



Proposed Regulation for Architectural and Engineering Authority Staff Report

This report presents for Board consideration proposed regulatory text for Architectural and Engineering (A&E) Authority.

RECOMMENDATION

Staff recommend Board approval of the proposed regulation as modified in the notice for the 15-day public comment period.

DESCRIPTION

The Delta Conservancy is currently going through the rulemaking process to obtain the authority to contract with A&E firms. This authority will enable the Conservancy to have A&E firms on call to support projects requiring their specialized expertise.

In February, staff completed the initial 45-day public comment period. Following the review of the rulemaking package, the California Office of Administrative Law (OAL) provided additional guidance to ensure full compliance with notification and procedural requirements. In compliance with OAL guidance, staff shared the proposed regulation with the Secretary of California Natural Resources and small businesses, distributed the notice to the Conservancy listserv (900 contacts), and made minute modifications to the proposed regulatory text. OAL also requested that the Board formally approve the proposed regulation. As a result, staff were required to conduct a 15-day public comment period to allow time for review and feedback on the modifications. The 15-day period ran from May 12 to May 27, 2025.

To view the modifications to the text of the proposed regulation in the 15-Day Notice of Modifications, please visit: [Delta Conservancy Architectural and Engineering Contracting page](#).

SUGGESTED MOTION LANGUAGE

Move that the Board approve the following:

- Text of Proposed Regulations, as presented in the notice of the 15-day public comment period, to adopt sections 28302-28314 of Title 14, Division 16, Chapter 2 of the California Code of Regulations concerning the selection process for private architectural and engineering firms as presented in this item.
- Authorize the Executive Officer to submit the regulations to OAL and make any necessary non-substantive or technical changes to adopt the regulations.
- Any summary or response to comments received during the written comment period.

Meeting Date: May 28, 2025

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