



This meeting is not subject to Brown Act noticing requirements. The agenda is subject to change.

**Legislative Advocacy Committee Members:**  
*Mary L. Adams, Chair*  
*Ian Oglesby*  
*Alvin Edwards*

**Alternate:**  
*Karen Paull*

**Staff Contact**  
*David J. Stoldt,*  
*General Manager*

*Roger Gwinn, The*  
*Ferguson Group*  
*(Federal Consultant)*

*John Arriaga, JEA &*  
*Associates*  
*(State Consultant)*

*Sara Reyes,*  
*Committee Clerk*

**Mission Statement**  
Sustainably manage and augment the water resources of the Monterey Peninsula to meet the needs of its residents and businesses while protecting, restoring, and enhancing its natural and human environments.

**Vision Statement**  
Model ethical, responsible, and responsive governance in pursuit of our mission.

**Board's Goals and Objectives**  
Are available online at: <https://www.mpwmd.net/who-we-are/mission-vision-goals/bod-goals/>

Agenda  
**Legislative Advocacy Committee**  
**of the Monterey Peninsula Water Management District**  
\*\*\*\*\*  
Wednesday, January 24, 2024 at 3:00 p.m. [PST] | *Virtual Meeting*

Join the meeting at this link:  
<https://mpwmd-net.zoom.us/j/89542738036?pwd=gQu3BIoBwCMNorfFLVAYiM811Rs4Mw.1>

Or paste the link into your browser, or join at zoom.us  
Webinar ID: 895 4273 8036  
Meeting password: 01242024  
Participate by phone: (669) 900-9128

**For detailed instructions on connecting to the Zoom meeting see page 2 of this agenda.**

**Call to Order / Roll Call**

**Comments from Public** - *The public may comment on any item within the District's jurisdiction. Please limit your comments to three minutes in length.*

**Action Items** – *Public comment will be received on all Action Items. Please limit your comments to three minutes in length.*

1. Consider Adoption of the June 28, 2023 Committee Meeting Minutes

**Discussion Items** – *Public comment will be received on all Discussion Items. Please limit your comments to three minutes in length.*

2. Report from The Ferguson Group on Federal Legislative and Regulatory Activities
3. Report from JEA & Associates on Legislative Status and Bill Tracking
4. Report from General Manager on Recent or Upcoming Legislative Actions (*Verbal Report*)

**Other Items**

5. Suggest Items to Place on a Future Committee Agenda

**Adjournment**

### Accessibility

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### Provide Public Comment at the Meeting

**Attend via Zoom:** See below “Instructions for Connecting to the **Zoom Meeting**”

#### Submission of Public Comment via E-mail

Send comments to [comments@mpwmd.net](mailto:comments@mpwmd.net) with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or “PUBLIC COMMENT – ORAL COMMUNICATIONS.” Staff will forward correspondence received to the Committee. Correspondence is not read during public comment portion of the meeting. However, all written public comment received becomes part of the official record of the meeting and placed on the District’s website as part of the agenda packet for the meeting.

#### Submission of Written Public Comment

All documents submitted by the public must have no less than one (1) copy to be received and distributed by the **Clerk** prior to the Meeting.

#### Document Distribution

In accordance with Government Code §54957.5, any materials of public record relating to an agenda item for a meeting of the Board of Directors that are provided to a majority of the members less than 72 hours before the meeting will be made available at the **District Office, 5 Harris Court, Building G, Monterey, CA**, during normal business hours. Materials of public record that are distributed during the meeting shall be made available for public inspection at the meeting if prepared by the Board or a member of its legislative/advisory body, or the next business day after the meeting if prepared by some other person.

### Instructions for Connecting to the **Zoom Meeting**

**The public may remotely view and participate in the meeting to make public comment by computer, by phone or smart device.**

Please log on or call in as early as possible to address any technical issues that may occur and ensure you do not miss the time to speak on the desired item. Follow these instructions to log into Zoom from your computer, smart device or telephone. (Your device must have audio capability to participate).

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Webinar ID: 895 4273 8036

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1. Use the “raise hand” function to join the queue to speak on the current agenda item when the Chair calls the item for Public Comment.

**COMPUTER / SMART DEVICE USERS:** You can find the raise hand option under your participant name.

**TELEPHONE USERS:** The following commands can be entered using your phone’s dial pad:

- \*6 – Toggle Mute / Unmute
- \*9 – Raise Hand

2. Staff will call your name or the last four digits of your phones number when it is your time to speak.
3. You may state your name at the beginning of your remarks for the meeting minutes.
4. Speakers will have up to three (3) minutes to make their remarks. *The Chair may announce and limit time on public comment.*
5. You may log off or hang up after making your comments.

*Refer to the Meeting Rules to review the complete Rules of Procedure for MPWMD Board and Committee Meetings:*  
<https://www.mpwmd.net/who-we-are/board-of-directors/meeting-rules-of-the-mpwmd/>

## LEGISLATIVE ADVOCACY COMMITTEE

### ITEM: ACTION ITEM

#### 1. CONSIDER ADOPTION OF THE JUNE 28, 2023 COMMITTEE MEETING MINUTES

**Meeting Date:** January 24, 2024

**From:** David J. Stoldt,  
General Manager

**Prepared By:** Sara Reyes

**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

The Committee meeting minutes for June 28, 2023, are attached for your review and approval.

**RECOMMENDATION:** The Committee will review, provide suggested edits, and consider adopting the meeting minutes for June 28, 2023, by motion.

### EXHIBIT

**1-A** Draft Minutes of the June 28, 2023 Committee Meeting

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## **EXHIBIT 1-A**

### **Draft Minutes Legislative Advocacy Committee of the Monterey Peninsula Water Management District Wednesday, June 28, 2023**

*The meeting was conducted via Teleconference - by Zoom.*

#### **Call to Order**

Chair Paull called the meeting to order at 2:00 p.m.

**Committee members present:** Karen Paull, Chair  
Mary Adams  
Alvin Edwards (Alternate) left the meeting at 2:10 p.m.

**Committee members absent:** Ian Oglesby (arrived at 2:10 p.m.)

**Staff members present:** David J. Stoldt, General Manager  
Sara Reyes, Sr. Office Specialist

**District Counsel present:** Fran Farina with De Lay and Laredo

**Legislative Consultant:** John Arriaga, JEA & Associates  
Laurie Johnson, JEA & Associates  
Roger Gwinn, The Ferguson Group  
Chris Kearney, The Ferguson Group  
Chris Cummins, The Ferguson Group

**Comments from the Public:** No comments were directed to the committee.

#### **Action Items**

##### **1. Consider Adoption of the October 19, 2022 and March 9, 2023 Committee Meeting Minutes**

Chair Paull introduced the matter.

*Opened Public Comment; no comments were directed to the Committee.*

A motion was offered by Adams with a second from Edwards to approve the October 19, 2022, and March 9, 2023 Committee meeting minutes. The motion passed on a roll-call vote of 3-Ayes (Paull, Edwards and Adams), 0-Noes and 0-Absent.

#### **Discussion Items**

##### **2. Report from The Ferguson Group on Federal Legislative and Regulatory Activities**

Roger Gwinn, The Ferguson Group provided a brief overview of Exhibit 2-A: Quarterly Legislative Report and answered questions from the committee. He made the following points to include, but are not limited to:

- a. Fiscal Year 2024 Appropriations is now underway which includes consideration of the District's request for an allocation of \$2.15 million dollars for a group of projects under the title of Monterey Peninsula Stormwater Diversion and Recycling Program. This funding was secured last year by Congressman Panetta on behalf of the District in the Water Resources Development Act of 2022.
- b. To assist with moving the process forward in the Senate Committee on Appropriations, the District, The Ferguson Group, the former Chief Counsel for the Corps of Engineers Earl Stockdale and the former Corps headquarters lead for the South Pacific Division Bradd Schwichtenberg, had a meeting with the Corp at the San Francisco District office to brief them on the project and the District's desire to partner with the Corp on projects to address the water supply needs on the Peninsula.

David Stoldt reported that a change of command occurred on June 23, 2023, with Lt. Colonel Kevin P. Arnett, Commander, San Francisco District who is ascending to the South Pacific Region. Lt. Colonel Timothy Shebesta will be the new Commander. Stoldt referenced the draft letter shown as Exhibit 2-B which was formalized and sent to Lt. Colonel Timothy Shebesta on Monday, June 26. The Lt. Colonel responded to the letter and stated he looks forward to meeting and working with the District on this project. Stoldt also stated that the request through Senator Padilla's office is geared toward stormwater diversion into the Pure Water Monterey Project and he is optimistic about securing assistance.

- c. On June 6, 2023 a letter was sent from the District to Senator Feinstein in support of her water legislation (STREAM Act). The bill provides additional authority for water reuse for water recycling as well as groundwater recharge and storage projects under Title XVI.

General Manager Stoldt reported that in May 2023, he, staff from Monterey One Water and Mark Limbaugh with The Ferguson Group, attended a meeting during the ACWA conference and met with persons responsible for awarding grant money related to the Pure Water Monterey Expansion project.

Chris Kearney, The Ferguson Group provided a brief report and made the following points to include, but are not limited to:

- The Senate Energy Natural Resources Committee will likely hold a hearing on Western Water bills in mid-July however the STREAM Act is not technically eligible under this process but it could potentially be presented as an amendment
- As part of the Debt Ceiling Bill there were efforts to put forward some permitting reform at provisions related to the National Environmental Policy Act (NEPA) and aimed at streamlining paperwork and the permitting process
- Endangered Species Act (ESA) Reform: The Biden administration announced a regulatory package consisting of three separate rules jointly by the National Marine Fisheries Service and the U.S. Fish & Wildlife Service to include the following proposals (1) removing economic considerations from listing a species and limiting it to just essentially the best available science and commercial impacts, (2) equal treatment of endangered and threatened species.

- Treasury Guidance on Accessing Clean Energy Tax Credits Released: The Inflation Reduction Act (IRA) created two new credit payments that would enable special districts to take advantage of clean energy tax credits.

Chris Cummins, The Ferguson Group provided a brief overview on the Legislative Bill Tracker and made the following points to include, but are not limited to:

- HR872: Federally Integrated Species Health Act which works to consolidate a lot of the regulations that Chris Kearney spoke about previously with respect to the Fish and Wildlife Service
- HR215 Water for California Act: Opportunity for streamlining operations and expanding water storage and infrastructure and serves to increase accountability
- S188 Wildfire Emergency Act of 2023: Opportunity to assist with some watershed clean up through the implementation of landscape for its restoration projects
- HR186 Water Supply Permitting Coordination Act: Provides permitting process to streamline construction of new water storage projects

### **3. Report from JEA & Associates**

John Arriaga provided introductory remarks and reported starting Thursday, June 29, Assemblymember Rivas will take over as speaker for the California Assembly.

Laurie Johnson provided an overview of Exhibit 3-A: JEA & Associates Memo dated June 28, 2023, which provided updates on:

- Budget
- Legislative
- Sacramento Visits
- SWRCB

She also briefly reviewed Exhibit 3-B: Legislative Tracker and noted the State Water Research Control Board has been given more authority to research and possibly revise the State's water rights, but that this would be a lengthy process with many factors involved. She briefly discussed other areas of the Legislative Tracker and answered questions from the Committee.

### **4. Report from General Manager on Recent or Upcoming Legislative Actions**

General Manager Stoldt reported:

- Met with Assemblymember Addis on May 23, 2023 and referenced information shared with her as seen on pages 50-51 of the meeting packet titled Urban Water Suppliers / Assembly District 30 and Key Water Supply Issues / Assembly District 30
- Sent letter to Assemblymember Addis to express the District's opposition to AB 1337 and AB 460 and presented Water-Related Bills and their impact on Central Coast Communities
- Met with Senator Laird on May 23, 2023 and presented Water-Related Bills with Impacts on Central Coast Communities or MPWMD and presented a proposal for 2023 legislation on behalf of the District which would allow the Cease and Desist Order (CDO) to not be enforced on new connections for housing
- Met with the primary enforcement official of the CDO about the District's desire with or without California American Water (CalAm), to start the process of having the CDO lifted

### **Other Items**

### **5. Suggest Items to Place on a Future Committee Agenda**

Chair Paull requested an update on the status of lifting the CDO

**Adjournment:**

There being no further business, Chair Paull adjourned the meeting at 3:21 p.m.

/ s/ Sara C. Reyes

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Sara C. Reyes, Committee Clerk to the  
*MPWMD Legislative Advocacy Committee*

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## **LEGISLATIVE ADVOCACY COMMITTEE**

**ITEM: DISCUSSION ITEM**

### **2. REPORT FROM THE FERGUSON GROUP ON FEDERAL LEGISLATIVE AND REGULATORY ACTIVITIES**

**Meeting Date: January 24, 2024**

**From: David J. Stoldt,  
General Manager**

**Prepared By: David J. Stoldt**

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**SUMMARY:** The Ferguson Group will provide an update on activities related to federal legislation and regulatory activities.

#### **EXHIBITS**

**2-A** TFG Federal Quarterly Report

**2-B** Federal Legislative Tracker



**TO:** Monterey Peninsula Water Management District

**FROM:** The Ferguson Group

**RE:** Federal Legislative Report

**DATE:** January 17, 2024

## Quarterly Legislative Report

The Monterey Peninsula Water Management District's (MPWMD) legislative report covers federal legislative and agency activities related to appropriations, budget, water and natural resources, environmental protection, and other water agency-related issues.

## Advocacy Update

### Fiscal Year 2024 Appropriations



Senate Majority Leader Chuck Schumer (D-NY) and House Speaker Mike Johnson (R-LA) reached an agreement on January 13<sup>th</sup> on a short-term funding bill to keep the US government operational through early March. As of this writing, the expectation – though not a certainty -- is that both Houses of Congress will pass and send to the White House the Schumer-Johnson agreed to continuing resolution (CR), on or before January 19<sup>th</sup>, thereby avoiding a government shutdown after the current CR expires on January 19 and February 2. Under the agreement, the new

two-part CR continues the laddered approach, extending government funding until March 1 for the group of agencies funding originally expected expire on January 19<sup>th</sup>, including the Energy and Water Appropriations bill, which funds Reclamation and on March 8 for the agencies' funding expiring Feb. 2.

In a separate announcement a few days earlier, Majority Leader Schumer and Speaker Johnson reached consensus on the overall spending limits for fiscal year 2024. These limits include \$1.59 trillion in total discretionary spending, with \$886 billion allocated for defense and \$704 billion for non-defense spending. Additionally, Speaker Johnson and Majority Leader Schumer agreed on a separate \$69 billion adjustment for non-defense domestic spending. At least one faction of the House Republican Conference, the Freedom Caucus – a block of approximately 55 very conservative members -- have indicated opposition to the agreement. Speaker Johnson currently has a two seat GOP majority in the House. Therefore, to pass the agreement, as of now, he would likely need Democrat votes – a similar position former Speaker McCarthy found himself late last year. Among other concerns, the Freedom Caucus's position is there should be additional spending cuts. They want to cut spending back down to \$1.59 trillion without the \$69 billion side deal added by the congressional leaders. They also want to include border security into the spending talks, and are insisting that HR 2, a House GOP-passed border security bill, be attached to any continuing resolutions referenced above. As mentioned above, the Energy and Water Development (E&W) Appropriations bill is among the four appropriations bills included in the package of appropriations bills that

will expire under the new CR on March 1<sup>st</sup>. The E&W bill includes funding for the Bureau of Reclamation and Corps of Engineers programs. The gaps between the House and Senate on the spending levels for these two key federal water agencies is relatively modest. The House version of the E&W bill includes \$81 million less than the Senate version of the bill (\$1.86 billion for the House versus \$1.92 billion for the Senate) while at the same time the House allocates \$700 million more than the Senate to the Corps of Engineers projects and programs (\$9.6 billion for the House versus \$8.9 billion for the Senate).

Both bills include extra funding for the Corps of Engineers' section 219/environmental infrastructure account. This is the account MPWMD will be tapping to fund projects that can be carried out under the "*Monterey Peninsula Stormwater Diversion and Recycling Program*," an initiative authorized by a statutory provision Rep. Jimmy Panetta secured on behalf of MPWMD in the Water Resources Development Act of 2022 ([section 8375\(a\)\(292\) of Public Law 117-263](#)). Any funds secured are cost-shared on a 75 percent federal, 25 percent non-federal basis. Assistance can be secured under the authority for all project phases, including construction.

### Western Water Authorizations

Senator Butler and Senator Padilla are expected to introduce a streamlined, shortened version of Support to Rehydrate the Environment, Agriculture, and Municipalities Act (STREAM Act) [S 2162](#) that will include a number of provisions of the original version of S. 2162, introduced last year by former Senator Feinstein. Among other things, if enacted, the revised bill would –

- raise the maximum federal funding contribution for individual Title XVI projects to \$50 million from the current ceiling of \$20 million in 1996 prices (which is currently implemented by Reclamation as \$30 million);
- authorize the Secretary of the Interior (Secretary) to enter performance-based financial arrangements for the delivery of ecological targets and outcomes by experienced non-federal entities (does not create a new program, but instead allows the use of performance-based financial arrangements under the Secretary's existing ecosystem and habitat restoration authorities); and,
- amends the Drought Relief Act of 1991 to authorize Reclamation to provide up to \$30 million to support the installation/construction of permanent drought relief facilities, including wells.

The Senate Energy and Natural Resources Committee is expected to hold a mark-up on several western water bills, including possibly the STREAM Act light, in February. MPWMD provided a [letter](#) of support for the STREAM Act in 2023.

### Water Resources Development Act of 2024

[MPWMD](#) has requested Rep. Panetta and Senators Padilla and Butler to seek [amendments](#) in the Water Resources Development Act (WRDA) of 2024 to section 219 (Environmental Infrastructure authority) to allow federal assistance under the program to be provided in the form of reimbursements. The change is expected to save MPWMD and the Corps time and money for work carried out under the "*Monterey Peninsula Stormwater Diversion and Recycling Program*," authority secured for MPWMD by Rep. Jimmy Panetta in WRDA 2022 that authorizes up to \$20 million in federal assistance for water infrastructure.

### Fiscal Year 2025 Appropriations

As the House and Senate continue to complete work on the pending FY 2024 appropriations bills, lawmakers on both sides of the Capital are turning their attention to the Fiscal Year 2025 appropriations process. It is expected that by no later than mid-February, the House and Senate Committees on Appropriations will release their respective guidelines and deadlines for submitting requests for federal funding through

“Congressionally Directed Spending” or “Community Project Funding” (i.e., earmarks) in the FY 2025 appropriations cycle.

TFG will be working with MPWMD to identify earmark opportunities the District can consider pursuing to support District priorities. To assist in this process, TFG has prepared a [special report](#) that provides an overview of earmark accounts that will likely be available to earmarking in the FY 2025 appropriations process.

## Washington News

### EPA Office of Water Head Radhika Fox Announces Departure

EPA Assistant Administrator (AA) for the Office of Water Radhika Fox is set to depart the agency at the end of February. Her departure comes amid a series of ongoing vacancies in key positions within the EPA. Fox played a significant role in major water infrastructure investments and regulatory actions, but her exit could impact the timing of Biden Administration high-profile drinking water rulemakings. The EPA Office of Water has indicated they want to complete these rulemakings before the 2024 election, such as proposed revisions to the lead and copper rule improvements and finalizing PFAS drinking water standards. The change in leadership may impact ongoing stakeholder meetings and discussions. The EPA has not announced Fox's replacement but Bruno Pigott, Principal Deputy Assistant Administrator is likely next in line to be acting AA, with Mae Wu, a former official with the Natural Resources Defense Council, and Benita Best-Wong, a long-time career official, currently serving as the other Deputy Assistant Administrators.

### White House Announces Climate Corps Next Steps

The Biden Administration's American Climate Corps initiative has [announced](#) plans to deploy 20,000 young individuals across federal agencies to tackle climate change and promote renewable energy. Seven federal agencies [recently signed](#) an agreement outlining guidelines for the program, aiming to address climate challenges and disparities in youth education and careers. EPA Administrator Michael Regan emphasized the agency's central role, joining an executive committee alongside other Cabinet members and the AmeriCorps CEO. Inspired by the New Deal-era's Civilian Conservation Corps (CCC), the initiative would leverage existing collaborations to maximize its reach, utilizing executive action under existing authorities and funding amid unmet appropriations requests from Congress.

### OMB Clears Proposed Rule Listing PFAS as RCRA ‘Hazardous Constituents’

The White House Office of Management & Budget (OMB) recently completed its review of an EPA proposal to designate four PFAS compounds as Resource Conservation and Recovery Act (RCRA) "hazardous constituents." Once finalized, this designation will empower regulators to mandate cleanup actions for releases from certain regulated waste facilities. The clearance, granted on December 21, marks progress toward EPA's ability to promptly propose the new rule. This follows OMB's earlier approval of a related rule that clarifies the inclusion of PFAS within RCRA's corrective action program, enhancing the agency's capacity to address substances listed as hazardous constituents under Appendix VIII of RCRA.

EPA's forthcoming regulations represent a response to Administrator Michael Regan's commitment to New Mexico Gov. Michelle Lujan Grisham regarding the designation of four prominent PFAS compounds under Appendix VIII. While this move aims to subject PFAS to RCRA and its corrective action requirements, it falls short of broader appeals to classify PFAS as "hazardous waste," eliciting concerns from both environmental

groups and industry stakeholders. Industry voices worry that listing these PFAS as hazardous constituents could pave the way for stricter regulations, potentially leading to their classification as hazardous waste under RCRA and automatic designation as hazardous substances under Superfund law, holding liable parties accountable for cost recovery or contribution actions.

EPA has yet to make final a proposed [rule](#) to designate PFOS and PFOA – major PFAS elements – as hazardous under the “Superfund” law. That designation, once finalized (expected in March), will make wastewater treatment and drinking water facilities potentially subject to fines and penalties if such material is found in the utility’s system. Discussions have been long underway by national trade associations with EPA and the Hill to pressure EPA to issue exemptions for “Passive Receivers” such as municipal water utilities from such penalties and fines. EPA has promised to issue parallel guidance outlining the agency’s approach to the issue once the regulation’s final.

### 5<sup>th</sup> Circuit Strictly Interprets Sackett Directive over WOTUS Definition

The federal 5th Circuit Court of Appeals has dismissed federal regulators' attempts to subject a Louisiana landowner's property to Clean Water Act (CWA) permitting requirements, marking the end of a decade-long dispute over the jurisdiction of "waters of the United States" (WOTUS) under the CWA. Judge Edith Jones's opinion, aligning with the high court's Sackett v. EPA decision, determined that Garry Lewis's property lacks the necessary "continuous surface connection" between wetlands and significant bodies of water required for federal CWA jurisdiction.

The panel, comprising judges appointed by Presidents Obama, Trump, and Reagan, vacated a previous district court's judgment, and instructed a ruling in favor of Lewis, emphasizing the clear absence of a connection between the property's wetlands and any permanent water bodies. It appears this decision is a shift away from deference to EPA interpretations, signaling potential challenges to the agency's expanded WOTUS rule and predicting continued judicial reliance on the Sackett precedent to define the scope of CWA jurisdiction, unless Congress intervenes.

## Grant Funding Update

### Funding Opportunities

Numerous opportunities for federal competitive grant funding are available to support a variety of District and District-partner priorities. Additional information regarding some of the key available funding opportunities can be found [here](#).

### Improvements to WaterSMART Processes

Reclamation is working to make improvements to internal processes in the areas of communication, review and award of funds and staffing to, among other things, shorten the time between submission of a WaterSMART application and the review and award of funds. Additional funds made available in the Infrastructure Investment and Jobs Act and the Inflation Reduction Act are creating a significantly expanded workload for Reclamation, which the agency acknowledges requires additional attention and resources (see attached).

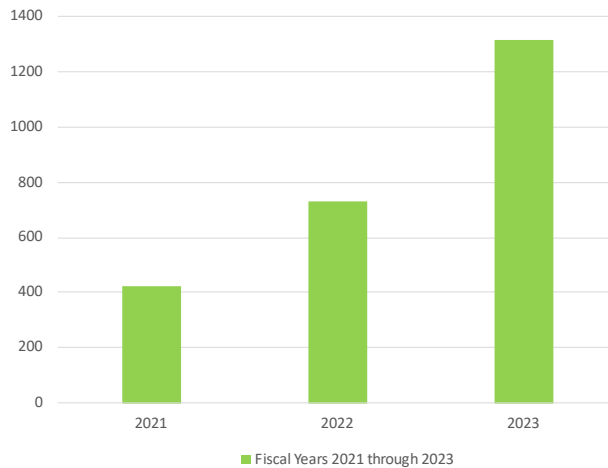
# Growth in Financial Assistance

FY21			FY22			FY23		
Region	Sum of Awards	Count of Awards	Region	Sum of Awards	Count of Awards	Region	Sum of Awards	Count of Awards
CGB	\$102,357,266	57	CGB	\$162,847,957	97	CGB	\$219,670,605	119
CPN	\$17,483,580	68	CPN	\$29,379,581	75	CPN	\$36,071,181	77
LCB	\$58,175,786	60	LCB	\$65,019,063	68	LCB	\$352,297,764	74
DO	\$46,015,919	162	DO	\$117,925,739	288	DO	\$186,759,209	216
MB	\$132,291,927	52	MB	\$102,013,752	40	MB	\$337,035,882	55
UCB	\$64,072,115	97	UCB	\$253,734,748	83	UCB	\$184,849,328	92
<b>Total</b>	<b>\$420,396,592</b>	<b>496</b>	<b>Total</b>	<b>\$730,920,843</b>	<b>651</b>	<b>Total</b>	<b>\$1,316,683,971</b>	<b>633</b>

**FY2023 Financial Assistance is ~three times the FY2021 amount.**  
**Total awards = total number of funded actions (new awards as well as funded)**



# Growth in Financial Assistance



## EXHIBIT 2-B



### MPWMD118th Legislative Tracker

Last Updated: January 16, 2023

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**Overview:** The following legislative tracker provides the status of legislation introduced in the 118th Congress pertaining to water issues.

Each of the bill numbers is hyperlinked to the bill text, and other related details.

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<b>Bill Number:</b> <a href="#">S 2102</a>	<b>Last Action:</b> Jul 19, 2023 - Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held.	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">Water for Conservation and Farming Act</a>	<b>Bill Summary:</b> A bill to provide for drought preparedness and improved water supply reliability.
<b>Sponsor:</b> Ron Wyden	<b>Introduction Date:</b> Jun 21, 2023

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## EXHIBIT 2-B

<b>Bill Number:</b> <a href="#">HR 2950</a>	<b>Last Action:</b> Jul 27, 2023 - Subcommittee Hearings Held	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">Coastal Habitat Conservation Act of 2023</a>	<b>Bill Summary:</b> To authorize the Secretary of the Interior, through the Coastal Program of the United States Fish and Wildlife Service, to work with willing partners and provide support to efforts to assess, protect, restore, and enhance important coastal landscapes that provide fish and wildlife habitat on which certain Federal trust species depend, and for other purposes.
<b>Sponsor:</b> Jared Huffman	<b>Introduction Date:</b> Apr 27, 2023

<b>Bill Number:</b> <a href="#">S 757</a>	<b>Last Action:</b> Mar 09, 2023 - Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">MATCH Act of 2023 Making Access To Cleanup Happen Act of 2023</a>	<b>Bill Summary:</b> A bill to amend the Agricultural Credit Act of 1978 with respect to preagreement costs of emergency watershed protection measures, and for other purposes.
<b>Sponsor:</b> Mitt Romney	<b>Introduction Date:</b> Mar 09, 2023



## EXHIBIT 2-B

<b>Bill Number:</b> <a href="#">HR 2671</a>	<b>Last Action:</b> Apr 19, 2023 - Referred to the Subcommittee on Water Resources and Environment.	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">Restoring WIFIA Eligibility Act</a>	<b>Bill Summary:</b> To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to budgetary treatment of certain amounts of financial assistance, and for other purposes.
<b>Sponsor:</b> Jim Costa	<b>Introduction Date:</b> Apr 18, 2023

<b>Bill Number:</b> <a href="#">HR 215</a>	<b>Last Action:</b> Apr 28, 2023 - Ordered to be Reported (Amended) by the Yeas and Nays: 22 - 17.	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">WATER for California Act Working to Advance Tangible and Effective Reforms for California Act</a>	<b>Bill Summary:</b> To provide long-term water supply and regulatory reliability to drought-stricken California, and for other purposes.
<b>Sponsor:</b> David Valadao	<b>Introduction Date:</b> Jan 09, 2023

<b>Bill Number:</b> <a href="#">HR</a>	<b>Last Action:</b>	<b>Status:</b>
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## EXHIBIT 2-B

<a href="#">186</a>	Feb 21, 2023 - Referred to the Subcommittee on Water, Wildlife, and Fisheries.	Introduced
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<b>Bill Title:</b> <a href="#">Water Supply Permitting Coordination Act</a>	<b>Bill Summary:</b> To authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes.
<b>Sponsor:</b> Tom McClintock	<b>Introduction Date:</b> Jan 09, 2023

<b>Bill Number:</b> <a href="#">HR 872</a>	<b>Last Action:</b> Feb 21, 2023 - Referred to the Subcommittee on Water, Wildlife, and Fisheries.	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">FISH Act Federally Integrated Species Health Act</a>	<b>Bill Summary:</b> To amend the Endangered Species Act of 1973 to vest in the Secretary of the Interior functions under that Act with respect to species of fish that spawn in fresh or estuarine waters and migrate to ocean waters and species of fish that spawn in ocean waters and migrate to fresh or estuarine waters, and for other purposes.
<b>Sponsor:</b> Ken Calvert	<b>Introduction Date:</b> Feb 08, 2023

## EXHIBIT 2-B

<b>Bill Number:</b> <a href="#">S 21</a>	<b>Last Action:</b> Jan 23, 2023 - Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry. (Sponsor introductory remarks on measure: CR S55-56)	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">Community Wildfire Protection Act of 2023</a>	<b>Bill Summary:</b> A bill to amend the Healthy Forests Restoration Act of 2003 to modify the definition of the term "at-risk community".
<b>Sponsor:</b> Dianne Feinstein	<b>Introduction Date:</b> Jan 23, 2023

<b>Bill Number:</b> <a href="#">S 64</a>	<b>Last Action:</b> Jan 25, 2023 - Read twice and referred to the Committee on Energy and Natural Resources.	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">Water Rights Protection Act of 2023</a>	<b>Bill Summary:</b> A bill to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes.
<b>Sponsor:</b> John A. Barrasso	<b>Introduction Date:</b> Jan 25, 2023

## EXHIBIT 2-B

<b>Bill Number:</b> <a href="#">S 2202</a>	<b>Last Action:</b> Jul 19, 2023 - Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held.	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">RAIN Act Restore Aging Infrastructure Now Act</a>	<b>Bill Summary:</b> A bill to amend the Omnibus Public Land Management Act of 2009 to authorize the modification of transferred works to increase public benefits and other project benefits as part of extraordinary operation and maintenance work, and for other purposes.
<b>Sponsor:</b> Dianne Feinstein	<b>Introduction Date:</b> Jun 22, 2023

<b>Bill Number:</b> <a href="#">S 2162</a>	<b>Last Action:</b> Jul 19, 2023 - Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held.	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">STREAM Act Support To Rehydrate the Environment, Agriculture, and Municipalities Act</a>	<b>Bill Summary:</b> A bill to support water infrastructure in Reclamation States, and for other purposes.
<b>Sponsor:</b> Dianne Feinstein	<b>Introduction Date:</b> Jun 22, 2023

## EXHIBIT 2-B

<b>Bill Number:</b> <a href="#">HR 1367</a>	<b>Last Action:</b> Mar 10, 2023 - Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials.	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">Water System Threat Preparedness and Resilience Act of 2023</a>	<b>Bill Summary:</b> To establish a program to increase drinking water and wastewater system threat preparedness and resilience, and for other purposes.
<b>Sponsor:</b> Jan Schakowsky	<b>Introduction Date:</b> Mar 03, 2023

<b>Bill Number:</b> <a href="#">HR 1</a>	<b>Last Action:</b> Mar 30, 2023 - The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 1.	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">Water Quality Certification and Energy Project Improvement Act of 2023 Transparency, Accountability, Permitting, and Production of American Resources Act TAPP American Resources Act</a>	<b>Bill Summary:</b> To lower energy costs by increasing American energy production, exports, infrastructure, and critical minerals processing, by promoting transparency, accountability, permitting, and production of American resources, and by improving water quality certification and energy projects, and for other purposes.
<b>Sponsor:</b> Steve Scalise	<b>Introduction Date:</b> Mar 15, 2023

## EXHIBIT 2-B

<b>Bill Number:</b> <a href="#">HR 5664</a>	<b>Last Action:</b> Sep 22, 2023 - Referred to the Subcommittee on Water Resources and Environment.	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">Water Infrastructure Finance and Innovation Act Amendments of 2023</a>	<b>Bill Summary:</b> To reauthorize the Water Infrastructure Finance and Innovation Act of 2014, and for other purposes.
<b>Sponsor:</b> Kim Schrier	<b>Introduction Date:</b> Sep 21, 2023

<b>Bill Number:</b> <a href="#">HR 490</a>	<b>Last Action:</b> Feb 01, 2023 - Referred to the Subcommittee on Water Resources and Environment.	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">Federal Infrastructure Bank Act of 2023</a>	<b>Bill Summary:</b> To establish the Federal Infrastructure Bank to facilitate investment in, and the long-term financing of, economically viable United States infrastructure projects that provide a public benefit, and for other purposes.
<b>Sponsor:</b> Daniel Webster	<b>Introduction Date:</b> Jan 24, 2023

## EXHIBIT 2-B

<b>Bill Number:</b> <a href="#">S 660</a>	<b>Last Action:</b> Mar 06, 2023 - Read twice and referred to the Committee on Environment and Public Works.	<b>Status:</b> Introduced
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<b>Bill Title:</b> <a href="#">Water System Threat Preparedness and Resilience Act of 2023</a>	<b>Bill Summary:</b> A bill to establish a program to increase drinking water and wastewater system threat preparedness and resilience, and for other purposes.
<b>Sponsor:</b> Ed Markey	<b>Introduction Date:</b> Mar 06, 2023

## **LEGISLATIVE ADVOCACY COMMITTEE**

**ITEM: DISCUSSION ITEM**

### **3. REPORT FROM JEA & ASSOCIATES ON LEGISLATIVE STATUS AND BILL TRACKING**

**Meeting Date: January 24, 2024**

**From: David J. Stoldt,  
General Manager**

**Prepared By: David J. Stoldt**

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**SUMMARY:** JEA & Associates will provide an update on activities related to California legislation and regulatory activities, as described in **Exhibit 3-A** and **Exhibit 3-B** bill tracker.

#### **EXHIBITS**

**3-A** JEA Associates Memo

**3-B** Sacramento Bill Tracker



## EXHIBIT 3-A



**Date:** January 24, 2024

**To:** Dave Stoldt, General Manager, Monterey Peninsula Water Management District

**From:** John E. Arriaga and Laurie Johnson, JEA & Associates

**RE:** Legislative Committee – January 24, 2024

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### Budget Update

On January 10<sup>th</sup>, Governor Newsom released his proposed 2024-25 budget, with one of the largest deficits in the last ten years looming over his Administration and the Legislature. He opened by acknowledge that the budget was normalizing after “unprecedented distortion” the last few years. Where in reality our budget woes are due to weaker-than-expected revenues, the delayed tax deadlines and general overspending based off of inaccurate budget projections.

This is a \$291.5 billion budget/\$208.7 billion from General Fund and a \$37.86 billion deficit.

Towards the end of his presentation, he outlined how his budget closes this shortfall.

- \$18.8 billion Budget Resilience
  - \$12.2 billion from the Rainy Day Reserve
  - \$900 million from the Safety Net Reserves
  - \$5.7 billion from revenue and borrowing (specifically, pulling Prop. 98 reserves and extending the MCO tax)

With these withdrawals, there would be \$18.4 billion remaining in our reserve accounts.

## **EXHIBIT 3-A**

- \$11.9 billion Belt Tightening
  - Freeze new contracts
  - Pause IT equipment and new cell phones
  - Pause non-essential fleet purchases and travel
  - Efficiency Savings
  - Auditing and evaluation of state spending, particularly around homelessness, housing, behavioral health and transit
  
- \$3.4 billion in Fund Shifts – maintaining 90% of the state’s funding commitments to climate but cutting and reductions in some areas.
  
- \$7.2 billion Delays and Deferrals
  - Transit Capital
  - Facilities grant program
  - UC & CSU compacts
  - Cal HHS housing/clinic grants

### **Water, Drought, and Flood**

The Governor’s Budget maintains \$7.3 billion of previously committed funding for programs related to drought and flood. This is a reduction from the \$8.6 billion previously committed over multiple years beginning in 2022. The proposed budget reductions total \$796.8 million across various programs but are offset by \$159 million in new investments for flood protection, levee repair and Salton Sea restoration.

**Flood Risk Reduction** - The Governor’s proposed budget allocates \$33 million General Fund for the state’s cost share for ongoing U.S. Army Corps of Engineers flood projects and urban flood risk reduction projects. In addition, the Governor’s Budget proposes \$30 million General Fund for storm damage to areas within the State Plan of Flood Control and other state-owned facilities.

**Central and San Joaquin Valley Multi-Benefit Projects** - The Governor’s Budget also proposes \$31 million General Fund to support continued multibenefit flood risk reduction projects. Of this amount, \$11 million is proposed for the Yolo Bypass, \$11 million for the Upper Sacramento River Basin projects including Kopta Slough, and \$9 million for Central Valley systemwide flood risk reduction in the San Joaquin Valley.

**Salton Sea** - The Governor’s Budget proposes \$65 million General Fund to implement state water quality requirements for habitat and dust suppression on the

## **EXHIBIT 3-A**

exposed lakebed at the Salton Sea. The focus of these efforts is to both increase habitat and reduce exposure to toxic dust downwind from the Sea in Imperial and Riverside Counties.

**Water Recycling**—A reversion of \$174.4 million General Fund and a delay of \$100 million until 2025-26 for water recycling and groundwater cleanup. The Budget maintains \$348 million previously allocated to this program.

**Groundwater Recharge Permitting** - 2023 showed the need for increased access to groundwater recharge statewide. The Governor's Budget proposal includes \$1.2 million from the Water Rights Fund at the State Water Resources Control Board to help expedite groundwater recharge permits. This is intended to pair with the Department of Water Resources efforts on future recharge projects and address key water rights permit backlogs related to recharge.

**Dam Safety** - In 2022, ACWA joined a large coalition of local agencies, water suppliers, and emergency managers to advocate for significant improvements to overall dam safety, securing \$100 million for investments at aging facilities. The Governor's Budget proposes reducing this funding by \$50 million. The comprehensive dam safety program approved in 2023 includes a fee on dam structures with a 50% local cost share to sustain the program.

**Watershed Climate Resilience** - The Governor's Budget proposes reductions of \$88 million in the current year and \$350 million over the next two years, for watershed climate resilience programs at the Department of Water Resources and Wildlife Conservation Board. \$56 million of previously allocated funding remains for these programs.

**Forecasted Informed Reservoir Operations (FIRO) and Snow Surveys** - Local agencies were able to use FIRO to predict impacts from major storms during the 2023 extreme water year to reduce local impacts from extreme flood events. The Governor's Budget reduces funding for this key program by \$6.8 million, maintaining \$10 million in baseline support for both snow survey and FIRO programs.

**State Water Efficiency and Enhancement Program (SWEEP)** - As part of multiple programs being shifted from General Fund to the GGRF, \$26 million General Fund in the current year for the on-farm water efficiency program SWEEP is proposed to be shifted to the GGRF and delayed to 2024-25.

## **EXHIBIT 3-A**

**Drought Relief for Small Farmers** - The Governor's Budget proposes a reversion of \$12.9 million California Emergency Relief Fund for drought relief to small farms. The Governor's Budget maintains \$17 million previously allocated to this program.

**On-Farm Water Use and Agriculture Technical Assistance** - The Governor's Budget proposes to reduce \$6 million California Emergency Relief for on-farm water use and agriculture technical assistance related to the drought and would maintain \$9 million previously allocated to this program.

### **Legislative Update**

With the Legislature back, new bills are being introduced for 2024, and bills that did not get out of their House of origin in 2023 are being debated this month. New bills must be introduced by February 16<sup>th</sup>, while the holdover (two-year) bills must pass their House of origin by January 31<sup>st</sup>.

Of particular interest to MPWMD are the two water/climate bond bills (AB 1567 and SB 867). Both bills in their current vehicle will not be moving this year. However, we do anticipate numerous re-introductions, as this has been an ongoing, multi-year effort to pass a substantial bond to address the state's water infrastructure needs. JEA & Associates will continue to participate in ACWA's Bond Coalition as well as other crucial stakeholder meetings to frame a bond benefiting MPWMD and its ratepayers.

Attached is MPWMD's legislative track, which includes all 2023 bills signed into law, those holdovers that can still move and new introductions.

### **2023 Bills of Significant Impact**

Although many vital water-related bills did not pass into law, there are several that did, including AB 1572 (Friedman). This bill will require that the use of potable water be prohibited for the irrigation of non-functional turf on commercial, industrial, and institutional (CII) properties was signed into law last year.

Non-functional turf is turf areas that are decorative and have no other functions, such as recreation. The prohibition includes turf located on road medians and outside businesses that are not used for recreation. Exempt from the ban are functional grass, such as sports fields, picnic areas, cemeteries, and the areas irrigated with recycled water. This legislation does not address any residential turf.

The ban takes effect in stages for CII landscapes. Those stages are:

- 2027 - Properties owned by local governments

### **EXHIBIT 3-A**

- 2028 - Commercial and industrial properties
- 2029 - Common areas of homeowners' associations
- 2031 – Properties owned by local governments in disadvantaged communities or when state funding for turf replacement is available

JEA & Associates will continue to monitor the regulatory implementation and impact of this bill.

### **Other Legislative Issues/Meetings**

The General Manager will provide details.

# MPWMD Legislative Track

Measure	Author	Topic	Status	Summary	Notes
<a href="#"><u>AB 345</u></a>	<a href="#"><u>Wilson D</u></a>	Habitat restoration: flood control: advance payments.	10/10/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 647, Statutes of 2023.	Existing law authorizes the Department of Water Resources to make examinations of lands subject to inundation and overflow by floodwaters and of the waters causing the inundation or overflow and to make plans and estimates of the cost of works to regulate and control the floodwaters. Existing law also vests in the department charge of all expenditures unless otherwise provided by law for all public works relating to general river and harbor improvements, including reclamation and drainage of lands. Existing law authorizes the department to cooperate and contract with any agency of the state or of the United States in order to carry out its powers and purposes. This bill would authorize the department or the board to provide advance payments, as defined, to local agencies for projects that restore habitat for threatened and endangered species under state or federal law or improve flood protection, as provided. The bill would prohibit the amount of funds advanced by the department or the board to the local agency at any one time from exceeding 25% of the entire amount authorized to be provided under the funding agreement. The bill would require the project proponent to demonstrate a need for an advance payment and that the project proponent is sufficiently qualified to manage the project and the project's finances. The bill would require the funds to be spent within 6 months and would require the recipient to provide an accountability report to the department or the board on a quarterly basis, as specified. This bill contains other existing laws.	
<a href="#"><u>AB 541</u></a>	<a href="#"><u>Wood D</u></a>	California Safe Drinking Water Act: wildfire aftermath: benzene testing.	10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 530, Statutes of 2023.	The California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties relating to the regulation of drinking water to protect public health. This bill would direct the board to require a public water system that has experienced a wildfire event meeting specified criteria to perform sample collection and analysis of its source waters, treatment facilities, conveyance facilities, distribution systems, or a combination thereof, for the presence of benzene as soon as it is safe to do so. The bill would authorize the state board to require a	

				public water system response that includes specified measures if a public water system conducts sampling and finds detectable concentrations of benzene.	
<u>AB 557</u>	<u>Hart D</u>	Open meetings: local agencies: teleconferences.	10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 534, Statutes of 2023.	(1)Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency’s jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined.This bill would revise the authority of a legislative body to hold a teleconference meeting under those abbreviated teleconferencing procedures when a declared state of emergency is in effect. Specifically, the bill would extend indefinitely that authority in the circumstances under which the legislative body either (1) meets for the purpose of determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or (2) has previously made that determination. The bill would also extend the period for a legislative body to make the above-described findings related to a continuing state of emergency to not later than 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet under the abbreviated teleconferencing procedures. This bill contains other related provisions and other existing laws.	
<u>AB 779</u>	<u>Wilson D</u>	Groundwater: adjudication.	10/10/2023-Approved by the Governor. Chaptered by Secretary of	(1)Existing law establishes various methods and procedures for a comprehensive adjudication of groundwater rights in civil court.This bill would require the court, in an adjudication action for	

			State - Chapter 665, Statutes of 2023.	a basin required to have a groundwater sustainability plan, to appoint one party to forward all case management orders, judgments, and interlocutory orders to the groundwater sustainability agency within 10 business days of issuance. The bill would require the court to allocate payment of the costs incurred by the party appointed to forward all case management orders, judgments, and interlocutory orders to the groundwater sustainability agency among the parties in an amount and a manner that the court deems equitable. The bill would require the groundwater sustainability agency to post the documents on its internet website in the interest of transparency and accessibility within 20 business days of receipt from a party, as specified. The bill would authorize the court to refer the matter to the State Water Resources Control Board for investigation and report in order to assist the court in making findings pursuant to these provisions, and would authorize a party to request that the court refer the matter to the board for these purposes, as specified. The bill would require the court to consider the water use of and accessibility of water for small farmers and disadvantaged communities, as those terms are defined, before entering a judgment. This bill contains other related provisions and other existing laws.	
<u>AB 817</u>	<u>Pacheco D</u>	Open meetings: teleconferencing: subsidiary body.	1/10/2024-VOTE: Do pass as amended. (PASS)	Existing law, the Ralph M. Brown Act, requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Existing law, until January 1, 2026, authorizes	



				<p>the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter. This bill contains other existing laws.</p>	
<u>AB 828</u>	<u>Connolly D</u>	Sustainable groundwater management: managed wetlands.	1/12/2024-Re-referred to Com. on APPR.	<p>Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Existing law defines various terms for purposes of the act. This bill would add various defined terms for purposes of the act, including the terms “managed wetland” and “small community water system.” This bill contains other related provisions and other existing laws.</p>	
<u>AB 1272</u>	<u>Wood D</u>	State Water Resources Control Board: drought planning.	9/14/2023-Withdrawn from Engrossing and Enrolling. Ordered to the Senate. In Senate. Held at Desk.	<p>Existing law establishes the State Water Resources Control Board and the California regional water quality control boards. Existing law requires the state board to formulate and adopt state policy for water quality control. The bill would require the state board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds, as specified, during times of water shortage for drought preparedness and climate resiliency. The bill would require that the principles and guidelines allow for the development of locally generated watershed-level plans to support public trust uses, public health and safety, and the human right to water in times of water shortage, among other things. The bill also would require the state board, prior to adopting those principles and guidelines, to allow</p>	

				for public comment and hearing, as provided. The bill would make the implementation of these provisions contingent upon an appropriation of funds by the Legislature for this purpose. This bill contains other related provisions and other existing laws.	
<u>AB 1572</u>	<u>Friedman D</u>	Potable water: nonfunctional turf.	10/13/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 849, Statutes of 2023.	(1)Existing law establishes various state water policies, including the policy that the use of water for domestic purposes is the highest use of water.This bill would make legislative findings and declarations concerning water use, including that the use of potable water to irrigate nonfunctional turf is wasteful and incompatible with state policy relating to climate change, water conservation, and reduced reliance on the Sacramento-San Joaquin Delta ecosystem. The bill would direct all appropriate state agencies to encourage and support the elimination of irrigation of nonfunctional turf with potable water. This bill contains other related provisions and other existing laws.	
<u>AB 1573</u>	<u>Friedman D</u>	Water conservation: landscape design: model ordinance.	9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/7/2023)(May be acted upon Jan 2024)	The Water Conservation in Landscaping Act provides for a Model Water Efficient Landscape Ordinance that is adopted and updated at least every 3 years by the Department of Water Resources, unless the department makes a specified finding. Existing law requires a local agency to adopt the model ordinance or to adopt a water efficient landscape ordinance that is at least as effective in conserving water as the updated model ordinance, except as specified. Existing law specifies the provisions of the updated model ordinance, as provided. Existing law includes a related statement of legislative findings and declarations. This bill would require the updated model ordinance to include provisions that require that plants included in a landscape design plan be selected based on their adaptability to climatic, geological, and topographical conditions of the project site, as specified. The bill would also exempt landscaping that is part of a culturally specific project, as defined, ecological restoration projects that do not require a permanent irrigation system, mined-land reclamation projects that do not require a permanent irrigation system, and existing plant collections, as part of botanical gardens and arboretums open to the public, from the model ordinance. The bill would require the updated model ordinance to include provisions that, among other changes, prohibit the use of traditional overhead sprinklers on all	

				<p>new and rehabilitated landscapes and require that new and rehabilitated landscapes use only water efficient irrigation devices. The bill would also require the model ordinance, at the next update initiated after January 1, 2029, to require that all new or renovated nonresidential areas install in the project footprint not less than 10% California native plants, as provided, and to prohibit the inclusion of nonfunctional turf in nonresidential landscape projects. The bill would make other clarifying changes to the updated model ordinance. The bill would also revise the legislative findings and declarations to state, among other things, that the model ordinance furthers the state’s goal to conserve biodiversity and provide for climate resilience consistent with state drought efforts to eliminate the use of irrigation of nonfunctional turf. This bill contains other related provisions and other existing laws.</p>	
<u>AB 1631</u>	<u>Schiavo D</u>	Water resources: permit to appropriate: application procedure: mining use.	1/3/2024-Consideration of Governor's veto pending.	<p>Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Existing law requires an application for a permit to appropriate water to include, among other things, sufficient information to demonstrate a reasonable likelihood that unappropriated water is available for the proposed appropriation. Existing law requires the board to issue and deliver a notice of an application as soon as practicable after the receipt of an application for a permit to appropriate water that conforms to the law. Existing law allows interested persons to file a written protest against the approval of an application to appropriate water and requires the protestant to set forth the objections to the approval of the application. Existing law declares that no hearing is necessary to issue a permit in connection with an unprotested application, or if the undisputed facts support the issuance of the permit and there is no disputed issue of material fact, unless the board elects to hold a hearing. This bill, if the board has not rendered a final determination on an application for a permit to appropriate water for a beneficial use or uses that include mining use within 30 years from the date the application was filed, would require the board to issue a new notice and provide an opportunity for protests before rendering a final determination, with specified exceptions.</p>	

<p><u>AB 1684</u></p>	<p><u>Maienschein</u> D</p>	<p>Local ordinances: fines and penalties: cannabis.</p>	<p>10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 477, Statutes of 2023.</p>	<p>Existing law authorizes the legislative body of a local agency, as defined, to make, by ordinance, any violation of an ordinance subject to an administrative fine or penalty, as specified. Existing law requires the ordinance adopted by the local agency to provide for a reasonable period of time, as specified in the ordinance, for a person responsible for a continuing violation to correct or otherwise remedy the violation prior to the imposition of administrative fines or penalties, when the violation pertains to building, plumbing, electrical, or other similar structural or zoning issues that do not create an immediate danger to health or safety. Existing law authorizes the ordinance to provide for the immediate imposition of administrative fines or penalties for the violation of building, plumbing, electrical, or other similar structural, health and safety, or zoning requirements if the violation exists as a result of, or to facilitate, the illegal cultivation of cannabis, except as specified. This bill would expand the authorization for an ordinance providing for the immediate imposition of administrative fines or penalties to include all unlicensed commercial cannabis activity, including cultivation, manufacturing, processing, distribution, or retail sale of cannabis, and would authorize the ordinance to declare unlicensed commercial cannabis activity a public nuisance. The bill would prohibit the ordinance from imposing an administrative fine or penalty exceeding \$1,000 per violation or \$10,000 per day. The bill would authorize the ordinance to impose the administrative fine or penalty on the property owner and each owner of the occupant business entity engaging in unlicensed commercial cannabis activity and to hold them jointly and severally liable. The bill would authorize a local agency that adopts an ordinance authorized by this provision to refer a case involving unlicensed commercial cannabis activity to the Attorney General, as specified.</p>	
<p><u>AB 1785</u></p>	<p><u>Pacheco</u> D</p>	<p>California Public Records Act.</p>	<p>1/4/2024-From printer. May be heard in committee February 3.</p>	<p>The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. The act prohibits a state or local agency from posting the home address or telephone number of any elected or appointed official on the internet without first obtaining the written permission of that individual. This bill would define “home address,” for purposes of the above provision, to include an</p>	

				<p>assessor’s parcel number, which may be converted to a physical address through reference to other information made available online by the state or local agency. By expanding the scope of this provision and thereby increasing the duties of local agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	
<u>AB 1827</u>	<u>Papan D</u>	Local government: fees and charges: water: higher-consumptive water parcels.	1/12/2024-Read first time. To print.	<p>The California Constitution specifies various requirements with respect to the levying of assessments and property-related fees and charges by a local agency, including requiring that the local agency provide public notice and a majority protest procedure in the case of assessments and submit property-related fees and charges for approval by property owners subject to the fee or charge or the electorate residing in the affected area following a public hearing. This bill would provide that the fees or charges for property-related water service imposed or increased, as specified, may include the incrementally higher costs of water service due to specified factors, including the higher water usage demand of parcels. The bill would provide that the costs associated with higher water usage demands, the maximum potential water use, or a projected peak water usage demand may be allocated using any method that reasonably assesses the water service provider’s cost of serving those parcels that are increasing potential water usage demand, maximum potential water use, or project peak water use demand. The bill would declare that these provisions are declaratory of existing law. This bill contains other existing laws.</p>	
<u>ACA 2</u>	<u>Alanis R</u>	Public resources: Water and Wildfire Resiliency Act of 2023.	4/20/2023-Referred to Coms. on W., P., & W. and NAT. RES.	<p>Existing provisions of the California Constitution require the specified use of General Fund revenues, as described. This measure would establish the Water and Wildfire Resiliency Fund within the State Treasury, and would require the Treasurer to annually transfer an amount equal to 3% of all state revenues that may be appropriated as described from the General Fund to the Water and Wildfire Resiliency Fund. The measure would require the moneys in the fund to be appropriated by the Legislature and would require that 50% of the moneys in the fund be used for water projects, as specified, and that the other 50% of the moneys in the fund be used for forest maintenance and health projects, as specified.</p>	

<u>SB 3</u>	<u>Dodd D</u>	Discontinuation of residential water service: covered water system.	10/13/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 855, Statutes of 2023.	(1)Existing law establishes the Safe Drinking Water Account to be available to the State Water Resources Control Board, upon appropriation by the Legislature, for the purpose of providing funds necessary to administer the California Safe Drinking Water Act.This bill would expand the use of available funds in the account to be used by the state board, upon appropriation by the Legislature, to include the administration of the Water Shutoff Protection Act. The bill would, subject to the availability of funding, require the state board to make funds available for providing training statewide to community water systems with between 15 and 200 service connections to assist in compliance with the Water Shutoff Protection Act. This bill contains other related provisions and other existing laws.	
<u>SB 366</u>	<u>Caballero D</u>	The California Water Plan: long-term supply targets.	7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was W.,P. & W. on 6/8/2023)(May be acted upon Jan 2024)	Existing law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as “The California Water Plan.” Existing law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. Existing law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to instead establish a stakeholder advisory committee and to expand the membership of the committee to include tribes, labor, and environmental justice interests. The bill would require the department to coordinate with the California Water Commission, the State Water Resources Control Board, other state and federal agencies as appropriate, and the stakeholder advisory committee to develop a comprehensive plan for addressing the state’s water needs and meeting specified long-term water supply targets established by the bill for purposes of The California Water Plan. The bill would require the plan to provide recommendations and	

				<p>strategies to ensure enough water supply for all beneficial uses. The bill would require the plan to include specified components, including a discussion of various strategies that may be pursued in order to meet the water supply targets and an economic analysis. The bill would require the department to submit to the Legislature an annual report between updates to the plan that includes progress made toward meeting the water supply targets once established, as specified. The bill would also require the department to conduct public workshops to give interested parties an opportunity to comment on the plan and to post the preliminary draft of the plan on the department’s internet website.</p>	
<u>SB 389</u>	<u>Allen D</u>	State Water Resources Control Board: investigation of water right.	10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 486, Statutes of 2023.	<p>Existing law establishes the State Water Resources Control Board within the California Environmental Protection Agency. Existing law provides generally for the appropriation of water. Existing law authorizes the board to investigate bodies of water, to take testimony in regard to the rights to water or the use of water, and to ascertain whether or not water is appropriated lawfully, as provided. Under existing law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would instead authorize the board to investigate and ascertain whether or not a water right is valid. The bill would authorize the board to issue an information order in furtherance of an investigation, as executed by the executive director of the board, as specified. The bill would authorize a diversion or use of water ascertained to be unauthorized to be enforced as a trespass, as specified.</p>	
<u>SB 411</u>	<u>Portantino D</u>	Open meetings: teleconferences: neighborhood councils.	10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 605, Statutes of 2023.	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of</p>	

				<p>the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill, until January 1, 2026, would authorize an eligible legislative body to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if the city council has adopted an authorizing resolution and 2/3 of an eligible legislative body votes to use the alternate teleconferencing provisions. The bill would define “eligible legislative body” for this purpose to mean a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to the act. The bill would require an eligible legislative body authorized under the bill to provide publicly accessible physical locations for public participation, as prescribed. The bill would also require that at least a quorum of the members of the neighborhood council participate from locations within the boundaries of the city in which the neighborhood council is established. The bill would require that, at least once per year, at least a quorum of the members of the eligible legislative body participate in person from a singular physical location that is open to the public and within the boundaries of the eligible legislative body. This bill contains other related provisions and other existing laws.</p>	
<u>SB 659</u>	<u>Ashby D</u>	California Water Supply Solutions Act of 2023.	10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 624, Statutes of 2023.	Existing law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as “The California Water Plan.” Existing law requires the department to establish an advisory committee, composed of representatives of agricultural and urban water suppliers, local government, business, production agriculture, and environmental interests, and other interested parties, to assist the department in the updating of the California Water Plan. Existing law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water	



				storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. This bill would establish the California Water Supply Solutions Act of 2023 to require the department, as part of the 2028 update, and each subsequent update thereafter to the California Water Plan, to provide actionable recommendations to develop additional groundwater recharge opportunities that increase the recharge of the state’s groundwater basins, as provided. The bill would require the department to consult with the State Water Resources Control Board, the 9 regional water quality control boards, and the advisory committee, which may be enlarged as provided, in carrying out these provisions. The bill would require the recommendations to identify immediate opportunities and potential long-term solutions to increase the state’s groundwater supply, and include, among other things, best practices to advance all benefits of groundwater recharge, as specified.	
<u>SB 706</u>	<u>Caballero D</u>	Public contracts: progressive design-build: local agencies.	10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 500, Statutes of 2023.	Existing law authorizes the Director of General Services to use the progressive design-build procurement process for the construction of up to 3 capital outlay projects, as jointly determined by the Department of General Services and the Department of Finance, and prescribes that process. Existing law defines “progressive design-build” as a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project. This bill would, until January 1, 2030, provide additional authority for cities, counties, cities and counties, or special districts to use the progressive design-build process for up to 10 public works in excess of \$5,000,000, not limited to water-related projects, excluding projects on state-owned or state-operated facilities. The bill would require information to be provided under penalty of perjury and would require similar reports due no later than December 31, 2028. This bill contains other related provisions and other existing laws.	
<u>SB 745</u>	<u>Cortese D</u>	The Drought-Resistant Buildings Act.	10/13/2023-Approved by the Governor. Chaptered by Secretary of	Existing law, the California Building Standards Law, establishes the California Building Standards Commission within the Department of General Services and sets forth its powers and duties, including	

			State. Chapter 884, Statutes of 2023.	approval and adoption of building standards and codification of those standards into the California Building Standards Code. Existing law requires the commission to adopt specific building standards, including standards for graywater, and to publish, or cause to be published, editions of the California Building Standards Code in its entirety once every 3 years. Existing law establishes the Building Standards Administration Special Revolving Fund, and makes the moneys in the fund available, upon appropriation, to state entities to carry out various related provisions, as specified. This bill would require the department to research, develop, and propose building standards to reduce potable water use in new residential buildings and imposes those duties on the commission with respect to new nonresidential buildings, as specified. The bill would require the commission to perform a review of water efficiency and water reuse standards in the California Buildings Standards Code every 3 years, commencing with the next triennial edition, and update as needed. This bill contains other related provisions and other existing laws.	
<u>SB 908</u>	<u>Cortese D</u>	Public records: legislative records: electronic messages.	1/9/2024-From printer. May be acted upon on or after February 8.	The California Public Records Act requires a state or local agency to make public records available for public inspection, except as specified. Under existing law, a public record includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by a state or local agency regardless of physical form or characteristics. This bill would prohibit an elected or appointed official or employee of a public agency from creating or sending a public record using a nonofficial electronic messaging system unless the official or employee sends a copy of the public record to an official electronic messaging system, as specified. By imposing additional duties on local agencies, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.	
<p><b>Total Measures: 23</b></p> <p><b>Total Tracking Forms: 23</b></p>					