



Meeting Agenda

Meeting of the California Water Commission
Wednesday, February 21, 2024
Beginning at 9:30 a.m.
California Natural Resources Building
715 P Street, First Floor Auditorium
Sacramento, California 95814

Members of the public will be able to observe the meeting and provide public comments in-person at the meeting location or remotely. Remote participation will be conducted via a web-based videoconferencing service called Zoom.

Registration is not required to provide public comments. Members of the public who wish to provide comments remotely during the meeting can do so by joining on [Zoom](https://us02web.zoom.us/j/88131907254?pwd=Qm44WFRRReHhDS1FiT1dmVHV1ZnY5Zz09) (<https://us02web.zoom.us/j/88131907254?pwd=Qm44WFRRReHhDS1FiT1dmVHV1ZnY5Zz09>) More detailed instructions on how to use Zoom and participate in the meeting can be found on the [Commission website](#).

Alternatively, members of the public can offer verbal comments by telephone by calling one of the numbers below:

(408) 638-0968
(669) 900-6833
Meeting ID: 881 3190 7254
Passcode: 783503

The meeting will be webcast live at: <https://www.water-ca.com/>. Individuals who only want to watch or listen should use this option as it preserves interactive meeting resources for those who are commenting on items.

- 1. Call to Order**

- 2. Roll Call**

- 3. Closed Session**

The Commission may hold a closed session, as authorized by Government Code §11126(e), to confer with and receive advice from its legal counsel regarding potential litigation, and as authorized by Government Code §11126(a).

- 4. Acknowledgement of California Native American Tribal Governments**

This is an opportunity for elected Tribal leaders and formally designated Tribal representatives to identify themselves and to specify the agenda item(s) on which they will comment, as described in the Commission's California Native American Tribal Leadership Comment Policy.

5. Approval of January 17, 2024, Meeting Minutes

6. Executive Officer's Report

The Executive Officer will report on various matters addressed since the previous Commission meeting.

7. Commission Member Reports

This is an opportunity for members to disclose any meetings or conversations related to Commission business and held since the previous Commission meeting.

8. Public Testimony

Although no formal Commission action will be taken, the Commission offers an opportunity for the public to address the Commission on items of interest that are within the Commission's jurisdiction, but that do not appear on the agenda.

9. Consideration of Action on Resolution of Necessity for the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project (Big Notch Project) (Action Item)

On January 8, 2024, the Department of Water Resources (DWR) notified the Commission of its intent to seek a Resolution of Necessity (RON) for the Big Notch Project in furtherance of a potential eminent domain action against the property identified as Department of Water Resources Parcel number YBSH-178, owned by Pacific Gas and Electric Company, a Corporation (PG&E). DWR cannot commence an eminent domain proceeding unless the Commission first adopts a RON (Code of Civil Procedure §§1245.210, 1245.220). At this meeting, DWR will present a report on the property, required by the Commission's Procedures for Resolutions of Necessity and Eminent Domain, (adopted August 17, 2011, revised May 17, 2023) containing information required by Code of Civil Procedure §§1245.230, and 1240.510. The Commission will consider adopting a RON, which will include considering additional information, if any, and determining if there is enough evidence to satisfy Code of Civil Procedure §§1245.230, 1240.510, and 1240.610. The Commission may choose to take action at this meeting. To adopt a RON requires a two-thirds vote of all members, which is a minimum of six votes in favor of the RON regardless of the number of Commission members present.

10. Water Storage Investment Program: Projects Update

Commission staff will provide an update on the progress of projects in the Water Storage Investment Program (WSIP).

11. Water Storage Investment Program: Exercise of Commission Discretion and Options for Outcomes

At the January Commission meeting, Commission Counsel briefed the Commission about how its discretion could be exercised to determine a project in the WSIP is not making sufficient progress toward completing the program requirements and a final funding

hearing, possibly leading to disqualifying it from the WSIP. Commission staff will provide options for potentially redistributing a project's maximum conditional eligibility determination (MCED) amount if it is disqualified.

12. Strategic Plan Development: Workplan

Commission staff will present to the Commission a workplan which will map out how the Commission will set its strategic priorities for the next five-year period. The process is being launched to update the Commission's 5-year strategic plan that will take effect in 2025.

13. State Water Project Briefings: Overview of the 2024 State Water Project Strategic Plan

DWR staff will brief the Commission on the State Water Project's (SWP's) goals and areas of focus for the upcoming year. DWR staff will also brief the Commission about how the SWP strategic plan supports the newly adopted DWR strategic plan.

14. Consideration of Items for Next California Water Commission Meeting

15. Adjourn

The Commission may break for lunch as needed.

At the discretion of the California Water Commission, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action.

Further information regarding this meeting will be available at <https://cwc.ca.gov/>.

- California Native American Tribal leaders and representatives and members of the public shall be provided an opportunity to address the California Water Commission on any agenda item except closed session items. Comments shall be limited to matters within the Commission's jurisdiction. Reasonable time limits may be established for comments (Government Code Section 11125.7), and the Commission has established a three-minute limit per comment. California Native American Tribal leaders and representatives who identify themselves during agenda item 7 will be given the opportunity to provide comments prior to public comment on agenda items as outlined in the Commission's [California Native American Tribal Leadership Comment Policy](#).
- Agenda items may be heard in any order at the discretion of the Commission.
- **Written comments regarding specific items on this agenda will be provided to the Commissioners as part of their meeting packets if they are received by 5:00 p.m. on Monday, February 19, 2024.** Staff will make every effort to provide comments received after this deadline electronically, but we cannot make any guarantees. Written comments can be submitted to cwc@water.ca.gov. Comments received by the Commission related to meeting agenda items will not be edited and will be posted to the Commission's webpage in their entirety.

- Copies of meeting materials are available on the [Commission website](#). Anyone may request hard copies of these materials; however, the Commission may charge a fee covering the cost of providing such materials.
- The Commission intends to provide a webcast of the meeting. However, if technical difficulties interrupt the webcast at times, the full webcast video will be posted at cwc.ca.gov as soon as possible.
- If you require special accommodations, please call (916) 873-5774 or email cwc@water.ca.gov.
- For further information about items on this agenda please contact Aaron Walters, Aaron.Walters@water.ca.gov or (916) 902-6785.