

BUDGET AND FINANCE COMMITTEE

July 12, 2024

Attachment 2.2A

Background

At the May 19, 2023, the Reservoir Committee and Authority Board provided approval authorizing the Executive Director to enter into an agreement with the National Marine Fisheries Service (NMFS) to provide reimbursement for dedicated staff support to prepare and implement Biological Opinion permitting for a total of up to \$1,388,277 through September 30, 2028, with a not-to-exceed of \$65,400 for fiscal year 2023. The intent was to have the agreement executed late 2023.

The availability of NMFS staff to negotiate the agreement terms and conditions have delayed executing the agreement. A draft agreement is close to being finalized with the NMFS local office. The draft agreement will then be required to be processed through three federal government agencies prior to execution. NMFS believes the agreement will be executed in October 2024.

This delay has impacted the period of performance by revising the schedule to October 2024 through September 30, 2029, extending the end date by a year. The delay also has a minor impact to the total reimbursement amount from \$1,388,277 to \$1,389,783. These are minor changes to the previously approved agreement terms and could be considered with the Executive Director's authority to approve, however staff felt it was important for the Board to be made aware of the delays in getting the agreement executed. Executing this agreement and securing a dedicated staff for the Sites NMFS permits continues to be important for meeting the project schedule given NMFS is short staffed.

Staff Request

Staff is requesting the Reservoir Committee and Authority Board to concur with minor adjustments to previously approved agreement with the NMFS to reimburse dedicated staff support to prepare and implement Biological Opinion permitting. These adjustments include extending the end date one year to September 30, 2029, and a minor increase to the total cost reimbursement amount from \$1,388,277 to \$1,389,783.