

## 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	
<b>Funding Announcement</b>	R12AS20013
<b>Project Title</b>	Westside Regional Drainage Plan, San Joaquin River Salinity Management
<b>Recipient</b>	Panoche Drainage District
<b>Principal Investigator / Program Manager</b>	Dennis Falaschi
<b>Anticipated Federal Amount</b>	\$4,200,000.00
<b>Cost Share</b>	\$4,200,000.00
<b>Total Anticipated Award Amount</b>	\$4,200,000.00
<b>New Award or Continuation?</b>	Continuation
<b>Anticipated Period of Performance</b>	Date of Execution through December 31, 2015
<b>Award Instrument</b>	Grant Agreement
<b>Statutory Authority</b>	Omnibus Public Land Management Act of 2009, Title IX – Bureau of Reclamation Authorizations, Subtitle F – Secure Water, Public Law 111-11
<b>CFDA # and Title</b>	15.507 – WaterSmart (Sustain and Manage America’s Resources for Tomorrow) Grants
<b>Single Source Justification Criteria Cited</b>	(2) Continuation
<b>Reclamation Point of Contact</b>	Maria E. Castaneda Email: <a href="mailto:mcastaneda@usbr.gov">mcastaneda@usbr.gov</a>

## OVERVIEW

The Westside Regional Drainage Plan<sup>1</sup> (WRDP) 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.

The WRDP will reduce the volume of saline agricultural drain water through source control, and groundwater management, and manage it through reuse and treatment. These activities have significantly reduced the volume of agricultural subsurface drain water discharged to the San Joaquin River. The WRDP has been partially funded by the San Joaquin River Salinity Management Program under federal Bay-Delta appropriations.

The 2012 Work Plan will continue the development of the WRDP objectives (activities planned for 2013, 2014 and 2015 will entail treatment and disposal of the drain water):

1. Source Control
2. Groundwater Management
3. Reuse of Drainage Water
4. Treatment and Salt Disposal Plan.

Federal and non-federal match funds will be used for projects that will reduce seepage, reduce wildlife exposure by eliminating or piping existing drains within the reuse area, construct infrastructure to increase reuse capacity, and plant salt tolerant crops.

## RECIPIENT INVOLVEMENT

### 2012 Activities:

The activities to be funded through this action include:

#### Project Monitoring and Assessment

- Federal Grant: No federal grant funds will be needed for this activity in FY 2012.
- Non-Federal Match:
  - Annual monitoring and reporting to ensure compliance with the existing Use Agreement and Total Maximum Monthly Load (TMML) requirements.

#### WRDP Objective 1: Source Control

- Federal Grant: No federal grant funds will be needed for this activity in FY 2012.
- Non-Federal Match: No activities to be funded in FY 2012.

#### WRDP Objective 2: Groundwater Management

- Federal Grant: No federal grant funds will be needed for this activity in FY 2012.
- Non-Federal Match:
  - 2.1 Well drilling and development. This will fund the development of four wells and distribution pipelines

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

### **WRDP Objective 3: Reuse of Drainwater**

#### **3.1 San Joaquin River Improvement Project (SJRIP) Infrastructure**

- Federal Grant:
  - 3.1.1 Reuse Land Tiling. A subsurface drainage system will be installed on 150 acres within the SJRIP. These systems 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. Federal funds will be used for the design, purchase, and installation of the system
  - 3.1.2 Well Water Distribution Pipelines. Two miles of 21” pipeline will be installed to convey water from new and existing wells within the SJRIP to convey that water for use as supplemental water (on young planting or when insufficient drain water is available for irrigation). Federal funds will be used to survey and design the pipelines, furnish and install the pipe and make the connections to the wells
  - 3.1.3 Pump Station and Pipeline. A new pump station and 1.5 mile pipeline will be designed and constructed within the SJRIP. The pump station will have a capacity of approximately 6 cfs and the pipeline will span approximately 1.5 miles. Federal funds will be used to furnish and install the pipeline, concrete sump, pump, motor, variable frequency drive, electrical controls, and pipe manifold plus legal, environmental, engineering, surveying, and administration
- Non-Federal Match
  - 3.1.1 Reuse Land Tiling. A subsurface drainage system will be installed on 50 acres within the SJRIP. These systems 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. Non-Federal match funds will be used for the design, purchase, and installation of the system

#### **3.2 SJRIP Land Development**

The San Joaquin River Water Quality Improvement Project (SJRIP) consists of 6,000 acres of farmland dedicated to the control of local agricultural drain water. The 2012 grant funds will be used to plant nearly 1,000 acres of salt tolerant crops.

- Federal Grant
  - 3.2.1 Plant 629 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. Federal funds will be used for the purchase of seeds, groundwork, planting, labor, water, power, fuel, and administration
  - 3.2.2 Plant 60 acres of paspalum grass, including ground preparation, construction of the solid-state sprinkler system, spreading of paspalum stolons, and germination. Federal funds will be used to purchase seedlings, groundwork, planting, and design, purchase, and installation of sprinkler system

- 3.2.3 Plant 100 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). Federal funds will be used to purchase seedlings, groundwork, planting, and design, purchase, and installation of sprinkler system
- Non-Federal Match
  - 3.2.1 Plant 214 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. Federal funds will be used for the purchase of seeds, groundwork, planting, labor, water, power, fuel, and administration

### 3.3 SJRIP Environmental Mitigation

- Federal Grant:
  - 3.3.1 Fill in Open Ditches - 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. Federal funding
  - 3.3.2 Convert Open Ditch to Pipeline – 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 buried pipe and will not be accessible to wildlife
- Non-Federal Match
  - 3.3.1 Fill-in Open Ditch – No activities to be funded in FY 2012.
  - 3.3.2 Convert Open Ditch to Pipeline – Convert approximately 0.8 miles of existing drain 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 buried pipe and will not be accessible to wildlife

### **WRDP Objective 4: Treatment and Salt Disposal**

- Federal Grant: No federal grant funds will be needed for this activity in FY 2012
- Non-Federal Match: No activities to be funded in FY 2012

### **RECLAMATION INVOLVEMENT**

No substantial involvement on the part of Reclamation is anticipated for the successful completion of the objectives to be funded by this award. It is anticipated that Reclamation's involvement will consist of standard federal stewardship responsibilities such as monitoring project performance, technical assistance at the request of the recipient, etc.

## SINGLE-SOURCE JUSTIFICATION

### DEPARTMENT OF THE INTERIOR SINGLE SOURCE POLICY REQUIREMENTS

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.

In order for an assistance award to be made without competition, the award must satisfy one or more of the following criteria:

- (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 goals of the grant are those of the Grassland Bypass Project:

1. Continue the separation of unusable agricultural drainage water discharged from the Grassland Drainage Area (GDA) from Grassland wetland supply conveyance channels through December 31, 2019, and to
2. Facilitate drainage management that maintains the viability of agriculture in the GDA and promotes improvement in water quality in the San Joaquin River.

The recipient, Panoche Drainage District, has a vested interest in achieving the goals of this grant. The district has obtained non-federal grants and loans to purchase land for the San Joaquin River Improvement Project (SJRIP). The district has constructed the infrastructure for collecting agricultural drainage water and distributing it across the SJRIP. The District employs staff with unique skills to operate the SJRIP and conduct all necessary environmental monitoring.

The combination of existing infrastructure, personnel, and experience will ensure successful accomplishment of the objectives of the grant. The knowledge derived from this grant will be applicable to other drainage impaired lands across the world. However, at this time, we are not aware of existing drainage projects in California that possess the assets of the recipient.

### **STATUTORY AUTHORITY**

#### **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’).