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**Agenda Item: 2**  
**Meeting Date: September 7, 2005**

## **CALIFORNIA BAY-DELTA PUBLIC ADVISORY COMMITTEE**

August 10, 2005  
650 Capitol Mall, Fifth Floor  
Bay-Delta Room  
Sacramento, California

### **MEETING SUMMARY**

#### **1. WELCOME and OPENING REMARKS**

Denny Bungarz, Vice-Chair of the Bay-Delta Public Advisory Committee (BDPAC), called the meeting to order at 9:07 a.m. and asked for self-introductions of those members in attendance.

#### **Committee members in attendance:**

Patricia Acosta, Water Replenishment District of Southern California; Gary Bobker, The Bay Institute; Denny Bungarz, Glenn County Board of Supervisors; Marci Coglianese, City of Rio Vista; Gregory Gartrell, Contra Costa Water District; David Guy, Northern California Water Association; Steve Hall, Association of California Water Agencies; Ronald Jacobsma, Friant Water Authority; Steve Johnson, The Nature Conservancy; Lillian Kawasaki, Los Angeles Department of Water and Power; Steve Macaulay, California Urban Water Agencies; Don Marciochi, Grassland Water District; Robert Meacher, Plumas County Board of Supervisors; Barry Nelson, Natural Resources Defense Council; Dan Nelson, And Luis and Delta-Mendota Water Authority; Bill Pauli, California Farm Bureau Federation; Rudolph Rosen, Ducks Unlimited; Michael Schaver, Big Valley Rancheria; Frances Spivy-Weber, Mono Lake Committee; Van Tenney, Glenn-Colusa Irrigation District; Walter Wadlow, Santa Clara Valley Water District; and Thomas Zuckerman, Central Delta Water Agency.

**Federal Charter:** Edmund Gee, Solicitor's Office, U.S. Department of Interior, announced that on July 18 the Federal Charter for BDPAC was renewed for the next two years. There were no significant changes in the Charter, though Mr. Gee reminded members that appointments to BDPAC are personal appointments which preclude non-members from sitting at the table. He also stated that the Charter requires that there be at least one BDPAC member at each BDPAC subcommittee meeting.

#### **2. ADOPTION OF JUNE 8, 2005 MEETING SUMMARY**

The June 8 meeting summary was unavailable. It will be available and considered for adoption at the September meeting

### 3. DIRECTOR'S REPORT

Director Grindstaff referred to three items of interest not listed on the meeting agenda. He first discussed the recent Department of Commerce announcement that a panel has been created to review the scientific integrity of the coordinated operations, criteria and plan (OCAP) for the Central Valley Project and the State Water Project. The panel will be composed of six nationally recognized experts in relevant scientific fields. He then discussed the pending settlement of a lawsuit against CALFED brought by the California Farm Bureau Federation over the CALFED Environmental Water Account. Any settlement would first need to be approved by the Authority, which is scheduled to discuss the matter in a closed session at its August 11, 2005 meeting. The third item of interest was the announcement of the upcoming Little Hoover Commission public hearing set for August 25, 2005. This will be the first of three public hearings scheduled by the Little Hoover Commission. The topic for the first hearing is the "History and Purpose" of CALFED.

### 4. REVITALIZING CALFED

Director Grindstaff began by highlighting the fact that CALFED, since its inception, has made important strides in resolving major conflicts in the Bay-Delta system. He stated that the overall situation has improved because of CALFED, but it is now time to undertake a comprehensive look at the agency and determine how it will remain effective in addressing major issues in the future. The current refocusing effort which involves the Little Hoover Commission, California Department of Finance and KPMG Management Consulting as the independent consultant is expected to provide a review, an assessment and guidance in addressing the critical issues facing CALFED in the future. The entire refocusing effort is a part of a public process that involves CALFED staff, implementing agencies and stakeholders. Key attributes of each review effort are as follows:

**Fiscal** – The Department of Finance is to review accounting of Program appropriations, expenditures, and unappropriated balances.

**Governance** – The Little Hoover Commission will look at the governance of CALFED governance including vision /mission, authority, organizational structure, procedures, resources and accountability. This review will look at how well each of these components addresses the task of CALFED.

**Organization and Program Management** – KPMG will identify key strengths and weaknesses of the Program and recommend specific changes

**Program** – The Department of Finance and KPMG will determine the status of the Program's implementation, provide an in-depth analysis of selected major projects, and address issues of timing and expectations

Director Grindstaff told BDPAC members that their role in this process is an important one that will require them to make recommendations and act as a testing ground for proposals, ideas, and suggestions from staff and stakeholders. One of the main roles for the Authority will be decide on these and other recommendations from BDPAC.

Both the Department of Finance and Little Hoover Commission have already begun their work and are conducting interviews with staff and stakeholders. KMPG is expected to commence its process immediately and should be interviewing staff and stakeholders as well. The Director described this entire effort as one similar to the remodeling of a house, though CALFED is actually "remodeling the Delta". In this remodeling effort, it is important that CALFED's management efforts and resources be focused on the most important activities while avoiding a crisis-driven management approach.

BDPAC members were then asked to comment on a draft list of prioritization factors to reduce Delta conflict and maintain program balance. They include:

- Available funding
- Stage 1 decisions
- Lessons from the last 5 years
- ROD commitments
- Regulatory commitments
- Stakeholder priorities
- User contribution preferences
- Legislative priorities
- Manageable scope

BDPAC members suggested adding the following factors to the list:

- Integration
- Implementing Agency performance
- Ability to address current estuary conditions
- Endangered Species Act and Multi Species conservation strategy

BDPAC members were invited to volunteer to serve on an ad hoc work group that would work on near-term priorities for the Program and convene a public workshop soon to discuss and deliberate on its findings. The following members accepted the invitation to join the work group: Macauley, Gartrell, Zuckerman, Bobker, Rosen, Pauli, Acosta, Johnson, and D. Nelson.

Deputy Director Tom Goehring passed out a survey for BDPAC members to complete. They were each asked to rank each Program in terms of priority and the level of appropriate future funding as high, medium or low. Members were not told of this survey in advance and were only given 10-15 minutes to complete the exercise. It was

explained that the survey was not an official exercise, but rather an attempt to quickly gauge members' views on the relative importance of each Program given the current CALFED refocusing effort. The results showed that the following Programs all received a significant number of high or medium votes on both questions: Ecosystem Restoration, Levees, Science, Drinking Water Quality, Storage, and Oversight and Coordination. Water Transfers and Watersheds received a significant number of low votes. Subsequent discussion revealed that there were different views regarding what the results meant or how they might be used.

The Director concluded this section with a brief discussion on Financing and Capital Improvements. He outlined a four-step process that includes defining priorities, actions and a schedule; development of cost estimate and formulation of a financing proposal; identification of available funding; and revision of the schedule based the available funding. Director Grindstaff said that this may be "the most difficult part" of what CALFED is asked to do, but addressing the issue of user contributions is essential. He outlined an overall schedule which includes initial cost estimates, identification of funding needs and public discussion on benefits and beneficiaries to occur through October followed by the drafting of a 10-Year Action Plan by November. The final plan will be due in December.

#### **5. RECOMMENDATIONS ON 2005-2006 PROGRAM PLANS (Action Item)**

Action on the 2005-2006 Program Plans was delayed until the September meeting. The Director did not receive all the Plans in a timely manner, and it was subsequently decided that more time was needed to review the current plans before putting them before BDPAC for formal consideration. Concern was expressed about the funding levels in the Levees Program Plan and the BDPAC Levees Subcommittee was described as "very upset" about the small amount of funding earmarked for levee restoration. Concerns were also expressed about an overall lack of support in Program Plans for Tribal issues. One public comment urged all Programs to also consider and address the Public Trust Doctrine in each of the plans. It was stated that each Plan should reflect an understanding of the Doctrine and address the notion of public trust obligations in each Plan.

#### **6. ECOSYSTEM RESTORATION PROGRAM GRANT PROCESS: Process, criteria and priorities for grants to implement commitment to wildlife friendly agriculture (Action Item)**

Following a presentation by CALFED's Jay Chamberlain, it was the consensus of the members to approve the process, criteria and priorities and move the item forward to the Authority for approval.

## **7. PUBLIC COMMENT**

Gary Lake, Vice-Chairman of the Shasta Nation Tribe, commented that the Tribe lived on lands that would be flooded should Shasta Dam be enlarged. He stated that such an enlargement would destroy some cultural and historic sites of the Tribe. Lake expressed the view that his Tribe would now like to begin the process of engaging further on this issue by meeting with the appropriate Program elements and BDPAC Subcommittees that might address the Shasta Dam issues. He also stated that his Tribe understands the need for more storage to address statewide water needs and wants to participate in that discussion.

## **ADJOURNMENT**

Vice-Chair Bungarz adjourned the meeting at 12:30 p.m.