



**Ecosystem Restoration Program
Amendment Requests
January 20, 2010**



The following projects have requested a **Level 2** amendment requiring Ecosystem Restoration Program Implementing Managers (ERPIAM) recommendations on the following requests:

- 1. Project Title:** Lower Yolo Bypass Strategic Project Process
Contract/Grant Number: E0783012
Contractor/Grantee: California State University Sacramento, Center for Collaborative Policy

History: In June 2008, the California Department of Fish and Game (DFG) awarded a grant of \$300,000 to CCP to manage and facilitate a multi-stakeholder negotiation focused on developing a set of management recommendations for the Lower Yolo Basin (LYB).

The agreement was amended on September 15, 2009 (Amendment 1) to extend the agreement from a completion date of November 30, 2009, to November 30, 2010. The purpose of the amendment was to recognize and accommodate the 9 month stop work order that CCP had been under (as directed by DFG on December 19, 2008) due to the State of California fiscal crisis.

This current request is Amendment #2.

Issue: CCP requests a transfer of budget from Tasks 5 and 6, to Task 2 to a level sufficient to cover historic overruns from services provided before the stop work order (see description below), and to cover project re-start costs incurred after CCP was authorized to start the Project in September 2009.

CCP requests minor revisions in Project expectations and deliverables. Changes in Project and related Delta-region conditions have made it likely that the scope of work can be achieved provided there are modifications to the breadth and magnitude of the planning documents described in the original agreement.

ERP Regional Coordinator Recommendation: Bay-Delta region staff recommend that this amendment be approved immediately.

- 2. Project Title:** Monitoring for Invasive Spartina Control in the San Francisco Estuary
Contract/Grant Number: P0685608
Contractor/Grantee: State Coastal Conservancy

History: The California Department of Fish and Game (DFG) awarded Agreement No. P0685608 (ERP-04-S02), in the amount of \$1,234,396.32, to the Conservancy effective July 20, 2006, to conduct monitoring for the ISP.

Amendment #1, executed on February 14, 2008, was an administrative amendment to correct Exhibit B- Invoicing and Payment Provisions to change the assigned ERP Contract Manager in Section C and to delete the 10% retention requirement in Section E.

On October 17, 2008, the termination date was extended from December 31, 2008 to September 30, 2009. This amendment #2 also extended the deliverable dates for annual inventory and treatment efficacy monitoring reports, and the project close out summary report consistent with the extension of the termination date.



**Ecosystem Restoration Program
Amendment Requests
January 20, 2010**



On November 19, 2009, the termination date and deliverable dates again were changed, extending the agreement to September 30, 2010. This Amendment #3 was needed due to the State Department of Fish and Game's stop work directive in effect from December 23, 2008 through September 30, 2009.

This current request is Amendment #4.

Issue: In 2006 when the budget for this project was negotiated, the Conservancy allocated the budget among the seven tasks identified. The budget projections for each task turned out to be very close but not exact. We find that approximately 3% of the budget constitutes small surpluses in some tasks equal to the shortages in other tasks. Instead of losing this small portion of the budget, the Conservancy proposes to move the surpluses to the tasks with shortages as we near the end of the term of the agreement. Furthermore, the Conservancy paid accidental over charges not yet invoiced to ERP/DFG for Tasks 3, 4, and 7. Because of the State bond freeze, the Conservancy is unable to replace these payments with bond or other sources of funding. If this amendment #4 is approved, invoices will be submitted for reimbursement to adequately cover Tasks 3, 4, and 7 with budget not needed for Tasks 1 and 2 for which there is a slight surplus. Budget change to move \$26,858.26 from Task 1 to Task 3; \$9,291.81 from Task 2 to Task 7; and \$3,776.19 from Task 2 to Task 4.

ERP Regional Coordinator Recommendation: Bay-Delta Region staff recommend that the amendment be approved immediately.

3. **Project Title:** Yolo Solano Conservation Partnership
Contract/Grant Number: E0730200
Contractor/Grantee: Yolo County Resource Conservation District

History: Dept of Fish and Game awarded a grant of \$ 2,257,981.91 to the Yolo County Resource Conservation District to bridge public investment and farmer interest by building on-farm projects that develop partnerships and provides information to increase farmer participation and convince the public of the value of private land conservation work. The RCD and its 8 subcontractors began work immediately on the individual and partnership oriented work, which included reducing permitting and compliance barriers, conservation project installation, project and habitat/species monitoring, technology/method transfer, analysis and evaluation of methods and success, development of economic values of ecosystem service provided by conservation projects, development of documents to streamline habitat production in blocks, and outreach to landowners and the general public. Additional construction, planting, maintenance and monitoring is still needed in order to achieve desired performance and completion. Progress on non-field tasks was also stopped by bond freeze and must be re-started under slightly changed circumstances. Additional time, beyond the original completion date of August 30, 2010, will be needed.

There have been no previous amendments to this project.

This current request is Amendment #1

Issue: The no-cost time extension of 18 months is being requested because of the mandatory stop work order beginning December 17th, 2008 and continuing through September 30, 2008. The District was unable to restart the project after September 30 because the state had not yet paid invoices for work dating back to October 1, 2008. Payment for this work was received on November 1, 2009, at which point efforts were begun



**Ecosystem Restoration Program
Amendment Requests
January 20, 2010**



to restart the project. Much of the work within this project is dependent upon appropriate timing according to season. This includes activities such as field construction, earth moving, planting of native species, monitoring of species and project maintenance.

ERP Regional Coordinator Recommendation: Bay-Delta Region staff recommend that the amendment be approved immediately.



**Ecosystem Restoration Program
Amendment Requests
January 20, 2010**



The following project has requested a **Level 1** amendment requiring Ecosystem Restoration Program Implementing Managers (ERPIAM) recommendations on the following requests:

- 4. Project Title: Arundo Donax Eradication and Coordination**
Contract/Grant Number: P0685587
Contractor/Grantee: Sonoma Ecology Center

History: In 2005, the California Bay Delta Authority awarded a grant of \$1,840,791 to the Sonoma Ecology Center to coordinate Arundo donax eradication in 10 watersheds, subcontract environmental compliance and conduct research, manage project data, and map and prioritize Arundo eradication areas.

The agreement was amended in 2006 to increase budget to \$2,008,209 to accommodate costs to complete project tasks and meet contractual requirements; a budget amendment in 2007 to move funding between tasks to provide partners additional resources; a budget amendment in 2008 to split tasks and move funds between tasks to provide staff additional resources to complete deliverables, in 2009 a fourth amendment was granted to extend the project expiration date due to the State funding suspension for one year to March 14, 2010.

This current request is Amendment #5

Issue: The suspension of funding for 9 months delayed project schedule. Subsequent restart activities including rehiring staff, securing extensions for subcontractors, and rescheduling work resulted in further delays. In addition, some contractors are requiring new contracts to be developed due to lapse in coverage related to the work suspension. A six month time extension will allow these adjustments to occur and the work in the agreement to be completed.

ERP Regional Coordinator Recommendation: Bay-Delta Region staff recommend that the amendment be approved immediately.