

3. REVIEW AND APPROVAL BY THE COMMISSION SHALL NOT BE REQUIRED FOR:

(i) PROJECTS WHICH FALL INTO AN EXEMPT CLASSIFICATION OR DESIGNATION ESTABLISHED BY LEGISLATIVE ACTION OF A SIGNATORY PARTY OR BY RULE OR REGULATION OF AN OFFICE OR AGENCY OF A SIGNATORY PARTY HAVING FUNCTIONS, POWERS, AND DUTIES IN THE PLANNING, CONSERVATION, DEVELOPMENT, MANAGEMENT, OR CONTROL OF WATER RESOURCES. THE SPONSORS OF THOSE PROJECTS ARE NOT REQUIRED TO OBTAIN A PERMIT OR OTHER FORM OF PERMISSION TO PROCEED WITH CONSTRUCTION OR IMPLEMENTATION, UNLESS IT IS DETERMINED BY THE COMMISSION OR BY THE AGENCY OF A SIGNATORY PARTY THAT SUCH PROJECT OR PROJECTS MAY CAUSE AN ADVERSE, ADVERSE CUMULATIVE, OR AN INTERSTATE EFFECT ON WATER RESOURCES OF THE BASIN, AND THE PROJECT SPONSOR HAS BEEN NOTIFIED IN WRITING BY THE COMMISSION OR BY THE AGENCY OF A SIGNATORY PARTY THAT COMMISSION APPROVAL IS REQUIRED.

(ii) PROJECTS WHICH ARE CLASSIFIED BY THE COMMISSION AS NOT REQUIRING ITS REVIEW AND APPROVAL, FOR SO LONG AS THEY ARE SO CLASSIFIED.

4. THE COMMISSION SHALL APPROVE A PROJECT IF IT DETERMINES THAT THE PROJECT IS NOT DETRIMENTAL TO THE PROPER CONSERVATION, DEVELOPMENT, MANAGEMENT, OR CONTROL OF THE WATER RESOURCES OF THE BASIN AND MAY MODIFY AND APPROVE AS MODIFIED, OR MAY DISAPPROVE THE PROJECT, IF IT DETERMINES THAT THE PROJECT IS NOT IN THE BEST INTEREST OF THE CONSERVATION, DEVELOPMENT, MANAGEMENT, OR CONTROL OF THE BASIN'S WATER RESOURCES, OR IS IN CONFLICT WITH THE COMPREHENSIVE PLAN.

5. THE COMMISSION, AFTER CONSULTATION WITH THE APPROPRIATE OFFICES OR AGENCIES OF THE SIGNATORY PARTIES, SHALL ESTABLISH THE PROCEDURE OF SUBMISSION, REVIEW, AND CONSIDERATION OF PROJECTS. ANY PROCEDURE FOR REVIEW AND APPROVAL OF DIVERSIONS OF WATER SHALL INCLUDE PUBLIC HEARING ON DUE NOTICE GIVEN, WITH OPPORTUNITY FOR INTERESTED PERSONS, AGENCIES, GOVERNMENTAL UNITS, AND SIGNATORY PARTIES TO BE HEARD AND TO PRESENT EVIDENCE. A COMPLETE TRANSCRIPT OF THE PROCEEDINGS AT THE HEARING SHALL BE MADE AND PRESERVED, AND IT SHALL BE MADE AVAILABLE UNDER RULES FOR THAT PURPOSE ADOPTED BY THE COMMISSION.

6. ANY DETERMINATION OF THE COMMISSION PURSUANT TO THIS ARTICLE OR ANY ARTICLE OF THE COMPACT PROVIDING FOR JUDICIAL REVIEW SHALL BE SUBJECT TO SUCH