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***Legislative Advocacy
Committee Members:***

*Dave Potters, Chair
Jeanne Byrne
Alvin Edwards*

Alternate:

Mary Adams

Staff Contact

*Dave Stoldt,
General Manager*

*After staff reports have
been distributed, if
additional documents are
produced by the District
and provided to the
Committee regarding any
item on the agenda, they
will be made available at
5 Harris Court, Building
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In addition, such
documents may be posted
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the meeting will be made
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matter.*

AGENDA

**Legislative Advocacy Committee
Of the Monterey Peninsula Water Management District**

Tuesday, March 24, 2020, 2:30 pm

Via WebEx

Within 5 minutes of the meeting start time from your computer go to:
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under "Join a Meeting" enter the meeting number 622 617 924, hit the enter key
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with your phone. You will communicate by phone and view material on your screen.

If you want to join by phone only (no computer) dial 877-668-4493 and use the
meeting number above.

Call to Order

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

1. Develop Recommendation to the Board on 2020 Legislative Advocacy Plan

Discussion Items -- Public comment will be received on all Discussion Items

2. Report from JEA & Associates on Legislative Status and Bill Tracking
3. Report from The Ferguson Group on Federal Issues
4. Discuss and Provide General Guidance on District Support/Oppose Positions

Other Items

Adjournment

Upon request, MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Please send a description of the requested materials and preferred alternative format or auxiliary aid or service by 5 PM on Monday, March 23, 2020. Requests should be sent to the Board Secretary, MPWMD, P.O. Box 85, Monterey, CA, 93942. You may also fax your request to the Administrative Services Division at 831-644-9560, or call 831-658-5600.

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LEGISLATIVE ADVOCACY COMMITTEE

ITEM: ACTION ITEM

1. DEVELOP RECOMMENDATION TO THE BOARD ON 2020 LEGISLATIVE ADVOCACY PLAN

Meeting Date: March 24, 2020 **Budgeted:** N/A

From: David J. Stoldt,
General Manager **Program/
Line Item No.:** N/A

Prepared By: David J. Stoldt **Cost Estimate:** N/A

General Counsel Review: N/A

Committee Recommendation: N/A

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

SUMMARY: Attached as **Exhibit 1-A** is a draft 2020 Legislative Advocacy Plan. The Committee should discuss state and federal priorities for the year. For the past 3 years Pure Water Monterey has been the focal point of our efforts. New initiatives and/or redirection of District resources should be discussed and folded into the Plan.

RECOMMENDATION: Staff recommends that the Committee provide comments and recommend the Board of Directors review the Legislative Advocacy Plan and adopt it by consent at the April board meeting.

EXHIBIT

1-A Draft 2020 Legislative Advocacy Plan

EXHIBIT 1-A



2020 Legislative Advocacy Plan - DRAFT

This plan establishes the Monterey Peninsula Water Management District legislative and government affairs priorities for FY 2020.

Federal Strategy

1) Continue relationship and services with The Ferguson Group

- Identifying legislation or proposed regulatory changes that may impact the District.
- Track additional Title XVI and WIIN Act funding for Pure Water Monterey
- Track Trump Administration budget actions and Infrastructure Funding/Financing Proposals
- Consult with staff to develop positions on relevant legislation.
- Advocate the District's position on bills and matters of interest.
- Identify funding opportunities and notify of timing, requirements, and advocate on behalf of District or District's partners (e.g. WaterSMART) for, but not limited to:
 - ✓ Fisheries and watersheds
 - ✓ Pure Water Monterey Expansion
 - ✓ CSIP Annexations
 - ✓ Desalination (if proceeding)
- Prepare materials for briefing – talking points, briefing books, letters, as necessary
- Coordinate with other water district lobbyists and organizations
- Maintain close relationships with Monterey legislative delegation

2) Maintain Washington DC profile:

- Work with The Ferguson Group to organize timely trips as needed, but at least once a year separate from ACWA trip
- Both Congressional delegation and regulatory departments related to water, including but not limited to BLM, NOAA (NMFS), USBR, USDA, and EPA.
- Develop relationships with new legislative staff.
- Attend ACWA trip each year (Discuss: Every other year?)
- Direct contact with associations including ACWA, WateReuse, etc.

3) Provide support for relevant legislation.

EXHIBIT 1-A

4) Perform on existing federal grants:

- Salinas and Carmel Rivers Basin Study (\$900,000 USBR to be completed in 2020 or 2021)

State of California Strategy

1) Monitor and pursue grant opportunities:

- Fisheries Restoration Grant Program (FRGP): Position the District for a 2021 application for Monitoring Watershed Restoration (MO) for Carmel River in the aftermath of the San Clemente dam removal.
- IRWM: Updated IRWM Plan was accepted by the State in February. Will maintain our lobbying effort to retain the funding agreement to ensure we receive over \$3 million in the next IRWM rounds of Prop 1 moneys

2) Maintain Sacramento profile:

- Work with JEA Associates to organize timely trips as needed, but at least once a year separate from needs-based visits.
- Meet Governor Newsom's new appointee's in relevant key positions
- Meet with legislative team locally
- Attend CSDA, ACWA, and/or WaterReuse legislative days

3) Provide support/opposition for relevant legislation.

- Maintain JEA bill-tracking
- Provide letters of support or opposition on legislation and regulations that affect the water industry. Current effort on SB 669 as alternative to water tax and proposed SWRCB permanent conservation regulations.

4) Develop helpful relationships: ACWA, WaterReuse, others

Local Strategy

1) Maintain District role in regional water issues related to:

- Pure Water Monterey – CSIP expansion and expansion for MCWD
- Los Padres Dam and Reservoir studies
- Manage local IRWM effort
- Groundwater Sustainability and Regionalism generally

2) Encourage information flow and public participation in Rule 19.8/Measure J feasibility analysis where possible.

EXHIBIT 1-A

- 3) Participate in County-wide efforts (CEQA, OES, Water planning, Carmel River/Lagoon)
- 4) Maintain outreach to local associations government affairs committees (Chambers, MCAR, MCHA, Coalition of Peninsula Businesses, jurisdictions' mayors and councils);
Meet new councilmembers and board members.
- 5) Better articulate CPUC activities to local ratepayer groups

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LEGISLATIVE ADVOCACY COMMITTEE

ITEM: DISCUSSION ITEM

2. REPORT FROM JEA & ASSOCIATES ON LEGISLATIVE STATUS AND BILL TRACKING

Meeting Date: March 24, 2020 Budgeted: N/A

From: David J. Stoldt, General Manager Program/Line Item No.: N/A

Prepared By: David J. Stoldt Cost Estimate: N/A

General Counsel Review: N/A

Committee Recommendation: N/A

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

SUMMARY: Attached as **Exhibits 2-A** and **2-B** are an overview of the bills being considered during this legislative session and an overview of the proposed water bond. JEA & Associates will be on the meeting WebEx to provide an oral presentation.

EXHIBITS

2-A MPWMD Legislative Track

2-B Overview of Water Bond Coalition Teleconference Notes

EXHIBIT 2-A

MPWMD Draft Legislative Track

Measure	Author	Topic	Brief Summary	Position
<u>AB 1839</u>	<u>Bonta</u> D	Climate change: California Green New Deal.	Current law establishes various environmental and economic policies. This bill would create the California Green New Deal Council with a specified membership appointed by the Governor. The bill would require the California Green New Deal Council to submit a specified report to the Legislature no later than January 1, 2022. The bill also would make various findings and declarations.	
<u>AB 1936</u>	<u>Rodriguez</u> D	Price gouging: public safety power shutoffs.	Under current law, upon the proclamation of a state of emergency, as defined, by the President of the United States or the Governor, or upon the declaration of a local emergency, as defined, by the executive officer of any county, city, or city and county, and for a specified period following the proclamation or declaration of emergency, it is a misdemeanor with specified penalties for a person, contractor, business, or other entity to sell or offer to sell certain goods and services for a price that exceeds by 10% the price charged by that person immediately prior to the proclamation or declaration of emergency, except as specified. This bill would apply the price gouging prohibition and penalties described above upon an announcement of a public safety power shutoff, as defined, by an official, board, or other governing body authorized to make that announcement in any county, city, or city and county	
<u>AB 1958</u>	<u>Cooper</u> D	State Plan of Flood Control: facilities.	Would prohibit a person from concealing, defacing, destroying, modifying, cutting, altering, or physically or visually obstructing any levee along a river or bypass at any of those specified places, any levee forming part of any flood control plan, or any other facility of the State Plan of Flood Control, including, but not limited to, any and all associated rights of way, without permission of the board. By expanding the behavior that would be punishable as a misdemeanor, the bill would impose a state-mandated local program.	
<u>AB 2060</u>	<u>Holden</u> D	Drinking water: pipes and fittings: lead content.	Would define "lead free," for purposes of manufacturing, industrial processing, or conveying or dispensing water for human consumption, to mean not more than one microgram of lead under certain tests and meeting a specified certification when used with respect to end-use devices.	
<u>AB 2093</u>	<u>Gloria</u> D	Public records: writing transmitted by electronic mail: retention.	Would, unless a longer retention period is required by statute or regulation, or established by the Secretary of State pursuant to the State Records Management Act, require a public agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record, as defined, that is transmitted by electronic mail.	
<u>AB 2182</u>	<u>Rubio, Blanca</u> D	Emergency backup generators: water and wastewater facilities: exemption.	Would exempt the operation of an alternative power source, as defined, to provide power to a critical facility, as defined, from any local, regional, or state regulation regarding the operation of that source. The bill would authorize providers of essential public services, in lieu of compliance with applicable legal requirements, to comply with the maintenance and testing procedure set forth in the National Fire Protection Association Standard for Emergency and Standby Power System, NFPA 110, for alternative power sources designated by the providers for the support of critical facilities.	
<u>AB 2438</u>	<u>Chau</u> D	California Public Records Act: conforming revisions.	The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would enact various conforming and technical changes related to another bill that recodifies and reorganizes the California Public Records Act. The bill would only become operative if the related bill recodifying the act is enacted and becomes operative on January 1, 2022.	
<u>AB 2482</u>	<u>Stone, Mark</u> D	Agriculture: environmental	Would require the Department of Food and Agriculture, upon appropriation by the Legislature of additional funds, to administer the State Water Efficiency and Enhancement Program (grant program) to provide grants to	

EXHIBIT 2-A

		farming programs and grants.	agricultural operations to implement irrigation systems that reduce greenhouse gases and energy use and increase water use efficiency, as prescribed. The bill would also require the department to fund culturally competent training on irrigation and nutrient management, authorize the department to contract with qualified third parties to measure grant program outcomes, and require the department to adopt guidelines for the grant program.	
<u>AB 2619</u>	<u>Stone, Mark D</u>	Coastal resources: Program for Coastal Resilience, Adaptation, and Access.	Would establish the Program for Coastal Resilience, Adaptation, and Access for the purpose of funding specified activities intended to help the state prepare, plan, and implement actions to address and adapt to sea level rise and coastal climate change. The bill would create the Coastal Resilience, Adaptation, and Access Fund in the State Treasury, and would authorize the California Coastal Commission and specified state agencies to expend moneys in the fund, upon appropriation in the annual Budget Act, to take actions, based upon the best scientific information, that are designed to address and adapt to sea level rise and coastal climate change, as prescribed.	
<u>AB 2659</u>	<u>Chen R</u>	Public agencies: information practices.	The Information Practices Act of 1977 prescribes a set of requirements, prohibitions, and remedies applicable to public agencies, as defined, with regard to their collection, storage, and disclosure of personal information. The act specifically requires an agency to establish rules of conduct for persons involved in the design, development, operation, disclosure, or maintenance of records containing personal information and to instruct these people with respect to the rules and the requirements of the act. This bill would require that the above-described rules of conduct include security awareness and training policies and procedures.	
<u>AB 2676</u>	<u>Quirk D</u>	California Public Records Act: exemptions.	Current law exempts from disclosure critical infrastructure information, as defined, that is voluntarily submitted to the Office of Emergency Services for use by that office, including the identity of the person who or entity that voluntarily submitted the information. Current law defines “voluntarily submitted” for that purpose. This bill would remove the restriction that the submission be voluntary, thereby expanding that exemption.	
<u>AB 2706</u>	<u>Fong R</u>	California Environmental Quality Act: record of proceedings.	In an action or proceeding alleging the lead agency violated CEQA, CEQA requires the lead agency to prepare and certify the record of proceedings and requires the parties to pay any reasonable costs or fees imposed for the preparation of the record of proceedings, as specified. CEQA authorizes the plaintiff or petitioner to elect to prepare the record of proceedings or for the parties to agree to an alternative method of preparation of the record of proceedings, subject to certification of its accuracy by the public agency. This bill would make the above authorization for the plaintiff or petitioner to elect to prepare the record of proceedings or to agree to an alternative method of record preparation inapplicable in a proceeding challenging a project that will be exclusively located or implemented in a county with fewer than 1,000,000 residents and, if the project is located in a city within that county, the city has fewer than 500,000 residents.	
<u>AB 2748</u>	<u>Fong R</u>	Public agencies: information practices.	Would require a public agency subject to the Information Practices Act of 1977 to collect the least amount of personal information required to fulfill the purposes of its collection. The bill also would require an agency able to fulfill its requirements by collecting nonpersonal information instead of personal information to do so.	
<u>AB 2987</u>	<u>Flora R</u>	Local agency public contracts: bidding procedures.	The Uniform Public Construction Cost Accounting Act authorizes a public agency to elect to become subject to uniform construction cost accounting procedures. The act authorizes bidding procedures for public projects, as specified. Those bidding procedures include procedures for the publication or posting and electronic transmission of notice inviting formal bids. This bill would authorize a public agency, as an alternative to the publication or posting requirement, to meet the notice inviting formal bids requirement by transmitting notice electronically, as specified, and publishing the notice electronically in a prescribed manner on the public agency’s internet website at least 14 calendar days before the date of opening the bids.	
<u>AB 3256</u>	<u>Garcia, Eduardo D</u>	Climate risks: bond measure.	The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide direct primary election, authorizes the issuance of bonds in the amount of \$4,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. This bill would state the intent of the Legislature to enact a bond measure that would address climate risks to the State of California.	

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<u>SB 797</u>	<u>Wilk R</u>	Water resources: permit to appropriate: application procedure.	Current law requires the State Water Resources Control 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. Current law allows interested persons to file a written protest with regard to an application to appropriate water and requires the protestant to set forth the objections to the application. Current law declares that no hearing is necessary to issue a permit in connection with an untested 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 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.	
<u>SB 931</u>	<u>Wieckowski D</u>	Local government meetings: agenda and documents.	The Ralph M. Brown Act requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a legislative body to email a copy of the agenda or a copy of all the documents constituting the agenda packet if so requested. By requiring local agencies to comply with these provisions, this bill would impose a state-mandated local program.	
<u>SB 946</u>	<u>Pan D</u>	Local Flood Protection Planning Act: local flood protection plans.	Current law authorizes a local agency to prepare a local plan of flood protection and prescribes that a plan include, among other components, a strategy to meet the urban level of flood protection, an emergency response and evacuation plan for flood-prone areas, and an identification of current and future flood corridors. This bill would require a local plan of flood protection to also include an identification of current and future weirs, bypasses, and other appurtenances.	
<u>SB 996</u>	<u>Portantino D</u>	State Water Resources Control Board: Constituents of Emerging Concern Program.	Would require the State Water Resources Control Board to establish by an unspecified date and then maintain an ongoing, dedicated program called the Constituents of Emerging Concern Program to support and conduct research to develop information and, if necessary, provide recommendations to the state board on constituents of emerging concern in drinking water that may pose risks to public health. The bill would require the state board to establish the Stakeholder Advisory Group and the Science Advisory Panel, both as prescribed, to assist in the gathering and development of information for the program, among other functions. The bill would require the program to provide opportunities for public participation, including conducting stakeholder meetings and workshops to solicit relevant information and feedback for development and implementation of the program.	
<u>SB 1028</u>	<u>Dodd D</u>	Agriculture: Cannella Environmental Farming Act of 1995: Environmental Farming Incentive Program.	Would require the Advisory Panel on Environmental Farming to assist government agencies to incorporate the conservation of natural resources and ecosystem services practices into agricultural programs. The bill would require the Department of Food and Agriculture, with advice from the panel, to establish and administer the California Environmental Farming Incentive Program, subject to an appropriation by the Legislature. The bill would require the program to support on-farm practices seeking to optimize environmental benefits while supporting the economic viability of California agriculture by providing incentives, educational materials, and outreach to farmers or ranchers who want to pursue adopting management practices that contribute to wildlife habitat and result in on-farm activities that provide multiple conservation benefits, as specified.	
<u>SB 1052</u>	<u>Hertzberg D</u>	Water quality: municipal wastewater agencies.	Would establish municipal wastewater agencies and would authorize a municipal wastewater agency, among other things, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.	
<u>SB 1096</u>	<u>Caballero D</u>	Water and sewer	Te California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State	

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		system corporations: consolidation of service.	Water Resources Control Board related regulatory responsibilities and duties. Current law authorizes the state board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2020, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system.	
<u>SB 1099</u>	<u>Dodd D</u>	Emergency backup generators: critical facilities: exemption.	Would, consistent with federal law, require air districts to adopt a rule, or revise its existing rules, to allow critical facilities with a permitted emergency backup generator to use that emergency backup generator during a deenergization event or other loss of power, and to test and maintain that emergency backup generator, as specified, without having that usage, testing, or maintenance count toward that emergency backup generator's time limitation on actual usage and routine testing and maintenance. The bill would prohibit air districts from imposing a fee on the issuance or renewal of a permit issued for those critical facility emergency backup generators.	
<u>SB 1100</u>	<u>Atkins D</u>	Coastal resources: sea level rise.	The California Coastal Act of 1976 establishes the California Coastal Commission and provides for planning and regulation of development in the coastal zone, as defined. The act requires the commission, within 90 days after January 1, 1977, to adopt, after public hearing, procedures for the preparation, submission, approval, appeal, certification, and amendment of a local coastal program, including a common methodology for the preparation of, and the determination of the scope of, the local coastal programs, as provided. This bill would also include, as part of the procedures the commission is required to adopt, recommendations and guidelines for the identification, assessment, minimization, and mitigation of sea level rise within each local coastal program, as provided.	
<u>SB 1101</u>	<u>Caballero D</u>	Water and Climate Science Advisory Board.	Would require the Department of Water Resources to convene a Water and Climate Science Advisory Board to consist of an unspecified number of members with certain qualifications, appointed by an unspecified method, serving no more than an unspecified number of terms of unspecified length. The bill would require the board to meet an unspecified number of times per year. The bill would require the department to consult with the board when initiating, reviewing, or expanding policies or guidelines regarding impacts of climate change on water resources. The bill would require the department to establish an internal process for department review of and comment on the work of the board, which shall be made publicly available.	
<u>SB 1173</u>	<u>Durazo D</u>	Public employment: labor relations: employee information.	Current law, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, the Trial Court Employment Protection and Governance Act, the Trial Court Interpreter Employment and Labor Relations Act, and the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act, provisions commonly referred to as the Educational Employment Relations Act, and the Higher Education Employer-Employee Relations Act, among others, regulates the labor relations of the state, the courts, and specified local public agencies and their employees. Current law requires these public employers to provide certain labor representatives with the names and home addresses of newly hired employees, as well as their job titles, departments, work locations, telephone numbers, and personal email addresses, within 30 days of hire or by the first pay period of the month following hire. Current law also requires the public employers to provide this information for all employees in a bargaining unit at least every 120 days, except as specified. This bill would impose liability on a public employer for violations of the above-described requirements if the violations occur 3 or more times in a 12-month period.	
<u>SB 1188</u>	<u>Stern D</u>	The California Water Plan.	Current 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. Current law requires the department to include a discussion of various strategies in the plan update. This bill would require the department to include in the plan update, instead of a discussion of various strategies, a discussion of various strategies for increasing regional water resilience.	
<u>SB 1217</u>	<u>Dahle R</u>	Urban water use targets: indoor	Current law requires an urban retail water supplier to adopt one of specified methods for determining its urban water use target, including estimating the per capita daily water use using the sum of 55 gallons per capita daily for	

EXHIBIT 2-A

		residential water use.	indoor residential water use and a specified water efficiency standard for landscape irrigation use. This bill would revise that method of estimating the per capita daily water use to require an urban retail water supplier to use, instead of 55 gallons per capita daily for indoor residential water use, a standard that complies with the urban retail water supplier's own criteria for indoor residential water use.	
<u>SB 1280</u>	<u>Monning D</u>	Drinking water: consolidation and extension of service: at-risk water systems.	Would authorize the State Water Resources Control Board to order consolidation between a receiving water system and an at-risk water system, as defined, upon receipt of a petition that substantially conforms to the specified-referenced policy adopted by the state board and that is either approved by the water system's governing body or signed by at least 30% of the households served by the water system. For purposes of that provision, the bill would authorize the state board to contract with a technical assistance provider or appoint an administrator to provide information to a community regarding the petition process, to assist with the preparation of a petition, or to evaluate whether a water system is an at-risk water system.	
<u>SB 1293</u>	<u>Allen D</u>	Coastal resources: climate change: sea level rise.	Would state the intent of the Legislature to enact legislation that would protect the public and coastal resources from the threat of sea level rise and increased storm surge brought forth by climate change and that would create a revolving loan fund to allow local governments to purchase threatened coastal properties for leasing purposes.	
<u>SB 1296</u>	<u>Durazo D</u>	Natural resources: the Nature and Parks Career Pathway and Community Resiliency Act of 2020.	Current law establishes various environmental and economic policies and programs. This bill would establish the Nature and Parks Career Pathway and Community Resiliency Act of 2020, which would require state conservancies, the Wildlife Conservation Board, and the Natural Resources Agency to establish independent grant programs to support climate-beneficial and climate resiliency projects that incorporate partnerships with nonprofit organizations that provide certifications and placement services for jobs and careers in the natural resources field, as specified.	
<u>SB 1297</u>	<u>Moorlach R</u>	Public employees' retirement.	Would revise the provision of pension and other benefits to members of all state or local public retirement systems. The bill would apply its provisions prospectively to any member of a state or local public retirement system who is employed upon the date of its enactment and to any person who may be employed and become a member thereafter. The bill would void any limit on a pension that prohibits the pension from exceeding a percentage of final compensation, as specified. The bill would prohibit a local entity from establishing a deferred retirement option program, as described, and if a local entity has established a deferred retirement option program, whether or not the program is closed to new participants, it would be required to disenroll any participating employees and close the program.	
<u>SB 1329</u>	<u>Wilk R</u>	Climate change: Climate Innovation Grant Program: voluntary tax contributions.	Would establish the Climate Innovation Grant Program, to be administered by the Strategic Growth Council or another entity identified by the council that it determines to have the appropriate skills necessary to successfully implement this program. The bill would establish the Climate Innovation Fund, a special fund, in the State Treasury and would continuously appropriate the moneys in the fund to the council for purposes of the program. Once the Climate Innovation Fund accrues \$2,000,000, the bill would require the council or the entity implementing the program to notify the Franchise Tax Board and would require the program to award grants for the development and research of new innovations and technologies that either reduce emissions of greenhouse gases or address impacts caused by climate change.	
<u>SB 1348</u>	<u>Stern D</u>	Fire prevention: vegetation management: public education: grants.	Current law requires the Department of Forestry and Fire Protection to establish a local assistance grant program for fire prevention activities in the state. Current law requires that the eligible activities include, among other things, fire prevention activities, as provided. This bill would also specifically include vegetation management along roadways and driveways and public education outreach regarding home and community wildfire resistance, as provided, as part of the eligible activities, as provided.	
<u>SB 1356</u>	<u>Borgeas R</u>	Groundwater sustainability	The Sustainable Groundwater Management Act authorizes a groundwater sustainability agency to impose fees to fund the costs of a groundwater sustainability program and requires a groundwater sustainability agency to hold at	

EXHIBIT 2-A

		agency: financial authority.	least one public meeting prior to imposing or increasing a fee. The act requires that a groundwater sustainability agency make the data upon which the proposed fee is based publicly available at least 10 days prior to the meeting. This bill would make nonsubstantive changes to the provisions authorizing groundwater sustainability agencies to impose fees.	
<u>SB 1372</u>	<u>Monning D</u>	Wildlife corridors and connectivity: Wildlife and Biodiversity Protection and Movement Act of 2020.	Current law requires the Department of Fish and Wildlife, contingent upon funding being provided by the Wildlife Conservation Board or from other appropriate bond funds, upon appropriation by the Legislature, to investigate, study, and identify those areas in the state that are most essential as wildlife corridors and habitat linkages, as well as the impacts to those wildlife corridors from climate change, and requires the department to prioritize vegetative data development in these areas. This bill would additionally require the department to investigate, study, and identify impacts to those wildlife corridors from state infrastructure projects, including transportation and water projects, large-scale development projects not covered by an existing natural community conservation plan or habitat conservation plan, and planned or potential land conversions.	
<i>Total Measures: 36</i> <i>Total Tracking Forms: 36</i>				

EXHIBIT 2-B



March 2, 2020

To: Dave Stoldt, Monterey Peninsula Water Management District

From: Laurie Johnson, JEA & Associates

Re: Water Bond Coalition Calls

As you are aware, JEA & Associates have been participating on several water bond coalitions, including ACWA's to ascertain and assist in legislative strategy and advocacy on behalf of MPWMD. Below are my notes from ACWA's latest call from last week.

- ACWA's team met with the Administration and OPR on some of their recommended language (i.e., increasing the amount of the bond, being more prescriptive in funding pots like groundwater, etc.). According to their recap, the Administration is open to increasing the amount of the bond, but any increase must have a nexus to climate change. The Administration also wants to limit the carve-outs, especially in the \$1 billion for regional projects; they do not want it more prescriptive with sub-funding for regional conveyance and recycling. Also, there is a commitment to no new programs and funding will go through existing programs. All in all, they are open to the amount but are committed to keeping this proposal as broad as possible.
- There was a lengthy discussion on the 35% reserved for disadvantaged communities. ACWA and many of the advocates felt that this was too much and wanted to mirror the 20% dedicated in both Prop. 1 and Prop. 68. Mind you, the 35% priority is for the total bond amount not for each pot of funding, so this includes the safe drinking water provisions which the DACs would dominate that \$360 million. They recognized that arguing against this increased dedication to DACs is politically unpopular and the Governor is committed to these communities. Therefore, the group focused on redefining the DAC language to possibly say that 35% of the funding would go to projects benefitting DAC households, which would open up funding to more water agencies that are not entirely serving DACs but a portion of their ratepayers meet the criteria. Honestly, this is going to be a cluster for ACWA and others to redefine because every agency can essentially argue this. This topic was left open with no resolution and/or clear strategy.

- In regards to the \$1 billion for regional projects (Water Resilience), ACWA and others felt that this was too broad. For example, what does a regional approach really mean? Who decides what it is? DWR? The region? They are wary of the Administration and its agencies coming up with prioritizations after the fact. There needs to more substance (to which the Administration is not a fan of) and they want to add more categories, such as an extra \$250 million for recycling and at least \$500 million for regional conveyance and a separate funding pot separate from the groundwater section outside of SGMA.
- In the flood section, they continued the dialogue around a separate pot for dam safety because some of these needed projects are not always tied to flood projects. The discussion was around a revolving loan or grant program for dam upgrades due to the enormity of the costs. One advocate said that they have 5 dams in her locality and each one needs at least \$500 million in upgrades, and take that need and multiply it by the remaining 92 dams statewide and it is now a very expensive mess.
- Lastly, they want to specify the funding under Fish & Wildlife for restoration.
- Side note...they have met with the other major stakeholder in this bond – the environmentalists – and they, like ACWA are advocating for about \$6-7 billion total bond. However, that is all they can agree on at this moment.

LEGISLATIVE ADVOCACY COMMITTEE

ITEM: DISCUSSION ITEM

3. REPORT FROM THE FERGUSON GROUP ON FEDERAL ISSUES

Meeting Date: March 24, 2020 **Budgeted:** N/A

From: David J. Stoldt,
General Manager **Program/
Line Item No.:** N/A

Prepared By: David J. Stoldt **Cost Estimate:** N/A

General Counsel Review: N/A

Committee Recommendation: N/A

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

SUMMARY: The attached Exhibits are materials prepared by TFG for our MPWMD team and shared during our Washington DC visit. TFG will be on the meeting WebEx to provide an oral presentation.


EXHIBITS

3-A 2020 Federal Advocacy Platform

3-B Western Water Legislation Comparison Chart

3-C Water Legislative Tracker

2020 Federal Advocacy Platform



The Monterey Peninsula Water Management District's 2020 Federal Advocacy Platform outlines the District's goals and needs related to water supply, environmental stewardships, water conservation, and general federal advocacy activities.

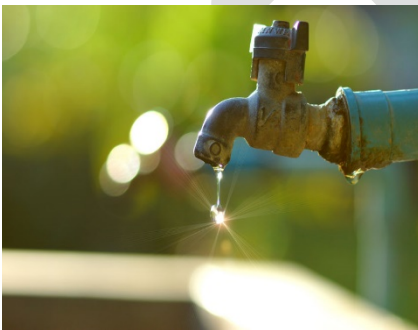
January 2020

2020 FEDERAL ADVOCACY PLATFORM



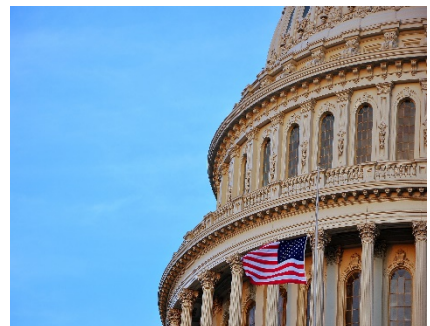
WATER SUPPLY

ENVIRONMENTAL STEWARDSHIP



WATER CONSERVATION

RELATIONSHIPS & LEADERSHIP





WATER SUPPLY

The Monterey Peninsula Water Management District's mission is to promote and provide for long-term sustainable water supply, and to manage and protect water resources for the benefit of the community and the environment.

REAUTHORIZE AND EXPAND TITLE XVI WATER RECLAMATION AND REUSE COMPETITIVE GRANT PROGRAM

Background	The 2016 <i>Water Infrastructure Improvements for the Nation (WIIN) Act</i> (Title XVI-WIIN) created the Bureau of Reclamation's Title XVI Water Reclamation and Reuse competitive grant program, which enabled new projects to be eligible for federal assistance under Title XVI. There are currently 55 Title XVI-WIIN eligible projects awaiting assistance, with a total of more than \$550 million in eligible federal cost-share, this list will only grow as more projects become eligible. The need is clearly there as demonstrated by the range of communities who have applied for and are awaiting funding to drought-proof their future.
Request	<p>Support proposals like those included in the <i>Drought Resiliency and Water Supply Infrastructure Act (S 1932)</i>, the <i>FUTURE Drought Resiliency Act</i> (Representative Huffman's discussion draft) and similar measures that include a 5-year, \$100 million reauthorization of the Bureau of Reclamation's Title XVI Water Reclamation and Reuse competitive grant program, originally authorized in the 2016 Water Infrastructure Improvements for the Nation (WIIN) Act (Title XVI-WIIN).</p> <p>Support an increase in the maximum grant amount under Title XVI from \$20 million to \$30 million or 25 percent of total project costs, whichever is less.</p>

EXPAND FEDERAL COMPETITIVE GRANT AND LOAN SUPPORT FOR CRITICALLY NEEDED WATER INFRASTRUCTURE

Background	Although Congress has generously increased funding to support water supply, storage, and reuse infrastructure in recent years, funding for these critical water infrastructure needs continues to be insufficient in relation to the extraordinary demand that exists West-wide.
Request	<p>Support increased competitive grant funding for desalination (\$60 million in additional funds authorized under S. 1932 and the FUTURE Act.</p> <p>Support additional federal support for non-federal investments in surface and groundwater storage.</p> <p>Support the authorization of the <i>Reclamation Infrastructure Finance and Innovation Act</i> (RIFIA).</p>



ENVIRONMENTAL STEWARDSHIP

A key responsibility of MPWMD is to monitor the effects of water production on the environment and work to reduce the negative impacts. MPWMD's environmental stewardship efforts aim to sustain healthy riparian vegetation, promote a viable fishery, and maintain the bed and banks of the Carmel River.

ADDITIONAL FUNDING FOR MONITORING ON THE CARMEL RIVER

Background A full Life Cycle Monitoring Station is needed on the Carmel River to properly inform recovery efforts for the South-Central California Coast Steelhead (SCCCS). The Carmel River has one of the oldest steelhead population data sets in the state, dating back seventy years. This data set has served as the primary source of justification for the federal listing of SCCC as 'threatened' under the *Endangered Species Act* (ESA). This data set is also the only long-term trend data set for the entire SCCC Distinct Population Segment (DPS). In order to continue providing essential monitoring data to support SCCC DPS recovery efforts, increased monitoring capabilities are needed on the Carmel River. Going forward, the National Marine Fisheries Service (NMFS) and the California Department of Fish and Wildlife (CDFW) will need additional data to develop the ESA-mandated Viable Salmonid Population Model required by federal law to track the status of a listed species and determine when it is viable for delisting.

Request Federal funding to support installation of a full Life Cycle Monitoring Station on the Carmel River through the Pacific Coast Salmon Recovery Fund.

ENHANCE FEDERAL ROLE IN MONITORING

Need: The Pacific Coast Salmon Recovery Fund is the only program dedicated to funding and tracking monitoring activities associated with the recovery of salmon in the West. Currently, under the formula created by the NMFS, funding for criteria that includes monitoring is capped at 25 percent, while criteria for habitat construction for salmon is 65 percent. Given that recovery (removal from the Endangered Species list) is central to the purpose of the ESA, reform and expansion of the monitoring elements of the program are needed.

In addition, the allocation of the program funding within some states, such as California, appear to be regionally unbalanced. Therefore, evaluations should be done to ensure that funding allocated through the program is as balanced as possible with regard to where dollars are spent, particularly for monitoring activities.

Lastly, given the number of listed species California and elsewhere, increased funding for monitoring is needed to better measure progress on achieving the purpose of the ESA: recovery.

EXHIBIT 3-A

Request: Either through authorization legislation and/or appropriations language, we ask that Congress direct the NMFS to increase the percentage of funds provided to monitoring from the current 25 percent to 50 percent, over several years, beginning with a 10 percent increase in FY 2021 and increase the overall funding for the Pacific Coast Salmon Recovery to ensure that monitoring is receiving the maximum funding available.

We also ask that Congress direct NMFS to report to Congress on an evaluation of criteria for Pacific Coast Salmon Recovery Fund applicability to states to ensure regional equity regarding project funding to the extent practical.

SUPPORT THE NATIONAL FISH HABITAT PARTNERSHIP PROGRAM

Need: There are 20 regional National Fish Habitation Partnership Program (NFHP) partnerships operating across the nation focused on conservation and restoration of various fish species. The California partnership was established in 2010. Known as the California Fish Passage Forum, its mission is to protect and restore listed anadromous salmonoid species, and other aquatic organisms, in California by promoting collaboration among public and private sectors for fish passage improvement projects and programs. Species of concern include, but are not limited to, Coho and chinook salmon; steelhead trout; and Pacific lamprey.

Legislation is currently moving through the House and Senate that would formally authorize the NFHP program. Among other elements, the legislation would authorize federal funding for the program annually; establish the partnership program selection criteria; establish a governing board; and formalize current partnerships. The legislation authorizing the program has been introduced in the previous Congresses and enjoys strong bipartisan support. The current bill passed the House overwhelmingly. In the Senate, the Environment and Public Works Committee recently passed the House version on a strong bipartisan vote. It is awaiting a Senate floor vote.

Request: Support final passage of NFHP authorizing legislation and engage in outreach to the regional and federal level officials participating in the current California partnerships to discuss potential expansion to include the Carmel River in the current partnership, and/or explore the possibility of establishing a sub or separate partnership.

MAKE BASIN STUDIES ELIGIBLE FOR ENVIRONMENTAL RESTORATION FUNDING

Background Proposals have been introduced in Congress to provide authorization and funding to the Department of the Interior to carry out environmental restoration activities benefitting species listed as threatened or endangered under the Endangered Species Act that are adversely affected by the operation of Bureau of Reclamation water projects. Monterey would like to further amend such proposals to also make environmental restoration funding available for recommended actions outlined in completed and approved Reclamation basin studies.

Request Support efforts to provide authorization and funding to the Department of the Interior to carry out environmental restoration activities benefitting species listed as threatened or endangered under the Endangered Species Act that would benefit from recommended actions within the boundaries of a completed and approved basin study.



WATER CONSERVATION

Even though the Monterey Peninsula is one of the lowest per-person, per-day water users in the state, the Monterey Peninsula Water Management District aims to achieve additional water conservation at every opportunity. The District wants to continue to support federal efforts that promote and support water conservation efforts carried out by water managers and users.

WATER EFFICIENCY REBATES

Description	The Monterey Peninsula Water Management District provides generous rebates for water saving fixtures and appliances for homes or businesses. California American Water, Seaside Municipal Water District, and other system customers within the District are eligible for a rebate when purchasing and installing water saving devices. Ensuring that users have incentive to install water saving devices is essential to the District overall water conservation efforts.
Request	Support the <i>Water Conservation Rebate Tax Parity Act</i> , a bill that would amend federal tax law to clarify that homeowners do not need to pay income tax on rebates received from water utilities for water conservation and water runoff management improvements they have made.



RELATIONSHIPS & LEADERSHIP

A key goal of the Monterey Peninsula Water Management District is to continue enhancing the District's relationships and presence in Washington. Maintaining strong relationships with Congress and federal agencies will support District efforts to influence legislation, regulations, and policy changes of interest to the District.

CONTINUING BUILDING RELATIONSHIPS WITH FEDERAL AGENCIES AND CONGRESS

Description	The Monterey Peninsula Water Management District maintains strong relationships with its elected officials in Congress, their staffs, and federal agencies. These relationships have been essential to many successes achieved by the District.
Goal	Continue to enhance the District's relationships with elected representatives in Congress and federal agencies to ensure that federal interests understand the District's role, needs, and expertise.

TRACK LEGISLATION AND REGULATIONS OF INTEREST

Description	An important aspect of maintaining relationships and visibility in Washington is to track legislation and legislation that may impact the District's interests so the District can provide guidance to federal representatives and agencies about the impacts and/or benefits of proposed or pending policy changes.
Goal	Continue to track bills and regulations that may impact the District's interests.



Western Water Legislation Comparison Chart

The following chart outlines and compares the specifics of the following bills introduced in the 116th Congress, the *Drought Resiliency and Water Supply Infrastructure Act* (S. 1932); *Securing Access for the central Valley and Enhancing Water Resources Act* (H.R. 2473); the *Water Supply Permitting Coordination Act* (H.R. 1621); and the *FUTURE Drought Resiliency Act* (H.R. ____).

	Drought Resiliency and Water Supply Infrastructure Act S.1932	Water Supply Permitting Coordination Act H.R. 1621	Securing Access for the Central Valley and Enhancing Resources Act H.R. 2473	FUTURE Drought Resiliency Act
Introduced	June 20, 2019	March 7, 2019	June 20, 2019	January 8, 2020
Sponsor	Cory Garnder (R-CO)	Tom McClintock (R-CA)	Josh Harder (D-CA)	Jared Huffman (D-CA)
Cosponsors	Dianne Feinstein (D-CA), Martha McSally (R-AZ), Kyrsten Sinema (D-AZ), Jacky Rosen (D-NV)	Paul Gosar (R-AZ), Scott Tipton (R-CO), Doug LaMalfa (R-CA), David Schweikert (R-AZ), Duncan Hunter (R-CA), Andy Biggs (R-AZ), Debbie Lesko (R-AZ), Liz Cheney (R-WY), Paul Cook (R-CA)	John Garamendi (D-CA), Ami Bera (D-CA), TJ Cox (D-CA), Jim Costa (D-CA), Jerry McNerney (D-CA), Grace Napolitano (D-CA), Jimmy Panetta (D-CA)	
Committee	Senate Committee on Energy and Natural Resources Subcommittee on Water and Power	House Natural Resources Subcommittee on Water, Oceans, and Wildlife	House Natural Resources Subcommittee on Water Oceans, and Wildlife	

Groundwater Storage

S. 1932 – Section 3 – PAGE 2

Defines a ‘federally owned storage project’ to include the construction, expansion, upgrade, or capital repair of a surface storage facility; and a facility conveying water to a surface or groundwater storage facility.

Defines a 'non-federal storage project' to include the construction, expansion, upgrade or capital repair by a state, Indian tribe, or water district of a surface or groundwater facility; or a facility conveying water to a surface or groundwater storage facility.

Establishes a grant program to carry out a federally owned or non-federal storage project.

Federally owned storage projects:

- Authorizes up to a 50% federal cost-share for such projects.
- Establishes conditions for federal construction funding.
- Requires compliance with environmental laws.
- Requires the agreement of any single entity with a contract for 60% or more of the capacity or yield of the project, or any entity that has contracted to carry out operations and maintenance of the project

Non-federal storage projects:

- Authorizes up to a 25% federal cost-share for such projects.
- Establishes conditions for federal design and study funding and construction funding
- Requires compliance with environmental laws.
- Requires Reclamation within 180 days of enactment to develop draft guidelines for approving feasibility or equivalent studies for non-federal storage projects, to be finalized within a year of enactment.
- Guidelines reflect Reclamation's role as a minority participant in the non-federal projects, with the federal taxpayer not responsible for any cost overruns.
- The guidelines shall be based on Reclamation's guidelines for water recycling projects under the Title XVI program, which likewise involve a maximum 25% federal contribution to a project built by a non-federal entity.

Reclamation may include benefits realized from having the operational flexibility to optimize meeting authorized project purposes in light of the hydrology of any given water year, including through the coordinated management of federal and non-federal facilities.

Authorizes \$670,000,000 for FY 2020 through 2024. Congress shall appropriate storage funding through the annual appropriations process. No more than 25% of authorized funding can be used for appraisal studies, feasibility studies, or other preliminary studies.

Nothing in this section preempts or modifies any requirement that Reclamation act consistently with applicable state law.

Reclamation may enter into a partnership with a joint powers authority to advance storage projects identified in the CALFED legislation.

The CALFED legislation is reauthorized through FY 2024.

Because Section 4007 of the WIIN Act is extended and updated by this section, section 4007 is repealed.

H.R. 2473 – Section 2 – PAGE 2

Provides \$100 million per year for new surface or groundwater storage projects.

H.R. 1621

No provisions included.

H.R. __ – Section 103 – Page

Authorizes \$750 million for storage projects that meet certain standards. New authorization is also provided for natural water storage projects that use natural materials to increase aquifer recharge or floodplain water storage and watershed restoration projects that increase water storage yield.

Reclamation Infrastructure Finance and Innovation Act (RIFIA)**S. 1932 – Section 6 – Page 26**

Establishes a pilot program for financial assistance to eligible projects. Eligible projects are defined as projects that would contribute directly or indirectly to water supply in Reclamation states, plus Alaska and Hawaii.

Includes projects that support an improvement to, or are associated with, a Reclamation facility if the eligible entity implements the project for non-federal purposes, and secures substantial control over the operation, management and maintenance of the project.

Applicants may combine one or more small projects to meet the minimum \$5 million project cost.

Eligible entities include any individuals or entities that have the capacity to contract with the U.S. under Reclamation laws.

The program will adopt the requirements of the Water Infrastructure Finance and Innovation Act (WIFIA) for determination of project eligibility and loan selection, and program administration.

The EPA and Reclamation are to be defined by the agreement between the agencies required to be completed by October 23, 2019 pursuant to the 2018 Water Resources Development Act. Under the agreement, EPA will retain responsibility for administering any loans under the section.

Requires compliance with all applicable environmental laws.

Authorizes \$150,000,000 for FY 2020 through 2024, including \$125 million in federal outlays for supporting loans; and \$25 million in administrative costs for Reclamation and EPA.

- The \$125 million in federal outlays would support \$8 to \$12 billion in loan amounts under the Office of Management and Budget's guidance for the parallel WIFIA program.
- A portion of the \$25 million in administrative costs could be used for technical assistance for small community projects, including paying a portion of the costs for acquiring rating opinion letters.

H.R. 2473 – Section 4 – PAGE 8

Authorizes an innovative financing program, the Reclamation Infrastructure Finance, and Innovation Act (RIFIA) program to fund water infrastructure projects, which are critically needed for water storage and water infrastructure projects throughout the West.

The RIFIA proposal provides water projects with access to federally-based low-cost, long-term loans.

The Secretary of the Interior may assist applicants in combining 1 or more projects into a single application in order to meet the minimum project cost of \$5,000,000 required, to ensure that small community projects, those serving 25,000 or less, are eligible to receive RIFIA loans.

Eligible entities for this program include conservancy districts, reclamation districts, irrigation districts, a canal company or mutual water company, a water users' association, an agency established by an interstate compact, or any other individual or entity that has the capacity to contract with the U.S. under the reclamation laws.

Authorizes \$150,000,000 to carry out this pilot program for FY 2021 through 2025.

- Not more than \$5,000,000 may be used for administrative costs in carrying out the pilot program and in obtaining necessary approvals and transfers to the Administrator of the Environmental Protection Agency

Eligible projects include:

- A project for the reclamation and reuse of municipal, industrial, domestic, and agricultural wastewater, and naturally impaired ground water
- A new water infrastructure facility projects, including a water conduit, pipeline, canal, pumping, power, and associated facilities
- A project for enhanced energy efficiency in the operation of a water system
- A project for accelerated repair and replacement of all or a portion of an aging distribution facility
- A brackish or sea water desalination project
- A project to deliver water to wildlife refuges

H.R. 1621

No provisions included.

H.R. __

No provisions included.

Water Recycling and Reuse

S. 1932 – Section 4 – Page 17

Amends the Title XVI competitive grant program for water recycling projects established in 2016 pursuant to the WIIN Act.

Authorizes \$100 million total for FY 2020 through 2024. Congress appropriates funding for this competitive grant program through the annual appropriations process.

Congress must approve the initial award of design and study funding and construction funding for each specific project through designating the project by name in an enacted appropriations bill. Reclamation may provide additional design and study funding and construction fundign for specific projects without further congressional approval.

Raises the maximum federal funding contribution for each Title XVI project to \$30 million from \$20 million. The cap remains \$20 million for projects that have received that amount as of December 31, 2020. The maximum federal cost share remains at 25%.

H.R. 2473 – Section 7 – PAGE 18

Extends the authorization of the title XVI competitive grants program, and places priority on the following criteria:

- Projects that are likely to provide more reliable water supply for states and local governments
- Projects that are likely to increase the water management flexibility and reduce impacts on environmental resources from projects operated by federal and state agencies
- Projects that are regional in nature
- Projects with multiple stakeholders
- Projects that provide multiple benefits, including water supply reliability, ecosystem benefits, groundwater management and enhancements, and water quality improvements

Increases the authorized funding levels from \$50 million to \$500 million.

H.R. 1621

No provisions included.

H.R. _ – Section 101 – Page

Incorporates Rep. Napolitano's Water Recycling Investment and Improvement Act (H.R. 1162) to support a grant program for water recycling projects. This includes, raising the Title XVI water recycling program funding authorization to \$500 million through 2024 to support the creation of approximately 650,000 acre-feet of water reach year in additional average yield. It also includes raising the \$20 million federal funding cap for individual Title XVI water recycling projects to \$30 million.

Desalination**S. 1932 – Section 5 – Page 21**

Amends and updates the competitive grant program for desalination projects established in 2016 pursuant to the WIIN Act. There are two changes to the definition of an eligible project:

- Clarifies that public private partnerships are eligible for funding as long as state or local government entity pays either for the construction of the project or the water provided by the project.
- The revised language also allows for any organization with water or power delivery authority to apply for funding if that organization constructs, operates and maintains the project. This language comes from the definition of an eligible applicant in section 9502 of the Secure Water Act.

Authorizes \$60,000,000 for FY 2020 through 2024. Congress appropriates funding for this competitive grant program through the annual appropriations process.

Congress must approve the initial award of design, study, and construction funding for each specific project through designating the project by name in an enacted appropriations bill. Reclamation may provide additional design, study, and construction funding for specific projects without further Congressional approval.

H.R. 2473 – Section 8 – PAGE 20

The Secretary of the Interior working with Reclamation shall establish a program to award prizes to eligible persons for achievement in 1 or more of the following applications of water technology:

- Demonstration of desalination of brackish or sea water with significantly less energy than commercially available reverse osmosis technology
- Demonstration of portable or modular desalination units that can process 1 to 5,000 gallons per day that could be deployed for temporary emergency uses in coastal communities or communities with brackish groundwater supplies
- Demonstration of significant advantages over commercially available reverse osmosis technology as determined
- Reducing open water evaporation
- Improving methods to treat and reuse agricultural drainage waters
- Reducing the loss of threatened and endangered fish due to fish predation
- Reducing the entrainment of fish larvae on screens and intakes

Eligible applicants include citizens, members of a group of citizens, and public water agencies.

The Secretary of Interior will establish a board to administer the program, which will consist of a broad group of water stakeholders, including:

- Agricultural water users
- Municipal and industrial water users
- Bureau of Reclamation
- National Science Foundation

Authorizes to be appropriated \$2 million per year, administered to the Department of the Interior, to incentivize the development of water technologies.

H.R. 1621

No provisions included.

H.R. _ – Section 105 – Page

Incorporates Rep. Levin's Desalination Development Act (H.R. 3723) to support a grant program for desalination projects. The bill raises the existing desalination program funding authorization to \$240 million through 2024 to support the creation of approximately 100,000 acre-feet of water each year in additional average yield.

Expands the Department of the Interior's support for desalination research to include research on brine management. Increases the research funding authorization from \$3 million to \$20 million annually through 2024.

Water Infrastructure Fund

S. 1932

No provisions included.

H.R. 2473 – Section 2 – PAGE 1

Establishes a new fund, the “Water Infrastructure Drought Solutions Fund, that will come into effect into 2030, to fund new water infrastructure projects.

Beginning in 2030, the Secretary of the Treasury will deposit \$300 million in the Water Infrastructure Fund for the following purposes:

- \$100 million per year for new surface or groundwater storage projects
- \$100 million for water reclamation and reuse projects
- \$100 million for WaterSMART program projects

H.R. 1621

No provisions included.

H.R. _ – Section 106 – Page

Establishes the Water Infrastructure Fund with \$300 million in annual funding for fiscal years 2031 through 2061 with revenues that would otherwise be deposited into the Reclamation Fund. The Reclamation Fund was established to support Western water projects and now has a surplus of more than \$17 billion because of insufficient congressional appropriations from the Fund. The following infrastructure investments will be made each year:

- \$100 million per year for Title XVI water recycling projects
- \$100 million per year for WaterSMART water-use efficiency projects
- \$100 million per year for Bureau of Reclamation dam safety projects

Restoration and Environmental Compliance

S. 1932 – Section 7 – Page 32

The Secretary of the Interior is authorized to participate in the following:

- Environmental restoration activities benefitting listed species under the ESA that are affected by the operation of Reclamation water projects, or other species that benefit from Reclamation water deliveries;
- Environmental compliance activities, including stream gauging, monitoring, and other data collection to help fulfill Reclamation’s duties under the ESA; and
- Forest, meadow, or watershed restoration activity on federally-owned lands that improves the quality, timing or other attributes of runoff to a surface or groundwater facility, provided that Reclamation’s contribution to the total cost of the forest restoration project must be approximately

the same or less than the proportion of water supply and water quality benefits to total project benefits, and federal water contractors are likely to receive at least part of the water benefits

The Secretary must give priority under this section to projects that implement congressional direction, are recommended by collaborative processes or plans, or implement settlements with state agencies or requirements under state laws to restore species listed under the ESA that are adversely affect the operation of Reclamation's water projects.

The Federal cost-share for projects under this section, shall be no more than 50%, calculated at the program level for projects that are part of a broader, cohesive program.

Authorizes \$140 million total for FY 2020 through 2024, including:

- \$20 million total for restoration projects for FY 2020 through 2021; and
- \$120 million total for the section as a whole for FY 2022 through 2024

H.R. 2473

No provisions included.

H.R. 1621

No provisions included.

H.R. _

No provisions included.

Deauthorization of Certain Water Recycling Projects

S. 1932 – Section 8 – Page 36

This section sets up a one-time process to deauthorize inactive recycling project authorizations where neither the federal government nor the project sponsor has spent any dollars on construction of the project in the past 10 years.

The project sponsors would have an additional 2 ¾ years or longer after enactment of this Act to begin construction before their project would be deauthorized.

H.R. 2473

No provisions included.

H.R. 1621

No provisions included.

H.R. _ – Section 401 – Page

Establishes a one-time process to identify and deauthorize inactive Bureau of Reclamation water projects where no application for federal funding has been received and no construction has occurred in the previous 10 years. Project sponsors would have the opportunity to provide notice of intent to initiate construction of the project to forestall deauthorization. The deauthorization process is closely modeled on a deauthorization process used for U.S. Army Corps of Engineers water projects.

Groundwater Recharge Planning

S. 1932

No provisions included.

H.R. 2473 – Section 3 – Page 5

Not later than 4 years after the enactment of this Act, the Secretary will be required to complete an evaluation and report to Congress identifying groundwater storage and recharge opportunities in the Western United States.

The report to Congress will include an assessment of potentially beneficial storage and recharge locations, based on an assessment of: hydrological benefits, water supply opportunities, infrastructure benefits related to mitigation of subsidence, sustainability benefits for critically over drafted basins, and an assessment of infrastructure needs to move excess runoff to prime recharge locations.

The Secretary of Interior shall coordinate research activities with Reclamation state agencies, groundwater sustainability agencies, universities and non-profit organizations in a manner designed to assist with implementation of state-led initiatives such as part 2.74 of the California Water Code (commonly known as the “Sustainable Groundwater Management Act”).

H.R. 1621

No provisions included.

H.R. _

No provisions included.

Feasibility Studies

S. 1932

No provisions included.

H.R. 2473 – Section 5 – Page 17

Directs the Department of the Interior to expedite feasibility studies for 4 important California water projects while complying with all state and federal environmental laws:

- Sites Reservoir

- Del Puerto Canyon Reservoir
- Los Vaqueros Reservoir
- San Luis Reservoir

H.R. 1621

No provisions included.

H.R. _

No provisions included.

Rural Water Supply Program Reauthorization**S. 1932**

No provisions included.

H.R. 2473 – Section 6 – Page 17

Reauthorizes the Rural Water Supply Act through 2026.

H.R. 1621

No provisions included.

H.R. _

No provisions included.

Establishment of Lead Agency and Cooperating Agencies**S. 1932**

No provisions included.

H.R. 2473

No provisions included.

H.R. 1621 – Section 3 – PAGE 3

Establishes the Bureau of Reclamation as the lead agency for purposes of coordinating all reviews, analyses, opinions, statements, permits, licenses, or other approvals or decisions required under federal law to construct qualifying projects.

The Commissioner of Reclamation shall:

- Identify any federal agency that may have jurisdiction over a review, analysis, opinion, statement, permit, license, approval, or design required for a qualifying project under applicable laws and regulations
- Notify any such agency, within a reasonable timeframe, that the agency has been designated as a cooperating agency in regard to the qualifying project unless that agency responds to Reclamation in writing, within a timeframe set forth by the Bureau

A state in which a qualifying project is being considered may choose, consistent with state law, to participate as a cooperating agency; have jurisdiction over the qualifying project; are required to conduct or issue a review, analysis, or opinion for the qualifying project; or are required to make a determination on issuing a permit, license, or approval for the qualifying project.

H.R. _

No provisions included.

Bureau Responsibilities**S. 1932**

No provisions included.

H.R. 2473

No provisions included.

H.R. 1621 – Section 4 – PAGE 5

The responsibilities of Reclamation under this act are to:

- Serve as the point of contact for applicants, state agencies, Indian tribes, and others regarding proposed qualifying projects;
- To coordinate preparation of unified environmental documentation that will serve as the basis for all federal decisions necessary to authorize the use of federal lands for qualifying projects;
- To coordinate all federal agency reviews necessary for project development and construction of qualifying projects

Reclamation shall have the following coordination responsibilities:

- Establish the schedule for the qualifying project
- Consult with the cooperating agencies throughout the federal agency review process
- Prepare a unified environmental review document for each qualifying project application, incorporating a single environmental record on which all cooperative agencies with authority to issue approvals for a given qualifying project shall base project approval decisions
- Ensure that all project data is submitted and maintained in an accessible format
- Appoint a project manager for each qualifying project

H.R. _

No provisions included.

Cooperating Agency Responsibilities**S. 1932**

No provisions included.

H.R. 2473

No provisions included.

H.R. 1621 – Section 5 – PAGE 9

Requires the head of each operating agency to submit to Reclamation a timeframe under which the cooperating agency reasonably will be able to complete the authorizing responsibilities of the cooperating agency.

The head of each cooperating agency shall submit to Reclamation all environmental review material produced or compiled in the course of carrying out activities required under federal law consistent with the project schedule.

The head of each cooperating agency shall submit all relevant project data to Reclamation in a generally accessible electronic format.

H.R. _

No provisions included.

Funding to Process Permits**S. 1932**

No provisions included.

H.R. 2473

No provisions included.

H.R. 1621 – Section 6 – PAGE 10

Authorizes the Secretary of the Interior to accept and expend funds contributed by a non-federal public entity to expedite the evaluation of a permit of that entity related to a qualifying project.

The Secretary shall ensure that the evaluation of permits carried out using funds accepted under this section shall be reviewed by the Regional Director of the Bureau of the region in which the qualifying project is

located; and use the same procedures for decisions that would otherwise be required for the evaluation of permits for similar projects or activities not carried out using funds authorized under this section.

None of the funds accepted under this section shall be used to carry out a review of the evaluation of permits. The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public, including on the Internet.

H.R. _

No provisions included.



Water Legislative Tracker

Last Updated: March 20, 2020

Overview

The following legislative tracker provides the status of legislation introduced in the 116th Congress pertaining to water issues. Each of the bill numbers is hyperlinked to the bill text and report.

Water Bills (31)

Bill Number HR 4402	Last Action Received In The Senate And Read Twice And Referred To The Committee On Homeland Security And Governmental Affairs 2019 12 10	Status In Senate	FN Outlook 3.3% 50.3%
Title Inland Waters Security Review Act		Bill Summary: This bill requires the Homeland Security Department to conduct a threat analysis of the country's inland waterways, such as navigable rivers and lakes.	
Primary Sponsors Debbie Lesko			

Bill Number S 1811	Last Action Referred To The Subcommittee On Water Oceans And Wildlife 2019 07 15	Status In House	FN Outlook 20.8% 48.5%
Title A bill to make technical corrections to the America's Water Infrastructure Act of 2018, and for other purposes.		Bill Summary: This bill makes technical corrections to the America's Water Infrastructure Act of 2018. This legislation also includes provisions and technical corrections to the Klamath Basin Water Supply Enhancement Act of 2000, which include conservation and efficiency measures, land idling, and use of groundwater as eligible programs.	
Primary Sponsors John Barrasso			

EXHIBIT 3-C

Bill Number

HR 1331

Last Action

Received In The Senate And Read Twice And Referred To The Committee On Environment And Public Works 2019 04 09

Status

In Senate

FN Outlook

4.1%

51.3%

Title

Local Water Protection Act

Primary Sponsors

Angie Craig

Bill Summary: Increases grant funding for state and local governments to decrease water pollutants, including addressing toxic agricultural runoff, septic to sewer conversions, legacy pollutants, impacts from dams, effects of channelization of waterbodies and other forms of pollution.

Bill Number

HR 5316

Last Action

Committee Consideration And Mark Up Session Held 2020 02 12

Status

In House

FN Outlook

7.7%

88.9%

Title

Move Water Now Act

Primary Sponsors

TJ Cox

Bill Summary: This legislation aims to address the severely limited capacity of the Friant-Kern Canal in California's San Joaquin Valley, issues caused by severe land subsidence over the past 7 decades.

Bill Number

HR 5217

Last Action

Referred To The Subcommittee On Conservation And Forestry 2019 12 11

Status

In House

FN Outlook

6.5%

76.3%

Title

WOW Act

Primary Sponsors

Tom McClintock

Bill Summary: The bill streamlines water districts' contact renewals, expedites water transfers and gives the Secretary of the Interior discretion to modify dam operations in the Central Valley Project to provide reasonable water flows of suitable quality, quantity, and timing to protect migrating fish.

Bill Number

HR 4891

Last Action

Subcommittee On Water Oceans And Wildlife Discharged 2020 03 11

Status

In House

FN Outlook

15.4%

88.8%

Title

Western Water Security Act of 2019

Primary Sponsors

Xochitl Torres Small

Bill Summary: This bill would give an additional \$120 million to the Bureau of Reclamation's WaterSMART program; authorize an additional \$65 million to support desalination design and construction, setting aside \$15 million for rural desalination projects; and authorizes the Cooperative Watershed Management Program.

EXHIBIT 3-C

Bill Number

S 2718

Last Action

Read Twice And Referred To The Committee
On Energy And Natural Resources 2019 10 28

Status

In Senate

FN Outlook

4.9%

85.4%

Title

Western Water Security Act of 2019

Primary Sponsors

Tom Udall

Bill Summary: This bill would give an additional \$120 million to the Bureau of Reclamation's WaterSMART Program; expand the authority of States and Indian tribes to declare a drought emergency and access vital drought emergency funds; reauthorizes the Cooperative Watershed Management Program; and creates a pilot water leasing program that provides the Bureau of Reclamation and local water districts with increased flexibility to move water where it can be of the most use.

Bill Number

S 2674

Last Action

Introduced In Senate 2019 10 23

Status

In Senate

FN Outlook

4.3%

87.0%

Title

Assuring Quality Water Infrastructure Act

Primary Sponsors

Shelley Capito

Bill Summary: This bill directs the EPA Administrator to establish a program to provide grants to units of local government, as well as nonprofit entities that own or operate a public water system, and authorizes \$5 million annually for FY 2021 through 2025.

Bill Number

S 2636

Last Action

Read Twice And Referred To The Committee
On Environment And Public Works 2019 10 17

Status

In Senate

FN Outlook

3.4%

84.7%

Title

Clean Water Infrastructure Resilience and Sustainability Act

Primary Sponsors

Ben Cardin

Bill Summary: This bill includes \$5,000,000 for FY 2020-2024 to create a federal program administered by the EPA to help communities strengthen the resiliency of their publicly owned treatment works against the threats of natural hazards. The measure also reauthorizes the Expanded Drinking Water Infrastructure Resilience and Sustainability competitive grant program at \$5,000,000 for FY 2020-2024, to increase resiliency or sustainability such as water conservation, water use efficiency, watershed protection, and modification or relocation.

Bill Number

HR 4659

Last Action

Referred To The Subcommittee On Water
Oceans And Wildlife 2019 10 22

Status

In House

FN Outlook

4.5%

80.6%

Title

Water Supply Infrastructure Rehabilitation and Utilization Act

Primary Sponsors

Dan Newhouse

Bill Summary: The bill will address the Bureau of Reclamation's maintenance backlog by streamlining the process for local water operators, strengthen the "Safety of Dams" program to improve the structural integrity of Bureau of Reclamation dams across the U.S., and provide flexibility in reservoir storage for flood control during low risk times of the year.

EXHIBIT 3-C

Bill Number

S 2466

Last Action

Introduced In Senate 2019 09 11

Status

In Senate

FN Outlook

4.6%

83.7%

Title

Water Justice Act

Primary Sponsors

Kamala Harris

Bill Summary: This bill takes a comprehensive approach to addressing water issues throughout the U.S. and pays particular attention to the water needs of historically at-risk communities and individuals. Provisions include investing \$220 billion in clean and safe drinking water initiatives, establishing a \$10 billion program to allow states to offset the cost of water bills in low-income communities and households that are environmentally at-risk, and invests \$20 billion in a diverse range of sustainable water supply, recycling, and conservation programs.

Bill Number

S 2456

Last Action

Introduced In Senate 2019 09 10

Status

In Senate

FN Outlook

3.8%

88.4%

Title

Clean Water Through Green Infrastructure Act

Primary Sponsors

Tom Udall

Bill Summary: This bill will establish up to five Centers of Excellence, through a competitive process, to promote green stormwater infrastructure. The Centers will conduct research on stormwater control infrastructure, establish industry standards for stormwater management, and develop testing protocols to measure the success of different products and practices.

Bill Number

HR 4033

Last Action

Referred To The Subcommittee On
Commodity Exchanges Energy And Credit 2019
09 04

Status

In House

FN Outlook

5.4%

78.2%

Title

Water Justice Act

Primary Sponsors

Dan Kildee

Bill Summary: This is the companion bill to S. 2466.

Bill Number

HR 3596

Last Action

Placed On The Union Calendar Calendar No
238 2019 11 15

Status

In House

FN Outlook

12.9%

91.5%

Title

Keep America's Waterfronts Working Act

Primary Sponsors

Chellie Pingree

Bill Summary: The Keep America's Waterfronts Working Act would establish a Working Waterfront Grant Program to provide matching, competitive grants to coastal states. These grants would help to preserve and expand access to coastal waters for commercial fishing, recreational guiding, aquaculture, boat building, and other water-dependent businesses. The bill would also create a Working Waterfront Task Force at the Department of the Interior. The task force would identify and prioritize critical working waterfront needs with respect to their cultural and economic importance, climate change and other environmental threats, and market conditions for water-dependent businesses. It would also identify working waterfronts within communities.

EXHIBIT 3-C

Bill Number

S 2044

Last Action

Committee On Energy And Natural Resources
Reported By Senator Murkowski With An
Amendment In The Nature Of A Substitute
With Written Report No 116 156 2019 10 29

Status

In Senate

FN Outlook

4.0%

81.0%

Title

Water Supply Infrastructure Rehabilitation and Utilization Act

Primary Sponsors

Martha McSally

Bill Summary: This bill would amend the Omnibus Public Land Management Act of 2009 to establish an Aging Infrastructure Account. Specifically, this bill could provide Congress with the unfunded need for these improvements in a timely manner through a streamlined process, allowing Congress to provide Reclamation these additional funds "upfront" to initiate extraordinary maintenance projects on federal facilities, with extended repayment for the non-federal operating entities through a clearly defined application and review process already in law. The bill would also raise the Reclamation Safety of Dams program authorization by \$550 million and create a Flood Control Manual and Reservoirs Operations Pilot Program, which would give operators of Reclamation reservoirs more flexibility to temporarily store water in dedicated flood control space during certain low-risk times of the year.

Bill Number

S 1932

Last Action

Committee On Energy And Natural Resources
Senate Subcommittee On Water And Power
Hearings Held 2019 07 18

Status

In Senate

FN Outlook

3.4%

85.5%

Title

Drought Resiliency and Water Supply Infrastructure Act

Primary Sponsors

Cory Gardner

Bill Summary: This bill would support water infrastructure in the nation's Reclamation states, as well as extend federal funding an additional five years, including \$670 million in surface and groundwater storage projects; \$100 million for water recycling projects; and \$60 million for desalination projects. The bill would also establish a new loan program for water agencies designed to spur investment in new water supply projects. Key provisions include but are not limited to expanding and updating the Bureau of Reclamation funding authorizations in the Water Infrastructure Improvements for the Nation Act (WIIN) to fund portions of federal (50%) and non-federal (25%) surface and groundwater storage and conveyance facilities, as well as cost share (25%) additional water reuse and recycling and desalination projects; and creating a new loan program at 30-year Treasury rates for water supply projects under what would be established under the Reclamation Infrastructure Financing and Innovation Act (RIFIA). These loans would use criteria (49%maximum loan) modeled after the well-established Water Infrastructure Financing Innovation Act (WIFIA) program at the Environmental Protection Agency (EPA). The legislation would also authorize \$140 million for restoration and environmental compliance projects, including forest, meadow and watershed restoration projects with water benefits and projects to help restore threatened and endangered species affected by Reclamation water projects.

EXHIBIT 3-C

Bill Number

S 1751

Last Action

Committee On Energy And Natural Resources
Reported By Senator Murkowski With An
Amendment With Written Report No 116 140
2019 10 23

Status

In Senate

FN Outlook

3.8%

87.8%

Title

Bureau of Reclamation Pumped Storage Hydropower Development
Act

Bill Summary: This bill amends the Reclamation Project Act of 1939 to authorize pumped storage hydropower development utilizing multiple Bureau of Reclamation reservoirs.

Primary Sponsors

Maria Cantwell

Bill Number

S 1604

Last Action

Introduced In Senate 2019 05 22

Status

In Senate

FN Outlook

45.5%

83.0%

Title

Local Water Protection Act

Bill Summary: The bill would reauthorize an Environmental Protection Agency (EPA) grant program that provides funds for states to develop and implement programs for managing nonpoint source water pollution, or pollution from diffuse sources including runoff from farms, managed forests, and urban areas. The Act would reauthorize \$200 million annually for the voluntary grant fund to give local and state governments, the flexibility to make conservation improvements aimed at decreasing water pollutants through partnerships with their communities. The legislation authorizes the EPA's Section 319 Grant Program and doubles funds for Section 319 from \$70 million to \$200 million for FYs 2020-2014.

Primary Sponsors

Amy Klobuchar

Bill Number

HR 2871

Last Action

Referred To The Subcommittee On Water
Oceans And Wildlife 2019 06 10

Status

In House

FN Outlook

6.5%

66.8%

Title

Aquifer Recharge Flexibility Act

Bill Summary: This is the companion bill to S. 1570.

Primary Sponsors

Russ Fulcher

EXHIBIT 3-C

Bill Number

S 1570

Last Action

Placed On Senate Legislative Calendar Under
General Orders Calendar No 276 2019 10 29

Status

In Senate

FN Outlook

30.4%

80.1%

Title

Aquifer Recharge Flexibility Act

Primary Sponsors

Jim Risch

Bill Summary: The legislation aims to improve aquifer levels in Idaho and across western states by expanding the ability for aquifer recharge through federal lands and facilities. The bill will fortify efforts to recharge Idaho's vast Eastern Snake Plain Aquifer to healthy levels for sustainable long-term use by the state's farmers, ranchers, and communities. This bill would let the commissioner of the Bureau of Reclamation allow the use of excess capacity in Bureau conveyance facilities for carriage of non-Reclamation project water for aquifer recharge. Some restrictions would still apply in the bill, such as that water or power service contracts for bureau projects and existing obligations to fish, wildlife or water quality protection aren't affected.

Bill Number

HR 2665

Last Action

Committee Consideration And Mark Up
Session Held 2019 07 17

Status

In House

FN Outlook

20.9%

86.8%

Title

Smart Energy and Water Efficiency Act of 2019

Primary Sponsors

Jerry McNerney

Bill Summary: This bill would establish a smart energy and water efficiency management program at the Department of Energy to award grants to eligible entities to demonstrate advanced and innovative technology-based solutions that would increase and improve the energy efficiency of water, wastewater, and water reuse systems, among other things.

Bill Number

HR 2470

Last Action

Referred To The Subcommittee On Water
Resources And Environment 2019 05 03

Status

In House

FN Outlook

45.6%

82.4%

Title

Clean Water Infrastructure Resilience and Sustainability Act

Primary Sponsors

Salud Carbajal

Bill Summary: This bill establishes an EPA grant program for communities to improve the resiliency and adaptability of their water-related infrastructure. Competitive grants will spur projects which conserve water or increase efficiency in its use, preserve or improve water quality, rebuild or relocate threatened infrastructure, protect source waters and ecosystems, and implement advanced treatment technologies such as water reuse and recycling.

EXHIBIT 3-C

Bill Number

HR 2473

Last Action

Subcommittee On Water Oceans And Wildlife
Discharged 2020 03 11

Status

In House

FN Outlook

5.4%

89.3%

Title

Securing Access for the central Valley and Enhancing (SAVE) Water Resources Act

Primary Sponsors

Josh Harder

Bill Summary: This is the companion bill to H.R. 116, the Water Recycling Investment and Improvement Act. The bill provides a broad approach to addressing water issues facing the Central Valley by increasing storage opportunities, spurring innovation, and making investments in our aging infrastructure. The bill also leverages federal resources to identify prime locations for groundwater storage and recharge in California and across the Western United States. This bill requires the Bureau of Reclamation to expedite feasibility studies for four specific storage projects in the Central Valley, including: Sites Reservoir, Del Puerto Canyon Reservoir, Los Vaqueros and San Luis Reservoirs and provides \$100 million in storage funding. The bill also invests in water reuse and recycling by increasing funding for WaterSMART programs from \$50 million to \$500 million and extending the program's authorization. It also establishes a water infrastructure and drought resolutions fund to provide \$300 million for water surface and groundwater storage, reclamation and reuse, and WaterSMART program projects. The bill would create a innovating financing program which would provide low-interest federal loans to fund local water infrastructure projects, and would reauthorize the Rural Water Supply Act.

Bill Number

HR 1747

Last Action

Reported Amended By The Committee On
Natural Resources H Rept 116 314 2019 11 26

Status

In House

FN Outlook

15.4%

90.4%

Title

National Fish Habitat Conservation Through Partnerships Act

Primary Sponsors

Rob Wittman

Bill Summary: This bill codifies National Fish Habitat Partnerships, an initiative that aims to achieve measurable habitat conservation results through strategic partnerships that lead to better fish habitat conditions and increased fishing opportunities.

Bill Number

HR 1621

Last Action

Referred To The Subcommittee On Water
Oceans And Wildlife 2019 03 28

Status

In House

FN Outlook

7.8%

73.7%

Title

Water Supply Permitting Coordination Act

Primary Sponsors

Tom McClintock

Bill Summary: This bill would 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. This bill would establish a framework in which federal agencies with permitting responsibilities for the construction of new surface water storage projects must work together, coordinate their schedules, share data and technical materials, and make their findings publicly available.

EXHIBIT 3-C

Bill Number

HR 1497

Last Action

Subcommittee On Water Resources And
Environment Discharged 2019 10 29

Status

In House

FN Outlook

17.8%

87.8%

Title

Water Quality Protection and Job Creation Act of 2019

Primary Sponsors

Peter DeFazio

Bill Summary: The bill would renew the Federal commitment to addressing local water quality challenges by providing an infusion of Federal assistance for the construction, repair, and replacement of the Nation's network of wastewater and stormwater conveyance and treatment facilities. The Water Quality Protection and Job Creation Act of 2019 will address America's crumbling wastewater infrastructure and local water quality challenges. This bill authorizes \$23.5 billion to improve wastewater infrastructure. This bill also will provide funds for agencies to meet Clean Water Act standards by constructing stormwater systems. The funding provided in the bill will be used in direct infrastructure investment over the next five years. Funds will be given to projects that address America's crumbling wastewater infrastructure and improve local water quality challenges. The Water Quality Protection and Job Creation Act also increase the amount of federal assistance made available to states and communities through the Clean Water State Revolving Fund program.

Bill Number

HR 1429

Last Action

Introduced In House 2019 02 28

Status

In House

FN Outlook

5.4%

86.7%

Title

Drinking Water Infrastructure for Job Creation Act

Primary Sponsors

Maxine Waters

Bill Summary: This bill would make supplemental appropriations for FY 2019 for the Drinking Water State Revolving Funds, and for other purposes. The Drinking Water Infrastructure for Job Creation Act will provide emergency supplemental appropriations of \$7.5 billion over the next six years. These funds will be used for job creation and to address the nation's drinking water infrastructure. The funds provided from this bill will be appropriated to the Drinking Water State Revolving Funds and will assist public water systems finance infrastructure projects. The funding provided by this bill is designated as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985. The emergency funding is exempt from discretionary spending limits and is only available if the President subsequently designates the amounts as an emergency and submits the designation to Congress. The bill also exempts the funding from sequestration. (Sequestration is a process of automatic, usually across-the-board spending reductions under which budgetary resources are permanently cancelled to enforce specific budget policy goals.)

EXHIBIT 3-C

Bill Number

HR 1162

Last Action

Subcommittee On Water Oceans And Wildlife
Discharged 2020 03 11

Status

In House

FN Outlook

17.9%

84.1%

Title

Water Recycling Investment and Improvement Act

Primary Sponsors

Grace Napolitano

Bill Summary: The bill aims to assist water agencies with the expansion, planning, design, and building of water recycling plants and modernizing water infrastructure in California and other western states. Specifically, the bill would increase funding authorization for the Bureau of Reclamation's Title XVI water recycling competitive grant program to \$500 million from \$50 million. It would also make the program permanent as it currently expires in 2021, and funds water recycling and reuse projects for 17 western states.

Bill Number

S 334

Last Action

Committee On Energy And Natural Resources
Reported By Senator Murkowski Without
Amendment With Written Report No 116 133
2019 10 22

Status

In Senate

FN Outlook

59.1%

83.9%

Title

Clean Water for Rural Communities Act

Primary Sponsors

Steve Daines

Bill Summary: This is the companion bill to H.R. 976, a bill to authorize the construction of the Musselshell-Judith Rural Water System and study of the Dry-Redwater Regional Water Authority System in the States of Montana and North Dakota.

Bill Number

HR 967

Last Action

Subcommittee Hearings Held 2019 06 13

Status

In House

FN Outlook

4.5%

72.7%

Title

Clean Water for Rural Communities Act

Primary Sponsors

Greg Gianforte

Bill Summary: This bill would authorize the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in the States of Montana and North Dakota, and for other purposes. The Musselshell-Judith Rural Water System project will be authorized under this bill to facilitate water treatment and delivery to portions of the Judith Basin, Wheatland, Golden Valley, Musselshell, Fergus, and Yellowstone Counties of Montana. Under this bill, the Dry Redwater Regional Water Authority System project will be authorized to complete a feasibility study and to continue working with the Bureau of Reclamation.

EXHIBIT 3-C

Bill Number

HR 830

Last Action

Referred To The House Committee On
Financial Services 2019 01 29

Status

In House

FN Outlook

7.8%

89.5%

Title

Flood Insurance for Farmers Act of 2019

Primary Sponsors

John Garamendi

Bill Summary: This bill would provide farmers access to discounted rates under the National Flood Insurance Program. The legislation would also lift the de facto federal prohibition on construction and repair of agricultural structures in high flood-risk areas designated by the Federal Emergency Management Agency. The Flood Insurance for Farmers Act of 2019 will provide farmers with a discounted rate under the National Flood Insurance Program. Additionally, the ban on farmers constructing or repairing structures in high flood-risk areas would be lifted. Under this legislation, FEMA would be required to develop a new flood mapping zones for basins in the Sacramento Valley and other locations protected by levees that do not currently meet thte federally mandated 100-year level of flood protection. These new flood zones would be based on actuarial risk and not be mandated to be at 100-year levels.

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