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MEETING SUMMARY

CALIFORNIA BAY-DELTA PUBLIC ADVISORY COMMITTEE

Thursday, March 11, 2004

650 Capitol Mall, 5th Floor

Bay-Delta Room

Sacramento, California

Committee members in attendance: Gary Bobker, The Bay Institute; Denny Bungarz, Glenn County; Christopher Cabaldon, City of West Sacramento; Tom Clark, Kern County Water Agency; Gregory Gartrell, Contra Costa Water District; Joe Grindstaff, Santa Ana Watershed Project Authority; David Guy, Northern California Water Association; Steve Hall, Association of California Water Agencies; Leslie Lohse, Paskenta Band of Nomlaki Indians; Robert Meacher, Plumas County; Barry Nelson, Natural Resources Defense Council; Dan Nelson, San Luis and Delta-Mendota Water Authority; Tim Quinn, Metropolitan Water District; Michael Schaver, Big Valley Rancheria; Frances Spivy-Weber, Mono Lake Committee; and Maureen Stapleton, San Diego County Water Authority. Others in attendance included Mike Chrisman, Secretary for Resources; Ryan Brodrick, Director of Fish and Game; Diana Jacobs, Deputy Director of Fish and Game; and David Harlow, US Fish and Wildlife.

1. Welcome and Opening Remarks

Denny Bungarz (Vice-chair) brought the meeting to order in the absence of Gary Hunt (Chair) at 9:15 a.m., and a quorum was established. Introductions of new State agency appointees were made by Patrick Wright, Director of the Authority, for Mike Chrisman, Secretary for Resources, Lester Snow, Director of Water Resources, and Ryan Brodrick, Director of Fish and Game.

2. Director's Report

Director Wright provided a brief overview of the day's program.

Gary Bobker, The Bay Institute, expressed concern regarding the circumstances surrounding the application of the San Joaquin River Parkway and Conservation Trust's State Water Resources Control Board (SWRCB) grant application that originally included a subtask to be completed through a partnership with The Bay Institute. As part of this subtask, The Bay Institute was to develop an ecological index for the San Joaquin River similar to a scorecard The Bay Institute previously had done for San Francisco Bay. During the SWRCB review process, the grant application failed to receive the degree of local stakeholder support necessary to meet criteria established for grant approval. Based on feedback from the SWRCB review process, the Trust modified its grant application by removing the subtask to develop the index. Mr. Bobker was concerned that The Bay Institute was dropped from the grant in retaliation for its association with controversy over the newly released film about the San Joaquin River. Mr. Bobker also stated that the integrity of the SWRCB grant process was a concern.

Director Wright stated that this particular grant process was not the best fit for the San Joaquin River index but that it would be more appropriate in an Ecosystem Restoration or Science Program grant program. There is a need to identify, early in the process; those grant applications that would be better suited for other programs. The Authority will take up the issue at its next meeting in April.

3. Subcommittee Reports

Environmental Justice (EJ) Subcommittee Coordinator, Ken McGhee and Interim Acting co-chair Henry Clark presented the EJ Subcommittee membership proposal. The proposal was for adoption of a formal membership structure that provides a more accountable and transparent mechanism to implement EJ activities while providing advice and guidance to other programs and BDPAC. The proposal is for a total of 25 members, to include 5 regional members.

Alisha Deen, EJ Coalition for Water, wanted to see vacant BDPAC seats filled with individuals supportive of EJ and supported the EJ subcommittee membership proposal. Following a couple of clarifying questions, the proposal was adopted by BDPAC.

Greg Gartrell, co-chair of the Drinking Water Quality Subcommittee, said that the issues raised during the review of the CALSIM II model, specifically the use of groundwater and model verification, had been adequately addressed in appropriate forums.

4. 2004 Program Plan Development

Patrick Wright introduced the process of Program Plans for 2004. Kate Hansel, Assistant Director of Policy and Finance, presented the purpose, process and content of the Program Plans and Tom Gohring, Interim Deputy Director of Water Management and Regional Coordination, discussed the process to revise the Program Targets.

Tom Clark recommended an analysis of where the money has been spent, what money is available and where the remaining money should be spent. Patrick Wright stated that this is the process that will be implemented through this summer with the program plans and the Finance Options Report. Tim Quinn stated that it is imperative to come up with more realistic program goals because there are major differences between the Record of Decision (ROD) and where we are today. There needs to be incremental progress on downsizing the ROD targets together with the long-term Finance Plan. He suggested that Patrick Wright, Denny Bungarz, and Gary Hunt discuss whether to convene a Steering Committee meeting to discuss these issues. (BDPAC members were subsequently polled, but it was not possible to schedule a date when they could meet other than the date of the next BDPAC meeting, May 13.) Gary Hunt concluded by saying that there needs to be accountability as well as transparency in the Bay-Delta Program and the development of the program plans.

5. Delta Improvements Package Update

Patrick Wright introduced the topic of the Integrated Delta Improvements Package, and Susan Ramos, U.S. Bureau of Reclamation, gave an update of the Operations and Criteria and Plan (OCAP) process and schedule and the coordinated Endangered Species consultation process. Jerry Johns, Department of Water Resources (DWR), presented the status of activities under consideration and the schedule for the activities. Incorporated into the schedule is an extensive public review process, review by BDPAC and its subcommittees, meetings with stakeholders, and presentations to the Authority.

Lester Snow commented that the OCAP process will provide better disclosure of the activities and integration of the issues, especially the water quality issues.

Tim Quinn asked Barry Nelson about a letter supported by several members of the environmental community raising concerns about the Integrated Delta Improvements Package. Barry Nelson responded that the community was concerned about the process moving too quickly. Issues that needed to be addressed had not yet been addressed, and there was not sufficient time to respond to the developments. Others commented on: 1) the need to address the salinity Total Maximum Daily Load (TMDL) issues in the San Joaquin River; 2) the need to explore alternative operations and benefits with additional pumping capacity at the pumps; and 3) the importance of various issues such as endangered species, water quality and the public process.

6. Water Measurement: Consideration of Staff Proposal

Tom Gohring, Bay-Delta Authority, presented the Staff Proposal on Water Measurement. The purpose was to seek a recommendation from BDPAC to finalize staff work on the Water Measurement Implementation Proposal and request that BDPAC recommend approval of the following next steps for completing this ROD action. The first step would be that the WUE Subcommittee would deliberate the following issues at its March 29, 2004 meeting:

- estimated local cost of reporting water measurement information;
- threshold level for measuring and reporting agricultural diversions;
- local and State costs of retrofitting urban water meters; and
- estimated water conservation from improving agricultural water delivery measurements above the “basic” level.

The second step would be to have the Authority consider moving the staff measurement proposal forward to the State Administration and Legislature at the April 8 meeting and seek comments from BDPAC and the Authority at subsequent key decision points.

Several BDPAC members had comments after the presentation. Michael Schaver stated that tribes wanted quantification or definition of allocation of tribal water rights. Robert Meacher suggested that agricultural water was not the problem, but that water was being wasted from overgrowth of the National Forests in the upper watersheds. Ronnie Cohen of the Natural Resources Defense Council (NRDC), speaking for Barry Nelson, commented on the proposal assumptions and data measuring, reporting and analysis. David Guy stated that staff has taken the proposal as far as they can take it. It is important to keep the staff proposal as a package and he wanted to move it forward.

Other comments included those from: Dante Nomelini, Central Delta Water Agency, who was not in favor of moving the proposal forward; Steve Macaulay, California Urban Water Agencies, who had sent in a detailed comment letter to the Authority and BDPAC and complimented staff on their efforts; Ronnie Cohen, NRDC, who wanted better farm-gate data; Becky Shehan, California Farm Bureau, who questioned the benefit versus cost of the proposed measures; and Gary Bobker, The Bay Institute, who was supportive of the effort and also fundamentally supportive of moving the package forward.

The proposal was adopted by BDPAC and will be forwarded to the Authority at the April 8, 2004 meeting.

7. Surface Storage Investigations Status Report

Mark Cowin, Chief, Division of Planning and Local Assistance at DWR, presented a progress report on the five surface storage projects under investigation. He concluded by saying that additional funding is needed to continue the investigations.

Steve Hall stated that prioritization of the projects is needed given the limited resources and some projects may need to be eliminated. Currently, no financial partners have come forward to participate in the projects. After April 14, DWR will come back to the Water Supply Subcommittee with a set of common assumptions for the projects and, with those tools, may be able to eliminate some of the projects. Leslie Lohse recommended pre-consultation with the tribes on the projects with DWR and the US Bureau of Reclamation, and that her tribe was in support of two projects, the enlargement of Shasta Reservoir and the North of the Delta Offstream Storage project. Andy Moran, Delta Wetlands, commented that the limitations of economic models are such that other values, such as wildlife benefits, were not included in the analysis and in order to compare projects, each project should have final operating rules.

8. Department of Water Resources and State Water Resources Proposition 50 Chapter 8 Grants: Process and Schedule Status Report. John Woodling, DWR, presented an informational report on the joint DWR and SWRCB process and schedule for awarding Proposition 50, Chapter 8 grants that will include public meetings to be held in Sacramento and in Southern California.

Joe Grindstaff encouraged agencies to get together to develop regional plans with multiple agencies that don't usually work together to make the most of the bond funds.

The meeting was adjourned at 3:35 p.m.

The next BDPAC meeting is scheduled for May 13, 2004.

Summary of Action Items:

- Adoption of Environmental Justice membership proposal, that will include regional and stakeholder based membership as specified in their subcommittee membership proposal.
- Adoption of the Staff Proposal for Water Use Measurement and recommendation to move it forward for consideration by the Bay-Delta Authority.