

Invitation to Participate in Development of the Bay Delta Conservation Plan (BDCP)

This is an invitation to participate in the development of the Bay Delta Conservation Plan (BDCP). To ensure that all those with an interest in participating can do so, there are several ways in which you can become involved:

Public Meetings

A BDCP public meeting will be held in mid June and subsequent public meetings will be held every four to six weeks as the draft BDCP is developed. Agendas will be posted on the BDCP website. Progress of the working groups and BDCP management committee will be reported at these meetings and will be subject to open discussion. These meetings will be open to participation by all interest groups and members of the public. Progress on BDCP will also be described.

Working Groups

The completion of the draft BDCP is dependent upon the resolution of a number of key issues. In order to assist in effectively resolving these issues, a working group process is being implemented that will focus on stakeholder participation on specific issues. Each working group will be comprised of representatives from stakeholder organizations with an interest in that particular issue and with working knowledge that will contribute to improved information sharing and decision-making. Stakeholders need not have signed the BDCP Planning Agreement to participate in a working group.

All working group meetings will be open to the public. Working group membership will be limited to approximately 12 stakeholders, not including state or federal agency representatives. Depending on the level of interest in any of the working groups, organizations representing similar interest groups may be asked to narrow their constituencies' representation to no more than two or three organizations.

In order to foster constructive discussions, working group composition will reflect as broad a range of interests and perspectives as practicable on any particular issue. At this time, it is anticipated that most working groups will include some combination of local agencies, water contractors, environmental advocates, and community groups that represent local, recreational, agricultural, industry and/or land-managing interests, among others.

The composition of each working group will necessarily differ, but the overarching criteria for participation will be uniform: a commitment to active participation, a willingness to engage in a constructive manner, an identifiable interest in the subject matter and outcome, and local or subject matter knowledge or expertise. Individual working group members will be expected to have the maximum ability to speak for their organization or interest group. If "checking back" is needed, the organization or interest group must have a process in place for timely feedback. The meetings will be formatted to facilitate problem solving. Work products expressing individual working group member input and recommendations may vary depending on the nature and status of issues addressed. Federal agencies participating in BDCP are neither establishing, nor seeking consensus recommendations from, the working groups.

Please reply to working.groups@resources.ca.gov by midnight, May 27, to indicate your interest in participation in any of the working groups. Although some preliminary work has been done to anticipate the interest levels of various stakeholders for each working group, your direct input at this stage would be very helpful. Please list all working groups in which your organization wishes to participate, and limit your response to one individual per organization for each working group.

May 23, 2011

Working group issues are described at the end of this memo, including expected timelines. The BDCP Management Committee will facilitate coordination among working groups as needed.

What is expected of working group members? What are the ground rules?

Working group members will be expected to be familiar with the chapters of the draft BDCP relevant to their group. Materials will be sent out in advance of some meetings, and working group members will be expected to be familiar with the materials. The subject matter of each working group will be tightly defined. A leader will be identified for the working groups and will limit discussion to items on the agenda. The working groups are intended to solve problems, facilitating progress in completing a successful BDCP. Working groups are not a forum for discussions about BDCP in general. Working group members must be respectful of one another, not give speeches, address the problem at hand, and work cooperatively.

How often will working groups meet?

Working groups will typically meet every two weeks. A meeting schedule will be developed for each working group. Working group participants are expected to attend all meetings of the working group. Meetings will generally last two to three hours, but some may last all day. Meetings will be held in Sacramento, the Delta or the Bay Area.

How will working groups be expected to address issues?

Each working group will be provided with a summary of the key outstanding issue(s) the working group is to address. Working groups will meet to discuss outstanding issues within their charge that must be resolved prior to the completion of BDCP. The goal of each working group will be to provide an opportunity for input from the individual group members on each issue presented for their consideration

Working group progress will be reported to the Management Committee and at public meetings. Input from the members of working group and comments received during subsequent public meetings will assist in the development of the draft BDCP. The Department of Water Resources (DWR) will decide on the resolution of issues in close consultation with the Bureau of Reclamation, the fish and wildlife agencies, the state and federal water contractors funding the plan, and the other interest groups taking part in the BDCP process. DWR recognizes the importance of ensuring that the permit application is acceptable to the state and federal water contractors funding the plan, reflects consideration of stakeholder input, can achieve the dual goals of water supply reliability and Delta ecosystem restoration, and complies with state and federal laws.

How can the public remain engaged in the working group process?

All working groups will be open to the public. Meeting times and locations will be posted on the BDCP website. Interested individuals and organizations not serving on the working group can attend working group meetings but cannot take part in discussions. An opportunity for public comment will be provided at the each working group meeting.

Public meetings will also be held every four to six weeks. Interested parties and the general public should attend these public meetings to obtain updates and information about the progress made by the working groups and on plan progress and to provide input.

The public meetings will be held in Sacramento and will allow sufficient time to cover all active working groups. The meetings will be Webcast for those who are unable to participate in person.

Working Groups Description and Schedule

Below is the initial list of working groups and their schedules. This list may be modified over time.

Biological goals and objectives. This working group has already been formed, and consists of scientists chosen for their expertise in designing goals and objectives for habitat conservation plans. The working group is advised by Gary Bobker of The Bay Institute, Jason Peltier of Westlands Water District, John Cain of American Rivers, and Cindy Kao of Santa Clara Valley Water District. Joint meetings of the working group and advisors will be posted on the BDCP website, and are open to the public. The working group plans on completing its work by the end of June.

Yolo Bypass Fishery Enhancement Plan. The goal of the group will be to better define a fisheries enhancement plan in the Yolo Bypass, while protecting waterfowl and other bypass values and preserving the flood capacity of the Bypass. The first meeting of the working group will be in late May. The group will meet every two weeks, and is expected to complete its work by mid-July.

Governance structure. Governance refers to how the BDCP will be implemented once it is approved by permitting agencies. Governance does not refer to the Delta Stewardship Council, Delta Protection Commission, or any other governmental body. This group will complete Chapter 7 of the draft BDCP. The first meeting will be in early June. If necessary, subsequent meetings will be held every two weeks. Work should be completed no later than the end of June.

Water quality modeling in South Delta. Contra Costa Water District has questioned some of the assumptions used in computer modeling performed for BDCP of water quality in the South Delta. The first meeting will review modeling, the assumptions used, and possible additional modeling efforts. Subsequent meetings will further consider these issues. The first meeting will be in early June. Work should be completed by the end of July.

Cache Slough habitat. Enhanced aquatic habitat in the region of Cache Slough should help provide habitat for delta smelt and other fish and wildlife species. The restored habitat may also benefit waterfowl. Participants in this working group will be expected to be familiar with relevant sections of Chapter 3 of BDCP. The first meeting will be in mid-June. Work should be completed by the end of August.

Levee maintenance mitigation. Existing law requires levee maintenance districts seeking to implement projects to maintain and improve levees in the Delta to fully mitigate any habitat impacts associated with the project. Levee maintenance districts are concerned that BDCP might call for the implementation of so many habitat improvement projects that the districts will have a hard time finding needed mitigation projects. The working group will consider approaches to alleviate this problem. The Natural Resources Agency Delta Levee and Habitat Advisory Committee will participate in this working group. The first meeting will be held in mid June. Work should be completed by the end of July.

BDCP Compatibility with Delta Agriculture. The BDCP may include up to 80,000 acres of aquatic habitat restoration and up to 45,000 acres of agricultural and grasslands habitat preservation

over the life of the plan. This group will consider methods to make terrestrial and aquatic habitat restoration described in the BDCP more compatible with ongoing agricultural operations and address impacts to existing agriculture and mitigation. The group will consider existing guidelines for habitat restoration described in Chapter 3, and suggest possible revisions. The first meeting will be held in early July. Work should be completed by the end of September.

Adaptive range of water operations criteria. Adaptive ranges define the flexibility allowed by applicable permits in operating water projects, depending on the effectiveness of the conservation measures, current information, and other factors. Participants will be asked to consider adaptive range proposals developed by state and federal agencies. This is one of the more challenging subjects, and further revisions of the working description and timeline may be forthcoming. The first meeting will be held in mid-July. Work should be completed by the end of September.

South Delta Habitat. The BDCP may include up to 10,000 acres of floodplain restoration, separate from habitat restoration in the Yolo Bypass. It is believed that juvenile salmon survival can be improved by providing rearing habitat in the lower San Joaquin River and the South Delta. Providing this habitat may also improve flood safety in the South Delta and along the San Joaquin River. This working group will consider proposals to achieve compatible habitat and flood projects in this area. The first meeting will be held in late July. Work should be completed by the end of October.

BDCP relationship to San Joaquin River Restoration Program. The San Joaquin River Restoration program contemplates the recapture of water released for salmon in the San Joaquin River. Pursuant to the Settlement, Reclamation is working on a plan to recapture this water for subsequent use by the Friant division long-term contractors. The Bureau of Reclamation is attempting to resolve this issue. Progress of this effort will be assessed by the end of the summer, and a determination will be made whether a working group on this issue would be useful.

Stone Lakes National Wildlife Refuge. If the intake to a Delta facility is built nearby, this refuge might be impacted. The working group will consider ways to minimize such impact. The first meeting will be held in mid-August. Work should be completed by the end of September.

Conveyance facilities – size and configuration issues. A variety of different sizes and configurations of conveyance facilities are being considered for inclusion in the BDCP. The working group will be asked to consider these alternatives, their advantages and disadvantages, and discuss criteria that may be used for the eventual selection of an alternative facility. The first meeting will be held in mid-August.

Financing. Substantial work must be completed to determine the relative water supply benefits of BDCP to the State Water Project and the federal Central Valley Project before it will be possible to determine what share each water contractor will pay for implementation of BDCP. Since the schedule of this work is still in development, discussions of finance of BDCP cannot be scheduled at this time. They will probably be held in the fall of 2011.