



DELTA STEWARDSHIP COUNCIL

A California State Agency

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REVISED

MAY 26, 2020

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Randy Fiorini
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Maria Mehranian
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Daniel Zingale

Executive Officer
Jessica R. Pearson

May 11, 2020

NOTICE OF APPEAL REGARDING LOWER YOLO RANCH RESTORATION PROJECT CERTIFICATION OF CONSISTENCY WITH THE DELTA PLAN

An appeal has been filed in response to the following certification of consistency:

Certification Number: C20203

Covered Action Title: Lower Yolo Ranch Restoration Project

Certifying Agency: Westlands Water District

Certification Date: April 7, 2020

INFORMATION REGARDING APPEAL(S)

The table below lists information regarding the appeal as required by the Section 8.a of the Council's [Administrative Procedures Governing Appeals](#).¹ For more information regarding this appeal, please go to the Council's [Covered Actions website](#)² and click the link for the Certification Number listed above.

Council staff made an inadvertent clerical error and included the incorrect date on the Council's May 11, 2020 notice. The Council's notice should have indicated that the appeal was filed May 7, 2020.

Appeal Number	Appellant	Filed Date/Effective Date
C20203-A1	Solano County Water Agency	May 8, 2020- <u>May 7, 2020</u>

APPEAL PROCESS

The Council will hold a hearing within 60 days from the effective date of the appeal, unless otherwise stipulated by the parties and the Council. The Council will make a decision on the

¹ <https://deltacouncil.ca.gov/pdf/delta-plan/regulations/2020-05-08-appeals-procedures.pdf>

² <https://coveredactions.deltacouncil.ca.gov>

"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."

appeal within 60 days following the hearing, unless otherwise stipulated by the parties and the Council. If necessary, the Council may hold additional meetings on the appeal within this period. Additional information regarding the appeal process, including meeting notices and hearing procedures, will be emailed to the parties and posted on the Council's webpage for the certification of consistency determination for the [Lower Yolo Ranch Restoration Project](#).³ For general information regarding the appeal process, please see the [Covered Actions website](#) and the [Administrative Procedures Governing Appeals](#).

VIDEO AND TELECONFERENCE MEETING DURING COVID-19 EMERGENCY

As a result of the COVID-19 emergency and the Governor's Executive Orders to protect public health by limiting public gatherings and requiring social distancing, Council hearings will occur via remote presence. Additionally, due to the COVID-19 emergency and the Governor's and Sacramento County's orders to stay at home, Council offices are closed and staff are working from home. As a result, some Council services may be temporarily delayed. We appreciate your patience. Council staff will be monitoring loweryolocert@deltacouncil.ca.gov during working hours for any procedural inquiries, subject to the ex parte restriction below.

EX PARTE COMMUNICATIONS PROHIBITED

Council hearings on appeals are subject to the ex parte communication restrictions of the California Administrative Procedures Act (Gov. Code § 11430.10 et seq.). An ex parte communication is a "communication, direct or indirect, regarding any issue in the proceeding, to the [Council or Council member or Council staff] from an employee or representative of any agency that is a party or from an interested person outside the agency, without notice and opportunity for all parties to participate in the communication." Ex parte communications regarding this certification of consistency or the appeal are prohibited. This restriction applies from the date that any appeals are filed to the date that the Council reaches a final decision on the appeals. (See [Administrative Procedures Governing Appeals](#), §§ 26.)

³ https://coveredactions.deltacouncil.ca.gov/profile_summary.aspx?c=30ce19c5-2ce0-48b5-9a07-4e678adcd01c