



RE: Water Storage Investment Program Working Draft Regulation, dated November 24, 2015  
Suggested edits by **Commissioner Paula Daniels**

- 1) Section 6000 (a)(40), Page 4: Existing environmental mitigation or compliance obligations” means ~~enforceable~~ requirements or conditions **including those in biological opinions, water rights orders and decisions, licenses, water quality standards, water quality certifications, existing permits, contracts, or grants intended to protect the environment.**
- 2) Section 6002 (C)(4)(B)(1), Page 17: Does not adversely affect any river afforded protection in the California Wild and Scenic Rivers Act or the Federal Wild and Scenic Rivers Act pursuant to California Public Resources Code section 5093.50 **et. seq.** or 16 U.S.C. § 1271 *et seq.* as required by Water Code section 79711(e) **and 79751(a)**
- 3) Section 6002 (c)(5)(A), Page 17: The following items shall be reviewed and evaluated ~~from a quality control perspective~~ from applications that are deemed complete and meet basic eligibility requirements by the review outlined in sections 6002(c)(3) and 6002(c)(4) during the technical review period:
- 4) Section 6002 (C)(5)(E), Page 18: The technical reviewers shall evaluate the methods, **assumptions and conclusions** ~~(extent to which assumptions were stated, scientific principles of ecosystems and water quality that were used, data sources identified, model/process used, internal consistency)~~ used in the quantification of public benefits required by section 6004.
- 5) Section 6004 (a)(1)(C), Page 23: The without-project future conditions shall represent **include a quantitative stress test of how potential changes in precipitation, temperature, and sea level in the region(s) that supply water to the project and receive water from the project might affect project operations. Potential changes should represent climate changes at the watershed level that are regionally consistent in magnitude with projections of statewide changes in precipitation, temperature, and sea level for the planning horizon. For projects with a planning horizon that goes beyond the year 2065, the without-project future conditions (for the period 2070-2099) shall differ from the historical period average (1961-1990) by the following amounts:**
  1. **Average statewide precipitation of 15 percent wetter and 6 percent drier;**
  2. **Average statewide temperature of at 8.8 degrees Fahrenheit warmer; and**
  3. **Sea level rise of 105 centimeters.**

If the planning horizon does not go beyond the year 2065, the without-project future conditions (for the period 2036-2065) shall differ from the historical period average (1961-1990) by the following amounts:

1. Average statewide precipitation of 11.4 percent drier;
2. Average statewide temperature of 5.0 degrees Fahrenheit warmer; and
3. Sea level rise of 61 centimeters.

- 6) Section 6004 (a)(4), Page 25: Monetize the Value of **Net Project Physical Changes Benefits**. The applicant shall estimate the monetary value of **net physical changes benefits** in accordance with subsections (A) – (H) below.
- 7) Section 6004 (a)(7)(A)(4), Page 27: “Shall not be associated with **an applicant’s** existing environmental mitigation or compliance obligations”
- 8) Section 6004 (a)(8), Page 27: Regarding sources of uncertainty:  
*Comment: Delete and replace with directions to use Cal-Adapt.org to downscale the information to their project area.*
- 9) Section 6007 (b): Any project funded under the Program shall, on an annual basis commencing with the end of the first full year of operation, submit a **publicly available** report to the Commission and the public agencies identified in Water Code section 79754. The report shall include, at a minimum, a description of actual project operations, documentation of annual public benefits provided, and description of any changes in the amount or type of public benefits and why those changes occurred. The reports shall be submitted annually for the life of the project or until **2065, after which** ~~such time as~~ the Commission **may** makes a determination that the reports can be provided less frequently or are no longer necessary.