

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



**Legislative Advocacy  
Committee Members:**

*Karen Paull, Chair  
Alvin Edwards  
Safwat Malek*

**Alternate:**

*Mary L. Adams*

**Staff Contact**

*Dave Stoldt,  
General Manager*

*Joel G. Pablo,  
Board Clerk*

*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 on the District's website prior to the meeting. Documents distributed at the meeting will be made available upon request and posted to the District's website within five days following the meeting.*

**Agenda  
Legislative Advocacy Committee  
of the Monterey Peninsula Water Management District**

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Tuesday, March 29, 2022 at 2:00 PM

*As a precaution to protect public health and safety, and pursuant to provisions of AB 361, this meeting will be conducted via Zoom Video/Teleconference only.*

Join the meeting at this link:

<https://us06web.zoom.us/j/82145564210?pwd=WS9GTi9mOUNERnd3VEhTLzRENkdQOT09>

Or paste the link into your browser, or join at zoom.us

Webinar ID: 821 4556 4210

Meeting password: 03292022

Participate by phone: (669) 900-9128

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

**Call to Order / Roll Call**

**Comments from Public**

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

**Action Items -- Public comment will be received on all Action Items**

1. Consider Adoption of August 24, 2021 Committee Meeting Minutes

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

2. Report from The Ferguson Group on Federal Legislative and Regulatory Activities
3. Report from JEA & Associates on Legislative Status and Bill Tracking
4. Report from General Manager on Recent or Upcoming Legislative Actions
5. Discuss and Recommend a Legislative Advocacy Plan for 2022

**Other Items**

6. Suggest Items to Place on a Future Committee Agenda

**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 5:00 pm on Friday, March 25, 2022. Requests should be forwarded to [joel@mpwmd.net](mailto:joel@mpwmd.net). Alternatively, you may reach Sara Reyes, Sr. Office Specialist at [sara@mpwmd.net](mailto:sara@mpwmd.net) or (831) 658-5610.

### Instructions for Connecting to the Zoom Meeting

Note: If you have not used Zoom previously, when you begin connecting to the meeting you may be asked to download the app. If you do not have a computer, you can participate by phone.

**Begin:** Within 10 minutes of the meeting start time from your computer click on this link:

<https://us06web.zoom.us/j/82145564210?pwd=WS9GTi9mOUNERnd3VExTLzRENkdQQT09>

or paste the link into your browser.

#### DETERMINE WHICH DEVICE YOU WILL BE USING (PROCEED WITH ONE OF THE FOLLOWING INSTRUCTIONS)

##### USING A DESKTOP COMPUTER OR LAPTOP

1. In a web browser, type: <https://www.zoom.us>
2. Hit the enter key
3. At the top right-hand corner, click on “Join a Meeting”
4. Where it says “Meeting ID”, type in the Meeting ID# above and click “Join Meeting”
5. Your computer will begin downloading the Zoom application. Once downloaded, click “Run” and the application should automatically pop up on your computer. (If you are having trouble downloading, alternatively you can connect through a web browser – the same steps below will apply).
6. You will then be asked to input your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.
7. From there, you will be asked to choose either ONE of two audio options: Phone Call or Computer Audio:

##### COMPUTER AUDIO

1. If you have built in computer audio settings or external video settings – please click “Test Speaker and Microphone”.
2. The client will first ask “Do you hear a ringtone?” •If no, please select “Join Audio by Phone”.  
•If yes, proceed with the next question:
3. The client will then ask “Speak and pause, do you hear a replay?” •If no, please select “Join Audio by Phone”  
•If yes, please proceed by clicking “Join with Computer Audio”

##### PHONE CALL

1. If you do not have built in computer audio settings or external video settings – please click “Phone Call”
2. Dial one of the numbers listed below using a phone. Select a phone number based on your current location for better overall call quality.

+1 669-900-9128 (San Jose, CA)

+1 253-215-8782 (Houston, TX)

+1 346-248-7799 (Chicago, IL)

+1 301-715-8592 (New York, NY)

+1 312-626-6799 (Seattle, WA)

+1 646-558-8656 (Maryland)

3. Once connected, it will ask you to enter the Webinar ID No. and press the pound key
4. It will then ask you to enter your participant ID number and press the pound key.

5. You are now connected to the meeting.

#### **USING AN APPLE/ANDROID MOBILE DEVICE OR SMART PHONE**

1. Download the Zoom application through the Apple Store or Google Play Store (the application is free).
2. Once download is complete, open the Zoom app.
3. Tap “Join a Meeting”
4. Enter the Meeting ID number
5. Enter your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.
6. Tap “Join Meeting”
7. Tap “Join Audio” on the bottom left hand corner of your device
8. You may select either ONE of two options: “Call via Device Audio” or “Dial in”

#### **DIAL IN**

1. If you select “Dial in”, you will be prompted to select a toll-free number to call into.
2. You may select any of the numbers listed below:

+1 669-900-9128 (San Jose, CA)

+1 253-215-8782 (Houston, TX)

+1 346-248-7799 (Chicago, IL)

+1 301-715-8592 (New York, NY)

+1 312-626-6799 (Seattle, WA)

+1 646-558-8656 (Maryland)

3. The phone will automatically dial the number, and input the Webinar Meeting ID No. and your Password.
4. Do not hang up the call, and return to the Zoom app
5. You are now connected to the meeting.

### **Present Public Comment**

Receipt of Public Comment – the Chair will ask for comments from the public on all items. Limit your comment to 3 minutes.

- (a) Computer Audio Connection: Select the “raised hand” icon. When you are called on to speak, please identify yourself.
- (b) Phone audio connection **with** computer to view meeting: Select the “raised hand” icon. When you are called on to speak, please identify yourself.
- (c) Phone audio connection only: Press \*9. Wait for the clerk to unmute your phone and then identify yourself and provide your comment. Press \*9 to end the call.

### **Submit Written Comments**

If you are unable to participate via telephone or computer to present oral comments, you may also submit your comments by e-mailing them to [comments@mpwmd.net](mailto:comments@mpwmd.net) with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT – ORAL COMMUNICATIONS". Comments must be received by 12:00 p.m. on Tuesday, March 29, 2022. Comments submitted by noon will be provided to the committee members and compiled as part of the record of the meeting.

**LEGISLATIVE ADVOCACY COMMITTEE**

**ITEM: ACTION ITEM**

**1. CONSIDER ADOPTION OF AUGUST 24, 2021 COMMITTEE MEETING MINUTES**

**Meeting Date: March 29, 2022**

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

**Prepared By: Joel G. Pablo**

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**SUMMARY:** Attached as **Exhibit 1-A** are draft minutes of the August 24, 2021 Legislative Advocacy committee meeting.

**RECOMMENDATION:** The Committee should review the draft minutes and approve them by motion.

**EXHIBITS**

1-A Draft Minutes of the August 24, 2021 Committee Meeting



## **EXHIBIT 1-A**

### **DRAFT MINUTES**

#### **Legislative Advocacy Committee of the Monterey Peninsula Water Management District**

*Tuesday, August 24, 2021 at 2:00 p.m.*

#### **Call to Order**

The meeting was called to order at 2:00 p.m. by Chair Riley. *Pursuant to AB 361, the meeting was conducted with virtual participation via Zoom.*

#### **Committee members present:**

George Riley, Chair  
Karen Paull  
Safwat Malek

#### **Committee members absent:**

None

#### **Staff members present:**

David J. Stoldt, General Manager  
Joel G. Pablo, Board Clerk

#### **District Counsel present:**

David Laredo with De Lay and  
Laredo

#### **Legislative Consultant:**

John Arriaga, JEA & Associates  
Laurie Johnson, JEA & Associates  
Roger Gwinn, The Ferguson Group  
Stephanie Missert, The Ferguson Group  
Rebecca Bliss, The Ferguson Group

#### **Comments from the Public:**

No comments

#### **Discussion Items**

##### **1. Report from JEA & Associates on Legislative Status and Bill Tracking**

John Arriaga with JEA & Associates provided introductory remarks. Johnson answered committee questions and reviewed Exhibit 1-A: JEA Associates Update Memorandum and Exhibit 1-B: MPWMD Legislative Tracking- in brief. Stoldt and Johnson provided the committee with the District's ongoing efforts with the water for housing initiative, letters sent to the State's budget committees relative to the inclusion of \$510 million in statewide funding for the Integrated Regional Water Management regions and letters of support for Assembly Bill (AB) 252 (Rivas), AB 315 (Stone) and other letters found in Exhibit 1-C.

*No members of the public comment were in attendance. No public comment received.*

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

Stephanie Missert provided an overview of topics to be covered during the presentation to include: (a) The Infrastructure Investment and Jobs Act (HR 3684); (b) the budget reconciliation process; (c) FY2022 Appropriations; (d) Western Water Infrastructure Package; and (e) the Federal Legislative bill tracker. Missert noted the U.S. Senate on August 10, 2021 passed a negotiated Infrastructure Investment and Jobs Act (H.R. 3684, as amended) by a vote of 69-30. The Ferguson Group produced a detailed summary of the legislation and is included as Exhibit 2-A: Excerpts of the Infrastructure Investment and Jobs Act (IIJA). Missert provided a few highlights of the bill to include:

- a. \$2.12 Billion to the Department of Interior for Ecosystem Restoration
- b. \$8.3 Billion to the Bureau of Reclamation, *a portion to cover Surface and Groundwater Storage matters*
- c. \$172 Million to the Pacific Salmon Recovery Program
- d. \$7 Million to the State of California for sewer overflow and stormwater reuse municipal grants. *The legislation would provide an addition \$280 million annually from 2022 through 2026*
- e. Programs for Stormwater Control Infrastructure Projects, a New Clean Water Infrastructure Resiliency and Sustainability Program to protect water systems from weather events, funding for engineering design and construction on alternative water source projects just to name a few.

Missert noted that the House of Representatives have inserted a procedural rule that the proposed Infrastructure Bill shall be voted on by September 27, 2021 and stated Congress has established a budget reconciliation package tied to H.R. 3684 to be voted on and signed by the President by the end of September 2021. Included in the Budget Reconciliation package includes funding for clean energy, coastal resiliency, clean water, CDBG funding and reducing carbon emissions just to name a few.

Gwinn provided a verbal status report on Fiscal Year 2022 Appropriations and noted that 10 of the 12 appropriation bills have been acted upon. He touched upon water and energy appropriations, funding for aquatic ecosystem restoration, clean water initiatives, water reuse program, drought relief funding through the Bureau of Reclamation and available funding for 17 Western States for drought relief funding and other programs/funding.

Bliss highlighted three bills covered in the Exhibit 2-B: Federal Legislative Tracker previously not covered at the Legislative Advocacy meeting on May 25, 2021 to include HR 1015, *Water Recycling Investment and Improvement Act*, HR 3404, *FUTURE Western Water Infrastructure and Drought Resiliency Act* and HR 4099, *Large-Scale Water Recycling Project Investment Act*.

Stoldt stated that he will review the Infrastructure Package once it is passed and will work with The Ferguson Group to identify programs, funding or grants that the District can apply for. He noted the District is interested in seeing the cap on Title 16 projects go up from \$20 million to \$30 millions dollars. He touched upon letters sent to Congressman Panetta, U.S. Senator Feinstein and Padilla on various matters to include Reclamation's Title XVI program and support for Expansion of Pure Water Monterey – Letter of Support.

*No members of the public comment were in attendance. No public comment received.*

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

David J. Stoldt, General Manager presented via MS PowerPoint entitled, “Monterey Peninsula Water Issues | MPWMD Meeting with Senator Laird – August 9, 2021).” *A copy of the presentation is on file with the District and can be viewed on the District website.* Stoldt provided a status report on progress made on the following matters and answered committee questions: (a) Measure J / Acquisition of Monterey Water System- Progress and Barricades; (b) Water Supply Solution and the Lifting of the Cease and Desist Order; (c) Water for Housing Initiative; and (d) Actions and Ideas Going Forward.

*No members of the public comment were in attendance. No public comment received.*

**4. Suggest Items to be Placed on Future Agendas**

*None*

**Other Items**

*None*

**Adjournment:**

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







DATE: February 28, 2022

# Project Funding Accounts for FY 2023 Appropriations and Sample Earmarks from FY 2022

Over the next few weeks, the House and Senate Appropriations Subcommittees will release information on the accounts that will be open to “Congressionally-Directed Spending” or “Community Project Funding” (i.e., earmarks<sup>1</sup>) in the fiscal year (FY) 2023 appropriations cycle, along with specific guidance for project requests. To prepare for the FY 2023 appropriations cycle, this brief identifies the earmarked accounts, committee guidance, and sample earmarks from FY 2022. **Because this information is drawn from FY 2022, it is subject to change but provides a reliable guide as we prepare for the FY 2023 appropriations process.** In FY 2022, Members of the House of Representatives were limited to ten (10) Community Project Funding requests, and Senate offices had no request limit. It is unclear if the ten-project cap will be altered or lifted in FY 2023. There also may be accounts added or removed from those that were open to earmarks in FY 2022. We will update this memo when that information becomes available. Finally, TFG assembled comprehensive list of each project requested and funded in the House and Senate appropriations bills. [Click here to see the list of earmark examples in FY 2022](#) as only three examples are included for each account in the memo below. The document includes instructions to filter and navigate the spreadsheet. To learn more about any of these programs, please contact your client manager.

**TFG will update the following House and Senate deadline tables once the dates are released. While no committee deadlines have been set, some House and Senate offices have already published their deadlines.**

## House Subcommittee Deadlines

Subcommittee	Programmatic/Language	Community Project Funding
Agriculture	TBD	TBD
Commerce, Justice, Science (CJS)	TBD	TBD
Defense	TBD	TBD
Energy and Water	TBD	TBD
Financial Services	TBD	TBD

<sup>1</sup> The Senate referred to earmarks as “Congressionally Directed Spending” while the House used “Community Project Funding”.

Homeland Security	TBD	TBD
Interior-EPA	TBD	TBD
Labor, HHS, Education	TBD	TBD
Legislative Branch	TBD	TBD
Mil. Con -VA	TBD	TBD
State, FOPs, and Related	TBD	TBD
Transportation, HUD	TBD	TBD

## Senate Subcommittee Deadlines

The following deadlines reflect when Senators must submit their priority projects to the individual appropriations subcommittees. Individual Senate offices will set their own deadlines.

Subcommittee	Programmatic/Language	Congressionally Directed Spending
Agriculture	TBD	TBD
Commerce, Justice, Science (CJS)	TBD	TBD
Defense	TBD	TBD
Energy and Water	TBD	TBD
Financial Services	TBD	TBD
Homeland Security	TBD	TBD
Interior-EPA	TBD	TBD
Labor, HHS, Education	TBD	TBD
Legislative Branch	TBD	TBD
Mil. Con -VA	TBD	TBD
State, FOPs, and Related	TBD	TBD
Transportation, HUD	TBD	TBD

## Agriculture, Rural Development, FDA, and Related Agencies

### Animal Plant Health Inspection Service

APHIS supports safeguarding and emergency programs to combat any sudden, unforeseen, and urgent pest and disease outbreaks to both plants and animals. This program, earmarked only in the Senate, includes funding for 11 projects ranging from \$100,000 to \$650,000.

Earmark examples from FY 2022 include:

- \$250,000 to the City of Chicago, IL to design a new Federal Inspection Station (FIS) at Chicago's O'Hare International Airport to meet current agency standards, streamline passenger and baggage processing, and expand overall capacity.
- \$5,000,000 to the Oklahoma Department of Agriculture to support a biorepository for human, plant, and animal specimen collection and storage to address zoonotic diseases.
- \$100,000 to the Alaska Division of Agriculture to conduct surveys to identify and eradicate invasive species, exotic plant pests and diseases, including mollusks, that affect agriculture and natural resources.

## National Resources Conservation Service

### Conservation Operations

This account funds the technical, educational, and financial assistance to eligible partners, such as farmers, ranchers, conservation districts, universities, and non-governmental organizations, to address soil, water and related natural resources concerns in an environmentally beneficial and cost-effective manner.

This program, earmarked only in the Senate, includes funding for projects ranging from \$50,000 to \$10,154,000.

Earmark examples from FY 2022 include:

- \$263,000 to the Ohio Energy and Advanced Manufacturing Center for monitoring agricultural runoff by sampling and analysis to provide data to assess the effectiveness of various treatment technologies so that farmers and advisors can make informed decisions that will ultimately result in improved water quality, including of the Great Lakes.
- \$2,184,000 to the Lancaster County Conservation District to address a variety of impairments to the Pequea Creek, with a specific focus on reducing sedimentation and nutrients from agricultural sources.
- \$750,000 to the Deschutes River Conservancy to provide technical and financial assistance to 15 landowners on McKay Creek to improve on-farm irrigation efficiencies.

### Watershed and Flood Prevention Operations

This program helps units of federal, state, local and tribal of government protect and restore authorized watersheds up to 250,000 acres. Program funds can be used for erosion and sediment control; watershed protection; flood prevention; water quality improvements; rural, municipal, and industrial water supply; water management; fish and wildlife habitat enhancement; and hydropower sources.

This program, earmarked only in the Senate, includes funding for 10 projects ranging from \$50,000 to \$8,400,000.

Earmark examples from FY 2022 include:

- \$2.5 million to the East Fork Irrigation District to pipe the rest of the Eastside Lateral Pipeline Project.
- \$5 million to the City of Cranston and Town of Johnston, RI for flood mitigation.
- \$450,000 to the Upper Walnut Watershed Joint District No. 33 in Butler County, Kansas, to rehabilitate the existing North Sector Upper Walnut Floodwater Retarding Dam No. 21 to meet

current state and NRCS hazard class dam criteria so the structures will continue to provide flood damage reduction benefits.

## Rural Development

### Community Facilities Grants

The account supports grants to purchase, construct, or improve essential community facilities, to purchase equipment, and pay other related project expenses. Essential community facilities include, but are not limited to, healthcare facilities, public facilities, public safety measures, educational services, or other community support services. Examples of eligible projects include medical or dental clinics, towns halls, courthouses, childcare centers, police or fire departments, public works vehicles, or distance learning equipment.

Any project must serve a rural area, which includes a city, town, or unincorporated area that has a population of 50,000 inhabitants or less, other than an urbanized area immediately adjacent to a city, town, or unincorporated area that has a population more than 50,000 inhabitants.

Requests are also subject to the maximum grant assistance limitations specified in [7 CFR 3570.63\(b\)](#) (distress criteria). Community facilities grants generally cannot be used to pay initial operating expenses or annual recurring expenses, refinance existing debt, pay interest, build, or repair facilities in non-rural areas, or pay for construction costs of facilities that will be used for commercial rental space.

This program includes funding for projects ranging from \$16,800 to \$7,725,000.

Earmark examples from FY 2022 include:

- \$6,500,000 to Lake County, CO to fund essential justice and community facilities, including a jail, courthouse, police station, sheriff administrative offices, courts, probation offices, and shared community spaces.
- \$23,000 to the Village of Frederic, MN for accessibility updates to Frederic Arts, an all-volunteer and community-based non-profit organization.
- \$1,050,000 to Nevada County, CA to install a 330,000-gallon water storage tank, pipeline, and fire hydrants in the downtown core of North San Juan, which currently lacks public water service and an emergency water pipeline for fire suppression.

### Distance Learning, Telemedicine, and Broadband Grants

This program helps rural communities use telecommunications to connect to each other and to the world, overcoming the effects of remoteness and low population density. For example, this program can link teachers and medical service providers in one area to students and patients in another. Funds can be used for acquisition of eligible capital assets, such as broadband facilities; audio, video and interactive video equipment; terminal and data terminal equipment; computer hardware, network components and software; inside wiring and similar infrastructure that further DLT services; acquisition of instructional programming that is a capital asset; and acquisition of technical assistance and instruction for using eligible equipment.

This program, earmarked only in the Senate, includes funding for 10 projects ranging from \$104,000 to \$890,000.

Earmark examples from FY 2022 include:

- \$104,000 to the Ben Archer Health Center to expand the center's delivery of telehealth education to underserved, uninsured rural residents of southern New Mexico.
- \$328,000 to West Virginia University to investigate the use of telepresence robots to allow specialized educators to participate in STEM instruction or teacher training in remotely located rural schools.
- \$890,000 to the New Mexico State Library for computer devices, software, and headsets to provide 65 rural New Mexico public and Tribal libraries access to synchronous online distance learning and telemedicine access.

## ReConnect Grants

ReConnect broadband pilot grants facilitate broadband deployment in rural areas. Grants funds can be used for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband service to rural areas without sufficient broadband access, defined as 10 Mbps downstream and 1 Mbps upstream.

The area must be rural and lack sufficient access to broadband service. A rural area is any area which is not located within: (1) a city, town, or incorporated area that has a population of greater than 20,000 inhabitants; or (2) an urbanized area contiguous and adjacent to a city or town that has a population of greater than 50,000 inhabitants. Sufficient access to broadband is defined as greater than 90% of any rural area in which households have fixed, terrestrial broadband service delivering at least 10 Mbps downstream and 1 Mbps upstream. Mobile and satellite services will not be considered in making the determination of sufficient access to broadband.

Stand-alone middle-mile projects are not eligible under the ReConnect Program. However, middle-mile facilities are eligible if they are needed to bring sufficient broadband service to all premises in the area.

This program, earmarked only in the House, includes funding for projects ranging from \$212,022 to \$2.6 million.

Earmark examples from FY 2022 include:

- \$3 million for Pembroke Township, IL's Integrated Infrastructure Pilot.
- \$318,750 for the Isle of Wight, VA's Rural Broadband Expansion.
- \$883,574 for Garrett County, MD's Government Broadband Expansion.

## Agriculture Research Service

### Buildings and Facilities

Facility requests must be for ARS-owned facilities or for facilities that will enhance ongoing ARS work. Requests can assist in the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture.

This program, earmarked only in the House, includes funding for 6 projects ranging from \$4 million to \$20 million.

Earmark examples from FY 2022 include:

- \$20 million for the University of Nebraska Lincoln’s National Center for Resilient & Regenerative Precision Agriculture.
- \$4 million for the University of Wisconsin Madison’s Plant Germplasm Research Facility.
- \$4.5 million for the National Center for Agriculture Utilization Research in Peoria, IL.

## Commerce, Justice, Science, and Related Agencies

### Department of Commerce

#### National Oceanic and Atmospheric Administration (NOAA), Operations, Research, and Facilities

Project funding for NOAA will only be considered within the Operations, Research, and Facilities account. This account does not fund construction projects, but will fund research, demonstration, or education projects performed by external partners. Projects must be aligned with NOAA’s mission and within its existing authorities.

This program includes projects ranging from \$50,000 to \$5,600,000.

Earmark examples from FY 2022 include:

- \$3 million to the Northwest Straits Commission to protect and restore the marine waters, habitats, and species of the Northwest Straits region through on-the-ground projects and community engagement.
- \$2 million to Florida International University to eliminate the threat of toxic algal bloom, which would prevent increases in human respiratory illness, the intoxication of fish and wildlife, and prevent a decline in South Florida’s tourism industry.
- \$190,000 to Maui County and Hawaii County to provide for two island coordinators on Maui and Hawaii Island to expand Makai Watch trainings, which raise awareness within communities of rules and regulations related to natural resources, across the respective islands.

#### National Institute of Standards and Technology (NIST), Scientific Technical Research Services, External Projects

NIST’s Scientific and Technical Research and Services (STRS) activities provide industry, academia, and other federal agencies with world-class research capabilities in measurement science that form the foundation of the global system of weights and measures and enable innovation. The STRS account contains three line items: Laboratory Programs, Corporate Services, and Standards Coordination and Special Programs.

This program, earmarked only in the Senate, includes funding for 28 projects ranging from \$200,000 to \$17 million.

Earmark examples from FY 2022 include:

- \$5 million to the University of Southern Mississippi to develop a nationally accredited joint Industry-Academic Ocean Sensor Calibration Laboratory to serve U.S. research, defense, and marine operations communities.

- \$3 million to Wichita State University to support additive manufacturing technologies and standardization at the National Institute for Aviation Research.
- \$1 million to the Colorado State University to accelerate the development of practices and technologies that apply regenerative principles to increase soil carbon capture and reduce greenhouse gas emissions.

### **National Institute of Standards and Technology (NIST), Construction of Research Facilities**

This account funds construction activities, including the maintenance, repair, improvements, and major renovation of facilities occupied or used by NIST.

This program, earmarked only in the Senate, includes funding for 6 projects ranging from \$3,813,000 to \$60 million.

Earmark examples from FY 2022 include:

- \$60 million to the University of South Alabama College of Medicine to rehabilitate and expand healthcare education and research facilities.
- \$10 million to Burlington Technical Center to support a research and development student lab to educate and train the next generation of aviation technicians and advance electric aviation technology.
- \$4,750,000.00 to Kansas State University Polytechnic to support the development of an aerospace simulation center.

## **Department of Justice**

### **State and Local Law Enforcement Assistance - Byrne Justice Assistance Grants**

Authorized funding under this program include: (a) law enforcement programs; (b) prosecution and court programs; (c) prevention and education programs; (d) corrections and community corrections programs; (e) drug treatment programs; and (f) planning, evaluation, and technology improvement programs. Funding is not available for: (a) vehicles, vessels, or aircraft; (b) luxury items; (c) real estate; or (d) construction projects.

All projects must comply with requirements in JAG statutes. Projects that address improving police-community relations will be favored.

This program includes funding for projects ranging from \$2,000 to \$5 million.

Earmark examples from FY 2022 include:

- \$2,010,000 to the Miami-Dade Police Department for Operation Safe Ride, which directly impacts the public safety of residents and visitors using Miami-Dade County's Metrorail and Metromover systems and prioritizes community violence reduction.
- \$471,000 to Newark Community Street Team for High-Risk Intervention (HRI) to intervene in historic and current conflicts, prevent retaliation, respond to loitering calls, and provide victim services to survivors of violence.
- \$114,000 to the City of Cherryville, NC for the Cherryville Police Department including body-worn cameras, evidence containment unit, investigative equipment, and a K9 program.

## COPS Technology and Equipment

Funds under the COPS Technology and Equipment program can be used to develop technologies and automated systems to assist state and local law enforcement agencies in investigating, responding to, and preventing crime. Equipment must meet standards set by the National Institute of Standards and Technology (NIST) Office of Law Enforcement Standards (OLEES). No funding will be available for vehicles or construction. In addition, no sub-granting to other organizations or agencies will be allowed.

This program includes funding for projects ranging from \$25,000 to \$8,245,000 million.

Earmark examples from FY 2022 include:

- \$4,800,000 to the Nevada County Sheriff's Department to expand radio infrastructure for first responders during times of natural disaster or large-scale incidents requiring multi-agency response to protect life and property.
- \$709,000 to the City of Columbia, SC to launch a community-based "Eyes and Ears in the Neighborhood" to deploy doorbell cameras at homes and apartments to provide a tool for police to identify threats, as well as additional funding requests for gunfire detection technologies.
- \$235,000 to the City of St. Clair Shores, MI for in-car and body-worn cameras to provide transparency with police interactions and help improve service to residents.

## National Aeronautics and Space Administration

### Safety, Security, and Mission Support (SSMS)

Projects funding under SSMS must be consistent with and supportive of the work of NASA's mission directorates and within the agency's authorities, such as STEM education activities and scientific research. Funding for building construction or renovation projects will not be considered for funding.

The House-passed bill includes funding for 5 projects ranging from \$650,000 to \$5 million, and the Senate passed bill includes funding for 23 projects ranging from \$70,000 to \$5 million.

Earmark examples from FY 2022 include:

- \$3 million to Wheeling University, WV to support the development of the Challenger Learning Center STEM programs, including updating fixtures and digital programs.
- \$1 million to Bowie State University, MD to develop a Laboratory for Hydroponics Research and position Bowie State students and researchers at the forefront of research in plant biology, agriculture, and sustainable space exploration.
- \$580,000 to the Boys & Girls Club of Hawaii to support the implementation of STEM programming at an increasing number of local Boys & Girls Clubs sites across the nation.



## Energy and Water

### Investigations

General Investigations account funds are used for expenses necessary for the collection and study of basic information pertaining to river and harbor flood control, shore protection, aquatic ecosystem restoration, and related projects; restudy of authorized projects; miscellaneous investigations; and, when authorized by law, surveys and detailed studies and plans and specifications of projects prior to construction. Studies are typically cost-shared 50% federal, 50% non-federal and follow the Corps' "3x3x3 rule," which states that feasibility reports should be produced in no more than three years, at a cost not greater than \$3 million, and involve all three levels of Corps review—district, division, and headquarters—throughout the study process. Some complex studies may require additional time or funds, but those are the exception rather than the rule. Funding is only provided to projects already authorized by the Army Corps of Engineering under this account. To check if your project has been authorized, [please see here](#).

This program includes funding for projects ranging from \$200,000 to \$5,000,000.

Earmark examples from FY 2022 include:

- \$200,000 for the Lower San Joaquin River, CA, Feasibility Study (Phase II).
- \$650,000 for the Norfolk, VA, Coastal Risk Management Study.
- \$2,000,000 for the Lower Cache Creek, CA, Feasibility Study.

### Construction

Construction account funds are used to support construction, major rehabilitation, and related activities for water resources development projects. These projects focus on navigation, flood control, water supply, and hydroelectric activities. Funds are provided for coastal and inland waterways. Authorized Environmental Infrastructure (EI) projects are also funded under this account. Funding is only provided to projects already authorized by the Army Corps of Engineering under this account. To check if your project has been authorized, [please see here](#) for a list of authorized water resources development projects and [here](#) for a list of EI authorizations.

This program includes funding for projects ranging from \$50,000 to \$350,000,000.

Earmark examples from FY 2022 include:

- \$3,375,000 for the City of Lorain, OH, EI Project for New Pump Station.
- \$10,000,000 for the Southwest Coastal Louisiana Project for Flood Control Protection and Ecosystem Restoration.
- \$38,400,000 for Fish Passage and Water Quality Activities at Willamette Valley Dams, OR.

### Mississippi River and Tributaries

The Mississippi River and Tributaries account funds planning, construction, and operation and maintenance activities associated to reduce flood damage in the lower Mississippi River valley below Cape Girardeau, Missouri. Funding is only provided to projects already authorized by the Army Corps of Engineering under this account. To check if your project has been authorized, [please see here](#).

This program includes funding for projects ranging from \$3,000,000 to \$24,000,000.

Earmark examples from FY 2022 include:

- \$5,000,000 for the Lower Mississippi River Comprehensive Management Study.
- \$19,333,000 to initiate and complete engineering and design for the Gulf Intracoastal Waterway East Floodgate of the Morgana to the Gulf Project.
- \$20,750,000 for an ongoing authorized project to reduce flood damages in the Yazoo Backwater Area.

## Operation and Maintenance

Operations and Maintenance (O&M) account funds are used for expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects. Funding is only provided to projects already authorized by the Army Corps of Engineering under this account. To check if your project has been authorized, [please see here](#).

This program includes funding for projects ranging from \$8,000 to \$30,000,000.

Earmark examples from FY 2022 include:

- \$500,000 for dredging of the Saint Paul, MN, Small Boat Harbor.
- \$4,150,000 to remove shoaling at Lynnhaven Inlet in Virginia Beach, VA.
- \$6,000,000 for dredging of the Intracoastal Waterway between Jacksonville and Miami, FL.

## Bureau of Reclamation

### Water and Related Resources

This account supports the development, management, and restoration of water and related natural resources in the 17 western states. Funds are provided for operating and maintaining existing facilities and conducting studies on improving the use of water and related natural resources. Funding is only provided to projects already authorized by the Army Corps of Engineering under this account. To check if your project has been authorized, [please see here](#).

This program includes funding for projects ranging from \$500,000 to \$21,914,000.

Earmark examples from FY 2022 include:

- \$3,655,000 for the Lake Mead/Las Vegas Wash Program, NV.
- \$3,900,000 for fish screens for a Sacramento River, CA diversion.
- \$5,000,000 to support SCADA installation in the Klamath Project.

# Financial Services and General Government

## Small Business Administration

### Small Business Initiatives

This program funds projects such as entrepreneur training, workforce development, counseling, research, and construction or acquisition of facilities.

This program includes funding for projects ranging from \$50,000 to \$3,000,000.

Earmark examples from FY 2022 include:

- \$3 million to the City of Bowie, MD's Bowie Business Innovation Center.
- \$1,275,000 to the Columbus College of Art and Design in Columbus, OH, to expand the community education offerings and career-advancing workshops for professionals.
- \$77,000 for Las Cruces Township, NM's Spanish Speaking Business Advisor position.

## General Services Administration

### Federal Buildings Fund, Construction and Acquisition

Funds under this account include acquisition, construction, the full range of design and construction services, and management and inspection. Allowed activities include purchasing facilities, additions to existing buildings, and remediation.

This program, earmarked only in the Senate, includes funding for 8 projects ranging from \$500,000 to \$93,840,000.

Earmark examples from FY 2022 include:

- \$52 million to Chicago, IL for the demolition of four unoccupied federal buildings and other courthouse improvements.
- 500,000 to the City of Santa Teresa, NM for a feasibility study on the full modernization of the Santa Teresa Port of Entry.
- 500,000 to the City of Tempe for the development of micro manufacturing with a focus on entrepreneurs of color, overcoming the greatest obstacles to start-up manufacturing space and capital.

## National Archives and Records Administration (NARA)

The National Archives and Records Administration has two accounts eligible for project funding requests: the National Historical Publications and Record Commission and the Repair and Restoration account. The National Historical Publications and Records Commission funds projects to preserve government records, manuscripts, photographs, or archives. The Repair and Restoration account funds projects focusing on repairing, altering, or improving any existing National Archives facilities and Presidential Libraries nationwide.

This program, earmarked only in the Senate, includes funding for projects ranging from \$60,000 to \$20,000,000.

Earmark examples from FY 2022 include:

- \$11,500,000 to the City of Independence, MO, to upgrade the Harry S. Truman Presidential Library and Museum.
- \$1,066,000 for Chatham County, GA, to preserve historical land records.
- \$135,000 for Central Michigan University in Mount Pleasant, MI to digitize approximately 250,000 pages of historic Michigan newspapers.

## Homeland Security

### FEMA

#### Pre-Disaster Mitigation Grants

The Pre-Disaster Mitigation Program provides funding to states, U.S. territories, federally recognized tribal governments, and local communities for hazard mitigation activities. Projects must meet the requirements in the most recent Notice of Funding Opportunity (NOFO) for the Building Resilient Infrastructure and Communities (BRIC) grant program, available [here](#).

The guiding principles of the program are to (1) support state and local governments, tribes, and territories through capability- and capacity-building to enable them to identify mitigation actions and implement projects that reduce risks posed by natural hazards; (2) encourage and enable innovation while allowing flexibility, consistency, and effectiveness; (3) promote partnerships and enable high-impact investments to reduce risk from natural hazards with a focus on critical services and facilities, public infrastructure, public safety, public health, and communities; (4) provide a significant opportunity to reduce future losses and minimize impacts on the Disaster Relief Fund; (5) promote equity, including by helping members of disadvantaged groups and prioritizing 40 percent of the benefits to disadvantaged communities in line with the Administration's Justice40 Initiative; and (6) support the adoption and enforcement of building codes, standards, and policies that will protect the health, safety, and general welfare of the public, taking into account future conditions, prominently including the effects of climate change, and have long-lasting impacts on community risk reduction, including for critical services and facilities and for future disaster costs.

This program includes funding for projects ranging from \$1,000 to \$9.95 million.

Earmark examples from FY 2022 include:

- \$975,000 to the Town of Somerset, MA for Somerset Emergency Dam Improvements and dam design enhancement that would include raising the elevation of the earthen dam approximately two feet.
- \$565,000 to the City of Chino Hills, CA for a citywide fuel reduction project to reduce the potential for wildfire spread.
- \$1,805,000 to the Honolulu Fire Department, HI for the replacement of backup generators at five Honolulu Fire Department stations.

## Nonprofit Security Grants

Funding will only be available for projects that meet the requirements detailed in the most recent NOFO for the Nonprofit Security Grant Program (NSGP) available [here](#), and the Preparedness Grants Manual for the NSGP available [here](#). All project proposals must be accompanied by a letter of support from the appropriate state agency affirming that the project is eligible. The purpose of the program is to provide physical security enhancements and other security-related activities to nonprofit organizations that are at high risk of a terrorist attack. The program also seeks to integrate the preparedness activities of nonprofit organizations with broader state and local preparedness efforts. The respective state administrative agency (SAA) must apply to FEMA, and the SAA will serve as the administrative agent for the grant.

This program includes one project in the House bill funded at \$150,000, and the Senate did not include funding for this account.

Earmark examples from FY 2022 include:

- \$150,000 for Beth Medrash Govoha of America.

## Emergency Operations Center Grants

Funding is available for projects that meet the requirements detailed in the most recent Notice of Funding Opportunity for the Emergency Operations Center Grant Program, including the cost-share requirement and environmental and historic preservation requirements, as applicable. All project proposals must be accompanied by a letter of support from the appropriate state agency affirming that the project is eligible. Projects should improve emergency management and preparedness capabilities by supporting flexible, sustainable, secure, strategically located, and fully interoperable emergency operation centers with a focus on addressing identified deficiencies and needs.

This program includes projects ranging from \$36,000 to \$3,000,000.

Earmark examples from FY 2022 include:

- \$1,000,000 for the City of Santa Rosa, CA to construct a permanent Emergency Operations Center to ensure continuity of operations and communications during wildfires and other natural disaster events
- \$200,000 for the Hampstead Fire Department, MD to support efforts to renovate an existing fire station into a fully interoperable Emergency Operating Center that will improve the town's ability to coordinate information and emergency resources.
- \$100,000 for the Town of North Branford, CT to leverage existing personnel and information into much greater capabilities that will translate into better response and recovery coordination, and a more resilient community.

# Interior and Environment

## Department of the Interior

### Land and Water Conservation Fund – Land Acquisition

The Land and Water Conservation Fund (LWCF) funds federal acquisition of lands and water for the purpose of land and habitat conservation and the encouragement of outdoor recreation, as established by the LWCF Act of 1965. Land acquisition project requests should be requested through the agency that would manage the land being acquired (BLM, FWS, NPS, or FS). The *Great American Outdoors Act* ([PL 116-152](#)) and the *Consolidated Appropriations Act of 2021* ([PL 116-260](#)) mandates that the President submit, along with the upcoming fiscal year's budget request, proposed and supplemental LWCF project lists. There was not a requirement, however, in FY 2022 Congress prioritized projects that are included in the President's LWCF request.

This program includes projects ranging from \$400,000 to \$9,457,000.

Earmark examples from FY 2022 include:

- \$2,100,000 to support further land acquisition for the Big Muddy National Fish and Wildlife Refuge around Kansas City and St. Louis, MO.
- \$4,124,500 in Arizona for Rincon Valley Creek Protection to add 552 acres across a number of properties along Rincon Creek and along Saguaro Wilderness and the Coronado National Forest.
- \$3,700,000 for the Mascoma Conservation Project to support federal acquisition of a conservation easement by the USFWS of more than 4,092 acres of priority lands in New Hampshire from a willing seller as additions to the Silvio O. Conte National Fish and Wildlife Refuge.

### **US Forest Service - State and Private Forestry Projects**

The State and Private Forestry account provides technical and financial assistance, usually through the network of State Foresters, to improve the management, protection, and utilization of the nation's forests. Projects are usually limited and include various specific urban and community forestry projects and specific forest disease or pest treatment areas. Specific state fire assistance projects or specific forestry assistance projects may also be requested. More competitive projects are those listed on any federal or state ordinal list or are clearly demonstrated to meet the goals of a State Forest Action Plan(s).

This program, earmarked only the House, includes funding for projects ranging from \$50,000 to \$750,000.

Earmark examples from FY 2022 include:

- \$358,000 for Jefferson County, CO to launch critical implementation and planning initiatives to mitigate wildfire risk and improve forest health during the 2022 fiscal year.
- \$750,000 for the Chicago Region Trees Initiative, IL, that will address threats to forest health including invasive species and fighting emerald ash borer spread and contribute to tree canopy growth in the Chicago area.
- \$750,000 for the Town of Los Gatos, CA to complete wildfire mitigation for 11-miles of roadway considered to be of very high wildfire concern.

### **National Park Service – Historic Preservation Fund**

The Historic Preservation Fund assists governments and organizations to record, document, repair, and protect properties, landscapes, traditional cultural practices, and archaeological sites. The fund also supports planning activities, education, training, and technical assistance activities.

This program, earmarked only in the Senate, includes funding for projects ranging from \$100,000 to \$500,000.

Earmark examples from FY 2022 include:

- \$150,000 for the West Virginia State Historic Preservation Office to assist in foundation improvements and interior facilities upgrades in a historic Wheeling building.
- \$500,000 for the City of Hartford, CT to make structural repair work to the Gardener's Cottage and Carriage House.
- \$500,000 to the Town of Silver City, NM, to restore the Silver City Waterworks Building.

### **Bureau of Land Management – Stewardship**

The Bureau of Land Management Stewardship funding aims to improve, maintain, or restore forest or rangeland health; restore or maintain water quality; improve fish and wildlife habitat and reduce danger to wildfires. Stewardship projects are created through an open, collaborative process that involves local communities and interested organization. Stewardship contracting authority includes agreements with nonprofits, best-value contracts, and goods for services arrangement.

This program, earmarked only in the Senate, includes funding for projects ranging from \$200,000 to \$1,100,000.

Earmark examples from FY 2022 include:

- \$634,000 for the Zoological Society of San Diego, CA to construct, renovate, and establish infrastructure at Maui Bird Conservation Center to better conserve and protect endangered Hawaiian forest birds and to improve the visitor and education experience.
- \$1,000,000 for the FWS Eastern Brook Trout Joint Venture to help conserve the headwaters of the Kennebago River in Maine and its fish and wildlife resources, including its heritage strain of Eastern brook trout.
- \$1,100,000 for the Alaska Sealife Center to study marine animal health and changing oceans.

## **Environmental Protection Agency**

### **EPA – State and Tribal Assistance Grants**

This account funds local wastewater and drinking water infrastructure projects. This includes construction of and modifications to municipal sewage treatment plants and drinking water treatment plants. Dams and reservoirs are not eligible under this account. Projects must be publicly owned or owned by a nonprofit entity and eligible for the funding under the state's Clean Water or Drinking Water State Revolving Funds (SRF) loan programs. Privately-owned projects are not eligible for infrastructure grants, even if they are otherwise eligible for assistance under a SRF program. A 20% match is required for any portion of a project funded through a STAG infrastructure grant.

This program includes funding for projects ranging from \$68,000 to \$10,000,000.

Earmark examples from FY 2022 include:

- \$1,226,000 to the City of Klawock, AK to purchase needed landfill infrastructure for the Cities of Klawock, Craig, and Coffman Cove to comply with new garbage removal requirements.

- \$1,475,000 to the Town of Norton, MA for a well replacement project that would increase capacity by 1.05 million gallons per day, and water that could boost housing and mixed-use development in town that would generate additional tax revenue.
- \$1,500,000 to the City of Sacramento, CA for an in-line combined sewer system storage pipe which would alleviate overflow problems in the area and install 2,700 linear feet of 108-inch diameter pipe. The project will also install a weir to help control overflow discharges and direct peak flows into the storage pipe so that the combined sewer overflow volumes and frequencies are reduced.

### **EPA – Water and Wastewater Infrastructure**

This account will fund local wastewater and drinking water infrastructure projects. This includes construction of, and modifications to, municipal sewage treatment plants and drinking water treatment plants. Projects must be publicly-owned or owned by a nonprofit entity. Privately-owned projects are not eligible for water infrastructure grants.

This program, earmarked only in the Senate, includes funding for projects ranging from \$90,000 to \$22,470,000.

Earmark examples from FY 2022 include:

- \$143,000 to the Town of Barre, VT to replace a gravity fed wastewater ejector station with a submersible and energy-efficient wastewater pump station that will address service delivery concerns and sustainability of wastewater systems.
- \$1,000,000 to the Town of Minturn, CO to construct two new water tanks to replace the town's sole water tank and address existing water loss rates, protect against increased wildfires, and ensure the health and well-being of the community.
- \$8,000,000 to the City of Rock Hill, SC to construct a sludge dewatering facility to allow for treatment and offsite disposal.

## **Labor, Health and Human Services, Education and Related Agencies**

### **Department of Labor**

#### **Employment and Training Administration – Training and Employment Services**

All projects must include direct services to individuals to enhance employment opportunities, demonstrate evidence of a linkage with the State or local workforce investment system, and include an evaluation component. This account funds several activities, such as the Dislocated Workers program and the Pilots and Demonstrations program, under the Workforce Investment Act of 1998 (WIA). The Dislocated Workers program helps workers affected by mass layoffs and plant closures. The Pilots and Demonstration Program supports innovative efforts to provide job training.

This program includes funding for projects ranging from \$20,000 to \$6,341,000.

Earmark examples from FY 2022 include:



- \$2 million to Ft. Lauderdale, FL, to expand workforce training and certifications, provide success coaching to get residents while in educational programs, and placement in jobs and educational programs.
- \$800,000 to SUNY Maritime for the Offshore Wind Workforce Development provide entry-level training for high-wage earning jobs in New York State residents' emerging regional offshore wind industry sector.
- \$165,000 to the Vermont Wood Works Council in Rutland, VT to support establishing a workforce initiative designed to fill current and future employment needs in the wood products industry.

## Department of Health and Human Services

### Health Resources and Services Administration – Program Management

The account supports programs that provide health services to disadvantaged, underserved, and special populations; improve infant mortality rates; improve health professionals' education and training, and assist in the utilization of health care facilities. Earmarked funding is for a variety of projects within four programs: (1) the Health Care and Other Facilities program for construction and renovation of outpatient medical facilities; (2) the Rural Health Outreach program for health care assistance and services to rural populations not otherwise receiving them, or for increasing access to existing services; (3) the Rural Health Research program for rural health center projects; and (4) Telehealth programs for improving health care and access to it through telecommunications and related technology.

This program includes funding for projects ranging from \$15,000 to \$76 million.

Earmark examples from FY 2022 include:

- \$17,997,000 to the Beaufort Memorial Hospital in Beaufort, SC for emergency department capability expansion.
- \$2 million to the Newberg Clinic Expansion in Newberg, OR to increase the capacity of the organization to deliver integrated dental, pharmacy, and primary care to patients living in the community.
- \$100,000 to the Alzheimer's Education & Training Programs in Amityville, NY to train healthcare professionals to treat and care for those with dementia properly and provide effective services that incorporate “best practices” is vital to improving the quality of life for individuals with the disease and their families and caregivers.

### Substance Abuse and Mental Health Services Administration – Health Surveillance and Program Support

Funds provide prevention, intervention, and treatment services for mental health, alcoholism, and other drug abuse problems. The administration of these programs is divided among three centers: (1) Center for Mental Health Services; (2) Center for Substance Abuse Treatment; and (3) Center for Substance Abuse Prevention. The Center for Mental Health Services designates funding for specific activities such as trauma reduction demonstrations, mental health services in public housing, and transitional living for troubled youth. Designated funds for the Center for Substance Abuse Treatment for studies of adolescent treatment

programs, teen parenting programs, and support programs for high-risk populations. Projects seeking funding from the Center for Substance Abuse Prevention should study adolescent treatment programs, teen parenting programs, and support programs for high-risk populations.

This program funds projects ranging from \$15,000 to \$6 million.

Earmark examples from FY 2022 include:

- \$2,661,000 to Nevada Systems of Higher Education (NSHE) in Reno, NV to address the emotional and mental health needs of NSHE students, faculty, and staff.
- \$690,000 to Milestone Recovery in Cumberland County, ME to establish an Intensive Outpatient Program for low-income Mainers struggling with substance use disorders, hire staff, and expand the capacity of its existing detoxification program from 16 to 24.
- \$100,000 to the Child Center in Lane County, OR to expand access to school-based therapy in Lane and Deschutes counties.

### **Administration for Children and Families**

The Administration for Children & Families (ACF) promotes the economic and social well-being of families, children, individuals, and communities. All projects should work towards ACF's mission to foster health and well-being by providing federal leadership, partnership, and resources for the compassionate and effective human services delivery.

This program, earmarked only in the Senate, includes funding for projects ranging from \$46,000 to \$3 million.

Earmark examples from FY 2022 include:

- \$1,200,000 to the United Way of Western Connecticut in Danbury, CT to support the development of Prospani-Key, a new web-based platform that will connect low-income families with businesses and services that will provide them with discounts and support.
- \$523,000 to the Wisconsin Institute for Healthy Aging to establish a statewide falls prevention center focused on implementing evidence-based interventions to reduce the risk of falls among older adults, including through increased fall risk screenings, a public and provider education campaign, and an online hub created for falls prevention information and replicable interventions.
- \$200,000 to Georgia State University to train community partners, creating shared understanding of issues facing children and families and strengthening collaborations to promote better outcomes for Georgia's children.

### **Administration for Community Living (ACL)**

The Administration for Community Living (ACL) brings together the efforts and achievements of the Administration on Aging, the Administration on Intellectual and Developmental Disabilities, and the HHS Office on Disability to serve as the Federal agency responsible for increasing access to community supports while focusing attention and resources on the unique needs of older Americans and people with disabilities across the lifespan. The ACL manages various programs, providing assistance on health and wellness, protecting

rights and preventing abuse, supporting consumer control, strengthening the networks of community-based organizations, funding research, and more.

This program, earmarked only in the Senate, includes funding for projects ranging from \$50,000 to \$5 million.

Earmark examples from FY 2022 include:

- \$2 million to the Meals on Wheels Atlanta, GA to expand existing Meals on Wheels Atlanta service for seniors.
- \$500,000 to the Oregon Association of Relief Nurseries to support a culturally specific child abuse prevention campaign.
- \$100,000 to the Blackstone Valley Community Action Program in Rhode Island to expand its existing home delivery services to serve the elderly and communities in the Northern Rhode Island region.

## Department of Education

### Elementary and Secondary Education: Innovation and Improvement

This program funds instructional services, afterschool centers, curricula development, teacher training, acquisition of books and computers, arts education, social and emotional learning activities, full-service community schools, and early childhood education.

This program funds projects ranging from \$25,000 to \$3 million.

Earmark examples from FY 2022 include:

- \$1,800,000 to the New Mexico Foundation to provide technical assistance to small and rural school districts to implement a Statewide Community Schools strategy.
- \$500,000 to the Community Leadership and Career Connection Program in Chicago, IL to expand out-of-school programs that provide mentoring and enrichment, career and entrepreneurship opportunities, and coding experience to youth ages 12-18.

### Higher Education – Fund for the Improvement of Postsecondary Education (FIPSE)

Projects should focus on improving access to, or the quality of, postsecondary education. Funds cannot be used for construction or renovation of academic buildings, except in the case of minor remodeling required as part of technology upgrades. Funds can be used to hire and train faculty, establish, and improve degree programs, improve teacher preparation programs, develop, and improve curricula, upgrade technology and telecommunications, acquire science laboratory equipment, provide student support, implement university partnerships with school districts, and establish research and training centers.

This program funds projects ranging from \$36,000 to \$50 million.

Earmark examples from FY 2022 include:

- \$4 million to Norwich University, VT to develop education and training programs directed at Undergraduates and engage mid-career professionals with up-skilling and continuing education.
- \$977,000 to the Maine Aquaculture Innovation Center to establish a comprehensive community college training program at Washington County Community College and Southern Maine Community College for Maine's seafood workforce.
- \$100,000 to Northwest Kansas Technical College to establish a technical education program to strengthen the skilled workforce of Kansas in the high-demand plumbing industry.

### Rehabilitation Services – Demonstration and Training

This program provides competitive grants or contracts to eligible entities to expand and improve the provision of rehabilitation and other services authorized under the Rehabilitation Act of 1973, as amended by title IV of the Workforce Innovation and Opportunity Act (WIOA). These programs support activities designed to increase employment opportunities for individuals with disabilities by expanding and improving the availability and provision of rehabilitation and other services. These projects include model demonstration projects, technical assistance projects, systems-change projects, special studies and evaluations, and dissemination and utilization activities.

This program, earmarked only in the Senate, includes funding for projects ranging from \$500,000 to \$1,225,000.

Earmark examples from FY 2022 include:

- \$1,225,000 to the Georgia Council on Developmental Disabilities to expand transition services like workplace readiness training and work-based learning experiences to students with disabilities in Northern California through a virtual platform.
- \$600,000 to the Special Children's Charities in Chicago, IL to expand on offered activities, including sports training and athletic competitions for children and adults with intellectual disabilities.
- \$500,000 to the PRIDE Industries to expand transition services like workplace readiness training and work-based learning experiences to students with disabilities in Northern California through a virtual platform. 200 students with disabilities would each receive up to 125 hours of training.

## Transportation, HUD

### Department of Transportation

#### Local Transportation Priorities

Local Transportation Priorities are highway and transit capital projects (eligible under [title 23 and title 49 of the United States Code](#)). Eligible projects must be:

- Capital projects or project-specific planning/design for a capital project.
- Supported by the state or local government that will administer the project. Inclusion on a Statewide Transportation Improvement Plan (STIP) or Transportation Improvement Plan (TIP) satisfies this requirement.
- Administered by public entities.

This account funds projects typically eligible for the Surface Transportation Block Grant Program, which generally does not fund projects on local roads. Exceptions include a bridge or tunnel project (although not new construction); highway and transit safety infrastructure; and recreational trails programs. Activities that are administrative in nature will not be funded, even if they are eligible expenses under the statutory citation. These include general operating expenses, and activities required under sections 134 and 135 of title 23, United States Code.

The Senate Appropriations Committee separated out the House Appropriations Committee’s “Local Transportation Priorities” account into two separate accounts: Highway Infrastructure Programs (HIP) for highway capital projects; and Transit Infrastructure Grants (TIG) for transit capital projects.

In FY 2022, the House-passed bill included projects for the Local Transportation Priorities account ranging from \$30,000 to \$5 million. The Senate bill included funding for HIP projects ranging from \$150,000 to \$30 million; and TIG projects the ranged was \$300,000 to \$15 million.

Earmark examples from FY 2022 include:

- \$800,000 to Covington, GA for the Fairview Road Multi-use Trail.
- \$1.435 million to Pineville, NC for the Downtown Pineville Intersection Redesign to address pedestrian safety and traffic flow.
- \$5 million to Cedar Rapids, IA for the Tower Terrace Road Corridor (Phase 7 Improvements) to finalize construction of an east-to-west arterial connector roadway that is a regionally significant, multi-modal transportation corridor.

### **Airport Improvement Program**

Airport Improvement Program (AIP) project requests may be used for enhancing airport safety, capacity, and security, and mitigating environmental concerns. To be eligible for funding under this account, the project must be:

- AIP eligible in accordance with sections [47101 to 47175 of title 49, United States Code](#), and FAA policy and guidance.
- Supported broadly by local stakeholders, including residents, businesses, and elected officials.
- Administered by an airport and/or airport sponsor.

This program funds projects ranging from \$250,000 to \$100 million.

Earmark examples from FY 2022 include:

- \$270,000 to Rocky Mountain Metropolitan Airport in Broomfield, CO to replace the Airport’s aging airfield lighting regulators and backup generator to improve safety for airport operations.
- \$1.5 million to the Kalamazoo/Battle Creek International Airport—AZO Runway Extension project in Michigan to lengthen the runway, realign an existing railway, and reconfigure taxiway intersections to bring the runway and taxiway system in line with current FAA standards.
- \$3.4 million to the Jefferson City Memorial Airport Air Traffic Control Tower Reconstruction project in Missouri.

## Consolidated Rail Infrastructure and Safety Improvement (CRISI) Program

This program funds projects that improve the safety, efficiency, and reliability of intercity passenger and freight rail. Projects eligible for funding under this grant program include, but are not limited to:

- Deployment of railroad safety technology.
- Capital projects for intercity passenger rail service, except that a project under program is not required to be in a state rail plan.
- Capital projects that:
  - address congestion challenges affecting rail service;
  - reduce congestion and facilitate ridership growth along heavily traveled rail corridors, and/or
  - improve short-line or regional railroad infrastructure.
- Highway-rail grade crossing improvement projects.
- Rail line relocation and improvement projects.
- Regional rail and corridor service development plans and environmental analyses.
- Any project necessary to enhance multimodal connections or facilitate service integration between rail service and other modes.
- The development and implementation of a safety program or institute.
- Any research that the Secretary considers necessary to advance any aspect of rail related capital, operations, or safety improvements.
- Workforce development and training activities, coordinated to the extent practicable with the existing local training programs supported by the Department of Transportation, the Department of Labor, and the Department of Education.

This program, earmarked only in the Senate, includes funding for projects ranging from \$300,000 to \$67.3 million.

Earmark examples from FY 2022 include:

- \$300,000 to the Ann Arbor, MI Area Transportation Authority in Michigan to conduct pre-construction activities for the expansion of the Ypsilanti Transit Center.
- \$3 million to the Village of Essex Junction, VT to support the redevelopment of the Essex Junction Multimodal Train and Bus Station.
- \$5 million to Baltimore Penn Station in Maryland for the Baltimore Penn Station Multi-Modal Access Project.

## Transportation Planning, Research, and Development (TPR&D) Program

This program funds transportation research projects under title 23 or title 49, United States Code.

This program, earmarked only in the Senate, includes funding for projects ranging from \$100,000 to \$2 million.

Earmark examples from FY 2022 include:

- \$750,000 for the Connected, Automated, Electric Vehicle Demonstration Corridor project in Madison, Wisconsin.
- \$1 million to the Orange County Transportation Authority in California for the West Santa Ana Branch Transit Corridor.

- \$2 million to the Southeast Conference in Alaska to establish a pilot program for electric ferries.

## Department of Housing and Urban Development

### Economic Development Initiative

Program funds may be used for economic and community development activities, including land or site acquisition, demolition or rehabilitation of housing or facilities, construction and capital improvements of public facilities (including water and sewer facilities), and public services. Requests may also include planning and other activities consistent with the underlying authorization for the Community Development Block Grant (CDBG) program within HUD. Reimbursement of expenses for activities already undertaken (including debt service or debt retirement) are not eligible.

All projects must be supported broadly by local stakeholders, including residents, businesses, and elected officials. While EDI projects do not have a match requirement, other projects associated with a larger development effort may.

This program includes funding for projects ranging from \$25,000 to \$132.7 million.

Earmark examples from FY 2022 include:

- \$500,000 to Blythe, CA for the Water Reservoir Replacement Project.
- \$1,030,405 to the Town of Garner, NC for its Streetscape and Parking Improvements on Rand Mill Road project.
- \$2 million to the Youngstown Community Food Center, Inc., Youngstown, OH, for food bank operations.



# MPWMD Legislative Tracker

Last Updated: March 17, 2022

## Overview

The following legislative tracker provides the status of legislation introduced in the 117th Congress pertaining to water issues. Each of the bill numbers is hyperlinked to the bill text, FiscalNote (FN) Outlook information and other related details.

The FN Outlook on the right side of each bill provides the legislation's pre-Floor (left) and Floor (right) likelihood of passing. The percentages shown are the status of the bill in the Chamber where it is currently under consideration (this is shown under 'Status'). The pre-Floor score is defined as the bill's likelihood of passing after it has been introduced but while it is being considered in that chamber's committees - before it has moved to the Floor for a vote.

## Bills by Issue (23)

Bill Number	Last Action	Status	FN Outlook
<a href="#">HR 616</a>	Referred To The Subcommittee On Environment And Climate Change 2021 02 02	In House	<div style="display: flex; justify-content: space-between;"><div style="width: 45%; background-color: #e91e63; color: white; padding: 2px;">9.3%</div><div style="width: 45%; background-color: #ffc107; color: white; padding: 2px;">47.1%</div></div>
<b>Title</b> Emergency Water is a Human Right Act			
<b>Primary Sponsors</b> Rashida Tlaib			
		<b>Bill Summary:</b> This bill prohibits water shutoffs during the COVID-19 emergency period, and provides drinking and waste water assistance to households.	
		<b>Introduction Date:</b> 2021-01-28	
Bill Number	Last Action	Status	FN Outlook
<a href="#">HR 737</a>	Referred To The Subcommittee On Water Oceans And Wildlife 2021 02 23	In House	<div style="display: flex; justify-content: space-between;"><div style="width: 45%; background-color: #e91e63; color: white; padding: 2px;">11.1%</div><div style="width: 45%; background-color: #28a745; color: white; padding: 2px;">81.0%</div></div>
<b>Title</b> RENEW WIIN Act			
<b>Primary Sponsors</b> David Valadao			
		<b>Bill Summary:</b> This bill extends the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN Act) providing operational flexibility, drought relief, and other benefits to the State of California.	
		<b>Introduction Date:</b> 2021-02-02	



Bill Number

HR 866

Last Action

Referred To The Subcommittee On Water  
Oceans And Wildlife 2021 03 03

Status

In House

FN Outlook

7.8%

76.7%

**Title**

Federally Integrated Species Health Act

**Primary Sponsors**

Ken Calvert

**Bill Summary:** This bill amends the Endangered Species Act of 1973 to vest in the Secretary of the Interior functions under that Act with respect to species of fish that spawn in fresh or estuarine waters and migrate to ocean waters, and species of fish that spawn in ocean waters and migrate to fresh waters.

**Introduction Date:** 2021-02-05

Bill Number

HR 1015

Last Action

Referred To The Subcommittee On Water  
Oceans And Wildlife 2021 03 15

Status

In House

FN Outlook

13.1%

71.2%

**Title**

Water Recycling Investment and Improvement Act

**Primary Sponsors**

Grace Napolitano

**Bill Summary:** This bill makes permanent, and otherwise revises, the Bureau of Reclamation's grant program for the funding of water recycling and reuse projects. Specifically, the bill removes priority under the program for projects in areas that, in the preceding four-year period, have been (1) identified as experiencing severe, extreme, or exceptional drought; or (2) designated as a disaster area by a state. Additionally, the bill increases through FY2025 the authorization of appropriations for the program and otherwise revises provisions related to program funding.

**Introduction Date:** 2021-02-11

Bill Number

HR 1563

Last Action

Referred To The Subcommittee On Water  
Oceans And Wildlife 2021 04 21

Status

In House

FN Outlook

11.1%

67.3%

**Title**

To extend the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California.

**Primary Sponsors**

Mike Garcia

**Bill Summary:** This bill extends the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California.

**Introduction Date:** 2021-03-03

Bill Number

HR 1915

Last Action

Placed On The Union Calendar Calendar No 48  
2021 06 22

Status

In House

FN Outlook

24.4%

81.5%

**Title**

Water Quality Protection and Job Creation Act of 2021

**Primary Sponsors**

Peter DeFazio

**Bill Summary:** This bill amends the Federal Water Pollution Control Act to reauthorize certain water pollution control programs, and for other purposes.

**Introduction Date:** 2021-03-16

Bill Number  
HR 1917

Last Action  
Received In The Senate And Read Twice And Referred To The Committee On Homeland Security And Governmental Affairs 2021 11 15

Status  
In Senate

FN Outlook  
5.5% 54.3%

**Title**  
Hazard Eligibility and Local Projects Act

**Primary Sponsors**  
Lizzie Fletcher

**Bill Summary:** This bill makes an entity seeking assistance under a hazard mitigation assistance program eligible to receive such assistance for certain projects already in progress.

**Introduction Date:** 2021-03-16

Bill Number  
HR 2552

Last Action  
Referred To The House Committee On Natural Resources 2021 04 15

Status  
In House

FN Outlook  
7.7% 81.5%

**Title**  
Canal Conveyance Capacity Restoration Act

**Primary Sponsors**  
Jim Costa

**Bill Summary:** This bill authorizes the Bureau of Reclamation to provide financial assistance for various projects in California to mitigate the sinking or settling of the ground (i.e., subsidence mitigation), specifically for projects related to the Friant-Kern Canal, the Delta-Mendota Canal, and certain parts of the San Luis Canal/California Aqueduct.

**Introduction Date:** 2021-04-15

Bill Number  
HR 2979

Last Action  
Referred To The Subcommittee On Environment And Climate Change 2021 05 05

Status  
In House

FN Outlook  
6.5% 70.1%

**Title**  
To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to the final maturity date of certain loans, and for other purposes.

**Primary Sponsors**  
John Garamendi

**Bill Summary:** This bill amends the Water Infrastructure Finance and Innovation Act of 2014 with respect to the final maturity date of certain loans, and for other purposes.

**Introduction Date:** 2021-05-04

Bill Number  
HR 3023

Last Action  
Sponsor Introductory Remarks On Measure Cr H 2345 2021 05 14

Status  
In House

FN Outlook  
5.4% 65.7%

**Title**  
Restoring WIFIA Eligibility Act

**Primary Sponsors**  
Jim Costa

**Bill Summary:** This bill amends the Water Infrastructure Finance and Innovation Act of 2014 with respect to budgetary treatment of certain amounts of financial assistance, and for other purposes.

**Introduction Date:** 2021-05-07

Bill Number  
HR 3112

Last Action  
Referred To The House Committee On Natural Resources 2021 05 11

Status  
In House

FN Outlook  
15.3% 75.2%

**Title**  
Western Water Recycling and Drought Relief Act of 2021

**Primary Sponsors**  
Jerry McNerney

**Bill Summary:** This bill authorizes the Department of the Interior to participate in the design, planning, and construction of specified recycled water system facilities in California.

**Introduction Date:** 2021-05-11

Bill Number  
HR 3404

Last Action  
Referred To The Subcommittee On Water Resources And Environment 2021 05 21

Status  
In House

FN Outlook  
9.3% 75.0%

**Title**  
FUTURE Western Water Infrastructure and Drought Resiliency Act

**Primary Sponsors**  
Jared Huffman

**Bill Summary:** This bill includes major investments to provide drought preparedness and improve water supply reliability to the Nation. It also includes provisions for ecosystem restoration and protection, water job training and education, improved technology and data, and infrastructure development.

**Introduction Date:** 2021-05-20

Bill Number  
HR 4018

Last Action  
Sponsor Introductory Remarks On Measure Cr H 3093 2021 06 24

Status  
In House

FN Outlook  
13.0% 50.4%

**Title**  
NEED Water Act

**Primary Sponsors**  
David Valadao

**Bill Summary:** This bill provides emergency drought relief for the Central Valley. The legislation would protect water currently in the Central Valley Project system for human needs and reduce regulatory burdens in order to lessen the negative impacts of the drought on Central Valley residents. The bill would also extend the California provisions of the WIIN Act.

**Introduction Date:** 2021-06-17

Bill Number  
HR 4099

Last Action  
Subcommittee Hearings Held 2021 06 29

Status  
In House

FN Outlook  
9.2% 72.5%

**Title**  
Large-Scale Water Recycling Project Investment Act

**Primary Sponsors**  
Grace Napolitano

**Bill Summary:** This bill directs the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects.

**Introduction Date:** 2021-06-23

Bill Number

HR 4712

Last Action

Referred To The Subcommittee On Water  
Oceans And Wildlife 2021 08 09

Status

In House

FN Outlook

7.7%

67.7%

**Title**

Desalination Development Act

**Primary Sponsors**

Mike Levin

**Bill Summary:** This bill authorizes \$260 million over the next five years for desalination projects and creates new environmental safeguards for the funded projects. This bill directs the Bureau of Reclamation to submit project funding recommendations to Congress based on specific criteria, prioritizing projects that benefit drought-stricken communities. The legislation would also require projects to comply with all state environmental laws, maximize the use of renewable energy and energy efficiency, and reduce reliance on imported water supplies from imperiled ecosystems.

**Introduction Date:** 2021-07-27

Bill Number

HR 5438

Last Action

Referred To The Subcommittee On  
Environment And Climate Change 2021 10 01

Status

In House

FN Outlook

9.2%

75.3%

**Title**

Water Advanced Technologies for Efficient Resource Use Act of  
2021

**Primary Sponsors**

Matt Cartwright

**Bill Summary:** This bill provides incentives for the purchase of water-efficient products.

**Introduction Date:** 2021-09-30

Bill Number

HR 5716

Last Action

Referred To The House Committee On Natural  
Resources 2021 10 25

Status

In House

FN Outlook

11.0%

72.7%

**Title**

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

**Primary Sponsors**

Josh Harder

**Bill Summary:** This bill aims to increase water storage opportunities, spur innovation in water sustainability, and make responsible federal investments in aging water infrastructure. The bill also establishes a water infrastructure and drought solutions fund to provide \$750 million for water surface and groundwater storage, water reclamation and reuse, and WaterSMART program projects.

**Introduction Date:** 2021-10-25

Bill Number

S 29

Last Action

Read Twice And Referred To The Committee  
On Environment And Public Works 2021 01 22

Status

In Senate

FN Outlook

4.6%

54.9%

**Title**

Local Water Protection Act

**Primary Sponsors**

Amy Klobuchar

**Bill Summary:** This bill reauthorizes through FY2025 programs within the Environmental Protection Agency that award grants to states for managing nonpoint source water pollution or protecting groundwater quality. Water pollution from nonpoint sources is caused by precipitation picking up pollution as it moves over or through the ground.

**Introduction Date:** 2021-01-22

Bill Number

S 914

Last Action

By Senator Carper From Committee On  
Environment And Public Works Filed Written  
Report Report No 117 20 2021 05 10

Status

In House

FN Outlook

79.0%

48.8%

**Title**

Drinking Water and Wastewater Infrastructure Act of 2021

**Primary Sponsors**

Tammy Duckworth

**Bill Summary:** This bill amends the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts. Specifically, it supports programs to provide safe drinking water or treat wastewater, such as sewer overflows or stormwater.

**Introduction Date:** 2021-03-23

Bill Number

S 953

Last Action

Read Twice And Referred To The Committee  
On Energy And Natural Resources 2021 03 24

Status

In Senate

FN Outlook

2.2%

79.7%

**Title**

Water for Conservation and Farming Act

**Primary Sponsors**

Ron Wyden

**Bill Summary:** This bill establishes a funding source for certain water resources development projects in western states. The bill also reauthorizes and expands existing water resources development programs, as well as establishes new programs. Specifically, the bill establishes the Bureau of Reclamation Infrastructure Fund to fund water-related programs, including water reclamation and reuse projects, dam safety projects, and the WaterSMART program (which provides assistance to eligible government entities to increase water supply). The bill also reauthorizes through FY2028 the Fisheries Restoration and Irrigation Mitigation program (which funds fish passage projects in certain areas that drain into the Pacific Ocean). The bill also establishes new programs directed at western states to provide assistance to agricultural producers to create and maintain waterbird and shorebird habitats, award grants to eligible government entities and nonprofit conservation organizations for habitat restoration projects that improve watershed health, and prepare plans to sustain the survival of critically important fisheries during periods of drought.

**Introduction Date:** 2021-03-24

Bill Number

S 2185

Last Action

Read Twice And Referred To The Committee  
On Energy And Natural Resources 2021 06 23

Status

In Senate

FN Outlook

3.2% 60.4%

**Title**

Western Water Infrastructure Act of 2021

**Primary Sponsors**

John Barrasso

**Bill Summary:** This bill reauthorizes expiring programs for the Bureau of Reclamation (BOR) and authorizes funding to eliminate the BOR infrastructure maintenance backlog. The bill will also create a new program to restore water storage capacity at BOR and U.S. Army Corps of Engineers reservoirs by developing and implementing sediment management plans at the request of project beneficiaries.

**Introduction Date:** 2021-06-23

Bill Number

S 2334

Last Action

Read Twice And Referred To The Committee  
On Energy And Natural Resources 2021 07 13

Status

In Senate

FN Outlook

2.1% 76.0%

**Title**

Large Scale Water Recycling Project and Drought Resiliency Investment Act

**Primary Sponsors**

Catherine Cortez Masto

**Bill Summary:** This bill directs the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects, to amend the Omnibus Public Land Management Act of 2009 to make certain modifications to the Cooperative Watershed Management Program, to provide emergency drought funding, and for other purposes.

**Introduction Date:** 2021-07-13

Bill Number

S 3539

Last Action

Read Twice And Referred To The Committee  
On Energy And Natural Resources 2022 02 01

Status

In Senate

FN Outlook

4.8% 53.0%

**Title**

Watershed Results Act

**Primary Sponsors**

Ron Wyden

**Bill Summary:** This bill would require the Secretary of the Interior to work in coordination with the Secretary of Agriculture and the Administrator of the EPA to establish two to five watershed restoration pilot programs across the country. Each pilot program must incorporate predictive data analysis to analyze millions of acres of a watershed to precisely locate the most effective acres for restoration that will make the largest impact. Outcomes of these pilots can include a quantifiable reduction in nutrient or sediment runoff or thermal load, quantifiable increases in dissolved oxygen and surface water or groundwater that functionally benefits fish and wildlife species, and any other quantifiable benefits identified to support watershed restoration.

**Introduction Date:** 2022-02-01

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## LEGISLATIVE ADVOCACY COMMITTEE

ITEM: DISCUSSION ITEM

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

**Meeting Date:** March 29, 2022      **Budgeted:** N/A

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

**Prepared By:** Joel G. Pablo      **Cost Estimate:** N/A

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

#### EXHIBITS

**3-A** Memo from JEA & Associates

**3-B** MPWMD Legislative Track



## EXHIBIT 3-A

**Date:** March 23, 2022

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

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

**RE:** Legislative Committee – March 29, 2022

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The Legislature met its 2022 bill introduction deadline on February 18<sup>th</sup>, with over 2300 bills. Below are bills that after review with the General Manager, we are recommending positions. *(Full Legislative Track Attached)*

### **Legislation -**

**AB 2387 (E. Garcia)** - Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$7,430,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.

### **Recommended Position - Support**

**AB 2811 (Bennett)** - Would require, commencing January 1, 2024, all newly constructed nonresidential buildings be constructed with dual plumbing to allow the use of recycled water for all applicable nonpotable water demands, as defined, if that building is located within an existing or planned recycled water service area, as specified.



### Recommended Position – **Support**

**SB 1124 (Archuleta)** - The bill would establish the Central Basin Communities Water Reliability, Safe Drinking Water, and Recycled Water Expansion Fund in the State Treasury and would provide that unspecified sums of money are available upon appropriation by the Legislature from the fund to the board for specified purposes related to drinking water, including, but not limited to, protecting state, local, and regional drinking water systems located in the Central Basin from climate change, drought, catastrophic seismic damage, or failure from terrorist acts or other deliberate acts of destruction, competitive grants to eligible applicants, and improving local water security by reducing the use of potable water for nonpotable purposes.

### Recommended Position – **Oppose**

**SB 1157 (Hertzberg)** - Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and including collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use. Existing law establishes, beginning January 1, 2025, the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use.

### Recommended Position -**Possible Oppose**

**SB 1188 (Laird)** - Current law, the Safe Drinking Water State Revolving Fund Law of 1997, establishes the continuously appropriated Safe Drinking Water State Revolving Fund to provide financial assistance for the design and construction of projects for public water systems that will enable those systems to meet safe drinking water standards. Current law authorizes the State Water Resources Control Board, to the extent permitted by federal law, to provide up to 100% grant funding, and principal forgiveness and 0% financing on loans, from the fund to a project for a water system that serves a severely disadvantaged community. Current law requires the interest rate for repayable financing provided from the fund to be 0% if the financing is for a public water system that serves a disadvantaged community with a financial hardship

or if the financing is for a public water system that provides matching funds. This bill would delete those provisions relating to 0% financing and interest and would instead generally authorize the board, to the extent authorized by federal law, to provide reduced or 0% financing to further the purposes of the Safe Drinking Water State Revolving Fund Law of 1997. The bill would delete the requirement that a water system serve a severely disadvantaged community in order to be provided with up to 100% grant funding or principal forgiveness and instead authorize providing that grant funding or principal forgiveness to certain other water systems. By making moneys in the Safe Drinking Water State Revolving Fund, a continuously appropriated fund, available for new purposes, the bill would make an appropriation. This bill contains other related provisions and other existing laws.

### Recommended Position - **Support**

**SB 1197 (Caballero)** - Existing law declares that the protection of the public interest in the development of the water resources of the state is of vital concern to the people of the state and that the state shall determine in what way the water of the state, both surface and underground, should be developed for the greatest public benefit. This bill, the Water Innovation and Drought Resiliency Act of 2022, would create the Initiative to Advance Water Innovation and Drought Resiliency at the office for the furtherance of new technologies and other innovative approaches in the water sector.

### Recommended Position - **Support**

## **SWRCB Drinking Water Needs Assessment Proposal –**

In early-February, the SWRCB released its Proposed Changes to the Drinking Water Needs Assessment. While some of their recommendations are in line with the continuance and funding of the Safe and Affordable Funding for Equitable and Resilience program (SAFER) established by SB 200 (Monning) in 2019. There are some concerning proposals that we are working with ACWA and the California Municipal Utilities Association on revising.

### **Overview of Proposed Changes:**

#### Risk Assessment for Public Water Systems

- Expand the inventory of water systems assessed to include large community water systems with more than 3,300 service connections.

- Remove five risk indicators: Maximum Duration of High Potential Exposure; Water Source Types; Percent Shut-Offs for Non-Payment; Number of Service Connections, and Extensive Treatment Installed.

- Add eight new risk indicators: Contaminants of Emerging Concern; Source Capacity Violations; Bottled or Hauled Water Reliance; Percentage of Residential Arrearages; Residential Arrearage Burden; Days Cash on Hand; Operating Ratio; and Total Annual Income.

## **Drought Emergency Orders Condition II/Housing**

As follow-up to our discussion at the last several Legislative Committee meetings regarding working with state agencies and the Legislature in mitigating MPWMD's issue between Condition No. 2 and state housing authorities.

The City of Monterey's City Manager Hans Unslar recently sent a letter to the SWRCB that expressed "its immediate need for water by 2023" to meet their state housing mandate of building around 3650 units by 2031. The letter continued to iterate that "the state is tying the hands of peninsula cities by requiring additional housing quotas without giving us water to build those homes." Mr. Unslar requested, like MPWMD has, that the state lift the 2009 cease-and-desist order against Cal-AM, for illegal water diversions, which we have stipulated have stopped.

Of note, this letter and the issue was reported on early last week in the statewide online political publication CalMatters.

The General Manager will provide further details.

# MPWMD Legislative Track

Measure	Author	Topic	Status	Brief Summary	Position
<a href="#">AB 1642</a>	<a href="#">Salas D</a>	California Environmental Quality Act: water system well and domestic well projects: exemption.	1/20/2022 -Referred to Com. on NAT. RES.	Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law requires the state board to annually adopt, and update every 3 years, a fund expenditure plan that contains specified information, including, but not limited to, a list of water systems that consistently fail to provide an adequate supply of safe drinking water. Current law requires the state board to develop a drinking water needs assessment to inform the board's annual fund expenditure plan. This bill would exempt from CEQA a project that relates to a well that is part of a water system or to a domestic well that has been designated by the state board as high risk or medium risk in the state board's drinking water assessment and that is designed to mitigate or prevent a failure of the well or the domestic well that would leave residents that rely on the well, the water system to which the well is connected, or the domestic well without an adequate supply of safe drinking water. The bill would require a lead agency that determines that a project is exempt from CEQA pursuant to these provisions to file a notice of exemption with the Office of Planning and Research and the county clerk, as provided.	Follow

<a href="#">AB 2016</a>	<a href="#">Bauer-Kahan</a> D	State Water Resources Control Board: desalination plant: feasibility study.	2/24/2022 -Referred to Com. on W.,P., & W.	Would require the State Water Resources Control Board to undertake a comprehensive feasibility study of the potential impact of desalination plants within the state, as specified. The bill would authorize the board to contract with an educational institution, as defined, or related organization to conduct the feasibility study. The bill would require the board to prepare and present to the Legislature, on or before January 1, 2025, a prescribed report about the feasibility study. The bill would authorize the board to seek a one time extension of up to one year to complete the feasibility study, as specified.	Follow
<a href="#">AB 2041</a>	<a href="#">Garcia, Eduard</a> D	California Safe Drinking Water Act: primary drinking water standards: compliance.	2/24/2022 -Referred to Com. on E.S. & T.M.	Would require the State Water Resources Control Board to take specified actions if the state board adopts a primary drinking water standard with a compliance period for which public water systems are given a designated period of time to install necessary measures, including, but not limited to, installation of water treatment systems, to comply with the primary drinking water standard without being held in violation of the primary drinking water standard. Those actions would include, among other actions, developing a financial plan to assist public water systems that will require financial assistance in procuring and installing the necessary measures.	Follow
<a href="#">AB 2387</a>	<a href="#">Garcia, Eduard</a> D	Safe Drinking Water, Wildfire Prevention, Drought Preparation,	3/3/2022- Referred to Coms. on W.,P., & W. and NAT.	Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$7,430,000,000 pursuant to the State General Obligation	Support

		Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.	RES.	Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs. This bill contains other related provisions.	
<a href="#">AB 2412</a>	<a href="#">Villapudua</a> D	Agriculture: State Water Efficiency and Enhancement Program.	3/3/2022- Referred to Coms. on AGRI. and W.,P., & W.	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 to provide grants to agricultural operations to implement irrigation, water reclamation, water storage, or groundwater recharge systems that reduce greenhouse gases and energy use and increase water use efficiency. The bill would require the secretary, on or before one year after receiving an appropriation by the Legislature for these purposes, in consultation with the Secretary of the Natural Resources Agency, the Natural Resources Conservation Service of the United States Department of Agriculture, and the Scientific Advisory Panel on Environmental Farming, to develop guidelines for awarding grants under the program, as specified. The bill would require the secretary, on or before January 1, 2027, and biennially thereafter, to submit a report to the relevant legislative policy committees, as prescribed.	Follow
<a href="#">AB 2421</a>	<a href="#">Rubio, Blanca</a> D	Water: unlicensed cannabis	3/15/2022 -Re-referred to	Current law makes it unlawful to deposit, permit to pass, or place where it can pass, specified pollutants into the waters of this state, including any substance or material	Follow

		cultivation.	Com. on W.,P., & W.	deleterious to fish, plant life, mammals, or bird life. A violation of this provision is a crime under the Fish and Game Code. Current law also subjects a violation of that provision to a civil penalty of no more than \$25,000 for each violation and an additional civil penalty of no more than \$10 for each gallon or pound of material discharged, and requires the civil action to be brought by the Attorney General upon complaint by the Department of Fish and Wildlife or by the district attorney or city attorney in the name of the people of the State of California. Current law provides that a specified affirmative defense to a violation of the criminal provision does not apply to an action for civil penalties or injunctive relief pursuant to that civil provision. This bill would provide that the specified affirmative defense to a violation of the criminal provision also does not apply in any other civil action that alleges a violation resulting from unlicensed cannabis cultivation.	
<a href="#">AB 2451</a>	<a href="#">Wood D</a>	State Water Resources Control Board: drought planning.	3/3/2022- Referred to Com. on W.,P., & W.	Would require the State Water Resources Control Board to establish a Drought Section within the Division of Water Rights, as specified. The bill would require the state board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds during times of water shortage for drought preparedness and climate resiliency and for the development of watershed-level contingency plans to support public trust uses, public health and safety, and the human right to water in times of water shortage. The bill would require the state board to adopt those principles and guidelines no later than March 31, 2023, as specified.	Follow

<a href="#">AB 2536</a>	<a href="#">Grayson</a> D	Development fees: connection fees and capacity charges: studies.	3/10/2022 -Referred to Com. on L. GOV.	Current law requires a local agency that conducts an impact fee nexus study to follow certain standards and practices, as specified. Current law also requires a local agency to hold at least one open and public meeting prior to levying a new fee or service charge, as specified. This bill would, on and after January 1, 2023, require a local agency that imposes fees for water connections or sewer connections, or imposes capacity charges, as provided, and that conducts a study to support the estimate of the reasonable cost of providing the service to follow certain standards and practices, as defined and specified.	Follow
<a href="#">AB 2647</a>	<a href="#">Levine</a> D	Local government: open meetings.	3/10/2022 -Referred to Coms. on L. GOV. and JUD.	The Ralph M. Brown Act requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. Current law requires a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates or post the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.	Follow
<a href="#">AB 2677</a>	<a href="#">Gabriel</a>	Information	3/10/2022	The Information Practices Act of 1977 prescribes a set	Follow



	D	Practices Act of 1977.	-Referred to Com. on P. & C.P.	of requirements, prohibitions, and remedies applicable to agencies, as defined, with regard to their collection, storage, and disclosure of personal information, as defined. Current law exempts from the provisions of the act counties, cities, any city and county, school districts, municipal corporations, districts, political subdivisions, and other local public agencies, as specified. This bill would recast those provisions to remove that exemption for local agencies and include, among other things, genetic information, IP address, online browsing history, and location information within the definition of "personal information" for the act's purposes.	
<a href="#">AB 2811</a>	<a href="#">Bennett</a> D	California Building Standards Commission: recycled water: nonpotable water systems.	2/19/2022 -From printer. May be heard in committee March 21.	Would require, commencing January 1, 2024, all newly constructed nonresidential buildings be constructed with dual plumbing to allow the use of recycled water for all applicable nonpotable water demands, as defined, if that building is located within an existing or planned recycled water service area, as specified.	Support
<a href="#">SB 832</a>	<a href="#">Dodd</a> D	Water rights: measurement of diversion.	3/10/2022 -From committee with author's amendments. Read second time and amended. Re-referred	Current law requires a person who diverts 10 acre-feet or more of water per year under a permit or license to install and maintain a device or employ a method capable of measuring the rate of direct diversion, rate of collection to storage, and rate of withdrawal or release from storage. Current law requires the measurements to be made using the best available technologies and best professional practices using a device or methods satisfactory to the State Water Resources Control Board, as specified in regulations adopted by the state board. Current law requires a permittee or licensee to maintain a	Follow

			to Com. on N.R. & W.	record of all diversion monitoring, as provided, and to include those records with annual reports required to be submitted to the state board. Current law authorizes the state board to modify these requirements if the state board finds that strict compliance with these requirements is infeasible, is unreasonably expensive, would unreasonably affect public trust uses, or would result in the waste or unreasonable use of water, or that the need for monitoring and reporting is adequately addressed by other conditions of the permit or license. This bill would clarify existing law that a diverter, as defined, diverting 10 acre-feet or more of water per year is subject to these water diversion measurement, recording, and reporting requirements.	
<a href="#">SB 938</a>	<a href="#">Hertzberg D</a>	The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: protest proceedings: procedural consolidation.	2/16/2022 -Referred to Com. on GOV. & F.	The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. Under current law, in each county there is a local agency formation commission that oversees these changes of organization and reorganization. With a specified exception, current law provides for protest proceedings for a change of organization or reorganization following adoption of a resolution making certain determinations by the commission, as provided. Current law sets forth required procedures for the commission following a protest hearing depending on the nature of the conducting authority, as defined, the type of change of organization or reorganization, and the results of the protest proceeding. The bill would reorganize and	Follow/ Oppose

				consolidate the above-described procedures. The bill would make conforming changes and remove obsolete provisions.	
<a href="#">SB 1059</a>	<a href="#">Becker</a> D	Privacy: data brokers.	3/8/2022- Withdrawn from committee. Re-referred to Com. on RLS.	The California Constitution grants a right of privacy. Current law requires data brokers to register with, and provide certain information to, the Attorney General. Current law defines a data broker as a business that knowingly collects and sells to third parties the personal information of a consumer with whom the business does not have a direct relationship, subject to specified exceptions. Current law subjects data brokers that fail to register to injunction and liability for civil penalties, fees, and costs in an action brought by the Attorney General, with any recovery to be deposited in the Consumer Privacy Fund, as specified. This bill would include in the definition of data broker a business that knowingly collects and shares, as defined, certain personal information to third parties. The bill would transfer all authority and responsibilities under the provisions relating to data broker registration from the Attorney General to the CCPA, including by requiring data brokers to annually register with the California Privacy Protection Agency on or before January 31.	Follow
<a href="#">SB 1124</a>	<a href="#">Archuleta</a> D	Central Basin Communities Water Reliability, Safe Drinking Water, and Recycled	3/14/2022 -From committee with author's amendments. Read	Current law requires, by January 1, 2021, the State Water Resources Control Board, in consultation with local health officers and other relevant stakeholders, to make publicly available, as specified, a map of aquifers that are used or likely to be used as a source of drinking water that are at high risk of containing contaminants that exceed safe drinking water standards. This bill would	Oppose

		Water Expansion Act of 2022.	second time and amended. Re-referred to Com. on E.Q.	enact the Central Basin Communities Water Reliability, Safe Drinking Water, and Recycled Water Expansion Act of 2022. The bill would establish the Central Basin Communities Water Reliability, Safe Drinking Water, and Recycled Water Expansion Fund in the State Treasury and would provide that unspecified sums of money are available upon appropriation by the Legislature from the fund to the board for specified purposes related to drinking water, including, but not limited to, protecting state, local, and regional drinking water systems located in the Central Basin from climate change, drought, catastrophic seismic damage, or failure from terrorist acts or other deliberate acts of destruction, competitive grants to eligible applicants, and improving local water security by reducing the use of potable water for nonpotable purposes.	
<a href="#">SB 1157</a>	<a href="#">Hertzberg D</a>	Urban water use objectives: indoor residential water use.	3/2/2022- Referred to Com. on N.R. & W.	Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and including collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use. Existing law establishes, beginning January 1, 2025, the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the	Follow/ Oppose

				department and the board as the standard for indoor residential water use. This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use.	
<a href="#">SB 1188</a>	<a href="#">Laird</a> D	Safe Drinking Water State Revolving Fund: financial assistance.	3/15/2022 -From committee with author's amendments. Read second time and amended. Re-referred to Com. on E.Q.	Current law, the Safe Drinking Water State Revolving Fund Law of 1997, establishes the continuously appropriated Safe Drinking Water State Revolving Fund to provide financial assistance for the design and construction of projects for public water systems that will enable those systems to meet safe drinking water standards. Current law authorizes the State Water Resources Control Board, to the extent permitted by federal law, to provide up to 100% grant funding, and principal forgiveness and 0% financing on loans, from the fund to a project for a water system that serves a severely disadvantaged community. Current law requires the interest rate for repayable financing provided from the fund to be 0% if the financing is for a public water system that serves a disadvantaged community with a financial hardship or if the financing is for a public water system that provides matching funds. This bill would delete those provisions relating to 0% financing and interest and would instead generally authorize the board, to the extent authorized by federal law, to provide reduced or 0% financing to further the purposes of the Safe Drinking Water State Revolving Fund Law of 1997. The bill would delete the requirement that a water system serve a severely disadvantaged community in order to be provided with up to 100% grant funding or principal	Support

				<p>forgiveness and instead authorize providing that grant funding or principal forgiveness to certain other water systems. By making moneys in the Safe Drinking Water State Revolving Fund, a continuously appropriated fund, available for new purposes, the bill would make an appropriation. This bill contains other related provisions and other existing laws.</p>	
<a href="#">SB 1197</a>	<a href="#">Caballer</a> <a href="#">o D</a>	Water Innovation and Drought Resiliency Act of 2022.	3/2/2022- Referred to Com. on N.R. & W.	<p>Existing law declares that the protection of the public interest in the development of the water resources of the state is of vital concern to the people of the state and that the state shall determine in what way the water of the state, both surface and underground, should be developed for the greatest public benefit. This bill, the Water Innovation and Drought Resiliency Act of 2022, would create the Initiative to Advance Water Innovation and Drought Resiliency at the office for the furtherance of new technologies and other innovative approaches in the water sector.</p>	Follow/S upport
<a href="#">SB 1205</a>	<a href="#">Allen</a> D	Water rights: appropriation.	3/2/2022- Referred to Com. on N.R. & W.	<p>Would require the State Water Resources Control Board to develop and adopt regulations to provide greater specificity as to the methods and practices for determining water availability in the issuance and administration of water right permits and licenses, including consideration of the effects of climate change upon watershed hydrology as part of the preparation of water availability analyses. The bill would require the board to consult with the Department of Water Resources, the Department of Fish and Wildlife, and qualified hydrologists and climate change scientists in preparing the regulations.</p>	Follow

<a href="#">SB 1220</a>	<a href="#">Hurtado</a> D	Sustainable Groundwater Management Act: groundwater sustainability plans.	3/2/2022- Referred to Com. on N.R. & W.	Current law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. This bill would provide that nothing in those provisions relating to making submissions to the department shall be construed to prohibit groundwater sustainability agencies that have developed multiple groundwater sustainability plans for a basin from amending the coordination agreement following department issuance of an assessment of the plans. This bill contains other existing laws.	Follow
<a href="#">SB 1426</a>	<a href="#">Caballer</a> <a href="#">o</a> D	Cannabis: water pollution crimes.	3/15/2022 -Set for hearing April 5.	Would make it a felony to plant, cultivate, harvest, dry, or process more than 6 living cannabis plants, or any part thereof, and where that activity involves theft of groundwater, unauthorized tapping into a water conveyance or storage infrastructure, digging an unpermitted, illegal well, or the pollution of groundwater, as specified. This bill would also clarify that causing substantial environmental harm to public resources includes groundwater. By expanding the scope of a crime, this bill would impose a state-mandated local program.	Follow

<a href="#">SB 1485</a>	<a href="#">Rubio</a> D	Water quality: statewide program.	3/9/2022- Referred to Com. on RLS.	The Porter-Cologne Water Quality Control Act designates the State Water Resources Control Board and the California regional water quality control boards as the principal state agencies with authority over matters relating to water quality. The act requires the state board and the regional boards to, among other things, coordinate their respective activities to achieve a unified and effective water quality control program in the state. This bill would make nonsubstantive changes to the latter provision.	Follow
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**Total Measures: 22**

**Total Tracking Forms: 22**



## LEGISLATIVE ADVOCACY COMMITTEE

### ITEM: DISCUSSION ITEM

#### 4. REPORT FROM GENERAL MANAGER ON RECENT OR UPCOMING LEGISLATIVE ACTIONS

**Meeting Date:** March 29, 2022

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

**Prepared By:** Joel G. Pablo

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**SUMMARY:** The attached **Exhibit 4-A** are Examples of Monterey Peninsula Water Supply and Environmental Restoration Projects that would benefit from the proposed Corps of Engineers, Environmental Infrastructure Authority.

**Exhibit 4-B**, attached, is a letter from the District to: (a) Congressman Jimmy Panetta dated 2/22/2022, re: Request Monterey Peninsula Environmental Infrastructure Authority; and (b) a letter to Amanda Erath, Program Analyst with United States, Bureau of Reclamation dated 3/1/2022, re: Pure Water Monterey – Making an Impact Now.

**Exhibit 4-C**, attached, is an e-mail dated 3/21/2022 communication received from ACWA urging member agencies to join a coalition to oppose Assembly Bill 2639 (Quirk, D-Hayward) unless the bill is amended.

#### EXHIBITS

**4-A** Examples of Monterey Peninsula Water Supply and Environmental Restoration Projects that Would Benefit from the Proposed Corps of Engineers, Environmental Infrastructure Authority

**4-B** Recent Letters to: (a) Congressman Jimmy Panetta, re: Request Monterey Peninsula Environmental Infrastructure Authority dated 2/22/2022; and (b) a letter to Amanda Erath, Program Analyst with United States, Bureau of Reclamation dated 3/1/2022, re: Pure Water Monterey – Making an Impact Now

**4-C** Legislative Alert: Join Oppose-Unless Amended Coalition on AB 2639

## EXHIBIT 4-A

### **Examples of Monterey Peninsula Water Supply and Environmental Restoration Projects that Would Benefit from the Proposed Corps of Engineers, Environmental Infrastructure Authority**

#### **Pure Water Monterey Expansion**

In 2020, the Pure Water Monterey project began water deliveries to customers on the Monterey Peninsula. The proposed Expansion would expand the existing project to provide: 1) additional purified recycled water for recharge of a groundwater basin that serves as drinking water supply; and 2) additional recycled water to augment the existing Castroville Seawater Intrusion Project's agricultural irrigation supply.

The Expansion would expand the Advanced Water Purification Facility peak capacity from 5.0 million gallons per day (mgd) to 7.6 mgd and increase recharge of the Seaside Groundwater Basin by an additional 2,250 AFY (for an average annual yield for the Expanded Project of 5,750 AFY). The Expansion includes the following new or modified facilities:

- Improvements to the existing Advanced Water Purification Facility (adding equipment, pipelines, and storage within the approved and constructed facility buildings and paved areas);
- Addition of up to two miles of new product water conveyance pipelines;
- Addition of two new injection wells and associated infrastructure;
- Relocation of two approved injection well sites and associated infrastructure; and
- Relocation of previously approved monitoring well sites.

Total cost of the Expansion is estimated at \$49.2 million

#### **Los Padres Dam and Reservoir Alternatives**

The Los Padres Dam is an earthen dam constructed in the 1940s. The District has taken up a study of dam and reservoir alternatives that can be used to inform further development of those alternatives and eventually construction. Such potential alternatives include (i) Los Padres Dam Remains (No Sediment Management); (ii) Dam Removal; (iii) Restore Reservoir Capacity; (iv) Storage Expansion; and (v) several sediment management activities.

Potential effects to the threatened steelhead population and their habitats resulting from the alternatives described, in the context of the South-Central California Coast (S-CCC) steelhead population, are evaluated and focus on habitat extent, passage through the reservoir area, passage over the dam, and water quality in the reservoir and downstream; and summarizes effects to

steelhead of varying levels of water supply and sediment transport in the river, and potential changes to steelhead habitats.

In 2022-23 a proposed alternative is expected to be selected and design and construction of the alternative commenced, including improved fish passage and/or habitat restoration.

### **Carmel River Floodplain Restoration and Environmental Enhancement Project (Carmel River FREE)**

The lower reach of the Carmel River Basin was the site of multiple expensive and severe flooding incidents in 1958, 1995 and 1998. Since 1995, landowners and local agencies have been working collaboratively to develop a restoration concept for the lower Carmel River Basin to address flood control and environmental and habitat issues in the area. In 2004, the California Department of Parks and Recreation implemented the first phase of lower Carmel River restoration with the Carmel River Lagoon Restoration Project at Carmel River State Beach on the west side of State Highway Route 1 (SR1). Beginning in 2007, Big Sur Land Trust obtained several sources of federal and state grant funds to assess the feasibility of and to develop conceptual design plans for the next phase of lower Carmel River restoration, connecting the floodplain west of SR 1 with proposed restoration east of the highway corridor. The resulting plan is referred to as the Carmel River Floodplain Restoration and Environmental Enhancement Project.

The Project is located immediately east and west of SR 1, just south of the existing Carmel River Bridge at the downstream end of the Carmel River Watershed, approximately one-half mile from the river mouth. The Project site is located on real property owned respectively by California State Department of Parks and Recreation, Big Sur Land Trust, and Monterey Peninsula Regional Park District. The Project consists of two proposed interdependent components: i) the Floodplain Restoration (Levee Removal/Enhancement Area); and ii) the Causeway:

- i. The Floodplain Restoration component consists of: (1) removal of approximately 1,470 linear feet of non-structural earthen levees on the south side of the Carmel River channel on property owned by Big Sur Land Trust; (2) grading of approximately 102 acres to restore the site's ecological function as a floodplain by creating the hydrogeomorphic characteristics necessary to support floodplain restoration activities; (3) grading to elevate approximately 23 acres of existing farmland above the 100-year floodplain elevation to create an agricultural preserve; and (4) implementation of resource management plans.
- ii. The Causeway component consists of replacing a portion of the SR-1 roadway embankment with a 360-foot-long overflow bridge (causeway) to accommodate flood flows that enter into the south overbank area as a function of the removal of portions of the levees as described above and to restore hydrologic connectivity between the

Project site and the Carmel Lagoon. The Project would result in the reconnection and restoration of approximately 102 acres of historic floodplain.

### **Riparian Restoration of the Rancho Cañada Property**

This project will restore the riparian corridor of the Carmel River at the former Rancho Cañada Golf Club in the Carmel Valley. It will restore natural floodplain and other river features of habitat complexity benefiting fish, amphibians and other wildlife. Secondary benefits will be the enhancement of public access to the river for wildlife viewing, education and recreation. While there has been huge progress in removing fish migration barriers, in particular the removal of the San Clemente Dam which was torn down in 2015, and much of the upper watershed contains excellent spawning habitat, the River suffers from an almost complete lack of floodplain habitat.

In 2018 The Trust for Public Land (TPL) purchased about half of the 36-hole golf course (185 acres) for land conservation, water conservation (water rights) and restoration purposes. Subsequently, the Monterey Peninsula Regional Park District (District) purchased the land from TPL. Current site conditions consist of a river frontage approximately 1.3 miles in length and include armored banks, riparian tree cover, steep eroding banks covered with non-native shrubs and vines and five small bridges (formerly used for golf cart access to portions of the course on the south side of the River). The goal of past ownership was to keep the river “off the property” and confined to its channel. The goal now is to reverse that management entirely and allow the River to ‘reclaim’ much of its historic floodplain with ecological gradients driven to inundation frequency. This project will entail the excavation of manmade fill within the riverbank and excavation of low elevation benches, channels and alcoves. The main goal will be to recreate floodplain that is “activated” by frequent wet-season conditions (annually to 2-year) with some features inundated at higher and less frequent flows.

The State Coastal Conservancy will undertake conceptual design (completed), engineering design, permitting and CEQA/NEPA. Staff expect that total project cost will be \$3 million.

### **Others:**

- Sand City Desalination Plant – Intake well replacement project
- Water Right 20808-B Optimization – Aquifer Storage and Recovery expansion
- Corral de Tierra Sub-Basin – Groundwater sustainability plan activities



February 22, 2022

The Honorable Jimmy Panetta  
U.S. House of Representatives  
406 Cannon House Office Building  
Washington, DC 20515

RE: Request Monterey Peninsula Environmental Infrastructure Authority

Dear Congressman Panetta:

As Congress begins to develop its 2022 Water Resources Development Act, the Monterey Peninsula Water Management District would like to express its strong support for the U.S. Army Corps of Engineers (Corps) Environmental Infrastructure (EI) program. The EI program has the potential to significantly benefit our region, and we respectfully request your support for legislative language that would allow our region to maximize potential benefits from this important program.

As you know, Congress provided an additional \$200 million for EI in the *Infrastructure Investment and Jobs Act*. The pending House and Senate Fiscal Year 2022 appropriations bills also include additional funding for EI. The authority we request increases our chances of competing successfully for any funds Congress makes available for EI projects annually. As a result, we request your support for the attached legislative language in WRDA 2022 that would specifically authorize the Corps to provide EI assistance to our region, creating a unique opportunity to compete for much-needed water resource-related assistance through a well-established and successful Corps program.

The Monterey Peninsula is entering an active transition from traditional surface water supplies to advanced water purification, increased treatment and storage, as well as environmental and flood-plain restoration. Supply chain issues and the increasing cost of construction materials make it critically important that our region take advantage of funds being approved by Congress for Corps EI projects.

We thank you for your continued leadership on behalf of our region as you work on WRDA 2022. We stand ready to work with you and your staff on this important matter.

Thank you for your consideration of our request.

Sincerely,

  
David Stoldt, General Manager

Attachment





March 1, 2022

United States, Bureau of Reclamation  
Attn: Ms. Amanda Erath, Program Analyst  
Denver Federal Center  
P.O. Box 25007  
Denver, CO 80225-0007

**Re: Pure Water Monterey – Making an Impact Now**

Dear Ms. Erath:

The Monterey Peninsula Water Management District (MPWMD) strongly supports the grant application submitted by the Monterey One Water (M1W) for the WaterSMART: Title XVI WIIN Act Water Reclamation and Reuse Projects. As a project partner with M1W, we have supported the Pure Water Monterey project financially and civically since the inception. Seeing Pure Water Monterey deliver purified water into the Seaside Basin and on to customers is already making an impact on local drinking water supplies that have been constrained by State regulators and the courts.

Our region is facing significant water supply challenges due to a state mandated cutback of one of the two main water supply sources for the Monterey Peninsula. The base Pure Water Monterey project has helped fill the gap in the actual demand versus needed supply. Expanding Pure Water Monterey will provide additional supplies of water for the area so that the state mandated order is lifted, and the area can thrive and prosper without the cloud of water supply uncertainty.

The project has many well-known multi-party, multi-regional benefits which can serve as a model for other communities across the West who need to implement an innovative recycling project. Benefits to the local area include storm water capture, storage, treatment for beneficial reuse, protecting surface and ocean water quality by diverting pollutants away from the Salinas River and the Monterey Bay National Marine Sanctuary, and diverting impaired agricultural tail water into the existing sanitary sewer collection system which then becomes a source water for recycling.

We are excited about expanding Pure Water Monterey and how it will enhance water supplies for many years to come.

Sincerely,

A handwritten signature in blue ink that reads "David Stoldt".

David Stoldt, General Manager

On behalf of the Monterey Peninsula Water Management District





## EXHIBIT 4-C

**From:** [ACWA](#)  
**To:** [Dave Stoldt](#)  
**Subject:** Legislative Alert: Join Oppose-Unless-Amended Coalition on AB 2639  
**Date:** Monday, March 21, 2022 2:15:09 PM

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Click [here](#) to view it in your browser



LEGISLATIVE | BAY-DELTA PLAN AND WATER RIGHTS  
March 21, 2022

### **Members Urged to Join Oppose-Unless-Amended Coalition on AB 2639 regarding Bay-Delta Plan Deadlines and Water Rights**

*Sign on to Coalition Letter by Noon on Monday, March 28*

ACWA is urging member agencies to join a coalition to oppose AB 2639 (Quirk, D-Hayward) unless the bill is amended. The bill would create unworkable deadlines for updating and implementing the San Francisco Bay/Sacramento–San Joaquin Delta Estuary Water Quality Control Plan (Bay-Delta Plan or Plan). In addition, the bill’s proposal for prohibiting the approval of new water right permits — or extensions of time for existing permits — in broad, specified circumstances would have profound negative impacts on water management.

ACWA’s State Legislative Committee adopted an oppose-unless-amended position on the bill at its March 11 meeting. The committee’s AB 2639 Working Group is developing specific recommended amendments to the bill that would replace the unworkable deadlines with deadlines that would address process concerns and accommodate voluntary agreements and delete the proposed water rights provisions.

The Assembly Rules Committee has double-referred the bill to two Assembly policy committees. The Assembly Water Parks and Wildlife Committee will hear the bill first on April 5. The Assembly Environmental Safety and Toxic Materials Committee, which Assembly member Quirk chairs, may hear the bill on April 26.

#### **Take Action Now**

**Sign on to oppose-unless-amended coalition letter** (currently under development) by submitting your agency’s logo and signature block (name, title, agency) to ACWA State Relations Assistant [Kylie Wright](#) and [outreach@acwa.com](mailto:outreach@acwa.com) by noon on Monday, March 28.

#### **Background**

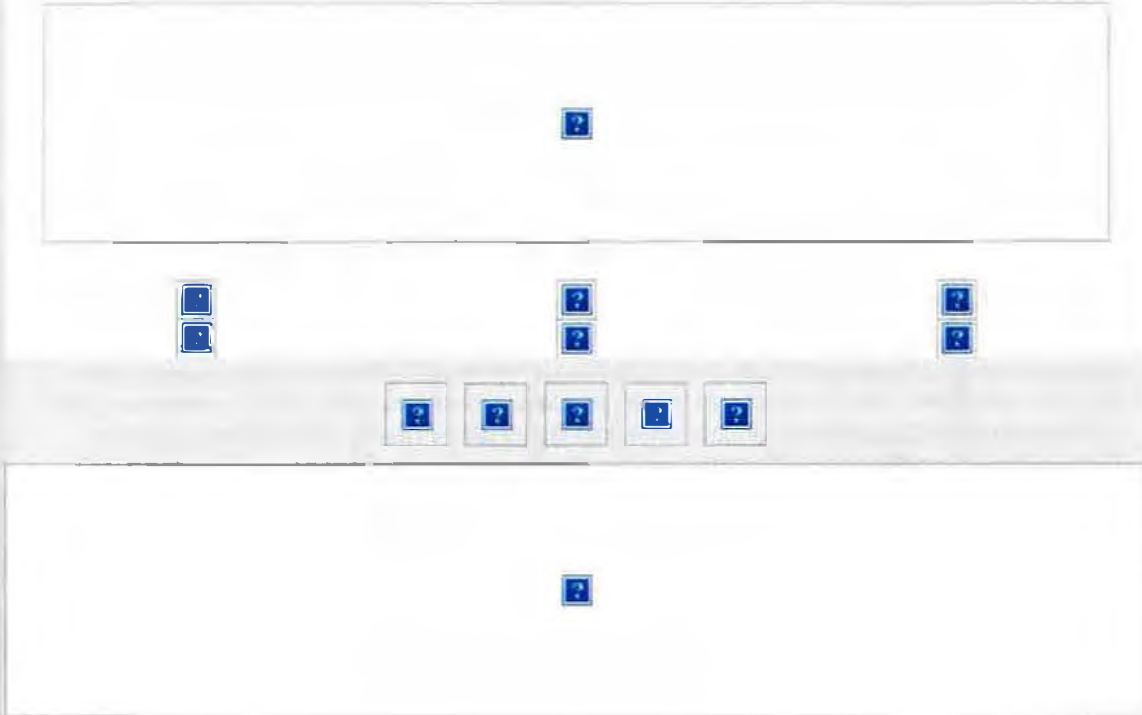
AB 2639 would:

- 1) Require the State Water Resources Control Board (State Water Board) to adopt a final update of the Bay-Delta Plan by Dec. 31, 2023;
- 2) Require the State Water Board to implement the final San Joaquin River/Southern Delta update of the Plan, through regulation or other appropriate implementation methods, by Dec. 31, 2023; and
- 3) Prohibit the State Water Board from approving any new water right permits or extensions of time for any existing permits resulting in new or increased diversions to surface water storage from

the Sacramento River/San Joaquin River watershed until the Board has taken the actions summarized in 1) and 2).

### Questions

For questions about AB 2639, please contact ACWA Deputy Executive Director for Government Relations Cindy Tuck at [cindy@acwa.com](mailto:cindy@acwa.com).



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**LEGISLATIVE ADVOCACY COMMITTEE**

**ITEM: DISCUSSION ITEM**

**5. DISCUSS AND RECOMMEND A LEGISLATIVE ADVOCACY PLAN FOR 2022**

**Meeting Date: March 29, 2022**

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

**Prepared By: Joel G. Pablo**

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**SUMMARY:** Attached as **Exhibit 5-A** is a 2022 Draft Legislative Outreach Plan.

**RECOMMENDATION:** Staff recommends that the Committee review the 2022 Draft Legislative Advocacy Plan, provide comments and provide direction to staff.

**EXHIBIT**

**5-A** 2022 Draft Legislative Advocacy Plan

## EXHIBIT 5-A



### 2022 DRAFT Legislative Advocacy Plan

This plan establishes the Monterey Peninsula Water Management District legislative and government affairs priorities for 2022.

#### **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 Biden 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 (remains Covid-19 dependent)
  - 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 or every other year
  - Direct contact with associations including ACWA, WateReuse, etc.
- 3) Provide support for relevant legislation.

- 4) Perform on existing federal grants:
  - Salinas and Carmel Rivers Basin Study (\$900,000 USBR to be completed in 2022)

### **State of California Strategy**

- 1) Monitor and pursue grant opportunities:
  - Fisheries Restoration Grant Program (FRGP): Position the District for a 2023 application for Monitoring Watershed Restoration (MO) for Carmel River in the aftermath of the San Clemente dam removal.
  - IRWM: Will maintain our effort to attain State funding in the next IRWM round 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.
  - Follow through on the “Water for Housing” application to SWRCB and develop and execute advocacy plan.
  - Pursue other grant and/or special legislation opportunities.
  - Visit w/ Governor Newsom’s 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 proposed SWRCB regulations.
- 4) Develop helpful relationships: ACWA, WaterReuse, others

### **Local Strategy**

- 1) Maintain District role in regional water issues related to:
  - Pure Water Monterey expansion
  - Los Padres Dam and Reservoir studies
  - Manage local IRWM effort
  - Groundwater Sustainability
  - Regionalism in water, generally
- 2) Encourage information flow and public participation in Rule 19.8/Measure J feasibility analysis where possible.
- 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