

State of California
California Natural Resources Agency
California Code of Regulations, Title 23. Waters
Division 2. Department of Water Resources
Chapter 1. Dams and Reservoirs
Modifications to Articles 2, 5, 6, and 7
Add Articles 8, 9, and 10
August 2026

*Addendum to the Initial Statement of Reasons
(OAL File No. Z-2025-1104-01)*

On November 14, 2025, the Department of Water Resources (Department) published proposed regulations to add, amend, and repeal dam safety regulations to the following articles of the California Code of Regulations, Title 23, Division 2, Chapter 1 (CCR Title 23):

- Article 2. Applications for Construction, Enlargement, Repair, Alteration, or Removal of Dams or Reservoirs (amend and repeal)
- Article 5. Dams Owned by the Department of Water Resources (amend and repeal)
- Article 6. Inundation Maps (amend and repeal)
- Article 7. Administrative Enforcement (amend and repeal)
- Article 8. Annual and Periodic Adjustments to Application Fees (Add)
- Article 9. Application Fee Refunds (Add)
- Article 10. Phased Approvals (Add)

The Department also published an Initial Statement of Reasons regarding these proposed regulations. These and other rulemaking documents are available for review on the Department's website at <https://water.ca.gov/Programs/All-Programs/Division-of-Safety-of-Dams/Statutes-and-Regulations>.

After the proposed regulations were published, the Department provided a 56-day written comment period and public hearing. Because of comments received, the Department made revisions to the proposed regulations and published the revised proposed regulations text for a 21-day comment period. The Department intends to make additional revisions to the regulations and will provide a 15-day (minimum) written comment period. All comments on the regulations will be included in the rulemaking file.

This addendum provides a statement of necessity, which is intended to provide a statement of necessity or supplement the original statement of necessity set forth in the ISOR published on November 14, 2025, for certain provisions of the proposed regulations as set forth below.

The November 14, 2025, ISOR did not address the purpose and necessity for the addition of “flow parameters” to the California Code of Regulations, Title 23, Article 6, subsection 335.2(a)(28) as shown below:

“Two-dimensional hydraulic model” refers to a hydraulic model in which ~~variables~~ flow parameters such as velocity and depth vary in two horizontal directions along a watercourse.

Necessity and Purpose

Purpose: The purpose of the amendment to this subsection is to add clarity to the definition of “Two-dimensional hydraulic model.”

Necessity: This amendment is necessary to clarify the definition of “Two-dimensional hydraulic model” as the existing definition includes both “variable” and “vary” which is duplicative. The removal of “variable” the addition of “flow parameters” was to clearly indicate that such parameters as velocity and depth along a watercourse are related to flows in the watercourse.

Economic Impact Assessment

This modification is not anticipated to create any new economic impact.

Documents Relied Upon

No documents were relied upon in the development of this addition.

Benefits

Added clarity/direction to those tasked with preparing dam breach inundation maps.

Alternatives

This addition does not change the alternatives and consideration to alternatives provided in the November 14, 2025, ISOR.

Support for Determination of Adverse Economic Impact on Business

This addition does not result in any change to the information provided in the November 14, 2025, ISOR.

Consistency with Federal Law

This addition does not duplicate or conflict with federal regulations.