

# FREQUENTLY ASKED QUESTIONS

## ABOUT THE BAY DELTA CONSERVATION PLAN ENVIRONMENTAL REVIEW AND TEMPORARY ENTRY PERMIT PROCESS

### WHAT IS THE BAY DELTA CONSERVATION PLAN?

The Bay Delta Conservation Plan (BDCP) is a unique undertaking initiated and funded by public water agencies with the active participation of environmental organizations, state and federal fishery agencies, and other state and local organizations—all of whom are deeply invested in the long-term sustainability of the Sacramento-San Joaquin Delta (Delta). The goal of the BDCP participants is to formulate a plan that ultimately could be approved by regulatory agencies as a Habitat Conservation Plan under federal law and a Natural Community Conservation Plan under state law.

### WHAT IS THE PURPOSE OF THE BDCP?

The purpose of the BDCP is to provide for the recovery of endangered and sensitive species and their habitats in the Delta in a way that will also protect and restore water supply reliability. The BDCP will:

- ▶ Identify and implement conservation strategies to improve the overall ecological health of the Delta;
- ▶ Identify and implement ecologically friendly ways to move fresh water through and/or around the Delta;
- ▶ Address other stressors, including toxic pollutants, invasive species, and impairments to water quality; and
- ▶ Provide a framework and funding to implement the plan over time.

### WHY DOES THE BDCP NEED AN EIR/EIS?

State and federal laws require the development of an Environmental Impact Report (EIR) under the California Environmental Quality Act (CEQA) and an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA) – the federal counterpart to CEQA – to evaluate environmental impacts of proposed projects. Conservation plans, although they are intended to be helpful to the environment, may have certain adverse effects that must be evaluated.

### WHO IS PREPARING THE BDCP EIR/EIS?

The BDCP EIR/EIS is being developed by several state and federal agencies—the California Department of Water Resources (DWR), the Bureau of Reclamation, the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service.

### HOW MIGHT LANDOWNERS BE IMPACTED BY FIELD STUDIES?

Lead agencies will research existing information and conduct field studies throughout the Delta region to gather environmental and engineering data to support the preparation of a thorough and accurate EIR/EIS and preliminary engineering activities. Where existing information is not sufficient, individual landowners may be contacted by state representatives seeking approval to enter private parcels to gather additional information. Temporary access to private parcels will be sought through a Temporary Entry Permit (TEP).

### WHAT IS A TEMPORARY ENTRY PERMIT?

A TEP is an agreement between the State of California and an individual landowner. TEPs grant field crews temporary access to private property so that studies may be conducted.

### HOW OFTEN WILL YOU NEED ACCESS TO MY PROPERTY?

Several factors will affect how many times each property will need to be studied. It is anticipated that access to individual parcels will be needed only periodically during the timeframe outlined within the TEP. For example, some wildlife in the region may be seasonal inhabitants that require study at specific times of the year. Access may be required only during these times to address these special needs. Landowners will be notified in advance of each visit. Contact Cheryl Allen at (866) 688-3227 with specific questions related to your property.

### WILL I BE COMPENSATED IF MY PROPERTY IS DAMAGED DURING THESE STUDIES?

Landowners will be reasonably compensated for damage caused by studies associated with the TEP. If for some reason a property is damaged as a result of studies associated with the TEP, DWR will work with the landowner to assess and resolve the issue.

### WHAT HAPPENS IF I DON'T SIGN THE TEP?

Ultimately, the decision to sign the TEP is yours. After you have taken some time to review the TEP, DWR staff would like to answer your questions and discuss your concerns in a one-on-one meeting. While there is a legal process that exists to pursue access to your property should you not sign the TEP, DWR prefers to come to an agreement that is satisfactory to both parties. DWR is committed to answering your questions and working to resolve your concerns. For more information on the TEP process, contact Cheryl Allen at (866) 688-3227.

### WHAT HAPPENS IF YOU FIND PROTECTED OR ENDANGERED SPECIES ON MY LAND?

If survey staff observe endangered species on your land, that observation will be reported in the Natural Diversity Database. The location of the species is not recorded in the database by parcel number and only certain individuals have access to this information. There are different reporting requirements under state and federal permits, depending on the species/circumstances.

### CAN YOU GUARANTEE CONFIDENTIALITY AND PROVIDE ANONYMITY WITH THE INFORMATION YOU FIND ON MY PROPERTY?

Information gathered from your property will be kept in confidence. If a request is received to disclose private information, the State will protect your information from disclosure to the fullest extent permitted by existing law.

### WILL THE FINDINGS OF THE STUDIES CONDUCTED ON MY PROPERTY BE MADE AVAILABLE TO ME?

Upon written request the property-specific data will be provided to the landowner from whose property the information was obtained. All requests must be made in writing within 30 days of the field studies conducted.

Written requests should be submitted to the following address:

**California Department of  
Water Resources**  
*Attention: Cheryl Allen*  
1416 Ninth Street, P.O. Box 942836  
Sacramento, CA 94236-0001

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**For more information, visit**  
[www.baydeltaconservationplan.com](http://www.baydeltaconservationplan.com)