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January 5, 2007

L. Ryan Brodrick, Director
California Department of Fish and Game
1416 9th Street
Sacramento, CA 95814

Dear Mr. Brodrick:

ERP Science Board Functions

At its November 2006 meeting, the CALFED Independent Science Board (ISB) reviewed your letter dated October 11, 2006, that responded to concerns expressed about the oversight and guidance function previously provided to the Ecosystem Restoration Program (ERP) by its Science Board. The ISB appreciates your response and your commitment to continuing use of the present advisory and review process, as well as the maintenance of transparency through use of the ERP web site.

The ISB feels that there is value in use of an ERP advisory science board that is independent of the implementing agencies. The three principal benefits include:

A. Continued oversight of the review process. Although, as noted in your letter, the ERP implementing agencies continue to use “established” procedures for review and selection of projects, the ISB feels that effectiveness and scientific soundness of those procedures should be under continued scrutiny by an independent science group. In the past, the ERP Science Board (ERPSB) provided several specific benefits to the program. By reviewing, commenting on, and endorsing major restoration actions, ERPSB gave scientific legitimacy to these sometimes contentious projects. In addition, ERPSB was in a position to pose questions that are unlikely to have been articulated by agency scientists and experts because of specific agency missions, political sensitivities, or limited perspectives. In addition, the funding of Directed Action proposals, although developed and reviewed in a similar fashion to proposals submitted in response to Proposal Solicitation Packages (PSPs) still presents potential problems. Recommendations and priorities for Directed Actions should pass through a broadly based, independent panel. Perhaps periodic use of a technical panel to address some of these issues, as suggested in your letter, may achieve this.

B. Setting Priorities. As presented, setting priorities is done within the implementing agencies without external review. No doubt there are many programs and issues that need action, such as ROD commitments and milestones, but other actions may be missed without external input. Although an *ad hoc* technical panel selected by the implementing agencies might assist in the process of setting priorities, this creates an appearance of insufficient independence for review purposes. This might be overcome through selection of technical panels developed with input from the ISB or Science Program. These panels would assist in the process of setting priorities, especially for important or critical issues. A standing independent board with primary interests in ERP activities would better fill this role.

C. Enhancing the application of science. An independent board can significantly improve the program by providing scientific advice on topical problems, recommending areas for in-depth evaluation by Technical Panels, identifying critical scientific issues for program attention, and assessing opportunities or new methods for data analysis and synthesis. This advice and direction increases the capacity and effectiveness of the program as well as helping insure that agency scientists are up-to-date on the latest advancements.

The ISB recognizes the legitimate concerns over the cost of maintaining an independent science board committed strictly to ERP activities, as well as the apparent need for faster action in responding to program development, PSP development, Directed Action selection, program review, etc. However, there continues to be a need for broadly based, independent scientific oversight or review of ERP activities. At its recent meeting, the ISB discussed possible alternatives for providing independent oversight and review. These include, but are not limited to:

1. Reestablish the ERP-Science Board but in a more short-term interactive configuration.
2. Use the present ISB to fulfill the more important or more critical review of ERP planning and implementation activities.
3. Assign a subset of the present ISB for ERP science oversight.
4. Appoint an *ad hoc*, broadly-based, independent scientific panel that would review ERP activities on an annual or biennial basis.

The ISB seeks to continue discussion with the ERP agencies in order to determine the best method to insure continued oversight of the program. Drs. Duncan Patten and Judith Meyer have been assigned as liaisons to the ERP on this issue and will represent the ISB in these discussions. I ask that you direct ERP staff, in conjunction with Science Program staff and Drs. Patten and Meyer, to develop a recommendation for oversight and review to be presented to the ISB in their late February meeting, or at latest, the early June meeting.

L. Ryan Broddrick

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On behalf of the ISB, I want to thank you and your staff for your efforts on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jeff Mount', with a horizontal line extending to the right from the end of the signature.

Jeff Mount, Chair
CALFED Independent Science Board

cc: Joe Grindstaff, CBDA
Ron Ott, CBDA
Steve Thompson, USFWS
Rodney McInnis, NOAA Fisheries
Judy Meyer
Duncan Patten