

APPENDIX K

Bay-Delta Advisory Council

General Recommendation

The Bay-Delta Advisory Council recognizes that in some important respects the federal Record of Decision (ROD)/state Certification of the CALFED Programmatic Environmental Impact Statement/Environmental Impact Report (EIS/EIR) can only be regarded as the selection of a preferred approach to management of the Delta and its watershed. Potential conflicts among objectives have yet to be fully analyzed and reconciled within the availability of limited resources. Uncertainties in science and technology will require flexibility, and substantial commitments should not be based on highly speculative judgements. The PPA commits to a "through-Delta" conveyance of water for export, and to the pursuit of measures to improve water quality, protection of fish, and to closing the gap between water supply and demand. The purpose of this recommendation is to suggest that CALFED commit to making the analyses that are needed (a) to develop and better refine the CALFED Solution early in the implementation process, (b) to assure that there is a carefully considered balance and integration among goals that compete for limited water and land resources, and (c) to establish the ground rules and boundaries that will govern implementation of the CALFED Solution.

Recommended ground rules include, but may not be limited to:

- a) CALFED commits to compliance with the CALFED Solution Principles.
 - Reduce Conflicts in the System - Solutions will reduce major conflicts among beneficial uses of water.
 - Be Equitable - Solutions will focus on solving problems in all problem areas. Improvements for some problems will not be made without corresponding improvements for other problems.
 - Be Affordable - Solutions will be implementable and maintainable within the foreseeable resources of the Program and stakeholders.
 - Be Durable - Solutions will have political and economic staying power and will sustain the resources they were designed to protect and enhance.
 - Be Implementable - Solutions will have broad public acceptance and legal feasibility, and will be timely and relatively simple to implement compared with other alternatives.
 - Have No Significant Redirected Impacts - Solutions will not solve problems in the Bay-Delta system by redirecting significant negative impacts, when viewed in their entirety, within the Bay-Delta or to other regions of California.
- b) Acknowledgment that as California's population continues to increase, it is expected that water deliveries and associated impacts will reach into new geographic areas and will result in new problems. Potential new problems will occur in terrestrial and aquatic habitat, both export and area of origin (including the Delta), with providing water supply and quality; and with providing land and other resource needs for each of urban, rural, social, environmental, and agricultural purposes.
- c) CALFED commits that every broad or site-specific measure for achieving CALFED goals will be analyzed technically and impartially before adoption and implementation in order to assure compliance

with CALFED's principles, compatibility with other goals, avoidance of significant third party and unmitigable cumulative impacts within a given geographic area and among economic sectors, addressing related environmental justice concerns, and an integrated use of limited natural and financial resources. CALFED will create clear criteria for determining significant third party, environmental justice, and unmitigable cumulative impacts. This will be done and revisions of the plan made by a process described in the ROD/Certification.

- d) CALFED will strive to eliminate dependence on unsustainable groundwater overdraft in any region of the Central Valley and will also strive to eliminate the destructive accumulation of imported salt in soils and groundwater of the Central Valley basins south of the Delta.
- e) CALFED will identify which decisions will be made in Stage I and future stages of implementation.
- f) CALFED will continue to seek and achieve environmental justice. The CALFED Bay-Delta Program and its participating agencies are committed to seeking fair treatment of people of all races, cultures, and incomes, such that no segment of the population bears a disproportionately high or adverse health, environmental or economic impact resulting from CALFED's Programs, policies or actions. In continuing to seek environmental justice, CALFED will develop programs, policies and actions to:
 - identify and evaluate the environmental, health, social , and economic effects of CALFED activities,
 - propose and commit to measures to avoid and mitigate disproportionate effects,
 - seek participation from potentially impacted communities in finding alternatives or solutions to mitigate impacts,
 - improve research and data collection related to the health and environment of minority and low-income populations impacted by CALFED Bay-Delta Programs,
 - support outreach and education activities to improve the public's ability to participate in CALFED decision-making and Program implementation, including transparent and facile public access to data taken from all programs.