

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA



EXECUTIVE ORDER W-38-92

WHEREAS, continued economic development in both the urban and rural areas of the state depends on the availability of safe, reliable water supplies; and

WHEREAS, the continued prosperity and well-being of the State and its citizens require that a long-term, comprehensive, integrated State water policy be implemented to meet the legitimate needs of all water users; and

WHEREAS, past water development has often taken place at the expense of fish and wildlife resources, and availability of water plays a key role in most efforts to mitigate for past harms and to restore and manage fish and wildlife populations and habitat; and

WHEREAS, continued population growth will create increased demands by urban and agricultural water users, and add to the challenge of restoring and maintaining healthy, viable fish and wildlife populations; and

WHEREAS, it is essential that the executive agencies, boards, and departments of the State of California share information and coordinate their activities related to the State's long-term water policy to assure its effective implementation;

NOW, THEREFORE, I, PETE WILSON, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue the following orders and directives in furtherance of a Comprehensive Water Management Policy and Program, to become effective immediately:

1. The Water Policy Council is hereby established within the executive branch of State government. The Secretary of the Resources Agency shall serve as its Chairman. The Water Policy Council shall comprise the additional following persons, together with the directors or executive officers of such other departments or agencies as may be appointed upon the recommendation of the Chairman.

Secretary, California Environmental Protection Agency
Secretary, Business, Transportation, and Housing Agency
Director, Department of Food and Agriculture
Director, Department of Water Resources
Director, Department of Fish and Game
Director, Office of Planning and Research
Chairman, State Water Resources Control Board
Executive Officer, Bay-Delta Oversight Council

The Water Policy Council may invite the participation as necessary of other boards and commissions, and local, federal, and private agencies which have jurisdiction, expertise, and resources which may contribute to the continued development and implementation of a long-term, comprehensive State water management policy and program, including but not limited to the following:

United States Army Corps of Engineers
United States Department of the Interior
United States Department of Commerce
United States Department of Agriculture
United States Environmental Protection Agency

- II. The Water Policy Council shall provide for coordination and information exchange among member agencies, boards, and departments necessary for the continued development and implementation of various components of the State's long-term, comprehensive water management policy and program. These components shall ensure an integrated, phased approach to water supply solutions, and shall include:
- (a) expanded conservation and efficient use of water;
 - (b) promotion of groundwater banking and improved groundwater management, including broad application, as feasible, of conjunctive use programs;
 - (c) enlargement of the institutional framework for voluntary water transfers and marketing;
 - (d) use of new water supply technologies;
 - (e) construction of new, cost-effective, environmentally sound water storage and conveyance facilities;
 - (f) transfer of the federal Central Valley Project to State control to promote the State's authority for water resource management in California and to improve operational flexibility through integrated water supply systems planning and operation;
 - (g) actions to improve water supply, water quality, water circulation, and environmental protection in the South Delta;
 - (h) development and implementation of an Action Program based on ecosystem approaches for the protection and restoration of fish and wildlife and aquatic habitat; and
 - (i) consistency and coordination with integrated State planning.

Each member of the Water Policy Council shall continue to execute its existing statutory responsibilities.

- III. The Bay-Delta Oversight Council (BDOC) is hereby established and directed to assist and advise the Water Policy Council in development of a comprehensive program to protect and enhance the San Francisco Bay/Sacramento-San Joaquin Delta Estuary by addressing water quality concerns, effective design and operation of water export systems, maintenance of Delta levees and channels, and guarantees for protection of the Bay-Delta Estuary and its fish and wildlife resources. This program shall be developed within the statutory framework of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) with a target completion date of December 31, 1995. The role of the BDOC will include making recommendations on the objectives to be met, the specific alternative solutions to be fully evaluated and the criteria to be used in evaluating the alternative solutions. The Bay-Delta Oversight Council shall be supported by a Science/Technical Advisory Panel which shall assist with the development of recommendations for Bay-Delta protection that are scientifically sound. Members of the Bay-Delta Oversight Council shall be appointed by the Governor.

- IV. All State agencies and departments shall fully cooperate with the Governor's Water Policy Council and the Bay-Delta Oversight Council.
- V. On behalf of the Water Policy Council and the Bay-Delta Oversight Council, the Secretary for the Resources Agency shall provide periodic reports to the Governor describing the Council's activities and recommendations with regard to the long-term, comprehensive water policy and program. In addition, all findings, recommendations, policy issues, or other determinations of the Water Policy Council shall be submitted to the Governor.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 9th day of December 1992.

Pete Wilson

Governor of California

ATTEST:

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Secretary of State

