



Natural  
Heritage  
Institute

Gregory A. Thomas  
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*Non-Profit Law and Consulting in Conservation of Natural Resources and the Global Environment*

July 16, 1997

Prepare  
Response

Lester Snow, Executive Director  
CALFED Bay-Delta Program  
VIA FAX: 916-654-9780

Mike Madigan, Chairman  
Bay-Delta Advisory Council  
VIA FAX: 619-231-1765

Dear Mr. Snow and Chairman Madigan:

The Natural Heritage Institute hereby resigns its seat on the Ecosystem Roundtable, effective immediately. While we have valued the privilege of serving on this advisory group, NHI believes that it has a more tangible contribution to make by directly engaging in restoration activities and we wish to free our hand to apply for Category III funds or otherwise participate in funded projects.

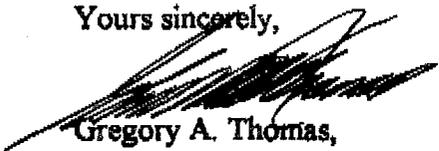
We recognize that this resignation goes beyond the requirements of the laws governing conflicts of interest in contracting, as defined in the Attorney General's advisory letter of July 9, 1997, in that NHI as a non-profit corporation qualifies upon proper disclosure for the exemption accorded to "remote interests". Notwithstanding this exemption, our resignation is tendered to observe the preference of some members of the Roundtable that organizations advising on funding proposals forego also applying for funds, even though, in the case of non-profit organizations, these discussions were apparently predicated on overly restrictive assumptions concerning the conflict of interest rules. It may also bear noting that NHI's representative on the Roundtable, Cynthia Koehler, did not participate in the creation of the Request for Proposals for the current round. In taking this precautionary step, NHI assumes that all other governmental and non-governmental members of either BDAC or Ecosystem Roundtable will follow an equally scrupulous course.

As of July 31, Cynthia, will terminate her employment with NHI to assume the position of legal director for the Save San Francisco Bay Association. I urge you to reappoint Cynthia as a Roundtable member in her new capacity with Save the Bay in recognition of her substantial contribution to the stakeholder efforts to secure funding for ecosystem restoration and the

important role she can continue to play on the Roundtable.

Please distribute this resignation letter to all members of BDAC and the Ecosystem Roundtable.

Yours sincerely,



Gregory A. Thomas,  
President