

IN RE THE MEETING OF THE)
BAY-DELTA ADVISORY COUNCIL)
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CALFED Bay-Delta Program

ORIGINAL

TRANSCRIPT OF PROCEEDINGS

Sacramento Association of Realtors

2003 Howe Avenue

Sacramento, California

Thursday, February 17, 2000 at 9:42 a.m.

Reported by:
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CSR No. 11649


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1 COUNCIL MEMBERS:

2 MIKE MADIGAN, Chairman

3 SUNNE McPEAK, Vice Chair

4 STEVE RITCHIE, Executive Director

5 GENE ANDREUCETTI, California Waterfowl

6 Association

7 TIB BELZA, Northern California Water

8 Association

9 ROBERTA BORGONOVO, League of Women Voters of

10 California

11 BYRON BUCK, California Urban Water Agencies

12 HARRISON (HAP) DUNNING, The Bay Institute

13 TORRI ESTRADA, The Urban Habitat Program

14 HOWARD FRICK, Friant Water Authority/Arvin

15 Edison Water District

16 MARTHA GUZMAN, United Farm Workers of

17 America, ASL-CIO

18 ERIC HASSELTINE, Contra Costa Council

19 ALEX HILDEBRAND, South Delta Water Agency

20 RICHARD IZMIRIAN, California Sportfishing

21 Protection Alliance

22 PAT McCARTY, Delta Protection Commission

23 BOB RAAB, Save San Francisco Bay Association

24 JUDITH REDMOND, Community Alliance with

25 Family Farmers

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COUNCIL MEMBERS: (Cont'd)

PIETRO PARRAVANO, Pacific Coast Federation of
Fishermen's Association

STUART PYLE, Kern County Water Agency

MIKE SHAVER, Big Valley Band of Pomo Indians

BRENDA JAHNS-SOUTHWICK, California Farm
Bureau Federation

FRANCES SPIVY-WEBER, Mono Lake Committee

MIKE STEARNS, San Luis Delta Mendota Water
Agency

PATRICK WRIGHT, California Resources Agency

EZE BURTS, California Chamber of Commerce

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1 (All parties present, the following proceedings
2 were had at 9:42 a.m.)

3 CHAIRMAN MADIGAN: Good morning. This
4 is the 17th of February. The year is 2000 for
5 those of you who are keeping track of this
6 odyssey. And we are underway on our periodic
7 meeting of the Bay-Delta Advisory Council. We
8 have, for the record, both our state and federal
9 representatives here with us in the persons of
10 Alf and Patrick. Where is Patrick? Down there.
11 We have a quarum present, so let's get underway.

12 Fran, I saw Fran over there. Where did Fran
13 go? Let's skip that item. Next BDAC meeting was
14 being discussed for the 6th and 7th of April and
15 either in the Bay Area or in Sacramento this
16 morning. Sunne and I made a command decision that
17 the next BDAC meeting would be the 13th of April
18 and probably here. We wouldn't do a tour or
19 something like that the day before. We would
20 simply spend the day trying to come to resolution
21 on the preferred alternative, so make the
22 appropriate notes. Let me know when Fran comes
23 in, would you?

24 Next item on the agenda is Executive
25 Director's report. Mr. Ritchie.

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1 EXECUTIVE DIRECTOR RITCHIE: Just a
2 couple of things. For instance, there's been a
3 lot of activity among the state and federal
4 agencies relative to operation for the water year
5 2000 because of a lot of concerns of which we
6 talked about at the last BDAC meeting. I believe
7 later today the Bureau of Reclamation is going to
8 put out a press release relative to CVP operations
9 for this year. And I think we'll have a copy of
10 that available here.

11 Secondly, there's a -- there was a joint
12 water committee hearing, I believe, two weeks ago
13 on water operations that was held in the state
14 legislature, you know, pushing and pulling on the
15 issue of decision making and how decisions were
16 made. And, ultimately, there was no resolution to
17 that, but there was a very strong message of
18 accountability, I think, coming from the state
19 legislature on that issue.

20 There is a hearing currently scheduled for
21 February 29th on governance and finance issues
22 relative to CALFED, which I'll be attending.
23 Again, that's a joint assembly. It's the water
24 committee hearing, again, on the 29th of February.
25 And we can provide, if you would like, details on
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1 that to the BDAC members as to the exact location
2 and time of that. I believe it's in the morning
3 on the 29th.

4 And, lastly, I notice there's some coverage
5 in the newspaper and some discussion there is --
6 to make sure people understand, there are,
7 relative to CALFED implementation, fairly high
8 level meetings between the state and federal
9 government going on every couple of weeks now to
10 try to, well, come to conclusion on a variety of
11 issues relative to water operations and CALFED and
12 water management in general in California. Those
13 are going on. They are -- they're fairly intense.
14 And I think you know, I personally am quite
15 hopeful as to their beneficial effect for CALFED.
16 Because what they indicated is, I believe, serious
17 engagement by the highest levels of the state and
18 federal government in this. And I hope at the
19 next BDAC meeting to be able to report out, you
20 know, some substance on those discussions at this
21 point. So that's really it on the executive
22 director's report this time.

23 CHAIRMAN MADIGAN: Okay. Then we're
24 going to move on to preferred program alternative
25 assessment. And I want to beg your corporate
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1 indulgence for a moment while I review the bidding
2 a little bit. I am encouraged that these
3 conversations are taking place, that people are
4 starting to sit down and say have we got something
5 here, if we got something, is it worth pursuing,
6 if we haven't got something here just yet, what do
7 we need to do to fix it. We have been about this
8 business as a group now for somewhere around five
9 years. And a few of us predate even this group
10 back to BDOC, and that's a couple of years before.
11 So it's been a long time.

12 There's been a lot of information generated.
13 I think everybody around here has exhibited an
14 exceptional level of patience while that
15 information was generated. We have worked very
16 hard at doing things by consensus, and that has
17 had its pluses and minuses. The pluses, I
18 suppose, are that people have stayed the course,
19 that the interest groups have stayed the course,
20 that it has allowed the CALFED staff and all of
21 the many groups who make up CALFED to do the work
22 and the research that they need to do in order to
23 bring forward the answers to all the questions
24 that, not just this group are asking, but the
25 policy group and lots and lots of legislature,
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1 some local officials, and all those sorts of
2 things.

3 It seems to me that that time is at an end.
4 Everybody has been remarkably civil, and maybe
5 that can continue. But it seems to me that the
6 document that we have before us now doesn't get
7 the job done. It does not seem to me that we --
8 that we know what it is in fact would be done
9 if -- if this preferred alternative were to be
10 approved by the powers that be, and the record of
11 decision would be signed, and all that sort of
12 stuff.

13 Therefore, it seems to me that a slight
14 change in the way we have been doing business is
15 probably in order. To that end, I'm no longer
16 interested in seeking consensus around here. I
17 want to know what's wrong with this document. I
18 don't care if we all agree on the fixes that need
19 to be made here. I do care that that information
20 is elicited. I do care that it is sent on in the
21 varying views to those people who are having the
22 high level meetings, because I would hate to get
23 to a point where, as all our good friend
24 Senator Costa said yesterday afternoon in the
25 hall, that if this continues going the way it is
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1 right now, that the Secretary and the Governor
2 will sign or render a decision and be the only two
3 people in the room.

4 Somewhere out of this thing we have to have
5 enough specific information on what's going to
6 happen that the environmental groups that are in
7 here have some comfort that, in fact, the
8 restoration work is going to be done and that
9 there is -- that there is money to do it and there
10 are projects identified that are going to be done,
11 that agriculture has to know not only that there
12 is going to be water, but how the water is going
13 to be produced, and that the urbanaries have to
14 know that how in the world we are going to
15 accommodate the population growth of this state
16 that's going to happen over the next quarter
17 century or so.

18 I suppose you-all have seen the numbers in
19 that regard. They have been made pretty clear to
20 me over the water commission and a couple of
21 public forums lately. The State Department of
22 Finance expects that we will add in this state a
23 population over the next 27 years or so equivalent
24 to the current population of the state of New
25 York. That means that somewhere in this state we
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1 have an interest in this and are, in fact, having
2 meetings, then I think that we owe them this one
3 last chance to -- to produce the issues and the
4 concerns and the questions that need to be
5 answered. And I would hope that we will begin
6 that process today.

7 Again, I don't care about consensus votes
8 around here anymore. It is the information that
9 we need to get out to do it. I would hope we can
10 do this in fairly short order and within a handful
11 of meetings around here. And that at the end of
12 that handful of meetings, that the staff will come
13 up with some really terrific certificates and
14 things in forecolor, you know, signed by important
15 people and make a really nice presentation to all
16 of us and thank us for our long and valued service
17 and tell us to go home. But I would rather that
18 we simply went home than that we concluded our
19 business with the document that is before the
20 house today.

21 Having said that, I'm going to ask Steve to
22 undertake the presentation on the preferred
23 program alternative assessment. And then I would
24 hope that we have a genuine conversation about the
25 things that need to be in this document for it to
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1 are going to add an Albany, a Rochester, a
2 Brooklyn, a Queens, a Manhattan, a Syracuse, a
3 Long Island, a Westchester County, take your pick,
4 all of those kinds of places and the numbers of
5 people and the density that that implies to the
6 current population in California.

7 That we are going to do that in some large
8 measure because of births over deaths, and the
9 estimate is somewhere around the order of 65
10 percent. That means that the wheels are already
11 in motion for that. As somebody who has spent his
12 adult life trying to figure out where people get
13 housed, that's an alarming kind of number to me.
14 But it is essentially true. And whatever public
15 policy is initiated in that regard is going to
16 affect that kind of number only on the margins.
17 Whether that growth occurs by the year 2026 or
18 2030 is a relatively modest consequence in the
19 overall scheme of things. And I, for one, do not
20 see in this document any information that tells me
21 how that growth is going to be accommodated.

22 To that end, unless we can start getting
23 specific around here, it seems to me we ought to
24 blow this thing up and let smarter people start
25 over again. Given the fact that high level people
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1 warrant the support of the legislature of the
2 people of California.

3 MR. DUNNING: Mr. Chairman, I have no
4 objection to trying to get more specificity into
5 the document, but I am very startled to hear you
6 say you're not interested in consensus anymore
7 after close to five years of a consensus effort.
8 And I would like to ask exactly what process you
9 had in mind. If we're abandoning consensus, what
10 is it to be, some kind of up and down vote, or
11 what do you have in mind?

12 CHAIRMAN MADIGAN: The first thing I
13 want to do is get the issues out on the table.

14 MR. DUNNING: I don't object to that.

15 CHAIRMAN MADIGAN: I want to get
16 clarity. And if you have a different issue than I
17 have, that's okay with me. And if 15 people
18 around here think that you're right, I don't
19 object to them saying that they think that you're
20 right on the issue. And if 15 people agree with
21 me on something, then that's fine with me. And if
22 27 do and four don't, that's also okay with me. I
23 don't propose, unless we need to, to get to the
24 point of raising our hands on every point. I am
25 more concerned about getting the information out
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1 right now. But if there's a point that this group
2 wants to take a vote on something, that's all
3 right. Steve?

4 EXECUTIVE DIRECTOR RITCHIE: Thanks,
5 Mike. I figure, well, there will be three people
6 in the room, and then one will be, you know,
7 stretched out like this behind the other two. I
8 figure I'm crucified in the end one way or the
9 other. And one of the -- people probably have
10 heard me say this more than once, but I'll say it
11 again. One of the problems facing CALFED is with
12 the decision that we need to cover this at a
13 programmatic level, so that programmatic is the
14 nature of the document and programmatic is
15 equivalent to just totally unsatisfying, because
16 it doesn't get to the specifics. And what people
17 really care about are the specifics, what exactly
18 is going to happen.

19 And I think that's the key step that Mike is
20 talking about, that in companionship with the
21 programmatic decision, what specifically is going
22 to happen next. You know, who is going to invest
23 their money where, what are they going to do
24 either for environmental restoration or
25 construction of facilities, whatever. It's that
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1 combination of things that we need to get to. In
2 fact, CALFED was starting to do that last year
3 with its list of stage one actions. And that's
4 where I think we need to turn a lot of our
5 attention right now.

6 Because from my perspective, the programmatic
7 decision has been pretty much done for a while.
8 And programmatic is a little more easy. It's a
9 number of program elements moving forward
10 together. And the real major programmatic
11 decision was two-fold, one of which was what kind
12 of conveyance we're going to use in the system,
13 whether it be through-Delta or something around
14 the Delta, do a Delta conveyance. And we really
15 have come down on through-Delta at this time.
16 That was the first big decision. And the second
17 was, you know, the potential for storage. And
18 we'll get to that in a second. But the document
19 is set up with the potential for up to six million
20 acre feet of storage, which to some people is an
21 alarmingly high number. To other people, maybe
22 it's too small a number. But, again, the
23 heartburn for folks is that, okay, range is nice,
24 what is it actually going to be. That's where the
25 heartburn is. Project specific actions, I think,
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1 is what people really are going to care about.

2 Let me go over, again, you know, the
3 preferred alternative, which is the combination of
4 all the different program elements of CALFED. And
5 this BDAC affirmation of preferred program
6 alternative is probably more realistically
7 strengths and weaknesses, you know, what do people
8 like about it and not like about it. Because,
9 ultimately, again, BDAC is the advisory body. The
10 real charge of BDAC is to provide advice on the
11 sufficiency underneath CEQA of what we generated
12 in CALFED.

13 The key thing, related actions, to move from
14 planning to implementation are, again, program
15 refinement and implementation specific actions
16 that are going to go on, regulatory determinations
17 and agreements, how will those be carried through,
18 and ultimately, institutional issues. I think a
19 lot of people have recognized for quite some time
20 that the institutions that we have were part of
21 the problem that we got into in management of
22 water in California, which is why CALFED was in
23 part created in the first place, because the
24 institutions themselves were a bit of a problem.
25 Again, going over each program element, because
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1 the programmatic decision includes all of the
2 program elements. And sometimes we skip over
3 this, thinking that people remember all the
4 program elements, and then they want to get down
5 and focus on their particular thing. But I want
6 to make sure we cover the whole array of the
7 program.

8 First, the water quality program to improve
9 water quality for the environment, for drinking
10 water, and for other beneficial uses in the
11 system, and then maintaining that quality when
12 achieved, that quality of the water, is essential.
13 And, in fact, we'll get later on into storage. My
14 personal opinion is that I think that drinking
15 water quality will probably be the single biggest
16 driver for storage as we move on down the road.

17 Secondly, water use efficiency. Now, that's
18 been one of the essential parts of CALFED from the
19 beginning. And the strong message CALFED heard as
20 we started into this was make sure you're using
21 the existing supplies as efficiently as possible.
22 So we're assuring the efficient use of existing
23 water and any new water developed by the program.
24 And water use efficiency will be coming into a
25 couple pieces, primarily conservation and
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1 recycling.

2 Next, water transfers, a fairly contentious

3 area, but really fascinating. Water transfers, in

4 the further development of a water transfer market

5 at a programmatic level, moving water transfers

6 forward as well. The system integrity, one of the

7 key points of the system. Improving the levee

8 stability, again, to reinforce, without stable

9 levees in the Delta, the whole game changes just

10 dramatically, completely changes how we manage

11 water in California. So making sure that we have

12 solid levees. Ecosystem restoration, one of the

13 other four problem areas, basically, improving the

14 status of species in the system.

15 There's been a lot of work on this over time.

16 This is probably, again, to some people's concern,

17 other people's joy, one of the best developed

18 aspects of the program. And we'll talk more about

19 that again later today in terms of the

20 implementation of plan for the next fiscal year

21 for ecosystem restoration. But, frankly, there's

22 a lot of activity going on here to further develop

23 the plan and move forward. A group, particularly

24 ecosystem restoration focus group, we have a group

25 of stakeholders where really the concept that we

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1 have one single blueprint for restoring the

2 environment in the watershed is really taking hold

3 of a lot of people, that we're not going to have

4 regulatory outliers. That is just a very, very

5 essential point for a lot of folks. Watershed

6 management, again, upper watersheds and on down

7 through the Bay. In fact, watershed management is

8 a process applied to all the different aspects of

9 the program.

10 Let me spend a little time on storage, both

11 groundwater and surface storage. You know, I

12 think we're all aware this has been one of the

13 most contentious points in the program. And what

14 CALFED has done is that we have established the

15 integrated storage investigation as the basis to

16 really help define how storage would be utilized

17 in -- particularly in the context of a water

18 management strategy. Again, how do the different

19 water tools work together to improve water

20 management in California. We'll have a

21 presentation later today on the further

22 development of the water development strategy.

23 But we set the base for increasing the amount

24 of storage in California. We set the stage one

25 target for groundwater storage and increasing the

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1 storage by 500,000 acre feet. And we laid the

2 base for potentially increasing surface storage by

3 several million acre feet as -- I think as we get

4 into specific projects are starting to emerge as

5 likely candidates to be pursued for, again, you

6 know, improving water supply reliability, water

7 for the environment we need most. And I think my

8 point of view, what's emerging very clearly there,

9 is storage as a water quality improvement tool.

10 So drinking water, again, may be the single

11 biggest driver for storage on down the road.

12 Conveyance is the last item that I talked

13 about that at the beginning as sort of the -- one

14 of the fundamental decisions within the

15 programmatic decision was whether or not to pursue

16 through-Delta or around the Delta. And, in

17 effect, that decision was made quite some time

18 ago. So then when we look at the preferred

19 alternative for CALFED, it really hasn't changed

20 much for quite some time at a programmatic level,

21 still revolved primarily around the Delta where

22 the programmatic decision is important.

23 Activities and all the other program areas really

24 are levels of investment in following the overall

25 plan. But the key is how you manage the Delta in

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1 all this. Again, fixes in the Delta was the

2 issue, and how do you start by making sure you're

3 protecting the interest in the Delta as you do

4 things there.

5 And all I have to say, Alex, I think the

6 packet has here a proposed preamble for the

7 preferred alternative. And, frankly, I was

8 impressed by that. I think that's something that

9 we should try to work with and build into the

10 package in some way, accept those are important

11 and reflected a lot of the solution principles we

12 have been working with. But, again, it's a

13 through-Delta alternative, you know. It's not an

14 around the Delta alternative. At the programmatic

15 level, that's where we are. When it gets into

16 specific projects in here, that is the next step

17 as to how you actually improve the through-Delta.

18 You know, we talked about that a bit in the

19 last few meetings as to exactly how that will play

20 out. And so, basically, the preferred alternative

21 you have in your package is the preferred

22 alternative as it was written for the release in

23 June of '99, except for a couple of changes at

24 this point. For instance, relative to the south

25 Delta, basically, what we had talked about was,

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1 again, improvements that would have meant
 2 construction of various barriers in the south
 3 Delta and dredging and modification of the pumping
 4 operations at the state and federal pumps. And we
 5 got broader language there now to make sure we've
 6 covered something that will be equivalent to the
 7 full operation of a variety of barriers. The
 8 point is to make sure that, as we increase the
 9 pumping capacity there, we maintain the
 10 environment and improve the environment and
 11 protect the water supply of the south Delta folks.
 12 We got to make all those work in combination.
 13 That is essential.

14 Next is the language relative to the Hood
 15 diversion, which is a -- basically, it's set up as
 16 a diversion that could be constructed if we have
 17 drinking water quality problems that emerge
 18 particularly from operation of the Delta
 19 cross-channel. And if you are all familiar to
 20 some degree, in December of this year, the Delta
 21 cross-channel gate, which was right there, was
 22 closed to keep salmon in the river, in the
 23 Sacramento River, migrating salmon. This Delta
 24 cross-channel was actually built back in the '40s
 25 or maybe '50s by the Bureau of Reclamation so it

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1 could get good water quality into the central
 2 Delta. So closing the gates keeps the fish in the
 3 river, but it also keeps the good water, so you
 4 have degradation of water quality. So CALFED set
 5 up the potential to construct a diversion on the
 6 Sacramento River, screen diversion here that would
 7 move water down to here, that if you had to close
 8 the cross-channel too often, degrading water
 9 quality, you had some alternative method of
 10 keeping water quality up. So it was trying to
 11 make sure -- it's clear that this is an effective
 12 water quality contingent action. This is much
 13 smaller than it was originally envisioned. Under
 14 the old alternative, it had a 10,000 cfs
 15 connection. Now it's between zero and 4,000 cfs,
 16 which is equivalent to this connection right here.

17 So this whole discussion is really around
 18 what do we have to do to maintain water quality
 19 while protecting fish at the same time. So those
 20 are really the only two things that we have
 21 tweaked in the preferred alternative division
 22 that, mostly, how do you deal with project
 23 specific divisions on down the road at a
 24 programmatic level. There's been virtually no
 25 change in the CALFED program. Again, the

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1 important thing is what do we do to
 2 implementation. And that's where, in addition to
 3 the programmatic decision, there still is a lot of
 4 issues to deal with.

5 Finance and governance, we spent a lot of
 6 time here on governance, probably going to spend
 7 more as the months wear on here. And in other
 8 forums, as I said, February 29th the legislature
 9 has a hearing scheduled on these. Program
 10 refinement and implementation, these are all the
 11 things that we move into actions. And that's
 12 where CALFED is starting to spend a lot more time
 13 now as to, okay, what can we get out of specific
 14 actions. And, in effect, it seems pretty clear
 15 that's going to be the direction of the
 16 discussions that are going on at a high level
 17 between the state and federal government as to
 18 what are we going to do. Programmatic decisions
 19 are fine, but they don't give you anything. What
 20 do you do as a result of it? So that's going to
 21 be a real key thing next.

22 How does the water management strategy pull
 23 together? All the water management action says,
 24 how are we going to improve science? That's the
 25 CMARP program. So this is where, you know, the

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1 real heavy lifting is coming now, and will
 2 continue for some period of time.

3 In other forums, I have also likened a lot of
 4 people have felt somehow CALFED was going to
 5 deliver this wonderful touchdown pass and that was
 6 going to be the answer and everybody would have a
 7 big win and it would all go away. This is not a
 8 passing game. This is a running game. You gain
 9 three yards and you have a cloud of dust, then you
 10 get your nose broken every single play. It's
 11 plowing through this stuff and trying to make it
 12 work. And as part of that, regulatory
 13 determinations and agreements, how do you actually
 14 do these things in terms of, you know,
 15 constructing facilities, complying with the
 16 Endangered Species Act. Because CALFED has not
 17 made the Endangered Species Act go away. It has
 18 not made the state Endangered Species Act go away.
 19 They exist. They're real, they're strong. We
 20 have to deal with them. How we deal with them on
 21 the program implementation is the key.

22 So as we move towards a decision in CALFED,
 23 it's the programmatic decision. What goes with
 24 that are a lot of details relative to
 25 implementation that I think we need to be clear on

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1 to sell the program. When you sell -- probably
2 the wrong word to say, but basically, we need to
3 sell the program to the people here, to the people
4 of California, to the legislature, and others to
5 make them feel like it's worth investing in the
6 program. You know, that, I think, is going to be
7 the big step that is before us at this point.

8 Our current schedule called for release of
9 the final EIS/EIR on April 7. That schedule will
10 slip to some extent. We're not clear how long at
11 this point, except that people want to see a
12 little bit more discussion so we can get some
13 specifics going hand in hand with the programmatic
14 determination. You know, we'll hopefully be able
15 to talk about, you know, changes to a schedule in
16 a short period of time, but it's not going to slip
17 a lot. But it's not going to happen immediately,
18 but it will happen, I'm still quite confident,
19 this summer.

20 So that's really where we are on the
21 preferred alternative. Again, I try to give an
22 overview of the program and emphasize the
23 programmatic division is what we're dealing with
24 here. And we need to get to the project specific,
25 which is really what people want to see. So

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1 that's it. Mike.

2 CHAIRMAN MADIGAN: Okay. Questions?

3 MS. SPIVY-WEBER: Under the regulations
4 column that you had, shouldn't Safe Drinking Water
5 Act be up there as well?

6 EXECUTIVE DIRECTOR RITCHIE: This list
7 is basically those laws and regulations under
8 which you would have to get a permit to do
9 something. I suppose that could be added, because
10 certainly, as we look at new treatment technology,
11 that's something where the Safe Drinking Water Act
12 will come in. These are more typically conditions
13 of getting a permit for -- to do an activity as
14 opposed to Safe Drinking Water Act which directs
15 the activity.

16 CHAIRMAN MADIGAN: Bob, Pietro, and
17 Byron.

18 MR. RAAB: Steve, when you refer to the
19 closing of the cross-channel and the effect of
20 having degraded water flowing down into the
21 through-Delta, who's impacted by this degradation?
22 I assume, number one, it would be drinking water
23 quality. Is there more degradation than just
24 that? Is the degradation to other water uses?
25 I'm not clear on that.

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1 EXECUTIVE DIRECTOR RITCHIE: Drinking
2 water quality is one particular effect there. And
3 maybe, Alex, would you have a better answer on the
4 actual degradation of in-Delta water quality for
5 agricultural uses?

6 MR. HILDEBRAND: Well, it's a bit
7 complicated. It refers to the preferred Delta
8 alternative. Somewhere we're going to do
9 something about the salt load and tributaries. I
10 don't understand that statement. I don't know
11 what you can do about the salt load in tributaries
12 in the first place. And, furthermore, that coming
13 down with a lot of dilution, we tend to get hung
14 up on this business of talking loads and not
15 recognizing that whether the load makes any
16 difference depends on the concentration. And so I
17 think that's one of the things that needs to be
18 unraveled in here. I don't think there's any way
19 to increase the -- reduce the salinity of the
20 exported water from the Delta without increasing
21 the salinity of the water that remains in the
22 Delta. So there -- this is merely one example of
23 where we have numerous cases where we have
24 competing goals for limited resources. And you
25 can't all be satisfied. They have to be balanced.

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1 And I think one of the weaknesses of our
2 present situation on the -- on our analyses here
3 is we haven't really come to grips with how do you
4 balance competing needs for limited resources.
5 And, in fact, in that regard, we aren't even
6 examining the fact that our overall program
7 continues and perhaps exacerbates the depletion of
8 natural resources which is unsustainable.

9 And when we get down to the situation that
10 Mike is describing here, and I agree with his
11 opening remarks, the only thing I would add to it
12 is all these people are going to have to eat as
13 well as be housed, and that takes a lot more
14 water. And so we still haven't approached this
15 question of the sustainability of the -- of this
16 business and the depletion of natural resources
17 and the balance that is going to have to be
18 achieved among competing needs for limited
19 resources, except to the extent we can increase
20 either better mobile use of the resources we have,
21 which we need to work on in some ways that are not
22 yet indicated in here and increase the yield.

23 We keep talking about storage. But the yield
24 you get out of new storage depends on where it is
25 and how it's operated and the extent to which that

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1 storage can enhance mobile use. Also -- and we
2 really aren't addressing these things yet. And
3 since we're coming up against the record of
4 decision here, before we can analyze all of these
5 things, I suggest that one way around it is, Steve
6 mentioned, is to put in a preamble that says we're
7 still going to do all this, and to, as we do it,
8 we may well find we have to make some fairly major
9 changes in the plans.

10 For example, with the south Delta plan that
11 was adopted last May and is now under
12 reconsideration, it would probably be impossible
13 to correct the dissolved oxygen problem for fish
14 in about 15 miles of the San Joaquin ship channel.
15 And that hasn't been analyzed and taken into
16 analyses at all today. And that's just one
17 illustration.

18 So I can go through this preferred
19 alternative as it's written here now and point out
20 a lot of these things that seem to me have to be
21 done, changed, analyzed before we can really go
22 ahead and implement. And the only way I could see
23 to get around it now and still stick with the
24 schedule on the ROD is to put in a preamble that
25 says we're going to commence it, we're going to do
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1 all these things, and spells out pretty much what
2 they're going to have to be.

3 CHAIRMAN MADIGAN: Pietro.

4 MR. PARRAVANO: Steve, I had a couple
5 questions on the overhead.

6 EXECUTIVE DIRECTOR RITCHIE: Which one?

7 MR. PARRAVANO: The last one you just
8 had. Under the ESA, can you refresh my memory
9 what Section 7 is of the ESA?

10 EXECUTIVE DIRECTOR RITCHIE: Maybe I
11 should ask Alf to do that.

12 MR. BRANDT: Sure. Section 7 is the
13 section of the ESA that requires federal agencies
14 to be doing things to support and protect
15 endangered species. It's often contrasted with
16 Section 10, which is dealing with non-federal
17 entities that are required to do certain things to
18 make sure that they avoid take. So it's
19 responsibilities of the federal agencies to
20 protect endangered species.

21 MR. PARRAVANO: So does it also cover
22 both the threatened and endangered species?

23 MR. BRANDT: Yes.

24 MR. PARRAVANO: It does. Another
25 question I had, on the right-hand column under
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1 regulatory determinations and agreements, I don't
2 see the CVPIA up there as an agreement. In terms
3 of moving from planning to implementation, is --
4 EXECUTIVE DIRECTOR RITCHIE: Well, in
5 terms of the right-hand column, you know, these
6 are regulatory things. CVPIA doesn't have any
7 regulatory characteristics to it. It just simply
8 directs operation of the central valley project.

9 VICE CHAIR MCPPEAK: There is a -- there
10 appears to be conclusion when you say a regulatory
11 impact. It doesn't mean that the Safe Drinking
12 Water Act or the CVPIA does not apply. Existing
13 law applies, but it -- what you are attempting to
14 list up there are those laws that require
15 additional action and permits to be let in order
16 to move forward.

17 EXECUTIVE DIRECTOR RITCHIE: Yeah.

18 All --

19 VICE CHAIR MCPPEAK: Does that help
20 clarify?

21 EXECUTIVE DIRECTOR RITCHIE: All these
22 here are things that implementations or projects
23 would need to get a permit to do. Or, say, on the
24 Endangered Species Act, the biological opinion,
25 the agencies signing the record of decision would
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1 have to have consulted with the Fish & Wildlife
2 Service and National Fishery Service under Section
3 7 to be able to sign that. So there would be a
4 biological opinion as part of the programmatic,
5 and it will also be a programmatic level.

6 MR. PARRAVANO: Okay.

7 CHAIRMAN MADIGAN: Byron.

8 MR. BUCK: Two things. I wanted to
9 respond to Bob's question a little bit, because I
10 think he only got about half an answer on what
11 happened with the close of the Delta
12 cross-channel. And other than the drinking water
13 impacts of, which essentially you had higher
14 health risk as a result, the salinity didn't
15 violate drinking water standards, but higher
16 health risks because we got closer to them.

17 The other impact is on recycling. What
18 happened in December, we basically tripled the
19 salinity in the water that was being exported from
20 the south Delta. Had that occurred for a long
21 period of time, you would have seen recycling
22 projects have to go off-line because the water
23 coming in the basin would have been too salty to
24 recycle and then apply for irrigation uses.

25 So it's an issue that, over the long-term,
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1 salinity needs to be kept down and lowered if
2 we're going to have more recycling projects,
3 particularly in Southern California. And if you
4 don't lower the salinity of the water, ironically,
5 it turns into more demand on Delta water because
6 you can't recycle.

7 The issue I wanted to talk about in the
8 preferred alternative, Steve, was with respect to
9 storage. There's a number of linkages that are
10 indicated, that groundwater and surface water
11 storage will be predicated upon complying with all
12 program linkages, and you enumerate them. One of
13 them is demonstrated for us as being the programs,
14 water use efficiency, water reclamation, and water
15 transfer program targets under the water
16 management strategy. This is page seven.

17 You mentioned twice you think storage is like
18 the most we need for water quality, and I would
19 agree with you on that. And I think the other
20 need is going to be to provide outflow for the
21 environment in critical periods without taking
22 water away from other legal users. In that sense,
23 it's not creating yield. And so I question
24 whether there's a linkage then at that point or
25 appropriate linkage to building storage for water
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1 have the insurances that we're all looking for.
2 But as long as we all feel we can afford to hang
3 in here, we intend to continue to participate in
4 sharing the -- or supporting the ecosystem
5 restoration and doing our part on water
6 conservation and hope that CALFED does provide
7 some assistance in that technology.

8 But what we think is a major point that's
9 missing in this plan is the fact that there's not
10 a commitment or the assurance from CALFED that a
11 water user that invests in this technology and
12 participates in the water efficiency is going to
13 receive an immediate benefit of a more reliable
14 water supply. For example, we're investing in
15 drip irrigation and other technology for managing
16 water and drainage. And the three things we have
17 to have out of this is, immediately there's got to
18 be an increase in yield, reduced cost of water.
19 But along with that, the most important thing is
20 there has got to be a reliable supply to use those
21 facilities on a regular basis. And realizing that
22 there's an awful lot of detail in how you
23 accomplish this, what we need to hear, if you're
24 going to get people to participate in these
25 efficiency measures, is that if we invest in these
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1 quality or environmental purposes in some sort of
2 demonstrated water efficiency commitment. Which
3 is all well and good and going forward, but
4 there's no real nexus there. If there was storage
5 being created for at yield, that would be an
6 appropriate nexus. So I think the language, that
7 appropriate language, would be made depending on
8 what the purpose for the storage is that is
9 eventually going to be built.

10 EXECUTIVE DIRECTOR RITCHIE: Yeah, I
11 think that's a good point. Because I think there
12 are arguments among people about the degree to
13 which, for example, water use efficiency would
14 affect water quality. And it probably has some,
15 but I think it would be a far less substantial
16 impact on source water quality for drinking water
17 purposes. And so that linkage for different uses,
18 you know, probably should be different.

19 MR. BUCK: And one word would fix it.
20 It could be all appropriate linkages.

21 CHAIRMAN MADIGAN: Mike, and then
22 Brenda.

23 MR. STEARNS: Thank you, Mike. I wanted
24 to just generally comment that, you know, we all
25 understand this is a general plan and it doesn't
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1 things, those people are immediately going to see
2 an increase in their supply. And for us, the CVP
3 user, right now, we're looking at a 50 percent
4 average supply. If we invest in these things, we
5 need to know that that's going to be an 80 percent
6 supply, not 50. We think that there is
7 flexibility in the system right now to provide
8 that assurance.

9 CHAIRMAN MADIGAN: Thank you. Brenda,
10 and then Sunne.

11 MS. JAHNS-SOUTHWICK: Can you put that
12 last overhead back up? First of all, I want to
13 thank Chairman Madigan for making it clear that it
14 is time for people to speak up and say how exactly
15 they feel about the preferred program alternative.
16 My question, Steve, is under regulatory
17 determinations and agreements. I see, primarily,
18 the focus is on federal issues. What about state
19 issues like water rise and flood control and
20 things like that?

21 CHAIRMAN MADIGAN: Brenda, use your mic
22 so we get it reported.

23 MS. JAHNS-SOUTHWICK: Sorry. Did you
24 hear me?

25 EXECUTIVE DIRECTOR RITCHIE: I did.
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1 Make --

2 MS. JAHNS-SOUTHWICK: The question is

3 where is the state? Where are the state rules and

4 regulations that are going to be implemented as

5 part of this programmatic plan?

6 EXECUTIVE DIRECTOR RITCHIE: Again,

7 these are things for which you would need to get

8 permits, in effect. So the NCCP consistency

9 determination is the equivalent of the federal

10 Endangered Species Act. The multispecies

11 conservation strategy is the implementation

12 portion of that. Section 401, the Clean Water

13 Act, provides for state certification of Corps of

14 Engineers permits. The state Coastal Zone

15 Management Act, the applicable BDCD, has to

16 provide a coastal zone consistency determination.

17 Those are the regulatory measures out there. I'm

18 not sure there are any other regulatory permit

19 requirements, in effect, that CALFED has to go

20 through. You mentioned flood control, and there's

21 not a permit requirement on the floor control fund

22 for CALFED to obtain.

23 MS. JAHNS-SOUTHWICK: There may not be

24 permit requirements, per se, but there is

25 certainly a role that's played by the Department

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1 of Water Resources and the Reclamation Board in

2 terms of management agreements and arrangements

3 that have to be made, for example, with respect to

4 the things you're doing with the levees, in terms

5 of levee stabilization, levee setback, meander

6 quarters, and other things that have been

7 described in the document. So I don't see how you

8 can say that those are not either regulatory

9 determinations or agreements of some kind that

10 would have to be met.

11 And my other question is, on the state Water

12 Resources Control Board participation, which is a

13 regulatory body, how do you envision their role in

14 this implementation process?

15 EXECUTIVE DIRECTOR RITCHIE: Well,

16 certainly it's a regulatory action. Particularly,

17 401 water quality certifications is going to be

18 part of it. I don't think CALFED has proposed

19 anything that would alter water rights in any way.

20 I think that there could be applications for water

21 rights for certain activities. But on a

22 programmatic level, there's not a need for that.

23 Those would be sporadic project by project bases.

24 There would be a need for water rights

25 applications and water rights determination on the

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1 state board on specific projects. Yes, that would

2 have to occur. So we could add it to the list for

3 that. And I would agree the same with whatever

4 the agreements necessary with the Reclamation

5 Board and others relative to flood control. Maybe

6 it should be on a list. But, again, they are

7 project specific actions as opposed to

8 programmatic actions.

9 MS. JAHNS-SOUTHWICK: For example, on

10 water transfer, part of the program elements, it

11 certainly is going to involve the state Water

12 Resources Control Board whatever you're going to

13 do there.

14 EXECUTIVE DIRECTOR RITCHIE: Yes.

15 MS. JAHNS-SOUTHWICK: There will be a

16 process there. So I think that, for

17 clarification, those things need to be spelled

18 out.

19 EXECUTIVE DIRECTOR RITCHIE: Okay.

20 MS. JAHNS-SOUTHWICK: And I don't see

21 that up there. So to me, that leaves big holes.

22 And that's been a large part of our

23 dissatisfaction with the document, is that we

24 don't see the kind of integration of what needs to

25 happen both at the state and the federal level.

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1 Because CALFED is a state/federal group, if you

2 will, and we continue to see this sort of

3 orientation towards what the federal rules and

4 regulations will require, but we don't see a clear

5 vision, at least as far as the CALFED staff

6 presentations, in terms of how does that all work

7 within the framework of state law. And I guess

8 what we need is some clarification on that.

9 EXECUTIVE DIRECTOR RITCHIE: Okay. I

10 think, again, we tried to do that in various

11 documents. Maybe have them pulled together in a

12 way that is maybe well-articulated, and we would

13 be happy to do that.

14 MS. JAHNS-SOUTHWICK: Thank you.

15 CHAIRMAN MADIGAN: Okay. Sunne, and

16 then Roberta, and then Richard.

17 VICE CHAIR MCPEAK: Mr. Chairman, what

18 caused me to ask to be recognized was actually

19 Byron's comment with respect to the linkages on

20 storage. And the point you were making is that

21 perhaps there should be linkage only as

22 appropriate, if I understood. And, actually, I

23 wanted to rise to respond in that that makes me

24 very concerned and nervous. And I want to comment

25 on going back to the position that -- or the

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1 approach, Mr. Chairman, that you articulated at
 2 the beginning of our meeting. Because I have been
 3 struggling, as probably everyone around this table
 4 has, as to whether or not CALFED is going to be
 5 successfully concluded. And even if there is a
 6 record of decision, will there be anything in it,
 7 will there be something that is actionable and, in
 8 fact, a new plateau from which people feel
 9 positive to move forward.

10 And, quite honestly, I have serious doubts
 11 about that. And I think that -- that there are
 12 greater doubts in the legislature. And when
 13 Congress thinks about it, they probably have
 14 serious doubts, too. But the level of concern is
 15 probably going to continue to rise, because more
 16 attention will be paid to it if we move towards
 17 that expected date for a decision to be made.

18 And I think you said it well, basically,
 19 people feel less satisfied. For the things that
 20 are in here that one might want to hang their hat
 21 on, want to say is moving in the right direction,
 22 it doesn't go far enough. And, in part, that may
 23 be a reflection of an attempt to achieve a
 24 political compromise and a peace in our times.
 25 But it's going to leave us generally all

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1 wanted to make. How we craft it is we got to do
 2 more of almost everything that's in the preferred
 3 alternative. And by that, there can't be any
 4 retreat from efficient water use, moving ahead as
 5 expeditiously as possible on ecosystem restoration
 6 and watershed management. There has to be more of
 7 concern, commitment around the issue of supply
 8 reliability, moving more expeditiously, is that
 9 proper English, I have no idea, moving faster on
 10 the facilities on making decisions about
 11 facilities. So it's sort of what's out here has
 12 to move -- has to be accelerated.

13 And so, Byron, going to this issue of linkage
 14 on efficient water use to storage, first of all,
 15 there needs to be a commitment from everyone not
 16 to waste any water. So very aggressive
 17 implementation on efficient water use has to be a
 18 hallmark of the CALFED program, and nothing done
 19 that will undermine that. And when you said it, I
 20 understand the logic, but I will just respectfully
 21 respond that there's going to be storage need
 22 first and foremost, in my personal opinion, for
 23 the environment, storage for water quality, and
 24 storage for flexibility in most years that happen
 25 not to be normal. And that flexibility that gets

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1 dissatisfied.
 2 I, too, have concluded there's not going to
 3 be consensus. I told all the legislators and all
 4 the policy makers do not expect that you're going
 5 to have everybody from all of the stakeholders
 6 reach an agreement. I hope that, again, my
 7 fondest hope would be that we could, but I have
 8 given up on that.

9 But having said that, and recognizing what
 10 Steve has tried to instruct me, he tries hard to
 11 educate me on this point, that there is a
 12 preferred alternative that got published. We're
 13 doing the -- what is being done is the
 14 environmental impact statement and environmental
 15 impact report for the federal and state processes.
 16 There will need to be either a preamble or another
 17 set of statements around how to implement that's
 18 consistent with the preferred alternative.
 19 Obviously, it can't be inconsistent with it, but
 20 gives greater definition in order for there to be
 21 a real political, at least critical mass, policy
 22 critical mass, of policy makers to think that they
 23 can support the CALFED program.

CHAIRMAN MADIGAN: How do we craft that?

VICE CHAIR MCPHEAK: Here's the point I

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1 introduced into the system, which is a great
 2 advantage, that is, being able to have because of
 3 flexibility, a greater supply reliability, in my
 4 opinion, is justification for linkage back to
 5 storage.

6 So when you raise that point, I just got to
 7 say, do not go there. Anybody who wants to lessen
 8 any of the commitments in this document is
 9 basically saying I am ready to further undermine
 10 CALFED that's already on shaky ground.

11 CHAIRMAN MADIGAN: Okay. A number of
 12 people here. Roberta is next, then Richard,
 13 Howard.

14 MS. BORGONOVO: I wanted to refer to a
 15 letter that's in the packet that I'm a signatory
 16 to and several other people around the room. And
 17 that is, in trying to take a look at what I think
 18 is needed for the environment, we basically --
 19 several of us did lay out several conditions. And
 20 so the first one is a clear commitment to a
 21 specific dedicated funding source for the
 22 ecosystem restoration program, and then a clear
 23 commitment to assured sources of water for the
 24 environment. And we really are referring to water
 25 over and above what we have, over and over again

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1 called the baseline, which is 400 and (b)(2), the
2 Accord, the Trinity Decision, and the Endangered
3 Species Acts, biological opinions, and
4 institutional structure with the political, legal,
5 and fiscal authority to implement the restoration
6 program. And that is being dealt with in the
7 governance packet that's referred to as an
8 ecosystem entity. And then the program having
9 avoiding solutions that in one problem area that
10 undermines solutions in another problem area,
11 establishing a meaningful program of linkages, and
12 finally, dealing with CALFED's commitment for
13 beneficiary pays.

14 So, again, we come back to the funding source
15 and the beneficiary pays. And I did note up there
16 that there are -- they were on the list, but as
17 far as I know, as far as the funding and the
18 financing plan, I'm not aware of any effort that's
19 going within CALFED. I'm assuming something is,
20 but I haven't heard of any stakeholder
21 involvements. So that's my first specific
22 question. And then I do refer to the letter as
23 part of what many of us think needs to be done
24 before the ROD.

25 CHAIRMAN MADIGAN: Roberta, in that --
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1 and I read the letter. If this organization were
2 to start supporting those sorts of things, what
3 would you be willing to do in return to deal with
4 this state of New York that's about to arrive in
5 California?

6 MS. BORGONOVO: Well, first of all, I
7 think that you are making an assumption that --
8 that's an absolute maximum or possible population
9 growth. I think what's really important in this
10 process is you lay out a process so you can deal
11 with it as we go along. And so I and many other
12 people around the table have asked in phased
13 decision making and, for example, we've done that
14 on the conveyance. And you set up a Delta
15 Drinking Water Council so that, as events unfold,
16 as we put water use efficiency practices into
17 place, as we take a look at the way ecosystem
18 actions can improve water quality, watershed
19 actions can improve water quality, we can also
20 take a look at the way the safe drinking water
21 standards are changing and we make a decision down
22 the line as the best way to proceed.

23 I certainly have argued that I would like to
24 see storage dealt with in that way, nevertheless,
25 here it is in the package. But, again, CALFED is
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1 beginning to at least take a look in the
2 integrated storage investigation with all these
3 economic factors that should come into play and
4 the way that we evaluate the value of water
5 supply -- water efficiency for helping water
6 supply reliability. So that is very important
7 work that has to be done before the ROD.

8 But you specifically said you weren't asking
9 for consensus. And you said we didn't have to be
10 prepared to give tradeoffs. What you asked for,
11 Mike, was to lay down the lines.

12 CHAIRMAN MADIGAN: That's fair.

13 MS. BORGONOVO: I tried to do that.

14 CHAIRMAN MADIGAN: That's fair. And you
15 are entitled and would -- any of you are entitled
16 to not try to find a larger solution and only to
17 argue for a specific piece that is of your
18 interest. But also somewhere in here, if we are
19 going to spend money on environmental restoration,
20 and that is a big deal for a lot of you and I
21 understand that, if we are going to spend money on
22 water quality, and that is a big deal for a lot of
23 you and I understand that, there is going to have
24 to be a program that comes out of here that says,
25 yeah, we're going to have some specific things
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1 here that we are going to do, but in return for
2 that, I understand that because you're paying for
3 it or because there really is this next state of
4 New York, no, I don't think that's an end game for
5 California.

6 And my latest conversations with the State
7 Department of Finance tell me in the year 2050,
8 which is probably beyond my watch even around
9 here, that we will have something on the order of
10 65 to 67 million people in California. That's a
11 number that's more or less the population of
12 France or Germany or England or something like
13 that. So they're fairly stunning kinds of numbers
14 out there. And it seems to me we have to be about
15 the business of implementing solutions that are
16 going to accommodate that now. From my
17 standpoint, one of them, if the answer is no, you
18 can't move water, if that's the answer, then I
19 think you have made a decision in this state to
20 pave the Sacramento valley. Because that's where
21 the water is. If, in fact, you want the next
22 great city of California to be the Sacramento
23 valley, then your answer is I don't want to see
24 the water move. If, in fact, your answer is I
25 would like to see a fair part of that population
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1 growth accommodate in the existing cities of this
2 state, in the Bay Area, and the Los Angeles area,
3 and the San Diego area, and somehow water has got
4 to move and somebody has to articulate how those
5 tradeoffs begin to be made.

6 Richard, Howard, and then Alex.

7 MS. BORGONOVO: Since you asked me the
8 question, put me back on the list so I can answer.

9 MR. IZMIRIAN: Roberta hit my key point
10 is how all this would be paid for. I think it's
11 very key to implementation how things are going to
12 be financed. And that would affect how each of
13 these elements progress. Things like the levee
14 system integrity program, for some reason, setback
15 levees is not included in -- in the levee program.
16 It's over in conservation maybe. That's because
17 somebody has something in mind for how it would be
18 funded, whether public funds or private funds.

19 These are things that --

20 CHAIRMAN MADIGAN: Do you want to answer
21 that question, Steve?

22 MR. IZMIRIAN: Maybe I could go through
23 all my points --

24 CHAIRMAN MADIGAN: All right.

25 MR. IZMIRIAN: -- first. The ecosystem
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1 restoration program, as Roberta mentioned, needs a
2 stable, long-term source of funding that has to be
3 integrated in here. The water use efficiency
4 program, should this be financed through water
5 transfers, a market type approach, or will it be
6 approached through a subsidy approach? I think
7 that these are things that are important to know
8 as part of the -- before we can go forward with
9 implementation. The storage program, conveyance
10 program, willingness to pay has to be a key bullet
11 under these items. Beneficiary expense, how is
12 this going to be financed? That will make a lot
13 of difference in how this thing moves forward.
14 Thank you.

15 CHAIRMAN MADIGAN: Thank you. Howard.

16 MR. FRICK: You know, in addressing what
17 you say on growth, I don't have any questions.
18 It's just a matter of how much. Sunne, I don't
19 want to be negative, and there's no question we
20 need to stay with the process and try to move
21 forward, but, you know, it's a long-term process,
22 and we acknowledge it's a 30-year process. And
23 if -- you know, Mike is optimistic, but Mike
24 assures there is some management things that
25 should be done to restore some of the yield. But

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1 I don't think there's any question because of the
2 long-term nature of this process. The only
3 restriction to all the demands, environmental,
4 fish, water quality, and the urban demand
5 increase, you are going -- and I think that
6 unrealistic expectations on water use efficiency
7 as you -- if these things have to occur, and we
8 eventually solve the problem during that 30 years,
9 where is the water going to come from? I think
10 it's very simple. It's going to come out of San
11 Joaquin Valley. That's the only place there is.
12 You can't get it through the Delta, so you are
13 going to have large transfers out of the San
14 Joaquin Valley.

15 Maybe in 30 years, it will be solved. But in
16 the meantime, I think we need to address the fact
17 that it is going to occur. It has to. Because it
18 is -- we aren't going to dry up the urban areas.
19 The farmers are going to sell water. The
20 legislature moves and what needs to be done to get
21 it to happen will happen. And I think that needs
22 to be addressed. I think it can be quantified
23 with some assumptions as part of what we have to
24 deal with to get to a long-term solution.

25 We rejected the idea of half a million to
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1 800,000 acres out of production. Something in
2 that nature is going to happen anyway. Whether
3 it's long-term or short-term, I don't know. But I
4 don't see any alternative but to take water out of
5 San Joaquin Valley through transfers. It will be
6 voluntarily. If price gets high enough, farmers
7 will go out of business. But the effect on the
8 communities and the values needs to be addressed.
9 Whether it's 10 years, 20 years, 30 years, I don't
10 know. But I think we haven't addressed that, and
11 I think you have to.

12 CHAIRMAN MADIGAN: Thank you. Sunne.

13 VICE CHAIR MCPPEAK: I just want to ask,
14 Howard, how would -- what would you like to see on
15 here that would address this issue?

16 MR. FRICK: I think you have to make
17 some basic assumptions with the information we
18 already have to be realistic on what those are.
19 And just let the public know that is what's going
20 to have to happen over a period of years. And
21 then you can reverse it if the public is
22 interested in doing that. I don't know that the
23 farmers will be interested in, the cost of water
24 to do that, whether that will occur. I don't --
25 you know, I question whether that ever will occur.

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1 CHAIRMAN MADIGAN: Alex, and then
 2 Roberta again.
 3 MR. HILDEBRAND: I would like to go back
 4 to Sunne's remarks. And it seemed to me you left
 5 out two things when you were talking about the
 6 reasons for storage. And I would like to find out
 7 whether that was accidental or deliberate. I
 8 didn't understand you to indicate we need any
 9 storage. And to me, I'm talking yield rather than
 10 storage to take care of these new cities of New
 11 York that are going to move out here. I don't
 12 know how we're going to provide for that increase
 13 in population without a lot more water, and just
 14 because of the increase in population, no matter
 15 what else we do.
 16 And the other thing is it -- as we have
 17 discussed before, we are unsustainably
 18 overdrafting the groundwater. It's the only thing
 19 that gets us through the droughts now, and that is
 20 unsustainable. Thirty years from now, we won't be
 21 able to do that anymore. And our program doesn't
 22 address providing a new yield to stop that
 23 overdraft. It seems to me that's pretty
 24 fundamental. And I'm not clear whether you just
 25 overlooked these two things or whether you

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1 intentionally left them out of your list.
 2 VICE CHAIR MCPEAK: I didn't overlook
 3 them and I didn't intentionally leave it off.
 4 And, as you know, the list I gave you back in
 5 September of '98 in Stockton in handwriting had
 6 both overdraft and about another 250,000 acre feet
 7 for growth in the next 20 years. So those are
 8 both issues that I think are very likely reasons
 9 for additional demand, in excess of that water
 10 that can be saved through a water -- water use
 11 efficiency and a water market. What I was
 12 responding to was the concept that some urbanaries
 13 say we didn't need anymore water. Because I've
 14 heard that we just need greater reliability or we
 15 need higher quality or we need water for the
 16 environment.
 17 I was stipulating to all of that as reasons
 18 for storage, but commenting that even when -- when
 19 one talks about simply the greater or improved
 20 water quality and reliability or flexibility in
 21 the system to manage that, there is a connection
 22 to the storage. And from day one, five years ago,
 23 the business community position has been, go out
 24 and see if anybody is going to pay for it. That's
 25 the litmus test, and do it now. So it's not --

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1 and I guess we're aligned finally on that one, if
 2 that's the threshold, for how we're going to pay
 3 for it. And I don't think it's a mystery of how
 4 we're paying for any of this. We've had charts up
 5 there forever.
 6 MR. HILDEBRAND: Well, on the funding,
 7 it seems to me --
 8 VICE CHAIR MCPEAK: How it's supposed to
 9 be paid for.
 10 MR. HILDEBRAND: The question is we
 11 can't afford not to do it regardless to what it
 12 costs. And that we aren't going to face up to
 13 that unless we first really look at how much water
 14 we will need to maintain the quality of life in
 15 this state when we have that many more people, and
 16 while also protecting the environment the best we
 17 can. And there's nothing in this -- these
 18 analyses I've seen that really is addressing how
 19 much water do you really need to do all these
 20 things in the year 2020 or 2030. And some of you
 21 may live longer than that. I won't. And so I
 22 think that if people really understood the deficit
 23 we're moving into, they might understand that is
 24 something we can't afford not to do no matter how
 25 much it costs. And what it's worth in today's

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1 dollars have very little to do with what it's
 2 going to be worth with the dollars in 2030.
 3 CHAIRMAN MADIGAN: Roberta, and then
 4 Hap.
 5 MS. BORGONOVO: I was going to ask Steve
 6 if we were going to have an extended discussion of
 7 the water management strategy evaluation. And I
 8 see it's on the agenda for after lunch, but I
 9 think that --
 10 CHAIRMAN MADIGAN: About 45 minutes is
 11 what we have budgeted for.
 12 MS. BORGONOVO: Right. But at least in
 13 that what CALFED is doing is looking at tradeoffs.
 14 And so most of us have not seen that yet. And so
 15 you do have to see the tradeoffs. But, again, I
 16 would argue for different approaches. And in the
 17 water management evaluation framework, they did
 18 take different approaches, and I'm just seeing it
 19 under alternative A, water use and efficiency
 20 emphasis instead of a storage emphasis. As for
 21 the reason we need to generate more water, the
 22 water system is finite. And if you are taking it
 23 out of storage, you are going to impact the
 24 environment. We've made that argument before, but
 25 at least maybe with this evaluation framework we

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1 can begin to see tradeoffs. We can get to costs
2 and we can take -- begin to compare those costs
3 for different approaches.

4 CHAIRMAN MADIGAN: Hap, and then
5 Bob Raab.

6 MR. DUNNING: Well, Mike and Howard both
7 took the occasion to talk about how they think the
8 big picture is going to evolve and how we deal
9 with population. I would just like to chime in
10 because I think there's a couple of things being
11 ignored, or at least maybe haven't been mentioned
12 in talking about the macro picture.

13 Howard talked about water moving out of the
14 farming in the San Joaquin Valley, but I think
15 it's important to keep in mind that in the
16 Imperial Valley, you got 750 growers that control
17 about 2.9 million acre feet. That's an enormous
18 chunk of water.

19 We have two small projects, one with
20 Metropolitan two years ago, one that San Diego is
21 working on, to cooperate on a voluntarily basis,
22 on a compensated basis, to move water out of the
23 Imperial Valley to the advantage of coastal areas,
24 or at least to make improvements in the system
25 that will benefit the coastal areas. That's one
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1 thing that I think is extremely important for the
2 long run.

3 The other is, in talking about the future of
4 the coastal cities that Mike mentions, and where
5 are they going to get their water, they are
6 coastal, they are by the ocean. We do know how to
7 desalt the ocean, the problem is it's very
8 expensive. It seems very expensive now. It's
9 perhaps three times what conventional sources
10 would be. But I'm wondering, over 50 years,
11 number one, those costs are going to come down.
12 And I realize there's an energy component that's
13 important here. It's energy intensive to desalt.
14 But as those costs come down, it may also be that
15 the coastal populations will need to pay a good
16 deal more for their water supply. But the water
17 is there. It's not that it's physically
18 unavailable, it's a choice as to whether to pursue
19 that. I don't hear much discussion about the
20 desalting these days, and I'm not saying it's a
21 panacea or a problem-free solution, but I think it
22 has to be considered in looking at the overall,
23 long-term picture.

24 CHAIRMAN MADIGAN: Fair enough. And I
25 agree that the desalination is a -- having
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1 attempted a few things in the coastal zone over
2 the years, I am not excited about the chances of
3 locating a 50-mile trek of desalination plants in
4 Southern California. But I intend to try to keep
5 that effort alive, at least in San Diego, because
6 I think that it is a piece of the solution.

7 Let's see. I have Bob Raab, and then Fran.

8 Oh, one other thing. On having been involved
9 in that Metropolitan water transfer plan a decade
10 ago, because I was the chairman of the committee
11 that dealt with it there, and having obviously
12 been involved in the water transfer from San Diego
13 or to San Diego, I am very much a believer in all
14 that. And I was even more a believer in the
15 likelihood of its ultimate success in terms of
16 long-term transfers until one of our members spoke
17 out against it because of the potential
18 environmental impacts of the salt in the sea.

19 And that has set me back a little bit in my
20 enthusiasm. And, I guess, the point of that is
21 that whatever I personally have tried to do in
22 terms of ensuring a water supply in San Diego,
23 whether it has been desalination, and I chaired
24 the energy and desalination committee in Met, or
25 whether it has been a water transfer with the
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1 Imperial Valley, I have found that it is very easy
2 to say no and very hard to say yes. And I am
3 trying to find some yeses around here in terms of
4 dealing with that next million people in San
5 Diego. Not because the people in San Diego want
6 another million people, because probably 99 to 1,
7 they don't, but because of its inevitability.

8 And somehow, in this process, we have to
9 begin to speak to that. And it's my own personal
10 beliefs we do not accommodate that next million
11 people by paving the Sacramento valley. We do
12 imply accommodating that growth in the existing
13 urban areas as much as we possibly can.

14 Bob, and then Fran.

15 MR. RAAB: There are two premises I've
16 been hearing that, in my mind, may not be valid
17 premises. One is that much more agricultural
18 water is going to be needed and that it -- all
19 this needed agriculture has to come from
20 California. But there's a lot that could be said
21 about alternatives or things that are going to
22 happen where we will find that we probably won't
23 need as -- any more agricultural water and maybe
24 even less. And it's -- I question the accuracy of
25 how many people are going to be here in 20 years
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1 or 30 years, whether it's anywhere near what
 2 the --
 3 CHAIRMAN MADIGAN: Administration of the
 4 State thinks it's going to be?
 5 MR. RAAB: Yes. Just a quick example
 6 to -- I have read that of the 80 percent of water
 7 that goes to agriculture, 40 percent of that 80
 8 percent goes to forage crops, rice, cotton,
 9 alfalfa, and pasture. These are, I think, more
 10 about crops -- a professor at UC Davis last year
 11 wrote a book called, "The End of Agriculture in
 12 the American Portfolio." And he made the case
 13 that low value crops are going to be on the way
 14 out in agriculture, and that loans are going to be
 15 less and less forthcoming for low value crops.
 16 Now, even if we accepted your figures, we're going
 17 to double the population.
 18 CHAIRMAN MADIGAN: They're not mine.
 19 They belong to the administration. I just
 20 borrowed them for the day.
 21 MR. RAAB: Yeah. Sorry about that.
 22 Even accepting that, cities use for domestic use
 23 less than eight percent of all the captured water
 24 in California. Now, if some of the lower valued
 25 crops were to be -- were to be transferred over
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1 to, say, water purchases that would take care of
 2 the doubling of the population for domestic use.
 3 And this is the kind of thing that's really
 4 missing here, to me, as a -- as really a thorough
 5 understanding of what the future of agriculture is
 6 in California and what the potentials are for
 7 transferring water on a much larger scale than
 8 what's been talked about.
 9 CHAIRMAN MADIGAN: Okay. Fran, and then
 10 Byron, and then Sunne and Stu. Okay. And then I
 11 got her. Okay.
 12 MS. SPIVY-WEBER: I would just like to
 13 reinforce several comments that have been made and
 14 add one -- one idea for new water. Roberta
 15 mentioned phased decision making. We all rallied
 16 to that approach. And I think that in -- it
 17 was -- it's a good idea. And it's one that we are
 18 committed to. Certainly the seven-year program
 19 has been put forward in that spirit. And it's
 20 important for many of the reasons that Roberta
 21 laid out, is that it's important because there's a
 22 lot of change going on and there's a lot of
 23 investigating what alternatives we have to deal
 24 with future population growth, with shifting
 25 populations, with changes in agriculture, with the
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1 technology that is changing in terms of filters
 2 that can be used for desalination, but not just
 3 for getting water from the ocean, but making
 4 better use of water that has been polluted in the
 5 past and it is in the ground and isn't being used
 6 simply because it's -- the area is not being used
 7 for storage or whatever because it's polluted.
 8 One of the -- so I think phased decision
 9 making and giving ourselves time to make decisions
 10 before we invest in what would be large stranded
 11 costs that we may not need to make, that's what
 12 we've all agreed to do. And I think that's smart.
 13 The second thing that has come out several
 14 times here is that every region is slightly
 15 different. Some need more of something and some
 16 need more of something else. And so the approach
 17 that I think CALFED is moving toward to address
 18 regional issues, specifically, is that also going
 19 to call for smaller projects, not larger ones,
 20 that try to deal with the whole system. And when
 21 we say agriculture, we don't mean all agriculture.
 22 We are talking, you know, there are certain areas
 23 that are having problems. Other areas are not
 24 having problems at all.
 25 And so I think that, once again, going for
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1 the small for the -- for the phased, for the
 2 cautious at the start is smart. Right now, the
 3 Bureau of Reclamation is looking at, with the LA
 4 County Public Works, the Corps of Engineers, and a
 5 number of other entities in the LA County area,
 6 are looking at a study to quantify what additional
 7 water that area would get from use of store water.
 8 Right now, of our rains, three-quarter inch or
 9 less rains, that rain water is shunted out to the
 10 ocean as quickly as possible. If there are ways
 11 to hold water on-site, get it into groundwater,
 12 get it into cisterns, get it into other
 13 approaches, do we have a new source of water for
 14 this growing population in the future? There is
 15 certainly water quality issues. There's -- there
 16 is landscaping issues. There are a lot of
 17 concerns. But this is something that -- this is a
 18 new source of water. And these kinds of ideas
 19 need to be allowed to -- to develop before we
 20 start spending money for essentially old ideas.
 21 CHAIRMAN MADIGAN: Okay. Let's see.
 22 Where am I? Byron, and then Sunne.
 23 MR. BUCK: This larger debate about the
 24 implications of population and water needs is an
 25 interesting one and has to occur. And I think
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1 it's kind of permeated this program all along.
2 But there was a pretty early decision made in this
3 program not to use CALFED to solve Bulletin 160
4 problems or to be the California water plan. It
5 was to be lowering resource conflicts in the Delta
6 and water demand conflicts in the Delta. So the
7 program has really developed strategies to do
8 that, but it has deliberately ignored things like
9 ag sustainability and the ultimate population
10 growth and water needs. It's really focused on
11 trying to lower that conflict in the Delta. Maybe
12 that was a mistake. There was a lot of debate
13 about that in the beginning of the program. That
14 issue continues to come back at every meeting we
15 have. It seems to be a larger one every time we
16 get the new population estimates and we come here
17 rebounding what it is. Maybe that needs to be
18 brought in the next round as we're never truly
19 going to solve the problem until we try to grapple
20 with this. But I agree there are a number of
21 different ways this can go. But right now, we
22 don't have that as our charge to try to deal with
23 that issue.

24 CHAIRMAN MADIGAN: Thank you. I have
25 Sunne, and then Stu, Pietro, Brenda, and Alex.
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1 VICE CHAIR MCPEAK: The last time I
2 spoke, Alex asked if I forgot something or
3 intentionally left it out. I said no, although
4 I'm entirely possible of doing both. So I want to
5 confess that inadequacy. I wanted to talk about
6 population, ag, and stranded costs, and pick up
7 where Byron did.

8 The discussion about population is an
9 interesting one. And I -- I interpret our charge
10 as Byron has just laid it out. And but further
11 look at the fact that increasing demand is going
12 to be happening. We can observe it today. I
13 don't know what the exact magnitude of population
14 increase may be, nor am I personally trying to
15 figure out what the right number is. And,
16 historically, those population projections have
17 been off, have been really off when they -- when
18 you look ahead.

19 What I do think is right, or what I take as
20 fairly reliable statistics based on the last
21 decade, is that as we look to the foreseeable
22 future, which is about 10, maybe 20 years, that
23 the population increase that we will experience,
24 at least 62 percent of that is from births over
25 deaths of people here today. So you can just put
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1 up the moat around California and nobody else
2 comes in. You can't kill anybody. That is one of
3 the rules of the game. So just births -- that is
4 the rule of the moat game. You can't kill
5 anybody.

6 CHAIRMAN MADIGAN: I don't see a second,
7 Sunne.

8 VICE CHAIR MCPEAK: My point is that we
9 can do the numbers in terms of population growth.
10 And just from the current population, the
11 projected increases are from those of us here
12 today. I fear very much that without properly
13 planning to manage to future demand, whatever that
14 might be, whatever that magnitude, is a threat to
15 the environment and it's a threat to stability for
16 the economy.

17 So that one, I think, is we are at a point
18 where it's not the charge specifically to CALFED
19 to deal with projecting out population, figuring
20 out what the supply is, but clearly, for me, any
21 failure to be as prepared as possible is only
22 going to exacerbate the conflicts in the
23 environment in the Delta. And, therefore, it is a
24 real consideration.

25 I also conclude, by the way, that even in the
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1 foreseeable future, and I too am not planning to
2 be around much longer than Alex, I'm sure he'll
3 outlive us all, that we pull -- probably have
4 enough water to manage through the combination of
5 tools that can be put into the mix.

6 With respect to agriculture, it's not my
7 place to speak for it, although I consider ag a
8 fairly important segment of the business community
9 in California, the best I understand this argument
10 is pretty persuasive to me. They don't need more
11 water. They just need people not to take it from
12 them. That's the bottom line.

13 And so we have the discussion about how much
14 water for agriculture. It's really more a
15 discussion about stability. And Mike's argument
16 there about deliveries is a pretty important one
17 with respect to how will they finance the
18 efficient water measures that we tell them all to
19 do. We're not going to put in drip irrigation, go
20 to a third the amount of water needed to support
21 permanent crops, and then not have a reliable
22 source because the bank isn't going to give you
23 the money to do it. It's just some very simple
24 economics that come into the equation here. And,
25 you know, the business community supports a water

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1 market. But I also think it would be pretty
2 stupid to allow movement of water out of ag sector
3 beyond that which is needed to cultivate our best
4 soils.

5 So I keep putting that one on the table as a
6 pretty important aspect of a viable water market.
7 Fortunately, Steve does have, under one of these
8 bullets, a good groundwater management program as
9 one of those linkages, I guess for storage or
10 something else.

11 The last thing, on stranded costs, I think
12 that there is a real way to avoid stranded costs
13 and still make decisions today about facilities.
14 I conclude we need, just for flexibility, and
15 that's the users' pay, that's users are paying for
16 it. And I know it's not quite that simple, but
17 almost by definition, stranded costs come about
18 when they have been financed by -- in the public
19 sector, and then consumers don't want to pay the
20 cost of it any longer.

21 And so what -- what I think has been put up
22 repeatedly, and we hear the reports, although we
23 never endorsed them, are basically the appropriate
24 funding connections to these various elements of
25 CALFED. So I would be -- or willing to invite
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1 Steve to do that again.

2 Last point I'll conclude with, Hap,
3 desalination -- or desalination I guess is
4 actually the better, proper word. Steve, a couple
5 of weeks ago, in holding a briefing for the
6 legislature sponsored by his committee, the
7 finance committee, and they started that grumpy,
8 saying he didn't understand why it wasn't on the
9 table, it should be on the table. So when
10 Senator Peace (phonetic) starts raising those
11 kinds of things again, I usually say no. So you
12 might be interested.

13 CHAIRMAN MADIGAN: Stu, and then Pietro,
14 and then Brenda, Alex, and Tib.

15 MR. PYLE: My comments go back to
16 Sunne's first comment when she was talking about
17 the CALFED plan, the preferred alternative as it
18 sits before us, that practically nobody agrees
19 that it includes everything that ought to be in it
20 or that it goes far enough. And I think that
21 every one of us, when we look at these elements,
22 we can see something that we would like changed.
23 I'm particularly not pleased with the lack of
24 definition in the storage issue. The fact that
25 Steve says, well, there's six million acre feet
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1 out there, but I think we need a little more
2 guidance of where we're going than just an ISI
3 study.

4 And I probably don't have to say my opinions
5 on the conveyance program, but it -- and it seems
6 to me, and Steve tells me I'm not right, but it
7 seems to me that what I assumed was the
8 endorsement of the dual conveyance process has --
9 seems to be completely lost as what I read as the
10 preferred alternative now, that when we were
11 reading this in the preliminary document, it had a
12 provision for additional studies that would bring
13 that back on the table and keep it on the table
14 within the stage one, and that it would bring it
15 back if it was determined that the through-Delta
16 facilities were not doing the job. And I think
17 there's a lot of evidence that the through-Delta
18 facilities will not do the job and that it needs
19 to be kept on the table.

20 So that's -- that's just kind of where the
21 facilities are. But as to the -- as to the plan,
22 whether we like it or hate it, I feel that
23 everything in there needs to be done, that it's
24 probably more than we can afford. So there
25 probably would have to be some picking and

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1 choosing as you go through the -- through the
2 definite permitting and financing of these that
3 they are going to be kind of slow coming about.

4 But I think that everything that's named in
5 there has to be on the table. I just think that,
6 in terms of my favorite gripes, we have to keep
7 bearing in on the conveyance system and make sure
8 that what it's proposing to do is done and we
9 listen to Alex and that we, you know, make the
10 designers take lead of his knowledge, that -- or
11 people like him. I'm just using him as an
12 example. But you have to use that management in
13 there.

14 Then getting to what we have been discussing,
15 you know, this discussion could have been had two
16 years ago, or four years ago, or three years, you
17 know, five years ago. This is the same thing that
18 we have been talking about all the time. Nobody
19 is happy that the CALFED plan doesn't provide for
20 the long-range water future of the state. And
21 that was kind of ruled out and, you know, Byron
22 pointed that out in his comments. And I would
23 like to see the CALFED program going to get an
24 endorsement, but somehow see the state play a
25 bigger role in the next Bulletin 160 on this issue
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1 that we're talking about. I don't think it's
2 going to make any difference over the next five
3 years or four years, or whatever it is until we
4 get to the next Bulletin 160, whether we have this
5 program solved. It's being solved by the
6 day-to-day programs that go along.

7 For instance, Kern County Water Agency has
8 sold 130,000 acre feet of state water project
9 entitlement, however much water that's worth.
10 But, however, they sold this like to Santa
11 Clarita, Low (phonetic) Valley, organizations
12 where there are housing developments going on
13 where they need assurance of new water to get
14 their permits and their plans going.

15 So I think things are happening that take
16 care of the -- of the short-run programs. But my
17 recommendation is that somehow we make it possible
18 to get the CALFED effort on the street and in
19 operation and continue to take up this long-range
20 issue of how are we going to solve the water
21 future of California. That wasn't part of this
22 program at all. I think there needs to be a whole
23 new program, a whole new effort diverted through
24 the next Bulletin 160 cycle to come up to some of
25 these answers.

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1 Thank you, Mike, for the time.

2 CHAIRMAN MADIGAN: Thank you. Pietro.

3 MR. PARRAVANO: I would like to go back,
4 and from the beginning of the meeting, and with
5 the different perspectives, what has been lacking
6 here. We started off with an example of why of
7 the -- this preferred alternative is not
8 acceptable. And it -- and it addressed the issues
9 of that is inadequate in achieving the
10 satisfactory prediction of the population growth
11 that we're going to have here in this state within
12 the next 50 years.

13 Well, I would like to offer you a different
14 perspective. And that is the perspective from
15 where I come from. We are going to also be faced
16 with an increase in population, but the population
17 of a different animal. The CVPIA mandates that
18 the population of the unundras (phonetic) and
19 fisheries be doubled, and that the time frame for
20 that was ten years.

21 It's obvious we're not going to achieve that
22 goal because CVPIA was passed in 1992, and it's
23 been two years, and I doubt we'll see that goal
24 achieved. But it's still on the table. And while
25 I can appreciate the discussion on how we're going

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1 to house human population, we can't lose the
2 perspective that how are we going to house a
3 salmon population.

4 And there is another comment that was made,
5 if the human populations are going to be in such
6 large proportions in the next 50 years, how are we
7 going to feed them? Well, we all know that food
8 does not only come that's harvested on land.
9 There's also food that we -- that's harvested out
10 in the sea. So in order to achieve this goal of
11 not only housing and feeding these people, we have
12 to keep these cards on the table. We have to come
13 back to initial mandates of the CALFED process,
14 which was a fair and equitable process to all
15 groups.

16 In order to maybe bring this issue a little
17 bit of closer, when we talk about environmental
18 water, some of us don't realize that in that
19 environmental water are economics. It's a very
20 serious base of economics. And those economics
21 are displayed by a lot of coastal communities. We
22 hear figures that 70 percent of the population in
23 America lives within about 40, 50 miles of the
24 coastline. So if we were to go back and revisit
25 the idea of how we're going to implement this food

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1 production, be it land based or marine based, we
2 have to keep all these things in perspective.

3 And I agree with Francis when she mentioned a
4 precautionary approach that we just about have to
5 take a precautionous approach in achieving the goals
6 of CALFED. And in doing so, you know, we might
7 come up with another solution to the water issues.

8 If -- I'm sure if we continue discussion as
9 we're doing this morning about how in the world
10 we're going to be feeding another and housing
11 another New York State in this state, you know, we
12 might just put up a big question mark. And maybe
13 that suitcase that New York State is going to
14 bring here just doesn't fit in our cargo hold.
15 And that is a possibility. We cannot lose sight
16 of that. We can beat ourselves to death, beat
17 each other's credibility, beat each other's
18 occupations to the point where I don't care what
19 you do, but that doesn't do good for our quality
20 of life. That doesn't do good for our future
21 generations. Maybe the State of California should
22 go through an environmental impact statement to
23 see what kind of carrying capacity the state can
24 undertake.

25 CHAIRMAN MADIGAN: Fascinating, really.
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1 And the questions are really interesting, and if
2 you think about what's happening to the population
3 growth. And I'm not sitting here saying, you
4 know, I hope it's true. I mean, that's -- that's
5 not my hope in life. But there are a couple of
6 things. Number one, if that's the best estimate
7 of the professionals who are looking at the
8 question, then we probably ought to include it in
9 our planning process, for one thing.

10 The second thing is, remember, we have to
11 have an understanding of what drives population
12 growth in California. Because they're not moving
13 here from Kansas anymore. It's entirely possible
14 nobody lives in Kansas. That's not clear to me.
15 But they're not coming here from Kansas anymore.
16 Sixty some percent, and I've heard 62 percent and
17 I've heard 65 percent, of the population growth in
18 this state is births over deaths. I mean, that's
19 internal. Those are people who are not bringing
20 a suitcase here from somebody else. That's somebody
21 who is already here making a decision about having
22 a family.

23 The second percentage of -- that I have seen
24 is about 65 percent or 70 percent of the
25 population growth that is coming here, that is net
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1 announce it on their letterhead or something like
2 that, but in fact, that's what they've done. And
3 so you've got that option.

4 But short of an option that says we are going
5 to intentionally and actively discriminate against
6 that portion of society which is least able to
7 afford it to begin with, there is not much that we
8 do in this state that affects that growth. Now,
9 national economics, sure. We might not hit it in
10 2027. We might hit it in 2030. I mean, three
11 years. Okay. Fine. That's not one of life's
12 really big deals. And I would hope that, even
13 though this process isn't aimed at a total
14 solution for where we're going to get the water
15 for that next 17 million people or whatever that
16 number turns out to be, I hope that the
17 recommendations that we make around here bear in
18 mind that at least that's the direction this state
19 is heading.

20 Okay. I have Brenda, Alex, Tib, and Sunne.

21 MS. JAHNS-SOUTHWICK: Thank you, Mike.
22 Primarily, I wanted to acknowledge, because I was
23 going to say it earlier, but Sunne already said
24 it, at least from our perspective, what we are
25 saying is that agriculture pretty much has water.

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1 immigration to this state. And, you know, there's
2 always out-migration as well as in-migration
3 that's coming here from other countries. That's a
4 matter of national policy. That's people back in
5 the Congress of the United States still reading
6 the words on the Statue of Liberty about give me
7 your tired, your poor, your huddled masses
8 yearning to breathe free, all that stuff, you can
9 believe it or not. But, you know, that's the
10 way -- that's our national immigration policy and
11 that's the way we're operating. It's been that
12 way for a long, long time. The population may be
13 coming from a different area right now, but it's
14 no different from the population that came here
15 from Ireland or Italy or wherever 100 years ago.
16 It's the same dynamic.

17 If population growth in California is going
18 to change, it's not going to change because of
19 decisions that are made in California except by
20 economics. In fact, we can make this place so
21 unaffordable that those least able to afford it
22 will leave. And we can have that kind of an
23 impact and you can make that kind of a conscious
24 public policy decision. And there are cities who
25 have made that kind of decision. They may not
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1 The issues that are really key are maintaining the
2 needed water supply and getting past the plug in
3 the Delta, which is obviously what drives the
4 concerns of Mike and Howard and people like that
5 down in the south of the Delta area. And, of
6 course, the people in the Delta are concerned with
7 water quality and levee integrity and all of that.

8 And I think our big problem with the
9 preferred alternative approach is a lack of
10 acknowledgment of that as a key factor in both the
11 discussion of additional storage and conveyance
12 and in water transfers and other issues like water
13 use efficiency, things like that, that have to go
14 hand-in-hand in the sense that for every action
15 there's a reaction. So if you do something in a
16 system over here, it's going to change something
17 in the system over there. And you can't ignore
18 that and try to pretend that it doesn't matter.
19 Because you are saying that you're making a social
20 policy decision about the value of ag and whether
21 they should be growing certain crops in the state.
22 That's immaterial.

23 The point is that agriculture, to the extent
24 that it's reasonably and beneficially using water
25 has a right to use it, and if people want to be in
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1 the business of agriculture, they have a right to
2 do that last time I checked. So that what we're
3 really talking about is coming up with management
4 strategies that don't reconcile things at the
5 great expense of one group of interests.

6 That's what CALFED's charge is, and that's
7 what we're saying is necessary when you're looking
8 at the big picture and when you're looking at the
9 site-specific measures that you want to implement
10 in meeting the preferred program alternative or
11 whatever other alternative is selected in this
12 environmental documentation process.

13 CHAIRMAN MADIGAN: Thank you. Alex,
14 then Tib.

15 MR. HILDEBRAND: First let me remind you
16 of what I told you once before. And there are 12
17 times as many people in California as there were
18 when I was born. There are three times as many
19 people as there were when the CVP went into
20 operation. And the things that people do that
21 have caused that increase to take place I don't
22 think are going to stop. If we're going to have
23 a --

24 CHAIRMAN MADIGAN: Just -- you know,
25 fluff that one for the moment, Alex. Go ahead.
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1 serious. And then he suggests that maybe we don't
2 need to grow our own food, we get it from some
3 unidentified source. Well, I would suggest that
4 CALFED ask the Department of Agriculture to give
5 us an analysis of what would happen, where we
6 might get this food. If you look at publications
7 like the World Watch Institute that tell us what's
8 happening to the food supplies elsewhere in the
9 world, it makes you wonder just where you're going
10 to buy this stuff 30 years from now.

11 And so if you combine the population growth
12 figures for our country and the rest of the world,
13 and you look at the fact that the irrigated
14 agriculture acreage per capita has been dwindling
15 ever since 1978, and that they're overdrafting
16 groundwater all over the world, and not only in
17 California and in the United States, but the
18 Oglala basin is being overdrafted at a rate
19 approximately equal to the flow of the Colorado
20 River, and you add all these things up, and it has
21 some authoritative analysis of where do we get to
22 if we decide we're going to stop growing these
23 things.

24 CHAIRMAN MADIGAN: Tib, and then Sunne.

25 MR. BELZA: Thank you, Mr. Chairman.
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1 MR. BELZA: Can we get some more detail
2 on that?

3 MR. HILDEBRAND: I think if we're going
4 to have a 30-year -- if we're going to pretend
5 we're going to have a 30-year program, we better
6 not assume that those things are going to stop
7 happening. Now, Bob Raab has brought up, again,
8 things have been brought up many times before,
9 that somehow or other when farmers act in
10 accordance with market forces, they don't grow the
11 right crops, and somebody should tell them what to
12 grow, I guess.

13 We've pointed out before that, for example,
14 that if you stop growing alfalfa, which is primary
15 dairy feed, you either are going to grow something
16 else that's going to take a lot of water or you're
17 going to do away with dairies and they also have
18 to do away with the hamburgers that come from the
19 retired cows, and so it's a pretty major hit on
20 the food supply. You give up ice cream, too, you
21 know.

22 CHAIRMAN MADIGAN: Whoa, now you're
23 hitting a little close to home.

24 MR. BELZA: Struck a nerve.

25 MR. HILDEBRAND: So it gets pretty
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1 Several of my points have been made, but since
2 this has turned into somewhat of an advocacy for
3 the folks that you represent, and when somebody
4 lobs --

5 CHAIRMAN MADIGAN: And that's okay.

6 MR. BELZA: And when somebody lobs a
7 grenade over your bow, you feel the need to
8 respond.

9 VICE CHAIR MCPEAK: Did I do that?

10 MR. BELZA: No. My good friend,
11 Mr. Raab, who we oftentimes may disagree.

12 MR. RAAB: I was just quoting somebody.
13 I was quoting somebody.

14 MR. BELZA: But, nonetheless, I think
15 it's good, because this is the time to get any of
16 that dirty laundry you've been stashing to air it
17 out. And I will say that the folks that I
18 represent continually hound on me to look at a
19 component called storage. And I think it's
20 important to say, although it wasn't the charge of
21 this body to move ahead with trying to solve the
22 California water problem, we don't live in a
23 vacuum and we're not in a box. And we have to
24 look at all the tools that are in the toolbox, to
25 quote some of the other phrases that have been

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1 made.
 2 So I think that to ignore the -- or debate
 3 the population numbers is kind of a moot point,
 4 because as Mr. Hildebrand pointed out, it's
 5 happening. It's happened and it's going to
 6 happen.
 7 When we look at the solutions or possible
 8 tools, I view it as looking at a menu. And
 9 there's going to be a price associated with each
 10 one of those items. And someone is going to have
 11 to pay for it. And but to eliminate something
 12 before you get to that because you have a
 13 philosophical disagreement, I just don't
 14 understand how we can proceed like that. And we
 15 need to continue with all the tools of conservancy
 16 and efficiency in the environment.
 17 The whole tools need to be on the board, and
 18 then State needs to debate those issues as we look
 19 at who is going to pay for the price, how much is
 20 it going to cost. And I think it's very dangerous
 21 if we start putting values on things here and now.
 22 I mean, it would be great if we could all afford
 23 avocado on our salads and shrimp and smoked salmon
 24 on our palate. That would be great.
 25 However, there is an element of our state
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1 that relies on a low-valued crop called rice,
 2 which is considered a water guzzler, but provides
 3 a benefit or a value meal other than McDonald's
 4 that people can actually live off of. So if we
 5 put value on things, then we have to take it down
 6 to, well, how many nutrients do you get out of
 7 that, how many cows are we going to kill, how much
 8 ice cream are we going to stop, and those sort of
 9 things.
 10 And so I just would say that the region that
 11 I represent, the northern part of the Sacramento
 12 valley, is concerned with two issues. One, losing
 13 water supply, because we have an abundant water
 14 supply. That's where we live. That's why we farm
 15 some of these crops that we do. Secondly, the
 16 fear that Mike touched on, that if you do not
 17 supply them with some water, they will come. And
 18 the Sacramento valley through the San Joaquin
 19 valley could be pavement. And once we do that, I
 20 think you're looking at an environmental
 21 degradation that would go far beyond what we've
 22 already lost in this state in wetlands. And we
 23 consider the crop that a lot of my folks raise one
 24 of the wetlands of California, so --
 25 CHAIRMAN MADIGAN: So do the ducks.
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1 MR. BELZA: So do the ducks, yes. So,
 2 anyway, that's my little speech for today. But
 3 storage cannot be simply lopped off at the table.
 4 We need to at least investigate it so that it gets
 5 on the menu. And then people can say, well, it
 6 costs too much, it doesn't yield enough, it's
 7 going to hurt the environment. Then that gets
 8 moved to the side of the menu that we can't
 9 afford.
 10 But, in the meantime, I think it has to
 11 remain on the -- a tool that at least needs to go
 12 through the investigation stage so that we can
 13 answer some of these questions that folks would
 14 like to just throw a pad answer out that really --
 15 and on both sides of the issue. There's folks in
 16 my area that are sure that storage is the only
 17 solution. But we do know that we somehow need to
 18 increase the pie of supply.
 19 CHAIRMAN MADIGAN: Okay. Thank you.
 20 Sunne.
 21 VICE CHAIR MCPEAK: I want to briefly
 22 talk about public trust, fish, and caution.
 23 CHAIRMAN MADIGAN: That's a nice
 24 grouping.
 25 VICE CHAIR MCPEAK: The themes that have
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1 come up. In the discussion about population and
 2 how we're going to plan for the future, previously
 3 I shared I think that's a real -- that there is
 4 real future demand, and whatever the magnitude is,
 5 it's going to have an impact on the environment if
 6 we don't properly plan.
 7 I just wanted to also, I guess, share or
 8 confess that I think there is something very
 9 important about the notion of public trust and
 10 carrying capacity. I mean, the laws that have
 11 been established don't give any man or any woman
 12 the right to destroy what God has created. That's
 13 the essence of public trust. And so there is,
 14 theoretically, a limit to the carrying capacity of
 15 the environment or our national resources. I
 16 don't want to sound Pollyannaish, but I also think
 17 that, in my lifetime, we can manage those
 18 competing demands, that we aren't approaching that
 19 if we implement certain tools.
 20 Fish. I think it is a shame we have not met
 21 that goal in this decade, and I would hope that we
 22 could actually make very significant process in
 23 the next couple of years or certainly in my
 24 lifetime. If we don't double that fish
 25 population, we will be totally remiss in our
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1 stewardship. And there's a lot of other habitat,
2 wetlands, environmental values that can't be
3 ignored.

4 Torri and I spent a lot of time in talking
5 about the three E's of sustainable development,
6 environment, equity, and economy. And I can
7 remember the three E's. And what that really
8 means is you can't have a long-term, prosperous
9 economy if you screw up the environment, if you
10 don't share the benefits with more people. Or put
11 it the other way, you got to have a prosperous
12 economy and a healthy environment to share it with
13 more people. That's sort of a nice little
14 formula. But we have to not just balance those
15 three E's, but integrate them.

16 And that brings me to the notion of caution,
17 because it has many definitions. And Pietro made
18 me think about it. In one sense, caution meaning
19 be thoughtful, get as much science, be rigorous,
20 be intense in terms of peer review, continue to
21 get information, put it back into that loop, try
22 not to screw up the environment any more than we
23 already have. And that I want to associate myself
24 with as a -- if that's the right word, caution.

25 And at the same time, optimize the use of the
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1 current supply that we have, so that no matter
2 what we have to do to expand that pie and supply,
3 that we minimize that need. That's the definition
4 of caution that I think makes sense and is --
5 should be a watch bird.

6 Sometimes when I hear that word it means go
7 slower. And I just -- I just want to share, I
8 have a sense of urgency about where we are in this
9 state for the environment and the economy that
10 says we can't afford to go slow. And a couple of
11 thoughts that I wanted to refer back to as an
12 example, I think that unanimous fish population is
13 not going to double until there is guaranteed
14 outflow.

15 When I look at all the scientific data, I
16 actually don't have a problem concluding that the
17 most prudent course of action is increasing
18 outflow, probably on the order of 400 plus
19 thousand acre feet a year. Now, I don't know
20 where that's going to come from if it's not from
21 better use of the rainfall we now get and runoff.
22 That's where I come down on the side of storage.

23 Some people would say let's not go the
24 storage route, because we want to use more
25 caution. And I say the fish actually can't take
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1 it. So I conclude that. I look at the memo or
2 letter that Roberta referred us to and think that
3 item number two is one of those examples where
4 it -- if we need to add something to this
5 preferred alternative, Steve, that gets to a
6 guaranteed outflow. Now, I think I can also
7 say -- it's stated a little bit differently here,
8 but outflow that will support the fish.

9 So that's an example, Mr. Chairman, of where
10 we are lacking, in my opinion, in definition for
11 the preferred alternative that would really make a
12 difference for one of those three E's, and that
13 also is one of those reasons why I think we have
14 to move on storage.

15 CHAIRMAN MADIGAN: Thank you. Gene, and
16 then Mike's turn.

17 MR. ANDREUCCETTI: Mr. Chairman, I think
18 when we started discussion we were talking about
19 the pros and cons of the preferred alternative and
20 whether we needed to stop or do something
21 different.

22 I think that the Delta represents a microcosm
23 of issues which face this state. And as imperfect
24 as the preferred program alternatives are, I don't
25 believe we have time to stop and start over again,
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1 that we need to continue with the CALFED preferred
2 alternative, make adjustments with regard to some
3 of the specifics that have been identified, but
4 not stop. And I guess I just want to say I vote
5 for staying the course and let's continue with the
6 plan.

7 CHAIRMAN MADIGAN: All right. Thank
8 you. Mike.

9 MR. STEARNS: Forgive me if I'm kind of
10 beating on a dead horse, but I just wanted to
11 respond that Bob's comment earlier, in my way of
12 thinking, really kind of emphasizes the point I
13 was trying to make earlier. If it's not CALFED's
14 place to be dictating where we're going and where
15 agriculture will remain productive, society will
16 dictate where our food supply comes from and if we
17 want to rely on other sources outside this state.
18 But the point I wanted to make was that if CALFED
19 doesn't have the assurance for ag and urban users,
20 that those of us especially that have been
21 seriously whacked on our water supply already, are
22 going to see an immediate benefit to the
23 investments they're making.

24 What CALFED is saying is kind of along the
25 lines of what Rob is advocating, and that is that
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1 our underlying message is, if we're not going to
 2 respond to those people, then we know there are
 3 people that have already lost too much of their
 4 supply and we're going to let them dry up and die.
 5 And the -- and the engineers that are around this
 6 table know that if you -- if you dry up certain
 7 portions of the infrastructure that's been out
 8 here for years, you don't go back and say, whoops,
 9 we need to come back to those fertile soils where
 10 the climate and soils and so forth are adequate.
 11 Those systems decay and are not usable.
 12 Particularly concrete line systems and pipelines,
 13 you can't go back and say you're going to
 14 reactivate those areas and put them back into
 15 production. It's too late. Thank you.
 16 CHAIRMAN MADIGAN: That is the end of my
 17 list. Anybody?
 18 VICE CHAIR MCPEAK: So we're going to
 19 second Gene's motion and figure out how to improve
 20 this. Is that what we're doing?
 21 CHAIRMAN MADIGAN: Alf, and then Bob.
 22 MR. BRANDT: Well, on that note, I guess
 23 I want to ask then, what is it I take back? I
 24 mean, I heard all the pieces. I've heard all the
 25 pieces. I can bring all the pieces. But if I had
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1 to -- if I got asked by the Secretary, "What is it
 2 that BDAC said about this BPA," the thing I kept
 3 hearing was we just need to look at this, too, and
 4 we need to do this. I think perhaps Sunne put it
 5 best is, we need all of this and we need more of
 6 it and we need it now. And there's sort of --
 7 it's the yes, but keep going. We need a lot more.
 8 This is not far enough.
 9 CHAIRMAN MADIGAN: I would suggest to
 10 you that a piece of it is the picture needs to be
 11 a little more clear, that there are some fairly
 12 fuzzy knives out there that need to be sharpened.
 13 And to know we're going to do this thing, we don't
 14 know quite which of these options for doing this
 15 we're going to do yet, but it's not that we're not
 16 gonna do it, it's just that we haven't concluded
 17 the effort yet to figure out how a couple of these
 18 work.
 19 MR. BRANDT: And that's particularly
 20 storage obviously.
 21 CHAIRMAN MADIGAN: That would be one for
 22 me.
 23 And who -- let's see, who did I say? Bob.
 24 MR. RAAB: I just want to say I've been
 25 experiencing the act of the messenger being
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1 slayed.
 2 VICE CHAIR MCPEAK: Well, welcome to the
 3 crowd.
 4 MR. RAAB: I say to the farmers here
 5 present, the context of my statement was made in
 6 the context that this ought to be an economic
 7 study, and you can't disconnect what we're doing
 8 here at CALFED from this problem, because you
 9 farmers bring it up. You bring up the need for
 10 more water for growing crops. And I just would
 11 like to have something done in a way of a -- an
 12 objective and fair-minded study of this -- of this
 13 issue.
 14 CHAIRMAN MADIGAN: And I would think
 15 that we could refer that question for some
 16 additional information to the Department of
 17 Agriculture?
 18 EXECUTIVE DIRECTOR RITCHIE: Well, to
 19 some extent, also you will see --
 20 CHAIRMAN MADIGAN: That's a fair
 21 question.
 22 EXECUTIVE DIRECTOR RITCHIE: -- this
 23 afternoon some of the water management strategy
 24 evaluation framework is trying to deal with the
 25 economic questions of all these things taken into
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1 account, the effect on the agricultural economy of
 2 transfers, you know, that particular thing.
 3 CHAIRMAN MADIGAN: Sunne, you had a
 4 question?
 5 VICE CHAIR MCPEAK: The -- yes, I do.
 6 Someone earlier, I guess it was Stu, raised the
 7 issue, Steve, on the conveyance component of the
 8 preferred alternative. And I, too, have been
 9 confused on that one issue though I wasn't sure
 10 where we were. As you've explained it, we got the
 11 dual approach under another word called
 12 through-Delta. You know, I mean, that -- in a
 13 sense, with that channel, but at 4,000 cfs, which
 14 I understand. Tell me what happened there. I
 15 mean, can you explain the conveyance aspect of the
 16 preferred alternative?
 17 EXECUTIVE DIRECTOR RITCHIE: Actually,
 18 in particular, I was just going to sort of do the
 19 direct -- it's the last three paragraphs on page
 20 nine, Stu. And maybe refer people to that
 21 relative to the dual conveyance issue. On page
 22 eight and nine of the preferred program
 23 alternative talks about conveyance overall. In
 24 the last -- the last paragraph and the two bullets
 25 after it talk about the process for determining
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1 the conditions under which any additional
 2 conveyance facilities and other water management
 3 acts to be taken in the future.
 4 Additional conveyance facilities includes the
 5 dual Delta conveyance. And so this is where it
 6 lays out how we could get to some additional
 7 conveyance decisions in the future, particularly
 8 driven by first drinking water protection goals,
 9 and secondly, by review of our push towards
 10 fisheries recovery. Because in our discussions,
 11 it's very clear, I'll speak for the fish agencies
 12 in their absence, they believe that, you know, the
 13 way you can really best achieve fishery protection
 14 is through some kind of dual conveyance.
 15 As regulators, they're not willing to say,
 16 therefore, you should build it. But they think
 17 that that's the best way to protect fish is to
 18 have that kind of thing. So, basically, as public
 19 health protection and fisheries, this is the basis
 20 where you could get to those additional conveyance
 21 facilities.
 22 But it also includes other water management
 23 actions. On the drinking water side, that's where
 24 treatment is a very significant alternative there.
 25 And if you look into, you know, the phase two
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1 definition of the preferred alternative. We're
 2 getting a better description of the program, and I
 3 believe it really is accurate is in the phase two
 4 report.
 5 VICE CHAIR MCPEAK: If I could just
 6 follow up and comment. I did slip a cog
 7 somewhere. I mean, I -- in not understanding what
 8 had been the terminology used for the preferred
 9 alternative. I had recalled that there had been
 10 proposed the dual facility. But whether or not
 11 it's this approach called the through-Delta or a
 12 dual approach, the aspects of the approach to
 13 conveyance that have caused some concern are
 14 probably the same. And I wanted to just
 15 elaborate, again, as an example of what I mean
 16 when I say we're doing too little on either
 17 approach.
 18 Part of what those of us who have advocated
 19 through-Delta have feared, at least I'll speak for
 20 myself, is that that will be words without sincere
 21 effort to optimize through-Delta to see how far we
 22 can get towards the three objectives of improved
 23 fisheries, improved water quality, and improved
 24 supply reliability. And then be, as a matter of
 25 default, into a larger-than-necessary isolated
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1 report, it lays out a much broader array of
 2 specifics that you could -- that you need to
 3 evaluate.
 4 But this approach has not changed since
 5 December of 1998. And I've heard people say that
 6 has occurred. No, that has not occurred. This is
 7 basically the same since December of '98. It
 8 hasn't changed one iota.
 9 MR. PYLE: Where is it from?
 10 MR. BURTS: It's --
 11 MR. PYLE: It's set down in just a very
 12 short sentence and few phrases before. I think it
 13 had a little more discussion of the additional
 14 studies.
 15 EXECUTIVE DIRECTOR RITCHIE: Within the
 16 preferred alternative, which is supposed to be
 17 just the preferred alternative, and a fairly
 18 narrowly defined legal issue, that's why the phase
 19 two report is that much longer and tries to put
 20 more meat on the bones so that you can see the
 21 broader picture of where the program is going
 22 overall. I mean, we had that discussion just
 23 among the CALFED family. It's like, well, gee, I
 24 don't see enough of what I want in the preferred
 25 alternative. And this is a fairly narrow legal
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1 facility.
 2 At the same time, what I think Eze and I got,
 3 at least as a consensus among the business
 4 community in California, and that included the
 5 Farm Bureau, too, agreed to last year, which we
 6 thought was a pretty important step, north, south,
 7 east, west, splitting our wrists, becoming blood
 8 sisters and brothers, that in order to get
 9 sincerity of effort on all sides against -- and
 10 when I say all sides, I mean all the regions of
 11 the state, to really figure out what's going to
 12 work best for the fisheries and for the
 13 environment and for the economy, and to do so in a
 14 cautious way. Actually, in a prudent way, where
 15 I'm using the sense of caution as I defined it
 16 earlier, that we really needed to make these
 17 changes in the through-Delta component and
 18 continually evaluate those against a set of
 19 objectives, realizing that was going to take some
 20 time to do in order to see what -- did it
 21 actually -- did it actually work. You have to go
 22 through different cycles of years, different kinds
 23 of water years, and still prepare for the
 24 appropriately-sized isolated component of that
 25 dual approach in order not to have a unnecessary
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1 time delay should our approach on through-Delta
2 not totally meet the objectives.
3 And as I read this, I'm trying to understand,
4 is that where we are, regardless of what we call
5 it, or have we had some slippage? Because
6 everybody that I run into in the south, and I'm
7 sure Eze gets this more than I do because he's
8 there more than I am, where is the triquer, did
9 you guys give up something, did we have slippage.
10 And I'm trying to say, no, I still have an
11 agreement with all of you. We've got to, you
12 know, really be sincere on the through-Delta
13 component. So I'm trying to understand this, and
14 did not have a very clear idea of exactly where we
15 were a couple years or weeks ago.

16 CHAIRMAN MADIGAN: Steve.

17 EXECUTIVE DIRECTOR RITCHIE: Fran has
18 been one of the people that has been subjected to
19 this diagram of late the most. This diagram has
20 not changed in more than a year to describe how
21 CALFED is approaching this. And the issues that
22 you're raising, realistically, is much more, okay,
23 what do you do with these actions. And that's
24 been the whole discussion here is preferred
25 alternative sounds great, but I don't see what I
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1 want in there. And that's what we need to get to
2 is what are the actions. It's different from the
3 programmatic alternative that we're dealing with.
4 So this lays out, again, on a programmatic
5 basis, and I think I presented it to BDAC almost a
6 year ago today. This diagram talks about the
7 programmatic decision. And this is a NEPA/CEQA
8 programmatic CALFED diagram. This doesn't show
9 what people might do in actual real life, like,
10 water agencies in terms of treatment. They're
11 doing things right now. They're going to keep
12 doing those things regardless of anything CALFED
13 does, because they have to.

14 Basically, we're looking at programmatic
15 decision again, which is the tier one NEPA/CEQA
16 document as we've described it. And as a result
17 of that decision, there are certain things CALFED
18 can take as actions that it can do a NEPA/CEQA
19 document and tier off of this and get directly to
20 actions. And those are the things that are
21 definitively in the preferred alternative.

22 There are other things that CALFED has not in
23 included in the preferred program alternative that
24 would require further study and, ultimately,
25 supplemental programmatic environmental

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1 documentation. This is not an insurmountable
2 hurdle, it's just a legal fact of life as we've
3 tried to lay it out.

4 On the action front, what CALFED has laid out
5 for, improving drinking water quality is the
6 things that are in there relative to north Delta
7 and south Delta. On the north Delta side, that's
8 where you can get to the connection between Hood
9 and Mokelumne River that I described in that one
10 overhead to make up for Delta cross-channel
11 closures. In the south Delta, the modifications
12 we're talking about there which have to be coupled
13 with reliability for Delta folks.

14 Source control efforts in the Delta and
15 upstream to try to minimize loads of pollutants
16 that adversely affect drinking water, also along
17 the aqueducts themselves and locally for urban
18 suppliers.

19 And, lastly, and maybe a big key here, is
20 storage and operations. There are certain things
21 you could get to. That's where in the zero to six
22 million acre feet, you could get to a project
23 specific EIS/EIR tiered off of this for a storage
24 facility to improve drinking water quality. Those
25 are the actions you could tier off of the

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1 programmatic document we're talking about now.

2 We also laid out an additional set of things
3 which we thought really should be looked at. And
4 our belief in CALFED is that these activities will
5 not get you to the long-term public health
6 protection goal. You can get some water quality
7 improvement here, but they really don't get you to
8 the goal that's described in the preferred program
9 alternative. We think you need to look at a whole
10 array of things as supplemental to those to get to
11 that public health protection goal.

12 Let me go through them. First is treatment,
13 additional treatment measures. It's a big deal
14 right now in the water industry to look at the
15 ways you can disinfect water. Ozone is a very
16 good technology for disinfection. But with Delta
17 water, it creates some side problems, the creation
18 of bromide. That's the big conflict in our
19 system.

20 One possibility is that people will go to
21 ultraviolet light for disinfection. That
22 technology is not commonly used in the water
23 industry now, but has a whole lot of potential.
24 People are excited about that. And that might
25 obviate a lot of the problems. We don't know for

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1 sure.

2 Additional health effects research, bromide,
3 again, as a constituent in the Delta, bromide
4 disinfection by-products are a particular concern.
5 How bad are they? We only have a little research
6 here. We need to do more of that.

7 Alternative sources of water, and this gets
8 to what for many people is a scary topic, but one
9 I think that we need to very directly confront.
10 And that's really one of the big steps we made in
11 December of '98 is saying we got to look at this,
12 which is a combination of looking in the Bay Area,
13 reworking the delivery system so everybody gets
14 higher quality water. In Southern California,
15 it's looking for exchanges between, for example,
16 the Friant system in Southern California to get
17 higher quality water to Southern California for
18 drinking purposes instead of for irrigation
19 purposes. And I know that will also though lead
20 to salt questions as far as irrigation in San
21 Joaquin Valley. It's not an easy thing, but these
22 are real alternatives to improve drinking water
23 quality.

24 Additional conveyance, this is where the
25 isolated facility or dual Delta conveyance is. It
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1 needs to be looked at as well as an alternative to
2 achieving public health protection goals.

3 And, lastly, further work on storage and
4 operations, that whole array of tools needs to
5 continue to be evaluated and looked at over time.
6 And, partly, we created the Delta Drinking Water
7 Council to basically look over CALFED's shoulder
8 to make sure all these activities were going on
9 over time, leading to reviews down the road. And
10 we charted out 2003 and 2007 for those reviews.
11 And as a result of those reviews, leading to
12 further actions where, if you're doing something
13 here, such as alternative sources or an isolated
14 facility, you would need to do supplemental
15 environmental programmatic review plus
16 site-specific review to get to those actions.

17 Now, what I've been criticized on this chart
18 for, with good reason, is that, okay, what are you
19 going to do in here. And I think that is the
20 important action-specific step, what comes next,
21 how much of these things are we going to do.
22 That's where our effort needs to go right now. I
23 guess the difficulty I had over time is people not
24 accepting this at all. And I've had to go over it
25 with some folks more than once, probably several
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1 times. But we really think looking at that whole
2 array of things and putting real effort into it is
3 important. One of the things I'm concerned about
4 is looking into the future, making sure that there
5 are water user resources, state resources, and
6 federal resources to accomplish all this.

7 Because, frankly, public health protection is a
8 huge deal, and we need to be putting our money
9 into this stuff to make sure that we can provide
10 safe drinking water to our public, however we do
11 it, whether it's alternative sources, whether it's
12 an isolated facility, whether it's a whole
13 different treatment train out there. This is, on
14 the public health protection front, where the
15 action really is, and that's where we want to go.
16 It's getting to those specifics that's the
17 important step, where the actions are going to
18 come to carry those things through to get to new
19 decisions in the future.

20 CHAIRMAN MADIGAN: Sunne.

21 VICE CHAIR MCPHEAK: Well, yes. Do
22 you -- thank you for, again, trying to make me
23 remember that. I do appreciate it. It makes
24 sense. It makes more sense every time you do it,
25 so -- I'm sorry to be slow. No, it does help.
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1 I was sort of compelled by Alf's question, so
2 what do I tell my, you know, the agencies. And I
3 sympathize in your role since I often participate
4 as, you know, staff, support staff, that is just
5 deliberating the meaning of life. And as we
6 have -- but I guess I would -- I want to offer a
7 summary, not a motion. I'm sort of prepared to
8 offer a motion.

9 It's not a secret that there really is sort
10 of a two-world view of the CALFED solution, and a
11 lot of people divide on the issue of storage and
12 the facilities. But particularly now storage has
13 become one of those heavily debated issues. And I
14 think that that is where BDAC is ultimately going
15 to have to formulate a thoughtful position. And
16 the items that are in here, just personally as I
17 review them, are pretty good, pretty acceptable,
18 as the preferred alternative with a couple of the
19 comments that I just want to underscore and speak
20 from our point of view.

21 I'll also refer you to the paper the business
22 community did a year ago or so. There isn't yet
23 the identified ongoing source for the ecosystem
24 restoration program, and that needs to be done. I
25 think guaranteed outflow and pegging a number or
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1 goal is very important; not backing away from
2 efficient water use, very important; and then a
3 presumption that, as we look at all the data,
4 we're going to need to have storage; and we move
5 ahead expeditiously to make a decision within that
6 first phase. And you heard the comments on
7 conveyance.

8 CHAIRMAN MADIGAN: I think maybe a
9 decision as to whether or not to have storage or
10 what storage it is.

11 VICE CHAIR MCPEAK: What storage it is.

12 CHAIRMAN MADIGAN: What storage it is.

13 VICE CHAIR MCPEAK: I mean, you have
14 to -- there's sort of possibly, in a way -- what
15 Mike just asked, do we make a decision whether or
16 not to have it or what storage it is. And I
17 answered back to Mr. Madigan, what storage it is,
18 surface and groundwater. But I think they have to
19 be done in combination in order to really optimize
20 groundwater banking. And there really has to be
21 probably a presumption that, as we look at all the
22 data, there will be a need for additional storage
23 for all of the purposes that got discussed here.
24 That's going to be a very fundamental issue for
25 CALFED to wrestle with and us to wrestle with.

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1 I mean, everybody knows where I'm at. Others
2 are in a different position. But I don't see any
3 way around that, if it's going to have a credible
4 decision ultimately.

5 CHAIRMAN MADIGAN: Okay. I take that,
6 Sunne, as a motion. And I would be happy to
7 invite your second or conversation.

8 VICE CHAIR MCPEAK: I wasn't offering it
9 today. And I would be happy to if everybody
10 thought they were ready. And I'll defer it to
11 what you want me to do. I'll say so move if
12 that's what you --

13 CHAIRMAN MADIGAN: I don't mind putting
14 it on the table. That doesn't mean we have to
15 make a decision today on it.

16 VICE CHAIR MCPEAK: Right. I would like
17 to give everybody the opportunity to think about
18 it.

19 CHAIRMAN MADIGAN: I don't think we
20 should have a focus on that.

21 MR. PYLE: Summarize your motion.

22 VICE CHAIR MCPEAK: It would be to
23 endorse the -- what I was proposing to Alf, and I
24 truly thought maybe we would need more time, it's
25 to endorse the preferred alternative as outlined

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1 in the packet with the addition of that there has
2 to be identified ongoing funding for ecosystem
3 restoration, guaranteed Delta outflow, the
4 optimization of efficient water use linked to
5 other components of the package, and a working
6 assumption, presumption, that storage is going to
7 be needed, and that during that first phase, the
8 decision on what facilities needs to be made.

9 CHAIRMAN MADIGAN: All right. Second
10 first. Is there a second to that motion? All
11 right. There's a second to that motion.

12 Now, we don't have to act on this today.
13 It's okay that we have some conversation about
14 this today and bring it back at the next meeting.
15 Or if everybody is comfortable with it, that's
16 also fine. But I think the point of it is to get
17 this on the table because it has become one of
18 those things that we have sort of fluffed over
19 time and not come to grips with. So I'm sort of
20 taking it in that spirit.

21 I have several people who have indicated the
22 desire to speak already. I have Alex, Brenda,
23 Stu, Byron, Roberta. And let me get those, and
24 then I'll -- we'll go on. Alex.

25 MR. HILDEBRAND: I don't quarrel with
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1 what Sunne proposed, but I don't think it goes far
2 enough.

3 CHAIRMAN MADIGAN: Okay.

4 MR. HILDEBRAND: Let me lead into it a
5 little bit with a remark about this canal
6 business. It's been obfuscated in various ways at
7 different times. In one of the phase two reports,
8 it indicated, if you read it carefully, that
9 when -- not if, but when the initial through-Delta
10 plan failed to build a canal, and it no longer
11 says it that way, but neither does it say that
12 we're going to optimize the through-Delta before
13 we determine whether we should build a peripheral
14 canal. It seems to me essential that that be in
15 there. But we've discussed here today a number of
16 things which many of us believe are necessary in
17 the way of --

18 CHAIRMAN MADIGAN: I think Sunne would
19 incorporate the optimization notion in her motion.

20 MR. HILDEBRAND: Okay. Without going
21 back over them all, we've discussed a number of
22 things here which would meet Mike's thought that
23 we need better clarifications so we know what
24 we're really voting for. I don't think we really
25 know that yet. I think we also have to

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1 acknowledge that the analysis to determine the
 2 viability of some of these things has not been
 3 made. We haven't determined where the water would
 4 come from for the Delta outflow which I agree is
 5 desirable. And so we need to know more about the
 6 overall water supply and its ability to meet all
 7 these things. And to the extent it's unable to
 8 meet it, how are we going to balance among
 9 competing needs. Those things are not in there.
 10 I suggested in this letter that Steve
 11 referred to, which was in your packet, that we
 12 can, in some degree, get around this shortage of
 13 resolution and still go ahead with the ROD if we
 14 put in the appropriate preamble in the ROD that
 15 acknowledges that we haven't done these things,
 16 and that they have to be done, these things have
 17 to be resolved, before we proceed to implement the
 18 preferred alternative.
 19 So I would personally oppose a motion to just
 20 go ahead with the thing as presented today. But I
 21 think it could be fixed up if we took Sunne's
 22 motion and added some of the things I've just
 23 suggested here, and put in an appropriate preamble
 24 as to where we go in the future, how we --
 25 commitment that we are going to do certain things,
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1 and how we're going to balance the business of
 2 competing resources and competition for limited
 3 resources.
 4 And, lastly, I still think it's a mistake for
 5 CALFED to have a plan which, in effect, relies on
 6 a continuing, unsustainable depletion of natural
 7 resources. And I believe that's in there. I have
 8 not -- I have another letter in your packet that
 9 addressed that issue.
 10 CHAIRMAN MADIGAN: Great. Thank you.
 11 Brenda, Stu, Byron, Roberta, Judith. Brenda.
 12 MS. JAHNS-SOUTHWICK: I have two
 13 questions. The first one is for Sunne, a
 14 clarification. You mentioned water use efficiency
 15 with other linkages. And I -- I need to know what
 16 exactly do those other linkages include in your
 17 mind in terms of the way this motion is --
 18 VICE CHAIR MCPEAK: It's principally to
 19 the -- to storage and to the use of publicly
 20 financed facilities. Because it's in the
 21 public -- I think you asked a very legitimate
 22 question. The motion that I was formulating is --
 23 has some general statements in it. We got to this
 24 point before I intended to get to this point. But
 25 we're here, so it's okay. And in terms of the
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1 efficient water use, I think the tying to storage
 2 and to use of publicly financed facilities,
 3 because you use public financing when it's in the
 4 public interest, and efficient water use is
 5 clearly in the public interest, which is why I
 6 would make that linkage without giving -- there's
 7 maybe some more details, a lot more details, that
 8 would have to be spelled out, Brenda. I
 9 appreciate that.
 10 MS. JAHNS-SOUTHWICK: Thank you. My
 11 second question is directed to Alf and Patrick.
 12 Alf, you mentioned that you wanted some --
 13 something specific to take back to the Secretary.
 14 Presumably, Patrick is in the same position at the
 15 state level.
 16 Now, I guess my question is, you know, some
 17 of us spent a great deal of time supplying written
 18 comments on the preferred program alternative.
 19 And we have been very specific about what we see
 20 as the inadequacies of that preferred program
 21 alternative. How are you evaluating those
 22 specific comments, you know, whether it's in the
 23 context of us being BDAC members or in the context
 24 of public comments or what, compared to what
 25 you're asking for from us today as a body?
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1 MR. BRANDT: I think, actually, I
 2 probably asked as much for what do I say generally
 3 as much as, specifically, what's the overall
 4 sense. Those comments are continuing to be part
 5 of the analysis, and the analysis and the
 6 development of how this all fits together and the
 7 discussions that are going on. So those comments
 8 are already part of it. I already have specific
 9 comments from notes I've taken today, just the
 10 latest things and the latest comments of what we
 11 put before you today. So I have those specifics.
 12 I do have a lot of those specific pieces. So all
 13 those are getting incorporated into it. It's not
 14 that we're kind of, oh, and we did whatever and
 15 now we're going to turn away. We are continuing
 16 to focus. It's an ongoing piece of the long
 17 process that we have been going through. We
 18 continue to focus on those specific comments, and
 19 those are helpful.
 20 CHAIRMAN MADIGAN: All right. Thank
 21 you. Stu, Byron, Roberta, Judith.
 22 MR. PYLE: I have a question for Steve.
 23 You did a good job on the conveyance issue.
 24 CHAIRMAN MADIGAN: An old slide, but a
 25 useful one.
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1 MR. PYLE: It's an old slide, but -- in
2 regard to the future water demands, growing
3 population, how are the cities going to get their
4 water, how is that dealt with in the report? Do
5 you address that as a -- one of the issues, and
6 then say, but then we're not going to deal with
7 it?

8 EXECUTIVE DIRECTOR RITCHIE: I think as
9 far as the CALFED mission, it was sort of, in real
10 shorthand, it was to fix the Delta. It was not to
11 provide for the future water supply of California.
12 The way I have tried to characterize that to folks
13 is to try to make sure we fix and improve the
14 system so it's flexible enough to deal with
15 whatever future we have to deal with, whether it's
16 15 million people or 45 million people, you know.
17 That's what it is. It wasn't to plan for the
18 water supply future of California. It's to help
19 make sure the tools are available. I think Tib
20 made the right comment. You know, this really --
21 the whole preferred alternative is to get all the
22 tools that we think we need on the table from
23 which you can then choose over time how to start
24 to use those tools.

25 MR. PYLE: Does the report actually
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1 address population problem and the water supply
2 problem?

3 EXECUTIVE DIRECTOR RITCHIE: No. It
4 basically -- for impact analysis purposes, it lays
5 out here's a possible future growth level and here
6 is how the alternative performs compared to that.
7 It's an impact analysis as opposed to here's our
8 plan to deal with future water supply. That
9 really is the Department of Water Resources' job
10 to look at that.

11 MR. PYLE: It seems to me that in
12 defining the problem and setting the context for
13 the CALFED mission, that that all ought to be in
14 there someplace.

15 EXECUTIVE DIRECTOR RITCHIE: Well,
16 again, it is to some extent. And we had this
17 argument a year ago or more about do we use the
18 projections of Bulletin 160, are they right or
19 wrong, are they good or bad. And, again, CALFED,
20 I'll quote Lester, "The projections are wrong,
21 because all projections are wrong." Again, we
22 wanted to build a flexible system so that you
23 could deal with whatever future knowing that hard
24 decisions were going to be out there regardless.

25 CHAIRMAN MADIGAN: Byron.
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1 MR. BUCK: I generally like Sunne's
2 list, but I've got a concern with the guaranteed
3 Delta outflow. And not the notion of it
4 necessarily, but as a practical matter, how you do
5 it. Because there are many, many senior water
6 rights holders on the system upstream of the Delta
7 who don't need a permit from anybody to increase
8 their diversions. If they have a facility, they
9 can do it. So I don't see, as a practical matter,
10 how CALFED or the agencies today could guarantee
11 specifically an amount of Delta outflow. We can
12 talk about a cap on exports, but I can tell you
13 that part of the constituency that I represent
14 would be willing to talk about that under certain
15 circumstances. The things on the table today that
16 would -- they would want to guarantee that cap
17 aren't there. So they are not ready to entertain
18 that at this point. But that's something that's
19 worth discussing.

20 VICE CHAIR MCPEAK: And I -- to respond,
21 I think, Byron, you're, as usual, absolutely on
22 target. And the comment you've made is totally
23 appropriate about the feasibility of guaranteeing
24 that outflow. Because also, as a matter of
25 practicality, I don't think anymore water is going
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1 to be shifted to the environment from other
2 sources without significant political unrest. So,
3 I mean, I think we are right that the CVPIA was
4 the baseline. And we're still arguing over a
5 couple hundred thousand acre feet and the
6 accounting on that. Which is why, for 15 years, I
7 have been associated with various voices that have
8 said there's only one way to do this right for the
9 environment, and that is with additional --
10 expanding the water pie, and the first take on
11 that expansion is the outflow.

12 So you're right. I think there is a good
13 linkage that happens and why I'm willing to
14 proceed. But I -- I understand what you're saying
15 to me because I failed to make that linkage back,
16 that it's only feasible physically, in my opinion,
17 with storage that captures that amount of water
18 that is truly excess to the environment. And when
19 we're talking about plus flows, it's after about
20 the 60,000 cfs.

21 MR. BUCK: Okay. You're narrowing it --
22 just to kind of question back, you're narrowing it
23 not just in the general outflow, the whole
24 picture, but in specific periods of the year,
25 specific types of hydrologies, we're talking about
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1 guaranteed outflow. That's a very much different
 2 subject. That is more achievable, because you can
 3 do a storage. If you're talking about no known --
 4 more depletions out of the system, as Roberta has
 5 pointed out, it's a finite system. You are simply
 6 moving wet year water to dry year water.
 7 VICE CHAIR MCPEAK: Right.
 8 MR. BUCK: So you're talking about
 9 guaranteed dry year outflow, critical needs flow.
 10 That I assume you can do.
 11 CHAIRMAN MADIGAN: Steve.
 12 EXECUTIVE DIRECTOR RITCHIE: Yeah, just
 13 a couple of comments. One, there is -- maybe it's
 14 not exactly our wording, guaranteed outflow, it's
 15 to comply with the aq two standard. That
 16 basically is the gross measure of outflow. And
 17 people argue that it doesn't necessarily correlate
 18 with fish exactly. Well, it's not intended to be
 19 a fish standard. It's intended to be a broader
 20 ecosystem protection standard. So there is a
 21 standard already for outflow. People argue about
 22 whether it's right or wrong, good or bad, that's
 23 the debate that goes on.
 24 Another thing that we haven't talked about
 25 here lately, because it hasn't been that
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1 contentious, is the ecosystem restoration program.
 2 And that's where it's a whole parcel of things,
 3 and outflow being flows on tributaries, flows
 4 through the Delta, outflow overall. There's a
 5 whole combination of things there. And we can --
 6 just like I did on my, you know, conveyance slide,
 7 the drinking water slide, that we go into that in
 8 great detail about how the ecosystem restoration
 9 program is set up to actually do that over time.
 10 So just, you know, the bald statement of
 11 guaranteed outflow is one that always makes me
 12 cringe a little bit because it's just sort of
 13 this, you know, a million acre feet do or die.
 14 And that's, I think, what the exchange here, that
 15 I think is not the right discussion to have.
 16 VICE CHAIR MCPEAK: It's not. And,
 17 again, we deal with very complex issues in trying
 18 to state policy decisions. I do think that the
 19 outflow question and getting into the details of
 20 it is something to be revisited as a part of our
 21 discussion on a recommendation. And I'm not sure
 22 that the 2X is actually adequate in the -- even a
 23 normal year. You know, we got really wet years,
 24 we got a lot of water out, and that's when we see
 25 fisheries come back.
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1 Certainly outflow that is possible or exists
 2 today in very -- in dry years and the extended
 3 drought or extended low rain fall of second,
 4 third, fourth year of low rain falls is when we
 5 get into deep trouble. So it's trying to be able
 6 to handle that situation, and then I would
 7 respectfully say I still think there is a need for
 8 additional outflow at the right times of the year
 9 of the right temperature for normal years in order
 10 to really support a healthy ecosystem. It may be
 11 a little different than what Byron said at the
 12 end, but I would like to probe it, because I think
 13 it's going to be very critical to a useful
 14 decision for CALFED.
 15 CHAIRMAN MADIGAN: Thank you. Roberta.
 16 MS. BORGONOVO: I basically was asked to
 17 head -- what about voting and -- why I came down
 18 then as I come down now is I'm definitely not
 19 prepared to vote for your motion.
 20 I think that the reason I called attention to
 21 the letter was that, for all of us that are in
 22 here, we do see this package of assurances, and
 23 certainly, just as you mentioned that we need more
 24 outflow, then there's this whole discussion about
 25 how there can't be more outflow. So I think,
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1 again, that I remain committed to the process
 2 because I think so much good work has been done.
 3 But I still think that we do need to look at the
 4 dedicated funding, we need to look at the assured
 5 water for the environment, and we need to look at
 6 beneficiary pays.
 7 So my instinct is, you know, we don't vote on
 8 it, we lay out what we think needs to be done, and
 9 hope that it can either be done in time for the
 10 ROD, or that the way in which we make the
 11 decisions and where the emphasis goes is very
 12 clear so that we can continue to work past the
 13 ROD.
 14 CHAIRMAN MADIGAN: Thank you. Judith.
 15 MS. REDMOND: My sense of the preferred
 16 alternative is that it relies a lot on, you know,
 17 phased decision making and adaptive management and
 18 process. And in that case, the kinds of
 19 clarifications that people are asking for seem
 20 like they are really important. And I think -- I
 21 like Sunne's list also, but felt like I needed
 22 some of the same clarifications.
 23 For example, when the question was raised
 24 about conveyance, and I probably heard -- maybe
 25 heard wrong, but my sense of the answer that we
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1 heard from staff was that, well, we're going to
2 evaluate all these different things, we're going
3 to evaluate -- just basically everything is still
4 on the table, all those different conveyances.
5 And maybe I heard wrong, but I thought that the
6 clarification that Alex provided regarding, first,
7 we're going to try to optimize the through-Delta
8 conveyance, and if that doesn't work, then there's
9 going to be these other analyses done.

10 And I think the same -- I wanted to just
11 mention that the same linkage of water use
12 efficiency with storage, I think, is very
13 important to my constituency. I think we feel
14 like those two things have to go together. So,
15 yeah, I think that in some ways this presentation
16 of the preferred program alternative is -- to me
17 seems vaquer than before, and that relies much
18 more, you know, on the process and real
19 clarification of how those -- how we are really
20 going to have those assurances that the
21 stakeholders are going to continue to be heard and
22 involved.

23 CHAIRMAN MADIGAN: Okay. Thank you.
24 Bob, and then Alex.

25 MR. RAAB: Sunne, I couldn't support
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1 level of sustainabilities in the Bay. And that
2 issue is going to be pursued. Whether CALFED gets
3 themselves involved in that or not, it's going to
4 be pursued.

5 So I think all this, by way of saying, I
6 think there's more to be ironed out in that --
7 that part of your motion.

8 CHAIRMAN MADIGAN: Okay. Thank you.
9 Alex, and then Mike.

10 MR. HILDEBRAND: We may or may not
11 actually vote on this in the next meeting. And if
12 we do, we may or may not end up with a bunch of
13 reports and that sort of stuff. But I think it
14 would help crystallize the discussion at the next
15 meeting if we were to utilize Sunne's talents and
16 ask that, between now and then, she confer with
17 whoever she wishes to center all the discussion
18 that we've had today and try to come up with a
19 suggested resolution which could potentially come
20 to a vote and which would include perhaps either a
21 preamble or some other provision requirement that
22 says how are we going to continue to proceed in
23 evaluating and modifying in the light of analyses
24 that have not yet been made.

25 CHAIRMAN MADIGAN: Sunne?
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1 that part of your motion that has to do with
2 outflows until some major clarifications are made.

3 Steve, I question the accuracy of your
4 definition of X2. It's not a -- it's a water
5 quality standard that's, in effect, half of the
6 year for the null zone, the area that, I guess,
7 downstream from roughly between Chipps Island and
8 the Martinez Bridge that has to do with two parts
9 per thousand salt versus fresh water in order to
10 enhance the habitat for certain species. And that
11 is not really an outflow standard. It may or --
12 it probably does help the Bay a little bit the
13 first six months of the year when it really
14 doesn't need any help, especially in terms of post
15 flows.

16 The critical issue for the Bay is what
17 happens in the last six months of the year when
18 the Bay Accord allows for up to 65 percent
19 diversion export in the last six months of each
20 year. What is the impact on the bays? We don't
21 know that. And I think it's a real -- something
22 that's really missing from the ISI.

23 The Association of Bay Area Governments has
24 passed a resolution in support of a fresh water
25 inflow standard that will maintain an acceptable
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1 VICE CHAIR MCPEAK: Well, I would
2 attempt to respond to what Alex said if you would
3 join me in that.

4 CHAIRMAN MADIGAN: Sure.

5 MR. HILDEBRAND: Sure. I said you could
6 confer with anybody you wish.

7 VICE CHAIR MCPEAK: But really what I'm
8 trying to do is make sure that there's two of us
9 that you-all blame. We will consult all of you,
10 if that is okay. I mean, I think maybe that's a
11 fair comment back to us.

12 MR. HILDEBRAND: It's okay with me.

13 VICE CHAIR MCPEAK: Yes. Okay.

14 CHAIRMAN MADIGAN: All right. Okay.
15 Mike.

16 MR. STEARNS: I think that's a great
17 idea. I would just want to ask, Sunne, you know,
18 I've been beating on the issue about those of us
19 that have been fighting the short supply of water.
20 Does your water use efficiency storage linkage
21 kind of address the concerns of those of us that
22 are dealing with this on a real short-term that
23 don't feel like we can wait for the big picture to
24 develop, or do we kind of need to just shut up
25 and --

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1 VICE CHAIR MCPEAK: Well, Mike, I think
 2 that certainly in my solution, yes, you are -- you
 3 need to be -- your concerns have to be addressed.
 4 If you were asking me what I would envision in
 5 those words that weren't all defined, the answer
 6 would be yes. But it wasn't. I did not spell
 7 that out, and I think that's a legitimate issue.
 8 MR. STEARNS: Okay.
 9 CHAIRMAN MADIGAN: All right. I have
 10 one speaker slip, Chairman Zlotnick from the Santa
 11 Clara Valley Water District.
 12 VICE CHAIR MCPEAK: Before Greg says we
 13 didn't address water quality, yes, of course,
 14 water quality is --
 15 CHAIRMAN MADIGAN: Are you still the
 16 chairman?
 17 MR. ZLOTNICK: Yes, I am the chairman.
 18 And members of the council, thank you, I will be
 19 brief since I know I stand between you and lunch.
 20 And, actually, Sunne, I figured it's so inculcated
 21 now I didn't need to mention it. So I just
 22 assumed it was there.
 23 I did want to respond a little bit to the
 24 discussion actually before this last round almost
 25 about the alternative. I just wanted to echo
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1 what Sunne identified as this time lag where we
 2 get out eight years from now and these conditions
 3 that you've been analyzing and the effort that's
 4 being done is showing that we're not getting to
 5 where we need to be. And so you have done the
 6 decision that, yes, we have to do something
 7 different. But then unless you have done that
 8 other preliminary work on what it is you're going
 9 to do, how it's going to be done, you're looking
 10 at another, you know, eight, ten years before you
 11 can even get started. And just from a public
 12 policy standpoint, we don't believe that that time
 13 lag is something that the State can afford.
 14 And so that's -- that's really the
 15 difference, I mean, as I see it now. I don't know
 16 if Steve wants to indicate that shift or that
 17 perceived void, if I can call it that, is there or
 18 not. I mean, am I misinterpreting what's on page
 19 nine?
 20 EXECUTIVE DIRECTOR RITCHIE: Very
 21 simply, what I said at the end up there is that
 22 every one of those boxes needs the detail of what
 23 activities need to go on to get to a decision
 24 point out there. And while we continue to talk
 25 about the broad picture, we never get the chance
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1 Stu's comment he made prior about the perception
 2 of a shift from December into June in terms of
 3 what was or not part of the dual conveyance
 4 portion, if you will, of the preferred
 5 alternative.
 6 We happen to agree in that we think there was
 7 a change. And as Sunne indicated with her
 8 business community, and as was expressed rather
 9 strongly last week down in Southern California by
 10 the chairman of the Bay-Delta Committee and the
 11 Southern California Water Committee as well, that
 12 while the dual conveyance is on the table, so to
 13 speak, as, Steve, you explained with your chart,
 14 and everything you said I think is good and
 15 appropriate, what our concern is is that where it
 16 says, "Includes a process for determining the
 17 conditions under which additional conveyance would
 18 be taken, further actions be taken," is different
 19 than saying that, in addition to doing that
 20 analysis on whether or not you move forward or not
 21 with something, because optimization has not done
 22 the job, that we believe you also need to do the
 23 analysis of what, in fact, you would do on dual
 24 conveyance if that trigger is pulled.
 25 Because, otherwise, it seems you get into
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1 to start working on the details and get some of
 2 this stuff done. I'll express a little generic
 3 frustration on behalf of somebody who wants to do
 4 something out there. We can debate the general
 5 forever. But until we get to the specific actions
 6 and start making the time to do the specific
 7 actions, we're not going to get anywhere.
 8 So, yes, we do want to get there, flesh out
 9 every single one of those boxes. I've been
 10 advised never to show that chart again and start
 11 to show those boxes with the detailed actions to
 12 get us forward and the budgets to get us forward
 13 and the staff to get those forward. Who is going
 14 to do it, how much is it going to cost, when is it
 15 going to get done. That's the step we need to get
 16 to.
 17 MR. ZLOTNICK: Okay. And I just wanted
 18 to put out our view that's been expressed here
 19 today as well. And I appreciate that.
 20 CHAIRMAN MADIGAN: Thank you. Sunne.
 21 VICE CHAIR MCPEAK: I just want to ask,
 22 Gregg, that as I heard you say it, and as I heard
 23 it elsewhere in the state, the frustration over
 24 the conveyance component has been whether or not
 25 evaluation of the isolated component of the dual
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1 would be done in phase one.
 2 MR. ZLOTNICK: Right. On a parallel
 3 track, so if you need to do it, because
 4 optimization, which we're committed to of
 5 through-Delta, does not work, then you are
 6 essentially ready to go with dual conveyance,
 7 appropriately sized and dealing with the impacts
 8 and Delta, all that kind of stuff. But that we're
 9 ready to move if that's what we need to do.
 10 VICE CHAIR MCPEAK: What hasn't -- okay.
 11 And that clarifies it, as I've understood, the
 12 frustration. On the other side, really being
 13 clear about optimization over an acceptable period
 14 of time, that period of time is yet to be defined
 15 as well, which may or may not be, in fact it's not
 16 likely to be in my opinion, but it has not been
 17 defined as coincident with phase one.
 18 MR. ZLOTNICK: It may not have been
 19 officially defined as that. I think there is some
 20 perception, and maybe that needs to be clarified
 21 as well, but that was indeed sort of the time
 22 period we were talking about.
 23 VICE CHAIR MCPEAK: I'm glad to get that
 24 issue on the table, because that's probably not
 25 going to be long enough for most people. But
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1 information, but sort of where we're coming from
 2 right now. And there are copies of it on the
 3 table as well. Thank you.
 4 CHAIRMAN MADIGAN: Thank you. Okay.
 5 About three additional things here.
 6 One, Steve, could I ask you to sort of
 7 summarize this? And then my plan would be that
 8 this motion would be carried over to next month
 9 for purposes of working on the motion in terms of
 10 language specificity, preambles, things of that
 11 sort, checks with you-all on this and see if we
 12 can bring something back as, you know, certainly a
 13 fair degree of support for it anyway.
 14 EXECUTIVE DIRECTOR RITCHIE: Yeah. I
 15 think on the preferred program alternative, you
 16 know, we were looking for, you know, comments
 17 about the strengths and weaknesses. And certainly
 18 we've heard a lot about its weaknesses and you
 19 heard a little bit about its strengths. But just
 20 it reinforced for me throughout, you know, people
 21 want to get to specifically what are the actions
 22 that are out there and how are they going to be
 23 assured that those are going to occur. And that
 24 is the real trick for us. Like I said previously,
 25 I think that the preferred alternative gives us
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1 that -- that kind of identified where we've got
 2 frustration. Because I think that's at the heart
 3 of people telling me, last October when I walked
 4 into a CALFED meeting, that we're out of here,
 5 we're about to leave. Is that true?
 6 MR. ZLOTNICK: No. I wouldn't take it
 7 as -- put it that strong. What was that, Alex?
 8 MR. HILDEBRAND: It cannot be optimized
 9 within phase one. It's way off of being optimized
 10 now, and it's going to take time.
 11 MR. ZLOTNICK: Okay. Well, we need to
 12 figure out how much time that is.
 13 VICE CHAIR MCPEAK: Yes, we do.
 14 CHAIRMAN MADIGAN: Fair point.
 15 MR. ZLOTNICK: The other thing I want to
 16 mention before you-all just walk off, is I want to
 17 concur with Roberta's discussion about assurances
 18 and making sure that there is a process for
 19 decision making, regardless of what happens with
 20 the ROD, that will allow us to all stay engaged in
 21 this process.
 22 And then, lastly, I just want to distribute
 23 out to the council a letter that we wrote to
 24 Secretary Babbitt after we met with him last month
 25 and will provide, probably not a whole lot of new
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1 all the tools, and it's a matter of how we line
 2 those up and make sure they have them. So I think
 3 that will be something that we have to have as
 4 part of our discussion as well.
 5 CHAIRMAN MADIGAN: Okay. All right.
 6 Okay. You-all know the plan. That then concludes
 7 the conversation on item number three. Let's do
 8 lunch. For those of you who prefer the cautious
 9 approach, there is a door right down there and it
 10 leads around. For those of you who are more
 11 direct in your thinking, apparently, we can go
 12 through this wall with the appropriate, yeah,
 13 motions. We are in recess for lunch. We will be
 14 back at 1:15.
 15 (A break was taken from
 16 12:26 p.m. to 1:15 p.m.)
 17 CHAIRMAN MADIGAN: All right. It's
 18 1:15. We are back in session. For the
 19 information of the members, the time set for the
 20 joint hearing of Senate, ag and water, and the
 21 assembly for water, park and wildlife committees
 22 under the joint chairmanship of Senator Costa and
 23 Assembly Member Machado is February 29th, 2000.
 24 That's 2000. The time is 9:00 a.m. and the room
 25 is 4202. And the information is with Eugenia.
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1 All right. Okay. The next item on the
2 agenda at 1:15 is water management strategy
3 evaluation framework update. And I've asked Steve
4 to give us a brief intro on it.

5 EXECUTIVE DIRECTOR RITCHIE: Yeah. On
6 this item, one of the things we talked about this
7 morning, again, was the economics of how you are
8 going to deal with various aspects of the water
9 management strategy which is that combination of
10 tools, conservation, transfers, recycling,
11 storage, all the different things that can help
12 you manage water for beneficial uses. And so we
13 had a presentation, I believe, in December on sort
14 of starting work on this in terms of an evaluation
15 framework to look at how you might score all those
16 different things with economics and other factors
17 brought into play.

18 Today I think we wanted to give an update on
19 that. This will still be a little in the teaser
20 realm, because we don't have hard results yet to
21 look at. We have an awful lot of people working
22 on this, spending a lot of time bringing a lot of
23 complicated models together, so this is real
24 difficult work to get to. But we want to make
25 sure today we brought you guys up to speed on what
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1 bit about the solution principles and our attempt
2 to begin to develop performance measures that are
3 indicative of how well a strategy does in
4 accomplishing the solution principles of the
5 program.

6 I thought I would just -- again, we spoke to
7 you at the last meeting, but I thought I would
8 just take one moment to describe a little bit of
9 the mission that we were presented with.

10 First thing that we did was to actually go
11 back to sort of fundamental principles and
12 document the hierarchy of objectives for the
13 CALFED program on an overall basis. And I'll come
14 back to this in terms of what -- you know, how we
15 did that, how we engaged in that effort. And then
16 we also wanted to start to establish some
17 well-defined performance measures which would tell
18 decision makers how well various strategies did in
19 accomplishing CALFED's objectives. And then
20 third, to provide the kind of framework that would
21 allow for tradeoffs and comparison among
22 alternative water management strategies. And our
23 focus was on long term, the long-term alternative
24 water management strategies.

25 Since the last time we were here, most of the
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1 we told the policy group at the last meeting as to
2 where we were on it.

3 And I would like to ask Mark Cowin and
4 Paul Brown to take it away.

5 CHAIRMAN MADIGAN: Paul, you're up.
6 Mark, thank you for being here.

7 MR. BROWN: Thank you. Again, I see a
8 number of you, familiar faces, who have heard most
9 of this information before. So I apologize in
10 some -- in many of your cases for being
11 repetitive, although you may be used to having
12 heard information more than once.

13 CHAIRMAN MADIGAN: No, repetition is a
14 strength around here. It takes a little while for
15 some of us to get it, so -- and I would include me
16 in that group, so don't be apologetic for telling
17 us something for a second or third time.

18 MR. BROWN: All right. Our purpose here
19 today is to update you-all on the status of this
20 evaluation to provide a little bit of an
21 introduction and an overview regarding the
22 competing water management strategies that are
23 currently under evaluation, to preview the
24 scorecard that we're using for the comparison of
25 these alternatives, and finally, to talk a little
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1 focus has been directed towards completing these
2 model runs. And Steve mentioned the complexity of
3 this, but it's worth reiterating that we are
4 trying here to present as integrated an analysis
5 of these alternative water management strategies
6 as we can develop, and really attempting to
7 utilize as many of the available modeling tools
8 that have been developed in the CALFED process as
9 possible, and linking these together to provide
10 this more synthetic view of how various
11 alternatives work. As you can imagine, that is
12 a -- that is a difficult, complex, and tedious
13 task, but it is nearing completion.

14 The other thing that we've done is held some
15 small group meetings with the stakeholders to talk
16 a little bit about those performance measures
17 associated with the solution principles. And
18 then, finally, we've had some meetings to talk
19 about the methodology that's going to be employed
20 on cost benefit analysis and pricing. And those
21 have been interesting meetings, and I think we can
22 expect that there will be a lot of discussion of
23 the methods that we're using in order to evaluate
24 and quantify the costs and the benefits associated
25 with the program.

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1 So that's what's happened since the last time
2 we were here. Now, again, this is what -- what we
3 were doing sort of at a conceptual level is a
4 fairly straightforward four-step process. One was
5 to define the program objectives, establish these
6 performance measures, get some clarification of
7 what our planning assumptions are, and then
8 evaluate these alternative water management
9 strategies.

10 On this diagram, I've got these arrows going
11 backwards because I think it's worth emphasizing
12 each time we bring this up that we are not trying
13 to find the answer to this question as much as
14 trying to provide a tool which will allow to --
15 which will allow decision makers to go back,
16 clarify planning assumptions, maybe even look back
17 at program objectives in an iterative process
18 towards coming to some resolution of what should
19 be in the long-term water management strategy.

20 Last time I was here I focused on -- I'm
21 going to put -- I focused on this particular
22 issue. When we looked at the -- when we looked at
23 the issue of program objectives, we made a very
24 concerted effort to divide program objectives into
25 these two categories: The fundamental objectives
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1 of the program, those objectives which focused on
2 why we were doing this in the first place, and
3 what we called, and I apologize for the jargon,
4 means-ends objectives, you know, those things that
5 had to do with how we accomplished it.

6 And to just make a distinction between the
7 two, we used our fundamental objectives as the
8 basis for trying to come up with these predictive
9 performance measures, how well does a strategy do
10 in accomplishing the fundamental objectives of the
11 program. On the means-ends objectives, you know,
12 how we do it, we took the elements of the
13 means-ends objectives and built those into the
14 alternative strategies. So this was the sort of
15 evolution of the process. You know, I -- I'm
16 happy to -- actually, I will defer to the Chair.
17 Would you prefer that I just go through this, or
18 would you want people to ask questions as we go?
19 I should have asked you that earlier.

20 CHAIRMAN MADIGAN: It would probably
21 make more sense to go through it, and then we can
22 go back and pick up questions.

23 MR. BROWN: Okay. All this slide is
24 meant to illustrate is sort of the output of
25 that -- of the first step of that process. And
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1 what I've got on the column along the left are
2 the -- are the four main program elements,
3 ecosystem restoration, water quality, water
4 supply, and levee protection. And then, again,
5 out of this -- out of this analysis, I think we
6 came to the conclusion that, for many stakeholders
7 and decision makers in this process, the solution
8 principles of reduced conflict, equitable
9 solution, and affordable solution, a durable
10 solution, implementable with no significant
11 redirected impacts, that these, for many, are also
12 fundamental objectives of this program and need to
13 be combined with the four program elements as a
14 part of our evaluation.

15 And, again, the other thing that this is
16 meant to illustrate is that when we looked at how
17 well-developed and how well-articulated program
18 objectives were, we really found lots to work with
19 in the four major program elements. When we got
20 down to the solution principles, it was a lot less
21 well-developed as to what does equitable mean,
22 what does affordable mean. Again, there was -- a
23 lot of work has gone into what does ecosystem
24 restoration mean. And, in fact, there are many,
25 many means-ends objectives, many, many individual
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1 program elements that provide the means of
2 accomplishing those objectives.

3 Again, when we got down into the world of the
4 solution principles, we found many fewer
5 fundamental objectives in terms of really how well
6 they were articulated, and also fewer means-ends
7 objectives, less available in terms of how do we
8 make it affordable.

9 The third column is just this column of
10 performance measures, our ability at the planning
11 level to predict how well a strategy works in
12 accomplishing our objectives. I just want to run
13 through this, because this is going to -- as we
14 get into results, this is going to be an area that
15 will be the subject of a lot of discussion.
16 Because in the first one, on ecosystem
17 restoration, we don't have a lot of good
18 predictive modeling capabilities with regard to
19 how well certain measures that are taken are going
20 to perform in terms of delivering results. We've
21 got a very well-developed monitoring program which
22 should contribute, over time, lots of data towards
23 the ability to make this kind of predictive
24 assessment, but right now, very few performance
25 measures that we can predict in terms of ecosystem
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1 restoration.

2 We've got quite a bit of predictive tool

3 capability when we get to water quality and water

4 supply. We've got quite a bit of predictive

5 capability when we get to affordable. For the --

6 I think what you'll see in the course of this is

7 that, for the other solution principles, reduced

8 conflict, equitable, durable, implementable,

9 significant redirected impacts, at this stage in

10 the game, we have limited numbers of predictive

11 criteria by which to evaluate alternatives.

12 Sunne?

13 VICE CHAIR MCPPEAK: I'm going to do

14 something different than what the Chair did,

15 ask --

16 CHAIRMAN MADIGAN: As usual.

17 VICE CHAIR MCPPEAK: The top one, I want

18 to bore in. I immediately saw that and was

19 reminded of how concerned over the five years that

20 many of us have been about performance measures on

21 outcome for ecosystem restoration, since that is

22 the underpinning and the heart of the mission

23 here.

24 When you say few, do you mean inadequate?

25 That is that we do not have specific quantified

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1 objectives or goals, goals with objectives and

2 benchmarks in order to measure ecosystem

3 restoration that are outcomes, not inputs. I

4 mean, we've got inputs along the way that, I

5 guess, might be means-ends objectives. I may have

6 got lost in the jargon. But tell me, does few

7 mean inadequate in your terminology here?

8 MR. BROWN: No, it does not mean

9 inadequate. And, secondly, because this is the --

10 this is probably the most important distinction

11 I'm trying to make here. I want to emphasize the

12 word predictive. Because the program has got very

13 well-defined objectives and very well-defined,

14 well-quantified objectives, but what we're

15 attempting to do, and again, I want to keep

16 explaining it until I get it right, what we're

17 attempting to do in our modeling exercise is to

18 say, if we take this action, what results can we

19 confidently predict will result from them today,

20 in advance of taking -- in advance of actually

21 taking the action.

22 And, I think, again, I'm not the best --

23 other people can help me out on this, but in our

24 search for the predictive tool, the tool that

25 would say, if we do this, we can be very confident

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1 that this outcome will occur, that in the area of

2 ecosystem restoration, our predictive tools are

3 not that well-developed.

4 Now, you know, I hope I've said it properly,

5 and I hope I haven't led people to believe that

6 the ecosystem program -- the ecosystem program, in

7 our review of it, has very clear objectives, and a

8 very well-developed menu of measures that are

9 recommended to be taken, and a very well-developed

10 monitoring system that will tell us all, as time

11 goes on, how well those measures are performing in

12 delivering the results. But until we get the --

13 until we get that input back from the monitoring

14 program, it's hard for us to say which one of

15 those is going to do what in a quantified -- in a

16 quantified way. And I'm just repeating myself, so

17 stop me.

18 MR. DUNNING: I'm just a little

19 confused. I understand what you just said about

20 prediction and the need to be able to predict

21 outcomes from things that you anticipate doing. I

22 had thought a performance measure is a way of

23 evaluating as you go along how well you are

24 performing vis-a-vis defined objectives. So I'm a

25 little confused if you're applying the word

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1 predictive here to the phrase performance

2 measures. Is that what you're doing?

3 MR. BROWN: Yes.

4 MR. DUNNING: Because performance

5 measure doesn't seem to me a prediction, it seems

6 to me an assessment of what now has happened as a

7 result of actions taken to date.

8 MR. BROWN: And you are correct. I

9 mean, I don't disagree with anything you said.

10 In our planning analysis, in our evaluation

11 analysis, and maybe we should have picked it --

12 maybe we should have picked a different word, but

13 we are also looking for, from a -- think of them

14 as evaluation criteria, quantified predictive

15 measures of performance which help us determine

16 looking forward from a planning perspective, help

17 us determine which alternative approach produces

18 what kind of benefits.

19 And as time goes on, more and more real data

20 is available, which I presume will always be used

21 for both assessing the effectiveness of what we've

22 done and planning our next -- you know, planning

23 our next investments. It's sort of the essence of

24 adaptive management, if you will. So I don't

25 think we're disagreeing. I'm just saying that the

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1 decision making step in this process, your
 2 first -- and if you've got five things to do, how
 3 do you select the one that you want to start with.
 4 And we would like to focus on those same
 5 performance measures that you're going to use to
 6 benchmark how well the investment performed. But
 7 in this first planning stage, we're trying to
 8 predict where we can what's going to happen. Does
 9 that --

10 MR. DUNNING: Thank you.

11 CHAIRMAN MADIGAN: Go ahead.

12 MR. BROWN: Okay. Now, in that fourth
 13 box, in the evaluation, the evaluation itself,
 14 what we're doing at this point is, one,
 15 establishing planning assumptions, which I'm sort
 16 of calling ground rules here. I'm not going to
 17 spend much time on them here. We can tell you
 18 what all the planning assumptions are.

19 Most important box is probably that box that
 20 says the competing packages. So what we have done
 21 on the first iteration, the data that we are
 22 trying to produce right now, is looking at four
 23 alternatives. And these are alternatives which
 24 were designed to sort of illustrate an emphasis
 25 on, in one case, water use efficiency. Another

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1 one of the alternatives, alternative B, has got an
 2 emphasis on storage and includes surface water
 3 storage. The water use efficiency emphasis does
 4 not have any surface storage in it. And then
 5 we've got a third alternative which is a kind of
 6 mix of the two. It has surface water storage in
 7 it, but it also pushes water use efficiency to a
 8 fairly high degree. And we've got a no-action
 9 alternative. If we don't do anything, what do we
 10 expect will happen, what do we predict will
 11 happen.

12 Now, I've also included a box that just says
 13 other alternatives because, again, we want to
 14 stress that we're not -- we're trying to do this
 15 once to start to frame up the boundaries of this
 16 issue and expect that this same analysis will keep
 17 going through this analysis in an iterative
 18 process to arrive at that alternative that does
 19 the best job in meeting our predictive performance
 20 measures. And I'm just calling those predictive
 21 performance measures, a kind of scorecard for
 22 evaluating these competing packages.

23 That's the process we're in right now is
 24 producing the results, producing the scorecards,
 25 for these four alternatives. And then, again,

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1 I -- this just sort of highlights some of the
 2 aspects of the -- what's in these alternatives.
 3 It's a pretty incomplete high 50,000-foot overview
 4 here.

5 But, again, as I mentioned, in the
 6 alternative that focuses on water use efficiency,
 7 there is no surface storage. In alternatives B
 8 and C, they both include the sites reservoir and
 9 Shasta enlargement. As you'll see in -- we're
 10 including a relatively substantial amount of north
 11 of Delta, south of Delta groundwater storage.
 12 Those -- that column, groundwater storage, is
 13 talking about the available capacity, the volume
 14 of groundwater conjunctive use available in each
 15 of the alternatives.

16 Now, I've got columns on transfers here.
 17 And, actually, those columns actually indicate the
 18 ceilings that we're imposing on the level of
 19 transfers available from north of Delta for urban
 20 purposes and the -- actually, we're not imposing
 21 any limits on the environmental transfers that
 22 meet ERP requirements. But those are part of each
 23 one of the alternatives as well.

24 And then the last column just talks about an
 25 allocation methodology for the water available
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1 from these investments. And in alternative A and
 2 B, the urban user takes priority to the
 3 agricultural user. And then in alternative C for
 4 the water resulting from these investments, that
 5 supply benefit is allocated according to existing
 6 project contract, so proportional to the existing
 7 project contracts.

8 Again, I'm just trying to give you a sense of
 9 what we mean by one of these alternatives. And
 10 we'll give you a lot more information on what's in
 11 each one of these three initial evaluations.

12 Now, one other thing -- the other thing that
 13 we're doing in this analysis is we're looking at,
 14 again, to see how the -- how well the alternatives
 15 perform. We're putting each one of the
 16 alternatives through a -- through its useful life,
 17 if you will, with operational priorities that, in
 18 one case, focus on water supply improvement, in
 19 another case focus on water quality improvement.
 20 And then we're looking at the -- what happens when
 21 you provide increasing levels of flexibility for
 22 improving fisheries in -- to each one of these
 23 alternatives.

24 So, again, you can start the picture. We've
 25 got a lot of data to give back to you, and we got

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1 to do it in a way that is understandable and
2 digestible. But we're going to look at each one
3 of these alternatives operated towards these
4 operational priorities.

5 Now, in this slide, I just want to give you,
6 again, a picture of what the scorecard is going to
7 look like. And this is a scorecard for that
8 fundamental objective and the solution principle
9 called have-no-significant-redirected-impacts. I
10 want to emphasize that for each one of these
11 alternatives run under each one of these
12 operational priorities, we are going to not only
13 give you a system wide scorecard, but we are also
14 going to tell you what happens within each
15 affected region. So there will be a regional
16 breakdown of these results as well as the total
17 system wide.

18 And, again, just to go back to this issue of
19 what it is we're trying to predict, for
20 no-significant-redirected-impacts, we're going to
21 look at the regional employment effects. We were
22 asked by stakeholders, that next column which says
23 level of confidence, we were asked by stakeholders
24 to be clear as to how -- you know, how much do we
25 believe these numbers, how much confidence do we
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1 have in these numbers. In each one of these --
2 and we're going to kind of rate those, high,
3 medium, and low.

4 CHAIRMAN MADIGAN: You know, when you
5 get there, I hope we don't, on any of these
6 numbers, imply a level of significance beyond that
7 which we really know what we're talking about
8 here. Because we can -- we could get to the point
9 pretty fast of -- of, you know, just garbage in
10 and garbage out on this kind of thing. So if we
11 don't know much, we should say we don't know much
12 here and not carry it out to four decimal points.

13 MR. BROWN: Agreed. And that's what
14 that column is meant to indicate, how much
15 confidence do we have in these numbers. And your
16 point is very well taken. At this level of
17 analysis, we're looking for big trends, you know,
18 what big conclusions can we draw. We're not
19 designing -- you know, we're not sizing pipes or
20 committing specific levels of dollars to projects
21 at this level. We're going to make -- take a stab
22 at looking at the regional employment effects in
23 terms of regional employment effects, change in
24 regional agricultural production, and the change
25 in regional crop mix resulting from these various
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1 approaches, and the change in regional urban/local
2 option cost, that is the level of investment that
3 needs to be made by urban users at the -- on local
4 projects.

5 CHAIRMAN MADIGAN: Sunne.

6 VICE CHAIR MCPEAK: Well, I'm interested
7 in that top line, the regional employment effects.
8 You have to measure that against some benchmark or
9 baseline. What is that going to be?

10 MR. BROWN: We're -- my content expert
11 here is Mark.

12 MR. COWIN: In this case, I think we'll
13 be measuring it against our no-action alternative.
14 So we have a simulation model that predicts
15 employment based upon a given allocation of water
16 that will predict through a no-action. And we
17 will compare that to the changes predicted by the
18 model for the different alternatives.

19 VICE CHAIR MCPEAK: Okay. And which
20 numbers are you using for the no-action
21 alternative?

22 MR. COWIN: The no-action alternative
23 includes all of the usual modeling assumptions
24 that we've used in our analysis, including the
25 Bay-Delta Accord, CVPIA, 2020 level expected water
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1 needs, 2020 level expected population.

2 MR. BROWN: Is your question though what
3 model is actually being used to --

4 VICE CHAIR MCPEAK: Yeah, I mean, it is
5 a --

6 MR. BROWN: -- predict these changes?

7 VICE CHAIR MCPEAK: With just a little
8 bit of experience on this one, I know how easily
9 it gets complicated. Because all of the
10 employment projections that I use today from the
11 Department of Finance, even the Department of
12 Labor, EDD, and Councils of Governance, don't
13 constrain for resource limitations which would be
14 a no-action alternative. There is not a reliable
15 model, to my knowledge, or a database out there
16 that has taken that into account. I mean, so I
17 was really looking for, are we talking about
18 employment changes from, say, Department of
19 Finance projections going forward, employment
20 changes from today? I mean, that's -- I'm asking
21 how are we going to get meaning into that.

22 MR. COWIN: Right. I would have to
23 defer. I really am not an expert on this
24 particular model. It is the in-planned model that
25 has been used in impact analysis for some time.

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1 But we'll have to come back with you.
2 VICE CHAIR MCPHEAK: So really revisit
3 that or probe it for us.
4 MR. BROWN: Okay. Again, the point you
5 raise, this is a very -- this will be one of the
6 challenges for us in terms of presenting this data
7 back is really reflecting on the limitations of
8 what we're able to do. I mean, we are confronted
9 with a problem here, and the problem goes
10 something like this, that our tools for making
11 predictions on a system as complex as this, they
12 are very -- they're very limited when we look at
13 these, essentially, statewide impacts. And what
14 we're stuck with is, do we do the best we can in
15 trying to come up with some sense of, if nothing
16 else, the relative approach, or do we not present
17 it at all. We've opted to --
18 CHAIRMAN MADIGAN: The former is the
19 right one. It would just be explicit about the
20 level of confidence that we have in the --
21 MR. BROWN: And the limitations.
22 CHAIRMAN MADIGAN: That's right.
23 MR. BROWN: And some of these
24 limitations need to be highlighted.
25 So the next one is be affordable. This is
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1 another topic where we know we're going to --
2 we're going to hear a lot of different opinions.
3 Because on total and annualized cost, that I think
4 we can come up with a pretty good -- we have a
5 level of confidence high on that.
6 On the allocation of costs and benefits by
7 sectors, this is an area we already know there is
8 a fair amount of controversy related to, because
9 of what I mentioned earlier, the difficulty we had
10 in actually putting a value on the ecosystem
11 benefits resulting from program elements, if
12 that -- if that makes sense. What the approach
13 we're going to end up taking here, which is going
14 to be subjected to criticism, is to really look at
15 the benefits in terms of the costs to users, which
16 would be the minimum value that those ecosystem
17 benefits are -- could be -- could be attached to
18 those benefits. We could provide, on fairly high
19 level of confidence, the capital -- you know, when
20 is this -- how is this money going to be spent,
21 when is it going to be spent. We've got -- we're
22 making some heroic assumptions regarding the
23 transfer market price. Our level of confidence is
24 low with regard to what those numbers are likely
25 to be. But we will tell you what we're using and
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1 how we're using it. And then on cost of water
2 treatment associated with quality, we've got
3 medium. But that's another one that's going to be
4 difficult to quantify.
5 MR. HILDEBRAND: May I ask for a point
6 of clarification there?
7 MR. BROWN: Sure.
8 MR. HILDEBRAND: On the price for water
9 transfers, that's going to depend in part on where
10 you're going to get it from and how -- what market
11 you're working against. If they're going to --
12 people are going to go out and try to buy 500,000
13 acre feet, the price is going to be different than
14 if you're only trying to get 50. So how do you
15 handle that?
16 MR. BROWN: Our actual -- we actually
17 are taking that factor into consideration. In
18 other words, the more -- the more we're expecting
19 to use, the higher the price we're expecting to
20 pay for it. And we'll be very explicit with you
21 as to what that curve looks like. And you will
22 tell me that I -- that I got that curve all wrong.
23 But we'll -- because I do. I do have it wrong.
24 But what we're -- but what we would like to build
25 into this is the notion that the more we expect
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1 transfers to fill the need here, the more we can
2 expect to pay for those transfers.
3 MR. HILDEBRAND: Well, also, when you
4 say what's affordable, that depends on whether
5 you're talking about the present situation or
6 future situation when the demand, supply and
7 demand situation is drastically changed from what
8 it will be today.
9 MR. BROWN: Agreed. Agreed.
10 On this issue of cost, I just want to
11 introduce this one other concept, and that is the
12 fact that, when I'm talking about total costs
13 here, the cost that we are including in our
14 analysis are the costs associated with the water
15 management strategy, that is the cost of the
16 storage, conveyance, transfers, water use
17 efficiency, and the water quality related to the
18 water management strategy. We are not including
19 these additional costs of ecosystem restoration,
20 watershed management, levee system integrity, and
21 the water quality costs associated with protecting
22 water quality upstream in watersheds. So
23 understand, when we are talking total cost here,
24 we're talking total cost water management
25 strategy.
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1 And I'm just going to speed through these.
 2 On equitable, again, we're looking -- we're
 3 assuming -- the best we've got right now is to
 4 look at allocation of costs for the actions taken
 5 and allocation of benefits. On durable, we're
 6 going to look at how these perform in terms of
 7 long-term averages. And I think we want to also
 8 provide a sort of subjective appraisal of how easy
 9 it is to modify a strategy based on how amenable
 10 are these to adaptive management. And then,
 11 finally, in terms of the reduced conflicts in the
 12 system, when we talked to stakeholders about this,
 13 they suggested that we could probably work on
 14 developing further tools for quantifying levels of
 15 conflict. Right now, we don't really have
 16 anything that is a good predictor of how much
 17 conflict is going to result from one strategy or
 18 another.

19 CHAIRMAN MADIGAN: The time available to
 20 the group discussing it, that would be your best
 21 measure of -- if we have a lot of time, there will
 22 be a lot of conflict. And right now --

23 VICE CHAIR MCPEAK: That's predictive.
 24 CHAIRMAN MADIGAN: And right now --
 25 yeah, that's predictive. And right now, we have
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1 nine minutes, so --

2 MR. BROWN: Okay. Well, I'm done. I'm
 3 actually done. Where do we go next? We are
 4 trying to fill in those scorecards. Again, we've
 5 got a big job in trying to draw some conclusions
 6 about this -- all this pile of data, trying to get
 7 it into, you know, what can -- what's meaningful
 8 here, what can we learn from all this data.

9 And then, finally, if this proves to be of
 10 use, provide this ongoing framework for the
 11 continued discussion of alternative strategies.
 12 And with that, I'm finished.

13 CHAIRMAN MADIGAN: Okay. Very good.
 14 Sunne.

15 VICE CHAIR MCPEAK: Paul, I think I
 16 understand a -- the reason why, of course, water
 17 use efficiency measures are in the column under
 18 the water management study. I'm trying to run, in
 19 my mind, what the implications are when the
 20 evaluation is done on cost and cost against other
 21 factors with that in the mix. I guess the reason
 22 I'm raising it is because it's one of those, which
 23 we used to call core program elements. What do we
 24 call those things? Is it core?

25 EXECUTIVE DIRECTOR RITCHIE: Yeah.
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1 VICE CHAIR MCPEAK: I don't know. It's
 2 so long ago. But it's like it's going to be done.
 3 I mean, and we've got, in some of this list, there
 4 are -- there are variables. And so talk -- talk
 5 to us about the wisdom of having that there.
 6 Should you not be running a scenario that has it
 7 in and out?

8 MR. BROWN: Yeah. Let me make this
 9 clarification. I think I had a column that had --
 10 let me see which column I should start at. In the
 11 alternatives, in the alternatives, we're actually
 12 trying to quantify the cost to both agricultural
 13 and urban users of implementing water use
 14 efficiency as -- measures in terms of
 15 conservation, reclamation, groundwater recovery as
 16 part of their local strategy to meet demands
 17 within their services areas. Those costs we're
 18 treating as outside of the CALFED program, but
 19 important to decision makers in terms of how much
 20 local investment in water use efficiency is needed
 21 in order to meet demands.

22 The second, there's an element -- you've got
 23 a program which devotes a substantial amount of
 24 money to water use efficiency, to make that happen
 25 in the form of incentives or however you want to
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1 make it happen. Those costs we haven't layered
 2 into this. Those costs are in that other column.
 3 And we presume that those, to the extent that
 4 those program investments are made, that they
 5 offset the costs that we're estimating will need
 6 to be expended at the local level in order to
 7 implement water use efficiency in place of putting
 8 these same demands on the Delta.

9 Have I said that right? No.

10 VICE CHAIR MCPEAK: We don't know. We
 11 don't know. Nobody knows.

12 MR. BROWN: You don't mind if I have
 13 my -- my partner here correct everything I've just
 14 said?

15 MR. COWIN: Well, I'm not sure I
 16 completely understood.

17 MR. BROWN: That would be the best thing
 18 is what we didn't understand of what I said.

19 MR. COWIN: Despite what Paul said, in
 20 terms of what we're trying to do here, first of
 21 all, we're assuming that you've got BMPs
 22 implemented under all these alternatives. There
 23 are significant amounts of water use efficiency
 24 under each of these alternatives.

25 VICE CHAIR MCPEAK: Right.
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1 MR. COWIN: We're looking at variable
 2 amounts of supplies made available from the
 3 Bay-Delta. And what we want to see is how much
 4 additional investment in water use efficiency
 5 measures will be made by urban entities in order
 6 to meet the water needs.
 7 MR. BROWN: Beyond BMPs.
 8 MR. COWIN: Right.
 9 MR. BROWN: And we're quantifying that
 10 as part of the total cost of these alternatives;
 11 is that correct?
 12 MR. COWIN: That's right.
 13 VICE CHAIR MCPEAK: Okay.
 14 CHAIRMAN MADIGAN: Okay. Alex, and then
 15 Roberta, and then Stu.
 16 MR. HILDEBRAND: A couple of
 17 definitions. On your list of ground rules here,
 18 you list Delta standards. Does that indicate
 19 you're analyzing for compliance with all Delta
 20 standards? Would that include the dissolved
 21 oxygen problem in the ship channel for example?
 22 MR. COWIN: We've been limited to the
 23 same modeling tools that we've used all along in
 24 our analysis.
 25 MR. HILDEBRAND: So dissolved oxygen
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1 about project operations to improve drinking water
 2 quality. So we should designate that more clearly
 3 as --
 4 MR. HILDEBRAND: So you may be damaging
 5 water quality for everybody else and water supply
 6 as long as you're taking care of the drinking
 7 water quality and the export supply?
 8 MR. COWIN: Under each case, we've
 9 maintained the same Bay-Delta standards. So we
 10 comply with those standards to the degree we can.
 11 The emphasis though is on how we would use new
 12 facilities to improve drinking water quality. In
 13 all cases, we'll report the effects on water
 14 quality both to ag users and urban users for each
 15 alternative.
 16 MR. HILDEBRAND: Let's distinguish
 17 further between areas of origin, in-channel in the
 18 Delta, and exports. And I think, inevitably, it's
 19 going to turn out that when you improve the
 20 drinking water quality, you're going to make worse
 21 quality for somebody else. And that should be
 22 indicated here rather than you just say we're
 23 going to have a quality program.
 24 MR. COWIN: That may be the case, Alex.
 25 And we'll see how it turns out. But in this case,
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1 isn't in there.
 2 MR. COWIN: So the answer isn't a new
 3 one.
 4 MR. HILDEBRAND: So I would like to know
 5 what standards are not included in your analysis
 6 here.
 7 MR. COWIN: That's the one I'm aware of.
 8 There probably are others, but we'll try to
 9 document those better.
 10 MR. HILDEBRAND: Well, I think that's a
 11 rather important one. It's important from a
 12 fishery point of view that we comply with that
 13 standard. And we're not going to comply with it
 14 without some flow management.
 15 MR. COWIN: Right.
 16 MR. HILDEBRAND: Then you get over here
 17 and you talk about operational priorities. You
 18 say that there is going to be, for example,
 19 improved water quality. That's improvement for
 20 whom, or is it aggregate improvement for
 21 everybody, or what does it mean? Did you have a
 22 big improvement for one party and detriment for
 23 another? So, I mean, the same question on water
 24 supply.
 25 MR. COWIN: In this case, we are talking
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1 what we're trying to do is use new facilities to
 2 improve overall export water quality. And that
 3 doesn't inherently mean a decline in quality for
 4 in-Delta uses or other uses.
 5 MR. HILDEBRAND: Well, perhaps not, but
 6 I'm skeptical.
 7 MR. BROWN: I think your point with
 8 regard to how we have labeled that operating
 9 priority is exactly correct. It should be more
 10 explicit that the operating priority is drinking
 11 water quality. When the system -- when it --
 12 again, in this analysis, when we run the system
 13 with that operating priority, we will provide, as
 14 output, what happens to water quality for all
 15 other -- for all other users as output. So this
 16 actually should shed light on the very point
 17 you're making. It should help to answer that
 18 question. How big a penalty do you pay if you
 19 operate the system towards this objective of
 20 drinking water quality, what is the price you pay
 21 in terms of quality to other users on a regional
 22 basis.
 23 MR. HILDEBRAND: Well, there's also the
 24 question of the way you designed the through-Delta
 25 system will affect, for example, the amount of
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1 bromide you pick up. And it will affect the water
2 quality in different channels of the Delta as well
3 as the drinking water. And it can also affect the
4 salinity for all of us. So I don't know whether
5 you're holding constant the through-Delta plan as
6 you do these other things, and if so, we should
7 know exactly what through-Delta plan you're
8 talking about. If you take the plan as it's
9 indicated in the preferred alternative and you
10 look at the previously adopted plan for the south
11 Delta, it would appear to me that you would be
12 increasing the salinity for all of us in the
13 southern part, including the exports. It would be
14 increasing the bromide for all of us, as compared
15 to other things. And then you get -- it's not
16 part of your analysis, but you also increase the
17 earthquake risk.

18 CHAIRMAN MADIGAN: Okay, Roberta.

19 MS. BORGONOVO: This question has been
20 asked before, but when you have laid out your
21 program, you really have been comparing costs and
22 benefits. And always under the environment, the
23 costs and benefits are never there. It still
24 seems to be a problem to me. I know that the
25 answer is that there isn't available data, but

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1 there must be someplace in the world where
2 economic environmental benefits have been
3 evaluated in some sort. I thought they had done
4 some work on the fisheries, the ocean fisheries.
5 And so not ever having that benefit in there does
6 seem to skew that cost benefit ratio for the --
7 from the environment.

8 MR. BROWN: I agree that this will --
9 this remains one of the bigger limitations in
10 interpreting this output. And I think there are
11 people on all sides of the issue who feel just the
12 way that you do is that perhaps we're not
13 adequately valuing the environmental benefits
14 resulting from program investments. And that
15 simply equating them to the costs to users is not
16 an adequate assessment of those benefits. So I
17 think we -- we agree with you.

18 MR. HILDEBRAND: Can I ask one more
19 question? In your stakeholders that you're
20 meeting with, who is on that from the Delta?

21 MR. COWIN: We've had Tom Zuckerman at
22 several of the meetings.

23 CHAIRMAN MADIGAN: Stu.

24 MR. PYLE: Yeah. My question, Paul,
25 very summarily is, who is going to use this and

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1 what are they going to use it for and when are
2 they going to use it? I assume this is used in a
3 decision making process to schedule the actions.
4 And I don't know if this is supposed to be
5 predictive to guide them, or after they make their
6 selection, you're going to run this to see if they
7 made a good selection. Or how is this going to
8 work?

9 MR. BROWN: I may not be the best
10 person -- I might defer that question to Steve. I
11 think we would be complimented if anyone used it
12 for anything.

13 MR. PYLE: If you don't have the
14 answers, why are you doing it?

15 MR. BROWN: Our hope is that it will
16 shed more -- again, as a person who hasn't devoted
17 as many hours to this problem as you have, it is
18 hard to go to a place and find anything that tries
19 to pull together all the aspects of the program
20 and look at it in a holistic sense. And, again,
21 I'm very aware of the limitations of it.
22 Hopefully, you and others will find this useful in
23 advancing the -- in advancing the discussion.
24 But, Steve, I don't know if you want to shed more
25 light on it.

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1 CHAIRMAN MADIGAN: Steve.

2 EXECUTIVE DIRECTOR RITCHIE: Yeah. With
3 the big copy out up front that, remember, it is a
4 model that is supposed to -- or a set of models to
5 help in decision making. It doesn't make
6 decisions for anybody. It's still up to us humans
7 to make decisions. But to help frame and make
8 decisions on what I guess I would call the initial
9 water management strategy, that's what the first
10 part is. What tools are you going to pursue, to
11 what extent now based on the information coming
12 out of this. And I would anticipate, if this
13 starts to appear to be a good tool, as a matter of
14 fact, I'm very hopeful it is, then help you refine
15 over time that set of tools.

16 I can foresee a situation where we come to a
17 record of decision, and let's take the
18 controversial topic of storage, where it might be
19 appropriate for CALFED, because we haven't got to
20 a refined enough level, to say we need to pursue
21 these three storage projects, because probably
22 within them, there will be one that we really
23 decide we ultimately want to do. So pursue them
24 in terms of feasibility study, whatever. And
25 through refinement of the water management

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1 strategy, could help us define that those are,
 2 say, the three we want to do. And then as we got
 3 better information over time, could help us decide
 4 which one or more of those was really worth
 5 pursuing. So I think it will be a tool that we
 6 could use to lay the initial water management
 7 strategy, and then secondly, to refine it over
 8 time, balancing among the different tools.
 9 CHAIRMAN MADIGAN: Okay. Richard, and
 10 then Hap, and then Torri.
 11 MR. IZMIRIAN: Paul, in here somewhere
 12 is there an implied definition of water supply
 13 reliability?
 14 MR. BROWN: I don't -- I think we have
 15 a -- I mean, I think we are trying to -- I think
 16 we are going to provide you with data that will
 17 allow you to assess water supply reliability in
 18 terms of the frequency and magnitude of shortages
 19 to users, if that's what you mean by water supply
 20 reliability.
 21 MR. IZMIRIAN: Well, it's just the
 22 question is what is water supply reliability. And
 23 we can read our packet here and find two or three
 24 definitions of water supply reliability. I'm just
 25 trying to get a notion of whether this was one of
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1 the objectives to get a definition there or a
 2 useful tool for working on that reliability issue,
 3 in which case it has to be defined. You know, I
 4 might define it as supply equaling demand. Other
 5 people might say it's increasing supply. Other
 6 people might say it's reducing demand. It's also
 7 been defined as some technical fixes in the Delta.
 8 MR. BROWN: Let me see. The data that
 9 we will give you, which should be able to be
 10 applied to answering most of those questions, will
 11 be the quantities of the volumes of water
 12 available to users over time and the variability,
 13 you know, how variable those supplies will be over
 14 time. And that -- you end up having to make
 15 judgments about whether that, you know, whether it
 16 meets needs or doesn't meet needs.
 17 MR. IZMIRIAN: And I think it could be a
 18 useful tool for that. What I was trying to get at
 19 is whether or not that somehow had been
 20 predefined. And I'm glad it hasn't been.
 21 CHAIRMAN MADIGAN: Hap.
 22 MR. DUNNING: Paul, I understood you to
 23 say you don't have an adequate means for
 24 evaluating environmental benefits.
 25 MR. BROWN: I think that we -- let me
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1 say what we have. You can make a determination on
 2 the adequacy of it. I won't judge the adequacy of
 3 it. From our standpoint, what we're going to do
 4 is -- in these various alternatives is to dedicate
 5 amounts of water in this water management strategy
 6 towards environmental purposes. And the fact is
 7 that we are presuming, and we're confident, that
 8 that water will produce benefits.
 9 Now, the question comes, well, what is the
 10 value of those benefits, you know, put a dollar --
 11 tell me how much those benefits are worth. And
 12 what we're going to do, instead of telling you how
 13 much those benefits are worth in terms of putting
 14 a dollar -- one, we have a difficult time
 15 predicting exactly what they might produce in a
 16 given year, and secondly, we have -- we don't, at
 17 this point, have the tool which enables us to kind
 18 of add up empirically what those values are. So
 19 what we're going to give you is what's the cost of
 20 it to the users.
 21 Now, our sense is that should be the minimum
 22 value that you would put on the benefit, I mean,
 23 if you follow what I'm saying. Certainly the
 24 benefit shouldn't be any less than the cost to the
 25 users, but it may be more. The environmental
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1 benefit may be more. At this point, we don't --
 2 you know, we're not in a position to quantify
 3 that. I don't know if that means it's adequate or
 4 inadequate.
 5 MR. DUNNING: I have a couple problems
 6 with that. One is I don't follow the point. I
 7 mean, logically, you could spend a lot and get
 8 nothing. So there would be no -- in fact, no
 9 environmental benefit, even though a lot of money
 10 was spent. But I'm focused more on the other part
 11 of it, which is to say, you spent some money and
 12 you're trying to figure out what you've gotten out
 13 of it, there is -- and I'm not an economist. I
 14 may be way off target here. But I think, in
 15 economics, there is a school of valuation known as
 16 contingent valuation which tries to deal, I think,
 17 with some of these kinds of problems, and I'm
 18 wondering if you're exploring that as a better way
 19 of doing the valuation on the environmental
 20 benefits.
 21 MR. BROWN: I'm not an economist either.
 22 MR. DUNNING: Is there an economist on
 23 staff that could help out on that?
 24 MR. BROWN: There are many economists on
 25 staff. And why don't we -- could I get back to
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1 you with an answer to that question so that we're
2 adequately exploring?

3 MR. DUNNING: I thought you said to
4 Roberta -- it wasn't -- you acknowledged that you
5 didn't really have an adequate way to do it. And
6 it makes me feel dissatisfied if that's the end of
7 it and you don't try to find a better way of doing
8 it.

9 CHAIRMAN MADIGAN: Okay. Torri.

10 MR. ESTRADA: I guess I have a similar
11 question for you, Paul, in terms of some of these
12 areas where we have very few predictive measures,
13 kind of what is the next step with figuring out
14 how we get predictive measures for that. Like,
15 what is your next step for doing it? Do you feel
16 like in some areas by defining objectives more
17 you'll be able to get more predictive measures, or
18 were you simply -- we're doing some guesswork
19 here?

20 MR. BROWN: My editorial opinion would
21 be that, with the monitoring, as time goes on and
22 with the amount of monitoring that is part of this
23 program, lots of data will become available over
24 time to tell us which measures do the -- do the
25 best job in achieving -- in achieving our
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1 objectives. And, again, I think the emphasis in
2 this program on adaptive management is built on
3 that kind of foundational belief that we need to
4 do some things, see what kind of a response we
5 get, and invest in things that work, and don't
6 invest in thing that don't work.

7 I think it's almost inevitable that our
8 predictive capabilities on a going forward basis
9 are going to get phenomenally -- we're going to
10 prove a lot as we do things. But in our little
11 stage of this process, we're trying to work as
12 best we can with what we have. And in some of
13 these areas, it's -- it's limited.

14 MR. ESTRADA: So but what you're saying
15 in the short term is that we're not going to be
16 able to have -- use this decision making tool in
17 the short term to really identify predictively
18 what we would hope to see in areas that we can't
19 measure that well. Like, if we don't have
20 predictive measures right now and we have to wait
21 for data to come in, it's hard for us six months
22 from now to say we expect to have these benefits
23 from this kind of performance in these areas that
24 we don't have measures in, right?

25 MR. BROWN: Yeah. Although I agree with
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1 you, in fact, it kind of highlights the need to
2 take some action. Because in some of these cases,
3 until something is done and you -- and you make
4 some investment and see what happens -- you can't
5 begin the process of adaptive management until you
6 do something. And --

7 MR. ESTRADA: I'm just -- I guess I'm
8 just --

9 MR. BROWN: So I think that in these
10 areas --

11 CHAIRMAN MADIGAN: I'm not sure any of
12 us has actually said it that well today, but a lot
13 of us have thought it.

14 MR. ESTRADA: I'm just pointing out the
15 limitation of using this tool early on. That's
16 all I --

17 MR. BROWN: Again, it's a very
18 limited -- I would like to, and I think I'm doing
19 it, lower our expectations. I may have achieved
20 that objective. But emphasize that we have to use
21 the information -- we've got to try to use the
22 information we've got to make these decisions.
23 And as difficult as this is and as many
24 shortcomings as we've got, I think the staff here
25 has done an outstanding job of trying to pull this
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1 all together into one presentation that helps as
2 best we can and shed light on how the whole system
3 works. So I'll stop there.

4 CHAIRMAN MADIGAN: Martha.

5 MS. GUZMAN: Just out of curiosity, do
6 you already know, in your redirected impacts, the
7 question of employment, do you know what sectors
8 you'll be looking at, or will you be looking at it
9 on a regional basis by project or just by sector?

10 MR. COWIN: It will be very much on a
11 regional basis. So, you know, a big block of the
12 Sacramento valley might be one region. So it's a
13 fairly crude approximation.

14 MS. GUZMAN: And will you be then --
15 it's just going to be straight out employment, not
16 by industry or anything like that? Because that
17 would help us a lot if you did it by industry.

18 MR. COWIN: I don't think there's a tool
19 that will accomplish that kind of desire.

20 CHAIRMAN MADIGAN: Well, wait a minute.
21 You know, that's not a bad point. And there's got
22 to be some regional council of governments
23 information that would allow you to segregate
24 things on at least a gross basis by industry. As
25 you -- I mean, there's urban versus rural and

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1 there's some things like that. I mean, we should
 2 be able to look at it.
 3 MR. BROWN: Yeah, let's get -- can we
 4 get back to you with your --
 5 MS. GUZMAN: If you can -- not just
 6 numberwise, but quality of employment, wage -- I
 7 mean, I know that's getting into a lot of detail,
 8 but I know that's the -- looking at these
 9 different alternatives, we're not just looking at
 10 the number of employment, but also the quality of
 11 those being employed.
 12 CHAIRMAN MADIGAN: Okay. Roberta.
 13 MS. BORGONOVO: I think just to follow
 14 up on the questions that have just been asked,
 15 what we're talking about is, is there a way to
 16 continue to refine the model, I mean, like looking
 17 at the environmental benefits, like the breakdown
 18 of the shift in the employment. And I think
 19 that's also perhaps what Torri was asking you, if
 20 there's an unknown, how do we get to the unknown.
 21 If information is going into the model, it should
 22 become a better and better tool as you go along.
 23 MR. COWIN: Sure. And I think the model
 24 developers are going to have jobs for the rest of
 25 their lives. There's lots of improvement to be

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1 made. And we have made some significant
 2 improvements over the last couple of years. We've
 3 made some big investments in models, and we're in
 4 better shape than we were a couple of years ago.
 5 But there's plenty of challenge ahead to --
 6 CHAIRMAN MADIGAN: Okay. Thank you.
 7 Let me ask if there's public comment on this one.
 8 Alex, did you want to say something?
 9 MR. HILDEBRAND: I want to ask a
 10 follow-up. Earlier, I was asking you about the --
 11 whether you were using a consistent assumption
 12 regarding the design of the through-Delta system
 13 in making these analyses. I would like to know
 14 what through-Delta design you are using, does it
 15 have the north stub thing, and does it have the
 16 cross-channel open or closed, that sort of thing,
 17 so we know exactly where you're coming from on
 18 that.
 19 MR. COWIN: We can go into more detail
 20 or provide more detail. But just briefly, we are
 21 not using the new Hood/Mokelumne connector option
 22 that's been talked about in the preferred
 23 alternative. We're using Delta cross-channel gate
 24 openings as prescribed by CVPIA. We're using a
 25 south Delta configuration that includes actually

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1 three barriers plus the flow control barrier,
 2 primarily just due to modeling limitations. But
 3 we're applying all of those to all three
 4 alternatives. So we're trying to hold south
 5 Delta, basically, even between the three
 6 alternatives. So we're not really focusing on
 7 evaluating the options in this set of
 8 alternatives.
 9 MR. HILDEBRAND: You have all three of
 10 the tidal barriers.
 11 MR. COWIN: Right.
 12 CHAIRMAN MADIGAN: Okay. Thank you.
 13 Mark, thank you. Paul, thank you very much. And
 14 we move on.
 15 Water use -- wait. Before we do that, let me
 16 ask how many members of the BDAC intend on being
 17 at the policy group meeting next week. Alex, one;
 18 Byron, two; Bob, three; Mike Stearns, four; Torri;
 19 Martha, five; six. Okay. All right. Thank you.
 20 Yes, Mary.
 21 MS. SELKIRK: I just wanted to add to
 22 that. For those of you who said you could attend
 23 next week, what we're really looking for from
 24 those of you who will be sitting at the table, I
 25 hope you will all sit at the table, is to make a

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1 thorough report to the policy group as to the
 2 discussion that took place this morning. And I
 3 think that Eugenia is going to try to do a written
 4 summary. So that will be available to the board.
 5 So we encourage you-all to state your views.
 6 CHAIRMAN MADIGAN: Okay. Thank you.
 7 All right. Item seven, water use efficiency
 8 implementation. Steve, do you want to introduce
 9 this?
 10 EXECUTIVE DIRECTOR RITCHIE: Yes. At
 11 the, I believe it was the October BDAC meeting,
 12 the one that was over in Davis, we talked about
 13 water use efficiency from different angles there.
 14 And there was a request to come back with some
 15 further information on the water use efficiency
 16 program. So today we've got a set of people,
 17 Tom Gohring, the water use efficiency program
 18 manager for CALFED, Mary Ann Dickenson with the
 19 California Urban Water Conservation Council, and I
 20 believe, Roger Reynolds with the Agricultural
 21 Water Management Council and Richard Bruce Collins
 22 from the Ag Water Management Council. So Tom.
 23 MR. GOHRING: Do you mind if I talk from
 24 here while I'm booting up the machine? Those
 25 three groups that Steve just mentioned are going

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1 to sort of present three mini presentations within
 2 our time allotment. And the first one is to give
 3 an update of sort of what our eight hot button
 4 issues are in water use efficiency. I'm going to
 5 do that as soon as my computer is up and going.
 6 And then Mary Ann is going to endeavor to answer
 7 some questions that were raised at the December
 8 BDAC meeting. And then, finally,
 9 Richard Bruce Collins and Roger Reynolds are going
 10 to talk about how the Ag Water Management Council
 11 and CALFED are working to dovetail our programs
 12 together, to leverage our efforts.
 13 A housekeeping issue, Mr. Bruce Collins needs
 14 to leave at 3:30. So he wanted me to let you know
 15 that if you see him get up in the middle and walk
 16 out, it wasn't anything that we said.
 17 CHAIRMAN MADIGAN: If he gets up at 3:30
 18 to leave and we have not finished, it will mean
 19 that we have gone too long.
 20 MR. GOHRING: There you go.
 21 EXECUTIVE DIRECTOR RITCHIE: So keep it
 22 short.
 23 MR. GOHRING: Yeah. In your packet,
 24 there -- under the water use efficiency section,
 25 there is a writeup that has a very brief
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1 discussion of eight outstanding water use
 2 efficiency issues. The first issue, which is
 3 defining incentive program, is broken down into
 4 five additional subissues. So it's sort of like
 5 we've got 12 things we're -- that are high on our
 6 screen. And I'm going to give -- I'm not going to
 7 go into depth in any one of them. There are a
 8 couple of them that I want to just say a few words
 9 about. And those words are coming.
 10 EXECUTIVE DIRECTOR RITCHIE: That's how
 11 water works in California?
 12 MR. GOHRING: Yeah. Some people said
 13 that sort of looks like a piece of meat. Thank
 14 you very much for your patience. Here we go.
 15 We're in the zone.
 16 Okay. Really quickly, water use efficiency,
 17 we're going to talk about mostly ag and urban
 18 today. Here is my hot list of eight things. And
 19 if you look at these subissues down here, it's
 20 more like 12. And just -- I'm going to hit the
 21 highlights of a couple of them. These little star
 22 things here shows the five things that are not
 23 necessarily the most important, but they are the
 24 things that I am guessing will be most important
 25 to you, as our advisory body, and to the CALFED
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1 policy folks. So those are the things that I
 2 expect are likely to come back in front of you in
 3 the months to come. And I'm going to skip the
 4 very first one, the resolving -- actually, yeah, I
 5 am. I'm going skip the first one, resolving the
 6 conservation beneficiary issue, because I stuck
 7 that slide at the end of my show.
 8 The next two, the next one, number 1b,
 9 looking at ag and urban costs, Mary Ann Dickenson
 10 is actually going to talk about the urban part of
 11 that issue. But suffice it to say that, as we
 12 have continued to refine the water use efficiency
 13 element, and we've sharpened our pencil on what we
 14 think the level of investment will need to be to
 15 sort of get the critical mass of water use
 16 efficiency, it looks like the potential of
 17 conservation that we put in the program plan, that
 18 was -- that was the draft that's out on the
 19 street, and the amount of money that we put in the
 20 program plan may not be commensurate. In other
 21 words, we either need to -- we either may need to
 22 set our sights lower or think in terms of a higher
 23 investment. And, again, Mary Ann is going to talk
 24 a little more about that from the urban
 25 perspective.
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1 The next two, items 1c, and 1d, and 1e, we're
 2 continuing to work forward in defining what the
 3 criteria -- what the incentive programs will be
 4 for ag, urban, and recycling. And so you will
 5 likely hear about those more as time goes on.
 6 Next, assurances. Assurances are, of course,
 7 a big deal with water use efficiency. What the --
 8 the folks who are working on some type of a 404
 9 permitting thing have a very high level of
 10 scrutiny about water use efficiency.
 11 Specifically, they want to know about these
 12 quantifiable objectives we've been talking about
 13 for so long. These are -- the quantifiable
 14 objectives are these expressions of what we hope
 15 to accomplish through ag water use efficiency.
 16 Number three, we're actively working with Ag
 17 Water Management Council representatives to
 18 develop a formal cooperative agreement that
 19 institutionalizes the sort of agreement that we're
 20 finding.
 21 Number four, urban BMP certification, again,
 22 Mary Ann is going to hit that a little bit later.
 23 Number five, governance and agency
 24 coordination, it's a big thing on our list. As we
 25 look towards implementation and start thinking
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1 about who will implement, this -- this suite of
2 water use efficiency stuff, the governance issues
3 jump on the screen, and the issue of, okay, so
4 which agencies, which entities will do what.

5 The sixth one, water measurements, if you can
6 remember back to November of 1998 when the
7 Babbitt/Davis discussions were going on, there was
8 a directive from the Secretary, from
9 Secretary Babbitt, that we shall have a stage one
10 action under water use efficiency that will draft
11 legislation requiring appropriate measurement of
12 all water use in California. This number six,
13 there is a process that we're just beginning right
14 now. It's going to include an independent
15 scientific panel to start with the question of so
16 what does that mean, what is appropriate water
17 measurement, particularly in ag. And we hope to
18 have a public scoping session of that scientific
19 panel in April -- April or May.

20 Next, FY 2000 pilot projects, I think you
21 heard something about that at the last BDAC
22 meeting. But we are moving forward on that. Just
23 as a reminder, our plan on those is to work with
24 agency representatives to identify projects so
25 that we can implement them using directed actions
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1 and so that we can get things on the ground as
2 quickly as possible. And, finally, evaporation
3 reduction, in a nutshell, there are unanswered
4 questions in the science about weather and to what
5 extent we can gain -- we can reduce irrecoverable
6 losses by reducing unwanted evaporation and
7 unwanted transpiration. In order to get a handle
8 on that, we started two actions. One is we've
9 engaged the Cal Poly Irrigation Training and
10 Research Center to do some applied research to
11 give us a preliminary estimate. And we're hoping
12 that will be ready sometime this summer.

13 We're also teaming with representatives of
14 the Bureau of Reclamation who are working on the
15 CVPIA water supply acquisition thing. We're
16 teaming with those folks to put together a
17 scientific committee to develop a long-term
18 research strategy. So if we have a short-term
19 rough-cut answer, that's great. But if we feel we
20 need to refine that, what would be the best way to
21 do that.

22 And, in a nutshell, that's where we're at.
23 And what I would like to do is dispense with
24 questions on those. I will be here when we get to
25 our overall question session.

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1 And now what I would like to do is invite
2 Mary Ann and Richard and Roger up to our panel
3 table and let them dive into their stuff.

4 Mr. Chairman, is that all right?

5 CHAIRMAN MADIGAN: That's fine. Thank
6 you.

7 MR. GOHRING: Thank you.

8 CHAIRMAN MADIGAN: Good afternoon.

9 MS. DICKENSON: Hello. Good afternoon.

10 Thank you for inviting me back. As I remember
11 correctly, I was here at the October meeting and I
12 believe it was Sunne asked me some very difficult
13 questions about, well, what do you think. So I
14 was asked to come back and give the council
15 observations on some of the water use efficiency
16 program objectives and goals, and our concerns
17 about how they may or may not be able to be
18 implemented.

19 Just to clarify, I know this may sound
20 elementary, but we're just going to simplify the
21 program for you a little bit and divide it into
22 two pieces, and maybe this will help answer some
23 of the questions that were raised when Paul Brown
24 talked earlier. The CALFED water use efficiency
25 program is divided up into two pieces. And this
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1 is done in the EIR/EIS. Those two pieces are the
2 no-action savings. That's the savings that would
3 be achieved by conservation programs that are
4 going on now as a status quo kind of option under
5 the memorandum of understanding that has been
6 signed by urban water agencies and
7 environmentalists statewide. And then, secondly,
8 a portion of savings, CALFED incremental savings
9 that will come from the adoption of actions under
10 the CALFED program.

11 If you look at it sort of graphically, what
12 the projections are from these two pieces are from
13 the MOU savings piece. And, again, this is
14 considered the no-action piece. They estimate
15 between .85 and one million acre feet per year out
16 of the savings from the memorandum of
17 understanding.

18 The second piece, the CALFED incremental
19 savings, is an equal amount of conservation. And
20 that together results in a total diversion
21 reduction for the Bay-Delta system of 1.8 to 2.1
22 million acre feet per year. Now, that's in
23 achieved water conservation savings, which are
24 equivalent to diversion productions.

25 Now, let's go back and look at those two
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1 pieces separately. The first piece is the savings
2 that are achieved under the status quo, which in
3 the CALFED documentation is considered a no-action
4 alternative. That's actually a significant amount
5 of conservation. That amount of conservation
6 envisions at least partial implementation of the
7 BMPs, which is sort of what's happening now. We
8 are presuming the status quo in this no-action
9 alternative. But even getting all that water
10 conservation will require CALFED action. It will
11 require some sort of certification process or some
12 sort of incentive funding investment in order to
13 make sure that a full implementation statewide
14 takes place.

15 In going further, let's just talk a little
16 bit about what the programs are in this MOU driven
17 water conservation piece. From the CALFED
18 objective, there would be, first, a certification
19 program that the CALFED would give to some entity
20 in the state to guarantee that water efficiency
21 was taking place somewhere. Secondly, there would
22 be a program monitoring and analysis piece. And
23 you heard about -- a little bit of that earlier.
24 Tom was mentioning how they were planning on
25 putting together a team.

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1 A third piece would be a revolving loan and
2 pilot program for best management practice
3 implementation.

4 And then a fourth piece would be CALFED local
5 agency assistance programs. And all those pieces
6 together, which is really a form of CALFED action,
7 would result in that first block of savings, the
8 .85 to 1.0 million acre feet per year. That's
9 considered part of the no-action alternative.

10 Now, going a little bit further along that
11 line, I would like to talk a little bit about what
12 that certification piece means. Because there has
13 been some confusion over what -- how do you define
14 that. The council has been preparing and
15 discussing the certification issue during its
16 strategic plan. And so we've set out, if
17 certification were to be given to us, we've set
18 out over a three-year period the kinds of tasks
19 and activities that would be encompassed in
20 certification.

21 And we put together projects that involved
22 technical assistance and needed research. One of
23 those projects was discussed earlier, how do you
24 quantify the environmental benefits of
25 conservation. That's one of the projects that

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1 we've identified as needing research. We've put
2 together a database backed web site so we can
3 begin to aggregate and assimilate the information
4 on a reporting basis achieved throughout the
5 state. And we were developing, have a study
6 underway, to develop how, from a protocol
7 perspective, certification should be handled.

8 Now, to date, all of those expenses for these
9 projects have been handled by the council, by
10 contributions from the council's member agencies
11 and by a grant from the U.S. Bureau of
12 Reclamation. But if we're going to be talking
13 about certification in a long-range, more
14 implementable stage, supplemental funding is going
15 to be needed. And what we're envisioning here is,
16 in addition to the \$300,000.00 that our member
17 agencies contribute, and let me also point out
18 here that the Department of Water Resources gives
19 us not the kind of substantial support that they
20 give the Ag council. We basically fund raise from
21 our membership. But in order to do the
22 certification, we feel we really need some
23 additional money from CALFED. We're asking for
24 \$400,000.00 in the year 2000. And, again, that
25 project on quantifying environmental benefits is

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1 one of those projects in this list. In year two,
2 it would go up to \$650,000.00, and in year three,
3 \$800,000.00. And then, finally, when the program
4 would be ready to actually be implemented and
5 going, the program cost would be between 1.5 and
6 two million dollars to conduct once it's done.

7 Now, this probably sounds like a staggering
8 amount of money for me to be standing up here and
9 asking from you. So I thought perhaps it might
10 help if --

11 CHAIRMAN MADIGAN: It's a lot of money
12 to be asking from us, I'll tell you.

13 MS. DICKENSON: Well, right.

14 CHAIRMAN MADIGAN: Some of the other
15 people you're talking to.

16 MS. DICKENSON: So what I thought I
17 would do is try to put it in a little bit of
18 perspective and compare this kind of certification
19 program to something that currently exists
20 elsewhere in the state. And one of the comparable
21 examples is the California Energy Commission
22 Energy Efficiency Program. And what they do is
23 they promulgate, monitor, and enforce energy
24 efficiency standards; they manage residential,
25 nonresidential, industrial, and agricultural

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1 energy efficiency programs; they disseminate
2 research and information. And these are tasks
3 that sound very similar to what CALFED is
4 proposing that the council do for urban water use
5 efficiency. That list includes the same kinds of
6 things, BMP implementation reporting and a process
7 for evaluating that, staff review and assistance,
8 a peer review process for assuring that there is
9 compliance, and then due process provisions to
10 make sure that those aggrieved have an avenue of
11 appeal.

12 So if those are similar programs, how do they
13 compare? Well, the cost of managing the
14 California Energy Commission Energy Efficiency
15 Program is 18.3 million dollars a year. They have
16 70 full-time equivalent staff. They have a loan
17 and grant program, to be fair here, we have to say
18 that their loan and grant program is part of that,
19 that's ten and three quarters million. But their
20 support and administration is about seven and
21 three quarters million per year. So we -- maybe
22 that helps put it a little bit more in
23 perspective.

24 CHAIRMAN MADIGAN: Byron wants to know
25 where the efficiency comes in.
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1 MS. DICKENSON: We'll give you one more,
2 the California Public Utilities Commission Water
3 Division. Again, their tasks are reasonably
4 similar. They regulate rates of investor on water
5 utilities, they provide water rate payer advocacy,
6 and they provide water utility consumer protection
7 and response. And their annual cost of managing
8 their division is five million dollars a year.
9 And that's their staff-only cost. That doesn't
10 envision any other programs. And they have 52
11 full-time equivalent staff.

12 But there's an important difference between
13 the energy efficiency programs that we're
14 comparing here and the water efficiency programs.
15 Because funding for water conservation, as I
16 mentioned when I was here before you earlier, is
17 leveraged funding. Local agencies are the primary
18 funder of conservation programs. And Paul was
19 mentioning that in his remarks. That's why he
20 isn't counting it as part of their strategy. The
21 wholesaler often matches, so oftentimes the
22 conservation program is fully funded between the
23 local agency and their wholesaler.

24 Bond funds have been made available under
25 Proposition 204. And I know we're all hoping Prop
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1 13 will pass in March, and there will be a lot of
2 money in Prop 13 as well. But, in addition, there
3 are other state and federal programs that exist.
4 The U.S. Bureau of Reclamation gives out quite a
5 bit of money. The Integrated Waste Management
6 Board is beginning to give grants for urban water
7 conservation programs in the landscape sector.
8 And the same is true for EPA Water Quality Board.
9 They're all looking at the reduced pollutant load
10 and the mutual benefit of doing water use
11 efficiency.

12 Okay. Let's move off of -- this was all a
13 discussion of the status quo, the no-action.
14 Okay. That's all the savings that, and all the
15 activity that would happen, if CALFED weren't here
16 supposedly. And let's move off of that and let's
17 talk about that second piece, the CALFED
18 incremental savings piece, which is the other half
19 of the projected savings, .95 to 1.1 million acre
20 feet per year, which is projected in addition to
21 savings from the best management practices.
22 That's over and above what water agencies have
23 agreed to do under this document.

24 But the programs to achieve this amount of
25 water are as yet unspecified in any of the CALFED
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1 documentation. And in all due defense of Tom, I
2 mean, as one person in this program, he -- it's
3 difficult for .66 to 1 FTE to come up with what is
4 going to be a very significant technical and
5 research estimate. But time is also a critical
6 factor here. Because since those incremental
7 CALFED cost savings are beyond, theoretically
8 beyond the cost-effectiveness threshold of the
9 BMPs, and that's why they're in the CALFED
10 incremental pot and not in the other one, it will
11 be very expensive conservation to achieve. It
12 will be difficult to achieve because it's
13 heretofore unrecognized conservation. Most of the
14 conservation in this document is presumed to be
15 cost-effective. And where it's not, those areas
16 are identified. And perhaps that could be part of
17 this CALFED incremental savings. But much of it
18 is going to come from measures that perhaps have
19 not yet even been identified. And the timing
20 factor is critical because it's in that short term
21 of stage one.

22 So if we're trying to get savings in stage
23 one, how do we do that? Let's look at your
24 budget. You've envisioned seven -- over a
25 seven-year period, you've envisioned a budget of
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1 two billion dollars for water use efficiency. And
 2 that sounded terrific when you came out with it.
 3 But it needed to have that caveat which is that
 4 half of that, it assumes a local cost share of a
 5 billion dollars. So if half of that is a local
 6 cost share, that leaves you with one billion then
 7 to divide among three pieces in that water use
 8 efficiency program. One is water recycling.
 9 Let's assume, for sake of discussion, that it
 10 would be half. Let's assume that the ag managed
 11 wetlands water use efficiency program would be yet
 12 another third. And then the final third would be
 13 the urban use water efficiency program, and we'll
 14 divide it all up equally in thirds. Which means
 15 that's 47.6 million dollars per year in state and
 16 federal funding for water use efficiency.
 17 Again, that sounds like a fairly substantial
 18 amount of money. Let's take a look at how that
 19 breaks up. If you took the 47.6 million dollars a
 20 year, and you take those pieces from the no-action
 21 alternative, the MOU savings, you got the
 22 monitoring analysis, and let's guess, let's just
 23 estimate that we take a million dollars a year to
 24 track that. Let's say it would take the two
 25 million that I said I thought I needed for the MOU
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1 certification piece. And let's say technical
 2 assistance would be needed to work with water
 3 agencies around the state. Let's assume that's
 4 five million. And that's a fraction of what DWR
 5 used to spend during the drought. So, again,
 6 that's sort of in the ballpark. And then if you
 7 say loans and incentives are another 15 million
 8 dollars, then you've got this whole pot of savings
 9 that you would get for this 23 million dollars
 10 investment. And that would be your MOU driven
 11 savings. Again, you are identifying in CALFED
 12 that that's your no-action alternative.
 13 Okay. Let's go to the CALFED incremental
 14 savings. You've got 25 million left to achieve
 15 the CALFED incremental savings. How would you
 16 break that up? Well, let's continue our exercise
 17 a little further. Let's assume that that 25
 18 million dollars a year would be available to
 19 achieve that one million acre feet, and that's
 20 what you would use. You wouldn't have any other
 21 means. You would just take that money and you
 22 would target it to get the one million acre feet
 23 per year in projected urban water savings. And
 24 that's your principle program. And though there
 25 is no program definition available yet, we're
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1 going to continue to make this assumption, and
 2 we're going to assume, again, the very short time
 3 frame in stage one, which is the seven-year
 4 period.
 5 Well, how do you get it? Let's see if it's
 6 even possible. Let's assume that the 50/50 cost
 7 share exists, that you've got 50/50 cost sharing
 8 with your local agencies. And let's assume CALFED
 9 agrees to pay between \$75.00 and \$150.00 per acre
 10 foot for any acre foot of urban water saved.
 11 That's a very low subsidy. That's a reasonable
 12 amount of money. I mean, considering that avoided
 13 cost of supply is more in the \$800.00 to \$1,200.00
 14 range, that's a reasonable subsidy. It's very,
 15 very low. But let's assume that. Let's assume
 16 that you have the one million acre feet times that
 17 subsidy. That gives you 75 million to 150 million
 18 per year. Or another way to look at it is a
 19 funding shortfall of 50 to 125 million dollars per
 20 year.
 21 Well, where are we now? Water agencies are
 22 currently spending a considerable amount of money.
 23 They are spending between 40 and 45 million per
 24 year for this partial BMP implementation. This is
 25 our status quo. This is what they report to the
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1 council on a regular basis. The keys to getting
 2 water agencies to fund more of their programs are,
 3 first of all, a better definition of what's
 4 cost-effective for them. We've recognized that
 5 and we're going to be putting a lot of resources
 6 into helping them better define that threshold so
 7 that they fund more on their own.
 8 Secondly, better utilization of leveraged
 9 funding. To the extent that they go and get other
 10 sources of money other than CALFED's money, their
 11 leveraging that conservation investment, but also
 12 a better understanding of the benefits of
 13 capitalization of their conservation investments.
 14 We've all been thinking of conservation as
 15 something that you put in your operating budget.
 16 And so it looks very expensive and it looks like
 17 it reduces your revenue. We have to think of it
 18 in terms of a water supply.
 19 And so what I wanted to do was just introduce
 20 to you a capitalization perspective slide here.
 21 If you take the total amount of water savings that
 22 are projected from the urban sector, it's really
 23 equivalent to the capacity of five Hetch-Hetchi
 24 (phonetic) reservoirs or two and a half Diamond
 25 Valley lakes, which is the east side reservoir
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1 rename. That's a substantial amount of water
 2 we're talking about here. What would that cost if
 3 you were investing it in conservation? Well, the
 4 annual cost of two and a half Diamond Valley lakes
 5 is in the average ballpark range of about 400
 6 million dollars a year. That's assuming that the
 7 two and a half billion dollars cost of Diamond
 8 Valley Lake multiplied times two, repaid over 50
 9 years at six percent average interest. I mean, it
 10 ends up 400 million dollars a year.
 11 If you take it another way, if you do the
 12 follow the drop from the source to the discharge,
 13 which is a more accurate assessment of what your
 14 real avoided cost is, it gets much higher. It's
 15 about 1,000 acre feet -- \$1,000.00 per acre feet
 16 per year or one billion dollars a year for one
 17 million acre feet. That's a lot of money. But
 18 you're talking about an equivalent amount of
 19 conservation to that amount of water. And so what
 20 you need to do is try and assess where you're
 21 headed in terms of this comparison for water
 22 efficiency.
 23 What's the solution? There are two options
 24 available to CALFED. They can either provide
 25 significantly more incentive funding to water
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1 agencies, and we're talking about by a factor of
 2 ten, if it wishes to achieve the level of
 3 incremental savings that it's advertised in its
 4 documents. Or its option is to scale back its
 5 expectations of what the CALFED leverage water
 6 would be to about 200,000 to 400,000 acre feet,
 7 which would be a more reasonable estimate given
 8 the funding constraints that you have.
 9 We from the council believe that option one
 10 is possible with proper financial commitment. And
 11 we recognize that it is an exceedingly large
 12 amount of money. And what we want to do is to
 13 work with you in trying to help solve this
 14 problem. And we are committing to partnering with
 15 CALFED. And we want to set up an ongoing dialogue
 16 and partnership to help define the programs and
 17 incentives that would be needed to achieve this
 18 amount of conservation that has been identified by
 19 CALFED as needed for the Bay-Delta solution. Or,
 20 conversely, to adjust the expectations of the
 21 level of commitment to what's achievable.
 22 We will be providing cost assistance for
 23 cost-effectiveness calculations to our member
 24 agencies, again, to help them do the conservation
 25 on their own that's cost-effective and free to
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1 CALFED.
 2 We are beginning to discuss this
 3 capitalization issue with water agency boards.
 4 I'm beginning to go around the state and talk. I
 5 have two, three appointments during the month of
 6 March. And we're trying to raise the issue of the
 7 need to capitalize some of those conservation
 8 costs and consider them as real supply capacity
 9 development costs, treat them the same way so that
 10 they're considered the same way. And we'll also,
 11 as another point of assistance, will assist the
 12 agencies in helping to leverage conservation
 13 funding, again, to help take some of the burden
 14 off of CALFED to help identify multiple funding
 15 partners.
 16 But that still remains that CALFED needs to
 17 decide what it's going to do with respect to its
 18 targets and its financial commitment. And we're
 19 ready and willing to help with that to the extent
 20 that you would like us to.
 21 CHAIRMAN MADIGAN: Thank you very much.
 22 MR. HILDEBRAND: Can I ask a clarifying
 23 question?
 24 CHAIRMAN MADIGAN: Alex.
 25 MR. HILDEBRAND: When you say you're
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1 going to save a million acre feet of water, how
 2 much of that is a reduction in consumption and how
 3 much of it is water that would otherwise go to a
 4 salt sink?
 5 MS. DICKENSON: Well, this is probably a
 6 question for Tom to answer, because this comes out
 7 of the CALFED documents. And I think it's a
 8 million of irrecoverable water, correct, Tom, a
 9 million acre feet?
 10 MR. GOHRING: Alex, I'm sorry. I don't
 11 have those figures in my head.
 12 MR. HILDEBRAND: But is it all one or
 13 the other, either reduction of consumptive use or
 14 reduction in the loss?
 15 MR. GOHRING: Let me introduce
 16 David Mitchell. He's a CALFED consultant and he
 17 might be able to answer that.
 18 MR. MITCHELL: The figures Mary Ann
 19 cited were diversion reduction figures and --
 20 MR. HILDEBRAND: Oh, so they're not
 21 water savings --
 22 MR. MITCHELL: Recoverable -- cited in
 23 the CALFED document, this an approximation, but
 24 it's about 700,000 acre feet for each of the
 25 different segments of savings. So 700,000 for the
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1 MOU driven and about equivalent amount for the
 2 CALFED incremental savings.
 3 MR. HILDEBRAND: Well, this is a
 4 reduction in application and not an actual savings
 5 of water then.
 6 MR. MITCHELL: No. No. The last figure
 7 I just cited you would be a savings of the water.
 8 That would be recoverable loss. They
 9 differentiate between reduced diversions and
 10 recoverable losses.
 11 MR. HILDEBRAND: Well, this savings then
 12 is, I assume, largely a savings in water otherwise
 13 discharged to the ocean or the Bay; is that right?
 14 MR. MITCHELL: Those savings of
 15 recoverable losses otherwise --
 16 MR. HILDEBRAND: And does that -- does
 17 that water then utilize in such a way that it cuts
 18 down the urban demand by that much, or is it used
 19 for landscaping and things that otherwise would
 20 not be done?
 21 MR. MITCHELL: The MOU specifically does
 22 not address use of saved water. But I know that
 23 was one of the issues that was on Tom's radar
 24 screen slide as to conservation direction, how do
 25 you direct conservation benefits.

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1 MR. HILDEBRAND: So we don't know then
 2 how much would actually be made available for
 3 nonurban use.
 4 MR. MITCHELL: No, we're -- the program
 5 documentation to date that I've reviewed doesn't
 6 address that specifically.
 7 MR. HILDEBRAND: I think we need to know
 8 that.
 9 CHAIRMAN MADIGAN: Byron.
 10 MR. BUCK: I could add to that point. I
 11 mean, essentially, these are reductions over
 12 increased demand. So you would have less gap.
 13 They're not truly water savings that somehow would
 14 be freed up necessarily. But it would be -- we
 15 would have a less of a gap between supply and
 16 demand as we go out over time. A good thing, but
 17 it's not water that you can all of a sudden just
 18 shift to another sector.
 19 MR. GOHRING: Mr. Chairman, with --
 20 CHAIRMAN MADIGAN: Tom, go ahead.
 21 MR. GOHRING: With your council's
 22 permission, what I would like to do is hold the
 23 questions to the end because of Richard's time
 24 constraint, and ask Richard and Roger to give
 25 their presentation now. And most of us would be

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1 available for questions afterwards.
 2 CHAIRMAN MADIGAN: All right. Sure.
 3 You bet.
 4 MR. REYNOLDS: My name is
 5 Roger Reynolds. I'm with Summers Engineering,
 6 senior engineer. And for the last few years, it
 7 is the Ag Water Management Council that has been
 8 organized and formed. I have been cochair of that
 9 council representing the ag representatives along
 10 with Richard Bruce Collins from the National
 11 Heritage Institute.
 12 Many of you are familiar with the Ag Water
 13 Management Council, but it was officially formed
 14 in 1997. So we have only been in existence about
 15 two and a half years. This is a map that we have
 16 prepared that just kind of shows the locations,
 17 the approximate locations anyway, of the different
 18 water suppliers that have signed on and become
 19 signatories, the ag water suppliers to the MOU.
 20 We have 45 ag representative water suppliers,
 21 agricultural water agencies, that have joined and
 22 become signatories to the MOU. And they
 23 represent, as indicated on that map, approximately
 24 4.6 million irrigated acres. Now, that acreage
 25 does include the Kern County Water Agency, which

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1 did become a signatory, and also the Friant Water
 2 Users Authority that became a signatory.
 3 Unfortunately, the goal of the MOU was, you
 4 know, to have full stakeholder involvement, but we
 5 only have three environmental interest groups that
 6 have signed on to the MOU at the present time. We
 7 are open and encouraging others to join and become
 8 involved with us all the time. And we also have
 9 40 other signatories to the MOU who represent
 10 various public and private interest groups.
 11 The next slide just kind of summarizes just
 12 for some of you who may not be familiar with the
 13 basic purposes of the MOU when it was created
 14 were. There were four basic items. One was to
 15 create a constructive working relationship between
 16 the ag water suppliers and the environmental
 17 stakeholders and also public interest groups. To
 18 establish -- two would be to establish a dynamic
 19 list of what we commonly call EWMPs now, efficient
 20 water management practices for agriculture. And
 21 that has been done and is included in the MOU.
 22 Item three is to establish criteria to evaluate
 23 the appropriateness of the efficient water
 24 management practices. And in the MOU, we did put
 25 together a proposed procedure for the development

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1 and evaluation of efficient water management
2 practices. And then the final item, which is
3 probably the most important to all of us, was to,
4 for those ag water suppliers that are members, to
5 implement those appropriate EWMPs while avoiding
6 unnecessary or unreasonable planning, paperwork,
7 or expense for water suppliers, thereby
8 voluntarily achieving more efficient water
9 management than currently exists.

10 That's what the goal is. That's what the
11 purpose is. And one of the primary things in the
12 water management plan that is overseen now by the
13 Ag Water Management Council is that each and every
14 ag water management supplier that joins the MOU is
15 required within a two-year time frame to develop a
16 water management plan for their agency. And as I
17 mentioned, we were originally formed in 1997, in
18 the summer of '97. We're two and a half years old
19 now. And so the first water management plans were
20 submitted this past -- end of the past summer that
21 are in the process of now being reviewed by
22 guidelines that were established by the Ag Water
23 Management Council.

24 Now, how do we fit into CALFED? That's the
25 question. Richard and I both sit on a -- the
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1 water use efficiency steering committee that Tom
2 is overseeing. And there has been a lot of
3 concern is that, well, is the Ag Water Management
4 Council, which is a voluntary organization, we
5 don't have any paid staff, unable to do a lot of
6 the things that Mary Ann is doing with the Urban
7 Water Council now. But if we are going to
8 partner, and there is a desire by the Ag Water
9 Management Council to partner and be involved in
10 the CALFED water use efficiency program, then we
11 need to be more involved. We need to be more
12 progressive in some of the things we're
13 specifically doing. Not that we haven't been
14 progressive, because I think we've done a lot of
15 things in the short period of time we've already
16 been in existence. But if we are to be a
17 foundation of the CALFED water use efficiency
18 program, then we're going to need some additional
19 funding to move forward and do some of the things
20 that are needed.

21 What are some of the things that some of the
22 stakeholders have indicated they feel the council
23 should be more willing to do? Well, first of all,
24 as Mary Ann mentioned, we have the Department of
25 Water Resources that is supplementing and
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1 providing administrative support for us. They
2 provide all the mailings out to the entities when
3 we have meetings, and they are very supportive.
4 And they've done a great amount of work and helped
5 in that regard for us. But -- and they are the
6 ones making the initial review right now of the
7 water management plans. And then there will be a
8 proposed peer review by members of the council of
9 those plans before they eventually come back to
10 the council for a vote on endorsement.

11 But the Department is only able to provide so
12 much in the way of funding for us. In a sense, we
13 need a full-time probably executive director that
14 can oversee and check up and review and manage the
15 council in a more efficient manner to help
16 coordinate the activities that are going on.
17 There are many agencies that aren't members of the
18 council yet. A full-time executive director would
19 have the opportunity to go out and meet with the
20 members of the council, find out how things are
21 going in their districts and their regions. He
22 would also be able to go out to some of the other
23 agencies that haven't become members, maybe meet
24 with their board of directors, meet with their
25 managers, their water conservation coordinators,
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1 and review what is needed to move forward and to
2 help in the whole water use efficiency program.
3 We do need help in administrative support and
4 the process support. There's been some concern
5 that we maybe need some additional facilitation
6 for our council meetings. We presently meet about
7 four times a year quarterly. And so we are
8 proposing, and we have put together a rough budget
9 of approximately \$400,000.00, that would give us a
10 kick start, a jump start, in probably being more
11 effective in the same way that the CALFED program
12 would wish that agricultural was in water use
13 efficiency programming.

14 And we are coming today to just, you know,
15 answer any questions, give you a brief update of
16 where we stand and what we're doing, but also
17 request that you support us in our request for
18 funding so that we can be a more effective tool in
19 the whole statewide water use efficiency program
20 status.

21 I would like to open it up for Richard just
22 to make some comments now and share what his
23 thoughts are in this regard.

24 CHAIRMAN MADIGAN: Okay. Thank you.
25 Good afternoon.

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1 MR. COLLINS: Good afternoon, and thanks
2 for having us to introduce the Agricultural Water
3 Management Council to you. I'm here, like Roger,
4 to answer your questions. So let me simply
5 underscore one point, and that is the governance
6 of the council.

7 The council is a joint venture of
8 agricultural water districts and environmental
9 groups. Endorsement of any plan requires the
10 mutual consent of both groups. That governance is
11 intended to motivate greater efficiency for public
12 benefit as well as district benefit. It's
13 intended to motivate better communication between
14 those two communities. That governance is the
15 heart, in my judgment, of the MOU, and is the
16 basis for my belief that the council will make a
17 very significant difference in how agricultural
18 water is managed in this state. Thank you.

19 CHAIRMAN MADIGAN: Thank you. All
20 right. Tom, did you want to offer anything in
21 conclusion, or should we go to questions?

22 MR. GOHRING: I think we should just
23 jump to questions. And, I guess, with your
24 permission, I would like to throw it open to any
25 of us.

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1 CHAIRMAN MADIGAN: You bet. Fran, you
2 first.

3 MS. SPIVY-WEBER: Yes. I just wanted to
4 remind -- Byron mentioned that there is -- that
5 this is not -- I don't know what -- exactly what
6 your words were, but this is not really new water
7 or real water, I guess, if I'm paraphrasing
8 correctly.

9 MR. BUCK: Except in wet years, it would
10 produce new water to the environment. Otherwise,
11 it's just lowering unmet demands as population
12 grows. It's still a good thing to be doing, but
13 it doesn't --

14 MS. SPIVY-WEBER: Well, I just know that
15 when I -- my first meeting when we met in
16 Bakersfield, Steve had some slides to show what
17 the effect of conservation over the drought years,
18 and in the early '80s, what that -- that that had,
19 in fact, created real water that had accrued in
20 Tulare, I think was the -- what his slide showed.
21 And it basically was water that wasn't taken by
22 Southern California, it was -- went back into the
23 system, and then it essentially was rebuilding
24 groundwater in another part of the area, of the
25 state rather. And so it was real water. I mean,

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1 when you save water in one place, other groups get
2 to use it.

3 EXECUTIVE DIRECTOR RITCHIE: Yeah. I
4 think the point of that slide was that water
5 conserved in Southern California, particularly the
6 metropolitan service area, reverts -- if they
7 don't take their full entitlement, other state
8 water contractors can take that water. And in
9 that case, Kern would take that water and it would
10 contribute on that net balance to reduction of the
11 overdraft during that time.

12 MS. SPIVY-WEBER: Right. I just want to
13 make sure that it is real water and it does go
14 somewhere.

15 MR. BUCK: Yeah, it does go somewhere,
16 generally to another user. And in the case of a
17 wet year, that would allow groundwater to
18 otherwise come up further than it would. In a dry
19 year, you're having increasing overdrafts. You're
20 still probably going down, just at a lesser
21 amount. So, again, it lowers the gap between
22 supply and demand in most years. In wet years,
23 when there's lots of water in the system and full
24 demands are being met by the project, it probably
25 turns into Delta outflow unless you got storage to

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1 carry it over into another dry year. But
2 conservation in most years just lowers unmet
3 demand.

4 CHAIRMAN MADIGAN: Okay. I have, at
5 this moment, Hap, Sunne. And I just wrote down
6 Roberta. All right. Gene and Howard.

7 MR. DUNNING: I just want to go on with
8 Byron's comment because I'm not sure I understand
9 the implication of what he's saying. Isn't that
10 exactly what a storage reservoir does in dry
11 years? It lessens unmet demands, and yet with a
12 storage reservoir we say, well, that's real water.

13 MR. BUCK: Yeah, it's true. Except
14 you're -- what a storage reservoir does is take
15 wet year water and turn it into dry year water.

16 MR. DUNNING: You don't have the
17 carryover benefit with conservation. Is that your
18 point?

19 MR. BUCK: Unless you have storage to
20 put it in, you don't have the carryover benefit.
21 Exactly.

22 MR. DUNNING: Okay. Thank you.

23 CHAIRMAN MADIGAN: Sunne.

24 VICE CHAIR MCPEAK: I have a question,
25 and then I wanted to make a statement. But the

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1 question is, on the estimates up to two million
 2 acre feet for the CALFED savings above the BMP,
 3 does that include recycled water?
 4 MR. GOHRING: No. No. That's just from
 5 urban conservation.
 6 VICE CHAIR MCPEAK: Okay. One more
 7 question before I make a statement. Give me an
 8 example what is envisioned for those, a BMP or an
 9 efficiency measure above the current MOU BMPs.
 10 This does or does not include the new outdoor
 11 landscaping program?
 12 MS. DICKENSON: Well, you would be
 13 talking about conservation programs that aren't
 14 specifically enumerated right now in the
 15 memorandum of understanding. And maybe they're
 16 potential practices that we've been considering,
 17 maybe hot water on demand units, or maybe
 18 commercial dishwashers, or maybe some other
 19 measure that isn't specifically mentioned.
 20 Right now, it would just be the 14 that are
 21 identified here. And that's part of the point of
 22 what I wanted to say, is that million acre feet in
 23 the incremental savings part, it's not really
 24 identified how we're going to get that million
 25 acre feet. It's a tough problem.

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1 please, the CPUC is like the last example to put
 2 up for anything run efficiently. I mean, they
 3 have more people than the California Highway
 4 Patrol. And that makes no sense. So, you know,
 5 that's like not persuasive. And anything on the
 6 order of 57 FTEs running around doing audits, you
 7 know, just doesn't wash.
 8 But, you know, the involvement of agencies in
 9 efficient water use is about as pure a connection
 10 on a user fee as I can imagine. And, therefore,
 11 have always sought -- that's -- if we're going to
 12 talk about user fees, beneficiary users, that, you
 13 know, with all due respect, 300,000 put into the
 14 Urban Conservation Council from the signers of
 15 that MOU, and I was there December of '91 on those
 16 steps when it was done and Roberta, and
 17 Bill Labua (phonetic) and I have spent a lot of
 18 time together getting to that point, that's not
 19 what we envisioned in terms of user fees. There's
 20 not enough skin in the game from any of the
 21 parties, in my opinion, for both councils.
 22 MS. DICKENSON: Excuse me. Can I just
 23 clarify? The 300,000 is an annual contribution.
 24 Okay.
 25 VICE CHAIR MCPEAK: Right. That's not

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1 VICE CHAIR MCPEAK: And then still one
 2 more question. The outdoor landscaping program
 3 that was -- that you adopted a couple of years
 4 ago --
 5 MS. DICKENSON: That's a BMP.
 6 VICE CHAIR MCPEAK: It is now --
 7 MS. DICKENSON: Yes.
 8 VICE CHAIR MCPEAK: -- included in that
 9 .8 up to 1.1?
 10 MS. DICKENSON: Right. It's in here.
 11 VICE CHAIR MCPEAK: Okay. Then just a
 12 couple of comments. First of all, thank you for
 13 the presentation and going back and bringing us
 14 the information from our October meeting in Davis.
 15 I think Richard said the governance of these two
 16 councils, I think, is absolutely at the heart of
 17 how we can have an enduring partnership among all
 18 of the stakeholders and with the stakeholders and
 19 the state and federal governments. I totally
 20 subscribe to that.
 21 What I was -- I was a little concerned, and I
 22 wanted to just share with you my natural
 23 conservatism on coming forward and asking for more
 24 money for both, which I guess we've talked about
 25 in terms of money to help match. But the -- and

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1 counting what the agencies put into implementing
 2 the BMPs. I totally understand that. But if what
 3 we're -- what you're saying back is, well, Mary
 4 Ann, is that the certification program is what's
 5 going to be driving the implementation, the full
 6 implementation of the BMPs. And those that
 7 theoretically are not cost-effective, and I think
 8 there's yet an area to be defined in terms of
 9 cost-effectiveness, then I still think that the
 10 proportion of what was being proposed to be shared
 11 by CALFED, i.e. the public versus the user fees,
 12 is not yet in balance. That's my personal
 13 comment.
 14 MS. BORGONOVO: Are you asking for more
 15 money from CALFED?
 16 VICE CHAIR MCPEAK: No. I'm asking for
 17 more money from users. Here is where, if you're
 18 going to talk about user fees, that it should be
 19 increased.
 20 MS. DICKENSON: Let me just make a
 21 comment and observation that you already are
 22 assuming that a billion of it is coming from the
 23 users. So half of it is already coming from the
 24 users, and you have yet to decide, because that's
 25 an issue facing you, who owns the water that's

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1 conserved. If the user is going to pay for the
2 water, then the user is going to want to keep the
3 water.

4 VICE CHAIR MCPEAK: Absolutely. Totally
5 agree.

6 MS. DICKENSON: But then you still have
7 your dilemma of if you want water for the
8 environment, how do you get it.

9 VICE CHAIR MCPEAK: Through the
10 environmental water account. And there is where
11 the mechanism should be to joint venture with the
12 two councils.

13 MS. DICKENSON: Right. And that's one
14 of the partnership projects that I would be really
15 interested in working with CALFED on, is how to
16 secure water safety, water efficiency programs for
17 the environmental water account.

18 VICE CHAIR MCPEAK: Right. Exactly.

19 CHAIRMAN MADIGAN: Roberta.

20 MS. BORGONOVO: I just wanted to make
21 the point that I think that Mary Ann just made,
22 and that is that there is a group looking at ways
23 in which there could be conservation, for example,
24 in Southern California. When Met conserves their
25 state water project contractor, and that leaves

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1 more water for other state water project
2 contractors. So how do you get that linkage
3 directly to CALFED benefits? I think that's a
4 very important issue. And so when we're talking
5 about CALFED money for those incremental savings,
6 we are talking, at least I'm talking about them
7 being linked directly to environmental benefits.
8 So I think that's a task ahead of us.

9 But I also wanted to go back and point out
10 that in Los Angeles from the early '70s through
11 today, they -- their population has increased 30
12 percent and their use has stayed practically the
13 same. So I just think that what conservation has
14 done in the state is really underestimated. And I
15 think that there are many reasons for it. Part of
16 it are the drought years. But I think also that,
17 in all the urban user areas, population has gone
18 up and their use has stayed pretty much the same.
19 We've argued within ourselves, within our council,
20 where we have both public interests, public
21 advocacy groups, and water agencies, what is the
22 potential for water savings. But there will
23 continue to be new technologies. The horizontal
24 axis washing machines are a new technology. And
25 we think that certification can very much help us

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1 move ahead. So I certainly support this
2 presentation naturally.

3 CHAIRMAN MADIGAN: Gene.

4 MR. ANDREUCETTI: This question is to
5 Roger. Is the money that you're asking from
6 CALFED going to apply to on-farm technical
7 assistance?

8 MR. REYNOLDS: We have included in our
9 budget about \$200,000.00 for water -- some of the
10 stakeholders are saying that we need independent
11 review. They don't totally trust, I think, the
12 Department of Water Resources' review of the water
13 management plans. And so we have said, okay, we
14 would be more than willing to set up, through
15 independent consultants, an independent review
16 process. Now, that doesn't mean that they would
17 necessarily review every single water management
18 plan that comes in, but our budget would be to
19 cover that cost and also maybe consultants to be
20 able to help some of the smaller agencies that
21 don't have staff to put together plans so that
22 they could have some help. And then also, to help
23 on the implementation of practices where they
24 might have problems that need some consulting.

25 MR. ANDREUCETTI: Do you have any
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1 notion of how many growers make up the 4.5 million
2 acres of irrigated land that you folks represent?

3 MR. REYNOLDS: No. There's average
4 numbers as to how many, you know, farms per acre,
5 but I don't really have those really with me.

6 MR. ANDREUCETTI: Okay.

7 MR. REYNOLDS: And that's close to
8 almost half the irrigated acreage though, I think,
9 in the state of California.

10 MR. ANDREUCETTI: Just about. In my
11 past life as a state conservationist for the Soil
12 Conservation Service, we had a good look at the
13 numbers of people that needed on-farm assistance.
14 This is where the real evaluations are made and we
15 begin to talk about real savings. And I'm going
16 to tell you that's a huge number. And I'm hopeful
17 that it would be realistic about what we're about
18 to dig into.

19 MR. GOHRING: May I really quick --
20 answer that question really quickly? The MOU, the
21 Ag Water Management Council's MOU, doesn't
22 directly address any on-farm stuff. It does have
23 one BMP, one or two BMPs, that essentially say,
24 hey, water suppliers, do stuff that facilitates
25 on-farm things. That's one of the reasons why the

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1 CALFED's water use efficiency, you know, the aq
2 part of CALFED's water use efficiency program, is
3 talking about going beyond those EWMPs, including
4 additional stuff with water suppliers, but also
5 on-farm stuff, because I agree with you. There is
6 a big potential there.

7 CHAIRMAN MADIGAN: Howard.

8 MR. FRICK: We've heard estimates of
9 saving for the urban efforts. Do you have an
10 estimate of what you think of potential savings on
11 aq, and if so, where will it come from?

12 MR. GOHRING: Not off of the top of my
13 head, Howard. I'm sorry. I should have brought
14 that. We have those estimates in the draft water
15 use efficiency program plan that's out on the
16 street. And I'm sorry I don't have those
17 available. The work of developing quantifiable
18 objectives that I mentioned in my hot list is
19 essentially refining that estimate however. And
20 it will -- the quantifiable objectives will pull
21 out, what Alex would call, real water, things that
22 are reductions and irrecoverable losses. It will
23 also talk about reductions in diversions and how
24 those can help instream flow and water quality.
25 So I wish I had those answers available today, but
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1 Tuolumne at the present time, and could also
2 augment flow in the ship channel if you put the
3 barriers in so it doesn't scoot off through Old
4 River. And there, again, while the cost here is
5 the pumping cost, modeling that was done on that
6 indicates that, if you just did that for a month
7 of the year during a particular month when we know
8 the conveyance and pumping capacity is available,
9 it could save about 100,000 acre feet as well as
10 improving water quality and saving that much water
11 in the tributaries for other uses in this water
12 system. So it seems to me that, you know, when
13 you look at recycling, you should look at
14 opportunities like that for recycling for the
15 purpose of stream flow in ways that don't take the
16 water away from anybody, just involves some
17 pumping.

18 CHAIRMAN MADIGAN: Okay. Thank you.
19 Byron, and then Sunne, and then Bob, and then
20 Fran.

21 MR. BUCK: I just want to make one point
22 on user fees. The urban water agencies right now
23 invest under the MOU and conservation to the point
24 that it's cost-effective. They're basically doing
25 an analysis and looking at where is my next
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1 it's essentially a work in progress.
2 CHAIRMAN MADIGAN: Alex, and then Byron,
3 and then Sunne.

4 MR. HILDEBRAND: Tom, when you were
5 talking about recycling, I don't believe you said
6 anything about recycling for the purpose of stream
7 flow for the environment. There are examples
8 where that could be substantial. For example, to
9 take a very simple one, we have to get some inflow
10 into the -- minimum inflow into the ship channel,
11 San Joaquin ship channel, or else we can't solve
12 the DO problem. But that can be done by recycling
13 water within the south Delta channels, or rather
14 inexpensively, and doesn't take water away from
15 anybody.

16 There's another recycling thing which CALFED
17 said they were going to work on, and I haven't
18 seen anything recently, which has to do with
19 recirculating on a watershed basis. You let water
20 out of the DMC, Delta Mendota Canal, into the
21 river through probably a human waste way. And it
22 would greatly improve the -- reduce the salinity,
23 improve the stream flow in the main stem of the
24 river all the way down from Merced on down, which
25 is very poor from Merced down, at least as far as
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1 marginal acre foot going to come from. If
2 conservation is cheaper, you do that because it's
3 obviously a lot easier to do than other things.

4 If CALFED, for public policy reasons, wants
5 agencies to go beyond what's locally
6 cost-effective, there's going to need to be a
7 public subsidy to do that. The users are not
8 going to want to see user fees taken out of their
9 left pocket and just brought back to them to do
10 things that are otherwise not cost-effective on
11 the local level.

12 VICE CHAIR MCPEAK: Byron, could you
13 elaborate on the certification program then?
14 Because that -- that was a large part of what was
15 put up as a justification for additional CALFED
16 funding. Why is that not part of a cost-effective
17 approach by urban agencies?

18 MR. BUCK: Well, certification is merely
19 just a grading process to say that the agencies
20 that have adopted the MOU and those that wouldn't
21 have in this case, as CALFED is looking at it,
22 have done the BMPs, have gone through the
23 cost-effectiveness test, and are doing it by the
24 numbers. We helped when DWC developed the basic
25 certification program that went into the CALFED
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1 program. My organization is only willing to
 2 support certification as part of a package deal
 3 where other things are coming in the program that
 4 are of value. And that determination is yet to be
 5 made.
 6 Certainly, as part of that exchange, the
 7 funding needs to be there to run an adequate
 8 certification program. I don't think there's any
 9 objection to that. What I'm speaking of is if
 10 we're going beyond the BMP cost-effectiveness
 11 test, we're deciding as a society we're going to
 12 go ahead and develop very expensive conserved
 13 water, more expensive than other options because
 14 we want to. Then that's something that should be
 15 publicly funded and not put back on the backs of
 16 the water agencies and the rate paying public.
 17 Because, otherwise, given their choices, they
 18 would have made economic choices to develop the
 19 next most economical water supply rather than the
 20 one that would have necessarily been expensive.
 21 Now, in some cases, they already are developing
 22 very expensive supplies like reclamation because
 23 it has local reliability values that are -- and it
 24 is somewhat cheap -- more expensive than their
 25 other options.

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1 VICE CHAIR MCPEAK: And on that, I think
 2 on the recycling or reclamation, there is a very
 3 legitimate need for cost sharing in order to
 4 develop an expensive supply, but saving water
 5 that's currently developed.
 6 I wanted to ask a question on measurement,
 7 Tom, to come back to.
 8 MR. GOHRING: Yes, ma'am.
 9 VICE CHAIR MCPEAK: Because the meeting
 10 you referenced was a fairly seminal discussion and
 11 conclusion in those meetings with Babbitt and
 12 George Dunn. And I thought we reached an
 13 agreement that everyone could live with, but it
 14 was carefully structured. So maybe could you
 15 share back what you are now working with as an
 16 understanding of that agreement on measurement?
 17 MR. GOHRING: Yeah, you bet, or at least
 18 I'll try. The approach that we're moving forward
 19 with is really hinged on how we define appropriate
 20 measurement primarily in the ag sector. I think
 21 that most of the stakeholders that I've been in
 22 contact with indicate that metering in urban is,
 23 you know, that's pretty much where we're at.
 24 But in ag, there are these other issues,
 25 variability in gravity systems, do you have the

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1 energy to drive the mechanism that does the
 2 measurement. Does measurement to a user that then
 3 splits the water into a bunch of different places,
 4 does that give you the type of economic signal or
 5 management information that facilitates what we
 6 need to happen. So we're attempting to answer the
 7 question, appropriate measurement in ag, with kind
 8 of two fronts.
 9 And there's a technical front which says what
 10 types of measurement are there out there right
 11 now. Given certain conditions, what types of
 12 devices work, what level of accuracy can you
 13 expect, what do you do with the data, how often do
 14 you disseminate the data. There are a bunch of
 15 technical questions.
 16 The other track is sort of a sociological
 17 track. And it says, so what does a measurement
 18 really do for you, what are consistent with the
 19 objective oriented approach we're attempting to go
 20 down with water use efficiency, what are the
 21 objectives of the measurement. Is it to give
 22 growers management information so they can make
 23 the right decision? Is it to give individual
 24 water users a signal about the value of the
 25 resource? Is it -- you know, what are they?

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1 And so we're -- we quickly, the technical
 2 team that we're working with, quickly realized
 3 that those questions were bigger than us. And so
 4 our approach to answering them is to put together
 5 an independent scientific panel which will meet,
 6 we expect, two times, once to scope out those
 7 questions, a second time to attempt to answer
 8 them. In between those two panel sessions, we
 9 expect that we will commission some technical
 10 work, which will probably include some surveys,
 11 surveys that ask what type of measurement is going
 12 on out there, but also asks the sociological type
 13 of questions, what do you get, what are people
 14 expecting that you will get.
 15 Does that answer your question?
 16 VICE CHAIR MCPEAK: I think it does.
 17 And if I might just further comment, the way those
 18 discussions are then dialogued was structured by
 19 the Secretary and Mr. Dunn. There was sort of
 20 representatives from stakeholder groups invited to
 21 various ones. And my recollection of that
 22 particular meeting was that I think it was
 23 Dan Nelson and Tom Clark who were representing ag
 24 in the room. Now, I say that because we've got a
 25 lot of other agricultural interests sitting here

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1 as well as others interested in aq use. And what
 2 I thought was sort of an appropriate framework
 3 around which agreement was reached and
 4 Secretary Babbitt said yes to because he's been
 5 very persistent on this notion of measurement of
 6 water use, basically for the purpose of knowing
 7 how much water is being used so we can better
 8 manage the overall supply, and it looked like it
 9 was -- there was a conversation that was
 10 gravitating towards government imposing on
 11 individual farmers metering. And that's one
 12 option. And that was -- very strong pressure back
 13 or push back as you can well imagine. And what I
 14 thought was agreed to, and the reason I wanted to
 15 emphasize it here, by the folks in that room,
 16 including those representing agriculture, was that
 17 measuring overall water use by basin, basin by
 18 basin, made sense. And that would generally be a
 19 collection of water agencies or irrigation
 20 districts who then, in consultation with their own
 21 members, would figure out how to do that. And
 22 that's a different dynamic than some measurement
 23 program that's imposed on individual users by the
 24 government.
 25 And I just hope that that -- if the farm
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1 interests think that that is no longer important
 2 and want to go to a different level of
 3 measurement, that may be one thing. But I recall
 4 that we got agreement around that by that fairly
 5 carefully structured approach that would be basin
 6 by basin, and the water agencies, irrigation
 7 districts being the responsible parties vis-a-vis
 8 the individual farmers. So --
 9 CHAIRMAN MADIGAN: Tom. Okay. And I
 10 have Bob, Fran, and Roberta.
 11 MR. RAAB: I've been trying to frame my
 12 question for some minutes now. And I'm so
 13 confused, I can't do it. I'll tell you what my
 14 problem is, and maybe your program can enlighten
 15 me. And that is that the water district I live in
 16 does not get any water from the Sacramento or San
 17 Joaquin or their tributaries. We get our -- this
 18 is Marin Municipal Water District. And we get our
 19 water, about 90 percent, from our own local
 20 reservoirs and about ten percent from the Russian
 21 River, maybe even the Eel (phonetic). There's
 22 some arguments going on with that right now.
 23 And I wonder, I think there are ten million
 24 people like me, if there are 22 million people
 25 getting some or all their water from the Delta,
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1 that leaves about ten million or more people in
 2 the state who are not. And I'm wondering if those
 3 ten million, including me, are expected to -- are
 4 we going to be in the same boat, rowing the same
 5 amount of effort as all of those 22 million who
 6 are getting people from -- getting water from the
 7 Delta?
 8 MS. DICKENSON: In terms of urban water
 9 use efficiency certification, it would be proposed
 10 for those water agencies that are taking water
 11 from the Bay-Delta watershed. Water agencies that
 12 are not in the Bay-Delta solution area as defined
 13 by CALFED would not be subject to certification,
 14 only those agencies within that watershed. That's
 15 my understanding currently.
 16 CHAIRMAN MADIGAN: Steve.
 17 EXECUTIVE DIRECTOR RITCHIE: Yeah, just
 18 a point of clarification. As CALFED has proposed
 19 as its focus on that, if it comes about through
 20 regulation or legislation, we should all be
 21 realistic that -- I think that the people would be
 22 looking broader than just the CALFED solution
 23 area.
 24 MR. RAAB: What does that mean? You
 25 mean we pay some -- it costs us money anyhow?
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1 EXECUTIVE DIRECTOR RITCHIE: Not just
 2 the cost, it's the idea of certification and urban
 3 water use efficiency. I suspect that the
 4 legislature would look at a plan at statewide and
 5 not just in the solution area. That would be my
 6 guess.
 7 CHAIRMAN MADIGAN: Okay. Fran.
 8 MS. SPIVY-WEBER: It seems to me that
 9 Mary Ann has come back and answered our questions
 10 and actually put probably more information on the
 11 table than we asked for. However, two basic
 12 proposals have been put forward here. One is that
 13 we should be looking, as agencies and the public,
 14 but as CALFED and hopefully BDAC, at water use
 15 efficiency as a water supply option, at least in
 16 part. And I think we owe it to the planning
 17 process of the California Urban Water Conservation
 18 Council to respond to that -- to that challenge.
 19 If we can't respond now, let them know when we can
 20 say that, in fact, we think this is an approach
 21 that we're interested in.
 22 Secondly, and this would go to Byron's point,
 23 particularly for those activities that will garner
 24 to us more water over and above what is currently
 25 called cost-effective, if we can get through
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1 conservation now without having to wait 10 or 15
 2 years, a million or two million acre feet of water
 3 with a relatively modest investment, let's do it.
 4 CHAIRMAN MADIGAN: Okay, Roberta.
 5 MS. BORGONOVO: Of course, I second
 6 Fran's suggestion. But I wanted to go back to
 7 appropriate measurement. That was discussed in
 8 some of the groups that I was involved in. And my
 9 understanding was that appropriate measurement is
 10 to be determined, and it would be determined by
 11 all stakeholders, it wouldn't be just districts.
 12 I mean, the reason we put appropriate in there and
 13 the reason we agreed it would be looked at that
 14 way would be to allow time to perhaps do some
 15 research, to take a look at cost-effectiveness, to
 16 look at the importance of measurement itself.
 17 I've heard Babbitt speak about that,
 18 Secretary Babbitt. And if you are going to do any
 19 kind of water management, if you're going to do
 20 groundwater banking, you really have to have
 21 measurement of surface and groundwater. So that,
 22 I thought, was the impetus for that suggestion,
 23 and that was my understanding.
 24 CHAIRMAN MADIGAN: Tom.
 25 MR. GOHRING: That very well

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1 characterizes my understanding as well, Roberta.
 2 VICE CHAIR MCPEAK: When do you think
 3 the word appropriate was put in?
 4 MS. BORGONOVO: Well, the water use --
 5 the ag water use efficiency work group actually
 6 crafted that language, and that's what we agreed
 7 on. We agreed on appropriate. We agreed upon
 8 that because we -- it was not an issue that could
 9 be resolved within that period of time when the
 10 Babbitt-Dunn talks were going on. And so, again,
 11 it's one of those many issues that we've been
 12 talking about today. We've talked about the good
 13 work CALFED has been doing, and they have all of
 14 these tasks laid out before them. And appropriate
 15 measurement is one of them. And what Tom is
 16 suggesting is that one way to do the appropriate
 17 measurement is, again, to have this public process
 18 where you even have the scoping going on. And you
 19 would have these different points of view
 20 represented. And, hopefully, we could come up
 21 with an agreement on what we mean for appropriate
 22 measurement.
 23 CHAIRMAN MADIGAN: Richard.
 24 MR. IZMIRIAN: During the early, early
 25 discussions on water use efficiency, water use

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1 efficiency was considered pretty much an end in
 2 itself without talking about how it contributed to
 3 the CALFED solution. And I'm glad to see a little
 4 bit of discussion now on linkages to a CALFED
 5 solution. But I don't understand who's in charge
 6 of those linkages and how any water savings will
 7 go to a robust CALFED solution other than
 8 extending the use of the water among urban and
 9 agricultural entities.
 10 CHAIRMAN MADIGAN: Well, that's no bad
 11 thing.
 12 MR. IZMIRIAN: It's not, but there are
 13 instream needs in a number of other areas that
 14 water quality and so forth. And there are a full
 15 suite of linkages that are required here. I don't
 16 understand where those are -- where those are
 17 being thought through for implementation.
 18 EXECUTIVE DIRECTOR RITCHIE: Well, I
 19 think partly are being thought through, again, in
 20 the water use efficiency group where they're
 21 looking at what is the actual benefit of doing it.
 22 Then what you do with that benefit, I think, is
 23 something that still remains to be looked forward
 24 to as part of an overall CALFED package. But I
 25 think that's really where it's going to come to

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1 fruition is when we look at the array of things
 2 that we can do, what those benefits are, and how
 3 we can make them work for everybody involved.
 4 MR. IZMIRIAN: How does that process
 5 happen? Where is that happening? Who is working
 6 on that?
 7 EXECUTIVE DIRECTOR RITCHIE: I think our
 8 discussion this morning reflected that people
 9 wanted to see the specifics. And I think as part
 10 of the specific actions coming forward, I think
 11 that's when those discussions will ripen fully.
 12 MR. IZMIRIAN: Okay. Thank you.
 13 CHAIRMAN MADIGAN: Howard, and then
 14 Byron.
 15 MR. FRICK: I got a dumb question. I
 16 agree with Byron that as a water user it's going
 17 to make economic sense to conserve on your own.
 18 And then compared with the illustration of Diamond
 19 Lake, MWD and their water -- their members
 20 apparently justified the cost of that additional
 21 yield. Looks like water conservation would be a
 22 lot cheaper.
 23 CHAIRMAN MADIGAN: Thank you, Richard.
 24 MR. FRICK: What am I missing?
 25 MR. BUCK: I can go for that.

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1 CHAIRMAN MADIGAN: Go ahead.
 2 MR. BUCK: That one, I think, was a
 3 little apples and oranges. I mean, Metropolitan
 4 built the east side reservoir of Diamond Valley
 5 Lake for a variety of purposes, water quality, but
 6 primarily emergency water supply. They were
 7 looking at an earthquake scenario in Southern
 8 California with the San Andreas fault breaking,
 9 severing the California aqueduct and being out for
 10 over six months. They needed enough water in
 11 Southern California to get through that disaster.
 12 So that was the primary motivation for it. The
 13 other part was to actually respond to what's gone
 14 on in the Bay-Delta in the last 20 years, where
 15 they're not getting their state water contract
 16 entitlement and they're seeing there is water on
 17 the table in wet years, but the problem is in dry
 18 years. So what they have done is build a large
 19 reservoir that allows them to take state water
 20 project entitlement in wet years and go off-line
 21 in dry years and leave that water for the
 22 environment. And so, in essence, you could look
 23 at that reservoir as a way to responding to Delta
 24 environmental needs as well as it is placed to
 25 store water in wet periods and then meter it into
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1 the groundwater basins in Southern California as
 2 well for overall water management.
 3 So it -- it wasn't looked at in terms of a
 4 classic yield reservoir project. It was a
 5 multipurpose project in that sense.
 6 CHAIRMAN MADIGAN: Mary Ann.
 7 MR. BUCK: My other comment on Bob's
 8 point, he asked -- or not Bob's, but the other
 9 question on linkages, Richard's question. And
 10 there are linkages in here in terms of water use
 11 efficiency standards and recycling standards and
 12 construction of surface reservoirs that we spoke
 13 to earlier. So those linkages are certainly being
 14 prepared. And there is, as Tom spoke to, they're
 15 trying to quantify what -- what those standards
 16 are going to be. And that's going to be part of
 17 the 404 process that progress has got to be made
 18 on those things if you're going to build surface
 19 and groundwater storage for additional water
 20 supply or water reliability.
 21 CHAIRMAN MADIGAN: Mary Ann.
 22 MS. DICKENSON: I just want to make sure
 23 my slides and storage don't convey the wrong
 24 impression. The council is not here to advocate
 25 storage. I was merely trying to show the cost
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1 comparisons between the capacity of building a
 2 Diamond Valley Lake and a similar acquisition of
 3 that amount of water through water efficiency
 4 measures. It was merely meant as a cost
 5 comparison.
 6 MR. GOHRING: How many reservoirs do you
 7 advocate we build, Mary Ann?
 8 CHAIRMAN MADIGAN: All right. Okay.
 9 Fair enough. Any other questions by members of
 10 BDAC? Anything -- any questions in the audience?
 11 If not, Tom, thank you very much. Panel, thank
 12 you very much for your information. It was very
 13 helpful.
 14 We will move on to item number eight which
 15 is -- whoa, or not. You need to take a break for
 16 a second? You bet. Two minutes.
 17 (A break was taken.)
 18 CHAIRMAN MADIGAN: Okay. Before we go
 19 on to the ecosystem restoration implementation
 20 plan, let me call on our federal representative
 21 for a moment, Alf.
 22 MR. BRANDT: As promised, I got copies
 23 of release on the allocation that came out this
 24 morning. So if anybody would like to see one.
 25 CHAIRMAN MADIGAN: There's interest
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1 around the table on that one.
 2 MR. BRANDT: There's even a reference to
 3 CALFED. Why am I not surprised?
 4 CHAIRMAN MADIGAN: Okay. Thank you,
 5 Alf. Okay. Item number eight, ecosystem
 6 restoration FY 2001 implementation plan
 7 recommendation. Okay. Steve, do you want to
 8 introduce this or --
 9 EXECUTIVE DIRECTOR RITCHIE: Actually,
 10 yeah, we can jump right into it. But, basically,
 11 this is the normal process that we've engaged in
 12 here at BDAC, roundtable at BDAC, for looking at
 13 ecosystem restoration projects and going on with
 14 the solicitation. This year is interesting,
 15 because always it's been previous to a record of
 16 decision. And presuming the record of decision
 17 this year, we'd actually be able to award projects
 18 after the record of decision. So it's a slightly
 19 different set of circumstances this year. But
 20 Wendy can go into it.
 21 CHAIRMAN MADIGAN: Wendy, you're on.
 22 MS. HALVERSON-MARTIN: Okay. I just
 23 want to provide a little bit of context about
 24 where we're at in the process. You remember last
 25 year with the FY 2000 funds we were in a
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1 transitional period. We made the big leap from
2 being behind the appropriation to being in front
3 of the appropriation. We are now in the process
4 of preparing for expenditures that will occur with
5 FY 2000 funds, or as Steve indicated, if we have a
6 record of decision, those funds that are made
7 available through Prop 204 upon completion of the
8 record of decision could also be expended through
9 this solicitation and project selection process.
10 So here we are.

11 In the second quarter, we're finalizing the
12 implementation plan, which is what I'm going to
13 present to you today. Our solicitation goes out,
14 theoretically, the 1st of March. Proposals are
15 due back May 5th, and then we spend the period of
16 time between May and October in a much intensified
17 project selection process with the expectation
18 that we would have a suite of projects selected
19 and ready to be implemented upon receipt of an
20 appropriation in October of this year.

21 The fiscal year 2001 implementation plan
22 contains several parts. It is really a mixture of
23 science and policy. It also includes some
24 regulatory milestones in the form of enhancement
25 or restoration activities that are going to be
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1 defined or are defined by the multispecies
2 conservation strategy.

3 So the scientific basis of the implementation
4 plan is the strategic plan for ecosystem
5 restoration. Some of you may have seen that
6 document. It is really the road map for
7 implementing the ERP. And we are basing this
8 year's solicitation on the 12 critical scientific
9 uncertainties that were identified within the
10 strategic plan. So these are the primary topic
11 areas. Some of the MSCS actions are contained
12 within these critical uncertainties. This is not
13 a complete list, and it should not be
14 characterized as such. This list was provided to
15 us, was developed through the courting activities
16 and has been reinforced by our interim science
17 board. And they are basically saying that these
18 are important questions that need additional
19 information brought to bear in stage one. So this
20 is not a definitive list. We leave open the door
21 for people to bring forward projects that address
22 other critical uncertainties in the Bay-Delta
23 system. But this the focus of the solicitation.

24 There are two other topic areas that are
25 contained within the solicitation, watersheds and
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1 environmental education, which are not driven by a
2 scientific basis in the strategic plan, per se.
3 All of the proposals that are submitted under the
4 solicitation must be tied back to the strategic
5 goals contained in the strategic plan. This is a
6 shortened version of the six strategic goals.

7 And we really are raising the bar this year
8 relative to the scientific standard of proposals.
9 The early ecosystem restoration activities that
10 were initiated back in 1997 were intended to do
11 the obvious, things that everybody knew and agreed
12 upon needed to be done relative to ecosystem
13 restoration. We now have a plan that is nearly
14 final. It's been reviewed extensively by many
15 groups, the public, scientists, and we are going
16 to be using that plan as the basis of implementing
17 the ecosystem restoration program.

18 Accordingly, we have made the commitment that
19 our plan is scientifically based and, therefore,
20 actions that are implemented to satisfy the plan
21 should conform to a high scientific standard.

22 This year we are going to be requiring, and
23 we have done some of this in the past, but we
24 really haven't been as focused on the scientific
25 aspect of proposals, the information value

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1 contained within proposals. This year, all
2 proposals will be required to contain a conceptual
3 model, a hypothesis, and an adaptive management
4 framework that shows how the project can be used
5 in an adaptive management context.

6 Now, a lot of people get excited when we talk
7 about things like conceptual models and
8 hypotheses. And those are really just scientific
9 terms for things that most people do on a
10 day-to-day basis. There's nothing mystical about
11 a conceptual model. It's just an explanation, a
12 written explanation, of the applicant's
13 understanding of how the system works. So it's
14 taking the implicit, if we restore habitat, we'll
15 have more species "X" could be an example of
16 conceptual model. It's take the implicit and
17 making it explicit, so that we really do have
18 something that we can measure success against and
19 that we can quantify the results of our
20 investments.

21 We've changed the structure of the
22 solicitation this year a little bit. And we're
23 trying to provide better context for people who
24 would be submitting proposals. We're going to be
25 providing some background information that ties

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1 back to the critical uncertainties in the
 2 strategic plan. We want to focus people on
 3 activities that have already been initiated to
 4 address some of these uncertainties, and make sure
 5 that proposals that are submitted in this
 6 go-around are linked and are aware of and informed
 7 by those activities that we've already initiated.
 8 And we want to make sure that we're as specific as
 9 possible in defining the actions that we want
 10 people to bring forward in the form of proposal
 11 solicitations. So we have been relying on a board
 12 of naturally recognized academic scientists to
 13 help us define the key topics that should be
 14 investigated under those uncertainties.
 15 I'm going to put up a scary diagram. But
 16 there's really a lot of information in this
 17 picture. And I want to make sure everybody is
 18 aware what we're doing and why we're doing it.
 19 And this really is -- this is actually referred to
 20 in our context as the Mike Healey adaptive
 21 management ladder. It was developed as part of
 22 the earlier scientific reviews for the ERP. And
 23 what this basically says is that we will, for
 24 every investment made or every activity
 25 undertaken, plan on learning something as a result

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1 of that. And we will take that knowledge and use
 2 it to inform subsequent decision making.
 3 We've done a lot of talking about adaptive
 4 management, but now we're really going to mean it.
 5 And this is really a serious focus. And we are
 6 raising the standard, as I said, on making sure
 7 that every project generates the kind of
 8 information that will result in improved decision
 9 making as we move into the future.
 10 So, basically, it starts with a problem. And
 11 we have one or two of those that we have to work
 12 on. And we have to establish some goals and
 13 objectives, such as those contained within the
 14 ERP. Those goals and objectives are generally
 15 broken down into more specific questions, and
 16 conceptual models need to be developed to identify
 17 those, habitat species relationships, water
 18 quality species relationships. And then we
 19 initiate restoration activities. And this is
 20 really important for individuals who are going to
 21 be submitting proposals, this hierarchy of
 22 investigation.
 23 We want to make it very clear that we are not
 24 proposing a research program here. We want to
 25 learn through actually doing. And we need to be

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1 cognizant of the fact that some things will be
 2 successful and some things won't. But that's
 3 okay. Because the things that are not successful
 4 will also be generating information, so in a form,
 5 they will be a success, because they will be
 6 providing information about how to proceed more
 7 effectively in the future.
 8 For questions about which there is very
 9 little known, it's likely that research will be
 10 necessary prior to actually doing things in the
 11 field. We want to make sure as we are expending
 12 dollars for pilot or large-scale ecosystem
 13 restoration activities, that there is sufficient
 14 scientific knowledge to support the activity. So
 15 we want to make sure, in cases where there is not
 16 very much information, that there is adequate
 17 research to support what type of pilot project you
 18 might conduct.
 19 Once we have the research, we don't want to
 20 just go out and say, well, we learned a little bit
 21 in the lab and so we're going to go out and
 22 convert, you know, 20,000 acres to some kind of
 23 habitat because it seemed like a good idea. We
 24 want to try things on a small scale that allows us
 25 to evaluate the real world consequences of what

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1 may have been learned through research activities.
 2 Once we have been successful with pilot or
 3 demonstration projects, then it makes sense for
 4 those things that are successful to move into
 5 larger scale interventions.
 6 Now, it doesn't mean to say that every
 7 proposal we get this year has to be researched
 8 because we're starting at square one. There's a
 9 huge amount of information out there that already
 10 exists. There have been many pilot and
 11 demonstration projects executed. So it's possible
 12 that people can come in at any wrung on the
 13 ladder, but they're going to have to substantiate
 14 why they're proposing to do the type of activity
 15 that they are.
 16 So, basically, we do a project. We have a
 17 strong monitoring component associated with that
 18 project. There's information and learning that
 19 goes on, and we make an assessment of that
 20 information. And based on that assessment, we
 21 either need to go back to square one and say we
 22 didn't have the problem very well-defined. We may
 23 need to revise our goals or objectives or redefine
 24 our conceptual model, which hopefully is the case,
 25 we're able to better define the model. Or we got

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1 it so well down that we're able to actually go
2 ahead and continue doing the same exact thing
3 we've been doing, and we initiate further
4 restoration activities.

5 MS. REDMOND: Can that kind of
6 evaluation be done on any of the previous
7 projects?

8 MS. HALVERSON-MARTIN: It has, to a
9 certain extent, for some of the projects. And
10 we're actually looking at going back to some of
11 the projects that were funded and are just now
12 being initiated where they don't have this kind of
13 strong scientific basis and doing a retrofit where
14 we actually take a project that's a good idea, but
15 doesn't have the scientific infrastructure and
16 overlaying the scientific infrastructure on it.
17 That was part of the 7.4 million dollars that this
18 group advised or made recommendations on earlier
19 this year.

20 MS. REDMOND: I mean, I know there was a
21 lot of --

22 CHAIRMAN MADIGAN: Judith, use your mic.

23 MS. REDMOND: I know there was a lot of
24 money, for example, for land acquisition. I'm
25 curious how -- and other projects. I'm just
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1 curious how that would have been evaluated. It
2 just struck me, in listening to you, that that was
3 a huge amount of money in previous funding cycles.
4 And how would you apply this to that?

5 MS. HALVERSON-MARTIN: A land
6 acquisition project that is submitted could still
7 use this type of conceptual model adaptive
8 management framework. And what we would expect is
9 that someone is very specific about why they want
10 to acquire a piece of land. And people must have
11 in their mind a reason, you know, this is a good
12 piece of property to do something. And so we want
13 them to take that implicit thought and translate
14 it into an explicit written statement that the
15 acquisition of this property will allow us to
16 convert and restore tidal wetlands in the north
17 Delta, or whatever the appropriate statement is.
18 They define -- recognizing that projects may not
19 come into fruition as one big chunk, it may be the
20 acquisition first, and then subsequent planning.
21 But there needs to be sufficient documentation to
22 support that that type of property and that
23 location can support the type of ecological values
24 that the applicant is proposing. And I think it's
25 that type of critical evaluation that has not been
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1 executed as fully in the past. And so we're
2 really trying to be very focused and make sure
3 that projects that come in to us in this next
4 funding cycle are very, very clear about what they
5 expect to accomplish with the investment of
6 dollars.

7 CHAIRMAN MADIGAN: Alex?

8 MR. HILDEBRAND: Wendy, we've discussed
9 in the past the need to have an impartial
10 technical appraisal of these proposals,
11 particularly things like water and land
12 acquisition, to evaluate the third party impacts,
13 the cumulative impacts, and the balance with other
14 goals.

15 Have we made any progress on that, or are we
16 still relying on the biased stuff that comes out
17 of people who want to do these things?

18 MS. HALVERSON-MARTIN: I'm going to just
19 blow our own horn here and say we've made huge
20 progress this year.

21 MR. HILDEBRAND: Well, --

22 MS. HALVERSON-MARTIN: This year, as we
23 move into the 2001 process, we've included a
24 series of scientific and technical checks and
25 balances where we have multiple layers of science
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1 and technical experts, depending on the type of
2 project, who will be evaluating proposals. For
3 example, and I would be happy to come back to this
4 group and give you a detailed briefing about our
5 process in the future, we will have independent
6 peer review where all proposals will be reviewed
7 by knowledgeable experts for that particular
8 project. We will be relying on our interim
9 science board and our agency and stakeholder
10 scientist team to also advise on proposals. We
11 will be using local experts, including some of
12 CVPIA's habitat restoration coordinators, local
13 governments, other individuals who have geographic
14 expertise to help guide the proposal solicitation
15 selection. And we're going to do it all in a
16 public forum.

17 So I think that there are some very good
18 improvements over the process in the past. It's
19 very focused. The other commitment that we are
20 making is to have written documentation for all of
21 the technical reviews at all stages of the process
22 that are public throughout the process and advance
23 forward with the proposals, so that anybody can
24 see, for any proposal, the rationale that has
25 accompanied that proposal as to its value or lack
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1 of value.
 2 So I really do think that we've made a lot of
 3 improvement. We've tried to be very responsive to
 4 the concerns of the public, the applicants, the
 5 interested stakeholders, the scientific community.
 6 And I guess the proof will be in the delivery this
 7 year. But I am confident that we will be able to
 8 deliver a really quality process.
 9 MR. HILDEBRAND: Well, I'm certainly
 10 appreciative of the progress you've made, and I'm
 11 well aware of it, and I compliment you for it.
 12 But I still don't see anything in writing that
 13 says that there is going to be an impartial
 14 valuation of the aspects that I mentioned, rather
 15 than a valuation by the proponents of the project.
 16 MS. HALVERSON-MARTIN: Well, I
 17 wouldn't -- I guess I would disagree in our
 18 expectation that all of the evaluations will be
 19 impartial. Recognizing that everybody comes from
 20 their own perspective, but by distributing these
 21 proposals to a very wide scope of reviewers, we're
 22 going to get multiple perspective. It's not just
 23 agency scientists. That's one of the criticisms
 24 we've had, is that agency scientists develop
 25 proposals, agency scientists review proposals and
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1 make recommendations on proposals. We are talking
 2 about a much more comprehensive and much more
 3 diverse pool of scientific expertise. So I don't
 4 think we're going to be able to do it any better
 5 than we've set up to do it this year.
 6 MR. HILDEBRAND: Okay. I'm --
 7 MS. HALVERSON-MARTIN: So I guess what
 8 we are looking for today is concurrence to move
 9 forward with the implementation plan as it's laid
 10 out. If there is any interest, we would be happy
 11 to come back and talk in more detail at a future
 12 meeting about process and all of those kinds of
 13 things. But I really think we've put together a
 14 very strong package that's going to yield a very
 15 high quality proposal that will move us down the
 16 road.
 17 CHAIRMAN MADIGAN: Byron.
 18 MR. BUCK: Yeah. I'm certainly willing
 19 to support moving forward with it. Though we did
 20 make a request -- or I didn't make a request, but
 21 at a past meeting for, at some point, getting a
 22 review of past projects that were done, funded, or
 23 in the ground and completing, just getting an idea
 24 on what's working, what's not, what did we learn,
 25 what did we not learn. I'm impressed the process
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1 is getting a lot more refined in terms of
 2 selection. I think it's getting better every
 3 year. So I encourage you to move forward.
 4 CHAIRMAN MADIGAN: Objections? Then you
 5 have our concurrence.
 6 MS. HALVERSON-MARTIN: Thank you.
 7 CHAIRMAN MADIGAN: Thank you. Roberta.
 8 MS. BORGONOVO: I wondered if, in answer
 9 to Byron's question, you have -- there is this
 10 independent scientific review panel. Are they --
 11 will they, at some point, be looking at the
 12 projects and perhaps that's also part of the
 13 public record?
 14 MS. HALVERSON-MARTIN: The interim
 15 science board, who is our nationally recognized
 16 panel of scientists, has opted to remain somewhat
 17 removed and independent from the process. As part
 18 of their work on the ERP, we expect them to be
 19 looking at the accomplishments to date. And as we
 20 move into subsequent cycles where this becomes a
 21 little bit more routine, we expect as part of the
 22 preparation of the implementation plan to be a
 23 comprehensive assessment and briefing that's
 24 linked to the CALFED science conference to inform
 25 everybody, not just the interim science board,
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1 about the status of the projects as they're moving
 2 forward.
 3 The good news is -- it's good news and bad
 4 news. The good news is that many of our projects
 5 are in the very preliminary stages of
 6 implementation. So there's an opportunity to
 7 really influence the outcome of those projects.
 8 The bad news is that they are in the very
 9 preliminary stages of implementation, and they
 10 haven't done as much as we needed them to do.
 11 CHAIRMAN MADIGAN: Okay. Thank you.
 12 I'm sorry. Mike.
 13 MR. SHAVER: Wendy, I had a general
 14 question. The tribes in the Clear Lake region are
 15 interested in doing ecosystem restoration. And
 16 many times when tribes have only worked on a very
 17 local basis, if at all, on ecosystem restoration,
 18 they're intimidated and it's difficult approaching
 19 such a large bureaucracy as CALFED.
 20 CHAIRMAN MADIGAN: You're not kidding.
 21 MR. SHAVER: Many people, that may be.
 22 I was going to suggest that there may be tribal
 23 liaisons within your department, or would that
 24 fall under the department head, being yourself, or
 25 program manager? I think each staff person could
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1 relate with tribes, but I'm thinking within like a
 2 job description, so somebody knows that they are
 3 supposed to be the one to help communicate their
 4 program to the tribes.
 5 MS. HALVERSON-MARTIN: Well, rather than
 6 speaking to your specific issue, let me answer the
 7 part that I can, and then maybe Steve can respond
 8 to the part that I can't. And that has to do with
 9 how intimidating CALFED can be. Because it's not
 10 just the tribes who are intimidated. And we have
 11 certainly set this year a very high mark that we
 12 expect people to conform to. But what we are
 13 doing is trying to recognize that and be
 14 appreciative of it, recognizing this as a shift,
 15 you know, and kind of a major thinking process.
 16 And we are encouraging those who do not have the
 17 scientific resources innate to whatever
 18 infrastructure they have before them, to try to
 19 partner to find those. We're encouraging local
 20 entities or individuals, or in the case of tribes,
 21 to perhaps seek out the scientific support that
 22 they would need to have a successful project in
 23 the form of local universities or local technical
 24 experts who may bring that type of scientific
 25 thinking into the proposal itself.

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1 So we're really trying to foster partnerships
 2 so that we don't leave those who don't have the
 3 expertise innate behind. We're trying to bring
 4 everybody along, but recognizing that not
 5 everybody is going to know everything about
 6 every -- not everybody is not going to know
 7 everything about everything. And so but we want
 8 to make it as --
 9 CHAIRMAN MADIGAN: You could feel that
 10 some of the people --
 11 MS. HALVERSON-MARTIN: Yeah. Yeah.
 12 Yeah. That's it.
 13 MR. SHAVER: And I believe that could
 14 work. I've seen some of the workshops listed for
 15 the conjunctive use grants. And something similar
 16 to that with ecosystem would be great. But my
 17 concern is if a tribe may even have a negative
 18 viewpoint of the activities. A lot of times it's
 19 not in the positive light of trying to do a
 20 project, but more in a reactionary state of a
 21 project that's occurring in their local area. And
 22 it's just the thought has been put into how they
 23 would relate with the tribe. It might put CALFED
 24 on a better foot when they first interact.
 25 CHAIRMAN MADIGAN: Steve.

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1 EXECUTIVE DIRECTOR RITCHIE: Yeah.
 2 That's what I think we would want to work with you
 3 on and, particularly, with Alf as a kind of a
 4 coordinator for tribal issues. So I think that's
 5 one we ought to pursue a little bit and try to
 6 make sure we have something that works there.
 7 MR. SHAVER: All right.
 8 CHAIRMAN MADIGAN: Good. Okay. Thank
 9 you. Thank you, Wendy. Let's see. Public
 10 comment? Anybody left? No. All right. Yes,
 11 sir. Here we go.
 12 MR. MALARKEY: My name is
 13 Charles Malarkey. And I just wanted to say that I
 14 was at the ecosystem roundtable meeting about a
 15 week or two weeks ago. And the concern about
 16 whether or not the selection of proposals would be
 17 kind of fixed at the start because the only people
 18 who are looking at them are insiders or interested
 19 parties. I think would have been -- that concern
 20 really would have been lessened if there was one
 21 kind of chart that we saw last week that showed
 22 this entire process that had various different
 23 levels, different parts of the process, a whole
 24 lot of different individuals involved, and also,
 25 conflict of interest rules, at least on the

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1 interim science board, that hopefully make it an
 2 objective process and less of a fixed one.
 3 CHAIRMAN MADIGAN: Okay. Thank you very
 4 much. And we will bring that back to this group.
 5 Thank you for that. All right. Any additional
 6 public comment?
 7 Then you have all been very patient, and I
 8 gather we will meet again. So the meeting will be
 9 on the 13th of April, precise time and location to
 10 be announced. Sacramento, well, a location,
 11 generally. All in favor of blowing this joint,
 12 say I. All right. We're out of here.
 13 (The meeting adjourned at 4:03 p.m.)
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I, MANDY M. GALARSA, a Certified
Shorthand Reporter in and for the State of
California, do hereby certify that the above and
foregoing contain a true and correct transcription
of all proceedings, all of which occurred and were
reported by me.

WITNESS MY HAND AND SEAL, this the 22nd
day of February, 2000.

MANDY M. GALARSA
Certified Shorthand Reporter
for the State of California

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