February 13, 2003

To: Greg Weber

From: Alex Hildebrand

cc John Herrick
Kevin Kaufman
Tom Zuckerman

I am puzzled by the agenda for the February 21 meeting per Virginia's 2/11 e-mail. I believe the first item should be to agree on the agenda. The main purpose of the meeting was previously described as to obtain full AC agreement or disagreement on the outcome of the January 22 meeting, and to clarify some aspects of the 1/22 discussion, and to resolve at least one inconsistency that was acknowledged but not discussed.

We need to get on with a 2003 Plan. This requires that the AC be explicit on what it recommends that the DWR should do. Repeated discussions of "Where we have been" and "Where do we want to go" won't lead to a clear course of action for our now very limited time frame.

As regards seeking concurrence with the 1/22 discussion, the record of that meeting is still unclear in some respects.

A) The thrust of the early part of the 1/22 discussion was to establish some priorities to be applied to later "wish list" discussions. Compliance with the basic intent of the law was a point of clear agreement. It was clearly agreed that the AC wanted both statewide and regional analyses, but it was also clear that if time did not permit this, the statewide analysis would take precedence. It was implied, but not stated, that various "scenarios" were desired, but might be limited by time constraints.

B) The question of compliance with the intent of AB 2587 regarding the water supply needed to produce an adequate food supply was directly addressed late in the meeting. Some AC members still prefer not to worry about the food supply, but after brief discussion Martha Davis put compliance with AB 2587 on the board as part of the earlier agreement to comply with the law. No one objected later when asked whether all attendees were in agreement that what was on the board reflected the day's discussion. This intent to comply with AB 2587 is not included in the meeting summary.

A major inconsistency was also called to attention late in the meeting. In discussing what scenarios should be addressed it was proposed to follow Table 1. Some people regard Table 1 as sacrosanct and not subject to revision. However, Table 1 does not comply with the law. The law says we must estimate the water needed to meet the State's future needs. Table 1 does not distinguish between human needs and the water needed to provide those needs. It seems obvious that human needs will increase in approximate proportion to population growth. These needs

will include housing, jobs, clothes and food, but none of these are explicitly included in Table 1. I don't see how we can base scenarios on a table that does not encompass the legal provisions with which we have recommended compliance.

In respect to environmental protections and other matters we should have a base case that complies with existing policy and does not revise that policy. We can also propose new policy if we wish with discussion of pros and cons, but we must not presume to establish changes of policy.

I believe the agenda should be, first, to resolve these issues and hope to reach consensus on AC's recommendations. Second, we should have Kamyar tell us what specific additional recommendations or clarifications he wants from the AC, and how much the "wish list" must be pared down in order to produce a plan that meets the basic intent of the law.

Discussion of what is recommended beyond 2003 is less urgent.