



Delta Regional Monitoring Program

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Prepared for the
Delta RMP Steering Committee

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1. Introduction

The Delta Regional Monitoring Program (RMP) was initiated by the Central Valley Regional Water Quality Control Board with the primary goal of tracking and documenting the effectiveness of beneficial use protection and restoration efforts through comprehensive monitoring of water quality constituents and their effects in the Delta. The development of the Delta RMP was initially prompted by the collapse of the populations of several species of fish in the early 2000s, an event that triggered new inquiries into the potential role of contaminants in what is now termed the Pelagic Organism Decline (POD). However, these inquiries highlighted shortcomings of existing monitoring efforts to address questions at the scale of the Delta. The recognition that data from current monitoring programs were program specific, sometimes duplicative, inadequate in coverage, could not easily be combined, and were not adequate to support a rigorous analysis of the role of contaminants in the POD persuaded regulatory agencies of the need to improve coordination across multiple monitoring programs.

In addition, the Delta RMP reflects an increasing desire among water quality and resource managers throughout the state for more integrated information about patterns and trends in ambient conditions across watersheds and regions. Moreover, many stressors on beneficial uses are interrelated and must be addressed more holistically. The Delta RMP can be seen as a complement to existing larger-scale collaborative monitoring efforts throughout the state that attempt to address questions and concerns about regional conditions and trends (e.g., San Francisco Bay RMP, Southern California Bight Monitoring Program, Surface Water Ambient Monitoring Program).

2. Definitions

- a. *“Annual Program Workplan”* means the detailed plan of activities and the budget for implementing the Program each year as approved by the Steering Committee.
- b. *“Aquatic Science Center”* or *“ASC”* means the Joint Powers Authority, created July 1, 2007, by a Joint Powers Agreement between the Bay Area Clean Water Agencies and the State Water Resources Control Board for the purpose of assisting with the efficient delivery of financial, scientific, monitoring, and information management support functions. The San Francisco Estuary Institute (SFEI), a California 501(c)(3) non-profit corporation, serves as the administrative agency for the Aquatic Science Center.
- c. *“Central Valley Regional Water Quality Control Board”* or *“Regional Board”* is the regulatory authority for overseeing the Clean Water Act, California Water Code, and associated permits in the Delta.
- d. *“Coordinating Committee”* means the facilitating committee made up of the Steering Committee Co-Chairs, one representative from the Implementing Entity, one representative from the Central Valley Regional Water Quality Control Board, and the facilitator.
- e. *“Cost Allocation Schedule”* means the document, developed by the Program Participants and approved by the Steering Committee, which specifies the amount of money that each group of Participants will contribute to the Program each year.
- f. *“Delta Regional Monitoring Program”* or *“Delta RMP”* or the *“Program”* means the stakeholder effort to provide improved Delta monitoring and data evaluation.
- g. *“Facilitator”* Facilitates Steering Committee meetings at the discretion of the Steering Committee, and participates on the Coordination Committee.
- h. *“Finance Subcommittee”* The Finance Subcommittee is comprised of one representative each from Regulatory, Water Suppliers, Publicly Owned Treatment Works, Stormwater, and Agriculture, of whom three form a quorum. The Co-Chairs of the Steering Committee (SC), or their designee, will hold two of the five seats on the Finance Subcommittee representing a regulatory and regulated category.
- i. *“Implementing Entity”* means ASC, which with respect to the Delta RMP will be responsible for implementing the Program activities and the financial management of the Program with oversight from the Steering Committee.

- j. *“Participants”* means individual agencies or organizations that provide financial contributions and/or in-kind services for Delta RMP activities, which includes regulatory agencies, resource agencies, water suppliers, coordinated monitoring programs, wastewater treatment agencies, stormwater municipalities, dredgers, and irrigated agriculture coalitions.
- k. *“Participant Groups”* means groups of similar types of Participants such as publicly owned treatment works (POTWs), stormwater agencies, agricultural coalitions, water suppliers, dredgers, coordinated monitoring programs, and regulatory agencies.
- l. *“Regulatory Agencies”* means agencies administering state and federal water quality regulations, i.e. Central Valley Regional Water Quality Control Board, State Water Resources Control Board, and United States Environmental Protection Agency.
- m. *“Representative”* means a person who represents a particular Participant Group on a committee (see Attachments 1 and 2 for a list of representatives).
- n. *“Resources Agencies”* means a state or federal agency responsible for the conservation, management, and enhancement of natural and cultural resources; including land, wildlife, water, and minerals.
- o. *“Revenue Subcommittee”* is a group of Steering Committee members charged with identifying opportunities for generating revenue for the Program through grant solicitations, cost-sharing, and coordination with other programs. Participation is voluntary and will include at least three Steering Committee members that are most appropriate.
- p. *“Steering Committee”* or *“SC”* means the decision-making body of the Delta RMP. The core responsibilities and authorities of the Steering Committee are to determine the overall budget, allocate program funds, track progress, and provide strategic direction and priorities for the Program and the TAC, from a manager’s perspective.
- q. *“Subcommittee”* is a group convened by the Steering Committee or Technical Advisory Committee to evaluate an issue and to report findings back to the larger group. Subcommittees serve at the direction of the Steering Committee or Technical Advisory Committee and consist of representatives from the Steering Committee, Technical Advisory Committee and other sectors such as academia, nongovernmental organizations, governmental organizations and industry.

- r. *“Technical Advisory Committee” or “TAC”* means the advisory body that provides technical advice to the Steering Committee. The TAC makes recommendations to the Steering Committee based on technical evaluation of proposed or existing program elements, and based on priorities set by the Steering Committee. Responsible for developing and revising the monitoring design based on Steering Committee direction and priorities.

3. Mission

The Program's mission is to inform decisions on how to protect, and where necessary, restore beneficial uses of water in the Delta, by producing objective and cost-effective scientific information critical to understanding regional water quality conditions and trends.

4. Goals and Objectives

The primary goal of the Delta RMP is to provide coordinated Delta-wide monitoring, reporting, and assessment of water quality, while pursuing the following objectives:

1. Improve the efficiency of water quality data collection and management in the Delta;
2. Generate products that inform and educate the public, agencies, and decision makers;
3. Raise awareness of Delta water quality conditions and how they impact beneficial uses; and
4. Foster independent science, objective peer review, and a transparent review process.

5. Management Questions

Delta RMP participants have articulated core management questions that organize and guide RMP studies:

Type	Management Questions
Status and Trends	<p>Is there a problem or are there signs of a problem?</p> <ul style="list-style-type: none"> a. Is water quality currently, or trending towards, adversely affecting beneficial uses of the Delta? b. Which constituents may be impairing beneficial uses in subregions of the Delta? c. Are trends similar or different across different subregions of the Delta?
Sources, Pathways, Loadings, and Processes	<p>Which sources and processes are most important to understand and quantify?</p> <ul style="list-style-type: none"> a. Which sources, pathways, loadings, and processes (e.g., transformations, bioaccumulation) contribute most to identified problems? b. What is the magnitude of each source and/or pathway (e.g., municipal wastewater, atmospheric deposition)? c. What are the magnitudes of internal sources and/or pathways (e.g. benthic flux) and sinks in the Delta?
Forecasting Water Quality Under Different Management Scenarios	<ul style="list-style-type: none"> a. How do ambient water quality conditions respond to different management scenarios? b. What constituent loads can the Delta assimilate without impairment of beneficial uses? c. What is the likelihood that the Delta will be water quality-impaired in the future?
Effectiveness Tracking	<ul style="list-style-type: none"> a. Are water quality conditions improving as a result of management actions such that beneficial uses will be met? b. Are loadings changing as a result of management actions?

6. Principles of Operation

The Delta RMP's Principles of Operation form the foundation of Program activity and are described below.

- **Focus on the Delta:** The geographic scope of the Delta RMP encompasses the legal Delta (as defined by Section 12220 of the California Water Code), including water bodies that directly drain into the Delta, Yolo Bypass, and Suisun Bay. In addition, the base monitoring and special studies of the Delta RMP may extend upstream, if required to address specific management questions. Because Suisun Bay is outside the jurisdiction of the Central Valley Regional Board, sampling here will require coordination and collaboration with the San Francisco Bay RMP.
- **Focus on the highest priority water quality information needs:** A strategic planning process ensures that the Delta RMP focuses on the highest priority water quality information needs for beneficial use protection and restoration in the Delta.
- **Contribute to a holistic understanding of the Bay-Delta:** The Delta Science Plan will serve as a framework that contributes to a holistic understanding of the Bay-Delta and, thus, as a conduit for tying Delta RMP monitoring and assessment activities to the Delta Science Plan adaptive management approach.
- **Leverage activities and resources:** The Delta RMP will leverage activities and resources by building on and partnering with existing programs, initiatives, and organizations to the extent possible. The 2009 *Summary of Current Water Quality Monitoring Programs in the Delta*¹ and the *Central Valley Monitoring Directory*² provide information that might be helpful in identifying potential partners.
- **Operate with clearly-described and transparent processes and agreements:** Clearly described and transparent processes and agreements will guide the

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https://www.waterboards.ca.gov/centralvalley/water_issues/delta_water_quality/delta_regional_monitoring/archived_material/drmp_wq_monitoring_progs_sum.pdf

² <http://centralvalleymonitoring.org>

program governance and its operations. Following governance ground rules established by the SC, all stakeholders have the opportunity to participate in the RMP.

- **Adaptability and flexibility:** Frequent committee and workgroup meetings and periodic program reviews will maintain the Delta RMP's capacity to adapt in response to changing management priorities and advances in scientific understanding. Pilot and special studies constitute a mechanism for responding quickly to new information and/or concerns, assessing new technical approaches, investigating particular questions that have defined scientific, management, or regulatory endpoints, and evaluating new directions for the Delta RMP as a whole.
- **Collaborative culture:** Fostering a collaborative culture will enable participants to work together to address multiple competing and potentially conflicting interests (such as habitat restoration, flood protection, water supply, and human and wildlife consumption of fish) in an environment that encourages objectivity, consensus-building, and science-based decision making.

7. Governance

As shown on Figure 1 on page 33, the Steering Committee (SC) is the decision-making body of the Delta RMP, overseeing the Implementing Entity and reviewing recommendations of the Technical Advisory Committee (TAC) and Subcommittees.

7.A Steering Committee (SC)

The SC is responsible for establishing the Program's strategic direction and the policies and procedures that govern its operation. It is responsible for authorizing the implementation of agreements among the Participants, specifically:

- Directs the Implementing Entity to request and receive federal, state, local, and private funds from any source and to expend those moneys to accomplish the Delta RMP's goals;
- Approves budgets and expenditures;
- Directs the Implementing Entity to enter into partnerships, contracts, and other legal agreements on behalf of the Delta RMP, as necessary to fulfill the Delta RMP's mission;
- Approves Delta RMP work products and any other plans, products, or resolutions of the Delta RMP;
- Provides direction to TAC on priorities, constraints, and management questions to develop technical recommendations and products within the resource allocations determined by the Steering Committee;
- Convenes a joint meeting with the TAC as necessary to communicate priorities and funding allocations;
- Selects, convenes, and oversees subcommittees to provide guidance on specific issues on an as needed basis; and
- Establishes and oversees the implementation of policies and procedures necessary to the day-to-day functioning of the Delta RMP.

7.A.1 Steering Committee Membership

The Steering Committee has seats for representatives from each of the following Participant Groups:

- 3 seats for publicly owned treatment works (POTWs) ideally representing small, medium and large POTWs;
- 3 seats for stormwater agencies, ideally one representing large cities and two representing smaller cities;
- 1 seat for coordinated monitoring;
- 1 seat for water suppliers;
- 1 seat for dredgers;
- 2 seats for irrigated agriculture;
- 1 seat for flood control and habitat restoration;
- 1 seat for the resources agencies (NOAA Fisheries, California Department of Fish and Wildlife); and
- 3 seats for regulatory agencies (USEPA, State Water Resources Control Board, and Central Valley Regional Water Quality Control Board).

See the organization chart for the Delta RMP in Figure 1 on page 33.

Each SC member is responsible for working with agencies in their Participant Group to bring common interests forward. The SC may add seats for other Participant Groups or adjust the number of seats for certain Participant Groups by using its decision-making procedures to change the Charter.

The SC has agreed that a Participant Group can hold a seat on the SC without contributing to the Program financially, but shall not be allowed to vote on financial issues. See Section 8.F Adequate Participation on page 28 for more discussion of this issue.

Membership on the SC will not diminish the regulatory responsibilities or authority of any participating agency or organization.

SC members shall serve at the discretion of the Participant Groups they represent (i.e., they may be removed at any time) and shall be explicitly reconfirmed every two years. An individual representing a Participant Group can serve indefinitely with the support of their group.

Attachment 1 beginning on page 34 contains the most recent roster of SC members. This attachment may be updated as needed without requiring a vote to update the whole Charter document.

7.A. 2 Steering Committee Representative Resignation and Replacement

Representatives may resign from the SC at their choosing. If this occurs, the Participant Group will be notified and will be requested to select a new Representative for the Group. The Representative resigning will provide written resignation communication (e.g., letter, email) to the Steering Committee Co-Chairs, the Implementing Entity, and any other Steering Committee representatives of that Participant Group.

7.A.3 Steering Committee Co-Chairs

Steering Committee Co-Chairs serve as chair of the meetings, facilitate discussion, and encourage members to participate in discussions. The Co-Chairs have an oversight role and are responsible for the overall functioning of the committee. The SC will select or reaffirm the Co-Chairs once per year using its decision-making process. Co-Chairs have no term limits and may continue to serve annual terms indefinitely with support of the SC. One Co-Chair represents a regulatory Participant Group and one Co-Chair represents a regulated Participant Group.

Each elected co-chair may designate an alternate to help fulfill their duties, for example when the co-chair is unable to attend a meeting. Co-chair alternates must also be selected and reaffirmed once per year by the Steering Committee. The co-chair's alternate shall exercise the rights and responsibilities of the co-chair in his or her absence.

7.A.4 Steering Committee Subcommittees

The SC may convene subcommittees to focus on issues of particular concern on an as-needed basis. These subcommittees will report to the SC and may consist of Representatives of the Participant Groups on the SC as well as external experts in the subject of interest. The SC will determine the makeup of Participant Groups on the subcommittee and evaluate the need for external expertise (e.g., legal, financial, governance, etc.).

Coordinating Committee

The Coordinating Committee is comprised of the Steering Committee Co-Chairs, one representative from the Implementing Entity, one representative from the Central Valley Regional Water Quality Control Board, and the facilitator. The committee is responsible for setting the agenda for the Steering Committee, reviewing Steering Committee meeting summaries and record of decisions, communicating action items to the Technical Advisory Committee, and providing clarifications to the Implementing Entity required to fulfill their contractual obligations and be responsive to the Participant Groups. A TAC co-Chair may attend by invitation of the Coordinating Committee.

The Coordinating Committee has the following specific responsibilities:

- Review and confirm the record of decision by the Steering Committee as prepared by the Implementing Entity.
- Review and confirm the summary of Steering Committee action items prepared by the Implementing Entity for other Committees, Subcommittees, and Participants. In cases where interpretation of Steering Committee directions are necessary, the Steering Committee will be consulted for issues related to participant membership or any financial issues. For other clarifications, the Coordinating Committee will document clarifying interpretations they make as part of the record of decision.
- As necessary, refine and clarify direction provided by the Steering Committee to the TAC and the Implementing Entity.
- Respond to clarifying questions from Participant Groups and committees.
- Coordinate report backs from committees and Participant Groups on action items from the Steering Committee.
- Review Steering Committee meeting agendas that the Implementing Entity has prepared.

The Coordinating Committee will meet within two weeks following Steering Committee meetings to review outcomes and action items and at least two weeks before Steering Committee meetings to set the agenda.

Finance Subcommittee

The Finance Subcommittee is responsible for reviewing financial planning documents, policies, goals, budgets, revenue, and expenditures, assuring that support for the mission and strategic goals of the Delta RMP are maintained. The Finance Subcommittee also reviews the Delta RMP's financial performance and proposes recommendations to the Steering Committee.

The Finance Subcommittee's specific responsibilities include:

- Recommending policies to the SC that maintain and improve the financial health and integrity of the Delta RMP.
- Reviewing draft long-term and short-term budgets and work plans for the Delta RMP.
- Recommending actions to improve program efficiency and identify potential cost savings to the SC.

- Reviewing expenditures.
- Reviewing and approving unbudgeted operating expenses that, per the SC-approved policy (See Section 8.C Fiscal Management on page 26), are above the Implementing Entities authority (\$5,000) but below the threshold (\$25,000) required for SC approval.
- Reviewing the financial aspects of new contracts and services, as well as proposals to discontinue programs or services, and making action recommendations to the SC.
- Monitoring and evaluating the financial performance of the Delta RMP, comparing budgets and long term financial trends to other regional monitoring programs.
- Recommending and monitoring corrective actions to keep the Delta RMP in-line with its budget and other financial targets.

The Finance Subcommittee will meet quarterly before the Steering Committee meetings for reviewing finances from the Implementing Entity. The Implementing Entity will provide financial information in a format that meets the Finance Subcommittee needs on a quarterly basis, three weeks before Steering Committee meetings. The Finance Subcommittee will provide comments on the financial information to the Implementing Entity two weeks before the Steering Committee meeting so that the Implementing Entity can address them before submitting the report to the Steering Committee one week before the meeting. The Finance Subcommittee will report and make recommendations to the Steering Committee when necessary.

Revenue Subcommittee

The Revenue Subcommittee is a group of Steering Committee members charged with identifying opportunities for generating revenue for the Program through grant solicitations, cost-sharing, and coordination with other programs. The Revenue Subcommittee does not have defined membership nor rules for a quorum. Participation is voluntary and will include at least three Steering Committee members that are most appropriate.

7.A.5 Notice of Meetings and Frequency

All SC meetings must be noticed, which consists of e-mail distribution of the meeting date, time, and agenda at least one week prior to the meeting. The SC meets quarterly and the agenda package is distributed through the State's Lyrus web service as well as posted on the Delta RMP

website³ prior to the meeting. In addition, draft meeting summaries, specifically intended for only the SC, will be distributed via a separate e-mail list to SC members and their alternates for review and comment prior to posting of the final meeting summary on the Program's website.

7.A.6 Steering Committee Decisions

A quorum is necessary for any decisions to be made by the SC; a quorum is defined as 50% or more of the SC members and 50% or more of the Participant Groups (e.g., POTW, agricultural, stormwater, etc.). A quorum may be established at any time during the meeting and, once established, will continue to exist for purposes of decision making even if the number of SC members present drops below the level defining a quorum (e.g., if one or more members leave the meeting).

Decisions are made by the SC through consensus unless one or more of the SC members dissent or for important decisions such as budget approvals, in which case the Chairs will call for a vote. If voting is required, a simple majority of the SC members will be required for a decision. Decisions can only be made for items that are on the agenda. Some decisions that are time sensitive or less significant can be made via e-mail or telephone conference, but only if these items have previously been discussed in a SC meeting.

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https://www.waterboards.ca.gov/centralvalley/water_issues/delta_water_quality/delta_regional_monitoring/index.html

7.B. Technical Advisory Committee (TAC)

Under direction of the SC, the TAC provides technical support to the Delta RMP. It consists of technical representatives from the Delta RMP Participant Groups, with technical and administrative support from the Implementing Entity.

The TAC makes recommendations to the SC based on technical evaluation of proposed or existing program elements. The TAC provides technical recommendations with options and justifications based on the priorities and resource allocations set by the SC. The SC then considers TAC recommendations in formulating their decisions. Recommendations should be reached through consensus. In the event that the TAC representatives cannot come to consensus on a recommendation, majority and minority opinions should be reported to the SC. (For more details on the TAC decision-making process, see Section 7.B.6 TAC Decisions on page 20). The Coordinating Committee communicates SC direction to the TAC through the Implementing Entity and the TAC Co-Chairs.

The responsibilities of the TAC are to:

- respond to action items and specific requests from the Steering Committee as communicated through the record of decision and action item compilation prepared by the Implementing Entity and reviewed by the Coordinating Committee;
- assist the SC in developing, reviewing, and revising the Delta RMP's monitoring design and special studies to ensure responsiveness to the management and assessment questions, consistent with the priorities and funding set by the Steering Committee;
- report to the SC on technical issues and guide the development of white papers as requested by the SC;
- select and convene subcommittees to develop monitoring designs and provide guidance on specific technical issues, with members drawn from both within and outside the TAC, as needed, to include specialized scientific or technical expertise not fully represented on the TAC;
- review subcommittee recommendations to the Steering Committee for monitoring design and other technical requests from the Steering Committee;
- provide technical review and recommendations to the SC on project proposals;

- provide technical review and recommendations to the SC on policies being considered for adoption;
- provide technical review of the planning, development, and publication of Delta RMP communication products, including the *Pulse of the Delta* report;
- request clarification from the Coordinating Committee/Steering Committee if instructions or action items to the TAC are unclear; and
- work collaboratively to examine technical issues and develop advice and recommendations for the SC.

7.B.1 Technical Advisory Committee Membership

The TAC consists of experts in water quality, estuarine science, and related fields who are able to provide scientific opinions on the broad range of subject areas related to the Delta RMP's activities. TAC members will be drawn from Participant Groups represented on the SC. Each designated SC member designates one person to sit on the TAC. Thus, the membership of the TAC consists of technical representatives of the groups represented on the SC. That is, membership of the TAC will reflect the membership of the SC (i.e., there will be the same number of representatives from each of the Participant Groups on the TAC and the SC).

TAC members shall serve at the discretion of the Participant Groups they represent (i.e., they may be removed at any time) and shall be explicitly reconfirmed every two years. An individual representing a Participant Group can serve indefinitely with the support of their group.

In particular instances (e.g., a represented group has only a few staff with the appropriate expertise), a SC member or alternate may serve on the TAC. If a particular issue comes up that may create a conflict of interest, the SC member serving on the TAC would recuse themselves from decisions on the SC.

A conflict of interest may also arise if members of the TAC or its subcommittees have a direct financial interest in a funding recommendation or decision (e.g., a consultant or researcher intending to bid on a contract for a proposed program activity). The participation of local scientists in planning processes can bring tremendous value to the RMP, but the RMP needs to ensure that the monitoring that is recommended and performed is not inappropriately biased by scientists who may have a conflict of interest. In cases where a conflict of interest exists, the TAC or subcommittee members will recuse themselves from funding recommendations. External peer review of workplans and products by scientists with no financial interest in the work to be done

is essential not only to attaining high standards of scientific rigor, but also to provide a mechanism for preventing the inappropriate influence of scientists with a conflict of interest. This practice is consistent with Section 8.E Conflict of Interest Policy (page 28).

Attachment 2 (page 36) contains the current roster of the TAC members. This attachment may be updated as needed without requiring a vote to update the whole Charter document.

7.B.2 Technical Advisory Committee Representative Resignation and Replacement

Representatives may resign from the TAC at their choosing. If this occurs, the Participant Group will be notified and will be requested to select a new Representative for the Group. The Representative resigning will provide written resignation communication (e.g., letter, email) to the Steering Committee Co-Chairs, TAC Co-Chairs, the Implementing Entity, and any other Steering Committee representatives of that Participant Group.

7.B.3 TAC Co-Chairs

The Co-Chairs coordinate the TAC's oversight of the technical content and quality of the RMP, co-chair TAC meetings, and help ensure review of all program proposals and technical products. They also provide a communication link between the SC, TAC and Implementing Entity as members of the Coordinating Committee and help ensure consistencies and resolve timing and scheduling issues between the SC, TAC, and subcommittees. The members of the TAC will appoint two Co-Chairs for a two-year term. The selection of the Co-Chairs is subject to review by the Steering Committee. The Co-Chairs can serve indefinitely with the support of the TAC and the SC. A qualified Co-Chair has a broad understanding of scientific issues in the Delta and can provide strong leadership, meeting management, and direction to the group.

7.B.4 TAC Subcommittees

If there is need for additional expertise, subcommittees may be formed that report to the TAC. The subcommittees may have representatives from the Participant Groups as well as other sectors, such as academia, nongovernmental agencies, government agencies, and industry. The TAC will determine the makeup of Participant Groups on the subcommittee and evaluate the need for external expertise. If a subcommittee composition is not agreed upon by the TAC, the Steering Committee will determine the subcommittee members, considering recommendations from the TAC. A subcommittee formed to develop a specific monitoring design should be consulted about modifications to the subcommittees recommended design before any changes are presented to the TAC for recommendations to the Steering Committee. In addition, the TAC may recommend to the SC that the Implementing Entity convene appropriate science advisory

panels and/or independent experts for program reviews, specific projects, initiatives, reports, and studies.

7.B.5 Notice of Meetings and Frequency

The TAC meets quarterly and the agenda package is posted on the Delta RMP website⁴ one week prior to the meeting. In addition, the agenda and relevant materials are sent by electronic mail to the TAC members.

7.B.6 TAC Decisions

Because the TAC makes technical recommendations to the SC, and not policy decisions, there is no formal procedure for voting. In the event that the TAC representatives cannot come to consensus on a recommendation, majority and minority opinions will be noted verbally at the meeting and described in the meeting summary. The TAC Co-Chairs will coordinate with the Coordinating Committee to ensure that the meeting summary prepared by the Implementing Entity adequately documents majority and minority viewpoints of the seated representatives. The meeting summary is the primary tool to communicate TAC discussions to the SC for SC resolution, and will include direct responses to SC requests and directives. If the recommendations do not reflect broad Participant input due to lack of attendance at a meeting, those not in attendance will be afforded an opportunity to weigh in on preliminary recommendations via email, conference calls, or another meeting, if necessary.

7.C Other Stakeholders

All meetings of the SC and TAC are open to the public. Stakeholders who are not Delta RMP participants will have the opportunity to weigh in by participating in meetings and providing additional project and product review. Stakeholders may also participate in specific technical subcommittees.

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https://www.waterboards.ca.gov/centralvalley/water_issues/delta_water_quality/delta_regional_monitoring/index.html

7.D Implementing Entity

The Implementing Entity oversees and administers the Delta RMP. The main responsibilities of the Implementing Entity are outlined in Table 1 on page 22. The Implementing Entity works closely with the committee co-chairs and the Coordinating Committee to 1) plan, guide, and lead program activities, 2) ensure planned activities efficiently achieve program goals and objectives, and 3) identify potential issues and challenges as well as options for effectively addressing them. The Implementing Entity is contracted to perform these services and manage the operation of the Delta RMP according to the annual Workplan approved by the SC and within the approved budget.

Table 1 Main responsibilities of the Implementing Entity of the Delta RMP

Responsibilities	Tasks
1. Program Management	<ul style="list-style-type: none"> a. Program planning <ul style="list-style-type: none"> • Prepare draft workplans / budgets and present to SC for approval b. Coordinate program activities <ul style="list-style-type: none"> • Act as a liaison between the SC, the TAC, and the TAC subcommittees • Convene the Coordinating Committee to review Steering Committee action items, document directives from the Steering Committee to the TAC and Participant Groups, and review Steering Committee agendas • Coordinate with Participants • Plan workflow • Track deliverables c. Coordinate collaborating agencies and organizations <ul style="list-style-type: none"> • Organize and participate in meetings to coordinate work and programs d. Contract and financial management <ul style="list-style-type: none"> • Track expenditures • Accounting • Coordinate audits • Provide financial updates to SC and Finance Subcommittee • Develop and oversee contracts • Invoice Participants • Report finances quarterly to Finance Subcommittee for review of budget and work plan e. Technical oversight f. Coordinate peer review g. Review and coordinate review of RMP work products to ensure the quality of deliverables
2. Governance	<ul style="list-style-type: none"> a. SC meetings: <ul style="list-style-type: none"> • Prepare agenda packages and background documents; participate in meetings, write meeting summaries, action item follow-up, plan meetings with Coordinating Committee. b. TAC meetings: <ul style="list-style-type: none"> • Prepare agenda packages and background documents; participate in meetings, write meeting summaries, action item follow-up. c. TAC subcommittee meetings <ul style="list-style-type: none"> • Prepare agendas and background documents; participate in meetings, write meeting summaries, action item follow-up and communicate with Coordinating Committee.

3. Communications	<p>a. Implement communications plan</p> <ul style="list-style-type: none"> • Produce and distribute RMP products • Develop and maintain a calendar of RMP communications products • Identify appropriate communication channels and disseminate RMP information • Implement planned events (e.g. annual meeting) • Respond to or coordinate response to inquiries for RMP data and reports, including press calls.
4. Data Management	<p>a. Data processing and upload to CEDEN:</p> <ul style="list-style-type: none"> • Format data • Upload RMP results to RDC database and replicate to CEDEN • Coordinate data collection, data management, and laboratories • Track data deliverables and pending issues • Database maintenance and online data access: • Incorporate updates and corrections to data as needed, including re-analyzed results and updates implemented by CEDEN/SWAMP • Provide, maintain, and upgrade web-based data access tools <p>b. Quality assurance:</p> <ul style="list-style-type: none"> • Perform QA/QC review • Develop, maintain, and update Quality Assurance Program Plan (QAPP) • Coordinate interlaboratory comparison tests <p>c. SOPs and templates:</p> <ul style="list-style-type: none"> • Develop and maintain laboratory SOP file system • Provide, maintain, and enhance software tools and processes such as EDD templates • Write and maintain internal SOPs to increase efficiency of data management tasks
5. Sampling Coordination and Logistics	<p>a. Coordinate field sampling</p> <p>b. Prepare sampling plans</p> <p>c. Make maps of sampling locations</p> <p>d. Field sampling</p> <p>e. Ensure delivery of samples to laboratories</p>
6. Analysis, Assessment, and Reporting	<p>a. Summarize information on data collected</p> <p>b. Develop technical content (text, analysis, graphics)</p> <p>c. Design and publish reporting products</p> <p>d. Establish, coordinate, and maintain web presence of RMP products and results</p>

8. Financial Management

The Implementing Entity will be responsible for the financial management of the Program with direction from the SC and with oversight from the Finance Subcommittee. Program Participants will either enter into a multi-year Memorandum of Agreement, contract, or other payment agreements with the Implementing Entity which will serve as a contract for the services of program implementation, fiscal management, and invoicing.

8.A Program Activities and Budget

The Delta RMP budget for each Fiscal Year will be set by the Steering Committee. The plan of Program activities within the available budget for each year shall be proposed by the Implementing Entity in the Annual Program Workplan. The Steering Committee shall be responsible for approving the Annual Program Workplan prior to the start of the Fiscal Year.

With each yearly budget, the Steering Committee shall also approve a Cost Allocation Schedule, which will set forth the portion of the Program costs payable by each group of Participants. If an entity becomes a Participant after the start of a Fiscal Year, the Steering Committee shall have the discretion to pro rate costs payable by that Participant for its first year of participation in the Program.

8.B Program Implementation

As authorized by the Steering Committee, the Implementing Entity will be responsible for implementing the Annual Program Workplan. Specifically, to the extent that Program funds are available, the Implementing Entity is authorized to conduct work itself and enter into and manage third-party contracts to accomplish the Annual Program Workplan.

8.B.1 Third-Party Contracts

For third-party contracts exceeding \$50,000, the Implementing Entity will use a competitive bidding process. Proposals may be obtained by either (a) issuance of a formal Request for Proposals, or (b) solicitation of at least three proposals from qualified contractors; recognizing that, for highly specialized work, it may only be possible to obtain proposals from fewer contractors. The requirement for a competitive process may be waived by the Implementing Entity when it determines that there is only one source for the merchandise or service needed, and no other product/service reasonably meets the stated need or specifications. Criteria that may be considered in agreeing upon a sole source contract include, for example: unique or specialized technical expertise, unique or specialized access to data or information, a joint venture already specified in a proposal, and access to matching funds or in-kind services. For all sole source contracts exceeding \$50,000, the Steering Committee must approve the selected contractor. A competitive process will not be required for in-kind services offered by Program Participants, or stakeholders, using their existing contractors or contractors selected through the State contracting process. Guidance for issuing and evaluating requests for proposals is provided in Attachment 4 (page 41).

For expenses up to \$5,000, the Implementing Entity may act without prior approval. For expenses greater than \$5,000, the Implementing Entity must obtain prior approval from the Finance Subcommittee (between \$5,000 and \$25,000) or the Steering Committee (greater than \$25,000). For expenses between \$25,000 and \$50,000 the Steering Committee must provide prior approval.

8.B.2 Services Provided by ASC

Contracts between the Program Participants and ASC as the Implementing Entity do not require a competitive process. See State Contracting Manual⁵ (Volume 1, Sections 3.06 “Contracts with other Governmental Entities & Public Universities” and 5.80 “Contracts Exempt from Advertising in the CSCR and Competitive Bidding” or successor documents). State contracts with an organization acting as a governmental agency under a joint powers agreement are statutorily exempt from the requirement for a competitive bid process.

⁵ <http://www.dgs.ca.gov/ols/Resources/StateContractManual.aspx> (Accessed March 31, 2016)

8.C Fiscal Management

The Implementing Entity shall provide fiscal and administrative services for the Program with oversight by the Steering Committee and review by the Finance Subcommittee. Specifically, the Implementing Entity shall:

- Set up and maintain an account for funds received for the purpose of execution of the Program.
- Set up and maintain an invoicing system that provides an invoice to each Program Participant for its share of Program costs and provides written confirmation to the Central Valley Regional Water Quality Control Board of the amount paid by each Program Participant to the Program each year;
- Keep financial records of all transactions relating to the execution of the Program, and make these records available to all Program Participants upon request; and
- Report to the Steering Committee and Finance Subcommittee quarterly regarding status of Program finances, including the status of payments from each Program Participant, expenditures, and an updated budget report.

If funds are insufficient to carry out the Annual Program Workplan, including reasonable program management costs, the Implementing Entity will work with the Steering Committee and Technical Advisory Committee to identify possible amendments to the Annual Program Workplan such that the work can be implemented within the budget, or propose to use other sources of funds, such as interest, Reserve Funds, grants, or matching funds, to complete the Program.

Management and Re-allocation of Funds

The Implementing Agency customarily plans for labor and expenditures by dividing the project into “tasks” and “subtasks.” In order to complete planned work within the available budget Implementing Agency may re-allocate funds among subtasks by up to \$5,000 at its own discretion. To re-allocate more than \$5,000 shall require approval of the Finance Subcommittee, and more than \$25,000 shall require approval by the Steering Committee.

8.D Reserve Funds

If there are excess funds in the Program account at the end of a budget year, the funds will be put into a Reserve Fund to be applied toward subsequent years of Program implementation with

approval of the Steering Committee. The recommended minimum balance of Reserve Funds is \$100,000 but the Steering Committee has the discretion to maintain a balance above or below this amount.

8.D.1 Monitoring Contingency Funds

If there are sufficient Reserve Funds, the SC may allocate up to \$50,000 of these funds to a Dedicated Set-Aside Fund for Monitoring Contingencies. The Monitoring Contingency Funds may only be used for unexpected monitoring costs or opportunities that arise during the course of the year after the RMP budget has been approved.

Process for Use of Monitoring Contingency Funds

For expenses greater than \$5,000, the Implementing Entity must obtain prior approval from the Finance Subcommittee (between \$5,000 and \$25,000) or the Steering Committee (greater than \$25,000).

For expenses up to \$5,000, the Implementing Entity may act without prior approval from the Steering Committee, under the following circumstances:

- A strategically important sampling opportunity arises (e.g., due to rare weather events or a chance to leverage other monitoring efforts);
- A mechanical failure during field sampling necessitates rapid action to repair or replace equipment in order to maintain the sampling schedule; or
- An unexpected event that, in the judgment of the Implementing Entity, requires immediate action.

Should the Monitoring Contingency Funds be obligated by the Implementing Entity under these circumstances, the Implementing Entity would inform the Steering Committee via email and provide a justification. The Steering Committee would then provide feedback at the next scheduled meeting on the appropriateness of the decision to maintain clear expectations for use of these funds.

If Monitoring Contingency Funds are used during a year, the Implementing Entity will seek SC approval to replenish the Set-Aside Fund up to the \$50,000 balance when requesting approval for the following year's budget.

8.E Conflict of Interest Policy

All Program Participants serving on Delta RMP committees shall avoid both actual and perceived conflicts of interest when selecting contractors. Any committee member with an actual or perceived conflict of interest in a contract has a duty to disclose this interest to the committee and to recuse himself/herself from the decision. In order to avoid potential conflicts of interest with technical contractors, the TAC shall not recommend specific contractors, but may provide criteria to be used in the contractor selection process. Additional details about handling conflicts of interest by public officials are available in Government Code Sections 1090-1099.

8.F Adequate Participation

The Steering Committee has determined the basic criteria for “adequate participation” in the Delta Regional Monitoring Program (RMP) is contributing financial or in-kind services to the RMP, at the level established on a yearly basis, as described below. The Regional Board relies on the Delta RMP Steering Committee to determine what “adequate participation” is, and whether or not dischargers and other Steering Committee members are adequately participating in the Delta RMP. The Steering Committee expects and depends on the Regional Board to be sufficiently flexible in its approval of proposed monitoring requirement exchanges, so as to encourage permitted dischargers to participate.

8.F.1 Contributions from Permitted Discharger Participant Groups

Permitted dischargers are entities subject to NPDES or WDR permit requirements for monitoring. The Regional Board allows, through amended permits, permitted dischargers in the Sacramento/San Joaquin watershed to demonstrate “adequate participation” in the Delta RMP *in lieu* of conducting specific receiving water monitoring that is otherwise required by their permits.

8.F.2 Contributions from Non Permitted Participant Groups

For Participant Groups of Steering Committee members that do not have permits issued by the Regional Water Board requiring monitoring that could be exchanged, adequate participation will consist of funding or in-kind services contributed to the RMP that are reasonably equivalent to other participants (of similar type) in the Delta RMP. There may be several types non-permitted participant groups that fall under this category. For groups of similar participants, the participants would choose their Steering Committee representative(s). The Steering Committee must consider for such categories whether the entity may vote based on the level of participation. For example, any entity may provide funding to the Delta RMP, but the Steering Committee must consider what level of funding would constitute a “voting” Steering Committee member.

The Steering Committee has agreed that a category can hold a seat on the Steering Committee, without contributing financially, but is not allowed to vote on financial issues. Thereby, financial obligations of the program are only supported by those that financially contribute to the program. Steering Committee members that do not contribute financially can be a voting member on non-financial issues if the category/member adds value to the program, as described below.

8.F.3. Definition of In-Kind Services

In-kind contributions may count towards a Participant's contribution, but only if they can be monetized and replace a cost in the program budget. In-kind services do not include participation on the Steering Committee, or Technical Advisory Committee, or any subcommittees formed by either the Steering Committee or Technical Advisory Committee.

8.F.4. Factors for Determining Adequate Participation

The following factors will be considered when making a determination of adequate participation.

Program Budget

The total Delta RMP program budget will be set by the Steering Committee annually and will be based on realistic estimates of funds likely to be received. Each Steering Committee Participant Group (coordinated monitoring program, permittees representing irrigated lands, publicly owned treatment works, dredgers, stormwater agencies, regulatory, resources agencies, and water suppliers) will be assigned, by the Steering Committee, a specified portion of the total program budget (see definition of "Cost Allocation Schedule" in Section 2. Definitions on page 3). As a starting point, these amounts may be determined using the previous year's level of support for each category.

Whether Additional Funds are Expected

The Delta RMP may receive grants, new categories, or funding from unanticipated sources. These funds will be used in developing the program budget, and could be used for determining adequate participation.

Exchange of Existing Individual Monitoring

Notwithstanding consideration of the program budget and whether additional funds are expected, an individual permitted discharger may be deemed to have adequate participation in the Delta RMP, for a particular funding year, only if they contribute funds to the program based on the following methodology:

For the first year, after a lapse of membership, or when what is being “traded” is substantially different than negotiated in the past:

The contribution level determined through negotiations between Regional Board staff and the individual discharger. The contribution level must not be less than the savings due to receiving water monitoring and/or study reduction approved by the Regional Board.

For subsequent years following the initial assessment:

Steering Committee members are expected to negotiate within their Participant Groups to develop an ongoing formula for the expected contribution for each of its members. Individual members of a permitted discharger Participant Group are responsible only for contributing their individual funding allotment. Failure of any member to contribute their expected individual funding will not result in an increase of funding requirements for the other members. However, failure of any discharger to contribute their expected individual funding will result in a finding of inadequate participation by that individual discharger. Contribution must not be less than the savings due to receiving water monitoring reduction originally approved by the Regional Board (under the above bullet).

Value Added Considerations

Any Steering Committee member representing a Participant Group needs to be committed to attending meetings regularly to ensure that a quorum is met at meetings and progress can be made. Categories that do not contribute financially may bring additional perspective or skill sets to the Steering Committee that is needed to achieve program goals, and therefore can be a voting member on non-financial issues. Participant Groups that help broaden the funding base either directly or indirectly by increasing the ability for the Delta RMP to compete for grants, achieve broader coordination with other programs, or other means of growing the program’s credibility and influence can be voting Steering Committee members on non-financial issues. New Participant Groups should not conflict with current representation (i.e., Is there already sufficient representation?).

9. Charter Revisions

The Steering Committee may amend this Charter by following the decision method described in Section 7.A.6 Steering Committee Decisions on page 15. Charter amendments may be proposed by Steering Committee Representatives, Technical Advisory Committee Representatives, or the Implementing Entity, either during or between meetings. Any proposed amendments will be placed on the Steering Committee meeting agenda for discussion and possible action, or decided through email or conference call communication if feasible and appropriate.

Attachments

Figure 1: Organizational Chart of the Delta RMP

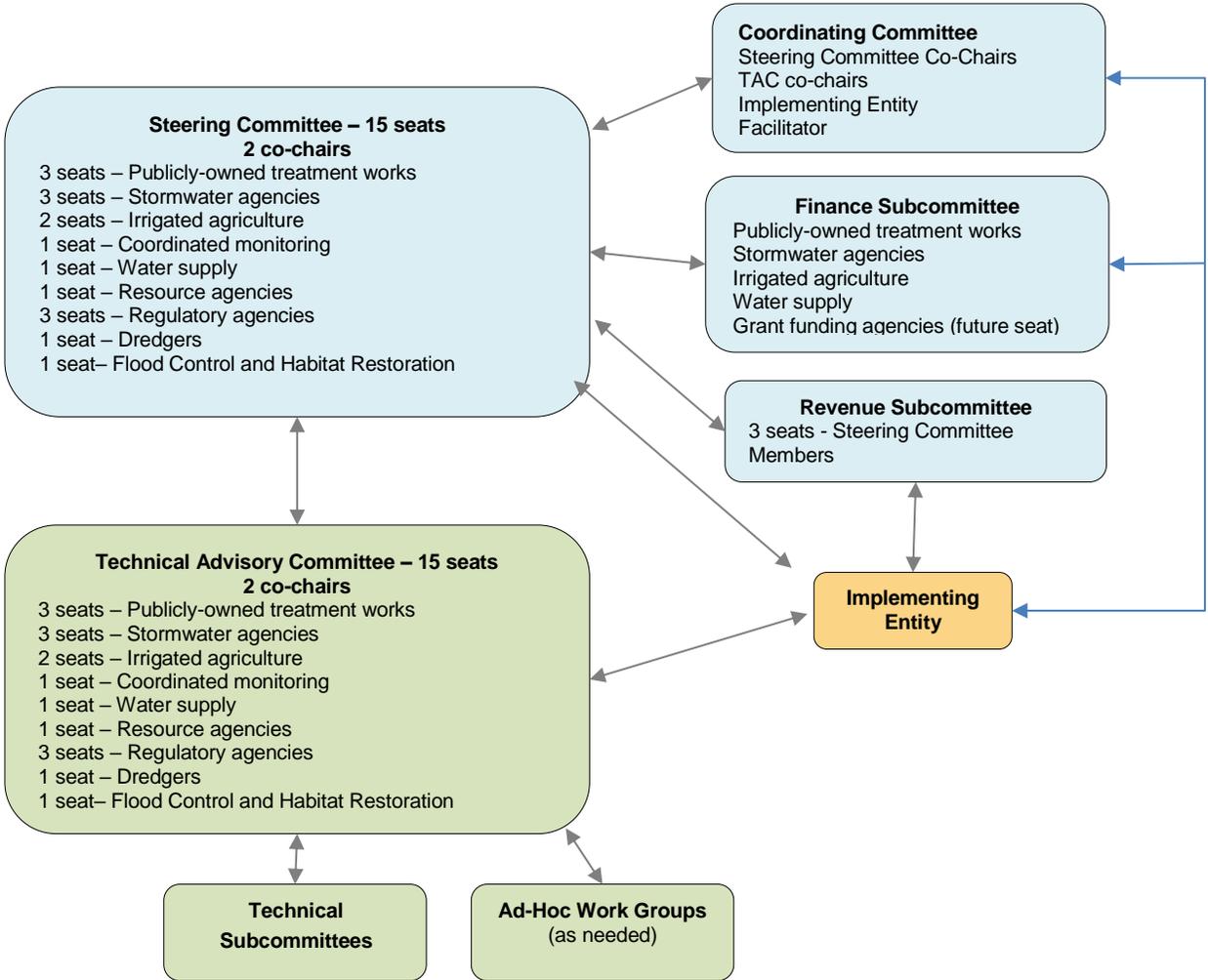
Attachment 1: Roster of Steering Committee Members

Attachment 2: Roster of Technical Advisory Committee Members

Attachment 3: Regional Board Use of Delta RMP Data for Permit Compliance

Attachment 4: Guidance for Issuing and Evaluating Requests for Proposals for the Delta RMP

Figure 1 Organizational Chart of the Delta RMP



Attachment 1: Roster of Steering Committee Members

(updated November 2018)

Name	Affiliation	Representing	Position
David Cory	Westside San Joaquin River Watershed Coalition	Agriculture (2 seats)	Primary
Mike Wackman	San Joaquin County & Delta Water Quality Coalition	Agriculture (2 seats)	Primary
Bruce Houdesheldt	Sacramento Valley Water Quality Coalition	Agriculture (2 seats)	Alternate
Parry Klassen	East San Joaquin Water Quality Coalition	Agriculture (2 seats)	Alternate
Gregg Erickson	Interagency Ecological Program (IEP)/California Department of Fish and Wildlife (DFW)	Coordinated Monitoring (1 seat)	Primary
Erwin Van Nieuwenhuysse	Interagency Ecological Program (IEP)/US Bureau of Reclamation	Coordinated Monitoring (1 seat)	Alternate
Karen Gehrts	Interagency Ecological Program (IEP)/California Department of Water Resources (DWR)	Coordinated Monitoring (1 seat)	Alternate
Jeffrey Wingfield	Port of Stockton	Dredgers (1 seat)	Primary
Dan Riordan	Department of Water Resources	Flood Control and Habitat Restoration (1 seat)	Primary
Carol DiGiorgio	Department of Water Resources	Flood Control and Habitat Restoration (1 seat)	Alternate
Josie Tellers	City of Davis	POTW (3 seats)	Primary
Kathryn Garcia	City of Stockton Regional Wastewater Control Facility	POTW (3 seats)	Primary
Rebecca Franklin	Sacramento Regional County Sanitation District (Regional San)	POTW (3 seats)	Primary
Casey Wichert	City of Brentwood	POTW (3 seats)	Alternate
Debbie Webster	Central Valley Clean Water Association	POTW (3 seats)	Alternate
Deedee Antypas	City of Stockton Regional Wastewater Control Facility	POTW (3 seats)	Alternate
Jenny Skrel	Ironhouse Sanitary District	POTW (3 seats)	Alternate
Nader Shareghi	Mountain House CSD	POTW (3 seats)	Alternate
Samsor Safi	Sacramento Regional County Sanitation District (Regional San)	POTW (3 seats)	Alternate
Tom Grovhoug	Larry Walker and Associates (LWA)	POTW (3 seats)	Alternate
Vyomini Upadhyay	Sacramento Regional County Sanitation District (Regional San)	POTW (3 seats)	Alternate
Adam Laputz	Central Valley Regional Water Quality Control Board	Regulatory Agencies (3 seats)	Primary

Name	Affiliation	Representing	Position
Greg Gearheart	State Water Resources Control Board, Office of Information Management and Analysis (OIMA)	Regulatory Agencies (3 seats)	Primary
Terry Fleming	U.S. EPA Region 9 Water Division	Regulatory Agencies (3 seats)	Primary
Melissa Morris	State Water Resources Control Board	Regulatory Agencies (3 seats)	Alternate
Patrick Morris	Central Valley Regional Water Quality Control Board	Regulatory Agencies (3 seats)	Alternate
Valentina Cabrera-Stagno	U.S. EPA Region 9 Water Division	Regulatory Agencies (3 seats)	Alternate
Jeff Stuart	NOAA Fisheries	Resource Agencies (1 seat)	Primary
Brendan Ferry	El Dorado County	Stormwater Agencies (3 seats)	Primary
Dave Tamayo	County of Sacramento	Stormwater Agencies (3 seats)	Primary
Stephanie Hiestand	City of Tracy	Stormwater Agencies (3 seats)	Primary
Brandon Nakagawa	County of San Joaquin	Stormwater Agencies (3 seats)	Alternate
Dalia Fadl	City of Sacramento	Stormwater Agencies (3 seats)	Alternate
Stephen McCord	McCord Environmental, Inc.	TAC Co-Chair	Ex Officio
Shaun Philippart	Department of Water Resources	Water Supply (1 seat)	Primary
Lynda Smith	Metropolitan Water District of Southern California (Met)	Water Supply (1 seat)	Alternate

Attachment 2: Roster of Technical Advisory Committee Members

(updated November 2018)

Name	Affiliation	Representing	Position
Melissa Turner	MLJ Environmental	Agriculture (2 seats)	Primary
Michael Johnson	MLJ Environmental	Agriculture (2 seats)	Primary
Stephen McCord	MEI	Co-chair	Co-chair
Erwin Van Nieuwenhuysse	US Bureau of Reclamation	Coordinated Monitoring (1 seat)	Primary
Joe Domagalski	U.S. Geological Survey	Coordinated Monitoring (1 seat)	Alternate
Shaun Philippart	CA Department of Water Resources	Coordinated Monitoring (1 seat)	Alternate
VACANT		Dredgers (1 seat)	Primary
Carol DiGiorgio	Department of Water Resources	Flood Control and Habitat Restoration (1 seat)	Primary
Erich Delmas	City of Tracy	POTW (3 seats)	Primary
Tim Mussen	Sacramento Regional County Sanitation District (Regional San)	POTW (3 seats)	Primary
Vyomini Upadhyay	Sacramento Regional County Sanitation District (Regional San)	POTW (3 seats)	Primary
Cam Irvine	Roberston Bryan Inc.	POTW (3 seats)	Alternate
Lisa Thompson	Regional San	POTW (3 seats)	Alternate
Debra Denton	U.S. EPA Region 9 Water Division	Regulatory Agencies (3 seats)	Primary
Janis Cooke	Central Valley Regional Water Quality Control Board	Regulatory Agencies (3 seats)	Primary
Melissa Morris	State Water Resources Control Board	Regulatory Agencies (3 seats)	Primary
Bev Anderson-Abbs	State Water Resources Control Board	Regulatory Agencies (3 seats)	Alternate
Danny McClure	Central Valley Regional Water Board	Regulatory Agencies (3 seats)	Alternate
Dawit Tadesse	State Water Resources Control Board	Regulatory Agencies (3 seats)	Alternate
Jessica Mullane	Central Valley Regional Water Board	Regulatory Agencies (3 seats)	Alternate

Name	Affiliation	Representing	Position
Selina Cole	Central Valley Regional Water Board	Regulatory Agencies (3 seats)	Alternate
Valentina Cabrera-Stagno	U.S. EPA Region 9 Water Division	Regulatory Agencies (3 seats)	Alternate
Jeff Stuart	NOAA Fisheries	Resource Agencies (1 seat)	Primary
Amy Phillips	El Dorado County	Stormwater Agencies (3 seats)	Primary
Brian Laurensen	Larry Walker Associates	Stormwater Agencies (3 seats)	Primary
Karen Ashby	Larry Walker Associates	Stormwater Agencies (3 seats)	Primary
Hope McCaslin Taylor	Larry Walker Associates	Stormwater Agencies (3 seats)	Alternate
Stephen Clark	Pacific Eco Risk	Stormwater Agencies (3 seats)	Alternate
Krista Hoffman	Department of Water Resources	Water Supply (1 seat)	Primary
Lynda Smith	Metropolitan Water District of Southern California	Water Supply (1 seat)	Alternate

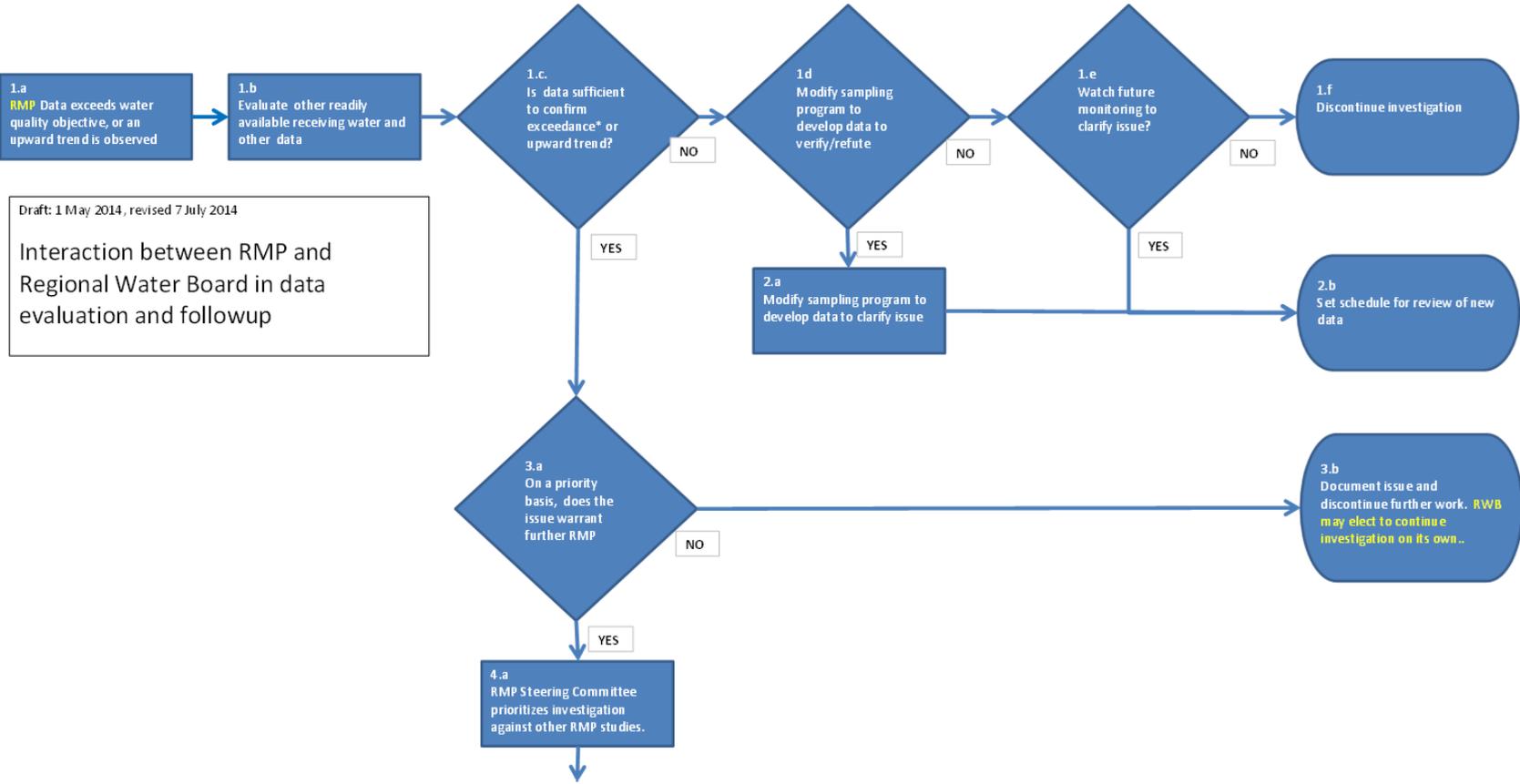
Attachment 3: Flowchart illustrating the proposed interaction of the Delta RMP with the Regional Board in data evaluation and follow-up

POTWs and Regional Board staff developed this flowchart independently of the Delta RMP decision-making process, to facilitate discussions about program participation by POTWs. This flowchart was considered fundamental by POTWs for agreeing to the permit language change that allows for program participation in lieu of individual permit monitoring.

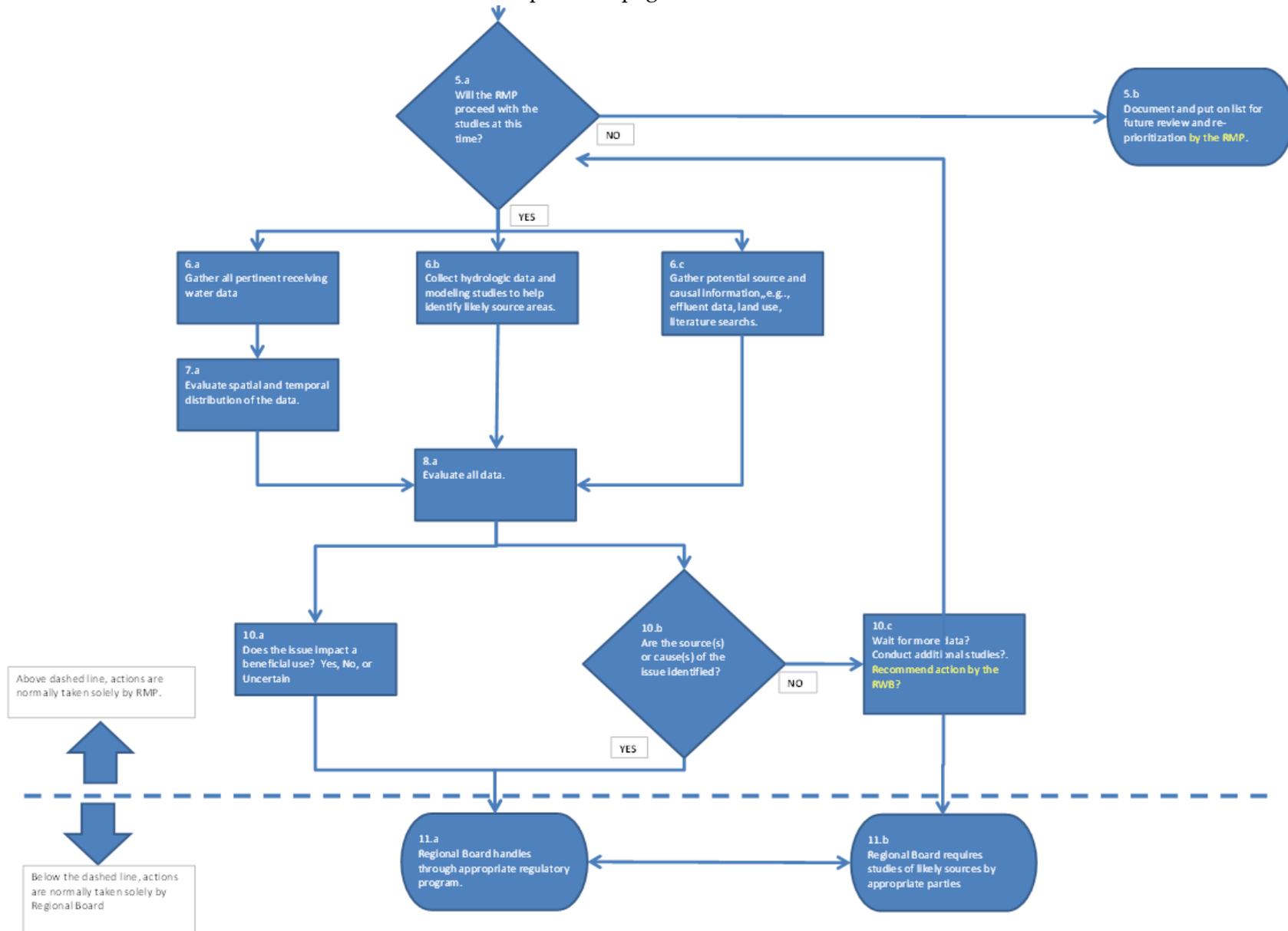
The flowchart represents the expectation is that regulatory agencies and dischargers will work together to jointly characterize the sources, causal factors and beneficial use impacts of any issues of concern to ensure that regulatory decisions are well founded and effective. The expectation is further that the Delta RMP will be used as much as possible to collect the information needed for decision making and that additional monitoring requests by regulatory agencies per Section 13267 of the California Water Code should be minimized.

Delta RMP data will not be used directly to determine that individual discharges are in violation of permit conditions. Delta RMP monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta. Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation.

* The RMP should never rely on a single sample to determine exceedance.



Flow chart continued on next page



Attachment 4: Guidance for Issuing and Evaluating Requests for Proposals (RFPs) for the Delta RMP

Introduction

The purposes of the Request for Proposal (RFP) process are to ensure:

- Accountability, good governance, and transparency;
- Effective and efficient use of program resources; and
- Achievement of program objectives and quality standards.

Implementing Entity for the Delta RMP will prepare the RFP and manage the RFP process. The Delta RMP Steering Committee (SC) will approve the RFP and approve the selected contractor.

Steps in the RFP Process

1. **The Implementing Entity obtains SC approval for proposed work, budget, and schedule.** Work described in an RFP should correspond directly to a workplan task or subtask with an approved budget and schedule.
2. **The Implementing Entity assembles an advisory group to assist with developing the RFP and evaluating proposals.** The advisory group could be the Technical Advisory Committee (TAC), a TAC subgroup, and/or other subject-area experts. In some instances (e.g. work is non-technical in nature), the SC or a SC subgroup may serve as the advisory group. The advisory group should not include individuals with an actual or potential conflict of interest in the RFP.
3. **The Implementing Entity writes the RFP with feedback and assistance from the advisory group.** The RFP should include specific, closed questions by which to evaluate and compare each proposal's technical merit. Proposal scoring criteria and weighting should correspond to the requirements, services, and features of the project.
4. **The Implementing Entity solicits or invites proposals.** Based on the project needs, the Implementing Entity may solicit proposals from specific vendors or distribute a general solicitation via appropriate channels.
5. **The Implementing Entity and advisory group review proposals.** The Implementing Entity may pre-screen proposals based on minimum or non-negotiable project requirements. Advisory group members may be asked to score individual proposals or otherwise provide feedback to the Implementing Entity. Any advisory group member

with an actual or perceived conflict of interest in a proposal has a duty to disclose this interest to the group and to recuse himself/herself from the entire RFP process.

6. **The Implementing Entity requests external review as necessary.** The Implementing Entity may ask external reviewers with specific expertise to participate in the evaluation.
7. **The Implementing Entity compiles feedback on proposals and recommends a contractor for the SC to approve.** The recommendation report will include a summary of the contractors who submitted proposals, the costs of the various proposals, and feedback received from the advisory group and others.
8. **SC votes to award the contract.** Considering all of the factors presented by the Implementing Entity and any other relevant information, the SC will vote to award the project contract with any necessary amendments.
9. **The Implementing Entity develops, negotiates, and signs contract.** As the fiscal/operating agent, the Implementing Entity will enter into partnerships, contracts, and other legal agreements on behalf of the Delta RMP. The Implementing Entity will negotiate details concerning schedules and project deliverables, and act as the contract manager.

Typical Information to Include in RFPs

1. Delta RMP background and status
2. Project description
3. Eligibility requirements (if any)
4. Required products and services
5. Schedule with milestones
6. Evaluation criteria
7. Format for proposals
8. Format and instructions for budgets included with proposals
9. Any other information needed to evaluate and score responses
10. Contact information and deadline for proposal submissions