or be restricted to spots within it.
- Is there a new policy on overdredging? ***If so, document it. (Address overdepth purpose, sampling considerations, dredging implications incl. "spot" dredging.)***
- "Workable" dredging units must be recognized***
- Innovative approaches to minimize work outside Windows should be supported.***
- POSF + BPC + Manson + G&B second POO comments (4 previous bullets)
- Would a letter from BPC be helpful for clarifying overdredge policy?***

Dredging Project Database:

- DMMO should maintain a (more detailed) dredging project database***

- The database should include sediment test results**
- Would facilitate tier 1 evaluations
- GIS-based would be good
- Can RMP resources help with this?**

Standardized Dredge Project Permit Conditions:

- Should be one set covering all agencies**
- BPC wants to work with DMMO on this**

Alternatives Analysis:

- Will alternative review add to the time it takes for project approval?
- Will small dredgers be exempt from the need to conduct a full analysis?
- Will projects with dedicated disposal sites be exempt from the need to conduct a full analysis?
- What will be "feasibility" criteria?
- What is the place of air quality evaluation in alternatives analysis?
 - O&M dredging is officially exempt, but issue may be important still
 - Is DMMO "policy" to ignore this, as long as basin maxima are not exceeded?
- LTMS/DMMO should look at alternatives programmatically. List available alternatives on website. Define general feasibility criteria.**

Staffing and Training:

- Thankful DMMO exists and has dedicated staff ☺
- Turnover in DMMO staff a concern
- Timeliness of processing is affected
- Especially a bottleneck at USACE (Regulatory)
- Would a letter from BPC, etc., be helpful?**
- Ports would welcome DMMO staff at annual hands-on training in field**
- DMMO staff should spend a few days (not just an occasional tour) with a dredging operation**
- DMMO staff also needs training re. toxicology and risk considerations, including risk of leaving sediments in place. Perhaps with funding or other help from ports, like USACE's "PROSPECT" program (PROponent SPonsored Engineer Corps Training)?**

LTMS Ground Rules:

- Not always followed in interactions with applicants, or among DMMO reps
- Keep "personal" vs. "professional" interactions separated in DMMO meetings**
- Arguments/disagreements can and should be handled professionally**
- Be more aware of need for professionalism**

Decisions Needed by LTMS/DMMO on Data Reporting:

- Permittees often not meeting letter of permits re: data submissions (DMMO can't track or report dredging/disposal statistics if it is not turned in)
- Clarify (and enforce) responsibilities - who turns in what data, when?**