

**State of California
Office of Administrative Law**

In re:
California Water Commission

Regulatory Action:

Title 23, California Code of Regulations

Adopt sections: 6000, 6001, 6002, 6003,
6004, 6005, 6006, 6007,
6008, 6009, 6010, 6011,
6012, 6013, 6014, 6015

Amend sections:
Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

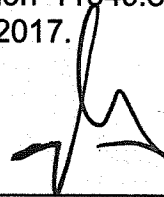
OAL Matter Number: 2017-0123-03

OAL Matter Type: Regular (S)

This action interprets and implements Proposition 1, establishes methodologies to quantify public benefits of water storage projects, adopts funding application procedures, and adopts procedures to evaluate water storage projects for prospective funding.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 3/7/2017.

Date: March 7, 2017



**Mark Storm
Senior Attorney**

For: Debra M. Cornez
Director

Original: Paula Landis
Copy: Holly Geneva Stout

NOTICE PUBLICATION/REGULATIONS SUBMISSION

REGULAR

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-	2017-0123-035	

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NOTICE	REGULATIONS
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ENDORSED - FILED
in the office of the Secretary of State
of the State of California

MAR 07 2017

3:08

2017 JAN 23 P 3:46
OFFICE OF ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY California Water Commission	AGENCY FILE NUMBER (if any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE	
	2016, 05-2	1/29/2016	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Water Storage Investment Program	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 6000, 6001, 6002, 6003, 6004, 6005, 6006, 6007, 6008, 6009, 6010, 6011, 6012, 6013, 6014, 6015
	AMEND
TITLE(S) 23	REPEAL

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §511346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
September 2 - October 3, 2016; September 9 - October 3, 2016; November 22 - December 7, 2016

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
 Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) Effective on filing with Secretary of State \$100 Changes Without Regulatory Effect Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input checked="" type="checkbox"/> Other (Specify) DFW, SWRCB, DWR per agency request		

7. CONTACT PERSON Holly Geneva Stout	TELEPHONE NUMBER (916) 651-9566	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Holly.Stout@water.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 1-23-17
TYPED NAME AND TITLE OF SIGNATORY Taryn Ravazzini, Acting Executive Officer	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAR 07 2017

Office of Administrative Law

NOTE: All text below is NEW text for insertion in the California Code of Regulations.

CALIFORNIA CODE OF REGULATIONS
TITLE 23. WATERS.
DIVISION 7. CALIFORNIA WATER COMMISSION
CHAPTER 1 WATER STORAGE INVESTMENT PROGRAM

Article 1 Purpose and Definitions

Section 6000. Chapter 2 of Proposition 1, Water Code section 79701(e), declares the will of Californians that funding within Proposition 1 is provided to obtain three objectives of the California Water Action Plan: more reliable water supplies, restoration of important species and habitat, and more resilient and sustainably managed water infrastructure. Chapter 8 of Proposition 1, Water Code section 79750 *et seq.* requires the Commission to adopt regulations governing the investment of public funds for public benefits associated with water storage. The regulations in this chapter describe the application process to obtain public funding for water storage projects that would provide public benefits, and the methods and criteria to be used by the Commission to evaluate those proposed projects. Commission actions and meetings are performed in accordance with the Bagley Keene Open Meeting Act (Government Code sections 11120 – 11132) (Bagley-Keene). Decisions made by the Commission for the Water Storage Investment Program shall be made by majority vote in a public meeting after the Commission has heard public comment. Staff informs the Commission decisions by providing technical comment and preliminary recommendations for the Commission's consideration. Supporting information shall be made available to the Commission in advance of the meeting, consistent with Bagley-Keene.

Note: Authority Cited: Water Code section 79750.

Reference: Water Code section 79750.

Section 6001. Definitions

(a) As used in this Chapter, the terms below shall have the meanings noted:

- (1) "Adaptive management" has the same meaning as provided in Water Code section 85052.
- (2) "Agricultural water supplier" has the same meaning as provided in Water Code section 10608.12.
- (3) "Applicant" means the entity(ies) that formally submits an application for funding.
- (4) "Application" means the information submitted to the Commission that is outlined in the application process in section 6003 of these regulations.
- (5) "Attraction flow" means water with appropriate chemistry, velocity, quantity, and location to attract fish migrating upstream.
- (6) "Avoided cost" means the reduction in a without-project future condition cost that would occur as a result of a proposed project.

- (7) "Beneficial uses of the Delta" means the beneficial uses identified in the State Water Board's "Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary" (December 2006).
- (8) "Beneficiary(ies)" means a person, organization, or group of persons or organizations that receives public or non-public benefits from a proposed project.
- (9) "Best available science" means the use of the high-value information and data, specific to the decision being made and the time frame available for making that decision, to inform and assist management and policy decisions.
- (10) "CALFED surface storage projects" means projects meeting the requirements of Water Code section 79751(a). For the purposes of this Program, this means Los Vaqueros Reservoir Expansion, In-Delta Storage Project, Sites Reservoir, and Temperance Flat.
- (11) "Capital costs" means the costs of construction or acquisition of a tangible physical property with an expected useful life of 15 years or more. Capital costs include the following items:
- (A) Major maintenance, reconstruction, or demolition for purposes of reconstruction, reoperation, or retrofitting of facilities.
 - (B) Equipment with an expected useful life of two years or more.
 - (C) Costs incidentally but directly related to construction or acquisition, including, but not limited to, planning, engineering, construction management, architectural, and other design work, environmental impact reports and assessments, required environmental mitigation or compliance obligation expenses, appraisals, legal expenses, site acquisitions, and necessary easements.
- (12) "CEQA" means the California Environmental Quality Act (Public Resources Code section 21000 et seq.).
- (13) "CDFW" means the California Department of Fish and Wildlife.
- (14) "Commission" means the California Water Commission.
- (15) "Conjunctive use project" means the coordinated and planned management of existing surface water and groundwater resources in order to maximize the efficient use of both resources. Conjunctive use projects may include development of new operational agreements and construction of appurtenant infrastructure. To be considered for a maximum project cost share exception, pursuant to Water Code section 79756(a), these projects shall use existing facilities and resources to the maximum extent practicable. Conjunctive use projects do not include those that meet the definition of groundwater storage projects.
- (16) "Construction period" means the time during which construction occurs, normally stated as the first year and the last year of construction.
- (17) "Cost-effective(ness)" means a demonstration that a proposed project's cost is the least-cost feasible means of providing the same or greater amount of benefit. Cost-effectiveness can apply to the project as a whole (total costs to provide the full set of public and non-public benefits) or to an individual public benefit relative to the Program cost share for that public benefit.

- (18) "Cost allocation" means the process for assigning costs to beneficiaries.
- (19) "Cost share" means the portion of total project cost that is paid by a specific beneficiary or funding source. It may be expressed in dollars or as a percent of total cost.
- (20) "Current conditions" means the existing conditions as presented in an applicant's CEQA document.
- (21) "Delta" means the Sacramento-San Joaquin Delta as defined in Water Code section 85058.
- (22) "Delta outflow" means the Net Delta Outflow Index as identified in the State Water Board's "Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary" (December 2006).
- (23) "Department" means the Department of Water Resources.
- (24) "Dewatering" means a condition when water surface elevation drops below bed elevation exposing redds to ambient conditions or stranding juvenile salmonids.
- (25) "Disadvantaged communities" has the same meaning as Water Code section 79505.5.
- (26) "Discount rate" means the real interest rate (i.e., the rate without inflation) used to adjust constant dollar public or non-public benefits received or costs incurred during the planning horizon to dollars at a common point in time.
- (27) "Duration of improvement" means the length of time an improvement is expected to exist or provide intended public benefits.
- (28) "Ecosystem improvements" means a public benefit that includes changing the timing of water diversions, improvement in flow conditions, temperature, or other public benefits that contribute to the restoration of aquatic ecosystems and native fish and wildlife, including those ecosystems and fish and wildlife in the Delta, per Water Code section 79753(a)(1). Ecosystems include both aquatic and terrestrial habitats and natural communities.
- (29) "Emergency response" has the same meaning as Water Code section 79753(a)(4) which is a public benefit that provides an amount of water storage or supply for emergency response purposes that are outside of normal facility operations or average water supply for all other purposes (i.e., water supply is reduced for the expected (average) amount of water used for emergency purposes). For the purposes of this Program, emergency response water supplied for human health and safety purposes during declared emergencies will be considered a public benefit under this category.
- (30) "Entrainment" means fish being transported along with the flow of water into unnatural or harmful environments.
- (31) "Environmental documentation" means documentation required for compliance with CEQA as defined in California Code of Regulations, Title 14, section 15361.
- (32) "Existing environmental mitigation or compliance obligations" means legally enforceable requirements or conditions in existing statutes, regulations, permits, contracts, licenses, grants, or orders and decisions from courts or state or federal agencies intended to protect the human or natural environment.
- (33) "Flood control benefit" has the same meaning as Water Code section 79753(a)(3) which is a public benefit that reduces or prevents the extent or magnitude of the expected

- detrimental effects of flooding as a result of new, expanded, or reoperated storage projects.
- (34) "Flow regimes" means flow conditions that retain specific process-based components that support hydrogeomorphic or ecological functions for the streams and rivers. Ecological functions are the biological, chemical, and physical structural components of an ecosystem and how they interact with each other.
 - (35) "Funding agreement" means an agreement between the Commission and the funding recipient to implement the proposed project.
 - (36) "Funding recipient" means an applicant who receives a letter of maximum conditional eligibility and enters into a funding agreement through the Program.
 - (37) "Geographic scope" means the area covered by a model or analysis used to calculate physical changes resulting from a proposed project.
 - (38) "Groundwater contamination prevention project" means a project that provides water storage benefits and prevents groundwater contamination by eliminating or reducing sources of contamination; prevents seawater intrusion through the use of seawater or hydraulic barriers; prevents the migration of contaminants into down gradient groundwater basins or aquifers; or otherwise prevents groundwater contaminant plumes from expanding or spreading. Contamination means an impairment of the quality of the groundwaters of the State.
 - (39) "Groundwater dependent ecosystem" has the same meaning as California Code of Regulations, Title 23, section 351(m).
 - (40) "Groundwater remediation project" means a project that provides water storage benefits and removes or reduces one or more constituents resulting from a discharge or release of waste that has degraded groundwater quality or impaired beneficial uses, or a project that restores groundwater basin storage or storage capacity by reducing constituent concentrations below levels that impair beneficial uses of the groundwater.
 - (41) "Groundwater storage project" means a designed project that captures, infiltrates, injects, or recharges (direct or in-lieu) water supplies into a groundwater basin for later use or to avoid or address undesirable groundwater results.
 - (42) "Groundwater Sustainability Agency (GSA)" has the same meaning as Water Code section 10721(j).
 - (43) "Groundwater Sustainability Plan (GSP)" has the same meaning as Water Code section 10721(k).
 - (44) "Immediacy of improvement action" means the amount of time that will elapse between the initiation of an improvement action that will result in a measurable improvement and the completion of that action.
 - (45) "In-river rearing" means when a fish holds in a river to feed, grow, or survive prior to upstream or downstream migration.
 - (46) "Local surface storage project" means a project that stores water above ground in a natural or artificial impoundment that improves the operation of water systems in the state and provides public benefits. Local surface storage projects are not wholly owned

or operated by the Department or U.S. Bureau of Reclamation but rather by a local agency.

- (47) "Magnitude of improvement" means the quantity of the improvement.
- (48) "Measurable improvements" means changes in physical, chemical, or biological conditions that provide public benefits and can be quantified at a specific location and time.
- (49) "Mutual water company" has the same meaning as Public Utility Code section 2725.
- (50) "Net improvement" means the gain or enhancement of a resource condition determined by comparing the with- and without-project future conditions less any negative outcomes of a proposed project.
- (51) "Non-natal tributary" means any waterway that is not the stream or river where an anadromous fish was born.
- (52) "Nonprofit organization" has the same meaning contained in Water Code section 79702(p).
- (53) "Non-public benefit" means a benefit provided by a proposed project other than the public benefits identified in Water Code section 79753(a).
- (54) "Operations" means any decision or action, purposeful or incidental, to control or regulate the free flow of water by diverting to, impounding in, or releasing from a surface water or groundwater storage or other facility(ies).
- (55) "Permits" means any federal, state, or local approvals, certifications, or agreements required to construct, implement, or operate a project.
- (56) "Physical benefit" means a desired improvement in a good or service that is provided by a proposed project, measured in a physical, non-monetary unit.
- (57) "Physical change" means expected change in: surface water or groundwater conditions; water flow, Delta and riverine conditions; surface water or groundwater quality; aquatic and terrestrial biological resources; energy resources; recreation resources; or other resources affected by the change in diversion, storage, or use of water provided by a proposed project.
- (58) "Planning horizon" means the future time period, in years, over which project costs will be paid and public or non-public benefits received, normally based on the expected project life plus the construction period. The planning horizon may not exceed the expected life of the project facilities plus the construction period, or 100 years, whichever is less.
- (59) "Present value" means the monetary value of future costs or future public or non-public benefits of a proposed project, converted to a common point in time using the discount rate. As used in this regulation, present values of costs or benefits of a project are expressed at the start of a proposed project's operation, unless otherwise specified.
- (60) "Program" means the Water Storage Investment Program.
- (61) "Project life" means the expected time period in which a project physically performs its intended function.
- (62) "Public agency" shall have the same meaning provided in Water Code section 79702(s).

- (63) "Public benefit(s)" are those public benefits associated with water storage projects outlined in Water Code section 79753(a).
- (64) "Public Benefit Ratio" means the ratio of the monetized public benefits to the Program funding request.
- (65) "Ramping rate" means a progressive change in the discharge of water to a stream or river channel, measured as flow per unit time.
- (66) "Realization of benefit" means the amount of time that would elapse before an improvement will achieve measurable outcomes.
- (67) "Recreational purposes" means a public benefit that provides recreation activities typically associated with water bodies (such as rivers, streams, lakes, wetlands, and the ocean) and wildlife refuges that are accessible to the public. Recreational benefits must be directly affected by the proposed project and be open to the public, and may provide interpretive, educational, health, or intrinsic value.
- (68) "Redd" means a gravel nest, excavated by a spawning female salmonid, for the deposition of eggs.
- (69) "Regional surface storage project" means a project that stores water above ground in a natural or artificial impoundment that improves the operation of water systems in the state and provides public benefits.
- (70) "Reservoir reoperation project" means a project that involves the modification of the operations of an existing surface storage reservoir to achieve public benefits. A reservoir reoperation project may include construction of appurtenant infrastructures such as spillways, radial gates, tunnels, or conveyance facilities necessary for the improved operation of the existing reservoir. Such projects must result in long-term operational changes that provide public benefits, and the operational changes must be documented in a facility's operating permits and the contracts with entities responsible for administering and monitoring the public benefits, pursuant to Water Code section 79755.
- (71) "Resiliency" for the purposes of the component score in section 6009(g) means the ability of a project to provide public benefits by accounting for flexibility and integration to the State water system and response to sources of uncertainty as described in section 6004(a)(8).
- (72) "Spatial distribution" means the geographical arrangement of a habitat, phenomenon, or species in a given area.
- (73) "Spatial resolution" means the minimum length, area, or volume of an affected physical resource necessary to demonstrate and describe public benefits or impacts.
- (74) "Spatial scale" means the geographical extent of an improvement.
- (75) "Staff" means the employees of the Commission, other state agencies, and contractors designated by the Commission to assist in the preparation and review of applications and administer the Program, including evaluating the technical aspects of a proposed project.
- (76) "State Water Board" means the State Water Resources Control Board.

- (77) "State water system" means all of the state's water systems collectively, including local, regional, state, and federal systems that provide water resources benefits within California, regardless of whether the benefits are public or private.
- (78) "Straying" means an anadromous fish migrating into a non-natal waterway.
- (79) "Temporal scale" means the time in the calendar year during which an improvement would be realized.
- (80) "Threshold" means, in the context of adaptive management, a numerical value for a specific metric that is a boundary between acceptable and unacceptable situations or conditions, or a specific metric that must be exceeded for a certain reaction, result, or condition to occur.
- (81) "Time-step" means the amount of time for which equations in a time-sequential model are recalculated; normally hourly, daily, monthly or annually.
- (82) "Tributaries to the Delta" means all river systems that make up the Sacramento River watershed and the San Joaquin River watershed (i.e., the topographic hydrologic basins). Tributaries to the Delta include areas upstream of dams or other impoundments. Tributaries to the Delta do not include the Trinity River watershed or the Tulare Lake Basin.
- (83) "Tribe" means a federally-recognized Indian tribe or Indian tribes/groups listed on the Native American Heritage Commission's California Tribal Consultation List.
- (84) "Trigger" means, in the context of adaptive management, an event, situation, or measurement that initiates or requires a management action.
- (85) "Undesirable result(s)" with respect to groundwater, has the same meaning provided in Water Code section 10721(x)(1-6).
- (86) "Urban water supplier" has the same meaning as Water Code section 10617.
- (87) "Water quality improvements" means a public benefit that includes water quality improvements that provide significant public trust resources in the Delta or in other river systems, or water quality improvements that clean up or restore groundwater resources, per Water Code section 79753(a)(2). Public trust resources related to water quality improvements, for the purposes of this Program and quantifying public benefits, mean fishery protection, fish and wildlife conservation, preservation of waterways in their natural state, and recreation. Water quality improvements in the Delta, or in other river systems, that provide these public trust resources are public benefits.
- (88) "Willingness to pay" means a monetary measure of what Californians would be willing to relinquish for a quantity of a good or service if there was no alternative means of obtaining that same quantity.
- (89) "With-project future conditions" means a quantitative and qualitative description of the conditions assumed at the future condition years 2030 and 2070 with a proposed project; it is based on the without-project future conditions and includes additions or modifications specific to the proposed project's facilities and operations.
- (90) "Without-project future conditions" means a quantitative and qualitative description of the infrastructure, population, land use, water use, water operations, agreements, laws, regulations, climate and sea level conditions, and other characteristics relevant to the

proposed project that are assumed at the future condition years 2030 and 2070 without a proposed project.

NOTE: Authority cited: Water Code sections 79705, 79750, and 79754.

Reference: Water Code sections 79712, 79750, 79751, 79752, 79753, 79755, 79756, and 79757.

Article 2. Application Process

Section 6002. This article describes the information that shall be included in the application, including how the applicant quantifies the public benefits and the information necessary for the Commission to make an evaluation of the application and supporting information.

NOTE: Authority cited: Water Code sections 79705, 79750, and 79754.

Reference: Water Code sections 79750, 79754, 79755 and 79756.

Section 6003. Application Submittal

(a) The Commission shall notify the public when applications will be accepted through its website and its electronic mailing list. Alternatively, if requested by a potential applicant, notice shall be provided by regular mail. The application solicitation shall be open for a minimum of five months from the date the notice is published. Applicants shall complete and submit an application, using the Department's Grants Review and Tracking System (GRanTS) on-line application submittal tool, by the close of the application solicitation period. Staff shall post all applications received on the Commission's website within 30 days of the close of the solicitation period, with the exception of potentially confidential documents subject to the process described in section 6015.

(1) The application shall consist of the following:

(A) Maximum 20 page executive summary describing:

1. The project facilities and operations;
2. How the project is integrated into one or more state water systems, including use of new water sources such as recycled water or storm water capture. The summary must include information such as the project's inclusion in an integrated regional water management plan, other integrated planning documents, or interactions with existing projects and operations that support the description of integration;
3. How the project increases the flexibility of the water system(s) it is integrated with, including references to analyses, data, documents, or studies included in other parts of the application that support the added flexibility;
4. How the added quantity of water in the water system due to the project, or other metric, is important to increasing water system reliance and achieving public benefits;

5. The project's ability to contribute to sustainable groundwater management;
 6. The project's ability to expand beyond its current capacity including any planned phases of expansion and explain the current status of any expansion described;
 7. Physical and economic magnitude of public and non-public benefits; and
 8. Other relevant information the applicant deems necessary to inform the Commission.
- (B) Project name and objective, county, latitude, longitude, water source, watershed, groundwater basin, hydrologic region, senate district, assembly district, congressional district, project description, and maps, schematics, and engineering drawings to support the project description;
 - (C) Signed resolution from the authorized representatives or governing authority of the applicant designating an authorized representative to submit the application and execute an agreement with the State for Program funding;
 - (D) Contact information, including the name of organization, the point of contact and position title at the organization, email address, entity address and phone number;
 - (E) Explanation of eligibility, including which specific subsection of Water Code section 79712 or 79759 qualifies the applicant to apply and the subsection of Water Code section 79751 which qualifies the project type;
 - (F) Amount of Program funding requested, total capital costs, estimated total project cost, benefit and cost analysis, and cost allocation;
 - (G) Estimated project schedule that presents the anticipated timeline until the initial year of project operation;
 - (H) A preliminary operations plan or documentation describing, at a minimum, the following items:
 1. Project operations and public benefits under a range of hydrologic conditions, including wettest and driest years and multiple dry years;
 2. The actions that will be taken to meet the desired public benefit objectives;
 3. How operations will be monitored to ensure public benefit outcomes; and
 4. Preliminary adaptive management strategies, including: