Congress of the United States
House of Representatives
Washington, D.C. 20515

June 22, 2010

Honorable Ken Salazar
Secretary of the Interior
Department of the Interior
Washington, D.C.

Honorable Gary Locke
Secretary of Commerce
Department of Commerce
Washington, D.C.

Re: Purpose Statement for Bay Delta Conservation Plan

Dear Secretary Salazar and Secretary Locke:

We write today to associate ourselves with the concerns about the direction of the Bay Delta Conservation Plan (BDCP) raised by the Environmental Protection Agency (EPA) in a recent letter to the regional officials of your departments.

On June 10, 2010 the Regional Administrator for Region IX of the EPA sent a letter to the Regional Directors of the Bureau of Reclamation and the Fish and Wildlife Service and the Regional Administrator for the National Marine Fisheries Service providing comments on the BDCP and its Purpose Statement. The Purpose Statement outlines the fundamental goals of the BDCP exercise, and serves as the baseline for permitting documents including those under the National Environmental Policy Act and the Clean Water Act.

In the letter, the EPA expressed concern that the Purpose Statement for the BDCP has changed and recommends that it be revised to reflect the language of the first amended Notice of Intent. This is a concern that we and our constituents share. From our perspective it is essential that the BDCP integrate with the State of California's efforts, and that federal agencies' actions reflect the co-equal goals articulated by the State Legislature.

We are concerned that the BDCP expansion of the Purpose to include "full contract amounts" for water deliveries out of the Bay-Delta sets the wrong tone and threshold for developing solutions that embrace the co-equal goals of the State. In our opinion, to continue down this path will result in more conflict, not less: it will put the BDCP in conflict with federal and state laws and with the State's recent efforts to reconcile water supply and Bay-Delta health.

We appreciate that the federal agencies' memorandum of understanding — and the science strategy your departments recently articulated — mark a significant improvement over previous efforts to address the Bay-Delta's problems, and we are encouraged by the signs of multi-agency

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collaboration that will be necessary to make the BDCP a success. We recommend that your agencies meet and coordinate the BDCP process with the EPA and other federal agencies to revise the Purpose statement.

Thank you for your attention to our concerns. We remain committed to working with you and our colleagues to find balanced solutions to the Bay-Delta's problems.

Sincerely,

Grace F. Napolitano
Member of Congress

George Miller
Member of Congress

John Garamendi
Member of Congress

Mike Thompson
Member of Congress

Doris O. Matsui
Member of Congress