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To:	Wendy Wiltse/R9/USEPA/US@EPA; David Albright/R9/USEPA/US@EPA; Nancy Rumrill/R9/USEPA/US@EPA
Cc:	Chow, Derek J POH
Subject:	Lahaina Injection Wells - Corps Planning Assistance to the States Program
Date:	06/09/2010 06:08 PM
Importance:	High
Attachments:	ENCL1_MauiCountyRequestLetter.pdf SouthMauiWatershedCSA_SOW_Map.pdf NOAACRCPfunds_match_ACOE_WMaui_050610.pdf WRDA2007Sec2007.pdf

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Hi Wendy, Dave and Nancy

(1) No Study assistance to Maui County this FY. In follow-up to our meeting, Maui County called me and confirmed that they will probably not be able to utilize the funds for Planning Assistance to the States (PAS) program for the coastal seep sampling this federal FY because it takes at least 3 months to get a resolution from the County Council for the cost share agreement. They asked if the funds we secured for the Lahaina injection well studies could be applied to any potential assistance we may be able to provide EPA/DOH for the tracer study.

(2) Corps/EPA MOAs. I looked at our database of interagency agreements (see http://www.usace.army.mil/CEMP/iis/Pages/MOADatabase.aspx). The EPA agreements appear to be agreements where EPA funds the Corps to due construction or the Corps funds EPA to assist with international technical requirements. I don't see anything in this list that would allow the Corps to fund EPA for technical studies as we do for USGS. Agencies that we can access for technical assistance include USGS, NOAA, USDA/NRCS, Bureau of Rec, and FWS.

(3) Potential use of PAS funds. As I mentioned on the phone, if DOH is willing to be the non-federal sponsor - EPA funds could be provided to DOH and DOH provide those funds as match to the Corps allowing the EPA funds of say $100K to be stretched to $200K with the Corps match. As I mentioned, the Corps can't give the funds to DOH for the work. We can give funds to another agency under an existing MOA (above), use the funds in house (we don't have the technical expertise for a tracer study so this isn't feasible), or issue a contract. The contractors we have access to in Honolulu are CH2M Hill, Oceanit and EA Engineering. We also have potential to access other larger firms through Indefinite Deliverable/Indefinite Quantity (ID/IQ) contracts that other Districts may have. We cannot access the University directly. They can be a sub to another agency or prime consultant but a portion of the work needs to be done by the agency or prime. DOH could provide the 50% as inkind match. This would be DOH would take EPA funds to contract UH or someone else to 1/2 the work - maybe the inwater sampling. The Corps funds would be used to do the other 1/2 - maybe one of our contractors or an agency to analyze the sampling and compile the report.

(4) Timeline. If EPA/DOH wants to use these funds this FY - here's the schedule:

- 25 June 2010 – DOH provides a letter of intent to USACE (see example

from Maui County).

- 25 June 2010 – DOH/EPA provides general Scope of Work for Cost Share agreement (i.e. reference the applicable sections of the EPA letter to Maui County) and statement of the amount of funds to be provided in cash and/or what work would be done in kind. (See attachment 1 in SouthMauiWatershedCSA_SOW_Map.pdf - example from Maui County).
- 25 June 2010 – If EPA funds are to be used, we need an EPA letter that this is acceptable (see example from NOAA for West Maui Watershed Study). Reference authority is Section 2007 of WRDA 2007 (see attached)
- 28 June 2010 - USACE provides Cost Share Agreement to DOH/EPA for review and staffing of signature. USACE initiates internal reviews and approvals. (see example) The CSA is a standard format. We don't want to change this as it would trigger a DC review. The Attachment 1 – SOW can be written however USACE and the non-federal sponsor want as long as it includes the general schedule, objective, general tasks, and cost estimate.
- 16 July 2010 - USACE obtains all internal approvals on Cost Share Agreement and Scope of Work. (this time may vary based on reviewer leave schedules).
- 23 July 2010 – DOH signs Cost Share Agreement (CSA)and provides two hard copy original signatures to USACE
- 28 July 2010 – USACE signs CSA and returns one hard copy original to DOH for record.
- 30 July 2010 – DOH provides any cash contribution to USACE.
- If other agency will be used, it takes USACE about 2 weeks to transfer funds to the other agency.
- If contractor will be used, it takes USACE about 6-8 weeks to award a task order. Choice of contractor and scope would be developed jointly with DOH/EPA. We can do this while the CSA is under review at DOH or USACE to be ready to initiate contract tasking as soon as CSA is signed and funds are received. We would want to aim to get any contract awarded by the end of August as September is an extremely busy time for our Contracting Office with end of the Fiscal Year.

(5) Schedule for actual work. The PAS program is set up for studies that could be done in a 1 year timeframe from date of contract award/tasking. There is a little room to have it go to 18 months as contingency but we try to keep it to 1 year.

Let me know if you have any questions.

Thanks
Cindy