



**Public Hearing for the Adoption of Regulations: Special Application for Early Funding
(Action Item)**

Introduction

The Commission adopted emergency regulations in August 2020 allowing current applicants in the Water Storage Investment Program (WSIP) that did not apply for early funding during the initial application process to request early funding going forward because of the immediate economic downturn impacting the applicants from the COVID-19 pandemic.

The Administrative Procedure Act requires emergency regulations be adopted through the formal rulemaking process to become permanent. The Office of Administrative Law published the Notice of Proposed Action for this rulemaking on November 27, 2020, which started the formal rulemaking process, including a formal public comment period.

This hearing is being held as part of the requirement to adopt regulations pursuant to the Administrative Procedure Act.

Background

Through the WSIP, the California Water Commission will invest nearly \$2.6 billion in the public benefits of water storage projects, consistent with the requirements of Proposition 1 (the Water Quality, Supply, and Infrastructure Improvement Act of 2014), Chapter 8. In July 2018, the Commission made Maximum Conditional Eligibility Determinations, decisions that set the amount of Proposition 1 funding available to a given project, for eight projects that will create more than four million acre-feet of storage capacity. Since then, one applicant has withdrawn from the program; the seven remaining applicants are working to complete the Proposition 1 requirements, which include obtaining permits and environmental documents, contracts for the administration of public benefits, and contracts for non-Proposition 1 funding before returning to the Commission for a final award hearing.

This agenda item implements Goal Four of the Commission's Strategic Plan, which calls on the Commission to carry out its statutory responsibilities for the Proposition 1 Water Storage Investment Program.

Meeting Overview

At the meeting, Commission staff will provide a summary of public comments and ask the Commission to adopt the regulations governing the special application for early funding.

This is an action item.

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Meeting Date: January 20, 2021

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