



Water Storage Investment Program
**Special Application for
Early Funding Regulations**

California 
WATER COMMISSION January 2021

Background

- The Commission adopted emergency regulations at its August 2020 meeting.
- Emergency regulations allow current applicants in the Water Storage Investment Program that did not apply for early funding in 2018 to ask the Commission for early funding now.
- Emergency regulations and need for additional funding were prompted by economic downturn from Covid-19.
- Regulations became effective August 31, 2020, expire June 30, 2021.

Why is it necessary?

- Emergency regulations are temporary.
- The Administrative Procedure Act requires emergency regulations be adopted through the formal rulemaking process to ensure adequate public participation in the adoption of regulations.
- Commission granted one request for early funding under the emergency regulations at its October 2020 meeting.
- Three other current projects are potentially eligible for early funding.

Rulemaking process to date

- Notice of proposed action published in the notice register on November 27, 2020.
- Publication started a 45-day public comment period on the regulations.
- Comment period closed on January 13, 2021.
- Commission received four written public comments.

Comment summary

- Several form letters that reiterated comments from the emergency adoption process.
 - Primarily objected to giving Temperance Flat funding; and
 - Advocated to not extend a statutory deadline.
- Leland Frayseth comment.
 - Objected to the early funding amendments.

Commission decision

- Adopt the regulations; and
- Direct staff to complete the rulemaking requirements to permanently enact these regulations.

A landscape photograph featuring a pond in the middle ground. The foreground is dominated by tall, green grasses with thin stalks and small, brownish flower heads. The pond's surface is calm, reflecting the overcast sky. In the background, there are more green plants, a few trees, and a utility pole. The sky is filled with large, grey clouds, with some blue visible at the top right.

Questions?