



Jones & Stokes

Memorandum

Date: April 29, 2003

To: Andy Bell

cc: Henrietta Stern, Gregg Roy, Polly Boissevain, Stephanie Parsons

From: Mike Rushton

Subject: **MPWPCA Brine Discharge Draft Scope of Work**

Andy:

We have reviewed your draft scope of work dated April 20, 2003 for addressing brine discharge issues raised by the MRWPCA, and have the following comments:

Task 1: Meet with MRWPCA staff to obtain information - Jones & Stokes and CDM have scope and budget in Phase 2 Tasks 2-1 and 2-2 to meet with MRWPCA to discuss its concerns with use of its outfall for brine disposal.

Task 2: Conduct dispersion modeling to evaluate discharge of brine through outfall - Jones & Stokes has scope and budget in its Phase 2 Task 2-2 to conduct dispersion modeling, using existing models. If MRWPCA or the RWQCB request development of new models, changes in our scope and cost will be necessary. Those costs could only be identified after the model development is discussed with the MRWPCA and the RWQCB.

Task 3: Evaluate the potential for marine growth on the inside surface of the outfall - This effort is not currently included in our scope of work. The analysis would require special expertise not currently available at Jones & Stokes or CDM. It is likely that a specialized marine biology firm would have to be retained to conduct such an analysis.

Task 4: Determine potential changes in the MRWPCA NPDES permit - This subject can be discussed with the RWQCB under Jones & Stokes' current scope of work. We will be meeting with the RWQCB to discuss permitting issues as part of Phase 2 Task 2-2. It is unlikely that we will learn what changes in the NPDES permit would be required until the dispersion modeling is complete and the RWQCB has the opportunity to review the Draft EIR. Some early indications of change may be determined at our permitting meeting in Task 2-2, but actual permit changes will not be known until later.

Task 5. Evaluate potential permitting requirements - This task is essentially the same as Task 4

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above. Jones & Stokes will determine potential permitting requirements through Phase 2 Task 2-2 and through receipt of Draft EIR comments from the RWQCB. The final RWQCB requirements will not be known until the permit process is complete, following completion of the EIR. This effort does not include additional modeling or evaluation beyond that already proposed in the Phase 2 scope of work.

Task 6. Desalination project technical memorandum - CDM will include a summary memorandum regarding the desalination project description as part of its Task 2-1a. This memorandum will become an appendix to the EIR.

As indicated above, most of your April 20 scope of work is already included within the Phase 2 scope of work approved by your Board of Directors on March 27, 2003. We feel it is premature to predict what additional modeling or marine environment technical analyses will be needed to meet all of the needs of MRWPCA and the RWQCB. We recommend that any modifications to our Phase 2 scope and cost to cover concerns about using the MRWPCA outfall for brine discharge be delayed. Once we have the opportunity to meet directly with the MRWPCA and the RWQCB, we can assess the need for added work.

CDM has reviewed this memorandum and agrees with its conclusions and recommendations. Please call if you have further questions about our analysis of brine discharge through the MRWPCA outfall.

Mike Rushton

Principal

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