

Texas Commission on Environmental Quality

CONTRACT SIGNATURE PAGE

Contract Name: Cypress Creek (Segment 1815) Watershed Protection Plan (WPP) Implementation (Years 4-6)

Contract Number: 582-20-10155

Performing Party: Texas State University

Performing Party Identification Number: 37547547549

Maximum Authorized Reimbursement: \$351,101.00

Effective Date: Date of last signature

Expiration Date: 08/31/2022

If checked, this Contract requires matching funds. Match Requirement: \$234,067.00

If checked, this Contract is funded with federal funds.

CFDA Number: 66.460

Federal Grant Number: TBD

This Contract is entered under: Gov't Code ch. 771 (Interagency) Gov't Code ch. 791 (Interlocal)

Water Code § 5.229 (Intergovernmental) Water Code § 5.124 (Grant)

The Texas Commission on Environmental Quality (TCEQ), an agency of the State of Texas, and the named Performing Party, a state agency or local government of the State of Texas, enter this agreement (Contract) to cooperatively conduct authorized governmental functions and activities under the laws of the State of Texas.

The Parties agree as follows: (a) to be effective, the Contract must be signed by an authorized official of the TCEQ and the Performing Party; (b) this Contract consists of all documents specified in the list of Contract Documents following this page; and (c) as authorized by TCEQ, Performing Party will conduct Contract Activities as part of its own authorized governmental functions and TCEQ will reimburse Allowable Costs subject to 2 Code of Federal Regulations (CFR) Part 200, the Texas Uniform Grant Management Standards (UGMS) and this Contract.

TCEQ

Texas State University

L'oreal W. Stepney
Authorized Signature

Walter E. Horton, Jr.
Authorized Signature

L'Oreal W. Stepney, P.E.

Walter E. Horton, Jr., Ph.D.

Printed Name

Printed Name

Deputy Director, Office of Water

Chief Research Officer

Title

Title

12/16/19
Date

12/24/19
Date

Christopher Redden
Procurements & Contracts Representative

Reviewed and Approved to Sign
Joanne Palmer, OTC

Christopher Redden, CTCD, CTCM

Printed Name

12/9/2019
Date

Scope of Work

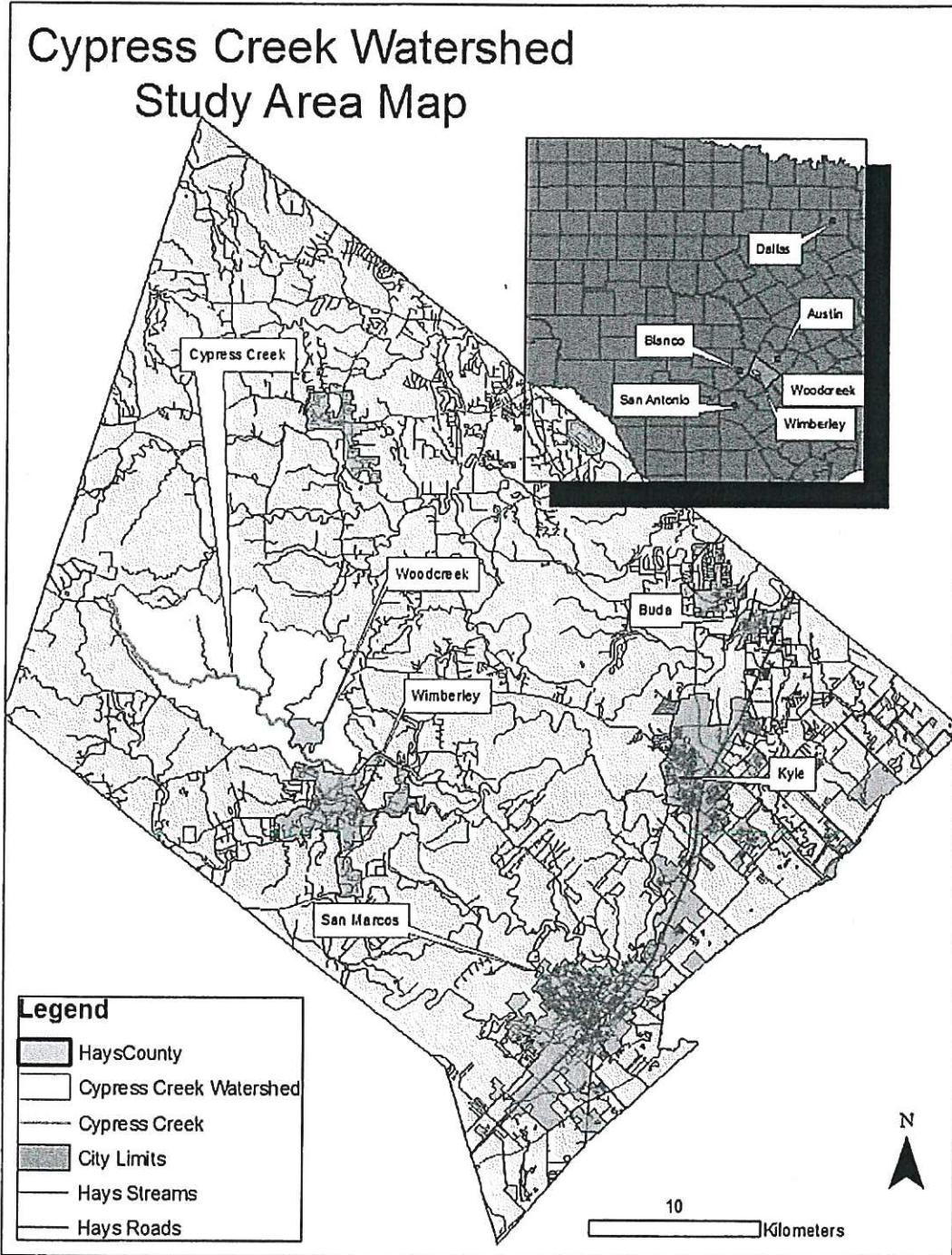
This project will implement the Cypress Creek WPP through the support of a Watershed Coordinator. The Watershed Coordinator will support stakeholders in implementing management measures, developing additional proposals to acquire funding, tracking projects, and encouraging the adoption and funding of stormwater Best Management Practices (BMPs) by local stakeholders.

This project will also produce a Sustainability Plan that will identify the technical and financial needs for the long-term implementation of the Cypress Creek WPP. An Interlocal Agreement will be developed to ensure coordination among local stakeholders in implementing the Cypress Creek WPP and maintaining BMPs for up to ten years.

This project will also implement an education and outreach program to engage the community and key stakeholders in both the implementation of WPP activities and the expansion of pollution reduction strategies across the basin. Specific activities include public service announcements, community workshops, speaker series, newsletters, and watershed tours. An existing self-guided tour of low impact development BMPs throughout the watershed will be updated.

Surface water and groundwater quality data will be acquired. This data will be used to track water quality and WPP progress and to better understand current and trending nonpoint source (NPS) contributions to Cypress Creek.

Project Map:



Task 1: Project Administration

Objective: To effectively administer, coordinate, and monitor all work performed under this project, including technical and financial supervision and preparation of status reports.

Subtask 1.1: Project Oversight — The Performing Party will provide technical and fiscal oversight of the staff and/or subgrantee(s)/subcontractor(s) to ensure Tasks and Deliverables are acceptable and completed as scheduled and within budget. With the TCEQ Project Manager's authorization, the Performing Party may secure the services of subgrantee(s)/subcontractor(s). Project oversight status will be provided to the TCEQ Project Manager with the Quarterly Progress Reports (QPRs).

Subtask 1.2: QPRs — The Performing Party will submit QPRs by the 15th of the month following each state fiscal quarter (Sept - Nov, Dec - Feb, March - May, June - August) for review by the TCEQ Project Manager and incorporation into the United States Environmental Protection Agency's (EPA) Grant Reporting and Tracking System. QPRs will include reporting on status of Deliverables and proposed revisions to due dates, narrative description of progress by Task, and status of nonconformances and corrective actions. The TCEQ Project Manager will provide a template for the QPR to the Performing Party.

Subtask 1.3: Reimbursement Forms — The Performing Party will submit Reimbursement Forms to the TCEQ Contract Manager in accordance with Special Terms and Conditions, Article 5, 8. Invoice Submittal.

Subtask 1.4: Contract Communication — The Performing Party will participate in a post-award meeting with the TCEQ within 30 days of Contract execution.

The Performing Party will maintain regular telephone and/or e-mail communication with the TCEQ Project Manager regarding the status and progress of the project and any matters that require attention between QPRs. Communications will include a quarterly conference call to discuss Project Tasks, financial status, Quality Assurance Project Plan (QAPP), corrective actions and any other matters that require attention. The TCEQ Project Manager may request additional information from the Performing Party prior to the call or meeting. The Performing Party will submit meeting notes (action items at minimum) to the TCEQ Project Manager within seven days of the meeting or call.

The quarterly conference call held the first quarter of each fiscal year of the project will be used to discuss, at a minimum, any staff changes, the previous year's performance, budget estimates, invoicing issues, quality assurance issues, overall project progress, and a plan for the current fiscal year. The Performing Party will submit meeting notes (action items at a minimum) to the TCEQ Project Manager within seven days of the meeting or call.

Subtask 1.5: Coordination Call with EPA — Upon request by TCEQ and the EPA, the Performing Party will participate in a conference call with EPA to share progress on goals, measures of success, challenges, and draft documents.

Subtask 1.6: Annual Report Article — Upon request by TCEQ, the Performing Party will provide an article for the Nonpoint Source Annual Report. The article will include a summary of the project and photos and describe the activities of the past fiscal year.

Subtask 1.7: Contract Budget Updates — The Performing Party will discuss annual fiscal year budgets with the TCEQ Project Manager on a quarterly basis. Starting in the second year of the project, the Performing Party will provide an Annual Budget Update that details state fiscal year spending projections associated with planned project activities. Updates will be revised when

fiscal year spending projections change by ten percent or more, or upon request by the TCEQ Project Manager. The update in the final year of the project will include a budget for all remaining project activities. The TCEQ Project Manager will provide the template for the Annual Budget Update.

Deliverables:

- QPRs
- Reimbursement forms
- Post-Award Meeting and notes
- Conference call notes and action items
- Coordination call with the EPA (upon request)
- Annual Report article and pictures (upon request)
- Contract Budget updates
- Annual Budget updates

Task 2: Quality Assurance

Objective: To refine, document, and implement data quality objectives (DQOs) and quality assurance/quality control (QA/QC) activities that ensure data of known and acceptable quality are generated by this project.

Subtask 2.1: QAPP Planning Meetings — The Performing Party will schedule a QAPP Planning Meeting with TCEQ Project Manager, QA staff, technical staff, and contractors within 30 days of Contract execution to implement a systematic planning process based on the elements in the TCEQ NPS QAPP Shell. The information developed during this meeting will be incorporated into an Acquired Data QAPP. The storage location of data records, and method of data coding, will also be determined during these meetings. The Performing Party may conduct additional meetings to determine whether changes to an existing QAPP are needed.

Subtask 2.2: QAPP — The Performing Party will develop and submit to TCEQ an Acquired Data QAPP with project-specific DQOs and other components consistent with the following documents:

TCEQ NPS QAPP Shell(s)

EPA Requirements for QAPPs (QA/R5)

EPA Guidance for Geospatial Data QAPPs (QA/G-5G)

EPA QAPP Requirements for Secondary Data Research Projects

TCEQ Surface Water Quality Monitoring (SWQM) Procedures

The Performing Party will develop the Acquired Data QAPP in consultation with the TCEQ Project Manager, QA staff, and contractors. The Performing Party will submit the QAPP to TCEQ at least 120 days prior to the scheduled initiation of environmental data operations. The QAPP must be fully approved and signed by TCEQ before any environmental data operations begin.

Activities covered under this QAPP:

- Surface water quality data acquisition and analysis
- Groundwater data acquisition and analysis
- Geospatial data acquisition
- Field data acquisition and analysis

Tasks covered under this QAPP:

- Tasks 2, 3, 4, and 5.

Tasks NOT covered under this QAPP:

- Task 1

Subtask 2.3: QAPP Annual Reviews and Revisions — The Performing Party will submit documentation certifying its annual review of QAPPs at least 90 days prior to the QAPP anniversary date. Amendments approved since the initial QAPP approval or a subsequent certified annual review (if applicable) must be submitted along with the certification. If extensive changes to a QAPP are necessary, a full revision is required. Once TCEQ certifies the annual review or approves the full revision, the QAPP effective period is extended an additional year. No work described in a QAPP will be conducted outside the effective period of the QAPP.

Subtask 2.4: QAPP Amendments — The Performing Party will submit Amendments when changes to QAPPs are necessary. Amendments should be submitted at least 90 days prior to the scheduled initiation of changes. A justification, summary of changes, and detail of changes must be provided with the Amendment. The Performing Party will ensure that changes conveyed within Amendments are not implemented until the Amendment is fully approved by the TCEQ.

Deliverables:

- QAPP planning meeting notes
- Draft and Final Acquired Data QAPP
- QAPP annual reviews and revisions
- Draft and Final QAPP Amendments

Task 3: Education and Outreach

Objective: To enhance the implementation of the WPP through the engagement of the community in education and outreach activities, including meetings, events, workshops, print materials, website, and signage.

Subtask 3.1: Education and Outreach Website, Print Materials, and Signage — The Performing Party will use existing outreach materials and resources adapted to local circumstances (to the extent necessary) and develop new content to execute the following (documentation to be included in QPRs):

- At least two meetings per year of the Executive Committee;
- At least two meetings per year of the full Stakeholder Committee;
- Quarterly email updates;
- Website updated and maintained, including: clearing house of information, agendas, meeting announcements, water quality data and dashboard, etc.;
- Develop an online application enabling watershed stakeholders to receive periodic online/text messages for important watershed news and updates;
- Annual digital newsletter. All newsletters will be standardized and included in quarterly reports;
- Three "Inside Cypress Creek Watershed Environmentally Sensitive Area" signs installed on county roads within the watershed;
- One nature trail educational sign; and
- Updates to materials produced under previous workplan regarding the self-guided tour of structural BMPs in the watershed.

Subtask 3.2: Events and workshops — The Performing Party will execute the following:

- Seven targeted community workshops:
 - One Workshop: Homeowner septic system;
 - One Workshop: Riparian design, restoration and management;
 - One Workshop: Rural Landowner;
 - Two Workshops: Ground/Source Water Protection - Keeping It Flowing; and
 - Two Workshops: Ecotourism and Ecosystem Services.
- Pre and post-workshop evaluations to ensure communication goals and stakeholder outcomes are achieved.
- Speaker Series on water related topics hosted by the Performing Party. Speaker topics range from preventing NPS pollution to understanding related ordinances. At least three events will be held.

Subtask 3.3: Task Report — The Performing Party will produce a report summarizing all outreach and education activities conducted under this Task.

Deliverables:

- Documentation of biannual Executive Committee meetings, including announcements, agendas, attendance, presentation materials, and minutes
- Documentation of biannual full Stakeholder Committee meetings, including announcements, agendas, attendance, presentation materials, and minutes
- Documentation of website maintenance
- Online media application
- Draft and Final annual newsletters
- Photo documentation of three installed "Inside Cypress Creek Watershed Environmentally Sensitive Area" signs
- Photo documentation of one nature trail educational sign
- Update to the self-guided public tour
- Documentation of hosted workshops, including announcements, presentation materials and pre and post-workshop evaluations
- Documentation of speaker series on water related topics, including agendas (minimum of three)
- Draft and Final Task Report

Task 4: Community Support

Objective: To support the Cypress Creek community in efforts to protect water quality and streamflow with current and long-term solutions.

Subtask 4.1: Sustainability Plan — The Performing Party will complete a sustainability study with stakeholder input to determine the technical and financial needs to ensure long-term implementation of the Cypress Creek WPP.

The Performing Party will seek funding for structural BMPs and long-term funding and participation commitments from project partners and other key stakeholders via an Interlocal Agreement to ensure coordination of the Cypress Creek WPP and implementation of BMPs for up to ten years. The Performing Party will secure a Contract with a professional engineer to provide technical advice and assistance in BMP siting and design.

Subtask 4.2: Update to WPP — In coordination with the Stakeholder Committee, the Performing Party will review progress toward the milestones established in the WPP, consider adaptive management measures as necessary, and recommend changes, alterations and updates to the WPP. The Watershed Coordinator, the Stakeholder Committee, TCEQ, and other parties will formulate a refined WPP for review at least six months prior to the end of the implementation period.

Deliverables:

- Draft and Final Sustainability Plan
- Interlocal Agreement to complement the Sustainability Plan
- Subcontract for providing technical support and advise in the siting and design of stakeholder-funded BMPs
- Update or addendum to the WPP

Task 5: Final Report

Objective: To produce a Final Report that summarizes all activities completed and conclusions reached during the project. The report will describe project activities, identify and discuss the extent to which project goals and purposes have been achieved, and state the amount of funds spent on the project. The report will emphasize successes, failures, lessons learned, and should include analyses estimating the project's water quality improvements and/or load reductions. The Final Report will summarize all the Task Reports either in the text or as appendices.

Subtask 5.1: Draft Final Report — At least 30 days prior to submitting the Final Report, the Performing Party will provide a Draft Final Report summarizing all project activities, findings, and the contents of all previous Deliverables, referencing and/or attaching them as web links or appendices. This comprehensive report should document all Deliverables under this Scope of Work. The Draft Final Report will be structured per the following outline:

- Title and Contract number
- Table of Contents
- Project Purpose and Background
- Study Area (maps)
- Summary of all Task Reports and final approved QPR
- Amount of project funding and amount spent
- Discussion; include deliverables not completed, lessons learned, recommendations for future work
- Water quality results achieved and estimated load reductions
- Appendices (if needed)

Subtask 5.2: Final Report — The Performing Party will revise the Draft Final Report to address comments provided by the TCEQ Project Manager. At least two weeks before the expiration of the Contract, the Performing Party will submit the Final Report to the TCEQ Project Manager, who will subsequently submit it to the EPA.

Deliverables:

- Draft Final Report
- Address TCEQ comments
- Final Report

Schedule of Deliverables

Task No.	Task Deliverable	Due Date
1 Project Administration		
1.2	QPRs	The 15 th of the month following each state fiscal quarter
1.3	Reimbursement forms	See Special Terms and Conditions, Article 5, 8. Invoice Submittal
1.4	Post-Award Meeting and notes	Meeting within 30 days of Contract execution, meeting notes within two days of meeting
1.4	Conference call notes and action items	Quarterly, notes within seven days of meeting
1.5	Coordination call with EPA	Upon request
1.6	Annual Report article	Upon request
1.7	Contract Budget updates	Discussed quarterly and updated as needed
1.7	Annual Budget updates	Quarters 5 and 9
2 Quality Assurance		
2.1	QAPP planning meeting notes	Meeting within 30 days of Contract execution
2.2	Draft Acquired Data QAPP	At least 120 days prior to the scheduled initiation of environmental data operations
2.2	Final Acquired Data QAPP	30 days prior to the scheduled initiation of environmental data operations
2.3	QAPP Annual Reviews and revisions	At least 90 days prior to the QAPP approval anniversary
2.4	Draft QAPP Amendments	At least 90 days prior to the scheduled initiation of changes or additions to activities listed in the current QAPP
2.4	Final QAPP Amendments	Within 30 days of receipt of TCEQ comments
3 Education and Outreach		
3.1	Documentation of biannual Executive Committee meetings including announcements, agendas, attendance, presentation materials, and minutes	Quarters 1, 3, 5, 7, 9, 11
3.1	Documentation of biannual full Stakeholder Committee meetings including announcements, agendas, attendance, presentation materials, and minutes	Quarters 2, 4, 6, 8, 10, 12
3.1	Documentation of website maintenance and update	Quarters 2-12, in QPRs
3.1	Online media application	Quarter 4
3.1	Draft and Final Annual Newsletters	Quarter 2, 6, 10
3.1	Photo documentation of three installed "Inside Cypress Creek Watershed Environmentally Sensitive Area" signs	Quarter 4
3.1	Photo documentation of one nature trail educational sign	Quarter 4
3.1	Update to the self-guided public tour	Quarter 10

Task No.	Task Deliverable	Due Date
3.2	Documentation of hosted workshops, including announcements, presentation materials, and pre and post-workshop evaluations (minimum of seven)	Quarter 12
3.2	Documentation of Speaker Series on water related topics, including agendas (minimum of three)	Quarter 4, 8, 12
3.3	Draft and Final Task Report	Quarter 11
4 Community Support		
4.1	Draft Sustainability Plan	Quarter 6
4.1	Final Sustainability Plan	Quarter 7
4.1	Interlocal Agreement to complement the Sustainability Plan	Quarter 8
4.1	Subcontract for providing technical support and advise in the siting and design of stakeholder-funded BMPs	Quarter 3
4.2	Update to WPP	Quarter 12
5 Final Report		
5.1	Draft Final Report	Last quarter, month 1
5.2	Address TCEQ comments	Within 30 days of TCEQ comments
5.2	Final Report	At least two weeks prior to the end of the Contract.