



September 23, 2010

Honorable Lois Wolk
State Capitol, Room 4032
Sacramento, California 95814

Dear Senator Wolk:

The California Natural Resources Agency has received your letter expressing concerns about ongoing meetings among principals who are signatories to the Bay Delta Conservation Plan (BDCP). It is unfortunate that some of your concern was triggered by a recent inaccurate newspaper article. That said, I respectfully disagree with the assertion set forth in your letter that these meetings somehow demonstrate a lack of commitment to achieving the coequal goals established in statute by the 2009 legislative water package and to which this administration has been working towards since 2003. To the contrary, these meetings are a key procedural component of the public BDCP Steering Committee process designed to achieve the comprehensive strategy that we all have sought for decades; to restore the ecological function of the Delta estuary while providing a more reliable water supply within the broader context of statewide water conservation and recycling efforts.

As you know, the BDCP is designed as a Habitat Conservation Plan (HCP) and a Natural Community Conservation Plan which are voluntary approaches to regulatory compliance under state and federal endangered species laws. They are voluntary because they require the permitted agency to take actions well beyond the mitigation of impacts – they require a contribution to the recovery of species and their ecosystems that is comprehensive and holistic. As such, the BDCP is one of the most rigorous environmental planning processes anywhere in the nation. Since 2006, a broad array of stakeholders including water interests, conservation groups and other environmental organizations throughout the state have expended significant effort to explore options to reliably convey water supplies, re-establish natural flow patterns in the Delta and restore all but vanished tidal, riparian, and flood plain habitat; and to challenge these ideas with scientific and technical analysis.

Through this incredible investment of time and resources, including that of delta residents and local officials, BDCP has reached an important stage in its development. Participants have begun to determine the various elements of a draft Plan. As such, briefings have been scheduled for BDCP principals (managers and directors of Planning Agreement signatories). The purpose of these briefings is to bring principals up to speed on BDCP progress and provide policy guidance on elements of a draft Plan. By design and intent, this guidance will go back to the Steering Committee.

To help in the understanding of how the various BDCP elements fit together the Natural Resources Agency produced a discussion document. Information within this "Issues for Discussion" document is only for purposes of facilitating discussion and is not intended as any preliminary or final decision on the BDCP. This document can be accessed on the Natural Resources Agency's website at:

http://www.resources.ca.gov/restoring_the_delta.html

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Denigrating these meetings as “secret” or “closed-door” gives the public a false impression of what is being discussed and who is involved and serves only to foster mistrust. The meetings are open to all signatories to the BDCP Planning Agreement. However, more importantly, I reiterate that all deliberation on the draft Plan will take place at the Steering Committee in a public meeting. The draft Plan will then become the subject of extended public review as required of all HCPs and NCCPs, as well as the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA).

It is important to note that for four years the Bay Delta Conservation Plan Steering Committee has held more than 100 meetings open to the public, and additionally the Natural Resources Agency has conducted more than 90 stakeholder briefings and 22 public forums about the BDCP. I am not aware of a more intensive public process on this topic to date. The Natural Resources Agency has furthermore continuously demonstrated its commitment to soliciting robust public input, particularly Delta resident input, and even supporting local entities in order to ensure participation and to ultimately assure that the development and implementation of the BDCP occurs in a manner that recognizes and incorporates local plans and priorities.

The acute seismic risk and chronic ecosystem challenges that threaten Delta sustainability will not resolve themselves. Actions to improve water supply reliability, so critical in dry periods like we just experienced from 2007-2009, and which contribute to the recovery of at-risk species will require tough choices and leadership. I invite your collective contribution to these efforts to achieve our mutual goals of restoring the Delta to health and developing a modern method to deliver water to California’s people and businesses.

I am glad to meet with you to further discuss any questions or concerns you may have. You can reach me at (916) 653-5656.

Sincerely,



Lester A. Snow
Secretary for Natural Resources

cc: Darrell Steinberg, Senator, Pro Tempore, CA 6
John Garamendi, Member of Congress, CA 10
Doris Matsui, Member of Congress, CA 5
Jerry McNerney, Member of Congress, CA 11
George Miller, Member of Congress, CA 7
Mike Thompson, Member of Congress, CA 1
Mark DeSaulnier, Senator, 7th District
Bill Berryhill, Assembly Member, 10th District
Joan Buchanan, Assembly Member, 15th District
Alyson Huber, Assembly Member, 10th District
Tom Torlakson, Assembly Member, 11th District
Mariko Yamada, Assembly Member, 8th District
Ken Salazar, Secretary, Department of the Interior