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## Memorandum

Date: October 19, 1999  
To: Bay-Delta Advisory Council  
From: Steve Ritchie  
CALFED Deputy Director   
Subject: Governance

### Summary

Coordination between the CALFED Policy Group and BDAC has been strengthened by having BDAC representatives at each Policy Group meeting. To further improve coordination, the Policy Group provided direction to BDAC on its role from now through the Record of Decision and certification of the draft programmatic EIR. BDAC will have the opportunity to review its role at this meeting. Regarding Long-term Governance, the Council will receive a progress report from the Governance Work Group on the Straw Proposal, and will be asked to discuss the Comments (Attachment 3) provided by the Work Group.

### Detailed Discussion

#### Interim Governance

At the meeting on September 17 in Red Bluff, BDAC determined how it would be represented at Policy Group meetings. The Chair and Vice Chair are to attend each of the meetings. The remaining six representatives are to rotate among the BDAC membership. For each meeting they will be selected by the Chair and Vice Chair based on the Policy Group meeting agenda items.

On October 5, the Policy Group provided direction on the role of BDAC from now through the signing of the Federal Record of Decision and certification of the Draft Programmatic EIR. The Policy Group provided this direction within the context of the tasks BDAC set for itself in January 1999 and the BDAC Charter. The Charter calls for the

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#### CALFED Agencies

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

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

Department of Agriculture  
Natural Resources Conservation Service  
U.S. Forest Service  
Department of Commerce  
National Marine Fisheries Service  
Western Area Power Administration



Council to provide advice to the CALFED agencies on the adequacy of the Preferred Alternative, as part of the NEPA/CEQA process. BDAC will:

- continue its prominent role in developing the framework for long-term CALFED governance,
- continue its liaison function between the Ecosystem Roundtable, work groups (Ecosystem Restoration, Governance, Watershed) and the Policy Group,
- review and discuss other central CALFED Program components, specifically the Water Management Strategy and CALFED finance,
- prior to signing of the Record of Decision, provide a formal recommendation to the Policy Group regarding the level of BDAC support for the Preferred Program Alternative.

At the October 28 meeting BDAC will have the opportunity to discuss its role and schedule for the remainder of Phase II.

#### Long-term Governance

Since BDAC met in September there have been several meetings with agency and stakeholders to discuss long-term governance. The California Environmental Trust held another meeting in late September, Policy Group met in early October, and the BDAC Governance Work Group met in mid October. At each meeting, the functions, authorities and responsibilities of a new CALFED Commission were discussed.

A revised Straw Proposal has been prepared by CALFED staff which is attached (Attachment 1). There are minor changes from the CET September draft which CALFED staff will summarize at the BDAC meeting. To assist in review of the Straw Proposal a list of definitions is provided in Attachment 2.

At the Policy Group meeting in October there was support for a new Commission by the agencies but some concern raised about how to maintain involvement of all the state and federal agencies whether or not they are on the Commission. Comments from BDAC members included concern about the need for local government involvement on the Commission and in CALFED implementation, and the legislative challenge of a new Commission. Concern was also raised that if a legislative information hearing is scheduled,

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it should involve more than the water committees. At this time, a legislative information hearing on CALFED governance has not been scheduled, but if a hearing is scheduled it would not be before January 2000.

The BDAC Governance Work Group met on October 15<sup>th</sup> to discuss the Straw Proposal and was asked to make a recommendation on the proposal to BDAC. The Work Group did not reach agreement on a recommendation to BDAC, but provided specific comments on the Straw Proposal which are attached (Attachment 3).

**Action**

No action is requested at this time. At the December 15<sup>th</sup> meeting, BDAC will be asked to forward a recommendation on long-term governance to the CALFED Policy Group.