

**JOB DESCRIPTION AND POSITION CLASSIFICATION**

DSC 525 (2-PAGE) (REV. 01/10)

CLASSIFICATION <b>Attorney IV</b>		POSITION NUMBER <b>530-001-5780-395</b>	MCR <b>1</b>	RPA # <b>DSC 15-003</b>
APPOINTEE <b>Vacant</b>		EFFECTIVE DATE	DIVISION/SECTION <b>Executive Office</b>	
COLLECTIVE BARGAINING IDENTIFIER Management Related BU: <input type="checkbox"/> Supervisory Related BU: <input type="checkbox"/> Confidential Related BU: <input checked="" type="checkbox"/> Rank and File BU: <b>R02</b>				
RESPONSIBILITIES EXERCISED <input type="checkbox"/> Supervisory <input type="checkbox"/> Lead Person		IMMEDIATE SUPERVISOR (Print) <b>Christopher Stevens</b>	SUPERVISOR'S CLASSIFICATION <b>Chief Counsel</b>	
APPROVED BY (Personnel Analyst's Name) <b>Lynn Darby</b>			DATE <b>7/29/14</b>	
<b>ALL EMPLOYEES ARE EXPECTED TO WORK COOPERATIVELY WITH OTHERS; MAINTAIN REGULAR, CONSISTENT, PREDICTABLE ATTENDANCE; POSSESS INTEGRITY, INITIATIVE, DEPENDABILITY, AND GOOD JUDGMENT.</b>				
<b>POSITION SUMMARY</b>				
Briefly (1-3 sentences) describe the main purpose and function of the position, including the organizational setting: <b>Under the general direction of the Chief Counsel, incumbent will provide legal advice and assistance to the Delta Stewardship Council Board and to the Council's staff. Services will also be provided, as appropriate, to the Delta Plan Interagency Coordination Committee and to the Delta Independent Science Board.</b>				
<b>DESCRIPTION OF DUTIES</b>				
Percent of Time (E) and (M)	Indicate the duties of the position and the percentage of time spent on each. Group related tasks under the same percentage. Percentages should be in increments of 5% with the highest percentage first. Identify essential functions with an (E) and marginal functions with an (M) in the percentage column. "Other duties as required" cannot be used as a task statement.			
30%	Support Council staff in "early consultation" process. Consult with State and local agencies about their proposed "covered actions" prior to filing a certification of consistency to identify potential issues and provide guidance about developing detailed findings necessary to show consistency with the Delta Plan. Duties will include legal review and analysis of proposed projects via Delta Plan requirements; meeting with staff and attorneys from the relevant agencies; and providing legal review of comments on Delta projects and EIRs.			
30%	Litigation Support. Provide assistance and advice to Attorney General's Office and outside counsel with regard to litigation filed against/or involving the Council stemming from, among other things, California Environmental Quality Act and Administrative Procedure Act (APA) challenges, as well as administrative decisions on appeal.			
20%	Support Council Board in its regular monthly meetings and, on occasion, in oversight hearings. Hearings may be statewide and may include issuance of subpoenas and taking testimony under oath, consistent with authority granted to the Council by the Delta Reform Act.			
10%	Support Council appellate role. State and local agencies must file certifications of consistency with the Council with regard to their delta-related projects and activities determined to be "covered actions". Those certifications are subject to administrative appeal to the Council, which must hold a hearing and issue a written determination within a statutory time frame. The Council also has a potential appellate role with regard to incorporation of the Bay Delta Conservation Plan into the Delta Plan. Duties will include legal review, analysis, and preparation of tentative decisions, as well as procedural advice to ensure consistency with APA and due process.			
<b>SUPERVISOR'S STATEMENT: I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE.</b>				
SUPERVISOR'S NAME (Print) <b>Christopher Stevens</b>		SUPERVISOR'S SIGNATURE ➤		DATE
<b>EMPLOYEE'S STATEMENT: I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THE POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT.</b>				
EMPLOYEE'S NAME (Print) <b>Vacant</b>		EMPLOYEE'S SIGNATURE ➤		DATE

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10%	<p>Support Interagency Implementation Committee. The Implementation Committee will be subject to Bagley-Keene and Public Records Act requirements and may include federal agency representatives, which could implicate federal advisory committee laws as well.</p> <p><b>DESIRABLE QUALIFICATIONS</b>                  Specific Knowledge of and extensive, demonstrated experience with regard to:</p> <ul style="list-style-type: none"> <li>• The Delta Reform Act of 2009, the Delta Plan and its implementing regulations, and areas of law relevant thereto, including water law and environmental law</li> <li>• Laws and regulations governing project and non-project levees in the Delta and flood risk prevention activities/projects/programs applicable to the Delta</li> <li>• Laws and regulations governing appropriate land use in the Delta, including extensive experience/expertise in land use planning/projects in the Delta</li> <li>• Laws and regulations governing state boards and commissions: including open meeting laws, public records act, and conflict of interest and ethics laws</li> <li>• Laws and regulations governing administrative hearings</li> </ul> <p><b>GENERAL KNOWLEDGE, SKILLS, AND ABILITIES</b></p> <ul style="list-style-type: none"> <li>• Legal principles and their application</li> <li>• Legal research methods; court procedures</li> <li>• Principles of administrative and constitutional law</li> <li>• Rules of evidence and conduct of proceedings in trial and appellate courts of California and the United States and before administrative bodies</li> <li>• Statutory and case law literature and authorities</li> <li>• Provisions of laws generally governing State agencies</li> <li>• Analyze legal principles and precedents and apply them to the most difficult and complex legal and administrative problems</li> <li>• Perform complex legal research</li> <li>• Prepare and present statements of fact, law, and argument clearly and logically in written and oral form</li> <li>• Draft complex and opinions, pleadings, rulings, regulations, and legislation</li> <li>• Work cooperatively with a variety of individuals and organizations and maintain the confidence and respect of others</li> <li>• Work effectively, and with grace and good humor, under pressure.</li> </ul> <p><b>SPECIAL REQUIREMENTS:</b> Position is subject to financial disclosure and will be required to file a Statement of Economic Interest (Form 700).</p>		