

**CONSIDERATION OF A RESOLUTION AUTHORIZING THE DIRECTOR, OR  
DESIGNEE, TO SIGN AN INTERAGENCY AGREEMENT WITH THE DEPARTMENT  
OF WATER RESOURCES TO OBTAIN EXPERTISE IN THE REVIEW OF  
ENVIRONMENTAL SITE ASSESSMENT REPORTS FOR  
LAND ACQUISITION GRANTS.**

**Agenda Item: 10**

**Meeting Date: 8-14-03**

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**Summary:** This resolution would authorize the Director, or designee, to sign an interagency agreement to obtain Department of Water Resources' expertise to review third-party environmental site assessments for land acquisitions funded by the Resources Agency and the Authority using Proposition 204 funds.

**Recommended Action:** Adopt Resolution 03-08-17.

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**Staff Recommendation:** Staff recommends that the Authority approve the attached resolution, authorizing an interagency agreement with the Department of Water Resources (DWR) to provide review of third party environmental site assessments.

**Background**

In order to protect the State from future liability associated with the purchase of real property or with granting funds to non-State entities to purchase real property, DWR has offered to provide to the Authority its expertise in evaluating the work of outside consultants and contractors on Phase I Environmental Site Assessments. This will include the review of all proposals, cost estimates, work plans, health and safety plans, sampling protocols, quality assurance/quality control measures, draft and final reports, and other technical documents submitted to Authority staff. These services will be provided prior to the close of escrow for the purchase of any real property interest by recipients funded through grants provided by the Resources Agency or Authority.

**Fiscal Information**

**Funding Source:** Proposition 204 Ecosystem Restoration Account

**Term:** July 1, 2003 through June 30, 2004

**Total Amount:** \$25,000.00

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**List of Attachments:**

Proposed Scope of Work

**Contact**

**Name:** Dan Castleberry

**Phone:** (916) 445-0769

**CALIFORNIA BAY-DELTA AUTHORITY**  
**RESOLUTION NO. 03-08-17**

CONSIDERATION OF A RESOLUTION AUTHORIZING THE DIRECTOR, OR DESIGNEE, TO SIGN AN INTERAGENCY AGREEMENT WITH THE DEPARTMENT OF WATER RESOURCES TO OBTAIN EXPERTISE IN THE REVIEW OF ENVIRONMENTAL SITE ASSESSMENT REPORTS FOR LAND ACQUISITION GRANTS.

**WHEREAS**, the Resources Agency has provided grants of Proposition 204 funds for State and non-State entities to acquire interests in real property in furtherance of the Ecosystem Restoration Program; and

**WHEREAS**, staff of the CALFED Bay-Delta Program have historically assisted the Resources Agency in the oversight, management, and administration of the Agency's grants of Proposition 204 funds in furtherance of the Ecosystem Restoration Program; and

**WHEREAS**, staff of the Authority will continue to assist the Resources Agency in completing all oversight, management, and administration of the Agency's grants of Proposition 204 funds in furtherance of the Ecosystem Restoration Program; and

**WHEREAS**, the Authority is expected to receive an appropriation of Proposition 204 funds in its 2003/2004 fiscal year budget for distribution as grants and for support related to the Ecosystem Restoration Program; and

**WHEREAS**, it is necessary to ensure compliance with State law, policy, and procedures for those Agency and Authority grants that provide for the acquisition of real property interests to ensure an adequate State review of Phase 1 Environmental Site Assessments that describe potential hazards on real property proposed for acquisition by the grantees; and

**WHEREAS**, an interagency agreement with the Department of Water Resources will make available to the Authority that department's expertise in evaluating Phase 1 Environmental Site Assessments for those land acquisition grants made by the Resources Agency in the past, or by the Authority during the term of the agreement;

**NOW, THEREFORE, BE IT RESOLVED** that the Authority authorizes the Director, or his designee, to sign an interagency agreement with Department of Water Resources for review of environmental site assessment reports for land acquisition grants, as generally described in the attached proposed scope of work, for an amount not to exceed \$25,000.00, subject to appropriation of adequate funds.

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## CERTIFICATION

The undersigned Assistant to the California Bay-Delta Authority 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 California Bay-Delta Authority held on August 14, 2003.

Dated:

Heidi Rooks  
Assistant to the California Bay-Delta Authority

**Attachment 1**  
**Environmental Site Assessment**

**Proposed Scope of Work**

**1. Background**

In order to protect the State from future liability associated with the purchase of real properties or with granting funds to non-State entities to purchase real property, DWR will evaluate the work of outside consultants and contractors on Phase I Environmental Site Assessments. This will include the review of all proposals, cost estimates, work plans, health and safety plans, sampling protocols, quality assurance/quality control measures, draft and final reports, and other technical documents submitted to the Authority staff. These services shall be provided prior to the close of escrow for the purchase of any real property interest by recipients funded through grants provided by the Resources Agency or Authority.

**2. General Statement of Work**

1. The California Department of Water Resources, hereinafter referred to as DWR, agrees to provide the following services:

The following list of services is not, and should not, be considered all-inclusive of the tasks to be performed under this Agreement. All services provided by DWR will be performed in accordance with applicable federal, State, and local laws and regulations, American Society for Testing Materials (ASTM) Standards, and DWR guidelines. Specific services, deliverables, and budgets (e.g., cost estimates) will be included and procured through Task Orders under this Agreement.

- A. DWR will oversee or evaluate the work of outside consultants and contractors to ensure that all applicable regulatory requirements and standard operating procedures for environmental site assessments and remedial actions are complied with. This includes the review of all proposals, cost estimates, work plans, health and safety plans, sampling protocols, quality assurance/quality control measures, draft/final reports, and other technical documents submitted to the California Bay-Delta Authority, hereinafter referred to as Authority. DWR will prepare and deliver its findings, conclusions, and recommendations to the Authority in a timely manner or as specified by Task Order.
- B. DWR will provide or conduct the following environmental site assessment activities, in accordance with applicable ASTM standard practices, as needed:
  - i. Site Screening/Transaction Screen
  - ii. Phase I Environmental Site Assessment (ESA)

- Records Review
  - Interviews with Landowners/Occupants/Operators and
  - Government Officials
  - Site Reconnaissance
  - Written Report
- iii. Phase II ESA (Site Characterization)
- Work Plan
  - Environmental Sampling
  - Certified Laboratory Analysis
  - Data Validation and Evaluation
  - Written Report
- iv. Phase III ESA (Site Remediation)
- Remedial Action Plan
  - Risk Assessment
  - Expedited Removal Action
  - Abatement Project Design and Contractor Services

### **3. Deliverables**

DWR shall be responsible for providing memoranda of comments resulting in the review of one or more of the documents listed above.

### **4. Representatives**

#### **California Bay-Delta Authority, Program Manager:**

Dan Castleberry  
California Bay-Delta Authority  
650 Capitol Mall, 5<sup>th</sup> Floor  
Sacramento, CA 95814  
(916) 445-0769

### **5. Location of Work**

The primary place of performance will be in Sacramento.

### **6. Term**

The term of this agreement shall be July 1, 2003 through June 30, 2004.

### **7. Payment**

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The maximum amount payable under this agreement shall not exceed \$25,000, and shall include all applicable taxes.