

**Stage One
Implementation**



Memorandum

Date: June 2, 1998

To: BDAC Members

From: Lester A. Snow
CALFED Bay-Delta Program

Subject: Nature of Decision/Selecting a Preferred Alternative

The CALFED Bay-Delta Program is evaluating three programmatic alternatives for solving the problems in the Bay-Delta system. It is likely that the selected alternative will be staged over the 30-year implementation period due to the large scope, the wide range of funding options, legislative, regulatory, and institutional changes required, and the need to gather scientific information to guide future adaptive management actions. The staged implementation must be designed with appropriate linkages between different aspects of the Program to assure equity and stability over time.

In its May 14 meeting, BDAC reviewed a draft paper, "Nature of Decision/Selecting A Preferred Alternative." The accompanying material builds on that foundation with additional detail to facilitate progress in this critical area.

During the June 17-18 meeting, BDAC will have an opportunity to review and comment on an example that includes early implementation actions, an implementation schedule and potential linkages. The attached material summarizes the example Stage 1 Implementation Actions. Stage 1 is defined as the period of time prior to issuance of permits for construction of major new reservoirs or Delta conveyance facilities.

The nature of the programmatic decision could range from making a single programmatic decision on components to implement to an agreement to stage component implementation decisions over a number of years, with a process for appropriate information input. On May 1, 1998 the CALFED agencies concluded that the programmatic decision should be intermediate between these two extremes. BDAC members generally concurred with this conclusion in its May 14 meeting.

CALFED Agencies

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

Federal Environmental Protection Agency
Department of the Interior
Fish and Wildlife Service
Bureau of Reclamation
U.S. Army Corps of Engineers

Department of Agriculture
Natural Resources Conservation Service
Department of Commerce
National Marine Fisheries Service

Ultimately, the decision on a preferred alternative will be defined by its many features (i.e., decision elements) such as:

- the specific proposed actions and assurances
- implementation schedule
- linkages
- institutional arrangements
- contingency response plans, and
- financing arrangements agreed upon by the Policy Group.

On May 21, 1998 CALFED agencies agreed that the most efficient approach to defining these decision elements would be through the development of an example, rather than by starting with a wide range of possible actions for consideration. The example could then be refined and expanded with options as necessary, based on input from CALFED agencies and stakeholders. The agencies cautioned that the example should be carefully characterized as such, rather than as a definite decision document.

The level of detail in defining these decision elements is expected to increase over time, and needs to be sufficient to support the unfolding consensus decision process. During the agency meetings considerable discussion was devoted to conditions to move from one stage to another.

The conditions at each stage could be structured two different ways. Currently there is uncertainty on the need for major facilities (isolated facility and surface storage). The most controversial example involves the possible construction of an isolated facility as part of a dual conveyance system. Because of significant uncertainties about 1) the performance of the alternatives, and 2) future drinking water standards and effects on fisheries, CALFED cannot rule out the need for a dual conveyance facility to achieve its mission. But neither can it conclude, based upon current information, that the facility is absolutely necessary for fulfilling that mission. Therefore, to address this uncertainty, conditions can be structured in two basic ways:

- The conditions could be structured to identify under what circumstances the facility would not be needed.
- The conditions could also be structured to do everything possible to avoid building major facilities and move to construction of facilities only if and when conditions show that the Program objectives cannot be met without them.

At the June 17-18 BDAC meeting staff will be seeking advice on the best approach to developing early implementation actions, an implementation schedule, and linkages. In subsequent meetings the other decision elements will also be brought up for discussion. Feedback provided by BDAC Members will help guide the development of the Implementation Plan and decision support documents that will accompany the final environmental documentation.

Attachment