

AGENDA ITEM #8
January 10, 2003

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Delta Representative on the New Bay Delta Authority
(For Commission Action)

Staff Recommendation:

Review the attached staff report and consider directing staff to send a letter to Governor Davis regarding a Bay Delta Authority public member representing the Delta.

Background:

On January 1, 2003, SB 1653 (Costa) went into effect, creating the California Bay-Delta Authority. The Authority will have representatives from six state agencies and six federal agencies, seven public members, one member of the Bay-Delta Public Advisory Committee, and four nonvoting, ex-officio members of the Legislature.

Of the seven public members, one public member will be appointed by the Speaker of the Assembly and one public member will be appointed by the President Pro Tem of the Senate. Five additional public members will be regional representatives appointed by the Governor.

State Water Code, Section 79412 (a)(13) states "one public member from the Sacramento and San Joaquin River Delta Region."

Section 79412 (b) states "The five public members subject to regional requirements shall be appointed by the Governor, in consultation with the Secretary of the Interior if appropriate federal authorizing legislation has not been enacted, or with the concurrence of the Secretary of the Interior if appropriate federal authorizing legislation has been enacted, and with the advice and consent of the Senate."

Section 79412 (e)(1) states "For the purposes of being eligible to serve on the board, a public member described in any of the paragraphs 13 to 17 shall be required to live in the region he or she represents."

Section 79412 (e)(2) states "A public member shall have substantial training, expertise, and knowledge as follows:

(A) With regard to at least one of the following areas: ecosystem restoration, levees, water supply, or water quality.

(B) With regard to labor, Native American matters, local government, the environmental or business if that public member meets the requirements of subparagraph (A).

Section 79412 (f) states "The public members, as a group, shall reflect a broad range of the experience and knowledge described in subdivision (e).

Recommendation of the CALFED Committee:

The Delta Protection Commission CALFED Committee recommended the Commission send a letter to the Governor suggesting that the public member representing the Delta should:

- (1) Be familiar with Delta land use and water issues.
- (2) Be familiar with and have the ability to communicate with the various groups that live, work, and recreate in the Delta.
- (3) Be available to meet with the Delta Protection Commission to enhance communication between the Commission and the Bay Delta Authority.