BAY/DELTA ECOSYSTEM PARTNERSHIP

Synopsis of Informational Meetings

September 19, 1994

Los Angeles Meeting

(About 20 public participants)
Summary of Flip Chart Notes
(Questions were recorded at meeting, answers drafted for this mailing.)

Q. What is the interrelationship between BDOC and EPAC?
A. The EPAC is the successor to the BDOC. The EPAC will utilize the work done by the BDOC.

Q. Who makes EPAC appointments?
A. The Governor and the Secretary of the Interior will jointly appoint the membership.

Q. Number of members?
A. 20-30.

Q. What is the Western waters commission relationship to BDEP?
A. While the Western waters commission is focused on the multi-state region of the western United States, the BDEP is exclusively focused on resolving problems in the Bay-Delta.

Q. Results? How long does this last? What is timeframe for the process?
A. 3-4 years.

Q. Is there any way to avoid litigation?
A. No, but by developing an outcome through an open, objective, and thorough process that takes full acount of the interests of all sectors of the water community it is expected that the likelihood of litigation is minimized.

Q. What is ESA linkage? What is the shelf life of ESA recent policy (HCP - Terrestrial). Suggest we link present actions to long term (ESA).
A. Any proposal will have to comply with ESA requirements, and it is hoped that through this comprehensive ecosystem process Bay-Delta ESA issues will be resolved in a manner that maximizes the "shelf-life" of actions taken to address ESA concerns.

Q. Will solutions look upstream?
A. The scope of the investigation has not been determined yet, however, because of the interconnectedness of the system it is likely that some investigation will be made of either upstream impacts, potential actions to be taken upstream, or both.

Q. What is EPAC's role in recommendations on alternatives?
A. The EPAC will make recommendations regarding alternatives that appear to merit detailed evaluation through CEQA/NEPA to the CalFed.

Q. "Certainty" in water supply?
A. This process represents an effort to increase the certainty of water supplies by effectively addressing the problems now creating that uncertainty.

Q. Costs-will they be addressed?
A. Yes, cost analysis will be a component of the evaluation of alternatives.

Q. Who will be the lead agency for NEPA/CEQA?
A. That has not been determined yet, but the likelihood for a process of this magnitude is that the lead agencies will be comprised of multiple agencies under MOUs.

Comments:

- Suggestion that BDOC efforts be built upon, not start from zero.
- Program manager responsibility/authority should have support of ag, urban, environmental interests. MWD sees the need for a single manager.
- Wish BDEP well.

Sacramento Meeting

(About 75 public participants)
Summary of Questions received and Answers given at the meeting.

Q. Timeline?
A. Set-up by beginning of next year.

Q. What is interrelationship with BDOC?
A. The BDOC will be succeeded by the new process.

Q. What will be the make-up of the EPAC?
A. New council will include many of the BDOC members with several additional appointments. There must also be a federal representative on the EPAC pursuant to FACA, so also a State representative.

Q. What is the extent of scope? Is inquiry focusing just on Delta?
A. Nothing has been prejudged. Focusing on ecosystem approach and coordination with CVPIA, San Joaquin River Management Project (SJRMP) and other programs.

Q. Who'll make recommendations on linkage between setting of standards and other processes?
A. This will be determined by CalFed.

Q. Will CalFed provide goals to EPAC?
A. Not decided. Program management will help determine.

Q. Concern over rubber stamp approach.
A. The EPAC will take its mission seriously and the CalFed will give its recommendations full consideration. The level of agreement on the EPAC will affect the power of its recommendations.

Q. BDOC had solicited technical resources (consultants).
A. The joint State-federal organizational team is now examining solicitations that have been suspended.

Q. How will broad public get involved in this effort?
A. This will be a wide open process. The advisory committee will not be the only avenue for public input. Advisory committee meetings will be open to public and public comment will be accepted. The membership of the advisory committee will also reflect a balance of public interests. Additionally, the normal CEQA/NEPA public involvement opportunties will be available.

Q. Are there any conclusions on achieving balance?
A. Expand the range of specific interests represented by breaking down the sectors and creating broader representation.

Q. Out of the process, will there be changes to Federal or State law?
A. Fed/state legislation may be needed to implement ultimate preferred alternative identified through CEQA/NEPA process. The EIS/EIR document will be the vehicle to determine the necessity of new legislation.

Q. What will be the sources of financing for the process?
A. Financial resources will be pooled from various State and federal sources.

Q. ARWRI and flood control--are there conflicts and objections?
A. Do not see any. Corps of Engineers will be brought into process. We'll make sure of compatibility. Other ongoing programs do not have to wait for Bay/Delta process to conclude.

Q. What is the impact on PEIS for CVPIA?
A. Interior is moving ahead with target date for the CVPIA PEIS. Muchb of the work done for the PEIS will be used with the Bay-Delta.

Q. How will San Joaquin River Management Project fit with Bay/Delta?
A. Long-term Bay/Delta solution needs to consider San Joaquin restoration. A lot of the same people are working on these complementary programs.

Q. BDOC had technical teams. How will they roll into this process?
A. This has not been decided yet but there will be a role for technical teams in the new process.

Q. What about State cost-share for CVPIA?
A. The State sought to utilize a bond measure to meet its cost-share, but it was met with resounding silence in legislature. That is the only feasible source of money available to State. Open to suggestions. Specific appropriative authority will be needed.

Q. What is happening with the water quality standard portion of the BDEP?
A. Hopefully, draft State standards and final Fed Standards will coalesce into an acceptable Water Quality Plan.

Q. Pending adoption of standards, is there consideration of interim standards?
A. Under the terms of the Framework Agreement the CVP/SWP will attempt to meet their share of the new standards in '95 (Jan). The details are still under negotiation.

Q. Policies on fish, i.e. to double fish; what about doubling food?
A. The Bay-Delta process will try to balance and achieve objectives in the areas of water quality, water supply, levee and channel management, and biological reosources. These will impact the fish doubling goal of the CVPIA and the ability of the State to produce food.

Q. Does the FACA apply to advisory committee?
A. Yes and Interior's solicitor is working on this element.

Q. Who has to buy off on the CEQA/NEPA process?
A. Joint lead agencies.

Q. How will members of the advisory council be decided on?
A. Criteria will be established for appointment with the approach being to achieve a balance among members that have the knowledge to work effectively. The appointments will be made jointly by the Governor and the Secretary of the Interior.

Q. Regarding scope, the focus is on estuary. What else needs to be brought in?
A. The scope of the long-term solution has yet to be determined.

Q. What effect will the upcoming election have on the Governor's Water Policy and CALFED?
A. This process must stand on its own merit, regardless of who's in office. Executive order creating the Governor's Water Policy Council will still be in effect. A suggestion was made that people read the Water Education Foundation's Western Water magazine interview with the two candidates for Governor.

Q. How will Funding be accomplished?
A. The management team will be looking at how money from various programs is used. Need a cost-share agreement between Feds and State.

Q. What about anadromous fish doubling plan under CVPIA? Request that it be put in writing how these fit together. Request entire picture be outlined in one place.
A. It was agreed that the BDEP needed to put all the pieces together into a cohesive picture.

Comments:

- Dave Schuster said that Kern Co Water Agency is supportive of process and that the only way to resolve Bay-Delta issues is to have both the Feds and State involved. He said it was mportant that the advisory committee works.

- A representative of MWD echoed Kern County's comment.

- Another individual said that agricultural interests would like to see water quality standards that ensure coordination and cooperation in endangered species protection over the long term.