

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF WATER RIGHTS  
DECEMBER 1, 2015**

**ITEM 3**

**SUBJECT**

CONSIDERATION OF A PROPOSED RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND AND INCREASE CONTRACTS BETWEEN THE STATE WATER BOARD AND ICF JONES AND STOKES, INC. RELATED TO BAY-DELTA PLANNING AND ASSOCIATED IMPLEMENTATION EFFORTS

**DISCUSSION**

The State Water Board is in the process of developing and implementing amendments to the 2006 Bay-Delta Water Quality Control Plan (Bay-Delta Plan) and flow objectives for priority tributaries to the Delta to protect beneficial uses in the Bay-Delta watershed (collectively Bay-Delta planning and implementation efforts). Phase 1 of this work involves amending San Joaquin River flow and southern Delta water quality requirements included in the Bay-Delta Plan. Phase 2 involves other comprehensive changes to the Bay-Delta Plan to protect beneficial uses. Phase 3 involves water right proceedings and other actions to implement the Bay-Delta Plan as amended in Phases 1 and 2. Phase 4 involves developing and implementing flow objectives for priority Delta tributaries in coordination with the Bay-Delta Plan amendment process. The Governor's Fiscal Year 2015-16 budget includes additional personnel and contract resources of \$5 million a year to conduct the Bay-Delta Plan update process and implement actions necessary to protect Bay-Delta beneficial uses and the public trust.

The State Water Board is receiving assistance with the preparation of environmental and other documentation for this effort from ICF Jones & Stokes, Inc. through State Water Board contract number 10-056-300 and Department of General Services (DGS) contract number 3174165. DGS is in the process of reassigning contract number 3174165, which currently includes about \$3 million in funding, to the State Water Board. When originally executed, DGS contract 3174165 did not require authorization to fund the contract. Now that the contract is being assigned to the State Water Board, authorization from the State Water Board is required. This resolution will provide authority to reassign the DGS contract to the State Water Board and to amend both the existing State Water Board contract and the DGS assigned contract to add funds and tasks to complete the environmental and other documentation needed for Phases 1, 2, 3, and 4 as authorized in the State's 2015-16 budget. Specifically, additional authority of \$3 million is needed to assume the DGS contract and additional authority of \$10 million is needed for the contract work identified in the budget over two years (\$5 million a year for two years) for a total of \$13 million of new authority for both contracts. A contract term of up to 7 years is also needed to complete these long-term planning and implementation efforts.

**POLICY ISSUE**

Should the State Water Board authorize the Executive Director or designee to authorize funding of an additional \$13 million under both State Water Board contract 10-056-300 and DGS contract 3174165 (once it is assigned to the State Water Board) for environmental and other documentation to support Phases 1, 2, 3, and 4, and to extend the terms of the contracts to seven (7) years?

**FISCAL IMPACT**

Additional funding up to \$13 million will only be sought if necessary through existing funding sources. This resolution does not commit funds.

**REGIONAL BOARD IMPACT**

None.

**STAFF RECOMMENDATION**

The State Water Board should approve the Resolution.

<p>State Water Board action on this item will assist the Water Boards in reaching Goal 4 of the Strategic Plan Update: 2008-2012: Comprehensively address water quality, and describe the connections between water quality, water quantity, and climate change, throughout California's water planning processes.</p>
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# DRAFT

## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2015-

AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND AND INCREASE CONTRACTS BETWEEN THE STATE WATER BOARD AND ICF JONES AND STOKES, INC RELATED TO BAY-DELTA PLANNING AND ASSOCIATED IMPLEMENTATION EFFORTS

### WHEREAS:

1. The State Water Resources Control Board (State Water Board) is responsible for the regulation of activities and factors that may affect the quality of the waters of the state (Wat. Code, §§ 13000, 13001). The State Water Board is in the process of developing amendments to the 2006 Bay-Delta Water Quality Control Plan (Bay-Delta Plan) and flow objectives for priority tributaries to the Delta to protect beneficial uses in the Bay-Delta watershed (referred to collectively as Bay-Delta planning and implementation efforts). Phase 1 of these efforts involves amending San Joaquin River flow and southern Delta water quality objectives and implementation measures included in the Bay-Delta Plan. Phase 2 involves other comprehensive changes to the Bay-Delta Plan to protect beneficial uses. Phase 3 involves water right proceedings and other actions to implement the Bay-Delta Plan as amended in Phases 1 and 2. Phase 4 involves developing and implementing flow objectives for priority Delta tributaries in coordination with Phases 1 through 3.
2. To meet the requirements of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.), the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.), and other applicable requirements, the State Water Board will prepare environmental and other documentation to evaluate the effects of new or revised requirements that may be proposed during each phase of the Bay-Delta planning and implementation efforts.
3. The 2015-16 Budget Act provided the State Water Board with \$5 million in General Funds each year to complete the comprehensive update of the Bay-Delta Plan. It is anticipated that these funds will be needed for at least two years.
4. The State Water Board is receiving assistance with the preparation of environmental and other documentation from Jones and Stokes Associates, Inc. (now doing business as ICF Jones & Stokes, Inc.) through State Water Board contract number 10-056-300 and Department of General Services (DGS) contract number 3174165. The State Water Board has approved previous resolutions authorizing funding of the State Water Board contract, but was not required to do so to fund the DGS contract.
5. DGS is in the process of reassigning contract number 3174165, in the amount of almost \$3 million, to the State Water Board at which point a State Water Board contract number will be assigned. Before the contract can be reassigned to the State Water Board, the State Water Board must provide authorization of the funding.

# DRAFT

6. This resolution provides funding authority to support the reassignment of the DGS contract to the State Water Board and necessary amendments to both contracts to complete the environmental and other documentation needed for Phases 1, 2, 3, and 4 that was included in the Governor's 2015-16 Budget Act. Specifically, additional authority of about \$3 million is needed to assume the DGS contract, and additional authority of \$10 million is needed for the contract work identified in the budget over two years (\$5 million a year for two years) for a total of \$13 million of new authority for both contracts. A term for the contracts of up to 7 years is also needed to complete these long-term planning and implementation efforts.

THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director or designee to authorize additional expenditures of up to \$13 million for environmental and other documentation to support the development and implementation of amendments to the 2006 Bay-Delta Water Quality Control Plan and flow objectives for priority tributaries to the Delta (Phases 1, 2, 3, and 4) for State Water Board contract number 10-056-300 and Department of General Services contract number 3174165 once it is assigned to the State Water Board. The State Water Board also authorizes the terms of each contract to be extended to seven (7) years provided that the contract funds encumbered are expended in accordance with applicable law.

## CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 1, 2015.

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Jeanine Townsend  
Clerk to the Board