VANBRIMMER DITCH COMPANY

VANBRIMMER PIPING PROJECT

WaterSMART Small-Scale Water Efficiency Projects for Fiscal Year 2019

Funding Opportunity Announcement
BOR-DO-19-F005

Applicant
Vanbrimmer Ditch Company
620 Main Street
Klamath Falls, OR 97601

Brent Haskins, Project Manager
P. O. Box 213
Merrill, OR 97633
Phone: 541-891-4104
email: haskins@e-isco.com

Vanbrimmer Ditch Company
620 Main Street
Klamath Falls, OR 97601
Contact: Kay Heath
Phone: 541-882-6331
Fax: 541-883-1501
email: kayheath@parksandratliff.com
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Technical Proposal and Evaluation Criteria

Executive Summary

Date: April 24, 2019
Applicant Name: Vanbrimmer Ditch Company (VBDC)
City, County, State: Merrill, Klamath County, Oregon
Contact: Brent Haskins / Kay Heath
Title: Project Manager/ Helper (Administration)
Address: 620 Main Street, Klamath Falls, OR 97601-6008
Office Phone: 541-882-6331
Cell Phone: 541-891-4104 / None
E-mail: kayheath@parksandratliff.com
Project Name: Vanbrimmer Piping Project

• One paragraph project summary that specifies the work proposed, including how funds will be used to accomplish specific project activities and briefly identifies how the proposed project contributes to accomplishing the goals of this FOA (see Section C.3.1. Eligible Projects).

This project is being submitted under Funding Opportunity Announcement No. BOR-DO-19-F005. Funding will be utilized for the conversion of approximately 1,000 feet of open canal to a buried pipe system. If funded, the complete project is anticipated to conserve approximately 400 acre-feet of water. Water savings resulting from this project would aide in conserving water resources in the reservoirs and rivers of the Klamath Project, an area that has experienced much controversy over water availability in previous decades.

• State of length of time and estimated completion date for the project.

Upon receiving confirmation of Reclamation funding, and completion of NEPA and NHPA compliance, VBDC anticipates they will complete the project roughly within two years. The following schedule assumes that both the NEPA and the NHPA process would require approximately six months for completion, and thus construction would be delayed until the of the fall of 2020 and would be completed in spring 2021. Completion of the NEPA and NHPA processes dictate the project schedule.

Project Schedule (dependent on NEPA/NHPA compliance)
April 2019 - Submit grant application
June 2019 - Anticipated Grant is awarded
Sept. 2019 - Anticipate Agreements
April 2020 - Begin NEPA and cultural resources process
Oct. 2020 - Anticipated finalization of NEPA and NHPA compliance
Oct. 2020 - VBDC requests final bids for pipe and contracting
Nov. 2020 - Purchase pipe and materials
Nov. 2020 - March 2021 - (weather dependent) - Construction
Spring 2021 - Any final construction complete
• Whether or not the project is located on a Federal facility

The ditch is not located on a Federal facility.

BACKGROUND DATA

• As applicable, describe the source of water supply, the total quantity of water supply managed and supplied, the water rights involved, current water uses (i.e., agricultural, municipal, domestic, or industrial), the number of water users served and the current and projected water demand. If water is primarily used for irrigation, describe major crops and total acres served. Also, identify potential shortfalls in water supply.

VBDC's Point of Diversion is the “A” Canal, the water being delivered to VBDC through the “C” Canal of the Klamath Project. It is the holder of an adjudicated water right for 50 cfs from the Klamath River, having a priority date of 1883. Further, it carries additional waters through contracts with two other districts, Sunnyside Irrigation District (Sunnyside) and Klamath Basin Improvement District (KBID). Its water is used for agricultural purposes. VBDC is currently serving 62 VBDC water users, 8 Sunnyside users, and 11 KBID water users, and the current and projected water demand is the full amount of water to which VBDC, Sunnyside and KBID lands served by water through the Vanbrimmer Ditch are entitled by law. The major crops served by water carried in the Ditch are pasture, alfalfa, grain, mint, onions and potatoes, and the total acres served is 5,386.4 (4,589.3 VBDC; 202.1 KBID; 595.0 Sunnyside)

Klamath County is currently experiencing sub-normal snowpack, with below annual snowfall recorded in many of the previous years. Coupled with that fact is the impact of the Bureau of Reclamation’s Final Biological Assessment of the Effects of the Proposed Action to Operate the Klamath Project from April 1, 2019 through March 31, 2029 on Federally-Listed Threatened and Endangered Species and the subsequent U.S. Dept. of Interior, Fish & Wildlife Service’s Biological Opinion on Klamath Project Operations issued March 29, 2019. As such, water supply in the Klamath Basin can become very limited in certain years, and it is extremely important to use water as efficiently as possibile.

• In addition, please include the types and approximate total lengths of canals and laterals (e.g., unlined or lined open channel, pipe, including types of pipe and lining materials), the number of irrigation turnouts and other significant existing irrigation improvements (e.g., automated control structures, remote monitoring devises and SCADA systems).

The Ditch is comprised of a system of open canals; survey for construction began in 1878 and continued forward. The delivery system consists of approximately 32,000 feet of open canals. It serves 28 turnouts to VBDC irrigators, one turnout to Sunnyside Irrigation District, and 7 turnouts to KBID irrigators. Additionally, there are 6 old turnouts not being used due to conversion to sprinklers. It operates two pumps at its Malone Road pumping station, which serves to deliver Warren Act water to the holders of Warren Act contracts in northern California and to serve the end reaches of the canal.
Identify any past working relationships with Reclamation. This should include the date(s), description of the relationships(s) with Reclamation, and a brief description of the Project(s).

1. Department of the Interior, United States Reclamation Service contract, dated November 6, 1909; VBDC agreed to waive its right to have its supply through facilities as originally constructed in exchange for receiving 50 cfs through Project facilities.
2. Department of the Interior, Bureau of Reclamation, dated February 3, 1943 – (18r-1065); a contract amending and supplementing the November 6, 1909 contract.

PROJECT LOCATION

The Van Brimmer Piping Project is located in Klamath County, Oregon. It will begin just below where the canal crosses Lower Klamath Lake Road approximately one-half mile south of the City of Merrill, Oregon. The northern tip of the project latitude is 42°0'34.4" N and the longitude is 121°36'53.9" W; the southern tip of the project latitude is 42°0'22.5" N and the longitude is 121°36'36.2" W.

TECHNICAL PROJECT DESCRIPTION AND MILESTONES

The technical project description should describe the work in detail, including specific activities that will be accomplished. This description shall have sufficient detail to permit a comprehensive evaluation of the proposal. The technical project description must include milestones for the completion of the project, including, but not limited to, environmental compliance, permitting, final design, and construction.

VBDC proposes to convert approximately 1,000 feet of the open, unlined portion of its canal between Lower Klamath Lake Road and where South Merrill Road meets Stateline Road to a piped system using 48-inch HDPE. If this proposal is awarded, VBDC would procure the necessary supplies and materials for the pipe installation and would utilize qualified contractors for the installation of the pipe.

To start the project, the contractor will use a low-boy to transport the pipe from the point of delivery to the project site. The one existing turnout within the canal that would impede the placement of the pipe would be removed. Fencing in and near the project sites that would prohibit construction would also be removed. The contractor will utilize an excavator and D-4 Caterpillar to laser level the existing canal bed. The canal bed will be leveled to allow the pipe to lay properly at grade and allow for gravity flow through the piping system. No excavation beyond the depth of the existing canal bed is anticipated. Once the ground is leveled, the contractor will begin installing pipe. A concrete service box would necessarily be constructed at the site of the one turnout located in the project site. A concrete headwall would be constructed at the northern tip of the project. Once the pipe, headwall and service box are installed, the pipe will be backfilled with soil from the existing canal banks. Once backfilled, the new pipe will have a minimum cover of two feet and will be approximately six feet in the ground. In an effort to not distort the underlying pipe, compaction above the
piping would be minimal. The disturbed areas on and neighboring the buried pipe would be revegetated with drought tolerant pasture grass.

It is anticipated that the NEPA and NHPA compliance requirements will be completed within six months of the award. Thereafter, depending on the weather, it is anticipated that construction would be carried out in a single phase. At this time it has not been determined when construction would commence; however, it is projected that the project would be completed by the spring of 2021. See proposed project schedule in Executive Summary. There are no permitting or final design requirements.

- Identify the problems and needs

The stretch of the canal under consideration in submitting this proposal experiences significant subterranean leakage due to the makeup of the soils through which it flows, which are primarily sandy loam on hardpan. In addition, VBDC incurs expense every year in cleaning the ditch.

- Describe how the project is intended to address the problems and needs

The ditch carries approximately 35 cfs in this reach of the canal, and it is anticipated that piping of this reach will save approximately 10 cfs of water.

- Identify the expected outcomes

It is anticipated that the water saved by completing the project will, therefore, provide more water available to down-canal irrigators, particularly in dry years; piping will increase the velocity of the flow; will decrease the amount of pumping that will need to be done from the Malone Pump station; will save VBDC the expense of maintaining the ditch in this reach; and will address issues of water quality.

EVALUATION CRITERIA

Evaluation Criterion A: Project Benefits

- Describe the expected benefits and outcomes of implementing the proposed project.

The ditch has historically had difficulty delivering water to its lower reaches and to the irrigators who depend upon the water in that area. The project will benefit VBDC’s water supply system in general, by eliminating the subterranean seepage that it experiences, particularly in the reach of the proposed project, and by saving water that otherwise would be lost in charging the ditch at the beginning of the season and to evapotranspiration in the reach of the proposed project, thus making more of its water available in the lower end of its system.

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The proposed project will have a positive impact on agriculture in general by not only providing a more reliable source of water to irrigators but will improve the quality of the water being delivered as well. In addition, the risk of rupturing the canal bank in the reach of the proposed project will be greatly reduced.

**Evaluation Criterion B: Planning Efforts Supporting the Project**

- **Describe how your project is supporting by an existing planning effort.**

  The Klamath River Basin Study completed in August 2016 by Reclamation in partnership with the Oregon Water Resources Department and the California Department of Water Resources explored the decreasing of water demand as an adaptation strategy category. Agricultural water conservation was one concept within that category, and it includes canal lining and piping projects as an activity to obtain water conservation goals. As VBDC is a participating stakeholder in the Klamath Project, it was invited to provide input throughout the Basin Study process.

  VBDC's proposed project would support this effort as seepage and evaporation would be eliminated along the section of canal that would be piped and approximately 400 acre-feet of water would be saved annually. All conserved water would remain instream within the Lost River; however, if Klamath Project operations and other conditions allow, the conserved water could be routed into the Klamath River system to support further agricultural water uses, environmental needs, Tribal treaty rights, and other interests that were identified in the Study.

**Evaluation Criterion C: Project Implementation**

- **Describe the implementation plan for the proposed project. Please include the estimated project schedule that shows the stages and duration of the proposed work, including major tasks, milestones, and dates.**

  It is important to note that Vanbrimmer cannot commence any action until the NEPA and NHPA processes are complete. Upon completion of those processes, VBDC would secure necessary contracts for the installation of the pipe and would obtain final bids for the pipe. It is anticipated that the pipe would be on the ground by the fall of 2020. Weather permitting, construction would commence as soon as the pipe is delivered in the fall of 2020, otherwise construction would commence and be completed in the spring of 2021. See proposed project schedule in Executive Summary.

- **Describe any permits that will be required, along with the process for obtaining such permits.**

  No permits will be required for this project.

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• Identify and describe any engineering or design work performed specifically in support of the proposed project.

Vanbrimmer intends to utilize the experience and assistance of Don Russell, of Horsefly Irrigation District, who has a long history in this business.

• Describe any new policies or administrative actions required to implement the project.

None will be required.

• Describe how the environmental compliance estimate was developed. Have the compliance costs been discussed with the local Reclamation office?

VBDC consulted with Reclamation staff at the Klamath Basin Area Office in estimating environmental compliance costs.

Evaluation Criterion D: Nexus to Reclamation

• Is the proposed project connected to a Reclamation project or activity? If so, how?

The project facilities are privately owned; however, VBDC is located within the Klamath Project and the “C” Canal delivers water to VBDC.

• Does VBDC receive Reclamation project water?

Yes

• Is the project on Reclamation project lands or involving Reclamation facilities?

Only to the extent that VBDC’s receives its water via the “C” Canal of the Klamath Project.

• Is the project in the same basin as a Reclamation project or activity?

The project is in the Klamath Basin; the same basin as that of the Klamath Project.

• Will the proposed work contribute water to a basin where a Reclamation project is located?

Any increased return flow experienced by implementing the project will provide additional water to Lost River located in the Klamath Basin, again, the same basin as that of the Klamath Project.

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• **Will the project benefit any tribe(s)?**

The project will not directly benefit any tribe; however, saved water would remain in stream for indirect benefit to local tribes and downstream users.

**Evaluation Criterion E: Department of Interior Priorities**

• **Creating a conservation stewardship legacy second only to Teddy Roosevelt**

Water conserved will remain within the Klamath River system for the benefit of other Klamath Project water users and downstream water users as well as for wildlife, including ESA limited species (Sucker and Salmon).

Vanbrimmer anticipates that up to 30% (based on prior ponding studies by Horsefly Irrigation District and the Bureau of Reclamation for Horsefly Irrigation District’s 2014 WaterSMART Piping Project) of water will be conserved upon project implementation. As soil, geologic, and hydrologic characteristics are relatively uniform through the Klamath Project, it is reasonable to assume similar losses in this proposed project area.

• **Restoring trust with local communities**

Implementation of this project will not only conserve water but will also address issues with neighboring landowners who are affected by unwanted subbing (subterranean irrigation) and loss of irrigable farm land.

• **Striking a regulatory balance**

As Klamath Project irrigation districts find themselves with the responsibility of addressing the needs of endangered species within the Klamath Basin, it has become important to make VBDC’s water operations more efficient. Conserved water resulting from this project would remain available within the Lost River system, and thus would support both the Lost River Sucker and the Short Nosed Sucker fish species and all for greater flexibility of the Bureau of Reclamation’s management of water within the Klamath Project. The water quantity within the River would increase, and the water quality within the River would improve as the proposed project would result in an enclosed system that would eliminate the leaching of agricultural and ranch land nutrients and chemicals into those sections that are to be piped. Surplus water would also have the potential to be delivered to the neighboring wildlife refuges that support populations of white pelicans and other waterfowl.

• **Modernizing our infrastructure**

Implementation of this project will greatly reduce maintenance needs along the water conveyance, and, thus, the need for ditch rider vehicles and other machinery would be reduced, eliminating potential impacts to water quality and air quality.
PROJECT BUDGET

Funding Plan and Letters of Commitment

• Describe how the non-Federal share of project costs will be obtained. Reclamation will use this information in making a determination of financial capacity. Project funding provided by a source other than the applicant shall be supported with letters of commitment from these additional sources. Letters of commitment shall identify the following elements:

  • The amount of funding commitment

  The board of directors of VBDC has, by resolution, commitment an amount not to exceed $80,000.00 to this project. A significant portion of this amount will be utilized as in-kind costs contributed by VBDC, including an amount paid be to contractors, to complete the project. The total amount of the project is $127,325.00 with $63,662.50 requested under the WaterSMART opportunity.

  • The date the funds will be available to the applicant

  VBDC anticipates having its cost-share available at the time of signing the financial assistance agreement.

  • Any time constraints on the availability of funds

  None

  • Any other contingencies associated with the funding commitment

  None

  • Please identify the sources of the non-Federal cost share contribution for the project, including:

  • Any monetary contributions by the applicant towards the cost-share requirement and the source of funding (e.g., reserve account, tax revenue, and/or assessments).

  VBDC is not seeking funds from third parties; thus, no commitment letters are required. VBDC will provide its cost share through the cost of contracting the project and through the environmental and regulatory compliance processes.

  • Any costs that will be contributed by the applicant.

  The source of VBDC’s cost-share will be from assessment to its stockholders/irrigators.
• Any third-party in-kind costs (i.e., goods and services provided by a third party)
  None
• Any cash requested or received from other non-Federal entities
  None
• Any pending funding requests (i.e., grants or loans) that have not yet been approved, and explain how the project will be affected if such funding is denied
  NA
• In addition, please identify whether the budget proposal includes any project costs that have been or may be incurred prior to the award.
  None

Table 1. -- Total Project Cost Table

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<td>TOTAL PROJECT COST</td>
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Budget Proposal

The budget proposal should include detailed information on the categories listed below and must be clearly identify all items of cost, including those that will be contributed as non-Federal cost share by the applicant (required and voluntary), third-party in-kind contributions, and those that will be covered using the funding requested from Reclamation, and any requested pre-award costs. Unit costs must be provided for all budget items including the cost of services or other work to be provided by consultants and contractors.

Table 2 - Budget Proposal

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<td>Indirect Costs</td>
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<td><strong>TOTAL ESTIMATED COSTS</strong></td>
<td><strong>$127,325.00</strong></td>
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### Budget Narrative

Submission of a budget narrative is mandatory. An award will not be made to any applicant who fails to fully disclose this information. The budget narrative provides a discussion of, or explanation for, items included in the budget proposal. The types of information to describe in the narrative include, but are not limited to, those listed in the following subsections. Costs, including the valuation of third-party in-kind contributions must comply with the applicable cost principles contained in 2 CFR Part §200, available at the Electronic Code of Federal Regulations.

The project is comprised of six major components: 1) Salaries/Wages, 2) Supplies and Materials, 3) Contractual/Construction, 4) Environmental/Regulatory, 5) Contingency, and 6) Indirect Costs. Based on pricing quotes from local vendors, quotes from qualified contractors, VBDC has budgeted for all related tasks, labor, and materials necessary for this project. The total project costs were divided in half evenly between Reclamation and the applicant cost share.
Salaries and Wages

Indicate the Project Manager and other key personnel by name and title. The Project Manager must be an employee or board member of the applicant. Other personnel should be indicated by title alone. For all positions, indicate salaries and wages, estimated hours or percent of time, and rate of compensation. The labor rates must identify the direct labor rate separate from the fringe rate or fringe cost for each position. All labor estimates must be allocated to specific tasks as outlined in the applicant’s technical project description. Labor rates and proposed hours shall be displayed for each task.

**Project Manager:** Brent Haskins  
Estimated Hours or Percent of Time: 100 Hours  
Rate of Compensation: $30.00/hour

**Engineer:** Don Russell  
Estimated Hours or Percent of Time: 30 Hours  
Rate of Compensation: $35.00/hour

**Helper (Administrator):** Kay Heath  
Estimated Hours or Percent of Time: 40 Hours  
Rate of Compensation: $30.00/hour

**Fringe Benefits**

Fringe benefits are part of the hourly wage provided to personnel of this project.

**Equipment**

N/A; any equipment required for the proposed project will be furnished and installed under contract.

**Materials and Supplies**

Category: HDPE Pipe  
Unit Price: $75.00/foot  
Quantity: 1,000 feet  
Total Cost: 75,000.00

The quote for this pipe was provided by contacting J. W. Kerns Irrigation Company, 4360 Hwy 39, Klamath Falls, Oregon 97603.

All other materials/supplies will be furnished and installed under contract.

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Contractual

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Quotes for these contracts were provided by meeting with D & L Enterprises, of 21667 Hwy 50, Merrill, Oregon 97633.

Third-Party In-Kind Contributions

N/A; none will be involved with the proposed project.

Environmental and Regulatory Compliance Costs

It is anticipated the Bureau of Reclamation will conduct the environmental (i.e., NEPA) compliance. However, the NHPA requirement will necessitate the hiring of a private cultural consultant where Reclamation will assume the review role. The costs listed below for the NHPA private consultant and the Reclamation NEPA/NHPA items are based on the experience of Don Russell of Horsefly Irrigation District’s previously awarded WaterSMART projects, and with recommendations made by the Klamath Basin Area Office of the Bureau of Reclamation.

Budget Item Description:

- **NHPA Private Consultant**
  - Quantity: One
  - $ per unit: $5,000.00
  - Total Cost: $5,000.00

- **NEPA/NHPA Reclamation**
  - Quantity: One
  - $ per unit: $5,000.00
  - Total Cost: $5,000.00

Other Expenses

None anticipated in the preparation of this grant application.

Indirect Costs (Contingency)

A line item for indirect costs has been included to cover any overhead and general costs. VBDC has budgeted for the *de minimis* rate of 10% of the total direct costs

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ENVIRONMENTAL AND CULTURAL RESOURCES COMPLIANCE

- The open canal will be completely filled with the soils from the existing canal bank. Once that has been accomplished, necessary excavation of the soil to provide a bed for the piping will be performed. This will, of course, be performed at a time when there is no water in the canal. Thus the soil will be distributed, possibly creating dust (depending on the moisture content of the soil at the time of construction). There may also be some disturbance to muskrats and ground squirrels. The contractor will take these concerns into consideration in performing the necessary work to bury the pipe and use dust-deterrent measures when necessary.

- VBDC is not aware of any species listed or proposed to be listed as a Federal threatened or endangered species or designated critical habitat in the project area.

- There are no wetlands or other surface waters inside the project boundaries that potentially fall under CWA jurisdiction as “Waters of the United States.”

- The water delivery system was constructed beginning in 1878 and completed in the late 1800’s.

- A concrete service box will need to be constructed at the site of the one turn-out in the area of the project. It is unknown when that headgate was originally constructed, and there are no known previous alterations or modifications to the device.

- There are no buildings, structures, or features in the irrigation company listed, or eligible for listing, on the National Register of Historic Places.

- There are no known archeological sites in the proposed project acres.

- The project will have no disproportionately high or adverse effect on low income or minority populations.

- The proposed project will not limit access to any ceremonial use of Indian sacred sites or result in other impacts on tribal lands.

- The proposed project will not contribute to the introduction, continue existence, or spread of noxious weeks or non-native invasive species known to occur in the area. Once installation of the pipe has been completed, it is anticipated that the ground will be sown with drought tolerant pasture grass.

REQUIRED PERMITS OR APPROVALS

As indicated under Evaluation Criterion C above, no permits or approvals of any kind are required for the project.
OFFICIAL RESOLUTION

The Unanimous Written Consent in Lieu of a Meeting of the Board of Directors is attached hereto as Appendix A.

UNIQUE ENTITY IDENTIFIER and SYSTEM FOR AWARD MANAGEMENT

Vambrimmer Ditch Company’s DUNS number is: 068478119. It is registered with the System for Award Management (SAM).
VAN BRIMMER DITCH COMPANY

UNANIMOUS WRITTEN CONSENT IN LIEU OF A MEETING OF THE BOARD OF DIRECTORS

THE UNDERSIGNED, being all of the directors entitled to vote at meetings of the board of directors of Van Brimmer Ditch Company, an Oregon corporation (the "Company"), by this instrument in lieu of a meeting of the board of directors of the Company, hereby consent to the adoption of the following resolution, pursuant to ORS 60.34:

WHEREAS Van Brimmer Ditch Company (aka Vanbrimmer Ditch Company) being a legally formed ditch company organized in 1903 and operating under ORS chapter 554, hereby resolves to participate with the Bureau of Reclamation regarding conservation efforts within the company’s ditch system; and

WHEREAS, the Company’s goal is to maintain its relationship with the Bureau of Reclamation in a fashion that allows the company to meet established guidelines set forth by the Bureau of Reclamation; and

WHEREAS, the board of directors of the company have heretofore determined that the company should prepare and submit a grant proposal to the Bureau of Reclamation under BOR-DO-19-F005, WaterSMART Grants: Small-Scale Water Efficiency Projects for Fiscal Year 2019, and has sufficient funds from its reserves with which to meet in-kind needs;

NOW, THEREFORE, be it resolved by the board of directors that board member Brent Haskins is hereby designated Project Manager for the project, and is hereby authorized to execute said grant proposal as well as any and all contracts, agreements, or memoranda of understanding, either with BOR or others, necessary to administer and complete the proposed piping project.

THE EFFECTIVE DATE OF THIS RESOLUTION IS February 22, 2019.

Date: 4/17/19
Gary D. Orem, President

Date: 4/17/19
David T. Jensen

Date: 4/17/19
Michael J. McKoen

Date: 4/17/19
Brent Haskins

Date: 4/17/19
Tim Parks