



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

**WEDNESDAY, APRIL 14, 2021
9:00 A.M.**

**INLAND EMPIRE UTILITIES AGENCY*
VIEW THE MEETING LIVE ONLINE AT IEUA.ORG
TELEPHONE ACCESS: (415) 856-9169 / Conf Code: 635 663 326#**

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 AND IN AN EFFORT TO PROTECT PUBLIC HEALTH AND PREVENT THE SPREAD OF COVID-19, THERE WILL BE NO PUBLIC LOCATION FOR ATTENDING IN PERSON.

The public may participate and provide public comment during the meeting by dialing into the number provided above. Alternatively, public comments may be emailed to the Board Secretary/Office Manager Denise Garzaro at dgarzaro@ieua.org no later than 24 hours prior to the scheduled meeting time. Comments will 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/Office Manager 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.

*A Municipal Water District

1. **ACTION ITEMS**

A. **MINUTES**

Approve Minutes of the March 10, 2021 Community and Legislative Affairs Committee meeting.

B. **ADOPT POSITION ON H.R. 1915, THE WATER QUALITY PROTECTION AND JOB CREATION ACT**

Staff recommends that the Committee/Board adopt a position of “Support” for H.R. 1915, the Water Quality Protection and Job Creation Act (DeFazio, Napolitano, and Fitzpatrick).

C. **ADOPT POSITION ON H.R. 1563 TO EXTEND WIIN SECTION 4007 AUTHORITIES THROUGH SEPTEMBER 30, 2028**

Staff recommends that the Committee/Board adopt a position of “Support” for H.R. 1563 (Garcia, M.).

D. **ADOPT POSITION ON H.R. 1881 TO AMEND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITTING TERMS**

Staff recommends that the Committee/Board adopt a “Support” position for H.R. 1881 (Garamendi).

2. **INFORMATION ITEMS**

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

B. **STATE LEGISLATIVE REPORT AND MATRIX – WEST COAST ADVISORS (WRITTEN)**

C. **BROWN ACT LEGISLATION (POWERPOINT)**

D. **PUBLIC OUTREACH AND COMMUNICATION (WRITTEN)**

E. **CALIFORNIA STRATEGIES MONTHLY REPORT (WRITTEN)**

3. **GENERAL MANAGER’S COMMENTS**

4. **COMMITTEE MEMBER COMMENTS**

5. **COMMITTEE MEMBER REQUESTED FUTURE AGENDA ITEMS**

ADJOURN

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

DECLARATION OF POSTING

I, Denise Garzaro, Board Secretary/Office Manager of the Inland Empire Utilities Agency, A Municipal Water District, hereby certify that a copy of this agenda has been posted by 5:30 p.m. to the IEUA Website at www.ieua.org and outside the Agency's main office, 6075 Kimball Avenue, Building A, Chino on Thursday, April 8, 2021.



Denise Garzaro, CMC

**ACTION
ITEM
1A**



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

**WEDNESDAY, MARCH 10, 2021
9:00 A.M.**

COMMITTEE MEMBERS PRESENT via Video/Teleconference

Jasmin A. Hall, Chair
Steven J. Elie

STAFF PRESENT

Shivaji Deshmukh, General Manager
Wilson To, Technology Specialist II

STAFF PRESENT via Video/Teleconference

Michael Camacho, Vice President
Kathy Besser, Executive Manager of External & Government Affairs/AGM
Christina Valencia, Executive Manager of Finance & Administration/AGM
Jerry Burke, Manager of Engineering
Andrea Carruthers, Manager of External Affairs
Javier Chagoyen-Lazaro, Manager of Finance & Accounting
Robert Delgado, Manager of Operations
Denise Garzaro, Board Secretary/Office Manager
Don Hamlett, Acting Deputy Manager of Integrated System Services
Jennifer Hy-Luk, Administrative Assistant II
Scott Oakden, Manager of Operations
Cathleen Pieroni, Manager of Inter-Agency Relations
Jesse Pompa, Manager of Grants
Sushmitha Reddy, Manager of Laboratories
Jeanina Romero, Executive Assistant
Daniel Solorzano, Technology Specialist I
Teresa Velarde, Manager of Internal Audit

OTHERS PRESENT via Video/Teleconference

Michael Boccadoro, West Coast Advisors
Jean Denton, Innovative Federal Strategies
Beth Olhasso, West Coast Advisors
Sarah Persichetti, Innovative Federal Strategies
Drew Tatum, Innovative Federal Strategies
Letitia White, Innovative Federal Strategies

CALL TO ORDER

Committee Chair Jasmin A. Hall called the meeting to order at 9:00 a.m. She gave the public the opportunity to comment and provided instructions for unmuting the conference line.

There were no public comments received or additions to the agenda.

1A – 1C. ACTION ITEMS

The Committee:

- ◆ Approved Minutes of the February 10, 2021 Community and Legislative Affairs Committee meeting;
 - ◆ Recommended that the Board:
 1. Adopt a position of “Oppose” for the following bills: AB 1434 (Friedman) and AB 377 (Rivas); and
 2. Adopt a position of “Support” for the following bills: AB 818 (Bloom); SB 230 (Portantino); SB 273 (Hertzberg);
 - ◆ and Adopt a “Support” position for H.R. 535/S. 91, the Special Districts Provide Essential Services Act;
- as a Consent Calendar item on the March 17, 2021 Board meeting agenda.

2A – 2E. INFORMATION ITEMS

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

- ◆ Regulatory Update: Water Use Efficiency
- ◆ Public Outreach and Communication
- ◆ State Legislative Report and Matrix – West Coast Advisors
- ◆ Federal Legislative Report and Matrix – Innovative Federal Strategies
- ◆ California Strategies Monthly Report

3. GENERAL MANAGER’S COMMENTS

There were no General Manager’s comments.

4. COMMITTEE MEMBER COMMENTS

There were no Committee member comments.

5. COMMITTEE MEMBER REQUESTED FUTURE AGENDA ITEMS

There were no Committee member requests for future agenda items.

ADJOURNMENT

With no further business, Committee Chair Hall adjourned the meeting at 9:58 a.m.

Respectfully submitted,

Denise Garzaro
Board Secretary/Office Manager

*A Municipal Water District

APPROVED: APRIL 14, 2021

**ACTION
ITEM
1B**

Date: April 14, 2021

To: The Honorable Board of Directors

SD
From: Shivaji Deshmukh, General Manager

Committee: Community & Legislative Affairs

04/14/21

Executive Contact: Kathy Besser, Executive Manager of Government & Ext. Affairs/AGM

Subject: Adopt Position on H.R. 1915, the Water Quality Protection and Job Creation Act

Executive Summary:

H.R. 1915, the Water Quality Protection and Job Creation Act of 2021, is a bipartisan bill introduced by three members of the House of Representatives, including Congresswoman Grace Napolitano. The bill significantly increases the amount of federal assistance made available to states and communities through the Clean Water State Revolving Fund (CWSRF) program, which is the primary source of federal assistance for wastewater infrastructure construction. The bill authorizes a total of \$50 billion for investment in water infrastructure projects over the next five years, of which \$40 billion will be used to capitalize the CWSRF program.

The bill also includes \$10 billion in other federal grant assistance for wastewater and stormwater conveyance and treatment projects. The bill is supported by a diverse coalition of organizations, including the California Association of Sanitation Agencies (CASA), the National Association of Clean Water Agencies (NACWA), and the Los Angeles County Sanitation Districts (LACSD).

Staff's Recommendation:

Adopt a position of "Support" for H.R. 1915, the Water Quality Protection and Job Creation Act (DeFazio, Napolitano, and Fitzpatrick).

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

Account/Project Name:

N/A

Fiscal Impact (explain if not budgeted):

N/A

Prior Board Action:

Adoption of 2021 Legislative Policy Principles

Environmental Determination:

Not Applicable

Business Goal:

Taking legislative positions is in line with IEUA's Business Goal of advocating for the development of policies, legislation, and regulations that benefit the region.

Attachments:

1. Background
2. H.R. 1915 Bill Text

Background

Subject: Adopt Support Position on H.R. 1915, the Water Quality Protection and Job Creation Act

H.R. 1915, the Water Quality Protection and Job Creation Act of 2021 is a bipartisan bill introduced by House Committee on Transportation and Infrastructure Chair Peter DeFazio, Chair of the Subcommittee on Water Resources and Environment Grace Napolitano (CA) and Congressman Brian Fitzpatrick (PA). The bill would authorize \$50 billion in federal assistance to invest in water infrastructure projects that will construct, repair, or replace wastewater and stormwater conveyance and treatment facilities. Of the proposed \$50 billion, \$40 billion would be authorized over five years to capitalize the Clean Water State Revolving Fund (CWSRF) program and an additional \$10 billion in other Federal grant support to improve water quality and help communities upgrade their wastewater infrastructure.

IEUA has successfully utilized the CWSRF program as a source of low-interest project financing. Since 2000, IEUA has been approved for approximately \$328 million in low-interest loan financing through the CWSRF Program, with a total of 25 projects receiving funding agreements or being placed on the Fundable List, including the RP-5 Expansion Project, recycled water pipeline backbone projects, and the Recharge Master Plan Update.

The proposed bill would address the need for job creation while also supporting a water industry in need of financial assistance to modernize its aging infrastructure. According to the American Society of Civil Engineers' (ASCE) recent Infrastructure Report Card, America's wastewater treatment infrastructure received a grade of D+. An infusion of federal assistance into the industry is also expected to result in significant job creation, as every \$1 billion invested into the U.S. water infrastructure sector has been shown to create or sustain approximately 28,000 American jobs, according to the National Utility Contractors Association.

H.R. 1915 is supported by a diverse coalition of organizations, including the California Association of Sanitation Agencies (CASA), the National Association of Clean Water Agencies (NACWA), and the Los Angeles County Sanitation Districts (LACSD). Staff recommends the Board adopt a position of "support" for this bill.

.....
(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To amend the Federal Water Pollution Control Act to reauthorize certain water pollution control programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DEFAZIO (for himself, Mrs. NAPOLITANO, and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on

A BILL

To amend the Federal Water Pollution Control Act to reauthorize certain water pollution control programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Water Quality Protec-
5 tion and Job Creation Act of 2021”.

1 **SEC. 2. STATE MANAGEMENT ASSISTANCE.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
3 106(a) of the Federal Water Pollution Control Act (33
4 U.S.C. 1256(a)) is amended—

5 (1) by striking “and” at the end of paragraph
6 (1); and

7 (2) by inserting after paragraph (2) the fol-
8 lowing:

9 “(3) such sums as may be necessary for each
10 of fiscal years 1991 through 2021; and

11 “(4) \$500,000,000 for each of fiscal years 2022
12 through 2026;”.

13 (b) TECHNICAL AMENDMENT.—Section 106(e) of the
14 Federal Water Pollution Control Act (33 U.S.C. 1256(e))
15 is amended by striking “Beginning in fiscal year 1974
16 the” and inserting “The”.

17 **SEC. 3. WATERSHED PILOT PROJECTS.**

18 Section 122 of the Federal Water Pollution Control
19 Act (33 U.S.C. 1274(c)) is amended by striking subsection
20 (c) and inserting the following:

21 “(c) REQUIREMENTS.—The requirements of section
22 608 shall apply to any construction, alteration, mainte-
23 nance, or repair of treatment works receiving a grant
24 under this section.

25 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
26 is authorized to be appropriated to carry out this section

1 \$200,000,000 for each of fiscal years 2022 through
2 2026.”.

3 **SEC. 4. PILOT PROGRAM FOR ALTERNATIVE WATER**
4 **SOURCE PROJECTS.**

5 (a) SELECTION OF PROJECTS.—Section 220(d) of
6 the Federal Water Pollution Control Act (33 U.S.C.
7 1300(d)) is amended by striking paragraph (2) and redес-
8 ignating paragraph (3) as paragraph (2).

9 (b) COMMITTEE RESOLUTION PROCEDURE.—Section
10 220 of the Federal Water Pollution Control Act (33
11 U.S.C. 1300) is amended by striking subsection (e) and
12 redesignating subsections (f) through (h) as subsections
13 (e) through (g), respectively.

14 (c) REQUIREMENTS.—Section 220 of the Federal
15 Water Pollution Control Act (33 U.S.C. 1300) is amended
16 by inserting before subsection (i) the following:

17 “(h) REQUIREMENTS.—The requirements of section
18 608 shall apply to any construction of an alternative water
19 source project carried out using assistance made available
20 under this section.”.

21 (d) DEFINITIONS.—Section 220(i)(1) of the Federal
22 Water Pollution Control Act (33 U.S.C. 1300(i)(1)) is
23 amended by striking “or wastewater or by treating waste-
24 water” and inserting “, wastewater, or stormwater or by
25 treating wastewater or stormwater”.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
2 220(j) (33 U.S.C. 1300(j)) of the Federal Water Pollution
3 Control Act is amended by striking “a total of
4 \$75,000,000 for fiscal years 2002 through 2004” and in-
5 serting “\$200,000,000 for each of fiscal years 2022
6 through 2026”.

7 **SEC. 5. SEWER OVERFLOW AND STORMWATER REUSE MU-**
8 **NICIPAL GRANTS.**

9 (a) NON-FEDERAL SHARE.—Section 221(e) of the
10 Federal Water Pollution Control Act (33 U.S.C. 1301(e))
11 is amended by striking “section 513” and inserting “sec-
12 tion 513, or the requirements of section 608,”.

13 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
14 221(f)(1) of the Federal Water Pollution Control Act (33
15 U.S.C. 1301(f)(1)) is amended by striking
16 “\$225,000,000” and all that follows before the period and
17 inserting “\$400,000,000 for each of fiscal years 2022
18 through 2026”.

19 **SEC. 6. GRANTS FOR THE TREATMENT OF EMERGING CON-**
20 **TAMINANTS.**

21 Title II of the Federal Water Pollution Control Act
22 (33 U.S.C. 1281 et seq.) is amended by adding at the end
23 the following:

1 **“SEC. 222. EMERGING CONTAMINANTS.**

2 “(a) IN GENERAL.—The Administrator shall award
3 grants to owners of publicly owned treatment works to be
4 used for the implementation of a pretreatment standard
5 or effluent limitation developed pursuant to this Act for
6 the introduction into a treatment works, or the discharge
7 of, any pollutant that is a perfluoroalkyl or polyfluoroalkyl
8 substance or any pollutant identified by the Administrator
9 as a contaminant of emerging concern.

10 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
11 is authorized to be appropriated to carry out this section
12 \$200,000,000 for each of fiscal years 2022 through
13 2026.”.

14 **SEC. 7. STATE WATER POLLUTION CONTROL REVOLVING**
15 **FUNDS.**

16 Section 607 of the Federal Water Pollution Control
17 Act (33 U.S.C. 1387) is amended to read as follows:

18 **“SEC. 607. AUTHORIZATION OF APPROPRIATIONS.**

19 “There is authorized to be appropriated to carry out
20 this title \$8,000,000,000 for each of fiscal years 2022
21 through 2026.”.

22 **SEC. 8. INDIAN TRIBES.**

23 (a) AUTHORIZATION OF APPROPRIATIONS.—In addi-
24 tion to amounts otherwise made available under title VI
25 of the Federal Water Pollution Control Act (33 U.S.C.
26 1381 et seq.), there is authorized to be appropriated

1 \$500,000,000 for each of fiscal years 2022 through 2026
2 to make grants, in cooperation with the Director of the
3 Indian Health Service, to entities described in section
4 518(c)(3) of the Federal Water Pollution Control Act (33
5 U.S.C. 1377) for—

6 (1) projects and activities eligible for assistance
7 under section 603(c) of such Act (33 U.S.C. 1383);
8 and

9 (2) training, technical assistance, and edu-
10 cational programs related to the operation and man-
11 agement of treatment works eligible for assistance
12 pursuant to such section 603(c).

13 (b) NO MATCHING REQUIREMENT.—The Adminis-
14 trator may not require an entity receiving a grant under
15 subsection (a) to provide, as a condition of receiving such
16 grant, a share of the cost of the project or activity for
17 which such grant was made.

18 (c) LIMITATION.—Not more than \$2,000,000 of
19 amounts made available in a fiscal year to carry out this
20 section may be used for grants under subsection (a)(2).

21 (d) APPLICATION OF OTHER REQUIREMENTS.—The
22 requirements of sections 513 and 608 of the Federal
23 Water Pollution Control Act (33 U.S.C. 1372, 1388) shall
24 apply to any project for the construction, alteration, main-

- 1 tenance, or repair of treatment works for which a grant
- 2 is received under subsection (a).

**ACTION
ITEM
1C**

Date: April 21, 2021

To: The Honorable Board of Directors

SD
From: Shivaji Deshmukh, General Manager

Committee: Community & Legislative Affairs

04/14/21

Executive Contact: Kathy Besser, Executive Manager of Government & Ext. Affairs/AGM

Subject: Adopt Position on H.R. 1563 to Extend WIIN Section 4007 Authorities Through September 30, 2028

Executive Summary:

H.R. 1563 was introduced by Congressman Mike Garcia (Santa Clarita) to extend the provisions for Section 4007 of the Water Infrastructure Improvements for the Nation (WIIN) through Federal fiscal year 2028.

Section 4007 of the WIIN Act was included after bipartisan work by Senator Dianne Feinstein and House Republican Leader Kevin McCarthy and was included to provide federal funding for state-led water storage projects that also provided a federal benefit, and included specific reference to California's 2014 Proposition 1 Water Storage Investment Program (WSIP). When the WIIN Act became law in 2016, it sunsetted Section 4007 funds by January 1, 2021.

H.R. 1563 would also authorize an appropriation of \$134 million each year for fiscal years 2022 through 2028, which is significantly higher than the total of \$335 million originally authorized for the program.

Staff's Recommendation:

Adopt a position of "Support" for H.R. 1563 (Garcia, M.).

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

Account/Project Name:

N/A

Fiscal Impact (explain if not budgeted):

N/A

Prior Board Action:

Adoption of 2021 Legislative Policy Principles.

Environmental Determination:

Not Applicable

Business Goal:

Taking legislative positions is in line with IEUA's business practices goal of advocating for the development of policies, legislation and regulations that benefit the region.

Attachments:

1. H.R. 1563 Bill Text

.....
(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. GARCIA of California introduced the following bill; which was referred to the Committee on _____

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXTENSION OF AUTHORITY.**

4 (a) Subtitle J of the Water Infrastructure Improve-
5 ments for the Nation Act (Public Law 114–322) is amend-
6 ed—

7 (1) in section 4007 (43 U.S.C. 390(b) note)—

1 (A) in subsection (i), by striking “January
2 1, 2021” and inserting “January 1, 2028”;

3 (B) in subsection (h)(1), by striking the
4 period and inserting “; and”;

5 (C) by redesignating subsection (h)(2) as
6 (h)(3); and

7 (D) by adding after subsection (h)(1) the
8 following:

9 “(2) There is authorized to be appropriated
10 \$134,000,000 for each fiscal years 2022 through
11 2028.”;

12 (2) in section 4011(e)(2), by inserting “projects
13 found feasible under the provisions of section 4007,”
14 after “construction of water storage”; and

15 (3) in section 4013 (43 U.S.C. 390(b) note)—

16 (A) in the first sentence, by striking “the
17 date that is 5 years after the date of its enact-
18 ment” and inserting “December 31, 2028”; and

19 (B) in paragraph (1), by striking “10
20 years after the date of its enactment” and in-
21 serting “on December 31, 2033”.

22 (b) Section 4(a)(1)(F) of the Water Desalination Act
23 of 1996 (42 U.S.C. 10301 note; Public Law 104–298),
24 as amended by section 4009(a) of the WIIN Act (Public
25 Law 114–322), is further amended by striking

1 “\$30,000,000 of funding is authorized to remain available
2 until expended; and” and inserting “\$12,000,000 is au-
3 thorized to be appropriated for each of fiscal years 2022
4 through 2028.”.

5 (c) Section 1602 of the Reclamation Wastewater and
6 Groundwater Study and Facilities Act (title XVI of Public
7 Law 102–575; 43 U.S.C. 390h et seq.), as amended by
8 section 4009(c) of the WIIN Act (Public Law 114–322),
9 is further amended in subsection (g) by striking
10 “\$50,000,000 to remain available until expended” and in-
11 serting “\$20,000,000 for each of fiscal years 2022
12 through 2028”.

**ACTION
ITEM
1D**

Date: April 21, 2021

To: The Honorable Board of Directors

ADD
From: Shivaji Deshmukh, General Manager

Committee: Community & Legislative Affairs

04/14/21

Executive Contact: Kathy Besser, Executive Manager of Government & Ext. Affairs/AGM

Subject: Adopt Position on H.R. 1881 to Amend NPDES Permitting Terms

Executive Summary:

In March, Congressman John Garamendi introduced H.R. 1881, which would amend the Federal Water Pollution Control Act with respect to permitting terms. This legislation aims to extend the National Pollution Discharge Elimination System (NPDES) permit renewal term from the current five years to a term up to, but not exceed, ten years.

This bill text was originally introduced in 2019 as H.R. 1764, which the IEUA Board took a position of "support" on. The California Association of Sanitation Agencies (CASA) assisted in the development of the original bill with Rep. Garamendi's office and supported the bill.

Extending the NPDES permit terms would have a positive impact on the planning process of these complex permit renewals. The overall process of renewing a NPDES permit takes several years of planning due to the legal and technical issues related to the permits. Therefore, having a longer term limit would provide IEUA with a cost savings related to staff's time. This bill would also help modernize and improve current inefficiencies related to the Clean Water Act's NPDES permitting procedures.

Staff's Recommendation:

Adopt a position of "Support" for H.R. 1881 (Garamendi).

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

Account/Project Name:

N/A

Fiscal Impact (explain if not budgeted):

N/A

Prior Board Action:

Adoption of 2021 Legislative Policy Principles.

Environmental Determination:

Not Applicable

Business Goal:

Taking legislative positions is in line with IEUA's business practices goal of advocating for the development of policies, legislation and regulations that benefit the region.

Attachments:

1. H.R. 1881 (Garamendi) - Bill Text



(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GARAMENDI introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. NATIONAL POLLUTANT DISCHARGE ELIMI-**
4 **NATION SYSTEM (NPDES) TERMS.**

5 Section 402(b)(1)(B) of the Federal Water Pollution
6 Control Act (33 U.S.C. 1342(b)(1)(B)) is amended to read
7 as follows:

8 “(B) are for fixed terms—

1 “(i) not exceeding 10 years, for a permit
2 issued to a State or municipality; and
3 “(ii) not exceeding 5 years, for a permit
4 issued to any person not described in clause (i);
5 and”.

INFORMATION
ITEM
2A

INNOVATIVE FEDERAL STRATEGIES, LLC

Comprehensive Government Relations

MEMORANDUM

To: IEUA Community and Legislative Affairs Committee

From: Letitia White, Jean Denton, Drew Tatum, and Sarah Persichetti

Date: April 1, 2021

Re: March Monthly Legislative Update

Biden Unveils Infrastructure Plan

On Wednesday, March 31, President Joe Biden unveiled the first portions of his wide-ranging infrastructure plan during a speech in Pittsburgh, calling on Congress to spend more than \$2 trillion funded by tax increases on businesses.

President Biden outlined what he called a "bold" \$2 trillion plan to make aggressive investments in repairing U.S. infrastructure and addressing climate change with the goal of spurring job creation.

The White House proposed \$621 billion for transportation, \$400 billion for elder and disability care, and \$300 billion for manufacturing. Additional funds would be invested in housing, research and development, schools, water, broadband, and the electric grid, among other projects.

A second package, planned for release in April, could seek an additional \$1 trillion and expand policies such as the child tax credit and paid leave.

House Speaker Nancy Pelosi (D-CA) said she wants the House to pass an infrastructure bill by July 4. As the White House package is a broad collection of ideas, Congress will likely incorporate its own ideas into final legislation—especially since the House Transportation and Infrastructure Committee has announced they will be working on the next surface transportation bill over the next several months.

As the House will likely only be able to count on Democratic votes for the package, the two factions of the party to watch include the Progressive Caucus, which would like to see a larger package, and northeastern Members, who have indicated they will not support changes to the tax code unless they include relief to the SALT limit originally passed in the Tax Cuts and Jobs Act (the Trump-era tax package).

Republicans indicated at an Oval Office meeting earlier this year that they were happy to work with the Administration on an infrastructure plan but wanted it to be focused on traditional infrastructure (roads, bridges, etc.). Since the plan undoes much of the corporate tax framework in the Tax Cuts and Jobs Act, no Republicans are likely to support the plan.

Innovative Federal Strategies LLC

Getting GOP support for a bill paid for through tax increases was always going to be difficult for the White House, and Republicans were quick to signal their opposition to raising the corporate tax rate.

“Our nation could use a serious, targeted infrastructure plan. There would be bipartisan support for a smart proposal. Unfortunately, the latest liberal wish-list the White House has decided to label ‘infrastructure’ is a major missed opportunity by this Administration,” Senate Minority Leader Mitch McConnell (R-KY) said in a statement.

In the Senate, Majority Leader Chuck Schumer (D-NY) has asked the Senate Parliamentarian if the chamber could pass a second reconciliation package on the FY21 budget resolution if it were to be amended. If the Parliamentarian agrees that it would be appropriate under the Senate’s rules and precedents, it would give the Senate another opportunity to pass legislation through the budget reconciliation process (using a simple majority vote) during the current fiscal year.

Senator Joe Manchin (D-WV) has indicated that he would like to see a package of infrastructure legislation move through regular order, so it is unclear if he would support using reconciliation in FY21 or FY22 to get the process started.

The White House says the roughly 8-year, \$2.5 trillion plan will be fully paid for over a period of 15 years through the Made in America Tax Plan by raising the corporate tax rate from 21% to 28%, imposing a 21% global minimum tax, making inversions more difficult, eliminating tax breaks for companies that shift assets abroad, imposing a 15% minimum on the income that corporations report to shareholders, eliminating tax incentives for the fossil fuel industry, and increasing IRS audits of large corporations.

The White House says the plan will fix 20,000 miles of roads and 10,000 bridges — but the scope of what is in the package is much larger.

The plan puts \$174 million toward boosting the electric vehicle market, setting up incentives for state and local governments to build a national network of 500,000 electric vehicle chargers over the next decade.

Biden is also proposing more than \$100 billion in funding to ensure safe drinking water by eliminating all lead pipes and service lines. The plan aims to invest \$100 billion in expanding broadband access to all Americans, particularly those in rural areas and other underserved communities.

One prong of the package is designed to enhance the “care economy,” with Biden calling for \$400 billion to expand access to home and community-based services for elderly people and those with disabilities.

Some Democrats and historians have begun likening Biden’s legislative initiatives to those of former President Franklin Roosevelt, whose New Deal aimed to pull the country out of the Great Depression by implementing new government programs to address economic insecurity and drive private sector growth.

With a \$1.9 trillion COVID-19 spending package under his belt, Biden is again aiming to reimagine how the government and economy interact with his \$2.1 trillion infrastructure bill.

The proposal will touch on many different aspects of American life. In addition to making investments in traditional infrastructure projects such as roads, bridges and broadband, the bill would also direct government money toward electric vehicles, green energy projects, the health care sector, child benefits, elderly care and developing future technologies.

During his speech in Pittsburgh on Wednesday, President Biden spoke with urgency and suggested that America's future depends on his plan to reshape the economy.

"We have to move now. Because I am convinced that if we act now, in 50 years people are going to look back and say, this was the moment that America won the future," Biden said in his address.

House Transportation and Infrastructure Holds Hearing on Infrastructure Needs

The week prior to President Biden's announcement, on Thursday, March 25, the House Transportation and Infrastructure Committee held a hearing on the Administration's infrastructure priorities.

U.S. Transportation Secretary Pete Buttigieg warned lawmakers that the nation faces a massive backlog of infrastructure projects and is at risk of falling behind competitors like China.

"Across the country, we face a trillion-dollar backlog of needed repairs and improvements, with hundreds of billions of dollars in good projects already in the pipeline," he said in opening remarks.

Buttigieg told the lawmakers they have "the best chance in any of our lifetimes to make a generational investment in infrastructure." He cited the Biden administration's plan as a logical next step in the road to recovery from the pandemic after Congress approved a \$1.9 trillion Covid relief that was proposed by the president.

"The infrastructure status quo is a threat to our collective future," he said. "We face an imperative to create resilient infrastructure and confront inequities that have devastated communities."

Lawmakers in both parties agreed with Buttigieg's assertion that the nation has large infrastructure challenges, but they disagreed on the size and scope of the bill Biden is preparing to submit to Congress - and how to pay for it.

"There's obviously very broad agreement the American public needs and wants, American business and individuals: the nation's crumbling infrastructure to be rebuilt," Chairman Peter DeFazio (D-OR) said in his opening remarks at the hearing.

Ranking Member Sam Graves (R-MO) said in his opening remarks that an infrastructure package should be narrowly tailored to focus chiefly on roads and bridges. He asked Buttigieg how the plan would be funded, particularly whether he supports funding highway projects with a fee based on how many miles someone travels instead of how much gasoline they pump.

“We need stable, predictable multiyear funding,” Buttigieg said. “Both because of the difficulty in Washington to adjusting the gas tax historically, and looking to the future, the changing role of gasoline in the use of cars outright, we’re obviously going to need to come to more solutions if we want to preserve that user pays principle.”

Chairman DeFazio said the forthcoming infrastructure bill will also incorporate provisions designed to address climate change, which has been a priority for the Biden administration and congressional Democrats.

“We’re going to rebuild in a way that is going to resilient to severe weather events,” he said. “It’ll be resilient to climate change. That means extreme weather events, sea level rise. We’re also going to build resilient to other threats, earthquakes in the West in particular and even now fires.”

Ranking Member Graves pressed Democrats to ensure equity between the rural and urban areas as funding for projects is doled out and eschew their plans to tie their climate goals to the effort to boost the nation’s funding infrastructure projects.

“A transportation bill needs to be a transportation bill, not a Green New Deal,” he said. “It needs to be about roads and bridges.”

Bipartisan Lawmakers Introduce \$35 Billion Water Infrastructure Bill

A bipartisan group of lawmakers on Tuesday, March 23 introduced a bill that seeks to give states more money to address aging water infrastructure, putting funds toward reducing lead levels and projects to address the impacts of climate change.

The Drinking Water and Wastewater Infrastructure Act of 2021, put forth by three Democrats and three Republicans on the Senate Environment and Public Works (EPW) Committee, offers \$35 billion for water resources.

It comes in addition to the \$3 trillion package that the White House is working on, which would reportedly include \$400 billion for climate-related measures.

The water bill's bipartisan backing could mean it has a decent shot of gaining the 60 Senate votes necessary to bypass the filibuster and eventually become law.

“From permanent brain damage from drinking water contaminated with lead, to overflowing sewage, Americans across the country are now experiencing what happens when our drinking water and wastewater systems age into a state of disrepair,” Senator Tammy Duckworth (D-IL) said in a statement.

On Wednesday, March 24, the Senate EPW Committee unanimously advanced the legislation.

The measure would reauthorize two critical Environmental Protection Agency programs—the Drinking Water State Revolving Fund and the Clean Water State Revolving Fund—which provide financial aid to localities’ drinking water systems and to state safe water programs, as well as loan financing and assistance for communities for a range of water infrastructure projects.

The legislation would reauthorize the drinking water fund at \$2.4 billion in fiscal 2022, gradually increasing that amount to \$3.25 billion in fiscal years 2025 and 2026 for a total of \$14.7 billion. It would increase the minimum percentage of those funds that must go to disadvantaged communities from 6% to 12%.

The clean water fund would be reauthorized at the same funding levels between fiscal years 2022 and 2026 as the drinking water fund. The legislation also would re-up the Water Infrastructure Finance and Innovation Act through 2026 at the current funding level of \$50 million per year.

Senators Ben Cardin (D-MD) and Roger Wicker (R-MS) worked to include language in the bill that would direct the EPA to create a pilot program helping low-income households access and afford clean, safe water, modeled after the Low Income Home Energy Assistance Program.

The bill would reauthorize EPA’s lead reduction projects grant program and increase its funding level to \$100 million annually through fiscal year 2026.

The legislation is a follow on to the Drinking Water Infrastructure Act of 2020 drafted by Senators Kevin Cramer (R-ND) and Tammy Duckworth (D-IL). It passed out of the Senate Environment and Public Works Committee last year, but was left out of negotiations between the House and Senate when the Water Resources Development Act was finalized at the end of the 116th Congress.

Wyden Wants Natural Infrastructure in Bureau of Reclamation’s Mission

Senator Ron Wyden (D-OR) is proposing to turn the Bureau of Reclamation’s attention to forests, groundwater and other “natural” water infrastructure—not just giant pipelines, canals and dams.

“The bureau could help reduce the West’s ongoing drought-driven water shortage by expanding its focus on ways nature can help ensure water is available for cities and farmers,” Wyden said at a Senate Energy and Natural Resources subcommittee hearing on Wednesday, March 24.

He introduced a bill, the Water for Conservation and Farming Act, that would add natural infrastructure to the bureau’s mission, including habitat restoration and watershed health projects.

It would expand a bureau program that funds water conservation and improves natural water recharge infrastructure. It also would create a \$300 million bureau fund for water recycling, water efficiency and dam safety projects.

“All options” for the bill are on the table, such as including it in a larger water infrastructure package, Wyden spokeswoman Nicole L’Esperance said.

Natural water infrastructure could include forest restoration, underground water storage, projects that capture stormwater runoff and other efforts in which natural features are combined with engineering approaches, according to Congressional Research Service testimony.

President Biden Signs \$1.9 Trillion Relief Bill into Law

President Biden on Thursday, March 11 signed his \$1.9 trillion coronavirus rescue package into law, marking a significant legislative accomplishment for the new president as he looks to shepherd the country through the pandemic.

Biden, who signed the bill alongside Vice President Harris in the Oval Office, characterized the measure as historic legislation aimed at “rebuilding the backbone of this country.”

“In the weeks that this bill has been discussed and debated, it is clear that an overwhelming percentage of the American people ... have made it clear they strongly support the American Rescue Plan,” Biden said in brief remarks before signing the bill. “Their voices were heard.”

The sweeping bill, which Biden proposed in January before taking office, includes funding for \$1,400 direct payments to most Americans, vaccine distribution efforts, school reopenings, enhanced unemployment benefits through September, and state and local government funding, along with an expansion of the child tax credit and an expansion of the Affordable Care Act, among other provisions.

No Republicans supported the bill in the House or Senate, and only one Democrat voted against it in the House.

House GOP Votes to Allow Congressionally Directed Spending

House Republicans lifted their decade-old ban on earmarks Wednesday, March 17 during a closed-door vote, freeing up members to request “congressionally directed spending” under the new process Democrats announced last month.

The vote ends weeks of internal debate among GOP lawmakers about whether the party should participate in the process that will kick off later this year when the House Appropriations Committee begins drafting fiscal 2022 spending bills.

House Minority Leader Kevin McCarthy told reporters that “members want to have a say in their own district” and that many Republicans have “a real concern about the administration directing where money goes.”

The House Republican Conference rules change, authored by Representative Mike Rogers (R-AL), includes several elements outlined by Democrats when they announced a restoration of earmarking last month.

Under the resolution adopted behind closed doors, GOP members must publicly disclose their earmark requests when submitted and affirm that neither the lawmaker nor immediate family members have a financial interest in such projects.

But Republicans put in additional guardrails, requiring that members explain in writing why the earmark they request is an “appropriate use of taxpayer funds.” The conference rules amendment also says that committee and party leaders “shall not give consideration to a member’s seniority, committee assignments, or position in the elected leadership when facilitating a request.”

Republicans have spent the last few weeks debating whether they should remove the ban in their party rules or sit out the first round of earmarks, leaving members free to campaign against Democrats on the topic during the 2022 midterms.

Several House and Senate Republicans have publicly supported a return to earmarking, saying that when Congress enacted a ban in 2011 under a Republican House and a Democratic Senate, the prohibition eroded lawmakers’ constitutional power over government spending.

House Republicans’ decision to remove their earmark ban now could clear the way for Senate Republicans to amend or lift their ban on earmarks as well.

Many GOP appropriators in that chamber have been waiting to see how their House counterparts would react to Democrats’ earmarks proposal.

Senate Appropriations Committee Ranking Member Richard Shelby (R-AL), has said he supports a transparent and controlled return to earmarking.

After the House GOP vote Wednesday, Senator Shelby said he expected Senate Republicans to discuss whether to lift their ban. But he deferred to Minority Leader Mitch McConnell to make a recommendation to the conference.

“I don’t know about pressure, but I think it would be smart for us to address it one way or the other,” Shelby said, noting that he hasn’t yet agreed to the process Democrats have outlined. “What seems to be working well is competitive grants. We create pilot programs and so forth. ... We don’t direct exactly where it’s going. We direct the idea.”

Senate Confirms Haaland to Lead Interior

The Senate on Monday, March 15 voted to confirm Representative Deb Haaland (D-NM) to lead the Interior Department, making her the nation’s first Native American Cabinet secretary.

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The Senate voted 51-40 to confirm Haaland. Nine Senators missed the vote. During her time in Congress, Haaland served as vice chairwoman of the Natural Resources Committee, and chaired its Subcommittee on National Parks, Forests and Public Lands.

GOP Senators Lindsey Graham (SC), Dan Sullivan (AK), Lisa Murkowski (AK) and Susan Collins (ME) backed Haaland along with the Democrats in attendance.

Haaland's opposition to fracking, participation in a protest against the Dakota Access pipeline and support for the Green New Deal have made her a favorite among progressives but drawn ire from some Republicans.

GOP Senators Steve Daines (MT) and Cynthia Lummis (WY) had placed holds on her nomination, with Daines invoking Haaland's positions on pipelines and fossil fuels and Lummis invoking President Biden's pause on new leasing for oil and gas development on federal lands.

Haaland's supporters touted the historic nature of her confirmation and the importance of having a Native American at the helm of an agency with significant responsibility to the country's 574 federally recognized tribes.

"Before America's public lands were America's public lands, they were Native American lands, and Deb Haaland will be the first Native American to serve in any president's Cabinet and the first to serve as the secretary of this department, so that's kind of a wonderful harmony with history," said Senator Sheldon Whitehouse (D-RI) in a speech ahead of the vote.

Haaland also sought to persuade critics that she would play a different role as Interior secretary, saying that energy from fossil fuels "does and will continue to play a major role in America for years to come" while stressing the need to find a "balance" between fossil fuels and fighting climate change.

Haaland is expected to play a key role in Biden's efforts to have the United States reach carbon neutrality by 2050 and in conserving a total of 30 percent of the country's lands and waters by 2030.

Haaland, asked during her confirmation hearing whether the "30 by 30" effort would seek to conserve all lands or just those that are federally owned, said the initiative would be "not just relegated to public lands."

During her confirmation hearing, Haaland said her priorities will include promoting clean energy and clean energy jobs, increasing access to broadband internet in Native American communities, and dealing with missing and murdered indigenous women.

She also stressed opportunities for jobs related to taking care of abandoned mines and plugging orphaned gas wells as well as Biden's pledge to create a Civilian Climate Corps, which would create jobs conserving public lands and increasing reforestation.

“I believe there are millions of jobs in a clean energy future for Americans, and if I’m confirmed, I’d be honored to help the president move those forward,” she said at the time.

Senate Confirms Michael Regan as EPA Chief

The Senate on Wednesday, March 10 confirmed Michael Regan as the next administrator of the Environmental Protection Agency (EPA), putting him in charge of an agency that will play a key role in implementing President Biden's climate agenda.

The Senate voted 66-34 in favor of Regan, who will be the first Black man to lead the EPA. Sixteen Republicans joined every Democrat in supporting his nomination.

Regan, who became North Carolina’s top environmental regulator in 2017, will now take the reins of an agency that rolled back dozens of environmental protections under former President Trump. The Biden administration is expected to restore many of those regulations.

He will also play a major role in efforts to get the U.S. on track to achieve a carbon-free power sector by 2035 and overall carbon neutrality by 2050.

During his February confirmation hearing, Regan said his priorities at the EPA would include restoring science and transparency, supporting career officials, and acting with “urgency” on climate change.

He also said he would operate with a “clean slate” on regulating emissions from coal-fired power plants. Republicans have argued that the Obama-era rule, which aimed to limit carbon pollution from the plants, was too burdensome.

He further pledged to take action on but didn’t say whether he would set a standard for what constitutes a safe level of the contaminants in drinking water.

Regan’s supporters praised his prior work on environmental issues Wednesday ahead of the Senate vote.

“Under Donald Trump, the EPA weakened environmental protections, fudged the science [and] completely ignored climate change to potentially disastrous effect, unfortunately,” said Senate Majority Leader Charles Schumer (D-NY). “It’s high time the Senate confirmed someone like Michael Regan, who has made environmental protection the cause of his career, to lead the agency and set it back on its proper footing.”

Regan's confirmation comes as Biden seeks to fill out his Cabinet, with high-profile nominees such as Representative Deb Haaland (D-NM) and California Attorney General Xavier Becerra awaiting confirmation votes for their posts at the Interior Department and the Department of Health and Human Services, respectively.

Interior Department Reverses Trump Policy that Department Says Restricted Science

The Interior Department on Wednesday, March 3 reversed a Trump policy that the Biden administration says “improperly restricted” the department’s use of science and data.

Similar to what became known as the “secret science” rule at the Environmental Protection Agency, a 2018 Interior Department order limited the agency’s use of studies that are not supported by publicly available data.

At the time, the Trump administration billed the measure as promoting transparency and open science, but critics argued that it created unnecessary barriers to using studies based on sound data.

In a new order on Wednesday, acting Interior Secretary Scott de la Vega revoked the previous order and directed a review of all actions taken under it.

Specifically, he ordered the science integrity officer in each of the department’s offices or bureaus to provide a report on all actions where compliance with the Trump order “was determinative in the outcome or decision” within 90 days.

He said that these reports should include plans to “reverse or alter, if necessary, each such action.”

De la Vega’s new order called for the department to ban political interference in scientific research, prevent the suppression or distortion of scientific findings and support scientists of all genders, races, ethnicities and backgrounds.

“Science is at the heart of Interior’s mission – from protecting endangered species to conducting environmental assessments for energy projects,” Tanya Trujillo, the department’s principal deputy assistant secretary for water and science, said in a statement.

“Today’s Order puts the evaluation and decision-making authority regarding scientific information back where it should be: in the hands of the scientists,” Trujillo said.

The similar policy at EPA was done through the rulemaking process, but was recently struck down in court.

The department’s move was met with some Republican criticism.

“The Biden administration is slamming the door shut on transparent rules and regulations,” said a statement from Sen. John Barrasso (R-WY). “Since the American people bear the costs of Washington red tape, they deserve to have access to the science behind government regulations.”

Bill Number	Sponsors	Title and/or Summary	Summary/Status	Latest Action
H.R. 1319	Rep. John Yarmuth (D-KY)	American Rescue Plan of 2021	<p>The legislation:</p> <ul style="list-style-type: none"> - Provides an additional \$1,400 to individuals in the form of an economic impact payment. - Provides for the continuation and enhancement of Federal Unemployment Aid. - Provides \$25B in rental assistance - Provides for a 15% SNAP boost - Provides \$25B for childcare providers - Includes the temporary expansion of Child Tax Credits - Mandates sick leave through 9/30 - Includes \$350B in state and local funding 	<p>The legislation stems from President Biden's proposed coronavirus relief plan he introduced prior to taking office.</p> <p>The legislation was introduced on February 24, 2021 in the House, and after passing both the House and Senate, President Biden signed the legislation into law on March 11, 2021.</p>

Bill Number	Sponsors	Title and/or Summary	Summary/Status	Latest Action
XX	Biden's Infrastructure Plan	N/A	The White House proposed \$621 billion for transportation, \$400 billion for elder and disability care, and \$300 billion for manufacturing. Additional funds would be invested in housing, research and development, schools, water, broadband, and the electric grid, among other projects.	<p>On March 31, President Biden announced the first portion of his wide ranging infrastructure package.</p> <p>Speaker of the House Nancy Pelosi has expressed that she would like to see infrastructure legislation passed prior to the July 4th recess. The House Transportation and Infrastructure Committee has announced they will be working on the next surface transportation bill over the next several months, so Congress will likely incorporate it's own ideas into final legislation.</p> <p>The legislation, which is expected to be funded through the "Made in America Tax Plan" is expected to not receive support from Republicans since the plan undoes much of the corporate tax framework in the Tax Cuts and Jobs Act.</p> <p>Among Democrats, the Progressive Caucus has expressed that they would like to see a</p>
S. 29	Sen. Amy Klobuchar (D-MN)	Local Water Protection Act	A bill to amend the Federal Water Pollution Control Act to reauthorize certain programs relating to nonpoint source management, and for other purposes.	The legislation was introduced on January 22, 2021 and referred to the Committee on Environment and Public Works.
H.R 1162	Rep. Joe Neguse (D-CO) & Rep. Ron Wyden (D-OR)	21st Century Conservation Corps Act	The aim of the 21st Century Conservation Corps included addressing wildfire prevention, maintenance of public lands, and bolstering the outdoor recreation industry with rural job creation.	The legislation was introduced on February 18, 2021, and referred to the House Committee on Appropriations, and the House Committee on Budget.

Bill Number	Sponsors	Title and/or Summary	Summary/Status	Latest Action
H.R 1563	Rep. Mike Garcia (R-CA)	To extend the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California	The legislation would extend the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California. The legislation would extend 4007 authorities through January 1, 2028.	The legislation was introduced on March 3, 2021 and was referred to the House Committees on Natural Resources and Science, Space, and Technology.
H.R.1915	Rep. Peter DeFazio (D-OR) / Grace Napolitano (D-CA)	Water Quality Protection and Job Creation Act of 2021	The legislation would reauthorize the Alternative Water Source Grants Pilot Program, which authorizes the U.S. Environmental Protection Agency to grant up to \$200 million per year to state, interstate, and intrastate water resource development agencies to engineer, design, construct, and test water reuse projects throughout the country.	The legislation was introduced on March 16, 2021.
H.R.2238	Sen. Jeff Merkley (D-OR) / Rep. Alan Lowenthal (D-CA)	Break Free from Plastic Pollutions Act	The comprehensive legislation would require corporations to take responsibility for pollution, incentivize corporations to make reusable products and items that can be recycled, create a nationwide beverage container refund program, and other items to promote recycling and other investments in U.S. domestic recycling.	The legislation was introduced on March 25, 2021 in the House.

Bill Number	Sponsors	Title and/or Summary	Summary/Status	Latest Action
H.R 866	Rep. Ken Calvert (R-CA)	FISH Act	This bill gives the Fish and Wildlife Service (FWS) the sole authority to protect endangered or threatened species that are anadromous species (species of fish that spawn in fresh or estuarine waters and that migrate to ocean waters) or catadromous species (species of fish that spawn in ocean waters and migrate to fresh waters). Currently, the FWS shares this authority with the National Marine Fisheries Service.	The legislation was introduced on February 5, 2021, and referred to the House Committee on Natural Resources.
H.R. 1015	Rep. Grace Napolitano (D-CA)	Water Recycling Investment and Improvement Act	This bill makes permanent, and otherwise revises, the Bureau of Reclamation's grant program for the funding of water recycling and reuse projects. Specifically, the bill removes priority under the program for projects in areas that, in the preceding four-year period, have been (1) identified as experiencing severe, extreme, or exceptional drought; or (2) designated as a disaster area by a state. Additionally, the bill increases through FY2025 the authorization of appropriations for the program and otherwise revises provisions related to program funding.	The legislation was introduced on February 22, 2021, and referred to the House Committee on Natural Resources.
H.R.1881	Rep. John Garamendi (D-CA)	To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.	Would extend permit terms for publicly owned water infrastructure projects under the National Pollutant Discharge Elimination System (NPDES) from 5 years to a maximum of 10 years.	The legislation was introduced on March 12, 2021 and referred to the Committee on Transportation and Infrastructure.

Bill Number	Sponsors	Title and/or Summary	Summary/Status	Latest Action
H.R. 365	Rep. Greg Steube (R-FL)	Marijuana 1-to-3 Act of 2021	To provide for the rescheduling of marijuana into schedule III of the Controlled Substances Act.	The legislation was introduced on January 19, 2021, and referred to the House Committees on Energy and Commerce and Judiciary.
S.914	Sen. Tammy Duckworth (D-IL)	Drinking Water and Wastewater Infrastructure Act of 2021	Authorizes more than \$35 billion for water resource development projects across the country with a focus on upgrading aging infrastructure, addressing the threat of climate change, investing in new technologies, and providing assistance to marginalized communities.	Introduced on March 23, 2021 and referred to the Senate Environment and Public Works Committee.

INFORMATION
ITEM
2B



April 2, 2021

To: Inland Empire Utilities Agency

From: Michael Boccadoro
Beth Olhasso

RE: March Report

Overview:

The March Miracle water managers were hoping for didn't materialize in any significant way. The few storms that rolled through helped stop the bleeding, but didn't bring the significant snow needed to salvage the water year for the state. With San Luis Reservoir, the main south-of-Delta storage facility for the State Water Project, at 61 percent of average for this time of the year and 55 percent capacity and Oroville at 53 percent of average and 40 percent capacity, there is cause for worry. Additional concern is warranted with the statewide snowpack at just 61 percent of April 1 average. Finally, all but the very northwest tip of the state is experiencing some level of drought conditions with over 30 percent of the state experiencing extreme or exceptional drought.

As widely reported, the State Water Project allocation was lowered from ten to five percent. Additionally, the Department of Water Resources and the State Water Resources Control Board have put water users on notice that it is going to be a dry year and measures will likely be taken to cut back on water usage.

The State Water Resources Control Board is poised to issue the world's first guidelines for microplastics in drinking water despite lacking data on how prevalent they are in the state, no scientific agreement on how to test for them and little research on associated health risks.

The California Department of Toxic Substances Control (DTSC) outlined the rationale for regulating PFAS as an entire class, rather than individually, under the state's Safer Consumer Products (SCP) green chemistry program on the basis that it is ineffective and impractical to regulate the complex class of chemicals through a piecemeal approach. The wastewater community has been in favor of the class approach in hopes of keeping PFAS out of flows.

\$650 million was generated for the Greenhouse Gas Reduction Fund (GGRF) in the latest Cap and Trade allowance auction. The funds will be added to the GGRF pot that the legislature gets to allocate with the budget. Legislators decided to not make any allocation for the 2020/2021 Fiscal Year, so there is over \$2 billion to be allocated in the 2021/22 fiscal year. Some of that has been allocated through "early action" spending to stimulate the economy.

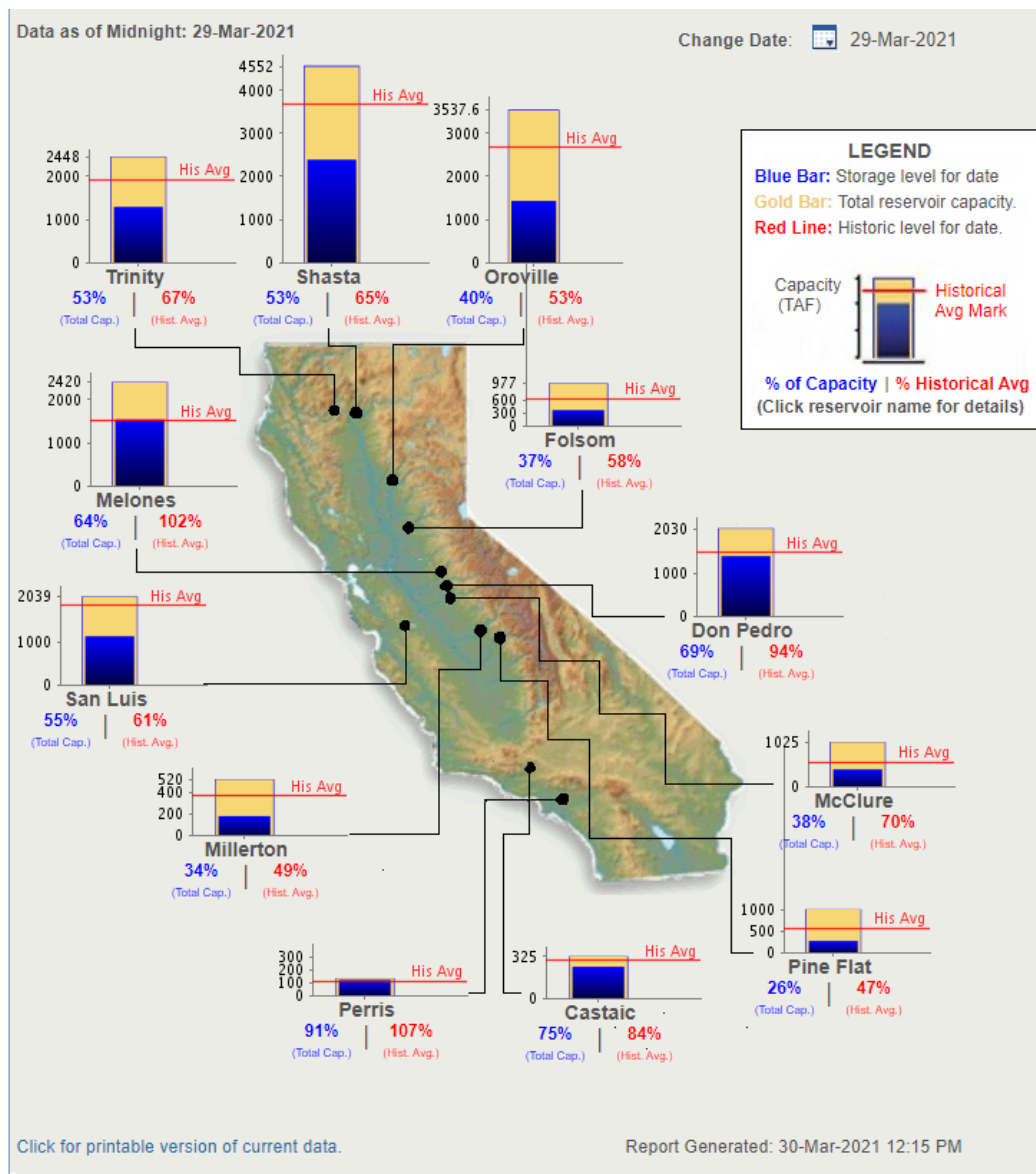
The Legislature has been busy moving bills through their first policy committees ahead of the April 30 policy committee deadline. The social distancing rules in the Capitol continue to restrict the legislature's ability to act on a significant number of bills. As the end of April deadline nears it will become clear if the physical restrictions will cause bills to drop off agendas.

Inland Empire Utilities Agency

Status Report – March 2021

Water Supply Conditions

The March Miracle water managers were hoping for didn't materialize in any significant way. The few storms that rolled through help stop the bleeding, but didn't bring the significant snow needed to salvage the water year for the state. With San Luis Reservoir, the main south-of-Delta storage facility for the State Water Project, at 61 percent of average for this time of the year and 55 percent capacity and Oroville at 53 percent of average and 40 percent capacity, there is cause for worry. Additional concern is warranted with the statewide snowpack at just 61 percent of April 1 average. Finally, all but the very northwest tip of the state is experiencing some sort of drought conditions with over 30 percent of the state experiencing extreme or exceptional drought.

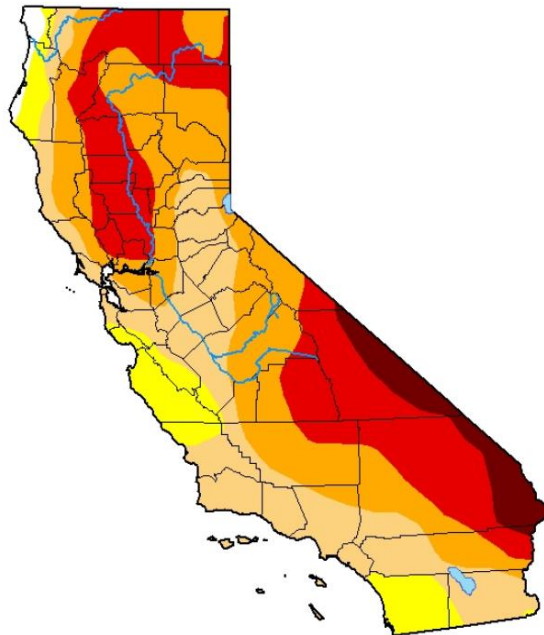


U.S. Drought Monitor California

March 30, 2021

(Released Thursday, Apr. 1, 2021)

Valid 8 a.m. EDT



Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	0.77	99.23	90.66	64.02	31.76	5.36
Last Week 03-23-2021	0.70	99.30	90.66	64.02	31.76	5.36
3 Months Ago 12-29-2020	0.00	100.00	95.17	74.34	33.75	1.19
Start of Calendar Year 12-29-2020	0.00	100.00	95.17	74.34	33.75	1.19
Start of Water Year 09-29-2020	15.35	84.65	67.65	35.62	12.74	0.00
One Year Ago 03-31-2020	24.86	75.14	43.31	1.30	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:

Brad Pugh
CPC/NOAA



droughtmonitor.unl.edu

SWP Allocation Lowered

As widely reported, the Department of Water Resources (DWR) recently lowered its initial State Water Project (SWP) allocation for the 2021 water year from 10% to 5% of requested supplies. The 5% allocation amounts to 210,266 acre-feet of water, distributed among the 29 long-term SWP contractors who serve more than 27 million Californians and 750,000 acres of farmland.

DWR's announcement followed the State Water Resources Control Board's sending a letter to 40,000 water right holders and agents highlighting the dry conditions affecting most California watersheds. The letter encourages water right holders to "start planning now for potential water supply shortages later this year," but does not create new requirements or impair water rights.

The current dry conditions of 2020 and 2021 are being compared to the drought years of 2014 and 2015.

As a result of the persistent drought conditions, and in accordance with its permit for the long-term operation of the State Water Project, DWR has submitted a revised Drought Contingency Plan to the California Department of Fish and Wildlife. The plan provides updated hydrologic conditions and outlines areas of concern for the joint operations of the State Water Project and the Central Valley Project, water quality, and environmental impacts.

DWR does not anticipate the need to pursue a Temporary Urgency Change Petition (TUCP) to allow for temporary changes to the water quality and outflow requirements for the Sacramento-San Joaquin Delta.

“We are now facing the reality that it will be a second dry year for California and that is having a significant impact on our water supply,” stated DWR Director Karla Nemeth in a news release. “The Department of Water Resources is working with our federal and state partners to plan for the impacts of limited water supplies this summer for agriculture as well as urban and rural water users. We encourage everyone to look for ways to use water efficiently in their everyday lives.”

Microplastics

The State Water Resources Control Board is poised to issue the world’s first guidelines for microplastics in drinking water despite lacking data on how prevalent they are in the state, no scientific agreement on how to test for them and little research on associated health risks.

Under a 2018 state law, California must require four years of testing for microplastics in drinking water, and the state must consider guidelines to help water providers and consumers determine what levels may be safe to drink. As a result, the SWRCB is blazing a trail to issue a preliminary health-based threshold and testing methods by July 1.

Research into the consequences of ingesting tiny plastic fragments is still in its infancy and no one knows how widespread microplastics in California’s drinking water really are. There isn’t even a standardized method to test for them. And no one knows what level may be “safe” to consume, since human health effects are largely unknown.

The World Health Organization concluded in 2019 that there was too little evidence to understand the toxicity of microplastics, and “no reliable information suggests it is a concern through drinking-water exposure.”

The SWRCB approach is opposite to how drinking water is usually regulated. In most cases, state or federal water regulators know how much of a contaminant is in the water, and research has already linked specific levels to health effects in humans.

Even as the state works to develop drinking water limits on microplastics, state officials know nothing about how prevalent they are in California’s water supply because testing has not yet started.

The state has assembled an international assortment of laboratories working to streamline these techniques and figure out which are the most cost-effective for testing drinking water, sediment, ocean water and fish tissue. They expect to reveal by July what tests water providers must use.

The Southern California Coastal Water Research Project is leading the effort, sending jars of water spiked with microplastics and other materials to more than two dozen labs to see if they can distinguish microplastics from other contaminants and accurately measure particles.

Some experts question whether focusing on drinking water is enough. Bottled water, for instance, may be a bigger source of microplastics than tap water.

Treatment plants tend to catch larger plastic particles. But sewage treatment plants can still release billions of tiny particles every year into waterways. They may also make their way back into the environment through sewage sludge applied to crops.

We will continue to update the IEUA Board and staff as the process at the SWRCB develops.

PFAS Classification Debate Continues

The California Department of Toxic Substances Control (DTSC) outlines the rationale for regulating PFAS as a class under the state's Safer Consumer Products (SCP) green chemistry program on the basis that it is ineffective and impractical to regulate the complex class of chemicals through a piecemeal approach.

This is good news for the wastewater community which is doing everything possible to keep PFAS out of the waste stream and limit the amount of treatment required. Regulating by class could allow the state to quickly block most uses of the substances in consumer products.

The wastewater community and industry groups are clashing at DTSC over the issue. Wastewater and public health advocates are pushing for the entire class of thousands of PFAS chemicals in a potential listing, while groups representing chemical, packaging and other industries say the department should include 15-17 PFAS that are intentionally added to specific paper products.

DTSC is still finalizing the "product-chemical profile" and plans to initiate a rulemaking for listing PFAS as a Priority Product in 2021, with the regulations taking effect in the second half of 2022.

Latest Cap & Trade Auction Nets State \$650 Million for GGRF

The latest greenhouse gas allowance auction sold all of the current and future credits offered at 9 cents above the floor price for current allowances and 30 cents above the floor price for 2024 vintage allowances.

After a few shaky auctions during peak pandemic times, this is the second quarter in a row where all allowances were sold. As a reminder, the November 2020 auction netted the state about \$500 million.

The \$650 million will be added to the Greenhouse Gas Reduction Fund pot that the legislature allocates with the budget. Legislators decided to not make any allocation for the 2020/2021 Fiscal Year, so there is over \$2 billion to be allocated in the 2021/22 fiscal year. Some of those funds have been allocated through "early action" spending to stimulate the economy.

Legislative Update

The Legislature has been busy moving bills through their first policy committees ahead of the April 30 policy committee deadline. The social distancing rules in the Capitol continue to restrict the legislature's ability to act on a significant number of bills. As the end of April deadline nears it will become clear if the physical restrictions will cause bills to drop off agendas.

Updates on Priority Bills

- AB 818 (Bloom)- Solid Waste: premoistened nonwoven disposable wipes: Co-Sponsored by CASA and disposable wipes industry. Would require specific "Do Not Flush" labeling on specific disposable wipes. The bill has no known opposition and will be heard in the Environmental Safety and Toxic Materials Committee on April 7.
- SB 230 (Portantino)- State Water Resources Control Board: Constituents of Emerging Concern (CECs): This bill is a reintroduction of a bill sponsored by MWD and California Municipal Utilities Association (CMUA) that would require the SWRCB to convene a Science Advisory Panel to review and provide recommendations to the board on further action to regulate CECs in the state. The goal is to establish a process by which the board decides to regulate CECs rather than the unpredictable process currently used. The bill passed out of its first committee,

but was tagged with significant fiscal costs in Appropriations. MWD, CMUA and the author decided to make the bill a two-year bill and it will not move forward in 2021.

- SB 273 (Hertzberg) Water Quality: municipal wastewater agencies: This legislation, sponsored by CASA, would authorize a wastewater agency to capture and treat stormwater utilizing ratepayer funds. The bill got out of its first committee, Governance and Finance, on the consent calendar and will be heard in Environmental Quality Committee on April 12, where it is expected to pass.
- Climate Bonds: Senate leadership has indicated they might want to put a climate bond on the June 2022 ballot (even though both bonds currently have November 2022 listed). If they decide to pursue the June ballot, the bond will need to be passed by the legislature by late January 2022. This timeline has intensified work on the bonds this year.
 - SB 45 (Portantino): Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Act of 2022: This is a reintroduction of Senator Allen's SB 45 from 2020. It is a \$5.5 Billion bond. The bill has been heard in the Natural Resources and Water Committee, with very little discussion by members and virtually no opportunity to testify by the public. The bill will next be heard in the Governance and Finance Committee.
 - AB 1500 (E. Garcia) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022. This legislation is similar to Asm. Garcia's bond from 2020. It is a \$6.7 billion bond. AB 1500 will be heard for the first time in the Water, Parks and Wildlife Committee on April 8.
- AB 377 (R. Rivas): Water quality: impaired waters. This legislation would require all surface waters to be fishable, swimmable and drinkable by 2050. The bill attempts to do this by taking away regional board discretion to issue waste discharge and MS4 permits in accordance with a larger basin plan in favor of a one size fits all approach to managing water quality. The legislation has been widely opposed. Supporters, the author and the Environmental Safety and Toxic Materials Committee have been trying to find a path forward for the bill, but so far, the suggestions from the sponsor do not address the concerns of the opponents.
- AB 1434 (Friedman) Urban water use objectives: indoor residential water use: This legislation would set the standard for indoor water use at 48 gallons per capita daily (GPCD) beginning in 2023, 44 GPCD in 2025 and 40 GPCD in 2030. A strong coalition including ACWA, CASA, WaterReuse, So Cal Water Coalition and the CA Water Association have been meeting with members of the Water, Parks and Wildlife Committee to express significant concerns with the bill.
- SB 372 (Leyva) medium and heavy-duty fleet purchasing assistance program: zero emission vehicles. The bill, while still a work in progress, seeks to make financing tools available to help transition medium and heavy-duty truck fleets to zero emission vehicles. The bill currently fails to include off-road or construction equipment as eligible under the program, but the author and sponsor have been open to making some changes to include construction equipment.

Budget Update:

As reported in previous reports, the California Municipal Utilities Agency (CMUA), the California Special Districts Association (CSDA), the California Association of Sanitation Agencies (CASA) and the Association of California Water Agencies (ACWA) launched an effort to secure \$1 billion in funding to help water, wastewater and public electric customers with their unpaid bills. They hope to secure some of the “extra revenue” the state has in the coffers for the 2021-2022 fiscal year. They have been making headway with some members of the budget committee. It is still unclear if they will be successful in this endeavor.

Bill Number	Author/Sponsor	Title and/or Summary	Summary	IEUA Position/ Bill Location	Positions Taken by Associations & Regional Agencies
AB 361	Asm R. Rivas	Open Meetings: Local Agencies: Teleconferences	Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.		CVWD Support
AB 377	Asm. R. Rivas/ CA Coastkeeper	Water quality: impaired waters	Would require all California surface waters to be fishable, swimmable, and drinkable by January 1, 2050, as prescribed. The bill would prohibit the state board and regional boards from authorizing an NPDES discharge, waste discharge requirement, or waiver of a waste discharge requirement that causes or contributes to an exceedance of a water quality standard, or from authorizing a best management practice permit term to authorize a discharge that causes or contributes to an exceedance of a water quality standard in receiving waters. The bill would prohibit, on or after January 1, 2030, a regional water quality control plan from including a schedule for implementation for achieving a water quality standard that was adopted as of January 1, 2021, and would prohibit a regional water quality control plan from including a schedule for implementation of a water quality standard that is adopted after January 1, 2021, unless specified conditions are met.	OPPOSE ASM ESTM COMM	Opposed by SAWPA, MWD, CASA, ACWA
AB 703	Rubio/ Three Valleys Municipal Water District	Open Meetings: Local Agencies: Teleconferences	Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability		Supported by MWD, ACWA, CASA, TVMWD

Bill Number	Author/Sponsor	Title and/or Summary	Summary	IEUA Position/ Bill Location	Positions Taken by Associations & Regional Agencies
AB 361	Asm R. Rivas	Open Meetings: Local Agencies: Teleconferences	Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.		CVWD Support
AB 377	Asm. R. Rivas/ CA Coastkeeper	Water quality: impaired waters	Would require all California surface waters to be fishable, swimmable, and drinkable by January 1, 2050, as prescribed. The bill would prohibit the state board and regional boards from authorizing an NPDES discharge, waste discharge requirement, or waiver of a waste discharge requirement that causes or contributes to an exceedance of a water quality standard, or from authorizing a best management practice permit term to authorize a discharge that causes or contributes to an exceedance of a water quality standard in receiving waters. The bill would prohibit, on or after January 1, 2030, a regional water quality control plan from including a schedule for implementation for achieving a water quality standard that was adopted as of January 1, 2021, and would prohibit a regional water quality control plan from including a schedule for implementation of a water quality standard that is adopted after January 1, 2021, unless specified conditions are met.	OPPOSE ASM ESTM COMM	Opposed by SAWPA, MWD, CASA, ACWA
AB 703	Rubio/ Three Valleys Municipal Water District	Open Meetings: Local Agencies: Teleconferences	Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability		Supported by MWD, ACWA, CASA, TVMWD

			<p>of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the requirements of the act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.</p>	ASM LOCAL GOV	
AB 818	Asm. Bloom/ CASA	Solid Waste: premoistened nonwoven disposable wipes	<p>Would require, except as provided, certain premoistened nonwoven disposable wipes manufactured on or after July 1, 2022, to be labeled clearly and conspicuously with the phrase “Do Not Flush” and a related symbol, as specified. The bill would prohibit a covered entity, as defined, from making a representation about the flushable attributes, benefits, performance, or efficacy of those premoistened nonwoven disposable wipes, as provided. The bill would establish enforcement provisions, including authorizing a civil penalty not to exceed \$2,500 per day, up to a maximum of \$100,000 per violation, to be imposed on a covered entity who violates those provisions.</p>	<p>SUPPORT</p> <p>ASM ESTM COMM</p>	<p>CASA Support/Co- Sponsor</p> <p>Supported by CVWD, ACWA</p>

AB 1434	Asm. Friedman	Urban water use objectives: Indoor water use	Would establish, beginning January 1, 2023, until January 1, 2025, the standard for indoor residential water use as 48 gallons per capita daily. The bill would establish, beginning January 1, 2025, the standard as 44 gallons per capita daily and, beginning January 1, 2030, 40 gallons per capita daily. The bill would eliminate the requirement that the department, in coordination with the state board, conduct necessary studies and investigations and jointly recommend to the Legislature a standard for indoor residential water use.	OPPOSE ASM WPWL COMM	Opposed by CASA, ACWA, CVWD, IRWD MWDOC plans to Oppose MVWD will oppose if position is taken
AB 1500	Asms. E. Garcia/Mullin	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022	Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,700,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.	SUPPORT IF AMENDED ASM WPWL COMM	Support if Amended CASA, ACWA
SB 45	Sen. Portantino	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond act of 2022	Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.	SUPPORT IF AMENDED SEN G&F COMM	Supported by EMWD MWD Support and Seek Amendments CASA & ACWA Support if Amended
SB 222	Sen. Dodd	Water Affordability Assistance Program	Would establish the Water Affordability Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income ratepayers and ratepayers experiencing economic hardship in California. The bill would make moneys in the fund available upon appropriation by the Legislature to the		CASA Work with Author ACWA, CVWD Oppose Unless Amended

			state board to provide, as part of the Water Affordability Assistance Program established by the bill, direct water bill assistance, water bill credits, water crisis assistance, affordability assistance, and short-term assistance to public water systems to administer program components.		EMWD Oppose
SB 223	Sen. Dodd	Discontinuation of residential water service	Current law prohibits an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, from discontinuing residential water service for nonpayment until a payment by a customer has been delinquent for at least 60 days. Current law requires an urban and community water system to have a written policy on discontinuation of residential service for nonpayment, including, among other things, specified options for addressing the nonpayment. Current law requires an urban and community water system to provide notice of that policy to customers, as provided. This bill would apply those provisions, on and after July 1, 2022, to a very small community water system, defined as a public water system that supplies water to 200 or fewer service connections used by year-long residents.		CASA Work with Author ACWA. CVWD Oppose Unless Amended Opposed by EMWD
SB 230	Sen. Portantino/ CMUA & MWD	State Water Resources Control Board: Constituents of Emerging Concern	Would require the State Water Resources Control Board to establish, maintain, and direct an ongoing, dedicated program called the Constituents of Emerging Concern Program to assess the state of information and recommend areas for further study on, among other things, the occurrence of constituents of emerging concern (CEC) in drinking water sources and treated drinking water. The bill would require the state board to convene, by an unspecified date, the Science Advisory Panel to review and provide recommendations to the state board on CEC for further action, among other duties. The bill would require the state board to provide an annual report to the Legislature on the ongoing work conducted by the panel.	SUPPORT NOT MOVING IN 2021: TWO- YEAR BILL	MWD Support and Co-Sponsor Supported by CVWD, TVMWD, WMWD, WaterReuse, EMWD Favor - ACWA

[illegible]

SB 372	Sen Leyva/ NRDC	Medium and heavy-duty fleet purchasing assistance program: zero-emission vehicles	Would require an unspecified agency to establish a program to make financing tools and nonfinancial supports available to the operators of medium- and heavy-duty vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles. The bill would require the agency to consult with various state agencies and stakeholders in the development and implementation of the program.		
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INFORMATION
ITEM
2C

Brown Act Legislation



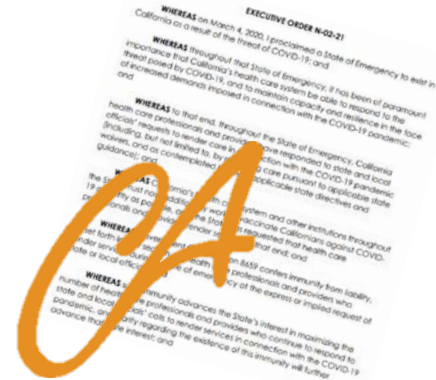
Background

- The Ralph M. Brown Act governs California's open meetings
 - The Act requires that all legislative body meetings of a local agency be open to the public and that all persons be permitted to participate, unless a closed session is permitted.
 - The Act currently provides the option for teleconferencing of legislative body meetings if:
 - All teleconference locations are accessible to the public.
 - At least a quorum of the members of the legislative body participate from locations within the boundaries of the local agency's service area.
 - The agenda is posted at each location and notice provided for an opportunity for the public to address the legislative body directly at each teleconference location.



Brown Act Legislation

- Consistent with the State of Emergency and Governor's Executive Order No. N-29-20, there have been multiple bills introduced during the 2021 legislative session relating to the Brown Act.
 - AB 361 (Rivas, R.) and AB 703 (Rubio); both titled Open meetings: local agencies: teleconferences.
 - These bills aim to clarify the law and codify the intent of the Executive Order, which will give public agencies certainty either in emergency situations or when conducting teleconference meetings.



Open meetings: local agencies: teleconferences

- AB 361 and AB 703 propose different approaches to teleconferenced meetings and public access and will need to be reconciled through the legislative process.

Bill	Bill Summary
AB 361 (Rivas) Open meetings: local agencies: teleconferences	AB 361 adds a new section to the act allowing teleconferencing of the meetings; however, the teleconference locations would still need to be accessible to the public and at least a quorum of the members of the legislative body participate from locations within the service area.
AB 703 (Rubio) Open meetings: local agencies: teleconferences	AB 703 removes the quorum requirement and the public access to teleconference locations so long as notice is provided for an opportunity for the public to address the legislative body directly.

AB 361 (Rivas, R.)

- Amends the Brown Act to allow a local agency the option to use teleconference if certain emergency circumstances are met:
 - To proclaim or ratify a local emergency.
 - During a proclaimed state of emergency and the state and local office have imposed or recommended measures to promote social distancing.
 - During a declared local emergency and the body determines by majority vote that, as a result of the emergency, attendance of the legislative body in person is hindered, or meeting in person would present risks to the health or safety of attendees.
 - Notice provides a means by which the public may address the legislative body, access the meeting and offer public comment but would not have to provide a physical location.
 - Sponsored by the California Special Districts Association.

AB 703 (Rubio)

- Amends the Brown Act to:
 - Delete the requirement to have a quorum of the legislative body members to participate from locations within the jurisdictional boundaries.
 - Delete the requirement of providing the teleconference locations.
 - Stipulate that if the local agency elects to use teleconferencing, it shall provide notice in the posted agenda of means for the public to observe the meeting and offer public comment.
 - Require a procedure for receiving and resolving requests for reasonable accommodations for individuals with disabilities in accordance with the Americans with Disabilities Act, resolving any doubt in favor of accessibility.
 - Sponsored by Three Valleys Municipal Water District.

INFORMATION
ITEM
2D

Date: April 21, 2021

To: The Honorable Board of Directors

ADD
From: Shivaji Deshmukh, General Manager

Committee: Community & Legislative Affairs

04/14/21

Executive Contact: Kathy Besser, Executive Manager of Government & Ext. Affairs/AGM

Subject: Public Outreach and Communication

Executive Summary:

- April, Records and Information Management Month
- April 1, Water is Life Student Art Poster Contest Submission Deadline
- April 17-24, California Native Plant Week
- April 18-24, IEUA Virtual Earth Week Event
- April 21, Administrative Professionals Day
- April 22, Earth Day
- April 23, World Laboratory Day
- April 24, Prescription Drug Take Back Day

Staff is in the process of developing the Agency's Virtual Earth Week event, in partnership with the city of Chino. The week-long event is scheduled to go live throughout Earth Week from April 18-24. Visitors will have the opportunity to virtually explore the Chino Creek Wetlands and Educational Park as they participate in virtual educational activities, navigate through resources provided by external vendors, learn more information about the Agency and its member agencies, participate in giveaways, and more.

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

April

- April, Records and Information Management Month
- April 1, Water is Life Student Art Poster Contest Submission Deadline
- April 17-24, California Native Plant Week
- April 18-24, IEUA Virtual Earth Week Event
- April 21, Administrative Professionals Day
- April 22, Earth Day
- April 23, World Laboratory Day
- April 24, Prescription Drug Take Back Day

Media and Outreach

- Staff continues to publish reels on the @IEUAWater and @chinocreekwetlands social media profiles. Recently, the @IEUAWater reels profile showcased just under 600 views for the most recently published reel.
- The Agency continues to remind the public of what can and cannot be flushed through the *No Wipes in the Pipes* campaign.
- Staff recognized World Engineering Day, Employee Appreciation Day and International Grant Professionals Day on social media by thanking Engineering staff, all IEUA employees and Grants staff, respectively, for their continuous hard work and dedication to the Agency and their respective departments.
- The Agency celebrated National Groundwater Awareness Week on social media by sharing information on the Agency's groundwater recharge basins, ways to protect and conserve groundwater and a short reel explaining how aquifers work.
- Staff celebrated Fix a Leak Week with a reel and various posts on leak detection tips and techniques. The Agency also hosted internal and external giveaways of leak detection kits for employees and members of the public willing to share how they find and fix leaks in their homes.
- World Water Day was recognized on March 22 through social media with a post sharing what water means to members of IEUA's staff and students in honor of this year's theme: "What does water mean to you?"
- Staff recognized National Public Procurement Month by thanking members of the Agency's Contracts and Procurement Department for being good stewards of public funds by providing ethical and cost-effective procurement activities.
- The Agency continues to publish content on LinkedIn and has gained 42 followers since February 2020, with 418 page views in the last 30 days.
- March: 31 posts were published to the IEUA Facebook page, 33 posts were published to IEUA's Instagram grid, 32 tweets were sent on the @IEUAWater Twitter handle, and 14 posts were published to the IEUA LinkedIn page.
 - The top three Facebook posts, based on reach and engagement, in the month of

March were:

- 3/11 News Release: IEUA Board Vice President Michael Camacho Elected to Serve on MWD's Executive Committee
 - 3/12 International Grant Professionals Day
 - 3/23 Control Systems Analyst II Hiring
 - The top three Twitter tweets, based on reach and engagement, in the month of March were:
 - 3/12 International Grant Professionals Day
 - 3/4 World Engineering Day
 - 3/11 News Release: IEUA Board Vice President Michael Camacho Elected to Serve on MWD's Executive Committee
 - The top three Instagram posts, based on reach and engagement, in the month of March were:
 - 3/16 Fix a Leak Week: Leaks 101 Reel
 - 3/11 National Groundwater Awareness Week: Aquifers Reel
 - 3/22 World Water Day
 - The top three LinkedIn posts, based on impressions and reactions, in the month of March were:
 - 3/9 Employee Recognition Post: Manager of Regional Compost Operations Jeff Ziegenbein Appointed to US Composting Council's Board of Directors
 - 3/22 Employee Recognition Post: Manager of Operations and Maintenance Robert Delgado and Collections System Supervisor Daniel Dyer Appointed to Santa Ana River Basin Section Board of Directors
 - 3/3 Employee Recognition Post: Manager of Engineering and Construction Management Jerry Burke on American Council of Engineering Companies Riverside/San Bernardino Chapter's Local Water Agency Panel
- A water-wise education ad ran on March 11 in *La Opinion*.
 - A water-wise education ad ran on March 15 in the *Daily Bulletin* to promote Fix a Leak Week.
 - A water-wise education ad ran in the Chino Valley Champion's *Chino Connection Magazine* section on March 20.
 - A water-wise education ad will run in the April edition of the *Inland Empire Magazine*.

For the month of March, there were 14,235 searches for a park in IEUA's service area on Yelp, where Chino Creek Wetlands and Educational Park was viewed 1,028 times on a mobile device.

Education and Outreach Updates

- Staff is in the process of developing the Agency's Virtual Earth Week event, in partnership with the city of Chino. The week-long event is scheduled to go live throughout Earth Week from April 18-24. Visitors will have the opportunity to virtually explore the Chino Creek Wetlands and Educational Park as they participate in virtual educational activities, navigate through resources provided by external vendors, learn more information about the Agency and its member agencies, participate in giveaways, and more.

- Due to outreach and promotions for Owlle's Virtual Adventures, staff has begun to receive an increased number of requests for virtual field trips.
- Staff launched the Water Scout Badge Program for Boy Scouts and Girl Scouts and began promoting it on the Agency's social media channels. The program, which is offered as a resource under Owlle's Virtual Adventures, offers scouts the opportunity to earn a Fun Badge upon completion.
- Staff is promoting the Agency's 2021 "Water is Life" Student Art Poster Contest. Staff is developing an efficient digital submission process. To date, the Agency has received over 100 submissions. The deadline to submit posters for the 2021 was April 1.
- The Garden in Every School® program is moving forward with the installation of a water-wise garden at St. Joseph School (Upland). CBWCD has installed irrigation lines and raised garden beds, and students have been watching their garden installation in person from a safe distance. Planting is planned for the week of April 12. Safety measures remain in place while CBWCD is onsite. Randall Pepper Elementary School (Fontana) and Loving Savior of the Hills (Chino Hills) remain on hold.
- Solar Cup 2021 is underway. After experiencing internet connection, software and technical glitches, students and teachers have stayed committed and have completed a total of three challenges including Blender/OnShape, Green Careers and Robotics. Chino Hills High School chose to complete both Blender and OnShape challenges to possibly earn extra points.

Agency-Wide Membership Updates

- Randy Lee, Executive Manager of Operations/AGM, attended the NWRI Board of Directors Meeting February 9.
- Richard Lao, Senior Environmental Resources Planner, attended the Southern California Alliance of Publicly Owned Treatment Works (SCAP) Air Quality Committee Meeting on February 10.
- Richard Lao, Senior Environmental Resources Planner, attended the California Association of Sanitation Agencies (CASA) Water Regulatory Working Group Committee Meeting on February 18.
- Richard Lao, Senior Environmental Resources Planner, attended the Southern California Alliance of Publicly Owned Treatment Works (SCAP) Water Committee Meeting on February 24.
- Richard Lao, Senior Environmental Resources Planner, attended the California Association of Sanitation Agencies (CASA) Air Quality, Climate Change, and Energy Workgroup Meeting on February 25.
- Craig Proctor, Deputy Manager of Strategic Planning and Resources, attended the Southern California Salinity Coalition (SCSC) Board of Directors Meeting on March 4.

INFORMATION
ITEM
2E



CALIFORNIA STRATEGIES, LLC

Date: March 30, 2021
To: Inland Empire Utilities Agency
From: John Withers, Jim Brulte
Re: California Strategies, LLC March 2021 Activity Report

- 1) This month Jim Brulte and John Withers participated in a senior staff meeting via Microsoft Meetings on March 01 due to the Coronavirus.
- 2) Topics of discussion included
 - a) Regional Relations
 - A general discussion with staff about various stakeholders and customers.
 - b) CBP
 - Discussion was held regarding the CBP and stakeholders concerns and ideas for how to incorporate them.
 - A review of the original timeline and activities was held.
 - c) Technical & Policy Committees Updates
 - Recent Committee meetings and activities were discussed and reviewed
 - d) Monte Vista Water District Sewer Study
 - A discussion was held on the current status
 - e) IEUA Director Outreach and Support
 - A discussion on how IEUA senior staff can best support Directors