

WILLIAM J. (BJ) MILLER
CONSULTING ENGINEER
PO BOX 5995
BERKELEY, CALIFORNIA 94705
(510) 644-1811
FAX: (510) 644-8278
bjmill@aol.com

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TO: Sharon Gross, CalFed

SUBJECT: Questions for the Scientific Review Panel

FROM: B.J. Miller

The first question presumes the validity of the basic CalFed approach and, therefore, would not give the panel the opportunity to provide the kind of broad review that is desired of them.

CalFed has defined the problem as "ecosystem quality."

Many who have been involved in Delta issues for years would not have defined the problem in that way. We would have defined the problem as fish, specifically, the decline the the populations of various species of fish. We would say that if such declines had not occurred, there would have been no CalFed Bay-Delta Program and, more importantly, if the CalFed Final Plan does not provide reasonable assurances that desired population levels will be restored, the CalFed Program will not have been a success. Your Attachment 3, "Draft Questions for ERPP Scientific Review Panel," recognizes this reality when it states: "The ERPP employs an integrated systems approach that aims to reverse the fundamental causes of decline in fish and wildlife populations." (emphasis added)

The problem with defining the propblem as ecosystem quality is that the solution to the problem becomes apparently obvious, namely to improve ecosystem quality. No analysis of the causes of the problem is then necessary, and we run the risk of producing an ERPP that does not necessarily address the causes of the real problem (fish) that was the reason for the CalFed Program in the first place.

So, the Panel should be asked the following questions:

Have we defined the problem correctly?

If not, how should the problem be defined?

Given the defined problem, have the causes of the problem be identified and does the proposed solution to the problem arise logically from this analysis of the causes?