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DELTA STEWARDSHIP COUNCIL

A California State Agency

December 7, 2018

Chair
Randy Fiorini

Members
Frank C. Damrell, Jr.
Michael Gatto
Maria Mehranian
Susan Tatayon
Skip Thomson
Ken Weinberg

Executive Officer
Jessica R. Pearson

Dear Parties and Delta Protection Commission:

On July 27, 2018, the Department of Water Resources ("Department") filed a Certification of Consistency for the California WaterFix. Nine appellant groups then filed appeals challenging the Certification:

1. North Coast Rivers Alliance, Pacific Coast Federation of Fishermen's Associations, Institute for Fisheries Resources, San Francisco Crab Boat Owners Association, and the Winnemem Wintu Tribe;
2. Save the California Delta Alliance;
3. Friends of the River, California Sportfishing Protection Alliance, California Water Impact Network, Planning and Conservation League, AquAlliance, Environmental Water Caucus, Sierra Club California, and Restore the Delta;
4. North Delta CARES Action Committee;
5. City of Stockton;
6. Sacramento Regional County Sanitation District;
7. Counties of San Joaquin, Contra Costa, Solano and Yolo, and Local Agencies of the North Delta;
8. Central Delta Water Agency and South Delta Water Agency; and
9. County of Sacramento and Sacramento County Water Agency.

The Council conducted a hearing for the appeals on October 24-26, 2018 and notified the parties that it intended to adopt a final determination on the appeals on December 20-21, 2018.

On December 7, 2018, the Department formally withdrew the Certification of Consistency for California WaterFix. This withdrawal made the appeals moot. Under Rule 15 of our Appeals Procedures, the Council or its executive officer may dismiss an appeal that fails to raise an

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

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appealable issue. Because the appeals are now moot, they do not raise appealable issues, and I am exercising my authority under Rule 15 to dismiss them. Therefore, the Council cancels the hearing to take action on the appeals that was noticed for the December 20-21, 2018, meeting.

Under Rule 26 of our Appeals Procedures, Council members and staff face certain restrictions in the ex parte communications they may have while appeals are pending. Now that the Certification of Consistency for that project has been withdrawn and the appeals dismissed, those restrictions are lifted.

I thank the Department, the Delta Protection Commission, the Appellants, and the public for investing the considerable time, effort, and resources that they did into the proceedings.

Kind regards,

A handwritten signature in black ink, appearing to read "JRP", followed by a horizontal line extending to the right.

Jessica R. Pearson
Executive Officer