

NOTICE OF INTENT TO AWARD

This Funding Announcement is not a request for applications. This announcement is to provide public notice of the Bureau of Reclamation's intention to fund the following project activities without full and open competition.

ABSTRACT	
Funding Announcement	R11AS20026
Project Title	San Joaquin Salinity Management Program
Recipient	Panoche Drainage District
Principal Investigator / Program Manager	Mr. Dennis Falaschi, General Manager
Anticipated Federal Amount	\$4,245,000.00
Cost Share	50%
Total Anticipated Award Amount	\$4,245,000.00
New Award or Continuation?	Continuation
Anticipated Period of Performance	Date of Execution through December 31, 2015
Award Instrument	Grant Agreement
Statutory Authority	Public Law 111-11, Title II, Section 9504, Omnibus Public Land Management Act of 2009
CFDA # and Title	15.507 - WaterSmart (Sustain and Manage America's Resources for Tomorrow)
Single Source Justification Criteria Cited	(2) Continuation
Reclamation Point of Contact	Maria E. Castaneda, Grants Officer – mcastaneda@usbr.gov

OVERVIEW

The Westside Regional Drainage Plan¹ (Westside Plan) was developed in 2003 by several water agencies in central California to solve problems with agricultural drainage. It is a critical component to help meet the federal government's obligation to promptly provide drainage service to lands within the San Luis Unit of the Central Valley Project.

¹ 1 San Joaquin River Exchange Contractors Water Authority, Broadview Water District, Panoche Water District, Westlands Water District, "Westside Regional Drainage Plan". May 2003.

The Westside Plan will reduce the volume of saline agricultural drain water through source control (and groundwater management), and manage it through reuse and treatment. These activities will reduce the volume of agricultural drain water discharged to the San Joaquin River. The Westside Plan has been partially funded under Bay-Delta appropriations.

This grant will continue the development of the Westside Plan and partially implement the reuse components. The 2011 grant will fund activities that will reduce wildlife exposure by eliminating or piping existing drains within the reuse area, construction infrastructure to increase drainage reuse capacity, and fund planting of salt tolerant crops and operation of the San Joaquin River Water Quality Improvement Project (SJRIP) facility.

RECIPIENT INVOLVEMENT

Task 2: SJRIP Infrastructure

- Extend the Central Pipeline - This will extend an existing distribution pipeline by approximately 600 feet which will allow drain water to be applied to an additional 70 acres of land within the SJRIP.
- Design and construct the East Pump Station and Pipeline - A new pump station and pipeline will be designed and constructed within the SJRIP. The pump station will have a capacity of approximately 10 cfs and the pipeline will span approximately one mile. Design work will include surveying and development of design drawings.
- PE-5 Pump Station Upgrade - PE-5 is an existing lift station within the SRIP with a current capacity of approximately 4 cfs. This station will be upgraded with a new, 7 cfs pump and a 1-mile pipeline that will deliver water to the SJRIP primary distribution canal.
- Grassland Bypass Channel Inlet Facility Improvements - The Grassland Bypass Channel was constructed in 1995 to divert agricultural drainage flows around the wetlands within Grassland Water District and other State and Federal refuges. The inlet to this channel is an asphalt-coated steel flash-board riser that has reached the end of its useful life. This structure will be replaced with a precast concrete structure.

Task 3: SJRIP Land Development

- The SJRIP consists of 6,000 acres of farmland dedicated to the control of local agricultural drain water. The 2011 Project will plant nearly 700 acres of salt tolerant crops:
- Plant 654 acres of Jose Tall Wheatgrass. Jose Tall Wheatgrass is a salt tolerant bunch grass that has been planted extensively throughout the SJRIP. This grass has a high water demand (more than four acre feet per acre, annually) and is tolerant of high levels of both salinity and boron.
- Plant an additional 20 acres of paspalum grass, including irrigation system. This will include ground preparation, construction of the solid-state sprinkler system, spreading of paspalum stolons, and germination.

- Plant an additional 10 acres of pistachio trees, including irrigation system - This will include ground preparation, planting of trees, and installation of the drip system (including filter station, pumps, main-line, and drip lines).
- Construct a subsurface drainage system - A subsurface drainage system will be installed on a 55 acre field within the SJRIP. This system will leach accumulated salts within the field and improve its ability to reuse drain water. Water collected by this system will discharge into drains for reuse elsewhere on the SJRIP.

Task 5: Environmental Mitigation

- Eliminate approximately 4 miles of existing seepage drains by grading and filling. These drains accumulate shallow groundwater through seepage, which are attractive to wildlife, particularly nesting birds. This groundwater contains elevated levels of selenium which can be a bioaccumulation hazard to wildlife. Panoche Drainage District will fill in these drains, making them unavailable for nesting habitat.
- Convert approximately 3 miles of existing drains to buried pipe. Similar to the seepage drains, these drains carry drain water with elevated levels of selenium and create an attractive nuisance to wildlife. These drains will be converted to bury pipe and will not be accessible to wildlife.

RECLAMATION INVOLVEMENT

6.2.1 Reclamation will monitor and provide federal oversight of activities performed under this Agreement. Monitoring and oversight includes review and approval of financial status and performance reports, payment requests, and any other deliverables identified as part of the Scope of Work. Additional monitoring activities may include site visits, conference calls, and other on-site and off-site monitoring activities.

Substantial involvement by Reclamation is not anticipated under this agreement.

SINGLE-SOURCE JUSTIFICATION

<p style="text-align: center;">DEPARTMENT OF THE INTERIOR SINGLE SOURCE POLICY REQUIREMENTS</p>
<p>Department of the Interior Policy (505 DM 2) requires a written justification which explains why competition is not practicable for each single-source award. The justification must address one or more of the following criteria as well as discussion of the program legislative history, unique capabilities of the proposed recipient, and cost-sharing contribution offered by the proposed recipient, as applicable.</p>
<p>In order for an assistance award to be made without competition, the award must satisfy one or more of the following criteria:</p>

- (1) Unsolicited Proposal – The proposed award is the result of an unsolicited assistance application which represents a unique or innovative idea, method, or approach which is not the subject of a current or planned contract or assistance award, but which is deemed advantageous to the program objectives;
- (2) **Continuation** – The activity to be funded is necessary to the satisfactory completion of, or is a continuation of an activity presently being funded, and for which competition would have a significant adverse effect on the continuity or completion of the activity;
- (3) Legislative intent – The language in the applicable authorizing legislation or legislative history clearly indicates Congress’ intent to restrict the award to a particular recipient of purpose;
- (4) Unique Qualifications – The applicant is uniquely qualified to perform the activity based upon a variety of demonstrable factors such as location, property ownership, voluntary support capacity, cost-sharing ability if applicable, technical expertise, or other such unique qualifications;
- (5) Emergencies – Program/award where there is insufficient time available (due to a compelling and unusual urgency, or substantial danger to health or safety) for adequate competitive procedures to be followed.

Reclamation did not solicit full and open competition for this award based the following criteria:

(2) CONTINUATION

Single Source Justification Description

The United States has invested over \$22 million in the research, development, and operation of the SJRIP since 2002 under seven grant agreements. The value of this investment is shown in the 47 percent reduction in the volume of agricultural drain water discharged to the San Joaquin River due to the operation of the SJRIP, as well as significant reductions in the loads of selenium, salts, and boron in the river. The proposed 2011 grant will provide more funds to expand the capacity of the SJRIP to manage and reduce the volume of drain water with the goal of eliminating all discharges by December 2015.

STATUTORY AUTHORITY

Public Law 111-11, Section 9504 – Water Management Improvement

- (a) Authorization of Grants and Cooperative Agreements –
- (1) **AUTHORITY OF SECRETARY** – The Secretary may provide any grant to, or enter into an agreement with, any eligible applicant to assist the eligible applicant in planning, designing, or constructing any improvement - -
 - (A) to conserve water;
 - (B) to increase water use efficiency;
 - (C) to facilitate water markets;

- (D) to enhance water management, including increasing the use of renewable energy in the management and delivery of water;
- (E) to accelerate the adoption and use of advanced water treatment technologies to increase water supply;
- (F) to prevent the decline of species that the United States Fish and Wildlife Service and National Marine Fisheries Service have proposed for listing under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (or candidate species that are being considered by those agencies for such listing but are not yet the subject of a proposed rule);
- (G) to accelerate the recovery of threatened species, endangered species, and designated critical habitats that are adversely affected by Federal reclamation projects or are subject to a recovery plan or conservation plan under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) under which the Commissioner of Reclamation has implementation responsibilities; or
- (H) to carry out any other activity—
 - (i) to address any climate-related impact to the water supply of the United States that increases ecological resiliency to the impacts of climate change; or
 - (ii) to prevent any water-related crisis or conflict at any watershed that has a nexus to a Federal reclamation project located in a service area.

(2) APPLICATION – To be eligible to receive a grant, or enter into an agreement with the Secretary under paragraph (1), an eligible applicant shall—

- (A) be located within the States and areas referred to in the first section of the Act of June 17, 1902 (43 U.S.C. 391); and
- (B) submit to the Secretary an application that includes a proposal of the improvement or activity to be planned, designed, constructed, or implemented by the eligible applicant.

(3) REQUIREMENTS OF GRANTS AND COOPERATIVE AGREEMENTS.—

- (A) COMPLIANCE WITH REQUIREMENTS - Each grant and agreement entered into by the Secretary with any eligible applicant under paragraph (1) shall be in compliance with each requirement described in subparagraphs (B) through (F).
- (B) AGRICULTURAL OPERATIONS - In carrying out paragraph (1), the Secretary shall not provide a grant, or enter into an agreement, for an improvement to conserve irrigation water unless the eligible applicant agrees not—
 - (i) to use any associated water savings to increase the total irrigated acreage of the eligible applicant; or
 - (ii) to otherwise increase the consumptive use of water in the operation of the eligible applicant, as determined pursuant to the law of the State in which the operation of the eligible applicant is located.
- (C) NONREIMBURSABLE FUNDS - Any funds provided by the Secretary to an eligible applicant through a grant or agreement under paragraph (1) shall be non-reimbursable.
- (D) TITLE TO IMPROVEMENTS - If an infrastructure improvement to a federally owned facility is the subject of a grant or other agreement entered into between the Secretary and an eligible applicant under

paragraph (1), the Federal Government shall continue to hold title to the facility and improvements to the facility.

(E) COST SHARING.—

(i) **FEDERAL SHARE** - The Federal share of the cost of any infrastructure improvement or activity that is the subject of a grant or other agreement entered into between the Secretary and an eligible applicant under paragraph (1) shall not exceed 50 percent of the cost of the infrastructure improvement or activity.

(ii) **CALCULATION OF NON-FEDERAL SHARE** - In calculating the non-Federal share of the cost of an infrastructure improvement or activity proposed by an eligible applicant through an application submitted by the eligible applicant under paragraph (2), the Secretary shall

(I) consider the value of any in-kind services that substantially contributes toward the completion of the improvement or activity, as determined by the Secretary; and

(II) not consider any other amount that the eligible applicant receives from a Federal agency.

(iii) **MAXIMUM AMOUNT** - The amount provided to an eligible applicant through a grant or other agreement under paragraph (1) shall be not more than \$5,000,000.

(iv) **OPERATION AND MAINTENANCE COSTS** - The non-Federal share of the cost of operating and maintaining any infrastructure improvement that is the subject of a grant or other agreement entered into between the Secretary and an eligible applicant under paragraph (1) shall be 100 percent.

(F) LIABILITY.—

(i) **IN GENERAL** - Except as provided under chapter 171 of title 28, United States Code (commonly known as the ‘‘Federal Tort Claims Act’’), the United States shall not be liable for monetary damages of any kind for any injury arising out of an act, omission, or occurrence that arises in relation to any facility created or improved under this section, the title of which is not held by the United States.

(ii) **TORT CLAIMS ACT** - Nothing in this section increases the liability of the United States beyond that provided in chapter 171 of title 28, United States Code (commonly known as the ‘‘Federal Tort Claims Act’’).