

### **Attachment C: Coalition Requirements**

Attachment C outlines the approval process and requirements for a Grower Coalition (Coalition) under this Order. Coalitions are programs or entities approved by the North Coast Water Board's Executive Officer to assist Enrollees in compliance with this Order. Coalitions collect and submit State Board fees on behalf of Enrollees, manage communication between Enrollees and the North Coast Water Board, conduct monitoring and reporting on behalf of their members in accordance with the MRP, and provide education and outreach resources to Enrollees.

A Coalition may be approved by the North Coast Water Board's Executive Officer following adoption of this Order in accordance with expectations and requirements in this Attachment. Once approved, the Coalition will be listed on the North Coast Water Board's Lily Bulb Program website<sup>95</sup>.

## **I. Coalition Requirements**

### **A. General Provisions**

- 1) A Coalition that is approved to represent Enrollees under this Order shall fulfill the following responsibilities:
  - a) Collect fees from its Enrollee members and submit payment to the State Water Resources Control Board,
  - b) Manage communications between its Enrollee members, the North Coast Water Board, and State Water Board,
  - c) Provide compliance education resources for its Enrollee members; and
  - d) Fulfill monitoring and reporting requirements as specified in Attachment B: Monitoring and Reporting Program for Enrollees in a Coalition on behalf of its members, including but not limited to submitting monitoring workplans and necessary technical material, conducting regional surface water and groundwater monitoring, notifying Enrollees of Adaptive Management thresholds triggered<sup>96</sup>, notifying Enrollees if they are statistical outliers for nitrogen application, and connecting Enrollees to resources that can assist the preparation and implementation of Water Quality Management Plans.
- 2) The Coalition may work with multiple entities or programs to meet one or more of the above requirements provided the Coalition has binding agreements (e.g., through contractual obligations, Memorandums of Agreement) that clearly define roles and responsibilities within each entity to meet all Coalition requirements.
- 3) The North Coast Water Board may revoke the status of an approved Coalition and require its enrolled Enrollees to enroll either individually or in another approved coalition if the Coalition fails to meet requirements of this Order after initial

approval.

- 4) Prospective Coalition entities shall follow the procedures outlined below in Sections B and C to become an approved Coalition for this Order. Prospective Coalition(s) shall obtain written approval from the North Coast Water Board's Executive Officer prior to assisting Enrollees with compliance with this Order.

### **B. Minimum Qualifications**

A prospective Coalition wishing to act as a representative on behalf of enrolled Enrollees shall meet the minimum qualifications below:

- 1) Effectiveness of scale and scope – The Coalition's program must be of sufficient scale and scope relative to its intended purpose to maximize Enrollee participation, Order implementation effectiveness, and Order compliance.
- 2) Administrative Capacity – The Coalition must have a well-defined and robust governance and administrative structure with clearly defined roles and responsibilities. The Coalition must have necessary administrative capabilities to manage Enrollee data, collect fees, conduct Enrollee outreach, and assist Enrollee with self-reporting requirements. The Coalition must demonstrate sufficient technical, managerial, and financial capacity to successfully achieve its goals and objectives.
- 3) Membership and fee accounting – The Coalition must track and provide ongoing accounting of its Enrollee membership and fees to document Enrollee compliance. The Coalition must have clearly stated membership eligibility requirements and report them to the North Coast Water Board as needed to document compliance.
- 4) Physical presence – The Coalition should have a physical presence in the Smith River Plain, including staff and a headquarters that can assist its Enrollees on continual and as-needed bases. If the Coalition manager does not have or plan to have a physical presence in the area, they must demonstrate they can effectively establish, maintain, and engage with core membership.
- 5) Transparency and accountability – The Coalition must have meaningful and clearly stated goals, objectives, and associated performance metrics relevant to the Order requirements that are the focus of the program. The Coalition must provide regular assessments of its performance relative to its stated goals and objective based on meaningful performance metrics. This includes reporting of water quality data and farm-level data as needed to document compliance with this Order.
- 6) Data management and Record Keeping – The Coalition must upload data as required by this Order to the Water Boards' various data management systems (e.g., CEDEN, GeoTracker, etc.). The Coalition must have the capacity to manage and retain data for ten years and comply with record-keeping requirements in Section II.I (Provisions) of the Order.

- 7) Coordination – The Coalition must consider and coordinate with other Third-Party programs/groups or local entities as may be appropriate to create consistency; leverage the efforts, infrastructure, and expertise of others; and streamline the Coalition to maximize effectiveness.
- 8) Compliance education – The Coalition must include continuing education opportunities as appropriate either directly through the Coalition or through coordination with other technical service providers or local entities to ensure its Enrollees obtain technical skills and assistance necessary to achieve compliance with the limits and requirements established in this Order. The Coalition must conduct Membership compliance education to inform Enrollees about the monitoring results relative to meeting objectives and goals of this Order.
- 9) Development of Required Technical Material – The Coalition must have capability to develop and implement, or contract detailed technical documents as specified in Attachment A of the Order including but not limited to: Water Quality Monitoring Workplan(s), Trend Monitoring Reports, a Quality Assurance Project Plan (QAPP), annual water quality and management practices reporting, and Groundwater Protection Plan(s).
- 10) Conducting Water Quality Monitoring – The Coalition must have the capability to develop or contract group surface water and groundwater quality monitoring programs in accordance with the requirements in Sections III and IV of the Attachment B of the Order

### **C. Request for Proposal Process and Establishing Approved Coalition**

- 1) Within three months after adoption of the Order, the North Coast Water Board will release a Request for Proposals (RFP). Coalition applicants shall apply within the stated deadline of the RFP to be considered.
- 2) Coalition proposals will be evaluated on a case-by-case basis relative to their ability to document compliance with this Order as part of a Request For Proposal process and as further informed by a forthcoming Coalition program expectations document.
- 3) The North Coast Water Board's review of Coalition program proposals will consider the Minimum Qualifications outlined above relative to overall Coalition effectiveness, with an emphasis on approving Coalitions that can effectively assist their Enrollees in complying with the requirements of this Order.
- 4) Included in the RFP submittal, the Coalition applicant shall submit documentation of its organizational or management structure. The documentation shall identify persons and/or entities responsible for ensuring that Coalition requirements are fulfilled. This documentation shall be made readily available to Enrollees.
- 5) In evaluating whether to approve a new Coalition, the Executive Officer will consider the following factors:

- a) The ability of the applicant to carry out the identified Coalition responsibilities.
- b) Whether the applicant is a legally-defined Third-Party applicant (i.e., non-profit corporation; local or state government; Joint Powers Authority) or has a binding agreement among multiple entities that clearly describes the mechanisms in place to ensure accountability to its Enrollees.
- c) If the applicant plans to use subsidiary group(s) or partnering entities to assist with Coalition program requirements, whether the applicant has binding agreements with those entities to ensure any Coalition program responsibilities carried out by the entities, including the collection of fees, are done transparently and with accountability.
- d) Whether the applicant has a governance structure that includes a governing board of directors composed in whole or in part of Enrollees, or otherwise provides Enrollees with a mechanism to direct or influence the governance of the applicant through appropriate by-laws.
- e) Whether the applicant has membership eligibility requirements and follow-up consequences that are triggered, including revocation of membership eligibility, to address the following scenarios where Enrollees are no longer in good standing: (1) Non-payment of fees; (2) Non-submittal of information; (3) Non-participation in education/outreach or site visits; or (4) Failure to implement / adapt management practices.

6) If the Executive Officer determines that the applicant has the capacity to satisfactorily carry out the stated responsibilities, the North Coast Water Board's Executive Officer will issue a Notice of Applicability to the Coalition for its enrolled members and, if appropriate, a Monitoring and Reporting Program specific to the new Coalition and its Enrollees. The new Coalition shall comply with the relevant terms and conditions of this Order and any applicable Monitoring and Reporting Program upon receipt of the letter of approval.

#### **D. Coalition Requirements**

- 1) Approved Coalitions shall comply with all requirements of Coalitions as outlined in the Order and Attachment B: Monitoring and Reporting Program for Enrollees in a Coalition.
- 2) Approved Coalitions shall be prepared to accept enrollments by **DATE**.
- 3) By **DATE**, and annually thereafter, the Coalition shall submit to the North Coast Water Board a list of all its Enrollee members. The list shall specifically identify any new Enrollees, or any Enrollees terminated since the last reporting period. As part of the membership list submittal, the Coalition shall identify Enrollees who have failed to fulfil the requirements of this Order as specified in Attachment B: Section V.A

- 4) By **DATE**, the Coalition shall submit a scope of work for a Water Quality Monitoring Workplan. By **DATE**, the Coalition shall submit a Water Quality Monitoring Workplan (Workplan) in accordance with Attachment A: Monitoring and Reporting Program.
- 5) The Coalition shall respond promptly to North Coast Water Board requests for any of the information the Coalitions are required to maintain, which may include but is not limited to: (1) Enrollee contact information; (2) Enrollee reports (e.g., Farm Evaluations, INMPs), (3) compliance education attendance lists, and (4) water quality monitoring locations.

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<sup>95</sup> Visit the Lily Bulb Program webpage: [Lily Bulbs | California Northcoast Regional Water Quality Control Board](https://www.waterboards.ca.gov/northcoast/water_issues/programs/agricultural_lands/lily/)  
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<sup>96</sup> See Section II.H of the Order for a list of Adaptive Management triggers.