



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

**WEDNESDAY, JULY 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 ORDERS N-25-20 AND N-29-20 ISSUED BY GOVERNOR GAVIN NEWSOM IN MARCH 2020 AND IN AN EFFORT TO PROTECT PUBLIC HEALTH AND PREVENT THE SPREAD OF COVID-19, THERE WILL BE NO PUBLIC LOCATION AVAILABLE FOR IN-PERSON ATTENDANCE.

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](mailto: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.

**1. ACTION ITEMS**

**A. MINUTES**

Approve Minutes of the June 9, 2021 Community and Legislative Affairs Committee meeting.

**2. INFORMATION ITEMS**

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

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

**C. CENSUS 2020 REDISTRICTING UPDATE (WRITTEN)**

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

**E. PUBLIC OUTREACH AND COMMUNICATION (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](http://www.ieua.org) and outside the Agency's main office, 6075 Kimball Avenue, Building A, Chino on Thursday, July 8, 2021.



Denise Garzaro, CMC

**ACTION  
ITEM  
1A**



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

**WEDNESDAY, JUNE 9, 2021**

**9:00 A.M.**

**COMMITTEE MEMBERS PRESENT via Video/Teleconference**

Jasmin A. Hall, Chair  
Steven J. Elie

**STAFF PRESENT**

Shivaji Deshmukh, General Manager  
Denise Garzaro, Board Secretary/Office Manager  
Daniel Solorzano, Technology Specialist I

**STAFF PRESENT via Video/Teleconference**

Christiana Daisy, Deputy General Manager  
Kathy Besser, Executive Manager of External & Government Affairs/AGM  
Randy Lee, Executive Manager of Operations  
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  
Warren Green, Manager of Contracts, Procurement & Risk Services  
Don Hamlett, Acting Deputy Manager of Integrated System Services  
Jennifer Hy-Luk, Administrative Assistant II  
Sally H. Lee, Executive Assistant  
Sylvie Lee, Manager of Strategic Planning & Resources  
Laura Mantilla, Executive Assistant  
Cathleen Pieroni, Manager of Inter-Agency Relations  
Jesse Pompa, Manager of Grants  
Sushmitha Reddy, Manager of Laboratories  
Teresa Velarde, Manager of Internal Audit

**OTHERS PRESENT via Video/Teleconference**

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 – 1E. ACTION ITEMS**

The Committee:

- ◆ Approved Minutes of the May 12, 2021 Community and Legislative Affairs Committee meeting.
- ◆ Recommended that the Board adopt a position of “Support” for S. 914 (Duckworth) – Drinking Water and Wastewater Infrastructure Act of 2021; for H.R. 3404 (Huffman) – the FUTURE Western Water Infrastructure and Drought Resiliency Act; and for SB 372 (Leyva) – Purchasing Assistance Program: Zero Emission Vehicles;
- ◆ and
  1. Amend the contract with Innovative Federal Strategies for federal legislative services for \$86,400 for one additional year, extending the contract to June 30, 2022;
  2. Amend the contract with West Coast Advisors for state legislative services for \$114,000 for one additional year, extending the contract to June 30, 2022;
  3. Amend the contract with California Strategies for regional strategy services for \$90,000 for one additional year, extending the contract to June 30, 2022; and
  4. Authorize the General Manager to execute the contract amendments, subject to non-substantive changes;

as Consent Calendar items on the June 16, 2021 Board meeting agenda.

### **2A – 2E. INFORMATION ITEMS**

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

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

### **3. GENERAL MANAGER’S COMMENTS**

General Manager Shivaji Deshmukh stated that on June 15, California is slated to fully reopen its economy if the vaccine supply is sufficient for California residents who wish to be inoculated and if hospitalization rates are stable and low. On June 2, the Governor’s office shared that the Executive Order, that has allowed local government agencies Brown Act flexibility to conduct public meetings virtually, will not terminate on June 15 and all local government agencies and Boards can continue to conduct virtual public meetings as needed. The administration has also noted that they will work with cities and other local government stakeholders to provide appropriate notice about the Executive Order’s eventual discontinuation, allowing public agencies to adequately prepare and meet Brown Act requirements. Staff will continue to communicate any changes in requirements in the coming months. In regards, to bringing staff back to the office, the Agency is planning on a two-step approach within the next few months.

General Manager Deshmukh gave an update on the steps staff is taking to comply with redistricting requirements. Every 10 years based on census data; a governmental body that uses district elections is required to adjust voting area boundaries. Special districts with a November 8, 2022 election must adopt the new district map no later than 205 days before the election, or

April 17, 2022. The California Fair Maps Act of 2019 means there is a different process than 10 years ago when redistricting was done internally. Requirements now include specific outreach, the number of public hearings that must be conducted, and how a Board adopts the new map. Staff is in the process of meeting with consultants who could assist with this process and will be bringing an item to the Board in the future.

General Manager Deshmukh announced that Adel Hagekhalil was selected as MWD's new General Manager at the June 8 Board meeting. Mr. Hagekhalil is a Board-Certified Environmental Engineer who has worked for 32 years in water, environmental and infrastructure management as an executive with Los Angeles' sanitation department and then with its street services department, where he is credited with turning around a troubled culture.

At its meeting on June 7, 2021 MWD's Water Planning & Stewardship Committee MWD staff member Brandon Goshi outlined IEUA's Chino Basin Program and MWD's support to date. He noted how the CBP would improve regional reliability and system flexibility in Metropolitan's service area, MWD highlighted how the new distribution infrastructure would provide an option for developing additional supplies in an otherwise SWP-exclusive area of Metropolitan's system, providing MWD increased operational flexibility that could benefit Metropolitan and its member agencies during shutdowns. A copy of MWD's support letter was provided to the Board.

Also, MWD Board unanimously approved grant funding of \$987,485 for an infrastructure improvement project for the design and construction of upgrades to the existing Montclair Basin (Basin) located in the city of Montclair. The Project is designed to potentially increase the diversion and volume for groundwater recharge of stormwater, dry weather runoff and imported water into the Chino Groundwater Basin by a total of 152 AFY. The funding is made available via MWD's Stormwater for Recharge Pilot Program, which requires that grant recipients quantify stormwater capture and its relationship to water supply yield to contribute towards Metropolitan's evaluation and understanding of the potential water supply benefits delivered by stormwater capture projects throughout the service area.

#### **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 9:50 a.m.

Respectfully submitted,

Denise Garzaro  
Board Secretary/Office Manager

\*A Municipal Water District

**APPROVED: JULY 14, 2021**

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:** June 30, 2021

**Re:** June Monthly Legislative Update

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### **Administration, Senators Announce Bipartisan Deal on Infrastructure**

President Biden on Thursday, June 24 announced he had reached an infrastructure deal with a group of Republican and Democratic senators, saying both sides gave up some things they wanted to get a rare accord in a bitterly divided Washington, D.C.

Biden acknowledged the deal would not include proposals he has made for spending to help American families, but firmly endorsed the deal on infrastructure in unusual remarks just outside the White House with the bipartisan group of senators looking on.

“We have a deal,” Biden told reporters.

“I think it’s really important, we’ve all agreed that none of us got all that we wanted. I clearly didn’t get all I wanted. They gave more than I think maybe they were inclined to give in the first place,” he said.

“But this reminds me of the days we used to get an awful lot done in the United States Congress, we actually worked with one another,” Biden said, putting his hand on Senator Rob Portman’s (R-OH) shoulder. “Bipartisan deal means compromise.”

The agreement was reached after weeks of negotiations, and with progressive Democrats repeatedly calling on the White House to back away from the talks, which some liberals fear could prevent a much larger package from moving forward.

Biden said he did intend to continue to look for a larger package on spending through a budget reconciliation measure, which would allow it to pass the Senate with just Democratic votes.

“I appreciate the fact that the president came out today to express what we all believe, which is we didn’t get everything we wanted but we came up with a compromise that is going to help the American people,” Portman told reporters. “I’m pleased to see today we were able to come together on a core infrastructure package.”

Senator Susan Collins (R-ME) said that the group had agreed on a price tag, scope and how to pay for it.



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The framework includes \$579 billion in new spending for a total of \$973 billion over five years and just over \$1.2 trillion over eight years. The agreement counts infrastructure spending, primarily through the reauthorization of transportation legislation, that Congress would have otherwise obligated over the 8-year period to reach the \$1.2 trillion price tag.

It allocates \$312 billion for transportation programs, including roads, bridges, airports, and electric vehicles infrastructure. The remaining \$266 billion would go to water infrastructure, broadband, environmental remediation, power infrastructure and other areas.

The proposed financial sources for new investments include reducing the tax gap, redirecting unused unemployment insurance relief funds, and repurposing unused funds from COVID-19 relief legislation. It also includes sources like allowing states to sell or purchase unused toll credits for infrastructure, extending expiring customs user fees and 5G spectrum auction proceeds.

Biden, who unveiled a \$1.25 trillion package to repair infrastructure and address climate change at the end of March, has sought for weeks to get a bipartisan agreement on infrastructure, after campaigning on his ability to work across the aisle and cut deals in Congress when he represented Delaware as a senator.

Biden also negotiated with a separate Republican group led by Senator Shelley Moore Capito (WV) that collapsed earlier during the month of June, fueling skepticism about the possibility for bipartisan agreement.

Democrats moved Biden's \$1.9 trillion coronavirus relief bill without GOP votes earlier this year using budget reconciliation, a process that allows them to bypass the filibuster in the Senate.

While the bipartisan breakthrough represents a significant accomplishment, Biden still faces a challenge in getting a deal across the finish line especially as he looks to convince progressives to support the deal.

Speaker Nancy Pelosi (D-CA) said that the House would not vote on a bipartisan infrastructure bill until the Senate passes a larger set of Democratic priorities through budget reconciliation.

"There won't be an infrastructure bill unless we have a reconciliation bill. Pure and simple," Speaker Pelosi noted.

Biden said following the meeting with senators, "We'll see what happens in the reconciliation bill and the budget process," adding that the legislation will move in a "dual track" with this infrastructure bill. Biden, who had made comments like Pelosi, had to walk back those comments after Republicans waived on continuing to support the framework if Democrats were conditioning their support for infrastructure on passing a partisan bill for non-traditional infrastructure.

“We all gave some to get some because what we did was put first the needs of our country,” said Sen. Krysten Sinema (D-AZ), who described the bipartisan deal as an “historic investment” in the United States’ infrastructure.

### **House Begins Consideration of Fiscal Year 2022 Funding Legislation**

The House Appropriations Committee began consideration of its 12 annual spending bills to fund the government for fiscal year 2022 during the week of June 21.

The House Appropriations Financial Services and General Government (FSGG) Subcommittee approved by voice vote its fiscal 2022 spending bill Thursday, June 24. The bill was the first regular appropriations bill released and marked up this year and the first to include earmarks now that lawmakers plan to revive the practice of directing funds to specific community projects. It is set for a full committee markup June 29.

Lawmakers included 55 earmarks totaling \$32.4 million, according to a list published by the committee. That includes 47 projects requested by Democrats totaling \$26.6 million and eight projects for Republicans totaling \$5.8 million.

All the projects in the FSGG bill would be funded through the Small Business Administration.

Additional bills that were marked up in subcommittee last week include the spending bills for the Agriculture-FDA, Financial Services, Military Construction – Veterans Affairs, and Legislative Branch subcommittees.

Appropriators will release and hold subcommittee markups for their Interior-Environment, State and Foreign Operations, Defense, and Homeland Security bills during the last week of June.

They are also set to hold full committee markups for the Agriculture-FDA, Financial Services-General Government, Interior-Environment, Legislative Branch, Military Construction-VA, and State and Foreign Operations bills, as well as for the top-line allocations for all 12 subcommittees.

The House’s Agriculture-FDA, Financial Services, and Military Construction-VA spending bills included 177 earmarks totaling \$434.2 million. That includes 117 earmarks for Democrats totaling \$152.5 million and 59 earmarks for Republicans totaling \$285.9 million.

While Republicans raked in large earmarks, particularly through the Military Construction-VA bill, top Republicans on the House Appropriations Committee said Democrats have left them in the dark about their plans to pick winners among the 3,019 requests submitted by House lawmakers.

“Mass confusion,” Representative Ken Calvert (R-CA) responded when asked how earmarks would be divided between Republicans and Democrats.

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House Appropriations Chair Rosa DeLauro (D-CT) has not released a concrete set of guidelines for how much earmark funding each party should get. She said in a statement the committee would prioritize the most effective and popular project requests.

“As the Appropriations Committee reviews Community Project Funding requests, we are prioritizing impactful projects that demonstrate strong community support,” Representative DeLauro said in a statement. “We are confident that the many members on both sides of the aisle who chose to request projects will secure funding to address critical needs in their communities.”

Appropriators are relying on a guideline that accepted earmarks should be roughly proportionate to the requested earmarks by each party at the full committee and subcommittee levels, said Representative David Price (D-NC), chair of the Transportation-HUD Subcommittee.

Below is a table showing requests by subcommittee:

### **Earmark Requests by Subcommittee**

Fiscal 2022 requests sent to the House Appropriations Committee

Subcommittee	Number of requests	Amount (dollars in millions)
Agriculture-FDA	147	\$452
Commerce-Justice-Science	226	218
Defense	18	36
Energy and Water	145	1,561
Financial Services	62	75
Homeland Security	90	217
Interior-Environment	315	707
Labor-HHS-Education	897	854
Military Construction-VA	18	327
Transportation-HUD	1,101	2,687
<b>Total</b>	<b>3,019</b>	<b>7,134</b>

In the Interior-Environment legislation, the Environmental Protection Agency and Interior Department would each receive roughly \$2 billion more in fiscal 2022 than they did for fiscal 2021.

The legislation would give EPA a total of \$11.3 billion for fiscal 2022, \$2.1 billion above fiscal 2021, and \$110.8 million more than President Joe Biden requested for the agency. Interior would receive \$15.6 billion under the bill—an increase of \$2.3 billion above fiscal 2021, but \$240 million below the administration’s request.

The request for the Interior Department includes \$1.6 billion for the Bureau of Land Management, \$285 million above the enacted fiscal 2021 level but \$26 million below the White House request. It would also include \$1.9 billion for the Fish and Wildlife Service, \$301 million more than enacted in fiscal 2021 and \$32 million less than that requested by the administration.

The request also includes \$61.8 million for regulation and study of per- and polyfluoroalkyl substances (PFAS), building on \$49 million appropriated for the agency in 2021.

### **House Energy & Commerce Committee Advances Drinking Water, PFAS Legislation**

The House Energy and Commerce Committee advanced two pieces of legislation on Wednesday, June 23, addressing drinking water and PFAS. Both bills are now headed to consideration by the full House.

The first bill, the Assistance, Quality, and Affordability (AQUA) Act of 2021 is expected to be one of two major water infrastructure measures incorporated into the larger infrastructure package Congress now is assembling. The Energy and Commerce Committee advanced the measure on a 32-24 vote.

The bill would authorize \$53 billion over 10 years for the Drinking Water State Revolving Fund.

The other measure, the Water Quality Protection and Job Creation Act of 2021, advanced out of the Transportation and Infrastructure Committee in early June, and is expected to be considered on the floor this week.

As a reminder, the Senate in April passed its bipartisan water legislation (S. 914), which includes both drinking water and wastewater infrastructure provisions.

“Drinking water infrastructure has long been an area of strong bipartisan agreement in this Committee, and I hope that drinking water safety can be as well,” said Energy and Commerce Chair Frank Pallone (D-NJ).

Additionally, on June 23 the Energy and Commerce Committee approved the PFAS Action Act of 2021 by a vote of 33 to 20.

An anticipated floor vote on the bill is not scheduled, but Representative Debbie Dingell (D-MI), the bill’s sponsor, said she anticipates a July vote.

Amongst other actions against PFAS, the legislation would require the Environmental Protection Agency (EPA) to establish a national drinking water standard for PFOA and PFOS within two years

The committee rejected at least eight amendments Republicans offered that would, for example, have shielded from superfund liability companies that release PFAS used to make medicines, medical devices, lithium batteries, semiconductors, solar panels, pipeline safety equipment, and equipment used to protect “persons sworn to defend the United States.”

The legislation received bipartisan support last Congress, as the House passed the bill in January 2020 with 24 Republicans supporting the package.

### **Administration Unveils Full Budget Proposal**

On Friday, May 29, the Biden Administration submitted its full fiscal year 2022 budget request to Congress, proposing spending that would run an annual deficit of more than \$1 trillion for the next decade.

Biden's fiscal 2022 budget proposal calls for a \$1.8 trillion deficit next year, totaling 7.8% of gross domestic product, and suggests adding \$14.5 trillion to the debt over the next decade. It also predicts a recovering economy, with the unemployment rate dropping to 4.1% in 2022 and 3.8% in 2023 and beyond. And the consistent deficit will not break the bank as long as interest rates stay low, White House Office of Management and Budget Acting Director Shalanda Young said when the budget was released.

"For the near term and the medium term, we believe the most important test of our fiscal health is real interest payments on the debt," Young said. "That's what tells us whether debt is burdening our economy and crowding out other investments."

The budget proposal, which projects the effects of Biden's legislative proposals, provides a detailed accounting of the administration's fiscal philosophy. It calls for \$6 trillion in federal spending in fiscal 2022 and outlines the effects of Biden's infrastructure and tax plans.

Lawmakers will treat it as a political document—an interesting series of plans that will be at least partly ignored by Congress, said Sen. Richard Shelby (R-AL), Vice Chairman of the Senate Appropriations Committee.

"Some people will be aghast," Shelby said on Wednesday, May 26 ahead of the budget release. "But I look at it as a suggestion. Sometimes we adopt some of that stuff. Sometimes we discard it, just ignore it."

The White House projects Biden's next two major legislative proposals, the American Jobs Plan and American Families Plan, would add a combined \$799 billion to the deficit over the decade. The document projects that it would reduce the deficit in later years.

Defense spending would shrink as a percentage of GDP, a pitch Republicans have already criticized. Defense funding would total \$756 billion (3.2% of GDP) in fiscal 2022, and \$851 billion (2.5% of GDP) in 2031.

The plan "completely disregards our debt of more than \$28 trillion, yet somehow still shortchanges our national security," Shelby said in a statement today.

Nondefense discretionary spending would shrink as a share of GDP, despite Biden's high-profile proposals to boost domestic investments. Biden calls for \$932 billion (4% of GDP) in fiscal 2022. The dollar figure would rise to \$1 trillion in fiscal 2031, but it would total only 3% of GDP at that point.

Biden anticipates a year-over-year real GDP increase of 4.3% in calendar year 2022 as the economy reopens after the shutdowns due to the coronavirus pandemic. The figure is projected to hover between 1.8% and 2% from 2025 onward.

Interest rates are projected to rise modestly throughout the next decade, though Young noted that they are expected to remain low compared to long-term historical averages. The yield on 10-year Treasury notes is projected to rise from 1.4% in calendar year 2022 to 2.8% in 2028 and beyond.

Biden's proposals to overhaul corporate taxation, including an increase in the corporate tax rate to 28%, would reduce the deficit by slightly more than \$2 trillion over the next decade, the document projects. His plans to raise taxes and close loopholes for top earners is estimated to cut the deficit by \$754.8 billion.

After accounting for \$1.2 trillion in tax credits for clean energy, electric cars, low-income families and housing investment, the plan would net Biden about \$2.4 trillion to invest in other economic priorities. The White House has said that the \$4 trillion combination of its American Jobs Plan and American Families Plan would be fully paid for over 15 years.

### **Senate Confirms Head of EPA's Water Office, Deputy Interior Secretary**

The Senate voted 55-43 on June 16 to confirm Radhika Fox as head of the Environmental Protection Agency's (EPA) Office of Water.

Senate Environment and Public Works Committee Chairman Tom Carper (D-DE), in remarks on the Senate floor, praised Fox's record and highlighted the organizations endorsing her for the position. These include the U.S. Chamber of Commerce, the Family Farm Alliance, and the U.S. Water Alliance, where she previously served as CEO.

"What those organizations have said — again and again — about Radhika Fox is that she is an exceptional leader who will work day and night to come up with practical solutions to our country's serious water challenges," Senator Carper said Wednesday. "Moreover, Ms. Fox will make sure everyone's point of view is heard and taken into account when EPA acts to protect our country's precious water resources."

In her own remarks on the floor, committee ranking member Shelley Moore Capito (R-WV) announced her opposition to Fox's nomination, citing in part her answers to the committee in May regarding the Trump-era version of the Navigable Waters Protection Rule.

"At that markup in May, I noted that I could not support Ms. Fox at that time because she would not commit to maintaining the Navigable Waters Protection Rule issued in 2020. As I noted at that time, she also would not state that the 2015 Waters of the U.S. Rule was overreaching," Senator Capito said on the floor.

"So I really couldn't pin her down on any opinion on this very important rule. I now know why she would not commit to maintaining the Navigable Waters Protection Rule when she testified before the committee and avoided providing direct responses in her written responses to my



follow-up questions. The administration did not support the rule, and apparently the EPA opposed it completely.”

Additionally, by a vote of 88-9, the Senate voted to confirm Tommy Beaudreau as deputy Interior Secretary.

The White House nominated Beaudreau to the role after pulling back its initially announced nominee, Elizabeth Klein, amid reported opposition from Senate moderates.

Moderate Senator Joe Manchin (D-WV), who chairs the Senate’s Energy and Natural Resources Committee, praised Beaudreau in a floor speech ahead of the vote.

“Mr. Beaudreau fully understands the role of the Department of the Interior in striking the balance in its dual mission of preserving and protecting our national parks and public lands and providing a large part of the energy and mineral resources that we need to power the nation,” he added.

Mr. Beaudreau is a lawyer and former Obama administration official who has previously held several roles at the Interior Department.

### **President Biden Signs Juneteenth Legislation Creating Newest National Holiday**

President Biden on June 17 signed into law the Juneteenth National Independence Day Act, turning the oldest celebration of the abolition of slavery in the U.S. into the country’s newest national holiday.

The signing came after the Senate and House passed the legislation in lopsided votes on consecutive days to get it to Biden's desk before this year’s Juneteenth, which was Saturday.

A portmanteau of June 19, the holiday marks the day in 1865 when Union Maj. Gen. Gordon Granger issued General Order No. 3 in Galveston, Texas, emancipating the remaining enslaved people in the state. For enslaved Americans in Texas, freedom came two and a half years after President Lincoln issued the Emancipation Proclamation.

Also known as Jubilee, Emancipation, or Freedom Day, June 19 has long been celebrated by Black communities across the country. Cities and states have also increasingly recognized the day; all but one state officially marks Juneteenth.

The last time a federal holiday was established was in 1983, when then-President Reagan signed a bill to create Martin Luther King Jr. Day, which was first observed in 1986.

The past two years, both the Senate and the House passed resolutions recognizing Juneteenth’s significance, but fell short of passing any formal legislation.

Representative Sheila Jackson Lee (D-TX) and Senator Ed Markey (D-MA) introduced such a bill in their respective chambers last June, but it failed to gain traction.

The bill was reintroduced to both chambers in February and largely sat dormant until mid-June when the Senate passed the proposal by unanimous consent, sending it to the House.

The House did not dally, with Majority Leader Steny Hoyer (D-MD) announcing that the lower chamber would take up the legislation the next day. It passed overwhelmingly, by a vote of 415-14.

Biden acknowledged that the bill passed by an overwhelming bipartisan vote.

“I hope this is the beginning of a change of the way we deal with one another,” he said.

Juneteenth is the country’s 12th federal holiday. As it falls on Saturday this year, the Office of Personnel Management announced Thursday morning that it would be observed on Friday for federal employees.

“National holidays are something important, these are days when we as a nation have decided to stop and take stock and often to acknowledge our history. As we established Juneteenth as our newest national holiday, let us be clear what happened on June 19, 1865,” Vice President Kamala Harris noted.

### **Committee on Economic Disparity and Fairness in Growth Democrats Announced**

On Tuesday, June 15, House Speaker Nancy Pelosi announced the Democratic Members for the Select Committee on Economic Disparity and Fairness in Growth. Speaker Pelosi announced the creation of the Committee on December 30, 2020.

Democrats named to the Committee include:

- Congressman Jim Himes (CT): bringing extensive professional experience from the private sector and in affordable housing, will be Chair
- Congresswoman Marcy Kaptur (OH): focusing on regional economic revitalization
- Congresswoman Gwen Moore (WI): leading action to close the racial wealth gap
- Congressman Vicente Gonzalez (TX): recognizing the connection between economic growth and infrastructure connectivity
- Congresswoman Pramila Jayapal (WA): delivering workers better wages and a brighter future
- Congresswoman Angie Craig (MN): representing the concerns of family farmers and rural communities
- Congresswoman Alexandria Ocasio-Cortez (NY): addressing generational disparities and increasing worker power in the economy
- Congresswoman Sara Jacobs (CA): focusing on the future of work with both a family and a global perspective

Working with the Committees of Jurisdiction, the Select Committee’s goal will be to “study and recommend proposals to make our economy work for everyone, powering American economic growth while ensuring that no one is left out or left behind in the 21st Century Economy.”



Republicans have not yet named appointees to the Select Committee.

**EPA to Revise Trump Rollbacks to Water Pollution Protections**

The Environmental Protection Agency (EPA) on June 9 officially announced that it plans to revise a Trump-era rule that limited what waters receive federal protections from pollution.

In a statement, EPA Administrator Michael Regan said the agency, along with the Army, has determined the rule that is currently in place is “leading to significant environmental degradation.”

Acting Assistant Secretary of the Army for Civil Works Jaime Pinkham said in a statement that the Trump-era rule caused a 25-percentage point drop in decisions that waters should get Clean Water Act protections.

"The Navigable Waters Protection Rule has resulted in a 25-percentage point reduction in determinations of waters that would otherwise be afforded protection," Pinkham said.

The Biden administration was widely expected to make changes to the Trump policy, but Wednesday’s announcement represents a formal step to get there, with the Justice Department asking a court to send the rule back to the agency for new rulemaking.

In its request, which does not ask for the existing to be vacated, government lawyers argued that this course of action would allow them to avoid taking positions "that might appear to pre-judge issues that will be reconsidered through notice-and-comment rulemaking."

It said in a statement that the new effort will be guided by considerations including protecting water resources and reflecting input from landowners and the agricultural community.

The Trump-era rule in question limited which waters receive protections under the Clean Water Act, excluding certain types of wetlands and streams, including streams that only flow when it rains or when snow melts.

It replaced an Obama-era rule that argued those bodies of water must be protected to stop pollution from reaching larger sources, including those used for drinking water.

The Trump administration said the rule promulgated by its predecessor was too broad and required major efforts to protect relatively small bodies of water.

In new court declarations, Pinkham and EPA official Radhika Fox, who has been nominated to lead the agency's Office of Water said that certain statements in the Trump rule's preamble "call into significant question whether the agencies’ consideration of science and water quality impacts" were significant with the goals of the Clean Water Act.

"The agencies explicitly and definitively stated ...that they did not rely on agency documents in the record that provided some limited assessment of the effects of the rule on water quality," the declarations said.

Defining which waters receive federal protections under the Clean Water Act has been an area of contention among environmentalists and the agricultural community, as farms may want to discharge waste into streams.

In a hearing Wednesday on the EPA's fiscal year 2022 budget request, lawmakers on both sides of the aisle raised concerns about such regulations.

Senator Lisa Murkowski (R-AK) said the rule should not be "overreaching" while Senator Martin Heinrich (D-NM) said that the current rule is "horribly written" and should be promptly revisited.

"What I'm committed to is engaging with the secretary of [agriculture], with the Army Corps of Engineers, with the agriculture community and with the communities that are impacted in congress to best understand, how do we have a long-term, durable solution and not continue to have to ping-pong it back and forth," Regan said in response to Murkowski.

### **EPA Reverses Trump Guidance It Said Weakened PFAS Regulations**

The Environmental Protection Agency on June 10 announced a slate of actions aimed at a class of toxic chemicals called PFAS, including the revocation of a Trump-era guidance that it said weakened regulations for the substances.

The agency additionally proposed a reporting requirement for manufacturing PFAS chemicals and finalized a rule requiring polluters to report releases of three types of the chemicals.

"These actions will help us harness the best available science to develop policies and programs that can improve health protections for everyone, including those living in historically underserved communities," Michal Freedhoff, principal deputy assistant administrator for the Office of Chemical Safety and Pollution Prevention, said in a statement.

The removed guidance, issued at the end of the Trump administration, sought to clarify a 2020 rule issued by the agency that prohibits companies from importing certain types of PFAS as part of an object's "surface coating" without EPA approval.

Such objects may include automotive parts, carpets, furniture, and electronic components. The guidance limited what would have been subject to the rule, providing exemptions for "unintentionally present" impurities as well as for those who process chemicals.

The Biden administration said Thursday that the guidance "was never deemed necessary by career staff and its development was directed by political officials serving in the last Administration."

## *Innovative Federal Strategies LLC*

Its new PFAS reporting proposal would require those that have made or imported PFAS chemicals since the start of 2011 and those who do so going forward to report information on its uses, quantity, disposal exposure and hazards to the agency.

Bill Number	Sponsors	Title and/or Summary	Summary/Status	Latest Action
XX	President Joe Biden	American Jobs Plan	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>The House has worked on the INVEST in America Act, its surface transportation authorization bill, which it hopes to pass on July 1 and later incorporate into an infrastructure package.</p>
XX	President Joe Biden	American Families Plan	The American Families Plan calls for \$1 trillion in new spending and \$800 billion in new tax credits. The plan would provide \$200 billion program offering universal pre-kindergarten for all three- and four-year-olds; \$109 billion for tuition-free community college for any American who wants it; \$85 billion to increase Pell Grants to benefit low-income and minority students; and more than \$4 billion in funding for larger scholarships, certification and support programs for teachers.	<p>President Biden unveiled the companion package to the American Jobs Plan on April 28th prior to his address to a Joint Session of Congress.</p> <p>The legislation does not go as far as some Democrats hoped it would - key House Democrats would like to include a permanent expansion of the child tax credit, which Biden's plan currently does not include.</p> <p>Legislative text for the proposal has not yet been developed.</p> <p>House Speaker Nancy Pelosi and Senate Majority Leader Chuck Schumer have indicated that passage of a bipartisan infrastructure package are contingent upon passage of a separate reconciliation package with elements of the American Families Plan.</p>

XX	President Joe Biden & Bipartisan Group of Senators	Bipartisan Infrastructure Framework	<p>The framework includes \$579 billion in new spending for a total of \$973 billion over five years and just over \$1.2 trillion over eight years.</p> <p>It allocates \$312 billion for transportation programs, including roads, bridges, airports and electric vehicles infrastructure. The remaining \$266 billion would go to water infrastructure, broadband, environmental remediation, power infrastructure and other areas.</p> <p>The proposed financial sources for new investments include reducing the tax gap, redirecting unused unemployment insurance relief funds and repurposing unused funds from COVID-19 relief legislation. It also includes sources like allowing states to sell or purchase unused toll credits for infrastructure, extending expiring customs user fees and 5G spectrum auction proceeds.</p>	<p>President Biden announced that he'd reached an infrastructure deal with a group of Republican and Democratic Senators on Thursday, June 24 following weeks of back and forth talks on a potential deal.</p> <p>The deal with the bipartisan group follows skepticism about the possibility for a bipartisan agreement following the breakdown of talks with Senator Shelley Moore Capito earlier in June.</p> <p>The deal faces the challenge of convincing progressives to support the deal - Speaker of the House Nancy Pelosi has expressed that the House would not vote on a bipartisan bill until the Senate passes a larger set of Democratic priorities though budget reconciliation.</p> <p>There is no legislative language yet associated with the framework, meaning the relevant Senate Committees will likely use the two weeks of recess while the Senate is out of Session for the Fourth of July to begin crafting legislation.</p>
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H.R. 3684	Rep. Peter DeFazio (D-OR)	INVEST in America Act	<p>The legislation addresses provisions related to federal-aid highway, transit, highway safety, motor carrier, research, hazardous materials, and rail programs of the Department of Transportation (DOT).</p> <p>The Legislation has also incorporated the Water Quality Protection and Job Creation Act of 2021 and Assistance, Quality, and Affordability Act of 2021 which reauthorize clean and drinking water provisions.</p>	<p>Chairman of the House Transportation and Infrastructure Committee Peter DeFazio introduced the legislation on June 4, 2021.</p> <p>Markups were held on the legislation on June 9-10th and the legislation passed out of committee on June 10th by a vote of 38-26.</p> <p>The legislation is set to be considered by the full House Chamber during the week of June 28, 2021.</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. 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.	<p>The legislation was introduced on March 16, 2021.</p> <p>The Committee on Transportation and Infrastructure held a mark-up session on June 9-10th and the legislation was passed out of committee on June 10th by a vote of 42-25.</p> <p>The legislation will now be considered by the full House Chamber.</p>
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.
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 11, 2021, and referred to the House Committee on Natural Resources.
H.R.4099	Rep. Grace Napolitano (D-CA)	Large Scale Water Recycling Project Investment Act	Created a competitive grant program for large-scale water recycling and reuse projects. Large-scale water recycling projects are those estimated to cost \$500 million or greater. \$750 million would be authorized over 5 fiscal years beginning in FY23.	The legislation was introduced on June 23, 2021 and referred to the Committee on Natural Resources. The Water Subcommittee held a hearing on the legislation on Tuesday, June 29, 2021.
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.	The legislation 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.



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.  The legislation passed the Senate on April 29, 2021 by a vote of 89-2.
H.R. 737	Rep. David Valadao (R-CA)	RENEW WIIN Act	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 was introduced on February 2, 2021, and referred the House Committee on Natural Resources.  10 members of the California delegation have cosponsored the legislation.
S.91 / H.R.535	Sen. Krysten Sinema (D-AZ) / Rep. John Garamendi (D-CA)	Special Districts Provide Essential Services Act	The legislation would include special districts in the coronavirus relief fund and direct the Secretary of the Treasury to include special districts as an eligible issuer under the Municipal Liquidity Facility.	The legislation was introduced on 1/28 in both the House and Senate. It has been referred to relevant committees in both chambers.
H.R. 895 / S. 209	Rep. David Rouzer (R-NC) / Sen. Jeanne Shaheen (D-NH)	Emergency Assistance for Rural Water Systems Act	To provide for assistance to rural water, wastewater, and waste disposal systems affected by the COVID-19 pandemic, and for other purposes.	The legislation was introduced on February 5, 2021, and referred to the House Committee on Agriculture.
H.R. 2515	Rep. Garret Graves (R-LA)	Building U.S. Infrastructure through Limited Delays and Efficient Reviews (BUILDER) Act	The legislation modernizes the National Environmental Policy Act (NEPA) and aims to make infrastructure project reviews more efficient, reduce project costs, and spur economic recovery.	The legislation was introduced on April 14, 2021 and was referred to the House Committee on Natural Resources.  The legislation's 28 cosponsors are all Republican, including members of GOP leadership.

H.R. 939	Rep. Doug LaMalfa (D-CA)	Combustion Avoidance along Rural Roads (CARR) Act	The bill exempts wildfire mitigation activities conducted within 300 feet of a road from all laws governing environmental review of proposed agency actions or protection of endangered or threatened species. Mitigation activities are those that are conducted by Department of the Interior or the Department of Agriculture on federal land that is administered by the National Park System, the Bureau of Land Management, or the Forest Service. Mitigation activities include forest thinning, hazardous fuel reduction, prescribed burning, and vegetation management.	The legislation was introduced on February 8, 2021 and was referred to the House Committees on Natural Resources and Agriculture.
H.R.3267	Rep. Brendan Boyle (D-PA)	Protect Drinking Water from PFAS Act	The bill amends the Safe Drinking Water Act to require the Administrator of the Environmental Protection Agency to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for total per- and polyfluoroalkyl substances.	The legislation was introduced on May 17, 2021 and referred to the House Committee on Energy and Commerce.
H.R. 1512	Rep. Frank Pallone (D-NJ)	The Climate Leadership and Environmental Action for our Nation's Future (CLEAN) Act	The legislation aims to achieve net zero greenhouse gas pollution, combat the climate crisis, and create jobs. The bill authorizes \$565 billion over ten years to enable deep decarbonization.	The legislation was introduced on March 2, 2021, and referred to the relevant committees.

S. 953	Sen. Ron Wyden (D-OR)	Water for Conservation and Farming Act	The legislation would create a Bureau of Reclamation fund of \$300 million to support water recycling projects, water-use efficiency projects and dam safety projects; the WaterSMART program to increase water supply reliability by funding infrastructure and conservation projects that conserves water, increases water use efficiency and improves the condition of natural water recharge infrastructure; Establishes a grant program for any Reclamation States, Tribes, nonprofit conservation organizations, irrigation or water districts, and regional and local authorities to complete habitat restoration projects that improve watershed health and mitigate climate change; among other actions.	The legislation was introduced on March 24, 2021, and referred to the Committee on Energy and Natural Resources.
H.R.3293	Rep. Lisa Blunt Rochester (D-DE)	Low-Income Water Customer Assistance Programs Act	The legislation would amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to establish programs to assist low-income households in maintaining access to drinking water and wastewater services.	<p>The legislation was introduced on May 18, 2021, and referred to the relevant committees.</p> <p>The House Energy and Commerce Subcommittee on Environment and Climate Change held a mark-up session on the legislation on June 16, 2021. The legislation now moves to consideration by the full committee.</p>

H.R.3291	Rep. Paul Tonko (D-NY)	AQUA Act	<p>The legislation would invest \$105 billion over 10 years in the nation's water systems including \$53 billion for the Drinking Water State Revolving Fund, \$45 billion to fully replace every lead service line, and \$5 billion to provide assistance to systems with PFAS contamination. Additionally, the legislation would require the EPA to set national standards for PFAS, 1,4-dioxane, and microcystin toxin, and makes it easier for EPA to set standards in the future. The bill would authorize \$4 billion emergency relief program to provide forgiveness for utility customers facing debts and unpaid fees since March 1, 2020.</p>	<p>The legislation was introduced on May 18, 2021, and referred to the House Committee on Energy and Commerce.</p> <p>The House Energy and Commerce Subcommittee on Environment and Climate Change held a mark-up session on the legislation on June 16, 2021. The legislation now moves to consideration by the full committee.</p>
H.R. 3286	Rep. Raul Ruiz (D-CA)	Emergency Order Assurance, Safety, and Inspection of water Systems (Emergency OASIS Act)	<p>The legislation would require the EPA to establish regulations to flush a drinking water system if contaminants were present in the system for longer than six months, or if water stood motionless in the system for longer than six months.</p>	<p>The legislation was introduced on May 17, 2021 and referred to the House Committee on Energy and Commerce.</p>
H.R. 3622 / S. 1907	Rep. Chris Pappas (D-NH) / Sen. Kirsten Gillibrand (D-NY)	Clean Water Standards for PFAS Act	<p>The legislation would require the Administrator of the Environmental Protection Agency to develop effluent limitations guidelines and standards and water quality criteria for PFAS under the Federal Water Pollution Control Act, to provide Federal grants to publicly owned treatment works to implement such guidelines and standards</p>	<p>The legislation was introduced in the House on May 28, 2021, and in the Senate on</p> <p>The legislation in the House has bipartisan cosponsorship.</p>

S. 2168	Sen. Mike Braun (R-IN)	Define WOTUS Act	The legislation would amend the Federal Water Pollution Control Act to modify the definition of navigable waters, and to make the definition of the "waters of the United States" permanent.	<p>The legislation was introduced on June 22, 2021, and referred to the Committee on Environment and Public Works.</p> <p>The legislation is in response to the EPA's announcement earlier in June of its intent to rewrite the Navigable Waters Protection rule.</p>
H.R. 3814 / S. 717	Rep. Liz Cheney (R-WY) / Sen. Mike Lee (R-UT)	Undoing NEPA's Substantial Harm by Advancing Concepts that Kickstart the Liberation of the Economy Act (UNSHACKLE Act)	<p>The legislation combines the following five stand-alone NEPA reform bills on agency process, state expansion, legal changes, and data reporting into one comprehensive text.</p> <ul style="list-style-type: none"> <li>- NEPA Agency Process Accountability Act</li> <li>- NEPA Accountability and Enforcement Act</li> <li>- NEPA State Assignment Expansion Act</li> <li>- NEPA Legal Reform Act</li> <li>- NEPA Data Transparency Act</li> </ul>	<p>The Senate legislation was introduced on March 11, 2021, and referred to the Committee on Environment and Public Works.</p> <p>The House legislation was introduced on June 11, 2021, and referred to the House Committees on Natural Resources; Judiciary; Transportation and Infrastructure; and Energy and Commerce.</p>
H.R. 3701	Rep. Antonio Delgado (D-NY)	Clean Water for Rural America Act	The legislation would increase funding for technical assistance grants within the Clean Water State Revolving Fund (CWSRF). Specifically, the bill increases authorization levels for CWSRF technical assistance grants for rural, small, and tribal municipalities from \$25 million annually to \$100 million annually from FY 2022 to FY 2026. The legislation also requires the Environmental Protection Agency to publish a report detailing the implementation of the technical assistance grant program.	The bipartisan legislation was introduced on June 4, 2021, and referred to the House Committee on Transportation and Infrastructure.

INFORMATION  
ITEM  
2B



**June 30, 2021**

**To:** Inland Empire Utilities Agency

**From:** Michael Boccadoro  
Beth Olhasso

**RE:** June Report

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Overview:

The water supply situation in California has become headline news throughout the state. 85 percent of the state is in extreme drought conditions and the main State Water Project reservoirs are around 33 percent capacity. Fears of a dry winter 2021-22 are starting to be voiced around the state.

Governor Newsom appointed a senior State Water Resources Control Board staffer as the new board member, replacing Tam Doduc. Nichole Morgan has served as assistant deputy director of financial assistance since 2019 and in several other SWRCB positions from 2009 to 2019. Board Member Morgan has been sworn in, but still requires Senate confirmation.

Mid-June brought the first, major western heatwave of 2021. Regulators expressed concern that there might be power shortages, but were able to cobble enough resources to avoid any rolling blackouts. On June 17, Governor Newsom signed an emergency proclamation suspending certain air and water-discharge permit requirements, allowing for the use of backup power generation. While regulators throughout the state and across the west are working in concert, there is still significant concern about what the rest of the summer could bring. Further, diminishment of hydro-power will add to grid stress as reservoir levels drop throughout the summer.

The Delta Stewardship Council (Council) and the U.S. Bureau of Reclamation (Reclamation) are pleased to award over \$10 million to fund 16 critical scientific studies in the Sacramento-San Joaquin River Delta and Suisun Marsh over the next three years.

Unprecedented budget surplus and federal stimulus funds totaling about \$100 billion is a welcome budget outcome. However, allocating all of that extra money is actually more difficult than one might think. Add restricted access to legislators and staff because of continued COVID-19 restrictions and it's a bit of a disaster. Pretty much the entire process to allocate this funding has been behind the scenes and very hard to track. Legislators met their constitutional deadline of passing a budget by June 15, but what they passed didn't have the support of the Governor. They came back and passed a "budget bill junior" on June 28 which contained more of a compromise reached by the Legislature and the Governor but still left out key aspects of the budget that are yet to be worked out between the Legislature and the Governor. Chief among them is a likely \$3 billion drought relief package.

While working on the budget, members are also working to move their bills through the second house ahead of the July 14 second house policy committee deadline. While most of the major bills IEUA was tracking and working on were held in the first house there are still some significant measures moving through the process. AB 818 (Bloom) to require significant "do not flush" labeling on non-flushable wipes is moving easily through the process, as well as SB 372 (Leyva) which would create a program to incentivize conversion to zero-emission vehicles. IEUA worked to secure an amendment to add construction and earth moving equipment as eligible vehicles into the measure.

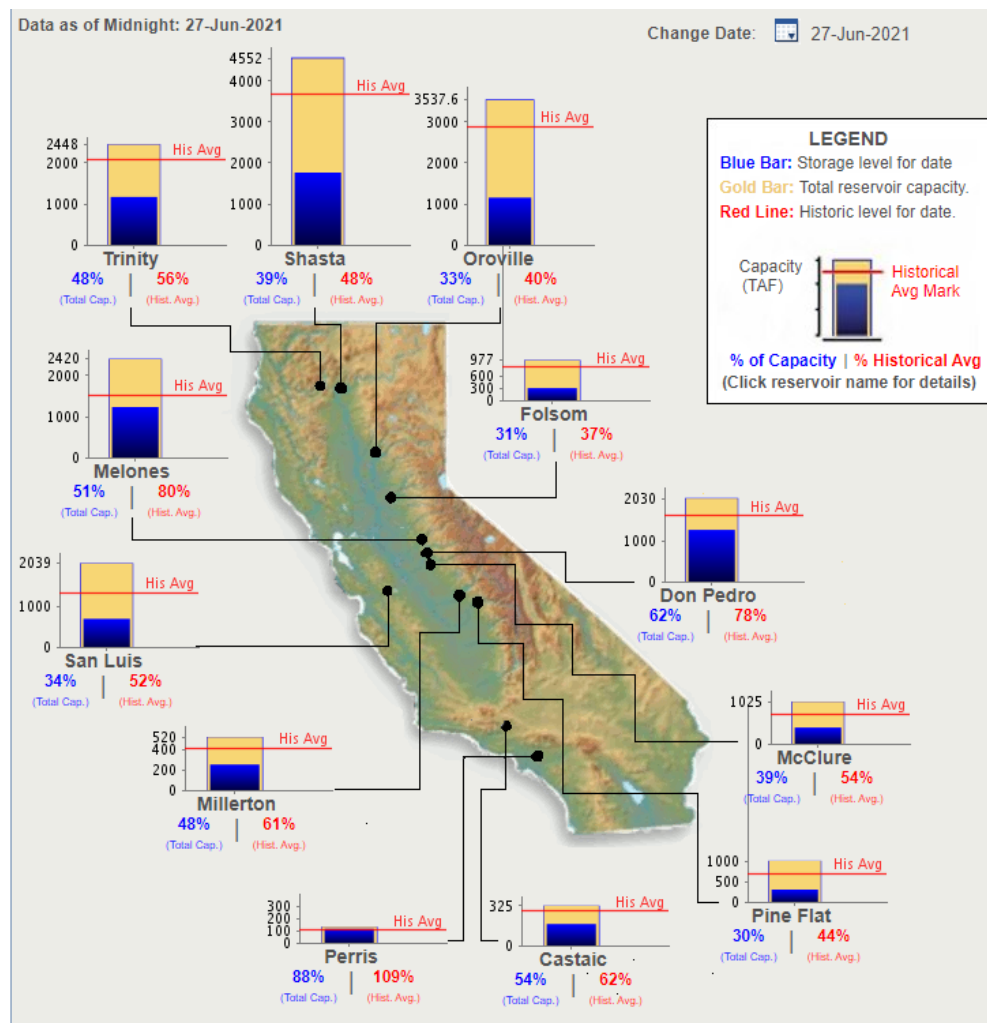
# Inland Empire Utilities Agency

## Status Report – June 2021

### Water Supply Conditions

As expected, news on the water supply situation isn't very positive. While Southern California has significant supplies in storage, keeping an eye on the statewide situation is imperative to anticipate the water supply situation in the coming years. There so little water in Oroville and San Luis Reservoir, it will take a major snowpack in the winter of 2021/spring 2022 to bring northern California reservoir levels back to comfortable levels.

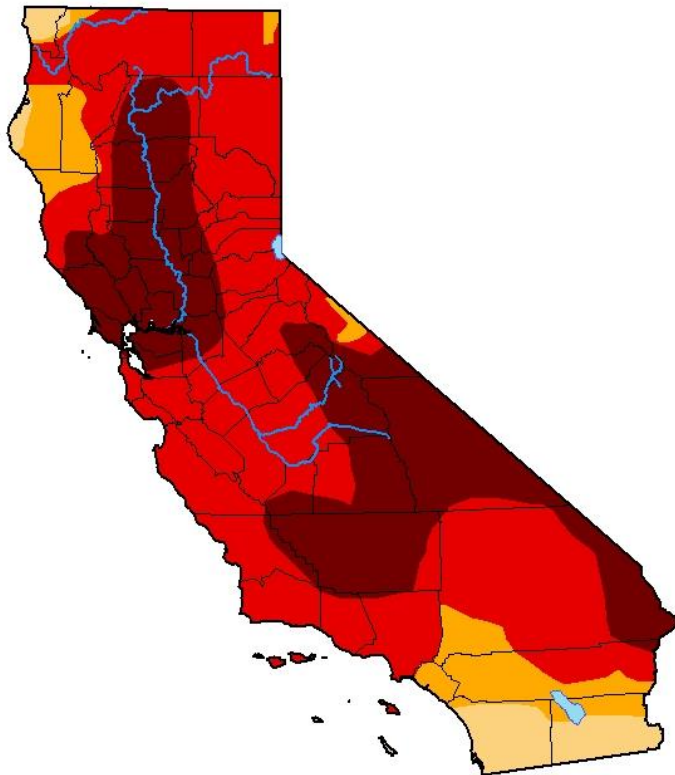
With the land soaking up much of the already dismal snowpack, reservoir levels are bleak. San Luis Reservoir, the main south-of-Delta storage facility for the State Water Project, is at 52 percent of average for this time of the year and 34 percent capacity and Oroville is at 40 percent of average and 33 percent capacity. Finally, over 85 percent of the state is in extreme drought conditions, and over one-third of the state is in "exceptional drought" conditions, the most extreme condition measured.





# U.S. Drought Monitor California

**June 22, 2021**  
(Released Thursday, Jun. 24, 2021)  
Valid 8 a.m. EDT



Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	0.00	100.00	100.00	94.73	85.44	33.32
Last Week 06-15-2021	0.00	100.00	100.00	94.75	85.44	33.32
3 Months Ago 03-23-2021	0.70	99.30	90.66	64.02	31.76	5.36
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 06-23-2020	41.79	58.21	46.74	20.84	2.45	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:

Curtis Riganti  
National Drought Mitigation Center



[droughtmonitor.unl.edu](https://droughtmonitor.unl.edu)

## New Water Board Member Appointed

Governor Newsom appointed a senior State Water Resources Control Board staffer as the new board member, replacing Tam Doduc. Nichole Morgan has served as assistant deputy director of financial assistance since 2019 and in several other SWRCB positions from 2009 to 2019, including supervising water resources control engineer. She also held multiple positions at the Central Valley Regional Water Board. Ms. Morgan was appointed on June 16 and sworn in on June 22, but still requires Senate confirmation.

## Power Grid Holds Up During First Major Heatwave

Mid-June brought the first, major western heatwave of 2021. Regulators expressed concern that there might be power shortages, but were able to cobble enough resources to avoid any blackouts. On June 17, Governor Newsom signed an emergency proclamation suspending certain air and water-discharge permit requirements, allowing for the use of backup power generation.

It looks like power regulators learned from the power disaster of August 2020 and coordinated efforts state and western-region wide. This type of coordination is expected to continue through the summer as there will inevitably be other extreme heat events.

Contributing to power issues is the lack of energy created through the state's hydro-electric resources. The Hyatt power plant at Lake Oroville is already operating at reduced capacity and is expected to be completely offline by August or September. If, as expected, the lake gets low enough to require turning off the plant, it will be the first time Hyatt will have lost all generation capabilities. The story is similar

at other hydro-power generation stations throughout the west. Loss of hydro-power resources will only serve to exacerbate power supply issues later in the summer.

### ***\$10 Million Allocated for Projects in Delta***

The Delta Stewardship Council (Council) and the U.S. Bureau of Reclamation (Reclamation) are pleased to award over \$10 million to fund 16 critical scientific studies in the Sacramento-San Joaquin River Delta and Suisun Marsh over the next three years.

“The unprecedented competitiveness of this solicitation illustrates a growing awareness of the scientific challenges we face in the Delta and their importance for natural resource management, with implications that can extend nationally or even internationally,” said the Council’s Delta Lead Scientist Dr. Laurel Larsen, who helped lead the collaborative Delta science proposal solicitation and the review of proposals submitted to the Council and Reclamation.

At its June 24 meeting, the Council voted to approve \$9,611,012.75 to fund 16 projects, with Reclamation contributing over \$3.42 million toward four of these projects. The State Water Contractors will co-fund one of these 16 projects. The funded projects are broad in scope, with topics centering on harmful algal blooms, understanding and managing salmon and sturgeon, sea level rise and subsidence, and managing Delta wetlands for multiple benefits.

### ***Part of State Budget Passed***

Unprecedented budget surplus and federal stimulus funds totaling about \$100 billion is a welcome budget reality. However, allocating all of that extra money is actually more difficult than one might think. Add restricted access to legislators and staff because of continued COVID-19 restrictions and it’s a bit of a disaster. Pretty much the entire process to allocate this funding has been behind the scenes and difficult to track. Legislators met their constitutional deadline of passing a budget by June 15, but what they passed didn’t have the support of the Governor. They came back and passed a “budget bill junior” on June 28 which contained more of a compromise reached by the Legislature and the Governor but still left out key aspects of the budget that are yet to be worked out between the Legislature and the Governor. Chief among them is a likely \$3 billion drought relief package.

Some water/drought funding was passed with the Budget Bill Jr. including:

- \$200M for Small Community Drought Relief
- \$100M for Urban Community Relief
- \$200M for Multibenefit Projects

Additionally, they allocated almost one billion dollars for water arrearages- funding to backfill past-due water bills. The funding goes to the State Water Resources Control Board who has not yet indicated how they intend to allocate the funding to water agencies.

The coming drought package has not been released and negotiations are ongoing for specific funding areas. It is hopeful that recycled water and IRWM will be funded in the upcoming package. The drought package is expected sometime in the coming weeks, but could drag on until September.

### ***Legislative Update***

On the legislative front, legislators are working toward the second house policy committee deadline of June 14. Bills that made it out of the house of origin are working their way through the policy committee process.

### **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 been sailing through the process and has moved through Senate passed the Judiciary Committee on consent and will go to the Environmental Quality Committee next.
- 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 sailed through the Senate on the Consent Calendar and passed the Assembly Judiciary Committee 8-0 and the Assembly Environmental Safety and Toxic Materials Committee unanimously on June 30.
- 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 Senator took amendments as it came out of the Appropriations Committee to include construction or earth-moving equipment as eligible under the program. The bill is passed out of the Assembly Transportation Committee 12-0 and will be heard in the Assembly Natural Resources Committee on July 7.
- AB 361 (R. Rivas): Sponsored by the California Special Districts Association would allow for public agencies to use teleconferencing without complying with certain Brown Act teleconferencing requirements provide that a teleconference location is accessible to the public, a quorum of members participate at the jurisdiction and the public has access to the legislative body at a specified location. These rules would only apply during a local or state emergency.

***IEUA BILLS—June 30, 2021 BILLS WITH POSITIONS***

			<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>	Two-Year Bill	
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>Sen Judiciary Comm</p>	Supported by CASA, ACWA, MWD

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  Two-Year Bill	OPPOSED by ACWA, CASA, WatReuse, CSDA
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  Assembly Rules Committee	
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 Floor	
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 state board to provide, as part of the Water Affordability Assistance Program established by the	Asm Appr	Opposed by ACWA



SB 273	Sen. Hertzberg/ CASA	Water quality: municipal wastewater agencies	Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. To the extent this requirement would impose new duties on local agency formation commissions, the bill would impose a state-mandated local program.	SUPPORT  Asm Appr	Supported by CASA, ACWA
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.	Asm Nat Res. 7/7	



INFORMATION  
ITEM  
2C

## Census 2020 Redistricting Update

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As mentioned in the General Manager's comments during June's committee meetings, IEUA is taking steps to comply with redistricting mandates that follow the decennial census. Based on census data, a governmental body that uses district elections is required to adjust voting area boundaries. Special districts with a November 8, 2022 election must adopt the new district map no later than 205 days before the election, or April 17, 2022.

The California Fair Maps Act, which was enacted in 2020, involves a different process than 10 years ago when redistricting was done internally by Agency staff. Requirements now include specific outreach, a prescribed number of public hearings and the process for the Board to adopt the new map.

Although the California Fair Maps Act establishes a strict public hearing structure for cities and counties to follow, the process for special districts is simpler and will still ensure a transparent, participatory redistricting process.

Staff met with three consulting firms to discuss scope and cost. All three firms were well qualified and had extensive experience with redistricting.

Redistricting Partners – Sacramento/Los Angeles, CA

HaystaqDNA – Washington, DC

FLO Analytics – Portland, OR

Staff determined that based on Redistricting Partners' extensive knowledge of the California Fair Maps Act and experience with other California special districts, they would be the best candidate to assist IEUA staff during the redistricting process. Since IEUA's map is not required until April 2022, we will enter into the contract over the next couple of months and outreach will begin at the end of this year.

INFORMATION  
ITEM  
2D



CALIFORNIA STRATEGIES, LLC

Date: June 29, 2021  
To: Inland Empire Utilities Agency  
From: John Withers, Jim Brulte  
Re: California Strategies, LLC June 2021 Activity Report

- 1) This month Jim Brulte and John Withers participated in a senior staff meeting via Microsoft Teams on June 7 due to the Coronavirus.
- 2) Topics of discussion included:
  - a) Regional Relations
    - i) A general discussion with staff about regional stakeholders
    - ii) Ongoing discussion related to Census and Redistricting was held
  - b) CBP/WSIP
    - i) Discussion was held regarding the WSIP.
  - c) Regional Contract
    - i) Recent meetings and activities were discussed and reviewed with the outstanding issues of governance and recycled water noted.
  - d) IEUA Budget
    - i) Approval of the budget by Technical and Policy committees last month.
  - e) IEUA Outreach
    - i) Regional outreach was discussed, and meetings scheduled.
    - ii) Introduced IEUA Board President to Congressman Obernolte

INFORMATION  
ITEM  
2E

**Date:** July 21, 2021

**To:** The Honorable Board of Directors

*ADD*  
**From:** Shivaji Deshmukh, General Manager

**Committee:** Community & Legislative Affairs

07/14/21

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

**Subject:** Public Outreach and Communication

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**Executive Summary:**

Staff is developing drought messaging that recognizes the State's conditions while highlighting local supply conditions, as well as the efforts that continue to be made to ensure a reliable water supply through investments and community water-use efficiency efforts. Staff is working closely with MWD, regional and member agencies to ensure a consistent and impactful regional message.

Staff is recognizing Smart Irrigation Month in July by implementing smart irrigation messages throughout Agency outreach channels as well as offering a hose nozzle giveaway

Staff introduced a new employee recognition series on LinkedIn called New Splash which highlights the Agency's newest hires. The first feature received over 400 impressions and had an 8% engagement rate.

Solar Cup 2021 challenges are complete and MWD hosted a virtual recognition ceremony on June 10. Chino Hills High School took home multiple awards.

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**Staff's Recommendation:**

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

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

*Account/Project Name:*

*Fiscal Impact (explain if not budgeted):*

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**Prior Board Action:**

N/A

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**Environmental Determination:**

Not Applicable

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**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.

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**Attachments:**

Attachment 1 - Background

## Background

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Subject: Public Outreach and Communication

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### July

- July, Smart Irrigation Month
- July, National Park and Recreation Month
- July 4, Independence Day
- July 28, World Nature Conservation Day
- July 29, National Intern Day

### Media and Outreach

- Staff is developing drought messaging that recognizes the State's conditions while highlighting local supply conditions, as well as the efforts that continue to be made to ensure a reliable water supply through investments and community water-use efficiency efforts. Staff is working closely with MWD, regional and member agencies to ensure a consistent and impactful regional message.
- Staff is recognizing Smart Irrigation Month in July by implementing smart irrigation messages throughout Agency outreach channels as well as offering a hose nozzle giveaway.
- An update on the RP-5 Expansion Project's first large concrete pour was shared on the Agency's social media channels.
- Staff introduced a new employee recognition series on LinkedIn called *New Splash* which highlights the Agency's newest hires. The first feature received over 400 impressions and had an 8% engagement rate.
- Staff recognized National Garden Week, World Environment Day, World Oceans Day, the first day of summer, and National Hydration day through posts on the Agency's social media channels.
- The Agency continues to publish content on LinkedIn and has gained 35 followers since May 2021, with 357 page views in the last 30 days.
- June: 22 posts were published to the IEUA Facebook page, 22 tweets were sent on the @IEUAWater Twitter handle, 22 posts were published to IEUA's Instagram grid, and 6 posts were published to the IEUA LinkedIn page.
  - The top three Facebook posts, based on reach and engagement, in the month of June were:
    - 6/16 Solar Cup 2021 News Release
    - 6/17 RP-5 Expansion Project Update
    - 6/23 Water Word Wednesday
  - The top three Twitter tweets, based on reach and engagement, in the month of June were:
    - 6/10 CHHS Solar Cup Congratulations/Award Rankings
    - 6/8 World Oceans Day
    - 6/11 Water Saving Tip: WUE Programs and Rebates



- The top three Instagram posts, based on reach and engagement, in the month of June were:
  - 6/10 CHHS Solar Cup Congratulations/Award Rankings
  - 6/14 No Wipes in the Pipes Reminder
  - 6/17 RP-5 Expansion Project Update
- The top three LinkedIn posts, based on impressions and reactions, in the month of June were:
  - 6/9 IEUA Wins Community Engagement and Outreach – Best Use of Social Media Awards (Reshare from CWEA)
  - 6/15 *New Splash* Employee Feature
  - 6/8 Intern (Laboratory) and Associate Engineer Hiring
- A “Water-Wise Tips” digital banner ad ran in *La Opinion* for the week of June 21.
- A “Water-Wise Tips” ad ran on June 21 in *La Opinion*.
- A “Water-Wise Tips” ad ran on June 19 in the *Champion*.
- A “Water-Wise Tips” ad ran on June 13 in the *Daily Bulletin*.

For the month of June, there were 16,262 searches for a park in IEUA’s service area on Yelp, where Chino Creek Wetlands and Educational Park was viewed 1,014 times on a mobile device.

#### Education and Outreach Updates

- Solar Cup 2021 challenges are complete and MWD hosted a virtual recognition ceremony on June 10. Chino Hills High School took home multiple awards:
  - Teamwork Award
  - Blender Challenge – Greater Time Commitment – 1st place
  - Robotics Challenge – Greater Time Commitment – 1st place
  - Electronics Challenge – 1st place
  - Green Career Challenge – 1st place
  - Solar Vehicle Challenge – 2nd place
  - Public Service Announcement – 2nd place
  - Onshape Challenge – 3rd place
  - Spirit of Solar Cup Award Bart Bezyack Award – Samantha Olivar of Chino Hills High School

Award rankings were shared to the Agency’s social media channels and a press release was also distributed through the Agency’s network.

- Staff launched the third video in the *Owlie’s Virtual Adventures* YouTube how-to series for the Hamburger Water Model At-Home Activity. This video will educate students on water consumption through the process of agriculture and the impact of water on food intake.
- Staff is preparing a “Super Road Show” for early fall to meet with District administrators and principals to outline the Agency’s free education program opportunities.

#### Agency-Wide Membership Updates

- Richard Lao, Senior Environmental Resources Planner, attended the Southern California Alliance of Publicly Owned Treatment Works (SCAP) Air Quality Committee Meeting on May 11.
- Randy Lee, Executive Manager of Operations/Assistant General Manager attended the National Water Research Institute (NWRI) Board of Directors Meeting on May 11.
- Richard Lao, Senior Environmental Resources Planner, attended the California Association of Sanitation Agencies (CASA) Water Regulatory Working Group Committee Meeting on May 20.
- Jeff Ziegenbein, Manager of Regional Compost Operations attended the California Association of Sanitation Agencies (CASA) Biosolids Workgroup Meeting on May 20.
- Randy Lee, Executive Manager of Operations/Assistant General Manager attended the Southern California Alliance of Publicly Owned Treatment Works (SCAP) Toxicity Workshop on May 25.
- Richard Lao, Senior Environmental Resources Planner, attended the California Association of Sanitation Agencies (CASA) Air Quality, Climate Change, and Energy Workgroup Meeting on May 27.