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July 25, 2005

BROWN AND
CALDWELL

Mr. Ed Yates
President
California League of Food Processors
980 Ninth Street, Suite 230
Sacramento, California 95814

1017-05-071302-003-001

Subject: Proposal to Update the Manual of Good Practice on Land Application
of Food Process/Rinse Water

Dear Mr. Yates:

Brown and Caldwell, in association with Kennedy/Jenks Consultants (Kennedy/Jenks), is pleased to submit this proposal to update the 2002 Manual of Good Practice for Land Application of Food Process/Rinse Water. The proposal is based on our knowledge of recent events concerning regulation of discharges to land, including land application of process rinse water, input from staff at the Regional Water Quality Control Board, Central Valley Region (RWQCB) during an April 20, 2005 meeting concerning the Manual, and discussion during a July 8, 2005 meeting with California League of Food Processors (CLFP) member representatives.

The proposal for obtaining input and preparing revisions to the Manual now reflects broader involvement on the part of State Water Resources Control Board (SWRCB) staff and representatives from other Regional Boards. Input on key issues will be sought from SWRCB and selected Regional Board representatives, as appropriate, and the revised Manual will incorporate input from this broad stakeholder group in recognition of the state-wide nature of the issues being addressed.

We propose a phased approach to allow for development of key issues and initial discussions with regulatory agency representatives prior to proceeding with Manual revisions. Our proposed scope of services, key staff, project budget, and proposed schedule are outlined below.

SCOPE OF SERVICES

The scope is divided into two major phases, as described below.

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E n v i r o n m e n t a l E n g i n e e r s & C o n s u l t a n t s

Phase I – Narrowing the Issues

Brown and Caldwell (B&C) and Kennedy/Jenks propose to narrow the key issues that will be addressed as part of the Manual update. Narrowing will be conducted in two tasks as described below.

Task 1. Identification and Development of Key Issues. The comments provided by Mr. Bert Van Voris, of the RWQCB, entitled “Discussion Paper, Manual of Good Practice, Areas and Issues of RWQCB Concern, Meeting w/CLFP 20 April 2005” and discussion at the meeting indicate some issues will require additional information and negotiation to achieve an acceptable resolution.

The technical team will develop a list of the key issues to be resolved. The issues will be categorized into (1) general issues, such as the tone and purpose of the manual, (2) technical issues, such as the use of lysimeters, and (3) regulatory issues, such as the appropriateness of Title 27 regulations. These key issues will be evaluated to develop a “position” or basis for recommending revisions to the Manual.

The technical team will document the issues and potential resolutions in a technical memo and one meeting will be held between the CLFP and the technical team. After the meeting the development of the key issues will be refined. A memo outlining the issues to be addressed and potential resolution(s) will be prepared.

Task 2. Identify Regulatory Agency Representatives. The technical team will contact the SWRCB via Mr. Art Baggett, who is currently leading the SWRCB effort to develop consistency in regulation of land application, and the Regional Boards currently regulating food processing discharges, to identify representatives and procedures to obtain input on the key issues and to review the revised Manual. Copies of the Manual, Central Valley RWQCB comments and the key issues memo will be sent to the identified representatives prior to the initial meeting described in Task 3.

Task 3. Meetings with Board Members and Staff. A working session will be held with SWRCB representatives, Regional Board members, and staff to present information and discuss possible resolution and suggested wording for the revised Manual. The issues will be tested for potential resolution.

Following the meeting with regulatory agency representatives, a separate meeting will be held between the technical team and the CLFP steering committee representative(s) to discuss potential revisions and the Phase 2 scope and fee. It is recognized that some of the key regulatory issues may not be able to be resolved in

the Manual and certain technical issues may need additional information to be resolved.

Phase II - Manual Revision

Revision of the manual requires several tasks.

Task 4. Draft Revisions and Update to the Manual. The Manual sections will be updated to reflect the recommended revisions. To the extent possible, the Manual revisions will be designed to provide guidance on determining appropriate permit conditions and constituent limits, including items such as guidance on system organic and nitrogen loading. The Manual format and content will be revisited to provide guidance on permit compliance. Analysis and example data from available studies will be included in the Manual text to support several of the key technical issues.

Revisions to each section will be done either by Brown and Caldwell or Kennedy/Jenks, and the updates will be reviewed by the remaining consultant team members. Brown and Caldwell will compile and produce a draft document for distribution/review.

Optional Task 4A. Evaluation of Monitoring Data. CLFP has indicated the potential for organizing a meeting to review collected groundwater monitoring data from land application sites. The technical team could review available data and attend such a meeting on a time-and-materials cost basis.

If CLFP desires to proceed with analysis of a representative set of groundwater and application data to evaluate potential impacts to groundwater quality, an optional task has been included in our scope of work to allow for evaluation assistance. This task includes a meeting with CLFP representatives and evaluation of a limited set of data on a time-and-materials basis. The technical team would summarize available data in graphical format and prepare a brief technical memorandum with conclusions regarding the data, if desired. We have included an \$8,000 level-of-effort estimated cost for this optional task.

Optional Task 4B. Third Party Review of Manual. CLFP members have indicated a desire to consider third party review of the revised Manual. This may yield independent verification of the scientific basis used for many aspects of the Manual and contribute additional information concerning defining sustainable practices. Should CLFP elect to have third party review of the draft revised Manual, the technical team will respond to comments and incorporate input to the Manual on a time-and materials basis. We have included a \$6,000 level-of-effort estimated cost for this optional task in the budget.

Task 5. Workshop to Discuss Manual and Review Comments. Brown and Caldwell and Kennedy/Jenks will attend and participate in a discussion/workshop with RWQCB staff and Board members to review and discuss the proposed updates and review comments. The expected output of the workshop would be an agreed to list of final revisions to the Manual.

Task 6. Final Report Preparation. Brown and Caldwell, with input from Kennedy/Jenks, will produce one camera-ready copy and an electronic version of the final report for inclusion on the CLFP website.

KEY STAFF

The project will be led by Ron Crites, Project Manager for Brown and Caldwell. The Kennedy/Jenks team will be lead by Paula Hansen. Other members of the technical staff, including experts in soil science, hydrogeology, and water chemistry will provide project support as necessary.

PROJECT BUDGET

The estimated cost for Phase 1 is \$15,600. The estimated cost of Phase 2 is \$66,000, without the optional tasks. The estimated cost by task is summarized in Table 1. At the conclusion of Phase I, the Phase 2 estimated costs will be re-evaluated with CLFP depending on the identification of key issues and inclusion of optional tasks.

Table 1. Summary of Budget by Task		
Phase	Task	Budget
1	1	\$4,000
1	2	\$3,000
1	3	\$8,600
1	Subtotal	\$15,600
2	4	\$54,00
2	4A	(\$8,000)
2	4B	(\$6,000)
2	5	\$6,000
2	6	\$6,000
2	Subtotal	\$66,000
2	Grand total	\$81,600

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This project will be conducted under an amendment to the contract, dated November 2001. The fee will be based on labor and materials, not-to-exceed \$81,600 without the written approval of the CLFP. The fee will be invoiced monthly based on the effort completed.

SCHEDULE

Assuming a signed contract and notice to proceed by August 15, 2005, the Workshop for Task 1 would be held in November 2005. Phase 2 would begin in December and the Manual would be completed by June 2006.

We appreciate the opportunity to assist the processors and CLFP. If you have any questions, please contact Ron Crites at (530) 747-0650, extension 104.

Very truly yours,

BROWN AND CALDWELL

J. David Zuber, P.G.
Environmental Services Leader

cc: Ron Crites, Brown and Caldwell
Paula Hansen, Kennedy/Jenks Consultants