

**POINTS OF AGREEMENT
ON
DEVELOPMENT OF JOINT STATE-FEDERAL PROCESS TO
DEVELOP LONG-TERM SOLUTIONS
FOR THE PROBLEMS AFFECTING PUBLIC VALUES
IN THE BAY-DELTA ESTUARY**

To secure California's water future, the Council and the FED commit to work together to equitably reconcile the economic and environmental values that are dependent on the Bay-Delta Estuary consistent with achieving and maintaining statutory objectives.

The Council and the FED are committed to the principles detailed herein. Taken together, they provide a foundation for a joint process to develop a long-term solution for the problems affecting public values in the Bay-Delta Estuary. The process will be assisted by citizen-advisors gathered from California's agricultural, environmental, urban and other affected interests. The process will be administered through cooperative and coordinated activities of responsible State and Federal agencies, will incorporate full and coordinated compliance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), and will ensure maximum opportunities for public involvement.

The Council and the FED jointly commit to the following:

1. Alternative solutions will be evaluated to address the underlying causes of problems affecting the Bay-Delta Estuary's public values. These values include:

- A. Water quality
- B. Guarantees for protection of the Bay-Delta Estuary and its fish and wildlife resources
- C. Effective planning and operation of water export systems
- D. Maintenance of Delta levees and channels

2. The Public will have a central role. A committee of citizen-advisors, representing California's agricultural, environmental, urban and other affected interests will be created to advise the responsible agencies. This committee will meet the requirements of applicable State and Federal laws. It will include existing members of the State's Bay-Delta Oversight Council as appropriate, with additional appointments as needed to ensure balanced representation. Activities of the citizen-advisors include:

- A. Recommend objectives to be met, including both the problems to be addressed and a specific set of objectives.

B. Recommend neutral evaluation criteria to measure the effectiveness of alternative solutions consistent with statutory and regulatory authorities.

C. Recommend specific solution alternatives to be evaluated in a formal CEQA/NEPA process carried out by one or more agencies.

D. As part of the CEQA/NEPA environmental documentation process, recommend the best solution alternative for implementation by the appropriate agencies.

3. The State and Federal agencies will coordinate the joint comparative evaluation within the CEQA/NEPA framework. To assure thoroughness, objectivity, and credibility, the comparative evaluation of selected solution alternatives will be conducted within the CEQA/NEPA framework. This will ensure that all reasonable alternatives will be fully and fairly considered, and that formulation of the solution alternatives and the detailed study of them will occur in an open forum.

4. The State and Federal Agencies agree to coordinate and cooperate in the joint management of the solution-finding process. The Agencies also commit to the provision of information to the citizen advisory committee. The Bay-Delta solution-finding process will also utilize the ongoing Interagency Ecological Program as an additional source of appropriate technical support.

5. The Bay-Delta solution-finding process will be linked to the Central Valley Project Improvement Act and other ongoing processes. The CVPIA is major legislation influencing the management of the CVP, the single largest source of developed water in California. Management of the CVP is linked to operation of the State Water Project through the Coordinated Operation Agreement, through operation of Joint Use Facilities, and through joint obligations to meet water quality standards and endangered species requirements. There is a long history of joint planning and cooperation between the State and Federal governments regarding operations in the Delta. Where appropriate, implementation of the CVPIA and the Bay-Delta Estuary solution-finding processes will be closely coordinated to support and complement one another.

Finally, similar coordination will be developed between the Bay-Delta solution-finding process and other existing State and Federal programs focused on the Bay-Delta Estuary.

6. Implementation. The State and Federal agencies commit to develop as soon as practicable such details as are necessary to commence joint management of the long-term solution-finding process. In the interim, the FED agrees to cooperate, as appropriate, with the State's current long-term solution finding process.