

March 16, 2000

To: Mike Madigan, Chair
Bay-Delta Advisory Council

From: Stu Pyle

Subject: Comments on Preferred Alternative Motion

This is in response to your memo of February 23, 2000, regarding a motion from BDAC to support the CALFED preferred alternative. In view of the discussions that are now going on between the Secretary of the Interior and the Governor's office, I do not believe that any action on the preferred alternative should take place until the results of those discussions are known. The program agreed to in the talks will provide the basis for specific actions to be included in the implementation plan, then the preferred alternative and the ROD to come out later this year will have to support the plan.

Although the Kern County Water Agency is not ready to support a motion recommending the preferred alternative as currently drafted, here are some comments that should be considered regarding the draft discussed at the February BDAC meeting:

1. Guaranteed funding should apply to all elements of the program and not single out ecosystem restoration only,
2. Guarantees regarding Delta flows should apply to diversions of water needed within and outside of the Delta, as well as for Delta outflows that support fish populations. A guarantee would be more appropriate to balancing flows to lessen conflicts over available water. (We thought this would result from the 1994 Accord.)
3. Water use efficiency programs must be locally cost effective. The CALFED water use efficiency program is not well enough developed to make any worthwhile links to other program elements, such as storage, water quality or stream flows. Until there is a high degree of certainty regarding these links, local cost effectiveness should drive water use efficiency.
4. Preliminary decisions regarding storage at specific sites, needs to start with identification of yields, costs and benefits, to be followed by more advanced studies that will include identification of entities who are willing to participate in the costs of project development,
5. Implementation of initial through Delta conveyance action items must also continue evaluating the need for, and the design of, the isolated facility component of the dual transfer Delta facility,

Regarding the "preamble," it appears to be both too long and too much like a contract intended to provide various assurances. It will need a lot of work to get close to a consensus. In general, a motion to support and its preamble should not be viewed as a set of stealth assurances.

While these items may be on the April BDAC meeting agenda, I believe that any action should be deferred until the details of the current negotiations about the preferred alternative are known by all.

cc: Tom Clark, Kern County Water Agency
Joan Dymn, Southern California Water Committee