

NOTICE OF INTENTION TO ADOPT THE CONFLICT OF INTEREST CODE
OF THE EEL-RUSSIAN PROJECT AUTHORITY

NOTICE IS HEREBY GIVEN that the EEL-RUSSIAN PROJECT AUTHORITY, pursuant to the authority vested in it by section 87306 of the Government Code proposes to adopt a conflict of interest code. A comment period has been established commencing on March 25, 2025 and closing on May 9, 2025. All inquiries should be directed to the contact listed below.

The EEL-RUSSIAN PROJECT AUTHORITY proposed conflict of interest code includes employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The code adoption carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Information on the code adoption is available on the agency's intranet site and/or attached to this email.

Any interested person may submit written comments relating to the proposed code by submitting them no later than **May 9, 2025**, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than **April 24, 2025**.

The EEL-RUSSIAN PROJECT AUTHORITY has determined that the proposed code adoption:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed code adoption and any communication required by this notice should be directed to: **Scott Shapiro, Outside Counsel, (916) 444-1000, sshapiro@downeybrand.com**.

EEL-RUSSIAN PROJECT AUTHORITY

CONFLICT OF INTEREST CODE

The Political Reform Act (Cal. Gov. Code, Sections 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs., Section 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designating positions and establishing disclosure categories shall constitute the Conflict of Interest Code of the Eel-Russian Project Authority (ERPA).

Individuals holding designated positions shall file their statements of economic interests with ERPA, which will make the statements available for public inspection and reproduction. (Gov. Code, Section 81008). All statements will be retained by ERPA.

APPENDIX A
Designated Positions

<u>DESIGNATED POSITIONS</u>	<u>DISCLOSURE CATEGORIES</u>
Legal Counsel	1, 2, 3
Consultants/New Positions	*

Note: The Legal Counsel position is filled by outside consultants that act in a staff capacity for ERPA.

*Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Board of Directors may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Board of Directors’ written determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code (Gov. Code Sec. 81008).

The following positions are not covered by the code because the positions manage public investments. Individuals holding such positions must file under Government Code Section 87200 and are listed for informational purposes only. Section 87200 requires disclosure of all investments and business positions in business entities, all income, including gifts, loans and travel payments, and real property.

Members of the Board of Directors

APPENDIX B
Disclosure Categories

Individuals holding designated positions shall disclose interests pursuant to their assignment to the corresponding disclosure categories:

Category 1

Investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by ERPA. The types of sources include, but are not limited to the following:

- Engineering services
- Construction contractors
- Hardware tools and supplies
- Freight and hauling
- Motor vehicles
- Petroleum products
- Photographic services, supplies and equipment
- Water quality testing
- Communications equipment and services
- Well drilling
- Electrical equipment
- Computer hardware and software
- Water treatment equipment, supplies and services
- Appraisal services
- Printing, reproduction, record keeping, etc.
- Office equipment
- Accounting services
- Real estate agent/brokers and investment firms
- Title companies
- Public utilities
- Banks and savings and loan institutions

Financial audit services

Consulting services, such as legal, energy and power, engineering, data processing, computers, labor relations, public relations, planning, economics, environmental, and appraisal

Agricultural production

Category 2

Interests in real property located within two miles of the boundaries of the Potter Valley Project, including its reservoirs, buildings, tunnel, penstocks, and related facilities.

Category 3

Investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources that have a claim pending or have filed a claim against ERPA within the last two years.