

JEPA Amendment No. 8

**AMENDMENT NO. 8
TO
AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT
BETWEEN THE
DEPARTMENT OF WATER RESOURCES, STATE OF CALIFORNIA
AND THE DELTA CONVEYANCE DESIGN AND CONSTRUCTION
JOINT POWERS AUTHORITY**

This Amendment No. 8 to the October 26, 2018, Amended and Restated Joint Exercise of Powers Agreement Between the Department of Water Resources of the State of California (“DWR”), and the Delta Conveyance Design and Construction Joint Powers Authority (“Authority”), as previously amended, is entered into and effective as of the last date set forth on a signature page hereto.

RECITALS

WHEREAS, in May 2018 DWR and the Authority (collectively “the Parties”) entered into a Joint Exercise of Powers Agreement and in October 2018 into an Amended and Restated Joint Exercise of Powers Agreement, whereby the Authority agreed to manage the design and construction of California WaterFix under DWR’s ultimate control and oversight;

WHEREAS, the State subsequently set a new water policy for California and on May 2, 2019, DWR withdrew its approval of the California WaterFix project;

WHEREAS, the parties entered into that Amendment No. 1 to the Amended and Restated Joint Exercise of Powers Agreement (“Amendment No. 1”) to outline the initial planning and engineering services that the Authority will provide to DWR during its consideration of a different potential Delta conveyance project;

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WHEREAS, the parties entered into those further Amendments No. 2-7 to the Amended and Restated Joint Exercise of Powers Agreement (collectively, the “Agreement”) to make certain changes;

WHEREAS, on December 21, 2023, DWR approved the Delta Conveyance Project (“Project”), certifying the final Environmental Impact Report (EIR); and

WHEREAS, the parties recognize that planning and permitting efforts will continue prior to the construction and implementation of the Project; and

WHEREAS, the parties wish to amend the definition of the Planning Phase in the Agreement to recognize the additional planning and permitting work necessary prior to Project implementation and construction.

NOW THEREFORE, in consideration of the mutual covenants contained in the Agreement and this Amendment No. 8, the parties hereby agree to amend the Agreement as follows.

AMENDMENT

- A. Subsection b of Section 0 is amended in read in full as follows:
 - b. “For purposes of this Section 0, ‘Planning Phase’ means the period of time beginning on May 2, 2019 and ending upon (i) completion of the environmental review process under CEQA and, if appropriate after CEQA review, approval of a Delta conveyance project, and (ii) after any such approval under CEQA, all subsequent design, permitting and planning efforts prior to and necessary to commence construction and implementation of a Delta conveyance project as reasonably determined by the parties.”
- B. Except as hereby amended, the Agreement shall remain in full force and effect.

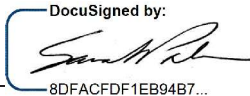
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IN WITNESS WHEREOF, the parties have hereunto affixed their names as of the day and year hereinafter written.

**STATE OF CALIFORNIA
DEPARTMENT OF WATER
RESOURCES**

**DESIGN AND CONSTRUCTION
AUTHORITY**

By: *Karla Nemeth*
Title: Director
Date: 1/31/2024

By: 
Title: Board President
Date: 1/31/2024

Approved as to legal form and consistency

Approved as to legal form and consistency

By: *Thomas Gibson* 1/31/2024
 General Counsel

By:  1/29/2024
 General Counsel

Certificate Of Completion

Envelope Id: 934B47C10A2F414485698329E5967710	Status: Completed
Subject: Complete with DocuSign: JEPA Amendment 8 Ready for DocuSign 31JAN24.pdf	
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Source Envelope:	
Document Pages: 3	Signatures: 2
Certificate Pages: 2	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	William Hanley
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	715 P Street
	Sacramento, CA 95814
	William.Hanley@water.ca.gov
	IP Address: 136.200.53.22

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January 31, 2024 14:06	William.Hanley@water.ca.gov	
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Storage Appliance Status: Connected	Pool: Department of Water Resources	Location: DocuSign

Signer Events

Signer Events	Signature	Timestamp
Thomas Gibson	<i>Thomas Gibson</i>	Sent: January 31, 2024 14:12
Thomas.Gibson@water.ca.gov		Viewed: January 31, 2024 14:16
General Counsel		Signed: January 31, 2024 15:22
Security Level: Email, Account Authentication (None)	Signature Adoption: Pre-selected Style	
	Using IP Address: 68.127.162.178	

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Karla Nemeth	<i>Karla Nemeth</i>	Sent: January 31, 2024 15:37
Karla.Nemeth@water.ca.gov		Viewed: January 31, 2024 16:41
Director		Signed: January 31, 2024 16:42
Security Level: Email, Account Authentication (None)	Signature Adoption: Pre-selected Style	
	Using IP Address: 174.236.228.234	
	Signed using mobile	

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In Person Signer Events

Editor Delivery Events

Agent Delivery Events

Intermediary Delivery Events

Certified Delivery Events

In Person Signer Events	Signature	Timestamp
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Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Lea Garrison	VIEWED	Sent: January 31, 2024 15:22
Lea.Garrison@water.ca.gov		Viewed: January 31, 2024 15:37
Department of Water Resources		
Security Level: Email, Account Authentication (None)	Using IP Address: 99.22.254.65	

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Carbon Copy Events	Status	Timestamp
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Tony Meyers Anthony.Meyers@water.ca.gov SWP Operating Officer Department of Water Resources Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: January 31, 2024 16:42
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Kenneth Bodgan Kenneth.Bogdan@water.ca.gov Department of Water Resources Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: January 31, 2024 16:42
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	January 31, 2024 16:42
Completed	Security Checked	January 31, 2024 16:42

Payment Events	Status	Timestamps
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