

**FIRST AMENDMENT TO
PLANNING AGREEMENT**

BY AND AMONG

THE PARTIES TO THE PLANNING AGREEMENT

REGARDING THE

THE BAY DELTA CONSERVATION PLAN

SEPTEMBER 24, 2009

This First Amendment (“Amendment”) to the Planning Agreement regarding the Bay Delta Conservation Plan (“Planning Agreement”) is made and entered into by and between the [NAME PARTIES]. These entities are referred to collectively as “Parties” and each individually as a “Party.” This Agreement is made with reference to the following Recitals.

Recitals

- A. The Parties have entered into a Planning Agreement, dated October 6, 2006, regarding the Bay Delta Conservation Plan.
- B. The terms used in this Amendment will have the meanings set forth in Section 1 of the Planning Agreement.
- C. The Effective Date of the Planning Agreement is December 6, 2006. Pursuant to Section 9.5 of the Planning Agreement, the Planning Agreement will automatically terminate three (3) years from the Effective Date, unless extended by an amendment or terminated pursuant to Section 9.7.
- D. The Parties agree by this Amendment to extend the Duration of the Planning Agreement by three (3) years.

Terms and Conditions

- 1. The Duration of the Planning Agreement is hereby extended for three (3) years beyond the original termination date of December 6 2009. This additional three-year term shall be referred to as the “Extension Period.”
- 2. All other terms and conditions of the Planning Agreement shall remain in full force and effect during the Extension Period.
- 3. This Amendment will take effect on the date that it is fully executed by the Parties.
- 4. This Amendment can be amended only by written agreement of all Parties.

IN WITNESS THEREOF, the Parties have executed this Amendment on the dates set forth below.

SIGNATURES:

Dated: _____, 20__

THE CALIFORNIA RESOURCES AGENCY

By: _____

Title: _____

Dated: _____, 20__

CALIFORNIA BAY DELTA AUTHORITY

By: _____

Title: _____

Dated: _____, 20__

CALIFORNIA DEPARTMENT OF WATER
RESOURCES

By: _____

Title: _____

Dated: _____, 20__

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

By: _____

Title: _____

Dated: _____, 20__

FISH AND WILDLIFE SERVICE

By: _____

Title: _____

SIGNATURES:

Dated: _____, 20__

CALIFORNIA DEPARTMENT OF FISH
AND GAME

By: _____

Title: _____

Dated: _____, 20__

U.S. BUREAU OF RECLAMATION

By: _____

Title: _____

Dated: _____, 20__

THE KERN COUNTY WATER AGENCY

By: _____

Title: _____

Dated: _____, 20__

METROPOLITAN WATER DISTRICT

By: _____

Title: _____

Dated: _____, 20__

THE SANTA CLARA VALLEY WATER
DISTRICT

By: _____

Title: _____

Dated: _____, 20__

ALAMEDA COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT, ZONE 7

By: _____

Title: _____

Dated: _____, 20__

THE SAN LUIS & DELTA MENDOTA WATER
AUTHORITY

By: _____

Title: _____

Dated: _____, 20__

THE WESTLANDS WATER DISTRICT

By: _____

Title: _____

Dated: _____, 20__

MIRANT DELTA

By: _____

Title: _____

Dated: _____, 20__

AMERICAN RIVERS

By: _____

Title: _____

Dated: _____, 20__

ENVIRONMENTAL DEFENSE FUND

By: _____

Title: _____

Dated: _____, 20__

THE NATURAL HERITAGE INSTITUTE

By: _____

Title: _____

Dated: _____, 20__

THE NATURE CONSERVANCY

By: _____

Title: _____

Dated: _____, 20__

DEFENDERS OF WILDLIFE

By: _____

Title: _____

Dated: _____, 20__

THE BAY INSTITUTE

By: _____

Title: _____

Dated: _____, 20__

CALIFORNIA FARM BUREAU FEDERATION

By: _____

Title: _____

Dated: _____, 20__

CONTRA COSTA WATER AUTHORITY

By: _____

Title: _____

Dated: _____, 20__

FRIANT WATER AUTHORITY

By: _____

Title: _____

Dated: _____, 20__

NORTH DELTA WATER AGENCY

By: _____

Title: _____