



650 Capitol Mall, 5<sup>th</sup> Floor  
Sacramento, CA 95814  
916.445.5511 FAX 916.445.7297  
<http://calwater.ca.gov>

**Agenda Item: 2**

**Meeting Date: October 12, 2005**

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

September 7, 2005

650 Capitol Mall, Bay-Delta Room  
Sacramento, California

### **MEETING SUMMARY**

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

Chairman Hunt called the meeting to order at 9:15. He welcomed those in attendance and requested self-introductions.

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

Patricia Acosta, Water Replenishment District of Southern California; Gary Bobker, The Bay Institute; Gregory Gartrell, Contra Costa Water District; Steve Hall, Association of California Water Agencies; Gary Hunt, Chairman BDPAC; Ronald Jacobsma, Friant Water Authority; 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; Jerry Meral, Planning and Conservation League; Barry Nelson, Natural Resources Defense Council; Bill Pauli, California Farm Bureau Federation; Rudolph Rosen, Ducks Unlimited; Frances Spivy-Weber, Mono Lake Committee; Walter Wadlow, Santa Clara Valley Water District; and Thomas Zuckerman, Central Delta Water Agency.

Alan Oto, U.S. Bureau of Reclamation, Designated Federal Officer.

Others in attendance included Michael Chrisman, Secretary of Resources Agency; Ryan Broddrick, Director of Department of Fish and Game; Steve Verigan and Rick Soerens, Department of Water Resources (DWR); and Wayne White, U.S. Fish and Wildlife Service (USFWS).

#### **2. ADOPTION OF JUNE 8, 2005 and AUGUST 10, 2005 MEETING SUMMARIES**

Each meeting summary was adopted without changes.

#### **3. RECOMMENDATIONS ON 2005-2006 PROGRAM PLANS**

Director Grindstaff stated that the Program recommended the approval of seven plans and requested that four plans (Ecosystem Restoration, Environmental Water Account, Water Transfers, and Drinking Water Quality) not be approved at this meeting. They would be held-over until the next BDPAC meeting pending further action on the plans by the respective implementing agencies.

Subcommittee co-chairs were then asked to provide comments on the plans for BDPAC review and comment. The co-chairs of DWQ and Levees subcommittees spoke of the lack of funding necessary to adequately carry out the program plans as written. The DWQ plan will be held over pending further action and consideration by the implementing agency. The Levees plan will be put forward for approval with the understanding that the DWR Delta Risk Management Study (DRMS) will fully consider the funding concerns of the Levees program as it continues with its study. Ecosystem Restoration Subcommittee's co-chair reported that the ERP plan was revised by the State Department of Fish and Game in response to the Pelagic Organism Decline (POD). The ER Subcommittee is supportive of the revised plan which will be presented at the next BDPAC and Authority meetings. New CALFED legislation requires that an ERP plan be presented to Congress in October.

The Water Use Efficiency Subcommittee co-chair supported the approval of the WUE plan and reported that the subcommittee was focusing on grants, Proposal Solicitation Packages (PSP) and a certification program as its highest priorities. The Watershed Subcommittee's co-chair stated that significant stakeholder input had shaped the program plan and that it was strongly recommend approval. The Water Supply Subcommittee co-chair commented that there had been not been any formal subcommittee action on the program plan nor any commitment by local agencies on various storage options. Funding shortfalls were also identified as items of concern for the future of the program. The Conveyance program plan was the subject of some concern because of the soon to be released draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) on the South Delta Improvements Package (SDIP). Questions were raised over the application of California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) processes related to the Draft EIR/EIS as well as what DWR's preferred alternatives would be in relation to key aspects to the SDIP.

One BDPAC member asked whether the program plan discussion was an action item for BDPAC. Though discussion on program plans could be an appropriate action item for BDPAC, Chairman Hunt stated that the current agenda item was not an action item for this meeting. The Chair reported that the same program plan discussion will take place at the next Authority meeting and BDPAC input and comments would be part of discussion before the Authority.

#### **4. REVITALIZING CALFED**

CALFED'S Rick Breitenbach presented results from the work of a staff team tasked by the Director to look at the level of performance of Record of Decision (ROD) tasks since the inception of CALFED. He explained that the group looked at ROD commitments to assess how many were completed, started but not completed, and not yet started. Of 253 identified ROD commitments, 114 were deemed complete, 88 were identified as started, and 51 remained to be started. Chairman Hunt asked that this information be presented at a future meeting broken down by program elements so that additional comparisons could be made. He also stressed that the work of the ROD team was only to tally the results of actions completed, not to asses the results of the work completed.

### Independent Review

Department of Finance (DOF) – Erica Sperbeck provided an overview of DOF's work thus far. She reported that it was premature to present any findings at this meeting, but did express the view that DOF has found that its essential mission was of such a complex nature that it required DOF to limit its initial scope to now focus the programmatic review solely on the status of program implementation. They are attempting to assess program effectiveness and have been sharing the information they have found with both the Little Hoover Commission (LHC) and the independent consultant KPMG. The independent fiscal review is also a challenging task because of the subjective nature of determining the status of ROD activities, commitments and tasks. DOF will issue two separate reviews (program and fiscal) by mid-September.

Little Hoover Commission (LHC) – Working with information garnered from more than 50 each of in-depth interviews and electronic surveys, along with one public hearing to date, the LHC has produced one summary document and anticipates two more. The first document, entitled "CALFED Governance Issues" identifies key issues as raised by the responses to interviews and surveys. The next step is to assess what the governance structure needs to do in order to move forward based on the information LHC has already received. The final step will be to take a look at alternatives and recommendations for going forward.

A brief discussion followed concerning the level of interaction amongst the three independent review entities. Concern was expressed about overlapping agendas and the duplicating of information. While none of the three entities agreed to integrate their respective work, they have begun to meet on a weekly basis and will continue to share information and findings. KPMG will attempt to merge DOF and LHC recommendations into its final work product.

In closing, Director Grindstaff reminded members that a priorities workgroup (with some BDPAC members) had been formed and was taking a close look at how refocusing should move forward. He informed BDPAC members of a set of draft criteria for refocusing which was developed and still under review based on the following key themes from the workgroup:

- Interest from CALFED agencies
- Interest in advancing projects already in the works
- Need to link governance into prioritization discussions
- Need to set criteria
- Need to determine what are "core" CALFED activities

The workgroup has until early December to issue its final recommendations.

## **5. PUBLIC COMMENT**

One public comment was offered on the program plan discussion.

Gary Mulcahy of the Winnemem Wintu Tribe commented that there has been no action on an earlier recommendation before the BDPAC to address the Winnemem Wintu's concerns about the impact of a potential raising the level of Shasta Dam on the future existence of the Tribe. He requested the BDPAC take some formal action on the recommendation. It was presented to the BDPAC at its June meeting as an informational item. Mulcahy stated that his expectation was that the Environmental Justice Subcommittee would be taking action on the recommendation, but that had not yet occurred. Director Grindstaff responded that the EJ component in CALFED was being reviewed as part of the refocusing effort and this issue would be discussed in that context. Chairman Hunt replied that the next step for consideration of the BDPAC recommendation should be the Water Supply Subcommittee. Subcommittee co-chair Hall agreed to add this item to an upcoming subcommittee meeting agenda.

## **ADJOURNMENT**

Chairman Hunt adjourned the meeting at 1:05 p.m. The next BDPAC meeting is scheduled for October 12, 2005.