



**COMMUNITY AND LEGISLATIVE AFFAIRS
COMMITTEE MEETING
OF THE BOARD OF DIRECTORS
INLAND EMPIRE UTILITIES AGENCY*
AGENCY HEADQUARTERS, CHINO, CALIFORNIA**

**WEDNESDAY, MARCH 13, 2019
9:00 A.M.**

CALL TO ORDER

PUBLIC COMMENT

Members of the public may address the Board on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) of Section 54954.2 of the Government Code. Those persons wishing to address the Board on any matter, whether or not it appears on the agenda, are requested to complete and submit to the Board Secretary a "Request to Speak" form, which is available on the table in the Board Room. Comments will be limited to three minutes per speaker. Thank you.

ADDITIONS TO THE AGENDA

In accordance with Section 54954.2 of the Government Code (Brown Act), additions to the agenda require two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted.

1. ACTION ITEMS

A. MINUTES

The Committee will be asked to approve the Community and Legislative Affairs Committee meeting minutes of February 13, 2019.

2. INFORMATION ITEMS

A. PUBLIC OUTREACH AND COMMUNICATION (WRITTEN)

B. LEGISLATIVE REPORTS (WRITTEN)


1. West Coast Advisors
2. Innovative Federal Strategies

C. CALIFORNIA STRATEGIES MONTHLY REPORT (WRITTEN)

- D. FEDERAL LEGISLATIVE MATRIX (WRITTEN)
- E. STATE LEGISLATIVE MATRIX (WRITTEN)
- F. GRANTS DEPARTMENT SEMI-ANNUAL UPDATE (POWERPOINT)
- 3. GENERAL MANAGER'S COMMENTS
- 4. COMMITTEE MEMBER COMMENTS
- 5. COMMITTEE MEMBER REQUESTED FUTURE AGENDA ITEMS
- 6. ADJOURN

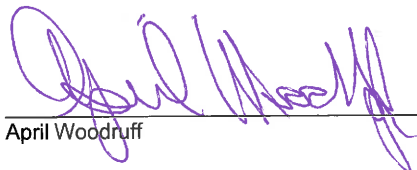
*A Municipal Water District

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Board Secretary (909-993-1736), 48 hours prior to the scheduled meeting so that the Agency can make reasonable arrangements.

Proofed by: 

DECLARATION OF POSTING

I, April Woodruff, Board Secretary/Office Manager of the Inland Empire Utilities Agency, A Municipal Water District, hereby certify that a copy of this agenda has been posted by 5:30 p.m. in the foyer at the Agency's main office, 6075 Kimball Avenue, Building A, Chino on Thursday, March 7, 2019.



April Woodruff

**ACTION
ITEM
1A**



**MINUTES
COMMUNITY AND LEGISLATIVE AFFAIRS
COMMITTEE MEETING
INLAND EMPIRE UTILITIES AGENCY*
AGENCY HEADQUARTERS, CHINO, CA**

**WEDNESDAY, FEBRUARY 13, 2019
9:00 A.M.**

COMMITTEE MEMBERS PRESENT

Steven J. Elie, Chair
Jasmin Hall

COMMITTEE MEMBERS ABSENT

Michael Camacho

STAFF PRESENT

Kirby Brill, Interim General Manager
Chris Berch, Executive Manager of Engineering/AGM
Kathy Besser, Executive Manager of External Affairs & Policy Development/AGM
Randy Lee, Executive Manager of Operations/AGM
Shaun Stone, Acting Executive Manager of Engineering/AGM
Christina Valencia, Executive Manager of Finance & Administration/AGM
Andrea Carruthers, Manager of External Affairs
Elizabeth Hurst, Water Resources Planner
Sylvie Lee, Manager of Planning & Environmental Resources
Cathleen Peroni, Manager of Government Relations
Jesse Pompa, Deputy Manager of Grants
Teresa Velarde, Manager of Internal Audit
April Woodruff, Board Secretary/Office Manager

OTHERS PRESENT

Eric Grubb, CVWD
Kathy Tiegs, CVWD

The meeting was called to order at 9:04 a.m. There were no additions to the agenda. A request for public comment was received. CVWD Director Kathy Tiegs thanked the Agency for broadening engagement on legislative issues stating that Executive Manager of External Affairs & Policy Development/AGM Kathy Besser has presented at the Regional Sewage Policy Committees. Ms. Tiegs also encouraged the Agency to engage and continue working with their member agencies. Chairman Steven Elie stated he appreciated Ms. Tiegs for attending the Committee meeting and encouraged Ms. Tiegs and her colleagues to continue bringing forth community issues.

ACTION ITEMS

The Committee:

- ◆ Approved the Community and Legislative Affairs Committee meeting minutes of January 9, 2019.

- ◆ Recommended that the Board authorize the Interim General Manager to execute the Memorandum of Understanding (MOU) for the Prop 1 Grant Agreement for the Chino Basin Improvement and Groundwater Clean-up Project;

as a Consent Calendar Item on the February 20, 2019 Board meeting agenda.

INFORMATION ITEMS

The following information items were presented or received and filed by the Committee:

- ◆ Public Outreach and Communications

Director Hall inquired about the participation at the Women in Water event mentioned in the Public Outreach and Communications report. Manager of External Affairs Andrea Carruthers stated she will get the number of participants to Director Hall.

- ◆ West Coast Advisors
- ◆ Innovative Federal Strategies

Director Hall asked for a list of bills related to the Agency for tracking. Executive Manager of External Affairs & Policy Development/AGM Kathy Besser stated she will bring a tailored matrix that is Agency specific.

- ◆ California Strategies, LLC Activity Report

Director Hall asked for more details to be added on the California Strategies, LLC Activity Report.

- ◆ Federal Legislation Matrix

GENERAL MANAGER'S COMMENTS

There were no General Manager comments.

COMMITTEE MEMBER COMMENTS

Director Hall reiterated she would like to see the State and Federal Bill tracking matrixes.

COMMITTEE MEMBER REQUESTED FUTURE AGENDA ITEMS

There were no Committee member requests for future agenda items.

With no further business, Director Elie adjourned the meeting at 9:42 a.m.

Respectfully submitted,

April Woodruff
Board Secretary/Office Manager

*A Municipal Water District

APPROVED: MARCH 13, 2019

INFORMATION
ITEM
2A



Date: March 20, 2019

To: The Honorable Board of Directors

From: Kirby Brill, Interim General Manager 

Committee: Community & Legislative Affairs

03/13/19

Executive Contact: Kathy Besser, Executive Manager of Ext. Aff. & Policy Dev./AGM

Subject: Public Outreach and Communication

Executive Summary:

- March 18 – 24, Fix a Leak Week
- March 18, IEUA Hosted Association of San Bernardino County Special Districts Dinner, Panda Inn: 3223 E. Centrelake Drive, Ontario, 91761, 6:00 p.m. – 8:30 p.m.
- March 20, “Water is Life” Poster Contest Judging, HQB Event Room, 11:00 a.m. – 2:00 p.m.
- March 22, World Water Day

IEUA staff facilitated a Project W.E.T. and Garden in Every School® Workshop on February 26. Over 25 educators attended the workshop where they learned ways to incorporate water education in the classroom and received their certification for Project W.E.T. activities. This workshop was also mandatory for schools interested in applying for school year 19/20 garden grant.

Staff's Recommendation:

This is an informational item for the Board of Directors to receive and file.

Budget Impact Budgeted (Y/N): Y Amendment (Y/N): Y Amount for Requested Approval:

Account/Project Name:

Fiscal Impact (explain if not budgeted):

Prior Board Action:

N/A

Environmental Determination:

Statutory Exemption

N/A

Business Goal:

IEUA is committed to providing a reliable and cost-effective water supply and promoting sustainable water use throughout the region.

IEUA is committed to enhancing and promoting environmental sustainability and the preservation of the region's heritage.

Attachments:

Attachment 1 - Background

Background

Subject: Public Outreach and Communication

March

- March 18 – 24, Fix a Leak Week
- March 18, IEUA Hosted Association of San Bernardino County Special Districts Dinner, Panda Inn: 3223 E. Centrelake Drive, Ontario, 91761, 6:00 p.m. – 8:30 p.m.
- March 20, “Water is Life” Poster Contest Judging, HQB Event Room, 11:00 a.m. – 2:00 p.m.
- March 22, World Water Day

April

- April 3, IEUA Blood Drive, HQB Event Room, 8:00 a.m. – 1:00 p.m.
- April 12, Santa Ana River Watermaster: 50 Years of Collaboration (Luncheon and Program), Fieldhouse Terrace at Silverlakes Sports Complex: 5555 Hamner Avenue, Norco, 92860, 11:30 a.m. – 1:30 p.m.
- April 17, IEUA Annual Earth Day Event – Student Day, IEUA, 9:00 a.m. – 2:00 p.m.
- April 18, IEUA Annual Earth Day Event – Community Day, IEUA, 4:00 p.m. – 7:00 p.m.

May

- Water Awareness Month
- May 2, Heritage Recycled Water Groundbreaking Event (IEUA/CVWD/City of Fontana), Location TBD, 10:00 a.m. – 11:30 a.m.
- May 4, FUSD’s STEM Day (IEUA to partner and host a booth and breakout session), Citrus High School: 10760 Cypress Ave. Fontana, 92337, 9:00 a.m. – 1:00 p.m.
- May 5-11, International Compost Awareness Week
- May 11, IEUA Compost Giveaway, HQA Parking Lot, 8:00 a.m. – 12:00 p.m.
- May 17-19, MWD Solar Cup Competition, Lake Skinner, 37701 Warren Rd, Winchester, 92596

Media and Outreach

- The FY 17/18 Annual Report has been distributed to partnering agencies and is available to view on the Agency’s website.
- An ad ran in the *Chino Champion’s* Chino Connection Spring/Summer on March 2.
- An ad ran in the *Chino Champion’s* Spring Home and Garden section on March 9.
- The *Kick the Habit* digital banner ad continues to run in the *Fontana Herald News*.
- February: 33 posts were published to the IEUA Facebook page, 24 posts were published to IEUA’s Instagram and 26 tweets were sent on the @IEUAwater Twitter handle.
 - The top three Facebook posts, based on reach and engagement, in the month of February were:
 - 2/27: DC Legislative Luncheon – Emceed by Vice President Jasmin A. Hall
 - 2/11: Paul Hofer Elected as Chair of IERCF (Press Release)

- 2/23: Engineering Week: Mike Dias (Video)
- The top three tweets, based on reach and engagement, in the month of February were:
 - 2/13: 31 Gallons to Produce Roses
 - 2/7: Director Steve Elie at Chino Neighborhood House
 - 2/14: Job Opportunity
- The top three Instagram posts, based on reach and engagement, in the month of February were:
 - 2/26: Project W.E.T and Garden in Every School® Workshop
 - 2/27: DC Legislative Luncheon – Emceed by Vice President Jasmin A. Hall
 - 2/19: Traveling art show
- For the month of February, there were 31,270 searches for a park in IEUA's area on Yelp, where Chino Creek Wetlands and Education Park was viewed 6,152 times.

Education and Outreach Updates

- Staff is currently scheduling Water Discovery Field Trips for school year 18/19. To date, 95 schools have made reservations for the current school year.
- Staff is scheduling schools for student Earth Day on April 17. To date, 16 different schools and 1,318 students are scheduled to attend.
- Staff has reached out to schools for the *Water is Life* Poster Contest. Deadline for this school year is March 14, 2019. Judging will take place on March 20.
- IEUA staff facilitated a Project W.E.T. and Garden in Every School® Workshop on February 26. Over 25 educators attended the workshop where they learned ways to incorporate water education in the classroom and received their certification for Project W.E.T. activities. This workshop was also mandatory for schools interested in applying for school year 19/20 garden grant.
- Fix a Leak Week is recognized during the week of March 18. IEUA staff will be incorporating messages into the Water Discovery field trip activities over the recognized week. Each student will also receive a student-friendly leak detection and conservation kit to take home and share with their family.
- Staff is managing the WEWAC Digital Art and Media Contest. Students in middle school and high school submitted 11 digital art pieces and two PSA videos that focus on using water wisely. Winners will be notified Monday, April 1. First through third place winners in both categories will receive a cash prize.

INFORMATION
ITEM
2B



March 1, 2019

To: Inland Empire Utilities Agency

From: Michael Boccadoro
Beth Olhasso
Maddie Munson

RE: February Report

Overview:

California's water supply picture has dramatically changed over the last few weeks with several storms. The statewide snowpack is over 150 percent of normal and almost all major reservoirs are at or above historic levels for this time of year. State Water Project Allocations were recently increased to just a paltry 35 percent despite the significant precipitation and snowpack levels.

The water community has also been closely watching potential regulatory changes with the operation of the Central Valley Project and the State Water Project as the Bureau of Reclamation made the first step in a lengthy update of Endangered Species Act regulations for the projects. The changes could bring increased operational flexibility but will face challenges from the environmental community.

In his inaugural State of the State address Governor Newsom proved yet again that his style couldn't be more different than former Governor Jerry Brown. The dynamic Governor outlined the most ambitious agenda since World War II including significant detail on priorities and key personnel who would help him implement his vision. The most significant change comes from the Governor replacing Felicia Marcus with Joaquin Esquivel as the chair of the State Water Resources Control Board, and Laurel Firestone, an environmental justice advocate, taking Felicia's seat on the Board. The departure of Marcus leaves a significant vacuum on the Board as Firestone has nowhere near the depth of knowledge or experience with the wide range of issues that come before the Board.

Members have introduced over 2,500 bills for the first year of the 2019-2020 legislative session. It is clear that it will be a very busy year for water. Clean, safe and affordable drinking water is the hot-topic right out of the gate with a trailer bill proposal from the Governor, a joint alternative proposal from the Association of California Water Agencies and the California Municipal Utilities Association, and a complementary proposal from Eastern Municipal Water District. Senator Bob Hertzberg (D-Van Nuys) has revived his old "ocean discharge" bill and is proposing to eliminate 95 percent of ocean discharge from POTWs by 2040. Protecting property tax passthrough payments will again be a priority issue in 2019, as well as ensuring special district reserves are protected and not capped. Proposals to reduce emissions from special district vehicle and truck fleets are expected and energy will again be a hot topic with major proposals including a centralized electricity procurement entity and ongoing wildfire concerns. Finally, there is already at least one attempt to disrupt WaterFix through burdensome procedural delays, and more are expected.

Inland Empire Utilities Agency Status Report – February 2019

Water Supply Conditions

February is typically the wettest month of the year in California, and this year has definitely not deviated from that pattern. A barrage of storms coming from an atmospheric river have pushed state snowpack and precipitation levels well over annual averages. While the rain and snow are certainly welcomed, the relentless storms are now causing flooding, landslides and road closures up and down the state.

The State Water Project allocation was increased to 35 percent, which still seems remarkably low giving the abundant levels of snow and reservoir storage.

% of April 1 Average / % of Normal for This Date



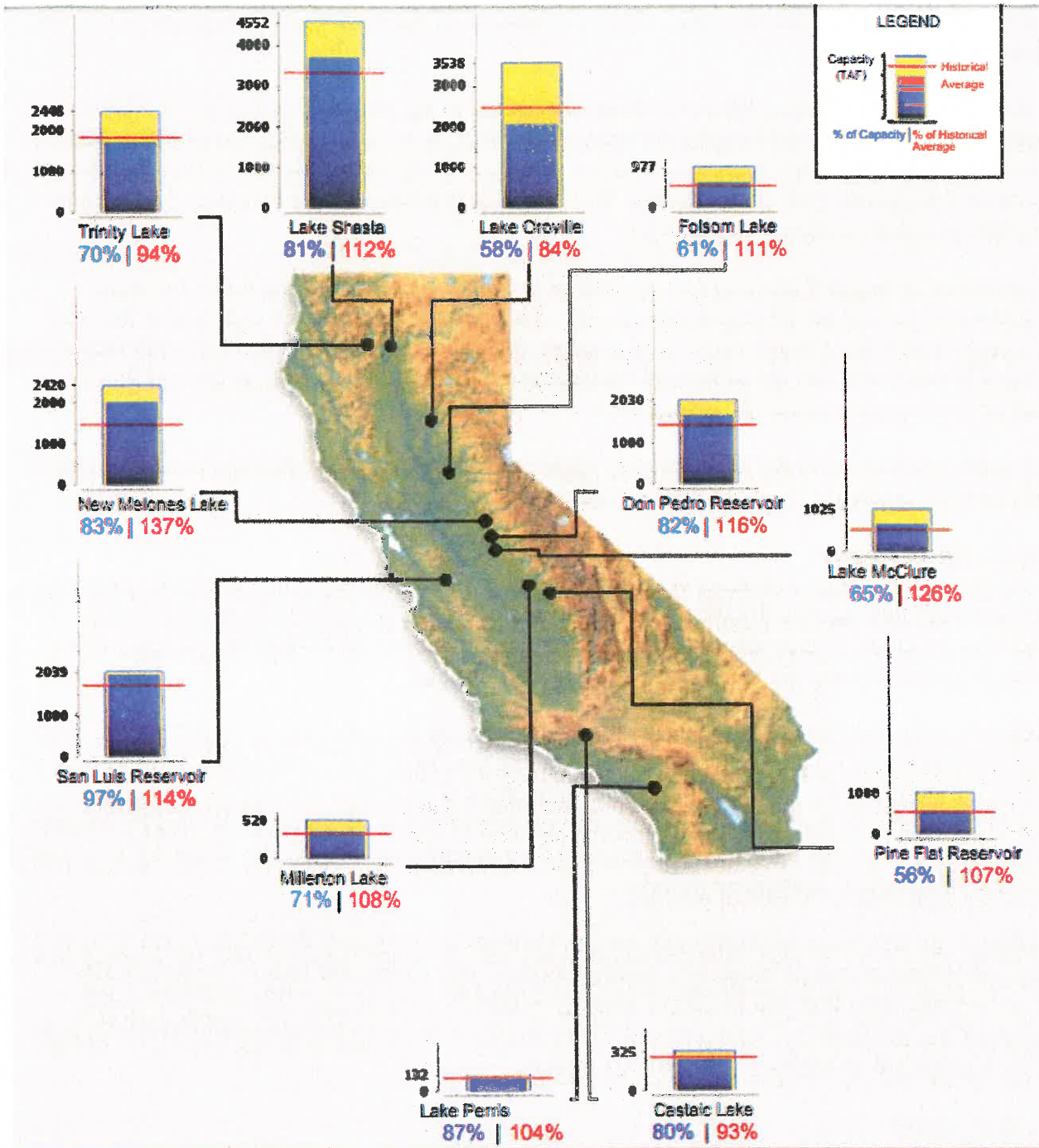
NORTH	
Data as of February 27, 2019	
Number of Stations Reporting	30
Average snow water equivalent (Inches)	37.3
Percent of April 1 Average (%)	130
Percent of normal for this date (%)	147

CENTRAL	
Data as of February 27, 2019	
Number of Stations Reporting	44
Average snow water equivalent (Inches)	39.0
Percent of April 1 Average (%)	133
Percent of normal for this date (%)	154

SOUTH	
Data as of February 27, 2019	
Number of Stations Reporting	28
Average snow water equivalent (Inches)	31.0
Percent of April 1 Average (%)	123
Percent of normal for this date (%)	146

STATE	
Data as of February 27, 2019	
Number of Stations Reporting	102
Average snow water equivalent (Inches)	38.3
Percent of April 1 Average (%)	130
Percent of normal for this date (%)	151

Statewide Average: 130% / 151%



Bureau of Reclamation Issues New Biological Assessments for CVP & SWP Operations

The U.S. Bureau issued a new biological assessment (BA) on January 31, 2019. This is the first official step in complying with the federal Endangered Species Act to implement new pumping rules for the Central Valley Project and State Water Project. Reclamation issued the BA following the President’s October 2018 memorandum, which directed the Fisheries Agencies to complete new Biological Opinions (BiOps) for Delta operations by the middle of 2019.

The new BiOps come a decade after the existing operation rules. Despite the substantial environmental requirements in the existing BiOps, Delta smelt and winter-run Chinook salmon have continued to

decline. Over the last ten years there has been significant development of new scientific insights as to the behavior of the estuary and the many stressors facing native endangered fish.

Based on the proposed action, Reclamation anticipates an average water supply benefit over current operations of 500,000 acre-feet annually. This is a function of the more flexible operational criteria described above.

In the BA's analysis comparing the environmental baseline to the proposed action, Reclamation concludes that there will be net benefits for winter-run Chinook salmon, spring-run Chinook salmon, Central Valley steelhead, coho salmon, and green sturgeon. Reclamation also concludes that there will be effects on delta smelt, with some benefits. The next step is for the federal Fisheries Agencies to issue its BiOps based on the just released BA.

The Department of Water Resources has committed to follow a similar process under the state Endangered Species Act for all state-listed species. This permitting process is expected to proceed roughly parallel with the federal effort. It is possible, but uncertain, whether the California Department of Fish and Wildlife will impose additional restrictions on the State Water Project beyond those imposed on both projects under the federal ESA.

Overall, users south of the Delta are cautiously optimistic of the new BAs, although there will almost certainly be legal challenges to more flexible operational rules for Delta.

Governor's Office Update

About six weeks into office, Governor Newsom continues to make steady progress building his team and laying out his new agenda. Healthcare, housing and education continue to be among his top priorities, but water and energy issues continue to remain priorities with PG&E's bankruptcy and a lack of clean drinking water for some of the poorest Californians.

In Newsom's inaugural State of the State address, he confirmed his commitment to solving the clean drinking water deficiencies as well as the issues plaguing the Delta. Newsom committed to finding a solution to the current Delta reliability issues but announced that he does not support the current iteration of the WaterFix and instead will pursue a one-tunnel option. Before that, he said he wants to "cross the finish line on real agreements to save the Sacramento-San Joaquin Bay Delta," a clear nod to the Voluntary Settlement Agreement process.

In the address, the Governor also reiterated his commitment to navigating the PG&E bankruptcy in a way that will prioritize energy reliability, wildfire victims, rate payers and utility employees. He announced a strike team that will develop a strategy within the next 60 days. He wrapped up his comments on energy issues by highlighting the need to take a larger look at the energy sector in light of climate change and an ever-changing energy market.

Water Appointments

During a budget press conference his first week on the job, Newsom hinted that there would be changes at the State Water Resources Control Board. The new Governor confirmed those changes during his first State of the State address, announcing the Joaquin Esquivel would be the new chair of the board. Esquivel was a Brown appointee, but the departure of the prior chair, Felicia Marcus, left an opening on the board. Newsom appointed Laurel Firestone to fill the open seat.

Firestone is known in the water community for her efforts with the Center for Race, Poverty and the Environment and the Community Water Center. Most recently, CWC has been heavily engaged in securing funding to address the lack of clean drinking water in portions of California. Firestone, is expected to be extremely tough on water quality issues.

Energy Appointments

Newsom also announced new leadership for the California Energy Commission. As anticipated by many, David Hoschild was designated as chair of the California Energy Commission. Hoschild has been a member of the CEC since 2013 and took over the chair role from Dr. Robert Weisenmiller. The Governor also designated Janea Scott as the Vice Chair of the Commission.

Legislative Update

The February 22 bill introduction deadline has left us with about 1800 Assembly bills and close to 800 Senate bills. While many are in “spot bill” format, it is clear that this will be a significant year for water legislation.

Clean, Safe and Affordable Drinking Water:

As expected, there are a significant number of bills aimed at ensuring all Californian’s have access to clean, safe and affordable drinking water. As noted above, the Governor made it very clear that this is a top priority for him this year. While the Democrats have a significant super majority in the Assembly, there is a lot of buzz around the Capitol that there are a number of Democrats that are uncomfortable with voting for a tax. The recall of Senator Josh Newman remains fresh in the minds of those members who are in very close districts. Many will be wary to cast a vote for a tax, so some of the alternative proposals discussed below will have the opportunity to be a significant part of the discussion.

Administration’s Budget Trailer Bill: The Governor has released language for a budget trailer bill that closely mirrors the language from 2018’s SB 623 (Monning) that would institute a \$.95 per month fee on residential water users and impose other fees on agricultural operations. ACWA and many water agencies strongly oppose this proposal as well as the use of a budget trailer bill to accomplish the fee.

SB 669 (Caballero): Safe Drinking Water Trust: Sponsored by ACWA and the California Municipal Utilities Association (CMUA), SB 669 would use a one-time infusion of general fund cash to establish a trust which revenue would be transferred to the Safe and Affordable Drinking Water Fund for administration by the State Water Resources Control Board.

ACA 3 (Mathis, E. Garcia): Minimum Funding Guarantee for Water: This Constitutional Amendment would require two percent of state revenues to be set aside for water. The named uses are not just for clean drinking water, but for all types of water conveyance, cleanup, recycling, groundwater cleanup, storage and others. As a Constitutional Amendment it requires a two-thirds vote.

Other Bills: There are a number of other bills that have been introduced, mostly spot bills, that WCA will include in reports if they get substantive language and start moving forward. Senator Monning’s vehicle is SB 200, which only currently establishes the trust account at the state board, but does not include any fees that were in SB 623.

SB 414 (Caballero): Small System Water Authority Act of 2019: SB 414 is Eastern Municipal Water District’s re-introduction of AB 2050 (Caballero) from 2018. The bill addresses the drinking water issue from a different angle than the funding bills do. SB 414 looks at how to manage districts with failing water systems and establish a new category of public water agency by way of merging formerly non-compliant drinking water systems in order to sustainably provide the technical, managerial, and financial capabilities necessary to ensure the consistent delivery of safe drinking water. In 2018 the bill made it all the way to the Governor’s desk before getting vetoed.

Ocean Discharge:

Senator Bob Hertzberg (D-Los Angeles) has introduced SB 322 which seeks to eliminate 95 percent of ocean discharges by 2040. This bill is similar to a “gut-and-amend” the Senator attempted in 2017, SB 163, which ultimately failed. As in inland agency, IEUA isn’t directly targeted in this legislation. However, there are significant concerns because the bill has no considerations for brine. SAWPA is responsible for six percent of Orange County Sanitation District’s discharges currently and is planning to increase that to 25-30 percent in coming years. With brine being a byproduct of recycling water, the bill is at odds with itself. WCA staff have met with the Senator’s staff and they are aware of the issue and claim they will work with stakeholders to address it. They did make it very clear they intentionally introduced this bill early to allow for a long stakeholder process.

The Senator and the sponsor of the bill, the Natural Resources Defense Council (NRDC), do have a little more regulatory backing on their side this year. As reported late last year, the State Water Resources Control Board updated its Recycled Water Policy which includes language to promote POTWs to reuse as much water as possible. While the goal is aspirational and not a mandate, it helps to further the Senator’s argument that eliminating ocean discharge is of significant importance to the state.

Recycled Water:

AB 292 (Quirk): AB 292 builds on previous legislation, AB 574 (Quirk, 2017) which IEUA supported, and recent work by the SWRCB to remove the terms “direct potable reuse” and “indirect potable reuse”, in order to align the terms with how the water agencies are using recycled water. AB 574 (Quirk) created four distinct types of potable reuse projects – “Indirect Potable Reuse for Groundwater Recharge”, “Reservoir Water Augmentation”, and Direct Potable Reuse, which includes two subcategories, “Raw Water Augmentation” and “Treated Drinking Water Augmentation.” With the more precise definitions added by AB 574, the terms “indirect” and “direct” only add to confusion about potable reuse and proposed projects. The term “Direct Potable Reuse” also implies that purified recycled water is going directly into the drinking water supply, which is not the case with Raw Water Augmentation projects. For example, opponents of a groundwater recharge project in the Central Coast incorrectly labeled the project “Direct Potable Reuse” and the confusion in the statute made this difficult to correct. This bill is sponsored by WateReuse California.

AB 1180 (Friedman): AB 1180 will require the SWRCB to update the state’s non-potable recycled water regulations by 2023. These regulations have not been revised since 2000. An update to these regulations, incorporating the knowledge and lessons learned from nearly two decades of non-potable water recycling, will help the state to achieve its ambitious goals for recycled water use. The bill also promotes recycled water use for dual plumbed building and for commercial, industrial and institutional (CII) uses by requiring the Water Board, through its update of Title 17 backflow regulations, to include the use of a change over device, such as a swivel ell. This bill is also sponsored by WateReuse.

State Water Project:

SB 204 (Dodd): SB 204 would seek to insert additional transparency and the sharing of information regarding future State Water Project Contract Amendments. If successful, this bill would significantly delay action on WaterFix and would be detrimental to any future SWP contract amendments. MWD and the State Water Contractors are seeking amendments to limit the timelines set in the bill so there isn’t an open-ended window in which the contracts could be delayed.

Wastewater Treatment:

AB 1672 (Bloom) is a spot bill intending to address flushable wipes. While the language isn't yet available for this bill, this will be an important bill for the POTW community, as flushable wipes have been a significant issue for POTWs. WCA will work with CASA and others on this legislation.

There are two other wastewater treatment-related spot bills worth noting. AB 129 (Bloom) relates to microfibers and AB 223(Stone) relates to microplastics. It will be important to watch these bills to see if they attempt to make POTWs the "catch point" for these micro-wastes.

Energy/Emissions

There aren't any specific energy bills to highlight at this moment. WCA is closely following a number of big issues and will report on how they might affect IEUA. The big energy topics of the year include:

- Western Regional Grid
- Statewide central electric procurement entity
- Changes to the Renewable Portfolio Standard
- Wildfire impacts on energy rates and de-energization
- Restrictions on emissions from light, medium and heavy-duty trucks/public agency fleets

WCA will keep staff and the Board apprised as these issues as they emerge throughout the session.

Special District Issues:

Accessory Dwelling Units (ADU): With a significant focus on affordable housing in the state, there are a number of bills to make it easier for ADUs to be permitted and built in the state. It is unclear which bill is going to emerge as *the* ADU bill of the year, but WCA is monitoring all of them with an eye on how they might treat "connection fees." This is a top priority issue for the statewide water organizations as several bills from last year attempted to waive all the connection fees for ADUs. Water agencies were able to bring significant attention to the issues that would create under Proposition 218 and will continue to advocate for water/sewer connection fees to be excluded from any exemptions.

Redevelopment 2.0: There are a few members who have started the process to reintroduce Redevelopment Agencies (RDA) back in to California. The Governor has said clearly that he is not interested in RDA 2.0, but that won't likely stop its proponents. As always, WCA will work with Christina Valencia, staff and the California Special Districts Association on any RDA 2.0 attempts that try to take away special district passthrough revenue.

WCA will work with staff and the legislative committee in the coming weeks to identify the priority bills for the agency.

MEMORANDUM

To: Kathy Besser

From: Letitia White, Jean Denton, Drew Tatum, Shavenor Winters

Date: March 1, 2019

Re: February Monthly Legislative Update

Congress Funds Government, Border Emergency Declared

After weeks of formal negotiations between the House and Senate via a Conference Committee, on Wednesday, February 13 Congress introduced a 1,159-page bill to fund a quarter of the federal government for the remainder of fiscal year 2019 and prevent another partial government shutdown.

The legislation wrapped together seven FY19 appropriations bills that were previously funded by a continuing resolution (CR) that was set to expire February 15, 2019. Those bills include: Agriculture, Commerce-Justice-Science, Homeland Security, Interior-Environment, State-Foreign Operations, and Transportation-Housing and Urban Development. Those agencies experienced a lapse in appropriations in December through the enactment of three-week continuing resolution in January over disagreements on funding for President Donald Trump's proposed border wall.

The measure passed the Senate late on Thursday, February 14 by a vote of 83-16. The House followed suit late into the night passing the legislation by a vote of 300 to 128. Despite uncertainty and frustration over lack of increased funding for border barriers, the President signed the legislation.

The Agriculture appropriations bill was funded at \$23 billion in discretionary funding, which is \$32 million more than in fiscal 2018; Commerce-Justice-Science was funded at \$71.5 billion in discretionary funding, \$1.6 billion more than fiscal 2018; Financial Services was \$23.4 billion in discretionary funding, equal to the fiscal 2018 level. Homeland Security, where the border wall funding was included, totaled \$49.4 billion in discretionary funding, \$1.7 billion more than fiscal 2018. The Interior-Environment appropriation bill included \$35.6 billion in discretionary funding, \$300 million more than fiscal 2018; State and Foreign Operations was funded at \$54.2 billion in discretionary funding, including \$8 billion in Overseas Contingency Operations, which are funds that are not subject to spending caps. Overall, that's \$200 million more than in fiscal 2018. Finally, Transportation-Housing and Urban Development was funded at \$71.1 billion in discretionary funding, \$1 billion more than fiscal year 2018.

The funding deal includes \$1.375 billion for physical barriers along the U.S.-Mexico border — below the \$5.7 billion requested by President Donald Trump.

The new funding level was sold to the President as a “down payment” on his proposed border wall in what will be a multi-year effort by many Republican lawmakers. The money will allow for roughly 55 miles of fencing in the Rio Grande Valley sector: 11 miles of levee pedestrian fencing and 44 miles of primary pedestrian fencing.

The measure places restrictions on where and what kind of fencing can be built, limiting it to types of barriers already in use.

It also prohibits using fiscal 2019 or previous years' funding for constructing pedestrian fencing in the Santa Ana Refuge, La Lomita Historical Park, Bentsen-Rio State Park, National Butterfly Center, the Vista del Mar and other points east in Texas.

The legislation includes \$100 million for technology associated with the barriers, plus \$564 million in non-invasive vehicle scanning technology at ports of entry.

The legislation also aims to reduce the number of detention beds from the current level of 49,060 to last year’s amount of 40,520, but Republicans argue that the administration will have the ability to move as much as \$750 million of funds around from DHS operations to increase the number of beds, a move Democrats say would test legal boundaries and pull funds from other national security priorities.

As a reminder, below is a chart that quickly highlights key agencies that are now fully funded as a result of President Trump signing the seven-bill spending package.

Spending Bill	Covered Agencies
Agriculture-FDA	<ul style="list-style-type: none"> • FDA • Agriculture Department <ul style="list-style-type: none"> • Agricultural Marketing Service • Agricultural Research Service • Animal and Plant Health Inspection Service • Farm Service Agency • Food Safety and Inspection Service • Commodity Futures Trading Commission
Commerce-Justice-Science	<ul style="list-style-type: none"> • Commerce Department <ul style="list-style-type: none"> • Census Bureau • National Oceanic and Atmospheric Administration • Patent and Trademark Office • Justice Department <ul style="list-style-type: none"> • FBI • Drug Enforcement Administration • Bureau of Alcohol, Tobacco, Firearms & Explosives • NASA
Financial Services-General Government	<ul style="list-style-type: none"> • Treasury Department <ul style="list-style-type: none"> • Internal Revenue Service • Executive Office of the President • Federal judiciary • Federal Communications Commission • General Services Administration • Federal Trade Commission • Office of Personnel Management • Small Business Administration • Securities and Exchange Commission • U.S. Postal Service
Homeland Security	<ul style="list-style-type: none"> • Homeland Security Department <ul style="list-style-type: none"> • Customs and Border Protection • Coast Guard • Federal Emergency Management Agency • Transportation Security Administration • U.S. Immigration and Customs Enforcement
Interior-Environment	<ul style="list-style-type: none"> • Environmental Protection Agency • Interior Department <ul style="list-style-type: none"> • Bureau of Indian Affairs • Bureau of Land Management • National Park Service • U.S. Fish and Wildlife Service • U.S. Geological Survey • U.S. Forest Service • Indian Health Service • Smithsonian Institution
State-Foreign Operations	<ul style="list-style-type: none"> • State Department • Democracy Fund • Millennium Challenge Corporation • Peace Corps • U.S. Agency for Global Media • U.S. Agency for International Development
Transportation-HUD	<ul style="list-style-type: none"> • Transportation Department <ul style="list-style-type: none"> • Federal Aviation Administration • Federal Highway Administration • Federal Railroad Administration • Federal Transit Administration • Maritime Administration • Housing and Urban Development Department

Following the signing of the legislation, the President signed a National Emergency Declaration and announced his plans to allocate nearly \$8 billion for construction of a border wall. In order to fund the wall, he will need to reprogram some \$3.5 billion in military construction funds. Defense officials have indicated that dollars meant for defense construction projects will be put in next year's defense budget to "replenish" funds diverted because of the National Emergency declaration.

President Trump, in announcing the declaration, said it was due to "an invasion of drugs, invasion of gangs, invasion of people." He pointed to unspent funds in fiscal years 2018 and 2019 Pentagon budgets as justification for taking the funds.

President Trump is using authorities from the National Emergencies Act (Public Law 94-412), which was passed by Congress in 1976. The law allows the House and Senate to terminate a declared emergency by passing a joint resolution using expedited procedures that prevent a filibuster and require a simple majority for passage.

A resolution must be reported out by the committee of jurisdiction within 15 calendar days and brought up for a floor vote within three days after it's reported. If one chamber passes the resolution, the other is required to take it up under the same expedited timeline.

With the House passing the resolution on Tuesday, February 26 by a vote of 245-182, the Senate will be forced to take up the measure. Majority Leader Mitch McConnell (R-KY) has said that the Senate will take it up before its scheduled March recess. There may be enough Republican Senators who join Democrats and send the resolution to the President, however President Trump has already said that he would veto the measure.

Each chamber would need a two-thirds majority to override the President. That threshold would be difficult to achieve even in the House, which Democrats control 235-197. In the original vote passing the resolution, only 13 Republicans joined Democrats in favor of terminating the declaration. By law, Congress is required to meet every six months to consider voting on a joint resolution to end a national emergency, though lawmakers have never met to consider such a vote.

With the House under Democratic control, lawmakers may choose to push the issue again later this year unless other action is taken by the White House or the courts—where challenges have already been filed by multiple states.

So far, no criteria for targeting projects has been announced. The military is rumored to be considering taking money from quality of life projects, such as changes and improvements to administrative offices, and from recapitalization programs. While the Pentagon remains busy consulting with lawmakers on its plans to pay for President Trump's border wall, but at least one pot of money appears to be off limits: military housing funds.

The declaration faces challenges on many fronts.

A group of Senate Democrats have introduced legislation that would prevent President Trump from using disaster relief funds to finance a wall along the southern border.

The Protecting Disaster Relief Funds Act would block the Administration from taking funds allocated to the Department of Homeland Security, the Department of Housing and Urban Development or the Army Corps of Engineers for disaster relief and using that money to construct physical barriers along the U.S.-Mexico border.

Following the declaration, several states have joined together to sue the President. As of Monday, February 19 the states included: California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, and Virginia.

The suit, filed in U.S. District Court in San Francisco, argues that President Trump does not have the power to divert funds for constructing a border wall because Congress controls spending.

The states' lawsuit is likely to stall the emergency declaration and kick off protracted legal battles that could land before the Supreme Court. The case may not be resolved before 2020, bringing the border wall issue to the forefront of the 2020 election season.

Green New Deal in Senate

Senate Majority Leader Sen. McConnell could now bring up the Green New Deal resolution (S. J. Res. 8) to the Senate floor at any time as the chamber has been increasingly discussing the measure.

As you will recall, Representative Alexandria Ocasio-Cortez (D-NY) and Senator Ed Markey (D-MA) released a sweeping package of environmental measures earlier this month that has pitted progressives in the House Democratic caucus against moderates over how far to go in pursuit of resetting the climate change debate.

Among its provisions the plan calls for:

- A dramatic expansion of renewable energy, and energy and water efficiency upgrades for all existing U.S. buildings;
- Steps to secure clean air and water, climate resiliency, healthy food, access to nature, and a sustainable environment for future generations;
- An overhaul of the country's transportation system to eliminate pollution and emissions from the sector "as much as technologically feasible," with a nod to investment in zero-emission vehicles, public transit, and high-speed rail; and,
- Steps to lessen the effects of climate change, build a smart grid, clean up hazardous waste sites and restore threatened lands.

The plan has already gathered 60 co-sponsors in the House and has prompted strong opposition from Republicans and industry leaders who say it's technologically impossible and will cost tens of trillions of dollars.

While it has received a tepid response from House Speaker Nancy Pelosi, the proposal has little chance of gaining support in the Republican-controlled Senate, let alone be signed into law by President Donald Trump, and has revealed some rifts within the environmental movement. Given the lack of bipartisan support on the measure, critics of Leader McConnell's decision say he is only entertaining the bill in order to drive wedges between Democrats over their technoeconomic and energy policies.

In California, Senator Dianne Feinstein (D-CA) unveiled an outline for a less ambitious alternative to the Green New Deal after a tape was released showing her rejecting a push by children for her support of the plan as introduced by Markey and Ocasio-Cortez. "You come in here and say: 'It has to be my way or the highway. I don't respond to that,'" Feinstein said in remarks captured on video in her San Francisco office that were criticized on social media.

Feinstein has since backtracked on the proposal, saying she would be introducing a plan at a later date that "has to do with the science". The draft Feinstein walked back called for the elimination of greenhouse gas emissions by 2050, 20 years later than the original plan. The draft also called for achieving those reductions through a price on carbon.

Congresses Passes Lands Package

The Senate passed a combined conservation and public lands package Tuesday, February 12 that would revive the expired Land and Water Conservation Fund, created by Congress in the 1960s to fund land acquisition for parks using revenues from federal leases on offshore oil and gas drilling on the Outer Continental Shelf, and prevent the kind of funding lapses that have put efforts to add to wildlife refuges, national parks, and local biking and hiking trails on hold.

Senate passage brings to a close a nearly two-year effort to reauthorize the Land and Water Conservation Fund, which authorizes \$900 million a year—though Congress has in recent years appropriated only half that amount—to add parcels to Great Smoky Mountains National Park, wildlife refuges, and local hiking and biking trails.

This legislative vehicle that contains a number of California-specific provisions, including the compromise desert protection legislation, the California Desert Protection and Recreation Act of 2019, introduced by Senator Dianne Feinstein (D-CA) and Congressman Paul Cook (R-CA) and the Santa Ana River Wash Plan Land Exchange Act introduced by Representatives Cook and Aguilar (D-CA) in the House and Senator Feinstein in the Senate.

The Senate passed the measure (S. 47) by a vote of 92-8. The measure was then taken up by the House and passed by a vote of 363-62. The bill is now waiting to be signed by the President.

Pot Banking Gets Its First-Ever Congressional Hearing

The House's panel on Consumer Protection and Financial Institutions Subcommittee held the first-ever Congressional hearing on banking the cannabis industry this month with a focus on how marijuana-related companies could get increased access to financial services.

Continued regulatory uncertainty has left many banks skittish about serving the industry. Since pot remains illegal at the federal level, banks engaging a marijuana-related business must conduct substantial due diligence under the Bank Secrecy Act and anti-money laundering regulations. Failure to properly vet legal-marijuana businesses can also put an institution's federal deposit insurance at risk. The lack of services has forced dispensaries and others to make payroll and tax payments in cash, causing state officials to fret over public safety issues.

The subcommittee's chairman, Rep. Gregory Meeks (D-NY) wants to help the burgeoning cannabis industry move its green into the mainstream banking system.

A growing topic in Congress, this year several pieces of legislation have been introduced.

Rep. Earl Blumenauer (D-OR) has introduced a bill (H.R. 420) that would decriminalize marijuana, establish a federal marijuana permitting system, curb certain advertising practices, allow the FDA to regulate it.

Rep. Steve Cohen (D-TN) has introduced a bill (H.R. 127) that would defer to state marijuana laws, expand marijuana research, and authorize VA health providers to recommend best practices in states where marijuana is legal.

Rep. Lou Correa (D-CA) has introduced a bill (H.R. 493) that would prohibit the Justice Department from prosecuting individuals using marijuana in states where it is legalized. The bill has bipartisan cosponsors.

In the Senate, Senators Cory Booker (D-NJ), Kamala Harris (D-CA), Elizabeth Warren (D-MA), Ron Wyden (D-OR), Kirsten Gillibrand (D-NY), Bernie Sanders (I-VT), and Jeff Merkley (D-OR) reintroduced legislation on Thursday, February 28 that would end a federal prohibition on marijuana. In addition to making it legal at the federal level, the legislation would automatically expunge records of people who've served federal time for marijuana use and possession.

Supreme Court to Consider Federal Water Rules Case

The Supreme Court agreed this month to hear a major dispute with potentially far-reaching implications for how the federal government protects waterways from pollution.

The case, County of Maui v. Hawaii Wildlife Fund, challenges an appeals court's ruling that pollution discharged into groundwater that later flows into a navigable waterway can constitute a violation of the Clean Water Act.

Congress traditionally leaves regulation of navigable waterways up to the executive branch, while groundwater is regulated only by states. But the 9th U.S. Circuit Court of Appeals last year upheld the Environmental Protection Agency's (EPA) finding that pollution discharged from Maui County municipal wastewater wells into groundwater, which later went into the Pacific Ocean, violated the federal law.

The controversy is separate from the ongoing debate over the EPA's Waters of the United States rule, which determines the waterways that are subject to federal regulation. The Trump administration is currently working to greatly restrict which waterways, like wetlands and tributaries, are within federal jurisdiction.

In asking the high court to hear the case last year, attorneys for Maui County called the 9th Circuit ruling a "radical expansion" of the Clean Water Act.

They said millions of water pollution sources, including municipal water treatment plants and others, would be subject to strict new rules about where they could put waste and how to treat it. A coalition of Hawaii environmental groups asked the Supreme Court to let the 9th Circuit ruling stand, subjecting the groundwater to tightened standards.

Supreme Court Limits Power of States and Localities to Impose Fines, Seize Property

The Supreme Court unanimously ruled on Wednesday, February 20 that the Constitution's prohibition on excessive fines applies to state and local governments, limiting their abilities to impose financial penalties and seize property.

The decision delighted critics of civil asset forfeiture, who welcomed the ruling as a new weapon in their war against what has been labeled "policing for profit" — the practice of seizing cash, cars and other property from those convicted, or even suspected, of committing a crime.

Justice Ruth Bader Ginsburg, on her second day back on the bench after undergoing cancer surgery in December, announced the court's decision, saying the Eighth Amendment's excessive-fines clause protects against government retribution at all levels.

"For good reason, the protection against excessive fines has been a constant shield throughout Anglo-American history: Exorbitant tolls undermine other constitutional liberties," Ginsburg wrote. "Excessive fines can be used, for example, to retaliate against or chill the speech of political enemies.... Even absent a political motive, fines may be employed in a measure out of accord with the penal goals of retribution and deterrence."

The case at the court involved Tyson Timbs of Marion, Indiana, whose \$42,000 Land Rover SUV was seized after his 2015 arrest for selling a couple hundred dollars' worth of heroin. Timbs has sued to get it back, and while the decision did not dictate that outcome, it gave him a new day in court.

The Constitution's Bill of Rights protects against actions of the federal government. But the Supreme Court over time has applied its provisions to state and local governments under the due-process clause of the 14th Amendment. In 2010, for instance, the court held that the Second Amendment applied to state and local government laws on gun control.

The Eighth Amendment states: "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." Two of those commands — regarding

bail and cruel and unusual punishments — have been deemed to apply to state and local governments. But until now, the ban on excessive fines had not.

The Supreme Court's opinion does not take a position on whether Indiana's seizure of the Land Rover was excessive. It holds only that the Indiana Supreme Court was wrong to say that the Eighth Amendment did not apply.

California Grants Threatened

The Trump administration said this month that it will cancel more than \$900 million in federal grants earmarked for an ambitious California high-speed rail project, escalating a feud between the White House and the state over several of the president's policies

California Governor Gavin Newsom, who took office in January, said that the rail project as planned "would cost too much and take too long," and he would instead finish roughly 120 miles of track already under construction in the state's Central Valley. The Transportation Department responded in a statement that it was exploring legal options to recoup \$2.5 billion in federal funds already granted to the project by the Federal Railroad Administration.

"This is clear political retribution by President Trump, and we won't sit idly by," Governor Newsom said in a statement. "This is California's money, and we are going to fight for it."

The President has criticized California's high-speed rail project, in the works for more than a decade, as wasteful and called for the state to return federal funding in several Tweets since Newsom's announcement.

President Trump has previously said he may limit disaster recovery funds used to respond to wildfires in California over the state's management of forest areas, though there is no indication that funds have been withheld.

Administration Takes Steps into State Permits Debate

Army Corps of Engineers Chief R.D. James late last year, directed his agency to write new guidance limiting the time states have to review permits for projects that would dredge or fill in wetlands and streams.

Section 401 of the Clean Water Act gives states up to a year to review such projects unless the federal permitting agency sets a different timeline. If states don't approve or deny a project within that timeline, they waive their authority.

The Army Corps is the federal permitting agency for projects that dredge or fill in wetlands and streams. States also have the authority to block water pollution permits issued by EPA and pipeline approvals issued by the Federal Energy Regulatory Commission.

James argues Army Corps regulations already require states to make **their** decisions within 60 days of receiving an application, "it has been standard practice" for Army Corps districts to give states an entire year to review permits.

His memo directs the Army Corps to write guidance solidifying the 60-day timeline and emphasizing that the clock begins when a state receives an application, not when a state decides an application is complete. While the Clean Water Act itself is vague about when the clock starts, states and agencies have both previously interpreted it to mean the countdown begins once a state deems a permit is complete.

The memo is the first concrete example of an expected Trump administration push across agencies to limit state's Clean Water Act authority under Section 401. The Trump administration has already received strong pushback from state groups.

This month, the Western Governors' Association wrote to the President asking him to tell federal agencies "to reject any changes to agency rules, guidance or policy that may diminish, impair or subordinate states' well-established sovereign and statutory authorities to protect water quality within their boundaries."

EPA also has been looking into the issue for some time. Water Chief David Ross told the Environmental Council of the States' annual meeting last fall that the agency is considering changing policies for how much time states have to make their certification decisions.

Vacancies Continue, Grow in the Trump Administration Even as Nominees Confirmed

Two years after taking office, President Donald Trump has vast swaths of the federal government where officials either have not been nominated or confirmed. Additionally, there are many top positions where the administration has someone serving in an acting capacity. Currently, in cabinet level positions, President Trump has an acting chief of staff, defense secretary, Office of Management and Budget director and Environmental Protection Agency administrator.

President Trump has been relying on personnel moves to keep some positions filled, which could result in legal challenges to the administration's actions that could be tied up in the courts for years. If the courts find that some of those appointments are questionable, actions taken by those officials could be overruled.

The lack of permanent leaders has started to alarm top congressional Republicans who are calling for key posts to be filled. "It's a lot. It's way too many," Sen. James Lankford (R-OK) said of the acting positions in Cabinet agencies. "You want to have confirmed individuals there because they have a lot more authority to be able to make decisions and implement policy when you have a confirmed person in that spot."

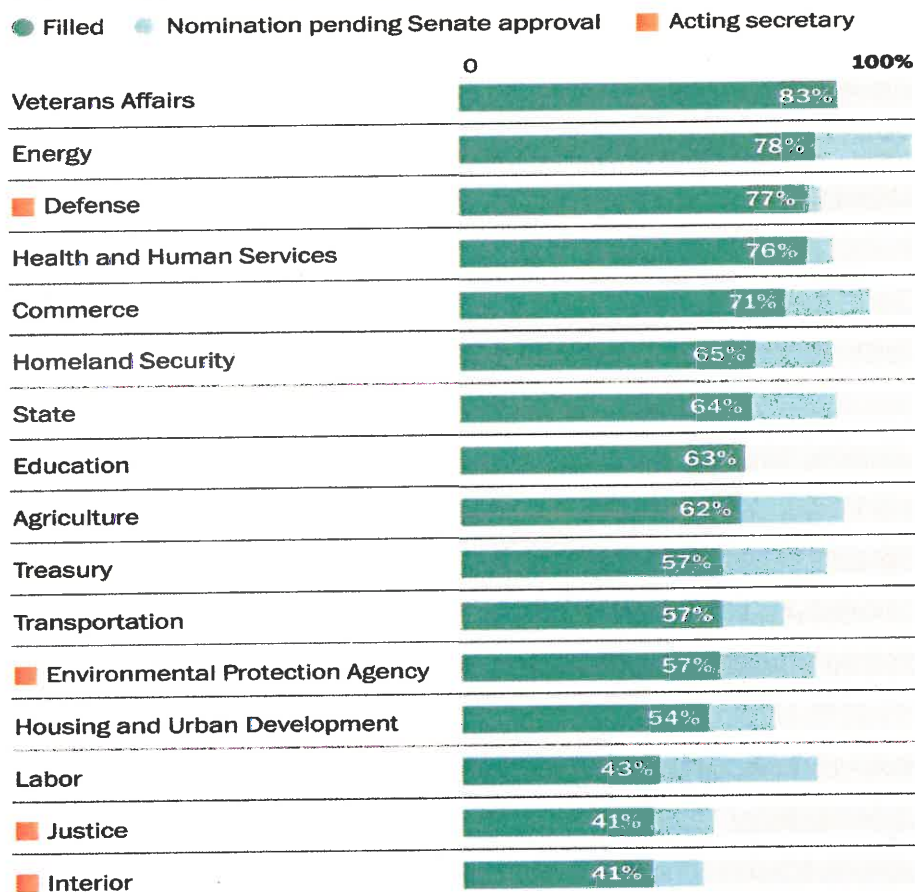
The Trump administration has lagged behind its predecessors in filling top posts throughout the government. The Partnership for Public Service, which has tracked nominations as far back as 30 years, estimates that only 54 percent of Trump's civilian executive-branch nominations have

been confirmed, compared with 77 percent under President Barack Obama at the same point in his administration.

Republicans have largely blamed Senate Democrats for slowing down the consideration of executive-branch nominees. But according to an analysis by the Partnership for Public Service and The Washington Post, the White House has not bothered to nominate people for 150 out of 705 Senate-confirmed positions. As was mentioned above, the Senate is considering changing its rules to allow for expedited consideration of certain officials, which they say will help with the backlog where officials have been nominated.

Large federal departments lack permanent leadership

Share of key positions filled, by department or agency as of Jan. 28



Three departments are facing a particularly high number of vacancies: Only 41 percent of the Interior and Justice departments' Senate-confirmed posts are filled, and just 43 percent of such positions have been filled at the Labor Department. The chart below shows the current percentage of key positions (as defined by the Partnership for Public Service) that have been filled, where a nominee is pending, or where no individual has been nominated to fill the post. The Departments of Justice and the Interior lead the agencies where vacancies are the highest and where individuals have not been nominated to take the position.

This month the Senate confirmed William Barr as U.S. attorney general. The confirmation vote of 54-45 on Thursday, February 14 gave the 68-year-old attorney a second stint in the job that he previously held in the 1990s under President George H.W. Bush.

While that will make him a major figure on issues from immigration to antitrust policy, one of Barr's first decisions will be whether to recuse himself from overseeing Mueller's politically explosive probe into Russian interference in the 2016 election.

In his confirmation hearing last month he did not commit to recusing himself, saying he'd seek the advice of career ethics officials, but noted that the final recusal decision was up to the individual per the Department's guidelines. Democrats expressed concern about Barr's acknowledgment that he's had "general conversations" with Vice President Mike Pence regarding the investigation. They also cited a memo Barr sent to the Justice Department regarding a possible obstruction of justice investigation into President Trump's firing of former FBI Director James Comey.

At the Department of Homeland Security, Federal Emergency Management Agency (FEMA) Administrator Brock Long announced earlier this month that he is resigning to spend additional time with his family in North Carolina. Long's tenure was marked by ethics probes—where he had to reimburse the administration for the inappropriate use of a vehicle—and scrutiny of his agency's handling of a deadly hurricane in Puerto Rico.

The Trump administration's top air and climate adviser at the EPA for the past two years is resigning, according to a February 7 resignation letter sent to the White House.

Mandy Gunasekara said in her resignation letter to President Donald Trump that she planned to launch a new organization to support "the many energy, regulatory and economic successes" of their energy and environmental agenda, which is likely to come under intense scrutiny by emboldened Democrats who won control of the House last November.

Budget Deficit

The U.S. budget deficit widened to \$319 billion in the first three months of the government's fiscal year as spending increased and revenue was little changed, according to the Treasury Department.

The shortfall grew by 42 percent between the October to December period, compared with the same three months the previous year, according to the latest Treasury monthly budget report released this month. Receipts climbed by 0.2 percent to \$771.2 billion, while spending was up 9.6 percent to \$1.1 trillion.

The federal debt has ticked past \$22 trillion, a record that comes despite continued economic growth, but neither political party appears to be making a priority of debt reduction.

Larry Kudlow, the Director of President Trump's National Economic Council, stated that the president was "concerned" about the rise of the debt, and that the administration would propose

some reductions in federal spending in its next budget. The rise of the debt also poses a more immediate problem. The total is expected to reach a statutory limit known as the “debt ceiling” later this year, requiring what could be a contentious congressional vote to raise the ceiling.

INFORMATION

ITEM

2C



CALIFORNIA STRATEGIES, LLC

Date: February 28, 2019
To: Inland Empire Utilities Agency
From: John Withers, Jim Brulte
Re: February Activity Report

1. This month John Withers and Jim Brulte held the monthly meeting on February 04 with the senior staff of the agency to discuss various Agency activities.
2. Interim General Manager Kirby Brill
 - Updated the IGM's work program during the transition period
 - Worked on a special project for the IGM related to the Chino Basin Program
3. Chino Basin Program
 - John Withers and Jim Brulte participated in the strategic planning workshop with IEUA senior staff and consultants
 - Activities included developing an aspirational vision for the project as well as identifying associated project risks and potential mitigation measures. Focused on the legal, political, regulatory, financial and other associated risks with the program
 - John Withers participated in a follow up meeting on 2/28 that included follow up items as well as messaging strategies for the member agencies
 - Four-year project
 - \$6.3 mil in budget (PDR) vote to support by IEUA BOD
 - Benefits-Accelerates delivery of the projects
 - Need MOUs from participating agencies
 - MET briefing
 - Check in with IEUA BOD Feb '19
 - Pursuing federal funding (Title 16-Section 4007)
 - Agreements in place by 2020
4. John Withers attended the Urban Water Institute Conference to meet with various stakeholders and gather information to better assist the IGM and senior staff.

INFORMATION
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Bill Number (linked to the legislation on Congress.gov)	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
H.J.Res.31	Rep. Lucille Roybal-Allard (D-CA)	Consolidated Appropriations Act, 2019 (Conference Reports for the Agriculture, Commerce-Justice-Science, Financial Services-General Government, Interior-Environment, State-Foreign Operations, and Transportation-HUD Appropriations bills).	The House and Senate came to an agreement on a Conference Report for the 7 remaining FY19 appropriations bills after holding an official conference on the FY19 Homeland Security Appropriations bill. The Homeland Security section contained approximately \$1.3 billion for border fencing in the Rio Grande Valley of Texas and a slight reduction in funding for ICE detention beds. The other 6 appropriations bills contained conference reports similar to those that had been previously released.	The bill was introduced on January 22nd and was passed by both the Senate and the House before being signed into law on February 15th. This bill's enactment finalized full year funding for all federal agencies for fiscal year 2019 through September 30, 2019.
S.47	Sen. Lisa Murkowski (R-AK)	Natural Resources Management Act	This bill sets forth provisions regarding various programs, projects, activities, and studies for the management and conservation of natural resources on federal lands. Specifically, the bill addresses: Land conveyances, exchanges, acquisitions, withdrawals, and transfers; national parks, monuments, memorials, wilderness areas, other conservation and recreation areas; and federal reclamation projects. For California, the legislation included the Santa Ana River Wash Plan Land Exchange Act and the California Desert Protection and Recreation Act of 2019, which was a compromise between individual bills introduced by Senator Dianne Feinstein and Congressman Paul Cook in previous Congresses.	Introduced in the Senate on January 8th. The legislation passed the Senate by a vote 92 - 8 on February 12th. The measure was then taken up by the House and passed by a vote of 363-62. The bill is now waiting to be signed by the President.
S.67/ H.R. 376	Sen. Dianne Feinstein (D-CA)/ Rep. Paul Cook (R-CA-08)	California Desert Protection and Recreation Act of 2019	This bill would provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area.	Introduced in the Senate on January 9th. Included as a provision in S.47, the National Resources Management Act, which Congress passed in February, therefore the stand alone bill will not move.
H.R. 268	Rep. Nita Lowey (D- NY)	Supplemental Appropriations Act, 2019	This bill provides \$12.1 billion in FY2019 supplemental appropriations to several federal departments and agencies for expenses related to the consequences of recent wildfires, hurricanes, volcanos, earthquakes, typhoons, and other natural disasters. The funding provided by this bill is designated as emergency spending, which is exempt from discretionary spending limits and other budget enforcement rules.	Passed the House on January 16th; awaits Senate action
S.572	Sen. David Perdue (R-GA)	Additional Supplemental Appropriations for Disaster Relief, 2019	This bill provides \$13.6 billion in FY2019 supplemental appropriations to several federal departments and agencies for expenses related to the consequences of recent wildfires, hurricanes, volcanos, earthquakes, typhoons, and other natural disasters. The funding provided by this bill is designated as emergency spending, which is exempt from discretionary spending limits and other budget enforcement rules. This bill was crafted as a compromise between the Senate and the White House to resolve issues related to disaster aid to Puerto Rico.	Introduced in the Senate on February 26. This is expected to be the supplemental appropriations package that moves in the House and Senate.

S. 146	Sen. John Hoeven (R-ND)	Move America Act of 2019	A bill to amend the Internal Revenue Code of 1986 to provide for Move America bonds and Move America credits, which provide tools to finance additional transportation, water, and information infrastructure capital investments through an approach that provides assistance for financing of infrastructure to all States, rural and urban.	Introduced in the Senate on January 16th
H.R.1162	Rep. Grace Napolitano (D-CA)	Water Recycling Investment and Improvement Act	This legislation would create a competitive grant program for the funding of water recycling and reuse projects by raising the authorization cap for the Title XVI program from \$50 million to \$500 million. The legislation would also raise the authorization cap from \$20 million to \$30 million for the Reclamation Wastewater and Groundwater Study and Facilities Act.	Introduced in the House on February 13.
S. 40	Sen. John Barrasso (R-WY)	Bureau of Reclamation Transparency Act	The bill would require the require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets; which would include facilities, buildings, structures, project features, power production equipment, recreation facilities, or quarters.	Introduced in the Senate on January 8th. Included as a provision in S.47, the National Resources Management Act, which Congress passed in February, therefore the stand alone bill will not move.
S. 308/ H.R. 1067	Sen. Dianne Feinstein (D-CA)/ Pete Aguilar (C-CA-31)	Santa Ana Wash Plan Land Exchange Act	The bill would direct the Secretary of the Interior to convey certain Federal lands in San Bernardino County, California, to the San Bernardino Valley Water Conservation District, and to accept in return certain non-Federal lands, and for other purposes.	Introduced in the Senate on January 31st and was referred to the Senate Committee on Energy and Natural Resources. Introduced in the House on February 7th and was referred to the House Committee on Natural Resources. Included as a provision in S.47, the National Resources Management Act, which Congress passed in February, therefore the stand alone bill will not move.
H.R.579	Rep. Scott Tipton (R-CO-3)	Water Rights Protection Act of 2019	This bill would prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, and for other purposes.	Introduced in the House on January 15th
H. R. 855	Rep. Scott Peters (D-CA-52)	STRONG (Strengthening the Resiliency of our Nation on the Ground Act) Act	The bill would work to minimize the economic and social costs resulting from losses of life, property, well-being, business activity, and economic growth associated with extreme weather events by ensuring that the United States is more resilient to the impacts of extreme weather events in the short- and long-term, and for other purposes.	Introduced in the House and referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management on February 7th.
S. 361/HR 807	Sen. Cory Gardner (R-CO)/ Rep. Ken Buck (R-CO-04)	Water and Agriculture Tax Reform Act of 2019	The measure would work to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency.	Introduced on February 6th and referred to the Senate Committee on Finance.
H.R. 420	Rep. Earl Blumenauer (D-OR)	Regulate Marijuana Like Alcohol Act	The bill would decriminalize marijuana and sets up a legal framework to regulate marijuana.	Introduced in the House on January 8th.

S.420 /H.R. 1120	Sen. Ron Wyden (D-OR)/ Rep. Earl Blumenauer (D- OR-3)	Marijuana Revenue and Regulation Act	A bill to amend the Internal Revenue Code of 1986 to provide for the taxation and regulation of marijuana products, and for other purposes.	The bill was introduced in the Senate on February 14th and was referred to the Committee on Finance. Introduced in the House on February 14th and was referred to the Committees on Judiciary, Energy and Commerce, Natural Resources and Agriculture.
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INFORMATION
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State Legislation

Bill Number	Sponsor	Title and/or Summary	Summary/Status	IEUA Position
SB 204	Dodd	State Water Project: Contracts	Would require the Department of Water Resources to provide at least 10 days' notice to the Joint Legislative Budget Committee and relevant policy and fiscal committees of the Legislature before holding public sessions to negotiate any potential amendment of a long-term water supply contract that is of project-wide significance with substantially similar terms intended to be offered to all contractors, or that would permanently transfer a contractual water amount between contractors.	
SB 414	Caballero Eastern MWD/ CMUA	Small System Water Authority Act of 2019	Would create the Small System Water Authority Act of 2019 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. The bill, no later than March 1, 2020, would require the state board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a public water system that has either less than 3,000 service connections or that serves less than 10,000 people, and are not in compliance, for the period from July 1, 2018, through December 31, 2019, with one or more state or federal primary drinking water standard maximum contaminant levels, as specified.	
SB 332	Hertzberg NRDC	Ocean Discharge	Would declare, except in compliance with the bill's provisions, that the discharge of treated wastewater from ocean outfalls is a waste and unreasonable use of water. The bill would require each wastewater treatment facility that discharges through an ocean outfall and affiliated water suppliers to reduce the facility's annual flow as compared to the average annual wastewater discharge baseline volume, as prescribed, by at least 50% on or before January 1, 2030, and by at least 95% on or before January 1, 2040. The bill would subject the owner or operator of a wastewater treatment facility, as well as the	

			affiliated water suppliers, to a civil penalty of \$2,000 per acre-foot of water above the required reduction in overall volume discharge for the failure to meet these deadlines.	
SB 669	Caballero ACWA/CMUA	Safe Drinking Water Trust	Would establish the Safe Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the State Water Resources Control Board. The bill would require the state board to administer the fund to assist community water systems in disadvantaged communities that are chronically noncompliant relative to the federal and state drinking water standards and do not have the financial capacity to pay for operation and maintenance costs to comply with those standards, as specified.	

- [AB 11](#)** **(Chiu D) Community Redevelopment Law of 2019.**
Introduced: 12/3/2018
Status: 1/17/2019-Referred to Coms. on H. & C.D. and L. GOV.
Summary: Current law dissolved redevelopment agencies as of February 1, 2012, and designates successor agencies to act as successor entities to the dissolved redevelopment agencies. This bill, the Community Redevelopment Law of 2019, would authorize a city or county, or two or more cities acting jointly, to propose the formation of an affordable housing and infrastructure agency by adoption of a resolution of intention that meets specified requirements, including that the resolution of intention include a passthrough provision and an override passthrough provision, as defined.
- [AB 56](#)** **(Garcia, Eduardo D) Statewide central electricity procurement entity.**
Introduced: 12/3/2018
Status: 1/17/2019-Referred to Coms. on U. & E. and NAT. RES.
Summary: Current law requires the Public Utilities Commission (PUC) and the State Energy Resources Conservation and Development Commission (Energy Commission) to undertake various actions in furtherance of meeting the state's clean energy and pollution reduction objectives. This bill would require the PUC and the Energy Commission to provide to the Legislature, by March 31, 2020, a joint assessment, as specified, of options for establishing a central statewide entity to procure electricity for all end-use retail customers in the state.
- [AB 129](#)** **(Bloom D) Waste management: plastic microfiber.**
Introduced: 12/4/2018
Status: 1/7/2019-Read first time.
Summary: Would declare the intent of the Legislature to, among other things, enact legislation to recognize the emerging threat that microfibers pose to the environment and water quality and would make related findings and declarations.
- [AB 134](#)** **(Bloom D) Safe, clean, affordable, and accessible drinking water.**
Introduced: 12/5/2018
Status: 1/7/2019-Read first time.
Summary: Would state findings and declarations relating to the intent of the Legislature to adopt policies to ensure that every Californian has the right to safe, clean, affordable, and accessible drinking water.
- [AB 217](#)** **(Garcia, Eduardo D) Safe and Affordable Drinking Water Fund.**
Introduced: 1/16/2019
Status: 2/4/2019-Referred to Com. on E.S. & T.M.
Summary: Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are available, upon appropriation by the Legislature, to the board to provide a stable source of funding to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure.
- [AB 223](#)** **(Stone, Mark D) California Safe Drinking Water Act: microplastics.**
Introduced: 1/16/2019
Status: 2/25/2019-In committee: Set, first hearing. Hearing canceled at the request of author.
Summary: The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law requires the state board, on or before July 1, 2020, to adopt a definition of microplastics in drinking water and, on or before July 1, 2021, to adopt a standard methodology to be used in the testing of drinking water for microplastics and requirements for 4 years of testing and reporting of microplastics in drinking water, including public disclosure of those results. This bill would require the state board, to the extent possible, and where feasible and cost effective, to work with the State Department of Public Health in complying with those requirements.
- [AB 231](#)** **(Mathis R) California Environmental Quality Act: exemption: recycled water.**
Introduced: 1/17/2019
Status: 2/7/2019-Referred to Com. on NAT. RES.
Summary: Would exempt from CEQA a project to construct or expand a recycled water pipeline for the purpose of mitigating drought conditions for which a state of emergency was proclaimed by the Governor if the project meets specified criteria. Because a lead agency would be required to determine if a project qualifies for this exemption, this bill would impose a state-mandated local program. The bill would also exempt from CEQA the development and approval of building standards by state agencies for recycled water systems.
- [AB 292](#)** **(Quirk D) Recycled water: raw water and groundwater augmentation.**
Introduced: 1/28/2019

Status: 2/7/2019-Referred to Coms. on E.S. & T.M. and W., P., & W.

Calendar: 3/12/2019 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

Summary: Current law requires the State Water Resources Control Board, on or before December 31, 2023, to adopt uniform water recycling criteria for direct potable reuse through raw water augmentation, as specified. This bill would eliminate the definition of "direct potable reuse" and instead would substitute the term "groundwater augmentation" for "indirect potable reuse for groundwater recharge" in these definitions. The bill would require, on or before December 31, 2023, the state board to adopt uniform water recycling criteria for raw water augmentation.

AB 305 (Nazarian D) Public capital facilities: water quality: rate reduction bonds.

Introduced: 1/29/2019

Status: 2/11/2019-Referred to Com. on L. GOV.

Summary: Current law authorizes certain joint powers authorities, upon application by a local agency that owns and operates a publicly owned utility, as defined, to issue rate reduction bonds to finance utility projects, as defined, subject to certain requirements. Under current law, these rate reduction bonds are secured by a pledge of utility project property, and the joint powers authority issuing the bonds may impose on, and collect from, customers of the publicly owned utility a utility project charge to finance the bonds, as provided. Existing law requires the California Pollution Control Financing Authority, among other things, to review each issuance of rate reduction bonds issued under these provisions and to submit an annual report to the Legislature containing specified information on its activities under these provisions for the preceding year. This bill would extend indefinitely (1) the authorization for a joint powers authority to issue rate reduction bonds under the above-described provisions and (2) the requirement that the California Pollution Control Financing Authority submit an annual report to the Legislature.

AB 336 (Mathis R) Sustainable groundwater management.

Introduced: 1/31/2019

Status: 2/1/2019-From printer. May be heard in committee March 3.

Summary: The Sustainable Groundwater Management Act authorizes the State Water Resources Control Board to designate a basin as a probationary basin if the board makes a certain determination and authorizes the board to adopt an interim plan for a probationary basin, as specified. The act authorizes the board to order a person that extracts or uses water from a basin that is subject to a certain investigation or proceeding by the board to prepare and submit to the board any technical or monitoring program reports related to that person's or entity's extraction or use of water as the board may specify. This bill would make nonsubstantive changes in a definition used in the act.

AB 382 (Mathis R) Integrated regional water management plans: grant funding: upper watershed health.

Introduced: 2/5/2019

Status: 2/15/2019-Referred to Com. on W., P., & W.

Calendar: 3/12/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair

Summary: Current law provides that an integrated regional water management plan is eligible for funding allocated specifically for implementation of integrated regional water management. Current law requires certain state agencies to include in any set of criteria used to select projects and programs for funding, a criterion that provides a preference for regional projects or programs. This bill would require the department to include in any criteria used to select a project or program for grant funding authorized on or after January 1, 2020 a criterion that provides a preference for a regional water management group undertaking a project improving upper watershed health upstream and outside of the defined geographical area covered by the group's plan.

AB 402 (Quirk D) State Water Resources Control Board: local primacy delegation: funding stabilization program.

Introduced: 2/6/2019

Status: 2/15/2019-Referred to Com. on E.S. & T.M.

Calendar: 3/12/2019 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

Summary: The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. The act requires the state board to provide the local primacy agency, to the extent funds are available from the Safe Drinking Water Account, with an annual drinking water surveillance program grant to cover the costs of conducting inspection, monitoring, surveillance, and water quality evaluation activities specified in the local primacy agreement. The act requires the state board to adopt a schedule of fees and requires a public water system under the jurisdiction of a local primacy agency to pay these fees to the local primacy agency in lieu of the state board. This bill would include enforcement costs as costs covered by an annual drinking water surveillance program grant.

AB 405 (Rubio, Blanca D) Sales and use taxes: exemption: water treatment.

Introduced: 2/7/2019

Status: 2/15/2019-Referred to Com. on REV. & TAX.

Calendar: 3/11/2019 2:30 p.m. - State Capitol, Room 126 ASSEMBLY REVENUE AND TAXATION, BURKE, Chair

Summary: Would exempt from Sales and Use Tax the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, chemicals used to treat water, recycled water, or wastewater regardless of whether those chemicals or other agents become a component part thereof and regardless of whether the treatment takes place before or after the delivery to consumers.

AB 432 (Quirk D) Released waste: certification of local officers.

Introduced: 2/7/2019

Status: 2/15/2019-Referred to Com. on E.S. & T.M.

Calendar: 3/12/2019 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

Summary: Current law authorizes a party responsible for the release of waste requiring remedial action to request a local officer, as defined, to supervise the remedial action. Current law authorizes the local officer to enter into a remedial action agreement with the responsible party to supervise the remedial action, as specified, and governs the duties of the local officer and the terms of the agreement. Current law establishes the State Water Resources Control Board to exercise certain powers relating to water rights, water quality, and safe and reliable drinking water. Current law also establishes the Department of Toxic Substances Control to enforce hazardous waste control laws. This bill would require the board, in cooperation with the department, to develop and implement a certification program for local officers who enter into remedial action agreements.

AB 441 (Eggman D) Water: underground storage.

Introduced: 2/11/2019

Status: 2/21/2019-Referred to Com. on W., P., & W.

Calendar: 3/26/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair

Summary: Under current law, the right to water or to the use of water is limited to that amount of water that may be reasonably required for the beneficial use to be served. Current law provides for the reversion of water rights to which a person is entitled when the person fails to beneficially use the water for a period of 5 years. Current law declares that the storing of water underground, and related diversions for that purpose, constitute a beneficial use of water if the stored water is thereafter applied to the beneficial purposes for which the appropriation for storage was made. This bill would revise the above declaration to additionally provide that certain uses of stored water while underground constitute beneficial use.

AB 464 (Garcia, Cristina D) California Global Warming Solutions Act of 2006.

Introduced: 2/11/2019

Status: 2/21/2019-Referred to Com. on NAT. RES.

Summary: The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act defines specified terms, including, among others, district to mean an air pollution control or an air quality management district until January 1, 2031. This bill would indefinitely define district to mean an air pollution control or an air quality management district.

AB 490 (Salas D) California Environmental Quality Act.

Introduced: 2/12/2019

Status: 2/13/2019-From printer. May be heard in committee March 15.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. This bill would make nonsubstantive changes to the provision naming CEQA.

AB 508 (Chu D) Drinking water: administrator: consolidation and extension of service.

Introduced: 2/13/2019

Status: 2/14/2019-From printer. May be heard in committee March 16.

Summary: The California Safe Drinking Water Act authorizes the State Water Resources Control Board to contract with, or provide a grant to, an administrator to provide administrative, technical, operational, or managerial services, or any combination of those services, to a designated water system to assist with the provision of an adequate supply of affordable, safe drinking water. The act also authorizes the state board to order a designated water system to accept those services from an administrator appointed by the state board for full oversight of construction or development projects related to a consolidation or extension of service. This bill would make nonsubstantive changes in those provisions.

- AB 533** **(Holden D) Income taxes: exclusion: water conservation or efficiency programs: water runoff management improvement program.**
Introduced: 2/13/2019
Status: 2/21/2019-Referred to Com. on REV. & TAX.
Calendar: 3/18/2019 2:30 p.m. - State Capitol, Room 126 ASSEMBLY REVENUE AND TAXATION, BURKE, Chair
Summary: The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines "gross income" as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. This bill would provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a local water agency or supplier for any water conservation or efficiency program or water runoff management improvement program, as provided.
- AB 579** **(Daly D) Development fees.**
Introduced: 2/14/2019
Status: 2/15/2019-From printer. May be heard in committee March 17.
Summary: The Mitigation Fee Act, among other things, prohibits a fee or exaction imposed as a condition of approval of a proposed development or development project from exceeding the estimated reasonable cost of providing the service or facility for which the fee or exaction is imposed. The act defines various terms for these purposes. This bill would make nonsubstantive changes to the definitions under the act.
- AB 586** **(Diep R) California Environmental Quality Act: environmental impact reports: policy.**
Introduced: 2/14/2019
Status: 2/15/2019-From printer. May be heard in committee March 17.
Summary: CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA makes various legislative findings and declarations relating to the policy that shall apply to the use of environmental impact reports prepared under CEQA. This bill would make nonsubstantive changes to the findings and declarations
- AB 606** **(Diep R) Local government zoning ordinances.**
Introduced: 2/14/2019
Status: 2/15/2019-From printer. May be heard in committee March 17.
Summary: Current law requires a local agency, as defined, to comply with all applicable building and zoning ordinances of the county or city in which the agency's territory is situated. Current law exempts location or construction of certain utility facilities from these requirements, including facilities for the storage or treatment of water and for the production or generation of electrical energy, as specified. This bill would make a nonsubstantive change to these provisions.
- AB 636** **(Gray D) State Water Resources Control Board: water quality objectives.**
Introduced: 2/15/2019
Status: 2/19/2019-From printer. May be heard in committee March 21.
Summary: Would prohibit the State Water Resources Control Board from implementing water quality objectives for which the state board makes a certain finding relating to environmental quality until it has submitted the water quality objectives and a statement of that finding to the appropriate policy committees of the Legislature and each committee has held a hearing on these matters.
- AB 637** **(Gray D) State Water Resources Control Board: regional water quality control boards: severely disadvantaged communities: drinking water supplies.**
Introduced: 2/15/2019
Status: 2/25/2019-Referred to Com. on E.S. & T.M.
Summary: Would prohibit the State Water Resources Control Board or a regional board from adopting or implementing any policy or plan that results in a direct or indirect reduction to the drinking water supplies that serve a severely disadvantaged community, as defined.
- AB 638** **(Gray D) Department of Water Resources: water storage capacity.**
Introduced: 2/15/2019
Status: 2/25/2019-Referred to Com. on W., P., & W.
Summary: Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as The California Water Plan. This bill would require the department, on or before January 1, 2021, with updates every 2 years thereafter, to identify the statewide water storage capacity, the adverse impacts to the capacity from the effects of climate change, and the mitigation strategies for anticipated adverse impacts.

- [AB 658](#)** **(Arambula D) Water rights: water management.**
Introduced: 2/15/2019
Status: 2/25/2019- Referred to Com. on W., P., & W.
Summary: Would authorize a groundwater sustainability agency or local agency to apply for, and the State Water Resources Control Board to issue, a conditional temporary permit for diversion of surface water to underground storage for beneficial use that advances the sustainability goal of a groundwater basin, as specified.
- [AB 661](#)** **(McCarty D) Best available control technology: lowest achievable emission rate requirements.**
Introduced: 2/15/2019
Status: 2/19/2019- From printer. May be heard in committee March 21.
Summary: Current law requires an air district to review whether the best available control technology or lowest achievable emission rate requirements have been achieved and whether the requirements should be required for the source category or source if the owner or operator demonstrates that specified conditions are true. Current law requires an air district after conducting that review to revise the best available control technology or lowest achievable emission rate requirements to a level achievable by that source if the air district determines that those requirements are not achievable by a source. This bill would make technical, nonsubstantive changes to that provision.
- [AB 722](#)** **(Bigelow R) Integrated regional water management plans.**
Introduced: 2/19/2019
Status: 2/20/2019- From printer. May be heard in committee March 22.
Summary: Current law, the Integrated Regional Water Management Planning Act, finds and declares the intent of the Legislature to encourage local agencies to work cooperatively to manage their available local and imported water supplies to improve the quality, quantity, and reliability of those supplies. This bill would make a nonsubstantive change in these findings and declarations.
- [AB 727](#)** **(Flora R) Dams and reservoirs: inspections and reporting.**
Introduced: 2/19/2019
Status: 2/20/2019- From printer. May be heard in committee March 22.
Summary: Current law requires the Department of Water Resources to provide on its internet website the dam safety inspection and reevaluation protocols, notice of the division's intent to update the protocols, a schedule for the update, and any updates to the protocols. Current law requires the department to report to the Governor and the Legislature on amendments developed pursuant to these provisions and to notify dam owners and the Legislature of the division's intent to update dam safety inspection and reevaluation protocols prior to amending the protocols. This bill would make nonsubstantive changes in these provisions.
- [AB 756](#)** **(Garcia, Cristina D) Public water systems: perfluorooctanoic acid and perfluorooctane sulfonate.**
Introduced: 2/19/2019
Status: 2/28/2019- Referred to Com. on E.S. & T.M.
Summary: Would require a public water system to monitor for perfluorooctanoic acid and perfluorooctane sulfonate.
- [AB 782](#)** **(Berman D) California Environmental Quality Act: exemption: public agencies: property transfers.**
Introduced: 2/19/2019
Status: 2/28/2019- Referred to Com. on NAT. RES.
Summary: Would exempt from CEQA the acquisition, sale, or other transfer of property by a public agency for certain purposes, or the funding of that acquisition, sale, or other transfer by a public agency, if the public agency conditions those transactions on compliance with CEQA before making physical changes to the transferred property.
- [AB 841](#)** **(Ting D) Drinking water: contaminants: perfluoroalkyl and polyfluoroalkyl substances.**
Introduced: 2/20/2019
Status: 2/21/2019- From printer. May be heard in committee March 23.
Summary: Would require the Office of Environmental Health Hazard Assessment to adopt and complete a work plan within prescribed timeframes to assess which substances in the class of perfluoroalkyl and polyfluoroalkyl substances should be tested as a risk to human health. The bill would require the office, as part of those assessments, to determine which of the substances are appropriate candidates for notification levels to be adopted by the State Water Resources Control Board.
- [AB 881](#)** **(Bloom D) Accessory dwelling units.**
Introduced: 2/20/2019
Status: 2/21/2019- From printer. May be heard in committee March 23.
Summary: The Planning and Zoning Law provides for the creation of accessory dwelling units by local

ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Current law requires the ordinance to designate areas where accessory dwelling units may be permitted and authorizes the designated areas to be based on criteria that includes, but is not limited to, the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. This bill would instead require a local agency to designate these areas based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety.

AB 933 (Petrie-Norris D) Ecosystem resilience: watershed protection: watershed coordinators.

Introduced: 2/20/2019

Status: 2/21/2019-From printer. May be heard in committee March 23.

Summary: Would authorize the Department of Conservation, to the extent funds are available, to establish and administer the Ecosystem Resilience Program to fund watershed coordinator positions, and other necessary costs, throughout the state for the purpose of achieving specified goals, including the goal of developing and implementing watershed improvement plans aligned with multiple statewide and regional objectives across distinct bioregions. The bill would authorize the department to develop performance measures and accountability controls to track progress and outcomes.

AB 948 (Kalra D) Flood control or watershed protection projects: recreation and fish and wildlife enhancement.

Introduced: 2/20/2019

Status: 2/21/2019-From printer. May be heard in committee March 23.

Summary: Current law, where payment is specifically authorized by the Legislature, requires the state to pay 50% of the nonfederal capital costs of the recreation and fish and wildlife enhancement features of a project where recreation and fish and wildlife enhancement features are contained in a flood control or watershed protection project, as specified. Current law recites various legislative findings and declarations relating to providing for the preservation and enhancement of the state's fish and wildlife resources and recreational opportunities in connection with flood control and watershed protection projects. This bill would make nonsubstantive changes to the findings and declarations.

AB 955 (Gipson D) Water quality.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be heard in committee March 24.

Summary: The Porter-Cologne Water Quality Control Act establishes a statewide program for the control of the quality of all the waters in the state and makes related legislative findings and declarations. This bill would make nonsubstantive changes to the legislative findings and declarations.

AB 1021 (Frazier D) Groundwater recharge facilities financing.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be heard in committee March 24.

Summary: The Groundwater Recharge Facilities Financing Act authorizes the Department of Water Resources to make loans to local agencies to aid in the conduct of projects for artificial groundwater recharge, as prescribed. This bill would make a nonsubstantive change in the legislative findings and declarations of the act.

AB 1093 (Rubio, Blanca D) Municipal separate storm sewer systems: financial capability analysis.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be heard in committee March 24.

Summary: Would require the State Water Resources Control Board, by July 1, 2020, to establish financial capability assessment guidelines for municipal separate storm sewer system permittees that are adequate and consistent when considering the costs to local jurisdictions.

AB 1149 (Fong R) California Environmental Quality Act.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be heard in committee March 24.

Summary: CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would make nonsubstantive changes to the provision naming CEQA.

AB 1180 (Friedman D) Water: recycled water.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be heard in committee March 24.

Summary: The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law requires, on or before January 1, 2020, the state board to adopt standards for backflow protection and cross-connection control through the adoption of a policy handbook, as specified. This bill would require that handbook to include provisions for the use of a swivel or changeover device to supply

potable water to a dual-plumbed system during an interruption in recycled water service.

AB 1204 (Rubio, Blanca D) Public water systems: primary drinking water standards: implementation date.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be heard in committee March 24.

Summary: Would require the adoption or amendment of a primary drinking water standard for a contaminant in drinking water not regulated by a federal primary drinking water standard or that is more stringent than a federal primary drinking water standard to take effect 3 years after the date on which the state board adopts or amends the primary drinking water standard. The bill would authorize the state board to delay the effective date of the primary drinking water standard adoption or amendment by no more than 2 additional years as necessary for capital improvements to comply with a maximum contaminant level or treatment technique.

AB 1220 (Garcia, Cristina D) Metropolitan water districts.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be heard in committee March 24.

Summary: Would authorize each member public agency to designate and appoint additional representatives pursuant to the greater of that allowed under either the assessed valuation calculation or, on and after January 1, 2021, for each full 5% of the population within the entire district that is within the member public agency. The bill would require a district to conduct the analysis of additional directors using the Department of Finance population data and any other pertinent population data and would require the number of population-based directors authorized to remain fixed until it is recalculated, every 10 years in the year immediately following each United States census.

AB 1323 (Stone, Mark D) Public utilities: information: confidentiality.

Introduced: 2/22/2019

Status: 2/25/2019-Read first time.

Summary: The Public Utilities Act prohibits the commission or an officer or employee of the commission from disclosing any information furnished to the commission by a public utility, a subsidiary, an affiliate, or a corporation holding a controlling interest in a public utility, unless the information is specifically required to be open to public inspection under the act, except on order of the commission or a commissioner in the course of a hearing or proceeding. This bill would instead require the information to be open to public inspection unless federal or state law or an order of the commission based on a specified finding requires the information to be closed to inspection, or the withholding of that information is ordered by the commission, a commissioner, or an administrative law judge in the course of a hearing or proceeding.

AB 1347 (Boerner Horvath D) Electricity: renewable energy and zero-carbon resources: state and local government buildings.

Introduced: 2/22/2019

Status: 2/25/2019-Read first time.

Summary: Current law establishes the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of all retail sales of electricity to California end-use customers and 100% of electricity procured to serve all state agencies by December 31, 2045. This bill would establish the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of all retail sales of electricity to state and local government buildings by December 31, 2030, and to all California end-use customers by December 31, 2045.

AB 1381 (Salas D) Safe Drinking Water Plan.

Introduced: 2/22/2019

Status: 2/25/2019-Read first time.

Summary: Current law, known as the California Safe Drinking Water Act, requires the State Water Resources Control Board to maintain a drinking water program and carry out various duties, responsibilities, and functions relating to drinking water, including submission to the Legislature, every 5 years, of a comprehensive Safe Drinking Water Plan for California. This bill would make nonsubstantive changes to the provision requiring submission of a Safe Drinking Water Plan.

AB 1414 (Friedman D) Urban retail water suppliers: reporting.

Introduced: 2/22/2019

Status: 2/25/2019-Read first time.

Summary: Would require each urban retail water supplier on or before January 1 of each year until January 1, 2024, to submit a completed and validated water loss audit report as prescribed by the Department of Water Resources. The bill would require on or before January 1, 2024, and on or before January 1 of each year thereafter, each urban retail water supplier to submit a completed and validated water loss audit report for the previous calendar year or previous fiscal year as part of an existing report relating to its urban water use.

AB 1415 (Friedman D) Department of Water Resources: reporting requirements: civil penalties.

Introduced: 2/22/2019

Status: 2/25/2019-Read first time.

Summary: Current law establishes the CalConserve Water Use Efficiency Revolving Fund and makes the moneys in the fund available to the Department of Water Resources, upon appropriation by the Legislature, for the purpose of water conservation and water use efficiency projects. This bill would require the department to impose a civil penalty on any person or entity who fails to file with the department a specified report or plan by the deadline required for that particular report or plan, as provided.

AB 1432 (Dahle R) Urban water use objectives: indoor residential water use.

Introduced: 2/22/2019

Status: 2/25/2019-Read first time.

Summary: Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use, beginning January 1, 2025, establishes 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 make a nonsubstantive change to those provisions.

AB 1439 (Melendez R) State policy for water quality control.

Introduced: 2/22/2019

Status: 2/25/2019-Read first time.

Summary: Under current law, the Porter-Cologne Water Quality Control Act, the state policy for water quality control is required to consist of water quality principles and guidelines for long-range resource planning, water quality objectives, and other principles and guidelines deemed essential by the State Water Resources Control Board for water quality control. This bill would make nonsubstantive changes to that provision.

AB 1588 (Gloria D) Drinking water and wastewater operator certification programs.

Introduced: 2/22/2019

Status: 2/25/2019-Read first time.

Summary: Would require for purposes of water treatment operator certification experience a treatment plant using advanced water treatment processes, as defined, that treats water of wastewater origin for purposes of water reuse to be considered to provide certain equivalent experience to working at a water treatment plant. The bill would require for purposes of water distribution operator certification experience operation of a recycled water distribution system to be considered to provide equivalent experience to operating a potable distribution system.

AB 1640 (Boerner Horvath D) Local government finance: budget reserves.

Introduced: 2/22/2019

Status: 2/25/2019-Read first time.

Summary: Would require a local government by September 1, 2020, and annually thereafter, to submit a written report to the State Controller's office on how it plans to spend any of its budget reserves, as defined, on specified priorities over a 5-year fiscal period, including, among others, mental and behavioral health services and affordable housing. The bill would provide this reporting requirement only applies to a local government if the local government's budget reserve in the immediately preceding fiscal year was in excess of 30 percent of the total expenditures of the local government in that fiscal year.

AB 1653 (Frazier D) Sacramento-San Joaquin Delta.

Introduced: 2/22/2019

Status: 2/25/2019-Read first time.

Summary: Current law makes legislative findings and declarations relating to the Sacramento-San Joaquin Delta and its invaluable and unique resources of major statewide significance. This bill would make nonsubstantive changes to those findings and declarations.

AB 1672 (Bloom D) Product labeling: flushable products.

Introduced: 2/22/2019

Status: 2/25/2019-Read first time.

Summary: Current law regulates the labeling requirements on various consumer products. This bill would express the intent of the Legislature to enact legislation to prohibit the sale or advertisement of any nonwoven disposable product labeled as "flushable" or "sewer and septic safe" if that product fails to meet specified performance standards.

AB 1673 (Salas D) California Environmental Quality Act.

Introduced: 2/22/2019

Status: 2/25/2019-Read first time.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would make nonsubstantive changes to the provision naming the act.

AB 1694 (O'Donnell D) Water supply improvements.

Introduced: 2/22/2019

Status: 2/25/2019-Read first time.

Summary: Under current law, various state and local agencies engage in water resource planning. This bill would state the intent of the Legislature to enact legislation relating to water supply improvements.

ACA 3 (Mathis R) Water: minimum funding guarantee.

Introduced: 1/16/2019

Status: 1/17/2019-From printer. May be heard in committee February 16.

Summary: Would additionally require, commencing with the 2021–22 fiscal year, not less than 2% of specified state revenues to be set apart for the payment of principal and interest on bonds authorized pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014; water supply, delivery, and quality projects administered by the department, and water quality projects administered by the state board, as provided.

SB 1 (Atkins D) California Environmental, Public Health, and Workers Defense Act of 2019.

Introduced: 12/3/2018

Status: 2/12/2019-Set for hearing March 20.

Calendar: 3/20/2019 Upon adjournment of Natural Resources and Water Committee - Room 3191 SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

Summary: Current state law regulates the discharge of air pollutants into the atmosphere. The Porter-Cologne Water Quality Control Act regulates the discharge of pollutants into the waters of the state. The California Safe Drinking Water Act establishes standards for drinking water and regulates drinking water systems. The California Endangered Species Act requires the Fish and Game Commission to establish a list of endangered species and a list of threatened species, and generally prohibits the taking of those species. This bill would require specified agencies to take prescribed actions regarding certain federal requirements and standards pertaining to air, water, and protected species, as specified.

SB 13 (Wieckowski D) Accessory dwelling units.

Introduced: 12/3/2018

Status: 1/16/2019-Referred to Com. on RLS.

Summary: Would express the intent of the Legislature to enact legislation that would reduce impact fees and other existing barriers for homeowners seeking to create accessory dwelling units for the purpose of creating additional residential housing within their neighborhoods.

SB 15 (Portantino D) Redevelopment.

Introduced: 12/3/2018

Status: 1/16/2019-Referred to Com. on RLS.

Summary: The Community Redevelopment Law authorized the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Current law dissolved redevelopment agencies as of February 1, 2012, and provides for the designation of successor agencies, as defined, to wind down the affairs of the dissolved redevelopment agencies. This bill would state the intent of the Legislature to enact legislation relating to redevelopment.

SB 45 (Allen D) Wildfire, Drought, and Flood Protection Bond Act of 2020.

Introduced: 12/3/2018

Status: 2/20/2019-Set for hearing March 12.

Calendar: 3/12/2019 9:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, STERN, Chair

Summary: Would enact the Wildfire, Drought, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance projects to restore fire damaged areas, reduce wildfire risk, create healthy forest and watersheds, reduce climate impacts on urban areas and vulnerable populations, protect water supply and water quality, protect rivers, lakes, and streams, reduce flood risk, protect fish and wildlife from climate impacts, improve climate resilience of agricultural lands, and protect coastal lands and resources.

SB 134 (Hertzberg D) Water conservation: water loss performance standards: enforcement.

Introduced: 1/15/2019

Status: 1/24/2019-Referred to Com. on N.R. & W.

Summary: Current law authorizes the State Water Resources Control Board to issue information orders, written notices, and conservation orders to an urban retail water supplier that does not meet its urban water use objective, and existing law authorizes the board to impose civil liability for a violation of an order or regulation issued pursuant to these provisions, as specified. Current law requires the board, no earlier than January 1, 2019, and no later than July 1, 2020, to adopt rules requiring urban retail water suppliers to meet performance standards for the volume of water losses. This bill would prohibit the board from imposing liability for a violation of the performance standards for the volume of water losses except as part of the enforcement of an urban water use objective.

SB 200 **(Monning D) Safe and Affordable Drinking Water Fund.**

Introduced: 1/31/2019

Status: 2/13/2019-Referred to Coms. on EQ. and N.R. & W.

Summary: Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are available, upon appropriation by the Legislature, to the State Water Resources Control Board to provide a stable source of funding to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure.

SB 204 **(Dodd D) State Water Project: contracts.**

Introduced: 2/4/2019

Status: 2/26/2019-Set for hearing March 12.

Calendar: 3/12/2019 9:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, STERN, Chair

Summary: Would require the Department of Water Resources to provide at least 10 days' notice to the Joint Legislative Budget Committee and relevant policy and fiscal committees of the Legislature before holding public sessions to negotiate any potential amendment of a long-term water supply contract that is of projectwide significance with substantially similar terms intended to be offered to all contractors, or that would permanently transfer a contractual water amount between contractors.

SB 226 **(Nielsen R) Watershed restoration: grant program.**

Introduced: 2/7/2019

Status: 2/21/2019-Referred to Com. on N.R. & W.

Summary: Current law authorizes the Natural Resources Agency and the California Environmental Protection Agency to jointly develop and submit to the Legislature a plan for forest and water restoration investments for the drainages that supply specified reservoirs. This bill would require the agency to develop and implement a watershed restoration grant program, as provided, for purposes of awarding grants to private property land owners to assist them with watershed restoration on watersheds that have been affected by wildfire, as specified. The bill would require the agency to provide technical resources to the private property land owners seeking assistance with watershed restoration, as provided.

SB 241 **(Moorlach R) Public agencies: joint powers authorities: contracts.**

Introduced: 2/11/2019

Status: 2/21/2019-Referred to Coms. on GOV. & F. and L., P.E. & R.

Summary: Would require the governing body of each member agency of an agency established pursuant to a joint powers agreement to approve and ratify each memorandum of understanding negotiated between the joint powers agency and its employees. This bill would further require each member agency to a joint powers agreement to approve and ratify each contract for municipal services or functions, as defined, negotiated between the joint powers agency and the entity providing the services or functions.

SB 288 **(Wiener D) Electricity: self-generation and storage.**

Introduced: 2/13/2019

Status: 2/21/2019-Referred to Com. on E., U. & C.

Summary: Would, by January 1, 2021, require the PUC and the governing board of each local publicly owned electric utility to, among other things, create one or more tariffs that offer fair compensation for customer-sited energy storage systems that export electricity to the electrical grid and to consider one or more tariffs for customer-sited energy storage and renewable energy systems to support grid reliability and community resiliency in the event of emergencies or grid outages.

SB 295 **(McGuire D) Public utility districts: ordinances.**

Introduced: 2/14/2019

Status: 2/28/2019-Referred to Com. on GOV. & F.

Summary: The Public Utility District Act provides for the election of a board of directors to govern each district and authorizes a board to act only by ordinance, resolution, or motion. The act prohibits an ordinance passed by the board from taking effect less than 30 days after its passage, requires the clerk of the district to post copies of the ordinance at 3 public places in the district, and, if there is a

newspaper of general circulation printed and published in the district, requires the ordinance to be published in the newspaper, as specified. This bill would prohibit an ordinance passed by the board from taking effect less than 45 days, instead of 30 days, after its passage and would make conforming changes.

SB 307

(Roth D) Water conveyance: use of facility with unused capacity.

Introduced: 2/15/2019

Status: 2/28/2019-Referred to Com. on N.R. & W.

Summary: Current law prohibits the state or a regional or local public agency from denying a bona fide transferor of water from using a water conveyance facility that has unused capacity for the period of time for which that capacity is available, if fair compensation is paid for that use and other requirements are met. This bill would, notwithstanding that provision, prohibit a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands, as defined, that is in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission, in consultation with the Department of Fish and Wildlife, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands.

SB 332

(Hertzberg D) Wastewater treatment: recycled water.

Introduced: 2/19/2019

Status: 2/28/2019-Referred to Coms. on EQ. and JUD.

Summary: Would declare, except in compliance with the bill's provisions, that the discharge of treated wastewater from ocean outfalls is a waste and unreasonable use of water. The bill would require each wastewater treatment facility that discharges through an ocean outfall and affiliated water suppliers to reduce the facility's annual flow as compared to the average annual wastewater discharge baseline volume, as prescribed, by at least 50% on or before January 1, 2030, and by at least 95% on or before January 1, 2040. The bill would subject the owner or operator of a wastewater treatment facility, as well as the affiliated water suppliers, to a civil penalty of \$2,000 per acre-foot of water above the required reduction in overall volume discharge for the failure to meet these deadlines.

SB 335

(Hurtado D) Provision of sewer service: onsite sewage treatment system: opt out.

Introduced: 2/19/2019

Status: 2/28/2019-Referred to Coms. on EQ. and GOV. & F.

Summary: The Porter-Cologne Water Quality Control Act authorizes the property owner of an affected residence to opt out of an order for the provision of sewer service for a maximum of 5 years for the residence from the date of the issuance of the order by demonstrating to a regional board that the residence is served by an onsite sewage treatment system that is not inadequate and was installed no more than 10 years prior to the issuance of the order. This bill would authorize the property owner of an affected residence to opt out of such an order for a maximum of 5 years if the adequate onsite sewage treatment system was installed no more than 5 years prior to the issuance of the order.

SB 414

(Caballero D) Small System Water Authority Act of 2019.

Introduced: 2/20/2019

Status: 2/28/2019-Referred to Coms. on GOV. & F. and EQ.

Summary: Would create the Small System Water Authority Act of 2019 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. The bill, no later than March 1, 2020, would require the state board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a public water system that has either less than 3,000 service connections or that serves less than 10,000 people, and are not in compliance, for the period from July 1, 2018, through December 31, 2019, with one or more state or federal primary drinking water standard maximum contaminant levels, as specified.

SB 454

(Caballero D) State Water Resources Control Board: Administrative Hearing Office: fees.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be acted upon on or after March 24.

Summary: This bill would authorize the office to be supported in full or in part by fees assessed against parties that participate in a hearing conducted by the office and would prohibit the fees from being in an amount more than necessary to cover the reasonable costs of the burden imposed on the office by the individual fee payor. The bill would require the fees collected to be deposited into the fund.

SB 474

(Stern D) Department of Water Resources: appropriations of water.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be acted upon on or after March 24.

Summary: Under existing law, the Department of Water Resources is required to make and file with the State Water Resources Control Board applications for the appropriation of any water that, in the department's judgment, is or may be required in the development and completion of all or part of a

general or coordinated plan for the development, utilization, or conservation of the water resources of the state. Existing law gives those applications priority, as of the date of filing the application, over any subsequent application and exempts certain water rights diligence provisions from generally applying to the applications. This bill would eliminate the exemption from the application of the diligence provisions as of January 1, 2021.

SB 547

(Borgeas R) California Water Commission: members.

Introduced: 2/22/2019

Status: 2/25/2019-From printer. May be acted upon on or after March 27. Read first time.

Summary: Current law establishes the California Water Commission, consisting of 9 members who are appointed to 4-year terms by the Governor, in the Department of Water Resources. Current law requires 7 of the members to be selected on the basis of their general educational and business qualifications and their knowledge of, interest in, and experience with problems relating to water. This bill would make nonsubstantive changes in these provisions.

SB 668

(Rubio D) Fire hydrants: water suppliers: regulations.

Introduced: 2/22/2019

Status: 2/25/2019-From printer. May be acted upon on or after March 27. Read first time.

Summary: Current law requires the State Fire Marshal to establish a statewide uniform color coding of fire hydrants that relates to flow testing. Each agency that maintains fire hydrants is required to comply with these requirements as part of its ongoing maintenance program. This bill would require the State Water Resources Control Board, by December 1, 2021, to develop and adopt regulations for reporting and inspections regarding public water suppliers. The bill would require that the regulations adopted by the board ensure water suppliers' compliance with local standards for fire safety.

SB 669

(Caballero D) Water quality: Safe Drinking Water Fund.

Introduced: 2/22/2019

Status: 2/25/2019-From printer. May be acted upon on or after March 27. Read first time.

Summary: Would establish the Safe Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the State Water Resources Control Board. The bill would require the state board to administer the fund to assist community water systems in disadvantaged communities that are chronically noncompliant relative to the federal and state drinking water standards and do not have the financial capacity to pay for operation and maintenance costs to comply with those standards, as specified.

SB 690

(Hueso D) California regional water quality control boards: membership: disqualifying financial interest.

Introduced: 2/22/2019

Status: 2/25/2019-From printer. May be acted upon on or after March 27. Read first time.

Summary: The State Water Resources Control Board and the 9 California regional water quality control boards prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act. Current law requires regional boards to consist of 7 members appointed by the Governor and prohibits a member of a regional board from participating in specified board actions in which the member has a disqualifying financial interest within the meaning of the Political Reform Act of 1974. This bill would make a nonsubstantive change within these provisions

SB 693

(Borgeas R) State Water Resources Control Board: Administrative Hearings Office.

Introduced: 2/22/2019

Status: 2/25/2019-From printer. May be acted upon on or after March 27. Read first time.

Summary: Current law, operative July 1, 2019, creates within the State Water Resources Control Board an Administrative Hearings Office composed of attorneys qualified to act as hearing officers in adjudicative proceedings involving water rights matters. Current law prescribes procedures for hearings presided over by the office, including the adoption of a final order by the office for certain matters imposing administrative civil liability, and the preparation of a proposed order to be submitted for final review by the board for all other matters presided over by the office. This bill would make nonsubstantive changes in these provisions.

SB 699

(Hill D) Director of Water Resources.

Introduced: 2/22/2019

Status: 2/25/2019-From printer. May be acted upon on or after March 27. Read first time.

Summary: Current law establishes in the Natural Resources Agency the Department of Water Resources, which is under the control of the Director of Water Resources. Current law provides for the appointment of the director by the Governor, subject to confirmation by the Senate. Current law requires the director to organize the department as necessary and authorizes the director to create divisions, subdivisions, and branch offices, as prescribed. This bill would make nonsubstantive changes relating to the powers of the director.

SB 762

(Jones R) Groundwater storage: beneficial use.

Introduced: 2/22/2019

Status: 2/25/2019-From printer. May be acted upon on or after March 27. Read first time.

Summary: Current law specifies that the storing of water underground, including the diversion of streams and the flowing of water on lands necessary to the accomplishment of that storage, constitutes a beneficial use of water if the water so stored is thereafter applied to the beneficial purposes for which the appropriation for storage was made. This bill would make a nonsubstantive change in those provisions.

Total Measures: 80

Total Tracking Forms: 80

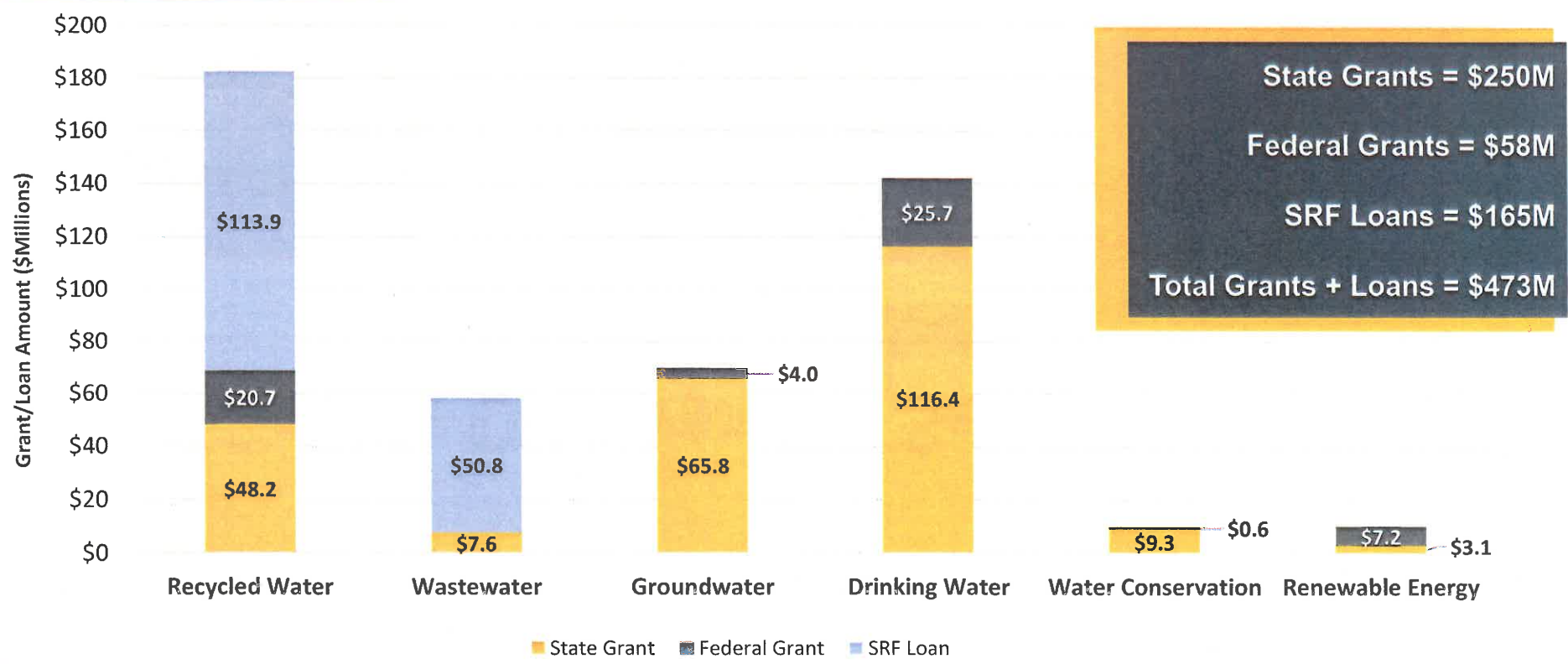
**INFORMATION
ITEM
2F**

Grants Department Semi-Annual Board Update



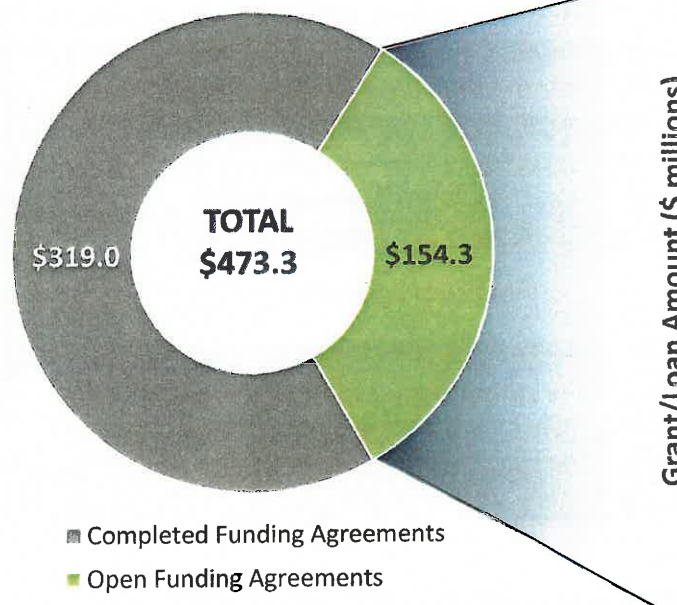
Grant & SRF Loan Funding Programs Overview

2000 – Present

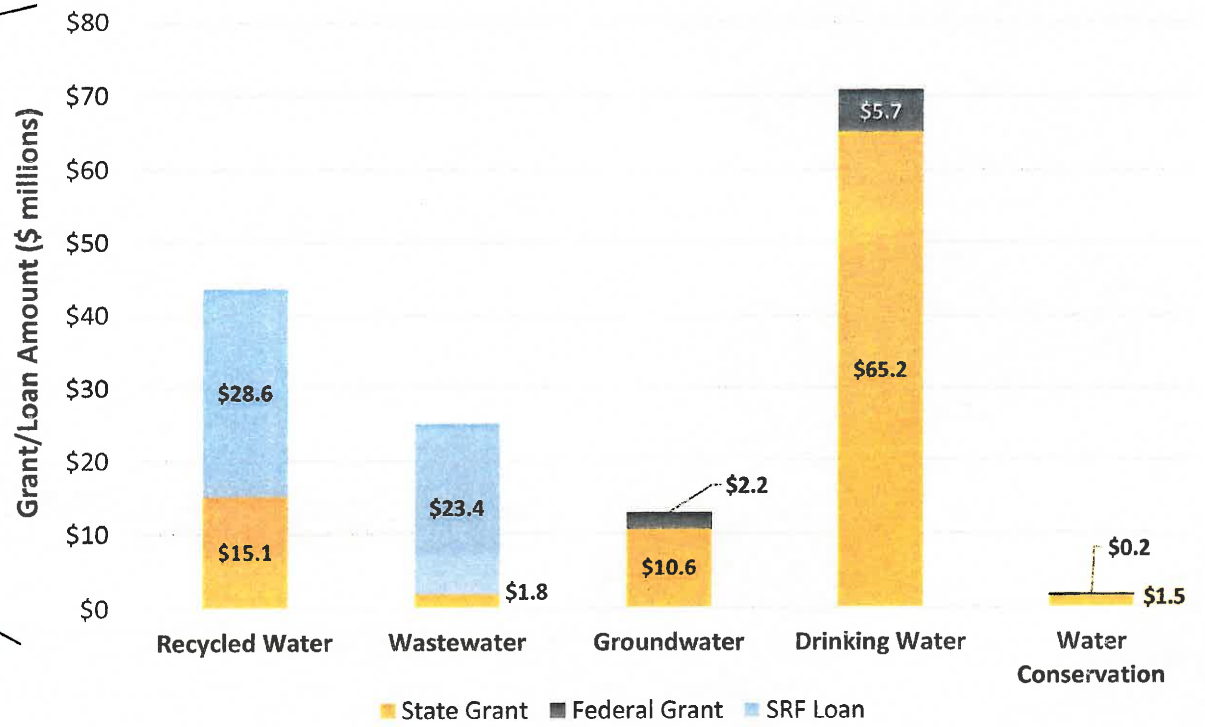


Active Grants & SRF Loans

Grant/Loan Agreement Status
(\$ millions)



Open Funding Agreements



Current Funding Applications (\$ Millions)

No.	Funding Agency & Type	Project Name	Amount Requested
1	SAWPA Grant	IEUA-JCSD Intertie (WRCWRA)	\$16.6
2	CNRA Grant	Chino Creek Wetlands and Educational Park Improvements	\$1.1
3	SAWPA Grant	RMPU Montclair Basin Improvements	\$1.0
4	CWC – Invest. Program	Chino Basin Program	\$206.9
5	SWRCB- LOAN	RP-5 Liquids Treatment Expansion and RP-5 Solids Treatment Facility	\$325.0
6	SWRCB- LOAN	IEUA-Pomona-MVWD Intertie	\$144.6
7	SWRCB- LOAN	IEUA-JCSD Intertie (WRCWRA)	\$33.1
8	SWRCB- LOAN	RMPU - Wineville, Jurupa RP-3 Basin Improvements	\$8.8
9	SWRCB- LOAN	RP-1-1158 Recycled Water Pump Station Upgrades	\$6.7
10	SWRCB- LOAN	Baseline Extension Project (Village of Heritage)	\$5.4
11	SWRCB- LOAN	RMPU - Lower Day Basin Improvements	\$2.9
12	SWRCB- LOAN	RP-5 Recycled Water Pipeline Bottleneck	\$3.1
13	SWRCB- LOAN	RMPU Montclair Basin Improvements	\$1.8
Total			\$757.0



SRF Loan Projects on SWRCB Fundable List 2018 – Present (\$Millions)

2018 SWRCB SRF Loan Fundable List

Project	SRF Loan	PF	Total
RP 1 1158 Pump Station Upgrade	\$4.2	\$2.5	\$6.7
RP-5 RW Pipeline Bottleneck	\$1.6	\$1.6	\$3.2
Baseline Extension (Village of Heritage)	\$2.9	\$2.5	\$5.4
IEUA-JCSD RW Intertie	\$30.6	\$2.5	\$33.1
Subtotal	\$39.3	\$9.1	\$48.4

2019 SWRCB SRF Loan Fundable List

Project	SRF Loan	PF	Total
RMPU Wineville/Jurupa/RP3	\$6.3	\$2.5	\$8.8
RMPU Lower Day	\$1.4	\$1.4	\$2.8
RMPU Montclair	\$0.9	\$0.9	\$1.8
RP-5 Expansion Project	\$322.5	\$2.5	\$325.0
IEUA-Pomona-MVWD RW Intertie	\$142.1	\$2.5	\$144.6
Subtotal	\$473.2	\$9.8	\$483.0
Grand Total	\$512.5	\$18.9	\$531.4

Draft 2019 SWRCB Fundable list expected to be released in April 2019 – numbers in table are projected.

Green Project status has resulted in \$18.9 million of SRF Loan Principal Forgiveness (PF) between 2018 and 2019 Fiscal Years

Total SRF Loan Interest Savings (\$Millions)

Active SRF Loans Principal = \$164.7M

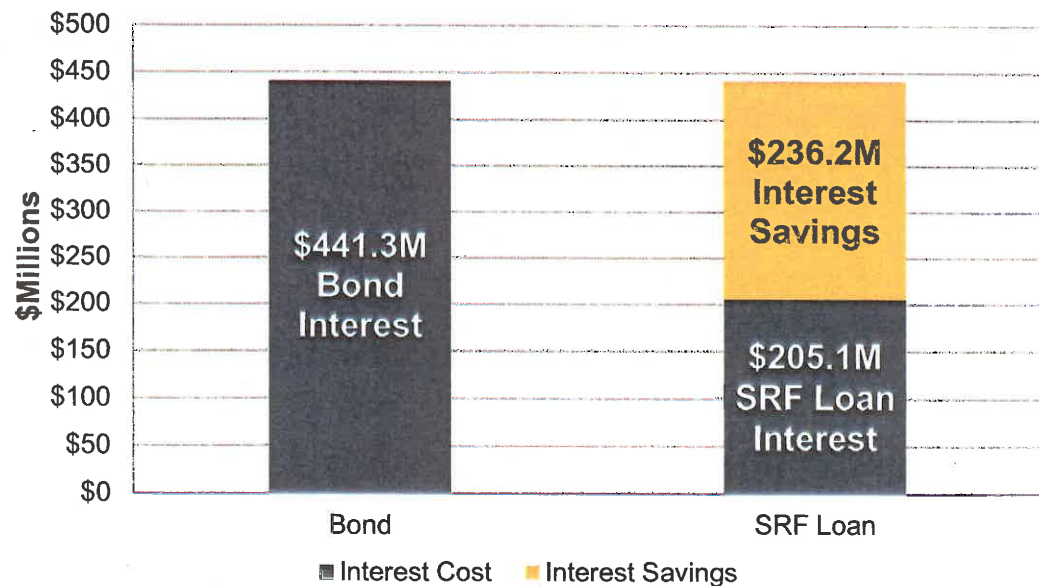
SRF Loan Applications Principal = \$512.5M

Total Principal = \$677.2M

Funding	Interest Rate	Principal	Interest Cost
Bonds	3.60%	\$677.2	\$441.3
SRF Loan	1.80%		\$205.1
Savings			\$236.2

- SRF loan Terms

- 30-year at 1.80% (50% of the State general obligation bond rate at 3.60%)



New Tools to Help the Process



- SAP module implementation - collaboration with BIS
- Streamline invoicing process through automation
 - Streamline procurement compliance



- Online grants management system
- Centralized grants documentation and administration
 - Improve grant management efficiencies