

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



December 7, 2018

Mr. Randy Fiorini, Chair
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, California 95814

Re: Certification of Consistency for the California WaterFix - C20185

Dear Chair Fiorini:

On November 15, 2018, the Delta Stewardship Council (Council) held a workshop on the staff-prepared Draft Determination Regarding Appeals of the Certification of Consistency for the California WaterFix. At the workshop, after receiving comments on the staff's draft Determination, you encouraged the Department of Water Resources (DWR) to "consider withdrawing the Certification of Consistency." In your statement you relayed your conclusions that DWR has "filed its Certification of Consistency before it was ready to demonstrate consistency with the Delta Plan."

While DWR firmly believes the timing of filing the Certification of Consistency for WaterFix was appropriate based on the thorough record that had been prepared for the project, and that this record more than adequately supports the findings that WaterFix is consistent with the Delta Plan Policies, DWR appreciates that there are unresolved issues related to interpretation of the requirements of the Delta Reform Act and Delta Plan policies. Therefore, DWR is hereby withdrawing the Certification of Consistency for WaterFix that was filed on July 27, 2018. As a part of this withdrawal, DWR requests that the Council dismiss all appeals of the WaterFix certification of consistency that were deemed timely filed on August 27, 2018.

Sincerely,

A handwritten signature in blue ink that reads "Karla A. Nemeth".

Karla A. Nemeth
Director

cc: Gary Lippner, Deputy Director, Delta Conveyance Office, Department
of Water Resources
DSC WaterFix Service List (October 11, 2018)