

ITEM: 8

SUBJECT: Stockton Deep Water Ship Channel Dissolved Oxygen Basin Plan Amendment Control Program – *Status Report on Reconsideration of the Prohibition of Discharge, Allocations and Implementation Provisions*

BACKGROUND: In January 2005, the Central Valley Water Board adopted a Basin Plan Amendment (BPA) for the Control Program for Factors Contributing to the Dissolved Oxygen Impairment in the Stockton Deep Water Ship Channel (DWSC). The BPA and TMDL went into effect on 27 February 2007. The BPA contains load allocations and implementation provisions that were to be reconsidered by the Board by December 2009, and a discharge prohibition that goes into effect on 1 January 2012. Reconsideration of the load allocations and implementation provisions was to be based on the results of oxygen demand and precursor studies and the prevailing dissolved oxygen (DO) conditions in the DWSC.

ISSUES: The discharge prohibition, the load allocations, and the implementation provisions are not currently scheduled for reconsideration because the required studies have not been completed. The first set of studies was started in 2004 and was completed in 2008. Although these studies took longer than anticipated, the results increased our understanding of the sources and the fate and transport of oxygen demanding substances in the San Joaquin River.

The second set of studies, which was to evaluate how these substances impact DO in the DWSC, has not been completed because of delays in initiating contracts. The proposal for the second set of studies was approved in August 2008, and the request to use Prop 13 bonds was granted in July 2009. However, bond sales were frozen from December 2008 through March 2009. The contract is approved but is on hold until money from bond sales is allocated to the project. Another issue is the impending discharge prohibition, which will be triggered unless DO objectives in the DWSC are met, or there is compliance with the Control Program. The Staff report contains the outline of a contingency plan, which addresses the studies and the pending discharge prohibition.

RECOMMENDATION: No recommendation, informational item only.

Mgmt. Review _____

Legal Review PEP

28/29 January 2010
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