

STATEMENT OF WORK

TASK ORDER 36

A. TITLE Development of Total Maximum Daily Load (TMDL) for Poplar River

B. FINAL DELIVERY DATE: March 1, 2008
ESTIMATED MAN HOURS: 890

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E. BACKGROUND

In 2004 the Poplar River was originally listed on Minnesota's 303(d) list of impaired waters pursuant to Section 303(d) of the Clean Water Act. Poplar River was listed as impaired water for aquatic life due to turbidity. Poplar River was included on Minnesota's 2006 303(d) list. The Poplar River watershed is located in the Lake Superior Basin of northeastern Minnesota. The Poplar River watershed covers an area of approximately 114 square miles with a river distance of approximately 25.5 miles from the headwaters to the stream confluence with Lake Superior. The Poplar River has a low-gradient headwaters area that contains a majority of the wetlands in the watershed. The watershed narrows considerably as it flows over the escarpment, where the gradient increases greatly and the channel is defined by bedrock, lacustrine beach and glacial deposits. As identified on the 2006 303(d) list, the impaired reach of the Poplar River runs from the Superior Hiking Trail bridge to Lake Superior, approximately 3 miles. This portion of the river has significant drops in elevation with an average gradient of nearly 41 feet per mile. This portion of the river covers an area of approximately 1,317 acres or 3.5% of the total watershed. This area consists primarily of steep slopes both forested and cleared. Stakeholders include federal, state and local agencies, businesses and concerned citizens.

2006 303(d) Listing:

*Poplar River; Superior Hiking Trail bridge to Lake Superior
Assessment Unit ID: 04010101-613
Affected Use: Aquatic Life
Pollutant or stressor: Turbidity*

F. SCOPE

The contractor shall evaluate existing water quality and flow data; evaluate the adequacy of existing modeling output and if appropriate conduct additional estimates of turbidity impairments; conduct a physical stream assessment; establish values for the TMDL, LA, WLA; compile a TMDL report which includes all required elements to address the impaired aquatic life use of Poplar River; and provide technical support throughout the public process portion the TMDL development. The contractor shall provide the personnel, facilities, and equipment necessary to carry out the work under this Statement of Work (SOW), unless otherwise indicated. This SOW does not include collection of additional water quality data. The Minnesota Pollution Control Agency (MPCA) will define current and expected designated uses, standards, and future growth which are to be integrated into the TMDL development.

G. TASK DESCRIPTIONS

1. Kick Off Call The contractor shall arrange a kick off call with USEPA and MPCA. The purpose of this call will be to introduce the project, define roles and responsibilities, and discuss the specific project objectives and organization. During the call the tasks and deliverables identified in this SOW should be discussed. The call shall be scheduled at a mutually agreed upon time between the contractor, USEPA, and MPCA.
2. Summary of Existing Water Quality Data and Information The contractor shall prepare and submit a summary of existing water quality data and related water quality information for the Poplar River watershed for USEPA and MPCA review and comment. At a minimum, the summary shall identify the data source, data period of record, and summary of existing data and information including but not limited to parameters analyzed and the availability of results. The contractor shall summarize exiting water quality data from MPCA and sources external to MPCA. Section I of this SOW identifies links to sources of potential existing water quality data and information that should be considered in completion of this task. The links included in Section I are not intended to be a complete list of possible sources. Attachment 2 of this SOW may also provide possible sources of existing data and information that should be considered in completion of this task.
3. Quality Assurance Project Plan (QAPP) The contractor shall prepare and submit a QAPP for development of a TMDL using secondary data and other available information for USEPA review and approval. The QAPP shall minimally address the requirements set forth in Attachment 1 of this SOW. Also, refer to Section J. REFERENCES of this SOW for guidance on protocols for assessing the quality of secondary data for new

applications. In addition, the contractor should consider state guidelines or rules, existing or expected to be adopted in Minnesota that applies to the available data sets. In formulating a strategy for accomplishing project objectives as part of the QAPP, the contractor shall consider the use of simple modeling techniques (or other tools such as load duration curves) to achieve economies of scale that will allow for a high quality TMDL with fewer resource expenditures. The proposed strategy must define the validity of the proposed models or tools and their application as well as identify the strengths and weaknesses of each model/tool. Sources of secondary data may include MPCA, other government entities, and stakeholder groups. The QAPP shall also set forth the objectives, responsibilities, protocols, procedures, and methods for obtaining primary data through the physical channel assessment required in G.8., below. Activities under this SOW involving the use of secondary data and collection of primary data shall be subject to the approved QAPP or any approved modification of the QAPP. More specific discussion regarding the requirements of the QAPP shall occur during the kick off call and project meeting required above in G.1. and G.13., respectively.

4. Evaluate Existing Model Output The contractor shall evaluate existing U.S. Department of Agriculture, Agricultural Research Services, Water Erosion Prediction Project (WEPP model) output and its use in characterizing and estimating the pollutant sources affecting turbidity in the Poplar River. The contractor shall prepare and submit a summary of the existing model output and its anticipated uses, and the contractor shall prepare and submit a summary of the strengths and weaknesses of the existing model output. The contractor shall identify if additional watershed and stream modeling is needed to fully evaluate the factors contributing to the turbidity impairment and recommend suggested approaches. The contractor shall consider the use of simple modeling techniques or other tools besides models to achieve economies of scale that will allow for a high quality TMDL with fewer resource expenditures. The evaluation should be conducted in accordance with the objectives established in the approved QAPP required above in G.3. Attachment 2 of this SOW includes information regarding the WEPP model output that should be considered in completion of this task. The evaluation completed in this task shall be subject to USEPA, in consultation with MPCA, review and comment.

5. Additional Characterization and Estimation of Turbidity Impairment Upon review of the recommendations set forth pursuant to G.4. above, USEPA, in consultation with MPCA, will provide written direction to the contractor regarding the need for additional characterization and estimation of the turbidity impairment. If additional modeling efforts or efforts through the use of other tools is directed by USEPA, the contractor shall conduct these additional efforts. The approved QAPP shall be modified as needed to reflect the project objectives of these additional characterization and estimation efforts. No additional characterization or estimation efforts shall begin until a modified QAPP has been approved. Modifications to the QAPP shall be in accordance with the same terms and conditions as set forth above in G.3. and in H.4., below. Activities completed pursuant to this task should be in accordance with the approved modified QAPP. Activities completed pursuant to this task will be subject to review and comment from USEPA, in consultation with MPCA.

6. Data Assessment Summary The contractor shall prepare and submit a data assessment summary for USEPA and MPCA review and comment. The assessment summary shall consider all existing available water quality and quantity data available from MPCA and sources external to MPCA. MPCA has conducted monitoring at two sites on the Poplar River in the past. This data will be made available to the contractor. MPCA will continue its monitoring at these two sites throughout the spring through fall monitoring seasons of 2006 and 2007. If additional monitoring data becomes available within the time period that the data assessment is being conducted, this additional data will be provided to the contractor for consideration. The contractor shall analyze the existing available data using appropriate tools. Refer to Section I of this SOW for websites where available data may be found. Attachment 2 of this SOW may also contain information regarding available data that should be considered in completion of this task. The data assessment summary should minimally:

- o Identify of all sources of data;
- o assess and describe the quality and usability of the data in the TMDL process in accordance with the approved QAPP;
- o assess turbidity conditions under different flow conditions including the rise and fall of the hydrograph, duration and magnitude of standard exceedances, seasons, etc.;
- o assess snowmelt, event runoff, and base flow contributions to flow and turbidity levels;
- o assess and /or develop relationships for turbidity to other water quality parameters, especially total suspended solids (TSS); and
- o calculate TSS loads.

The use of load duration curves is suggested for the data assessment however; the contractor can recommend the use of other applicable assessment approaches. Assessments should be in accordance with the objectives and processes defined in the approved QAPP.

7. Source Identification Summary The contractor shall prepare and submit a summary of potential sources contributing to the turbidity impairment for USEPA and MPCA review and comment. The summary should minimally:

- o identify all sources of information used to complete the summary;
- o identify potential point and nonpoint sources, including applicable permit numbers and a description of the source;
- o indicate the potential contribution from each source;
- o indicate any existing controls already in place that would impact the sources' contribution to the turbidity impairment;
- o indicate the impacts of seasonality; and
- o indicate if a critical condition exists which impacts the sources' contribution to the impairment.

8. Physical Channel Assessment and Implementation Recommendations The contractor shall conduct a physical channel assessment. The assessment shall use the diagnostic principles described in Montgomery, D.R. and L.H. MacDonald. 2002. Diagnostic

approach to stream channel assessment and monitoring. *Journal American Water Resources Association* 38: 1-15. Descriptions of the findings could use Pfankuch's channel stability index, Rosgen's classification system, Schumm's channel evolution model, or Watson's dimensionless stability diagram to communicate the current condition and potential of the stream channel. The contractor shall prepare and submit a channel assessment report and implementation recommendations for improving and/or protecting channel stability for USEPA and MPCA review and comment. The channel assessment shall be in accordance with the approved QAPP or approved modified QAPP.

9. Preliminary Draft TMDL Report The contractor shall prepare and submit a preliminary draft TMDL report for USEPA and MPCA review and comment. The preliminary draft TMDL report shall include preliminary information addressing all applicable elements of an approvable TMDL as identified in Attachment 3 of this SOW. The preliminary draft TMDL shall consider all the output of all previous tasks in this SOW. The preliminary draft TMDL shall identify elements of the TMDL that still need additional information and support and to the extent practicable the preliminary draft TMDL shall recommend proposed loading capacities and allocations.

10. Draft TMDL Report The contractor shall prepare and submit a draft TMDL report for USEPA and MPCA review and comment. The draft report shall include all applicable elements needed for TMDL approval as identified in Attachment 3 of this SOW. The draft TMDL report shall be submitted in a format that is acceptable for public notice.

11. Final TMDL Report The contractor shall prepare and submit a final TMDL report for USEPA and MPCA review and comment. The final report shall include all applicable elements needed for TMDL approval as identified in Attachment 3 of this SOW. Additionally, the final report shall include any changes as directed by USEPA, in consultation with MPCA, in response to the public comment period. The contractor shall submit with the final report all applicable data files, model input files, a working version of any model(s) used, and copies of all references used in developing the final report. The response to comments and the comments shall be added to the final TMDL report by adding an appendix or other appropriate documentation of comments and responses.

12. Public Meetings The contractor shall participate in up to two meetings with the public. The two anticipated meetings are:

- Initial Introduction Meeting: The contractor shall meet with public at an informal public meeting hosted by MPCA. The purpose of this meeting is to introduce the project and the project participants to the public. No formal presentation will be required of the contractor at this meeting however it is expected that the contractor shall present how the SOW tasks fit into the overall TMDL project objectives and shall present its role in this project. MPCA will discuss the TMDL process for the Poplar River and opportunities for the public to participate in the TMDL development process. The contractor shall be prepared to respond to questions from the public on these matters. This public meeting shall be

combined with the same travel as the introductory trip to the watershed required in below in G.13.

- o Draft TMDL Public Meeting: After notification from USEPA that the Draft TMDL report required above in G.10. is acceptable the contractor shall participate in a second meeting with the public. The contractor shall prepare a technical presentation explaining the complete Draft TMDL report. The contractor shall be prepared to present this presentation at this public meeting however, upon consideration of public response by USEPA and MPCA, this presentation may be presented by representatives from MPCA. USEPA will provide written direction to the contractor regarding who shall be presenting at least one week prior to this public meeting. The contractor shall be prepared to respond to questions at this meeting regarding the content of the presentation, progress made on the project to date, and matters relating to the technical development of the TMDL.

For both public meetings above, MPCA responsibilities will also include a brief meeting introduction which will include an overview of the meeting purpose and logistics. Additionally, MPCA will define the meeting location, make arrangements for a meeting facility, issue the public meeting announcements, conduct mailings, and arrange for all support equipment at the meeting location. The contractor's responsibilities include the meeting presentation and lead or support for questions technical in nature. During the public meetings and any other dealings with the public contractor personnel shall clearly identify themselves as such. Any questions raised by the public regarding MPCA or USEPA policy should be responded to by MPCA or USEPA representatives, respectively, not contractor personnel. If MPCA or USEPA is not available to respond, the contractor shall provide the public with an appropriate contact at the appropriate agency.

13. Anticipated Travel The contractor shall at most conduct five trips to the watershed or MPCA offices elsewhere in the state. These trips shall be for the purpose of an introductory trip which could include visit to the watershed, identification of physical stream assessment locations, project meeting with MPCA staff, and the initial introduction meeting with the public; the physical stream assessment; the draft TMDL public meeting; TMDL development; and a final project meeting with MPCA and USEPA. The dates for any trip shall be coordinated with USEPA and MPCA. It is anticipated that representatives from USEPA and MPCA will participate in all or some of the trips. Travel should be minimized therefore, to the extent practicable, tasks should be combined into one trip instead of multiple trips.

14. Communications The contractor shall participate in conference calls with USEPA and MPCA at least once a month and other times as necessary throughout the period of performance. The contractor may need to communicate with stakeholder groups and other entities of local and state government in order to collect the necessary data and information to complete the tasks in this SOW. Should such communications occur outside of the presence of a representative of USEPA or MPCA the contractor shall clearly identify either through an electronic mail or as a resource in a deliverable whom such communications were held. Should any controversial or argumentative issue arise

during such communications, USEPA and MPCA shall be notified at the earliest opportunity.

15. Progress Reports The contractor shall prepare and submit monthly written progress reports to USEPA and MPCA. Failure to submit Monthly Progress Reports with the information required in Section H.5 will result in the suspension of the invoice until such supporting documentation is provided.

H. DELIVERABLE ACCEPTANCE AND SCHEDULE

1. For each deliverable submitted electronically, the contractor shall submit electronic copies to both USEPA and MPCA in a format that USEPA and MPCA can support. Electronic submittals shall be submitted on a compact disk to both USEPA and MPCA unless the contractor, USEPA, and MPCA mutually agree that the deliverable should be submitted through electronic mail.
2. For each deliverable submitted as a hard copy, the contractor shall submit one (1) hard copy to USEPA and three (3) hard copies to MPCA. Electronic copies of all hard copy deliverables should be made available to USEPA and MPCA.
3. Deliverables shall be revised upon direction by USEPA in accordance with the schedules set forth in section H.4. of this SOW. The USEPA, in consultation with MPCA, will determine whether a deliverable is in an approvable form. The USEPA's determination will be based on the contractor's clarification and/or revisions, including any necessary resubmittals. Written direction from the USEPA can be through electronic mail.
4. The contractor shall complete tasks and submit deliverables in accordance with the schedules described below.

Confirmation of Kick Off Call – The contractor shall confirm a date for the call within seven (7) days of the award of this task order.

Summary of Existing Water Quality Data and Information – Within 30 days of the kick off call the contractor shall submit the summary for USEPA and MPCA review and comment. USEPA, in consultation with MPCA, will provide any comments or questions in writing. The contractor shall respond to any written comments or questions within seven (7) days of receipt of written comments from USEPA. The contractor shall respond to any subsequent written questions or comments from USEPA, in consultation with MPCA, within five (5) days of receipt of written direction from USEPA.

QAPP – Within 30 days of the kick off call the QAPP shall be submitted for review and approval by USEPA and MPCA. Within seven (7) days of receipt of written comments or questions from USEPA, in consultation with MPCA, the contractor shall submit a

revised QAPP for USEPA and MPCA review and approval. The contractor shall complete any subsequent revisions and submit a revised QAPP within five (5) days of receipt of written direction from USEPA.

Evaluation of Existing Model Output -- Within 30 days of notification by USEPA of QAPP approval the contractor shall submit for USEPA and MPCA review and comment the evaluation of the existing WEPP model output and recommendation for use of this output or recommendation for additional characterization and estimation of the impairment. USEPA, in consultation with MPCA, will provide any comments or questions in writing. The contractor shall respond to any written comments or questions within seven (7) days of receipt of written comments from USEPA. The contractor shall respond to any subsequent written questions or comments from USEPA, in consultation with MPCA, within five (5) days of receipt of the written questions or comments.

Additional Characterization and Estimation of Turbidity Impairment – Within 90 days of written direction from USEPA the contractor shall submit the results of the additional characterization and estimation of turbidity impairment in the Poplar River. If a revised QAPP is required pursuant to G.5. above the contractor shall submit the revised QAPP within 15 days of written direction from USEPA that additional characterization and estimation of turbidity impairment is needed. The revised QAPP shall be submitted for USEPA and MPCA review and approval. Within seven (7) days of receipt of written comments and questions from USEPA the contractor shall submit a revised QAPP for USEPA and MPCA review and approval. Any subsequent revisions shall be completed by the contractor within five (5) days of receipt of direction from USEPA.

Data Assessment Summary – Within 45 days of notification by USEPA of QAPP approval. USEPA TOM, in consultation with MPCA, will provide any comments or questions in writing. The contractor shall respond to any written comments or questions within seven (7) days of receipt of written comments from USEPA TOM. The contractor shall respond to any subsequent written questions or comments from USEPA TOM, in consultation with MPCA, within five (5) days of receipt of the written questions or comments.

Source Identification Summary – Within 45 days of notification by USEPA of QAPP approval. USEPA TOM, in consultation with MPCA, will provide any comments or questions in writing. The contractor shall respond to any written comments or questions within seven (7) days of receipt of written comments from USEPA TOM. The contractor shall respond to any subsequent written questions or comments from USEPA TOM, in consultation with MPCA, within five (5) days of receipt of the written questions or comments.

Physical Channel Assessment and Implementation Recommendations -- The physical channel assessment shall be conducted within 30 days of the written notification from USEPA that the QAPP has been approved unless ice formation has begun on the Poplar River or a snow depth of 2” exists. If these weather conditions exist prior to the contractor conducting the physical channel assessment then the assessment shall be

delayed until after ice-out and snowmelt in the spring which is usually in mid-April. An exception to the weather criteria is the snowmaking at Lusten Mountains Ski Resort that could start earlier and results in the snow lasting longer. The contractor shall complete the physical channel assessment no later than May 30, 2007. The contractor shall submit the channel assessment report and implementation recommendations within 30 days of completing the physical channel assessment. USEPA, in consultation with MPCA, will provide any comments or questions in writing. The contractor shall respond to any written comments or questions within seven (7) days of receipt of written comments from USEPA. The contractor shall respond to any subsequent written questions or comments from USEPA, in consultation with MPCA, within three (3) days of receipt.

Preliminary Draft TMDL Report – The contractor shall prepare and submit for USEPA and MPCA review and comment the preliminary draft TMDL report within 210 days of notification by USEPA that the QAPP required in G.3. above has been approved. The USEPA, in consultation with MPCA, will provide comments or questions in writing. The contractor shall respond to any written comments or questions within seven (7) days of receipt of comments. The contractor shall respond to any subsequent written questions or comments from USEPA, in consultation with MPCA, within five (5) days of receipt.

Draft TMDL Report – The contractor shall prepare and submit for USEPA and MPCA review and comment the Draft TMDL Report within 45 days of notification from USEPA that the Preliminary Draft TMDL Report is acceptable. USEPA, in consultation with MPCA, will provide any comments or questions in writing. The contractor shall respond to any written comments or questions within seven (7) days of receipt of comments. The contractor shall respond to any subsequent written questions or comments from USEPA, in consultation with MPCA, within five (5) days of receipt of the written questions or comments.

Final TMDL Report – The contractor shall prepare and submit for USEPA and MPCA review and comment the Final TMDL Report within 45 days of the close of the public comment period but no later than February 15, 2008. USEPA, in consultation with MPCA, will provide any comments or questions in writing. The contractor shall respond to any written comments or questions within seven (7) days of receipt of written comments from USEPA. The contractor shall respond to any subsequent written questions or comments from USEPA, in consultation with MPCA, within five (5) days of receipt of the written questions or comments.

Public Meeting Presentations – The contractor shall prepare and submit for USEPA and MPCA review and comment presentations for the public meetings at least 10 days prior to the public meeting. The contractor shall make changes to the presentation within two (2) days of direction from USEPA, in consultation with MPCA.

Initial Introduction Meeting -- The contractor shall confirm the date for the Initial Introduction Meeting with USEPA and MPCA within 15 days of the kick off call required above in G.1. This meeting shall be held within 30 days of the kick off call, provided USEPA and MPCA schedules allow.

Draft TMDL Public Meeting -- The contractor shall confirm a date for the Draft TMDL Public Meeting with USEPA and MPCA within 15 days of notification from USEPA that the draft TMDL report is acceptable or that the report is ready for presentation to the public. To the extent USEPA and MPCA schedules allow, this meeting should be held within 30 days of the aforementioned notification.

Introductory Trip to the Watershed – The contractor shall confirm dates for the Introductory Trip to the Watershed with USEPA and MPCA within five (5) days of the kick off call. To the extent USEPA and MPCA schedules allow, this trip should take place within 30 day of the kick off call.

Communications – Within three (3) days of receipt of initial written comments on any deliverable under this SOW, the contractor shall confirm with USEPA and MPCA the need for a conference call to discuss the comments. Should a conference call be necessary, the contractor shall confirm a date for the conference call within five (5) days of receipt of the written comments. During the kick off call the contractor shall propose a schedule for monthly conference calls with USEPA and MPCA as required above in G.14.

Progress Reports – The contractor shall submit monthly progress reports to USEPA and MPCA no later than the 5th day of the month following the reporting period. The reporting period shall be a calendar month. These reports should be submitted electronically.

5. Progress Reports should at least include the following information:
- Contract and task order number, reporting period, and contact information: this information serves as heading to the report;
 - Progress Made during the report period: activities completed toward completion of deliverables, including those regarding quality assurance;
 - Deliverables: schedule showing completed and upcoming deliverables;
 - Projected Activity for the Next Reporting Period: activities to be completed toward completion of deliverables;
 - Subcontracting: provide an update on subcontractor use;
 - Project Variances/Outstanding Issues: Describe deviations from the approved QAPP, work schedules, and budget;
 - Financial Status: information on financial status, including level of effort hours and cost for the reporting period, in addition to a breakdown of level of effort hours and cost by activity, accumulated costs to date, and available funds remaining.

I. RELATED LINKS

The following links provide access to some available water quality data and information.

- <http://www.co.cook.mn.us/zoning/index.html#LPRW>

Cook County zoning department website where the Lower Poplar River Watershed AUAR (Alternative Urban Areawide Review) can be found. Click on “Local Area Development Projects”, then click on “Lower Poplar River Watershed AUAR”.

- <http://www.pca.state.mn.us/data/eda/index.cfm>
Minnesota Pollution Control Agency Environmental Data Access database. This is the state version of STORET. Click on “Water Quality Data”, then click on “Text-based Search for Surface Water Monitoring Sites and Data”, then go to the “Project” pull-down list and scroll down to the “North Shore Load Project” and click, then click on the Search button. This will open a list of eight (8) files. Two of the files are regarding Poplar River.
- <http://www.pca.state.mn.us/publications/reports/lr-tributarystreamassessment-2002.pdf>
Link to the report entitled, An Assessment of Representative Lake Superior Basin Tributaries 2002.
- <http://www.climate.umn.edu>
Link to precipitation data. Click on “Retrieve Historical Data” which will take you to the Interactively Retrieve Climate Data. Click on Retrieve Daily or Monthly temperature, precipitation, snow data by target location. This will take you to “Closest Station Climate Data Retrieval” where you click on “set location”. This will take you to the location selector map page. Data from Lutsen-Cook would be of interest. Click on “Done/Return”. Select years desired then select precipitation from the High Density Network and National Weather Service.
- <http://www.lakesuperiorstreams.org/index.html>
Link to Poplar River monitoring data. Click on current data (the streams) or Real Time Data. Go to Poplar River.
- <http://waterdata.usgs.gov/nwis/sw>
This is the US Geological Survey web site that contains Poplar River flow data from a stream gauge that was located in the area of concern within the watershed. The stream gauge is no longer there. However, the site number is 04012500.

J. REFERENCES

- “EPA Requirements for Quality Assurance Project Plans”, EPA QA/R-5, EPA/240/B-01/003, March 2001
- “Guidance for the Data Quality Objective Process”, EPA QA/G-4, EPA/600/R-96/055, August 2000
- “Guidance for Data Quality Assessment: Practical Methods for Data Analysis”, AQ/G-9, EPA/600/R-96/084, QA00 Version, July 2000
- “Data Quality Assessment Statistical Toolbox – DataQUEST”, QA/G-9D, EPA/600/R-96/085, December 1997
- For more information, visit USEPA’s website at www.epa.gov/quality

K. ATTACHMENTS

Attachment 1 – QAPP Requirements for TMDL Development

Attachment 2 – Preliminary Summary, Poplar River Impairment Study, October 13, 2005

Attachment 3 – TMDL Template