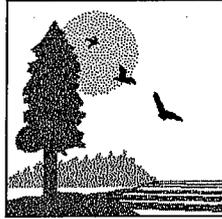


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September 2, 2008

Sergio Guillen
Delta Vision
650 Capitol Mall
Sacramento, CA 95814

Subject: Delta Vision Strategic Plan, Third Staff Draft

Dear Mr. Guillen:

Staff of the California State Lands Commission (Commission) has reviewed the latest version (Third Staff Draft) of the Delta Vision Strategic Plan (Strategic Plan). The Strategic Plan is a very forward thinking document that proposes a change in the governance structure of the Delta that would bring consistency to a very partitioned landscape. The multitudes of agencies that have some level of jurisdiction over the Delta are discussed throughout the document. We note, however, that the roles, responsibilities, and jurisdiction of the Commission have not been acknowledged in this Strategic Plan.

As background, the State acquired sovereign ownership of tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all the people of the State for Public Trust purposes which include waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, open space, among others. The Commission is particularly concerned with the natural resources and public recreational opportunities of lands under its jurisdiction. The landward boundaries of the State's sovereign interests in areas that are subject to tidal action are generally based upon the ordinary high water marks of these waterways as they last existed. Therefore, the Strategic Plan should reflect that many of the waterways in the Delta are sovereign lands of the State and are under the jurisdiction of the Commission (PRC 6301).

The lands managed by the Commission vary widely in character and utility and the Commission maintains a multiple use management policy to assure the greatest possible public benefit is derived from these lands. The Commission considers numerous factors in determining whether a proposed use of the State's land is appropriate, including, but not limited to, consistency with the Public Trust under which the Commission holds the State's sovereign lands, protection of natural resources and other environmental values, and preservation or enhancement of the public's access to

State lands. As the master plan for the Delta will likely have an impact on the way that the Commission manages its lands and conducts leasing activities in the Delta, the Commission needs to be an integral part of the process and the decision-making body.

The broad jurisdiction of the Commission statewide has been recognized by other governance structures, such as the California Coastal Commission (where the Commission holds an ex-officio seat), and the Delta Protection Commission and Bay Conservation Development Commission (where the Commission is a voting member). The core of the Strategic Plan is the proposal to create an appointed California Delta Eco-system Water Council (CDEWC) that will provide the overall governance structure for the Delta. The Commission should be added to the list of ex-officio agencies appended to the CDEWC.

We look forward to reviewing the next draft of the Strategic Plan and will provide more a detailed review at that time. If you have any questions, please call me at (916) 574-1880 or by email at newtong@slc.ca.gov.

Sincerely,



Gail Newton, Chief
Division of Environmental Planning
and Management

cc: Barbara Dugal, LMD