

**San Joaquin River Dissolved Oxygen TMDL  
Steering Committee Meeting – Draft 1 Notes**  
October 2, 2002

**Attending:** Morris Allen (City of Stockton MUD), Rod Atteberry (Neumiller/Port of Stockton), Paul Bowers (USACE), 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), Roger Hoffdahl (Corn Products Int'l), G. Fred Lee (GFL & Assoc.), Debra Liebersbach (Turloch Irrigation District), Joe McGahan (Grassland Farmers), Bob Murdoch (City of Stockton), Bill Paris (OID), Tom Quasebarth (City of Modesto), Steve Ritchie (URS), Mike Schafer (City of Lodi), Jennifer Spaletta (Herum Crabtree - SEWD), Herb Stone (WID), Will Stringfellow (LBNL), Kevin Wolf (facilitator and notes 530-758-4211, [kjwolf@dcn.davis.ca.us](mailto:kjwolf@dcn.davis.ca.us))

**Next Steering Committee meeting:**

November 6, 2002, 9:00am-12:30pm (1st Wednesday of the month)  
2500 Navy Drive, Stockton

**Next Technical Advisory Committee meeting:**

October 15, 2002

Modesto and by conference call: Time and exact location - TBA

Meeting Objective: Develop studies and monitoring proposals and guidelines to the level that they can be turned into CALFED for their review process.

**Next Executive Committee Conference Call:**

October 23, 2002 8:30 – 10:30 am

Phone number: TBA

**Handouts:**

Goals and Strategies for 2003-2005 – Draft, Kevin Wolf

See [www.sjrtdml.org/implementation/](http://www.sjrtdml.org/implementation/)

**A. Update on the 2002 WRDA authorization or appropriation bills.**

1. Funds for the US Army Corp of Engineers to assist with DWSC aeration are contained in HR5428 – Sect. 106. These funds are part of a program that limits the maximum size of the project to \$5 million. Another restriction is that the federal government will only pay 65%. Local or state cost share is 35%.

2. Unfortunately, the 2002 WRDA has seen no Senate activity and seems unlikely to pass this year.

3. Letters to the Senate and House never hurt and it is possible that a last minute movement can occur, and the bill can still pass.

**B. Pilot Aeration in 2003.**

1. Lisa Hunt and Steve Ritchie with the URS Corp. provided an update on the development of information needed to advance a pilot aeration project in 2003. In 2003 the objective is to test a number of different aeration devices to evaluate their effectiveness and develop a monitoring program that will assist this effort. The objective in 2004 is to install a full demonstration aeration project that can meet the Interim Performance Goal.

2. Comments are still needed on the URS draft document that will help CALFED advance the funding process for the 2003 project. It can be found at <http://www.sjrtmdl.org/implementation/aeration/2003studies/index.htm>.

3. Based on these comments, revisions will be completed by end of October with the document then ready to go to CALFED. This document will provide draft Task Orders with an associated budget because CALFED will need this detail in order to process a contract for the work.

4. CALFED is expected to pursue the use of its RFQ contract to finance the work in 2003. The RFQ process should allow a contractor to be available in November or December. There is expected to be a great deal of competition for RFQ time and resources so it is important that our scope of work and proposed budget be well done and prepared soon.

5. The demonstration project for 2004 will likely go through a full bid process at the end of 2003.

6. The Executive Committee meeting on October 23 will review the URS proposal and make a recommendation for the November 6 Steering Committee meeting.

7. A key question is whether a lead agency is needed for the pilot aeration projects in 2003. It may be that this is not critical as pilot studies can be exempted from CEQA. A lead agency will need to be determined for the demonstration aeration project in 2004. Option the Steering Committee discussed included:

a. The Port of Stockton becomes the sole lead agency. Rod Atteberry said that there will likely be problems with the Port's authority to take on this role. He will investigate further and report back in November. If the project is not directly related to the operation and maintenance of the Port, they are legally restricted in becoming involved.

b. The City of Stockton becomes the lead agency. Morris Allen said that the City is unlikely to take on this role if they end up having to upgrade their facilities to meet RWQCB 2mg/l requirement for ammonia toxicity. If they have to spend the tens of millions of dollars to do this, they believe their responsibility to low DO will be met and thus they won't need to help with aeration. If the City isn't required to upgrade their facilities for ammonia issues, they will likely be willing to take on a lead role with aeration.

c. A Joint Powers Authority. The Port may be able to participate in a JPA that becomes the lead agency and oversees the funds and the project. The JPA could include the city of Stockton and other stakeholders.

### **C. Planning Coordination Team (formerly Long-term Planning Coordinator)**

1. Funding for the initial three year program will come from the Prop. 13 DO funds. The expected method for hiring the team is to use the CALFED RFQ process.

2. The RFQ process is expected to be ready in November or December and is anticipated to have a lot of competition among applicants with a limited ability to fund projects. In order to move our proposal forward in a timely manner, we need the Nov. 6 Steering Committee to approve our proposed scope of work and timeline.

3. The SC reviewed and commented on Kevin's draft Goals and Strategies document. This will provide the basis for developing tasks to accomplish each. The second draft of the document can be found at [http://www.sjrtdml.org/implementation/future\\_studies/index.htm](http://www.sjrtdml.org/implementation/future_studies/index.htm). Basically, all the elements in the draft were agreed upon with changes and exceptions noted below. The new version incorporates the changes made at the meeting.

4. The main responsibilities of the Planning Coordination Team include:

a. Act as the Executive Officer to the Steering Committee. Provide the SC with the support, information and proposals they need to make decisions and function well.

b. Facilitate and write meeting notes and provide support for the Steering Committee, TAC and other committees.

c.. Help the SC keep up with and coordinate the upstream and downstream studies.

d. Provide data management support including possible Quality Control of the data and management of all data. The SC would also like a user-friendly data atlas developed and maintained so that the information is easy to find, access and analyze.

e. Communication to stakeholders including mail, email, brochures and the web site should all be funded through this process.

f. The major objective the team will pursue is the development of the information needed so that implementation feasibility studies can be in the field in 2004. Included in this is a public scoping process for stakeholders to suggest what they want to see evaluated. An expert workshop will review criteria for choosing among the proposals. Assistance will be provided so that CALFED can take the developed guidelines and turn them into a RFP or Directed Action process.

g. Barbara Marcotte needs to review the draft that Kevin wrote and clarify which tasks that are normally done by CALFED can done with the help of the RFQ contractor. The

SC also would like her to provide examples of acceptable task orders and budgets that can guide us as we finalize the Planning Coordination Team's scope of work.

5. Some TAC members may need to be funded through RFQ if that is possible. The SC would like Barbara to provide information on the feasibility of including this type of funding through the RFQ process.

6. The SC decided not to include organizing materials and logistics for the different science peer reviews that will be needed in the upcoming three years. Instead, each proposal should include its own funding source for the peer review process. In this way, the amount of the funding request through the RFQ process will be less and each set of studies will have include a line item for its own Peer Review.

7. It is unknown at this time what the Planning Coordination Team's role will be with contract administration for the aeration pilot and demonstration projects, monitoring, additional studies. It may be that each of those projects will have their own associated administrative budgets and processes.

8. The Coordination Team will not have decision making authority but will support the Steering Committee and help them make the decisions necessary for them to do their job. The SC, with representatives from CALFED and the Regional Board will make most of the decisions.

9. Dan Hinrichs will draft detailed work plans and associated budgets for the Planning Coordination Team. This will be reviewed at the Oct. 23 meeting and then circulated to the Steering Committee before the Nov. meeting.

#### **D. CALFED Management Meeting.**

1. The Steering Committee is asking Barbara Marcotte to get us scheduled for the next CALFED Management that occurs after our Nov. 6 SC meeting. We do not yet know all that we want to present to them for their support, but we know that we need to act, or we can miss out on getting their support for how we want aeration, monitoring, and other activities to be funded and administered.

2. The issues we are likely to present to them include:

a. A local lead and administrative agency for east and west side monitoring and studies. (e.g. CALFED approved ABAG to handle funding projects in the greater Bay Area.)

How and when can this be done?

b. How we want the aeration pilot project work in 2003 to be funded and administered.

c. Our proposal for the Planning Coordination Team to be hired through the CALFED RFQ process and what the scope of work is.

d. The importance of advancing the Hydroqual computer modeling studies and its integration into the DO stakeholder process.

e. Funding for the Systech model review through an interagency contract with the RWQCB.

3. The Executive Committee will review and finalize a proposal for the Steering Committee to consider at its November meeting.

#### **E. Port of Stockton – USACE Discussion**

1. The Port and the Corps have been making good progress in their discussions on how they will work together with an emphasis on the existing Corp jet aerator. A key objective is to transfer operation oversight and responsibility to the Port. The Corp is responsible for paying for its maintenance and operation. Determining how the funding and responsibility will be turned over to the Port is key to the discussion and eventual agreement. Turnover of responsibility needs to be in place so that the Port can begin operation in Sept. of 2003.

2. The Steering Committee wants the Port and Corp to find a way in which the jet aeration platform can be used as a location for testing pilot aeration devices in the summer of 2003. The initial response is that neither side thinks there will be a problem accommodating this request.

3. It is not clear if permits will be needed for the additional monitoring that will accompany the pilot aeration program. At the most it will require a lead agency to request a FONSI/negative declaration on impacts. Some though believe that monitoring is exempt under CEQA and thus will not need a lead agency to pursue a FONSI.

#### **F. Assurance Package**

1. The Regional Board does not need to sign the assurance package. This is good because they are not likely to sign it. Board staff will have produced a Load Allocation that they will pursue if the stakeholders' implementation plan is not satisfactorily enacted. If the Regional Board pursues a DO related action against an assurance package signer who is following through on their commitment, the assurance signers can terminate the agreement. It is unlikely that the Board will act in a manner that they cause the ending of the assurance agreement and the maintenance and operation of the aeration and monitoring system.

2. What will happen if a signer of the agreement drops out? If it is a small contributor, the others will cover for this entity. If it is a major contributor, this will be a problem and it is unknown what would occur.

3. It is not easy to gain agreements on the assurance package. Entities are unlikely to sign on until it is finalized. Other entities will be requesting last minute changes to the wording that will then cause the other entities to review the new changes. For this reason, it may be that by January, the stakeholders can only deliver a Memorandum of Intent to sign the assurance package and not an actual signed document. If the assurance package can be delivered a few months later, many expect that the Regional Board will accept an MOI in January, so long as the assurance package is finalized soon after.

4. At the November meeting, Lowell Ploss will provide update on his efforts to set up a meeting to review the assurance package with the Environmental Water Caucus.

5. The Steering Committee discussed the new barge dock that KFM wants to dredge across from the Port of Stockton in order to build and ship cement components for the new Bay Bridge. It will increase the capacity of the DWSC by around 70,000 cubic yards. It is unknown at this time whether this will impact DO, but it is not expected to. This issue was brought before the Steering Committee to see if they want to involve KFM in the assurance package. The general thought of the SC is to not make any stakeholder like KFM feel like they are pressured to participate nor are they offered any special consideration if they participate in the assurance package. If they do need to mitigate their negative impacts on DO and the aeration demonstration project can help, their involvement in the assurance package might be part of their mitigation efforts.

**G. South Delta Improvement Project Environmental Review.**

1. Public comments on the scope of the SDIP environmental review are being accepted now. The essential message of the Steering Committee is that potential impacts to DO levels in the DWSC should be evaluated.