

**Los Angeles Region Contaminated Sediments Task Force
Port of Long Beach Middle Harbor Third Party Fill Material**

DRAFT Meeting Minutes from November 17, 2010

Attendees:

Mark Sandoval – City of Long Beach
Dan Allen – Moffatt & Nichol
Dale Holdmann – POLB
Alan Alcorn – Moffatt & Nichol
Shelly Anghera – Anchor QEA
Ken Ehrlich – JMBM
Tim Bazley – BDG
Tom Baldwin – POLB
Jim Fields – USACE
Larry Smith – USACE
Blake Horita – USACE
Mike Christensen – POLA
Gwen Butterfield – Butterfield Communications
Kathryn Curtis – POLA
Tony Gioiello – POLA
Arul Arumoli – Earth Mechanics, Inc.
Wanda Cross – Santa Ana RWQCB
Chris Miller – City of Newport Beach
Michael Lyons – LARWQCB
Josh Burnam – Anchor QEA
Steve Cappellino – Anchor QEA
Larry Smith – USACE
Mo Chang – USACE
Jack Gregg – CCC
Jorine Campopiano – USEPA
John Kemmerer – USEPA
Susie Santilena – Heal the Bay
Tom Politeo – Sierra Club

Heather Tomley – POLB
Rick Cameron – POLB
James Vernon – POLB
Dylan Porter – POLB
Matt Arms – POLB
Janna Watanabe – POLB
Jim McNally – Manson Construction
Samara Ashley – POLB
Doug Thiessen – POLB
Steve Otera – POLA
Eric Lopez – City of Long Beach
Ken Mattfeld – POLA
Cesar Espinosa – LA County Beaches and Harbors
Paul Wong – LA County Beaches and Harbors
Sandra Gonzalez – City of Long Beach
Gordon Teuber – Office of Councilwoman Hahn
Mike Christensen – POLA
John Bridwell – Gambol Industries
Bob Stein – Gambol Industries

On Phone

Larry Simon – CCC
Allan Ota – USEPA
Bill Paznokas – CA Dept. Fish and Game
Jeff Cotsifas – Pacific EcoRisk
Nick Buhbe – Nautilus
Antal Szijj – USACE

Meeting Minutes

Introductions were made by Matt Arms from the Port of Long Beach. All attendees and teleconference participants introduced themselves and their affiliation. Tom Baldwin and Matt Arms presented an overview of the slip fill portion of the Middle Harbor Redevelopment Project, third party material application process, and results of the application process.

Discussion/Questions

Jack Gregg stated that the preliminary fill plan looks good and is glad to see that a large amount of third party material was accommodated in the fill. He asked if the Port will be accepting written comments and Matt Arms responded that the Port will accept written comments within the next two weeks and will attach the comments to the final meeting minute notes.

Larry Smith stated that the Corps has concerns over timing and the tentative placement window for Marina del Rey project material. The dredging project would normally take three months to complete but would have to be stretched out to a year in order to meet the tentative fill plan schedule. The Corps will have to start and stop twice and this will lead to costly mobilization and demobilization costs. Rick Cameron responded that this can be discussed further when the Port starts working out the details with each individual applicant. Matt Arms stated that Marina del Rey material is structurally desirable and the Port will work with the Corps to accommodate the material. Larry Smith also stated that material from Area 6 will not be placed in the fill.

Jorine Campopiano asked whether the Port has a backup plan if projects fall out and Matt Arms responded that a majority of the third party projects that are eligible for placement within the fill have already been accepted. The only possible project for consideration would be the Lower Newport Bay Maintenance Dredging project. The Port's current backup plan is to use material from the Western Anchorage Storage Site or borrow material, which is consistent with what has been analyzed in the Middle Harbor EIR/EIS.

Michael Lyons stated that the Port has done a good job getting 1.7 million cy of contaminated sediment into the fill site and that the fill process adhered to CSTF strategies of taking sediment that does not have a home.

Allan Ota concurred with Michael Lyons and Jack Gregg that the Middle Harbor project has been able to accept a lot of outside material.

Larry Smith asked when material would not be able to be brought in by barge and would need to be pumped into the fill. Tom Baldwin responded that material would probably need to be pumped in when the fill depth reaches -20 feet, but is dependent on the type of barge being used (i.e., barge draft). Matt Arms mentioned that applicants will be responsible for costs associated with pumping their material over the dike.

Mark Sandoval asked whether the Port will consider getting a permanent pump for the site that the applicants could all use. Tom Baldwin stated that the Port can look into the logistics and costs of retaining a permanent pump at the site.

Jim McNally asked whether Middle Harbor project material will also be going in Slip 1. Tom Baldwin responded that project material will be going into Slip 1 and has already been deducted from the total amount needed to complete the Phase I fill. The tentative fill plan table only reflects the third party material.

Mo Chang asked whether the Port has taken into account the environmental window (i.e., environmental regulations/limitations) for each of the accepted projects. Matt Arms responded that the Port has not taken this into account and just looked at trying to accommodate the maximum amount of third party material in the fill within the Port's project window. If projects have any environmental limitations, please let the Port know and we can try to work out the issues.

Susie Santilena stated that Heal the Bay commends the Port on accommodating third party material into the fill site and that this is a great benefit to the environment. She asked where the Middle Harbor project material falls within the tentative fill plan. Tom Baldwin responded that the Middle Harbor project material would be placed in the first layer and that the tentative fill plan. Susie Santilena asked if the Middle Harbor material could be managed differently to allow more flexibility of the third parties material and if the CSTF could see a map that shows where the Middle Harbor material is being placed in the fill. Tom Baldwin said Middle Harbor material needed to be placed first due to construction schedules and he will provide figures and volumes to reflect this.

Susie Santilena asked whether third party material will also be accepted for Phase 2 of the slip fill. Doug Thiessen and Tom Baldwin stated that there may be an opportunity for more third party material during the second phase in 2014. The Port will go through the same application process for soliciting third party material. However, there are Port projects coming up which will take priority in terms of providing material for the second phase of the fill.

Jim Fields wanted confirmation that the tentative fill plan only pertains to Phase I of the fill.

Michael Lyons asked whether the sediment could be stored upland on the terminal and then dumped in later in order to accommodate some of the applicant's schedules; he was hoping some of the excavated material of better quality could be saved for later stages of the fill. Rick Cameron stated there are many factors to consider such as rehandling costs and logistics. Tom Baldwin stated that there is no available area for storage on the terminal due to the construction and the fact that the two terminals will remain active. Detailed discussions with all applicants can occur as each project moves forward.

Ken Ehrlich spoke on behalf of Gambol. The Port of Los Angeles did testing at the site in 2005 that indicated the material had some hazardous levels. Additional sampling of the material by Gambol in 2010 indicated that the material is non hazardous and Gambol would like the Port of Long Beach to reconsider calling the fill material hazardous. He asked the CSTF advisory group whether it would be possible to do extra STLC testing and have POLA develop a dredge plan. Gambol does not agree with the criteria to reject project material that already has a home and would like the Port of Long Beach to reconsider the Gambol project material if other projects drop out. Gambol thinks the Port of Long Beach should look more holistically at the projects and analyze the environmental effects of borrowing vs. donor sites in terms of air emissions.

Rick Cameron responded that the Port of Long Beach has done a good job at being transparent and open about our third party acceptance process. The Middle Harbor EIR/EIS analyzed the environmental impacts and air impacts of borrowing and the Port has discussed this issue with the EPA and Army Corps. The Port of Los Angeles needs to come back with a plan that does not include moving forward with a landfill at the site being discussed. The Port of Long Beach has a schedule that we need to adhere to and the Port of Los Angeles and Gambol need to negotiate with each other separate from this process.

Ken Ehrlich asked how Gambol could work with this multi-stakeholder group to see what will be the best course of action to get the material accepted in the fill. Matt Arms stated that the Port evaluated projects based on the current information provided and does not have the time to look at each individual project in more depth. The Port needs to move forward with the project schedule and there may be a potential opportunity to participate at a later date during the second phase.

Mark Sandoval stated that the City of Long Beach is making plans to deliver material based on the tentative fill schedule. Any delays or impacts to the project schedule will have impacts and repercussions for all parties involved. Therefore, it does a disservice to the whole group by addressing the needs of a sole applicant because it will affect all parties that are placing material in the fill.

Tom Politeo stated that he was not happy and was dissatisfied with the process. He views the two ports as one port and wants to see cooperation between the two ports. He has concerns about moving in dirt from outside the area. Priority should be given to POLA over other regional material. There should be a focus on environmental justice issues over bringing in "toxic" sediments from areas outside the Port. Michael Lyons stated that the acceptance process included geographical priority as a criterion, however this was not the only criterion that was a factor for consideration. Rick Cameron responded that we have been open and clear in this third party process and do have a cooperative relationship with POLA as demonstrated through the CSTF and the Water Resources Action Plan (which is to improve water quality within the San Pedro Bay). The Port is not accepting "toxic" sediments.

Conclusion

There was a consensus among the CSTF Advisory group that the fill site has accommodated a large amount of regional material and that the process is consistent with CSTF beneficial reuse guidance and strategies.

Future Actions

- Comments on the tentative fill plan can be submitted to Matt Arms (arms@polb.com) by December 2, 2010. Comments will be attached to final meeting minute notes.
- Port will be talking to accepted applicants about fill plans.
- Port will keep CSTF updated on the process as things progress.