

BRIEF MEETING SUMMARY

Stakeholder Advisory Committee (SAC)

Water Storage Investment Program (WSIP)
California Water Commission (Commission)
September 2, 2015

Prepared by the Sacramento State, Center for Collaborative Policy (CCP)

Introduction

The SAC held its sixth meeting on September 2, 2015. Of the 31 SAC members, 22 members or their alternates attended. Dave Ceppos, Associate Director for CCP facilitated the meeting. Commissioner Joe Del Bosque and Commission Executive Officer Paula Landis were also present.

Major Themes

Definitions of Groundwater Storage Projects and Conjunctive Use Projects

- A few SAC members supported linking the definition of conjunctive use projects with reservoir reoperation projects. Other SAC members suggested that connecting conjunctive use with reservoir reoperation limits the number of potential conjunctive use applicants because some conjunctive use projects do not involve reservoir reoperation.

Draft Regulation – Article 1 Definitions

- SAC members proposed several changes to Article 1 Definitions. Below are the definitions in the September 1 version of the Draft Regulation that generated the most discussion from SAC members (*Note – lettering of definitions is expected to change as more terms are added to the list prior to finalization*).
 - **(ee) – Flood Control Benefits**
 - Three SAC members supported modifying this definition to include new, expanded or reoperation storage projects.
 - One SAC member recommended identifying what flood control benefits are.
 - **(ff) – Future Conditions**
 - Two SAC members suggested Project Staff clarify what project applicants will be required to submit.
 - **(z) – Environmental Documentation**
 - Several SAC members recommended Project Staff add a reference to the National Environmental Protection Act (NEPA).
 - Two SAC members proposed adding a separate definition of “permitting.”
 - **(hh) – Groundwater Contamination Prevention Project**
 - Two SAC members pointed out that there are many constituents (some naturally occurring) that contaminate groundwater other than the examples in this definition. They suggested Project Staff clarify that the items under this definition are only a partial list.
 - **(III) – Public Utility**
 - Two SAC members recommended adding water corporations, municipal water companies, mutual water companies, and similar in this definition.

Draft Regulation – Article 2 Guidelines, Section 6001 General Provisions

- A few SAC members expressed concern that specific design, construction, and operations information of storage projects would be available to the public. They explained that this might lead to national security concerns.
- One SAC member recommended Project Staff clarify that public agencies are only those “of the State”. He also suggested defining nonprofit agencies, public agencies, and tribes in Article 1 Definitions.

Draft Regulation – Article 2 Guidelines, Section 6002 General Selection Process

- Two SAC members expressed concern that the regulations do not include opportunities for project integration.
 - One SAC member recommended that the “concept paper”, which will provide an understanding of the range of projects, should be required. Six other SAC members agreed.
 - Another SAC member recommended that Project Staff have an active role identifying potential integration partners.
- One SAC member expressed concern that the regulations limit the impact of public input on the Commission’s review of potential projects. She recommended that Project Staff elevate the role public input will have in the application selection process.
- Several SAC members recommended that either the regulations or the Proposal Solicitation Package (PSP) should identify project application and review timelines.

Eligibility and Completeness Review

- A majority of SAC members supported extending the time provided to project applicants to address any eligibility or completeness deficiencies identified by Project Staff. The current draft regulation limits this to 14 days.
- One SAC member expressed concern about the ability of project applicants to self-certify their eligibility. He recommended removing this option. Two other SAC members supported self-certification and recommended that Project Staff provide technical assistance on self-certification.
- Two SAC members recommended that Project Staff clarify the requirements of (c)(2)(v)(6) to align with Sustainable Groundwater Management Act requirements.

Technical Review

- A majority of SAC members recommended Project Staff extend the timeline for submitting requested information beyond 30 days.
 - One SAC member suggested that the Independent Technical Reviewers would need additional time to review and collect additional information.
 - One SAC member recommended expanding the timeline to 45 or 60 days.
 - Another SAC member recommended that Project Staff outline the technical review process in the PSP.
- One SAC member acknowledged the need to limit Reviewer bias but expressed concern that the requirements will limit the number of reviewers knowledgeable about California water policy. Another SAC member pointed out that the language of (c)(4)(iii) may not allow panelists to review projects in which they have a vested interest, but suggested that bias may still occur because they review competing projects.

Draft Regulation – Article 2 Guidelines, Section 6003 Funding Commitment

- One SAC member expressed concern that the prescriptive language in Section 6003 would limit the Commission’s discretion to award funding.
- Two SAC members supported enabling the Commission to adjust funding upward or downward from its initial funding commitment.
- Two SAC members expressed concern over providing funding to applicants for permits. One SAC member supported the Commission’s ability to provide permit funding assistance to disadvantaged communities and environmental justice organizations.
- Two SAC members supported clarifying methods of payment to projects for work completed between the initial funding commitment and the final funding commitment.

Draft Regulation – Article 3 Quantification and Management of Benefits, Section 6004

Quantification of Benefits

- Several SAC members voiced concern about requiring projects to analyze conditions over a 100-year planning horizon. They noted that uncertainties would make it difficult to generate a quality analysis. Staff clarified that 100-years is a maximum, and the planning horizon is based on the expected project life. One SAC member still had concerns and suggested a planning horizon aligned with Urban Water Management Plans.
- Several SAC members recommended removing prescriptive language in Section 6004 to provide project applicants flexibility to project applicants’ analysis.