





## Memorandum

Date: September 23, 1999

To: CALFED Policy Group

From: Lester A. Snow  
Executive Director

Subject: Interim and Long-term CALFED Governance

### Summary

This memo provides updates on both interim and long term governance issues. With regard to interim, at the August 12, 1999 meeting the CALFED Policy Group asked the Bay-Delta Advisory Council to develop procedures for identifying the eight members who will participate at Policy Group meetings. On September 17, 1999, BDAC decided that the Chair and Vice Chair will represent BDAC at each meeting; the remaining six representatives will be selected based on the agenda items for each Policy Group meeting.

With assistance from the California Environmental Trust (CET), CALFED is continuing to work with stakeholders and CALFED agencies to develop a long term governance proposal. CALFED staff requested the CET to draft a long term governance proposal to stimulate discussion. A September CET draft proposal is attached. The CET proposal is expected to be revised and distributed to Policy Group at their meeting.

### Detailed Discussion

#### Interim Governance

Described below is the process BDAC has decided it will use to select its representatives at the Policy Group meetings.

- The Chair and Vice Chair of BDAC are expected to attend each Policy Group meeting. They may select alternates if they can not attend a particular meeting.

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#### CALFED Agencies

**California**

- The Resources Agency
- Department of Fish and Game
- Department of Water Resources
- California Environmental Protection Agency
- State Water Resources Control Board
- Department of Food and Agriculture

**Federal**

- Environmental Protection Agency
- Department of the Interior
- Fish and Wildlife Service
- Bureau of Reclamation
- U.S. Geological Survey
- Bureau of Land Management
- U.S. Army Corps of Engineers

- Department of Agriculture
- Natural Resources Conservation Service
- U.S. Forest Service
- Department of Commerce
- National Marine Fisheries Service
- Western Area Power Administration

- For each Policy Group meeting, the six remaining representatives will be selected by the Chair and Vice Chair of BDAC, based on the agenda items for that particular meeting. The opportunity to represent BDAC at the Policy Group meetings will be rotated among BDAC members, so that over the course of several Policy Group meetings each BDAC member will have the opportunity to interact with the Policy Group at the table.
- If more than eight BDAC members express interest in attending a Policy Group meeting, those members not invited to sit at the Policy Group table may participate at the meeting as members of the public.

#### Long-term Governance

By the time of the Policy Group meeting in October, CET will have convened two meetings of agency and stakeholders to discuss the draft governance proposal. The second of these meetings is scheduled for September 23<sup>rd</sup>. The purpose of the September 23<sup>rd</sup> meeting will be to identify areas of agreement and disagreement regarding the general framework for long-term governance. The meeting will focus on the following four topics/questions:

1. Is there agreement that a new state/federal entity (Commission) is needed to serve the CALFED oversight functions.
2. How should the state and federal partnership be structured for long term governance?
3. How should each of the CALFED program areas be managed?
4. What are the next steps to refine the proposal and involve the state legislature and Congress?

In addition to the CET meetings, the CET discussion draft has been discussed at the BDAC Governance Work Group and briefly at the full BDAC meeting in September. Questions and reactions to the draft are summarized below:

- Initial reactions indicate support for a new state/federal entity such as a Commission for CALFED oversight, however, environmental interests have not expressed support or opposition at this time.
- The CET draft proposes that the Commission staff provide the lead program management responsibilities for each program (levees, water quality, water management, and ecosystem). This has raised concerns about the independence of each program if housed within the Commission, and about the relationship between the new Commission and authorities of existing agencies. In particular, there is concern by some that the new Commission may make it more difficult to establish a new state/federal entity for the ERP.
- How should the funding flow to implement the CALFED Program and the ROD?
- What authority should the Commission have over funding (new and existing) to provide assurances that the CALFED objectives are being met?
- The CET draft proposes a CALFED Scientific Review Board. This has raised concerns about the organization of scientific review and whether it should be at the CALFED level or at each program level.

**Action**

Decision Item. The Policy Group is being asked to comment on the CET draft proposal and provide guidance to revise or refine the proposal. Policy Group will also be asked if there is support for the proposal to become a CALFED Straw Proposal. Comments and recommendations on a CALFED Straw Proposal would continue to be sought from the BDAC Governance Work Group, BDAC, other stakeholders and CALFED agencies.

Attachment