



**COMMUNITY AND LEGISLATIVE AFFAIRS
COMMITTEE MEETING
OF THE BOARD OF DIRECTORS
INLAND EMPIRE UTILITIES AGENCY***

**WEDNESDAY, MAY 13, 2020
9:00 A.M.**

**INLAND EMPIRE UTILITIES AGENCY*
Telecon: (415) 856-9169/Conference ID: 954 863 199#**

PURSUANT TO THE PROVISIONS OF EXECUTIVE ORDER N-25-20 ISSUED BY GOVERNOR GAVIN NEWSOM ON MARCH 12, 2020, AND EXECUTIVE ORDER N-29-20 ISSUED BY GOVERNOR GAVIN NEWSOM ON MARCH 17, 2020 ANY BOARD MEMBER MAY CALL INTO THE BOARD MEETING WITHOUT OTHERWISE COMPLYING WITH ALL BROWN ACT'S TELECONFERENCE REQUIREMENTS.

TELECONFERENCE ACCESSIBILITY FOR THE GENERAL PUBLIC:

In all efforts to prevent the spread of COVID-19, until further notice, the Inland Empire Utilities Agency will be holding all Board and Committee meetings by teleconferencing.

The meeting will be accessible at: (415) 856-9169 / Conf Code: 954 863 199#

This meeting is being conducted virtually by video and audio conferencing. There will be no public location available to attend the meeting; however, the public may participate and provide public comment during the meeting by calling into the number provided above. The public may also view the meeting live through the Agency's website. Alternatively, you may email your public comments to the Board Secretary/Office Manager April Woodruff at awoodruff@ieua.org no later than 24 hours prior to the scheduled meeting time. Your comments will then be read into the record during the meeting.

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 email the Board Secretary no later than 24 hours prior to the scheduled meeting time or address the Board during the public comments section of the meeting. 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. PRESENTATION

A. STATE LEGISLATIVE REPORT AND MATRIX – presented by WEST COAST ADVISORS

2. ACTION ITEMS

A. MINUTES

The Committee will be asked to approve the March 11, 2020 Community and Legislative Affairs Committee meeting minutes, and the March 30, 2020 Special Community and Legislative Affairs Committee meeting minutes.

B. AMEND 2020 LEGISLATIVE POLICY PRINCIPLES AND AUTHORIZE ENGAGEMENT

Staff recommends that the Committee/Board:

1. Approve the amended 2020 Legislative Policy Principles; and
2. Authorize the General Manager to engage in legislation in support of the new policy principles, if needed.

3. INFORMATION ITEMS

A. PUBLIC OUTREACH AND COMMUNICATION (WRITTEN)

B. FEDERAL LEGISLATIVE REPORT AND MATRIX – INNOVATIVE FEDERAL STRATEGIES (WRITTEN)

C. CALIFORNIA STRATEGIES MONTHLY REPORT (WRITTEN)

4. GENERAL MANAGER’S COMMENTS

5. COMMITTEE MEMBER COMMENTS

6. COMMITTEE MEMBER REQUESTED FUTURE AGENDA ITEMS

7. ADJOURN

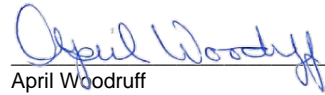
8. A Municipal Water District

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: shl

DECLARATION OF POSTING

I, April Woodruff, Board Secretary 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, May 7, 2020.



April Woodruff

PRESENTATION

1A



April 30, 2020

To: Inland Empire Utilities Agency

From: Michael Boccadoro
Beth Olhasso
Maddie Munson

RE: April Report

Overview:

As the state moves from spring into summer, statewide snowpack conditions are depleting. Currently, the snowpack is at 39 percent of April 1 averages and 47 percent of normal for this date. With the snowpack struggling, and the state entering summer, carryover storage in California's reservoirs is a bright spot in the water supply outlook. San Luis Reservoir, the main south-of-Delta storage facility for the State Water Project, is at 84 percent of average and 75 percent capacity for this time of the year. Oroville is at 87 percent of average and 70 percent capacity.

The State Water Resources Control (SWRCB) held a workshop on April 7 to discuss their proposed definition of "microplastics in drinking water." This is the first step in a broader plan to address microplastics in drinking water. Following the definition discussion the SWRCB will look at testing procedures, reporting requirements and further regulation through notification/response levels or MCLs.

The State of California is implementing a broad-based legal attack of the federal government's new plan to operate the Central Valley Project (CVP), specifically the project's effects on the Sacramento-San Joaquin Delta. The state is looking for changes in the Biological Opinions issued by the federal government allowing for the CVP to pump more water when the SWP cannot.

The Public Policy Institute of California (PPIC) recently released a report, "[The Benefits of Headwater Forest Management](#)," which concludes that improving the health of headwater forest in the Sierra, in particular where most of the state's surface water supplies originate, will provide an array of social, economic and environmental benefits across multiple sectors and geographies. The report noted that managing a healthy and coordinated headwaters system could be very costly.

In a recent release, CalEPA responded to in-state requests for regulatory relief from state pollution limits from trucks, ships, oil and gas facilities and any number of other regulations directed at helping the state meet its ambitious emissions reduction goals. Additionally, the release addresses the U.S. EPA's March 26 sweeping policy offering enforcement "discretion" by allowing facilities to indefinitely defer routine civil compliance actions if they provide adequate documentation to the agency.

The CPUC recently authorized about \$526 million for Southern California Edison's Grid Safety and Resiliency Program for 2018-2020. About \$257 million is intended for the utility's program that replaces at-risk standard conductors with covered conductors.

The Legislature has been on an extended recess since March 16, with plans for the Assembly to return May 4 and the Senate to return May 11 for an abbreviated legislative session. While formal plans are

fluid and just recently being announced, it is expected that each committee will have only one hearing to hear any COVID, homelessness, wildfire or absolutely critical legislation. Committee agendas are expected to be posted soon. A number of bills IEUA supports have been shelved for the year in the interest of limiting bills to those of only critical importance.

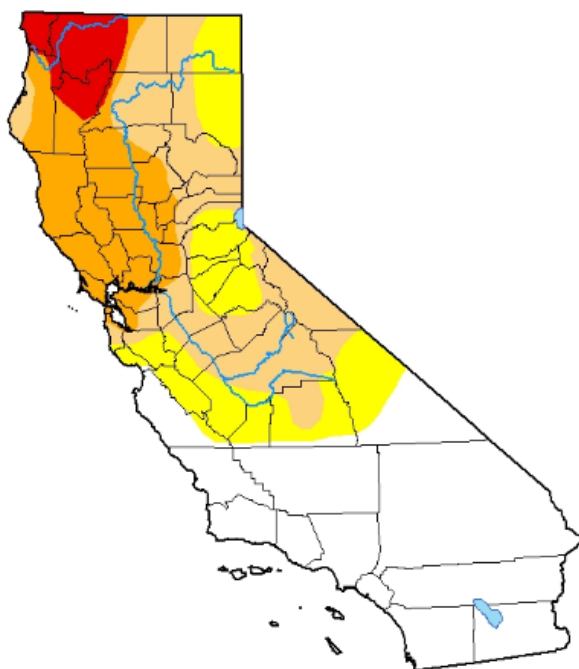
Inland Empire Utilities Agency Status Report – April 2020

Water Supply Conditions

As the state moves from spring into summer, statewide snowpack conditions have depleted, as expected. Currently, the snowpack is 39 percent of April 1 averages and 47 percent of normal for this date. With the snowpack struggling, and the state entering summer, carryover storage in California's reservoirs is a bright spot in the water supply outlook. San Luis Reservoir, the main south-of-Delta storage facility for the State Water Project, is at 84 percent of average and 75 percent capacity for this time of the year. Oroville is at 87 percent of average and 70 percent capacity.

Drought conditions have also worsened with the lack of precipitation. At the start of the year, 97 percent of the state was free from any drought conditions. Today, only 41 percent of the state is free from any drought conditions, with over 40 percent California in at least moderate drought conditions. In a reversal of normal patterns, it is the northern and far northern coastal part of the state that are the hardest hit at this time, with Southern California representing the part of the state that is not an any drought.

U.S. Drought Monitor California



April 28, 2020

(Released Thursday, Apr. 30, 2020)

Valid 8 a.m. EDT

Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	41.80	58.20	41.58	19.59	4.66	0.00
Last Week 04-21-2020	41.80	58.20	35.70	19.59	4.66	0.00
3 Months Ago 01-28-2020	65.72	34.28	0.00	0.00	0.00	0.00
Start of Calendar Year 12-31-2019	96.43	3.57	0.00	0.00	0.00	0.00
Start of Water Year 10-01-2019	95.29	4.71	2.06	0.00	0.00	0.00
One Year Ago 04-30-2019	94.03	5.97	0.00	0.00	0.00	0.00

Intensity:

None	D2 Severe Drought
D0 Abnormally Dry	D3 Extreme Drought
D1 Moderate Drought	D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:

Deborah Bathke
National Drought Mitigation Center



droughtmonitor.unl.edu

SWRCB Holds Workshop on Definition of “Microplastics”

The State Water Resources Control (SWRCB) held a workshop on April 7 to discuss their proposed definition of “microplastics in drinking water.” A definition must be adopted by July 1 as required by SB 1422 (2018, Portantino). A report issued by the SWRCB noted that evidence concerning the hazards and exposure of humans from microplastics is “nascent and rapidly evolving and currently no standardized methods for the detection of microplastics exists.” The report also notes that in the very few studies that have been done, microplastic levels are very low (if any) in ground water, however surface water sources are known to contain microplastics at high detection frequencies.

The SWRCB is proposing to define microplastics in drinking water as “solid polymeric materials to which chemical additives or other substances may have been added, which are particles which have at least two dimensions that are greater than 1 and less than 5,000 micrometers (im). Polymers that are derived in nature that have not been chemically modified (other than by hydrolysis) are excluded.” They noted, after discussion about the details and specifics of the definition, that the definition is subject to change in response to new information.

In addition to a definition, SB 1422 requires the SWRCB to accomplish the following by July 1, 2021:

- Adopt a standard methodology to be used in testing drinking water for microplastics
- Adopt requirements for four years of testing and reporting of microplastics in drinking water, including the disclosure of those results
- Consider issuing a notification level or other guidance to aid consumer interpretation of results
- Accredited qualified California laboratories to analyze microplastics.

At the April 7 workshop, two environmentalists generally praised the proposed definition while other stakeholders raised some concern.

Cindy Tuck representing ACWA shared that ACWA recognizes the need that there be testing and more information, but doesn’t want to “scare the public,” noting hope that there will be better information available regarding health effects or the “lack thereof.”

The American Chemistry Council indicated apprehension about the breadth of waterways and sources that may be included in the SWRCB’s definition of drinking water sources and that microplastics have not been shown to be a primary vector for, or increase, persistent organic pollutants (POPs) exposure compared with natural sources. In response, state board staff stated that they are considering the different source waters, and when they get down the line to a sampling and analysis plan, are going to be mindful of which types of waters are likely to have microplastics and tailor the sampling and analysis plans accordingly.

State board staff also noted that this is a first step in a larger microplastics discussion. There are many uncertainties at this point on the health effects of microplastics and the plan, outlined in SB 1422 allows for the study of these effects.

Written comments were due on April 24 and the board is scheduled to vote on the definition at its June 16 meeting.

Delta Update

The State of California is implementing a broad-based legal attack of the federal government's new plan to operate the Central Valley Project (CVP), specifically the project's effects on the Sacramento-San Joaquin Delta.

The first prong of the attack is on the federal government's biological opinions (BiOps) – environmental documents required by the Endangered Species Act (ESA) that detail how the CVP operations will effect ESA listed salmon and smelt, and how the project operators must mitigate for those effects. The state filed a lawsuit in federal court challenging the validity of the federal government's plan under the ESA and the National Environmental Policy Act (NEPA). The water contractors are intervening to oppose the state's efforts while environmental groups are supporting the state's legal challenges.

Most recently, the state filed a motion for a preliminary injunction to halt the new operational rules and another motion to shorten the timeline of the legal proceedings. The judge presiding over the federal hearing is expected to rule on these two recent motions in the coming weeks. The judge's ruling and reasonings could provide telling insight into how the judge might rule on the broader case.

The second prong of the state's efforts are related to the California Endangered Species Act and the incidental take permit process. This process is somewhat comparable to the federal BiOps process under the federal ESA. Historically, the state and federal government have operated the CVP and the State Water Project together. As such, in analyzing the CVP and SWP's effects on CESA listed species, the state has mirrored the federal government's environmental analysis in the BiOps. However, for the first time in the history of the two water projects, the state is fracturing from the federal government and as such conducting a separate analysis with separate operational rules under the CESA and the incidental take permit process.

The federal government is arguing that they are not subject to these state rules and will continue to operate the CVP under the federal guidelines. The state disagrees and is expected to file a lawsuit in state court in the next month to settle this question. While environmental groups have not completely supported the state's operational rules, they are expected to support the state's lawsuit. The Metropolitan Water District of Southern California board has voted to intervene in this lawsuit, and Kern County Water Agency is expected to consider whether or not to intervene soon.

There were extensive legal challenges on the last set of BiOps issued in 2008 and 2009, so legal challenges are not new. However, these lawsuits are different because this is the first time in the history of the operations of the CVP and SWP that the state and federal government haven't proposed separate operational guidelines. The state's challenge under CESA in state court is also a legal question that hasn't been considered before, at least at this magnitude. These lawsuits will likely be drawn out over multiple years, but the coming months could be telling.

Given these lawsuits and complex relations among the variety of parties involved, it has been widely speculated that the ongoing Voluntary Agreement process over how to manage Delta flows and water quality issues will fall apart. If that does happen, the State Water Resources Control could resume the Bay Delta Water Quality Control Plan process, which is currently in Phase 2. Phase 2 is set to cover the Sacramento River and its tributaries.

PPIC Releases Report on Headwaters

The Public Policy Institute of California (PPIC) recently released a report, “[The Benefits of Headwater Forest Management](#),” which concludes that improving the health of headwater forest in the Sierra, in particular where most of the state’s surface water supplies originate, will provide an array of social, economic and environmental benefits across multiple sectors and geographies.

The report did not identify any specific funding proposals or policy suggestions, but it did note that improving forest health will require a substantial lift from private and public agencies in terms of new policies and funding sources to facilitate complex and collaborative management. It highlighted that identifying the benefits and beneficiaries of forest management is critical to craft financial tools and policies and that the “heavy lift” will require actions at the local, state, and federal levels that could require actions at large scales and high costs. Decades of effort and funds will be required and that forest managers will need to identify revenue streams and determine long-term management responsibilities.

As with all PPIC reports, this report does not carry the weight of any mandatory action but will help inform policy makers. The topic of headwaters management is not new in California. There is constant talk of headwaters management. With the link between forest health and wildfires front and center in Sacramento, this might be the time headwaters management gets the traction needed to make the broad progress headwaters managers have been looking for. The water community will need to remain involved in the process as funding is discussed, as in the past, downstream users have been suggested as a major funder of headwaters management.

CalEPA Commits to Filling Gaps Left by Easing of Federal Environmental Regulations

In a recent release, CalEPA responded to in-state requests for regulatory relief from state pollution limits from trucks, ships, oil and gas facilities and any number of other regulations directed at helping the state meet its ambitious emissions reduction goals. Additionally, the release addresses the U.S. EPA’s March 26 sweeping policy offering enforcement “discretion” by allowing facilities to indefinitely defer routine civil compliance actions if they provide adequate documentation to the agency.

CalEPA says it is offering some regulated entities in California some “time-limited remedies, such as the extension of deadlines” for compliance due to COVID-19.”

Additionally, CalEPA said that they will fill any enforcement gaps left by U.S. EPA’s decision to reduce environmental oversight.

As reported in previous reports, the state is concerned it is not on pace to meet the state’s emissions reduction goals. Those concerns are only growing as reports that zero emission vehicle sales and rooftop solar installations have both shown dramatic decreases since the global pandemic began.

CARB’s ZEV rule requires 1.4 million ZEVs to be on California roads by 2025 and 15.4 percent of new car sales to be ZEVs in the same year. There are currently about 600,000 ZEVs on CA roads. Adding to the difficulty of meeting the ZEV goal, some major automakers are pushing back the introduction of new EV models until 2021 or 2022, in part due to COVID-19. A 43 percent drop in EV sales is predicted in 2020 due to many circumstances including the economic crisis, low gas prices and other factors.

CARB chair Mary Nichols noted that “we need to send a longer-term signal about where we are headed,” and that the current ZEV mandate is “much lower than what we actually need to see.”

With the state unlikely to ease mandates and goals, the question of where the emissions reductions are going to come from grows ever more pressing. The EV and environmental advocacy groups' push for a new rule requiring all light-duty vehicles offered for sale in California to have zero emissions starting in 2030, seems more likely as the state looks for reductions. Heavy-duty regulations could also be accelerated.

On the solar front, the rooftop solar and storage industry has seen 40-92 percent declines in permit approvals for installations at homes and businesses. The decline is attributed to economic uncertainty on the customer side, local government permit processing delays, installation delays due to lack of workers, and the IOUs not responding to requests for power shutoff and restarts.

While this decline is hopefully temporary, it is again important to consider what other measures the state might push on industry should their current efforts not yield the results they are looking for to meet the state's emissions reduction and clean energy goals and mandates.

CPUC Approves SCE's Grid Safety Expenditures

The CPUC recently authorized about \$526 million for Southern California Edison's Grid Safety and Resiliency Program for 2018-2020. About \$257 million is intended for the utility's program that replaces at-risk standard conductors with covered conductors. In 2019, SCE installed more than 96 circuit miles of covered conductors in high fire threat areas. As part of this program, SCE will install additional weather stations and high-definition cameras along the circuits in high-fire-risk areas. They also agreed to remove 22,500 trees – 7,500 in 2019 and 15,000 in 2020. Though they fell short of their 2019 goal by 1,600 trees.

SCE's Grid Safety and Resiliency Program costs are similar to the other utilities:

Covered Conductor:	\$428,000 per circuit mile
Tree Removal:	\$2,018 per tree removed
Current-Limiting Fuse:	\$5,962 per fuse
HD Camera:	\$25,850 per camera
Weather Station:	\$16,920 per station
Remote Control Auto Reclosers:	\$94,765 per recloser

Legislative Update

The Legislature has been on an extended recess since March 16, with plans to return May 4 for an abbreviated legislative session. While formal plans are fluid and just recently being announced, it is expected that each committee will have only one hearing to hear any COVID, homelessness, wildfire or absolutely critical legislation. Committee agendas are expected to be posted soon. The Assembly may return earlier than the Senate, but again, all planning remains fluid.

The Assembly recently released floor and committee schedules. Bills that were originally referred to more than one committee will now only be heard in a single policy committee. Public access to the Capitol will be limited, with the advocates being encouraged to call-into committee hearings to register support and opposition. Letters of support and opposition can also be submitted electronically by WCA, and WCA can and has been working with authors during the recess on amendments.

A top priority for the Legislature when they return will be tackling the state budget ahead of the June 15 constitutional deadline. It is expected they will pass a "workload" or "baseline" budget in June that is designed to maintain existing service levels, and come back with revisions in August after the delayed July 15 income tax receipts are available. The "May Revision" of the budget is expected by

May 15 and will likely be significantly scaled back from the \$222 billion proposed in January, and drastically different than the initial budget the Governor proposed. There will likely be no Greenhouse Gas Reduction Fund (GGRF) proposal until August and many of the normal expenditures may be drastically reduced.

The state fiscal outlook has gone from an anticipated budget surplus to very likely facing a massive budget shortfall. However, the budget picture will evolve over the next few months as more revenue projections become available, according to the Legislative Analyst's Office (LAO). The LAO has noted that historic reserve balances totaling \$17.5 billion are very helpful, but not likely enough to cover revenue losses and that near-term judicious use of budget reserves is warranted.

The committee schedule for the water and energy committees is as follows:

Wednesday May 13:
10:00 Natural Resources

Thursday May 14:
10:00: Water, Parks & Wildlife
11:30: Environmental Safety & Toxic Materials

Wednesday May 20:
1:30: Utilities & Energy

Some members have indicated bills they are choosing to no longer pursue, such as SB 996 (Portantino), which is MWD and CMUA's proposal to establish a process to identify and regulate constituents of emerging concern. Additionally, SB 1052 (Hertzberg) sponsored by CASA and the California Coastkeeper concerning stormwater capture has been shelved for the year. OCWD and CMUA's bill, AB 2560 (Quirk) on procedures for establishing notification and response levels at the SWRCB is slated to be on Asm. Quirk's priority list and will likely be heard in the Environmental Safety and Toxic Materials Committee on May 14 (chaired by the author, Asm. Bill Quirk).

Affordable Housing & Connection Fees

Another topic of particular interest to IEUA is any attempt to limit the agency's ability to charge connection fees in new housing development. There have been a number of bills floating around that might include this issue under the umbrella of affordable housing. Homelessness and affordable housing are still one of the top priorities for the Governor and the Legislature. It is very likely that President Pro Tem Toni Atkins will be carrying a big affordable housing bill, and there might be something similar coming out of the Assembly. Whatever vehicle or vehicles end up addressing affordable housing, WCA and IEUA staff will work together with our partners at CSDA, who have been the lead on this issue, to ensure that public agency ability to charge connection fees is maintained.

Climate Resilience Bond Update

There has been significant talk of climate resilience being included in a larger recovery bond. Recently Senator Henry Stern (D-Santa Monica) and twenty other members including Senator Connie Leyva (D-Chino) and Senator Anthony Portantino (D-La Canada Flintridge), sent a [letter](#) urging the members of the Governor's Task Force on Business and Jobs Recovery consider a "resilience" framework regarding climate. There is no formal proposal, but they did outline water resilience as an important policy area.

It is clear that there is at least going to be a discussion of a recovery bond from the legislature and that climate issues are part of that discussion as a means for shovel ready projects to get people back to work.

AB 3256 (E. Garcia, D- Coachella) has been referred to the Natural Resources Committee and is scheduled for hearing on May 13. The amendments discussed in last month's report have not been put into print yet, but it is expected that some form of amendments are coming before the hearing. It is unclear if the Assembly will use AB 3256 as its economic recovery vehicle or if some of the ideas in the measure will be folded into a separate bill.

IEUA BILL POSITIONS—April 30, 2020

Bill Number	Author/Sponsor	Title and/or Summary	Summary	IEUA Position
AB 1672	Bloom CASA	Product labeling: flushable products	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.	SUPPORT Senate Rules Committee
AB 2093	Gloria	Public records: writing transmitted by electronic mail: retention	Would, unless a longer retention period is required by statute or regulation, or established by the Secretary of State pursuant to the State Records Management Act, require a public agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record, as defined, that is transmitted by electronic mail.	OPPOSE Assembly Appropriations Committee
AB 2182	Rubio ACWA Sponsored	Emergency backup generators: water and wastewater facilities: exemption	Would exempt the operation of an alternative power source, as defined, to provide power to a critical facility, as defined, from any local, regional, or state regulation regarding the operation of that source. The bill would authorize providers of essential public services, in lieu of compliance with applicable legal requirements, to comply with the maintenance and testing procedure set forth in the National Fire Protection Association Standard for Emergency and Standby Power System, NFPA 110, for alternative power sources designated by the providers for the support of critical facilities.	SUPPORT Assembly Utilities and Energy Committee
AB 2560	Quirk OCWD/CMUA Sponsored	Water quality: notification and response levels: procedures	The California Safe Drinking Water Act requires the State Water Resources Control Board to adopt drinking water standards for contaminants in drinking water based upon specified criteria and requires any person who owns a public water system to ensure that the system, among other things, complies with those drinking water standards. The act requires a public water system to provide prescribed notices within 30 days after it is first informed of a confirmed detection of a contaminant found in drinking water delivered by the public water system for human consumption that is in excess of a maximum contaminant level, a notification level, or a response level established	SUPPORT Assembly Environmental Safety and Toxic Materials Com. May 14

			by the state board. This bill would require the state board to comply with specified public notice and comment and peer review procedures, as prescribed, when establishing or revising notification or response levels.	
ACA 1	Aguiar-Curry	Local government financing: affordable housing and public infrastructure: voter approval	The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters.	SUPPORT Assembly Floor- first vote failed, can be acted upon Jan 2020
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.	SUPPORT 2- year bill Assembly Approps
SB 667	Hueso	Greenhouse Gasses: Recycling Infrastructure and Facilities	Would require the Department of Resources Recycling and Recovery to develop, on or before January 1, 2021, and would authorize the department to amend, a 5-year needs assessment to support innovation and technological and infrastructure development, in order to meet specified organic waste reduction and recycling targets, as provided.	SUPPORT IF AMENDED

			The bill would require, on or before June 1, 2021, the department, in coordination with the Treasurer and the California Pollution Control Financing Authority, to develop financial incentive mechanisms, including, among other mechanisms, loans and incentive payments, to fund and accelerate public and private capital towards organic waste diversion and recycling infrastructure.	2-year bill Assembly Appropriations
SB 996	Portantino MWD/CMUA	SWRCB: Constituents of Emerging Concern	<i>Would require the State Water Resources Control Board to establish by an unspecified date and then maintain an ongoing, dedicated program called the Constituents of Emerging Concern Program to support and conduct research to develop information and, if necessary, provide recommendations to the state board on constituents of emerging concern in drinking water that may pose risks to public health. The bill would require the state board to establish the Stakeholder Advisory Group and the Science Advisory Panel, both as prescribed, to assist in the gathering and development of information for the program, among other functions. The bill would require the program to provide opportunities for public participation, including conducting stakeholder meetings and workshops to solicit relevant information and feedback for development and implementation of the program.</i>	<i>Bill Dropped by Author to keep focus on emergency measures.</i>
SB 1052	Hertzberg CASA/CA Coastkeeper	Water Quality: Municipal Wastewater Agencies	<i>Would establish municipal wastewater agencies and would authorize a municipal wastewater agency, among other things, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.</i>	<i>Bill Dropped by Author to keep focus on emergency measures.</i>

SB 1099	Dodd CMUA/Las Virgenes Sponsored	Emergency backup generators: critical facilities: exemption	Would, consistent with federal law, require air districts to adopt a rule, or revise its existing rules, to allow critical facilities with a permitted emergency backup generator to use that emergency backup generator during a deenergization event or other loss of power, and to test and maintain that emergency backup generator, as specified, without having that usage, testing, or maintenance count toward that emergency backup generator's time limitation on actual usage and routine testing and maintenance. The bill would prohibit air districts from imposing a fee on the issuance or renewal of a permit issued for those critical facility emergency backup generators	SUPPORT Senate Environmental Quality Committee
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ACTION
ITEM
2A



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

**WEDNESDAY, MARCH 11, 2020
9:00 A.M.**

COMMITTEE MEMBERS PRESENT

Steven J. Elie, Chair
Kati Parker

COMMITTEE MEMBERS ABSENT

None

STAFF PRESENT

Shivaji Deshmukh, General Manager
Kathy Besser, Executive Manager of External Affairs & Policy Development/AGM
Christiana Daisy, Executive Manager of Engineering/AGM
Randy Lee, Executive Manager of Operations/AGM
Cathleen Pieroni, Manager of Government Relations
John Scherck, Senior Project Manager
Daniel Solorzano, Technology Specialist I
Wilson To, Technology Specialist II
Teresa Velarde, Manager of Internal Audit
April Woodruff, Board Secretary/Office Manager

OTHERS PRESENT

None

The meeting was called to order at 9:00 a.m. There were no public comments received or additions to the agenda.

ACTION ITEMS

The Committee:

- ◆ Approved the Community and Legislative Affairs Committee meeting minutes of February 12, 2020.

◆ Recommended that the Board:

1. Adopt a position of "Support as Proposed to be Amended" for SB 996 (Portantino);
2. Adopt a position of "Support" for SB 1052 (Hertzberg); and
3. Adopt a position of "Oppose" for AB 2093 (Gloria);

as a Consent Calendar Item on the March 18, 2020 Board meeting agenda.

INFORMATION ITEMS

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

- ◆ Public Outreach and Communication
- ◆ State Legislative Report and Matrix – West Coast Advisors
- ◆ Federal Legislative Report and Matrix – Innovative Federal Strategies
- ◆ California Strategies Monthly Report

GENERAL MANAGER'S COMMENTS

General Manager Shivaji Deshmukh stated that Metropolitan Water District of Southern California's General Manager Jeff Kightlinger sent a letter to member agencies regarding a succession plan, stating that he will be stepping down as of October 2020. He expressed his appreciation for Chairwoman Gray and spoke about providing support during the transition in the next few months. General Manager Deshmukh also stated that the city of Chino would like to cancel their participation the Agency's Earth Day events in efforts to curtail the spread of the Coronavirus. He stated that the Agency will move forward in cancelling all Earth Day events.

COMMITTEE MEMBER COMMENTS

There were no Committee member comments.

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 9:35 a.m.

Respectfully submitted,

April Woodruff
Board Secretary/Office Manager

*A Municipal Water District

APPROVED: May 13, 2020



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

**MONDAY, MARCH 30, 2020
10:00 A.M.**

COMMITTEE MEMBERS PRESENT via Skype:

Steven J. Elie, Chair
Kati Parker

COMMITTEE MEMBERS ABSENT

None

STAFF PRESENT

Shivaji Deshmukh, General Manager
Christina Valencia, Executive Manager of Finance & Administration/AGM
Cathleen Pieroni, Manager of Government Relations

STAFF PRESENT via Skype:

Kathy Besser, Executive Manager of External Affairs & Policy Development/AGM

OTHERS PRESENT

Michael Boccadoro, West Coast Advisors
Beth Olhasso, West Coast Advisors

The meeting was called to order at 10:00 a.m. There were no public comments received nor additions to the agenda.

WORKSHOP

Michael Boccadoro and Beth Olhasso of West Coast Advisors delivered the State Legislative Briefing.

GENERAL MANAGER'S COMMENTS

There were no General Manager's comments.

COMMITTEE MEMBER COMMENTS

There were no Committee member comments.

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 10:56 a.m.

Respectfully submitted,

April Woodruff
Board Secretary/Office Manager

*A Municipal Water District

APPROVED: MAY 13, 2020

DRAFT

ACTION
ITEM
2B

Date: May 20, 2020

To: The Honorable Board of Directors

From: Shivaji Deshmukh, General Manager *SSD*

Committee: Community & Legislative Affairs

05/13/20

Executive Contact: Shivaji Deshmukh, General Manager

Subject: Amend 2020 Legislative Policy Principles and Authorize Engagement

Executive Summary:

Due to special circumstances related to COVID-19 pandemic emergency conditions, the California legislature is severely limiting the number of bills to be considered this year. As such, bills that are already in print on high-priority topics are being consolidated and reintroduced while the vast majority of bills will be abandoned and reintroduced in subsequent years.

Senate President Pro Tempore Toni Atkins has indicated that affordable housing is a high priority topic for her. Therefore, IEUA expects that several bills already in print on this topic will be consolidated into one or two yet-to-be-issued mega bill(s). Once this bill(s) is in print, staff seeks advance authorization to engage, since time may be of the essence in this condensed legislative review process.

Of specific concern to IEUA is language found in existing bills that we expect to carry forward in new legislation that would potentially limit the amount of connection fees per property that IEUA or its member agencies could collect for water or sewer service. IEUA plans to continue working closely with the California Special Districts Association (CSDA) for effective advocacy opportunities and may find it necessary to engage directly.

Staff's Recommendation:

1. Approve the amended 2020 Legislative Policy Principles; and
2. Authorize the General Manager to engage in legislation in support of the new policy principles, if needed.

Budget Impact *Budgeted (Y/N):* N *Amendment (Y/N):* N *Amount for Requested Approval:* \$ 0

Account/Project Name:

Not Applicable

Fiscal Impact (explain if not budgeted):

Not Applicable

Prior Board Action:

January 15, 2020 - the Board approved IEUA's 2020 Legislative Policy Principles.

Environmental Determination:

Not Applicable

Business Goal:

Approving legislative policy principles is in line with IEUA's business practice goal of advocating for development of policies, legislation and regulations that benefit the region.

Attachments:

Attachment 1 - Background

Attachment 2 - Draft Amended 2020 IEUA Legislative Policy Principles

Background

Subject: Amend 2020 Legislative Policy Principles and Authorize Engagement

The California Special Districts Association (CSDA) has been tracking and engaging on several affordable housing bills during the 2019-20 session that contain language that could have potentially limited the ability of water and wastewater agencies to collect connection fees for water and wastewater service to residential properties. IEUA has been tracking this issue closely and helping to inform CSDA's advocacy since it could represent significant financial impacts on IEUA and its member agencies. In 2019, for example, revenues from wastewater service connection fees¹ represented 12.6% of IEUA's total revenues and water service connection fees² represented an additional 3.0% of IEUA's total revenues.

Addressing housing affordability has been a top issue for the California legislature during this two-year legislative session, with more than 30 individual pieces of housing legislation enacted into law in 2019. This legislation can be grouped into the following six categories: 1) tenant protections; 2) increasing density and reducing barriers to production; 3) accessory dwelling units and "triplexes"; 4) surplus land availability/planning and impact fee data; 5) streamlining CEQA; and, 6) funding. Of particular concern to IEUA are the bills related to accessory dwelling units.

Staff was prepared to bring recommended positions on several housing bills to the Community and Legislative Affairs Committee this month. However, due to special circumstances related to COVID-19 pandemic emergency conditions, the California legislature is now severely limiting the number of bills to be considered this year. As such, the vast majority of bills will be abandoned and reintroduced in subsequent years or consolidated into "mega" bills on high priority topics.

Senate President Pro Tempore Toni Atkins has recently indicated that affordable housing is a high priority topic for her. Therefore, IEUA expects that the bills already in print on this topic will be consolidated into one or two yet-to-be-issued mega bill(s). Once this bill(s) is in print, staff seeks advance authorization to engage if language threatening IEUA's ability to collect collection fees on new development is included since time is expected to be of the essence in this condensed legislative review process.

While IEUA's 2020 Legislative Policy Guidelines are generally supportive of policy initiatives promoting the Agency's financial well-being, they do not speak specifically to the issues discussed herein. Therefore, staff recommends the addition of the following legislative policy principle and authorization for the General Manager to engage as needed on legislation related to this topic.

- Advocate for policies that protect the ability of IEUA and its member agencies to fully collect authorized connection fees for water and wastewater services in new development, including accessory dwelling units (ADUs).

¹ **Wastewater Connection Fees** support the acquisition, construction, improvement, and expansion of the Agency's regional wastewater system.

² **Water Connection Fees** support capital improvement and expansion of the Agency's regional water system, which is comprised of potable water, recycled water, and groundwater recharge facilities.

2020 IEUA Legislative Policy Principles

Water Resources and Systems Resiliency

- Support administrative/legislative and/or regulatory activities that preserve IEUA's and the region's ability to pursue water supply options and oppose constraints on supply development.
- Support administrative and legislative actions promoting the resiliency and improved operability of IEUA's systems.
- Support administrative and legislative action to identify and promote the use of salt-less water softening technology. Oppose any efforts to endorse salt-based technologies.
- Support administrative and legislative actions that protect, respond and plan for drought conditions while maintaining the necessary environmental protections.
- Support administrative and legislative actions on water-use efficiency that create and/or improve regulations and mandates recognizing the variations among the different communities, regions and counties with respect to their capability of withstanding the impacts of drought.
- Support administrative and legislative actions that promote and/or improve water quality from various constituents including salinity, perchlorates, nitrates and volatile organic compounds.
- Support alternative efforts to a sustainable approach to ensure every Californian has access to safe, clean and reliable water and oppose efforts to impose a public goods charge.
- Support member agency and regional legislative positions that align with IEUA's current policy principles.

Organics Recycling/Compost Use

- Support legislation that promotes the use of compost for multiple uses such as erosion control to protect water resources, water conservation, fire ravaged land remediation and healthy soils.
- Support administrative and legislative approaches for connecting carbon sequestration with healthy soils and the use of compost.

Regulations/Compliance

- Support regulations that restrict the use of uncomposted and contaminated organics in commercial compost products.
- Support administrative and legislative actions for environmental compliance (e.g., air, water, hazardous materials and waste) that provide for regulatory compliance flexibility, promote consistency and reduce regulatory redundancy.

Water Smart - Thinking in Terms of Tomorrow

- Support the development of Public Health Goals (PHGs), Response Levels (RLs), Notification Levels (NLs) or Maximum Contaminant Levels (MCLs) that are established in a process affording robust opportunities for scientific review and public comment and that consider feasibility and implementation costs.
- Support administrative/legislative actions to improve clarity and workability of California Environmental Quality Act (CEQA) and eliminate other duplicative state processes.
- Actively monitor and participate where appropriate in the development of water-use efficiency regulations.

Energy

- Promote water-energy nexus administrative/legislative and/or regulatory activities that preserve IEUA's and the region's ability to pursue supply options and oppose constraints on supply development.
- Support administrative and legislative actions that remove barriers and encourage energy sector investments in water conservation and energy management programs.
- Support legislation and other programs that would increase the value of the Renewable Energy Credits (RECs) generated and sold by wastewater treatment agencies that utilize their renewable energy on-site in California.
- Support legislation and other programs that would facilitate self-generation projects interconnection to the electric grid by reducing interconnection costs, metering requirements, project review process and timeline.
- Support administrative and legislative actions that encourage renewable energy through organics management, including landfill diversion.

Financial

- Advocate for policies that protect the ability of IEUA and its member agencies to fully collect authorized connection fees for water and wastewater services in new development, including accessory dwelling units (ADUs).
- Support maintaining tax exempt status for municipal debt.
- Support measures to reduce the cost of financing water infrastructure projects.
- Support efforts to reauthorize, increase of the funding cap federal funding, and extension of Title XVI/WIIN grant program, the federal EPA/State Revolving Loan program and other funding mechanisms.
- Support funding and incentive programs to promote water-use efficiency, including EPA's *WaterSense* program, education programs and tax exemptions incentives.
- Support funding programs that promote energy efficiency, increase renewable generation, strengthen local grids and energy reliance.
- Support federal funding for drought relief and adaptive water management opportunities in California.
- Advocate for funding that ensures a fair and equitable financing process for the public.
- Support efforts to reinstate public agency advanced bond refunding.

- Support funding opportunities that align with the Chino Basin Program and other regional programs promoting beneficial outcomes to IEUA and its member agencies.
- Support legislative or public initiatives that include bond funding for water projects.

Administrative/Other

- Support legislative actions that are aligned with the Agency's goals and objectives and support member agency and regional legislative positions.
- Support legislation that increases local control and limits additional financial burdens related to employee relations and collective bargaining that can be appropriately negotiated at the bargaining table.
- Oppose any measure that imposes mandates upon local government that are more properly decided at the local level.
- Support local government efforts to establish workforce engagement, succession planning and mentoring programs.
- Support legislation that streamlines the Workers' Compensation system and makes it easier for employers, employees and health care providers to navigate.
- Support reform measures that provide sustainable and secure public pensions and other post-retirement benefits to ensure responsive and affordable public services.

INFORMATION
ITEM
3A

Date: May 20, 2020

To: The Honorable Board of Directors

From: Shivaji Deshmukh, General Manager *SD*

Committee: Community & Legislative Affairs

05/13/20

Executive Contact: Shivaji Deshmukh, General Manager

Subject: Public Outreach and Communication

Executive Summary:

- Water Awareness Month
- May 15-17, MWD Solar Cup Competition, Lake Skinner: 37701 Warren Road, Winchester, 92596 CANCELLED
- May 19, Solar Cup 2.0 deadline for teams to submit their final challenge. (Solar Cup 2.0 provides current registered and sponsored teams a revised curriculum of assignments to successfully complete and submit in an online format. The new program is an individual student submission event. Each Monday, challenges in engineering, art, careers, watersheds and the re-imagined public service announcement are uploaded with a challenge due date.)
- May 25, Memorial Day Observed

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): N Amount for Requested Approval:*

Account/Project Name:

Fiscal Impact (explain if not budgeted):

Prior Board Action:

N/A

Environmental Determination:

Not Applicable

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

May

- Water Awareness Month
- May 15-17, MWD Solar Cup Competition, Lake Skinner: 37701 Warren Road, Winchester, 92596 **CANCELLED**
- May 19, Solar Cup 2.0 deadline for teams to submit their final challenge. Solar Cup 2.0 provides current registered and sponsored teams a revised curriculum of assignments to successfully complete and submit in an online format. The new program is an individual student submission event. Each Monday, challenges in engineering, art, careers, watersheds and the re-imagined public service announcement are uploaded with a challenge due date.
- May 25, Memorial Day Observed

June

- June 5, World Environment Day
- June 6, National Trails Day

Media and Outreach

- The Fiscal Year 2019 Annual Report was added to the Agency's website and will be distributed once Agency operations return to normal.
- The Agency continues to release COVID-19 announcements, updates, encouragement, and reminders on social media posts and stories.
- Staff is in the process of completing a timeline handout for the Agency's 70th Anniversary.
- The Agency has added an "At-Home Activities" page to the website. This page features activities from the Water Discovery Field Trip that have been modified so they can be done at home with items that can usually be found around the house.
- The Agency has been reminding the public of what can/cannot be flushed through social posts and videos.
- On April 14, a new post was put up on the IEUA Nextdoor page, with a poll attached, that reminded viewers #wipesclogpipes. In the first two weeks, a total of 769 users participated in the poll, there were 36 "reactions," 63 comments, and 28,476 impressions, making this IEUA's most successful Nextdoor post to-date. The poll asked, "Do you know where it goes?" With 72% stating "Yes, only toilet paper goes in the toilet," 3% responded "No, but I do now," and 26% said "I didn't know flushable wipes aren't flushable!"
- To celebrate what would have been our 12th Annual Earth Day event, video recaps from Earth Day 2019 Student Day and Community Day were shared on social media.
- In honor of the 50th Earth Day Anniversary, IEUA posted an Earth Day GIF and announced an 'Eco Art Contest.'

- The Agency celebrated Administrative Professionals Day on April 22 by featuring quotes from four IEUA staff members.
- April: 28 posts were published to the IEUA Facebook page, 28 posts were published to IEUA's Instagram and 29 tweets were sent on the @IEUAWater Twitter handle.
 - The top three Facebook posts, based on reach and engagement, in the month of April were:
 - 4/9 RP-5 Video
 - 4/21 Hiring: Facilities Programs Coordinator
 - 4/7 Wipes are Non-Flushable
 - The top three tweets, based on reach and engagement, in the month of April were:
 - 4/15 Water Word Wednesday acre-feet
 - 4/22 Earth Day GIF
 - 4/9 RP-5 video
 - The top three Instagram posts, based on reach and engagement, in the month of April were:
 - 4/9 RP-5 Video
 - 4/15 Earth Day Student Day Video
 - 4/16 Earth Day Community Day Video
- A *Kick the Habit* ad ran in *La Opinion* on April 18.
- A *Kick the Habit* ad ran in the April issue of *Inland Empire Magazine*.
- A spadea ad will run in the *Daily Bulletin* on May 3.
- A *Kick the Habit* ad will run in the *Champion's Chino Connection Magazine* section on May 16.
- The *Kick the Habit* digital banner ad continues to run in the *Fontana Herald News*.

For the month of April, there were 1,979 searches for a park in IEUA's service area on Yelp, where Chino Creek Wetlands and Educational Park was viewed 351 times on a mobile device.

Education and Outreach Updates

- The Water Discovery Program has reached 1,669 students and 33 schools for this current school year. As of March 12th, the Water Discovery field trip program has been put on hold.
- IEUA has been working on developing partnerships with local water providers to continue obtaining busing grants/sponsorships for schools outside of IEUA's service area for the Water Discovery Program. San Bernardino Valley Municipal Water District and Western Municipal Water District has partnered with IEUA to sponsor schools within their areas to participate in the Water Discovery Program.
- The participating Garden in Every School® sites have been placed on hold until fall.
- The Water is Life poster contest for 2020 has been put on hold until further notice from MWD.
- The Eco Art Contest was announced April 22 and will run until May 4.

Agency-Wide Membership Updates

- Sarah Recinto and Richard Lao listened in on the CASA Air Quality, Climate Change, and Energy (ACE) Workgroup Meeting on Tuesday, April 21.
- Pietro Cambiaso, Sarah Recinto and Richard Lao listened in on the SCAP Air Quality Committee Meeting on Thursday, April 23.

INFORMATION
ITEM
3B

INNOVATIVE FEDERAL STRATEGIES, LLC

Comprehensive Government Relations

MEMORANDUM

To: IEUA Community & Legislative Affairs Committee

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

Date: April 24, 2020

Re: April Monthly Legislative Update

House Passes Coronavirus Relief Legislation

The House on Thursday, April 23 voted overwhelmingly to pass legislation providing roughly \$484 billion in coronavirus relief for small businesses, hospitals and expanded medical testing, capping weeks of contentious negotiations that had stalled Washington's latest round of emergency aid.

The vote was 388-5-1, with four conservative Republicans breaking with GOP leaders to oppose the measure, citing its effect on federal deficit. Representative Alexandria Ocasio-Cortez (D-NY) also voted against the measure, while Rep. Justin Amash (I-MI) voted present.

The four Republicans who voted "no" were House Freedom Caucus Chairman Andy Biggs (R-AZ) and Representatives Ken Buck (R-CO), Jody Hice (R-GA) and Thomas Massie (R-KY).

The legislation, which the Senate passed on Tuesday, April 21 by voice vote, was signed by President Trump on Friday, April 24.

The legislation is the fourth coronavirus bill to move through Congress since the beginning of March and brings the federal response to the global pandemic up to \$2.8 trillion — by far the largest emergency relief effort in modern U.S. history.

It came after two weeks of tense talks between the White House, led by Treasury Secretary Steven Mnuchin and the top Democrats in both chambers, Speaker Nancy Pelosi (D-CA) and Senate Minority Leader Charles Schumer (D-NY), over the scope and direction of the latest infusion of emergency funds.

The process was not without plenty of controversy after GOP leaders rejected the notion of passing the measure either unanimously or by voice vote — two procedural options that would have precluded the need for lawmakers to return to Washington amid lingering concerns over public travel.

Instead, some members insisted on staging a recorded vote, which required lawmakers to cast their ballots physically on the chamber floor — and forced Democratic leaders to adopt some extraordinary steps to ensure that members conformed to the social distancing guidelines established by public health officials.

To do so, lawmakers — most of them wearing masks — entered the chamber in nine staggered groups, sorted alphabetically, to prevent overcrowding.

Outside the chamber, staff had set up a table with surgical masks and rubber gloves available to lawmakers as they entered. Inside, there were paper towel dispensers, boxes of sanitary wipes and warning notices taped to all but every fourth chair, lest members be tempted to sit too closely.

Those dynamics were a remarkable shift from the debate on March 27, when the House passed the CARES Act by a voice vote. Then, leaders in both parties had united to overcome a threat from Representative Thomas Massie (R-KY) to force a recorded vote.

Central to the massive relief package is \$310 billion to replenish the Paycheck Protection Program (PPP), a new initiative that provides forgivable loans to small businesses devastated by the pandemic. Congress had allotted an initial \$349 billion for the PPP in the last relief bill, a \$2.2 trillion package enacted on March 27, only to see the funds run dry shortly afterward due to the rush of businesses seeking to tap the benefits.

Several weeks ago, Mnuchin and the Republicans had requested an additional \$250 billion for PPP loans, and nothing else, for the next round of emergency relief. Democrats rejected that strategy outright, demanding additional language to ensure that vulnerable small businesses in underserved areas — including those owned by women and minorities — weren't left out of the program.

As a result, the package earmarks \$60 billion for community banks and smaller lenders, who tend to cater to those underserved businesses, while providing an additional \$10 billion for emergency business grants and loans.

The final legislation also included an additional \$75 billion for hospitals and community health centers, and another \$25 billion to boost COVID-19 testing, divided between state and federal governments.

Despite a push from Democrats for additional funding for food assistance programs and state and local governments, those provisions did not make it into the legislation. Republicans have argued that funding passed in the previous three coronavirus bills should be exhausted before Congress provides additional money to those areas, noting that the impetus for passing an interim response bill was the PPP hitting its appropriated ceiling for funding.

Even before the fourth emergency bill was signed, there is already plenty of talk of yet another round in the weeks to come.

Speaker Pelosi and House Democrats have already been working feverishly on that next package, which the Speaker said will be the Heroes Act and will expand programs established in the CARES Act. Additionally, Democrats are aiming to include additional priorities, including the expansion of funding for unemployment benefits, food stamps, testing, medical-safety

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equipment, and increased funding for states and cities facing shortfalls due to the crisis. They also want election-related provisions that would provide states with funding to establish all-mail voting — a system designed to encourage participation even for those voters wary of the health risk of visiting the polls in person.

Senate Majority Leader Mitch McConnell (R-KY) has cast doubt on passing another coronavirus response bill that includes many of the Democratic priorities, warning that the historic emergency spending has already exploded the federal deficit.

Yet supporters of another package have a powerful ally in Trump, who wasted no time this week advocating for the next round, including new funding for infrastructure projects, help for hard-hit restaurants and sports leagues, and the assistance for state and local governments that Democrats are promoting.

The House and Senate are not expected to return until at least May 4, a date that could be pushed back based on the conditions on the ground around the country. Congress is not expected to act on additional legislation until the House and Senate return unless extraordinary circumstances merit.

Senate EPW Committee Unveils Two Water Bills

Leaders of the Senate Environment and Public Works Committee released two discussion draft bills on Tuesday, April 21 that they hope to move forward towards passage before the end of the calendar year.

The first bill is the America's Water Infrastructure Act of 2020, which reauthorizes funding for water projects within the Army Corps of Engineers. The draft America's Water Infrastructure Act, authored by EPW committee members Senators Shelley Moore Capito (R-WV) and Ben Cardin (D-MD), would authorize roughly \$17 billion to increase water storage, improve flood protection, deepen U.S. ports, and repair aging wastewater and irrigation systems.

Highlights of the draft legislation include setting a two year goal for the U.S. Army Corps of Engineers to complete its feasibility studies for potential projects, includes (subject to scoring and available offsets) reauthorization of the Clean Water State Revolving Loan Fund at increased levels, and authorizes funding to fix aging dams and irrigation systems and upgrade wastewater systems across the country.

Additionally, the draft bill would allow the Army Corps to recommend funding for projects with a lower benefit-to-cost ratio if the projects serve a small, financially disadvantaged or rural community. It would also reauthorize the Water Infrastructure Finance and Innovation Act (WIFIA) program.

The second bill is the Drinking Water Infrastructure Act of 2020, which includes roughly \$2.5 billion in federal authorizations for water projects, including those under the Safe Drinking Water Act, giving local communities additional technical assistance to improve water quality.

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The measure was authored by Sens. Kevin Cramer (R-ND) and Tammy Duckworth (D-IL), who both serve on the committee.

This draft bill reauthorizes the Safe Drinking Water Act emergency fund to provide resources and technical assistance to communities facing drinking water emergencies that present substantial a danger to health and authorizes \$300 million in grants to assist in the remediation of emerging contaminants, with a focus on perfluoroalkyl and polyfluoroalkyl substances.

How soon Committee Chairman John Barrasso (R-WY) can schedule a markup of the bills is unclear. The chairman “wants to hear feedback on the draft legislation,” according to a spokesperson for the committee. Through May 1, the Committee will be in an information gathering process to collect feedback. Once that feedback is collected, the drafts will be considered at a committee markup at a future date.

Social distancing requirements are barring the committee from holding traditional public hearings so it has instead launched a “virtual” hearing in which five witnesses from business groups, water system operators, ranchers, and conservation organizations will weight in. The committee is giving other groups interested in commenting through May 1 to submit comments. The five witnesses invited to submit testimony are: Niels Hansen, vice president for the Public Lands Council; Stephen Sandherr, the Associated General Contractors of America’s chief executive officer; Dan Coughlin, a board member with the Wyoming Association of Rural Water Systems; Diane VanDe Hei, CEO for the Association of Metropolitan Water Agencies; and Tony Pratt, president of the American Shore and Beach Preservation Association.

Those five are expected to submit comments through April 22, and outside groups have until April 24 to send written questions to be posed to those witnesses. Questions are to be submitted to the committee at QFR@epw.senate.gov.

House, Senate Look to Remote Plans for Lawmakers

While staff in the House and Senate have largely been working remotely for much of the last several weeks, Members of Congress have been in recess for most of that same period. Voting traditions in the House and Senate have largely remained unchanged, with the exception of electronic voting in the House. Contingency operation plans in the House and Senate have largely focused on remote work for staff and alternate chamber exercises for lawmakers in the aftermath of 9/11. With the ongoing coronavirus pandemic, House and Senate leadership are taking a hard look at what, if any changes, might be prudent in light of the current environment.

The chairman and ranking member of the Senate Rules Committee, Roy Blunt (R-MO) and Amy Klobuchar (D-MN), are negotiating with their colleagues on a potential deal to allow the Senate to hold remote hearings.

The discussions came as the Senate was in the middle of a five-week recess sparked by the rapid spread of the coronavirus that has ground to a halt not only normal Senate floor action but also the myriad of day-to-day committee hearings.

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Blunt, who leads the Rules Committee and is a member of GOP leadership, said he's "very much trying to figure out a way to make that work."

"I am working with Senator Klobuchar and others at my initiation to see if we can find a way to do remote hearings and other things that don't require members to be together to have a vote, but do allow members to be at least virtually together to collect information. I think we can do that," he added.

Without a change to the Senate Rules, remote committee meetings would be limited to hearings, where senators hear from and question witnesses. Remote business meetings, where senators vote on legislation or nominations, would not be allowed without a Rule change. The Rules Committee is working in conjunction with other Senate panels and the Senate Sergeant-at-Arms to study options for remote "information gathering hearings," which could happen without a Rule change.

Though many of Congress's big legislative deadlines aren't until the fall, key committees like the Senate Armed Services Committee or the Senate Appropriations Committee use the spring to hold hearings with administration officials to lay the groundwork.

In the House, Speaker Nancy Pelosi and House Democrats put off a planned vote for Thursday, April 23 on changing rules to let members cast proxy votes for others who are unable to travel to Washington during the pandemic.

House Republicans had urged their members to oppose the proposal, which was pulled from consideration in the House Rules Committee after it became clear that the proposal would not enjoy the bipartisan support that Speaker Pelosi indicated she would require to move it forward.

Instead members voted to establish the Select Subcommittee on the Coronavirus as a select investigative subcommittee within the Committee on Oversight and Reform, the subcommittee is set to monitor President Donald Trump's implementation of nearly \$3 trillion in coronavirus relief measures, a step they said would safeguard the massive sums flowing to businesses, hospitals and individual taxpayers.

The panel, to be led by House Majority Whip James Clyburn (D-S.), is set up to include 12 members — seven Democrats and five Republicans. The creation of the special select subcommittee was approved by the House strictly along party lines, with Republicans opposing the effort and calling it duplicative of the House's oversight of spending and the Pandemic Response Accountability Committee (PRAC) established in the CARES Act.

President Trump Threatens to Recess Congress

President Trump threatened on Wednesday, April 14 to try to force Congress to adjourn so that he could make recess appointments.

Article II, Section 3 of the Constitution says the president "may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with

Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper.”

“The current practice of leaving town while conducting phony pro forma sessions is a dereliction of duty that the American people cannot afford during this crisis,” Trump said late this month.

Senate Majority Leader Mitch McConnell (R-KY) does not appear to be on board with President Trump’s plan to change the rules. If President Trump were to attempt to force a recess, it would likely require at least one chamber to hold a vote on an adjournment resolution to create the “disagreement” between the House and Senate. Without the support of Leader McConnell, neither chamber is likely to vote on an adjournment resolution as the House and Senate have rarely officially recessed via an adjournment resolution since the closing days of the Bush administration.

Any such move would likely spark a legal dispute that would likely end up at the Supreme Court, just as the challenge to President Barack Obama’s “recess” appointments to the National Labor Relations Board. In that case, the court rules unanimously that President Obama exceeded his constitutional authority when he declared the Senate to be in recess and unable to act on the nominations. “The Senate is in session when it says it is,” Justice Stephen G. Breyer wrote for the court at the time.

White House Unveils Guidelines to Reopen

The White House has unveiled guidelines that recommend a three-phase approach for states and counties to begin reopening their economies, allowing residents to gradually return to something resembling normal life amid the novel coronavirus outbreak.

The guidelines defer to states on reopening decisions and do not set a timeline for loosening coronavirus restrictions.

They call for states and counties to meet a series of criteria to being reopening, including seeing a downward trajectory of COVID-19 cases for 14 days and expanding testing for at-risk health care workers.

The reopening is likely to be slow.

The guidelines recommend a gradual process for reopening, with areas that have recorded large numbers of COVID-19 cases resuming business over a period of several weeks to months.

In the first phase, officials recommend that employers continue to encourage telework and minimize travel. Businesses like gyms can open if they institute strict physical distancing, while bars are encouraged to remain closed. The guidelines say that large venues, including sit-down restaurants, movie theaters, sporting venues and places of worship, can operate with “strict physical distancing protocols” in place.

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The second phase allows nonessential travel to resume and says bars can begin to operate with “diminished standing-room occupancy,” while large venues can operate with “moderate physical distancing protocols.”

By the third phase, businesses can largely resume normal activities, though individuals are still encouraged to physically distance themselves.

States like New York, the epicenter of the U.S. outbreak, have issued stay-at-home orders extending until mid-May, a sign they are not likely to begin trying to reopen for at least a month.

States that have not seen significant numbers of cases could begin to reopen more quickly. President Trump has said optimistically that this could happen before May 1, though experts have cautioned this would be risky without extensive testing and contact tracing to quash outbreaks.

States will be left to handle testing, which has to date been challenging. Governors have said some of the most important information they need when making decisions is testing data, but the administration's plan does not include a national testing strategy.

The guidelines explicitly leave it to states to scale up their own testing systems, including antibody tests. There was no plan on how the federal government would provide support to states trying to do that, though the administration has subsequently invoked the Defense Production Act to increase certain testing supplies. Health officials have performed around 4 million tests to date, but experts have said the U.S. needs to test almost 1 million people a week, if not more, to safely open the economy.

Former Centers for Disease Control and Prevention Director Tom Frieden called for a massive increase in testing as part of his four-pronged approach to getting everyone in the country working again.

“The number of testing done per day could need to increase by a factor of three to as much as a factor of 20 compared to the number of tests done today,” Frieden said.

Currently, all but seven states have instituted stay-at-home orders in order to lessen the spread of the virus. Those seven states — Arkansas, Iowa, Nebraska, North Dakota, South Dakota, Utah and Wyoming — have not seen significant numbers of cases.

However, some rural states like South Dakota have seen jumps in cases this month, potentially complicating efforts to reopen.

The pressure to open up quickly may put more people at risk if it's done too quickly and without a plan. Health experts have warned that more outbreaks will happen if mitigation measures are relaxed too early.

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Phase two of the White House guidelines calls for all at-risk populations to continue sheltering in place and urges low-risk individuals to avoid gatherings of 50 or more people and maintain physical distance when in public spaces.

Phase two is only to be implemented once a state or locality has seen a decline in cases for 28 days, something that could still be weeks away for more densely populated areas.

The final phase of the White House plan, which can be implemented once there is no sign of a resurgence in cases, still includes some social distancing restrictions, calling for vulnerable individuals to maintain physical distancing when in public and allowing venues like restaurants and movie theaters to operate “under moderate physical distancing protocols.”

Some experts and state officials, including those in California, have cautioned that large gatherings are unlikely to return until there is a vaccine or some form of herd immunity.

Anthony Fauci, the head of the National Institute of Allergy and Infectious Diseases, said Thursday, April 16 it’s “conceivable” that people could attend concerts and sporting events when states reach phase three, but acknowledged there could be setbacks that force the return of certain restrictions.

The guidelines are vague in many ways, including on the issue of travel restrictions.

The White House plan calls for employers to develop their own plans around how and when to resume business travel.

It recommends that individuals living in an area with strict measures still in place minimize nonessential travel but that those living in a locality that has moved on to phase two with fewer restrictions can resume traveling.

But the lack of specificity on how people can travel between states and between areas with differing levels of restrictions could be a cause for concern.

California Divergent Water Routes Soon to Enter More Litigation

California’s decision to depart from federal regulations when managing its water supplies is causing strife across the water world.

As we have previously shared, the state recently got a new permit for water delivery operations from its wildlife agency. In the past, that kind of authority came from adhering to federal rules. Now, with a dispute between the state and federal government over water management and endangered species act protections, the state issued its own permit.

Critics of the state’s move say they plan to file lawsuits. Different detractors say the rules are too stringent, or too weak. They also say the move creates different rules, depending on whether state or federal permits apply.

“This is actually a really big deal, which is why there is so much gnashing of teeth and pulling of hair,” said Jeffrey Mount, a senior fellow at Public Policy Institute of California’s Water Policy Center. “Nothing is done in water without pushback, without controversy, and hardly anything happens in water without litigation.”

At issue is how to provide enough water for fish, wildlife, and the ecosystem while also serving drinking water, agricultural, and other needs. With federal and state interpretations, different rules could apply to the same bodies of water. That means the state could limit water use while federal officials don’t.

The latest twist came March 31, when the California Department of Fish and Wildlife granted an incidental take permit to the state Department of Water Resources for operating its water delivery system while protecting smelt and salmon under state endangered species act rules.

Traditionally, California had authority if state operations fell under federal guidelines. Earlier this year, however, California sued the Trump administration over water-use proposals, saying they don’t protect imperiled species like salmon, smelt, and sturgeon.

California Department of Water Resources Director Karla Nemeth said the state had long been thinking about seeking the permit from a sister agency, and the recent strife with federal authorities wasn’t the sole reason.

One reason is because the federal Endangered Species Act doesn’t protect the same species as the California Endangered Species Act, so the change affords greater safeguards. Federal protections, for example, apply to salmon but not those in the Northern California Delta region. California has listed salmon statewide as endangered under state law.

Also, previously when California sought to take actions, including managing supplies during drought, it would have to do so with federal rules in mind. That’s no longer required now with a state permit, which allows more flexibility to make changes.

Metropolitan Water District of Southern California General Manager Jeffrey Kightlinger said the state permit isn’t justified by science. The agency contracts with the state for some water supplies and delivers water to 26 public agencies serving 19 million Californians.

The California permit changes flow parameters that could prevent state contractors from collecting water during extreme weather events and pitting it in reservoirs for storage to use during dry periods, such as now, he said.

“Usually the state and federal government would work out their issues and be in lockstep,” Kightlinger said. “It’s going to cause different requirements and conflicts between the two.”

Bonham, the state Fish and Wildlife director, calls the outcry hyperbole and said the groups need to work together. Nemeth, the state Water Resources director, said there are ways the ensure federal operations don’t take more water than would be appropriate. The State Water Resources Control Board also could step in and review water rights.

“There’s a lot of incentive for the parties to get along and work together,” she said.

Kightlinger said the situation was chaotic and certain to incite lawsuits from water contractors, environmental groups, and others.

Metropolitan’s legal committee is meeting April 14 to discuss litigation options. Obegi’s group, the Natural Resources Defense Council, and others have an ongoing lawsuit seeking an injunction against the federal biological opinions.

“Everybody’s going to court,” Obegi said.

Lawsuits challenging the state permit were due April 3, which is 30 calendar days after being approved.

Department of Interior's E-bike Policy Under Review

The U.S. Department of Interior's policy proposal last year to regulate e-bikes as traditional bikes on non-motorized lands is now under standard review with a public comment period.

The policy proposal affects the National Park Service, Bureau of Land Management, U.S. Fish and Wildlife Service, and the Bureau of Reclamation. Each of their 60-day public comment periods (Regulation Identifier No. 1024-AE61) ends June 8. Agencies then will review all comments and decide if the proposal becomes federal regulation if changes are needed, effective 30 days after being published in the Federal Register.

According to the NPS, the proposal will "define the term 'electric bicycle' and allow superintendents to provide for e-bike use in a similar manner to the current e-bike policy. ... The intent of this action is to address an emerging technology in a manner that accommodates visitors and increases opportunities for the public to recreate within and travel through the National Park System, while at the same time protecting the resources and values that draw millions of visitors each year."

If approved, the NPS, BLM, FSW and BR will regulate Class 1 and 3 e-bikes the same as traditional bikes, but each park superintendent would have final say-so as to where and if they can be used. Class 1 e-bikes are pedal-assist with the motor turning off at 20 mph. Class 3 are pedal-assist with the motor turning off at 28 mph. Class 2, throttle-assist with 20 mph maximum speed, would not be allowed on non-motorized trails.

The policy proposal in August allowed e-bikes access to non-motorized trails 30 days afterward and led to a lawsuit filed in December against the NPS. The Public Employees for Environmental Responsibility and a coalition of conservation groups are the primary plaintiffs.

The suit says Interior Secretary David Bernhardt and Deputy NPS Director P. Daniel Smith regularly met in private with an industry-dominated advisory committee at Interior headquarters

and through conference calls. The suit says the meetings violate the Federal Advisory Committee Act, which requires transparency to prevent secret lobbying.

The lawsuit is moving forward, with the NPS administrative record due June 1 and legal briefing following; however, this date could be adjusted pushed back in the wake of the ongoing COVID-19 pandemic.

EPA Loses Case Seeking Modeling Mileage Rollback

The Environmental Protection Agency (EPA) was wrong to withhold information about how it devised its new fuel efficiency standards, a panel of judges ruled just a day after the Trump administration rolled back Obama-era mileage standards.

The 2nd Circuit Court of Appeals sided with the Natural Resources Defense Council (NRDC) and the Environmental Defense Fund, which sued the EPA to gain insight into a controversial modeling technique that many said oversold the benefits for rolling back the Obama administration's policy.

The new standards unveiled by the Trump administration Tuesday, April 2 require automakers to produce a fleet averaging 40 mpg by 2026, rather than the previous requirement under the Obama administration to reach 55 mpg by 2025.

Environmental groups have vowed to sue over the regulation, but the controversial rule has faced numerous suits throughout its development, including the case from the NRDC.

At issue in the decision is the OMEGA modeling used to determine various outcomes from reducing mileage standards.

Part of the modeling attempted to forecast consumer behavior, assuming people would resist buying as many new cars given the tougher Obama-era fuel standards would likely make them more expensive. If true, used cars would likely stay on the road longer.

But Jeff Alson, a former senior policy adviser at EPA's Office of Transportation and Air Quality, which helps develop vehicle mileage and emissions standards, said the resulting analysis found a surge of roughly a trillion extra miles that would be driven by used cars.

"The miles driven should be about the same," Alson said, regardless of whether someone buys a new car or keeps driving an older one.

"If I have to go to work, I go to work; if I need to go to the store, I go to the store, but I'm not going to drive all of a sudden a lot more miles," he said, adding the formula "went haywire."

EPA said it would review the court's decision.

The modeling and other analysis used to craft Trump's standards are sure to be a feature in future lawsuits over the regulation.

“The Trump administration has been trying to hide the real impacts of its plan to gut clean car standards,” Pete Huffman, a lawyer with the Natural Resources Defense Council, said in a release. “With this decision, it will be even more clear to the public how dangerous and harmful to the economy this rollback really is.”

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
Discussion Draft	Sen. John Barrasso (R-WY) / Tom Carper (D-DE)	America's Water Infrastructure Act of 2020	Provides roughly \$17 billion in new federal authorizations to invest in infrastructure projects across the country, sets a 2-year goal for completing feasibility studies for potential projects by the Corps, and reauthorizes the WIFIA program administered by the EPA.	<p>A discussion draft of the legislation was released on April 21, 2020.</p> <p>A summary of the legislation can be opened by clicking on this cell.</p>
Discussion Draft	Sen. John Barrasso (R-WY) / Tom Carper (D-DE)	Drinking Water Infrastructure Act of 2020	The measure would provide roughly \$2.5 billion in authorizations, including reauthorizing a Safe Drinking Water Act emergency fund, and \$300 million in grants for cleaning drinking water of emerging contaminants, particularly toxic PFAS.	<p>A discussion draft of the legislation was released on April 21, 2020.</p> <p>A summary of the legislation can be opened by clicking on this cell.</p>

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
S.1932	Sen. Cory Gardner (R-CO) / Sen. Dianne Feinstein(D-CA)	Drought Resiliency and Water Supply Infrastructure Act	<p>This legislation would authorize and/or reauthorize surface and groundwater storage and supporting projects, water recycling and reuse projects, and desalination projects. It would also establish an infrastructure finance and innovation pilot program at the Bureau of Reclamation. The legislation would also establish a process to deauthorize Bureau of Reclamation projects that have failed to receive a minimum federal investment or initiate construction.</p> <p>The bill would increase support for water infrastructure projects that are likely to provide a more-reliable water supply and increase the water management flexibility and water reliability.</p>	<p>The legislation was introduced on June 20, 2019. The Water and Power Subcommittee of the Energy and Natural Resources Committee held hearings on 7/18/2019.</p> <p>A markup has not been scheduled due to disagreements between the Ranking Member and Sponsors of the legislation.</p> <p>Senator Dianne Feinstein is expected to release an updated version of the bill in the coming weeks that will make changes to how some projects would be authorized.</p>

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
S.3422	Sen. Cory Gardner (R-CO)	Great American Outdoors Act	<p>The legislation would create a National Parks and Public Lands Legacy Restoration Fund with income from 50% of the energy development revenues from oil, gas, coal, or alternative renewable energy from Federal land from fiscal years 2021 to 2025 for deferred maintenance projects in the National Park System, National Wildlife Refuge System, on BLM Public Lands, BIA Schools, or the National Forest.</p> <p>The legislation would also establish permanent funding for the Land and Water Conservation Fund that would not require further appropriations from Congress.</p>	<p>The legislation was introduced on 3/9/2020 in the Senate. The legislation has 58 cosponsors, including Senate Majority Leader Mitch McConnell (R-KY) who has indicated he plans to fast track the legislation in the Senate. While there were initially plans to consider the legislation in March, the Senate's schedule was changed to consider the third coronavirus response bill.</p> <p>The legislation is expected to be brought to the floor this spring or summer.</p>
Draft Legislation	Rep. Jared Huffman (D-CA)	FUTURE Drought Act	<p>Representative Huffman's draft legislation includes three titles on: Infrastructure Development, Improved Technology and Data, and Ecosystem Protection and Restoration. The draft legislation would create a water storage program, includes authorization of funding for desalination projects, created a water infrastructure fund, and extends and expands the WaterSMART program.</p>	<p>The legislation is expected to be introduced in the coming weeks. A section by section summary of the legislation can be found here: https://huffman.house.gov/imo/media/doc/FUTURE%20Drought%20Resiliency%20Act%20Discussion%20Draft%20SxS_Updated.pdf</p> <p>Huffman's office is still accepting comments on the legislation via his website: https://huffman.house.gov/future-drought-act/comments</p>

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
S. 2356	Sen. Mike Braun (R-IN)	Define WOTUS Act of 2019	The measure would create a new WOTUS definition the void the previous Obama era definition that is currently tied up in litigation.	The legislation was introduced on July 31 and referred to the Committee on Environment and Public Works.
S. 1087	Sen. John Barrasso (R-WY)	Water Quality Certification Improvement Act of 2019	The measure would amend the Federal Water Pollution Control Act to make changes with respect to water quality certification.	<p>The measure was introduced in the Senate on April 19 and was referred to Committee on Environment and Public Works.</p> <p>On November 19 the committee held a hearing to discuss impacts of the act if implemented.</p>
H.R. 1764	Rep. John Garamendi (D-CA)	The bill to amend the Federal Water Pollution Act	The legislation would amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.	<p>Introduced on March 15, 2019 and then referred to the Subcommittee on Water Resources and Environment.</p> <p>This legislation has bipartisan cosponsor ship and hearings were held on the measure in November 2019.</p>

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
H.R.1497	Rep. Peter DeFazio (D-OR)	Water Quality Protection and Job Creation Act of 2019	<p>Requires a report to Congress on the current and future workforce needs for publicly owned treatment works and information on steps taken to meet those needs.</p> <p>Reauthorizes sections of the Federal Water Pollution Control Act that provide grants to States and interstate agencies, including:</p> <p>State Management Assistance: Section 106(a);</p> <p>Watershed Pilot Projects: Section 122(c);</p> <p>Alternative Water Source Projects Pilot Program: Section 220(d);</p> <p>Sewer Overflow and Stormwater Reuse Municipal Grants: Section 221(f)1); and</p> <p>State Water Pollution Control Revolving Funds.</p> <p>Changes the length of permits for NPDES permits to not exceeding 10 years in certain circumstances.</p>	<p>Introduced on March 6, 2019 and referred to the Subcommittee on Water Resources and Environment of the House Transportation Committee.</p> <p>The Committee marked up the legislation and reported it with an amendment in the nature of a substitute--expanding the scope of the legislation.</p>

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
H.R. 1508 / S. 146	Rep. Blumenauer (D-OR) / Sen. John Hoeven (R-ND)	Move America Act of 2019	The measure would amend the Internal Revenue Code of 1986 to provide for Move America bonds and Move America credits which would be applicable to projects relating to flood diversions, inland waterways, sewage facilities.	<p>The House bill was introduced on March 5 and then referred to the House Committee on Ways and Means.</p> <p>Note: All tax issues are likely to be addressed as part of a larger tax package. The Ways and Means Committee is considering forming a tax extenders package, which would be the most likely venue for this legislation.</p> <p>The Senate bill was introduced in the Senate on January 16th and referred to the Senate Committee on Finance.</p>
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.	<p>Introduced in the House on February 13, 2019.</p> <p>The House Natural Resources Subcommittee on Water, Oceans, and Wildlife held a hearing on the legislation on June 13, 2019.</p> <p>On March 11, 2020, the House Natural Resources Committee held a mark-up on the legislation and it was ordered to be reported out of Committee by a vote of 19-12.</p>
S. 361/H.R. 807	Sen. Cory Gardner (R-CO) / Rep. Ken Buck (R-CO)	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 and referred to the Committee on Finance (Senate) and Ways and Means Committee (House). Neither chamber has recently engaged on the measures.

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
H.R.579	Rep. Scott Tipton (R-CO)	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. Referred to the Conservation and Forestry Subcommittee of the Agriculture Committee on 2/7 and to the Water, Oceans, and Wildlife Subcommittee of the House Natural Resources Committee on 2/4. A similar amendment was submitted to the House Rules Committee for consideration in the Interior-Environment Appropriations bill, but was not made in order by the Committee for floor consideration.
H.R.34	Rep. Eddie Bernice Johnson (D-TX)	Energy and Water Research Integration Act of 2019	The legislation would ensure consideration of water intensity in the Department of Energy's energy research, development, and demonstration programs to help guarantee efficient, reliable, and sustainable delivery of energy and clean water resources.	The bill was introduced in the House on January 3rd. It was marked up and ordered to be reported by the House Science and Technology Committee on May 1, 2019 and was passed by the House on July 23, 2019 by voice vote. On July 24, the bill was referred to the Senate Committee on Energy and Natural Resources.
H.R. 2313	Rep. Jared Huffman (D-CA)	Water Conservation Rebate Tax Parity Act	The measure would amend the Internal Revenue Code of 1986 to expand the exclusion for certain conservation subsidies to include subsidies for water conservation or efficiency measures and storm water management measures.	The bill was introduced in the House on April 12, 2019 and then referred to the Committee on Ways and Means. Note: All tax issues are likely to be addressed as part of a larger tax package. The Ways and Means Committee is considering forming a tax extenders package, which would be the most likely venue for this legislation.

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
H.R.1747	Rep. Rob Whitman (R-VA)	National Fish Habitat Conservation Through Partnerships Act	<p>The measure aims to achieve measurable habitat conservation results through strategic actions of Fish Habitat Partnerships that lead to better fish habitat conditions and increased fishing opportunities, establish a consensus set of national conservation strategies as a framework to guide future actions and investment by Fish Habitat Partnerships, broaden the community of support for fish habitat conservation, fill gaps in the National Fish Habitat Assessment and the associated database of the National Fish Habitat Assessment, and communicate to the public and conservation partners.</p>	<p>A hearing has been held in the House Natural Resources Committee on the legislation and the legislation was ordered to be reported out of committee on September 25, 2019.</p>

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
S.1419	Sen. James Lankford (R-OK)	Early Participation in Regulations Act	The legislation would direct agencies to issue advanced notices for rules costing more than \$100 million annually. The bill would require agencies must outline the problem the rule intends to solve and listen to the public's input on the subject.	<p>On May 13, the bill was introduced into the Senate. It was then referred to the Committee on Homeland Security and Governmental Affairs. Hearings on the bill were held in both the Committee on Homeland Security and the Committee on Small Business. On July 19 the Committee on Homeland Security and Governmental Affairs ordered the measure to be reported favorably with an amendment in the nature of a substitute.</p> <p>On September 10, the bill was placed on the Senate Legislative Calendar under General Orders. However the bill has yet to be considered on the Senate floor.</p> <p>The legislation has bipartisan cosponsor ship.</p>
S. 1087	Sen. John Barrasso (R-WY)	Water Quality Certification Improvement Act of 2019	The measure would amend the Federal Water Pollution Control Act to make changes with respect to water quality certification.	<p>The measure was introduced in the Senate on April 19 and was referred to Committee on Environment and Public Works.</p> <p>On November 19 the committee held a hearing to discuss impacts of the act if implemented.</p>
H.R. 1695	Rep. Betty McCollum (D-MN)	Community Services Block Grant Reauthorization Act of 2019	The legislation would amend the Community Services Block Grant Act to reauthorize and modernize the Act.	<p>The measure was introduced in the House on March 12, 2019 to the House Committee on Education and Labor.</p> <p>The legislation has bipartisan cosponsor ship.</p>

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
H.R. 1744	Rep. Mark Takano (D-CA)	S.T.O.R.A.G.E. Act (Storage Technology for Operational Readiness And Generating Energy Act) Energy Storage Systems by Electric Utilities	The bill would provide for the consideration of energy storage systems by electric utilities as part of a supply side resource process, and for other purposes.	The bill was introduced on March 13, 2020 and the referred to the Committee on Energy and Commerce, and in addition to the Subcommittee on Energy of the Committee on Science, Space, and Technology.
H.R.579	Rep. Scott Tipton (R-CO)	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. Referred to the Conservation and Forestry Subcommittee of the Agriculture Committee on 2/7 and to the Water, Oceans, and Wildlife Subcommittee of the House Natural Resources Committee on 2/4.
H. R. 855	Rep. Scott Peters (D-CA)	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 purpose	Introduced in the House and referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management of the House Transportation Committee on February 7th.
H.R. 420	Rep. Earl Blumenauer (D-OR)	Regulate Marijuana Like Alcohol Act	The bill would decriminalize marijuana and sets up legal framework to regulate marijuana.	Introduced in the House on January 9th and referred to the Committees on Energy and Commerce, Ways and Means, Natural Resources, and Agriculture.

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
S.420 /H.R. 1120	Sen. Ron Wyden (D-OR) / Rep. Earl Blumenauer (D-OR)	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.	<p>The bill was introduced in the Senate on February 7th and was referred to the Finance Committee.</p> <p>Introduced in the House on February 8th and was referred to the Committees on Judiciary, Agriculture, and Natural Resources.</p>
H.R. 3794	Rep. Paul A. Gosar (R-AZ)	Public Land Renewable Energy Development Act of 2019	The bill would work to promote the development of renewable energy on public lands	<p>The measure was introduced in the House on July 17, 2019 and was then referred to both the Committee on Natural Resources and the Committee on Agriculture. A hearing on the bill was held on July 25 by the Subcommittee on Energy and Mineral Resources. On August 9th, the bill was referred to the Subcommittee on Conservation and Energy of the House Agriculture Committee.</p> <p>The measure was later referred to the Subcommittee on Energy and Mineral Resources where a hearing was held on the legislation. On November 20th, a Mark-up session was held and the bill was ordered to be Reported by Voice Vote.</p> <p>The legislation has bipartisan cosponsor ship.</p>

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
S. 1344	Sen. Cory Booker (D-NJ) and Tim Scott (R-SC)	Reinstate Opportunity Zone Data Mandates	<p>The bill would require the Secretary of the Treasury to collect data and issue a report on the opportunity zone tax incentives enacted by the 2017 tax reform legislation.</p> <p>The reporting requirements were part of the original legislation as introduced, but they were not incorporated in H.R.1 (the tax package) when it was advanced in the House and Senate.</p>	<p>The legislation was introduced in the Senate on May 7, 2019 and referred to the Finance Committee.</p> <p>The legislation has bipartisan cosponsor ship.</p>
H.R.535	Rep. Debbie Dingell (D-MI)	PFAS Action Act of 2019	<p>The legislation combines 12 different bills that had previously been introduced into one legislative package that would change the way the federal government regulates “forever chemicals” known as PFAS.</p> <p>The consolidated version of H.R. 535 would place these chemicals on the Superfund hazards substances list from the Environmental Protection Agency, force the agency to set nationwide drinking water standards for PFAS, and block companies from producing new chemicals in this class.</p>	<p>The legislation was reported out of the House Energy and Commerce Committee on November 20, 2019 by a vote of 31 to 19, largely along party lines. The bill passed the House on January 10, 2020 by a vote of 247 - 159. The bill was received in the Senate on January 13, 2020 and referred to the Committee on Environment and Public Works. The legislation is not expected to be considered in the Senate in its current form.</p>

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
H.R.4236	Rep. Quigley, Mike (D-IL)	Reducing Waste in National Parks Act	The legislation would encourage recycling and reduction of disposable plastic bottles in units of the National Park System,	<p>The bill was introduced on September 6, 2019 and was referred to the House Subcommittee on National Parks, Forests, and Public Lands.</p> <p>The House Natural Resources Subcommittee on National Parks, Forests, and Public Lands held hearings on the legislation on February 27, 2020.</p>
S.3263 / H.R.5845	Sen. Tom Udall (D-N.M.) and Rep. Alan Lowenthal (D-CA)	Break Free from Plastic Pollution Act of 2020	This legislation would require plastic producers to take responsibility for collecting and recycling materials, require nationwide container deposits, ban certain pollutant products, impose a fee on the distribution of non-reusable carryout bags, create a new minimum recycled content requirement, protect state and local governments by allowing them to enact more stringent standards, requirements, and additional product bans, and give environmental agencies the valuable time needed to investigate the cumulative impacts of new plastic-producing facilities on the air, water, and climate.	<p>The bills were introduced in the House on 2/12/2020 and in the Senate on 2/11/2020. In the House, the legislation has been referred to the following committees: Energy and Commerce, Ways and Means, Transportation and Infrastructure, and Foreign Affairs.</p> <p>In the Senate, the legislation has been referred to the Finance Committee.</p>
Enacted Legislation (removed from report after 2 months)				

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
H.R.266	Sen. Mitch McConnell (R-KY)	Paycheck Protection Program and Health Care Enhancement Act (Coronavirus 3.5 response legislation)	<p>The nearly \$500 billion coronavirus rescue package that delivers emergency aid to small businesses and hospitals. The measure includes an immediate \$321 billion infusion for the Paycheck Protection Program, the small business rescue fund that ran out of money last week. The package also provides another \$60 billion in economic disaster loans for small businesses, \$75 billion in emergency relief for hospitals and \$25 billion to ramp up coronavirus testing</p>	<p>Passed unanimously by the Senate April 21, 2020.</p> <p>Passed by the House with a vote of 388-5-1 on April 23, 2020.</p> <p>The President signed the legislation on Friday, April 24, 2020.</p>

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
H.R.748	Sen. Mitch McConnell (R-KY)	CARES Act (third legislative package related to the Coronavirus response).	<p>The more than \$2 trillion legislative package:</p> <p>Made significant (temporary) changes to unemployment insurance by providing additional federal funding, increasing the weekly benefit, and expanding coverage for additional weeks. It also provides loans (with forgiveness) to many small businesses who take them out to meet payroll needs.</p> <p>Provides a tax rebate to many Americans through a direct check to cover unexpected expenses due to the pandemic. It also provides \$500 billion for businesses, governments, etc. through loans, provides the delay of payroll taxes, and other provisions designed to keep businesses afloat.</p> <p>Provides \$339 billion in supplemental appropriations with more than 80% going to state and local governments and communities.</p>	<p>Passed in the Senate on March 25, 2020 by a vote of 96-0 as a substitute amendment to legislation that had already passed the House.</p> <p>Passed the House on Friday, March 27, 2020 by voice vote.</p> <p>Enacted (signed by President Trump) on Friday, March 27, 2020.</p>

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
H.R.6201	Rep. Nita Lowey (D-NY)	Familied First Coronavirus Response Act (second legislative package related to the Coronavirus response).	Creates an emergency paid leave program to respond to the coronavirus outbreak. Private sector employers with fewer than 500 workers, government entities would have to provide as many as 12 weeks of partially paid family leave under the FMLA to care for a child whose school or day care has closed. The first 10 days would be unpaid unless an employee used other banked/available leave. Employers also would have to provide full- and part-time workers with two weeks paid sick time, including for a quarantine order or to care for another affected individual. New requirements were added to restrict leave for employees who could not work or telework due to sickness from the coronavirus. (continued)	<p>(continued) Provides \$1 billion for nutrition programs and allows USDA food programs latitude to ensure meals are provided. SNAP could provide extra benefits in areas where school closures impact the National Schools Lunch Program. SNAP Work Requirements are waived. Meals under the National School Lunch Program can be taken “to-go” rather than served.</p> <p>Joint federal-state unemployment insurance program generally provides income support for as long as 26 weeks to workers who have been involuntarily laid off.</p> <p>Passed the House on March 14, 2020.</p> <p>Passed the Senate on March 18, 2020.</p> <p>Enacted (signed by President Trump) on March 18, 2020.</p>

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
H.R.6074	Rep. Nita Lowey (D-NY)	Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (first legislative package related to the Coronavirus response).	<p>Provided \$6.5 billion for the Department of Health and Human Services. Provided \$1.25 billion for the State Department and USAID for global health programs, humanitarian and health assistance, diplomatic operations, evacuation and emergency preparedness costs.</p> <p>Enabled the Small Business Administration to provide approximately \$7 billion in disaster loans by expanding the disaster definition.</p>	<p>Passed the House on March 4, 2020.</p> <p>Passed the Senate on March 5, 2020.</p> <p>Enacted (signed by President Trump) on March 6, 2020.</p>

INFORMATION
ITEM
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CALIFORNIA STRATEGIES, LLC

Date: April 24, 2020
To: Inland Empire Utilities Agency
From: John Withers, Jim Brulte
Re: California Strategies, LLC April 2020 Activity Report

1. This month Jim Brulte and John Withers participated in the monthly senior staff meeting via Skype due to the Coronavirus.
2. California Strategies is providing the General Manager and senior staff daily updates on the Governors' press conferences through Kathy Besser.
3. California Strategies is also providing current information on the State Budget and activities of the Governor and Legislature related to it.
4. Regional Contract
 - There was brief discussion regarding the Regional Contract.
5. Chino Basin Program
 - There was a discussion about the Chino Basin Program.
6. Rate Study (Carollo)
 - Rate terms have been bifurcated between five-year rates (MEU, EDU) and two-year rates.
 - Ongoing discussion on recycled rates (fixed vs. volumetric). Concern about rate increases
Fixed component is a challenge
7. Discussed regional personnel changes
8. Member Questions and Answers
 - Provided member agency elected officials background information/profiles
 - Answered questions from IEUA Board members and the GM since the meeting