

**YOLO BYPASS WORKING GROUP
MEETING 36**

MEETING MINUTES

MEETING DATE: January 10, 2006; 3 PM – 6 PM

LOCATION: California Department of Fish and Game
Yolo Wildlife Area Headquarters
45211 County Road 32B (Chiles Road)
Davis, CA 95616

IN ATTENDANCE: Robin Kulakow, Yolo Basin Foundation (Foundation)
Jodie Monaghan, Center for Collaborative Policy (CCP)
Beth Gabor, Yolo County
Brad Burkholder, Department of Fish and Game (DFG)
Brett Whitin, US Army Corps of Engineers (COE)
Brian Plude, Brown and Caldwell
Casey Walsh Cady, California Department of Food and Agriculture
Chad Fien, DFG
Chuck Dudley,
Chris Fitzer, EDAW
Craig Isola, US Fish and Wildlife Service (USFWS)
Dave Feliz, DFG Yolo Wildlife Area
Dave Kohlhorst, Glide-In Ranch
David Guy, Northern California Water Association
Debra Chase, Tuleyome
Dennis Kilkenny, Dawsons Duck Club
Dick Goodell, Glide In Ranch
Don Stevens, Glide-in Ranch
Ed Towne, Bullsprig Outing
Greg Kukas, COE
Heidi Rooks, Dept. of Water Resources (DWR)-Department of
General Services (DES)
Laura Patterson, DWR
Linda Fiack, Delta Protection Commission
Marianne Kirkland, DWR
Michael Perrone, DWR
Mark Kearney, Landowner
Matt Kaminski, Ducks Unlimited
Paul Forsberg, DFG
Robert Eddings, California Waterfowl Association (CWA)

Steve Macaulay, California Urban Water Agencies
Ted Sommer, DWR
Teresa LeBlanc, DFG
Tom Harvey, USFWS
Ron Tadlock, Farmer
Sally Negroni, Natural Resources Conservation Service
Selby Mohr, Mound Farms

Introductory Comments

Robin Kulakow called the 36th meeting of the Yolo Bypass Working Group to order. She introduced Jodie Monaghan, the meeting facilitator. She will be filling in for Dave Ceppos who is in Florida taking care of a family emergency. Robin noted that this is the first afternoon meeting of the Working Group. There was a barbecue for Yolo Bypass Landowners in July. One item of discussion at the event was how to encourage landowner attendance at Working Group meetings. It was suggested that it would be easier for farmers to attend if the meetings were held at the end of the day. There was also a request that when introductions are being made at the beginning of a Working Group meeting, that the person also state their affiliation and interest in being at the meeting

The previous meeting minutes were adopted as final.

Update on Delta Protection Commission Activities (Linda Fiack, Executive Director of DPC)

Linda introduced herself and described the DPC. There is a commissioner who's specifically represents hunting interests in the Delta. DPC was founded in 1992 through legislation sponsored by Senator Patrick Johnston. It is a focused local stakeholder group that functions as the voice for those who live, work and play in the Delta. Commissioners represent Delta landowners, Reclamation Districts, three-area council of governments, five different counties, DFG, DWR, Boating and Waterways, State Parks, State Lands Commission, Food and Ag, Sacramento Area Council of Governments, Bay Area Council of Governments, San Joaquin Council of Governments and others. Mike McGowan is the current chairman. It is a good group to bring all perspectives to table. One of the main concerns of the DPC is to preserve resources of the Delta primary zone. DPC's adopted land use and resource management plan for the Delta is part of all five county general plans. This includes agriculture, habitat, water, recreation, and boating, along with other areas of focus. Linda was hired in August as the Executive Director. The DPC is involved in the Delta Visioning Process. The DPC is trying to be more proactive as part of regional collaborations. They are co sponsors of the Lower Bypass Collaborative Process that will begin soon and they coordinate the newly formed Mercury Collaborative. A Delta branding concept is under discussion. This would include common signage, a visitor center, an information kiosks through out the Delta. They hope to start work on a center in June. The DPC is working with the counties on abandoned vessel removal. This is a growing problem. The

DPC submitted a working landscape grant to CBDA last month. The Delta is a small part of each of the 5 Delta counties so it is often overlooked. The mercury issue is very important and one of the goals of the Mercury collaborative is to educate regional board staff about local issue. The Mercury collaborative was formed several months ago. More and more people are coming on board including TNC, all five Delta counties, NRCS, the boating industry, DFG, and YBF. This issue is bigger than many people realize. The Collaborative has written a letter to the Regional Water Quality Control Board once already to comment on the issue. Linda has experience with the mercury issue from her time with the Yolo Co, Planning Dept. DPC meetings are held in Walnut Grove, every other month. Flood protection is the main issue on the January 26th agenda. State Senator Tom Torlakson will be talking about a Delta wide trail that would meet with the East Bay trail. There will also be discussion of the governor's finance plan regarding an infrastructure bond for levees. DPC works closely with DWR and the local office of emergency services on flood issues. There are some communication technology inconsistencies between counties for emergency backup. DPC will help with discussion of coordination of emergency services. COE has \$90 million for flood control and implementation of CBDA goal. The COE is looking for projects that are \$7 million or less. They want RD's and other flood project proponents to submit projects even if they don't have a local match or meet the \$7m guideline criteria. The COE intends to show Congress about the flood control problems local RD's are facing. The COE report to Congress is due in May, 2006 so they are on a fast track and are asking for project input by early February. They are on a fast track. Linda provided handout with additional details about the Delta Protection Act, the DPC, the Management and Land Use Plan, and a map of the legal Delta, including the primary and secondary zones. Visit the DPC website on DPC programs. (www.delta.ca.gov)

Update on Yolo Bypass RMA2 Model (Greg Kukas, US Army Corps of Engineers)

Greg Kukas is the project manager for development of the Yolo Bypass RMA2 model. Dan Tibbitts and Bret Whitin are members of the project team. The project is a partnership with The State Reclamation Board and Department of Water Resources to develop a 2 dimensional computer model to look at impacts of changing land use on surface water elevations when the Yolo Bypass is at the designed capacity flood event. A draft model is completed. The model consists of about 85,000 elements knitted together to represent topography of the Bypass. Each element is assigned a coefficient of friction representing its effect on the velocity of the floodwaters. The project team used data from the 1997 flood event to calibrate the model. Project proponents will use the model to show the effects of a project to The Reclamation Board during the permitting process. The project includes working with the end users and other stakeholders in a Modeling Technical Advisory Committee (MTAC). The MTAC met yesterday to discuss the draft model. A draft model and office report is available for review. Contact Mike Mirmazaheri, <mikemi@water.ca.gov> at DWR for a CD with a copy of the COE's report and the data sets and code to run the model. The next step

is to finalize report, develop a user's manual and technical handbook, and respond to reviewers' comments. The project team will work closely with Dave Feliz on a case study modeling proposed land use changes on the Tule Ranch portion of the Yolo Wildlife Area. This work coincides with DFG's development of a Land Management Plan for the lands purchase by DFG in 2001 and will be part of the permitting process required by the State Reclamation Board. The Case study will become part of the Users' Handbook. The plan is to wrap project up in Sept. 2006. Greg will come back to the Working Group around Sept. to go into more detail on the final model. The geographic scope of the model is from just below the Fremont Weir to Rio Vista. It also includes a few segments of some tributaries. It can be used to compute water surface elevation and velocity using project topographic and roughness data. It is specifically to be used for flood level analysis; anything less than about 200,000 cfs is not feasible. Completing the model to the draft stage is a big milestone for the COE. The model may eventually be expanded to include the Sacramento and Fremont Weirs specifically. The flows are too complex right at the weirs to be modeled with this project. Why are they so difficult to model? The hydro dynamics are very different at the weirs compared to the main Bypass. Bret will work closely with Dave Feliz on the case study. How does the model deal with tidal effects? It can simulate unsteady effects such as tides but only under flood conditions. How was roughness assigned? The calibration represented two main conditions in the Bypass... fallow fields and grasslands. Others are based on professional judgment and are assigned values defined by other references. Have any runs allowed evaluation of the recent expansion of tidally influenced habitat in the south Bypass. A lot of open water was noted in development of the model. Restricted height levees by little Holland tract are noted in the model. There was a question on if fencing is taken into account in the model. Many are acting as small dams and are full of tules today. Greg said that if flood water over 15 ft deep, the effects of vegetation is negligible.

Update on Yolo Bypass Wildlife Area Hunting Season (Dave Feliz, DFG Yolo Wildlife Area)

The RMA2 model is key to planning for the Yolo Wildlife Area. The case study will be very important. The original case study area was to be the Causeway Ranch. It will be shifted down to Tule Ranch. Rice farming on the Causeway Ranch has become an important source of income for Wildlife Area operations and consequently much of the Causeway Ranch will most likely remain in agriculture rather than managed wetlands as originally thought. Opening day of hunting: 16 blinds filled with 50 free roam areas available for a total of 2200 acres in hunting. The Tule Ranch was open for pheasant season. This added another 488 hunt able acres. Ducks can be hunted on all 2800 acres. X?? acres of wetlands hunted. The South unit (aka Closed Zone) was going to

be open for a junior hunt. A junior pheasant hunt was held in November. Quite a few kids came out and had a good time. An important milestone has been reached in the Wildlife Area hunting program; the same number of mallards were shot as shovelers. Many people are concerned about wild migratory birds carrying avian flu. A day of sampling by UC Davis scientist was held in November. It was a huge media event with local and national coverage. We haven't seen result of the bird testing yet. They used high tech equipment to sample the air for viruses...avian flu or cholera were not found. There is thought that this flu might be found in wild birds in Asia and some of the birds found in the USA mingle with them in their winter or summer grounds but its thought that the main threat is with commercial poultry or pets. 3261 ducks were shot on 5500 acres. It was considered a moderate year. First nesting season was wiped out by May flooding. The second nesting season seemed pretty successful. Another important milestone was also reached: The Same number of hunters as school children visited the Wildlife Area. The number of hunted acres is steadily going up each year. Dave described the flood conditions in the Bypass. The Central canal pumps were flooded up to the bottom of pumps. They will probably have to be sent to a shop for clean up. What is the peak number of birds found on the Wildlife Area at one time? Dave noted that no more ground surveys are done due to funding cutbacks. When it was surveyed several years ago the numbers were peaking at 139k. Now the numbers are probably around 239k. Dennis Kilkenny expressed his frustration saying there may be others. Ever since the Wildlife Area was established duck hunting on the clubs to the south has decreased significantly. He said that the club hunting areas are not doing well. He was under impression that 75% of the Wildlife Area would be hunted. There are thousands of ducks sitting in rice and very few in south area. Dave explained that the birds being seen along I-80 are in a fairly narrow band that area can't be hunted. He expanded the hunting area to include a large area of rice fields. The birds are moving in and out of the hunting area. It looks like closed zone in any other refuge just that is much more visible since it is along the highway. Dave explained that this is a good thing because of large numbers of people are seeing birds. We get a lot of complements. People who see the birds are more likely to support funding of state wildlife area. The southern part of area (Tule Ranch) is being grazed. There is not a green light to restore wetlands on the Tule Ranch. One main factor in the expansion of wetlands for hunting is the lack of funding to manage additional acreage. Another possibility is to grow rice on the Tule ranch but its difficult due to the cooler climate. That would bring ducks down there. In the future there will probably be a closed zone adjacent to the Duck Clubs to the south. That could improve hunting conditions for them. Comment from other hunter: you don't have to flood the rice or you do not have to flood so early. That would distribute birds more. Dave explained that as a DFG wetland manager his goal is to attract birds and provide good hunting for public hunting. Over 4,000 hunters have used this public area. Dave Kohlhurst commented that it should be considered that the clubs have been here for 30 years. One idea is to flood around Dec. 15th but if DFG had waited there would have only been one week of

birds in the rice before the Bypass flooded. Comment by a Duck Club member: great hunting has been taken away. The birds used to rest on clubs and move between them. Dave said that the total number of birds has probably increased in the Bypass as a whole but the distribution has changed. Selby Mohr said that this group was formed to develop a management strategy. He referred to his father hunting in the Bypass 50 years ago. 1000 acres was probably flooded then and it still is but its been shifted. He wants DFG to look at the flooding overall, to plan for flooding 1000 acres including clubs also. Maybe flood ponds further south first? Greg Isola with USFWS said that the only thing that has changed is that there are more flooded acres in the Delta, on Conaway, Swanston, and 330k flooded rice farther north. He doesn't think the Yolo Wildlife Area is the only reason the birds have changed distribution. Dave: there is more food around than birds can possibly eat. Dick Goodell...having a show of birds along the highway is not the goal/reason for managing birds. From DFG's point of view this is not a bad thing. It isn't the goal but it is a benefit. DFG's funding circumstances must change and non-hunters are part of that equation. We can't rely on just hunters for funding in the long term. Question on whether hunting area is full: Dave said they fill up almost all of the time. There is more and more use every year. DFG tries to make hunters welcome. By not crowding hunters in DFG is providing a good quality place to hunt. They try to make it family friendly. Are bird watchers being charged? Not at this time, there is no way to collect money at this time. It was tried before unsuccessfully on other areas about 15 years ago. Sacramento National Wildlife Refuge now charges \$3.00 per car. It's been a successful program. A duck stamp can be purchased to cover the entry fee. DFG needs to do something about funding and it shouldn't just be the hunters. Dennis Kilkenny states that now that I've vetted my frustration...you do a very good job. You've got a big job...applause from group.

Update on Yolo Bypass Wildlife Area Land Management Plan (LMP) and CEQA (Dave Feliz and Chris Fitzer, EDAW)

A public information meeting was held on Dec. 12, 2005 DFG took some comments then. Chris Fitzer works for EDAW and they have the contract to prepare the LMP and CEQA documents. He passed around a handout that summarizes the public outreach efforts to Dave. Focus meetings held when Dave Feliz and Robin Kulakow thought they would just write the plan. Minutes taken at the meetings and those comments will be considered. Chris Fitzer gets to digest all of the comments. EDAW is also looking over all Working Group meeting and focus meeting minutes plus new comments. A Stakeholder Working Draft of the LMP will be out Mar 16. It will be available on the YBF website. Also CDs will be available at the Yolo Wildlife Area Headquarters. Following release of the stakeholder working draft, a series of focus meetings will be held. Five meetings are planned. We will consider others if they are suggested. The current list of focus meetings includes public use, agriculture,

mercury, flood protection, and fisheries resources. There will be technical experts on mercury at the mercury focus meeting. We will then take comments generated at focus meetings and will work them into public draft that will be released in May for a 30 day review. The final plan is due out Oct. 31, 2006 along with the Initial Study (IS), the environmental review. The idea of a stakeholder working draft is an extraordinary effort for stakeholder involvement that is not required. We did want to make sure that our neighbors could comment early on. The Working Group will have input in the planning process before the draft LMLP goes out for public comment. Prior to public scoping meeting information was sent to Working Group participants on how and when to provide comments. We have received lots of comments. The original deadline was Jan. 6 but we will still take comments. There is still plenty of time. This is a good time for you to write down your interests and concerns. The question was asked: What is the definition of flood protection. Dave answered that we can't affect the design capacity of Yolo Bypass. Projects will have to be run through the RMA2 model previously described. Robin Kulakow asked that people who do not use email contact her if they want to receive information on the LMP through regular mail. Notice of the focus meeting schedule will be sent out to Working Group participants.

Update on Colusa Basin Drainage Concept and the Working Group's Colusa Basin Committee (Dave Guy, Northern California Water Association and Steve Macaulay, California Urban Water Agencies)

Dave Guy gave a summary of the Colusa Basin Drainage Concept. A study was done last year supported by the Northern California Water Association, various urban water agencies and others to look at the Colusa Basin Drain. The study was aimed at gathering information on the flows and quality of the Colusa Basin Drain, in anticipation that a further study would be done on potential projects to improve quality of water in the Sacramento River and provide water supply benefits to the Yolo County region. Three pieces were looked at in the study. The study looked at operations of the Colusa Basin Drain. (Map was distributed.) The Knights Landing Ridge Cut was built as a flood control structure. This study looked at the summer use of the Ridge Cut. The second piece was to look at flow patterns into the Sacramento River and what is in the water. What is the effect of the Colusa Basin Drain on the quality of the Sacramento River. Several conclusions were reached: the Colusa Basin Drain flows are variable, the primary flows are in August and they tend to coincide with releases of rice water. There is organic carbon and other constituents at slightly less loading levels than in the Sacramento River (although the concentrations were higher). This was a surprise. Water constituent levels that are important to urban users may not be a concern for ag use. The study concluded that the quality of water for ag is ok. A detailed presentation on the study was made to the Working Group last year. Where are we now? Is there enough information to justify going on to a phase 2 study? Are there enough potential benefits to the urban water users for them to be willing to

pay for the study? Steve explained that it is unclear based on the phase 1 results whether there would be a benefit for drinking water. Nutrients and organic carbon are not a good thing for drinking water since they pose problems for drinking water treatment systems. If it is possible to reduce these constituents, and see measurable decreases at drinking water intakes, then there may be a benefit for urban users. Urban water users are likely to participate in a study, and ultimately in a feasible project(s), if a project with multiple benefits can be found. Urban users want to do a fatal flaw analysis, consisting of some initial technical work to see if there might be improved quality at drinking water intakes and to examine whether diversion of water from the Colusa Basin Drain is workable from a water rights standpoint. Phase 2 would do water quality modeling work to see how the river system works. Steve said that no matter where this effort goes, we cannot afford to throw away any water supplies these days. Phase 2 is still under discussion. Ron Tadlock participated in the Working Group Colusa Basin Drain subcommittee. Bringing Colusa Basin Drain water into the Bypass as an additional supply is a good idea. However, landowners that would benefit are not participating in the meetings. The downstream users are concerned about taking on the responsibility of water if something toxic is found in it...they don't want to be liable for it. Quality and responsibility needs to be looked at before landowners want it. Only a few landowners are involved. Dave Guy asked if Dave Feliz wants the water for the Wildlife Area. He answered, only if it is good quality. There is concern that organic carbon plays a role in mercury methylation. The Duck Clubs are worried about flooding on the east side of the toe drain with additional flows into the Bypass. What is the volume of water that would be coming down? Dave Guy said he could get the numbers. Dave Guy stated that this is not an all or nothing idea, and any practical project that might be developed would control flow to prevent downstream problems. DWR can control distribution of the Drain water at outflow gates. The capacity of the Colusa Basin Drain is about 2,000 cfs, and any controlled releases into the Toe Drain would be released in the summer and fall. Additional monitoring is not being done now, and it is expensive. Chuck Dudley said that he has observed 2 times when a lot of water flows in Drain, when rice water is released and if there is a rain in May rice growers will release a lot of water. This could cause some flooding. Chuck Dudley suggested that the water really should go to the Yolo-Zamora area of Yolo County for ag use and ground water recharge. Tim O'Halloran with Yolo Flood Control and Water Conservation District has talked about that concept also. Steve Macaulay stated that if you can find multiple benefits then a project could be worthwhile. There could be an ag benefit and maybe a benefit for water quality. Colusa Basin Drain water is low in organic carbon loading compared to other sources tributary to the Sacramento River. It adds some but it's not the largest contributor. Don Stevens said he remembers studies done 10 years ago and water pollutants levels were high. Dave Guy said that studies this time show differently. Rice farming has changed dramatically so water quality may have improved. Dick Goodell asked—what is driving this? Steve Macaulay said that it is a collection of people that intuitively

thought there might be a benefit so they funded a study, and that this idea arose to his knowledge 30 years ago when Jerry Meral was Deputy Director of DWR. Dave Feliz asked -were there any ideas on what the water use needs are in the Bypass? For example – wetland managers usually can't use water in August and Sept. due to mosquito control and weed problems plus the new information on mercury problems. The next step is to answer whether there are projects that would merit spending the money...water quality was not as big a problem as originally thought, and flows are not as reliable as they had hoped.

Status of the Lower Yolo Bypass Stakeholder Collaborative Process (Brad Burkholder, DFG)

YBF funded a feasibility assessment on lower Bypass issues. CCP conducted the assessment and concluded that there is enough support to start a formal collaborative process to develop a management plan for the Lower Bypass. DFG is looking at carrying out CCP's recommendations. A draft scope of work is done but still needs a little work and a budget. The project area includes Little Holland, Liberty and Prospect Island and adjacent lands. This would be a formal collaborative process, much more so than the Yolo Bypass Working Group. The goal of the collaborative process would be to develop a plan on how to manage that area. What is driving this? Flood control: Little Holland levees have been breached. There is significant vegetation growth. There has been a lot of pressure on DFG to manage the lands. However, there are a lot of liabilities that DFG is concerned about, especially related to responsibilities for and compatibility with flood control maintenance. The stakeholders want to ensure that a strategy is developed that minimizes potential impacts and liabilities to affected parties. The potential management liabilities would apply to any entity and this effort should contribute greatly towards development of a balanced approach and plan for resolution.

Discussion / Analysis of Recent Challenges, Constraints, and Status of the Agricultural Waiver Program (Dave Guy)

There is a series a water quality laws in CA known as Porter-Cologne. For 20 years there was an Ag waiver assigned by the Regional Water Quality Control Board. Some legislation passed in 1999 said that if you have a waiver you have to meet more stringent guidelines. It's really not a waiver...there are some stringent regulations. Farmers can be part of a watershed group or they can get their own permit from the Regional Board. In 2001 NCWA put together the Sacrament Valley Water Quality Coalition. Goals of coalition include a nested approach that coincides with the Regional Board's jurisdiction. They set up sub watersheds. There is the Yolo Solano Coalition. Determining the water quality in a sub watershed is the first step...four sites are being monitored around the Bypass as part of the Coalition's commitment. There has been some toxicity at the Z drain site but not enough to trigger the next step.

Mostly very little pesticide has been found in the water. There are other issues like boron levels. There have been very positive monitoring results on broad level; about 3 percent of the sampling sites have problems with pesticides. The Coalition submitted an annual report as required under the waiver. If toxicity found you file a report with the Regional Board with an action plan to address problem. Physical solutions include things like the Colusa Basin Drain study. The Coalition has submitted a monitoring program for 2006 that includes Yolo and Solano sites. Fees are now required by the Regional Board at \$.12 per acre. The Regional Board wants a list of participants in each watershed group. Yolo-Solano will be submitting list of non-responders. The Mercury TMDL has some major implications for this area. He encourages people to look at the draft TMDL plan. John Currey, who manages the Yolo-Solano sub watershed group, was unable to attend. Casey Walsh Cady asked – what has the response been by the Regional Board to the monitoring reports? According to Dave Guy the Regional Board staff has not been responsive to positive data to date. The Coalition has hired experts to back up actions in response to the Regional Board. If there is going to be a problem it will be with the pyrethroids. Dave passed out letter to the Regional Board with the annual report.

**Discussion / Analysis of Recent State-Level Reviews, Proposed Changes, and Associated Stakeholder Impacts of CALFED Restructuring
(Steve Macaulay and Dave Guy)**

CBDA has been going through a lot of scrutiny. Dave and Steve will give an update on the effects of this. Steve described the handouts he distributed – Water components of Governor’s Strategic Growth Plan, 4 pages from Governor’s budget released today, and a draft of the CALFED 10-year plan. In the Governor’s road map they are embracing integrated water management plan investments and aggressive flood control investments, with bonds of \$3 billion next year and another \$6 billion in 2010. The Governor’s office will embrace the Ecosystem Restoration Plan (ERP) of CBDA and an integrated water management plan. What are proposals to reinvent CBDA? #1 we need to re-look at the Delta and what it will become. AB1200 requires DFG/DWR to look at ecosystem restoration and flood control in the Delta, in the context of the long-term health of the Delta levee systems, and report on it. The long-term process of looking at the future of the Delta will not be done under CBDA but as a directive from the Governor. Joe Grindstaff and Lester Snow (DWR) want this to be done outside DWR as well. The second thing is hidden in the 10-year plan – fisheries agencies and water users will do an HCP/NCCP (Federal habitat conservation plan, State natural communities conservation plan) for the Delta. This is a long term planning process in the context of what potential beneficiaries will want including water users, flood control, and endangered species. Funds for this will come from water users who are willing to put up \$6-\$7 million /year to fund this effort. The Governor’s program in the CBDA 10-year plan includes reinforcement of the need for an independent science

program. It was an effort supported by the CBDA science program that recently concluded that recent fishery agency biological assessments for salmon did not use the best available science. The science program also commissioned an independent review of Delta smelt programs. While that review was generally positive, it also concluded that such programs need to look at all of the effects that may have contributed to the smelt population crash over a long period of time, not just events of the past three years. The commitment to science should be continued. How will the science program be funded? This will all go to the Legislature. Reinventing CBDA will mean a change in governance. A new state advisory committee will be established, replacing the current Bay-Delta Public Advisory Committee which for legal reasons has only been able to advise federal agencies and not the Bay-Delta Authority as a whole.. There will more institutional linkages with federal agencies. There is a recommendation to abolish the CBDA appointed board. It is a mixture of oversight and implementation, as set forth in the implementing legislation. The Little Hoover Commission says those functions should be separate. There will some body created that will provide independent oversight.

Dave Guy said that the Little Hoover Commission, KPMG, State Dept. of Finance, and an appellate judge as well all concluded that CBDA is dysfunctional. CBDA put out a finance plan last year that was rejected by most stakeholders. All this killed CBDA. You can't just say it is gone. What will it become? Governor's strategic growth plan deals with some issues that CBDA left out. It is important to identify the problems causing the population crash of the Delta smelt. There is, however, an increase in salmon and steelhead runs. Where is all of this going? Levee debate is the big one. When people start paying for levee fixes, will people want to pay to bring levels up to standard? Dave Guy thinks it will lead to a peripheral canal discussion as part of strategic growth plan. A lot of this comes back to financing. What are the voters willing to pay for? A water resources investment fund would be created through a tax on retail water users. CBDA as we know it is gone. According to Dave Guy, we have a bold vision laid out by the governor.

Steve asked how would the vision be implemented? There would be a state oversight committee that would advise the Secretary of Resources. Members would be appointed. They would be different than stakeholder advised committees. Implementation would be the responsibility of a new Water Policy Committee, presumably consisting of top representatives of all the state and federal implementing agencies. In order to create all of this the law needs to be changed, and a legislative package will soon be introduced. Steve doesn't agree with Dave that people will walk away from fixing the levees. This will come out of the Delta visioning process. He expects that the Administration will come up with a proposal for who will be in charge of the Delta vision. CBDA has accomplished a lot, for example the ERP. Ground

water programs are new, and many other accomplishments have been made. However, the need for stronger leadership and a large number of serious problems, including funding limitations, requires major changes to the program.