

2009 Current Fiscal Year Report: California Bay-Delta Public Advisory Committee

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1. Department or Agency

Department of the Interior

2. Fiscal Year

2009

3. Committee or Subcommittee

California Bay-Delta Public Advisory Committee

3b. GSA

Committee No.

10765

4. Is this New During Fiscal Year? **5. Current Charter** **6. Expected Renewal Date** **7. Expected Term Date**

No 11/24/2008 09/30/2009

8a. Was Terminated During Fiscal Year? **8b. Specific Termination Authority** **8c. Actual Term Date**

Yes 5 U.S.C. Appendix 09/30/2009

9. Agency Recommendation for Next Fiscal Year **10a. Legislation Req to Terminate?** **10b. Legislation Pending?**

Terminate No

11. Establishment Authority Agency Authority

12. Specific Establishment Authority **13. Effective Date** **14. Committee Type** **14c. Presidential?**

P.L.108-361 & 16USC661&1531/43USC391/34USC3401 10/25/2004 Continuing No

15. Description of Committee Other Committee

16a. Total Number of Reports No Reports for this Fiscal Year

17a. Open 0 **17b. Closed** 0 **17c. Partially Closed** 0 **Other Activities** 0 **17d. Total** 0

Meetings and Dates

No Meetings

Current Next
FY FY

18a(1). Personnel Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel Pmts to Federal Members	\$0.00	\$0.00
18a(3). Personnel Pmts to Federal Staff	\$0.00	\$0.00
18a(4). Personnel Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$0.00	\$0.00
18b(2). Travel and Per Diem to Federal Members	\$0.00	\$0.00
18b(3). Travel and Per Diem to Federal Staff	\$0.00	\$0.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Administrative Costs (FRNs, contractor support, In-person/hybrid/virtual meetings)	\$0.00	\$0.00
18d. Other (all other funds not captured by any other cost category)	\$0.00	\$0.00
18e. Total Costs	\$0.00	\$0.00
19. Federal Staff Support Years (FTE)	0.00	0.00

20a. How does the Committee accomplish its purpose?

The Committee was established in 2001 to provide recommendations to the Secretary of the Interior and the Governor of California through the CALFED Policy Group, or its successor, on the implementation of the CALFED Bay-Delta Program (Program) as described in the Programmatic Record of Decision (ROD) signed August 28, 2000. On January 1, 2003, the California Bay-Delta Authority (Authority) was

established by State legislation as the governing body for Program implementation, becoming the successor to the Policy Group. The purpose of the Committee was to provide recommendations on implementation of each element of the Program through the completion of Stage 1 (2000-2007) of a 30-year program. The CALFED Bay-Delta Authorization Act (P.L. 108-361), signed into law on October 25, 2004, authorized Federal participation in the Program through 2010, extending the need for an advisory committee through that date. Sec. 104 of that Act reads "In carrying out the Calfed Bay-Delta Program, the Federal agencies shall cooperate with local and tribal governments and the public through an advisory committee established in accordance with the Federal Advisory Committee Act..." The Committee was supported by six Subcommittees -- Water Supply Reliability, Ecosystem Restoration, Water Quality, Levee System Integrity, Program Performance and Financing, and Steering Committee. These six Subcommittees advanced recommendations to the full Committee for discussion and consideration for recommendation to the 25 implementing agencies through the Secretary of the Interior. The Committee made recommendations on annual priorities and coordination of Program actions to achieve balanced implementation of the Program elements and on effective integration of Program elements to provide continuous, balanced improvement of Program objectives. The Committee provided input into the Annual Report on Program implementation and direction. The Secretary was required under the legislation to provide this Report to all Congressional authorizing and appropriating committees on behalf of those Federal CALFED agencies with responsibility for

Program implementation. While the Committee has not met since June 2007, the Federal implementing agencies have continued to meet the statutory reporting requirements of P.L. 108-361 in coordination with the State.

20b. How does the Committee balance its membership?

Membership was made up of qualified representatives of Indian tribes and stakeholder groups, including environmental justice representatives. The 20 to 30 Committee member seats were selected based on experience and expertise in relevant fields, such as ecosystem restoration, agriculture, hydrology, urban water management, fishery biology, water quality, flood management, water conservation and recycling, affected by the health of the Bay-Delta.

Membership balance and diversity was reflected by the geographic diversity and interests of individuals who represent those affected by the health of the Bay-Delta. Membership dropped to 13 in 2008 with no plan to nominate new members, creating a void in representation of balance and diversity on the Committee.

20c. How frequent and relevant are the Committee Meetings?

The Committee generally held three full Committee public meetings annually and one joint meeting with the Authority, CALFED Program governing body. The Subcommittees met on a monthly or bimonthly basis as needed. In FY 08 the Committee was unable to meet, however the Subcommittees met on a less regular basis. This was due to other initiatives underway and endless meetings of the Governor's Delta Vision process to have a Vision and a Strategic Plan for the Delta completed by December 2008. This initiative,

along with the Bay-Delta Conservation Plan, and the expiration of eight appointments, made getting a quorum for a full Committee meeting, or appointing new members, next to impossible as many of the same stakeholders were engaged in these other efforts. In FY 09 it became even more difficult to keep focus on the CALFED Bay-Delta Program, so neither the Authority or the BDPAC held meetings.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

The CALFED Bay-Delta Program (Program) was an unprecedented effort to build a framework for managing California's most precious natural resource--water. Neither the State nor the Federal Government, acting alone, could accomplish the balanced, integrated implementation of the Program. Due to the unique purpose of the Committee, there was no other Federal advisory committee that could be tasked to perform the advisory functions of the Committee. Further, because of the nature of Program implementation and the need for numerous and frequent meetings of the Committee to advise the Secretary of the Interior, the use of public hearings was not practicable. In November 2009, the State Administration and State Legislature passed legislation creating a new governing structure for the Delta with broader responsibility than was under the CALFED umbrella. The need for the BDPAC as it was originally chartered is no longer relevant.

20e. Why is it necessary to close and/or partially closed committee meetings?

All Committee and Subcommittee meetings were open to the public and noticed by the State of California under State laws of noticing meetings.

Full Committee meetings were noticed in the Federal Register.

21. Remarks

The California Legislature passed and the Governor signed legislation in November 2009 creating a new governing structure for the Delta, replacing the existing California Bay-Delta Authority, effective February 2010. Under this new governing body, the purpose for which BDPAC was created is no longer relevant and any need for a FACA committee in the future would take on an entirely different scope. BDPAC has not met since June 2007 nor is there any plan to nominate new members to maintain the balanced and diverse membership of the 20 to 30 member Committee.

Designated Federal Officer

Donald R. Glaser Regional Director, Mid-Pacific Region, Bureau of Reclamation

Committee Members	Start	End	Occupation	Member Designation
Bobker, Gary	10/16/2001	09/30/2010	Program Director, The Bay Institute	Representative Member
Cabaldon, Christopher	10/16/2001	09/30/2010	Mayor, City of West Sacramento	Representative Member
Coglianesse, Marci	10/16/2001	09/30/2010	City of Rio Vista	Representative Member
Davis, Martha	10/16/2001	09/30/2010	Strategic Policy Director, Inland Empire Utilities Agency Assistant General Manager,	Representative Member
Gartrell, Gregory	10/16/2001	09/30/2010	Planning and CALFED Studies, Contra Costa Water District	Representative Member
Hunt, Gary	10/16/2001	09/30/2010	Partner, California Strategies Supervisor,	Representative Member
Meacher, Robert	10/16/2001	09/30/2010	District 2, Plumas County Board of Supervisors	Representative Member

Meral, Jerry	10/16/2001	09/30/2010	Planning and Conservation League Foundation	Representative Member
Nelson, Barry	10/16/2001	09/30/2010	Senior Policy Analyst, Natural Resources Defense Council Executive	Representative Member
Nelson, Dan	10/16/2001	09/30/2010	Director, San Luis & Delta-Mendota Water Authority Executive	Representative Member
Quinn, Timothy	10/16/2001	09/30/2010	Director, Association of California Water Agencies	Representative Member
Stapleton, Maureen	10/16/2001	09/30/2010	General Manager, San Diego County Water Authority	Representative Member
Zuckerman, Thomas	10/16/2001	09/30/2010	Co-Counsel, Central Delta Water Agency	Representative Member

Number of Committee Members Listed: 13

Narrative Description

The California Bay-Delta Public Advisory Committee provided recommendations to the implementing agencies through the Secretary of the Interior on implementation of the CALFED Bay-Delta Programmatic Record of Decision. In doing so the Committee made recommendations on effective integration of Program elements that provided continuous, balanced improvement in the areas of ecosystem restoration, water quality, levee system integrity, and water supply reliability. This supported protection of the Nation's natural resources using the best available science. The concepts of the CALFED Program supported and served as a model for the Department's Water for America initiatives. The Committee typically held four full Committee public meetings annually, while the Subcommittees met on a monthly or bimonthly basis as needed. In years 2007, 2008 and 2009, other initiatives and endless meetings took over, specifically the Governor's Delta Vision process to have a Vision and a Strategic Plan for the Delta completed by December 2008. This initiative, along with the Bay-Delta Conservation Plan, and the expiration of eight appointments, made getting a quorum for a full Committee

meeting, or appointing new members, next to impossible as many of the same stakeholders were engaged in all three efforts. Much of the focus on the Delta and the State's water supply changed and new dynamics came into play changing the need for BDPAC as it was originally chartered.

What are the most significant program outcomes associated with this committee?

	Checked if Applies
Improvements to health or safety	<input checked="" type="checkbox"/>
Trust in government	<input checked="" type="checkbox"/>
Major policy changes	<input type="checkbox"/>
Advance in scientific research	<input checked="" type="checkbox"/>
Effective grant making	<input type="checkbox"/>
Improved service delivery	<input checked="" type="checkbox"/>
Increased customer satisfaction	<input checked="" type="checkbox"/>
Implementation of laws or regulatory requirements	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

Outcome Comments

NA

What are the cost savings associated with this committee?

	Checked if Applies
None	<input type="checkbox"/>
Unable to Determine	<input checked="" type="checkbox"/>
Under \$100,000	<input type="checkbox"/>
\$100,000 - \$500,000	<input type="checkbox"/>
\$500,001 - \$1,000,000	<input type="checkbox"/>
\$1,000,001 - \$5,000,000	<input type="checkbox"/>
\$5,000,001 - \$10,000,000	<input type="checkbox"/>
Over \$10,000,000	<input type="checkbox"/>
Cost Savings Other	<input type="checkbox"/>

Cost Savings Comments

NA

What is the approximate Number of recommendations produced by this committee for the life of the committee?

30

Number of Recommendations Comments

The Committee did not meet in FY 09, therefore no recommendations were made. CALFED Program implementation is carried out by 25 Federal and State agencies making the CALFED structure unique in that only four of those agencies are under Interior. However, the BDPAC and its Subcommittees have provided a significant number of recommendations on Program implementation to implementing agencies over the life of the Committee.

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

100%

% of Recommendations Fully Implemented Comments

NA

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

0%

% of Recommendations Partially Implemented Comments

NA

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes No Not Applicable

Agency Feedback Comments

Feedback has been provided through the Subcommittee and full Committee meetings and various other CALFED Bay-Delta Program forums.

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

Reorganized Priorities

- Reallocated resources
- Issued new regulation
- Proposed legislation
- Approved grants or other payments
- Other

Action Comments

NA

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

How is access provided to the information for the Committee's documentation?

Checked if Applies

- Contact DFO
- Online Agency Web Site
- Online Committee Web Site
- Online GSA FACA Web Site
- Publications
- Other

Access Comments

Meeting materials for the full Committee and its Subcommittees can be found at <http://calwater.ca.gov> which is also linked from this GSA FACA database. Summary reports for each full Committee meeting can also be found at the same website. The office of the DFO also has transcripts/tapes of all full Committee meetings.