September 23, 2011

Betsy Marchand, Chair
Yolo Basin Foundation
P.O. Box 943
Davis, CA 95617

Pete Bontadelli, Vice Chair
Yolo Basin Foundation
P.O. Box 943
Davis, CA 95617

Chuck Bonham, Director
Department of Fish and Game
1416 Ninth Street 12th Floor
Sacramento, CA 95814

Dear Betsy, Pete, and Chuck:

We are addressing this letter to all three of you, because of the role of DFG in managing the Yolo Bypass Wildlife Area. Betsy and Pete, many thanks for your letter of August 30 regarding the Yolo Bypass Wildlife Area needs. It is most helpful.

The BDCP could make a fair contribution to the costs you outline, in accordance with our impact on the Wildlife Area, and the benefits to BDCP that result from our investment.

We would like to work to develop a contract with the YBF and the Department of Fish and Game, which would commit the parties to fully integrating BDCP facilities and operations into the YBWA, in a way which is in compliance with the YBWA Land Management Plan. Of course, while we negotiate this contract, we would continue to work together to assure that the BDCP fish passage and rearing plan (Conservation Measure 2) is developed in a way which is in compliance with any contract we may sign.
Here are some issues we might include in the contract. I have derived these from the attachment to your letter.

1. In either the contract or the description of CM 2, we would agree not to impair the flood carrying capacity of the Yolo Bypass.
2. We could agree on a mutually acceptable ongoing process to determine any economic impacts (positive or negative) to the operation of the YBWA, and agree to compensate DFG for any negative impacts. Positive impacts might include reduced costs of obtaining water for the refuge, and any management costs which would be borne by BDCP which are now borne by YBWA. Increased costs might include loss of revenue due to reduced farming on the refuge, mitigation for reduced feeding areas for waterfowl, increased management costs borne by YBWA, and other costs.
3. We could work with you, Ducks unlimited, and the California Waterfowl Association to develop a BDCP headquarters which is compatible with a visitor center and Pacific Flyway center at a mutually agreeable location. We could consider joint funding of educational programs to teach the public about the benefits of BDCP, including our operations at and near the YBWA.
4. We could agree to full mitigation paid for by BDCP of any biological impacts implementation of CM 2 causes on the YBWA.

If there are additional items that we should consider, please let me know. Perhaps Pete and DFG could meet with us soon to discuss a contract which would include these items. Please contact Beth (b.gerbs@resources.ca.gov) to set a date for such a meeting if you find it of interest.

Again, thanks for developing a specific list of concerns. We are looking forward to addressing them.

Best regards,

Jerry Meral

cc. Carl Wilcox
    Karla Nemeth