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**BDAC MEETING SUMMARY**  
**MAY 22, 1997**  
**SACRAMENTO CONVENTION CENTER**  
**9:30 AM to 4:30 PM**

**MEETING OUTCOMES**

- BDAC members were asked to consider three questions concerning the Phase II alternatives and evaluation process. They were asked for feedback on additional information needs. One member requested an opportunity to hear from fish screen experts, while two others asked that the effects of storage on all alternatives be explained in more detail.
- Members were asked whether the set of alternatives presented represent an adequate range of actions to evaluate and analyze in impact assessment. Five members responded with a qualified yes. Caveats included the need for more detail on the alternative components and actions, costs and operating criteria, and linkage of storage to other parts of the Program.
- Members were also asked to express their concerns with the alternatives and variations relative to the solution principles. Nine members provided feedback. Several expressed concern regarding the need for addressing hydrological and biological uncertainties. It was recognized that benefits and risks will need to be balanced, and that applying the solution principles to the alternatives will be challenging. They expressed a need to set up a process for dealing with potential failure of a key action or component of an alternative, such as fish screens. A suggestion was made to design the alternatives with enough flexibility to solve problems with a series of phased solutions.

**1. WELCOME; CHAIR'S REPORT (Mike Madigan)**

Chair Mike Madigan convened the meeting and welcomed Bay-Delta Advisory Committee (BDAC) members and members of the public.

**1a. BDAC MEMBER TESTIMONY AT CONGRESSIONAL HEARING ON APRIL 17 (Sunne McPeak, Rosemary Kamei)**

Chair Madigan asked for a report on testimony to Congress regarding the budget proposal from the Administration for CALFED activities. Vice Chair Sunne McPeak and BDAC member Rosemary Kamei reported that their testimony was well-received.

**Discussion**

- BDAC member Tom Graff added that an additional group lobbied Congress during the week of May 12th on the same topic. Senator Barbara Boxer has pledged her support for the proposed appropriation and announced she will seek bipartisan support.

**1b. BDAC WATER TRANSFER WORK GROUP ESTABLISHMENT (Mike Madigan)**

Chair Madigan informed BDAC that a work group was being established to consider the issue of water transfers. He noted that a memo describing the scope of the work group and announcing its chair would be announced in the near future. Additionally, he called for members to express their interest in serving on the work group. BDAC members Alex Hildebrand, Tib Belza, Jack Foley and Judith Redmond indicated their interest.

A discussion regarding water transfers among BDAC members Vice Chair McPeak, Ms. Redmond, Mr. Hildebrand, Roberta Borgonovo and CALFED Program Manager Lester Snow followed. Among the points raised was the need to have broad stakeholder representation on the work group. A CALFED transfers program would attempt to establish a policy framework for water transfers, and not necessarily target specific source areas. Protection from adverse impacts to communities and the establishment of an umbrella process for transfers should also be part of a CALFED program. Another issue that should be considered is the cumulative effects of all water transfer programs and proposals.

Discussion among BDAC members Chair Madigan, Ms. Redmond, Hap Dunning and Stu Pyle then focused on the status of the Water Use Efficiency Work Group and the establishment of other additional work groups. The Water Use Efficiency Work Group had deliberated on the material prepared by staff to the extent possible, forwarded recommendations and listed areas of remaining disagreement. Following this effort no further meetings of the work group have been scheduled. A suggestion to form work groups to address water facilities and water supply reliability was made by a BDAC member. A comment made was that the geographic scope of some proposed CALFED programs extends far beyond the Delta, yet reliability was not being addressed in these areas. As DWR completes the update of the California Water Plan (Bulletin 160-98) it is important to ensure coordination of data and proposals. Lester Snow noted that up to now, the approach was to address these topics as part of the alternative evaluation. He noted that could be changed as more detailed information becomes available. He said that a briefing for BDAC on Bulletin 160-98 could be scheduled.

**1c. OTHER ISSUES**

Chair Madigan informed BDAC that he and the vice chair had met with representatives of the Environmental Water Caucus (EWC) prior to the day's BDAC meeting. The topic for discussion was how BDAC functions and how best to produce consensus. The ideas of utilizing work groups and deliberation by the full BDAC were discussed. He reminded BDAC members that it is important for them to be comfortable with the process. An additional reminder was that compromise will be necessary as no one alternative package of actions will contain everything all participants desire.

### **Discussion Points**

- Mr. Hildebrand asked for a definition of "reliability." He noted that page 16 of Phase II Alternative Descriptions refers to water savings in the agricultural sector being redirected to other uses, while similar statements are not made for the urban and environmental sectors. Although this pattern of use in the agricultural sector may be predictable, it does not assure reliability, in his opinion. Lester Snow replied that correction would be necessary if the document concludes that agricultural water conservation results in only one outcome.
- Vice Chair McPeak followed with two points. Her first point addressed integrating work from other arenas into the BDAC process through the use of reports to BDAC. She encouraged continuation of the stakeholder dialogues outside of CALFED. Her second point, addressing how to use BDAC meetings, included a suggestion to use small group discussion during BDAC meetings from time to time as another method to achieve understanding and agreement among stakeholders.

Chair Madigan then asked Byron Buck (California Urgan Water Agencies) and Alan Short (Modesto Irrigation District) to provide BDAC with a briefing on the agriculture/urban external dialogue (Ag/Urban dialogue).

Mr. Short reminded BDAC of the two phases of the dialogue; identifying issues and identifying means to address the issues. He said that a publication documenting the results of this first phase would be available. He noted that formulation of an outreach program for the dialogue was underway, including regular BDAC briefings. Mountain counties, some representatives of Delta agriculture and one environmental organization were now participating. Outreach to other environmental organizations is ongoing.

### **Discussion**

A lengthy discussion with Mr. Buck and BDAC members Ann Notthoff, Mary Selkirk, Vice Chair McPeak, Ms. Borgonovo, Steve Hall, Mr. Graff, Mr. Hildebrand, Bob Raab, and Marcia Brockbank followed. Participants in the Ag/Urban dialogue were encouraged to bring issues to BDAC for discussion. Additionally, participants were advised to proceed with caution to avoid exacerbating fears among other stakeholders. Concerns regarding the possibility of deals being made outside public deliberations were raised. To address this concern, the Phase I report and minutes of meetings could be included in BDAC packets. Also, technical staff for both CALFED and the Ag/Urban dialogue were encouraged to consult one another. One intended outcome from the dialogue is vigorous analysis with which to create a more informed decision. It was noted that stakeholders participating in the dialogue have wide-ranging views and may not reach consensus supporting one position in CALFED matters. Mr. Hildebrand spoke of his participation in Phase I and noted that the technical information in the dialogue, while possibly biased, was competent and stimulating.

Chair Madigan then welcomed Michael Spear, substituting for Roger Patterson (designated federal official to BDAC). Chair Madigan noted that Michael Mantell, state representative to BDAC, is departing for employment outside of state government. Mr. Mantell said that both Governor Wilson and Secretary Babbitt consider CALFED to be a high priority. It may be the last chance for the current generation to shape water-related policy. He also informed BDAC that the Governor is contacting Senator Domenici in support of the proposed federal appropriation for CALFED activities.

The Chair asked Mr. Hall to report on his efforts to provide information to Congress in support of the Administration budget during the week of May 12th. Mr. Hall said that environmental, urban and agricultural representatives were in Washington in support of the budget. He noted the bipartisan support of both California senators and Congressman Radanovich. He added that meetings were held with administration officials to refocus their attention to the budget. He closed stating his guarded optimism for an appropriation of a substantial sum of money.

## **2. UPDATES FROM RECENT PUBLIC WORKSHOPS**

### **2a. IMPACT ASSESSMENT WORKSHOP (Rick Breitenbach)**

#### **Presentation**

Rick Breitenbach (CALFED Program staff) summarized the information presented at the workshop and important public questions and comments. A memo presenting the same information was included in the BDAC packet.

#### **Discussion Points**

- Mr. Hildebrand inquired how impact analysis will address the conversion of agricultural land to other uses in the Delta. He suggested that additional water supply would be necessary for these uses, particularly for wetlands, and asked what would be the source of that supply. Also, he stated that impacts from agricultural land conversion extend well beyond the Delta. Mr. Breitenbach replied that information on the impacts would come from hydrologic modeling and other pre-feasibility studies. He added that likely sources of water include existing and possible new storage as well as acquisition from willing sellers.
- Ms. Notthoff inquired how the Program will address concerns regarding the desire for additional detail information in the impact analysis. Mr. Breitenbach responded that as the analysis proceeds, information from prefeasibility studies will provide additional detail sufficient for programmatic decisions.
- Mr. Izmirian and Ms. Borgonovo expressed concern that the output of the economic impact analysis would be presented without public discussion of the economic theory underlying the analysis. Zach McReynolds (CALFED Program staff) replied that the economic analysis technical team (comprised of staff and consultants) is conducting a qualitative analysis to target areas for quantitative analysis.

## **2b. ASSURANCES WORKSHOP (Mary Scoonover)**

### **Presentation**

Ms. Scoonover began her presentation on the workshop with the definition of CALFED assurances. She then summarized information on the alternatives discussed at the workshop. These alternatives and supplemental materials are in the Assurances Workshop packet. Concerns raised at the workshop included:

- Very strong interest of non-CALFED stakeholders to be part of the structure for future decision-making.
- While a new management structure is important, the tools that are used to assure implementation of the preferred alternative are critical to success.
- Significant uncertainty exists regarding the use of a Habitat Conservation Plan (HCP) for the aquatic environment.
- Trade-offs exist between flexibility and stability when using a Memorandum of Understanding or legislation to assure the preferred alternative.
- Lack of clarity about how to assure implementation of a solution that is phased in over several years.
- Recommendation for consistent and detailed definitions of CALFED terms.

Information from the workshop will be used by staff and the Assurances Work Group as they prepare a draft package of assurances to be released with the draft EIR/EIS. Ms. Scoonover closed by announcing that the next meeting of the Work Group is June 19th.

### **Discussion Points**

- Mr. Raab noted that the dialogue at the workshop was informative and the materials useful. He agreed that the authority of the management entity was vigorously discussed.

Discussion about balancing flexibility for implementation with need for certainty occurred among Ms. Notthoff, Mr. Dunning, Vice Chair McPeak, Mr. Spear, Mr. Hall, Mr. Hildebrand and Ms. Selkirk. Given that there is no certain outcome resulting from CALFED efforts, then a process must be established to ensure that all viewpoints are addressed on an ongoing basis. Legally binding contracts may be useful for implementing ecosystem restoration. Some would prefer to establish assurances first, then proceed to selecting a preferred alternative.

## **3. BDAC WORK GROUP REPORTS**

### **3a. ECOSYSTEM RESTORATION (Mary Selkirk)**

Ms. Selkirk reported on the Work Group's deliberations on organizational structures for adaptive management and on advice for the formation of the Ecosystem Restoration Program Plan (ERPP) peer review panel. As part of formulating the peer review process,

the Work Group rendered advice on the criteria for selecting panel members. There seems to be general agreement that members of the public would observe deliberations of the panel, but would not participate in debate or dialogue with the panel. Additionally, the Work Group is considering questions to pose to the panel.

### **Discussion**

Mr. Dunning suggested that consideration of the organizational structure to address assurances for ecosystem restoration might be duplicative of work by the Assurances Work Group. Lester Snow replied that the effort was not duplicative as the Ecosystem Restoration Work Group was familiar with the specifics of restoration. Mr. Pyle added that such discussion was needed now to guide the early restoration efforts underway. Ms. Borgonovo and Ms. Redmond noted that assurances issues had arisen in the other work groups and were not duplicative. Rather these discussions should be integrated into the deliberations of the Assurances Work Group.

### **3b. FINANCE (Eric Hasseltine)**

Due to time constraints this agenda item was postponed to the July BDAC meeting.

## **4. PHASE II ALTERNATIVES & DESCRIPTIONS OF VARIATIONS (Lester Snow)**

### **Presentation**

After lunch, Lester Snow introduced the key features of storage and conveyance of the 17 variations of the three CALFED alternatives. He also noted that components of the variations may, to some degree, be substituted for one another, such that the preferred alternative may be a combination of variations. He added that the Program has identified elements that will be in all alternatives as part of the common and variable programs. These elements are watershed management, water transfers, subsidence reversal, and Delta habitat restoration. BDAC members and members of the public attending the meeting received two documents, Phase II Alternative Descriptions and Alternatives Appendices. These documents contain much of the information presented at the meeting. Lester Snow also requested that BDAC members to consider what needs for additional information they may have and to inform staff of those needs.

### **Discussion Points**

- Mr. Hall inquired about the outcomes for which the models would be run and whether the models can analyze differing volumes of water to be conveyed. Lester Snow replied that the outcomes for modeling vary and include such outcomes as flows for fisheries and for water quality.
- Ms. Borgonovo asked whether the outputs from modeling will show how various configurations affect the X2 standard.
- Mr. Raab, Mr. Graff and Chair Madigan questioned whether the standards established in the Bay/Delta Accord would be maintained. If not, would changing the standards enable

the Program to justify the construction of an isolated conveyance facility. In response Lester Snow said the Program is using the X2 salinity standard as a starting point and will consider varying from that under certain circumstances in order to achieve a desired level of protection. He also noted that as water supply operations and water quality standards are being analyzed, so too will the effects on the Delta of flow regimes for restoration purposes. He also noted that the Program is trying to generate as much information as possible to understand the implications of differing standards. Steve Yaeger (CALFED Program staff) added that no change is being considered for the Delta outflow standards.

- Vice Chair McPeak asked whether an isolated conveyance facility smaller than 5,000 cfs was being considered. Mr. Snow replied that a smaller facility was not considered because drinking water quality standards require a minimum of 4,800 cfs in conveyance capacity.

#### **Presentation Continued**

Lester Snow continued the presentation by beginning a description of Alternative 2B, starting with the Sacramento Valley. He noted examples of ecosystem restoration actions, possible improvements in water quality, increased water use efficiency, general location for a reservoir, and other proposed actions. Dick Daniel (CALFED Program staff) added information on flow improvements on tributaries, protection and maintenance of the meander zone along reaches of the Sacramento River, and use of surface water storage to defer water diversions to less sensitive time periods. Operating parameters for the Sacramento River, related diversions and surface water storage were presented, as well.

#### **Discussion Points**

- Vice Chair McPeak registered concern about the lack of a range of sizes for the possible diversion from the Sacramento River. Mr. Yaeger replied that preliminary analysis indicates that a diversion of 5,000 cfs to surface water storage is physically and economically feasible for the desired flow event of 60,000 cfs. He noted that the exact size of the diversion might change in Phase III. Mr. Daniel added that it is technically difficult to install a fish screen for a diversion greater than 5,000 cfs.
- Ms. Selkirk asked for the rationale for dividing potential reservoir space equally among uses. Lester Snow indicated that this split is simply a starting point for analysis. Examples of other analytic starting points include yield estimates for surface and groundwater storage.
- Mr. Belza commented that the use of water in area of origin watersheds adds to the complexity for analysis. Mr. Yaeger noted that differing effects result when considering on- and off-stream storage. He added that the diversion point in Alternative 2B is only one of a range of diversion points being considered.

- Questions from Vice Chair McPeak and Mr. Hall concerned pulse flows and flows necessary to maintain the meander zone on the Sacramento River. Mr. Yaeger responded that the operating parameters allow for pulse flows. Mr. Daniel stated that there was not enough data to determine if the meander zone could be maintained with a peak discharge lower than 60,000 cfs. He also noted that the Program may consider multiple intakes for surface water storage. Mr. Yaeger concluded that water diversion could continue after flows fall below 50,000 cfs, once the initial 60,000 cfs flow had occurred in a season.

#### **Presentation Continued**

Lester Snow then briefly described the San Joaquin Valley facilities and programs under Alternative 2B. These included groundwater management, surface water storage, water quality improvements possibly including conversion of agricultural land, and use of floodways, as well as operating parameters.

#### **Discussion Points**

- Mr. Hildebrand, Vice Chair McPeak and Mr. Hall discussed barriers to establishing a meander zone along the lower San Joaquin River due to the high sediment load and very low flows of the river. Mr. Daniel and Mr. Yaeger clarified that the Program is considering floodways for the lower river, rather than meander zones for ecosystem restoration purposes.
- Mr. Hall inquired whether the Program would compare the costs and resources for water quality improvements using land use conversion and using other measures to address the same problem. Lester Snow replied affirmatively.

#### **Presentation Continued**

Lester Snow then described highlights of changes that would occur in the Delta with Alternative 2B. These included restoration of tidal wetlands and shallow water habitat, improvements to levee stability, and modification of channels to convey water supplies. He added that Alternative 3B was nearly identical to 2B with the addition of a 5,000 cfs isolated conveyance facility. He briefly described the operating parameters for both through-Delta conveyance and for an isolated facility.

#### **Discussion Points**

- Mr. Graff inquired about the costs for the levee integrity program. Mr. Yaeger replied that the current cost estimate is for \$1.5 billion over a 30 year period.
- Mr. Graff, Mr. Izmirian, and Ms. Selkirk discussed with Mr. Yaeger and Mr. Daniel the conditions under which the Bay-Delta Accord standards might be changed prior to facility construction. One condition discussed was that entrainment of fish would have to be significantly reduced. BDAC was again reminded that the X2 standard is being used as a starting point for modeling the water supply system and its effects on the Delta.

- Ms. Borgonovo inquired about the size of fish screens. Mr. Yaeger replied that a panel of national experts was convened and their advice is being used in the modeling. Ms. Borgonovo requested that BDAC have the opportunity to hear from these experts.

#### **Presentation Continued**

Lester Snow concluded his presentation by briefly describing the bookends of facilities that the Program is considering. These are Alternative 1A which is re-operation of existing facilities and Alternative 3E with 6.7 million acre-feet of storage and a 15,000 cfs isolated conveyance facility as well as modifications for through-Delta conveyance. BDAC was then asked to deliberate on the question proposed in the agenda materials, "Does this set of alternatives and variations represent an adequate range of actions to evaluate and analyze in impact assessment?" Lester Snow repeated the request that BDAC members consider and communicate their needs for additional information.

#### **Discussion Points**

- Mr. Graff and Mr. Pyle suggested the range was adequate, but noted that the linkage of storage to other parts of the Program, as well as determining correct operating parameters and costs, was critical to successful implementation of the preferred alternative.
- Mr. Hildebrand noted the importance of analyzing the impacts of the common programs, as their outcomes may change with different storage and conveyance options. He suggested that it may be more useful to show how water storage would affect each alternative and that it was somewhat misleading to have some variations with storage and some without.
- Ms. Borgonovo felt that the range was adequate, but expressed concern regarding the level of effort to implement the ERPP and water use efficiency. Lester Snow replied that the Ecosystem Restoration Program Plan would be implemented at the same level in all alternatives.
- Ms. Selkirk agreed that the range was adequate. She agreed that quantifying storage across all alternatives would be informative.
- Mr. Hall agreed with the general approach of starting with conceptual alternatives and moving to increasing detail. He then asked about a letter from Lester Snow to the Natural Resources Defense Council in the BDAC packet regarding the Water Use Efficiency program. He expressed concern about the proposed program and stated that how water use efficiency is handled will influence the acceptability of the preferred alternative. Lester Snow replied that the Water Use Efficiency program, as proposed, was detailed in the Alternatives Appendices. Currently the program calls for voluntary compliance with the urban Best Management Practices and agricultural Efficient Water Management

Practices. However, an individual party would need to comply in order to use the CALFED storage and conveyance facilities. Additionally, the program is proposing legislation to ensure some compliance after a set period of time, if voluntary compliance results are low.

#### **Public Comment**

- Ed Petry (Mendota) addressed several points. He suggested that drainage problems could be addressed by extending the San Luis Drain. He suggested using fines to protect water quality. He closed with stating that increased surface water storage in the San Joaquin Valley would replenish aquifers and would maintain increased flows on the San Joaquin River. Mr. Hildebrand responded that the third party impacts in the Mendota area have implications for the Program. He urged that there be increased scrutiny of water transfers and reallocations. Ms. Redmond also responded and urged minimizing third party impacts. Mr. Graff cautioned that the Program should not assume that water districts such as Westlands are entitled to specific amounts of water. He urged that a presentation be made to BDAC on long-term agricultural capability and water use.

#### **5. ALTERNATIVE EVALUATION PROCESS (Rick Breitenbach, Ron Ott)**

##### **Presentation**

Chair Madigan opened this agenda item by reminding BDAC members that at the end of the staff presentation members were to deliberate on the question, "What are the BDAC concerns with the alternatives and variations relative to the solution principles?" Mr. Breitenbach stated that the Program will narrow the number of alternatives by refining and recombining them. The first step will be to apply the Solution Principles, the second will be to compare the variations with the Program objectives and information from impact analysis and pre-feasibility studies. In the final step more impact analysis information will be used and the Solution Principles will be re-applied to determine the Preferred Alternative.

- Mr. Hildebrand and Mr. Raab inquired about the common programs and adaptive management in particular. Mr. Breitenbach replied that both are part of all variations.
- Mr. Pyle requested that BDAC see and comment on results of alternative evaluation as it progresses.
- Mr. Graff inquired when BDAC would be asked to render a recommendation on the preferred alternative. Mr. Breitenbach said that feedback is desired throughout the process. Chair Madigan said that it may be necessary to have a BDAC meeting with this as the sole topic.

##### **Presentation Continued**

Vice Chair McPeak began chairing the meeting, as Chair Madigan had to leave for another engagement. Ron Ott (CALFED Program staff) reviewed the Solution Principles. He also described sub-points of the Principles. He explained that each alternative will be compared to

each part of every Solution Principle. He further explained that there are likely to be conflicts between different Principles and provided examples, one contrasting the Durability and Implementation Principles and the other contrasting Affordability and Durability Principles.

#### **Discussion Points**

- Mr. Raab, Mr. Izmirian, Mr. Hildebrand, Vice Chair McPeak, Mr. Dunning, Mr. Hall, Mr. Belza and Ms. Brockbank engaged in a discussion about coping with uncertainty and the strengths of flexible implementation. The concept of adaptive management could apply to the entire Preferred Alternative and not solely to the ERPP. Implementation could begin with actions that present more certain outcomes and then phase in to actions with less certainty. It was noted that the solution to the complex fish screen problem for the Glenn-Colusa Irrigation District resulted from consensus among the technical experts prior to agreement among policy decision-makers.
- Mr. Hildebrand noted that the Solution Principles are vague regarding what parties may receive benefits from CALFED actions. Vice Chair McPeak noted that there will be vigorous discussion on discerning between benefits and mitigations for operation of the existing facilities.
- Vice Chair McPeak and Mr. Raab briefly debated whether or not Alternative 1A already meets the Solution Principles. Vice Chair McPeak noted that members could have agreement on the Solution Principles and yet have active debate on which alternative meets those principles.

#### **6. RESTORATION COORDINATION PROGRAM UPDATE (Kate Hansel)**

##### **Presentation**

Kate Hansel (CALFED Program staff) informed BDAC of work to date on preparation of the Request for Proposals (RFP). BDAC members and members of the public were referred to the agenda packet for more detailed information.

##### **Discussion Points**

- Vice Chair McPeak informed BDAC and staff that the opportunities to receive federal monies in future years would be directly influenced by how this round of proposals was handled. She urged that the criteria for proposal selection be adhered to closely. She inquired as to whether the ERPP would be available to applicants and suggested that the plan's objectives and targets drive project selection. Ms. Hansel replied that this round of project proposals is occurring prior to publication of the ERPP. In future rounds of grant proposals, the plan would be a fundamental part of the selection process. Lester Snow added that the RFP was structured to elicit a maximum number of proposals. Doing so creates an inventory of ideas, thereby helping the Program to structure the next RFP.

- Mr. Izmirian repeated a request he made at the April BDAC meeting that staff explain the vision being used to guide the selection process. Ms. Hansel responded that while there was no vision statement, the Program went through a process with local technical teams throughout the solution area to determine key stressors on ecosystems to be addressed by project proposals.
- Ms. Redmond inquired about the status of the two-tier approach to submitting proposals. Ms. Hansel indicated that entities who were not prepared at this time to submit a full proposal would be encouraged to send a short inquiry submittal. These would be held over to the next RFP starting in the fall and would allow entities such as watershed and grassroots groups more time to develop full proposals.

The meeting was adjourned at 4:25 PM.