

ASSOCIATION OF BAY AREA GOVERNMENTS

Representing City and County Governments of the San Francisco Bay Area



ABAG

MEMO

Date: July 8, 2013

To: Executive Board

From: Judy Kelly
Director, San Francisco Estuary Partnership

Subject: **Request for Authorization to Enter into an Interagency Agreement with California Dept. of Transportation (Caltrans) to Provide Technical Support for Permit Processing at the San Francisco Regional Water Board**

Summary

ABAG has had an Interagency Agreement the California Dept. of Transportation (Caltrans) since 2005 to provide a full time staff member to assist with preliminary review and processing applications for 401 Water Quality Certifications, Waste Discharge Requirements, programmatic maintenance, water quality protection activities under Caltrans' National Pollutant Discharge Elimination System permits and waivers and other RWQCB authorizations required for Caltrans District 4 projects and activities under the jurisdiction of the San Francisco Regional Water Quality Control Board. A new agreement is needed as the current agreement ends September 30, 2013. Staff is under the direction of the San Francisco Estuary Partnership Executive Director and technical supervision is by Water Board staff.

The new contract is estimated to cost \$ 493,130 and the time period is for three years, October 1, 2013 –September 30, 2016. No ABAG match is required. The project will assist with implementation of the Comprehensive Conservation and Management Plan for the San Francisco Estuary.

Recommendation

A resolution is requested authorizing the Executive Director or designee to enter into an interagency agreement with Caltrans to provide technical resources to the San Francisco Bay Regional Water Quality Control Board (RWQCB) for permit review assistance.

Attachment

ABAG Resolution No. 09-13

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 09-13

AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION

WHEREAS, the California Department of Transportation (Caltrans) is committed to improving mobility across California by developing transportation solutions and protecting water quality; and requires timely processing of the Department's applications or requests for permits from the San Francisco Regional Water Quality Control Board under its authority for implementation of the Federal Clean Water Act and the State Porter-Cologne Act; and

WHEREAS, the Regional Board has limited resources and cannot adequately respond to support the Departments' requests without assistance from ABAG, a joint-powers authority, which can supply additional staff resources dedicated to the Department's requests in accordance with an agreement between ABAG and the San Francisco Bay Regional Water Quality Control Board; and

WHEREAS, ABAG and Caltrans want to ensure the timely processing of the Department's applications or requests for permits, certifications, waivers or other actions, needs and services;

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 09-13**

NOW, THEREFORE, BE IT RESOLVED, by the Executive Board of the Association of Bay Area Governments that the Executive Director, or designee, is hereby authorized to enter into an inter-agency agreement with Caltrans to provide the necessary services to and reimburse ABAG for all costs incurred in providing such services.

The foregoing was adopted by the Executive Board this 18th day of July, 2013.

Mark Luce
President

Certification of Executive Board Approval

I, the undersigned, the appointed and qualified Secretary-Treasurer of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called meeting held on the 18th day of July, 2013.

Ezra Rapport
Secretary-Treasurer

Approved as To Legal Form

Kenneth K. Moy
Legal Counsel