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***Request for Approval to Enter into Agreements in the Amount of up to \$518,000 in Support of
Regional Restoration Planning in the Cache Slough Region***

June 27, 2016

RECOMMENDATIONS

Staff recommends Board authorization for the Executive Officer to enter into agreements in the amount of up to \$518,000 consistent with the attached scope of work for Phase I of the Cache Slough Region Restoration Strategy.

PROJECT DESCRIPTION

The purpose of this project is to develop a restoration strategy for the Cache Slough Complex (CSC) that identifies areas for habitat restoration and projects that would be eligible for Proposition 1 funding. Through engagement in a collaborative planning process between local, state, and federal agencies and interests, a locally-supportable vision and strategic planning approach will be developed that considers multiple land use plans and processes focused in the CSC, reduces potential conflicts between those uses, and identifies opportunities for a landscape-level integrated approach. This regional planning effort will compliment already-ongoing collaborative work among local, state and federal agencies in the larger Yolo Bypass/Cache Slough (YBCS) Region; and builds on and further develops efforts by the local partners in the Corridor Management Framework (CMF).

Phase I of this planning effort will collect readily available information for ecosystems, agriculture, flood protection and water supply in the region and then bring all of the interests together in a series of facilitated workshops to assess the information and develop an initial assessment. The last step of Phase I will be the collaborative assessment of next steps and needed information or analysis to continue a Phase II effort to complete a regional restoration strategy. The continuation of the project into Phase II and any associated costs would need to be approved by the Delta Conservancy Board.

The attached scope of work has been developed by the following partners over the past twelve months; Solano County, Solano County Water Agency, Reclamation District 2068, Yolo County, Resources Agency, Delta Stewardship Council Planning Program, Delta Science Program, San Francisco Estuary Institute-Aquatic Science Center, Flow West, LLC, and the Delta Conservancy. The partners support the current scope as an articulation of agreement on the approach to the planning process, costs and schedule for the project.

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BACKGROUND

The Delta Reform Act of 2009 established the Conservancy and includes four relevant mandates: (1) Protect and enhance habitat and habitat restoration, (2) Protect and preserve Delta agriculture and working landscapes; (3) Identify priority projects and initiatives for which funding is needed; and (4) Protect, conserve and restore the region's physical, agricultural, cultural, historical and living resources.

The Conservancy's Strategic Plan identifies a goal of leading efforts in protecting, enhancing and restoring the Delta ecosystem in coordination with other governmental and non-government entities and citizens in the Delta, and an objective to identify restoration priorities in collaboration with existing federal, state, regional and local governmental and not-governmental entities. The plan also identifies a goal of establishing the Conservancy as a valuable partner with Delta growers, agriculture-related businesses and residents in protecting and enhancing the Delta's agricultural and working landscapes.

The Conservancy's current Three Year Work Plan specifically identifies the planning process envisioned in this project under the Restoration Hub work priority.

Proposition 1 allows for 10% of the Conservancy's allocation to go toward planning and monitoring to ensure successful design, selection and implementation of projects. The project is intended to identify restoration and agricultural sustainability projects that would meet criteria and be eligible for Prop. 1 funding, thereby improving the long-term efficacy of the public funding. The need for additional regional planning in the Delta is called for in the Delta Plan, has been articulated in the High Impact Science Action Agenda as approved by the Delta Plan Interagency Implementation Committee, and has been specifically called for in the Governor's Eco Restore Program. The concept for regional planning has been in development for several years. The Conservancy has worked extensively with the Delta Science Program, SFEI-ASC, The Nature Conservancy and several consultants to develop the planning process. The process has been vetted through the Delta Restoration Network which includes agencies working in the Delta, several NGO organizations, and local stakeholders. Additionally, countless meetings with agencies and stakeholders have been conducted to get input on the process. There is currently support from State and local agencies to do the regional planning describe in the attached scope of work.

BUDGET

The total project cost for Phase I is \$518,000. The budget by tasks, funding recipients and contracting mechanisms are described in the attached scope of work. The following is a summary of funding allocation, funding source and contract mechanisms.

- Solano County, \$228,000 (with up to \$40,000 to Flow West), Proposition 1. Funding would be through a contract with Solano County for part of Task 1 and all of Task 3. Contracts with local governmental entities are exempt from competitive bid requirements. (State Contract Manual

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§ 3.06.A). Solano county is also authorized to subcontract up to \$50,000 or 25% of the funds received without competitive bidding if the subcontract is justified and is not done for the purpose of circumventing competitive bidding requirements. Solano County's subcontract to Flow West is justified because of their unique qualifications.

- SFEI-ACS, \$120,000, Proposition 1. Funding would be through a contract with SFEI-ACS, a nonprofit joint powers authority (JPA) established to provide services to the State. The contract would be for Task 2 and part of Task 5. Contracts with JPAs are exempt from competitive bidding requirements. (State Contract Manual § 3.06.A; 3.13).
- Flow West, LLC, \$80,000, Proposition 1. Funding through a non-competitive bid contract with Flow West, LLC, a for profit entity. The contract would be for the performance of part of Task 2 and all of Task 4. Non-competitive bid contracts are authorized when the services proposed for acquisition are the only services available that meet the state's needs. (Public Contract Code § 10301; State Contract Manual – Vol 2 § 5.1.0). In this instance, Flow West is uniquely qualified and therefore is the only service provider who can meet the need.
- Facilitation and Administrative Services, \$65,000, Federal education and outreach funding. Funding through a Request for Bid procurement process.
- Yolo County, \$25,000, Proposition 1. Funding through a contract with Yolo County for part of Task 1. Contracts with local governmental entities are exempt from competitive bid requirements. (State Contract Manual § 3.06.A).

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