

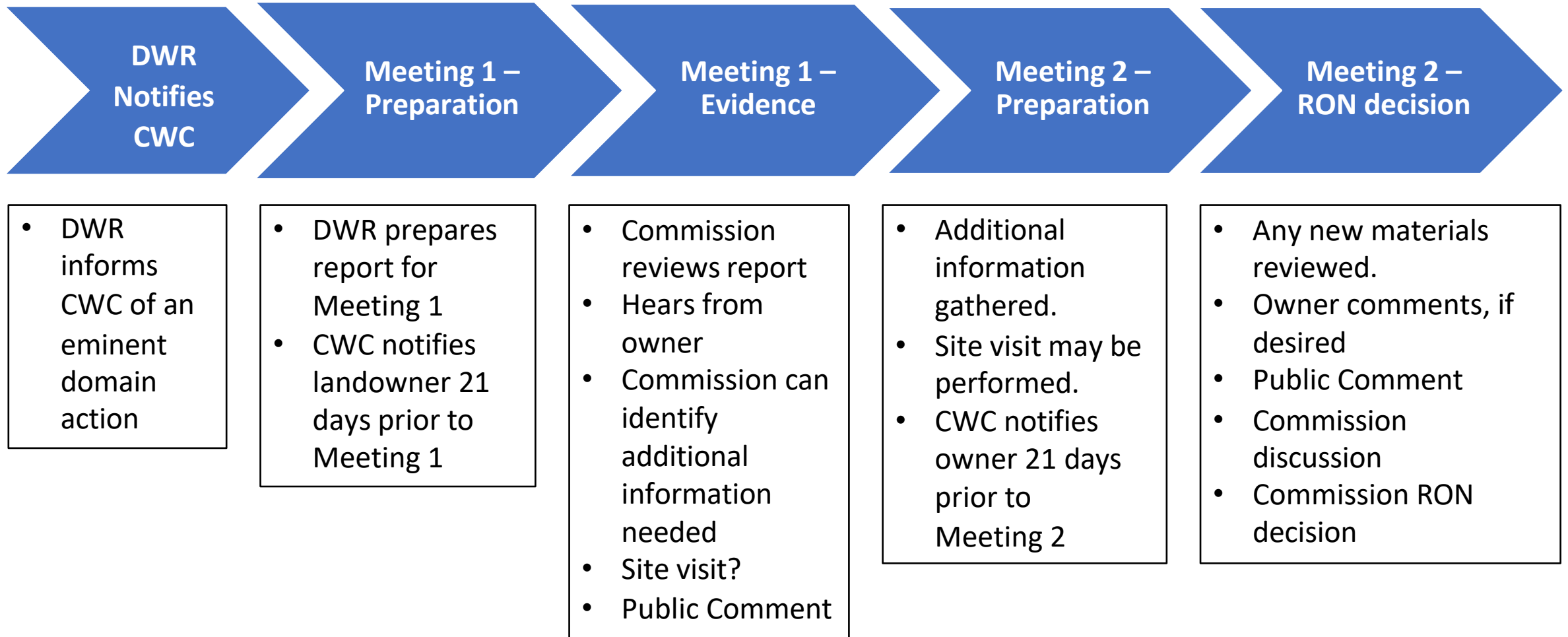
Revisions to Resolutions of Necessity Procedures

California 
WATER COMMISSION May 2023

Current process

- Department of Water Resources (DWR) notifies the Commission of its intent to request a resolution of necessity from the Commission. DWR and Commission staff coordinate to send notices to impacted property interest holders regarding the potential resolution of necessity.
- The Commission holds an informational meeting where DWR presents an overview of the project and introduces the property(ies) that are subject to potential eminent domain action, including the statutorily required evidence supporting the resolution of necessity. All interested parties may comment at the meeting. The Commission may not take action at this meeting. DWR and Commission staff continue to coordinate to send notices to impacted property interest holders for the second, statutorily required, hearing.
- The Commission holds the legally required hearing at a second meeting that reviews the same information as the first meeting with four additional required documents: a copy of the proposed resolution, the deed to take the interest in the property, the proposed Commission Notice of Determination, and any relevant CEQA documents. The Commission may take action at this meeting.

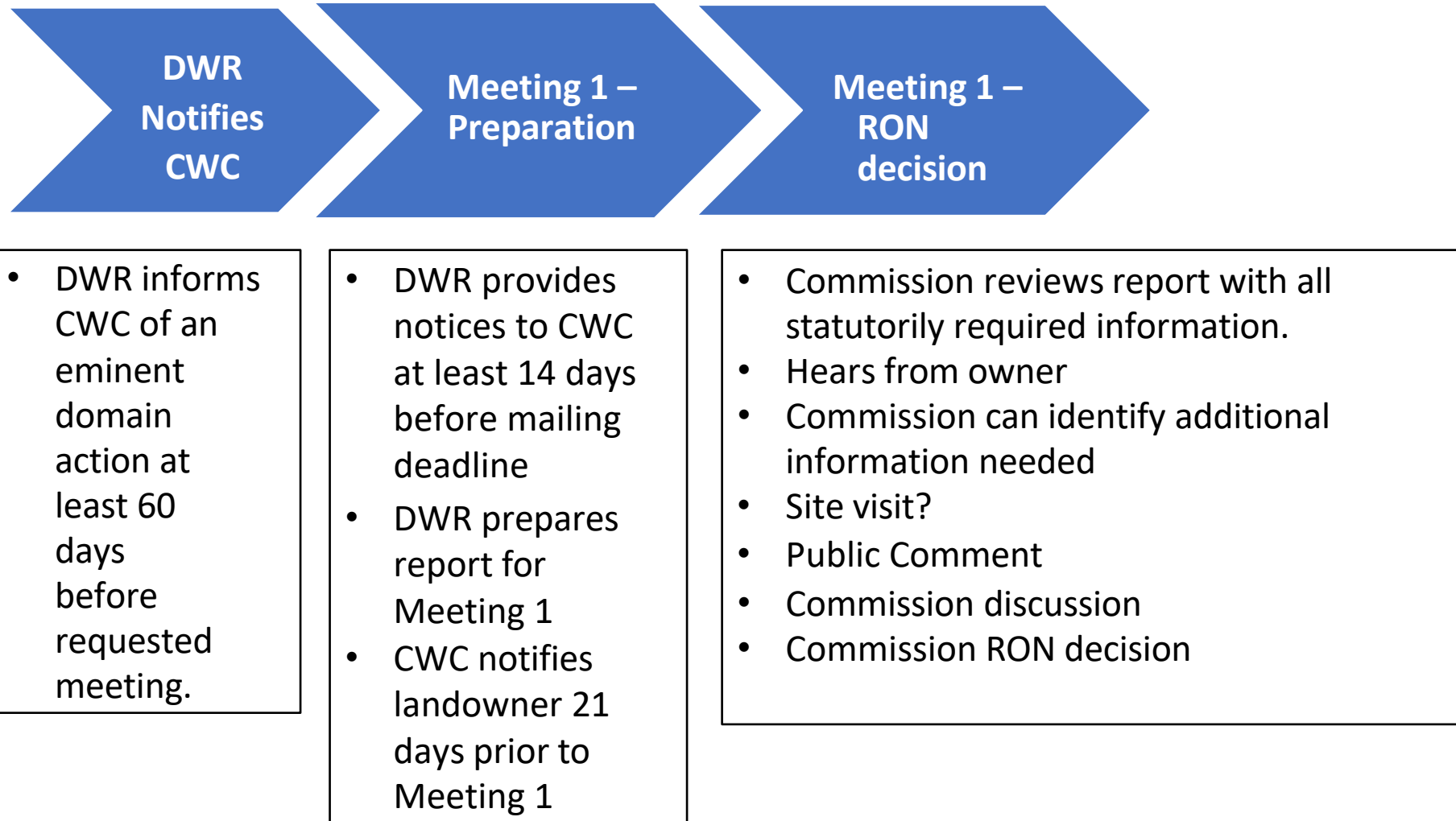
Commission Current Resolution of Necessity Process



Revised process

- Department of Water Resources (DWR) notifies the Commission of its intent to request a resolution of necessity from the Commission. DWR and Commission staff coordinate to send notices to impacted property interest holders regarding the potential resolution of necessity.
- ~~• The Commission holds an informational meeting where DWR presents an overview of the project and introduces the property(ies) that are subject to potential eminent domain action, including the statutorily required evidence supporting the resolution of necessity. All interested parties may comment at the meeting. The Commission may not take action at this meeting. DWR and Commission staff continue to coordinate to send notices to impacted property interest holders for the second, statutorily required, hearing.~~
- The Commission holds the legally required hearing that includes the four documents previously omitted from the informational meeting: a copy of the proposed resolution, the deed to take the interest in the property, the proposed Commission Notice of Determination, and any relevant CEQA documents. The Commission may take action at this meeting.

Commission Current Resolution of Necessity Process



Additional minor changes

- More specific language is added to streamline the coordination between Commission staff and DWR.
 - Requires the request for the resolution of necessity be in writing at least sixty days before the meeting when DWR would like the request to be heard.
 - Requires property owner notices be provided by DWR at least 14 days before the mailing deadline.

Commission Decision Options

- Retain the current process
- Adopt the revised process
- Suggest additional changes and adopt the revised process with the changes
- Suggest additional changes and reconsider the matter at a later Commission meeting.