

**BDAC ECOSYSTEM RESTORATION AND ASSURANCES WORK GROUP JOINT MEETING**  
**OCTOBER 6, 1998**  
**1:00 PM TO 4:00 PM**  
**MEETING OUTCOMES**

Forty-six stakeholders, members of the public and agency representatives attended the meeting. The chairs of the two BDAC work groups were present, as well.

The purpose of the meeting was to reach concurrence on the general functions and duties necessary to implement the ecosystem restoration program (ERP). Meeting participants refined the proposed functions and duties of the ecosystem management entity and discussed how to balance scientific independence/integrity and policy making responsibilities. They based much of their discussion on two papers, "Briefing Paper on New Institution Issues" by Cynthia Koehler, Save the Bay, dated July 8, 1998 and "Ecosystem Entity White Paper" by Cliff Schultz, of the Agriculture/Urban water caucus, n/d.

Their discussion was recorded on flip charts and they periodically reviewed the charts with the recorder. The recorder carefully noted when they reached concurrence, when they did not, and when they were providing options or a range of comments on an issue.

**MAJOR OUTCOMES FROM THE MEETING**

**Refining the Functions and Duties of the Ecosystem Management Entity**

The meeting participants reached concurrence on the following principles that would guide implementation of the ERP. The ERP managing entity will:

- implement the program using an adaptive management framework,
- manage based on scientific and biological principles and processes,
- be proactive in restoring the ecosystem,
- be responsible for meeting the performance standards of the ERP, and
- implement the ERP as efficiently as possible.

The participants also reached concurrence on the following functions and responsibilities needed to implement the ERP.

**Planning and program development.** The ERP should achieve performance standards by implementing the strategic plan, which includes quantitative objectives. It should conduct all aspects of the restoration program using an adaptive management approach to guide the program through planning (including budgetary), execution and monitoring. Adaptive management should be looked at as a learning experience, rather than as a series of failed projects. Monitoring functions have two aspects: tracking or monitoring the ERP operations and monitoring of implementing actions.

**Support and conduct science.** Actions taken to implement the ERP should be scientifically based and sound.

**Ability to hold land and water rights.** The ERP should hold environmental rights to land and

water as necessary and appropriate.

**Manage contracts and grants.** The ERP should determine which portions of the program are best to put out to bid and which are best served by a grants program or other third party options. The program would administer and manage those contracts and grants.

**Review water management operations.** The ERP can only be successful if it is fully integrated with the water management system. The ERP would be represented on the CALFED Operations Group, or its successor, and would advocate for management of the water projects consistent with the ERP strategic plan.

**Provide a feedback loop for the CALFED implementation superstructure.** Assuming there will be an overall CALFED management structure or entity, the ERP would report back to CALFED regarding its progress, problems with implementation, and how well it is coordinating with other CALFED programs. The program would report to individual regulatory agencies regarding its success in achieving their legal mandates that are related to the program mission. For example, the entity would be the first voice of alarm if it appears that species are not meeting their recovery goals.

Meeting participants discussed the need for a new ecosystem restoration entity and the ability of the current CALFED structure to perform the functions and responsibilities listed above. They did not reach concurrence. Generally non-CALFED agency stakeholders and the Strategic Plan Core team agreed that a new entity is needed. CALFED agency representatives questioned the others and proposed that many of the concerns can be addressed through better coordination of the agency actions.

Nevertheless, the participants discussed the qualities needed to manage and operate the ERP and some of the problems with the current CALFED structure.

**Adaptive management must be implemented in an effective and efficient manner.** The different funding sources and authorities should be consolidated within one agency. Existing agencies a) have conflicting and limiting mandates, b) have conflicting cultures or approaches for solving problems, c) do not share information well, and d) lack the ability to manage resources consistent with the ERP goals. These shortcomings may limit the ability of the agencies to manage the program of this size and complexity.

**The CALFED Bay-Delta program, as a whole, and the ERP, specifically, need to be legally responsible.** They should have the ability to sue and to be sued.

**The ERP should have the ability to manage water set aside for environmental purposes.** The program should have the a formal and legal relationship to the water operators and the ability to acquire water to meet the ERP goals.

### **Balancing Science and Policy Making**

The discussion raised the questions of how to use science and integrate it into ERP decision-making. The participants mentioned the need to distinguish between the decision-making roles of the ERP manager and an overall CALFED entity. They discussed options for balancing the tension between ensuring scientific independence/integrity and public policy decision-making.

**Provide the science program with a degree of autonomy by having it provide advice to the ERP management entity and giving it the authority to appeal the entity's decisions to the overall CALFED entity.** Concern was raised that this approach may overly politicize ERP decision-making and it may lead to circumventing decision-making. It was suggested that tools be identified that will integrate science into ERP decision-making.

**Create a science coordination team that reports to the ERP management entity and coordinates the scientific actions; create an independent scientific panel for peer review of ERP implementation.** This arrangement models the south Florida Everglades and Chesapeake Bay management programs. The science coordination team members should have the ability to communicate scientific concepts to the general public, resource economists and natural resource managers. This ability will help integrate science and policy on a daily basis. The ERP management entity would be made up of decision-makers who have a scientific background and experience with natural resources management. The independent scientific panel will balance out the political, economic and financial duties of the ERP management entity.

**Integrate CMARP and monitoring into decision-making and the ERP.** Different CALFED decision-making structures will dictate different approaches for integrating monitoring into the ERP.

### **NEXT STEPS**

Meeting participants were advised by CALFED agency representatives that the agencies are reluctant to pursue a new ERP managing entity in the near future and that the impetus for a new entity will have to come from the stakeholders. It was suggested that stakeholders develop a political strategy to make the case for a new entity and to recommend an approach for establishing a new entity that will address agency concerns.

The participants reached two stumbling blocks during their discussion on balancing science and policy making. One was lack of time in the meeting, but more importantly, the other was the need to discuss the issue within the context of the future of overall CALFED decision-making structure and governance. The participants acknowledged that the overall governance issue was a topic that needed more discussion and resolution in other meeting venues. This issue will be discussed at the October 29 and 30 BDAC meeting and the November 12 (noon to 3 p.m.) Assurances Work Group meeting.