CONTRA COSTA WATER DISTRICT

1331 Concord Avenue
P.O. Box H20
Concord, CA 94524
(925) 688-8000 FAX (925) 688-8122

Directors
James Pretti
President

Noble O. Elcenko, D.C.
Vice President

Elizabeth R. Anello
Bette Boatmun
Joseph L. Campbell

Walter J. Bishop
General Manager

August 22, 2001

Carl Torgersen
Co-Chair, CALFED Ops Group
Department of Water Resources
1416 Ninth Street
3110 El Camino Avenue, Suite 300
Sacramento, CA 95821

Chet Bowling
Co-Chair, CALFED Ops Group
U.S. Bureau of Reclamation
Water Operations Div-CVO
3110 El Camino Avenue, Suite 300
Sacramento, CA 95821

Subject: Chair of the CALFED Operations and Fish Forum

Dear Chet and Carl:

As I stated at the July 25, 2001 meeting of the CALFED Operations Group (Ops Group), I have taken on the new position of Assistant General Manager for Planning and CALFED Studies at the Contra Costa Water District (CCWD). Because of my new duties, I am stepping down as Chair of the Operations and Fish Forum (OFF, formerly No Name Group) effective August 22, 2001. Richard Denton, Water Resources Manager at CCWD, will represent CCWD at the Ops Group and on the OFF.

I have participated in the CALFED Ops Group and have chaired the OFF since the time of the Bay-Delta Accord. During the past six years, the Ops Group and the OFF have worked through many difficult and complicated issues by striving for consensus and balance; the result has been vastly improved relationships between many parties with differing points of view. I am proud of the accomplishments of the OFF and the Ops Group because they have made a major, positive contribution to CALFED agencies in the management of the fishery and water resources of the Bay-Delta system. I believe that through the Ops Group, we have created strong working relationships upon which CALFED can build to accomplish its goals.

It is appropriate at this time to review some of the progress and achievements of the OFF. My purpose is to ensure that the Ops Group can continue to achieve its purposes in an effective and balanced manner.

It is important to recall that prior to the December 15, 1994 Bay-Delta Accord, decisions on the protection of listed species through altered water operations were made by the newly established Operations Group that consisted solely of staff from state and Federal agencies. A major Accord negotiation position of both water users

and environmental organizations was that they should have a seat at the table when those critical decisions were made. To the credit of the Governor, the Secretary of the Interior and the CALFED agencies, this was agreed to as part of the Accord.

At the first Ops Group meeting that stakeholders attended in early 1995, an issue was raised concerning the ability of the Ops group to make rapid decisions during critical periods when water operations and fish protection measures were in conflict. Obviously, it was impractical to convene the entire Ops Group on short notice. The co-chair of the Ops Group, Bob Potter, then Chief Deputy Director of the Department of Water Resources, designated a group consisting of one agency representative each from DWR, USBR, USFWS, DFG, NMFS, SWRCB and EPA, one representative of environmental groups and one from the ag-urban coalition (I was designated as the latter representative). He also appointed me the "acting, temporary chair" of this group to which he deliberately gave no name, in order to limit its portfolio (the group was quickly designated the "No Name Group"). The group's charge was to convene when rapid decisions were required, discuss the situation and make a recommendation. The members were charged with ensuring that the organizations they represented were fully and rapidly informed of the situation and any decisions, and that they were fully capable of representing the points of view of those organizations.

This system worked well from the beginning: so well that the group's portfolio expanded beyond the task of discussing and recommending operational changes. The OFF found itself involved in helping to create operational tools to manage water and to help implement the Accord, the CVPIA, the AFRP and the ERPP. With biologists from the DAT, it also helped develop operational scenarios so that fish protection measures were in place in advance of the time they would be needed.

The OFF worked through a number of very difficult and contentious issues, including periods when Sacramento splittail larvae were entering the Delta in huge numbers, when large numbers of Delta smelt were found at the CVP and SWP pumps and when anadromous fish were migrating through the Delta. Fortunately, the early times were made simpler by the fact that they coincided with very wet years. Lately, conditions have been a good deal drier, and we have had to deal with much more difficult decisions. As a result, it has been more difficult to reach consensus on issues; we have nonetheless created a strong foundation from which to continue.

There are two areas where I believe we need to improve: the determination of protective measures based on monitoring triggers, and the function of the Water Operations Management Team (WOMT).

I believe our experience over the past few years shows that we still have much to learn about the migratory behavior of aquatic species. In an effort to establish

effective fishery protection measures, and to measure their water cost, triggers and protection measures have been combined so that operations are almost automatically changed as triggers are met. Unfortunately, in several important instances the triggers have been necessary, but not sufficient, indicators of the presence of large numbers of fish. As a consequence, large quantities of water have been used in response to the movement of relatively few fish, leaving much less water later in the season when the need for it is greater.

Until our understanding or our monitoring is improved, we will always have a difficult tradeoff: triggering an action early will run the risk of using water for relatively little gain when saving the water for a potential use later may be better (of course, that also has its own risk of saving the water for relatively little gain). Some additional flexibility and risk taking in the management of the system will be necessary under these circumstances. I recommend several things: 1) an annual detailed review of the operations, the successes and the failures of those operations so that we can improve operations; 2) more funding for advanced monitoring techniques (we must move beyond the current technology and into what is possible; this will take a great deal of money); 3) the use of the Environmental Water Account to reduce the risks to water users and fisheries to a greater extent: this will require dedicating less water to actions in advance and holding more in reserve.

The second improvement relates to the function of the WOMT. In 1995, the representatives of the state and Federal agencies on the Ops Group were largely at a high level (the co-chairs were at a deputy director level). With the passage of time, the change in administrations and the resignations of staff, staffing of the Ops Group by agencies has migrated to a lower level. The creation of the WOMT responded to the need to bring high level management back into the decision process, but its creation has left stakeholders without a voice at the management decision-making level. Having a voice at the level of the WOMT is important to stakeholders: this is precisely what was sought and achieved with the Accord. Unfortunately, this very important right to a direct voice at the decision-making level has disappeared with the establishment of the WOMT.

This is such an important issue to stakeholders that I held a special meeting of a sub-group of the OFF (involving only stakeholder members of the OFF and Ops Group) to address it. It is the consensus of this group that the WOMT make its meetings available to stakeholders so that: 1) stakeholders can provide input to the WOMT when the WOMT members believe it is appropriate and 2) stakeholders can understand the decisions and pass that understanding on to their constituencies.

I believe that I cannot overstate the importance of this issue to stakeholders. We recognize that there may be some logistical problems with implementing this, but these are issues that have already been addressed with respect to the Ops Group. The ability to hear and understand decisions and to provide input when needed, even if it

is via a conference call during the meetings, is extremely important to stakeholders. I hope that CALFED will seriously consider this appeal and provide a favorable response.

There are many areas where the Ops Group and the OFF have been successful, probably too many to enumerate. Many aspects stand out in my mind as noteworthy. The Ops Group, OFF and DAT have been most successful in communicating with stakeholders: these three groups have become a model for CALFED and other agencies in how to deal with difficult water issues. The Ops Group, the OFF and the DAT have led the way to a much better understanding of water operations and their relationship to fishery impacts, and have been instrumental in developing better science (from DNA identification of salmon races to understanding the ecology of the Delta). These groups have set the standard for developing mechanisms to reach consensus within the Bay-Delta community, and, even when consensus is not possible, to ensure that there is understanding of the issues and decisions. Not least of all, these groups have made possible, through the personal interaction necessary in working through difficult issues, the establishment of close working relationships and strong friendships that are of high value in their own right.

I hope that the Ops Group, the WOMT and the CALFED Policy Group will carefully consider these thoughts. Although I am stepping down as chair of the OFF, I will be taking on other roles with CALFED and will continue working with CALFED and the stakeholder community to help advance CALFED's goals. I want to thank all those with whom I have worked on the Ops Group and the OFF for their sincere efforts and hard work over the past six years. I send you, as co-chairs of the Ops Group, my best wishes for continued success.

Sincerely,

Gregory Gartrell, P.E., Ph.D.
Assistant General Manager

cc: Patrick Wright
Kirk Rodgers
Tom Hannigan
Wayne White
Jim Lecky
Lowell Ploss

cc: Steve Macaulay
Sec. Mary Nichols
Sue Ellen Wooldridge
OFF Members