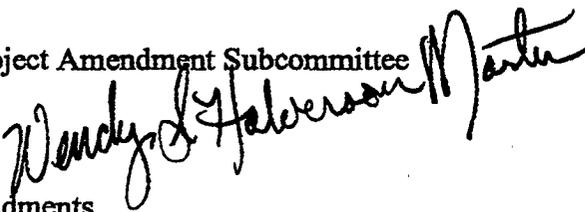


## M e m o r a n d u m

Date: May 3, 2000

To: Ecosystem Roundtable Project Amendment Subcommittee

From: Wendy Halverson Martin



Subject: Requests for Project Amendments

### SUMMARY

Seven projects have requested a Level 1 amendment and two projects have requested a Level 2 amendment.

The following Level 1 amendments do not require Ecosystem Roundtable action, and are included for information.

**Level 1 Project Amendments**

| Project and Proponent  | Change Requested |   |                         | Reason for Amendment  |
|--|------------------|---|-------------------------|---|
|  | Budget           | Scope   | Time                    |   |
| Butte Creek Acquisition and Riparian Restoration (98-F03)<br>CSU, Chico              | None             | Reduce re-vegetation and increase exotic NIS species removal. | None                    | Concerns raised by Reclamation Board that vegetation would increase flood potential upstream. |
| Sedimentation Movement and Availability and Monitoring in the Delta (97-B02)<br>USGS | None             | None  | 9 months (to June 2001) | Project started later than anticipated in proposal due to time required to contract.          |
| Sediment Water Quality (98-C09a)<br>Delta Protection Commission                      | None             | None  | 3 months (to Sept 2001) | Delay in convening technical advisory panel.  |
| Sediment Water Quality (98-C09b)<br>Dept. of Fish and Game                           | None             | None  | 6 months (to Sept 2001) | Delay in convening technical advisory panel.  |
| Sediment Water Quality (98-C09c)<br>RWQC   | None             | None  | 3 months (to Sept 2001) | Delay in convening technical advisory panel.  |

**CALFED Agencies**

**California**  
The Resources Agency  
Department of Fish and Game  
Department of Water Resources  
California Environmental Protection Agency  
State Water Resources Control Board  
Department of Food and Agriculture

**Federal**  
Environmental Protection Agency  
Department of the Interior  
Fish and Wildlife Service  
Bureau of Reclamation  
U.S. Geological Survey  
Bureau of Land Management  
U.S. Army Corps of Engineers

Department of Agriculture  
Natural Resources Conservation Service  
U.S. Forest Service  
Department of Commerce  
National Marine Fisheries Service  
Western Area Power Administration



**Level 1 Project Amendments**

| Project and Proponent   | Change Requested              |          |                        | Reason for Amendment   |
|---|-------------------------------|----------|------------------------|--|
|   | Budget                        | Scope    | Time                   |  |
| Hill Slough West Habitat Demonstration Project (98-F08)<br>Dept. of Fish and Game | None                          | None     | 8 months (to Feb 2001) | Unanticipated difficulties in State contracting with private consultant. |
| Bacterial Treatment of Selenium in the Panoche Drainage (98-B14)<br>UC Berkeley   | \$22,956 (2 percent increase) | Increase | None                   | Improve monitoring using latest data gathered.                           |

The following projects have requested a Level 2 project amendment. These amendments require Ecosystem Roundtable and Agency Liaison action.

**Level 2 Project Amendments**

| Project and Proponent  | Change Requested                |                |      | Reason for Amendment   |
|--|---------------------------------|----------------|------|--|
|  | Budget                          | Scope          | Time |  |
| Assessment of Ecological and Human Health Impacts of Mercury in the Bay-Delta Watershed (99-B06)<br>San Jose State University Foundation | \$364,000 (10 percent increase) | Increase scope | None | Requested changes are based on recommendations from an external expert Scientific Review Committee |
| Fish Passage Improvement Project at the Red Bluff Diversion Dam (99-B07)<br>Tehama-Colusa Canal Authority                                | None                            | Modify scope   | None | Adjust funding between tasks to accommodate project management and environmental documentation.    |

**ACTION**

Ecosystem Roundtable Subcommittee members and Agency Liaisons are requested to consider the Level 2 amendments consistent with the contract amendment process (attached).

**DISCUSSION**

The contract amendment process provides for three levels of amendment depending on the nature and extent of the proposed change (budget, time, or scope). The process for these amendments is discussed on the attached page.

## **Project Amendments**

The following projects have requested a project amendment requiring Ecosystem Roundtable subcommittee action, as follows:

### **1. Assessment of Ecological and Human Health Impacts of Mercury in the Bay-Delta Watershed (99-B06)**

**Issue:** In 1999, CALFED approved a directed action of \$3,800,000 for the San Jose State University Foundation to provide information that will lead to a reduction of mercury in resident fish tissues to levels that are not harmful to humans and wildlife. As requested by CALFED, a panel of international mercury experts was assembled to critique the proposed study plan. The panel recommended that a number of tasks should be expanded and other tasks added if the study was to accomplish its objectives.

**Staff Recommendation:** Based on scientific evidence, the potential for actions of CALFED and other entities to increase the bioaccumulation of mercury appears to be a valid concern. Accordingly, this study is needed to provide important information and guidance to CALFED. The proposed additions to the project scope (external QA/QC for \$123,105; project management and coordination for \$75,000; external science review for \$48,000; and mercury speciation for \$117,895; totaling \$364,000) are important to the scientific credibility and overall success of the project. Money for this amendment may need to be taken from the Restoration Reserve fund if unallocated funds are unavailable.

### **2. Fish Passage Improvement Project at the Red Bluff Diversion Dam (99-B07)**

**Issue:** In August 1999, CALFED approved \$1,000,000 for Tehama-Colusa Canal Authority to perform alternative selection on fish passage improvements. This award amount was less than the Authority proposed, with only tasks 1, 2, and 3 funded. The Authority has requested that \$350,000 be reallocated from Task 1 (Preliminary Engineering) to allow funding tasks 4 (Environmental Documentation, \$260,000) and 7 (Project Management, \$90,000).

**Staff Recommendation:** The change in scope is inconsistent with the Integration Panel recommendation, and fails to address the additional recommendation that cost sharing and community participation be incorporated. The change in scope should be declined. The project proponent should only implement tasks 1, 2, and 3, but should address the need to reduce scope sufficiently to address the \$90,000 project management needs and the local outreach requirement within the \$1,000,000 total allocation for this project.

## **Contract Amendment Process**

### ***Level 1 Amendments***

Level 1 amendments would be defined as (a) cumulative time extensions up to nine months, (b) changes in scope of services which will not alter the final outcome of the project, and (c) budget increases not to exceed a total of \$25,000 for each contract. Decisions on amendments at this level would be made by contracting agency staff after consulting with CALFED staff. Contracting agencies may delegate decision-making to the Executive Director of the CALFED Bay-Delta Program, as appropriate.

### ***Level 2 Amendments***

Level 2 amendments consist of requests for (a) cumulative time extensions over 9 months, or (b) cumulative budget increases up to 30% of the contract amount, but not greater than \$500,000 or (c) changes in scope of services which alter the final outcome of the project.

These amendment requests would be considered by an Ecosystem Roundtable subcommittee which would meet in a publicly noticed meeting and consider each amendment in detail. The Ecosystem Roundtable members would provide review and comment on the proposed amendments. A group of Management Team members would participate in reviewing the contract amendments at the same meeting with members of the Roundtable subcommittee. The Management Team subgroup would then make their recommendation with the input from the Ecosystem Roundtable members. The Management Team subgroup could decide whether an individual item merits full Management Team review and discussion, and/or Policy Group review. If an item is identified as not meriting additional discussion, then the Management Team subgroup's recommendation would be transmitted directly to the appropriate contracting agency. Interior, Resources Agency, and the Environmental Protection Agency would have the final approval over their respective funding sources.

### ***Level 3 Amendments***

Level 3 amendments consist of amendment requests of cumulative budget increases of 30% or more of the contract amount or over \$500,000. Level 3 amendments will be reviewed through the same process as Level 2 amendments, but will need to be presented to the Policy Team who will transmit their recommendation to the respective funding source.

### ***Reporting***

The Management Team, Policy Group, Ecosystem Roundtable and BDAC would have all amendments reported to them as information items.