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MAR 25 1997

EAST BAY
MUNICIPAL UTILITY DISTRICT

March 21, 1997.

Lester Snow, Program Manager
CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, CA 95814

Dear Lester,

At last week's meeting of BDAC, a significant amount of discussion was devoted to the issue of whether and to what extent CALFED, and BDAC as its advisory body, should support outside negotiation processes between stakeholder groups. As you know, this discussion was spurred by the fact that the urban and ag stakeholder groups had initiated sessions with a facilitator, Jim Waldo. Tom Graff of EDF raised concerns on the part of the environmental community, expressing that they had been excluded from participating, with no explanation. Despite the fact that the urban and ag stakeholders made it clear that they are very interested in including all stakeholders in such discussions, not only the environmental community but also representatives from upcountry interests as well, certain policy questions remain.

First, the presence of an outside negotiated process raises the issue of how public participation would be ensured. The credibility of the CALFED program rests in no small part on its continued vigorous dedication to public involvement in its deliberations and in its program development. I understand and support your interest in supporting any discussions between any group of stakeholders if they serve to further the progress of the ultimate Bay-Delta solution. However, I think we need to be very clear about the function of these outside discussions and about the kind of outcomes and feedback from any such deliberations which CALFED staff will find most, and least, useful.

Second, the proposal to engage in outside discussions among the stakeholders raises the question of the exact role of both BDAC and the BDAC work groups. Aren't these two venues the appropriate places for any substantive stakeholder deliberations on important CALFED policy matters? The work groups were created last year to conduct fact-finding on specific CALFED program features and to provide another forum for more in-depth stakeholder and public discussion of crucial CALFED program components and directions. Concerns have been raised that the work groups are challenged with major policy debates and are struggling to make progress. I suggest that CALFED--subject to the interest and desire of the respective work group chairs--offer assistance to the work groups directly by providing professional facilitation on certain thorny policy matters. Doing so may strengthen the effectiveness of the work groups and provide an important sense of accomplishment and momentum to the participants. I would be much more comfortable with your supporting outside facilitated negotiations on key CALFED issues if the same level of structured interest-based discussions were offered to the existing work groups. As I said above, however, I think that any outside discussions should have clear guidance from you and the management team about the content and direction of their recommendations to CALFED.

Sincerely,

Mary

Mary Selkirk

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