

**BAY-DELTA ADVISORY COUNCIL
DRAFT OPERATING PROCEDURES**

1. Official Designation: Bay-Delta Advisory Council or BDAC
2. Purpose, Objectives, and Goals

The purpose of the BDAC is to provide advice and recommendations to the Secretary of the Interior (acting through the Federal Ecosystem Directorate) and the Governor of California (acting through the Water Policy Council) on the long-term solutions to address the underlying causes of problems affecting the San Francisco Bay, Sacramento-San Joaquin Delta Estuary and its watershed (Bay-Delta System) public values. These values include: water quality protection of the Bay-Delta System and its fish and wildlife resources, effective planning and operation of water systems and maintenance of Delta levees and channels. The process of identifying and analyzing such long-term solutions, including NEPA and CEQA compliance, is being referred to as the CALFED Bay-Delta Program (Program).

Specific responsibilities include:

- a. Advise the Federal Ecosystem Directorate and the Water Policy Council (CALFED) on the Program Mission, including both the problems to be addressed and a specific set of objectives for the Program.
 - b. Advise CALFED on measures to be taken to ensure public participation and to provide a forum for public access to and comment on the Program.
 - c. Review and comment on draft reports prepared by CALFED staff, including reports on program objectives, solution alternatives and alternative evaluation criteria.
 - d. Advise CALFED on the adequacy of proposed solution alternatives as part of the Program's NEPA/CEQA environmental documentation process.
3. BDAC Organization
 - a. Official(s) to whom the Advisory Council Reports - BDAC shall provide its advice and recommendations on the long-term process to CALFED. CALFED will consider this advice in making recommendations to the Secretary of the Interior (Secretary) and the Governor of California (Governor).
 - b. Administrative Support - Administrative support shall be provided by the

Program as outlined in the CALFED Funding, Administration and Program Agreement dated May 17, 1995.

- c. Allowances - Members shall serve without compensation for their services on the advisory council. Non-Federal and non-State members shall be reimbursed for travel, subsistence and other necessary expenses incurred by them in performing duties. Reimbursement shall be at the Federal per diem rate for the city in which the meeting is held. BDAC members shall provide all necessary information to administrative staff at the Program to complete forms to ensure proper reimbursement procedures.
- d. Period of Time Necessary for the BDAC and Termination Date - The BDAC is expected to exist until such time as the NEPA/CEQA process is completed. Under the provisions of the Federal Advisory Committee Act, 5 U.S.C. APP. (1988), the BDAC charter must be renewed every two years from the date the charter was filed.

4. BDAC Meetings

- a. Frequency of Meetings - The advisory council shall meet at least quarterly or more frequently at the call of the Chairperson with the advance approval of the Designated Federal and State Officials, who must also approve the agenda.
- b. Meeting Notice - All meetings of the BDAC shall be open to the public and shall be announced in the FEDERAL REGISTER at least 15 days before each meeting. Meeting notices shall also be mailed to CALFED, stakeholder organizations, local media and all other interested parties.
- c. Conduct of Meetings - All meetings shall be conducted according to Robert's Rules of Order. Each meeting shall be called to order and adjourned by the Chair or Vice-chair. The designated State and Federal Officials (or their official designees) must attend each meeting of the advisory council.
- d. Quorum Necessary for Action - A quorum of the BDAC members is necessary for the transaction of business. A quorum is defined as a majority of the membership of the BDAC.
- e. Voting and Recommendations - An affirmative vote from the majority of a quorum is necessary to take all BDAC actions unless otherwise stated in these proceedings. Voting must be by member, in person only. Neither proxy, absentee, or alternate votes are allowed. To provide an opportunity for dissenting opinions to be relayed to CALFED, members may prepare a minority report which will accompany any formally adopted recommendations.

6. BDAC Members

- a. Appointed Members - Members shall be jointly selected by the Governor and the Secretary from nominations provided by CALFED and will be appointed by the Secretary.
- b. Vacancy - Whenever a vacancy occurs among the BDAC members it shall be filled in the same manner as the original appointments.
- c. Terms of Office - Members of the BDAC shall serve until the advisory council is disbanded, or at the pleasure of the Secretary and the Governor.
- d. Chair and Vice-Chair - A chair and vice-chair for the BDAC shall be selected by the Secretary and the Governor.
- e. Removal of Members - If a member misses without good cause three consecutive, regularly scheduled meetings, this shall constitute voluntary resignation of that member. Good cause shall be determined by the Chairperson who shall take into consideration the specific facts related to the absence.
- f. Alternate members - Official alternative members are not allowed. However, members may send substitutes if they are unable to attend a meeting to provide them with information concerning the meeting. Substitutes shall not be allowed to participate in BDAC deliberations or to vote.

7. Records and Reports

- a. Minutes and Summary Reports - A summary report of each meeting, including a record of actions, of the BDAC shall be prepared for distribution to the membership, CALFED, stakeholder organizations and to others upon request. Detailed minutes of each meeting of the BDAC shall be available for public inspection and copying at the Program office.
- b. Reports - Copies of all studies and reports received, issued or approved in conjunction with the activities of the BDAC shall be available for public inspection and copying at the Program office.

8. Effect and Amendment

- a. These operating procedures shall take effect upon an affirmative vote of 3/4 of the members.
- b. Amendments to these operating procedures will be effective upon an affirmative vote of 3/4 of the members.