

March 18, 1999

Honorable Patricia Bates
 Member of the Assembly
 State Capitol, Room 4009
 Sacramento, CA 95814

Dear Ms. Bates:

Thank you for your letter of February 23, 1999, expressing your support for the approach taken in the CALFED Bay-Delta Program *Revised Phase II Report*, particularly the proposals for use of a variety of water management tools to address California's need for a dependable supply of high-quality water and a healthy ecosystem. We are pleased that you recognize the value of this integrated approach to California's inter-related water management and ecosystem health issues.

We share your desire for improved water quality, improved water supply reliability, and a healthy ecosystem. Indeed, these objectives, combined with improved stability for Delta levees, comprise the four resource areas that we have been working on over the last few years.

We agree with your observations regarding the need for benchmarks to measure progress in achieving CALFED program goals. We are developing a series of these benchmarks for the early ecosystem restoration program already underway and for the implementation of the full CALFED Program. In our Comprehensive Monitoring, Assessment, and Research Program (CMARP), we are designing methods to maximize use of currently available data and methods to monitor progress compared to Program benchmarks.

While regulatory certainty in how the Bay-Delta system is operated is not an explicit Program objective; we are convinced that a program that successfully addresses ecosystem health and water supply reliability will provide the desired regulatory certainty. The December 1994 Bay-Delta Accord has provided regulatory certainty to exporters of water from the Delta by guaranteeing that additional listings of species under the federal and state endangered species acts would not result in uncompensated water losses for exporters. This arrangement has provided time for development of an integrated Bay-Delta Program that will achieve regulatory certainty by accomplishing the Program's multiple goals.

CALFED Agencies

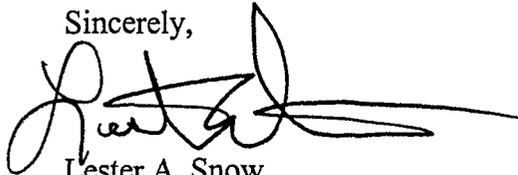
<p>California</p> <ul style="list-style-type: none"> The Resources Agency Department of Fish and Game Department of Water Resources California Environmental Protection Agency State Water Resources Control Board 	<p>Federal</p> <ul style="list-style-type: none"> Environmental Protection Agency Department of the Interior Fish and Wildlife Service Bureau of Reclamation U.S. Army Corps of Engineers 	<ul style="list-style-type: none"> Department of Agriculture Natural Resources Conservation Service Department of Commerce National Marine Fisheries Service
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As you note, assurances that the Bay-Delta Program will be carried out as planned are key to beginning and following up with implementation of a program. We agree that these assurances, for all sectors of California, must be developed before the Program will move into implementation. We would like to suggest that these assurances are not exclusively within CALFED's control, in the sense that the CALFED state and federal administrative agencies can make commitments for their own activities, but cannot commit other branches of government or interested parties to a course of action or a set of policies that will provide assurances to concerned parties. As we view matters, assurances are, in large part, a set of agreements and understandings between interested parties, elected officials, and representatives of administrative agencies. We believe each set of participants has a role to play in providing assurances that the CALFED Bay-Delta Program will be carried out as planned.

Thank you again for sharing your thoughts on the CALFED Bay-Delta Program. I look forward to working with you in the coming months as we move closer to adopting and then implementing a preferred Program alternative for this important part of California's environmental and water resources. Please call me at 657-2666 if you wish to discuss this matter in more detail.

Sincerely,

A handwritten signature in black ink, appearing to read "Lester A. Snow", with a long horizontal flourish extending to the right.

Lester A. Snow
Executive Director