

**CONSIDERATION OF A RESOLUTION AUTHORIZING THE DIRECTOR, OR
DESIGNEE, TO SIGN THE AMENDED AND RESTATED CALFED BAY-DELTA
PROGRAM IMPLEMENTATION MEMORANDUM OF UNDERSTANDING**

Agenda Item: 10

Meeting Date: 8-14-03

Summary: This resolution would approve a revised and restated Bay-Delta Program Implementation Memorandum of Understanding in substantially the form attached, and would direct the Director to sign on behalf of the Authority at the appropriate time.

Recommended Action: Adopt Resolution 03-08-27.

Staff Recommendation: Staff recommends that the Authority adopt the attached resolution approving the revised and restated Bay-Delta Program Implementation Memorandum of Understanding in substantially the form attached, recognizing that minor edits may be made as the document is considered for final review and signature by each of the previous 23 signatory agencies.

Background

On August 28, 2000, the lead CALFED agencies executed the CALFED Bay-Delta Program Record of Decision (ROD). On the same date, most of the Bay-Delta agencies executed the CALFED Bay-Delta Program Implementation Memorandum of Understanding to establish an interim cooperative interagency mechanism for implementing the Program, as defined in the ROD. Other agencies executed the MOU at subsequent dates.

By its terms, the MOU expires on September 30, 2003, unless extended by written agreement.

Now that the Authority has been established to provide a long-term governance structure for the Program, it is necessary in extending the term of the MOU, to also add the Authority as a signatory and revise and restate certain provisions relating to interagency coordination and integration of respective roles and responsibilities. Moreover, because only 12 of the original 23 signatory agencies are represented on the Authority, and because the Federal agencies have not yet been authorized to fully participate on the Authority, it is important to extend and revise the MOU as a mechanism to ensure that all interested agencies have an opportunity to participate in the Bay-Delta Program.

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Fiscal Information

This resolution approves the extension of an existing agreement setting forth processes for cooperation amongst the Program's implementing agencies, taking into account the new governance role of the Authority. As such, there are no anticipated costs directly associated with the approval and execution by the Authority of the revised and restated MOU.

List of Attachments

Draft Revised and Restated Implementation Memorandum of Understanding

Contact

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CALIFORNIA BAY-DELTA AUTHORITY
RESOLUTION NO. 03-08-27

CONSIDERATION OF A RESOLUTION AUTHORIZING THE DIRECTOR, OR DESIGNEE, TO SIGN THE AMENDED AND RESTATED CALFED BAY-DELTA PROGRAM IMPLEMENTATION MEMORANDUM OF UNDERSTANDING

WHEREAS, on August 28, 2000, the lead Bay-Delta agencies executed the CALFED Program Record of Decision (ROD), and on the same date most of those agencies executed the CALFED Bay-Delta Program Implementation Memorandum of Understanding (MOU) to establish an interim cooperative interagency mechanism for implementing the Program, as defined in the ROD; and

WHEREAS, other CALFED agencies executed the MOU at subsequent dates; and

WHEREAS, by its terms, the MOU expires on September 30, 2003, unless extended by written agreement; and

WHEREAS, now that the Authority has been established to provide a long-term governance structure for the Program, it is necessary in extending the term of the MOU, to also add the Authority as a signatory and revise and restate certain provisions relating to interagency coordination and integration of respective roles and responsibilities in light of the Authority's existence; and

WHEREAS, it is also important to extend and revise the MOU to ensure that all interested agencies have an opportunity to participate in the Program, in light of the fact that only 12 of the 23 MOU signatory agencies are represented on the Authority, and that the Federal agencies have not yet been authorized to participate on the Authority;

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby approves the Revised and Restated Bay-Delta Program Implementation Memorandum of Understanding in substantially the form attached hereto, recognizing that minor edits may be made as the document is considered for final review and signature by each of the signatory agencies, and the Director is directed to sign on behalf of the Authority at the appropriate time.

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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