STATE OF CALIFORNIA
CALIFORNIA NATURAL RESOURCES AGENCY
CALIFORNIA WATER COMMISSION

RESOLUTION NUMBER: 2014-01

RESOLUTION TO ADOPT THE ENCROACHMENT PERMIT REGULATION

WHEREAS, pursuant to Water Code section 161, California Water Commission approval is required before most regulations adopted by the Department of Water Resources shall become effective; and

WHEREAS, pursuant to Water Code section 12899.9 the Department of Water Resources is permitted to adopt Regulations regarding the issuance of an Encroachment Permit to control activities and uses in, on, under or over any portion of the State Water Resources Development System ("State Water Project") right-of-way, and to remove unauthorized encroachments; and

WHEREAS, the Department of Water Resources has conducted public outreach meetings in development of these Regulations, and conducted a 45-day public comment period and subsequently, a 15-day public comment period in accordance with the Administrative Procedures Act; and

WHEREAS, adoption of said Regulations is necessary in order to protect the critical public resource known as the State Water Project and to ensure that the integrity and safety of the State Water Project and related facilities are maintained at the highest level, and to ensure that the Department can maintain access for maintenance, repair, or operation of the State Water Project facilities; and

WHEREAS, immediately upon adoption by the California Water Commission, these Regulations may be submitted to the Office of Administrative Law for review and considered for acceptance into the California Code of Regulations, Title 23, Division 2, Chapter 6, Sections 600-630.

NOW, THEREFORE, LET IT BE RESOLVED that the California Water Commission:

Adopts the Encroachment Permit Regulation, as approved at their meeting of May 21, 2014.

Signed:

Joe Byrne, Chair
California Water Commission

Date 5/21/14

Attest:

Sue Sims, Executive Officer
California Water Commission

Date 5/21/2014