

**BDAC Governance Work Group
Comments on CALFED October 5, 1999 Straw Proposal**

The BDAC Work Group met on October 15, 1999. The following is a summary of the comments provided on the Governance Straw Proposal.

Support for a New Commission & Separate Entity for Ecosystem Restoration. The Work Group discussed the need for a separate entity to manage the ERP in addition to a new Commission which would oversee the entire CALFED program. The Work Group, in varying levels of support, agreed to support a new separate ERP entity that would serve the lead program management functions for the ERP. The new ERP entity would be closely coordinated with the other portions of the CALFED program. The support for a separate ERP entity was conditioned on the following:

- ERP priorities and budgets would be overseen, reviewed and approved by the Commission to ensure balance, integration and coordination among all the CALFED programs and agencies.
- Technical review and coordination of the ERP actions with other program areas will be a defined step in the process of project selection within the ERP entity and the Commission.
- ERP is science based.
- Future discussion of the specific authorities and governing board structure/membership for an ERP entity.

Tribal Representation. The Work Group did not review the makeup of the Commission in much detail but did agree that the Commission should include tribal representation. Other issues regarding Commission representation will be discussed at future meetings.

Why a Separate Entity for Ecosystem Restoration. Work Group members listed the following reasons why a separate ERP entity, rather than the Commission, would provide more assurance that the ERP would be effectively implemented:

- ERP advocate. A separate ERP entity provides a strong advocate for the ERP. The Commission Executive Director will be an advocate for all parts of the program and not able to provide the focus on the ERP. Other CALFED programs will be managed or implemented by existing agencies that will serve a similar advocacy role for the other program areas such as levees, water quality, and water supply reliability.
- ERP focus. A separate ERP entity whose only single mandate is the achievement of the ERP goals and objectives will provide the focus needed for a large and complex program.
- Additional independence. A separate ERP entity will provide additional independence for the ERP but would not compromise the integration and coordination required for the

CALFED program as a whole. The additional independence provides additional assurances that the ERP will remain a science-based program and focused on ERP priorities.

- Scope of ERP inappropriate to house in the Commission. Based on the CALFED Straw Proposal, the only program which would be fully housed in the new Commission would be the ERP. For all other program areas, existing agencies would be responsible for a large component of the day-to-day management of the programs. The ERP program within the Commission would be disproportionate with the other programs in terms of staffing and program budget making program management more difficult.

Science Review of CALFED. The Work Group supported the need for two levels of independent science review -- a Science Review Board to review the CALFED Program as a whole, and science review for each program area. Generally, the responsibility for the Science Review Board would be to ensure that the Commission is "doing the correct science", and the science review at the program level would look at whether the "science is being done correctly". There was general support for a Chief Scientist to oversee and manage the science within the CALFED program.

Open Issues. The Work Group identified several open issues that require additional discussion at future Work Group and BDAC meetings.

- If ERP program management is within a new ERP, how does that affect the other program areas? The CALFED Straw Proposal assigns program management responsibilities to the Commission. This may still be appropriate for the other program areas where there are multiple agencies and budgets which the Commission would need to coordinate. Need to clarify program management for each program area.
- If a separate ERP is proposed, then the specific responsibilities of the ERP entity and the Commission need to be outlined, and the governing structure of the ERP entity described.
- How should the Comprehensive Monitoring Assessment and Research Program (CMARP) be organized and integrated into each of the program areas?
- What is role of the federal government in the new Commission? Can a strong federal role in the Commission be provided without creating a federal entity?
- Commission representatives. Questions remain about the number and representation of the public members, agencies and tribal nations.