



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

**WEDNESDAY, JULY 13, 2022
9:00 A.M.**

**AGENCY HEADQUARTERS
BOARD ROOM
6075 KIMBALL AVENUE, BUILDING A
CHINO, CALIFORNIA 91708
VIEW THE MEETING LIVE ONLINE AT IEUA.ORG
TELEPHONE ACCESS: (415) 856-9169 / Conf Code: 358 623 957#**

PURSUANT TO AB361 AND RESOLUTION NO. 2022-7-2, ADOPTED BY THE IEUA BOARD OF DIRECTORS ON JULY 6, 2022, IEUA BOARD AND COMMITTEE MEETINGS WILL CONTINUE TO BE CONDUCTED THROUGH TELECONFERENCE. IN AN EFFORT TO PROTECT PUBLIC HEALTH AND PREVENT THE SPREAD OF COVID-19, THERE WILL BE NO PUBLIC LOCATION AVAILABLE FOR ATTENDING THE MEETING IN PERSON.

The public may participate and provide public comment during the meeting by dialing the number provided above. Comments may also be submitted by email to the Board Secretary/Office Manager Denise Garzaro at dgarzaro@ieua.org prior to the completion of the Public Comment section of the meeting. Comments will be distributed to the Board of Directors.

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. CONSENT ITEM

A. MINUTES

Approve Minutes of the June 8, 2022 Community and Legislative Affairs Committee meeting.

2. ACTION ITEM

A. CONTRACT AWARD FOR FEDERAL LEGISLATIVE SERVICES

Staff recommends that the Committee/Board:

1. Approve the award of Contract No. 4600003162 to Carpi and Clay to provide federal legislative advocacy services for a monthly retainer fee of \$7,000 for three years, with the option of two additional one-year extensions; and
2. Authorize the General Manager to execute the service contract, subject to non-substantive changes.

3. INFORMATION ITEMS

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

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

C. PUBLIC OUTREACH AND COMMUNICATION (WRITTEN)

4. GENERAL MANAGER'S COMMENTS

5. COMMITTEE MEMBER COMMENTS

6. COMMITTEE MEMBER REQUESTED FUTURE AGENDA ITEMS

ADJOURN

DECLARATION OF POSTING

I, Denise Garzaro, CMC, Board Secretary/Office Manager of the Inland Empire Utilities Agency*, a Municipal Water District, hereby certify that, per Government Code Section 54954.2, a copy of this agenda has been posted at the Agency's main office, 6075 Kimball Avenue, Building A, Chino, CA and on the Agency's website at www.ieua.org at least seventy-two (72) hours prior to the meeting date and time above.

Community and Legislative Affairs Committee

July 13, 2022

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In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Board Secretary at (909) 993-1736 or dgarzaro@ieua.org, 48 hours prior to the scheduled meeting so that IEUA can make reasonable arrangements to ensure accessibility.

**CONSENT
ITEM
1A**



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

**WEDNESDAY, JUNE 8, 2022
9:00 A.M.**

COMMITTEE MEMBERS PRESENT

Steven J. Elie, Chair
Michael Camacho, Director

STAFF PRESENT

Shivaji Deshmukh, P.E., General Manager
Christiana Daisy, P.E., Deputy General Manager
Tony Arellano, Safety Officer
Stephen Brown, Network Administrator
Denise Garzaro, Board Secretary/Office Manager
Brandon Gonzalez Contreras, Technology Specialist I
Randy Lee, Director of Operations & Maintenance
Daniel Solorzano, Network Administrator
Wilson To, Technology Specialist II

STAFF PRESENT via Video/Teleconference

Javier Chagoyen-Lazaro, Acting Assistant General Manager
Jerry Burke, Director of Engineering
Pietro Cambiaso, Acting Director of Planning & Resources
Andrea Carruthers, Communications Officer
Robert Delgado, Manager of Maintenance
Don Hamlett, Director of Information Technology
Jennifer Hy-Luk, Administrative Assistant II
Cathleen Pieroni, Senior Policy Advisor
Jesse Pompa, Manager of Grants
Sushmitha Reddy, Manager of Laboratories
Jeanina Romero, Executive Assistant
Teresa Velarde, Manager of Internal Audit

OTHERS PRESENT via Video/Teleconference

Michael Boccadoro, West Coast Advisors
Beth Olhasso, West Coast Advisors
Drew Tatum, Innovative Federal Strategies
Letitia White, Innovative Federal Strategies

CALL TO ORDER

Committee Chair Steven J. Elie called the meeting to order at 9:00 a.m. He 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. ACTION ITEM

The Committee:

- ◆ Approved Minutes of the May 11, 2022 Community and Legislative Affairs Committee meeting.

2A – 2C. 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 – West Coast Advisors
- ◆ Public Outreach and Communication

3. GENERAL MANAGER'S COMMENTS

General Manager Shivaji Deshmukh stated that a new National Pollutant Discharge Elimination System (NPDES) Permit was adopted by the California Regional Water Quality Control Board, Santa Ana Region, on June 3. This is a permit renewal of an existing NPDES permit issued in 2015 that the Regional Board had administratively extended after it expired in October 2020. NPDES permit must be renewed every five years. Starting in 2009, IEUA consolidated all the regional water recycling facilities under a single permit to streamline the permit renewal process and reporting. The new permit includes new effluent permit limitations for several compounds and metals. Other significant changes include requirements for an Asset Management Plan; Climate Change Action Plan; effluent toxicity limit; effluent toxicity reporting using TST statistical method; and effluent PFAS, 1,2,3-Trichloropropane and primary maximum contaminant level (MCL) monitoring.

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 Elie adjourned the meeting at 9:37 a.m.

Respectfully submitted,

Denise Garzaro
Board Secretary/Office Manager

*A Municipal Water District

APPROVED: JULY 13, 2022

**ACTION
ITEM
2A**

Date: July 20, 2022

To: The Honorable Board of Directors

From: Shivaji Deshmukh, General Manager

Committee: Community & Legislative Affairs

07/13/22

Staff Contact: Shivaji Deshmukh, General Manager

Subject: Contract Award for Federal Legislative Services

Executive Summary:

The Inland Empire Utilities Agency (IEUA) continues to fulfill its responsibility as a "Steward of the Region" and a leader in innovation and sustainability projects. As IEUA remains committed to investing in our water supply for today and tomorrow, it is more important than ever to remain active at the federal level. IEUA contracts with a federal lobbyist to assist the Agency in advocating for the development of policies, legislation and regulations that benefit the region and align with IEUA's mission and strategic objectives.

In May 2022, a Request for Proposal (RFP) RFP-GD-004 for federal legislative advocacy services was posted publicly on Planet Bids. A total of eight proposals were received. A committee composed of three Agency staff members and one external panelist evaluated and scored the written proposals based on predetermined weighted criteria. Following evaluation of the written proposals, the review committee held interviews with the six top scoring firms. Through the evaluation and interview process, it is recommended that the top scoring firm, Carpi and Clay, be awarded the contract. Carpi & Clay demonstrated significant knowledge of and experience working with California water agencies and offered a highly competitive rate for the services IEUA is seeking.

Staff's Recommendation:

1. Approve the award of Contract No. 4600003162 to Carpi and Clay to provide federal legislative advocacy services for a monthly retainer fee of \$7,000 for three years, with the option of two additional one-year extensions; and
2. Authorize the General Manager to execute the service contract, subject to non-substantive changes.

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

Account/Project Name:

10200-139100-100000-521080

Fiscal Impact (explain if not budgeted):

Prior Board Action:

On June 16, 2021, the Board approved a contract amendment with Innovative Federal Strategies, LLC. for federal legislative services for one additional year, extending the contract to June 30, 2022.

Environmental Determination:

Not Applicable

Business Goal:

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

Attachments:

1. Background - Scoring Summary
2. Contract 4600003162

Background

Subject: Federal Legislative Services – Scoring Summary

In May 2022, a Request for Proposal (RFP) RFP-GD-004 for federal legislative advocacy services was posted publicly on Planet Bids. A total of eight proposals were received. A committee composed of three Agency staff members and one external panelist evaluated and scored the written proposals based on predetermined weighted criteria. Following evaluation of the written proposals, the review committee held interviews with the six top scoring firms. Through the evaluation and interview process, it is recommended that the top scoring firm (scores below), Carpi and Clay, be awarded the contract. Carpi & Clay demonstrated significant knowledge of and experience working with California water agencies and offered a highly competitive rate for the services IEUA is seeking.

Company Name	Total Score
Carpi & Clay, Inc.	44.6
Kadesh & Associates	36.29
Van Scoyoc Associates, Inc.	36.2
Townsend Public Affairs	26.16
Van Ness Feldman LLP	32.05
Innovative Federal Strategies LLC	31.93



**SERVICES CONTRACT NUMBER: 4600003162
FOR PROVISION OF**

FEDERAL GOVERNMENT ADVOCACY SERVICES

THIS CONTRACT (the "Contract"), is made and entered into this ____ day of _____, 2022, by and between the Inland Empire Utilities Agency, a Municipal Water District, organized and existing in the County of San Bernardino under and by virtue of the laws of the State of California (hereinafter referred to as "Agency" or "IEUA"), and Carpi & Clay, Inc. of Washington, DC (hereinafter referred to as "Contractor"), for the Federal Government Advocacy Services.

NOW, THEREFORE, in consideration of the mutual promises and obligations set forth herein, the parties agree as follows:

1. AGENCY PROJECT MANAGER ASSIGNMENT: All technical direction related to this Contract shall come from the designated Project Manager. Details of the Agency's assignment are listed below.

Project Manager: Shivaji Deshmukh
Address: 6075 Kimball Avenue
Chino, CA 91708
Telephone: 909-993-1730
Email: sdeshmukh@ieua.org

2. CONTRACTOR ASSIGNMENT: Special inquiries related to this Contract and the effects of this Contract shall be referred to the following:

Contractor: Laura Morgan-Kessler
Address: 601 New Jersey Ave NW
Washington, D.C. 20001
Telephone: 202-822-8300
Email: lmorgan-kessler@carpiclay.com

3. ORDER OF PRECEDENCE: The documents referenced below represent the Contract Documents. Where any conflicts exist between the General Terms and Conditions the governing order of precedence shall be as follows:

1. Amendments to Contract Number 4600003162.
2. Contract Number 4600003162 General Terms and Conditions.

3. Agency Request for Proposal Number RFP-GD-22-004.
 4. Contractor's Proposal dated April 25, 2022.
4. SCOPE OF WORK AND SERVICES: Contractor services and responsibilities shall include and be in accordance with the following:
- A. Federal Government Advocacy Services shall be in accordance with the Agency's scope of work and services which is attached hereto as Exhibit B and Contractor's proposal attached as Exhibit A.
 - B. Contractor shall provide Agency with a Schedule of Work and Services, documenting the anticipated completion of the work within the timeframe set forth in Subsection 4.A., above. The Schedule of Work and Services will be prepared and submitted, to the Project Manager, for review and approval.
 - C. The Agency may, at any time, make changes to this Contract's Scope of Work; including additions, reductions, and other alterations to any or all of the Work. However, such changes shall only be made via written amendment to this Contract. The Contract compensation and Schedule of Work and Services shall be equitably adjusted, if required, to account for such changes and shall be set forth within the mutually approved Contract Amendment.
1. TERM: The term of this Contract shall commence on July 1, 2022, and terminate on June 30, 2025, unless agreed upon by both parties, reduced to writing, and amended to this Contract. Agency hereby reserves the right to exercise two (2) one-year optional extensions to the Contract term. In the event the Agency desires to exercise the Contract extension option provided for in this Section, the Agency shall provide written notice to the Contractor, prior to the expiration of the original Contract term. If such option is exercised, the rates established within the fee schedule shall cease to be effective as of the first day of the "option" term.
5. PAYMENT, INVOICING, AND COMPENSATION:
- A. The Contractor may submit an invoice not more than once per month during the term of this Contract to the Agency's Accounts Payable Department. Agency shall pay Contractor's properly executed invoice, approved by the Project Manager, within thirty (30) days following receipt of the invoice.
 - B. As compensation for the Work performed under this Contract, Agency shall pay Contractor's monthly invoice, for a total contract price NOT-TO-EXCEED **\$7,000 per month** for all services satisfactorily provided during the term of this Contract.
 - C. Concurrent with the submittal of the original invoice to the Agency's Accounts Payable Department, the Contractor shall forward (mail, fax, or email) a copy

of the invoice to the designated Project Manager, identified in Section 1, on Page 1 of this Contract.

- D. No Additional Compensation: Nothing set forth in this Contract shall be interpreted to require payment by Agency to Contractor of any compensation specifically for the assignments and assurances required by the Contract, other than the payment of expenses as may be actually incurred by Contractor in complying with this Contract, as approved by the Project Manager.
 - E. Contractor shall invoice IEUA electronically for Federal Government Advocacy Services fees to IEUA's Accounts Payable Office at APGroup@ieua.org. Each invoice shall cite the Contractor's name, address, and remit to address, description of the work performed, the time period covered by the invoice, any related contract and/or purchase order numbers, and the amount of payment requested.
6. **CONTROL OF THE WORK:** The Contractor shall perform the Work in compliance with the Schedule of Work and Services. If performance of the Work falls behind schedule, the Contractor shall accelerate the performance of the Work to comply with the Schedule of Work and Services as directed by the Project Manager. If the nature of the Work is such that Contractor is unable to accelerate the Work, Contractor shall promptly notify the Project Manager of the delay, the causes of the delay, and submit a proposed revised Schedule of Work and Services.
7. **INSURANCE:** During the term of this Contract, the Contractor shall maintain, at Contractor's sole expense, the following insurance.
- A. **Minimum Scope of Insurance:** Coverage shall be at least as broad as:
 - 1. Commercial General Liability ("CGL"): Insurance Services Office ("ISO") Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$1,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.
 - 2. Automobile Liability: ISO Form Number CA 00 01 covering any auto (Code 1), or if Contractor has no owned autos, covering hired, (Code 8) and non-owned autos (Code 9), with limit no less than \$1,000,000 per accident for bodily injury and property damage.
 - 3. Workers' Compensation and Employers Liability: Workers' compensation limits as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease.

- B. Deductibles and Self-Insured Retention: Any deductibles or self-insured retention must be declared to and approved by the Agency. At the option of the Agency, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the Agency, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.
- C. Other Insurance Provisions: The insurance policies are to contain, or be endorsed to contain, the following provisions:
1. Commercial General Liability and Automobile Liability Coverage
 - a. Additional Insured Status: The Agency, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts or equipment supplied in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Contractor's insurance (at least as broad as ISO Form CG 20 10 11 85; or **by either** CG 20 10, CG 20 26, CG 20 33, or CG 20 38 **and** CG 20 37 forms if later revisions are used).
 - b. Primary Coverage: The Contractor's insurance coverage shall be primary insurance coverage at least as broad as ISO CG 20 01 04 13 as respects the Agency, its officer, officials, employees and volunteers. Any insurance or self-insurance maintained by the Agency, its officers, officials, employees, volunteers, property owners or engineers under contract with the Agency shall be excess of the Contractor's insurance and shall not contribute with it.
 - c. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Agency, its officers, officials, employees or volunteers.
 - d. The Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
 - e. The Contractor may satisfy the limit requirements in a single policy or multiple policies. Any additional policies written as excess insurance shall not provide any less coverage than that provided by the first or primary policy.

2. Workers' Compensation and Employers Liability Coverage

Contractor hereby grants to Agency a waiver of any right to subrogation which any insurer of the Contractor may acquire against the Agency by virtue of the payment of any loss under such insurance. Contractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the Agency has received a waiver of subrogation endorsement from the insurer.

3. All Coverages

Each insurance policy required by this Contract shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, or reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the Agency pursuant to Section 14, page 12 of this Contract.

- D. Acceptability of Insurers: Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A minus:VII, and who are admitted insurers in the State of California.
- E. Verification of Coverage: Contractor shall provide the Agency with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the Agency before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The Agency reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.
- F. Submittal of Certificates: Contractor shall submit all required certificates and endorsements to the following:

Inland Empire Utilities Agency
Attn: Angela Witte
P.O. Box 9020
Chino Hills, CA 91709

8. FITNESS FOR DUTY:

- A. Fitness: Contractor and its Subcontractor personnel on the Jobsite:
1. Shall report to work in a manner fit to do their job;

2. Shall not be under the influence of or in possession of any alcoholic beverages or of any controlled substance (except a controlled substance as prescribed by a physician so long as the performance or safety of the Work is not affected thereby); and
 3. Shall not have been convicted of any serious criminal offense which, by its nature, may have a discernible adverse impact on the business or reputation of the Agency.
- B. Compliance: Contractor shall advise all personnel and associated third parties of the requirements of this Contract ("Fitness for Duty Requirements") before they enter on the Jobsite and shall immediately remove from the Jobsite any employee determined to be in violation of these requirements. Contractor shall impose these requirements on its Subcontractors. Agency may cancel the Contract if Contractor violates these Fitness for Duty Requirements.
9. LEGAL RELATIONS AND RESPONSIBILITIES:
- A. Professional Responsibility: The Contractor shall be responsible to the level of competency presently maintained by other practicing professionals performing the same or similar type of work.
 - B. Status of Contractor: The Contractor is retained as an independent Contractor only, for the sole purpose of providing the services described herein, and is not an employee of the Agency.
 - C. Observing Laws and Ordinances: The Contractor shall keep itself fully informed of all existing and future state and federal laws and all county and city ordinances and regulations which in any manner affect the conduct of any services or tasks performed under this Contract, and of all such orders and decrees of bodies or tribunals having any jurisdiction or authority over the same. The Contractor shall at all times observe and comply with all such existing and future laws, ordinances, regulations, orders and decrees, and shall protect and indemnify, as required herein, the Agency, its officers, employees and agents against any claim or liability arising from or based on the violation of any such law, ordinance, regulation, order or decree, whether by the Contractor, its employees, or subcontractors.
 - D. Subcontract Services: Any subcontracts for the performance of any services under this Contract shall be subject to the written approval of the Project Manager and shall comply with State of California, Department of Industrial Relations, SB 854 requirements.
 - E. Hours of Labor: The Contractor shall comply with all applicable provisions of California Labor Code Sections 1810 to 1815 relating to working hours. The Contractor shall, as a penalty to the Agency, forfeit \$25.00 for each worker

employed in the completion of the Contract by the Contractor or by any subcontractor for each calendar day during which such worker is required or permitted to work more than eight hours in any one calendar day and forty (40) hours in any one calendar week in violation of the provisions of the Labor Code.

- F. Travel and Subsistence Pay: The Contractor shall make payment to each worker for travel and subsistence payments which are needed to complete the work and/or service, as such travel and subsistence payments are defined in an applicable collective bargaining agreements with the worker.
- G. Liens: Contractor shall pay all sums of money that become due from any labor, services, materials or equipment provided to Contractor on account of said services to be rendered or said materials to be provided under this Contract and that may be secured by any lien against the Agency. Contractor shall fully discharge each such lien at the time performance of the obligation secured matures and becomes due.
- H. Indemnification: Contractor shall indemnify the Agency, its directors, employees, and assigns, and shall defend and hold them harmless from all liabilities, demands, actions, claims, losses and expenses, including reasonable attorneys' fees, which arise out of, or are related to, the negligence, recklessness or willful misconduct of the Contractor, its directors, employees, agents, and assigns, in the performance of work under this contract.
- I. Conflict of Interest: No official of the Agency, who is authorized in such capacity and on behalf of the Agency to negotiate, make, accept or approve, or to take part in negotiating, making, accepting or approving this Contract, or any subcontract relating to services or tasks to be performed pursuant to this Contract, shall become directly or indirectly personally interested in this Contract.
- J. Equal Opportunity: During the performance of this Contract, the Contractor shall not unlawfully discriminate against any employee or employment applicant because of race, color, religion, sex, age, marital status, ancestry, physical or mental disability, sexual orientation, veteran status or national origin. The Agency is committed to creating and maintaining an environment free from harassment and discrimination.
- K. Disputes:
1. All disputes arising out of or in relation to this Contract shall be resolved in accordance with this section. The Contractor shall pursue the work to completion in accordance with the instruction of the Agency's Project Manager notwithstanding the existence of a dispute. By entering into this Contract, both parties are obligated, and hereby agree, to submit all disputes arising under or relating to the Contract which remain

unresolved after the exhaustion of the procedures provided herein, to independent arbitration. Except as otherwise provided herein, arbitration shall be conducted under California Code of Civil Procedure Sections 1280, et seq., or their successor.

2. Any and all disputes prior to the work starting shall be subject to resolution by the Agency's Project Manager; and the Contractor shall comply, with the Agency Project Manager instructions. If the Contractor is not satisfied with the resolution directed by the Agency Project Manager, they may file a written protest with the Agency Project Manager within seven (7) calendar days after receiving written directive of the Project Manager's decision. Failure by Contractor to file a written protest within seven (7) calendar days shall constitute waiver of protest, and acceptance of the Project Manager's resolution. The Project Manager shall submit the Contractor's written protests to the General Manager, together with a copy of the Project Manager's written decision, for his or her consideration within seven (7) calendar days after receipt of the protest-related documents. The General Manager shall make his or her determination with respect to each protest filed with the Project Manager within ten (10) calendar days after receipt of the protest-related documents. If Contractor is not satisfied with any such resolution by the General Manager, they may file a written request for arbitration with the Project Manager within seven (7) calendar days after receiving written notice of the General Manager's decision.
3. In the event of arbitration, the parties to this contract agree that there shall be a single neutral Arbitrator who shall be selected in the following manner:
 - a. The Demand for Arbitration shall include a list of five names of persons acceptable to the Contractor to be appointed as Arbitrator. The Agency shall determine if any of the names submitted by Contractor are acceptable and, if so, such person will be designated as Arbitrator.
 - b. In the event that none of the names submitted by Contractor are acceptable to Agency, or if for any reason the Arbitrator selected in Step (a) is unable to serve, the Agency shall submit to Contractor a list of five names of persons acceptable to Agency for appointment as Arbitrator. The Contractor shall, in turn, have seven (7) calendar days in which to determine if one such person is acceptable.
 - c. If after Steps (a) and (b), the parties are unable to mutually agree upon a neutral Arbitrator, the matter of selection of an Arbitrator shall be submitted to the San Bernardino County

Superior Court pursuant to Code of Civil Procedure Section 1281.6, or its successor. The costs of arbitration, including but not limited to reasonable attorneys' fees, shall be recoverable by the party prevailing in the arbitration. If this arbitration is appealed to a court pursuant to the procedure under California Code of Civil Procedure Section 1294, et seq., or their successor, the costs of arbitration shall also include court costs associated with such appeals, including but not limited to reasonable attorneys' fees which shall be recoverable by the prevailing party.

4. Association in Mediation/Arbitration: The Agency may join the Contractor in mediation or arbitration commenced by a contractor on the Project pursuant to Public Contracts Code Sections 20104 et seq. Such association shall be initiated by written notice from the Agency's representative to the Contractor.
- L. Workers' Legal Status: For performance against this Contract, Contractor shall only utilize employees and/or subcontractors that are authorized to work in the United States pursuant to the Immigration Reform and Control Act of 1986.
10. OWNERSHIP OF MATERIALS AND DOCUMENTS/CONFIDENTIALITY: The Agency retains ownership of any, and all, partial or complete reports, drawings, plans, notes, computations, lists, and/or other materials, documents, information, or data prepared by the Contractor and/or the Contractor's subcontractor(s) pertaining to this Contract. Said materials and documents are confidential and shall be available to the Agency from the moment of their preparation, and the Contractor shall deliver them to the Agency whenever requested to do so by the Project Manager and/or Agency representative. The Contractor agrees that all documents shall not be made available to any individual or organization, private or public, without the prior written consent of an Agency representative.
11. TITLE AND RISK OF LOSS:
 - A. Documentation: Title to the Documentation shall pass to the Agency when prepared; however, a copy may be retained by Contractor for its records and internal use. Contractor shall retain such Documentation in a controlled access file, and shall not reveal, display, or disclose the contents of the Documentation to others without the prior written authorization of the Agency or for the performance of Work related to the Scope of Work described in this Contract.
 - B. Material: Title to all Material, field or research equipment, and laboratory models, procured or fabricated under the Contract shall pass to the Agency when procured or fabricated, and such title shall be free and clear of any and

all encumbrances. Contractor shall have risk of loss of any Material or Agency-owned equipment of which it has custody.

- C. Disposition: Contractor shall dispose of items to which the Agency has title as directed, in writing, by the Project Manager and/or an Agency representative.

12. PROPRIETARY RIGHTS:

- A. Rights and Ownership: Agency's rights to inventions, discoveries, trade secrets, patents, copyrights, and other intellectual property, including the Information and Documentation, and revisions thereto (hereinafter collectively referred to as "Proprietary Rights"), used or developed by Contractor in the performance of the Work, shall be governed by the following provisions:

1. Proprietary Rights conceived, developed, or reduced to practice by Contractor in the performance of the Work shall be the property of Agency, and Contractor shall cooperate with all appropriate requests to assign and transfer same to Agency.
2. If Proprietary Rights conceived, developed, or reduced to practice by Contractor prior to the performance of the Work are used in and become integral with the Work, or are necessary for Agency to have complete control of the Work, Contractor shall grant to Agency a non-exclusive, irrevocable, royalty-free license, as may be required by Agency for the complete control of the Work, including the right to reproduce, correct, repair, replace, maintain, translate, publish, use, modify, copy or dispose of any or all of the Work and grant sublicenses to others with respect to the Work.
3. If the Work includes the Proprietary Rights of others, Contractor shall procure, at no additional cost to Agency, all necessary licenses regarding such Proprietary Rights so as to allow Agency the complete control of the Work, including the right to reproduce, correct, repair, replace, maintain, translate, publish, use, modify, copy, or dispose of any or all of the Work; and to grant sublicenses to others with respect to the Work. All such licenses shall be in writing and shall be irrevocable and royalty-free to Agency.

13. NOTICES: Any notice may be served upon either party by delivering it in person, or by depositing it in a United States Mail deposit box with the postage thereon fully prepaid, and addressed to the party at the address set forth below:

Agency: Warren T. Green
Manager of Contracts and Procurement
Inland Empire Utilities Agency
P.O. Box 9020
Chino Hills, CA 91709

Contractor: Kenneth Carpi
CEO & Managing Partner
Carpi & Clay
601 New Jersey Avenue, NW, Suite 300
Washington, DC 20001

Any notice given pursuant to this section shall be deemed effective in the case of personal delivery, upon receipt thereof, or, in the case of mailing, at the moment of deposit in the course of transmission through the United States Postal Service.

14. SUCCESSORS AND ASSIGNS: All of the terms, conditions and provisions of this Contract shall take effect to the benefit of and be binding upon the Agency, the Contractor, and their respective successors and assigns. No assignment of the duties or benefits of the Contractor under this Contract may be assigned, transferred, or otherwise disposed of, without the prior written consent of the Agency; and any such purported or attempted assignment, transfer, or disposal without the prior written consent of the Agency shall be null, void, and of no legal effect whatsoever.
15. PUBLIC RECORDS POLICY: Information made available to the Agency may be subject to the California Public Records Act (Government Code Section 6250 et seq.) The Agency's use and disclosure of its records are governed by this Act. The Agency shall use its best efforts to notify Contractor of any requests for disclosure of any documents pertaining to this work. In the event of litigation concerning disclosure of information Contractor considers exempt from disclosure; (e.g., Trade Secret, Confidential, or Proprietary) Agency shall act as a stakeholder only, holding the information until otherwise ordered by a court or other legal process. If Agency is required to defend an action arising out of a Public Records Act request for any of the information Contractor has marked "Confidential," "Proprietary," or "Trade Secret," Contractor shall defend and indemnify Agency from all liability, damages, costs, and expenses, in any action or proceeding arising under the Public Records Act.
16. RIGHT TO AUDIT: The Agency reserves the right to review and/or audit all Contractor's records related to the Work. The option to review and/or audit may be exercised during the term of the Contract, upon termination, upon completion of the Contract, or at any time thereafter up to twelve (12) months after final payment has been made to the Contractor. The Contractor shall make all records and related documentation available within three (3) working days after said records are requested by the Agency.

17. INTEGRATION: The Contract Documents represent the entire Contract made and entered into by and between the Agency and the Contractor as to those matters contained in this contract. No prior oral or written understanding shall be of any force or effect with respect to those matters covered by the Contract Documents. This Contract may not be modified, altered, or amended except by written mutual agreement by the Agency and the Contractor.
18. GOVERNING LAW: This Contract is to be governed by and constructed in accordance with the laws of the State of California, in the County of San Bernardino.
19. TERMINATION FOR CONVENIENCE: The Agency reserves and has the right to immediately suspend, cancel or terminate this Contract at any time upon written notice to the Contractor. In the event of such termination, the Agency shall pay Contractor for all authorized and Contractor-invoiced services up to the date of such termination, as approved by the Project Manager.
20. FORCE MAJEURE: Neither party shall hold the other responsible for the effects of acts occurring beyond their control; e.g., war, riots, strikes, natural disasters, etcetera.
21. NOTICE TO PROCEED: No services shall be performed or provided under this Contract unless and until this document has been properly signed by all responsible parties and a notice to proceed has been issued to the Contractor by the Project Manager.
22. AUTHORITY TO EXECUTE CONTRACT: The Signatories, below, each represent, warrant, and covenant that they have the full authority and right to enter into this Contract on behalf of the separate entities shown below.
23. DELIVERY OF DOCUMENTS: The Parties to this Contract and the individuals named to facilitate the realization of its intent, with the execution of the Contract, authorize the delivery of documents via facsimile, via email, and via portable document format (PDF) and covenant agreement to be bound by such electronic versions.

The parties hereto have caused the Contract to be entered as of the day and year written above.

INLAND EMPIRE UTILITIES AGENCY:
**A MUNICIPAL WATER DISTRICT*

CARPI & CLAY, INC.:

Shivaji Deshmukh P.E.
General Manager

(Date)

DocuSigned by:



Kenneth Carpi
CEO & Managing Partner

6/27/2022

(Date)



EXHIBIT A





Carpi & Clay, Inc.

601 New Jersey Avenue, NW, Suite 300
Washington, DC 20001
202.822.8300



Response to Request for Proposals from the

Inland Empire Utilities Agency

for

Federal Government Advocacy Services
RFP-GD-22-004

April 25, 2022

COVER LETTER

April 25, 2022

Greg Dominguez
Contracts & Procurement
Inland Empire Utilities Agency
6075 Kimball Avenue HQ-A
Chino, California

Dear Mr. Dominguez:

This is an exciting time for the Inland Empire Utilities Agency (IEUA) to be reviewing your federal advocacy efforts. Carpi & Clay, Inc. is pleased to respond to the Agency's Request for Proposal for Federal Government Advocacy Services. This proposal outlines our qualifications, introduces our team, explains our approach, and highlights our past successes on behalf of local governments, including local governments.

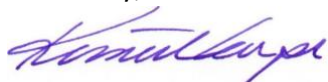
For 36 years, Carpi & Clay has provided full-service, bipartisan federal government relations services in Washington, D.C. We specialize in the development and implementation of successful federal legislative and government advocacy programs on behalf of public entities. The advocacy community in Washington, D.C. is highly competitive, and we are very proud that our successes on behalf of our clients have resulted in their continual decisions to remain with our firm.

With more than 100 years of combined federal advocacy experience, the Carpi & Clay team has sat on "both sides of the table" as advocates and as staff for major political leaders of both parties at the local, state, and federal levels. This unique perspective makes us creative and responsive public policy advocates.

Carpi & Clay is the right team to help IEUA achieve success at the federal level. We possess direct, relevant experience working on the issues important to public entities from the perspective as senior staff and now as professional advocates. Our Inland Empire Utilities Agency federal advocacy team will be led by Laura Morgan-Kessler, a seasoned advocate for public entities, including several utilities and water agencies in California.

Thank you for your consideration of our proposal. We welcome the opportunity to discuss our qualifications, as well as how we can help the Inland Empire Utilities Agency achieve your federal objectives.

Sincerely,



Kenneth Carpi
CEO & Managing Partner
Carpi & Clay, Inc.

OUR FIRM

Carpi & Clay, Inc., established in 1986, provides full-service, bipartisan federal government relations services. Within Washington, D.C. and on Capitol Hill, we have a stellar reputation for providing exceptional client service and commitment to our local government clients. Our firm motto is “Personal Touch. Impressive Results” and to that end, we are proud that year after year we continue to deliver on our client’s top priorities. Our office is in Washington, D.C. just steps from the Capitol.

For over 36 years, our firm has been representing the interests of water utilities, cities and counties, transportation and transit agencies, ports and harbors, and joint powers authorities before Congress and the federal agencies. We work with a cross-section of Members of Congress and Congressional committees on a bipartisan basis. We are also active in stakeholder coalitions and enjoy strong working relationships with organizations such as the Association of California Water Agencies and WateReuse.

Day in and day out, it is in our firm’s DNA to go the extra mile for clients. We know that each client is unique as are the strategies that we develop and implement for them. We recognize that when it comes to RFP responses, many firms sound the same. Here is what separates us from the pack:

- **We use a “Principals Only” approach.** It is important for our clients to know that the people who prepared this proposal will be the people answering your phone calls, attending meetings, and doing the work. We are the ones who will manage and execute the actual hands-on meetings and briefings, not associates or junior staff. We believe that being directly accountable is the best way to serve our clients.
- **We learn the issues and do not leave policy details to others.** Knowing your issues in detail helps us to establish strong, value-added relationships based on trust on a variety of policies and topics. This is the starting point for any successful advocacy strategy.
- **We evolve, adapt, and keep our clients ahead of the curve.** Now more than ever, engaging at the federal level is critical to our clients. Whether that be a request for emergency funding or modifications to the way the Treasury Department is administering the CARES Act, our team has the resources, wherewithal, and connections to ensure that during unprecedented times our client’s access to Washington, D.C. remains strong and uninterrupted.
- **We give honest assessments of situations and possibilities.** IEUA’s resources are not unlimited. You deserve to know how resources are being used to achieve results. Through continued communications and information sharing, we will facilitate your advocacy on important budgetary, regulatory, and legislative issues in timely and effective ways.
- **We rely on sustained communications.** Advocacy trips, nowadays virtual meetings, to Washington D.C. to meet with Congress and the Administration are just the starting point. As your “boots on the ground”, we nurture relationships and build responsive advocacy strategies. These communications and relationships extend to important stakeholder groups who are information resources and will be like-minded allies.

OUR TEAM

Our team has significant work experience on behalf of public entities and fully understands the fundamental issues facing municipal governments. We understand the considerable financial, operational, and political challenges that local governments balance daily and have worked—inside and outside of government—to help entities like IEUA overcome those challenges.

Our professional staff members represent bipartisan achievement and diverse issue interests, with complementary expertise and backgrounds. Throughout our individual careers and as a firm, we have worked for and with Democratic and Republican administrations, Congress, mayors, governors, and other elected and appointed officials. We understand the challenges and issues facing local governments at the federal level and have many years of direct experience working on those issues with corresponding accomplishments and achievement. We have the in-house expertise and political understanding to achieve IEUA's federal priorities.

Each member of our team is highly respected within the Washington, D.C. advocacy community. Laura Morgan-Kessler will lead Carpi and Clay's federal efforts for IEUA. She will be responsible for ensuring that all timelines are met and that all work products are of the highest quality. Displayed below is biographical information for our team.



Ken Carpi

Ken Carpi manages Carpi & Clay and the firm's legislative and advocacy activities. With more than 30 years of experience in the public sector, including more than 20 years at the federal level, he plays a major role in developing and implementing effective federal legislative and regulatory strategies. He directs a team that works to craft approaches and develop partnerships that will meet, and often exceed, client expectations.

As Legislative Director for a U.S. Senator from 1982 to 1986, Ken spearheaded and directed all legislative efforts on behalf of the nation's largest state. He implemented a legislative program on issues of key importance including natural resources, transportation funding, housing, and public works projects.

Ken also served as a Senior Policy Assistant to the Mayor of San Diego. Ken has a degree in Public Administration from San Diego State University and has completed graduate work in Urban Studies. He holds the rank of Commander in the U.S. Naval Reserve.



Laura Morgan-Kessler

Laura Morgan-Kessler, a southern Californian native, brings almost 20 years of experience advocating for public agency clients on a wide range of issues including water quality and infrastructure, economic development, homeland security, natural resources, and the environment. She provides them with timely and strategic intelligence on congressional and federal agency actions and helps develop and implement federal advocacy strategies.

Laura is known for developing partnerships with clients, and her dedication to – and passion for – their issues has proven to be an effective combination for success. She maintains strong working relationships with Members of Congress and their staff, congressional committees, and federal agencies including the Bureau of Reclamation, the Environmental Protection Agency, the Department of the Interior, the Department of Agriculture, and the Federal Emergency Management Agency. She also works closely with regional and national organizations such as the Association of California Water Agencies and WaterReuse.

One of Laura's proudest professional accomplishments is the work she did on behalf of several of her local government clients to lead the successful effort to remove the residual risk provision from the National Flood Insurance Program Reauthorization bill. The residual risk mandate would have been costly to residents and businesses, thwarted economic development, and discouraged local investment in flood control measures. With the absence of specific policy at the National Association of Counties, the National Leagues of Cities, and the U.S. Conference of Mayors, Laura worked to combat this provision and won a floor amendment in the House and a procedural victory in the Senate to strike the provision from the final bill.

Previously, Laura worked on Capitol Hill as a legislative staff member for Senator Dianne Feinstein. During her tenure with the Senator, she focused her efforts on issues of importance to Californians such as transportation, water, energy, and the environment. She also supported the Senator's Energy and Natural Resources Committee portfolio.

Laura is currently a member of Women in Government Relations, where she serves as the Chair of the Congressional Outreach Committee, as well as a member of the Transportation & Infrastructure Task Force and the Diversity, Equity, and Inclusion Committee.

Laura graduated from Wake Forest University with a Bachelor of Arts in political science with a minor in sociology.



Channon Hanna

Channon Hanna brings nearly 20 years of experience working on federal transportation and infrastructure projects, policy, and regulations. Throughout her career, she has represented a diverse portfolio of clients including public transportation agencies, highway construction companies, airports, airlines, national associations, city and county governments and Fortune 500 companies.

Channon began her career in Washington, D.C. working on the Senate Commerce, Science, and Transportation Committee focused on transportation policy. After leaving Capitol Hill, she worked at the American Public Transportation Association (APTA) and the Airport Council International-North America (ACI-NA), two premier national associations representing national transportation interests. While serving as the Senior Legislative Representative at APTA, she steered APTA's federal efforts on reauthorization of surface transportation programs, transportation financing, and tax issues. During her tenure at ACI-NA, she led efforts to create and execute overall strategies on federal issues such as Federal Aviation Administration reauthorization, homeland security provisions, and facilitation issues. Most recently, Channon spent several years providing comprehensive government relations services to a wide variety of public and private sector clients.

Channon has a Bachelor of Science degree in business administration from Auburn University.



David Wetmore

David Wetmore brings 30 years of hands-on government and congressional relations experience to our clients, as well as a record of providing strategic guidance to elected officials on a bipartisan basis. Throughout his career, he has stood at the intersection of federal, state, and local relations and has participated in major federal legislative decisions impacting states and local governments.

His experience and expertise include the legislative process, public policy, issue development, strategic planning, and communications. He has been a direct liaison for clients with the Executive Branch, Congress, governors and their senior staff, trade associations, and corporate officers. David served as the Chief Washington, D.C. representative for two California governors, where he was the frontline resource and liaison to Congress, the White House, federal agencies, and stakeholders. He has coordinated all aspects of state and local government federal policy agendas and directed specific strategies that secured changes in federal law to achieve federal funding victories and secure enactment of policy objectives. In addition, for six years, David directed government relations for the National Association of Insurance Commissioners, participating in the national health care debate, financial services reform, and natural catastrophe legislation. He began his career in the United States Senate with a legislative portfolio that emphasized intergovernmental relations and direct interaction with state and local elected officials.

David graduated with a double major in Political Science and French from San Diego State University. In addition, he is a graduate of the Institute d'Etudes Politiques, France.



Julie Minerva

Julie Minerva is a recognized leader on transportation and infrastructure efforts and has worked on a variety of projects in 25 states. A former Legislative Assistant to the late Congressman Robert T. Matsui, she has represented transit agencies, commuter railroads, short line railroads, ports, water districts, flood control authorities, cities, counties, airports and a joint powers authority in connection with rail line relocations, light-rail extensions, bus storage maintenance facilities, fleet replacement, airports, innovative finance, economic development, levees, dams, navigation channels, environmental restoration, and base reuse.

She has served as a monthly columnist for the *Floodplain Management and Liability Reporter*, a regular contributor to *The Levee Was Dry* blog, coauthored the “New Starts Handbook,” a guide for congressional staffers to navigating the FTA process, from concept analysis and alternatives analysis study through final design, construction and operation and organized the first “New Starts Day on the Hill” for the New Starts Working Group.

Julie graduated from Santa Clara University with a Bachelor of Arts degree in political science and theatre, with a dance emphasis.

OUR EXPERIENCE

Our Capabilities

Given the breadth and geographic scope of our client base, we take pride in understanding the dynamic interplay of federal-state-local relations. Our unique backgrounds have exposed us to virtually every issue of direct interest or concern to government agencies for more than 36 years. Having served as staff to major political leaders at the local, state, and federal levels, we have been on “both sides of the table” as advocates and as staff to public officials being lobbied. This unique perspective helps us to be very creative and nimble public policy advocates.

We will use all available resources to design and implement legislative, regulatory, and funding solutions that address the IEUA’s policy, regulatory, and project priorities including:

- Crafting strategic plans;
- Building coalitions;
- Educating lawmakers and advocating before Congress;
- Briefing federal agency officials and political appointees;
- Drafting for legislation and amendments;
- Arranging, writing, and coordinating testimony;
- Developing and implementing policy briefings;
- Preparing witnesses for committee hearings;
- Identifying funding opportunities through the legislative and appropriations process;
- Navigating the processes, politics, and regulations governing competitive grants and appropriations; and
- Organizing, facilitating, and supporting “fly-ins” and client advocacy days.

When it comes to making written and oral presentations on IEUA’s behalf, be it a committee hearing statement, a talking points memo, a legislative briefing paper, or correspondence and communications for key audiences, we possess not only superior communication skills, but also a level of insight that can only come from having been on the receiving end of such materials.

We offer the IEUA our long-standing relationships with decision makers in Congress and at the federal agencies to help break down barriers, find common ground, and bring about positive change. We work closely with congressional leadership, appropriations, and authorizing committees including the following:

- **House of Representatives:** Appropriations Committee; Education and the Workforce Committee; Energy and Commerce Committee; Financial Services Committee; Homeland Security Committee; Natural Resources Committee; Transportation and Infrastructure Committee; and Ways and Means Committee.
- **Senate:** Agriculture, Nutrition and Forestry Committee; Appropriations Committee; Banking, Housing and Urban Affairs Committee; Commerce, Science and Transportation Committee; Energy and Natural Resources Committee; Environment and Public Works Committee; Finance Committee; Health, Education, Labor and Pensions Committee; Homeland Security and Governmental Affairs Committee; and Indian Affairs Committee.

We are also in frequent communication with the Administration, the Office of Management and Budget (OMB), and numerous federal agencies, including the following:

- Army Corps of Engineers; Bureau of Indian Affairs; Council on Environmental Quality; Department of Agriculture; U.S. Forest Service; Department of Defense; Department of Housing and Urban Development; Department of Health and Human Services; Department of Homeland Security; Federal Emergency Management Agency; Department of the Interior; Bureau of Reclamation; Fish and Wildlife Service; Department of Justice; Department of Transportation; Federal Aviation Administration; Federal Transit Administration; Department of Veterans Affairs; and Environmental Protection Agency.

We also regularly coordinate with regional and national associations exploring every available avenue toward advancing our clients' priorities.

Our Results- Spotlight on Water

Our record of accomplishments is strong. We take great care to ensure that client priorities are well orchestrated through every level of an agency and beyond. We leverage our technical expertise and solid relationships within regional and headquarters levels of an agency and the Office of the Secretary, the White House, and OMB. Given the long review, study, and construction schedules endemic to the federal process, it is not unusual to see shifts in the way the government does business while a project is winding its way through the authorization-and-appropriation process. Such shifts, no matter how major or minor, can have an impact. Our job includes foreseeing these bumps in the road and doing what is necessary to ensure that projects stay on track.

Taking a team-oriented, full-service approach, we have developed multiyear advocacy campaigns aimed at grassroots opinion leaders and congressional delegations alike to foster both public and political support for client projects as priority candidates for federal funding. Below are some examples of our efforts that involved our use of a coordinated congressional and agency approach to achieve the desired outcomes on behalf of our clients.

WIIN-Title XVI. The Title XVI program at Reclamation is an incredibly important program for water utilities in the arid West to obtain federal funding for water reuse and recycling, conservation, and drought projects. In December of 2016, Congress passed the "Water Infrastructure for Improvements to the Nation Act" (WIIN), that created a competitive grant program under the Title XVI grant program for newly, non-Congressionally authorized reuse and recycling projects. While at a previous firm, Laura Morgan-Kessler worked extensively with a coalition of water districts on getting this language included in the bill, as well as ensuring that the House and Senate Appropriations Committees provided funding in the annual Energy and Water Appropriations bill. Now that the \$50 million that was authorized in the WIIN Act has been appropriated, we are closely involved in the efforts to reauthorize the WIIN-Title XVI program and provide additional funding in the future.

Bureau of Reclamation Grants. For Western states, Reclamation's WaterSMART program can be an important financial resource for water resiliency efforts. Through our consistent engagement in the annual congressional appropriations process and our grants support, we have helped to create and monitor opportunities for our clients to secure critical federal funding. For example, we helped deliver six grant

awards from Reclamation providing a combined \$6.4M over three years for the Long Beach Water Department.

COVID-19 Fiscal Recovery Funds Tax Issue. The American Rescue Plan Act included \$350 billion for COVID-19 State and Local Fiscal Recovery Funds. This funding was allocated to every city and county throughout the country. The State of California chose to use a portion of its funding to establish utility assistance program. Concerns were raised by many utilities throughout the state that this funding assistance would trigger tax implications, and thus require utilities to issue 1099 tax forms to all recipients. When our water clients raised this issue with us, we immediately started working the phones. We reached out to California Congressional offices, including Senators Dianne Feinstein and Alex Padilla to raise this issue. We also coordinated with national associations to raise the profile of this concern. As a result of these efforts, the Internal Revenue Service issued clarification guidance that this funding would not be considered taxable.

WIFIA. We have worked with clients to navigate and submit letters of interest (LOI) for the Water Infrastructure Finance and Innovation Act (WIFIA) program at the Environmental Protection Agency (EPA). We have helped our clients seek clarification on project eligibility prior to submission of an LOI, which has resulted in their projects being selected to move forward in EPA's WIFIA review process.

Drought Response Plans. Our longtime representation of Valley Water has resulted in hundreds of millions of dollars to reduce flood risks in Silicon Valley. And while the challenge of preparing for flood waters remains a top priority for the agency, they also need to prepare for times when there is not enough water. To that regard, we have been assisting Valley Water to advance large scale water supply projects through Reclamation and a recent award from Reclamation's drought planning grant program is helping Valley Water to improve water supply reliability during times of shortage. We regularly arrange for Valley Water officials to meet with Reclamation in Washington, D.C. and those frequent meetings have helped Valley Water to tell its story and be successful in securing federal grants.

Joint Project Authority. Scoggins Dam at Hagg Lake, located in Washington County, Oregon, is one of the most seismically at-risk facilities in Reclamation's facility inventory. Clean Water Services and the Tualatin Basin Water Supply Partners were looking to not only address the seismic and safety issues with Scoggins Dam, but also create additional storage capacity to address the water needs of a growing Washington County. Unfortunately, Reclamation did not have the statutory authority to consider any additional benefits to a facility in the Safety of Dams program. As a result of a multi-year Congressional lobbying effort by Laura Morgan-Kessler at a previous firm, language was included in an appropriations bill that would allow for Reclamation to consider additional benefits while concurrently addressing seismic issues. Obtaining this language was a critical step for moving this project forward.

Tax-Exempt Municipal Bonds. At the end of 2017, Congress was working to pass a tax reform package. There were many in Washington, D.C. who wanted to cap or eliminate tax-exempt municipal bonds. This move would have presented local governments throughout the country with significant financial challenges to fund necessary projects. On behalf of our public entity clients, we were actively involved in the efforts to ensure that no changes were made to tax- exempt municipal bonds in the bill.

Army Corps of Engineers Project Authorization and Funding. When homes were originally being built the town of Desert Hot Springs in the 1950s, located in the Coachella Valley, they were hooked up to septic tanks. As a community that relies heavily on groundwater for both its drinking water supply, as well as to support their economy (boutique spas with naturally hot water), this became a significant cause for concern. In the 1990s, the local water district (Mission Springs Water District) decided to embark on a septic abatement

program to ensure the future safety of the groundwater supply. After obtaining an initial Corps of Engineers study authorization in the Water Resources Development Act in 2000, the Water District was ready to move the project towards construction. While at a previous firm, Laura Morgan-Kessler worked closely with the District's congressional delegation, as well as the Corps, to successfully get construction authorization included in the 2007 WRDA bill. To date, the District has received over \$8 million in federal funding and been able abate 4,500 parcels, install 33 miles of sewer and prevent 782 million gallons of sewage from percolating into the ground water annually.

Coronavirus Relief Fund. In the CARES Act, Congress established the \$150 billion Coronavirus Relief Fund (CRF) for states and local governments with populations of about 500,000. The Treasury Department was interpreting the legislation in a manner that would have prevented 12 counties throughout the country, including Fresno County, who had a population above 500,000 from being eligible for funding. We took the initiative to contact the impacted counties and created an informal coalition to lobby against the Department's interpretation. Through conference calls, development of advocacy tools, and a coordinated campaign targeting Congress, the White House, and the Department of Treasury, we successfully reversed the interpretation. All 12 counties were deemed eligible entities, and each received a direct CRF allocation amounting to millions in fiscal relief from the Treasury Department.

OUR APPROACH

Scope of Service

We propose the following strategic path to help IEUA achieve its federal priorities. Built into the plan is the necessary flexibility to accommodate changes in Washington, D.C., as well as issues that may emerge at the local level. When it comes to Washington, issues that appear straightforward never are. Success requires a nimble approach capable of coordinating multiple federal agencies that operate in silos. We view our relationships with our clients as being an extension of their team and the approach below indicates the activities we will initiate on your behalf.

Strategic planning and consultation. Upon selection, we would schedule a virtual intensive strategic planning session with IEUA. Knowing your issues in detail helps us to establish strong, value-added relationships based on trust on a variety of policies and topics. This is the starting point for any successful advocacy strategy. We would use this opportunity to review IEUA's current legislative agenda, discuss project and regulatory priorities with IEUA leadership and meet with elected officials and staff as appropriate. We would present the IEUA with an assessment of opportunities and challenges in Washington, D.C., as well as insight on the legislative climate and political dynamics. We would also evaluate IEUA's current federal presence with a view toward maximizing advocacy potential and increasing IEUA's federal footprint. We have experience planning for and preparing legislative agendas for local government clients. We work to synchronize IEUA's federal agenda with what Congress and the federal agencies will be doing, including those unanticipated issues that need attention but are not specifically delineated in the agenda. Once finalized, we ensure the priority issues are communicated to Congress and the federal agencies.

Maintain relationships with Congress and federal agencies. As your "boots on the ground" in Washington, D.C., we will ensure that IEUA's federal projects and priorities are front and center with Congress, the Administration, and relevant federal agencies. We will ensure that federal decision-makers view us as an extension of IEUA in Washington, D.C. and are an available resource to them at any time to discuss funding, legislative, and regulatory priorities. Additionally, we will use our extensive network of congressional and federal agency relationships to extend IEUA's reach well beyond your congressional delegation. We will work to help raise your profile with the federal government and be viewed as a thought leader on important issues. We work regularly with authorizing and appropriating committee staff in both the House and the Senate. We are also in frequent communication with the Administration, numerous federal agencies, and OMB. We will serve as a liaison between IEUA and your Congressional delegation.

Legislative and regulatory advocacy. We closely track all federal activity as it relates to local government entities. We will keep IEUA abreast of any legislation or potential legislation that could affect your residents. We will provide legislative text, detailed bill analysis, and status updates on federal legislation of importance. We also monitor the *Federal Register* daily for any new federal agency regulatory actions that may be of interest to our clients. We will ensure that IEUA is made aware of all pending federal regulatory actions that could have either a positive or negative impact on your operations or your residents. We will work to prepare detailed and thoughtful comments in

response to proposed federal agency regulations, sharing these comments with your Congressional delegation.

Federal funding advocacy and grant support. IEUA does not have unlimited financial resources, and as such, federal funding is critical for IEUA operations and to maintain services for your customers. We will closely monitor the President's budget and the annual Congressional appropriations process, providing IEUA with a detailed summary and funding levels of programs of importance. We will work with the IEUA to ensure that your Congressional delegation is aware of the IEUA's annual appropriations priorities and community project requests, complete and submit all appropriations request forms, and work to get the delegation to sign onto appropriations Dear Colleague letters. Additionally, we understand the dynamics of the federal grant process and have secured numerous grants for local communities. Our work has involved identifying appropriate grants, assisting with the preparation and submittal of grants, and the necessary advocacy with the federal agencies. We will work with your grant writers to tailor a grants management strategy that looks to specific programs and expected grant offerings. We will provide timely notice of federal grant announcements and share all materials relevant to the grants. We will also organize meetings for you with those federal agency decision-makers. This will help IEUA position its grant proposals, understand an agency's priority focus for funding, and develop relationships with federal decision makers. In addition, we work very closely with a grants management firm that identifies federal grant opportunities.

In-Person and virtual visits. You are your own best advocates. We want IEUA to be personally involved in your Washington, D.C. advocacy. We will support all facets of IEUA's advocacy trips to ensure the most advantageous use of your time. Whether traveling to Washington, D.C. or doing a virtual visit, we will accommodate your needs. Working with IEUA, we will prepare a list of potential dates and targeted meetings in Washington, D.C. We can help schedule meetings, in-person or via video conferencing, including meetings with IEUA's congressional delegation, key committee staff, and relevant federal agency officials. We will keep IEUA apprised of meetings as they are secured. In addition, we will assist in the preparation of associated white papers, letters, and talking points. Even in a virtual world, we will accompany IEUA to all your meetings with federal decision-makers.

Communication. We believe that communication is key to the successful implementation of your federal advocacy goals. We maintain regular contact with our clients, both through email and phone calls. This accessibility and communication will be critical to the success of IEUA's legislative platform. We recognize both short- and long-term trends in funding opportunities before they become apparent and will work with IEUA to connect priorities with those federal opportunities. We will monitor key legislation, congressional hearings, grant opportunities, and regulations that affect IEUA and its priorities. We are committed to providing regular written reports that outline the monitoring of key legislative initiatives related to IEUA's legislative agenda. These reports will detail any actions that we have taken on your behalf with Congress or the Administration. We will closely monitor legislative and regulatory developments in Washington, D.C. (including tracking discussions, drafts, emerging issues, research reports and other activities that may ultimately affect legislation, regulations, or other client interests) and promptly convey through email, conference call or report, as directed, whatever we learn that is important to IEUA. As with our other clients, we will use all available technology to bridge the geographic and temporal divide separating California and Washington, D.C.

SECTION 4 – FORMS**PROPOSAL RATE/FEE SCHEDULE**

- A. **FEE INCLUSION STATEMENT:** Offerors shall fully complete this Proposal Price Schedule and return it with their submittal. All proposed prices and fees shall be held firm-fixed throughout the anticipated contract performance period (other than prevailing wage classifications, which shall be paid in accordance with the current year prevailing wage determination as made by the Department of Industrial Relations (DIR)), and shall include costs associated with all equipment, materials, transportation, overhead, travel, profit insurance, sales and other taxes, licenses, incidentals, and all other related costs necessary to provide the required inspection, certification, load testing, and related services.

Lump sum total labor not to exceed: \$ See below

Lump sum total material not to exceed: \$ See below

Grand Total of Labor and Material firm fixed price: \$ 7,000 per month

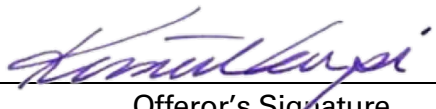
Planned earliest start and completion date upon receipt of a Contract Task Order:

Start Date: When needed by IEUA Completion Date: Continuing

- B. **EXPEDITED PAYMENT DISCOUNT:** Each Offeror shall indicate the availability and the magnitude of any discount related to expedited payment of any or all invoices (i.e. if Net 10, then 2% discount).

i.e., if Net , then % discount

Warrants: On behalf of the afore identified "Contractor" company, the undersigned warrants that the Company has the equipment and manpower necessary to successfully complete the described work within the time frame specified within the "Request for Proposal" and that the Company will be ready and able to begin working under such contract within 5 days of receiving notice, whether written or verbal. The Agency reserves the right to accept the Proposal that it determines to be in the best interests of the Agency and to reject any or all Proposals should it determine that to proceed is not in its best interests.

 _____ Offeror's Signature	Carpi & Clay, Inc. _____ Company Name
Kenneth Carpi _____ Print Name	_____ Contractor's License Number & Type
Managing Partner _____ Title	4/20/2022 _____ Date

SECTION 4 - FORMS

EXCEPTION FORM

Should your firm take exception to **ANY** of the terms and conditions or other contents provided in the Request for Proposals, submit the following form with your Proposal. If no exception(s) are taken, enter "NONE" for the first item. Make additional copies of this form if necessary.

Page Number: _____ Section Title: _____

Paragraph Number: _____ Exception Taken: _____

None - No Exceptions

Page Number: _____ Section Title: _____

Paragraph Number: _____ Exception Taken: _____

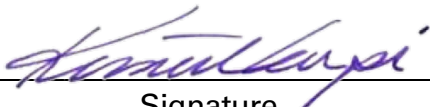
Page Number: _____ Section Title: _____

Paragraph Number: _____ Exception Taken: _____

SECTION 4 - FORMS**WORKERS' COMPENSATION CERTIFICATE**

The Offeror shall execute this form to acknowledge and comply with the requirements of California Labor Code, Sections 1860 and 1861:

I am aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and on behalf of my Contractor, I will comply with such provisions before commencing the performance of the work of any contract entered into.

	Carpi & Clay, Inc.
Signature	Company Name
Kenneth Carpi	292161
Printed Name	Business License Number
Managing Partner	4/20/2022
Title	Date

SECTION 4 - FORMS**OFFEROR IDENTIFICATION**

1. Legal name of Offeror: Carpi & Clay, Inc.
2. Street Address: 601 New Jersey Ave NW Suite 300
3. Mailing Address: Washington, DC 20001
4. Business Telephone: (202) 833-8300
5. Facsimile Telephone: (202) 822-8315
6. Email Address: kcarpi@carpiclay.com
7. Type of Business:

☐ Sole Proprietor ☐ Partnership ☒ Corporation

Other: _____

If corporation, indicate State where incorporated: California
8. Business License number issued by the City where the Offeror's principal place of business is located.

Number: 292161 Issuing City: Washington, DC
9. Federal Tax Identification Number: 20-0649353
10. California Contractor's License Number: N/A
11. California DIR (Registration) Number: N/A
12. Offeror's Project Manager: Laura Morgan-Kessler
13. Project Manager's E-mail Address: lmorgan-kessler@carpiclay.com
14. Project Manager's Cell Phone No.: (703) 298-6846

SECTION 4 - FORMS

REFERENCES AND SUBCONTRACTORS

Provide at least three (3) references for the for which you would like to be considered, where you or your firm provided similar services within the last five (5) years. (Please copy this form as many times as needed.)

COMPANY	CONTACT PERSON	CITY	PHONE NUMBER
Long Beach Water Dept.	Jillian Croci	Long Beach	562.708.3411

TYPE OF SERVICES PROVIDED (Note: Please attach a “typical” invoice, for the services provided.)

Comprehensive federal advocacy services, with a focus on federal funding, legislation, and regulatory activity on issues related to water infrastructure, natural resources, cybersecurity, taxation, and the environment.

We advocate for LBWD before Congress, the Bureau of Reclamation, the Environmental Protection Agency, and the Department of Homeland Security.

SUBCONTRACTOR(S)

List any sub-Contractors who performed services, on your firm’s behalf, at the referenced project described above.

COMPANY	CONTACT PERSON	CITY	PHONE NUMBER
---------	----------------	------	--------------

DIR Registration Number (if applicable):

Business License Number: City:

Insurer:

Brief description of their services:

SECTION 4 - FORMS

REFERENCES AND SUBCONTRACTORS

Provide at least three (3) references for the for which you would like to be considered, where you or your firm provided similar services within the last five (5) years. (Please copy this form as many times as needed.)

COMPANY	CONTACT PERSON	CITY	PHONE NUMBER
Monterey One Water	Rachel Gaudoin	Monterey	831.645.4623

TYPE OF SERVICES PROVIDED (Note: Please attach a “typical” invoice, for the services provided.)

Comprehensive federal advocacy services, with a focus on federal funding, legislation, and regulatory activity on issues related to wastewater infrastructure, natural resources, taxation, energy, and environment.

We advocate for MIW before Congress, the Bureau of Reclamation, the Environmental Protection Agency, and the Department of Energy.

SUBCONTRACTOR(S)

List any sub-Contractors who performed services, on your firm’s behalf, at the referenced project described above.

COMPANY	CONTACT PERSON	CITY	PHONE NUMBER
---------	----------------	------	--------------

DIR Registration Number (if applicable):

Business License Number: City:

Insurer:

Brief description of their services:

SECTION 4 - FORMS

REFERENCES AND SUBCONTRACTORS

Provide at least three (3) references for the for which you would like to be considered, where you or your firm provided similar services within the last five (5) years. (Please copy this form as many times as needed.)

COMPANY	CONTACT PERSON	CITY	PHONE NUMBER
Mission Springs Water Dept	Brian Macy	Desert Hot Springs	760.660.4397

TYPE OF SERVICES PROVIDED (Note: Please attach a “typical” invoice, for the services provided.)

Comprehensive federal advocacy services, with a focus on federal funding, legislation, and regulatory activity

on issues related to water infrastructure, natural resources, taxation, and the environment. We advocate for

MSWD before Congress, the Army Corps of Engineers,the Bureau of Reclamation, and the Environmental

Protection Agency.

SUBCONTRACTOR(S)

List any sub-Contractors who performed services, on your firm’s behalf, at the referenced project described above.

COMPANY	CONTACT PERSON	CITY	PHONE NUMBER
---------	----------------	------	--------------

DIR Registration Number (if applicable):

Business License Number: City:

Insurer:

Brief description of their services:

EXHIBIT B





REQUEST FOR PROPOSAL
NUMBER RFP-GD-22-004

FOR

Federal Government Advocacy Services

April 11, 2022

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This solicitation package includes the sections and subsections listed below. If any of these items are missing from your solicitation package, please notify the contact identified in Section 1(D).

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SECTION 1 - SUBMITTAL INFORMATION

- A. **INTRODUCTION:** The Inland Empire Utilities Agency ("Agency") is a regional wastewater treatment agency that provides sewage treatment for the cities located within the west end of San Bernardino County. Additionally, the Agency serves as a supplemental source of potable water and recycled water to the same geographic area. The Agency was incorporated in June 1950, under the Municipal Water District Act of 1911, as a municipal corporation. The Agency's service area encompasses approximately 242 square miles, including the Cities of Chino, Chino Hills, Fontana, Montclair, Ontario, Rancho Cucamonga, and Upland; and several of the unincorporated areas of western San Bernardino County.
1. The Agency has a dedicated team of approximately 300 professionals, operating five regional water recycling facilities that treat approximately 50 million gallons of wastewater per day. The Agency owns and operates several domestic wastewater trunk sewers and interceptor sewer lines, as well as several industrial wastewater trunk interceptor sewer pipelines. In addition, the Agency operates a composting facility, and the Chino Basin Desalter Number One. More information on the Agency can be obtained through the Agency's website at www.ieua.org.
 2. A five-member Board of Directors is elected to represent the Agency's 875,000 residents. Each Board member is elected to serve a four-year term, by the registered voters residing within each of the five respective Divisions.
- B. **DESCRIPTION OF WORK:** The Inland Empire Utilities Agency ("IEUA" or "Agency") is accepting electronic proposals through PlanetBids for Federal Government Advocacy Services. The Agency seeks responses from qualified firms with expertise in advocating/lobbying at the federal level to represent the Agency's legislative goals before federal legislators, departments, and agencies. These goals may include issues relating to municipal water districts, special districts, grants, water resources, wastewater, recycled water, biosolids, groundwater, stormwater, renewable energy, energy tariffs, environment, and federal budget priorities.
- C. **SUBMITTAL LOCATION – CLOSING DATE, AND TIME:** The Offeror is required to acknowledge addendum posted on PlanetBids after original solicitation posting regarding changes in the original RFP up to and including any changes to the closing date and time and must include any addendum in their submitted proposal. Proposals received after the "closing" date and time indicated **will not** be accepted. Faxed, e-mailed or hard copy proposals **will not** be accepted as this is an electronic only bid submittal through the PlanetBids portal only. Proposals are due April 25, 2022, by 3pm (Pacific Time).

Submittal Closing: April 25, 2022, 3:00pm

Location: PlanetBids (electronic only)

SECTION 1 - SUBMITTAL INFORMATION

- D. **INQUIRIES:** Inquiries should be submitted via PlanetBids to *Greg Dominguez, Contract Administrator II, gdominguez@ieua.org*. *The cut-off date for submitting questions is 3:00 P.M. April 14, 2022.* Questions may be answered and uploaded to PlanetBids as an Addendum to all registered participants.
- E. **PROPOSAL FORMAT:** All Proposals shall be submitted as Electronic Files ONLY via PlanetBids. All proposals shall be submitted/uploaded into the response file and any required general attachments via PlanetBids, as either a single PDF file or as multiple, clearly identified PDF files. Offeror shall include sequential page numbers and the Contractor's initial on each page of their Proposal. A proposal not following the requested format may be deemed non-responsive and eliminated from further consideration. The Proposal shall include a dated cover letter which must be signed by a person authorized to negotiate and execute contracts on behalf of the Offeror and must be binding for a period of ninety (90) days.

NOTE: IT IS THE OFFEROR'S RESPONSIBILITY TO EXAMINE THIS "REQUEST FOR PROPOSAL" SOLICITATION IN ITS ENTIRETY PRIOR TO SUBMITTING A PROPOSAL.

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SECTION 2 - GENERAL INFORMATION

- A. **WAITING PERIOD:** All Offerors are alerted that a waiting period of up to ninety (90) days from the date of the Proposal opening may be required before an award is made. Offeror shall assume full responsibility for the effect of the waiting period on all Proposal prices and terms.
- B. **PROPOSAL PREPARATION COSTS:** The Agency is not, nor shall be, deemed liable for any costs incurred by the Offeror during the preparation, submittal, or presentation of their proposal.
- C. **WITHDRAWAL OF PROPOSAL BEFORE CLOSING:** Any Offeror may request the withdrawal of their submitted proposal by a written request at any time **prior** to the scheduled proposal due date and time. Upon receiving the written request to withdraw any proposal, the Agency will consider the Offeror's proposal null and void, and return the proposal to the Offeror unopened. Withdrawal of an Offeror's proposal will not prejudice Offeror's re-submittal for this or any future proposal(s). E-mailed Proposals will be sent back to the Contractor via e-mail. The Contractor shall take note that no guarantee will be made concerning opening e-mails prior to the closing date/time, given the informal format of this type of submittal.
- D. **MISTAKE IN PROPOSAL:** Any Offeror may withdraw their Proposal after the Proposal opening, subject to the time restrictions indicated, **only** if the Offeror can establish to IEUA's satisfaction, that a mistake was made in preparing the Proposal.
1. An Offeror declaring a mistake must provide a written notice to IEUA within five (5) calendar days following the scheduled closing date, specifying in detail, how the mistake occurred, and how the mistake made the Proposal materially different than as was intended.
 2. Withdrawal of the Proposal will **only** be permitted for mistakes made in the completion of the Proposal. An Offeror who claims a mistake shall be **PROHIBITED** from submitting further Proposals on the Project in which the mistake in Proposal was claimed. (*Public Contract Code 5105*).
- E. **PROPOSAL ACCEPTANCE:** IEUA reserves the right to **accept or reject** any or all Proposals, or waive any informality(s) in any Proposal, if such action is deemed to be in the best interest of IEUA. Additionally, be advised that if all valid Proposal prices received are found to exceed the budget appropriated for this project, IEUA may reject all Proposals.
- F. **INTERPRETATION OF DOCUMENTS:** During the Proposal solicitation period, should an Offeror find discrepancies or omissions in the specifications of the "Request for Proposals," or should the Offeror be in doubt as to their interpretation, the Offeror shall immediately notify the contact indicated in Section 1(C). Should it be found necessary, an addendum will be posted on PlanetBids. **Any addenda issued prior to the scheduled Proposal closing date and time, shall form a part of this solicitation and shall become a part of the submitted Proposal.**

SECTION 2 - GENERAL INFORMATION

- G. **PROPOSAL FEES:** Offeror's shall submit a fully-burdened fee schedule, for each task or specific skill category required to provide the Contractor's Services, clearly identifying the firm's staff classifications by category, by hourly billing rates, and any associated administrative costs.
- H. **CONTRACT REFERENCES:** Using the References form included in Section 4, each Offeror shall provide a list of at least three (3) references from clients that have engaged the Offeror, for which similar work has been performed, within the last five (5) years. Include the reference names, contact person(s), telephone numbers, e-mail address, business physical address, and brief description of the specific services provided.
- I. **AWARD CRITERIA:** The following criteria will be used in the rating process for the proposals submitted; to determine the selection of the successful Offeror(s):
1. Past record off performance in providing similar services (prior projects or engagements).
 2. Experience of personnel (individual or company history, years in business, licenses, certifications, other personnel qualifications).
 3. Proposed staffing plan and methodology.
 4. References.
 5. Exceptions taken to the proposed contract terms.
 6. Project fee schedule, rate structure.
- J. **PUBLIC RECORD:** Be advised that **all** information contained in proposals submitted in response to this solicitation, **shall** become a matter of public record, be subject to the California Records Act of 2004 (Government Code Section 6250 et seq.), and the information's use and disclosure are governed by this Act.
- K. **ACCEPTANCE AND PAYMENT:** The selected Offeror's invoice(s), subsequent to the completion of a valid and binding contract, shall include a specific reference to the Contract Number, the associated Purchase Order number, and be accompanied by detailed supporting documentation. The Agency shall pay the Offeror's properly executed invoice, subject to approval by the Project Manager, within thirty (30) days following receipt of the invoice.
- L. **INSURANCE:** The Contractor shall furnish IEUA with certificates of insurance and with original endorsements effective coverage required by IEUA for themselves and all subcontractors, prior to commencing work or allowing any subcontractor to commence work under any subcontract. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be approved by IEUA before work commences. IEUA reserves the right to require complete. Certified copies of all required insurance policies, at any time. The minimum scope of insurance required:

SECTION 2 - GENERAL INFORMATION

1. General Liability: Insurance Services Office (ISO) Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$1,000,000 per occurrence \$2,000,000 aggregate. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: ISO Form Number CA 00 01 covering any auto (Code 1), or if Contractor has no owned autos, covering hired, (Code 8) and non-owned autos (Code 9), with limit no less than \$1,000,000 per accident for bodily injury and property damage.
3. Workers' Compensation and Employers Liability: Workers' compensation limits as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease.

For Workers' Compensation and Employers Liability Coverage, the insurer shall agree to waive all rights of subrogation against IEUA, its officers, officials, employees, volunteers, property owners or engineers under contract to IEUA for losses arising from work performed by the Entity for IEUA. Original Waiver of Subrogation endorsement must be furnished to IEUA.

4. Professional Liability (Errors and Omissions): Insurance appropriate to the Consultant's profession, with limit no less than \$1,000,000 per occurrence or claim, \$2,000,000 aggregate.

M. **RELEASE OF LIABILITY:** The selected Offeror shall execute a Release of Liability form. Contractor Agrees and understands that the Contractor's personal property, if left at any of the Agency's sites, during the course of the Work, may be exposed to the risk of, but not limited to theft, fire damage, water damage, and wind damage; for which the Contractor agrees to assume any and all such risk, and consequences as a result thereof. The Contractor shall be responsible for the completion of the Agency's Waiver/Release of Liability form (see Section 4) as part of a complete proposal.

N. **CONTRACT EXECUTION(S) / EXCEPTIONS:** The selected Offeror shall execute a contract with the Agency which establishes the terms and conditions covering the services provided. A sample of the Agency's standard contract will be provided as an attached document in PlanetBids. Thus, the Offeror is encouraged to carefully review and consider the sample contract. The Offeror must advise the Agency of any exceptions to the contract's content or to the content of the RFP. An Exceptions Form is provided within this document in Section 4.

SECTION 2 - GENERAL INFORMATION

- O. **PROPOSAL PRICE:** The Offeror's proposed price(s) shall be indicated on the Summary Fee Schedule located within this document. Each Offeror must fully complete all parts of the Summary Fee Schedule, or their Proposal may be rejected. Be advised that, at any time, the Agency may require the Offeror to further itemize/detail components of proposed prices and/or invoices; i.e. labor, materials, travel expenses, sales taxes, freight charges, etc.). If the Offeror desires to convey clarifications/explanations to the information presented on the Proposal Price Schedule, an addendum page(s) may be attached thereto. For each Proposal item, all cost including overhead, burden, administration, supervision, etcetera, shall be evenly weighted so that work may be added or deducted, at the discretion of the Inland Empire Utilities Agency, with no adjustment to the unit costs submitted.
- P. **ENVIRONMENTAL PURCHASING POLICY:** The Goal of IEUA is to reduce global warming and other environmentally harmful effects generated by its operations, its operational protocols, and its capital improvement projects. In this endeavor, the terms and conditions of all IEUA solicitations encourage, whenever possible and practical, the proposal for products and services that are proven beneficial to the environment. Examples for this Project would be projects manufactured with recycled steel, recycled plastics, and vehicles fueled with natural gas or propane versus gasoline or diesel fuel. The Offerors, in their proposals should present (and explain) the efforts they will be employing on the Project that move the Agency closer to its sustainability goals.
- Q. **PROPOSAL INCLUSIONS:** The Request for Proposal documents shall be returned in their entirety, with all applicable portions fully completed by the Contractor. Each page shall be sequentially numbered and initialed by the Contractor.

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SECTION 3 - SCOPE OF WORK

- A. **SCOPE OF WORK AND SERVICES:** The Scope of Work for the Federal Advocacy Services shall include, but not be limited to, the following:

1. Agency Representation

- a. Represent IEUA's interest with congressional offices, the executive branch, and agencies including (but not limited to): Department of Interior, U.S. Army Corps of Engineers, Environmental Protection Agency, and the Department of Energy.
- b. Establish an active presence and day-to-day involvement in the legislative and regulatory actions on behalf of the Agency.
- c. Develop and implement a successful strategy for the Agency, including coordinating strategic trips to Washington, D.C., to meet with legislators and federal agency representatives.
- d. Develop and maintain good working relationships between the Agency and California congressional delegation, key congressional committees, and the Executive Branch. Assist with developing relationships with newly elected officials.
- e. Coordinate appointments or meetings between Agency Board Members, Executives, or other designated individuals, and congressional leaders.
- f. As appropriate, identify opportunities for strategic partnerships with national industry advocacy organizations (WateReuse, ACWA, etc.), regional utilities (MWD, SAWPA, Mas, etc.) and regional civic and governmental groups (IE Chamber of Commerce, County of San Bernardino, etc.) and foster these relationships.
- g. To the extent that IEUA's programs or projects demonstrate unique leadership qualities, identify opportunities for IEUA to present/testify in appropriate forums to showcase and share the Agency's accomplishments.

2. Legislative Bill and Regulatory Policy Tracking and Advocacy

- a. Identify federal legislation of interest to the Agency, monitor action on these initiatives, and advocate the Agency's interests, when appropriate.
- b. Provide strategic guidance and recommendations to assist the Agency in achieving its legislative and regulatory goals and objectives.
- c. Represent the Agency in Washington, D.C. to communicate the Agency's interests to the appropriate elected representatives, key Committee members, federal agencies, and other individuals, as needed.
- d. Provide support including briefing papers, talking points, etc. when requested.
- e. Advocate on legislation and issues in response to formal positions taken by IEUA's Board.

SECTION 3 - SCOPE OF WORK

- f. Anticipate and alert the Agency of opportunities or concerns associated with evolving federal policies based on a thorough understanding of the Agency's profile and policy principles.

3. Assistance in Securing Funding for IEUA and Regional Resource Projects

- a. Identify potential federal funding opportunities that match the Agency's funding needs.
- b. Secure funding for Agency projects through the authorization and appropriations processes and provide follow-up support on competitive applications.
- c. Work with Agency staff in the identification and application of grants offered by federal agencies. Work with IEUA's congressional delegation to obtain letters of support for all funding applications.
- d. Advise on presentation (organization, formatting, etc.) of legislative materials. Draft pertinent materials and correspondence.
- e. Monitor and facilitate the progress of funding/grant applications through appropriate federal agencies on behalf of the Agency, when requested.

4. Communication/Updates

- a. Provide written monthly updates and quarterly status reports on the firm's achievements as they relate to the Agency's goals and objectives.
- b. Provide monthly oral updates to the Community and Legislative Affairs Committee via Teams.
- c. Other required reports may include, but not necessarily be limited to, personal briefings and information bulletins pertinent to any legislation, rules, or regulations and other Federal policies or programs that affect the Agency and its customers either directly or indirectly.
- d. Travel to the Agency's service area may be required for briefings and meetings with the Agency's Board of Directors, Senior Leadership, and/or staff as needed and directed.
- e. Draft position letters and other correspondence for Agency to sign and personally distribute when appropriate.

Limit submission pages to no more than 25 in PDF format. No hardcopies will be accepted.

INFORMATION
ITEM
3A

INNOVATIVE FEDERAL STRATEGIES, LLC

Comprehensive Government Relations

MEMORANDUM

To: IEUA Community and Legislative Affairs Committee

From: Letitia White, Jean Denton, and Drew Tatum

Date: June 30, 2022

Re: June Monthly Legislative Update

Supreme Court Curtails EPA Powers

In one of the final cases of the term, the Supreme Court handed down a ruling related to the Environmental Protection Agency's authority to regulate carbon emissions from existing power plants. In a 6 to 3 opinion, the Supreme Court curbed EPA's powers to broadly regulate carbon emissions through a narrow reading of the Clean Air Act.

In 2015, the Environmental Protection Agency (EPA) promulgated the Clean Power Plan rule, which addressed carbon dioxide emissions from existing coal- and natural-gas fired power plants. For authority, the Agency cited Section 111 of the Clean Air Act, which, although known as the New Source Performance Standards program, also authorizes regulation of certain pollutants from existing sources under Section 111(d).

The Supreme Court stayed the Clean Power Plan in 2016, preventing the rule from taking effect. The Trump administration repealed the rule, which never went into effect, in 2019 saying the plan had exceeded the EPA's statutory authority.

In the case, the Court said there is "every reason to 'hesitate before concluding that Congress' meant to confer on EPA the authority it claims under Section 111(d)." The Court held that the EPA's authority did not extend to determining the "best system of emission reduction" as identified in the Clean Power Plan.

The 6-3 ruling interpreting the US Clean Air Act is likely to keep the administration from imposing the type of wide-ranging emissions-cutting plan the EPA tried to put in place when Barack Obama was president. The ruling could have a broad impact and affect other regulatory agencies.

The majority said that, while the EPA can regulate power plant emissions, the agency can't try to shift power generation away from fossil-fuel plants to cleaner sources, as Obama's Clean Power Plan sought to do. Writing for the court, Chief Justice John Roberts said Congress needs to speak more explicitly to give an agency that much power.

Roberts pointed to the major questions doctrine, saying "we presume that Congress intends to make major policy decisions itself, not leave those decisions to agencies."

The Supreme Court case grew out of a group of legal challenges to the Trump rule. A federal appeals court in Washington said the Trump plan was based on an overly restrictive read of the EPA's authority.

That prompted backers of the Trump rule -- companies including Westmoreland Mining Holdings, and 19 Republican-led states led by West Virginia -- to turn to the nation's highest court. Their appeal said the lower court ruling would let the EPA remake the US electric system, going well beyond what Congress intended when it enacted the Clean Air Act in 1970.

Biden Administration Unveils CWA Section 401 Certification Rule Update

On June 1, the Biden administration unveiled a proposal that would give states more veto power over interstate pipelines, highways, coal terminals, and other projects that it thinks could pollute water within their borders—a rollback of a Trump-era regulation.

If finalized, the Environmental Protection Agency's proposed Water Quality Certification Improvement Rule (<https://www.epa.gov/cwa-401/proposed-clean-water-act-section-401-water-quality-certification-improvement-rule>) would scrap the Trump administration's 2020 Clean Water Act Section 401 Certification Rule, which remains in effect and resulted in a cascade of litigation that reached US Supreme Court earlier this year.

The Clean Water Act gives states the right to certify any federally-permitted infrastructure project that might discharge pollution into protected stream waters or wetlands. Under the Biden administration's proposal, a state would be allowed to determine whether “any aspect” of an entire federally-licensed pipeline or other project will comply with its water quality standards and then deny certification of the project within state borders if it chooses.

States and tribes would also be able to waive certification, grant it, or do so with conditions.

That's a change from the Trump rule, which limits each state's scope of review to specific possible point-sources of water pollution associated with a federally-licensed infrastructure project. The Trump rule limits states to evaluating possible discharges into waters of the US, or WOTUS.

“Any aspect” of an infrastructure project potentially leading to water pollution can be reviewed by states as reasons to deny certification under the Biden administration's proposed rule.

The proposal expands a state's ability to stymie a major infrastructure project by giving them the right to deny certification of a project if there is the potential for pollution into waters that are not protected under the Clean Water Act. Those waters are considered to be under state or tribal jurisdiction.

Potential pollution into those state waters can't trigger the requirement for state approval of a pipeline or other project, but a state can use it as a reason to veto a project under the draft rule.

But “once the certification requirement is triggered by the prerequisite of a point source

discharge into a water of the United States,” a state may deny a project certification “based on the potential impact of the ‘activity as a whole’ on waters of the United States and other state or tribal waters,” the proposed rule says.

The proposed rule empowers “states, territories and tribes to use congressionally granted authority to protect precious water resources while supporting much-needed infrastructure projects,” EPA Administrator Michael Regan said in a statement.

The proposal applies to any project needing a Clean Water Act dredge-and-fill permit from the Army Corps of Engineers, a hydroelectric license from the Federal Energy Regulatory Commission, or a Clean Water Act pollution discharge permit from the EPA.

The proposed new rule is the Biden administration’s attempt to reverse Trump-era environmental regulation rollbacks that would have resulted in more potential air and water pollution.

Section 401 traditionally gave states and tribes the power to limit or reject projects that may pollute lakes, rivers, and other waters protected under the Clean Water Act.

In 2020, then-EPA Administrator Andrew Wheeler acknowledged the Trump rule’s purpose was to “accelerate and promote the construction of pipelines and other important energy infrastructure,” according to *Suquamish Tribe v. Wheeler*, a lawsuit filed in 2021 challenging the rule.

At around the same time, the Trump administration finalized a different rule that vastly cut the number of streams and wetlands that qualify as waters of the US, lifting Clean Water Act protections for streams across the country and allowing more possible pollution. Federal courts tossed out that rule in 2021.

Eight states controlled by Republicans said in a Supreme Court filing in *Louisiana v. American Rivers* that some states “abuse” their Section 401 certification authority. Among the most notable offenses, they said, was Washington state’s denial of the Millennium Bulk Terminals’ coal export terminal certification.

The Trump Section 401 rule remains in effect, but in legal limbo. The rule was vacated in 2021 by a judge in the US District Court for the Northern District of California, but the eight states led by Louisiana intervened and requested that the US Court of Appeals for the Ninth Circuit stay the ruling.

The US Supreme Court granted the stay in April after the Ninth Circuit denied it, keeping the Trump-era rule in effect.

Sen. Shelley Moore Capito (R-WV) and other Republicans on the Senate Environment and Public Works Committee in 2021 introduced a bill (S. 3277) that would codify the Trump rule.

“Section 401 is meant to protect water quality. It is not a broad license for states to block economic activity or infrastructure based upon political factors,” Capito said at the time.

But environmental groups hailed the EPA's move Thursday as a remedy for the Trump-era rule, which they say supports the fossil fuel industry.

"EPA's proposed rule restores the primary role Congress intended for tribes and states to have in reviewing and rejecting projects that would threaten their water quality," Moneen Nasmith, senior attorney at Earthjustice, said in a statement.

President signs SCOTUS Security Bill After Arrest Near Kavanaugh's House

A bill that would grant security to families of Supreme Court justices was signed into law on June 16, 2022.

The Supreme Court Police Parity Act would provide police protection to the immediate families of the nine justices and other officers of the court, if the "Marshal determines such protection is necessary," the legislation says.

The legislation was introduced by Sen. John Cornyn, a Texas Republican, and unanimously passed the Senate last month.

"Threats to the physical safety of Supreme Court Justices and their families are disgraceful, and attempts to intimidate and influence the independence of our judiciary cannot be tolerated," Cornyn said in a previous statement.

A day before the bill was signed, the Justice Department indicted a California man for attempting to murder Supreme Court Justice Brett Kavanaugh. The man was arrested near Kavanaugh's Maryland home.

Antisemitic fliers were also found near Kavanaugh's home, the Montgomery County Police Department confirmed.

In May, a protest and vigil was organized at Justice Samuel Alito's house following a leak of a draft Supreme Court opinion that, if unchanged, would overturn *Roe v. Wade*, the 1973 case that federally legalized abortions.

Biden Officials Ended International Travel COVID Testing Requirement

The Biden administration announced on June 10th it is ending a requirement that international travelers test negative for the coronavirus before coming to the United States.

The Centers for Disease Control and Prevention (CDC) "has determined based on the science and data that this requirement is no longer necessary at this time," a senior administration official said.

The requirement ended at 12:01 a.m. Sunday, June 12, 2022.

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Some experts noted the requirement did not seem to be serving much purpose, given that COVID-19 is already circulating widely within the United States. The travel industry had also lobbied to remove the requirement, saying it was no longer needed.

The move is another sign of a new era of COVID-19 where some of the measures designed when the virus was seen as an overwhelming crisis are being wound down.

Biden administration officials have touted that even as cases rose in recent weeks, deaths have stayed largely flat, an indication of the protection against severe disease offered by vaccines and booster shots, as well as treatments such as the Pfizer medication Paxlovid.

Still, the administration said it is leaving the door open to reinstating the requirement if a concerning new variant prompts the need.

“If there is a need to reinstate a pre-departure testing requirement — including due to a new, concerning variant — CDC will not hesitate to act,” the senior administration official said.

“Unlike many of his other speeches, he did not ad-lib much,” Cheney said of his delivery that day.

“He recited them without significant alteration except one. Even then on Jan. 7 2021, the day after the attack on the U.S. Capitol, the president still could not bring himself to say, ‘But this election is now over.’”

House Appropriators Began Work on FY23 Appropriations Bills

On June 15, the House began consideration of more than \$1.6 trillion in proposed government funding for the coming fiscal year, as Democratic leadership set their sights on passing all of the chamber’s annual appropriations bills before recess in August.

The House Appropriations Committee has released all twelve appropriations bills. We have included links to summaries of those bills, as released by the Committee, along with links to the bill text and committee report for each bill.

- Agriculture ([bill text](#) / [report](#) / [summary](#))
- Commerce Justice Science ([bill text](#) / [report](#) / [summary](#))
- Defense ([bill text](#) / [report](#) / [summary](#))
- Energy and Water ([bill text](#) / [report](#) / [summary](#))
- Financial Services and General Government ([bill text](#) / [report](#) / [summary](#))
- Homeland Security ([bill text](#) / [report](#) / [summary](#))
- Interior /Environment ([bill text](#) / [report](#) / [summary](#))
- Labor-HHS-Education ([bill text](#) / [report](#) / [summary](#))
- Legislative Branch ([bill text](#) / [report](#) / [summary](#))
- Military Construction and Veterans Affairs ([bill text](#) / [report](#) / [summary](#))
- State – Foreign Operations ([bill text](#) / [report](#) / [summary](#))
- Transportation-HUD ([bill text](#) / [report](#) / [summary](#))

During the week of June 13, Appropriators moved on Democratic-backed funding proposals for a variety of areas like defense, security for the U.S. Capitol, the Food and Drug Administration (FDA), child nutrition programs and veterans affairs, among others.

House negotiators began FY23 markups with a closed-door markup on the draft defense funding bill, which outlines proposed fiscal year 2023 funding for the Defense Department and offices like the Central Intelligence Agency and the National Security Agency.

The bill, which passed the House Appropriations Subcommittee on Defense, totals more than \$761 billion in proposed funding, up \$32.207 billion from the previous year's spending levels.

The legislation includes investments in national security and assistance to Ukraine, as well as proposals to shutter the detention facility at Guantanamo Bay and limit U.S. involvement in Yemen.

The price tag is in line with what President Biden requested in his fiscal 2023 budget, but Republicans are expected to press for more money amid rising inflation.

Sen. Jon Tester (D-MT), who chairs the Senate Appropriations defense subcommittee, said this week that his panel is planning to kick up its work "in earnest" in the coming days, but added that he thinks "the Senate bill is going to be different" from the House version.

During the week of June 6, the House kickstarted the annual appropriations process with a deeming resolution instead of a budget resolution, as lawmakers on both sides of the aisle have struggled to reach an agreement on spending top lines.

Democrats say the newly passed resolution, which has prompted mixed reactions from Republicans, aligns with Biden's requested \$1.6 trillion in discretionary spending for fiscal year 2023, which will begin Oct. 1. Negotiators say the procedure allows appropriators to begin their work in a timely fashion, while leaders work out a larger agreement.

"We know that that will not be ... the ultimate number, but it is a number that will give us a parameter in which the House appropriations process can go forward and we can put bills on the floor in July, after they're completed this month by the Appropriations Committee," House Majority Leader Steny Hoyer (D-MD) said last week.

In hearings, Rep. Kay Granger (R-TX), the Ranking Member of the House Appropriations Committee, knocked Democratic-backed draft legislation she compared to a "liberal wish list," while echoing concerns from other Republicans over price tags.

Republicans have drawn battle lines around certain policy proposals in each bill, but have highlighted their overall disagreement with the funding allocations set by the House without input from Republicans.

The Senate, by contrast, has yet to unveil any of its dozen annual government funding bills, in absence of a larger top line agreement, which already has prompted finger-pointing among leaders.

In remarks this month, Senate Appropriations Chairman Patrick Leahy (D-VT) called it a “bad sign that the Republicans say they want a continuing resolution to the end of the year.”

The Senate Appropriations Committee may either move to mark up or release their bills and “explanatory statements” next month. Chairman Leahy has said he will be setting and providing subcommittee allocations without a bipartisan, bicameral appropriations deal. “I’m just going to give all the subcommittee chairs an allocation, and tell them to mark up their bills,” he said. “I hope the Republicans will join us, and they will be welcome to any of the markups and the negotiations, but we can’t sit around and wait forever.”

Note that last year, Republicans signaled after the first few markups that they would not allow for the consideration of additional appropriations bills until there was a negotiated topline agreement, which forced the Committee to release the remaining 9 appropriations bills. At the time, Senate Appropriations Committee Ranking Member Richard Shelby (R-AL) said, “We need a topline agreement that does not shortchange our nation’s defense and a willingness to set aside partisan politics. Only then will we be able to produce full year bills for the American people.”

If Republicans were to threaten to block appropriations markups again this year, the Committee could be forced to release the text of the draft bills and explanatory statements in place of Committee reports.

If lawmakers are unable to pass its spending bills by the annual deadline at the end of September, Congress will likely resort to a continuing resolution, which allows the government to remain funded under the prior year’s fiscal levels, to avoid a shutdown.

Last year, Congress passed three continuing resolutions to avert a shutdown before passing a \$1.5 trillion spending omnibus package for fiscal year 2022 in March.

The delayed passage followed months-long disagreements over issues like parity between defense and nondefense spending levels and legacy riders with restrictions in areas such as abortion and marijuana.

But, with the critical midterm elections in November, and both of the Senate’s top appropriators retiring, the pressure is on both sides to tie up their work in a timely fashion.

Veterans Toxic Exposure Bill Stalls as Lawmakers Head Home

A bipartisan bill to expand veterans’ health care and disability benefits will not make it to President Joe Biden’s desk until after the July Fourth congressional recess because of a minor tax provision.

The House is supposed to originate tax bills under the Constitution. So when the Senate passed the bill last week with the tax provision in it, the move created a blue slip problem requiring the bill to be reconsidered.

On June 24, Senate Veterans' Affairs Chairman Jon Tester, one of the bill's chief sponsors, made a rescue attempt as the Senate was preparing to adjourn for the two-week recess. He asked unanimous consent for the Senate to request the return of the papers from the House, and notwithstanding the lack of receipt of the papers that the Senate immediately agree to a resolution dropping the problematic tax provision from the bill.

"Tonight we have a chance to get it back on track," the Montana Democrat said on the floor. "We have a chance to get it to the House without further delay."

But without agreement from all 100 senators, there was no chance of fixing the bill before the recess. And Sen. Patrick J. Toomey, (R-PA), promptly lodged an objection.

The Senate amended the House-passed bill on June 16 in an 84-14 vote. The measure would make it easier for veterans exposed to burn pits or other toxic substances to access benefits by presuming that certain types of cancer and respiratory illnesses are connected to service-related exposure. The Congressional Budget Office estimates that the bill would cost \$278.5 billion over a decade.

The bill also includes provisions designed to improve care at Veterans Affairs facilities, like one that would give the VA secretary authority to buy out private service contracts of health care professionals if the individual agrees to work at a rural VA facility for at least four years.

The provision that triggered the blue slip issue would have exempted health care professionals receiving those contract buyouts from having to pay taxes on those funds.

The tax provision is "de minimis at best," Tester told reporters Thursday. "Somebody should have caught it long before we got to this point."

Senate staff indicated the House had the text since May but didn't notify the Senate of the blue slip issue until Tuesday. The House had passed an earlier, slightly more expansive version in March.

Speaking to reporters at her weekly news conference Thursday, Speaker Nancy Pelosi said only that Congress would send the bill to Biden "soon."

First, the Senate will have to go through the process of passing the bill again.

"Assuming that nobody plays any games, that means the president probably won't be able to sign it until the middle of July," Tester said.

Biden Signs Gun Bill into Law

President Biden signed into law a bipartisan gun bill intended to prevent dangerous people from accessing firearms and increase investments in the nation's mental health system, ending nearly three decades of gridlock in Washington over how to address gun violence in the United States.

Final passage of the legislation in Congress came one month after a mass shooting at an elementary school in Uvalde, Texas left 19 children and two teachers dead, a horror that galvanized a bipartisan group of lawmakers to strike a narrow compromise.

"God willing," Mr. Biden said as he put his pen down on Saturday morning, "it's going to save a lot of lives."

The president acknowledged that the legislation fell far short of the sweeping measures he had pushed for, but he said it included some long-sought priorities.

"When it seems impossible to get anything done in Washington, we are doing something consequential," Mr. Biden said.

The gun legislation will expand the background check system for prospective gun buyers under the age of 21, giving authorities up to 10 business days to examine juvenile and mental health records. It sets aside millions of dollars so states can fund intervention programs, such as mental health and drug courts, and carry out so-called red flag laws that allow authorities to temporarily confiscate guns from any person found by a judge to be too dangerous to possess them.

It pours more federal money into mental health resources in communities and schools across the country, and it sets aside millions for school safety. The legislation also toughens laws against the trafficking of guns and straw purchasing, the practice of buying a gun on behalf of someone barred from purchasing one. And for the first time, it includes serious or recent dating partners in a ban on domestic abusers buying firearms, tightening what is known as the boyfriend loophole.

"I think the whole country was yearning for something real to happen after the terrible tragedies," Senator Chuck Schumer of New York, the majority leader, said in an interview this past week. Before the Texas shooting, he had spent time in Buffalo, counseling grieving families after a racist attack at a supermarket left 10 Black people dead.

Mr. Biden said he would host both families affected by gun violence and the lawmakers who helped craft the measure at an event at the White House in July, after the Fourth of July recess, and suggested the compromise was a sign that more bipartisan efforts were possible.

"Their message to us was: Do something," Mr. Biden said of the families of gun violence victims. "How many times have you heard that? Just do something. For God's sake, just do something."

"Well, today, we did," the president added.

For Mr. Biden and others, the compromise reflected decades of work on gun safety legislation. After 20 children were shot and killed in Newtown, Conn., in 2012, Mr. Biden, the vice president at the time, was tasked by President Barack Obama with drafting a list of executive actions on guns. Mr. Biden also called on lawmakers to expand background checks, but an effort to pass that measure and other gun control provisions failed in the Senate.

After the shootings in Buffalo and Uvalde, Mr. Biden called for reinstating a ban on assault weapons — a restriction he helped pass as a senator that was in effect for a decade before it expired in 2004.

Most of the congressional efforts on guns have been stymied in recent years by Republican opposition, as the party has largely united to block new gun control measures and prevent that legislation from reaching the 60-vote threshold needed for most bills to advance in the Senate. As lawmakers reeled from the images that came out of the Texas shooting, however, party leaders offered their tacit blessing to a small coalition of senators eager to strike a compromise.

During four weeks of intense negotiations over the legislation, Senators Kyrsten Sinema of Arizona and Christopher S. Murphy of Connecticut, both Democrats, joined Senators John Cornyn of Texas and Thom Tillis of North Carolina, both Republicans, to strike a deal.

But even as Mr. Biden used a rare evening address this month to call on Congress to take sweeping action, such as banning assault weapons and prohibiting the sale of semiautomatic rifles to people under 21, senators focused on measures that could secure enough Republican support to allow for passage in the Senate.

They set aside calls for a federal red flag law, instead agreeing to \$750 million in federal grant funding to help states carry out those laws and fund crisis intervention programs. Lawmakers also agreed to allow the enhanced background checks for younger buyers to expire after a decade and let their successors debate extending it, a tactic that led the assault weapons ban to end in 2004.

And while lawmakers and activists have long fought to close the boyfriend loophole, negotiators also agreed that first-time misdemeanor offenders could regain their ability to purchase a firearm after five years as long as they did not commit any other violent offense. (The ban previously applied only to domestic abusers who had lived with, been married to or had a child with the victim.)

“I have to say that this bill doesn’t do everything we would like to do,” Speaker Nancy Pelosi said in a floor speech on Friday. But, she added, “It is a necessary step to honor our solemn duty as lawmakers to protect and defend the American people.”

Ultimately, 15 Senate Republicans supported the measure, including Mitch McConnell of Kentucky, the minority leader. Fourteen House Republicans voted for it.

Appropriators Include Rider to Extend Title 42

A pandemic-related immigration restriction called Title 42 would effectively stay in place until after the Covid public health emergency is over under an annual Homeland Security funding bill.

On June 24, the House Appropriations Committee advanced its fiscal 2023 Homeland Security appropriations bill in a 32-25 vote, after adding an amendment to ban the processing of migrants who would have been expelled under Title 42 authorities. Title 42 is a pandemic policy that has allowed officials to quickly expel migrants and asylum seekers at the border. The Biden administration wanted to end the program, but a federal court blocked that move in May.

Republicans led by Rep. Dan Newhouse (R-WA) sought to solidify the program's standing by attaching an amendment to the must-pass government funding bill. Democrats criticized the measure but allowed it to be adopted by a voice vote, avoiding a roll call that would have put each member on record.

Lawmakers are still in the early stages of working on fiscal 2023 funding bills, as House appropriators markup bills that Republicans warn would have no hope of garnering 60 votes in the Senate.

Newhouse's measure would bar funding to process people stopped at the border who would have been processed under Title 42 authorities, until six months after the end of the public health emergency declaration for the Covid-19 pandemic. The Biden administration renewed the declaration for another 90-day period on April 12 and could continue renewing it.

The amendment would offer additional time for border officials to prepare for "what could be a turning point for border operations," Newhouse said, warning of an influx of migrants when Title 42 ends.

With the Biden administration seeking to end the policy, Republicans have sought to attach Title 42 votes to must-pass pieces of legislation, including the Homeland Security funding bill and a long-stalled Senate coronavirus supplemental spending bill.

Subcommittee Chair Lucille Roybal-Allard (D-CA) criticized the measure, saying Title 42 isn't used as an effective immigration policy. Under the policy, migrants can be expelled quickly, but because they're "not considered to have been removed," there's an incentive to make "repeated attempts to come back," Roybal-Allard said.

Border officials are "continuously distracted by migrants who they encounter and expel again and again," she said.

Overall, the Homeland Security funding bill would provide \$60.3 billion under its main funding allocation, a \$2.7 billion increase over the current level. It includes an additional \$20 billion for major disaster response and recovery.

EPA, Interior Apply Biden Justice40 Equity Plan to 137 Programs

The EPA and the Interior Department are applying President Joe Biden's Justice40 equity effort to nearly 140 programs to steer more federal benefits to disadvantaged populations under programs to reduce lead, increase access to clean water, and restore mining areas and ecosystems.

The announcement by the two agencies on Friday, June 24 is a significant expansion of Biden's effort, which calls for funneling 40% of the overall benefits of clean energy, fighting climate change, affordable housing, and other federal funding to disadvantaged communities.

Lists from the Interior and Environmental Protection Agency include many existing programs funded under last year's bipartisan infrastructure package, including those addressing per- and polyfluoroalkyl substances, or PFAS, in drinking water; efforts to remove lead from drinking water service lines; and the Clean School Bus Program to transition schools to zero- and low-emission buses.

The 72 EPA programs now covered under Justice40 include several agency programs already swept into the effort a year ago, including clean water and drinking water State Revolving Funds; Superfund and Brownfields cleanups; and programs to reduce lead in drinking water and emissions from diesel engines.

Additional EPA programs now being brought into the equity effort include pollution prevention grants, the Toxic Release Inventory (TRI) program tracking chemical releases; funding under the Leaking Underground Storage Tank (LUST) program; the sewer overflow control program; and a general assistance program for tribal communities, according to EPA's list ([available here](#)) released Friday.

The EPA has committed to "not just meet but exceed the 40 percent goal of benefits flowing from investments to disadvantaged communities" under its Justice40-covered programs, the agency said in its announcement.

This announcement also wraps 65 Interior Department programs ([list available here](#)) into the Justice40 effort, including those under the Bureau of Land Management, National Park Service, Fish and Wildlife Service, and Bureau of Indian Affairs.

Among the newly covered programs: the Land and Water Conservation Fund (LWCF), which expands parkland and bike and hiking trails and is financed mostly from revenue from offshore oil and gas leases. LWCF efforts under the Bureau of Land Management, Fish and Wildlife Service, and National Park Service are now considered covered by Justice40.

Other covered Interior programs include the Bureau of Safety and Environmental Enforcement's Offshore Orphaned Infrastructure Decommissioning, which ensures offshore oil and gas wells are sealed; National Park Service programs promoting conservation and outdoor recreation; and 15 Bureau of Indian Affairs programs including economic development, housing improvement, dam safety, and water sanitation.

Friday's announcement expands upon an initial group of covered programs launched as Justice40 pilot efforts in a July 2021 White House Office of Management interim guidance. Beyond EPA water grants and waste cleanup programs, the pilot covered various energy, transportation, climate change, and affordable housing efforts.

The Biden administration considers a federal program covered under its Justice40 effort if it makes certain investments in any of seven categories: climate change, clean energy and energy efficiency, clean transit, affordable and sustainable housing, training and workforce development, remediation and reduction of legacy pollution, and development of "critical" clean water and wastewater infrastructure.

Federal agencies have been directed to review about a dozen indications of disadvantaged populations to determine the communities that should benefit, including whether a community is low-income or suffering from high or persistent poverty, or high unemployment or underemployment. The array of federal investments for programs swept into the Justice40 effort can include grants and procurement spending, financing, staffing costs, or direct spending or benefits the federal government extends to individuals.

Biden Officially Backs Gas Tax Holiday

One June 22, President Biden announced his support for suspending the federal gas tax for the next 90 days.

The federal gasoline tax is 18 cents per gallon, while state gas taxes average about 26 cents per gallon, according to the American Petroleum Institute.

Biden also alluded to cuts to the 24-cent federal tax on diesel.

His federal effort, however, is likely to face high hurdles in Congress amid skepticism from both Republicans and members of his own party.

Opponents have raised concerns about whether the suspension will be effective — saying some of the cut may not get passed to consumers — and have also noted that the taxes the government collects goes toward the Highway Trust Fund, which helps pay for the country's infrastructure needs.

Biden sought to assuage those concerns in his speech, arguing it's possible to address highway funding at the same time and calling on companies to pass the potential suspension to consumers.

"With the tax revenues up this year and our deficit down over \$1.6 trillion this year alone, we'll still be able to fix our highways and bring down prices of gas, we can do both at the same time," he said.

"I call on the companies to pass this along — every penny of this 18-cent reduction — to the consumers. There's no time now for profiteering," he added.

In a White House press briefing on Wednesday, Energy Secretary Jennifer Granholm estimated that the highway trust fund would be hit by about \$10 billion, but said that Biden is asking “that the trust fund be repaid.”

She added that he was having conversations with Congress about how to do that.

In his speech, Biden also acknowledged that gas tax suspensions won’t entirely resolve high prices — as gasoline averaged around \$4.96 nationwide on Wednesday, but still said they would provide important savings.

“I fully understand that a gas tax holiday alone is not going to fix the problem, but it will provide families some immediate relief, just a little bit of breathing room, as we continue working to bring down prices for the long haul.”

The president also called for refiners to turn more crude oil into gasoline; refiners can make crude into a range of products that also include diesel or jet fuel.

His comments come as Granholm prepares to meet with industry executives this week. Ahead of that meeting, Chevron CEO Mike Wirth criticized what he described as Biden administration efforts to “vilify” the industry.

Biden said he hopes this meeting spurs near-term solutions to reduce prices.

Speaker Nancy Pelosi (D-CA), who in the past expressed reservations about a gas tax suspension, said, “We will see where the consensus lies on a path forward” in a statement on Biden’s announcement.

Meanwhile, Republicans have also expressed opposition to the idea — with Senate Minority Leader Mitch McConnell (R-KY) calling it an “ineffective stunt” in a statement.

Supreme Court Strikes Down Roe v. Wade

One June 24, the Supreme Court struck down Roe v. Wade, eliminating the nearly 50-year-old precedent that established a nationwide right to abortion and handing states authority to drastically limit or ban the procedure.

The 5-3-1 decision by a majority of conservative justices to fundamentally reshape American society by overturning the landmark 1973 precedent is certain to ignite a political firestorm and yield a complex patchwork of state laws that will effectively block large swathes of the population from abortion access.

The ruling upholds Mississippi’s 15-week abortion ban, which directly clashed with Roe’s requirement that states permit abortion up to the point of fetal viability, around 24 weeks, as well as Planned Parenthood v. Casey, a 1992 decision that reaffirmed Roe’s core holding. Chief Justice Roberts joined the majority’s judgement that would have allowed the Mississippi law to stand, but did not sign on to the majority opinion overturning Roe.

“Roe was egregiously wrong from the start,” Justice Samuel Alito wrote for the majority. “Its reasoning was exceptionally weak, and the decision has had damaging consequences. And far from bringing about a national settlement of the abortion issue, Roe and Casey have enflamed debate and deepened division.”

“It is time to heed the Constitution and return the issue of abortion to the people’s elected representatives,” he continued.

More than two dozen states, primarily in the South and Midwest, are expected to tighten abortion access as a result of Roe falling, including 13 states with “trigger bans” set to take effect automatically or through minimal effort by state officials.

In his opinion concurring with the judgement of the court, Chief Justice Roberts wrote, “If it is not necessary to decide more to dispose of a case, then it is necessary not to decide more. Perhaps we are not always perfect in following that command, and certainly there are cases that warrant an exception. But this is not one of them.”

The blockbuster decision comes after a stunning breach of Supreme Court secrecy last month led to the public release of a draft version of the opinion, offering a glimpse at the coming dismantlement of abortion rights as well as the likely upheaval over a ruling that most Americans said they would oppose.

Writing for the majority, Alito emphasizes that his ruling was a narrow one and would not spillover to decisions on issues like same-sex marriage (*Obergefell v. Hodges*), sex between gay couples (*Lawrence v. Texas*) and the right to contraception (*Griswold v. Connecticut*).

“Nothing in this opinion should be understood to cast doubt on precedents that do not concern abortion,” Alito wrote.

But the opinion will be almost certain to fuel questions about whether rights that are seen as having a thin historical record and which are not explicitly referenced in the Constitution — so-called “unenumerated rights” — remain on a firm footing.

Justice Clarence Thomas, in a concurring opinion not signed on to by any other justices, wrote that the reasoning underlying Friday’s opinion should call into question *Obergefell*, *Lawrence*, and *Griswold*, as they are currently understood. These rights are rooted in the well-established principle that the Due Process Clause of the 14th Amendment protects not only procedural safeguards but also substantive rights — a doctrine that Thomas has long rejected.

“For that reason, in future cases, we should reconsider all this Court’s substantive due process precedents, including *Griswold*, *Lawrence*, and *Obergefell*. Because any substantive due process decision is demonstrably erroneous, we have a duty to correct the error established in those precedents,” Thomas wrote. “After overruling these demonstrably erroneous decisions, the question would remain whether other constitutional provisions guarantee the myriad rights that our substantive due process cases have generated.”

The court's liberal trio of Justices Stephen Breyer, Elena Kagan and Sonia Sotomayor, in a blistering 66-page dissent, condemned the majority for toppling the delicate balancing of interests that Roe and Casey sought to strike.

"Today, the Court discards that balance," they wrote in dissent. "It says that from the very moment of fertilization, a woman has no rights to speak of. A State can force her to bring a pregnancy to term, even at the steepest personal and familial costs."

Bill Number	Sponsors	Title and/or Summary	Summary/Status	Latest Action
Status of individual bills included below	Various	FY23 Appropriations Bills	The House and Senate Appropriations Committee Deadlines have all passed as of the end of May for lawmakers to submit programmatic, language, and Community Project Funding / Congressionally Directed Spending Requests.	<p>The House Appropriations Committee completed markups of its versions of the FY23 bills in June.</p> <p>The Senate Appropriations Committee has not yet scheduled markups, though they could begin in late July. The Senate Appropriations Committee may also forgo markups and release their FY23 “recommendations” without holding markups.</p>
Not yet available	Rep. Rosa DeLauro (D-CT)	Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2023	This bill provides FY23 appropriations to the Departments of Labor, Health and Human Services, and Education; and related agencies.	The legislation was reported out of committee on June 30, 2022.
Not yet available	Rep. David Price (D-NC)	Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2023	This bill provides FY23 appropriations to the Department of Transportation (DOT), the Department of Housing and Urban Development (HUD), and several related agencies.	The legislation was reported out of committee on June 30, 2022.
Not yet available	Rep. Chellie Pingree (D-ME)	Department of the Interior, Environment, and Related Agencies Appropriations Act, 2023	This bill provides FY23 appropriations for the Department of the Interior, the EPA, the Forest Service, the Department of Health and Human Services, and several related agencies. Funding for the US Fish and Wildlife Service is included in the legislation along with the Clean and Drinking Water State Revolving Funds.	The legislation was reported out of committee on June 28, 2022.
Not yet available	Rep. Matt Cartwright (D-PA)	Commerce, Justice, and Science Appropriations Act, 2023	This bill provides FY23 appropriations to the Department of Commerce, the Department of Justice (DOJ), the science agencies, and several related agencies. This bill provides funding for the CBDG program.	The legislation was reported out of committee on June 28, 2022.
Not yet available	Rep. Marcy Kaptur (D-OH)	Energy and Water Development and Related Agencies Appropriations Act, 2023	This bill provides FY23 appropriations for U.S. Army Corps of Engineers civil works projects, Interior's Bureau of Reclamation (including WaterSMART funding), and the Department of Energy. The bill also provides appropriations to several independent agencies, including the Federal Energy Regulatory Commission and the Nuclear Regulatory Commission.	The legislation was reported out of committee on June 28, 2022.

H.R. 8239	Rep. Sanford Bishop (D-GA)	Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2023	This bill provides FY23 appropriations for the Department of Agriculture (USDA), the Food and Drug Administration, the Federal Crop Insurance Corporation Fund, the Food and Nutrition Service, the Foreign Agricultural Service, and other related agencies.	The legislation was reported out of committee on June 27, 2022.
H.R. 8238	Rep. Debbie Wasserman Schultz (D-FL)	Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2023	This bill provides FY23 appropriations for DOD military construction, the Department of Veterans Affairs (VA), and several related agencies including the American Battle Monuments Commission, the U.S. Court of Appeals for Veterans Claims, Cemeterial Expenses of the Army, and the Armed Forces Retirement Home.	The legislation was reported out of committee on June 27, 2022.
Not yet available	Rep. Lucille Roybal-Allard (D-CA)	Department of Homeland Security Appropriations Act, 2023	This bill provides FY2023 appropriations for the Department of Homeland Security.	The legislation was reported out of committee on June 23, 2022.
H.R.5376	President Joe Biden / Congressional Democrats	Build Back Better Act	The Build Back Better Act (as passed by the House) proposes spending nearly \$2 trillion over a 10-year period, with certain programs expiring after only a year or two to keep the total cost of the bill down.	Efforts to pass the legislation in 2021 through reconciliation were unsuccessful even after the House passed a modified version of the legislation. Senate Democrats are attempting to negotiate a scaled down version of the legislation that would raise roughly \$1 trillion in new revenue that would be split between deficit reduction and new spending.
S. 29 / H.R. 2008	Sen. Amy Klobuchar (D-MN) / Rep. Angie Craig (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 Senate legislation was introduced on January 22, 2021 and referred to the Committee on Environment and Public Works. The legislation in the House was introduced on March 18, 2021 and passed the House under suspension of the rules on June 15.
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.	Introduced on March 3, 2021 and was referred to the House Committees on Natural Resources and Science, Space, and Technology.

S.984 / 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.	Introduced on March 25, 2021 and referred to the House Committees on Energy and Commerce, Ways and Means, Transportation, and Foreign Affairs.
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.	Introduced on February 5, 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.	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.	Introduced on March 12, 2021 and referred to the Committee on Transportation and Infrastructure.
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.	Introduced on February 11, 2021 and referred to the House Committee on Natural Resources.

S.4231	Sens. Dianne Feinstein (D-CA), Mark Kelly (D-AZ), and Krysten Sinema (D-AZ)	Support To Rehydrate the Environment, Agriculture, and Municipalities Act or "STREAM" Act	This legislation would authorize additional funding for water infrastructure; expedites recycling, desalination and non-federal storage projects with less than \$250 million in federal funding by allowing Interior to approve projects; eliminates the WIIN Act requirement that the Appropriations Committee must not only appropriate storage, recycling, and desal funding but approve funding awards for specific projects; and expedites future federal storage projects where Reclamation notifies Congress of completed feasibility studies each year to set up an orderly process to authorize projects.	<p>Sens. Feinstein, Kelly, and Sinema introduced the legislation on May 17, 2022.</p> <p>The Senate Energy and Natural Resources Subcommittee on Water & Power held a hearing on the legislation on Wednesday, May 25.</p>
H.R. 737	Rep. David Valadao (R-CA)	RENEW WIIN Act	Extends the authorities under the WIIN Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California.	Introduced on February 2, 2021 and referred the House Committee on Natural Resources. 10 members of the CA delegation have cosponsored the legislation.
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.	<p>Introduced on April 14, 2021 and was referred to the House Committee on Natural Resources.</p> <p>The legislation's 46 cosponsors are all Republican, including members of GOP leadership.</p>
H.R. 939	Rep. Doug LaMalfa (R-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.	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.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.	The legislation was introduced on May 18, 2021 and referred to the relevant committees. The legislation has passed out of the House Energy and Commerce Committee by a vote of 32-24 and now moves on to consideration on the House floor.
S. 953	Sen. Ron Wyden (D-OR)	Water for Conservation and Farming Act	The legislation would create a Reclamation fund of \$300M 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; 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.	Introduced on March 24, 2021 and referred to the Committee on Energy and Natural Resources.
H.R. 3286	Rep. Raul Ruiz (D-CA)	Emergency Order Assurance, Safety, and Inspection of water Systems (Emergency OASIS Act)	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.	Introduced on May 17, 2021 and referred to the House Committee on Energy and Commerce.
H.R. 3622 / S. 1907	Rep. Chris Pappas (D-NH) / Sen. Kirsten Gillibrand (D-NY)	Clean Water Standards for PFAS Act	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	Introduced in the House on May 28, 2021, and in the Senate on May 27, 2021. The legislation in the House is bipartisan.
S. 2168 / S.2567	Sen. Mike Braun (R-IN) / Sen. Shelley Moore Capito (R-WV)	Define WOTUS Act / Navigable Waters Protection Act of 2021	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.	These bills were introduced in June and July of 2021 in response to the EPA's announcement earlier in June of its intent to rewrite the Navigable Waters Protection rule.

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)	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. - NEPA Agency Process Accountability Act - NEPA Accountability and Enforcement Act - NEPA State Assignment Expansion Act - NEPA Legal Reform Act - NEPA Data Transparency Act	The Senate legislation was introduced on March 11, 2021 and referred to the Committee on Environment and Public Works. 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.
H.R. 4647 / S. 2430	Rep. Jared Huffman (D-CA) / Sen. Dianne Feinstein (D-CA)	Water Conservation Rebate Tax Parity Act	The legislation would amend federal tax law so that homeowners wouldn't pay income tax on rebates from water utilities for water conservation and water runoff management improvements	The House legislation was introduced on July 22, 2021 and referred to the House Committee on Ways and Means. The legislation in the Senate was introduced on July 22, 2021 and referred to the Senate Committee on Finance.
S.2454	Sen. Alex Padilla (D-CA)	Water Reuse and Resiliency Act	The legislation would authorize \$1 billion over five years for the EPA's Pilot Program for Alternative Water Source Projects grants program. This is an increase from the \$125 million over five years authorized for the program in the Drinking Water and Wastewater Infrastructure Act passed by the Senate in April.	The legislation was introduced on July 22, 2021 and referred to the Senate Committee on Environment and Public Works.
H.R.4915	Rep. Tom McClintock (R-CA)	Water Supply Permitting Coordination Act	The legislation would authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing.	The legislation was introduced on August 3, 2021 and referred to the House Committee on Natural Resources.
H.R. 4976	Rep. Elissa Slotkin (D-MI)	Ensuring PFAS Cleanup Meets or Exceeds Stringent Standards Act	The legislation directs the Secretary of Defense to ensure that removal and remedial actions relating to PFAS contamination result in levels meeting or exceeding certain standards.	The legislation was introduced in the House on August 6, 2021 and was referred to the House Committees on Armed Services, Transportation and Infrastructure, and Energy and Commerce.

S.2372 / H.R.2773	Sen. Heinrich, Martin (D-NM) / Representative Debbie Dingell (D-MI)	Recovering America's Wildlife Act of 2021	<p>The legislation would fund conservation efforts for more than 12,000 species of wildlife and plants in need of assistance by providing \$1.3 billion in dedicated annual funding for proactive, on-the-ground efforts across the country, ensure wildlife recovery efforts will be guided by the Congressionally-mandated State Wildlife Action Plans, which identify specific strategies to restore the populations of species of greatest conservation need, accelerate the recovery of 1,600 U.S. species already listed as threatened or endangered under the Endangered Species Act, and include improvements to ensure funds are appropriately targeted to the areas of greatest need and facilitate additional investments in protecting at-risk plant species.</p> <p>In the Senate, RAWA also directs fees and penalties assessed for environmental violations to help fund RAWA, using fee and penalty amounts that aren't already targeted for existing environmental funds.</p>	<p>The legislation was introduced on July 15, 2021 and referred to the Committee on Environment and Public Works. It was reported favorably out of Committee on April 27 and placed on the Senate calendar.</p> <p>The House bill was introduced on April 22. The House Natural Resources Subcommittee on Water, Oceans, and Wildlife held a hearing on the legislation on July 29, 2021. On January 19, the legislation passed out of the House Natural Resources Committee by a vote of 29-15. It passed the House on June 14, 2022 by a vote of 231-190.</p> <p>The House and Senate hope to come to an agreement on the legislation prior to the end of the Congress.</p>
H.R.4602 / S.3956	Rep. Alan Lowenthal (D-CA) / Rep. Lisa McClain (R-MI) and Sen. Jeff Merkley (D-OR) / Sen. Susan Collins (R-ME)	WIPPES Act	The legislation would direct the Federal Trade Commission to issue regulations requiring certain products to have "Do Not Flush" labeling	<p>The legislation was introduced on July 21, 2021 and referred to the Committee on Energy and Commerce. Rep. Lowenthal introduced the stand-alone bill after introducing a similar amendment to the House's infrastructure bill.</p> <p>The Senate bill was introduced on March 30, 2022.</p>
H.R.6591	Rep. Lisa McClain (R-MI) / Rep. Alan Lowenthal (D-CA)	PIPES Act	The legislation would require the Administrator of the Environmental Protection Agency to publish a rule that establishes standards for the flushability of disposable nonwoven wipes.	The legislation was introduced on February 3, 2022 and was referred to the House Committee on Energy and Commerce.

S. 2806 / H.R. 3534	Sen. Dianne Feinstein (D-CA) / Rep. Jimmy Panetta (D-CA)	Wildfire Emergency Act of 2021	Amongst other things, the legislation authorizes \$250 million over 5 years for up to 20 Forest Service projects of 100,000 acres or greater; Establish a new \$100 million grant program to assist critical facilities like hospitals and police stations become more energy efficient and better adapted to function during power shutoffs; Establishes one or more Prescribed Fire Centers to coordinate research and training of foresters and forest managers in the western United States in the latest methods and innovations in prescribed fire (controlled burns) practices.	<p>The Senate legislation was introduced on September 22, 2021 and referred to the Committee on Energy and Natural Resources.</p> <p>The House bill was introduced on May 25, 2021 and was referred to the Subcommittee on Conservation and Forestry.</p>
S. 3011 / H.R. 5735	Sen. John Cornyn (R-TX) / Rep. Dusty Johnson (R-SD)	State, Local, Tribal, and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief Flexibility Act	The legislation provides additional flexibility for States, Tribes, and units of local government to spend their allocations of the COVID Relief Funds on certain infrastructure projects, including water, wastewater, and broadband infrastructure projects. The bill also allows these funds to be used to provide emergency relief from natural disasters. There is a cap—the greater of \$10 million or 30% of the funds—on how much of the COVID money can be spent on these new purposes.	<p>The legislation was introduced on October 19, 2021 and passed the Senate by unanimous consent that day.</p> <p>Senator Alex Padilla (D-CA) is an original cosponsor of the legislation.</p> <p>The act was introduced in the House on October 26 and referred to the House Committee on Oversight and Reform.</p>
H.R. 6461 / S. 3531	Rep. Scott Peters (D-CA) / Sen. Chris Coons (D-DE)	National Climate Adaptation and Resilience Strategy Act	<p>The legislation creates a Chief Resilience Officer, among other positions, that will assist the President to streamline the federal response to climate hazards that threaten human health, safety, and critical infrastructure.</p> <p>The act also calls for a Climate Adaptation and Resilience Strategy that outlines the federal government’s response to climate hazards such as sea level rise, drought, biodiversity loss, and coastal bank erosion.</p>	<p>The legislation was introduced in the House on January 20, 2022 and referred to the Committee on Energy and Commerce.</p> <p>The legislation was introduced in the Senate on January 20, 2022, read twice, and referred to the Committee on Homeland Security and Government Affairs.</p>

H.R. 6396	Rep. Earl Blumenauer (D-OR)	Climate RESILIENCE Act	<p>The act amends FEMA's disaster definition to include extreme temperature events, like heat waves and freezes; changes FEMA's definitions and cost share eligibility requirements for disadvantaged communities and underserved communities; includes a focus on resiliency planning and investments; provides both financial and non-financial technical assistance for hazard mitigation planning, as well as for grant applications for small impoverished and disadvantaged communities; and expands Pre-Disaster Mitigation Assistance funding to address FEMA's oversubscription issues.</p>	<p>The legislation was introduced in the House on January 13, 2022 and referred to the Committee on Transportation and Infrastructure.</p> <p>The legislation has 32 cosponsors, including 8 members of the California delegation.</p>
H.R.6492	Rep. Pramila Jayapal (D-WA)	Climate Resilience Workforce Act	<p>The bill establishes a climate resilience workforce in communities most affected by the climate crisis. It also funds the development of regional, state, local, and community-based climate resilience action plans.</p> <p>The legislation creates an Office of Climate Resilience within the White House, starts new workforce development programs, and removes barriers to employment in climate resilience jobs based on immigration status and prior involvement with the criminal justice system.</p>	<p>The legislation was introduced in the House on January 25, 2022 and referred to the Subcommittee on Conservation and Forestry.</p> <p>The legislation has 38 cosponsors, including 9 members of the California delegation.</p>
H.R. 6989	Rep. Ted Lieu (D-CA)	Housing for All Act of 2022	<p>This legislation would address affordable housing shortages across the country by investing in hotel conversions to permanent housing with services; investing in the Eviction Protection Grant Program; investing in mobile crisis intervention teams; investing in libraries that support people experiencing homelessness; investing in programs that offer a safe place to park and facilitate access to rehousing and essential services; and investing in transit-oriented development and infill development.</p>	<p>The legislation was introduced in the House on March 8, 2022 and referred to the Subcommittee on Highways and Transit.</p> <p>The legislation has 14 cosponsors, including 12 members of the California delegation.</p>

S. 623	Sen. Marco Rubio (R-FL)	Sunshine Protection Act of 2021	This bill makes daylight saving time the new, permanent standard time, effective November 5, 2023.	The legislation passed the Senate on March 15, 2022 and sent to the House.
S. 4081 / H.R. 8018	Sen. Tammy Baldwin (D-WI) / Rep. Chellie Pingree (D-ME)	Healthy H2O Act	The bill provides grants for water testing and treatment technology directly to individuals, non-profits and local governments in rural communities. Grants, provided by the USDA, would allow the purchase and installation of point-of-use or point-of-entry water quality improvement systems that remove or significantly reduce contaminants from drinking water.	<p>The legislation was introduced in the Senate on April 26, 2022 and referred to the Senate Committee on Agriculture, Nutrition, and Forestry.</p> <p>The bill was introduced in the House on June 9, 2022 and referred to the House Committee on Agriculture.</p>
H.R. 7696 / S. 4161	Rep. Chris Pappas (D-NH) / Sen. Kirsten Gillibrand (D-NY)	Clean Water Standards for PFAS 2.0 Act of 2022	The bill would further regulate PFAS by setting deadlines for the EPA to develop water quality criteria and limits on industrial PFAS discharges into water and to water treatment plants. The bill would also authorize \$200 million per year in grants to assist Publicly Owned Treatment Works with program implementation, which would be appropriated through Fiscal Years 2022-2026.	<p>The legislation was introduced in the House on May 10, 2022 and referred to the Subcommittee on Water Resources and Environment.</p> <p>The legislation was introduced in the Senate on May 9, 2022 and referred to the Committee on Environment and Public Works.</p>
S.1179 / H.R.2552	Sen. Dianne Feinstein (D-CA)	Canal Conveyance Capacity Restoration Act	This bill authorizes the Bureau of Reclamation to provide financial assistance for various projects in California to mitigate the sinking or settling of the ground (i.e., subsidence mitigation), specifically for projects related to the Friant-Kern Canal, the Delta-Mendota Canal, and certain parts of the San Luis Canal/California Aqueduct.	<p>This legislation was introduced on April 15, 2021 in the Senate. The House Companion bill was introduced the same day.</p> <p>The Senate Energy and Natural Resources Subcommittee on Water & Power held a hearing on the legislation on Wednesday, May 25.</p> <p>The House Natural Resources Committee has not yet considered the legislation.</p>

INFORMATION
ITEM
3B



June 30, 2022

To: Inland Empire Utilities Agency

From: Michael Boccadoro
Beth Olhasso

RE: June Report

Overview:

It's dry and hot throughout California. The Governor and State Water Resources Control Board (SWRCB) emergency water conservation regulations have gone into effect and water managers are bracing for water supplies to just get worse throughout the hot summer. Lake Oroville is sitting at 65 percent of historical average and 49 percent capacity and San Luis Reservoir is at 71 percent historical average and 39 percent capacity.

The SWRCB recently announced that water use in May 2022 was less than in May 2020, leading to hope that the conservation message is getting out to the public and citizens are cutting back. The state board is also working with water providers to obtain water use data each month so they can assess in a timely fashion how conservation measures are performing.

Juvenile chinook salmon from Central Valley fish hatcheries got another ride to the saltwater this year in an effort to prevent the fish from perishing in low, warm water conditions. California Department of Fish and Wildlife announced that the agency is nearing the completion of its efforts to transport 19.7 million hatchery-raised fall-run and 960,000 spring-run juvenile chinook salmon (smolts) to San Pablo Bay, San Francisco Bay and seaside net pens this spring and summer.

Energy managers are bracing for another summer living on the edge of having enough power to supply the state during peak energy events. The Newsom Administration has crafted a package that aims to incentivize load shedding this summer, while also keep retiring resources online in the coming summers while new, clean energy can come online to replace aging natural gas and nuclear plants.

The Legislature has passed several versions and addendums to the 2022-23 state budget. Notably, there is still about \$2 billion in climate and drought funds that will be allocated for specific programs in August.

The Legislature has been moving bills through their second house policy committees. With more water-related bills this year, legislative water discussions have been robust and extensive. ACWA's legislation to provide for a tax exemption for turf removal rebates continues to clear legislative hurdles. CASA's bill to require products containing PFAS to register their products on a publicly accessible database struggled with significant opposition from manufacturers but was able to pass out of the Assembly with just enough votes and is moving through the Senate. MWD's legislation to allow for alternative project delivery methods for several of their projects recently also moved out of Senate policy committee, while similar legislation (SB 991, Newman) to allow for progressive design build processes for projects over \$5 million also continues to progress through the legislature. Summer recess begins July 1. When members come back in August, they will have until the end of the month for all action, as the 2021-22 session ends on August 31.

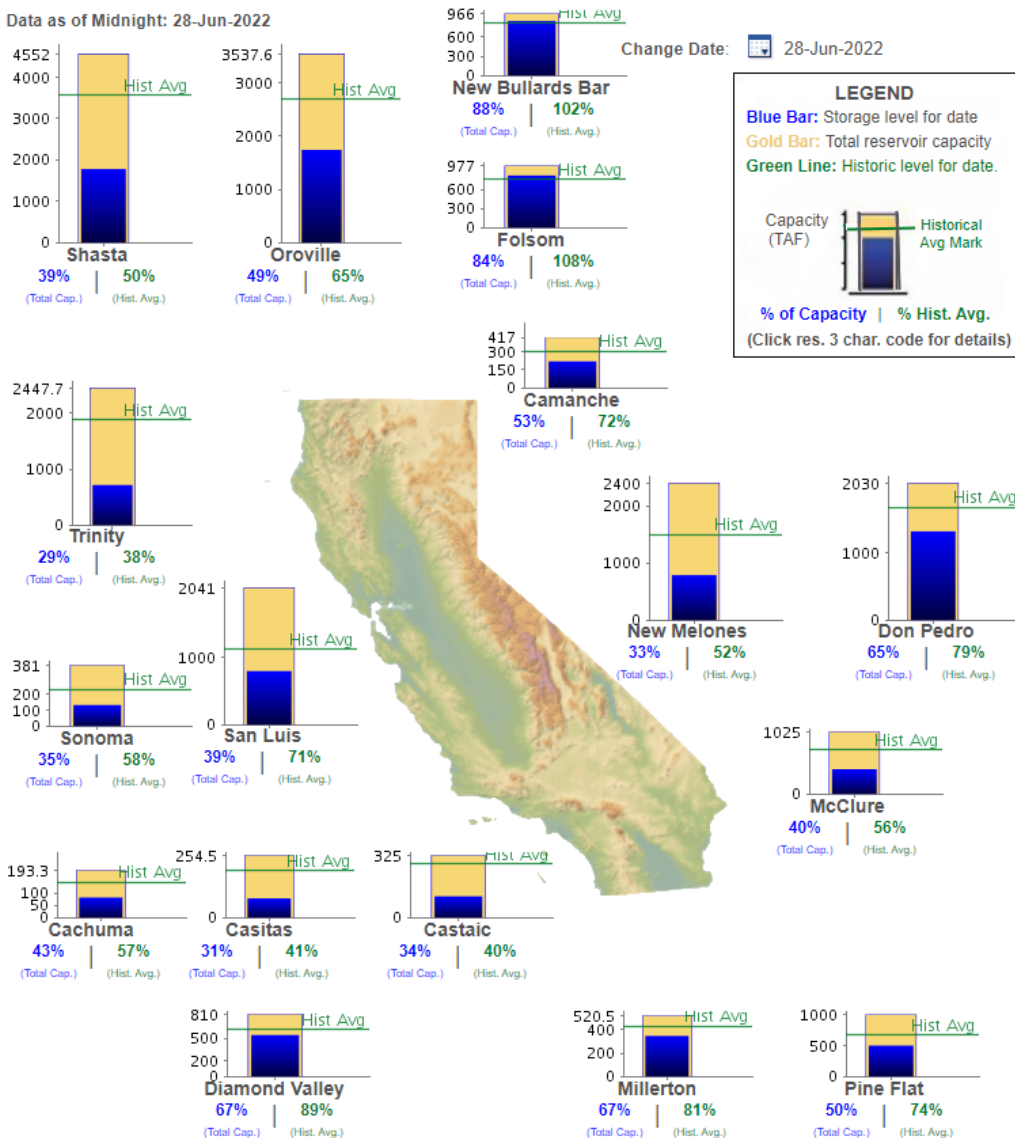
Inland Empire Utilities Agency

Status Report – June 2022

Water Supply Conditions

With summer in full swing, we are starting to see reservoir storage decline. Lake Oroville is sitting at 65 percent of historical average and 49 percent capacity. San Luis Reservoir, the main south-of-Delta storage facility for the State Water Project, is at just 71 percent of average for this time of the year and 39 percent capacity. Drought conditions continue to worsen with 11.5 percent of the state in exceptional drought and 60 percent in extreme drought.

Data as of Midnight: 28-Jun-2022

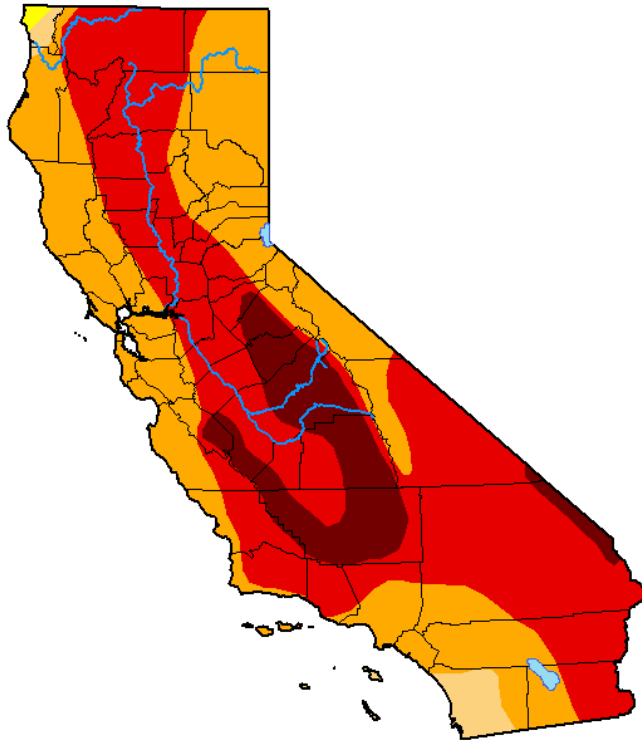


[Click for printable version of current data.](#)

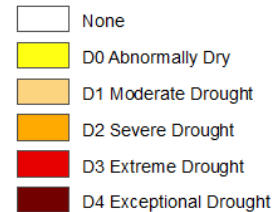
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U.S. Drought Monitor California

June 21, 2022
(Released Thursday, Jun. 23, 2022)
Valid 8 a.m. EDT



Intensity:



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:

Adam Hartman
NOAA/NWS/NCEP/CPC



droughtmonitor.unl.edu

Preliminary Data Shows Water Savings Increase

On June 6, the State Water Board requested that water suppliers submit May water consumption data as soon as possible. The goal is for the state to gain quicker access to data to accurately measure whether California is meeting water conservation goals. Additionally, the State Water Board requested water suppliers voluntarily submit the following preliminary information each month, by the third business day or sooner: (1) Production for the reporting period (with units, e.g., gallons), (2) Population served, and (3) Percent of use that was residential. Because these submissions are preliminary, for items 2 and 3, suppliers may use data for the same month from the prior year, if more current data is unavailable.

Board Chair Joaquin Esquivel released a statement on June 28 noting that agencies covering over half of the state's population provided early data, noting that there seems to be a decrease in water use for May 2022 compared to May 2020.

As expected the Chair called for increased conservation, especially outdoors.

Millions of Juvenile Salmon Trucked Again This Year

Juvenile chinook salmon from Central Valley fish hatcheries are getting another ride to the saltwater this year in an effort to prevent the fish from perishing in low, warm water conditions.

California Department of Fish and Wildlife announced that the agency is nearing the completion of its efforts to transport 19.7 million hatchery-raised fall-run and 960,000 spring-run juvenile chinook salmon (smolts) to San Pablo Bay, San Francisco Bay and seaside net pens this spring and summer.

Three consecutive years of drought have resulted in critically low reservoir water storage, low river flows and poor river conditions overall, which decreases the survival of juvenile Chinook salmon as they move toward the Pacific Ocean from upstream hatcheries.

CDFW raises the fish at Feather River, Nimbus, Mokelumne and Merced salmon hatcheries and monitors river conditions carefully to estimate the smolts' chances of successful migration. Conditions are "particularly poor" this year, prompting CDFW to move more than 95 percent of the smolts down river, thus bypassing 50 to 100 miles of "hazardous river conditions."

Summer Energy Reliability

The Western Electricity Coordinating Council recently released information about summer energy reliability throughout the west. They note new factors that have to be considered when trying to predict how summer energy supplies will hold up. Some of those factors include: the war in Ukraine exacerbating cyber security risk; supply chain issues affecting solar storage, coal and natural gas; and accelerated retirement schedules for fossil fuel generation.

The Newsom Administration is pulling as many levers as they can to try to address the very real concern that there will be a significant power supply shortages this summer and in the coming years.

The Legislature passed a \$5 billion proposal on energy reliability in the 2022-23 state budget on June 29. The funding package aims to address a potential 7,000 MW shortage this summer and a potential 10,000 MW shortfall by 2025. The majority of the Governor's proposed general fund dollars would go to the Department of Water Resources to procure 5,000 MW of energy by extending the life of existing natural gas-fired power plants set to expire and providing capital capacity payments for efficiency upgrades and operations and maintenance for more reliable operation; investment in new capacity that can be called upon in an emergency, and power purchase agreements to augment energy resources in and into California.

As the Governor's proposal has been discussed in budget sub committees, legislators raised concerns with the proposal. There is significant concern that giving DWR authority to procure energy outside of the normal procurement process is an unnecessary risk.

Budget Update

On Monday, June 13, the Legislature adopted SB 154 (Skinner) and the Governor signed the bill. The legislature passed another round of budget allocations on June 26 in the form of two "Budget Bill Jrs." and a handful of trailer bills.

Those measures included about \$2 billion in a generic "climate and drought" funding, but did not provide specific allocations. The details will be negotiated in the coming weeks and considered when legislators return from summer recess in August.

Legislative Update

Legislators have been working feverishly to shepherd their bills through their second house policy committees ahead of the June 30 deadline. The legislature will be on summer recess from July 1 to August 1, when they will come back for the final month of the 2021-2022 legislative session.

Updates on priority bills:

AB 2142 (Gabriel): This bill would provide an income tax exemption for rebates from a turf removal program. Sponsored by ACWA, the bill passed out of the Senate Governance and Finance Committee unanimously and is in the Appropriations Committee.

AB 1845 (Calderon): MWD sponsored bill to allow for alternative project delivery methods for specific MWD projects. The bill recently passed out of the Senate Governance and Finance Committee and will move to the Appropriations Committee.

SB 991 (Newman): This bill is similar to MWD's AB 1845 but it would allow for progressive design build to be used on any project over \$5 million. The bill passed out of the Assembly Local Government Committee unanimously and is in the Appropriations Committee.

AB 2247 (Bloom): CASA sponsored bill would require products sold in CA that contain PFAS to register the product on a publicly accessible reporting platform. The bill was recently amended to remove some of the enforcement language, which should remove some of the opposition. The bill passed out of the Assembly with *just* enough votes and passed out of the Senate Environmental Quality 5-2. It will be heard in the Senate Appropriations Committee on August 1.

AB 2449 (Rubio): Sponsored by Three Valleys Municipal Water District's, this legislation addresses remote participation for elected officials. The author took amendments in the Senate to address concerns from the Senate Governance and Finance and Judiciary Committee concerns surrounding misuse of these allowances to not have to face the public during challenging proceedings. The bill now limits the number of times an official can use remote testimony and requires that "cameras must be on" at all times. The bill got out of both its Senate policy committees and is awaiting action in the Senate Appropriations Committee.

SB 1157 (Hertzberg): The bill would implement the indoor GPCD targets outlined in the DWR/SWRCB draft report to the Legislature for 47 GPCD by 2025 and 42 GPCD by 2030. The bill passed out of Natural Resources and Water Committee despite significant concerns from Senator Ben Hueso (D-San Diego). The bill was quickly moved to the floor of the Senate where it passed 28-9. The author took amendments in the Assembly Water, Parks and Wildlife Committee that would require studying the impacts to wastewater and recycled water systems. The bill is now in the Assembly Appropriations Committee.

IEUA BILLS— BILLS WITH POSITIONS- 2022 Session June 30, 2022

Bill Number	Author/Sponsor	Title and/or Summary	Summary	IEUA Position/ Bill Location	Positions Taken by Associations & Regional Agencies
AB 1845	Calderon MWD Sponsored	Metropolitan Water District of Southern California: alternative project delivery methods	Would authorize the Metropolitan Water District of Southern California to use the design-build procurement process for certain regional recycled water projects or other water infrastructure projects. The bill would define "design-build" to mean a project delivery process in which both the design and construction of a project are procured from a single entity. The bill would require the district, if using this procurement process, to follow certain procedures, including preparing and issuing a request for qualifications, preparing a request for proposals including the scope and needs of the project or contract, and awarding projects based on certain criteria for projects utilizing either lowest responsible bidder or best value selection criteria.	SUPPORT Senate Appropriations Committee	MWD, ACWA, WRCA in support
AB 2142	Gabriel	Income taxes: exclusion: turf replacement water conservation program	This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, under both of these laws, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a local water agency or supplier for participation in a turf replacement water conservation program.	SUPPORT Senate Appropriations Committee	ACWA, MWD in Support
AB 2247	Bloom CASA Sponsored	PFAS products: disclosure: publicly accessible reporting platform	This bill would require the Department of Toxic Substances Control to work with the Interstate Chemicals Clearinghouse to establish, on or before January 1, 2024, a publicly accessible reporting platform to collect information about PFAS and products or product components containing regulated PFAS, as defined, being sold, offered for sale, distributed, or offered for promotional purposes in, or imported into, the state. The bill would require, on or before March 1, 2024, and annually thereafter, a manufacturer, as defined, of PFAS or a product or a product component containing regulated PFAS that is sold, offered for sale, distributed, or offered for promotional purposes in, or imported into, the state to register the PFAS or the product or product component containing regulated PFAS, and specified other information, on the publicly accessible reporting platform.	SUPPORT Senate Appropriations Committee	CASA, WRCA, ACWA in support
AB 2449	Rubio Three Valleys	Open meetings: local agencies: teleconferences	This bill would authorize a local agency to use teleconferencing without complying with those specified teleconferencing requirements if at least a quorum of the members of the	SUPPORT	ACWA & MWD Support

			legislative body participates in person from a singular location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. The bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.	Senate Appropriations Committee	
AB 2787	Quirk	Microplastics in products	<i>The Microbeads Nuisance Prevention Law prohibits a person from selling or offering for promotional purposes in the state any personal care products containing plastic microbeads that are used to exfoliate or cleanse in a rinse-off product, including, but not limited to, toothpaste. This bill would, on and after specified dates that vary based on the product, ban the sale, distribution in commerce, or offering for promotional purposes in the state of designated products, such as leave-in cosmetics products and waxes and polishes, if the products contain intentionally added microplastics, as defined. The bill would exclude from this ban products consisting, in whole or in part, of specified substances or mixtures containing microplastics. The bill would make a violator liable for a civil penalty not to exceed \$2,500 per day for each violation.</i>	SUPPORT Held in Assembly--- NOT MOVING FORWARD IN 2022	CASA in support
AB 2811	Bennett Plumbers Union	California Building Standards Commission: recycled water: nonpotable water systems	Would require, commencing January 1, 2024, all newly constructed nonresidential buildings be constructed with dual plumbing to allow the use of recycled water for all applicable nonpotable water demands, as defined, if that building is located within an existing or planned recycled water service area, as specified.	Oppose Env. Safety & Toxic Materials Comm--- no hearing Bill not moving forward this year.	CASA & WRCA oppose unless amended. ACWA & CMUA Oppose
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	Two-Year Bill Assembly Floor	Opposed by ACWA

			upon appropriation by the Legislature to the 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.		
SB 230	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 Assembly Appropriations Committee	Favor by ACWA
SB 991	Newman Water Collaborative Delivery Association (formerly the Water Design-Build Council)	Public contracts: progressive design-build: local agencies	Current law, until January 1, 2025, authorizes local agencies, as defined, to use the design-build procurement process for specified public works with prescribed cost thresholds. Current law requires specified information submitted by a design-build entity in the design-build procurement process to be certified under penalty of perjury. This bill, until January 1, 2033, authorizes local agencies, defined as any city, county, city and county, or special district authorized by law to provide for the production, storage, supply, treatment, or distribution of any water from any source, to use the progressive design-build process for public works projects in excess of \$5,000,000, similar to the progressive design-build process authorized for use by the Director of General Services. The bill would require specified information to be verified under penalty of perjury.	SUPPORT Assembly Appropriations Committee	WRCA Support
SB 1157	Hertzberg	Urban water use objectives: indoor	Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and including collaboration with and input from stakeholders, to		Oppose unless amended by WateReuse &

		residential water use	<p>conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use. Existing law establishes, beginning January 1, 2025, the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use.</p>	Assembly Appropriations Committee	ACWA, CASA & CMUA
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INFORMATION
ITEM
3C

Date: July 20, 2022

To: The Honorable Board of Directors

From: Shivaji Deshmukh, General Manager

Committee: Community & Legislative Affairs

07/13/22

Staff Contact: Shivaji Deshmukh, General Manager

Subject: Public Outreach and Communication

Executive Summary:

- July, Smart Irrigation Month
- July, National Park and Recreation Month
- July 20, IEUA Employee Appreciation Summer Picnic, HQA Grass Area, 11:30 a.m. – 3:00 p.m.
- July 28, National Intern Day
- July 28, World Nature Conservation Day

Founded by the Irrigation Association, Smart Irrigation Month is celebrated annually throughout the month of July and highlights the solutions that irrigation professionals contribute to society through best practices and efficient technologies. While supplies last, IEUA will once again be hosting a Smart Irrigation Month hose nozzle giveaway at Building A of IEUA's Headquarters starting July 5th through July 28th from 8AM – 5PM. Residents will also be reminded of smart irrigation techniques and water-use efficiency rebates and programs throughout the month on the Agency's outreach channels.

Staff's Recommendation:

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

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

Account/Project Name:

Fiscal Impact (explain if not budgeted):

Prior Board Action:

N/A

Environmental Determination:

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

July

- July, Smart Irrigation Month
- July, National Park and Recreation Month
- July 20, IEUA Employee Appreciation Summer Picnic, HQA Grass Area, 11:30 a.m. – 3:00 p.m.
- July 28, National Intern Day
- July 28, World Nature Conservation Day

Media and Outreach

General

- Staff is currently securing ad contracts for the upcoming fiscal year which will add to the Agency's portfolio of outreach tactics. These publications and publication services include Civic Publications, Fontana Herald News, Champion Newspapers, La Opinion, and Inland Empire Magazine.
- Staff helped to promote the Inland Empire Landscape Contest People's Choice Competition. Posts were sent out reminding residents to participate in the voting aspect of the competition. The competition concluded on June 24 where a residence in Rancho Cucamonga was chosen as the winner and was announced on June 27.
- The Agency celebrated Public Service Day on June 23rd with boxed lunches for all employees facilitated by Human Resources. Staff features were also shared to IEUA's social media accounts, which has over 1,500 impressions across all platforms.

Smart Irrigation Month

- Founded by the Irrigation Association, Smart Irrigation Month is celebrated annually throughout the month of July and highlights the solutions that irrigation professionals contribute to society through best practices and efficient technologies. While supplies last, IEUA will once again be hosting a Smart Irrigation Month hose nozzle giveaway at Building A of IEUA's Headquarters starting July 5th through July 28th from 8AM – 5PM. Residents will also be reminded of smart irrigation techniques and water-use efficiency rebates and programs throughout the month on the Agency's social media channels.
- Staff has also reached out to Customer Agencies to offer a partnership opportunity for this month's recognition by providing hose nozzles for drought and water-wise events. Monte Vista Water District, and the cities of Chino, Chino Hills, Ontario, and Upland have all requested to partner during this month's giveaway.

Drought Awareness Efforts

- Staff continues to utilize the Pledge to Save Water QR code campaign. Once scanned, the QR code takes readers to the IEUA Take the Pledge webpage where they can learn more about the Agency, current drought conditions, water-wise tips, and participate by taking the pledge to save water.

- IEUA and its customer agencies continue to post new drought tagline and campaign collateral under *The Time is Now*, which features content that encourages the public to know the facts, change their habits, and step up their efforts. The collateral utilizes the #StepItUpIE message and follows the campaign plan framework that was developed by the Inland Empire Clean Water Partnership as well as adopts a serious tone to convey the severity of the State's current situation. A toolkit has been made available to all customer agencies and is updated regularly. Staff continues to meet with representatives from each of its customer agencies for further support regarding outreach and/or collaboration opportunities (i.e., partnership ads) for this campaign and makes regular updates to the toolkit based on feedback.
- Staff posted a new episode (Special Drought Edition) as part of the Coffee with the General Manager series on June 14. The video has over 2,500 views and over 6,000 impressions across all social media platforms.
- A "Time is Now" ad ran on June 18 in the Chino Champion.
- A "Time is Now" ad ran on June 19 in the Daily Bulletin.
- A "Time is Now" ad ran on June 26 in La Opinion.

Social Outreach and Analytics

- The Agency continues to publish content on LinkedIn and has gained 59 followers since May, with 441 page views in the last 30 days.
- June: 25 posts were published to the IEUA Facebook page, 25 tweets were sent on the @IEUAWater Twitter handle, 25 posts were published to IEUA's Instagram grid, and 15 posts were published to the IEUA LinkedIn page.
 - The top three Facebook posts, based on reach and engagement, in the month of June were:
 - 6/8 IERCA Event
 - 6/14 Human Resources Technician (2-year Limited Term) Hiring
 - 6/7 Mechanic I-III (DOQ) and Intern (Contracts & Procurement) Hiring
 - The top three Twitter tweets, based on reach and engagement, in the month of June were:
 - 6/8 IERCA Event
 - 6/15 Solar Cup Team Recognition
 - 6/23 Public Service Day
 - The top three Instagram posts, based on reach and engagement, in the month of June were:
 - 6/23 Public Service Day
 - 6/21 Maintenance Supervisor, Intern (External Affairs), External Affairs Specialist (2 Year Limited Term), Operations and Maintenance Training Coordinator, and Facilities Specialist (2 Year Limited-Term) Hiring
 - 6/8 IERCA Event
 - The top three LinkedIn posts, based on impressions and reactions, in the month of June were:
 - 6/16 Coffee with the GM
 - 6/8 IERCA Event
 - 6/1 UCLA's Dr. Stenstrom RP-5 Tour
- For the month of June, there were 11,365 searches for a park in IEUA's service area on Yelp, where Chino Creek Wetlands and Educational Park was viewed 677 times.

Education and Outreach Updates

- Staff coordinated a field trip with City of Chino Afterschool Programs on June 29 for approximately 125 students. Due to weather, the field trip was put on hold for the fall and in lieu of the summer program, staff provided corresponding lesson plans, self-guided tour information, and activity materials for each student.

Agency-Wide Membership Updates

- Randy Lee, Director of Operations, attended the National Association of Clean Water Agencies (NACWA) 2022 Wastewater-Based Epidemiology Webinar on May 6
- Randy Lee, Director of Operations, attended the National Water Research Institute (NWRI) Board of Directors Meeting on May 10.
- Randy Lee, Director of Operations, Dan Dyer, Collections System Supervisor, and Richard Lao, Senior Environmental Resources Planner, attended the California Association of Sanitation Agencies (CASA) Southern California Alliance of Publicly Owned Treatment Works (SCAP) Joint Collection Systems Meeting on May 18.
- Richard Lao, Senior Environmental Resources Planner, attended the California Association of Sanitation Agencies (CASA) Regulatory Workgroup Water Meeting on May 19.
- Richard Lao, Senior Environmental Resources Planner, attended the California Association of Sanitation Agencies (CASA) Regulatory Workgroup Water Meeting on May 19.
- Randy Lee, Director of Operations attended the Isle Utilities Energy Management Partnership Comparative Analysis Review on May 19.