

BAY-DELTA ADVISORY COUNCIL

Madigan: Madigan and I have had a chance to meet most of you now, and I have the great pleasure of having been asked to chair this affair and we will try to do that in as responsible way as possible, and one of those ways will be to get started as close to on time as a group of this size and diversity, and expect to get started. To my right, I think most of you have also met Lester Snow, who is managing the CalFed process and who will be here with us during the discussions and the deliberations as the BDAC and we'll get into further introductions and self-introductions in a moment. But in order to officially get this organization underway and give everybody both on the BDAC and in the audience a sense of the purpose of this organization as it relates to CalFed and the process that we're underway. I want to start by asking Michael Mantell and David Coddington to make a few remarks from the perspectives of the State and federal governments and I've seen Dave, and I know Michael is down at the end. Michael, would you start us off, please?

Mantell: Thank you, Mr. Chairman. It's a pleasure to be here and on behalf of Governor Wilson and all of us working on the Governor's Water Policy Council to welcome you here, both you as members of the Bay-Delta Advisory Council and members of the interested public who are here in attendance. This is a major effort, it is really unprecedented in terms of natural resources management and collaborative federal-State effort to try and find concrete solutions to one of the most vexing natural resource problems in the country. And we have been at work now as part

of a joint federal-State process, CalFed process, since December 15, to get ready for this meeting and we will appreciate the broad membership that's reflected here and the time that all of you are committing to put into this effort. I want to also take this opportunity to thank those of you who served formally on the Governor's Bay-Delta Oversight Council and to its Executive Officer John Amodio, which really laid the foundation for this effort in which the CalFed process is building on. I'm pleased also to recognize here today other members of the Governor's Water Policy Council for the State of California, Chuck Raysbur from the Department of Fish and Game, Bob Potter from the Department of Water Resources, and if I've missed any of you I'm sure you'll make your presence known.

This effort, as I said, is unique and it is reflected of a number of initiatives that we have embarked upon in California in partnership with the federal government and local entities and stakeholders. Some of you are involved in an effort in Southern California under *Natural Communities Conservation Planning*, involving some 6,000 square miles of land; others of you may be involved in the Northern Spotted Owl efforts, or in efforts that were embarked in on the Sierra Nevada. But this is really unique from the standpoint of it being the aquatic environment and from so much at stake in terms of the future of California's economy and environment.

This joint federal-State cooperation includes development and implementation of the framework agreement that was entered into last June and the Bay-Delta accord. But it really is important and significant for its collaboration with stakeholders -- agricultural, urban water users, environmental interests, fishing

interests, the business community -- have really played a major role and as reflected in this council, will continue to play a major role in trying to arrive at a solution that probably is reflective of the various interests and needs at stake. It will be challenging to say the least, and we start off already with a number of things going on in this arena that threaten to disrupt the collaborative spirit that the December 15th accord really embodied and that this effort tried to move forward on. There are events in Washington, there are events even here in Sacramento, that are swirling around but that it's important for us to keep in mind the task in hand and to stay focused on the needs of the Bay-Delta, which the Governor first identified in his April '92 Water Policy framework for all of California, when he talked about the Bay-Delta being the hub of our system and where the fix is ultimately needed to get on with California's future.

We are very excited about this process and its work; it will take hard work. We are pleased that we have found someone as capable and as energetic and as creative as Lester Snow to head the effort for both the federal and State governments and he has already assembled a first-rate team. I'm looking forward to working with all of you at _____ and arriving at consensus in a thorough and expeditious manner for resolution of the Bay-Delta conflict. Thank you.

Madigan: Thank you, Michael. Appreciate the confidence of Secretary and the Governor in this organization and we try to fulfill their expectations. David Coddingham is also here and I would ask David to make a few remarks. He will take a moment

to get to the microphone. I suppose you all know he was injured in the extreme games on _____ this past week.

Coddingham: I want to thank all of you; to members of BDAC and the members of the public who are here. I appreciate the opportunity to be here. It's very interesting for me to be able to put some faces with some names as we go through this process. On behalf of the Department of the Interior and the Administration, we really welcome all of you and wish you well. There are a number of federal employees here. We have all these organizations called CalFed and the Fed end of that is here and I think that in a minute, I'll ask Roger Patterson to point that out to everybody. I appreciate Michael's comments about the need for consensus process and the need for moving ahead in making these concrete steps towards progress. After the December 15th accord, we have begun implementing some of -- many of those things -- work has not stopped as we go to implement and work on the State Water Project and the CVP. There are a number of things that are going on and we are making progress. There is better State and federal coordination now. I think it's -- I have heard that from the regional people in all of the federal agencies, as well as the State agencies. There are improved operations of the project and I think that the steps that both agencies are making; that the State Water Board rules are making, is a significant step; and we on the federal side certainly appreciate that. I know that the EPA folks are looking forward with great vigor to the time when they can actually withdraw their rule. And I guess the formal submission of the State rules will come in a couple of weeks. This is what I was told yesterday. So we're really looking forward to that

and working through this collaborative consensus process. I've had many discussions with some of my friends here from California as to what consensus is and we may never be able to achieve true consensus or unanimity on these things, but we need to really work very hard and get as much agreement on these processes as we can. There are many distractions that we see from all sides and there will be bickering as we proceed, but it's very important for all of you and here on this panel, as well as in the audience, to help us, the State and federal agencies, work through these things in a way that we can arrive at as much consensus or as close to consensus as we can.

The other things I wanted to add was we're all involved in this to improve the conditions of the Bay and Delta system. And there may be -- there will certainly be some give and take as we proceed down this road and a way that I hope that we can do this in a constructive atmosphere and not get into animosity. One of the things that continuously amazes me about this is when we come to when we had a - what we call ClubFed-CalFed series of meetings yesterday, is the number of meetings and groups that have started. Bob Potter had new ones yesterday. He had a dirt group, a dust group, a no-name group, then report to the ops-group, and maybe never to CalFed, I hope, but the creativity with which these names occur and the number of meetings that go on -- I couldn't help but remember several years ago I was involved in some negotiations that were not dissimilar from this and they went on for a long time and as I tried to explain to my daughter why I was gone for three weeks at a time, I'd say, "Well, I'm to negotiate some agreement at the United Nations." And she'd say, "O.K., you're going to be gone

for two weeks." I'd say, "Yes." I came home and I was gone again and a month later, I said, "Well, I've got to go back to these negotiations." And after about the third time she looked at me, she said, "Daddy, you're really not very good at what you do, are you?" I have no doubt that as those of you are here with children and you try to explain to your children that you're going to try to negotiate on California's future and the water situation in California, one of these days your children might look at you and say, "You're really not very good at what you do in terms of wrapping these up." There will be an endless series of meetings on these things, but I think with Lester's leadership and Mike's leadership that we can move these things forward in a very creative way. I, too, would like to welcome Mike and Sonne McPeak, who's not here, and tell you how much we really appreciate you taking over the leadership of this committee. You've got your work cut out for you and we look forward to working with you. Two people I'm supposed to ask, do you want to add anything else, Phil Metzger from the Assistant Administrator's Office for Water at EPA. Do you want to add anything? And Roger Patterson, Regional Director to the Bureau of Reclamation, I think is going to have just a few remarks and point out some _____. Thank you all, and we look forward to working with you.

Madigan: Thank you, David, and again, I'm pleased to express our appreciation to both the Secretary of the Administrator for their support of the process in this operation, and we'll try to do our best to fulfill your expectations and hopes and aspirations as well. Roger?

Patterson: Chairman, thank you. I merely wanted to introduce a few of the members that are here from the federal family and I would like you to notice, especially that most of them are sitting in the front row, which is probably the indication this is the first meeting. Tom Hagler is here. Tom is with Region 9 of EPA in San Francisco. Joe Medlin, the local supervisor in Sacramento for the Fish and Wildlife. Patrick Wright, who is also with EPA, Region 9. Phil Metzger, David introduced. Phil is from EPA in Washington and Dan Foults, who is the Bureau of Reclamation person is not in the front row, he's near the back. We're all glad to be here and look forward to doing the federal part of supporting this process.

Madigan: Thank you, Roger. Thanks to both of you for being here and kicking this thing off properly. Before we move on through the agenda I want to make a couple of housekeeping notes. It's my expectation that because this is such a diverse group, because you are all so knowledgeable about the issues, because the opinions will not only be heartfelt but also representative of a very important constituency, that these meetings will not be quick. Therefore, it's important to do a few things, number 1, I think to have some sense of the rules of the game and we ought to try to stay with Robert's rules as much as we can anyway. I suppose modified occasionally by Chairman's rules so that we can keep things moving. But that's as serviceable set of guidelines as I suppose we're likely to find. Number 2 -- that I expect the meetings to start on time, because everybody has plane schedules and things like that and do have hopes and aspirations of getting out of here at some point. Number 3 -- that you will all do your absolutely best to stay with this. We have, I think Lester has designed this as much like a shopping center as possible.

That is, it's easy to get in, hard to get out. That's intentional, lunch will be served inside and will not be a convenient excuse for departure. Number 4 -- that we will provide as much opportunity for public comment as we possibly can. Both in general as part of the regular agenda's of meetings and also, specifically, as a part of each agenda item, because as large as this group is and as many constituencies as this group represents, in fact, it does not represent everybody and those of you in the audience who want to be heard on an issue, we're all going to do our best to make sure you get heard and there may come a point where I ask you to keep your remarks at least short and to the point and then occasionally, may try to wrap things up. But on average, we're going to try to be as inclusive in this process as possible and we will welcome your comments and thoughts and remarks. I guess I should ask at this point if there are any questions in regard to how I expect that this is going to go good.

The next thing I want to do is to introduce Lester Snow. I noticed that none of you sat by Lester this morning. It's o.k. to do that. I've done it before. It's not terrific, but, it's o.k. If you want to, please feel free to do so. Lester came to the CalFed process from the San Diego County Water Authority where I had the pleasure of working with him for several years, including a period of time when I was the Chairman and Lester was the General Manager. If you have not had the pleasure of working with Lester before, you should have high expectations. Lester is excellent. He is knowledgeable about water. He is knowledgeable about the public process. He is an excellent listener and I think could hardly have been better suited for this job. He really brings all of the right kinds of credentials

to the CalFed process and to the BDAC process so I am obviously personally delighted that Lester has the job that he's got. He's got a lot on the line on this personally, as I suspect most of you can appreciate, as well as the commitment that he has had to water issues for his adult life. So I hope at the end of the day, you will have enjoyed working with Lester to a successful conclusion as much as I have enjoyed working with Lester over the years to a number of successful conclusions.

Snow: Thank you, Mike. With an introduction like that I can only go downhill by making comments, so maybe we should move on. There are a couple of introductory things that occurred to me. One is, maybe we can be quicker about untangling the issues in the Delta just by hiring whoever wired this stuff out here in front of us. I don't know whether that was done intentionally for dramatic impact of the Delta problems, but it works quite well for me. Now we have to figure out which cords are environmental, which are ag, and which go which places, but I guess that's what we will do in our deliberations. I'm excited about what's happening here. I'm also excited about continuing some relationships with people I've worked over the years, of renewing some relationships on this group, and actually starting anew with some of you I haven't had the privilege of working with. I do believe in a very collaborative approach. I believe the only way we can get this job done is by taking turns talking and listening and making sure that when someone else is talking, that we are listening to see what their opinion is, what their approaches are and see if we can integrate their concerns. I take this responsibility that we have very seriously, in many respects as I've

spoken to the groups that many of you have been in, I consider this to be perhaps the last opportunity for California to get water resources management right. The pressures are so great that if we fail this time, I'm not sure where we go, expect the court and to the prolonged battles that we're familiar with in this State. Maybe more on kind of a style side. I don't mind being told that I'm wrong or I missed the point or that's not the way to do it. It's happens to me at home all the time. There's no reason that work should be different than home. And I think that's the way we're going to get things done. Is not wear our ideas on our shoulders as a chip, but rather to throw them out as food for the process. I'm very happy with the team I've been able to assemble as the CalFed Bay Delta Team. Hopefully, you've had a chance to pick up kind of a brief bio of the team members that we have and I will -- you can take a look at people's backgrounds -- but I'd like to introduce the people so that they can kind of hold their hand up or stand up so that you are familiar with who they are, because there will be an awful lot interaction in the coming months.

First, Steve Yaeger, -- Steve has been with the Department of Water Resources and is with the BDOC program. Dick Daniel, who has joined us recently from Fish and Game. Rick Brightonbock joined us from the Bureau of Reclamation. Sharon Gross, I paid her to sit next to me -- the only one who would -- Sharon has joined us from Fish and Wildlife Service and while I'm on Sharon, she will be very important to BDAC. Essentially, while I'm expecting you will interact with a lot of the CalFed staff, when you have an issue you want to report, you want things done differently, I really would want those contacts made to Sharon or

myself, so that we can be as responsive as possible. So Sharon Gross is the kind of liaison for BDAC as well as myself. Next it Judy Kelly, who had joined us from the Environmental Protection Agency. Zach McReynolds, who has joined us from the private sector in the finance area. Rick Soren, Rick had also been with the Department of Water Resources and with the BDOC program and has been through a lot of these issues. Victor Pacheco, was with the BDOC program and different roles in the Department of Water Resources and Michael Norris. Michael also has been with the Department and has continued on with our program. So that's kind of the staff we have at this point. There may be a couple of additions in the future and I will apprise you of that as they happen.

I guess to conclude the opening remarks again to reiterate. I think we have an incredible opportunity to try to move forward and do something very positive for all the interests of California. It is opportunity by the circumstances that we have, but it's not an opportunity that cannot fumbled. We can't fail at this. There's no question about it. In my mind, even continuation of the status quo is failure. And I guess with that in mind we need to make sure that we have an open process where we are listening to each other, we're allowing new ideas on the table, we're willing to debate them and try to move forward and solve this problem. Thank you.

Madigan: Thank you, Lester. The next thing you will notice on your agenda is introduction of the BDAC members and I think that we are probably best served if we do a little self introduction for a moment or so. It's going to take all of us awhile to get

used to who we all are and what we all do and what we all know and represent and all that sort of stuff, so I would hope that your introduction would be in the spirit of being genuinely helpful in terms of our getting to know each other.

When I looked up a couple of minutes ago to see where I started I noticed that I had -- I could start either end of the table. I had Tom on my right and Tom on my left, which may not work for you in the audience, but it worked for me and I flipped a coin and it came out Tom on my left. So Tom, I wonder if you would start the self introductions.

Graff: I'm Tom Graff. I'm Senior Attorney of the Environmental Defense Fund in the West Coast Office in Oakland, California. I have been involved in California water issues now for nearly 24 years, have been active on Bay-Delta issues in particular nearly all that time. I'm looking forward to serving. I brought an opening statement for purposes of today's deliberations but I think rather than presenting it now, I'll wait until the introductions are over. I also should say that I -- maybe I shouldn't expose myself this way -- but unfortunately because of the way this initial meeting was scheduled I can only stay for the first couple of hours and I will try to be a better attender in the future.

Selkirk: I'm Mary Selkirk, recently elected Director on the East Bay Municipal Utility District's board. I came to the board with about 4 or 5 years of political experience in California water and about 20 years of direct experience as a kayaker and a whitewater rafter. I also have a professional career that involves doing a fair amount of organizational intervention and consensus building. I've

been trained and taught conflict resolutions, so I'm hopeful that my perspectives, both professionally and also my participation on this council as the member of the East Bay MUD board, will bring a unifying and inclusive and consensus base perspective to this process. And I feel very honored and privileged to be part of this process.

Madigan: Thank you, Mary.

Borgonovo: I'm Roberta Borgonovo. I'm a water director with the League of Women Voters of California. I've been active in water issues for many years. As part of my involvement in the Bay-Delta, I was active in a consensus effort that lead to the formation of the California Urban Water Conservation Council, I'm currently the convener. I'm also the coordinator of the Environmental Water Caucus. I look forward to my participation.

Madigan: Thank you, Roberta.

Sablan: I'm Marcia Sablan, I'm the Mayor of the City of Firebaugh, agricultural based economy, city in western Fresno County of 5,000 citizens. I hope to represent on the board of municipal government, and also the citizen's of the rural towns.

Madigan: Thanks, Marcia.

Notthoff: I'm Ann Notthoff. I'm a Senior Planner with the National Resources Defense Council in San Francisco. I've been working on Coastal and Bay and Resource issues from almost 15 years now, and as Mike referred to earlier I've been involved in the Southern California effort on National Resource and Natural Communities Conservation Planning. They are which somewhat of a similar consensus based approach to resource management, and look forward to doing more of the same here.

Madigan: Thanks, Ann.

Parrayano: Good morning, I'm Pietro Parrayano. I'm a commercial fisherman and President of the Pacific Coast Federation of Fisherman Associations, which represents the commercial fishermen of this State. I live and work in Half Moon Bay.

Madigan: Thanks, Pietro.

Guy: I'm David Guy, I'm counsel with the California Farm Bureau Federation. We represent over 70,000 families throughout the State. I'm looking forward to rolling up our sleeves and getting this think underway.

Madigan: David, Thanks.

Redmond: I'm Judith Redmond, the Executive Director of the Community Alliance with Family Farmers. We have several projects which relate to efforts here today.

One of them is the rural water impact network. We represent a coalition of community, rural community and agricultural community interests in the water policy debate. We also have a project called Biologically Integrated Orchard Systems, which provide assistance, technical advise to farmers who are reducing their use of chemicals, which have polluted the San Joaquin and other rivers and surface water bodies in the valley. I also have direct experience with water management as a farmer at a 170-acre certified organic farm in Yolo County.

Madigan: Thank you, Judith.

Lehman: My name is Lee Lehman. I represent the California Waterfowl Association. I'm the Executive Director of the Suisun Resource Conservation District, which deals with the Suisun Marsh 55,000 acres of managed wetlands.

Madigan: Thank you, Lee.

McCarty: I'm Pat McCarty. I'm a farmer and a landowner in the Delta. I also serve on a couple of Reclamation Districts, maintaining levees in the Delta and I'm newly elected chairman of Delta Protection Commission. I'm looking forward to the efforts here.

Madigan: Thank you.

Dunning: I'm Hap Dunning. I first got involved in California water issues around 1970 when I started teaching water law at the Law School at the University of California Davis. I got a lot more deeply involved later on in the '70s, 1977 and 78. I served as the Staff Director for the Governor's Commission to Review California Water Rights Law. We did a great deal of work on ground water management, instream flow protection, water marketing, and a number of other matters that have become quite essential in recent years. After that, I guess my major involvements were chairing an initiative campaign that had a ballot measure, November 1982, that dealt with water resources, unsuccessful ballot measure. Then the next year, 1983, I joined the Board of Directors of the Bay Institute of San Francisco, signatory to the December 15, 1994 agreement. I've served on that board and served as chair up to the present time. I'm very much looking forward to this collaborative effort.

Madigan: Thank you, Hap.

Bransford: I'm Don Bransford. I'm a farmer from Colusa, California. I'm President of the Board of Glenn-Colusa Irrigation District. For the past couple of years, most of my time has been spent on trying to get a new screen built and more recently we're focusing on the Delta issues and I look forward to working with you.

Madigan: Thank you, Don.

Strelow: I'm Roger Strelow. I may be a little hard to categorize, so pardon me -- giving a little bit of a background here. I'm a partner in the San Francisco office of a national environmental law firm, Beverage and Diamond, that represents both industrial and agricultural interests. We do represent or have represented several of the water officials and agencies in this group. Also, represent industrial interests throughout the State. My own background, then I should say, therefore, I hope to have some understanding and sympathy with a pretty wide variety of the interests involved here. My own background includes a stance some years ago as Assistant Administrator for Air and Water at the U.S. Environmental Protection Agency. My own practice involves a lot of work in the water arena, as well as endangered species and so, again, I hope to bring as broad a view to this exercise and come in open minded and hoping to be a constructive participant.

Madigan: Thank you, Roger.

Kamei: My name is Rosemary Kamei. I am Chair of the Santa Clara Valley Water District. I represent the southern portion of Santa Clara County. I have a small horticultural nursery in Morgan Hill and I really look forward to working with everyone towards this Bay-Delta.

Madigan: Thank you, Rosemary.

Hildebrand: I'm Alex Hildebrand. I am a farmer. My wife's keeping the farm going while I'm up here. I'm also an engineer and some years ago I was a Director for search

laboratory for Chevron Company. It's interesting to note that the whole thrust of this council is to decide what to do about the Delta, Pat McCarty and I are the only ones who live and work in the Delta and have observed on a daily basis what other people have done to it, in my case, over the last 50 years. So we bring that perspective to the council.

Madigan: Thanks, Alex, sensitively put. My name is Mike Madigan. I'm from San Diego and I spent a good part of my adult life as you all have in water issues. I spent 14 years on the Board of the San Diego Water Authority. A decade or so on the board of Metropolitan Water District. I'm currently on the California Water Commission and was, as some of you know, a member of and chair of the late and perhaps lamented, perhaps not, Bay-Delta Oversight Council. Sort of the prior incarnation at the State level of this much better organization. And I say much better because it became very, very clear very early in the BDOC process that even with it's full membership that it was an incomplete constituency, because the federal government simply was not appropriately represented, so this restructuring, this approach, this CalFed approach is far better. I look forward to working with all of you and I think that given the kind of talent that we have around here that it's possible for us to reach some outcomes, so I'm happy to be here.

Belza: My name is Tib Belza. I'm a rice farmer in Marysville, California, just north of Sacramento here. I'm a Director on the Yuba County Water Agency and I'm Chairman of the Northern California Water Association. And I look forward to

working with this diversity and some of these difficult we have to face in the Delta.

Madigan: Thank you, Tid.

Hall: Good morning, I'm Steve Hall. I'm Executive Director of the Association of California Water Agencies. Our members collectively deliver about 90% of the water in the State as local agencies. I've been in the water profession for about 19 years and like Mike Madigan and a few others around here, I'm a surviving member of the Bay-Delta Oversight Council.

Frick: I'm Howard Frick. I'm a farmer in Kern County, President of Arvin Edison Water Storage District, which is the southern most irrigation district on the Friant unit of the CVP. We have about 135 thousand acres in the district with a water supply that varies from 10,000 acre-feet to 350,000, depending on the weather. I'm here to represent Friant Water Authority which has 29 districts on the Friant unit. I'm also President of the Kern Delta Water District, which is adjacent to Arvin Edison, has appropriative rights on the Kern River and also the State Water Contract.

McDonald: I'm Mike McDonald. I'm the General Manager of the Northern California Power Agency and I'm here to try to represent the views and interests of the largely consumer-owned electric utilities that generate much of their electricity from a number of the rivers that feed into the Delta.

Madigan: Thank you, Mike.

Hasseltine: My name is Eric Hasseltine. I'm a Director and past President of the Contra Costa Council, a business and industry group oriented toward public policy issues. Previously a member of the Board of Supervisors of Contra Costa County and represented the Delta area.

Remy: Ray Remy, President of the Los Angeles Area Chamber of Commerce. It's a 5-county chamber, covers about 15-1/2 million people who overtime have gotten used to taken showers, baths, and occasionally having a glass of water.

Pyle: I'm Stu Pyle, here representing Kern County Water Agency. Most of my career has been in water activities in California with the Department of Water Resources and more recently with Kern County Water Agency, where I'm General Manager from 1973 to 1990. Since then I have continued to represent Kern County, since my retirement, representing Kern County at a number of activities, namely related to the Delta. I also represent the Kern County on the Southern California Water Committee, which is a formation of the eight southern counties of California and see part of my activity here as providing that feedback into the local organization, both in Kern County and other areas of the south, where I'm well aware that there are many people who want to have input and knowledge of this activity that goes along. So I think all of us here are looking forward to seeing this activity move ahead and I'm very interested in seeing this detailed layout of alternatives that are going to be brought forth here as a planner and a planning engineer over many

years, I think that people are beginning to find a way to bring more diverse interest into the planning effort, and I think what's going to come out of this is really going to be good and be good for California, so I'm pleased to be here.

Madigan: Thank you, Stu.

Raab: I'm Bob Raab with Save San Francisco Bay Association and I guess the most enlightening thing I can say about myself is that I'm a native son who learned to cherish this State at a very early age. My particular connection with my affection for this State is going on fishing trips with my Dad in the Delta 60 years ago and more; going trout fishing ever since in the Sierra and Cascades. And I have strong feelings about keeping this State in a good condition as far as natural resources and that includes water and timber and our farms, and I hope I can be of some help here.

Madigan: Thanks, Bob.

Foley: Good morning, I'm Jack Foley, Chairman of the Board of the Metropolitan Water District of Southern California serving some 16 million customers in that service area. I also manage a retail water district, which helps to give a perspective on the what the impact of some decisions are when it gets down to the level of the rubber meeting the roads, so to speak. And I have served for almost a decade on the San Diego Regional Water Quality Control Board. And I look forward to

participating and I share the same optimism of our chairman that we're going to get the job done.

Madigan: Thanks, Jack.

Maddock: I'm Tom on the right and I'm an engineer with Boyle Engineering and I'm on the Board of Directors of the California Chamber of Commerce. I chair the Chamber's Water Committee. I'm also a member of the Western States Water Council. I'm also a survivor of BDOC and I look forward to continuing that effort, Mr. Chairman.

Madigan: Thank you, Tom. There are a couple of people who were on the list that was sent to you that didn't self introduce today. One is Sunne McPeak, who has been asked to be Vice-Chair of this operation. She had a major league conflict of interest having at an early stage cleared tomorrow on her calendar for this operation and having loaded up today, because we were at one point thinking about tomorrow as being the meeting day. She will be here. And the other is Gary Widman. Gary is also a survivor of BDOC process, but has recently taken on employment, and I might tell was a very valuable and constructive member of BDOC. But he has recently taken on a new role with the State of California and I gather_____ that provides a bit of a conflict for you, but I'd like to ask you to introduce yourself and I'm glad your here.

Widman: I am sorry that I'm not going to be able to work with you. I enjoyed working with every single member of the panel of BDOC. The conflict, of course, arises because I was just named Chief Counsel of the Department Parks and Recreation and while that Department has a lot of interests in the activities of this group, I need to confine myself to expressing my thoughts from the floor, and I will make myself available on the floor from time to time. I think that the group you have will be able to come together. They'll be able to be sensitive to the constituencies of their fellow delegates and sensitize their fellow delegates to the needs of their own constituencies. I will miss an opportunity to constantly talk about decision-analyses as I did in the past. But I will not have to talk about _____ and should have Hap Dunning and some others here who can keep speak very adequately to the needs of those statutes. But I look forward to working with you in my new role on this side of the table. Thank you.

Madigan: Thanks Gary, it's nice to see you again. Well, you are obviously an impressive group of people and I'm sure that as you listen to the backgrounds of those people you didn't know before, you can appreciate why you're all here and I certainly am grateful for your participation in this group and for your attendance at the first meeting. I am encouraged that you are all here and have expressed a desire to participate. Most of the agenda today is going to be an overview of the CalFed program to which and to whom we are advisory and I think the best we could do at this point, Lester, is

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Snow???: before we get into the role BDAC and I recognize with a group like this that with in and of itself make a pretty impressive consulting firm. I'm not orienting you as much as I am kind of revealing my thought process, because you guys pretty much have a perspective on all these issues, but I do think it's important that we have kind of a common understanding of where we are, how we got here, who CalFed is and where we think we're going, so I'd like to use a few slides to do that. The reason I want to use slides is because we don't have massive white boards in here. If anybody who has worked with me know I cannot talk without some sort of diagram of some sort. So we will utilize some slides.

There's a couple of things I want to accomplish in the overview. One I think it's important that we have a little bit of mutual background on how we got where we're going. Talk a little bit about the program structure and kind of finish up with the general approach we're trying to take in this massive undertaking.

There's an awful lot of ways to chronicle how we got where we are. You could if you chose go back a hundred years. One of the things that I've said to different groups, even in getting to this point, is it took us more than a hundred years of abuse to bring the Delta and the Bay system to where it is today and so there's a lot of ways to chronicle this, but I think that what we all agree on is that we got a rich history of conflict with respect to California water in general and the Bay-Delta system in particular. There's a lot of ways to portray where did we start making some changes and how did we get to perhaps a more optimistic point.

One that was mentioned earlier by Michael Mantell is in April of '92. The Governor laid out a comprehensive and concise Water Policy Statement for the

State of California. And there's a lot of elements to that, but one of the things that clearly was in there was a declaration that the Delta is broken and needs to be fixed if we're going to address the long-term needs of the State's economy and environment. Stemming from that was the formation of the Water Policy Council for the State of California, which is an effort on the part of the State to pull together the State agencies that have jurisdiction or responsibilities in the Delta and that was formally put together in December of '92. Following on that, a similar action on the federal side was the development of federal ecosystem directive, or what everybody started calling about two days after it was formed, ClubFed. That brought together federal agencies that have jurisdiction responsibility in the Delta area and through a combined work effort in June of -- roughly a year ago -- June of '94 they developed a framework agreement. The framework agreement had a lot of information in it in terms of basic policies, approaches, what needs to be done, how we've gotten where we are, but perhaps most important, for the framework agreement, it had three objectives that was agreed to in terms of carrying out jointly in the State-federal process. The first was the development of water quality standards to protect the Bay-Delta ecosystem. The second was a development of a coordinated operating program to comply with water quality standards and to comply with endangered species act. And the third was a development of a long-term solution, essentially recognizing that even standards are piece-meal approach until you have really figured out what all the problems are and develop a long-term solution to just the underlining problems, as well as the symptoms.

The water quality standards, that process proceeded, again you can chronicle it a lot of different ways, but if you start with the ClubFed proposed action in December of '93, where there was a comprehensive approach to developing water quality standards and coordinating implementation under the Endangered Species Act. A lot of that material was published in the federal register and was responded to by a great many of people. One of the things that that did was stimulate the water community into a higher level of involvement and engagement on the issues which eventually led to a series of discussions between what were called "stakeholders", agri and environmental interests with State and federal agencies, leading to the December 15th accord, which then was passed onto the State Water Resources Control Board and they passed through their process and basically adopted the elements that were agreed to in the December 15th accord.

One of the things I want to highlight about what happened in that period of time, particularly in 1994, was of significant switch in terms of State-federal collaboration on issues. You don't have to go back very far to understand that we didn't always have that level of cooperation. And perhaps more importantly, of the second bullet, you had water community involvement. And in my opinion, having been a member of the kind of water user community, what happened in '94 was a form of moving from what I call protectionism to joint problem solving. It was not that long ago that California water industry basically responded on the regulatory issues of saying, we're not going to give it up until you take it away from us. And I think what we saw evolve in '93 and '94 was more of an approach

that we have a problem here, we all have something at stake, we need to work on it make sure that there's realistic standards. I think it's important to understand that shift in the paradigm, I guess would be the popular way to say that, because that's really what we need to try to capitalize on is make that move to keep people from different sectors understanding that we're going to better our future position by cooperating on a comprehensive solution, rather than protecting our turf.

The second element of the framework agreement was coordinated operations. What has happened has been the formation of the Ops Group, which has responsibility of coordinating the operation of the State Water Project and the Central Valley Project. The objective is to try to operate those jointly, to kind of optimize their operation to comply with the water quality standards, and ESA compliance.

Just so you understand who CalFed is, it is made of these State and federal agencies working together and you can see that these agencies have different statutory interests; different statutory authorities, but they've come together to work on implementing a long-term solution as well as an operational solution to the Bay-Delta problem. Again, just another portraying, you have CalFed that has three basic activities going on that stem from the framework agreement, the water quality standards, the Ops Groups, and that what we call the Bay-Delta program, or the long-term solution.

Now onto what we're here for basically. We call it the CalFed Bay-Delta Program and it is the long-term solution approach to this. I guess there's a couple of things I want to stress, as even we begin this, is that what we're striving for is some sort of lasting solution. Not something that gets us through the next triennial review of standards, not something that gets us through just the next drought, but something that can be a lasting approach to a complex natural resource problem. And to accomplish that, I think it's clear to a lot of people, it must be comprehensive. It cannot be a water supply reliability strategy, because that means it's not addressing water quality issues, it's not addressing habitat issues, and by the same token, it cannot merely be a levee stability strategy, it has to address all the problems in the Delta.

In the final bullet point I think it's how you accomplish a comprehensive approach. We have to be collaborative. We cannot kind of close the doors and in our own little deliberations come up with the best solution for 31 million Californians. We have to have a very open process where we're willing to accept new approaches, new ideas, and be able to evaluate them and respond to other people's views on these programs. This kind of speaks for itself at least from this distance, I can't read those boxes. I finally hit that age where it's -- The top one obviously is very important and the ones below that are lessor important. I think this is an important slide in the sense that we have CalFed that really is a creation of the Governor of the State of California and the Secretary of Interior. And in turn CalFed has a number of functions as I appointed out on an earlier slide and so we have the CalFed Bay-Delta program, which is the interagency staff we

talked about earlier. However, we have the Bay-Delta Advisory Council. It is clearly set up to provide advice into our staff program as we're developing the program, but also in the long run to provide advice to CalFed on this program. We will be utilizing consultants in interagency teams to prepare materials. We will be directly interacting with the public in terms of workshops and public outreach programs and other types of meetings that we will have, but also BDAC plays an incredibly important role in making sure that the public is heard in this process to provide a forum for the public so that we know what's going on in the public's mind with respect to Bay-Delta system and our program. So, this kind of an overall layout of the way we have initially structured this.

Our general approach, again, to reiterate, and I will say this all the time. A collaborative and open process. If there is a hint that we are not listening to everybody, we don't want other people's input, we will probably fail at this. Even if we're making a legitimate effort at getting input, but the perception is that we're not. We will probably fail, because that is often the fear and suspicion about any program with respect to the Bay-Delta system, it that it's somehow wired, they've already figured out what they're going to do, and they don't really want our input. And we have to work hard everyday to make sure that's not the case. We need an eco-system based approach, that's another way of saying a comprehensive approach, to consider all the issues in the Delta, to not leave something out, to make sure that the environment, the water users, the levees, everything that's an issue in the Delta is moving forward at the same time. As we begin our program,

we cannot have a situation where there is a preferred option. We cannot have a situation where there are prohibited options. Everything needs to be on the table.

I wanted to address the program elements for really one significant purpose, because we'll get into plan of action a little bit later. We have broken up our program into three phases, and again we'll talk about that a little later, the technical work that needs to be done to pull together problem statement, alternatives, preferred alternatives, etc. But also I wanted to point out early on that we need to have a financial strategy that we start developing at the beginning of the program. There was a time particularly in the water industry when you could identify and need, go through the design of it, the environmental process, have a certified project, and then start talking about how you're pay for it. Those days are gone forever. And we need to start talking about financial strategies to pay for Delta solutions before we even know what's in the package of Delta solutions. And so we have, in fact, brought into the first phase of this program some of those considerations, and that is one of those activities that I think that this Advisory Council will be deliberating a great deal about. And additionally, to reiterate the need for public outreach. As we get geared up I think all of us will play some role in providing public outreach or facilitating public outreach and we need to do everything that we can in that regard.

The program as I mentioned in the last slide is basically broken up into three phases. And as I describe this I usually start at the end, in terms of Phase 3 being the project level on environmental documentation, the kind of environmental

documentation is necessary to certify a facility that you may want to construct, kind of documentation is necessary to acquire land, to restore habitat, if that's what you have concluded you need to do. So it's the project level, implementation level, environmental documentation. And you'll see we referred to it as kind of a second tier environmental review.

Now, Phase 2 is the program level environmental documentation, which moves you from a set of alternatives down to a preferred alternative and then preferred alternative can be broken into projects and moves into Phase 3. But what we will be talking about later today, is Phase 1. And Phase 1 is perhaps the most important part of this program. That's the phase in which we agree on what the problem is we're trying to solve, what our goals and objectives are, what the reasonable alternative sets would be and hopefully, what a short list of alternatives will be that we move into the formal environmental process with.

Again, just kind of reiteration of the basic phases. First phase is problems, goals, and alternatives. Second phase is a program level EIR/EIS. Third phase would be the project level environmental documentation that would be necessary to move forward.

One of the ways I'd like to try to portray this in terms of the eco-system approach is there is a widespread agreement that the Bay-Delta system is broken and what we're striving for then, obviously is an improved Bay-Delta system, or healthy Bay-Delta system. There are no magic bullets out there, there's no holy grail that

one project will fix this system. And so what we need to be about is developing strategies to improve the fish and wildlife habitat, restore and manage it, we need to address water supply reliability, we need to address water quality, and we need to address the natural disaster vulnerability that we find in the Delta system. We need to figure out a way that those all fit together into a rationale strategy so that we can move forward and implement a comprehensive plan that is kind of like the high tide rising all boats. We need to move forward in this kind of fashion. I think this is the kind of image I want to try to keep in mind. There will be times when we're dealing down in water supply issue and we always have to keep in mind that all these other things have to come together in order to have a comprehensive solution.

I think at this point, I would like to respond to any questions, with respect to that and then move into just a couple comments about the role of BDAC to further explain that.

Madigan: Questions, anybody?

Selkirk: Lester, I was curious as to how the timetable was decided on. The timeframe that we'll be working with in the next ten months or so. How did that come about?

Snow: I guess the best answer to that is I wanted to set up a very aggressive schedule for Phase 1 and that really is reflected there. That's probably the tightest schedule we could come up with and still do a responsible job. The reason that I've set the

tight deadlines, is if we can succeed in that period of time in Phase 1 and have a firm agreement on the problems, firm agreement on the objectives, and a subset of alternatives, and we can move quickly, then we save a great deal of money and time in Phase 2 and 3 of the program. And so, essentially that is a target that can technically be met and what remains to be seen is can we bring the interest groups together, can we bring the public together to continue to meet that time line.

Selkirk: Was the overall timeframe for this whole process part of the original agreement in December or was that set by the staff? Just curious about how much input the council may want to have into either contracting or expanding that.

Snow: There's probably a couple of ways to respond to the overall timeframe. One is there is the reality that the agreement on the standards was a three-year agreement. And something needs to happen three years, presumably from December of '94, and so there needs to be some progress that's made that we show that we're doing something different or we can move on from the three-year hiatus. The framework agreement and the resulting agreement between the State and federal agencies provided for basically a four-year program. And so working in those kinds of constraints, we've backed up and looked at the first phase, which again is a very critical phase. When do we need to get this material done? And then, actually, we've adjusted that doing the staff work. I had originally wanted to have some sort of draft phase 1 report in January. It's simply not doable. And that's why you see in these time lines a draft report, and I believe it's May, with some progress reports prior to that. My approach on this is to set aggressive

timelines and if we're not getting agreement on each of these elements as we go, then we're probably not going to meet those timelines, but if we set long timelines then we surely will not move quickly. And so it's almost a philosophical approach at the beginning here. If we move too fast the user community, the stakeholders will complain, and I'm sure that BDAC will let me know that we're not covering the issues fairly.

Madigan: Thanks, Mary. Hap?

Dunning: Lester, BDAC is following in some sense on the heels of BDOC. How much output from BDOC exists that can serve as input to this process? What have you got from that to assist in getting off to a fast start?

Snow: My approach at this point, I was talking with Alex right before the meeting about this -- is to -- we are our own process. Let me start there. We need to have our own foundation. My approach at this point is to deal with the BDOC material which is considerable; a lot of work was done, as we will deal with the estuary project material, as we will deal with other studies that have been done. They all need to be inputs into this process. But I do not believe that we should take BDOC, adopt all of that material as our starting point, but rather that becomes part of our reference library for us to move forward.

Madigan: O.K., Tom.

Tom: Lester, in Page 1 you have the program and the goals concerning the definition of those goals, are to say the least, a major effort that has to be accomplished here. Could you talk a little about the -- what you would propose to accomplish, particularly with respect to the goals and the process maybe of how you would approach that? That seems to me if you don't through that gate and reach some understanding on it, it kind of leaves things bogged down and you can't go much beyond that. Can you help on that?

Snow: The brief response to the question is -- everything is set up kind of in order, they have critical path, sequentially. So we need to go through the mission, goals, objectives, performance criteria, -- I don't want to be jumping down to forming alternatives when we haven't even agreed what the problem, what the mission statement is and that sort of thing. And so, we have a process set up and I think I want to get into the details of that when we talked about the Phase 1 scope, if that would be o.k., Tom? We're planning on addressing a little more of the detail of that later.

Madigan: Alex?

Hildebrand: I agree entirely with you, Lester, that in your response to Hap that this is a new process and we're not obligated to pick up anything from BDOC, however, as a former member of BDOC, I feel that we did put in a lot of very conscientious effort there, and that it's more directly related to what the BDAC's trying to do than any other source, reference, and it would be expedient, save us a lot of time,

rehashing the same things, perhaps, if the members of the BDAC would familiarize themselves with the product of BDOC as a starting point for thinking about these things, and we don't have to reinvent the wheel quite so much. Also there were a lot of good technical reports put out and while it's quite a chore to ask everybody to read through all those, I do think that conscientious members of BDAC would do well to go through those, so that they see what thinking has gone before. They're not bound by any of that, but I do think they ought to take advantage of it. We put in a lot of time and a lot of thought and then one other comment slightly different is that in order to meet this timescale, and I agree, it's important we try to do that, there's going to have to be some realism in the stent to which some of the goals are mutually achievable. There's going to have to be some give and take. We're going to have to look at the restraints on achievability that due to exotic species, for example, and things of that sort. We mustn't get our ideas up too high about it being able to achieve everything that we would like to achieve.

Snow: I want to just take five minutes or less and grab a couple of overheads and talk about the role of BDAC and then I suspect you'll want to have some discussion about what your role is. I think it's real important that we talk about roles and how you relate to the public and how we relate to the public and that type of thing. Let's go ahead and put the first one up. This simply is a recitation of the four primary responsibilities that was in some material we sent you earlier, and that is to provide advice to CalFed on the problem statements, on the objects that are developed in this program, to provide advice to CalFed on our public

participation, efforts, and on kind of the quality of our program with respect to public participation, and how we make sure we get that in the program, and to provide advice to CalFed on the adequacy of the proposed solutions, on the alternatives that we develop. And the fourth item, and it's the one that's probably is the more regular work relationship between CalFed Bay-Delta Program and BDAC is to review and comment on the materials that we develop. And what we will attempt to do, of course, is to develop those materials in very rough form first for discussion here, and then to go out to the public and come back with information so that we're developing a dialogue. It's not a one-shot on an issue type of exchange, but rather you see in rough form, you see what the public has said about the stuff we're working on and you get to comment as it becomes more and more finalized.

As I've tried to look this issue about different relationships, our staff program -- we're going to be interacting with the public a great deal, whether it's presentations or it's workshops or it's talking to individuals -- we're going to try to get a lot of input from the public directly into our process even before we're drafting materials. As we start conceptualizing things, then there is this review and comment relationship between the program and the Bay-Delta Advisory Council. Also, there's a clear role for the Bay-Delta Advisory Council in terms of the public, because you provide a form for comment. If somebody just wants to follow this, they can make sure that they show up at these meetings, get materials, be able to comment and provide their input. Perhaps ultimately more important is that people are not on BDAC by accident. Each of you have your own area of

expertise, your own knowledge of certain interests, and you are able to identify and bring into the process those interests that should be involved with this or you can, by your affiliation, say you're missing somebody in this process. I want that kind of relationship where you're kind of keeping track of who we're listening to and what kind of ideas and you know yourself that we're not bringing in a certain thought or a certain idea that needs to be considered in this program. And so it's just almost the consulting relationship of the people that you know and where you interact to help us understand what needs to be done and who needs to be included in the program.

The next graphic will kind of help explain some of the procedural relations. What we will try to do at each future Bay-Delta Advisory Committee meeting is have at least one major item that will be on for a preview discussion, or a conceptual discussion. We haven't really developed a draft, we've got some ideas and so we'll want to kind of expose our ideas to the Bay-Delta Advisory Council. At the same time, we would hope we have a draft report on for consideration. The draft report would appear after a previous meeting we've had a conceptual discussion of it. So typically what would happen is that at a Bay-Delta Advisory Council meeting, we would introduce some sort of idea. We're getting ready to work on problem statement, for example, and here's some of our thoughts about it.

Subsequent to the Bay-Delta Advisory Council meeting, we would expect to have a workshop or workshops with the public to get interaction on that concept.

Some initial reaction for the Bay-Delta Advisory Council, from CalFed, and from the workshop, then would produce a draft that would come back to the Bay-Delta

Advisory Council. And you would consider the draft that was prepared as well as discussing kind of the next thing on the horizon. What you might find out, or what you might respond is, it looks like you've got about 80% of this, but there's 20% of it that needs a little more work, and so we continue to work on it. So you might see materials that we're working with the public, that you're commenting on three or four times, but kind of a standard would be that at each Bay-Delta Advisory Council meeting, there's a conceptual discussion of an issue that's on the horizon and there's a draft report to deal with. So that's kind of the role and relationship that we see at this point, where you have an opportunity to comment when things are being conceptualized and initially framed, and then you have an opportunity to advise when we're at the point of putting drafts together. That concludes my comments on the role issue.

Madigan: O.K., that's important stuff. Questions -- Alex?

Hildebrand: Lester, how are we going to deal with this question of the scope of the -- geographic scope. The thrust of this is to solve the problems in the Delta, but you can't do that without worrying about the changes and the inflow to the Delta, for example, both quantity and quality and those are ongoing things. We can't just assume that they're gonna go on being the way they are, if we don't do something about it. So, BDOC never quite resolved how we handle this question of -- we want a lasting solution, it has to be lasting in relation to what's going to happen

Snow: Well, the issue of geographic scope is an important issue and it's one that we're going to have to take on early on. I don't want to not deal with that one because it's difficult, because it's so important, and in fact, the issue of mission statement and to some extent the issue of geographic areas is one that we wanted to introduce in this conceptual discussion later on the agenda today. I forget which agenda item it is, I think maybe No. 4, on the Initial Work Products, or something like that. I wanted to bring up those issues later today, Alex, actually.

Borgonovo: How will we make recommendations to CalFed and the other -- how will other ongoing processes interact with the one that's taking place here with us?

Snow: Take the first part of your question, there's several ways that you will provide advise to CalFed. One will be the simple interaction that will take place in these meetings where we're in the rough draft stage of material. We hear what's going on and staff tries to integrate the views and comments that are expressed here. Also it's important to understand that there are two members of the Bay-Delta Advisory Council that are federal and State representatives and they in turn are CalFed, and so you have a vehicle through Michael Mantell and Roger Patterson, kind of a direct access to CalFed itself. Additionally, particularly when we get into issues about alternatives, you know, what's the proper alternative to take into the EIR/EIS, I would expect there would be a formal report that would be presented to CalFed.

Borgonovo: I just want to follow up on that question, do you see BDAC members being part of the workshop that's the technical workshop, are you getting input from the public even before it comes back to BDAC?

Snow: I think what we have envisioned at this point, and I call this a concept at this point, that we would make sure that BDAC is aware of all the workshops they were having and then you can attend, but we would not have workshop where it's BDAC's seated like this, convening the workshop. And we would encourage BDAC members to attend as many of these workshops as possible. We will, I guess of practical necessity, need to move these workshops around, and so I'd expect that when we're holding a workshop in Firebaugh that not necessarily all of you would attend, but at least we'd know we'd have at least one board member there. I think it's that kind of idea that you're apprised of where they are, when they are, and we would encourage you to attend these workshops so you can hear first-hand what's going on.

Madigan: Tom, this might as appropriate time as any.

Tom: I have a written statement. I'll pass it on the other council members. But, I think I'll personally rather than just read a formal statement, which doesn't usually sound very good anyway. My comment is this, as the statement indicates, although one tries to force oneself into sort of an optimistic frame of mind in starting a process like this, I have to say on the record at the first meeting, that having been a major participant in the December 15th accord, actions that have

been taken since then by others have threatened and do threaten the spirit of consensus that was very widespread at that time. And a key among those are the efforts to amend the CVPIA, Central Valley Project Improvement Act, in Washington -- the efforts to take over the Central Valley Project by something that calls itself the Central Valley Project Authority, and an effort of something called the Delta Restoration Coalition, which apparently has formed itself with the purpose of putting an initiative on the ballot presumably to approve a Peripheral Canal. None of those efforts are in my judgement, and I think in the judgment of many, consistent with the consensus spirit that this effort needs to have among all of us to succeed. I want to particularly, I brought two other documents with me, one is a letter that _____ sent up yesterday to _____ is a member of our council, but isn't here today and perhaps he isn't here because he is so busy on trying to take over the CVP at the local level. That effort, even more than the CVP amendments, where there have been some real efforts to reach out to others, has been essentially conducted privately with no response to a request for information, even -- and is a major threat to this effort, so I'm going to circulate copies of our letter that we sent out yesterday. And then, lastly, I did want to circulate a positive develop which is a little statement that Senator Boxer put out last week in which she really endorsed this process and said this is where we have to move rather than in a confrontational approach in Washington. And I think it's worth having Senator Boxer's statement on the record.

Madigan: Thank you, Tom, I appreciate your thoughtfulness. Are there any other questions by members on the -- let me ask if there are any questions from the audience

about either Lester's presentation on the CalFed process or the role of the BDAC in all of this. Questions or comments, either one. Is everybody else as confused as I am with BDOC, BDAC kind of thing in trying to keep them straight. At one point I proposed that we change the name to the Environmental Preservation and Infrastructure Citizens Advisory Council, which is EPICAC on the theory if you've been around this long enough, -- it didn't go anywhere. We will move on to review the plan of action. You, Lester, are on again.

Snow: I apologize for the kind of logistics here for that side of the table. We will try to do something different the next time. And hope we will be more concise, since we start developing a foundation this time, a mutual understanding of things. What I wanted to do, I just want to make a couple of comments before turning this over to Steve Yaeger to talk about the plan of action, which hopefully you all received in your packet and had some chance to take a look at it, we tried to pull together a plan of action that not only describes how we want to proceed with Phase 1, but also that it's consumable. We'd like to think that we can develop something like this we can give to the average citizen and they have some understanding of how we're proceeding, because again I think it's real important that we not have a lot of bureaucratize documents that are a thousand pages long that kind of defy people's understanding. So we've developed a number of diagrams and type of thing to help explain how we're trying to approach this. And again, this is just a reiteration of the three-phased approach to this. You'll notice it relates to the comments that were made, the discussion we had when Mary Selkirk asked the question about timelines. You notice there are no dates

on Phase 2 and 3 and one of the reasons is because it's almost totally dictated by how much progress we're able to make in Phase 1 and on what time to timeframe. If we get good agreement on problem statement and good agreement on objectives and alternatives, then Phase 2 and 3 can move up versus if we're all over the board, then it's going to take us a long time to get this done. Let me introduce Steve Yaeger, who can kind of walk you through the plan of action a little bit and hopefully we can ask any question, or you can ask and we will answer questions about the plan of action.

Yaeger: I want to start first by reinforcing some comments that Lester has made previously concerning the plan of action that you received in your packet. This plan of action is specifically for the Phase 1 part of the program. And, again, we anticipate that the target completion date is sometime of Spring of '96 for that Phase 1. We have done some preliminary thinking on the lines of plan of action for Phase 2 and Phase 3, but we will not be able to put a lot of detail into plans of actions for those phases until we get a little further on into Phase 1 and start seeing some of the types of alternatives and strategies that are emerging from Phase 1.

This particular slide is a generalized Phase 1 flow chart. It appears in your plan of action and it's meant to try to demonstrate the basic elements of our plan. I think for those of you that have been involved with planning programs and specifically Bay-Delta planning programs in the past, will recognize this as being a fairly standard planning program. The elements are common. However, I

wanted to point out a few key features of our plan of action for Phase 1. Number one, while this is a planning process, it's foundation and very heart a _____ process, and you'll see in your plan of action that we have early on in the process a scoping process for the environmental documents that really kicks off that part of the program and there are direct linkages at many points along the program between the more structured environmental scoping process and the planning process that brings us to a set of alternatives. Another key point, and this one is one that is quite a bit different than most planning programs, is that we intend to incorporate financial strategies and financial analyses at early parts of the program. Lester has earlier said how important we feel that financial strategies are in our program and in many ways, we believe that those are really going to be the touchstone of the program defining many of the boundaries that we're going to need to deal with in putting together alternatives. Another key feature of a program is that we plan and we really intent on having a high degree of public involvement in each phase of our program, in each step of the program. For instance, as we get involved in the problem definition and in setting goals and objectives, there will be several workshops, that will be focused on not only problem definition, but the mission statement, will be providing basic elements of those parts of the program for the public to respond to, to provide additional ideas, tell us where we need to modify, for instance, our problem definition, where we need to add to it. And those workshops and the input from those workshops will be fed back through BDAC for your consideration in that flow diagram that Lester indicated earlier.

This will be a constant part of the program as we move through initial preliminary alternatives and improving alternatives and we expect it'll become even more intense as we get towards the end of the program. Try at that point to develop a broad-base support around the short list of alternatives. We expect that there will be multiple and closely spaced workshops during that part of the program.

One other key feature I wanted to point out, and Lester _____ to that earlier, is that the point of the program, in early Spring we will be producing what we call a progress report on alternative development and we expect that that will occur at this point of the program between the element in which we're working _____ to improve alternatives and starting the development of broad-base support for a short list of alternatives. At the conclusion of the short list part of the program, we'll then be produce --

END OF TAPE 1

instance, as we get involved in the problem definition and in setting goals and objectives, there will be several workshops, that will be focused on not only problem definition, but the mission statement, will be providing basic elements of those parts of the program for the public to respond to, to provide additional ideas, tell us where we need to modify, for instance, our problem definition, where we need to add to it. And those workshops and the input from those workshops will be fed back through BDAC for your consideration in that flow diagram that Lester indicated earlier.

This will be a constant part of the program as we move through initial preliminary alternatives and improving alternatives and we expect it'll become even more intense as we get towards the end of the program. Try at that point to develop a broad-base support around the short list of alternatives. We expect that there will be multiple and closely spaced workshops during that part of the program.

One other key feature I wanted to point out, and Lester _____ to that earlier, is that the point of the program, in early Spring we will be producing what we call a progress report on alternative development and we expect that that will occur at this point of the program between the element in which we're working _____ to improve alternatives and starting the development of broad-base support for a short list of alternatives. At the conclusion of the short list part of the program, we'll then be produce --

END OF TAPE 1

BAY-DELTA ADVISORY COUNCIL (Continued)
(TAPE 2)

Yaeger:?? -- two to three, perhaps as many as four alternatives emerge from the program.

This particular slide, again, presents the elements of the program, it also appears in your plan of action. The elements are summarized a little more concisely.

What I wanted to point out off of this slide is these starts that you see are representative of the workshops that will be presenting. As you can see they are scheduled about one per month. The workshops will, as we move through the program, cover multiple elements, that is, for instance, at this second workshop in August we anticipate we'll be dealing with the second set of comments from the July workshop, which is focused on problem definition and goals and objectives and also introducing the subject of actions and categories. So as we move through the program each of these workshops will be dealing with a second round of discussions on previously presented elements and then introducing conceptually the following elements to begin getting the public input into the program.

In your plan of action you'll see a very detailed schedule task by task. I don't intend to really to step through that at this point unless there's specific questions that you have. That detailed schedule is shown on a board over here on the wall, if you want to take a look at it during the lunch break. Again, it's in your plan of action and we'd welcome your comments on it. We will be taking public comments on the plan of action through the month of July on into about August 15th is when we targeted for the public comments on the plan of action and we'd

also welcome your comments. We'll bringing those back to you at a later meeting to summarize those comments and indicate how we've responded to those. Think that's all the comments I wanted to make on the plan of action. So at this point, I'd be glad just to throw it open to questions and either Lester or myself or some of the other staff here are available to respond to specifics.

Madigan: Alex?

Hildebrand: We had some discussion in the BDOC which I think is relative to what we're talking about right now and that is that we may not come up with a capability of defining a total solution on one step. We may for two different reasons, want to have some phased developments and subsequent phases might depend upon how the first phase worked out. One reason to do it is just a manner of urgency and that there's some fairly simple things that one might do to significantly alleviate the situation even though they wouldn't be considered total solutions. But more important even than that is that we don't know how some of these things are going to work. And so we have to test them out a little bit. We don't know to what extent it's feasible to screen versus using sound barriers or other devices, to the extent to which you may manipulate the flow within the internal channels with flow constrictors, things of that sort. We don't know to the extent that which -- we're still learning a lot about how these fish go around and we still won't know it all when we get through with this process. We don't know the extent that which exotic species may preclude in out achieving some of the objectives we'd like to achieve. So, I stated before in BDOC and I repeat it here that I think we should

have a process which permits us to look at step-wise solutions and doesn't lock us in to sort of an all or nothing choice.

Snow: You made a couple of comments on phasing. We may find that phasing implementation of the alternative, the package of alternatives, they may be necessary for financial reasons, also. But what I think is extremely important when we talk about phasing, is that each phase has to be balanced. What I mean by that is Phase 1 can't be construction of a facility that improves water supply reliability, and Phase 2 is habitat.

Hildebrand: I agree with that.

Snow: So each phase has to somehow be balanced in it's approach, but I think you're right, there's the whole issue of adaptive management is one of the issues that Alex brings up, is that we don't everything at every given moment, so even when we do something we have to make sure we monitor it and can adjust to learn from the implementation of it. So it's going to have to be an important part of this, is the kind of end ____ term for eco-system management is adaptive management to understand that we can't take a snapshot, devise the entire solution, implement it tomorrow and go away. We have to be able to respond to changing conditions.

Madigan: Tom?

Tom: I wonder if you _____ last _____ that you received. I noticed in the schedule here, there's no reference to the State _____ and yet the State _____ is the body that is going to be determining the out _____ and the flow and to receive water quality objectives -- who's going to be providing those flows and _____ into the work plan here. I don't see any interconnection here, but it will be a dominating factor, nevertheless. If you could comment on that how you perceive that _____ workplan, please?

Snow: I'll comment a little bit then Steve might want to add and I suspect my comment will be a little unsatisfying in the sense that we don't plan on interacting with the State board on their deliberations over in the water rights phase. Essentially, we're going to be looking at the system and the flows that are needed or the facilities or the habitat that are needed without, particular in the early stages, determining who it's coming from. We're not going to be heavily involved or perhaps involved at all with the State Board and their efforts of the water rights phase of the water quality standards. However, on a broader basis we do need to coordinate with the State Board and other agencies that are doing work, that generates information that will be useful to this process and so, there'll be technical coordination but in the case of water quality standards, I don't see that we're involved in that very much. There's people here from CalFed that may want to comment on that also. It's not something we've discussed a great deal, but I think my tendency's been to stay away from that process.

Yaeger: Maybe to add a little more specifics to that. We haven't really discussed in a lot of detail in this plan of action, the interaction between operational measures and other types of features, such as structural measures. But I think that it anticipates that in the tier one document and more specifically, in the tier 2 environmental document, that operational issues related to any types of facilities that are proposed as part of any of the alternatives in those documents will have to be discussed, have to be analyzed, impacts analyzed, and so forth, and that there will be at that point, a technical exchange between the State board process and our own planning process that needs to be linked. We haven't gotten far enough along the path really to put the specifics to that, but we certainly anticipate that will be a big part of that part of the program.

Madigan: Did anybody from the CalFed group want to add anything to that? Anne?

Notthoff: I think you've correctly identified the importance of involving the public all along and not just letting them know, you're doing the really heavy two-way process of having allowing them meaningful participation and comment and I wondered if that's an area that you're going to be looking to BDAC members to help out with specifically, and making available -- giving you our ideas of constituency groups that should be contacted and be involved or just wanted to know who's the contact person in that we ought to be relaying that information to or a little bit more specifics. I think this is really a key component to the entire process.

Snow: I agree, and I guess one of the roles I do expect from the BDAC members is to apprise us of groups that we need to be talking to. At this point, the contact, if you know groups we should be talking to or special outreach efforts we need to be making, you need to contact Sharon or myself. When I was introducing staff earlier I said there may be some additions and one of the areas we have not filled on the CalFed Bay-Delta team is a public affairs or public relations person, which is very important. Unfortunately, I have not filled that spot yet. So we'll have somebody doing that kind of stuff full time. I actually have chosen to spend a fair amount of my time going out speaking with groups because I consider that to be so important. Back to the main thrust of your question, we do want BDAC to be on guard in terms you're missing this group, you're missing this constituency, and almost dragging us out, so you've got to go talk to these people, you've got to listen to what they have to say. And so I would hope that as early as today, you can start apprising of groups that we need to get lined up with.

Madigan: Stu, and then Ray?

Pyle: My question, Steve, would be how in these workshops you're going to get the information out so you can get people to comment on your subject, it's desires and how they get far enough ahead to get time to make some preparation. Whether you're going to have any geographical movement to these activities, where you're going to hold them, and how you would structure them.

Yaeger: The first part of your question, maybe I can use our planning for the late July and believe I may be moving that to the first week in August workshop -- that particular workshop is going to focus on problem definition, on goals and objectives. We already have a team working on putting together materials for that. We expect to be putting some straw person proposals out to stimulate the thinking of those that are going to be attending to give them something to react to and to mark up and bring to the meeting. Those materials will be going out at least two weeks in advance. That gives the participant a chance to spend a lot of chance on it and we really want to encourage how a lot of, guess we'll call it homework for lack of a better term, for the participants so that we really get a good depth of thinking. We don't intend to bring these products to the point to where we feel they're set in concrete but only layout the concepts and give people the chance to react to them in initial workshops and then the subsequent workshops we will be bringing back more refined materials that incorporate both their thinking and BDAC's thinking and the staff's thinking as we move through the refinement of the problem definition and the goals and objectives, so we expect this process is going to be a very intensive process. We'll providing lots of materials and lots of things for people to react to.

Madigan: Ray?

Remy: Much to the surprise of my colleagues from BDOC, I will ask the question -- what percentage of the workshops will be held in the Bay area and what percentage will be in

the valley, and south of the Tehachapis, and what percentage of the meetings of this group will be in those areas? Where people do live.

Madigan: Lester.

Snow: 15, 25 and 40. We haven't resolved that issue. We know it's an important issue. We're trying to think that through with respect to the workshops. But with respect to BDAC, I guess we wanted to see some discussion of that with BDAC itself where you would like to meet, how much you want to rotate the meetings around. We know it's important to do that, to get out there, obviously it adds logistics problems at times, but we have to grin and bare it in terms of logistics, because that's where the people are and we need to do that. In terms of having a specific percentage breakdown, we haven't even really talked about that and I think we may want to design some issue workshops that particularly fit certain areas and that will kind of develop as we go. I don't know if that was a discussion at BDOC, I don't know if you resolved that in some formal way. We know we need to do it. We have not developed a strategy to do it at this point.

_____: We have one meeting southeast of Stockton.

Snow: So southern California was Stockton, was that it? That probably works for people in Willows.

Madigan: Anybody else? Steve?

Yaeger: Thank you for the opportunity of presenting our plan of action and we look forward to your written or verbal comments on it.

Madigan: Thank you, again, ladies and gentlemen in the audience. This is an appropriate time if any of you have any comment or question that you would like aimed specifically at the presentation, this would be appropriate. Seeing now that the hour of 12:00 o'clock is approaching, I guess there are a couple of things -- one, the tables have been set in the back for the members of the BDAC, certainly anybody from the public is entitled to stay. I don't think there are sufficient places at a table, however, for you, so if you're interested in luncheon conversation, by all means, stick around. If, in fact, you are however, genuinely hungry, it might be useful to swing by the restaurant. Are there any further items, Lester, that we need to deal with in terms of housekeeping before lunch?

Snow: No.

Madigan: Anybody? Ann?

Notthoff: Are we going to get a schedule of meetings for BDAC?

Snow: We hope this afternoon to at least lay out the rest of this year and talk conceptually about '96.

Madigan: Alright, Tom, I appreciate your being here for the morning. Thank you very much. We will be in recess until 1:00 o'clock.

Madigan: The hour of 1:00 o'clock has arrived and we are back in session. We did a nice job this morning. I think you all were helpful in moving along through the agenda, and that may even _____ reasonably well for breaking up a little this afternoon. I have number four on the agenda, it's a discussion of Initial Program Components and again, I'm going to turn the microphone over to Lester.

Snow: You may recall this morning I was talking about procedures and interaction with BDAC, what I indicated is we wanted to try at each meeting to have kind of a preview of a coming attraction, I guess is the best way to say it, and then at subsequent meetings there'll be a substantive item, as well as a preview of some other things that's coming up. Agenda Item 4 is kind of the preview issue for us. One of the first categories of activities, we're going to be undertaking is problem definition, also the issue of mission statement, goals, objectives, scope of the problem area and that type of thing. So, we wanted to introduce a couple of the concepts, a couple of the issues at this meeting. Maybe get some initial discussion and you'll certainly be seeing a great more in detail -- have a great more discussions on this issue as we go. If we could have the overhead on?

This is just kind of a simple one. Maybe it's a prelude to the discussions that we'll have on problem statement. You've seen us on our draft material and you seen other people in their reports dividing up the problems in the Bay-Delta Estuary into these four basic categories: habitat restoration and management, water supply reliability, natural disaster vulnerability, and water quality. You can come up with a lot of different categories and a lot of different ways to break this down, but one of our tasks over the coming months is to be start defining these issues and what we really mean by them. Historically, the water community gets into an awful lot of debates on these issues. A general agreement of the nature of the problems, but when you're addressing water quality and you're talking about toxic problems in the Delta, people start being concerned, even the order that you list potential sources in. Let alone they're the potential source, but which one gets listed first. There have been runoff, or agriculture, or whatever the activity. We want to try and anticipate those kinds of discussions and make sure we get problems defined as an objective a fashion as possible and try to avoid some of the traditional pitfalls. But even before we get to this stage, if we could put up the next slide, please -- _____ - what the plan of action calls for in a more detailed work program that we're dealing with requires us to go through a process of developing a mission, developing goals, developing objectives and performance measures. The mission, I guess, in its most simple term is kind of the counter to the simple way of stating the problem. Governor Wilson in '92 said the Delta's broken, so our mission is fix it. The goals tend to match up with the way we broke out the problems in a previous slide and then each goal has a specific objectives. Chances are each objective we want to accomplish in the Bay-Delta system has

some sort of performance measure. And so when we get down to the level of performance measure, maybe there's 50 performance measures that we developed, and the theory would be once we meet all those performance measures, then we have accomplished a comprehensive solution to the Delta problems. And again, in theory, once we have met all those performance measures, people shouldn't care a whole lot about the actions that are used to meet those measures, because it means all the needs are being met in the Bay-Delta system. So this is a kind of a process we'll be going through in a very iterative fashion. But to get down to that level of goals, objectives, and performance measures we've got to talk first about the mission, and what is it we're trying to accomplish. So I'd like to call on Judy Kelly to kind of explain some of our activities to date on developing the mission statement.

Kelly: Thanks, Lester, Mr. Chairman and members of the committee. As Steve described and Lester has described we have a draft plan of action, which you all have and we are currently working with our consultants to develop a much more detailed work plan covering Phase 1 of the program. In an effort to get some preliminary done in key areas of this work plan, the program staff in the last couple of weeks has spent some considerable time thinking about the question of a mission statement for the Bay-Delta program. And I'm going to spend the next few minutes just walking with you through the process that we ourselves went through, some of our thought patterns, and the things that we considered in drafting an example that I will eventually show you. The first question that needed to be answered obviously was, what is it? What is a mission statement,

what should the intent be? There are good examples and many other programs, some national in scope, some much more local in scope, of the definition of a mission, so we looked at some of those. Consideration of what the basic principles, founding principles ought be articulated in the mission statement. I think that will be a fruitful discussion both here and in the public workshops. And then the staff sat down basically and drafted a set of alternative examples and we word smithed that one and we have one to show you as an example. Then I'm going to talk a minute or two about the process for defining this. Just a reminder, that we're really talking in Phase 1 about this tiered approach that was just reflected in the previous slide, the mission statement, goals, objectives, and performance measures and they really are very intricately tied to one another. So again, my comments today are only meant to begin the consideration of this important topic.

So, starting with the basics, what do we mean by mission? I went to the dictionary and pulled out a couple of definitions that I thought were appropriate for us to consider today. A specific task with which a person or group is charged. Maybe more importantly for this group is the second definition, which would be a self-imposed duty. I think that's more akin really to what you all are charged and we are at the staff level with coming about. So with these definitions in mind, we attempted to elaborate on just what a mission statement should accomplish.

In reading through various background materials and considering existing mission statements some principles sort of became rather clear. A mission or vision

statement as it's sometimes called should be brief. It should describe in the broadest possible expression what we intend to do. It really should say nothing about means. It should be neutral about the forms that the solution process will take. It's an early opportunity and an important opportunity to reach consensus on shared values and expected end goals. The statement should be broad enough to encompass the final solution set that is developed out of the process. It's a touchstone in many respects all the way through the process as we go forward into these very complex issues. It's something to keep in back of our minds, and in front of us, when we are wondering and considering the range of alternatives that will be considered as part of this process. It is usually done in the top down fashion and that's what we're proposing at this point, that we do the mission statement first and work from there. So with these ideas in mind, we then look for examples of good expressions of program missions. And I did just a little background work on this and I probably found 15 or 20 from the National Estuary Programs, from existing government plans, like the Netherlands, and right here in our backyard we have a number of major programs, including the San Francisco Estuary Project that provide very useful examples of well-defined mission statements. By the way, you should all have -- all the committee members have the outline of my overheads in front of you so you can read along with this, and members of the public they're available on the side table if you'd like to read along. I just put these three up there because they are good statements and they're illustrative of the kinds of range of statements that can be considered as part of the mission statement. The first one is interesting, I think, because it is very crisp, very short, and it is actually pertinent to a plan that covers the entire nation of the

Netherlands. It's a conservation plan that applies nationwide and they were able to state their mission in one line. The New York Harbor, New Jersey _____ Mission Statement is fairly similar, a little bit more specific obviously, to its geographic scope. And then I put the San Francisco Estuary Project mission statement in because I think many of you are probably very familiar with that and some of you may even recall the process by which the statement was crafted. It was lengthy, but when there was eventual buy into that statement, there was a real sense of accomplishment and it set a tone for the eventual success of the CCMP being approved by so many different folks.

So in an effort to begin crafting an example that we might discuss today is, if you so choose -- we started thinking about what kinds of things have already been agreed to, what things have already been stated and we went to the CalFed framework agreement and we looked at the wording in the framework agreement and we thought a little bit more about the implied assumptions and stated assumptions, as Lester just mentioned. You know, the Governor said, the Delta's broke, go fix it. So we think that at some level, the concepts either embodied in assumptions, in the public assumptions of what we're about, or the framework agreement are listed here. Somehow or other, this program needs to fix the Delta. It should be done in some eco-system way to consider the entire eco-system. It should be a durable set of alternatives and process. It should be implementable and there's no graceful way of saying that, and doable, it has to be practicable, it has to work. And it should be done through a collaborative process. Those were sort of the basic concepts that we thought needed to be embodied in any kind of

mission statement. And then, the four issues that we've all been talking about for so long -- the fish and wildlife, water supply, the liability flood control, and water quality -- well, they didn't necessarily need to be in the mission statement, they needed to be somehow reminded that they are an intracal part.

So working with the examples and considering what the fundamental principles could be, I sat down with everybody's input and nobody's really seen this except yesterday and today, so it has no life of it's own, except as an example and there is -- I want to tell you there's no added emphasis, because it's blue I had to go to a different xerox machine this morning when I was getting this ready. So the fact that's blue doesn't give it any more value than the rest of the overheads. Given the previous discussion and the kind of fundamental values we thought we're considering in this process the staff crafted an example and it reads, "The mission of the CalFed Bay-Delta Program is to develop an integrated plan and implementation strategy to improve conditions in the San Francisco Bay-Delta Estuary. These efforts will reflect diverse public values and will improve certainty for those depending on the Bay-Delta system." Again, this is really just reflective of these initial discussions and it's food for thought at this point.

So what now? Where do we go from here? I want to reiterate something that Lester said earlier. And that is his comment about how strongly he believes in an open collaborative process. And as the important process of definition of the mission goals, objectives and performance measures moves ahead, these ideas, the ones that I just presented for your consideration now, your ideas, new ideas, will

be folded into the process of public workshops and multiple working drafts as we have envisioned and planned in the plan of action. So that's the foundation discussion that I just wanted to present to you today, depending on your interest and time, we would be delighted to have your input on the statement or the fundamental principles or anything else you would like to discuss at this point. I will leave my formal comments with a reminder that we will be bringing this back to you in much more detail at your next meeting after we've had the opportunity to run our first public workshop and get these ideas out in much more detail and get some feedback on them. So those are my comments.

Madigan: Are there any questions? Stu.

Pyle: I think you said you would make these available to us later. Are we going to see any of this information now or will it all be later?

Kelly: Well, this is as much as we've developed at this point in terms of a statement itself. We will be developing more background material as we go forward into the public workshop processing. Yes, that will definitely be made available to you as we develop it.

Pyle: I think some of us, Mike, would like to see some of this information early rather than late. I don't know if that agrees with everybody.

Madigan: Sounds like a good idea to me. Lester?

Snow: This information will be made available. Essentially what we're doing here with this discussion as well as the one right after is kind of reveal a thought process we're using on staff, but all the material will be made available to BDAC, so what you have seen is what there is, basically. We're going to try to pull some information together and do as was referred to earlier this morning, straw mans on these different _____ There was a CalFed meeting yesterday, and the issue of straw man was addressed and it was pointed out that maybe it should be straw person. Then I believe Bob _____ he suggested just straw -- a straw report. And Felicia said "straw dog" if I remember right. So we didn't resolve that issue, but kind of a brainstorming report that would be put out. And then multiple approaches to things. So what Judy has shared is kind of a thought process that staff went through and where we ended up when we went through that thought process. In terms of alternative mission statements and implications, we will share all that --

Madigan: Simply, reaffirmative of your earlier statement that it's an inclusive process that people will get material and be included in the -- everybody gets an opportunity to comment. Alex, Roberta and then, Ann.

Hildebrand: I think as we go through and list some of the objectives, and more specifically we didn't go back and take a look at the mission statement and see whether it really encompasses all those, and I think it was mentioned this is an iterative process. I would suggest we not spend a lot of time on the mission statement until we go through the objectives.

Madigan: Roberta?

Borgonovo: Just would like to give the direction that in as much as you can incorporate the mission statement for the estuary project, I'd like it to be compatible, because again, there was a lot of work done on that and it was again a broad consensus represented. Parts of it could be taken and put right into the sample one that you have said.

Madigan: Thank you, Ann?

Notthoff: I was going to say, consistent Lester setting of an ambitious time schedule, I think we can try to be more ambitious in our mission statement. Improvement alone is probably not what we're after. We're after getting restoration and getting to a point where we actually have a sustainable ecosystem.

Madigan: Thank you. David.

Guy: I think just to reiterate a point I think Alex and some others were making earlier this morning, it seems to me that from the BDOC process there were some objectives established and that was done at the time when the council was it's full membership. It just seems to me that those would be excellent straw dogs, or whatever you want to call them. It's kind of a starting point, because a lot of these same people have already been through this process and I think they would probably be a real useful starting point, if that's possible.

Madigan: Anyone else? Mary.

Selkirk: While I appreciate it, I'm sure there was an enormous amount of work put into the BDOC process. I think it's important here to emphasize and I want to emphasize what I think what I think Lester's been trying to, is which that it's really important, I think, that we develop a shared understanding of what we think the problem is before we start developing objectives. I think that if we can develop a mission statement that is clearly has the _____ of everybody in the process, that will stand us in good status, as we develop objectives.

Snow: Rick, could you put up the higherarchy one. I think it was the color one on right before Judy came up. All I want to do is actually reiterate what Mary just said. In the sense that you really have to develop these things sequentially. You can not either develop your own or go use somebody else's objectives before you've clearly established your goals which clearly support your mission statement. You have to be talking about your mission and your problem statement at the same time. If you get down into objectives before you've done that, or worse you're down into your alternatives before you've done that, you will never get agreement, because you still haven't fundamentally agreed on what you're trying to accomplish. And so these first couple of meetings, these first 3 or 4 months may be painful in the sense of having go through mission statement and goals, but I'm afraid if we don't do that then we will not be able to run this ground in the final analysis. That's kind of the approach we're trying to take, and not be tedious about it and not waste time, but make sure we're going through all the steps.

Madigan: Roberta.

Borgonovo: Just wanted to pick up on what Lester said. I think that when you lay out the founding principles that the team went through, the shared goals is really a key and so, once you have the shared goals it leads you into the objectives and then into the way in which you address those. So, I think that shared goals is a very important process for this group.

Snow: If I could I want to introduce one more item that is kind of this preview of things that are coming up for us. And it's a significant one. It has to do with the issue of scope -- scope of the program and I've got, naturally, as you may have guessed by now, a few slides to kind of work my way through that. When you start talking about the scope of this effort, you get a lot of input from people, you get a lot of different perspectives about it. And there's a lot of different ways of looking at it and I think one of the tasks that we will have over the next 60 to 90 days will be trying to run that to ground. There are some that would indicate that if you're trying to deal with this system, Bay-Delta Estuary, the Bay-Delta system, you really need to be looking at the entire area, where the water comes from and everywhere that it's used. It's kind of a very inclusive approach to things. And that's an issue that has to be considered and what we need to recognize if we define our problem area of this magnitude, then that means we need to be analyzing reclamation issues in San Diego County. We need to be looking at gnat catcher issues perhaps and you can get into a process that is very comprehensive but can be extremely time consuming.

One of the other issues, of course, that is discussed a lot is that what needs to be done is limit the study to, in this case, the legal boundaries of the Delta. What happens there is you're significantly narrowing the kinds of issues that you're dealing with, you're tightening up the whole program, both in term of content and timelines, but what gets raised is the issue that -- but some of the problems that we have here really either have their solution or their cause elsewhere in the system. Whether it's ag drainage that may be causing salinity or whether it's water demands that may be diverting water from habitat; whatever the issue is that problems or may generate outside the area or some of the solutions may be outside the area. Kind of what happens, if you keep talking this kind of issue through, there is the potential that you go ahead and define your problems by whether they exist or not in the Delta itself, but you allow kind of the analysis of where the problems came from or in fact, your solutions have to flow outside of the problem area. And so what you can potentially have is problem definition, narrowly defined in the Delta, but you allow your investigation of where did this toxic problem in the Delta come from to flow out to identify potential sources in wherever they may have occurred, and also you allow potential solution sets. The best example of that is everybody knows we have a winter-run salmon problem in the Delta, but any solution set is going to flow significantly outside the Delta boundary itself. So one of the issues that we're going to want to be coming back and talking with you about is this very topic. How do we define the problem area? How do we define where we're looking for solutions and how far we're analyzing the problems? This is just same indication as the last one, where you have a problem geographic scope, you have kind of a solution geographic scope,

but what you do when your analyzing the problem is you allow that there are both positive and negative inputs and outputs. For example, some would say if this is your problem area, maybe you're not properly evaluating the demands that are placed on the system by exporters, and so you can analyze the output from the Delta in terms of the exports; you can analyze the inputs into the Delta in terms of perhaps salinity loading, and you can still analyze while trying to narrowly define the problems in this area, allowing your solution sets to go out in other directions.

Kind of the point of this discussion is to show a thought process on an issue that we're going to have to grapple with very soon. We cannot let the issue of geographic scope go on for a long time or it ends up being the same problem of trying to deal with objectives before we've agreed with the problem is. So I kind of lay this out today again, as just a prelude to what we'll be dealing with at our August meeting. I hopefully will be develop some alternative approaches to this and rationale why, what the strengths and weaknesses are of each approach. And I'd be glad to respond to any questions you might have.

Madigan: Alex.

Hildebrand: I agree with your basic thought there, Lester. I would add one thing to it, though. The impact is not only by the exports, but by the steadily increase in consumptive use of water in the Central Valley, which reduces the inflow to the Delta and also affects water quality in the Delta. And I think we have address, if we're going to look at a long-term solution, is what's the long-term outlook in that regard. It's

pretty steady ongoing process. South Delta Water Agency has presented to the Board a lot of data on what's happened to the inflow from San Joaquin River system, for example, both quality and quantity wise, and it's not static.

Snow: I think the slide I had, it had the input, outputs -- it's a kind of thing that modelers would call boundary conditions, where you're testing what's going in your problem area to see how sensitive it is to major changes and demand from exports or major inputs of salt loading or whatever the factor is to determine how much those changes can affect the problems that you have or the solution sets that you want to develop. By the way, we will have the complete set of all the graphics that were used here today, and that will be part of the minutes package that goes out.

Madigan: Roberta.

Borgonovo: Are we able to tell yet what direction you're taking about some of the questions that have come as ag drainage, you mentioned that. What about South Delta facilities -- are they going to be part of this total analysis?

Snow: To the extent possible, we want to link to other processes. What I would like to be able to do on the San Joaquin Drainage issue, which I think we're all aware of, is to be able to evaluate it in terms of the inputs and impacts on the Bay-Delta system. But to be able to point to another process that's proceeding to solve that problem. The more that we load other problems on to this process, the slower it

will be and less likely we are to succeed. There's always going to be judgment call when we get to a point --

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Borgonovo: If you could see that as you went down that it would be dealt with in a timely fashion that would be one thing. It's almost the way in which you've defined moving from Phase 1 to Phase 2. If you get consensus you can move on. So if there was a process taking care of the problem and it would take care of the problem before this process moved on, that would be one thing. Do you understand what I'm saying?

Snow: Yes, I do. It's an issue of timing and confidence that the issue is going to be dealt with. Because if you make an assumption for purposes of fixing the Bay-Delta system that salt loading is going to be X, and then nothing ever happens, then you have to go back and adjust your solution. So there is that linkage. And on each of these kinds of issues, I think we're just going to have work our way through it when that particular issue is in front of us.

Borgonovo: What South Delta facilities? How would that figure in?

Snow: South Delta facilities -- that's an issue that's been going for some time. There is an environmental process. That is something that addresses existing issues and I think DWR has their own process and they will move forward on the schedule

that they have and how it fits in, I think remains to be seen in terms of the long-term fix and how it ties into that.

Borgonovo: I think there's a concern that there's a certain baseline assumption here that comes from the Bay-Delta accord and that the South Delta facilities could affect that, so is there a way that we as an advisory committee can get a handle on whether that really is going to affect baseline?

Snow: That's an issue that has come up with CalFed, and I know that a number of members of the stakeholders group and environmental people in the stakeholders group has raised the issue about baseline. I have to admit I do not understand at this point, I'm just kind of on my radar screen this week about the impact of the South Delta project on baseline and what that means to the December accord, and what that means to the long-term, so I can't really give you a good response to that.

Borgonovo: But you're going to worry about it.

Madigan: He's already worried about it, I can tell.

Snow: Yeah, I officially lost 45 minutes sleep last night on this.

Madigan: Let me ask Roger or Michael from CalFed -- is there anything you guys would like to add to this particular discussion?

_____: I would only say that I think the concern that Roberta puts out there is a fair one and we need to -- somehow we need to find a way as we figure out what we need to do, that we understand what others are doing to deal with issues that are related. Otherwise, I don't think we will ever be able to claim any comprehensive solutions if we don't understand and at least see how they fit into the picture, but I also think we can't load the solution for everything, no matter how directly related into this process, or it will bog down. So somehow, we're going to have to find that line where we know and are generally comfortable with other solution processes out there. And understand how they relate to this. That's sort of where CalFed is, I think, as we have started talking about some of those things and it's probably appropriate for this group to be at that same level.

Madigan: Again, anybody from the public who wants to -- Ray.

Remy: Question on process. I know that in all of our attempts to deal with this stuff, we try to deal with the consensus in which everybody has a general agreement on whatever issue comes before us. But in the previous process, we did have a 75% concurrence. I don't know whether that still carries over into a new organization, but it's probably useful to raise it at the beginning to find out.

Snow: Well, actually it's better raised under operating procedures, which we are at this exact moment moving into. Do you want to raise that question?

Remy: For the members, we're not part of the Bay-Delta Oversight Council. The first meeting, the decision was in order to try and get maximum consensus that requires 3/4 of the group to agree, rather than a majority. And I just raised the question whether that's an operating procedure that should be carried over or not. I know that every attempt was made to try and get unanimity on nearly on almost everything. But it's useful to raise it now so we know what the ground rules are.

Madigen: Why don't you go ahead and comment specifically, but just by way of -- into the basic issue of operating procedures?

Snow: I guess it's best to say we haven't resolved those kind of issues for you. There needs to be some discussion of this. But if I could digress on the specific issue of consensus and how we proceed, what we've attempted to identify in the larger CalFed program is, I call it collaborative process, which is in fact different than a consensus process. And let me explain the distinction that's in my mind. What I want to try to do in the overall CalFed Bay-Delta program is make sure that we're getting everybody's input and we're providing everybody an opportunity to participate and state their wishes about the program. However, we may disagree with somebody. Or say that we're not going incorporate your thought because it doesn't fit in. But the idea of collaboration is that you've talked to them, you know what their issues are and then you explain to them what it is you're doing and you move on. And that's the kind of process we're going to run to bring information to this group and information to CalFed. And always apprise BDAC, always apprise CalFed -- here's who we met with, here's who we dealt with, here

are the issues that were raised, we think we need to deal with 8 of these ten issues, the other two we don't think are proper to put into our program. So that we are always disclosing; it's kind of a full disclosure approach to things. Now as you deliberate to develop your advise in how you want to define what piece of advise goes forward if it has to be unanimous, an absolute consensus, if it has to be a simple majority that you agree with X report, and it's 51% vote -- or whether you want a super majority. We have as staff haven't really worked that through in terms of how you want to do that kind of business. It may be something you don't want to decide early on. You want to wait until materials develop, but we have not run that issue to ground. Is that helpful at all?

Madigan: Roger.

Roger: I think this is a very important issue that's really worth our reflecting on, perhaps addressing early in the next meeting. And a lot of it goes to just, it enforces us to think even more precisely about the very purpose of this group. If you require -- the greater consensus that you require, the more sort of amalgamation compromise kind of approach you will foster, and that's a very important, useful objective and if that's principally what this advisory group should be trying to do, then we ought to move in that direction. On the other hand, if the group sees it's function is more valuably trying to sharpen issues and so on, then you may not be as concerned, because after all it's the responsible agencies that are represented in CalFed that are ultimately going to do things subject to even higher-level political screening, obviously, in various responsible agencies and even possible legislative bodies. So it's a very important issue for us to think of to try to be

sharpening our thinking perhaps, before we start plunging more into subsistence issues in the next meeting of how we think this group can most usefully contribute to an overall process. I have sort of mixed feelings at the moment, but I think Ray's raised a very key issue.

Madigan: Michael.

Mantell: Just to add to this, Roger and I were just talking. As Roger said, this is advisory to the CalFed decision makers and as two of those CalFed decision makers, what would help us most is knowing the breath of thinking that exists among the membership here. And that if there is three quarters feeling one and one quarter feeling another, whatever the dimensions are, we need to know the full aspects of that to best incorporate into our own decision making and implementation at any given time.

Madigan: Thank you. That's helpful. Alex.

Hildebrand: We may not want to have too rigid a formula. Building on what Michael just said here. It depends a little bit on whether the 25% in this example we just had, or expressing a preference or whether it's a real good issue for some segment of interest. So, I'm a little leery of an exact formula without reopening the question in connection with important votes.

Madigan: Mary, first, then Tom.

Selkirk: I think everyone's made very good points, but I also want to emphasize that my hope in joining this council is that we have an opportunity to do something that perhaps that is in follow up to the negotiations of the December agreement which is new territory, I think, in California water conflict. I would propose that we do our best to identify very clearly the zones of agreement here and that there may be some issues that as we sharpen our thinking, is clear that we will never reach agreement on. I tend to be optimistic on this, but I would really like the emphasis to be on reaching consensus wherever possible, whether that's to find a 60% or 80%, I'm not sure. But I would like that to be sort of the frame of reference that we operate from. Then I also have just one question about where public comment -- I know there's some folks that wanted to speak?

Madigan: We have public comment at the end of the agenda, as a general matter and I want to do is provide an opportunity at the end of each of these individual items as well for comment directed to the specific items.

Selkirk: I believe there was some folks who may have wanted to speak earlier.

Madigan: Tom.

Tom: Mike or Roger, is there a protocol, a voting protocol among your group there? Have you set -- to carry out some decisions, do you need 80% or unanimity or majority?

_____: We said we'd need consensus. We've never had to _____ to be on that because fortunately up until this point we've had even unanimity in achieving that.

Madigan: Roberta.

Borgonovo: I wanted to go back to the definition of consensus. I agree with Mary -- I think we're all here trying for consensus. We don't know if we will reach it, but I also agree with Alex that sometimes it really matters who the one-quarter that are not in. It matters if they're, more or less, out of one block; it matters if that's an issue over which none of their constituents can buy into. So I'd like us to think about the way we would operate but at this point, not make that decision on what's consensus or the way in which we're moving forward. I think that the way in which a lot of consensus groups do move forward is they really make a real effort to try to address all of those shared goals that are out there, which is why I go back to Lester's point on the mission really does matter up front.

Madigan: Alright, the intention at this point is to go forward under the operating procedures on the agenda here and Lester has returned. Would you like me to turn it directly over Sharon?

Sharon: We've prepared some draft operating procedures and would appreciate it if you would all just take a look at them. Most of these operating procedures are based on the federal advisory committee act charter. We have provided a little more clarification in some areas to be able to just expand a little bit on some of the legal

language that was in the charter. The first page basically just deals with some of the purpose, objectives and goals, which is from the charter and also from the information that Lester and the CalFed program that we provided to you early on when you were nominated to the committee. And it just kind of lays out a little bit more specifically, the responsibilities which Lester went over earlier today. The organization is again, a little more legalized based on the charter and what not. The allowances, you've all probably sometime, if you haven't signed an official travel authorization, please do that before you leave so we can reimburse you for your expenses related to attending the meetings, and we would like to be able to do that. That will be done through the federal government and we'll provide you all that information. Pauline and Beth have them back in the corner. Make sure you see us before you leave. We'll be giving you a form to fill out and return to us so that we can actually prepare the forms for you and submit them. Just a little bit of housekeeping, but a very important part.

Under the meetings, one of the things that we had wanted to talk about was the frequency of the meetings. In the charter it indicates that the advisory council will meet at a minimum quarterly, or more frequently, if necessary. And we will have some dates that we will throw out, not at this time, but after we've gone through the operating procedures, to give everybody an opportunity to get these dates on their calendars in advance.

All of our meetings are noticed in the federal register and I'm sure everyone reads that federal register every day, so you'll know those in advance. All kidding aside,

that's a requirement we have to go with, but we will also send out the meeting notices to a fairly wide group of individuals to make sure that we can get some good public input at these meetings. And if anyone has any suggestions on who we might be able to send these to we would certainly be open to receiving that. Until we get our public involvement person on board we're kind of doing the best we can, but maybe not hitting all the interested parties. Kind of after the meeting, we actually had already covered that earlier, the _____ necessary for action is actually part of the charter. A majority must be necessary in order to conduct business. Voting, I guess, just came up a few minutes ago and we'll probably look at again.

The membership, I guess another housekeeping item, if -- many of you responded in person and phone calls that you'd accepted your appointment to BDAC. If you could send us a letter, if you've not done so, we need to have that as part of the administrative record.

Removal of members -- we have a clause in there and this is, again, part of the charter, that if a member misses without good cause three consecutive regularly scheduled meetings, membership can be terminated and good cause will be determined by the chairperson, so that will be something that we can leave up in the air; we don't want to be too strict on it, however, we don't want people missing large numbers of meetings because then we're missing that input into the process.

Madigan: To whom should our letters be addressed?

Sharon: The letters should be addressed to Lester. We will be preparing minutes and summary reports. The summary reports we will provide back to the BDAC members. The detailed minutes we'll keep on file and they'll be available if anyone would really like to have a copy of every word spoken, as opposed to just a summary of the activities. And we'll keep also on file all the reports and studies and what not that were made available to the BDAC members at these meetings. So if you have any comments on these operating procedures, if you could give them back to me before the end of the meeting or to send them in at anytime over the next or two or three weeks, obviously before the next meeting, we'd like to try to wrap this up and I'll be submitting these to the council for CalFed to make sure that we haven't committed any wrong doing.

Madigan: Anybody, questions or comments for today?

_____: Since we're informed under the federal requirements now, I guess, are there any, either that or also in our State's requirements on meeting requirements. I know we got Brown Act -- do we have any statements that have to be filed? Public disclosure information, anything of that requirement that the federal requirements impose; there was nothing under the State as I recall that we had to do in terms of -- because we're an advisory group, I assume we're not a decision-making group, but therefore there's no other requirements upon membership, is that correct?

Sharon: Correct, yes, the federal advisory committee act is fairly specific as far as what you need to do and we will be sure to follow all those regulations.

_____: And then the way the operating procedures are written, it says, "report to the Governor and the Secretary through CalFed," but we ought not to dilute ourselves, I mean, we're not going to send something to the Governor or the Secretary. We're going to send it to CalFed and they're going to forward it on, even if it's different than what we've said. We don't have a separate distinct reporting requirement or even opportunity? I mean, I don't think we should. I think we ought to just send it to CalFed, leave it there without worrying the Secretary, but it says here that we do and can go to the Secretary and Governor. Is that what we want?

Sharon: I don't think that what it's intended to say. CalFed -- if it does I need to have that language reviewed as well, and I think that came right out of the charter. But it's intended that CalFed is the operating body, and that this group provides advice to CalFed. But it's on behalf of the Secretary and the Governor that CalFed operate.

_____: I don't want to read more into this than it says, and I think we ought to just send stuff to CalFed, but it says here we report to the Governor and the Secretary and it looks almost like we administratively send something through to CalFed, and they're really the decision maker.

Madigan: Hap?

Dunning: How is the voting matter to be resolved? What's here seems inconsistent with some of the comments that were made. So how does it get resolved?

Lester: Maybe one question, what are the council's wishes? Do you want to specifically describe a super majority in terms of your voting? Or do you want to intend to operate on a consensus fashion no matter what the current voting says?

Madigan: Why don't we put this on the agenda for next time as a discussion item. And everybody give it their best thought in the interim. We need to have some sort of decision making conclusionary action, I suppose. Could range anywhere from enthusiastic acceptance to sullen acquiescence, but we ought to formalize it in some fashion or other. Let's put in on the agenda for next time. O.K., what else?

Lester: That's it under operating procedures.

Madigan: We nearing the end, if those of you in the audience who wish to speak would fill out a public comment card, I presume they are available -- sign up sheet. As a matter of our operating procedures around here, I guess I would make one other request, and that is that it was really nice seeing everybody sit down at the table with their friends today and I think that was nice. I would like us to sort of break loose from the 6th grade dance theory of seating arrangements here and maybe next time everybody sit with somebody whose not necessarily a friend, and establish some kind of repore. Dates.

Sharon: We've thrown out some dates for the next couple of meetings. Obviously we had to go ahead and plan a meeting for August in order -- we would have liked to have gotten some input, but we've run up against some fairly tight constraints as far as

getting rooms large enough to hold everyone that we need, so we had to pick August 16th and hopefully, that doesn't conflict with too many schedules.

Madigan: August 16th, it is.

Sharon: It, again, will be here in Sacramento and we will give you all the more details later on. I can even remember where, but it's here. We have tentatively thrown out two more dates. One for mid-October, and one the beginning of December. October 12th, which I believe is a Wednesday and December 6th. So if you could pencil those in as future tentative dates. So for now, October 12th, December 6th and we will let you know those for sure within the next couple of weeks.

Madigan: Lester just asked me if anybody has any preference in terms of where the October and December meetings are held. Is that in terms of city or is that in terms of facility? Take your pick.

Sharon: I guess we had originally said we might discuss where, what kind of preference everyone had, and we hadn't followed through with that yet either, so -- as far as cities.

Madigan: Well, I think you heard from Ray that it would be nice to move it around a little bit, but I don't know that that's necessary straight away. I think we get ourselves organized and underway, and then we can worry about moving it around; particularly after you've held some of the work shops. Anne.

Notthoff: Just in terms of maximizing the opportunities for the public to participate, I think it makes good sense to try and move it around and give a variety of people --

Madigan: Stu?

Pyle: Do you have any of the workshop dates, at least the near ones?

Snow: Unfortunately not, but I guess we will have the workshop dates probably within a week. I'm kind of looking -- if you notice your plan of action, which is a draft. It has draft dates in there, but I think particularly the front end ones will be adjusted, unless something's happened today that I'm not aware of on that first date, so it's going to take us maybe a week to finalize that schedule.

Borgonovo: Just to follow up on the workshops, the workshops will be more than one usually? You were talking about having a workshop in more than one location.

Snow: I'm not sure on that point. I mean, how many repetitive workshops we'd have on the same topic. They may be different. And then also, it's important that you derive distinction between workshops and public meetings. We will have workshops that will be very focused, that will tend to not be "joe-blow" off the street that's going to want to put six hours into laboring through issues and discussions. There'll be more of the water community and interested folks, kind of working through. We'll always report on who was there. There will be public meetings that are really designed to try to bring this issue down to general public.

And we'll hold those in evenings in locations where we get the person whose got a job to go to during the day, that might be interested, so that those are two very different functions that we'll be carrying out.

Madigan: The last item on the agenda today, then, is public input. I have a sign up sheet here with four people who have asked for an opportunity to speak to us. You've all noted that the public comments are in the three to five minute per speaker range, and that we appreciate that. It's nice to see you. The first speaker on the list is Nat Bingham.

Bingham: Thank you, Mr. Chairman, members of BDAC. My name is Nat Bingham and I'm somebody who didn't survive the BDAC selection process, but I want to tell you that to the extent possible, I plan to be at your meetings to be with you and give you my input as we go along. I had to step down because of reasons of the final advisory committee act and it certainly doesn't reflect my intention not to be involved in the process. I am very much involved in lot of the other processes that are going on. And you'll hear more about those from Gary Bobkirk when he comes on.

I'd just like to take a minute now to urge you all in going forward with the process to the extent possible try to work on a consensus basis. Because you reflect many wide and diverse interests and in a sense by attempting to reach consensus, you will be perhaps simulating the political process that will follow the development of a plan. So it's important to think of it, where you're not just -- your appointed

body, you're not an elected representative body, so I think to the extent that you seek consensus, you're going to be informing all of us as we go forward with this process. I also would like to speak in support of the good work that Lester and his group have done to try to get you started. I think he's adopted a lot of the good ideas that have been around, the things that people been thinking about and I think he's got a pretty good process outline for us to work through.

In addressing this difficult and complex problem, of planning for the future of the Bay-Delta and California's water supply, California's fish and wildlife, the future of agriculture, the fishing industry, _____ to the extent possible to think in a comprehensive way. As you go through the issues, there's always a tendency that you want to fractionate them, separate them into categories, and deal with them in categories. And we did a lot of that on BDOC and I always saw that as one of the bigger problems with the process that we had. That we never got to the integrated stage of things. As you work through the process you'll by necessity have to do that. In other words, when you're thinking about environmental issues, be thinking about water supply and how does that fit in. When you're thinking about water supply, be thinking about the ecosystem and how does that fit in. How can you make those things work together? Too often in talking with folks about these issues, I hear people separate them. Just separating the water supply from the fish, separating the water supply from the environment. Think about putting them together. Think about the big picture. And try to keep it in your minds. It's very, very important. Because -- And one other thing I would urge you towards, which is, think about historical process, think about the way it was

before our society changed it, try to understand how it functioned ecologically, what the processes were, what the community of species were. In other words, how did the system work? Then ask yourself, how does it work now? How does it not work now? And how can we move back towards restoring some of those lost structures and functions, and yet preserve those things that we need for our social reasons -- the water supply and quality. To the extent, I think, you keep all those factors in your mind and look at what you do as part of an historical _____, I think would be the extent that you're successful in your process.

Thank you.

Madigan: Thank you, Nat, good council. Mr. Petrie, you're on. Nice to see you again.

Petrie: I'm Ed Petrie from the City of Mendota and I'm here in regards to the issues on the upper confluence, but I'd like to first compliment the BDOC members that were here and that are still here and that were present on BDOC, and here at BDAC now. And also would like to compliment those new members that were appointed. I think there's a lot of knowledgeable people here that can handle the issues at hand and solve the problems at hand. And one way to do that is to take in the upper confluences that contribute water, quality water, good quality water, through estuary. In our area, I can see where we have problems at different times of the year. There are times of the year when we have higher quality water in our aquifer and we have more quality, not only more water but better quality water. Since the San Joaquin's been running in the Kings River through the Mendota Pool, our quality of water in relation to totally dissolved solids has dropped some 200 parts per million. That's because of the San Joaquin and the Kings River has

been contributed to the Mendota Pool. Our aquifer has increased in elevation some 40 foot. That's detrimental to our area. This, I'm assuming, like it has in the past with the flows and high snowpacks will run approximately for seven months. This enhances our aquifer and brings our quality of water back -- or it should bring it back, not to normal, but to where we could probably handle it. And at the present time we're 1,400 parts per million and since the San Joaquin River has been running, we were up to 1,600 parts per million. So what this tells me is that aquifer is being replenished by the San Joaquin River and the Kings River. The problem is our water quality probably won't go below 12 to 14 hundred parts because of the confluence on the west side. In the salt confluence from the aquifers on the west side in the _____ Clay area. If we could complete the San Luis Drain that would drastically help the quality of water in the City of Mendota, it would bring that brack to sweet water like it used to be some 25 years ago. You could put it in your battery, your electric irons -- it was sweet to drink. Now people are drinking soda pops and beer and everything else to keep from getting -- and buying bottle water. And the bottle water is drastic; it's by way of cost factories that are encouraged by the City of Mendota, the people of Mendota. There some 600 bottles of bottled water presently being delivered per week in the City of Mendota. Those are costs that are hard to incur with the type of population we have and the businesses that we have. There is a need to keep a flow of water in the San Joaquin River. There's a need to come out of the estuary and make studies and include the upper confluences that contribute these waters, high quality waters and another way to do it is with increased storage. There's no way of getting around it. If you want to increase the water quality in the estuary, then put more good quality water in there and that will come from your upper confluences and your snowpacks. Thank you for your time and your consideration.

Madigan: Thanks, Mr. Petrie, nice to see you again. Mr. Petrie was a regular participant in the BDOC process and was, I think, added a useful perspective to our deliberation. He's somebody worth knowing. John Mardowski?

Mardowski: I'm John Mardowski. I'm with Wickland Oil Company. I'm based in Sacramento, I'm the manager of environmental affairs. Wickland Oil Company owns and operates two marine petroleum facilities in the bay area, one on San Pablo Bay and the other one in the Suisun Marsh. Wickland Oil Company is a proponent of the John F. Baldwin Ship Channel Dredging Project and I bring this up today just an informational thing more than wanting a consensus thing or anything like that, but the Ship Channel Project will deepen the ship channel by ten feet by removing approximately 10 million cubic yards of material. The dredging will occur from the San Rafael Bridge east into Suisun Bay. The project will allow bigger ships to visit the bay area refineries and will reduce _____-- anchorage _____. This project has been going on out there for 20 or 30 years, so a lot of you have probably heard about it, but this time it appears to be for real; it's got broad support with little opposition. Approximately one month ago, Contra Costa County who is the lead agency in this project held a public scoping meeting and only two organizations wished to speak. One was a proponent organization, the Bay Planning Coalition, and the other one was the Contra Costa County Water District, which concerns focus mainly around salinity issues. The Army Corps of Engineers, the federal lead agency if you will, has done a lot of salinity testing and modeling and their most reliable salinity model has shown that there's no significant impact resulting from the dredging project. So, once again, the

project's got momentum and the less unmitigable impact is found during the EIS/EIR process, which is going on right now. Where if the feds remove financial support the project should begin construction during 1997 or 1998. So I present this project to the council today to make the council aware of the project to insure that the project is considered in the comprehensive solution of the council's plan of action.

Madigan: Thank you, sir, appreciate your attendance. Gary Bowker.

Bowker: Thank you, Mr. Chairman, members of BDAC. I don't know whether to congratulate you or commensurate with you for your appointments. But I'm pretty excited about the opportunity to work on this and I think a lot of other people are. My name is Gary Bowker. I'm a policy analyst at the Bay Institute of San Francisco, which is a nonprofit group that works to promote protection of the Bay-Delta ecosystem. I'm also the program coordinator for the environmental water caucus, which is a forum for many of the regional and national environmental groups that are working on Bay-Delta related issues. The reason that a lot of these groups are excited about this process, having seen a lot of processes that didn't go anywhere, is that we think that this one does have the potential to go somewhere. It represents an opportunity to move toward the kind of comprehensive rational water management regime for the estuary that we have needed for many, many years. And what I want to talk about very briefly is some of the activities that my organization is engaged in and other organizations that we work with are engaged in, to feed into this process. First of all, the Bay Institute is

coordinating a technical effort among environmental groups and technical staff and consultants to examine ecological restoration parameters for the long-term process, and we hope to share the results of that effort with you at all stages of the process. We're also working with exploring with others what ecosystem management is and how it will be flushed out in this process and have cosponsored some work with the California Urban Water Agencies, and CalFed was a cosponsor of that as well. We're continuing to investigate that as a process. I should also mention that we're involved with a very broad group of various interests groups from the environmental, fishery, agricultural and urban water user communities, that has gone by the misnomer of stakeholders. We certainly don't represent all the stakeholders by any means, but that is sort of a tag we've gotten and we have been working together over the last few months in an effort to begin to try and explore consensus recommendations to make to the CalFed process, which we hope will make this process easier and more successful in the long term. It certainly is not our belief that the consensus negotiations that -- or consensus conversations that go on among the various interest groups in any way displaces this process. Essentially we are exploring the consensus to help in your decision making, but the decisions are made here. We will make substantive comments about the CalFed process at the appropriate times in the workshops, etc. There were just two comments I wanted to make just to leave some thoughts with you about the mission statement and the scope.

One is -- staff presented a draft mission statement. I think just pretty much as a template just to get you to look at something. I wanted to note that the language

that was used there said improved conditions in the estuary. And I want to leave you the thought that you don't want to just say you're going to improve things, but you're setting a higher goal and that is to restore a healthy and self-sustaining Bay-Delta ecosystem, and to do it in such a way that you achieve greater harmony among the competing uses of water from that ecosystem.

I also wanted to make a comment about the scope and that is, I think that Lester's comments about the different tiers of approaching the problem area; areas that impact on the problem areas, probably going to be a very creative way to go. One thing I would caution folks against is to narrow the scope too arbitrarily. I think that using something like the legal Delta is probably way to narrow and you're going to want to look at a problem area that includes Suisun Bay and the mainstem channels of the Sacramento-San Joaquin, for instance. It's going to have to be fairly broad in order to encompass all of the public trust values that are problem in the estuary. Those are my comments. I thank you for the opportunity to make them.

Madigan: Thank you very much, John. They are good comments. We have reached the end of the agenda. Is there anybody else in the audience who wish they had filled out a speaker slip? Seeing no hands anything else for the good of the order among membership? Yes, Pietro.

Parrayano: I'm sorry, I didn't hear the other part of the on the agenda. I wanted to go back to -
- I just had a quick thought. Right now we're seeing a whittling away and a

weakening of the mandates of the CVPIA. And this morning, this council embarking on the objectives of trying to find a long lasting, a comprehensive and collaborative solution to the water issues in the Bay-Delta. What assurances do we have, as a council, that we're not going to have the same destiny as the CVPIA?

Snow: Let me start with, maybe the most difficult issue, and maybe we should just kind of lay it out there. The CVPIA amendments are quite contentious. It's strains that the group that's referred to as stakeholders, the San Joaquin litigation has strained some relationships; the question has been raised, well, if those conflicts go on, isn't it the end of the CalFed Bay-Delta Program? I guess I have a -- my response to that is maybe on two different levels. Maybe one I say no, because it's just my job that's at stake. But the other issue goes to heart of what we're attempting to do here. If you pass amendments or you don't pass amendments, or if you file a suit or not, amendments and lawsuits don't solve problems. They won't restore habitat, they don't restore water supply reliability. Whatever happens in Congress, whatever happens in the court, we still have to go about fixing the problem. So I guess what I say to some of the enviros, what I say to some of the ag community --

END OF TAPE 2

BAY-DELTA ADVISORY COUNCIL (Continued)
(TAPE 3)

Snow: -- it took us a hundred years of abuse to get the Delta in the condition that it's in. There isn't a piece of legislation, there isn't a lawsuit that's going to fix it, so we have to do our work, no matter what. I guess it's as simple as that. There's a boulder that needs to be pushed up a hill. Hopefully, we get it to the hill but if not, we've got to keep pushing it.

Madigan: Alex, then Hal.

Hildebrand: Lester, could you summarize for us what you anticipate sending out to the members of the council in preparation for the next meeting?

Snow: First, as instructed by Alex I will send out a couple of BDOC documents as well as a list of all the BDOC documents so you can look at them and decide which ones you would like in which order. But we'll send out a few that we think may be a germane out of the chute. Additionally, I would expect that we'll have a final plan of action for you. We also will have drafts on the mission and goals. I hope to have a first cut of a problem statement, as well as flushing out the scoping issues that we talked about briefly. Those are at least some minimums that will be included in the packet. I don't know if Steve is still here, if he had others in mind that would be in the draft packet or not.

_____: I think we would be in a position at the next meeting also, to send out some quick summary material from our first workshop that will give you a sense of the kinds of issues that were discussed. The aspirations of those who attended the meetings, as to the types of goals and objectives that we ought to pursue. We have a fairly quick turnaround on that. We probably only have a week between the workshop and when the BDAC meeting would occur, but if we don't make the packet on that, we'll at least commit to faxing it out to everybody or getting an overnight mail package so you have it a few days in advance of the meeting.

Madigan: Hap?

Dunning: Coming back very briefly to the matter of CVPIA, I guess there's been a lot of discussion about linkage and is there linkage or not between Bay-Delta and CVPIA and apparently some suggestions that there's not I though it worth while just to point out that the matter is dealt with explicitly in the framework agreement. If you go back to what was negotiated a year ago, Exhibit C details the points of agreement on development of joint State-federal process to develop long-term solutions. That's exactly what we're dealing with now. And Item 5 there says in very clear language the Bay-Delta solution finding process will be linked to the Central Valley Project improvement act and other ongoing processes. So it seems to have been a basic assumption at the time this was all put together in June of '94, that CVPIA as then understood, would be in process of implementation. I think it's important for us to keep that in mind.

_____: I just wanted to go back to the next packet about the mission statement and the plan of action, it just seems since the staff is going to be working on those things it might also be appropriate perhaps for -- I'm just curious if there's a process that allows input from the council during that process, or are you going to, in that packet, be simply presenting us with a draft for discussion? You mentioned a final action plan, but the mission statement was just a draft. What's the process for our input into the staff's work?

Snow: We're trying to develop a kind of multi-phase; as I indicated what we'd like to do is at a given BDAC meeting, broach an issue, such as mission statement which then would allow members after the meeting to call and provide input or give thoughts to us. That gets turned into a draft which will then come back to Bay-Delta Advisory Council. You'll have a draft in front of you, at which time you can, not only comment on it, but probably have the benefit of comments we've received from other publics during the interim period. So in that fashion have at least two discreet time periods in which you can provide comments as we're developing something. It's more likely as we get into the difficult issues, such as goals and objectives, particularly objectives development, there may be three to four different, separate opportunities for the Bay-Delta Advisory Council to provide advise on those materials.

_____: So in terms of the next meeting, the two items that you would be seeking input into would be the mission statement and the action plan, is that correct?

Snow: We definitely want input on the plan of action now, and we would like to be able to wrap that up by mid-August, in terms of this particular document that was sent out. Also we'll have draft material on the mission statement. Hopefully, we will have made progress on goals and then, also the problem identification. So there's no underlying concern here -- I do not ever intend to put the Bay-Delta Advisory Council in the position of -- you get in your packet six days before the meeting a proposed final draft that you have to comment on at the meeting, and then it gets shipped on for action at CalFed. Do not ever intend to put this Council in that position. Always want you to be in the position of knowing what's coming, having the basic idea what's going to be contained, seeing a rough draft, seeing a final draft, before it ever gets turned into a final report.

Madigan: Does that answer your question? Anybody else? Mary?

Selkirk: To Lester -- on the practical side. With regard to what you just said, for example, if anybody on the council wakes up tomorrow morning with some brilliant addition to what they think should be in the mission statement, then they call you? Who do we call? Who should we contact?

Snow: We're not giving out any phone numbers. What I would suggest is that you call Sharon or me with that information.

Madigan: Anybody else? Stu?

Pyle: I'd just like to compliment Lester and the staff on the layout that they've done. I can see that there's a lot of background work going on and I can see by the plan of action so far that you've got a lot of analytical work in the process, but we haven't even touched on or been mentioned here or so forth. But for those results to come forth on that schedule evidently a lot of staff activity is going on, and I can _____ for that. But one thing that I would like to say that's kind of on my mind, is that I think that this really important process that we're involved in here and I'm most concerned that we stay on schedule. When you talked about your short list that's coming out next May, that's a little more relaxed than I had originally thought that it might be, but I think that you've explained that when you start with the process that you have, it's difficult to get all the way through to that short list in that time. But maybe that's not your first choice on when you wanted to come out with that, but I think everybody in this organization, on the council, and so forth should direct their efforts to seeing that this process moves very rapidly for the benefit of the Delta, the State, the water users, and so forth. I think that's one of the most important things we can do here is to keep the process moving, rather than to try to slice it so finely and to have operating rules to protect every interest that nothing ever gets done, which is the pattern that I have observed in California for quite a number of years. And I'd like just break out of that mold and actually come up with a product.

Madigan: Thank you. Seeing no other hands in the air, thank you all very much, we're adjourned. See you in August.