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## State Water Resources Control Board

### **Notice of Public Comment, Consideration of a Resolution to Adopt Guidelines and Emergency Regulations to Administer the Appropriation of Proposition 4 US Mexico Border Funding**

**NOTICE IS HEREBY GIVEN** that the State Water Resources Control Board (State Water Board) will accept public comments on the draft Emergency Regulations and Guidelines to Administer the Proposition 4 US Mexico Border Funding.

Public written comments must be submitted no later than **12:00 noon on March 5, 2026**. Public written comments must be submitted per the procedures in the "Submission of Comments" section of this public notice.

**NOTICE IS HEREBY GIVEN** that the State Water Board will consider the adoption of the draft guidelines and emergency regulations to administer the appropriation of Proposition 4 US Mexico Border Funding *no earlier than*:

**Tuesday April 21, 2026- 9:00 a.m.**  
**Coastal Hearing Room – Second Floor**  
Joe Serna Jr. - CalEPA Building  
1001 I Street, Sacramento

**And via Video and Teleconference (For public commenters)**

A webinar will be held virtually in mid-February to go through the Guidelines, Emergency Regulations, and Application and Scoring Criteria. The exact date of the webinar will be posted on the program website.

[https://waterboards.ca.gov/water\\_issues/programs/grants\\_loans/swgp/prop4/us-mexico-border/](https://waterboards.ca.gov/water_issues/programs/grants_loans/swgp/prop4/us-mexico-border/)

#### **Participation Option(s)**

##### Review the Available Documents

Review the Draft Guidelines and Draft Emergency Regulations through the following link. Physical copies of the available documents may be mailed to you upon request by contacting staff as described below.

[https://waterboards.ca.gov/water\\_issues/programs/grants\\_loans/swgp/prop4/us-mexico-border/](https://waterboards.ca.gov/water_issues/programs/grants_loans/swgp/prop4/us-mexico-border/)

### Attend the Public Meeting(s)

- Participate in person to observe or provide a comment on April 21, 2026 at the CalEPA Headquarters Building.
- Participate in the meeting remotely on April 21, 2026 through Zoom or by phone: [https://www.waterboards.ca.gov/board\\_info/remote\\_meeting/](https://www.waterboards.ca.gov/board_info/remote_meeting/).
- Watch the meeting online through the CalEPA webcast on April 21, 2026: ([video.calepa.ca.gov](https://video.calepa.ca.gov))

### Submit Written Comments

Written comments on the draft Guidelines or Emergency Regulations to Administer the Proposition 4 US Mexico Border Funding must be received by **12:00pm (noon) on March 5, 2026**. Comments received after this time and date may not be considered.

Please email your written comments to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) and [jennifer.toney@waterboards.ca.gov](mailto:jennifer.toney@waterboards.ca.gov) include **“Comment Letter – Draft US Mexico Border Funding”** in the subject line. You may also mail, or hand deliver your written comments to the following address:

State Water Resources Control Board  
Attention: Courtney Tyler, Clerk to the Board  
P.O. Box 100, Sacramento, CA 95812-0100 (by mail)  
1001 I Street, 24<sup>th</sup> Floor Sacramento, CA 95814 (hand delivery)

### **Language Services**

This meeting will be offered in English. To request translation of a written document, interpretation services for the meeting, or sign language services, please use one of the following options as soon as possible and no later than ten (10) business days before the Board Meeting (by April 10, 2026):

- Submit an online request: [bit.ly/LanguageAccessForm](https://bit.ly/LanguageAccessForm)
- Call (916) 341-5254
- Email [languageservices@waterboards.ca.gov](mailto:languageservices@waterboards.ca.gov)

Contact us to request information in your language.

Comuníquese con nosotros para solicitar servicios lingüísticos o información en su idioma.

Свяжитесь с нами, чтобы запросить информацию на вашем языке.

귀하의 언어로 작성된 정보를 요청하려면 저희에게 문의하십시오.

ਆਪਣੇ ਭਾਸ਼ਾ ਵਿਚ ਜਾਣਕਾਰੀ ਪ੍ਰਾਪਤ ਕਰਨ ਲਈ ਸਾਡੇ ਨਾਲ ਸੰਪਰਕ ਕਰੋ।

Makipag-ugnayan sa amin para humiling ng impormasyon sa iyong wika.

## **Accessibility**

Users of a Telecommunications Device for the Deaf (TDD) may contact the California Relay Service at (800) 735-2929 or the teletype (TTY) voice line at (800) 735-2922.

Any person who requires a reasonable accommodation to participate in the meeting should email [contact@waterboards.ca.gov](mailto:contact@waterboards.ca.gov) or call (916) 341-5254, at least ten (10) business days prior to the meeting. Learn more about accessibility within Zoom at [www.zoom.com/en/accessibility](http://www.zoom.com/en/accessibility).

## **Building and Parking Information**

- Directions to the Joe Serna, Jr. (CalEPA) Building and public parking information: <http://www.calepa.ca.gov/headquarters-sacramento/location/>.
- Visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance on 10th Street.
- Please allow 5 to 10 minutes to receive security clearance.

## **Background**

On November 5, 2024, Proposition 4 was approved by voters and made available, upon appropriation by the Legislature, \$50,000,000 is available for projects that will address water quality problems arising in the California-Mexico cross border rivers and coastal waters. Proposition 4 allows up to seven percent (7%) for administrative cost and there are additional statewide bond costs. After accounting for these costs, there is \$46,151,000 available for eligible projects.

The Administrative Procedure Act (APA) requires state agencies to follow certain procedures when adopting any rule of general application which implements or interprets the law, unless an exemption to the APA applies. The guidelines, rules, and policies which govern the administration of funding programs are rules of general application which, absent an exemption, must comply with the APA process. While Proposition 4 did not provide an exemption to the APA, section 90135(e) of the Public Resources Code permits the rules and guidelines which govern Proposition 4 funds to be adopted as emergency regulations, as a way of complying with the APA. Unless changes to the law occur, emergency regulations proposed in this Resolution will be used to administer the Proposition 4 US Mexico Border Program, while the Guidelines document merely explains in more detail what the emergency regulations will require, to enhance shared understandings. The Guidelines document is not independently enforceable, and any adopted regulations will supersede the content of the Guidelines documents in the unlikely event of inconsistencies. However, pending legislation (Assembly Bill 35) would exempt Proposition 4 program guidelines from the APA. Should such an exemption be enacted into law before any regulations are adopted, the Guidelines document will serve as the legally enforceable framework governing project solicitation and evaluation for the Prop. 4 US-Mexico Border Funding Program.

**Contact Information**

- Program contact: [jennifer.toney@waterboards.ca.gov](mailto:jennifer.toney@waterboards.ca.gov)
- Website:  
[https://waterboards.ca.gov/water\\_issues/programs/grants\\_loans/swgp/prop4/us-mexico-border/](https://waterboards.ca.gov/water_issues/programs/grants_loans/swgp/prop4/us-mexico-border/)

February 2, 2026  
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Date

  
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Courtney Tyler  
Clerk to the Board