

SJR DO TMDL Steering Committee
December 4, 2002 9 am - 12:30 pm
2500 Navy Blvd, Stockton CA
Draft Meeting Notes

Attending: Rod Atteberry (Neumiller/Port of Stockton), Byron Buck (MWDSC), Jim Curtis (Kennedy Jenks - MCCV), Hicham Eltal (Merced ID), Chris Foe (RWQCB), Mark Gowdy (RWQCB), Mary Hildebrand (San Joaquin FB), Dan Hinrichs (DJH & City of Modesto), Lisa Hunt (URS), Jay Jahangiri (TRE), Debra Liebersbach (Turloch Irrigation District), Barbara Marcotte (CALFED-ERP), Joe McGahan (Grassland Farmers), Lowell Ploss (SJRG), Tom Quasebarth (City of Modesto), Nigel Quinn (LBNL), Rhonda Reed (CALFED-ERP), Steve Ritchie (URS), Mike Schafer (Lodi), Herb Stone (WID), Will Stringfellow (LBNL), Kevin Wolf (facilitator and notes 530-758-4211, kjwolf@dcn.davis.ca.us)

Next Steering Committee meeting:
January 8, 2003 9:00 am-12:30 pm (1st Wednesday of the Month)

Next Technical Advisory Committee meeting:
December 18, 2002 10 am- 2 pm, Modesto Irrigation District Office
See: http://www.sjrtmdl.org/upcoming_meet/index.html

Next Executive Committee Meeting:
Dec 17, 8:30am - Conference Call Phone Number - TBA

RWQCB Meeting On DO TMDL:
Delayed to the RB meeting scheduled for the end of February or early March. .

Handouts

- 1. Revised Scope of Work 2003-2005 with Timeline - Kevin Wolf**
<http://www.sjrtmdl.org/implementation/coordination/index.htm>
- 2. 2006-2008 Timeline, Draft - Kevin Wolf**
<http://www.sjrtmdl.org/implementation/coordination/index.htm>
- 3. Regional Board letter to Steering Committee on Assurance Agreement and the Phase I Implementation Plan - Mark Gowdy**
<http://www.sjrtmdl.org/implementation/overview/index.htm>

A. Planning and Coordination Team

1. The Steering Committee approved the Scope of Work for the Planning and Coordination Team and authorized the Chair and the Executive Committee to finalize the details. When this is done, the proposal will be turned in to CALFED. Lowell Ploss will take responsibility for getting the Task Orders drafted to accompany the Scope of Work. Barbara Marcotte and Rhonda Reed suggested that we look at other Task Orders for an example of the level of detail expected. This was sent to CALFED on December 10.

2. CALFED has not yet finalized the contract with Jones and Stokes (JSA) to do this type of work for them. It is anticipated to take another month or so. The more specific the SC can be in the Scope of Work and the draft Task Orders, the faster the contract for this job can be completed once JSA is under contract.

3. CALFED will need someone from the Steering Committee to help negotiate the final contract for this project with JSA. This will be finalized at the January SC meeting.

4. The SC reviewed the draft 2006-2008 timeline. Changes were made and are posted at <http://www.sjrtmdl.org/implementation/coordination/index.htm>. Key changes included:

- a. The Basin Plan Amendment process is the Functional Equivalent of the NEPA/CEQA process.
- b. The SC will not choose a Preferred Alternative before the BPA process begins. It will though recommend to Regional Board the Alternatives that it would like to see evaluated in the BPA process.
- c. As soon as the BPA is finalized by the Regional Board, the Steering Committee is expected to meet the implementation schedule. It may be that the Interim Performance Goal remains in place for another year or so in which case, there won't be much change to the demonstration aeration project.
- d. The timeline for what occurs after the RB determines the Final BPA needs to be included. For example, when does the SWRCB and USEPA weigh in on the BPA?
- e. The 2006-2008 timeline needs to have the level of analysis that Lisa Hunt and URS did for the Demonstration Aeration Project. Without this analysis, the milestones in the 2006-2008 timeline cannot be effectively evaluated. At the present time, there is no one committed to doing this analysis.
- f. The RB will begin the BPA process at least a year before it makes the decision on the Final BPA. This will begin with workshops before the Functional Equivalent process begins.

5. CALFED staff suggested that the SC should reduce the 2003-2005 list to those task most important for 2003. The SC should come back and request additional funds for 2004-2005 later in the year. The notes below were included in a rewrite of Scope of Work spreadsheet (2003) to be found at:

<http://www.sjrtmdl.org/implementation/coordination/index.htm>

- a. The Scope of Work will benefit from a Timeline Analysis as was done for the Aeration Demonstration Project. It is hoped that Lisa Hunt can do this and provide the SC with a more sophisticated linkage between the tasks.
- b. The Scope of Work needs to include more detailed Task Orders so that CALFED can get more accurate bids on what it will cost to do this work. Barbara will provide examples of Task Orders.
- c. The deliverables for each Task need to be clarified. Cost in hour estimates should be made for each Task as well.

7. The priority Tasks for 2003 include:

- a. Task 1 - Prepare and maintain plan, write updates and annual reports. - all elements.
- b. Task 2 - Steering Committee Assistance and Executive Officer role - all elements.
- c. Task 3 - Education and Outreach - all elements
- d. Task 4 - Independent Peer Review. This task is reduced to coordinating the 2003 Peer Reviews for the Feasibility Study Screening Criteria. The independent review of the Upstream Monitoring will be included within the budget and tasks for that proposal. At the most, the Coordinator will ensure that the Upstream Monitoring review is coordinated with Steering Committee timeline and outreach efforts. It is expected that the CALFED contract with UC Davis will be used for the Upstream Monitoring review.
- e. Task 5 - In 2003, only the Upstream Feasibility Studies will be going through the PSP or Directed Action process. Barbara and CALFED should look over the components in the Task and make sure that the elements they want covered are included.
- f. Task 6 - Coordination with the RWQCB. RB staff should review and make sure that that the elements they would like assistance with are included here.
- g. Task 7 - Data Management. Both sub-tasks are needed in 2003.
- h. Task 8 - Feasibility Analysis of Alternatives (non-Aeration). The process may have to begin before the Planning and Coordination Team is in place. The call for options to be considered can occur with the help of the Steering Committee early in 2003. The result of the scoping and workshop evaluation process is to create a focused PSP or Directed Action proposal that can result in final contracts in the spring of 2004. CALFED staff will review this timeline and steps to help make sure that it can be done so that the Spring 2004 contract signing timeline can be met.
- i. Task 9 - Special Studies on D.O and Beneficial Use. This will not be a priority to advance in 2003. Postpone plan one year. When it is done, it should include a study of the impacts and benefits of algal loads to the aquatic life in the San Joaquin River upstream of the DWSC.

8. BMP Evaluation.

- a. As part of Task 8 - Feasibility Analysis of Alternatives, an evaluation of what is known in the literature about BMP research in the San Joaquin Valley should be done before the Screening Criteria Workshop takes place. The BMP evaluation will help determine which BMPs on different soils and for different crops have enough scientific and economic analysis already done that more studies are not needed in 2004-2005, The evaluation will also determine where the holes are in the scientific literature and which BMPs hold the most promise and deserve additional studies.

b. In Sept. 2001, the SC supported both a DO BMP and a Non-DO BMP Evaluation by Bill Power for CALFED funding. (See - http://www.sjrmdl.org/implementation/load_reduction/agriculture/index.htm). These proposals got caught up in the concerns CALFED had about the delay in the Peer Review for the 2001 Studies and were not funded.

c. Kevin Wolf offered to help resurrect these proposals, review and respond to the comments on them from the CALFED science review and rewrite them for reconsideration by CALFED. Ideally, the BMP evaluation could take place in Spring and be completed by the mid summer. He will report back on his progress at the Executive Committee meeting.

B. Aeration Studies

1. The Scope of Work was finalized after the last Executive Committee meeting and has been sent to CALFED.

2. CALFED is discussing this proposal with CH2M Hill. Their RFQ contract has been signed, and they are able to start working on these types of projects. Lisa Hunt noted that the timeline URS developed for the aeration process is already a month behind schedule and the sooner that CH2M Hill can begin working on this, the better. Barbara noted that the contract with CH2M Hill had not yet been executed.

3. CALFED will organize an independent Peer Review of the proposal with 2-3 reviewers. One of the reviewers will be an expert who sat on the June 2002 Peer Review of the 2001 Studies. CALFED will most likely use its peer review process contract with UCD.

4. The Port of Stockton is open to helping find a location for a second aeration platform but needs more information about what such a platform will need in terms of water, electricity, sq. foot, impacts on ships, etc. This information will not be available until later in 2003 so there is not an urgency to move forward with this.

C. Assurance Package

1. Regional Board staff believes that a show of support by stakeholders for the development of an Aeration Assurance Agreement will be valuable to the Regional Board at its end of February meeting. The more formal and complete this show of support is, the better. An actual signed Assurance Agreement would be best but doesn't seem likely until after there is more information on the costs of operating and maintaining the aeration equipment. A MOU or Letter of Intent to pursue an Assurance Package would be the next best document to present to the Board. The more signatures on the document, the better.

2. Bill Paris will draft a Letter of Intent. John Herrick and Rod Atteberry will review it. This will be a form letter that the signers can customize, place on their own letterhead and sent to Bill for inclusion in the material that will be delivered to the RB for its

meeting. Bill will help organize the writing, distribution and gathering of the Letters of Intent.

3. Mark Gowdy reported that Regional Board management reviewed the draft assurance package and, in general, supports this concept as a means of assuring that aeration will continue during the Phase I period. In response to the draft, staff wrote a letter to the Steering Committee reviewing the issues. This letter, entitled "Comments on Steering Committee Load Allocation, Initial Phase Implementation Plan and Assurance Package" can be found at <http://www.sjrtmdl.org/implementation/overview/index.htm>. Some changes in the draft Assurance Agreement should be made based on this letter. Bill Paris will take the lead on this.

4. The Letters of Intent will have the draft Assurance Agreement attached to them but the letters will not commit the signers to enacting the draft agreement as written.

D. RWQCB Upcoming D.O. Load Allocation and Implementation Plan Review and Decision Making Process

1. The Regional Board review of the Steering Committee's progress has been postponed until their to their end of February or early March meeting. As soon as the meeting is scheduled, the date and location will be circulated to the sjr-tmdl list. This delay provides another month for the Steering Committee to finalize all the documents that need to go into the Board's package that is sent to them roughly one month before their meetings occur.

2. The Steering Committee is close to completing the documents that it will need to present Regional Board. These include:

- a. Aeration Pilot and Demonstration Project Scope of Work and Schedule.
- b. Assurance Agreement Letter of Intent for Aeration Operation and Maintenance
- c. 2003-2008 Timeline and Scope of Work for all Steering Committee and TMDL activities and deliverables so that the Final BPA can be determined in 2008.
- d. 2003 Task Orders submitted to CALFED.
- e. Upstream Monitoring and Study Plan with increased monitoring to occur in 2003.

3. Lowell will draft an overall explanation of the component parts and a cover letter for the Board.

4. At its January meeting, the Steering Committee will review these documents and authorize the Executive Committee to finalize them before they are submitted to the Regional Board. It is unlikely that this can be postponed until the Feb. 5 SC meeting.

5. It will be important for the Regional Board members to know that CALFED will support the Planning Coordination Team, Upstream studies/monitoring, and the aeration pilot and demonstration project. Barbara will report back at the January SC meeting on what is the best that CALFED can do to meet this need before the RB meets in February or early March.

E. Upstream Monitoring

1. The next TAC meeting on December 18 will attempt to finalize the monitoring and study program that will be advanced to CALFED for review. This will be a three year program with the priorities on what is needed to be implemented in 2003. The draft proposal will be done by the end of December, sent to the Steering Committee via the listserv and website the first week in January and will be on the January 8 SC agenda for final approval. After this it will be submitted to CALFED for their review process.

a. The SJRGA is funding Lisa Hunt to write the final proposal.

2. CALFED wants to write one contract to a fiscal agent who administers work contracts to contractors. The San Joaquin River Group Authority and the San Joaquin Valley Drainage Authority have not yet decided which organization will be the fiscal and administrative agent for the upstream monitoring and study proposal.

a. The Drainage Authority has placed the fiscal and administrative agent issue on their January board meeting agenda. It is expected that either they or the SJRGA will decide to take on this role before the Regional Board meeting in late February.

b. One issue that will be helpful to know about before their meeting is how much funding can be gotten up front from CALFED for this work. There is a lot of costs involved with ordering monitoring equipment and it requires upfront money or loans to pay for this before being able to get a reimbursement. Barbara will provide an answer to this question

F. CALFED Management Meeting

1. CALFED staff will report back to the Steering Committee in January if a meeting is needed with the CALFED Management Group. To be on the safe side, Barbara has tentatively placed us on the agenda for their January 21 or 28 meeting.

2. CALFED is in a transition planning stage as it becomes a separate state agency and not a hybrida. The Prop. 13 funds are administered by DWR. It is unsure how funds will move through DWR to these proposals. Barbara and Rhonda are confident that DWR will be not be an impediment to accessing the Prop. 13 funds for these projects.

3. The Planning and Coordination proposal doesn't need to be reviewed by CALFED management.team.

4. The DWSC aeration proposal also doesn't need to be reviewed by the management team.

5. Barbara will report back to the SC in January if a meeting with the management team is needed or will help in getting a CALFED letter for the Regional Board package. In the meantime she will draft a letter for the Steering Committee and Regional Board that

states what CALFED will do. It could be as simple as acknowledging that they've received our proposals and intend to fund some version of them.

G. Environmental Water Caucus briefing

1. Lowell has arranged a briefing for the December 12th EWC meeting at the League of Women Voter's office in Oakland. The purpose of the meeting is to share with them what we have learned so far and what we will be proposing to the Regional Board for the Phase I Implementation Plan. We are also interested in hearing their comments on our proposal.
2. Dan Hinrichs, Lowell Ploss, Barbara Marcotte and possibly the Regional Board staff will attend. Lowell will take the lead.
3. This group will report back on the results of the meeting at the Jan. SC meeting.