



**SPECIAL NOTICE REGARDING
CORONAVIRUS DISEASE 2019 (COVID-19)
AND PARTICIPATION IN PUBLIC MEETINGS**

On March 4, 2020, Governor Newsom declared a State of Emergency resulting from the threat of COVID-19. On September 16, 2021, Governor Newsom signed Assembly Bill No. 361 into law. Assembly Bill No. 361 amends Government Code section 54953(e) by adding provisions for remote teleconferencing participation in meetings by members of a legislative body, without the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions. The San Bernardino Valley Municipal Water District adopted a resolution determining, by majority vote, that, as a result of the declared State of Emergency, a meeting in person would present imminent risks to the health or safety of attendees. Accordingly, it has been determined that all Board and Workshop meetings of the San Bernardino Valley Municipal Water District will be held pursuant to the Brown Act and will be conducted via teleconference. There will be no public access to the meeting venue.

**BOARD OF DIRECTORS WORKSHOP - POLICY
THURSDAY, DECEMBER 8, 2022 – 2:00 P.M.**

PUBLIC PARTICIPATION

Public participation is welcome and encouraged. You may participate in the December 8, 2022, meeting of the San Bernardino Valley Municipal Water District online and by telephone as follows:

**Dial-in Info: (877) 853 5247 US Toll-free
Meeting ID: 831 7559 3663
PASSCODE: 3802020**

<https://sbvmwd.zoom.us/j/83175593663>

If you are unable to participate online or by telephone, you may also submit your comments and questions in writing for the District's consideration by sending them to comments@sbvmwd.com with the subject line "Public Comment Item #" (insert the agenda item number relevant to your comment) or "Public Comment Non-Agenda Item". Submit your written comments by 6:00 p.m. on Wednesday, December 7, 2022. All public comments will be provided to the Chair and may be read into the record or compiled as part of the record.

IMPORTANT PRIVACY NOTE: Participation in the meeting via the Zoom app is strongly encouraged. Online participants MUST log in with a Zoom account. The Zoom app is a free download. Please keep in mind: (1) This is a public meeting; as such, the virtual meeting information is published on the World Wide Web and available to everyone. (2) Should you participate remotely via telephone, your telephone number will be your "identifier" during the meeting and available to all meeting participants; there is no way to protect your privacy if you elect to call in to the meeting.



SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT
380 E. Vanderbilt Way, San Bernardino, CA 92408

BOARD OF DIRECTORS WORKSHOP - POLICY

AGENDA

2:00 PM Thursday, December 8, 2022

CALL TO ORDER

Chairperson: Director Botello

Vice-Chair: Director Kielhold

1) INTRODUCTIONS

2) PUBLIC COMMENT

Members of the public may address the Board regarding any item within the subject matter jurisdiction of the Board; however, no action may be taken on off-agenda items except as authorized by law. Each speaker is limited to a maximum of three (3) minutes.

3) DISCUSSION AND POSSIBLE ACTION ITEMS

3.1 State and Federal Legislative Update(Page 3)

[Staff Memo - State and Federal Legislative Update](#)

[November 2022 Federal Monthly Newsletter](#)

[November 2022 Federal Legislative Matrix](#)

3.2 Consider the Approval of Resolution No. 1166 Authorizing Valley District to act on behalf of the Yucaipa Sustainable Groundwater Management Agency to the Sustainable Groundwater Management Grant Program of the California Department of Water Resources (Page 34)

[Staff Memo - Consider the Approval of Resolution No. 1166 Authorizing Valley District to act on behalf of the Yucaipa SGMA to the Sustainable Groundwater Management Grant Program of the California Department of Water Resources](#)

[Resolution No. 1166](#)

[Resolution No. 2022-01 of Yucaipa SGMA](#)

4) FUTURE BUSINESS

5) ADJOURNMENT

PLEASE NOTE:

Materials related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the District's office located at 380 E. Vanderbilt Way, San Bernardino, during normal business hours. Also, such documents are available on the District's website at www.sbvmd.com subject to staff's ability to post the documents before the meeting. The District recognizes its obligation to provide equal access to those individuals with disabilities. Please contact Melissa Zoba at (909) 387-9228 two working days prior to the meeting with any special requests for reasonable accommodation.



DATE: December 8, 2022
TO: Board of Directors' Workshop – Policy
FROM: Kristeen Farlow, Strategic Communications Manager
SUBJECT: State and Federal Legislative Update

Staff Recommendation

Receive and file.

Summary

Staff is providing the Board of Directors with an update on current significant legislation from the state and federal legislatures.

Background

Each month, staff provides the Board of Directors with a summary of State and Federal Legislative highlights. This information is provided by the District's lobbying firms and supplemented by District Staff. The Gualco Group, Inc., is the District's State lobbyist in Sacramento; Innovative Federal Strategies is the District's Federal lobbyist in Washington D.C. The team from Innovative Federal Strategies will participate in this month's workshop to provide an update on current significant federal legislation and regulatory updates.

State Legislative Update

The legislature formally adjourned the 2021-22 legislative session on November 30 and the 2023-24 Regular Session convened on December 5 for organizing. The Legislature will reconvene on January 3, 2023. Assemblymember Anthony Rendon (D-Lakewood) will once again serve as the Speaker of the Assembly, and Assemblymember Robert Rivas (D-Salinas) was elected the Speaker-Designee. Rivas will assume the speakership on June 30, 2023, at the conclusion of the state budget process.

In the California legislature overall, there will be 37 new legislators – 30% of the entire body of the legislature. This affords an opportunity for new relationship-building in order to ensure the new legislators know who Valley District is and what our priorities are. The California Democratic Party won all five statewide offices, including Governor, while also picking up new seats in the Legislature. The partisan makeup of the State Senate will likely be unchanged from 2022, with Democrats holding a 31 to 9 advantage.

One bill that was of interest to the District is Senate Bill 852 (Dodd) that was signed by the Governor. This bill will allow cities, counties, or special districts to establish climate resilience financing districts to undertake projects and programs to address climate change including wildfire, sea level rise, extreme heat and cold, drought, flooding, and related matters. The bill does not have an implementing agency, it simply allows the districts to form as Joint Powers Authority's. The Sonoma Regional Climate Protection Authority (within Senator Dodd's district) is the first and furthest along in forming this type of district. South Orange County is looking into forming one of these districts as well, with an emphasis on stormwater management.

Federal Legislative Update

Federal legislators are currently in what is known as the lame duck session. This is when a session of Congress takes place after the election for Congress has been held, but before the current Congress has reached the end of its constitutional session. There are a number of significant items to be considered during this lame duck session, including appropriations legislation to address the Continuing Resolution that expires December 16, 2022, finalization of the National Defense Authorization Act, and electing new Democratic leadership for the next two years. (Republicans formalized their leadership before the Thanksgiving recess.)

On November 15, 2022, the Infrastructure Investment and Jobs Act was signed into law and is expected to deliver significant funding to California. This “once-in-a-generation” investment in the nation’s infrastructure aims to:

- Repair and rebuild our roads and bridges with a focus on climate mitigation, resilience, equity, and safety for all users. California can expect to receive \$25.3 billion for federal-aid highway apportioned programs and \$4.2 billion for bridge replacement and repairs over five years.
- Build a network of EV chargers to facilitate long-distance travel and provide convenient charging options. California may see \$384 million over five years to support the expansion of an EV charging network and can apply for \$2.5 billion in grant funding.
- Prepare more of our infrastructure for the impacts of climate change, cyber-attacks, and extreme weather events. California is expected to receive \$84 million over five years to protect against wildfires and \$40 million to protect against cyber-attacks.
- Deliver clean drinking water to every American and eliminate the nation’s lead service lines and pipes. California can expect to receive \$3.5 billion over five years to improve water infrastructure across the state and ensure that clean, safe drinking water is a right in all communities.

Mid-November, the Biden administration announced \$13 billion in funds to modernize the U.S. power grid using allocations from the bipartisan infrastructure law, including \$10.5 billion in competitive grants and \$2.5 billion through the Transmission Facilitation Program. This represents the largest federal investment in transmission and distribution in U.S. history. The funds will be used to mitigate against natural disasters through building new transmission lines and expanding the capacity of the power grid.

In the 118th Congress, House Speaker Nancy Pelosi will be stepping down while Republicans have won a majority of the seats in the House of Representatives. House Minority Leader Kevin McCarthy was nominated within the Republican conference for Speaker of the House on November 15 and is working to secure the necessary votes to be elected to that position in January. On November 30, Democratic Representative Hakeem Jeffries (D-NY) was selected as the minority leader, and Representative Pete Aguilar (D-CA) was elected House Democratic Caucus chairman. Representative Katherine Clark (D-MA) was elected Democratic whip.

Senator Mitch McConnell (R-KY) was reelected as the top Senate Republican and the Senate minority leader. The Senate GOP leadership slate for the next Congress includes Minority Whip John Thune (R-SD) and Republican Conference Chair John Barrasso (R-WY). On the Democrat side, Senator Patrick Leahy (D-VT) serves as the President Pro Tempore, Senator Charles Schumer (D-NY) was reelected as the Senate majority leader, and the Majority Whip is Richard Durbin (D-IL).

District Strategic Plan Application

The District's state and federal legislation program aligns with the District's mission of *working collaboratively to provide a reliable and sustainable water supply to support the changing needs of our region's people and environment*. By staying active and engaged in legislative issues, the District can establish a presence and build relationships with our State and Federal legislators. We have positioned ourselves to best represent our region on issues of concern regarding ensuring a reliable and sustainable water supply.

Fiscal Impact

There is no fiscal impact related to this update.

Attachments

November 2022 Federal Monthly Newsletter
November 2022 Federal Legislative Matrix

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Comprehensive Government Relations

MEMORANDUM

To: SBVMWD Board of Directors – Policy Workshop

From: Letitia White, Jean Denton, and Drew Tatum

Date: November 28, 2022

Re: November Monthly Legislative Update

Lame Duck Agenda Outlook

Both the House and Senate returned on Monday, November 14 for the lame duck session. Both chambers left Thursday of that week for the Thanksgiving recess. Congress has a busy agenda for the lame duck session, with government funding and numerous authorization bills expected to be completed during the post-election work period.

Items expected to be considered in the lame duck session include:

- Appropriations legislation: The current CR expires on December 16. Appropriators are reportedly preparing for the possibility of a week-long CR if it is needed to allow for the consideration of an omnibus spending package. To date, there has been no progress on a topline spending number. The Georgia Senate runoff on December 6 could stall progress. Leadership would prefer the decks to be cleared on FY2023 appropriations and other matters prior to next year. However, conservative House Members will argue that the party should defer making decisions of critical funding decisions until early next year when Republicans will hold the majority in the House.
- National Defense Authorization Act: The House and Senate Armed Services Committees have been working to finalize a conference agreement on the annual defense policy bill. Note that the Senate had inserted several other authorization bills in its substitute amendment that was scheduled to be considered on the floor, including the Water Resources Development Act. It is unclear if those additional authorization bills will be conferenced with the House and included in the final legislation. Last year's defense bill became law in similar fashion when the Senate wasn't able to agree on the defense authorization bill and which amendments to take up, essentially leaving the final measure to informal conference negotiations.
- Same-sex marriage legislation: Sen. Chuck Schumer (D-NY) began the process of considering legislation to codify same-sex marriage during the lame duck session. There was an effort to bring a bill to the floor prior to the election, but negotiators asked that it be punted until after the election with the hope of securing the 60-votes needed to overcome a legislative filibuster. Senators overcame the first procedural hurdle before Thanksgiving and are scheduled to finish the legislation during the week of November 28.
- Electoral College Reform Legislation: The Senate Rules Committee advanced S.4573, the Electoral Count Reform and Presidential Transaction Improvement Act, in September. There is bipartisan support for the legislation.

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Members-elect will also be in Washington during the lame-duck for new Member orientation. They will participate in a variety of session on House rules and procedures along with practical information on office budgets, hiring, and structures.

Republicans Win Control of the House

Republicans are projected to win a majority of seats in the House of Representatives, gaining control of Congress's lower chamber after four years of Democratic rule.

The Associated Press called the 218th seat for Republicans — projecting Rep. Mike Garcia (R-CA) to win reelection — around 6:30 p.m. Wednesday, November 16, more than a week after Election Day.

The GOP had long anticipated winning control of the House in the 2022 elections. Midterms have historically benefited the party not in control of the White House, and after Republicans unexpectedly gained House seats and chipped away at the Democratic majority in 2020, they needed a net gain of just five seats to win control.

But losses in key districts that came into focus on election night put a damper on GOP spirits. The red wave Republicans had been teasing for months looked like it would be more like a ripple.

The unusually stretched-out period of uncertainty about House control punctuated Republican disappointment over election results.

GOP leaders from the day after the election onward, though, argued that a win is a win.

“Two years ago, when I became leader, Republicans had less than 200 seats in the house. That cycle we picked up 14 seats when every single person said that would be impossible,” House Minority Leader Kevin McCarthy (R-CA) said at his election night party in Washington just before 2 a.m., emerging an hour after the event was originally scheduled to end.

Despite coming up short in top targets like Rep. Abigail Spanberger's (D-VA) district in Virginia and others in Pennsylvania, Republicans notched victories through blue state New York — including defeating the head of the party's House campaign arm, Democratic Congressional Campaign Committee Chairman Sean Patrick Maloney (D-NY).

“No one ever said this thing was going to be easy. I always said that all I could guarantee was that we're going to win the majority,” National Republican Congressional Committee Chairman Tom Emmer (R-MN) told reporters last week. “How wide and how deep the majority was going to be was totally up to the voters.”

Emmer was rewarded for his efforts leading the chamber's GOP campaign arm by being elected majority whip in House Republican Conference elections on Tuesday, November 15, emerging victorious from a tight, three-way race for the post.

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Lagging approval ratings for President Biden and voter concerns about inflation and the economy created an environment thought to be favorable for Republican candidates, but the Supreme Court's overturning of abortion rights protections in *Roe v. Wade* led to a bump for Democrats in the summer.

But Republican members and staffers pointed the finger more at the quality of GOP candidates who lost, as well as statewide candidates, than at the Supreme Court abortion decision for putting a breaker on the promised red wave.

“Really, the top of the ticket in a lot of these states and a lot of the races really hurt us,” said Rep. Guy Reschenthaler (R-PA).

Republicans will hold more than 220 seats, potentially as many as 222 with two races—one in Colorado and one in California—still yet to be called. Democrats are currently projected to win at least 213 seats.

McCarthy clinched his party's nomination for Speaker in a secret ballot vote on Tuesday, November 15, but some members of the right flank are asserting that he does not have the 218 votes needed to win the Speakership on the House floor on January 3. Former President Trump, with whom McCarthy maintained a good relationship despite saying that he bore responsibility for the Jan. 6, 2021, Capitol attack, endorsed McCarthy for the post.

Rep. Andy Biggs (R-AZ), a former chairman of the conservative House Freedom Caucus, mounted a protest challenge to McCarthy for Speaker less than 24 hours before the internal conference elections. McCarthy handily won the nomination 188 to 31, but the number of defectors far outnumber the House GOP's cushion for the majority.

With the Democrats projected to keep control of the Senate, GOP control of the House will be critical to the party's attempts to thwart the Biden administration.

House Republicans have an expansive agenda, which they outlined in a “Commitment to America” policy and messaging platform released in September. But with the White House still under Democratic control and unlikely to enact many GOP policy priorities, a large focus will be put on oversight and investigations into the Biden administration.

Republicans have long been preparing investigations into the origins of COVID-19, migration policies at the U.S.-Mexico border, the withdrawal of troops from Afghanistan and alleged politicization in the Department of Justice. They also plan to create a select committee on China policy.

Structural factors like redistricting, a wave of retirements of Democratic incumbents, a focus on candidate recruitment efforts and a barrage of spending from Republican groups contributed to GOP House gains in Tuesday's elections.

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New congressional lines, which are drawn by state legislatures every 10 years after each Census, made 17 previously “swing” competitive districts more comfortably Republican versus seven seats for Democrats, according to a Cook Political Report analysis. The number of swing seats was slashed by about a third.

More than 30 Democrats declined to seek reelection, marking a three-decade high for Democratic retirements and a sign of low confidence in retaining control of the chamber. In 2018 when the Democrats took control of the chamber, 34 Republicans made for the exits.

Republicans fielded the most racially diverse slate of candidates in history, according to the National Republican Congressional Committee, with 73 candidates identifying as Black, Latino, Asian, Native American or a combination of those. The House GOP campaign arm also counted 80 Republican women on November ballots.

Recruiting a diverse slate of candidates was a crucial part of the GOP strategy to make gains in 2022. All of the seats that the party flipped in 2020 were won by women, minority candidates or veterans.

In addition to inflation and the economy, Republicans heavily focused on crime and border policies in midterm messaging.

House GOP Hashes out Internal Rules with McCarthy Speakership on the Line

House Republicans started consideration of internal conference rules change proposals on Wednesday, November 16, a major priority for right-wing members who have withheld support for House Minority Leader Kevin McCarthy (R-CA) to be Speaker.

Several of the proposals were introduced by members of the House Freedom Caucus, which released a list of rules change demands for the GOP conference and the House as a whole over the summer that aim to empower individual members and strip away at that of leadership.

But on Wednesday, several of the priorities were dismissed or thwarted — resulting in frustration from those already withholding support from McCarthy.

“I don’t think those of us who are seeking to change how Congress operates felt like the leadership was supportive of that,” Rep. Bob Good (R-VA), who has withheld support of McCarthy for Speaker, said after the meeting.

“It was clear that the conference leadership had lined up opposition to go to the mic to talk to — to talk against every rule proposal, every change that we put forward, or just about everyone,” Good said.

Good’s amendment, which included a requirement that appropriations bills receive support from a majority of Republican conference in order to make it to the floor — a version of a “majority of the majority” rule requested by the House Freedom Caucus — was not approved, he said.

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The conference also adopted an amendment that puts a dagger in the Freedom Caucus's request to restore any member's ability to make a motion to vacate the chair, which would force a recall vote on the Speaker.

That procedural move made headlines when then-Rep. Mark Meadows (R-NC), a Freedom Caucus co-founder, made the motion in 2015, contributing to a rebellion that ended in former GOP Speaker John Boehner (R-OH) resigning from Congress later that year.

McCarthy has previously indicated opposition to allowing any member to make the motion alone, and on Wednesday, the conference adopted an amendment that makes it the position of the GOP conference to only allow the motion to vacate the chair if a majority of the Republican conference agrees. If put in the conference rules in a GOP majority, it would also prevent Democrats from unilaterally making the motion to vacate without Republican input.

That amendment was led by Rep. Mike Turner (R-OH), who McCarthy made ranking member of the House Intelligence Committee, and who confirmed its adoption on Wednesday.

But not all proposals have been shut down. The spirit of a Freedom Caucus request to increase the number of regional representatives on the House GOP steering committee, the body of around 30 members that control committee assignments and chairmanships, is addressed in new regional maps. Increasing that number would dilute the power of McCarthy and other elected leaders.

McCarthy said after the meeting that the new maps increase the number of representative regions from 13 to 19.

“The regional maps we just did, pushing the power further down to more regions, more to the conference itself,” McCarthy said, which “dilutes the power greater to the members” on the steering committee.

The House GOP considered the first 12 of the 24 conference rules amendments up for consideration on Wednesday. The remaining amendments, and some from Tuesday that were postponed or pulled for reevaluation, will be considered when Congress returns after the Thanksgiving recess.

A measure to ban earmarks, which were brought back this Congress as “community project funding” after a decadelong ban, was postponed for consideration until after Thanksgiving, Rep. Byron Donalds (R-FL) told reporters, and may be adjusted. The Freedom Caucus has called for a ban on earmarks.

Any bending from McCarthy on rules change requests, though, may not be enough to win over his skeptics.

“The game has moved beyond simple rules changes. The rules are important, I think empowering a broader cross section of the membership is important,” said Rep. Dan Bishop (R-NC). “What it is about more, now, is whether somebody can seize the initiative to come up with a creative

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approach to sort of recalibrate how this place works, in hopes of moving off the status quo and making it effective for the American people.”

Rep. Chip Roy (R-TX) said that while conference rules are important, there are bigger considerations.

“What are we going to do? Who decides what’s going to go to the floor? Who has a say?” Roy said. “That’s the bigger stuff that we still have to talk about, and we’re not having those conversations yet. So, there’s a whole hell of a lot of work to do for someone who gets to 218.”

The several conference amendments that passed on Tuesday were adopted by voice vote.

In addition to passing the measure neutering the motion to vacate the chair proposal, the conference also passed an amendment from Rep. Lauren Boebert (R-CO) that prohibits members of the House Republican Conference steering committee from sitting on the National Republican Congressional Committee’s executive committee — with an exception for elected members of the House GOP conference.

Another from Rep. Gary Palmer (R-AL), who is in House GOP leadership as chairman of the Republican Policy Committee, would prohibit a bill from being considered under suspension of the rules — a process intended to streamline noncontroversial measures and needs at least two-thirds support of the House to pass — if the cost estimate exceeds \$100 million. The amendment was revised down from an original \$250 million threshold.

It also passed a measure aimed at opening up the Capitol grounds and access to the House floor sponsored by Rep. Andrew Clyde (R-GA). That pushes back on tour restrictions, mask mandates, and other measures that were instituted due to COVID-19.

Pelosi Steps Down After Historic 20-Year Run

After two decades at the top of Democratic congressional leadership, the Nancy Pelosi era has come to an end.

The Speaker announced Thursday, November 17 she will not be seeking reelection for a party leadership position, though she will remain a member of the House. Pelosi, who was first elected to her California congressional seat during a 1987 special election, has led House Democrats since 2003. In 2007, Pelosi shattered the glass ceiling when she became the first woman ever to ascend to the House Speakership — a feat she repeated in 2019.

“She’s a tough, effective, focused, disciplined woman,” Rep. Debbie Dingell (D-MI), a close Pelosi ally, said Thursday morning. “I wasn’t always on the same side as her — and it’s not pleasant being on the other side of her — but she knew how to bring a disparate group of people together to get the job done. For women, the doors have been opened wider for all of us because of what she did.”

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Over the course of her leadership career, Pelosi helped steer the congressional response to the 2008 recession, guided the passage of the Affordable Care Act, secured trillions of dollars in emergency relief through the COVID-19 pandemic and made the decision to impeach former President Trump — not once, but twice. She also launched the special investigation into the Jan. 6, 2021, attack on the Capitol.

This year's midterm elections will factor into Pelosi's legacy. The expected GOP red wave never materialized; instead, Democrats were able to cling to dozens of toss-up seats in battleground districts, limiting the Republican gains.

“History will note she is the most consequential Speaker of the House of Representatives in our history,” President Biden said about Pelosi in a Thursday statement. “There are countless examples of how she embodies the obligation of elected officials to uphold their oath to God and country to ensure our democracy delivers and remains a beacon to the world.”

With Pelosi stepping back from the leadership ranks, she makes room for a younger generation of Democrats to assume key party positions.

House Majority Leader Steny Hoyer (D-MD) also announced Thursday he will remain in Congress next year but won't seek a leadership position. Rep. Jim Clyburn (D-SC), the third-ranking Democrat in the House, said he looked forward to assisting “our new generation of Democratic Leaders,” naming Rep. Hakeem Jeffries (D-NY) and Reps. Katherine Clark (D-MA) and Pete Aguilar (D-CA), who are expected to seek the top three spots, respectively.

Hoyer's actions clear the way for Jeffries, the current chairman of the House Democratic Caucus, to jump several rungs up the leadership ladder to replace Pelosi in the next Congress, when Republicans take control of the lower chamber. If Jeffries secures the position in the coming weeks, he will become the first new House Democratic leader in two decades and make history of his own: No Black politician has ever led either party's caucus in the House or Senate.

Jeffries Announces Bid for House Democratic Leader

Rep. Hakeem Jeffries (D-NY) on Friday, November 18 formally announced his bid to replace Speaker Nancy Pelosi (D-CA) at the top of the party in the House next year, one day after the longtime Democratic leader said she would step out of that position in the next Congress.

Jeffries, the chair of the House Democratic Caucus, has long been eyeing a run to replace Pelosi as the leader of House Democrats when she stepped down. If he succeeds, as expected, he will become the first Black leader of either party, in either chamber, in the history of Congress.

To launch his bid, Jeffries sent a four-page letter to colleagues Friday morning outlining his goals for the caucus as it heads into the next Congress as the minority party.

“When I initially sought the position of Chair of the House Democratic Caucus two terms ago, none of us could have predicted the challenges the American people would confront in the years

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to come. However, time and time again, throughout a period of enormous turmoil for our nation, House Democrats rose to the occasion,” Jeffries wrote.

“Today, I write to humbly ask you for your support for the position of House Democratic Leader as we once again prepare to meet the moment,” he added.

Jeffries is one of three up-and-coming Democratic leaders who have been eyeing a chance to move up the leadership ranks whenever the opportunity emerged. With Pelosi stepping down on Thursday, and her two deputies — Majority Leader Steny Hoyer (D-MD) and Democratic Whip Jim Clyburn (D-SC) — following close behind, the path was clear for them to do so.

Rep. Katherine Clark (D-MA), currently the fourth-ranking House Democrat, launched her bid on Friday to move up to the No. 2 whip spot in the next Congress. And Rep. Pete Aguilar (D-CA), the sixth-ranked vice chair of the caucus, is vying to replace Jeffries as caucus chairman.

In his own letter to Democrats on Friday, Aguilar emphasized that he is the only member of the Congressional Hispanic Caucus in the highest ranks of the party — and he wants the group to be represented in the next Congress, as well.

Aguilar’s decision to jump into the caucus chairman race was a late surprise, and it pits him against Rep. Joe Neguse (D-CO), who like Jeffries and Clyburn is a member of the Congressional Black Caucus.

The unexpected challenge for the No. 3 slot came after Clyburn delivered a surprise of his own: Unlike Pelosi and Hoyer, who stepped down from leadership altogether, he’s vying to remain as the assistant leader — the same spot Aguilar was initially thought to be seeking.

Clyburn’s endorsement of Joe Biden in South Carolina during the 2020 Democratic presidential primary was crucial to Biden securing the nomination. And in a letter to Democrats, he reminded his colleagues of that episode while touting his long experience in the leadership ranks.

Jeffries gave a hat-tip to the outgoing “big three” in his letter announcing his bid for Democratic leader, underscoring the “invaluable opportunity” he had to learn from Pelosi, Hoyer and Clyburn.

“I am thankful for the invaluable opportunity I have had to learn from legendary figures like our iconic Speaker Nancy Pelosi, our resolute Leader Steny Hoyer and our historic Majority Whip James E. Clyburn, who has mentored and nurtured my leadership development the moment I arrived in Congress,” Jeffries wrote.

The New York Democrat said his candidacy for the top House Democrat is based on three operating principles: empowering every member, prioritizing lawmaker security, and reclaiming the majority.

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In the second prong, he proposed creating a “Task Force on Member Safety” to document challenges and experiences members and their families have faced and propose a set of steps to address the issues.

He said such a group is necessary after the assault on Paul Pelosi, the husband of Speaker Pelosi, at their San Francisco home last month, and the shootings involving House Republican Whip Steve Scalise (R-LA) and former Rep. Gabby Giffords (D-AZ).

Democratic leadership elections aren’t scheduled to take place until November 30.

Senate Republicans Elect 118th Congress Leadership

Senate Minority Leader Mitch McConnell was reelected as the top Senate Republican for the 118th Congress, easily beating back a challenge from Sen. Rick Scott (R-FL).

The vote, which took place on Tuesday, November 15, was 37-10, with one present.

The victory for McConnell came as a majority of Senate Republicans also defeated a motion to delay the Republican leadership elections until after the Georgia Senate runoff on Dec. 6. That motion, offered by Sen. Ted Cruz (R-TX), was voted down by a 32-16 margin. This effort was seen as anti-McConnell since any delay would likely hurt the Kentucky Republican. Wednesday’s vote was the first time that McConnell had ever been challenged in his 16 years as GOP leader. The opposition signals the deep unhappiness in Republican ranks following the party’s dismal showing on Election Day.

Scott was a deeply flawed challenger, having led the National Republican Senatorial Committee—Senate Republican’s campaign arm—through the 2022 cycle. He and McConnell clashed over strategy, especially Scott’s refusal to intervene in GOP primaries. Several Republican candidates backed by former President Donald Trump lost winnable races, including in Arizona and Pennsylvania. And Trump’s candidate in Georgia, Republican Herschel Walker, faces a difficult battle against Democratic Sen. Raphael Warnock (D-GA).

McConnell – who will break the record for longest-serving party leader in Senate history next year – was nominated by Sens. Tom Cotton (R-AK) and John Barrasso (R-WY). Scott was nominated by Sen. Ron Johnson (R-WI).

“I’m pretty proud of 37-10,” McConnell said of the vote. McConnell said Republicans had “a good discussion” and will now turn their attention to the Georgia runoff.

McConnell passed up an opportunity to directly criticize Scott’s stewardship of the NRSC. But the GOP leader did conclude that Republicans “have a problem with people in the middle” and said, “we turned off a lot of these centrist voters.”

Scott claimed that even though he lost to McConnell, “Today marks the beginning of a new era in the Senate Republican Conference.” Adding, “Although the results of today’s elections weren’t what we hoped for, this is far from the end of our fight to Make Washington Work. I will

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never stop fighting to end Joe Biden’s reckless government spending and the devastating inflation Democrats have caused. I never thought for a moment that this fight would be easy, but I’m optimistic that, together, Republicans can rescue America with the principles that unite us against the dangerous path Democrats have set it on.”

Critics of the 80-year-old McConnell, however, are likely to be emboldened by Scott’s unsuccessful challenge. It’s clear that a sizable chunk of the conference wants new leadership and may be less willing to follow McConnell’s direction.

“I do think there was a lot of expression in the room that the Republican Conference and Republican leadership needs to be more vigorous and more effective in fighting policies that are hurting the American people,” said Sen. Ted Cruz (R-TX), a McConnell critic.

Following the McConnell-Scott clash, the rest of the Senate GOP leadership slate for the next Congress was quickly approved, including:

- Minority Whip John Thune (R-SD)
- Republican Conference Chair John Barrasso (R-WY)
- Republican Policy Committee Chair Joni Ernst (R-IA)
- Conference Vice Chair Shelley Moore Capito (R-WV)
- National Republican Senatorial Committee Chair Steve Daines (R-MT)

White House Announces \$13 Billion in Grid Resilience Funds

On Friday, November 18, the Biden administration announced \$13 billion in funds to modernize the U.S. power grid using allocations from the bipartisan infrastructure law.

The funds will include \$10.5 billion in competitive grants and another \$2.5 billion through the Transmission Facilitation Program; they represent the biggest federal investment in transmission and distribution in U.S. history, White House senior adviser and infrastructure coordinator Mitch Landrieu told reporters on a press call Thursday.

Department of Energy Grid Deployment Office Director Maria Robinson said the grant program will likely open to submissions with a deadline of February.

Landrieu alluded to numerous recent natural disasters and extreme weather events that have affected power grid infrastructure in recent years, such as the 2021 Dixie Wildfire in California, or the winter storms the same year that knocked out Texas’s self-contained grid.

“The funding we’re announcing today will help us build new transmission lines and expand the capacity of our power grid so that it can endure these natural disasters and meet the need of our booming clean energy economy,” he told reporters.

“Experts estimate that we need to triple the capacity of our electrical transmission system by 2050 to meet the demand of electric vehicles, wind, solar and more,” he added. “This is a critical step to doing exactly that.”

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White House national climate adviser Ali Zaidi noted that the administration has also issued approvals for several interstate transmission lines that will span Wyoming, Colorado, Utah, Arizona, and California and unlock capacity of about six gigawatts.

Officials on the call also touted recent Biden administration efforts to improve grid resilience, such as a recent memorandum of understanding signed by the Environmental Protection Agency and the Interior, Agriculture, Energy and Defense departments to coordinate on streamlining permitting reviews for renewables on federal lands.

Sen. Joe Manchin (D-WV), meanwhile, has sought to bring energy permitting reform legislation to the floor of Congress. Officials on the call confirmed the White House continues to support permitting reform in general.

Border Expulsion Policy Ruling Could Jeopardize Title 42 Usage

The US District Court for the District of Columbia on Tuesday, November 15 ruled that Title 42—instituted at the beginning of the Covid-19 pandemic with the stated goal of preventing the spread of disease—is arbitrary and capricious, and in violation of the Administrative Procedure Act. Senior Judge Emmet Sullivan, an appointee of former President Bill Clinton, ruled that Title 42 must be vacated.

The Court temporarily stayed its ruling at the request of the government. The Justice Department filed an unopposed stay motion that would give the administration time “to prepare for an orderly transition to new policies at the border,” the Department of Homeland Security said in a statement. “The United States will continue to fully enforce our immigration laws at our border,” it added.

Immigrant families affected by the expulsion policy brought the lawsuit.

“This is an enormous ruling that will hopefully put an end to Title 42 for good and allow desperate asylum seekers to have a hearing,” American Civil Liberties Union lawyer Lee Gelernt, who represents the families, said in an email.

Immigrants’ rights advocates have decried the policy since its inception during the Trump administration, arguing that it illegally interferes with migrants’ right to seek asylum in the US. Republicans and moderate Democrats, however, have urged the Biden administration to retain the policy as migrant encounters at the US-Mexico border hit records.

The Centers for Disease Control and Prevention, which has authority over the directive, sought to end Title 42 last year, but a federal court in Louisiana ordered the agency to keep the policy in place.

Political uproar over Tuesday’s court decision may complicate the latest round of immigration talks on Capitol Hill, where Democrats are pushing legislation to protect undocumented “Dreamers” who arrived in the US as children. Republicans have asked for concessions on border security and asylum.

Democrats, GOP Brace for Brutal Georgia Senate Runoff

Democrats and Republicans are bracing for a runoff in Georgia, though the outcome won't impact who controls the Senate.

Neither Sen. Raphael Warnock (D) nor Republican Herschel Walker won the 50 percent plus one vote needed to secure an outright victory in their closely watched Senate race, meaning it will go to a December 6 runoff with both candidates once again on a ballot.

Warnock himself seemed to acknowledge that a runoff was a likely scenario in the early hours of Wednesday, telling a crowd at an election night event in Atlanta that he's "not sure if this journey is over tonight or if there's still a little work yet to do."

"I understand that at this late hour you may be a little tired. I may be a little tired for now," Warnock said. "But whether it's later tonight or tomorrow or four weeks from now, we will hear from the people of Georgia."

The runoff marks the latest turn in a midterm election that has already produced several surprises. Republicans had long predicted a coming "red wave" that would see the GOP wipe out Democratic candidates across the board. But that wave ultimately failed to materialize, with Democrats pulling off wins in key races despite a brutal political landscape.

Not only did Sen. Maggie Hassan (D) overcome a fierce challenge from Republican Don Bolduc in New Hampshire, but Democrats managed to net a Senate seat in Pennsylvania, where Democrat John Fetterman defeated Republican Mehmet Oz.

The Georgia Senate race is the only contest in the state to head to a runoff this year. In Georgia's high-profile race for governor, Gov. Brian Kemp (R) easily defeated his Democratic opponent, Stacey Abrams, on Tuesday.

Even before Election Day, operatives on both sides of the aisle were already preparing for the possibility of a runoff, acutely aware that such an outcome would kick off a hectic, four-week campaign sprint. Polling ahead of the election consistently showed Warnock with a slim lead over Walker, though few surveys found him garnering the majority support needed to avoid having the race go into overtime.

Unlike the last runoffs in early 2021, when the candidates had two months to prepare their campaigns, a sweeping elections law signed last year cut the runoff period from nine weeks to four weeks, putting candidates on a much shorter timeline. That law also implemented new restrictions on early voting during the runoff period.

Secretary of State Brad Raffensperger (R), Georgia's top elections official, acknowledged the runoff during a press conference on Wednesday, saying that preparations were already underway.

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“There is one race in our state that is going to be moving to the December 6 runoff. That is the race for the United States Senate between Sen. Raphael Warnock and Herschel Walker,” he said, adding that “ballots are being built as we speak, and counties are making preparations.”

Still, he acknowledged that the four-week runoff period would make the election “a very heavy lift for” elections officials.

Corporate America Braces for Congressional Gridlock, GOP Probes in 2023

Corporate America is bracing for political gridlock and a flurry of GOP investigations as Republicans win a slim House majority and Democrats maintain control of the Senate.

The outcome of the elections will produce a divided government for the first time during the Biden Presidency, and the two parties are expected to struggle to find common ground on key economic and social issues. Divided government likely reinforces the GOP’s focus on launching investigations into the Biden administration and corporations that they say have gone “woke.”

House GOP officials plan to shine a light on Biden’s Afghanistan withdrawal and his son Hunter Biden’s business dealings, but there will also be a focus on private companies — a shift from just a handful of years ago, when Republicans handed historic tax cuts to corporate America.

House Republicans are prepping investigations into corporations’ operations in China, content moderation by Big Tech platforms and firms’ environmental, social and governance (ESG) initiatives, among other efforts.

Those probes are part of a broader effort by House Minority Leader Kevin McCarthy (R-CA) and other GOP leaders to punish companies for siding against the party on LGBT rights, abortion restrictions, voting rights and other issues.

Tensions ramped up last year when dozens of Fortune 500 companies paused PAC donations to GOP lawmakers who voted against certifying the 2020 election results after the Jan. 6, 2021, Capitol attack, a move that angered McCarthy.

Most major corporations have since reversed course, including Amazon, which ended its giving freeze last month. Still, the subject is still sore for many Republicans, and some are receiving enough money from individual donors that they no longer need to rely on corporate PACs.

McCarthy is still angry at the U.S. Chamber of Commerce — the nation’s largest business group that has long aligned itself with Republicans — for choosing to endorse a slate of Democrats in close 2020 House races. He unsuccessfully pushed the Chamber’s board of directors to fire its leadership team.

A House GOP majority means Rep. Jim Jordan (R-OH), a longtime Big Tech critic who plans to probe allegations of anti-conservative bias at social media companies and coordination between Meta and the FBI, will likely serve as the Chairman of the House Judiciary Committee.

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Republicans have promised to investigate banks and investment firms that champion ESG policies, which they see as an attack on the oil and gas industry. Sen. Tom Cotton (R-AK) led letters to law firms last week labeling the ESG movement an attempt “to weaponize corporations to reshape society in ways that Americans would never endorse at the ballot box.”

McCarthy last year warned telecoms and social media companies not to cooperate with the January 6 committee, stating that a Republican majority would “not forget” their decision.

Still, Republicans continue to side with big business on lower taxes — they plan to push for an extension of some of the 2017 tax cuts — and fewer regulations. They’ve worked hand-in-hand with business groups to oppose Biden rules aimed at boosting worker power and fighting climate change.

“We are optimistic that the new majority in the House will seize this opportunity to fight inflation and crime, rein in regulation and hold agencies accountable through oversight, and put our economic security front and center,” U.S. Chamber president and CEO Suzanne Clark said in a statement.

The White House is already reportedly planning for an onslaught of investigations according to Chief of Staff Ron Klain.

Attorneys throughout federal agencies have reportedly been working with the White House for months to discuss the possible investigations and how they might respond to demands from Congress for testimony and documents.

Biden Admin Proposes Requiring Biggest Federal Contractors Set Emissions Targets

The Biden administration announced a new proposal on Thursday, November 10 to require the largest recipients of federal contracts to both set targets to reduce their planet-warming emissions and disclose how much they are contributing to climate change.

Under the rule, companies that get more than \$50 million in annual contracts from the federal government would be required to set “science-based targets to reduce their [greenhouse gas] emissions.”

These suppliers would also be required to publicly disclose their own emissions, emissions found in their supply chains and caused by their products.

Under the rule, mid-size contractors — those receiving between \$7.5 million but less than \$50 million — would be required to disclose emissions stemming from their direct operations, but not their supply chain or products. They wouldn’t be required to set emissions reduction targets.

The rule was proposed jointly by the Defense Department, General Services Administration and National Aeronautics and Space Administration (NASA).

The announcement comes as the Biden administration seeks to cut down emissions both in the country broadly and emissions that are caused by the government specifically.

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Biden set a target for cutting overall U.S. emissions by at least 50 percent by the end of the decade when compared to 2005 levels. The president has said he hopes that the country will reach “net-zero” emissions by 2050.

He has also signed an executive order calling for the federal government to be carbon neutral by 2050 and cut its emissions 65 percent by 2030.

Brenda Mallory, chair of the White House Council on Environmental Quality, said that the new proposal would help the federal government meet its goals.

“On week one, President Biden charged us to make the Federal government climate-ready and resilient. Requiring major Federal suppliers to disclose emissions and risks strengthens our supply chain and brings us closer to reaching our net-zero emissions goals,” Mallory said in a statement.

The issue of climate disclosures has been a hot topic in Washington.

Earlier this year, the Securities and Exchange Commission proposed a rule that would require all publicly traded companies to disclose their direct emissions, and would also make companies reveal their product and supply chain emissions if those emissions are “material” to the business.

The proposal generated a wave of pushback from Republicans and many in the business community.

A fact sheet issued by the White House said that currently, more than half of federal contractors already share climate-related information, though it didn’t specify the extent of what they disclose.

The new rule does not give a specific emissions reduction threshold that companies must achieve.

Instead, it says that the goals must be “in line with reductions that the latest climate science deems necessary to meet the goals of the Paris Agreement” to limit warming to below 2 degrees Celsius (3.6 degrees Fahrenheit) and pursue efforts to limit warming to 1.5 degrees Celsius (2.7 degrees Fahrenheit).

Bill Number	Sponsors	Title and/or Summary	Summary/Status	Latest Action
Recently Enacted Legislation				
H.R.6833	Rep. Angie Craig (D-MN)	Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023	This legislation extends government funding through December 16, 2022 and provides additional funding to assist Ukraine in response to the Russian invasion. The legislation extends certain authorities and provides funding for FEMA to respond to recent disasters.	<p>The substitute amendment was introduced on Tuesday, September 27. Changes to the amendment to drop the text of Sen. Manchin’s permitting reform were released later in the Day.</p> <p>The Senate passed the legislation on Thursday, September 29 and the House passed it on September 30. The legislation was signed into law on September 30.</p>
H.R.5376	President Joe Biden / Congressional Democrats	Build Back Better Act / Inflation Reduction Act of 2022	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.	<p>Efforts to pass the legislation in 2021 through reconciliation were unsuccessful even after the House passed a modified version of the legislation.</p> <p>Senate Democrats unveiled a new reconciliation package on in late July. The new legislation will raise \$739 billion in new revenue, with \$433 billion going to “Energy Security and Climate Change” and an “Affordable Care Act Extension”. The remaining revenue generated will go to deficit reduction.</p> <p>The legislation passed the Senate on August 7, 2022 and passed the House on August 12, 2022. President Biden signed the bill into law on August 16, 2022.</p>
Other Pending Legislation				
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. The House passed the first 12 bills in July in a minibuss appropriations package along party lines.</p> <p>The Senate Appropriations Committee released their “draft” FY23 bills on Thursday, July 28. The Committee is not scheduled to mark up any of the Senate bills due to disagreements over the topline spending amount and split between defense and non-defense spending.</p>

H.R. 8295 / S.4659	Rep. Rosa DeLauro (D-CT) / Sen. Patty Murray (D-WA)	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. The Senate bill was released on July 28, 2022.
H.R. 8294 / S.4670	Rep. David Price (D-NC) / Senator Brian Schatz (D-HI)	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. The legislation passed the House on July 20, 2022 in a package with 5 other appropriations bills. The Senate bill was released on July 28, 2022.
H.R. 8262 / S.4686	Rep. Chellie Pingree (D-ME) / Sen. Jeff Merkley (D-OR)	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. The legislation passed the House on July 20, 2022 in a package with 5 other appropriations bills. The Senate bill was released on July 28, 2022.
H.R. 8256 / S.4664	Rep. Matt Cartwright (D-PA) / Sen. Jeanne Shaheen (D-NH)	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. The Senate bill was released on July 28, 2022.
H.R. 8255 / S.4660	Rep. Marcy Kaptur (D-OH) / Sen. Dianne Feinstein (D-CA)	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. The legislation passed the House on July 20, 2022 in a package with 5 other appropriations bills. The Senate bill was released on July 28, 2022.
H.R. 8239 / S.4661	Rep. Sanford Bishop (D-GA) / Sen. Tammy Baldwin (D-WI)	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. The legislation passed the House on July 20, 2022 in a package with 5 other appropriations bills on the Transportation-HUD bill. The Senate bill was released on July 28, 2022.

H.R. 8238 / S.4759	Rep. Debbie Wasserman Schultz (D-FL) / Sen. Martin Heinrich (D-NM)	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. The legislation passed the House on July 20, 2022 in a package with 5 other appropriations bills. The Senate bill was released on July 28, 2022.
H.R. 8257 / S.4678	Rep. Lucille Roybal-Allard (D-CA) / Sen. Chris Murphy (D-CT)	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. The Senate bill was released on July 28, 2022.
H.R.9084	Rep. David Valadao (R-CA)	Working to Advance Tangible and Effective Reforms (WATER) for California Act	This legislation focuses on operational stability, infrastructure, and accountability to bring more water to the Central Valley. The legislation would require the Central Valley Project (CVP) and State Water Project (SWP) be operated consistent with the 2019 regulations, helps to ensure CVP and SWP water stakeholders receive the water they contract and pay for, provides eligibility for funding for the Shasta Enlargement Project, and reauthorizes the surface water storage project program and coordinated operations of the CVP and SWP established by the WIIN Act.	The legislation was introduced by Rep. David Valadao along with all California Republicans on September 29, 2022. The legislation is unlikely to move during the current Congress, but is a blueprint for water priorities for California Republicans in the next Congress if they win a majority.
H.R.8849	Rep. Josh Harder	Stop Delta Tunnels Act	This legislation would prohibit the Secretary of the Army, acting through the Chief of Engineers, from issuing a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) relating to the Delta Conveyance Project.	This legislation was introduced on September 15, 2022 and referred to the House Committee on Transportation and Infrastructure.
H.R.5118	Rep. Joe Neguse (D-CO)	Legislative vehicle for the Wildfire Response and Drought Resiliency Act	Addresses programs and grants related to wildfire risks, ecological restoration, droughts, and environmental justice. The legislative package — which includes more than 40 bills — would also authorize billions of dollars of funding for federal agencies and expand federal disaster relief assistance & research efforts.	The House Rules Committee packaged a number of existing bills together to create the Wildfire Response and Drought Resiliency Act during the week of July 25. The legislation passed the House on Friday, July 29 by a vote of 218 – 199.

H.R.7776	Rep. Peter DeFazio (D-OR) / Sen. Thomas Carper (D-DE)	Water Resources Development Act of 2022	This bill authorizes the U.S. Army Corps of Engineers to carry out activities concerning water resources development projects, water supply and wastewater infrastructure, flood control, navigation, or ecosystem restoration, such as shoreline restoration. In addition, it modifies the process used to deauthorize certain inactive water resources development projects.	The House passed the legislation under a suspension of the Rules on June 8, 2022 by a vote of 384-37. The Senate took up the House-passed bill, substituted their own text (from S.4136), and passed it by a vote of 93-1 on 7/28/2022. The legislation is expected to be conferenced by the two chambers before the end of the calendar year, likely as part of the National Defense Authorization Act. During the month of October, Senators added the Senate version of the legislation as a separate division of a substitute amendment to the Senate NDAA as a placeholder for conference negotiations.
S.3092	Sen. Alex Padilla (D-CA)	FEMA Improvement, Reform, and Efficiency Act of 2022 or the FIRE Act	This bill addresses the federal government's approach to wildfires. Specifically, the bill requires the FEMA to report to Congress regarding the use of relocation assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act for wildfire risk. The bill also allows Indian tribal governments to apply for grants for equipping, upgrading, and constructing state and local emergency operations centers.	The legislation passed the Senate on September 29, 2022 by unanimous consent. The House substituted its own version of the legislation on the bill and passed it on November 17, 2022 on the suspension calendar by voice vote. The legislation has been sent back to the Senate for consideration of the bill as amended by the House substitute.
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.
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.	Sens. Feinstein, Kelly, and Sinema introduced the legislation on May 17, 2022. The Senate Energy and Natural Resources Subcommittee on Water & Power held a hearing on the legislation on Wednesday, May 25.
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.	Introduced on April 14, 2021 and was referred to the House Committee on Natural Resources. The legislation's 46 cosponsors are all Republican, including members of GOP leadership.
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.

<p>S.2372 / H.R.2773</p>	<p>Sen. Heinrich, Martin (D-NM) / Representative Debbie Dingell (D-MI)</p>	<p>Recovering America’s Wildlife Act of 2021</p>	<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>
<p>H.R.4602 / S.3956</p>	<p>Rep. Alan Lowenthal (D-CA) / Rep. Lisa McClain (R-MI) and Sen. Jeff Merkley (D-OR) / Sen. Susan Collins (R-ME)</p>	<p>WIPPES Act</p>	<p>The legislation would direct the Federal Trade Commission to issue regulations requiring certain products to have “Do Not Flush” labeling</p>	<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>
<p>H.R.6591</p>	<p>Rep. Lisa McClain (R-MI) / Rep. Alan Lowenthal (D-CA)</p>	<p>PIPES Act</p>	<p>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.</p>	<p>The legislation was introduced on February 3, 2022 and was referred to the House Committee on Energy and Commerce.</p>

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 passed the Senate on October 19, 2021.</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.	The legislation was introduced in the Senate on April 26, 2022 and referred to the Senate Committee on Agriculture, Nutrition, and Forestry. The bill was introduced in the House on June 9, 2022 and referred to the House Committee on Agriculture.
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.	The legislation was introduced in the House on May 10, 2022 and referred to the Subcommittee on Water Resources and Environment. The legislation was introduced in the Senate on May 9, 2022 and referred to the Committee on Environment and Public Works.
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.	This legislation was introduced on April 15, 2021 in the Senate. The House Companion bill was introduced the same day. The Senate Energy and Natural Resources Subcommittee on Water & Power held a hearing on the legislation on Wednesday, May 25. The House Natural Resources Committee has not yet considered the legislation.



DATE: December 8, 2022

TO: Board of Directors' - Policy Workshop

FROM: Adekunle Ojo, Manager of Water Resources

SUBJECT: Consider the Approval of Resolution No. 1166 authorizing Valley District to act on behalf of the Yucaipa Sustainable Groundwater Management Agency to the Sustainable Groundwater Management Grant Program of the California Department of Water Resources

Staff Recommendations

Consider approval of Resolution No. 1166 to authorize Valley District to submit a grant application on behalf of the Yucaipa Sustainable Groundwater Management Agency (SGMA).

Summary

The California Department of Water Resources (DWR) is accepting applications for its SGMA Implementation Grant Program until December 16, 2022. The Yucaipa Sustainable Groundwater Management Agency (Yucaipa SGMA) adopted a Resolution on November 9, 2022, authorizing Valley District to prepare and submit an application on its behalf to DWR. This resolution for approval today, will authorize Valley District to submit the Yucaipa SGMA grant application to DWR and if the grant is awarded, complete required grant reporting requirements.

Background

The Yucaipa SGMA, of which Valley District is a member of, is the groundwater sustainability agency for the Yucaipa Subbasin. The Yucaipa Subbasin has been designated by DWR as a high priority basin based primarily on its reliance on groundwater for water supply. However, this Subbasin is not in a state of critical overdraft. The Subbasin has a Groundwater Sustainability Plan (GSP) approved by DWR.

The two groundwater sustainability projects in this grant application entails enhancing recharge in the Calimesa Management Area of the Yucaipa Subbasin and involves the South Mesa Water Company, Yucaipa Valley Water District, the San Gorgonio Pass Water Agency, and Valley District.

District Strategic Plan Application

This is consistent with Valley District's desire to work collaboratively to provide a reliable, resilient, and sustainable water supply that contributes to a healthy watershed for future generations.

Fiscal Impact

Funds for on-call grant services are included in the approved FY 2022-2023 General Fund Budget under Line Item 6360 Consultants. Kennedy Jenks is preparing the grant application at a cost of \$13,470.

Attachment

Resolution No. 1166

Resolution No. 2022-01 of Yucaipa SGMA

RESOLUTION NO. 1166

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT AS A MEMBER OF THE YUCAIPA SUSTAINABILITY GROUNDWATER MANAGEMENT AGENCY AUTHORIZING THE GRANT APPLICATION TO, AND IF AWARDED ACCEPTANCE AND EXECUTION OF, A FUNDING AGREEMENT WITH THE STATE OF CALIFORNIA

WHEREAS, the Sustainable Groundwater Management Act of 2014 (“SGMA”) was signed into law on September 16, 2014; and,

WHEREAS, SGMA requires that each California groundwater subbasin be managed by a Groundwater Sustainability Agency (“GSA”), or multiple GSAs, and that such management be implemented pursuant to an approved Groundwater Sustainability Plan (“GSP”), or multiple GSPs; and

WHEREAS, the Yucaipa Subbasin (“SUBBASIN”) is identified by the California Department of Water Resources Bulletin 118 as Sub-basin No. 8-002.07 of the Upper Santa Ana Valley Groundwater Basin, and is designated by the California Department of Water Resources (“DWR”) as a high-priority basin; and,

WHEREAS, California Water Code Section 10720.7 requires the Yucaipa Subbasin, as a high-priority basin that is not designated by DWR as being subject to critical conditions of overdraft, to be managed by a Groundwater Sustainability Plan (“GSP”) by January 31, 2022; and,

WHEREAS, the Yucaipa Sustainable Groundwater Management Agency is the GSA for the Yucaipa Subbasin with an approved GSP, and is interested in applying for a grant under the 2022 Sustainable Groundwater Management (“SGM”) Grant Program SGMA Implementation Grant; and,

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the San Bernardino Valley Municipal Water District as follows:

1. The above Recitals are true and correct.
2. That an application be made to the California Department of Water Resources to obtain a grant under the 2021 Sustainable Groundwater Management (SGM) Grant Program SGMA Implementation Grant pursuant to the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (Pub. Resource Code, § 80000 et seq.) and the California Budget Acts of 2021 and 2022.
3. San Bernardino Valley Municipal Water District has the authority and shall enter into a funding agreement with the Department of Water Resources to receive a grant for Yucaipa Subbasin GSP Phase 1 Implementation.
4. Be it further resolved that San Bernardino Valley Municipal Water District has

authorization to work on behalf of the Yucaipa Sustainable Groundwater Management Agency.

5. The CEO/General Manager of San Bernardino Valley Municipal Water District, or designee, is hereby authorized and directed to prepare the necessary data, conduct investigations, file such application, and execute a grant agreement and any future amendments (if required), submit invoices, and submit any reporting requirements with the California Department of Water Resources.

PASSED, APPROVED AND ADOPTED on this 8th day of December 2022.

Paul R. Kielhold, President

ATTEST:

Heather P. Dyer, Secretary

CERTIFICATION

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Board of Directors of San Bernardino Valley Municipal Water District held on December 8, 2022.

Jose Macedo, Clerk of the Board

RESOLUTION NO. 2022-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE YUCAIPA SUSTAINABLE GROUNDWATER MANAGEMENT AGENCY AUTHORIZING APPLICATION BY SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT TO THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT IMPLEMENTATION GRANT PROGRAM

WHEREAS, grant funding has been made available through the 2021 Sustainable Groundwater Management (SGM) Grant Program SGMA Implementation Grant pursuant to the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Pub. Resource Code, § 80000 et seq.) and the California Budget Acts of 2021 and 2022;

WHEREAS, this grant funding is directed towards projects and actions that further sustainable groundwater management;

WHEREAS, San Bernardino Valley Municipal Water District, is a member of the Yucaipa Sustainable Groundwater Management Agency (Agency);

WHEREAS, San Bernardino Valley Municipal Water District has indicated a willingness to act on behalf of the Agency in preparation of a grant application and to enter into a funding agreement with the Department of Water Resources to receive a grant for Yucaipa Subbasin GSP Phase 1 Implementation;

THEREFORE BE IT RESOLVED:

San Bernardino Valley Municipal Water District is authorized to act on behalf of the Yucaipa Sustainable Groundwater Management Agency for the preparation of a grant application and to enter into a funding agreement with the Department of Water Resources to receive a grant for the Yucaipa Subbasin GSP Phase 1 Implementation.

Passed and adopted at a meeting of the Yucaipa Sustainable Groundwater Management Agency Board of Directors on November 9, 2022.

Authorized Original Signature: Mark Iverson

Printed Name Mark Iverson

Title: President

Clerk/Secretary: [Signature]

CERTIFICATION

I hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Yucaipa Sustainable Groundwater Management Agency held on November 9, 2022.

Clerk/Secretary [Signature]