



***Ex Parte* Communication Policy for the Water Storage Investment Program**

The Commission has adopted the following *ex parte* communications policy, effective immediately, which shall apply to the implementation of the Water Storage Investment Program (WSIP), pursuant to California Water Code Sections 79750-79760. This policy is intended to protect the integrity and fairness of the WSIP decision-making process specified in the Commission's regulations (Title 23, California Code of Regulations, Sections 6000-6015), and to ensure that all commissioners may fully participate in all funding decisions.

Definition

"*Ex parte* communication" means any oral or written communications with Commissioners outside of a noticed public meeting, including in-person meetings, site visits, telephone calls or conferences, and written communications (written, printed, or electronic) on any matter being considered or that may be considered by the Commission. Unless otherwise noted, this policy applies only to *ex parte* communications regarding any application for WSIP funding.

Throughout the WSIP decision-making process:

- The Commissioners shall remain neutral regarding any prospective projects.
- The Commission shall continue its current practice of reporting all *ex parte* communications, regardless of subject, at the beginning of each Commission meeting.
- If a Commissioner is absent from a meeting, she/he will report any *ex parte* communications that occurred prior to that meeting on the Commission's "Communication Disclosure Form" (attached). Staff shall make completed forms available to the public on the CWC website.

During the Application Period (through August 13, 2017, per Cal. Code Regs. Title 23, sections 6003-6004):

- *Ex parte* communications and site visits may occur, as long as Commissioners disclose them.
- Commissioners should notify staff in advance of any meeting or site visit; if possible staff should attend to provide information.

Throughout the Application Review and until the Final Award (August 14, 2017 through completion of the requirements of Cal. Code Regs. Title 23, section 6013):

- The Commission shall act as a body of State government with regard to WSIP applications, which means that *ex parte* communications regarding any application for WSIP funding may not occur.

- The Commission shall determine the consequences, possibly including recusal, of engaging in *ex parte* communications related to an application.
- The Commission shall decide, at a public meeting, if it will visit the site of any proposed project as a body of State government, what information would be obtained, how that information would be used in the evaluation of the application for that project, and how the information would be consistent with the regulations.
- The Commission shall conduct any site visits as public meetings, consistent with the requirements of the Bagley-Keene Open Meeting Act.


 California
WATER COMMISSION
COMMUNICATION DISCLOSURE FORM

Name of Commission Member: _____

Date and time of receipt of communication: _____

Form of communication (email, phone call, etc.) _____

Location of meeting, if applicable: _____

Person(s) initiating communication: _____

Description of content of communication: _____

Notes: _____

Note: Commissioners may also communicate communications orally at a noticed Water Commission meeting.