

THIRD AMENDMENT TO CONTRACT 460000271
CALFED FUNDING, ADMINISTRATION AND PROGRAM AGREEMENT

The Agreement entered into by the California Department of Water Resources (hereinafter referred to as DWR) acting on behalf of the Water Policy Council (hereinafter referred to as Council) and the Bureau of Reclamation (hereinafter referred to as USBR), the Fish and Wildlife Service (hereinafter referred to as USFWS), the Environmental Protection Agency (hereinafter referred to as EPA), and the National Marine Fisheries Service (hereinafter referred to as NMFS) of the United States of America, which federal agencies are hereinafter collectively referred to as the United States Federal Ecosystem Directorate (hereinafter referred to as FED) and which Council and FED are hereinafter referred to as CALFED, dated May 17, 1995, as amended November 4, 1997 and September 10, 1998, is hereby amended as follows:

1. Paragraph 1.c. Fiscal Year is hereby revised to reflect the federal fiscal year calendar, which is October 1st of the calendar year through September 30th of the following calendar year.

Paragraph 1.c. is therefore replaced as follows:

“Fiscal Year” means the period from and including the first day of October of each calendar year through the last day of September of the following calendar year.

2. Paragraph 3.a. Cost Sharing Principles is hereby amended to increase the amounts of the contributions provided under this Agreement for additional work efforts related to the extension of the Agreement and the revised draft environmental documents supporting the decisions of the CALFED Bay-Delta Program and public input efforts. The maximum amount payable by each of the Council and the FED is being increased by \$10,000,000 from \$26,499,500 to \$36,499,500 for a total contract amount of \$72,999,000. This increase covers the program costs through the term of this contract, which reflects a total yearly operational budget of \$16 million.

Paragraph 3.a. is therefore replaced as follows:

The costs of carrying out this Agreement shall be shared equally by the parties over the term of this Agreement. The maximum payable by DWR under this Agreement shall not exceed \$36,499,500, which includes the cash valuation of in-kind services. The maximum payable by FED under this Agreement shall not exceed \$36,499,500, which includes the cash valuation of in-kind services.

3. All other terms and conditions of the Agreement shall remain the same.
4. Signature: In witness whereof, the parties hereto agree to the text change as described in Paragraph 1.c. above, as well as the Cost Sharing Principles as described in amended Paragraph 3.a. above:

Thomas M. Hannigan
Thomas M. Hannigan
Director
California Department of Water Resources

Kirk C. Rodgers
Kirk C. Rodgers
Acting Regional Director
U.S. Bureau of Reclamation

OFFICE OF REGIONAL SOLICITOR
DEPARTMENT OF THE INTERIOR

Date: 11-23-99

Date: 10/8/99

Approved as to legal form
and sufficiency:

For S. E. Lohar
Asst. Chief Counsel, DWR

Michael Spear
Michael Spear
Regional Director
U.S. Fish and Wildlife Service

Felicia Marcus
Felicia Marcus
Regional Administrator
U.S. Environmental Protection Agency

Date: 10/23/99

Date: 11/15/99

Rodney R. McInnis
Rodney R. McInnis
Acting Regional Administrator
National Marine Fisheries Service

316 APPROVED
DEC 13 1999
J.P. [Signature]
GENERAL SERVICES

Date: 10/29/99

Disbursement from WRRF SOC. W.C. SEC. 135 Fund Item CALFED BAY DELTA

Reimbursement from _____ Fund Item _____ Ch. _____ Code _____

| F.Y. | ACCOUNT NO. | ORGAN. NO. | EXP. CODE | BUDGET ITEM NO. | ENCUMBRANCE AMOUNT | UNENC. BAL. |
|------|-------------|------------|-----------|-----------------|--------------------------|-------------|
| 00 | 1510070001 | | 9326 | 402 | 1,453,589.65 | |
| | | | | | SAP CONTRACT # 410000271 | |
| | | | | | OLD CONTRACT # B-59953 | |

I Hereby Certify upon my own personal knowledge that the unencumbered balance of the departmental budget provision for the period stated above is correct.

(After T.B.A. No. _____ or R.R. No. _____)

[Signature] 10/22/99
SIGNATURE OF ACCOUNTING OFFICER DATE
STATE OF CALIFORNIA
THE RESOURCES AGENCY.
DEPARTMENT OF WATER RESOURCES 19776-950 11-80 2M OUN CAM * OSP