

SJR DO TMDL Steering Committee Agenda
November 6, 2002 9 am - 12:30 pm
2500 Navy Blvd, Stockton CA
Draft Meeting Notes

Attending: Rod Atteberry (Neumiller/Port of Stockton), Ramesh Bayan (TRE), Paul Bowers (USACE), Doug Brewer (ITS), Allan Chartrand (Jones and Stokes), Dave Cory (Exchange Contractors), Jim Curtis (Kennedy Jenks - MCCV), Chris Foe (RWQCB), John Herrick (SDWA), Mark Gowdy (RWQCB), Mary Hildebrand (San Joaquin FB), Dan Hinrichs (DJH & City of Modesto), Lisa Hunt (URS), Jay Jahangiri (TRE), Cher Kablanov (RWQCB), Paula Landis (DWR/SJD), G. Fred Lee (GFL & Assoc.), Debra Liebersbach (Turloch Irrigation District), Lee Mao (USBR), Joe McGahan (Grassland Farmers), Bob Murdoch (City of Stockton), Bill Paris (OID), Lowell Ploss (SJRGA), Tom Quasebarth (City of Modesto), Steve Ritchie (URS), Jennifer Spaletta (Herum Crabtree - SEWD), Kevin Wolf (facilitator and notes 530-758-4211, kjwolf@dcn.davis.ca.us)

Next Steering Committee meeting:

December 4, 2002 9:00 am-12:30 pm (1st Wednesday of the Month)

Next Technical Advisory Committee meeting:

November 15, 2002 1 -4 pm, Modesto. Exact location to be announced.

Next Executive Committee Meeting:

November 15, 2002, 9 - 11:30 am, Stockton, 2500 Navy Drive (No conference call capabilities)

RWQCB Meeting with DO on the Agenda:

January 31, 2003. Time not yet determined. Agenda; Update on the progress of the Steering Committee and presentation on the SC's proposal for how and when it will meet the interim Performance Goal and develop the Long Term Implementation Plan.

Handouts

Dissolved Oxygen Issues; Port of Stockton Docks 14-20 Dredging Project, Allan Chartrand, Jones and Stokes, Nov. 6, 2002

Planning Coordinator Scope of Work - Draft, Dan Hinrichs, November 5, 2002

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

A. Port of Stockton Rough and Ready Island Dock Expansion

1. There are two key issues with all new dredging work in the Port area and in the DWSC. Each new dredging work increases the volume of the DWSC and may add to the dissolved oxygen problem, even if only very slightly. Users of the DWSC benefit from the channel yet do not pay for the costs that the Channel causes to the DO level. If the DWSC wasn't there, there wouldn't be a dissolved oxygen problem. How do these beneficiaries help pay for the costs of resolving the low DO problems?

2. The Port of Stockton is taking over the ownership and operation of the Naval Yard on Rough and Ready Island, now called the West Port Complex. The Port needs to dredge the south side of the DWSC adjacent to the Complex so that five more berths can become usable. About 65,000 cubic yards of dredge material will need to be removed to make the berth section as deep as the center of the DWSC which is maintained by the Army Corp of Engineers.

- a. An EIR will be done on the dredging impacts of all docks. At present, this relatively small amount of dredging is not expected to impact DO levels. The environmental documentation will provide stakeholders with an opportunity to evaluate these calculations.
- b. Mark Gowdy asked that the estimated 10-15% increased cross sectional area of the berth section of the DWSC be evaluated on its potential impacts to dissolved oxygen levels in addition to the evaluation of the much smaller increase in overall DWSC volume that the dredging will create.
- c. A Programmatic EIR is being done for all the changes that will need to be implemented on the entire island – improved rail line, new bridges, change in zoning, etc.

3. The Steering Committee did not support writing a letter at this time about the Ports' West Complex dredging effort. It will re-evaluate this issue when the environmental documentation is completed.

4. One of the most interesting pieces of information that came from this and the discussion of the KFM barge slip is that the users of the DWSC pay towards future dredging maintenance needs through a special tax on fuel purchases. This tax goes to a fund in Washington that the USACE draws on when it needs to do dredging maintenance work.

a. Could this fuel tax be used to help cover the costs of mitigating the negative impacts that a dredged, deep channel causes to the dissolved oxygen conditions?

b. Could Congress allow local Ports to control and possibly increase this fuel tax and be responsible for maintenance dredging and other costs (e.g. aeration) associated with their ship channel?

B. KFM Barge Dock

1. KFM is a joint venture company that has the contract to fabricate large, pre-cast concrete blocks and ship them for use in the construction of the new Bay Bridge. It has chosen the Port of Stockton area and has leased land across from Port I where it will dredge a slip for barges to load the completed forms.

2. KFM has finished the permits and CEQA documentation it needs to build a loading and offloading transfer facility. The Barge Slip is 70' wide by 200' long by 12' deep and is around 6000 cubic yards. It will be in place for 2.5 years after which it will be refilled.

3. Steering Committee will not send a letter to the Regional Board on KFM proposal as it does not believe this small project will have impact on DO conditions.

C. Pilot Aeration

1. URS was commended for the good work they did in developing the scope of work and timeline for developing the pilot and demonstration aeration projects.

2. Mark Gowdy has additional comments that he will work out with Lisa Hunt. A final version will be circulated the week of November 11. Stakeholders will have 5 days to respond to this final draft after which the Steering Committee authorized it to be forwarded to CALFED for their review and funding. Steering Committee authorized Lowell to send CALFED a letter in support of the URS scope of work after this five day comment period is over.

3. The present draft of the timeline does not have the demonstration aeration project coming on line until August 2005. Until that time, the Interim Performance Standard will not likely be met, even with enhancements and increased usage of the existing jet aerator. What will be the impacts of this delay?

a. Regional Board staff hopes that the demonstration aerators can come on line in June 2005, two months sooner than presently scheduled. Mark will share with Lisa his thoughts

on how this earlier timeline can be met. He is concerned that the longer it takes to have aerators operating and meeting the interim performance goal, the more difficult it will be to gain support for the interim aeration plan.

b. The Steering Committee would like to enhance the effectiveness of the existing jet aerator and have it operate throughout the low dissolved oxygen periods starting in June of 2003. The Port and Army Corp of Engineers believe that they will be able to do this and meet this timeline with the transfer of operation to the Port. Their lawyers are presently working on the paper work need to transfer operational authority from the Corps of the Port.. The Port supports operating the jet aerator as desired by the Steering Committee.

c. The Port was asked if there is the potential to install a second pilot aeration testing location at the Rough and Ready island dock. Could it be part of their jet aerator for dredging mitigation? Rod will confer with Port on this and report at the next meeting.

d. In general, the more the Steering Committee can do to improve the DO conditions starting as soon as possible and the sooner it can meet the interim Performance Goal, the better and the more likely the Regional Board will support the Steering Committee's proposed actions. Further delays at this point will add to the skepticism that we can meet the timelines we are proposing.

4. CALFED will take the final scope of work that URS presents them and turn it into a task order. Budget estimates will be made and then sent to RFQ contractors (CH2M Hill and Jones and Stokes). CALFED will work with these contractors to finalize the contract and budget. After this, work can begin.

a. The first task that should be done is the feasibility studies on different aeration options. The completion of this work triggers the rest of the timeline.

D. Planning and Coordination Team

1. Dan Hinrichs presented a draft Scope of Work that he developed using past documents. He has not heard from Barbara Marcotte on the CALFED section of work that is being proposed to be done by the Team. Hopefully Barbara will be able to respond to this soon, though she was given a special two week assignment within CALFED and won't have much time for DO work until that is completed.

2. The Steering Committee did not review the details of the draft Scope of Work. Stakeholders are asked to comment on the draft (<http://www.sjrtmdl.org/implementation/coordination/index.htm>) and send them to the sjr-tmdl@list.dcn.davis.ca.us as soon as possible. The Executive Committee will review these comments at its meeting on November 15 and has been authorized by the Steering Committee to make a final decision on this scope of work. All are welcome to attend the meeting. After the meeting, the Scope of Work and timeline will be sent to CALFED.

a. Note: Lisa Hunt has some time available that she can put into helping develop the timeline that should accompany the scope of work. Mark Gowdy will work with her to use the timeline he developed in June 2002.

(http://www.sjrtmdl.org/implementation/overview/phaseplan_june02.pdf).

3. CALFED will create a review panel with a stakeholder representative to review responses from the RFQ contractors on scope of work and task orders. The Steering Committee will appoint a member to sit on this panel at its next meeting.

4. Barbara Marcotte was asked to review the scope of work and timeline and tell the Executive Committee on the 15th the level of detail that CALFED will need to expeditiously review and finalize it so that it can go to the RFQ contractors for final bids and a contract.

E. Assurance Package

1. A full assurance package cannot be agreed upon until there are better parameters set on the potential costs to the signers. Because of this the Steering Committee supported the advancement of an MOU that commits the signers to pursue the development of a final assurance package.

a. The MOU will be circulated with the existing version of the draft Assurance Package as an example of what the end agreement could look like.

b. The Steering Committee does not need to approve the MOU language as it is an agreement between the signers and not by the Steering Committee.

c. Bill Paris will work with legal council of some of the potential signers to finalize the draft MOU wording as soon as possible. Lowell will take responsibility for getting the MOU around and signed. The expectation is that this document will be included in the RWQCB January package with as many signatures as have been secured by that time. Any additional signers will be announced at the January 31 Regional Board meeting.

2. The stated timeline by which an assurance package will be completed and presented to the Regional Board is important. The RWQCB will be signing a new Basin Plan Amendment based on the TMDL process in June of 2004. It will be important to have the assurance package fully signed before then to prove to the Board that the aeration will occur during the 2005-2008 period while the long term solution is being developed.

a. The first draft of the costs of a preferred aeration project will be developed as part of the feasibility work to be done by summer of 2003. After review, the preferred aerators will be selected by February 2004. With this decision, the parameters for operation and maintenance costs (including any fish screen maintenance costs) can be more accurately estimated. This will provide the security in cost parameters that the stakeholders need to sign the assurance package.

3. The lead agency for the demonstration aeration project has not yet been secured.

a. The City of Stockton is willing to be the lead but will not do this if it must invest \$40 million into meeting the RWQCB requirements on ammonia toxicity from its sewage treatment plant. It has appealed the Regional Board's decision to the SWRCB. It hopes to know early in 2003 whether it has to invest in the ammonia toxicity changes. Until that time, the City will not commit to taking a lead role in the DO aeration effort.

b. The Port of Stockton does not have the legal authority to be the lead agency on aeration unless it is part of a Port mitigation project. The Port is willing to work with the City of Stockton closely on this project if the City becomes the lead agency.

4. Environmental Water Caucus has not yet set a meeting to be briefed on the Steering Committee's proposed interim solution and next steps for resolving the low DO problem. They are having a retreat in early December at which time they will set a meeting for this briefing. The briefing may not occur until early January. This is problematic because it will not provide the Steering Committee much time to react and possibly make changes to meet the environmental community's concerns. Lowell will provide an update on this at the December Steering Committee meeting.

F. Upstream Monitoring

1. The TAC is meeting on the 15th of November in Modesto to take the next steps on monitoring in 2003 upstream of Channel Point.

a. TAC members have developed a list of 100 possible monitoring locations, many of which already have some monitoring occurring at them. A key objective of the meeting on the

15th is to create a core list of monitoring stations to be implemented in 2003. More stations can be added in 2004 based on what is learned in 2003.

b. The TAC will also review studies that could be undertaken in 2003. Barbara Marcotte (via Mark Gowdy) cautioned the TAC to not attempt to advance everything in 2003. There will be a special proposal solicitation process for DO work in 2003 with projects being started in 2004. Those projects that can wait for this PSP should not be advanced now. Only research projects that would be very important to do in 2003 as opposed to waiting another year should be advanced to CALFED at this time.

c. The TAC should work hard to have a high level of coordination with other monitoring programs that will be occurring in 2003 in the SJR watershed (e.g. OP pesticides, selenium). Regional Board staff will be evaluating how synergy can be found among the different monitoring projects.

d. The TAC or Steering Committee should write a supporting document for the proposed 2003 monitoring and study program that clearly links all the parts together and makes a compelling case as to why this work needs to be done in 2003 and how the proposals fit into CALFED's goals and objectives.

e. Lisa Hunt will be able to spend some time in helping get these proposals into final form for presentation to CALFED.

2. The Steering Committee will need to review the final recommendations of the TAC and send a letter in support of these. This will hopefully be done at its December 4 meeting.

F. CALFED Management Meeting.

1. The Steering Committee is not yet prepared to make a presentation to the CALFED Management Team. Barbara Marcotte is working to set up a meeting with mid level CALFED management staff and DO TMDL representatives to prepare for an upcoming CALFED management team meeting. CALFED staff should be supportive of what is being proposed and the Steering Committee's proposal should be aligned with the parameters within which CALFED will be working. Until this meeting happens, we will not be scheduled to meet with the Management Team.

2. Lowell will take the lead in working with Barbara to set up the meeting with CALFED staff. He will report on the progress and recommendations at the December 4 Steering Committee meeting.

G. January Steering Committee meeting

1. The January SC meeting will not occur on the first Wednesday of the month because that is January 1. It has been rescheduled for the next Wednesday, January 8 at the same time and location. The December Executive Committee meeting is tentatively scheduled for December 18.