

## Memorandum

**To:** North San Joaquin Water Conservation District  
Board Members

**From:** Walter E. Sadler, PE  
Tracy Lake Improvement District - Project Manager

**Date:** July 23, 2013

**Subject:** Scope of Work and Budget Amendments-Tracy Lake Groundwater  
Recharge Project – Robertson-Bryan, Inc.

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### Background

The District has a contract with Robertson-Bryan, Inc. (RBI) for professional services associated with the Tracy Lake Groundwater Recharge Project, dated November 30, 2011. In preparing the scope of work for this project there were a variety of assumptions made regarding regulatory oversight, and jurisdiction that have proven to be more difficult to address than originally anticipated due to issues beyond the control of RBI. These issues include ever changing staff at regulatory agencies, changes in interpretation of the regulatory responsibility, etc.

One of the most significant and elusive issues is Wetlands Delineation and determination if the U. S. Army Corp of Engineers (USACE) does or does not have jurisdiction over Tracy Lakes under the Clean Water Act. The significance of this determination can not be overstressed with regard to its impact on the operation of the Tracy Lake Groundwater Recharge Project and the Tracy Lake Mining Project.

A special meeting of the Tracy Lake Coordinating Committee (TLCC) was convened on January 8, 2013, to discuss the Wetland Delineation issue. As directed by TLCC, RBI submitted a phased work plan for additional work deemed necessary to address the issue. At the regular meeting of the TLCC on January 25, 2013, Task 7 in the amount of \$4,146 for ICF International to perform the additional delineation work was approved.

At the March 20, 2013, meeting of TLCC, Subtask 1-1 by RBI for Hydrologic Data in the amount of \$3,725 was approved. This work is to compliment delineation work by others.

At the June 18<sup>th</sup> meeting, a budget amendment proposed by RBI in a letter dated April 29, 2013, were presented and discussed. After some modifications, a revised scope and budget, as delineated below was approved by the TLCC.

Task 1: Engineering Analysis	\$7,640
Task 5: Grant Management	\$5,000
Task 6: CEQA Compliance	\$14,745
Task 7: Regulatory Permitting	\$11,020
ODCs	\$180

<b>Subtotal</b>	<b>\$38,585</b>
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Scope of Work and Budget Amendment – RBI  
July 23, 2013  
Page 2

Previous work approved for ICF International (January 25<sup>th</sup>) and RBI (March 20<sup>th</sup>) is as follows:

Task 7: ICF International	\$4,146
Subtask 1-1: RBI Hydrologic Data	\$3,725

<b>Subtotal</b>	<b>\$7,871</b>	
<b>Total (RBI) Amendment</b>		<b>\$46,456</b>

**Recommendation**

Pursuant to the review and approval of the budget amendments listed above by the Tracy Lake Coordinating Committee, it is recommended that the NSJWCD Board approve the contract amendments for RBI, in the amount presented above.