

Central Valley Salinity Coalition with CV-SALTS Initiative

Request for Letters of Interest for Support Services in Developing Management Zones to Meet CV-SALTS Nitrate Control Program Requirements

The purpose of this solicitation is to seek letters of interest from groups and organizations who intend to develop a Management Zone in their area and after selection define the support needed to assist them with consultant support. This support is grant funded and intended to focus on CV-SALTS prioritized areas.

1 INTRODUCTION

Organization Background

The Central Valley Salinity Coalition (CVSC) was formed in 2008 to integrate and augment the efforts of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) Initiative. The purpose of the organization is the governance and organization of the efforts needed to plan, develop and implement the Salinity and Nitrate Management Plan (SNMP) for the Central Valley. The CVSC will also be responsible for the implementation of stakeholder activities for the Basin Plan Amendments approved by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) as finally approved.

CV-SALTS Background

CV-SALTS is a stakeholder-driven process which planned for long-term economic and environmental sustainability throughout the Central Valley while simultaneously satisfying the requirements of the State's Recycled Water Policy. In February 2012, the CV-SALTS Executive Committee approved a 5-year work plan, and strategy framework for the CV-SALTS program resulting in a Salt and Nitrate Management Plan (SNMP) accepted in early 2017. The SNMP was translated into a Basin Plan Amendment to implement the SNMP concepts and policies. The Basin Plan amendment was approved by the Regional Water Quality Control Board on May 31, 2018. The State Water Resources Control Board (SWRCB) is expected to consider approval in early 2019.

Decisions and policy for the CV-SALTS initiative are determined by the Executive Committee. In 2017, CV-SALTS had completed all tasks and funds remained from the Cleanup and Abatement Funding provided by the SWRCB. The Executive Committee recognized that additional technical and governance work was needed to support Management Zones as they develop and other implementation planning efforts.

The SWRCB awarded a total of five million dollars (\$5,000,000) to the Central Valley Water Board in Resolution Nos. 2009-0023, 2010-0042, and 2012-0066 to conduct a multi-year project in support of the development of a salinity and nutrient management plan (SNMP) for the Central Valley. The Central Valley Water Board, in conjunction with the Coalition and other stakeholders under the CV-SALTS initiative, Letter of Interest Request 2018-02

developed portions of the SNMP under contract nos. 09-076-150 and 11-123-555 with the San Joaquin Valley Drainage Authority. Following completion of the contracts, a balance of \$499,588 remained unused. The Grantee, a joint powers authority, requested that the remaining funds be used for salt and nitrate management with direct and indirect benefits to the Grantee and other permittees conducting management activities in the Central Valley. The Grantee's request for funding was approved by the SWRCB in Resolution No. 2017-0061.

Funding provided by the SWRCB under this grant agreement shall be used to facilitate salinity and nitrate management in partnership with the CV-SALTS Initiative - Executive Committee (Executive Committee) by supporting early implementation of Central Valley salt and nitrate management strategies and by creating Management Zone document templates that assist permittees and the Grantee. Funding will also be used to help permittees understand the regulatory proposals that are currently under consideration by the SWRCB, to continue development of future salt and nitrate management strategies, to fund pilot projects designed to identify nitrate-impacted groundwater users, and to assist those users in securing safe drinking water supplies.

2 Project Purpose

The purpose of this solicitation is to:

- 1.) Seek letters of interest from organizations and groups who intend to develop a Management Zone in their area;
- 2.) Select organizations that submit a letter of interest to develop scopes of work for Management Zone Support
- 3.) Choose contractors to perform activities in the scope of work on behalf of selected potential Management Zones
- 4.) Assist the Areas in reviewing and submitting the documentation needed for the Regional Board to determine if the proposed Management Zone meets regulatory requirements.

Not all organizations or groups who submit a letter of interest or scope of work for proposed support may be funded due to limitations on funding and grant timing requirements.

3 Letter of Interest Submission

The first step in the process is to submit a Letter of Interest. This letter should come from organizations or groups who have an interest in planning, technical, governance or other support needed to develop a Management Zone in their area. Management Zones are geographic in nature and organizations or groups should have an idea of the area they would cover and what deliverables they may need to develop to support the establishment of the Management Zone. Primary funding for this work is provided by a State Water Board Cleanup and Abatement grant, but groups or organizations may also provide funding. The letter of interest should highlight why this group and area are the best to be early "pilot" Management Zones. The outcome from the proposed project(s) identified in the Letter of Interest will significantly benefit early adopting Management Zones by supporting and documenting the

preparation of deliverables required to establish a Management Zone, including, e.g., early action plans. However, the deliverables will also support all Management Zones as these work products can become templates to be used by others.

3.1 Letter of Interest Requirements

Preparation of the Letter of Interest is intended to require minimal work so that it may be submitted in the short time frame available. The purpose of this step in the process is to identify any area which wants to be part of the initial management zones and select the best ones to help develop a scope of work for support. The Letter of interest is intended to be provided based on interest and is not a commitment to complete a management zone or funded scope. Should the organization or group be selected, they will have an opportunity to seek board or management approval. To evaluate the areas, Letters of Interest should include documentation of the following requirements, as applicable:

- 1) Demonstrate experience or organizational capacity to begin development of Management Zone
- 2) Agency/Organization is a legal entity directly supporting water users, dischargers or permittees in the proposed Management Zone, or
 - a) Would become one if a Management Zone is implemented, or
 - b) Is sponsored by such an entity
- 3) Indicate the potential work or deliverables or the group or organizations capability to determine the scope of work for the needs of the area to take steps toward being a Management Zone for the area indicated
- 4) Indicate organization/legal structure of group or organization, any cooperating groups, and in-kind work or matching funds, if known
- 5) Indicate a technical or administrative contact who will work with CV-SALTS, if known

Supporting information may be attached to the letter to better illustrate any of the above requirements. Questions about how to document the criteria above can be addressed to the CVSC Executive Director, shown below.

3.2 Selection and Scope

Once the letters have been received, a subgroup of the CV-SALTS Executive Committee will identify which groups or areas will be selected for assistance in developing a scope of work for the consultants who will assist them in meeting the requirements for a Management Zone, shown in Appendix A. Should the potential scopes of work exceed funding available the subcommittee will recommend to the Executive Committee which groups to select for assistance. When the scope of work is completed and transferred to the Executive Committee-approved consultants to perform the work, additional documentation of the Organization's commitments to complete the grant-funded work promptly will be required. After award, the Consultants will be directed by the Executive Committee's representative who will work closely with the principal contact for the Management Zone. It is expected that potential management zone, the consultants and the CV-SALTS Executive Committee representative will be working together to fulfill the scope and deliverables.

4 Instructions

Responses to this request should be made according to the requirements set forth herein. Failure to adhere to these requirements or to include conditions, limitations, or misrepresentations may be cause for rejection of the submission. Letters of interest will be reviewed by a group composed of members of CV-SALTS Executive Committee. Submit an electronic file and one hard copy letter of interest and any supporting information to:

Daniel Cozad

360 Lakeside Ave, Redlands, CA 92373

Dcozad@cvsalinity.org

(909) 793-8498

All submissions should be received by October 5, 2018 – 4:00 pm.

5 Evaluation Criteria

Should more letters of interest be received than can be supported with available grant funds, selection will be on the following basis:

Initial screening will select best-qualified groups or organizations based on the following criteria:

1. Responsiveness to this request
2. Completeness and clarity of submission
3. Organizational capacity, understanding of Management Zone requirements, and local water or discharger experience
4. The proposed area is within a CV-SALTS Priority I or II Basin/Subbasin
5. Likelihood of successful scope of work and Management Zone development within the timeframes required by the Nitrate Control Program
6. An initial indication of the support work needed if known.

Further, as scopes of work for support are developed if more work is proposed than can be supported with the available grant funds they may be selected based on:

- Organizational commitment and matching effort and funds
- Likelihood of successful Management Zone development
- The proposed area is within a CV-SALTS Priority I or II Basin/Subbasin
- Management Zone heterogeneity and geographic distribution
- Cost of the support requested

6 Schedule of Events

The following table contains the expected schedule of events for this process. CV-SALTS and the CVSC retain the right to modify this schedule as needed to support unexpected circumstances.

Activity	Dates
Call for letters of Interest	September 21, 2018
Submissions Due	October 5, 2018 – 4:00 pm
Scope of Work Development	October 17, 2018
CV-SALTS Executive Committee Review	October 18, 2018
Scope Pricing and Discussion	November 2, 2018
CV-SALTS Executive Committee Approval	November 15, 2018

Appendix A – Overview of Management Zone Requirements

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted *Amendments to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin to Incorporate a Central Valley-wide Salt and Nitrate Control Program* (Resolution R5-2018-0034) on May 31, 2018. The groundwater elements of this Basin Plan amendment (BPA) become effective following State Water Resources Control Board and Office of Administrative Law approval. Surface water elements become effective upon Environmental Protection Agency approval.

- The BPA prioritized groundwater basins for implementation of the Nitrate Control Program (“Program”): Priority 1 basins, which will be notified within one year of the BPA effective date of their need to comply with the Program, include Kaweah, Turlock, Chowchilla, Tule, Modesto, Kings.
- Priority 2 basins, which will receive notification of their need to comply within 2 to 4 years of the BPA effective date, include Yolo, Merced, Kern County (Westside South and Poso), Tulare Lake, Delta Mendota, Eastern San Joaquin, and Madera.

The Program provides two pathways for compliance for permitted discharges to groundwater: (a) Pathway A is for individual permittees and sets conservative limitations for source control; (b) Pathway B is for permittees proposing to be regulated under a Management Zone.

In general, a Management Zone would consist of multiple permittees and other local stakeholders working collectively to first ensure safe drinking water, then to manage nitrates to create a balance within the defined management area (where reasonable and feasible), and ultimately to develop and implement a long-term plan for restoration of groundwater (where reasonable, feasible and practicable) to meet applicable water quality objectives. Table N-4 of the BPA defines a Management Zone as follows:

Characteristics

- A defined area which incorporates a portion of a large groundwater basin(s)/sub-basin(s)
- Encompasses all groundwater for those permittees that discharge nitrate to said groundwater that have selected to comply with the Nitrate Control Program through participation in the defined Management Zone.
- Voluntarily proposed by those regulated permittees located within the proposed Management Zone boundary that have decided to work collectively and collaboratively to comply with the Nitrate Control Program.

Intent and Purposes

- Define the area that serves as a discrete regulatory compliance unit for complying with the Nitrate Control Program for multiple permittees.
- Basis for the establishment of local management plans to manage nitrate within the Management Zone’s boundary.
- Participants work collectively to implement SNMP management goals: (1) safe drinking water, (2) achieving balance, and (3) restoring groundwater basins/sub-basins (where reasonable, feasible and practicable) across the Management Zone.
- Where groundwater within the Management Zone boundary, and groundwater impacted by those permittees within the Management Zone boundary, is being used as a drinking water supply, and where those drinking water supplies are impacted by nitrates and exceed or are likely to exceed nitrate drinking water standards in the foreseeable future, Management Zone participants will

ensure the provision of safe drinking water to all residents in the area adversely affected by those dischargers of nitrates from those that are participating in the Management Zone.

- Ensure the provision of safe drinking water for the Management Zone through stakeholder coordination and cooperation.
- Work towards better resource management through appropriate allocation of resources.
- Central Valley Water Board imposes reasonable provisions collectively for the Management Zone, and its permittee participants, that recognize the need to prioritize nitrate management activities over time for compliance with the Nitrate Control Program and the SNMP's Management Goals.

Permitted dischargers that select the Management Zone compliance pathway (Path B) will be required to submit a Preliminary and Final Management Zone Proposal. Table 1 below summarizes the types of technical studies, outreach, governance and organizational issues that should be addressed by a Management Zone proposal. In addition, the preliminary proposal includes an Early Action Plan (EAP) to address public water supplies or domestic wells within the Management Zone area with nitrate concentrations exceeding the water quality objective. Requirements for an EAP include:

- A process to identify affected residents and the outreach utilized to ensure that impacted groundwater users are informed of, and given the opportunity to, participate in the development of proposed solutions;
- A process for coordinating with others that are not dischargers to address drinking water issues, which must include consideration of coordinating with affected communities, domestic well users and their representatives, the State Water Board's Division of Drinking Water, Local Planning Departments, Local County Health Officials, Sustainable Groundwater Management Agencies and others as appropriate;
- Specific actions and a schedule of implementation that is as short as practicable to address the immediate drinking water needs of those initially identified within the management zone that are drinking groundwater that exceeds nitrate standards and that do not otherwise have interim replacement water that meets drinking water standards; and
- A funding mechanism for implementing the Early Action Plan, which may include seeking funding from Management Zone participants, and/or local, state and federal funds that are available for such purposes.

A detailed Management Zone Implementation Plan must be submitted six months after approval of the Final Management Zone Proposal. The implementation plan indicates the method of compliance; i.e., through the allocation of assimilative capacity or through an exception to meeting the water quality objective, and it is equivalent to an Alternative Compliance Project. Details regarding the requirements to develop this comprehensive plan for each Management Zone may be found in the Program.

Table 1. Management Zone Proposal Requirements

<p align="center">Preliminary Management Zone Proposal <i>(270 days after receipt of Notice to Comply)</i></p>	<p align="center">Final Management Zone Proposal <i>(180 days after receiving comments on Preliminary Management Zone Proposal)</i></p>
<ul style="list-style-type: none"> • Proposed preliminary boundaries of the Management Zone area; • Identification of initial participants/ dischargers; • Identification of other dischargers and stakeholders in the management zone area that the initiating group is in contact with regarding participation in the management zone; • Initial assessment of groundwater conditions based on readily available existing data and information - May use default information in or referenced by, the Central Valley SNMP or provide supplemental information that includes water quality conditions in the upper zone; • Identification/summary of current treatment and control efforts, or management practices; • Initial identification of public water supplies or domestic wells within the Management Zone area with nitrate concentrations exceeding the water quality objective; <ul style="list-style-type: none"> – An Early Action Plan to address drinking water needs for those that rely on public water supply or domestic wells with nitrate levels exceeding the water quality objective (<i>See above for submittal requirements</i>) – Documentation of process utilized to identify affected residents and the outreach utilized to ensure that they are given the opportunity to participate in the development of an Early Action Plan; • Identification of areas within or adjacent to the management zone that overlaps with other management areas/activities; • Any constituents of concern that the individual discharger/group of dischargers intend to address besides nitrate (not required but is an option available); • Proposed timeline for: (a) Identifying additional participants; (b) Further defining boundary areas; (c) Developing proposed governance and funding structure for administration of the Management Zone; (d) Additional evaluation of groundwater conditions across the management zone boundary area, if necessary; and, (e) Preparing and submitting a Final Management Zone Proposal and a Management Zone Implementation Plan. 	<ul style="list-style-type: none"> • Updated list of participants; • Governance structure that, at a minimum, establishes the following: (a) roles and responsibilities of all participants; (b) identification of funding or cost-share agreements to implement short-term nitrate management projects/activities, which may include local, state and federal funds that are available for such purposes; and (c) a mechanism to resolve disputes among participating dischargers; • Additional evaluation of groundwater conditions across management zone area, if necessary; • Identification of the proposed approach for regulatory compliance (i.e., use of assimilative capacity and/or seeking approval of an exception for meeting nitrate water quality objectives); • Explanation of how the management zone intends to interact and/or coordinate with other similar efforts such as those underway pursuant to the SGMA; and, • Documentation of actions taken to implement the Early Action Plan.