

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 <u>no public access</u> to the meeting venue.

BOARD OF DIRECTORS WORKSHOP - POLICY THURSDAY, OCTOBER 13, 2022 – 2:00 P.M.

PUBLIC PARTICIPATION

Public participation is welcome and encouraged. You may participate in the October 13, 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 <u>comments@sbvmwd.com</u> 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, October 12, 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: <u>Participation in the meeting via the Zoom app is strongly encouraged</u>. 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, October 13, 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
 State Legislative Tracking Report October 3, 2022
 Federal Legislative Matrix September 2022
- 3.2 Discuss the District's Legislative Outreach Program (Page 41) Staff Memo - Discuss the District's Legislative Outreach Program Proposed Legislative Outreach Program 2022

4) **FUTURE BUSINESS**

5) <u>ADJOURNMENT</u>

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 <u>www.sbvmwd.com</u> 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: October 13, 2022

TO: Board of Directors Workshop – Policy

FROM: Kristeen Farlow, Strategic Communications Manager

SUBJECT: State and Federal Legislative Update

Staff Recommendation

Receive and file.

<u>Summary</u>

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. This month, Jack Gualco, from the Gualco Group, will participate in the workshop to provide an update on the state legislative process.

State Legislative Update

During the 2021-22 legislative session, 4,476 bills were introduced. Governor Newsom had until September 30 to either sign or veto the 1,433 bills the legislature sent to him. Of that TOTAL, he signed 997 bills. Of particular interest to the District are the following:

Bills approved by the Governor, of interest to the District:

- AB 2108 by Assemblymember Robert Rivas (D-Salinas) Water policy: environmental justice: disadvantaged and tribal communities. Requires the State Water Board and Regional Water Quality Control Boards to make programmatic findings on potential environmental justice, tribal impact, and racial equity considerations when issuing regional or reissuing statewide waste discharge requirements or waivers of waste discharge requirements. Requires the State Water Board and Regional Water Boards to engage communities impacted by proposed discharges of waste throughout the waste discharge planning, policy, and permitting process. This bill was approved by the Governor 9/16/22.
- AB 2142 (Gabriel): Income tax exclusions for turf replacement. This bill is sponsored by the Association of California Water Agencies. This bill was approved by the Governor on 9/28/22.
- AB 2449 (Blanca Rubio): Open meetings: local agencies: teleconferences. Revises existing law to authorize members of a legislative body of a local agency to meet via teleconferencing without noticing their teleconference locations and making them publicly accessible, until January 1, 2026; sponsored by Three Valleys Municipal Water District. This bill was approved by the Governor on 9/13/22.
- AB 2877 by Assemblymember Eduardo Garcia (D-Coachella) Safe and Affordable Drinking Water Fund: tribes. Requires the State Water Board when administering funds under the Safe and Affordable Drinking Water Fund to narrowly draft any waiver of tribal sovereign immunity, for a tribe that is an eligible recipient under the Fund, to serve both the individual needs of the tribe and make the funding agreement enforceable. This bill was approved by the Governor on 9/23/22.
- SB 230 (Portantino): State Water Resources Control Board and Constituents of Emergency Concern in Drinking Water program. This requires the State Board to establish, maintain, and direct a dedicated Constituents of Emerging Concern Program to assess information received, and recommend areas for further study. This bill is sponsored by the Metropolitan Water District of Southern California. This bill was approved by the Governor on 9/28/22.
- SB 852 (Dodd): Climate resilience districts: formation: funding mechanisms. Allows cities and counties (and special districts) to create climate resilience districts and provides these districts with various financing powers. This bill was approved by the Governor on 9/9/22.
- SB 1020 (Laird): Clean Energy, Jobs, and Affordability Act of 2022. This bill establishes interim targets to reach SB 100 clean energy goals and requires state agencies to purchase 100% zero carbon electricity by 2030. This bill was approved by the Governor on 9/16/22.
- SB 1157 (Hertzberg): Urban Water Use Objectives. Changes the standards for indoor residential water use beginning in 2025 to 47 gpcd; and in 2030 to 42 gpcd. Amendments during the legislative process require DWR to conduct studies on the economic impacts of these standards and report on the progress of urban retail water suppliers in achieving their water use objectives. DWR estimates the cost of \$7 million to implement these requirements. The Governor is

expected to support this funding need in next year's Budget Act. This bill was approved by the Governor on 9/28/22.

SB 1205 by Senator Ben Allen (D-Santa Monica) – Water rights: appropriation. This bill requires
the State Water Resources Control Board to promulgate regulations to govern consideration of
climate change effects in water availability analyses used in the State Board's review of
applications for water rights permits. The board is required to consider the effects of climate
change upon watershed hydrology. This bill was approved by the Governor on 9/16/22.

Bills vetoed by the Governor:

• SB 222 (Dodd): Water Rate Assistance Program add Water Rate Assistance Fund. This bill would have required the SWRCB to develop and administer a statewide Water Rate Assistance Program to provide rate assistance to low-income residential ratepayers of a community water system or wastewater system. This bill was vetoed by the Governor on 9/28/22. His comments reflected the fact that there was no sustainable funding source for the program.

All bills enacted by October 2 take effect January 1, 2023. The legislature formally adjourns the 2021-22 legislative session on November 30; the 2023-24 Regular Session convenes on December 5 for organizing.

Federal Legislative Update

On September 29, the Senate passed a continuing resolution (CR) to fund the government through December 16, 2022. House Members passed the legislation the following day and they are now on recess until after the November elections. The Senate will not be back in session until November 14. The passing of the CR means lawmakers can wait until after the November elections before making major spending decisions. Along with funding all government agencies through December 16, the CR also authorizes funding to Ukraine, home heating assistance, and disaster relief.

When the Senate returns in November, they will have to consider a defense authorization bill, an omnibus spending package, and other items that have not made it onto the floor yet.

As part of the Bipartisan Infrastructure Law, the U.S. Environmental Protection Agency (EPA) has submitted its water infrastructure cybersecurity plan to congress. Titled "Technical Cybersecurity Support Plan for Public Water Systems," the Plan accompanies a new website by EPA that outlines cybersecurity best practices for the water sector. It is expected that the EPA will issue a rule requiring states to oversee more than 1,000 water utilities' cybersecurity plans as part of ongoing sanitary surveys.

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

State Legislative Tracking Report – October 3, 2022 Federal Legislative Matrix – September 2022



San Bernardino Valley Municipal Water District Legislative Tracking Report October 3, 2022



Provided by: The Gualco Group, Inc.

Top Ten/Priority

<u>AB 2362</u> (<u>Mullin</u> D) Water quality control plans: funding.

Current Text: Amended: 8/11/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was INACTIVE FILE on 8/22/2022)

Location: 8/31/2022-S. DEAD

Summary: Current law authorizes the State Water Resources Control Board, on behalf of itself or a regional board, to accept donations of moneys from a permittee for the purpose of updating a water quality control plan. This bill would also authorize the state board, on behalf of itself or a regional board, to accept moneys from donations, grants, or contributions, or through contractual agreements, given for the purpose of planning, permitting, or providing technical support for projects of public benefit within the state board or regional board's jurisdiction. The bill would require these moneys and the above-described donations from a permittee to be deposited, and separately accounted for, in the State Water Pollution Cleanup and Abatement Account, for expenditure in accordance with the terms of the donation, grant, contribution, or contractual agreement, to be available for expenditure upon appropriation by the Legislature.

Position

Support

<u>AB 2449</u> (<u>Rubio, Blanca</u> D) Open meetings: local agencies: teleconferences.

Current Text: Chaptered: 9/13/2022 html pdf

Status: 9/13/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 285, Statutes of 2022.

Location: 9/13/2022-A. CHAPTERED

Summary: Current law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. This bill would revise and recast those teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction.

<u>SB 852</u> (Dodd D) Climate resilience districts: formation: funding mechanisms.

Current Text: Chaptered: 9/9/2022 html pdf

Status: 9/9/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 266, Statutes of 2022.

Location: 9/9/2022-S. CHAPTERED

Summary: Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance, including projects that enable communities to adapt to the impacts of climate change. Current law also requires the legislative body to establish a public financing authority, defined as the governing board of the enhanced infrastructure financing district, prior to the adoption of a resolution to form an enhanced infrastructure district and adopt an infrastructure financing plan. This bill would authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district, as defined, for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill would deem each district to be an enhanced infrastructure financing district and would require each district to comply with existing law concerning enhanced infrastructure financing districts, except as specified. The bill would require a district to finance only specified projects that meet the definition of an eligible project. The bill would define "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified.

Position

<u>SB 1020</u> (Laird D) Clean Energy, Jobs, and Affordability Act of 2022.

Current Text: Chaptered: 9/16/2022 html pdf

Status: 9/16/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 361, Statutes of 2022.

Location: 9/16/2022-S. CHAPTERED

Summary: The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. The act requires the state board to conduct a series of public workshops to give interested parties an opportunity to comment on the plan and requires a portion of those workshops to be conducted in regions of the state that have the most significant exposure to pollutants. The act specifically includes as regions for these workshops communities with minority populations, communities with lowincome populations, or both. This bill would instead include as regions for these workshops federal extreme nonattainment areas that have communities with minority populations, communities with low-income populations, or both.

<u>SB 1157</u> (<u>Hertzberg</u> D) Urban water use objectives.

Current Text: Chaptered: 9/28/2022 html pdf **Status:** 9/28/2022-Signed by the Governor **Location:** 9/28/2022-S. CHAPTERED

Summary: Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and including collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use. Current law establishes, beginning January 1, 2025, the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. Current law requires the board, in coordination with the department, to adopt by regulation variances recommended by the department and guidelines and methodologies pertaining to the calculation of an urban retail water supplier's urban water use objective recommended by the department. This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use. The bill would instead require that from January 1, 2025, to January 1, 2030, the standard for indoor residential water use be 47 gallons per capita daily and beginning January 1, 2030, the standard be 42 gallons per capita daily.

Position

General

<u>AB 30</u> (<u>Kalra</u> D) Equitable Outdoor Access Act.

Current Text: Chaptered: 9/30/2022 html pdf

Status: 9/30/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 939, Statutes of 2022.

Location: 9/30/2022-A. CHAPTERED

Summary: Would establish the Equitable Outdoor Access Act, which sets forth the state's commitment to ensuring all Californians can benefit from, and have meaningful access to, the state's rich cultural and natural resources. The bill would declare that it is state policy, among other things, to ensure that all Californians have equitable opportunities to safe and affordable access to nature and access to the benefits of nature, and to prevent and minimize the intentional and unwarranted limitation of sustainable public access to public lands, where appropriate, including, but not limited to, local, regional, state, and federal parks, rivers, lakes, beaches, forests, mountain ranges, deserts, and other natural landscapes. The bill would require specified state agencies to consider and incorporate, as appropriate, the state policy when revising, adopting, or establishing policies, regulations, or grant criteria, or making expenditures, as specified. The bill would require all state agencies implementing the above-described state policy to do so in a manner consistent with the mission of their agency and that protects the health and safety of the public and conserves natural and cultural resources. The bill would require the state to encourage the types of access that promote, and are consistent with, specified conservation goals. The bill would require the Natural Resources Agency to prepare and submit a report to the Legislature with information related to the implementation of these provisions on or before January 1, 2024.

<u>AB 79</u> (Committee on Budget) Budget Act of 2020.

Current Text: Amended: 4/8/2021 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was BUDGET & F.R. on 5/18/2021)

Location: 8/31/2022-S. DEAD

Summary: The Budget Act of 2020 made appropriations for the support of state government for the 2020-21 fiscal year. This bill would amend the Budget Act of 2020 by amending and adding items of appropriation and making other changes. This bill would declare that it is to take effect immediately as a Budget Bill.

Position

<u>AB 87</u> (Committee on Budget) Economic relief: COVID-19 pandemic.

Current Text: Amended: 2/2/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was BUDGET & F.R. on 2/9/2022)

Location: 8/31/2022-S. DEAD

Summary: Would create the California Emergency Relief Fund as a special fund in the State Treasury to provide emergency resources or relief relating to state of emergency declarations proclaimed by the Governor. The bill would transfer from the General Fund to the California Emergency Relief Fund \$150,000,000 for purposes relating to the COVID-19 emergency proclaimed by the Governor on March 4, 2020. The bill would appropriate \$150,000,000 from that fund to the Office of Small Business Advocate for a closed round to fund small business grant applications waitlisted from previous rounds of the California Small Business COVID-19 Relief Grant Program.

Position

<u>AB 350</u> (<u>Villapudua</u> D) Agriculture: Cannella Environmental Farming Act of 1995: technical assistance grant program: groundwater conservation planning.

Current Text: Amended: 8/26/2021 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was INACTIVE FILE on 9/2/2021)

Location: 8/31/2022-S. DEAD

Summary: Would require, upon an appropriation of funds, the Department of Food and Agriculture to establish and administer a 3-year grant program to fund technical assistance to support landowners located in a critically overdrafted basin, as defined, in reaching water use reduction goals established pursuant to the Sustainable Groundwater Management Act. The bill would require the department, in its development of the grant program, to establish various criteria, guidelines, restrictions, processes, and requirements for the qualification and administration of grants to technical assistance providers, as specified. The bill would authorize the department to use specified guidelines to administer this program. The bill would require the grant program to fund one or more technical assistance providers in each critically overdrafted basin. The bill would require the department to ensure that at least 25% of the grant program funds are used to provide technical assistance to socially disadvantaged farmers and ranchers, as defined.

AB 482 (Ward D) Housing authorities: City of San Diego, County of San Bernardino, and County of Santa Clara: middle-income housing projects pilot program.

Current Text: Amended: 6/14/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was INACTIVE FILE on 6/16/2022)

Location: 8/31/2022-S. DEAD

Summary: The Housing Authorities Law authorizes a housing authority of a city or county to, among other things, prepare, carry out, acquire, lease, and operate housing projects and housing developments for persons of low income, as provided. Previously existing law, until January 1, 2022, authorized a housing authority located in the City of San Diego, the County of San Bernardino, or the County of Santa Clara to implement a pilot program to develop and finance a middle-income housing project, as defined, if the project received gap financing, as defined. Previously existing law required any gap financing to be approved by the housing authority's legislative body, as provided. Previously existing law required the housing authority to provide a report to the Legislature, as specified, on and before January 1, 2020, and on or before January 1, 2022. This bill would reenact the above-described authorization for a housing authority located in the City of San Diego, the County of San Bernardino, or the County of Santa Clara to implement a pilot program to develop and finance a middle-income housing project, as provided.

Position

AB 522 (Fong R) Forestry: Forest Fire Prevention Exemption.

Current Text: Chaptered: 9/23/2022 html pdf

Status: 9/23/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 491, Statutes of 2022.

Location: 9/23/2022-A. CHAPTERED

Summary: The Z'berg-Nejedly Forest Practice Act of 1973 authorizes the State Board of Forestry and Fire Protection to exempt from some or all of those provisions of the act a person engaging in specified forest management activities, as prescribed, including the harvesting of trees for the purpose of reducing the rate of fire spread, duration and intensity, fuel ignitability, or ignition of tree crowns, as provided, known as the Forest Fire Prevention Exemption. The act provides that the Forest Fire Prevention Exemption is operative for a period of 5 years after the effective date of emergency regulations adopted by the board to implement the exemption and is inoperative after that 5-year period. Current regulations implementing that exemption specify that it becomes inoperative 5 years after February 19, 2019. This bill would make the operation of the Forest Fire Prevention Exemption Exemption inoperative on January 1, 2026.

<u>AB 1110</u> (<u>Rivas, Robert</u> D) Zero-emission vehicles: Clean Vehicles Ombudsperson: Climate Catalyst Revolving Loan Fund Program.

Current Text: Amended: 8/26/2021 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was DEAD on 2/1/2022)

Location: 8/31/2022-A. DEAD

Summary: Would establish the Clean Vehicles Ombudsperson, to be appointed by and report directly to the Director of GO-Biz, and would require the ombudsperson to consult with appropriate entities in identifying available programs and incentives offered by the state that can help to reduce costs and increase participation in a statewide contract or leveraged procurement agreement, as specified. The bill would also require the ombudsperson to convene 2 or more workshops of an advisory committee to aid the ombudsperson in identifying appropriate candidate vehicles for bulk purchase, leveraged procurement, or other means of widespread adoption by public entities, as specified. The bill would also require the ombudsperson in identifying appropriate candidate vehicles for bulk purchase, leveraged procurement, or other means of widespread adoption by public entities, as specified. The bill would also require the ombudsperson to develop, and recommend that DGS adopt, criteria for evaluating vehicle purchase options or other means of widespread and streamline adoption options, as provided.

Position

<u>AB 1137</u> (<u>Nazarian</u> D) Cultural heritage destruction: California universities and museums. Current Text: Amended: 6/13/2022 <u>html</u> pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was RLS. on 6/13/2022)

Location: 8/31/2022-S. DEAD

Summary: Would prohibit the California Community Colleges and the California State University from inviting, and would request the University of California to not invite, a sponsored professor, as defined, to its campus or facility if the professor is employed by a college or university that is funded by a country that has received an adverse judgment regarding the destruction of cultural heritage artifacts or sites by the International Court of Justice, as specified.

<u>AB 1195</u> (Garcia, Cristina D) Limited Eligibility and Appointment Program: lists.

Current Text: Chaptered: 9/30/2022 html pdf

Status: 9/30/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 892, Statutes of 2022.

Location: 9/30/2022-A. CHAPTERED

Summary: Current law creates the Limited Examination and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities. Current law requires the Department of Human Resources, when an appointing power seeks to fill a vacant position by using an employment list, to provide the appointing power with a certified list of the names and addresses of all eligible candidates, as specified. Current law requires the department to provide a single certified list of eligible candidates if more than one employment list or LEAP referral list exists, and the department is required to combine the names and addresses of all eligible candidates. This bill, as an alternative to receiving a combined list of eligible candidates, would require the department, upon request of an appointing power, to provide a list of eligibles that includes only the names and addresses of candidates, if any, on a LEAP referral list and the names and addresses of candidates, if any, on any applicable reemployment or State Restriction of Appointment list. The bill would authorize the appointing power to notify individuals listed of the opportunity to apply for a vacant position, to screen applications for candidates' eligibility, and to hire from among those eligible applicants whose names appear on the list. The bill would authorize the board to adopt or amend regulations, if necessary, to ensure these procedures are implemented in a manner consistent with merit principles and the California Constitution.

Position

<u>AB 1307</u> (<u>Cervantes</u> D) County of Riverside Citizens Redistricting Commission.

Current Text: Chaptered: 9/19/2022 html pdf

Status: 9/18/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 403, Statutes of 2022.

Location: 9/19/2022-A. CHAPTERED

Summary: Current law establishes the Independent Redistricting Commission in the County of San Diego and the Citizens Redistricting Commission in the County of Los Angeles, which are charged with adjusting the supervisorial district boundaries for those counties. If an appropriation is made for this purpose, this bill would establish the Citizens Redistricting Commission in the County of Riverside, which would be charged with adjusting the boundary lines of the districts of the Board of Supervisors of the County of Riverside. The commission would consist of 14 members who meet specified qualifications. This bill would require the commission to adjust the boundaries of the supervisorial districts in accordance with specified criteria and adopt a redistricting plan in accordance with existing deadlines for the adoption of county supervisorial district boundaries. By increasing the duties on local officials, the bill would impose a state-mandated local program.

AB 1395 (Muratsuchi D) The California Climate Crisis Act.

Current Text: Amended: 9/3/2021 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was THIRD READING on 8/23/2022)

Location: 8/31/2022-S. DEAD

Summary: The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill, the California Climate Crisis Act, would declare the policy of the state both to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and achieve and maintain net negative greenhouse gas emissions thereafter, and to ensure that by 2045, statewide anthropogenic greenhouse gas emissions are reduced to at least 90% below the 1990 levels.

Position

<u>AB 1616</u> (<u>Petrie-Norris</u> D) Economic relief: California Emergency Relief Fund.

Current Text: Amended: 4/7/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was RLS. on 4/21/2022)

Location: 8/31/2022-A. DEAD

Summary: Current law transferred \$150,000,000 from the General Fund to the California Emergency Relief Fund for purposes relating to the COVID-19 emergency proclaimed by the Governor on March 4, 2020. Existing law authorizes the Controller to make a one-time payment to qualified recipients in a form and manner determined by the Franchise Tax Board. This bill would require the Controller to issue one-time cost-of-living payments of specified amounts to qualified recipients, as defined, from the California Emergency Relief Fund. The bill would transfer, from the General Fund to the California Emergency Relief Fund, the amount necessary for the Controller to issue these one-time payments, and would appropriate that amount from the California Emergency Relief Fund to the Controller for that purpose. The bill would require the Controller to issue the payments by June 15, 2023, to the extent practicable.

Position

AB 1733 (Quirk D) State bodies: open meetings.

Current Text: Introduced: 1/31/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was G.O. on 2/18/2022)

Location: 8/31/2022-A. DEAD

Summary: The Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. Current law requires a state body to provide notice of its meeting to any person who requests that notice in writing and to provide notice of the meeting of its internet website at least 10 days in advance of the meeting, as prescribed. Current law exempts from the 10-day notice requirement, special meetings and emergency meetings in accordance with specified provisions. Current law authorizes a state body to adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment, and authorizes a state body to similarly continue or recontinue any hearing being held, or noticed, or ordered to be held by a state body at any meeting. This bill would specify that a "meeting" under the act, includes a meeting held entirely by teleconference.

<u>AB 1845</u> (<u>Calderon</u> D) Metropolitan Water District of Southern California: alternative project delivery methods.

Current Text: Chaptered: 9/13/2022 html pdf

Status: 9/13/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 275, Statutes of 2022.

Location: 9/13/2022-A. CHAPTERED

Summary: Would authorize the Metropolitan Water District of Southern California to use the design-build procurement process for certain regional recycled water projects or other water infrastructure projects. The bill would define "design-build" to mean a project delivery process in which both the design and construction of a project are procured from a single entity. The bill would require the district to use a specified design-build procedure to assign contracts for the design and construction of a project, as defined.

Position

<u>AB 1879</u> (<u>Mathis</u> R) California regional water quality control boards: unfounded or frivolous complaints.

Current Text: Vetoed: 9/13/2022 html pdf

Status: 9/13/2022-Vetoed by Governor.

Location: 9/13/2022-A. VETOED

Summary: The State Water Resources Control Board and the California regional water quality control boards implement the Federal Water Pollution Control Act and the Porter-Cologne Water Quality Control Act by prescribing waste discharge requirements for discharges to the waters of the state, as specified. Current law authorizes the state board and the regional boards to hold hearings necessary for carrying out their duties, as specified. This bill would authorize a regional board to develop a plan or policy to address unfounded or frivolous complaints.

Position

AB 2081 (Garcia, Eduardo D) Municipal water districts: water service: Indian lands.

Current Text: Chaptered: 9/23/2022 html pdf

Status: 9/23/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 480, Statutes of 2022.

Location: 9/23/2022-A. CHAPTERED

Summary: The Municipal Water District Law of 1911 provides for the formation of municipal water districts and grants to those districts specified powers. Current law permits a district to acquire, control, distribute, store, spread, sink, treat, purify, recycle, recapture, and salvage any water for the beneficial use of the district, its inhabitants, or the owners of rights to water in the district. Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. Current law also authorizes a district, until January 1, 2023, under specified circumstances, to apply to the applicable local agency formation commission to provide this service of water to Indian lands, as defined, that are not within the district and requires the local agency formation commission to approve such an application. This bill, among other things, would extend the above provisions regarding the applicable local agency formation commission to zapprove such an application. This bill, among other things, would extend the above provisions regarding the application to the applicable local agency formation commission to January 1, 2027.

AB 2106 (Rivas, Robert D) Water quality: permits.

Current Text: Vetoed: 9/28/2022 <u>html</u> pdf **Status:** 9/28/2022-Vetoed by Governor.

Status: 9/28/2022-Veloed by Governor.

Location: 9/28/2022-A. VETOED

Summary: Would require, on or before December 31, 2025, the State Water Resources Control Board to update its stormwater data collection systems and software through specified actions.

Position

<u>AB 2108</u> (<u>Rivas, Robert</u> D) Water policy: environmental justice: disadvantaged and tribal communities.

Current Text: Chaptered: 9/16/2022 html pdf

Status: 9/16/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 347, Statutes of 2022.

Location: 9/16/2022-A. CHAPTERED

Summary: Current law requires the State Water Resources Control Board to formulate and adopt state policy for water quality control. Current law requires the regional boards to prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge, except discharges into a community sewer system, with relation to the conditions existing in the disposal area or receiving waters upon, or into which, the discharge is made or proposed. Current law also authorizes the state board or a regional board to waive these requirements as to a specific discharge or type of discharge if the state board or a regional board determines, after any necessary state board or regional board meeting, that the waiver is consistent with any applicable state or regional water quality control plan and is in the public interest. This bill would, among other things, specify that the state board and each regional board need to begin outreach to identify issues of environmental justice as early as possible in planning, policy, and permitting processes. The bill would require the state board and each regional board to engage in equitable, culturally relevant community outreach to promote meaningful civic engagement from potentially impacted communities of proposed discharges of waste that may have disproportionate impacts on water quality in disadvantaged communities or tribal communities and ensure that outreach and engagement shall continue throughout the waste discharge planning, policy, and permitting processes.

<u>AB 2142</u> (<u>Gabriel</u> D) Income taxes: exclusion: turf replacement water conservation program.

Current Text: Chaptered: 9/28/2022 html pdf

Status: 9/28/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 674, Statutes of 2022.

Location: 9/28/2022-A. CHAPTERED

Summary: The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines "gross income" as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. Current law provides an exclusion from gross income for any amount received as a rebate or voucher from a local water or energy agency or supplier for the purchase or installation of a water conservation water closet, energy efficient clothes washers, and plumbing devices, as specified. This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, under both of these laws, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a public water system, as defined, local government, or state agency for participation in a turf replacement water conservation program.

Position

<u>AB 2201</u> (<u>Bennett</u> D) Groundwater sustainability agency: groundwater extraction permit: verification.

Current Text: Amended: 8/11/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was CONCURRENCE on 8/30/2022)

Location: 8/31/2022-A. DEAD

Summary: Current law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. Current law also authorizes the State Water Resources Control Board to designate a high- or medium-priority basin as a probationary basin under certain conditions for specified purposes. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval. The bill would prohibit a county, city, or any other water well permitting agency from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the act and classified as medium- or high-priority unless specified conditions are met, including that it obtains a written verification, from the groundwater sustainability agency that manages the basin or area of the basin where the well is proposed to be located, determining that, among other things, the extraction by the proposed well is consistent with any sustainable groundwater management program established in any applicable groundwater sustainability plan adopted by that groundwater sustainability agency or an alternate plan approved or under review by the Department of Water Resources.

AB 2638 (Bloom D) School facilities: drinking water: water bottle filling stations.

Current Text: Chaptered: 9/29/2022 html pdf

Status: 9/29/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 793, Statutes of 2022.

Location: 9/29/2022-A. CHAPTERED

Summary: Would require a new construction or modernization project submitted to the Division of the State Architect by a school district or the governing body of a charter school to include water bottle filling stations, as specified. The bill would require, for modernization projects, a minimum of one water bottle filling station for each school undergoing modernization, and for new construction projects, a minimum of one water bottle filling station per 350 people at each school being constructed. The bill would require water bottle filling stations to be placed in or near high traffic and common areas and to meet specified requirements, including dispensing drinking water that meets primary drinking water standards and secondary drinking water standards, as defined. The bill would provide that these requirements only apply to new construction and modernization projects submitted to the Division of the State Architect 3 months after voters approve a statewide general obligation bond that provides funds for school facilities for kindergarten or any of grades 1 to 12, inclusive, at a statewide election occurring on or after November 1, 2022.

Position

<u>AB 2647</u> (Levine D) Local government: open meetings.

Current Text: Chaptered: 9/30/2022 html pdf

Status: 9/30/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 971, Statutes of 2022.

Location: 9/30/2022-A. CHAPTERED

Summary: Current law, the California Public Records Act, requires state agencies and local agencies to make public records available for inspection, subject to specified criteria, and with specified exceptions. Current law, the Ralph M. Brown Act, requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately posts the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

AB 2693 (Reyes D) COVID-19: exposure.

Current Text: Chaptered: 9/29/2022 html pdf

Status: 9/29/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 799, Statutes of 2022.

Location: 9/29/2022-A. CHAPTERED

Summary: (1)Existing law, the California Occupational Safety and Health Act of 1973, authorizes the Division of Occupational Safety and Health to prohibit the performance of an operation or process, or entry into that place of employment when, in its opinion, a place of employment, operation, or process, or any part thereof, exposes workers to the risk of infection with COVID-19, so as to constitute an imminent hazard to employees. This bill would extend those provisions until January 1, 2024. By expanding the scope of a crime, this bill imposes a state-mandated local program. This bill contains other related provisions and other existing laws.

Position

AB 2770 (Villapudua D) Income tax: credits: Export Investment Act of 2022.

Current Text: Amended: 4/25/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was APPR. SUSPENSE FILE on 5/18/2022)

Location: 8/31/2022-A. DEAD

Summary: The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. This bill would allow a credit against those taxes for each taxable year beginning on or after January 1, 2023, and before January 1, 2027, to a qualified taxpayer in an amount equal to the product of \$1.50, except as otherwise provided, and the number of tons of additional qualified cargo moved by the qualified taxpayer in the taxable year. The bill would require a qualified taxpayer to submit an application, as specified, to the Franchise Tax Board for certification of qualified cargo, and would require the applicant to pay an application fee, as specified. The bill would limit the total aggregate amount of the credit awarded in a taxable year, as specified, and would require the Franchise Tax Board to reduce the credit formula, as necessary, if the number of applicants exceeds the total aggregate amount of the credit authorized.

<u>AB 2780</u> (<u>Arambula</u> D) Dissolution of redevelopment agencies: enhanced infrastructure financing districts: City of Selma.

Current Text: Chaptered: 9/28/2022 html pdf

Status: 9/27/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 598, Statutes of 2022.

Location: 9/28/2022-A. CHAPTERED

Summary: Current law dissolved all redevelopment agencies in accordance with a detailed statutory process and provides for the designation of successor agencies to wind down the affairs of the dissolved redevelopment agencies. Current law authorizes the legislative body of a city or county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community. Current law prohibits a city or county that created a redevelopment agency from initiating the creation of an enhanced infrastructure financing district or participating in the governance or financing of an enhanced infrastructure financing district until certain specified events occur, including that the successor agency for the former redevelopment agency created by the city or county has received a finding of completion, as specified. This bill would, notwithstanding those provisions, authorize the City of Selma to initiate, participate in, govern, or finance an enhanced infrastructure financing district if those specified events have occurred, except the requirement to have received a finding of completion, and if the City of Selma, acting as the successor agency to the former Selma Redevelopment Agency, has paid in full the amount outstanding demanded by the county auditor-controller from the funds of the successor agency for subsequent distribution to taxing entities, as specified.

Position

<u>AB 2803</u> (Valladares R) Income taxation: credits: dependent care.

Current Text: Amended: 4/26/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was REV. & TAX on 3/31/2022)

Location: 8/31/2022-A. DEAD

Summary: The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. This bill, under both laws, for taxable years beginning on or after January 1, 2023, and before January 1, 2028, would allow a credit against those taxes for contributions paid or incurred by a taxpayer for qualified care or backup care for dependents, as specified, of the taxpayer's employees, in an amount equal to 25% of the contributions, or 30% for a small employer taxpayer, as provided, not to exceed \$250,000 per taxable year.

<u>AB 2877</u> (Garcia, Eduardo D) Safe and Affordable Drinking Water Fund: tribes.

Current Text: Chaptered: 9/23/2022 html pdf

Status: 9/23/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 481, Statutes of 2022.

Location: 9/23/2022-A. CHAPTERED

Summary: Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law continuously appropriates to the State Water Resources Control Board moneys deposited in the fund for the development, implementation, and sustainability of long-term drinking water solutions, among other things. Existing law requires the state board to expend moneys in the fund for grants, loans, contracts, or services to assist eligible recipients. Current law includes within the list of "eligible recipients," public agencies, nonprofit organizations, public utilities, mutual water companies, federally recognized California Native American tribes, specified nonfederally recognized Native American tribes, administrators, groundwater sustainability agencies, community water systems, and technical assistance providers. This bill would specify that any waiver of tribal sovereignty that is required by the state board for a tribe that is an eligible recipient to access funding from the fund shall be narrowly drafted to serve both the individual needs of the tribe and make the funding agreement enforceable. The bill would require the state board to include its designated tribal liaison, as defined, in all discussions with eligible recipients, except as specified.

Position

<u>AB 2895</u> (<u>Arambula</u> D) Water: permits and licenses: temporary changes: water or water rights transfers.

Current Text: Chaptered: 9/28/2022 html pdf

Status: 9/28/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 675, Statutes of 2022.

Location: 9/28/2022-A. CHAPTERED

Summary: Under current law, the State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Current law authorizes a permittee or licensee to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if the transfer would only involve the amount of water that would have been consumptively used or stored by the permittee or licensee in the absence of the proposed temporary change, would not injure any legal user of the water, and would not unreasonably affect fish, wildlife, or other instream beneficial uses. This bill would revise and recast the provisions regulating temporary changes due to a transfer or exchange of water rights, including, among other revisions, specifying that those provisions apply to a person who proposes a temporary change for purposes of preserving or enhancing wetlands habitat, fish and wildlife resources, or recreation. The bill would eliminate the requirement that a petitioner publish notice of a petition in a newspaper.

ACA 1 (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.

Current Text: Introduced: 12/7/2020 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was L. GOV. on 4/22/2021)

Location: 8/31/2022-A. DEAD

Summary: The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

Position

<u>SB 37</u> (<u>Cortese</u> D) Contaminated Site Cleanup and Safety Act.

Current Text: Amended: 9/3/2021 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was INACTIVE FILE on 8/29/2022)

Location: 8/31/2022-A. DEAD

Summary: Current law requires designated local enforcement agencies to compile and submit to the Department of Resources Recycling and Recovery a list of all solid waste disposal facilities from which there is a known migration of hazardous waste, and requires the department to compile these lists into a statewide list. Current law requires these agencies to update the information as appropriate, but at least annually, and to submit the information to the Secretary for Environmental Protection. Under existing law, the Secretary for Environmental Protection is required to consolidate the information provided by these state agencies and distribute the information in a timely fashion to each city and county in which sites on the lists are located and to any other person upon request. This bill would enact the Contaminated Site Cleanup and Safety Act and would recodify the above-described provisions with certain revisions. The bill would repeal the requirement for the State Department of Health Care Services to compile a list of all public drinking water wells, as described above.

<u>SB 222</u> (<u>Dodd</u> D) Water Rate Assistance Program.

Current Text: Vetoed: 9/28/2022 html pdf

Status: 9/28/2022-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Location: 9/28/2022-S. VETOED

Summary: Current law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This bill would establish the Water Rate Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income residential ratepayers. The bill would make moneys in the fund available upon appropriation by the Legislature to the state board to provide, in consultation with relevant agencies, direct water bill assistance to lowincome residential ratepayers served by eligible systems, as defined, and would require 80% of total expenditures from the fund to be directly applied to residential ratepayer accounts.

Position

<u>SB 230</u> (<u>Portantino</u> D) State Water Resources Control Board: Constituents of Emerging Concern in Drinking Water Program.

Current Text: Chaptered: 9/28/2022 html pdf

Status: 9/28/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 676, Statutes of 2022.

Location: 9/28/2022-S. CHAPTERED

Summary: Current law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. The state board's duties include, but are not limited to, conducting research, studies, and demonstration programs relating to the provision of a dependable and safe supply of drinking water, enforcing the federal Safe Drinking Water Act, and adopting and enforcing regulations. This bill would require the state board to build upon its existing work dealing with, and work to improve its knowledge of, constituents of emerging concern (CEC) in waters of the state and drinking water.

<u>SB 260</u> (Wiener D) Climate Corporate Accountability Act.

Current Text: Amended: 8/15/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was THIRD READING on 8/16/2022)

Location: 8/31/2022-A. DEAD

Summary: Would require the State Air Resources Board, on or before January 1, 2024, to develop and adopt regulations requiring United States partnerships, corporations, limited liability companies, and other business entities with total annual revenues in excess of \$1,000,000,000 and that do business in California, defined as "reporting entities," to publicly disclose to the emissions registry, as defined, and verify, starting in 2025 on a date to be determined by the state board, and annually thereafter, their greenhouse gas emissions, categorized as scope 1, 2, and 3 emissions, as defined, from the prior calendar year, as provided. The bill would require the state board, on or before January 1, 2029, to review, and update as necessary, these deadlines to evaluate trends in scope 3 emissions reporting and to consider changes to the deadlines, as provided. The bill would require reporting entities to disclose their greenhouse gas emissions in a manner that is easily understandable and accessible to residents of the state. The bill would require reporting entities to ensure that their public disclosures have been independently verified by the emissions registry or a third-party auditor, approved by the state board, with expertise in greenhouse gas emissions accounting. The bill would require the state board, in developing these regulations, to consult with the Attorney General, other government stakeholders, stakeholders representing consumer and environmental justice interests, and reporting entities that have demonstrated leadership in full-scope greenhouse gas emissions accounting and public disclosure and greenhouse gas emissions reductions.

Position

<u>SB 396</u> (<u>Bradford</u> D) Forestry: electrical transmission or distribution lines: clearances: notice and opportunity to be heard.

Current Text: Amended: 6/30/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was CONCURRENCE on 8/4/2022)

Location: 8/31/2022-S. DEAD

Summary: Existing law authorizes any person who owns, controls, operates, or maintains any electrical transmission or distribution line to traverse land as necessary, regardless of land ownership or express permission to traverse land from the landowner, after providing notice and an opportunity to be heard to the landowner, to prune trees to maintain clearances, as provided, and to abate, by pruning or removal, any hazardous, dead, rotten, diseased, or structurally defective live trees. This bill would subject property access by an electrical corporation for felling, cutting, or trimming trees to provisions similar to those applicable to pruning trees, maintaining clearances, and abating trees around electrical transmission or distribution lines, including provisions requiring notice to the landowner and an opportunity to be heard. The bill would explicitly require tree felling, cutting, and trimming activities to comply with certain commission vegetation management rules, if applicable, and with the California Coastal Act of 1976 and the forest practice rules and regulations adopted by the State Board of Forestry and Fire Protection. This bill contains other related provisions and other existing laws.

<u>SB 480</u> (<u>Stern</u> D) Metropolitan Water District of Southern California: rules: inappropriate conduct.

Current Text: Amended: 3/15/2021 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was INACTIVE FILE on 8/24/2022)

Location: 8/31/2022-A. DEAD

Summary: The Metropolitan Water District Act provides for the creation of metropolitan water districts and specifies the powers and purposes of a district. The act requires the Metropolitan Water District of Southern California to establish and operate an Office of Ethics and adopt rules relating to internal disclosure, lobbying, conflicts of interest, contracts, campaign contributions, and ethics for application to its board members, officers, and employees. This bill would require the Metropolitan Water District of Southern California to adopt rules relating to inappropriate conduct, as defined, by board members, officers, and employees.

Position

<u>SB 656</u> (Eggman D) Stockton-East Water District: water rates.

Current Text: Chaptered: 9/30/2022 html pdf

Status: 9/30/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 984, Statutes of 2022.

Location: 9/30/2022-S. CHAPTERED

Summary: Current law, the Water Conservation District Law of 1931, generally governs the formation of water conservation districts and specifies the powers and purposes of those districts. Current law establishes the Stockton-East Water District as a water conservation district and authorizes the district to charge water rates for stream-delivered water and for domestic, agricultural, and municipal groundwater. Current law establishes the district's water rates for the 1979 calendar year and prohibits the rates for stream-delivered water and for domestic and agricultural groundwater assessments after 1979 from exceeding the 1979 rates by more than 20% plus an inflation factor. Current law makes those specified maximum amounts inapplicable on and after the date of any election in which a majority of those electors voting approve a contract by the district for new supplemental water. This bill would delete the provision making those specified maximum amounts inapplicable and would provide that water rates that exceed those specified maximum amounts may be adopted in accordance with law.

<u>SB 786</u> (<u>Hertzberg</u> D) County birth, death, and marriage records: blockchain.

Current Text: Chaptered: 9/28/2022 html pdf

Status: 9/28/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 704, Statutes of 2022.

Location: 9/28/2022-S. CHAPTERED

Summary: Current law requires the State Registrar, local registrar, or county recorder, upon request and payment of the required fee, to supply to an applicant a certified copy of the record of a birth, fetal death, death, marriage, or marriage dissolution registered with the official. Current law requires the certificate to contain certain information and to be printed on chemically sensitized security paper, as specified. This bill would authorize a county recorder to, upon request, issue a certified copy of a birth, death, or marriage record issued pursuant to those provisions, in addition to the required method described above, by means of verifiable credential, as defined, using blockchain technology, defined as a decentralized data system, in which the data stored is mathematically verifiable, that uses distributed ledgers or databases to store specialized data in the permanent order of transactions recorded.

Position

<u>SB 1205</u> (<u>Allen</u> D) Water rights: appropriation.

Current Text: Chaptered: 9/16/2022 html pdf

Status: 9/16/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 369, Statutes of 2022.

Location: 9/16/2022-S. CHAPTERED

Summary: Would require the State Water Resources Control Board to develop and adopt regulations to govern consideration of climate change effects in water availability analyses used in the board's review of applications for water rights permits, including consideration of the effects of climate change, as specified, upon watershed hydrology, as specified. The bill would require the board to consult with the Department of Water Resources, the Department of Fish and Wildlife, and qualified hydrologists and climate change scientists, among others, in preparing the regulations. The bill would prohibit the board from refusing to accept or delay processing or approval of an application on the grounds that the regulations have not yet been adopted.

Position

<u>SB 1354</u> (Jones R) Design-build contracting: cities, counties, and cities and counties: compliance with the federal Americans with Disabilities Act of 1990.

Current Text: Chaptered: 9/30/2022 html pdf

Status: 9/30/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 900, Statutes of 2022.

Location: 9/30/2022-S. CHAPTERED

Summary: Current law, until January 1, 2025, authorizes local agencies, as defined, to use the design-build procurement process for specified public works with prescribed cost thresholds. Current law requires specified information submitted by a design-build entity in the design-build procurement process to be certified under penalty of perjury. This bill would authorize a city, county, or city and county to use the design-build contracting process to award contracts for constructing projects that are necessary in order to comply with construction-related accessibility standards, as specified.

<u>SB 1426</u> (<u>Caballero</u> D) Cannabis: water pollution crimes.

Current Text: Amended: 5/2/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was APPR. SUSPENSE FILE on 5/16/2022)

Location: 8/31/2022-S. DEAD

Summary: Would amend the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA) by making it a misdemeanor or felony to plant, cultivate, harvest, dry, or process more than 50 living cannabis plants, or any part thereof, and where that activity involves unauthorized tapping into a water conveyance or storage infrastructure or digging or extracting groundwater from an unpermitted well. The bill would also clarify that causing substantial environmental harm to public resources includes groundwater. By expanding the scope of a crime, this bill would impose a state-mandated local program.

Position

<u>SB 1442</u> (Borgeas R) Water conservation and reclamation projects.

Current Text: Introduced: 2/18/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was RLS. on 2/18/2022)

Location: 8/31/2022-S. DEAD

Summary: Current law establishes the Water Conservation Projects Act of 1985 and declares the intent of the Legislature to encourage local agencies and private enterprise to implement water conservation and reclamation projects. This bill would make nonsubstantive changes to related legislative findings and declarations.

Position

<u>SB 1459</u> (<u>Caballero</u> D) State water policy.

Current Text: Introduced: 2/18/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was RLS. on 2/18/2022)

Location: 8/31/2022-S. DEAD

Summary: The Porter-Cologne Water Quality Control Act requires the State Water Resources Control Board to formulate and adopt state policy for water quality control. This bill would make nonsubstantive changes to that provision.

Human Resources

AB 84 (Committee on Budget) Employment: COVID-19: supplemental paid sick leave. Current Text: Amended: 2/2/2022 html pdf

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was BUDGET & F.R. on 2/9/2022)

Location: 8/31/2022-S. DEAD

Summary: Would, beginning January 1, 2022, until September 30, 2022, provide for COVID-19 supplemental paid sick leave for covered employees who are unable to work or telework due to certain reasons related to COVID-19, including that the employee is attending a COVID-19 vaccine or vaccine booster appointment for themselves or a family member, or is experiencing symptoms, or caring for a family member experiencing symptoms, related to a COVID-19 vaccine or vaccine booster. The bill would entitle a covered employee to 40 hours of COVID-19 supplemental paid sick leave if that employee either works full time or was scheduled to work, on average, at least 40 hours per week for the employer in the 2 weeks preceding the date the covered employee took COVID-19 supplemental paid sick leave. The bill would provide a different calculation for supplemental paid sick leave for a covered employee who is a firefighter subject to certain work schedule requirements and for a covered employee working fewer or variable hours, as specified.

Position

AB 1041 (Wicks D) Employment: leave.

Current Text: Chaptered: 9/29/2022 html pdf

Status: 9/29/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 748, Statutes of 2022.

Location: 9/29/2022-A. CHAPTERED

Summary: Would expand the class of people for whom an employee may take leave to care for to include a designated person. The bill would define "designated person" to mean any individual related by blood or whose association with the employee is the equivalent of a family relationship. The bill would authorize a designated person to be identified at the time the employee requests the leave. The bill would authorize an employer to limit an employee to one designated person per 12-month period.

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.	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. 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.	
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.	Efforts to pass the legislation in 2021 through reconciliation were unsuccessful even after the House passed a modified version of the legislation. 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. 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.	
		Other Pendir	ng 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.	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 minibus appropriations package along party lines. 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.	

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,
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.	2022. 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.5118	Rep. Joe Neguse (D-CO)	Legislative vehicle for the Wildfire Response and Drought Resiliency Act	This legislation 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, including the Agriculture and Interior departments, to implement various forest management, water, and climate programs. - Expand federal disaster relief assistance, research efforts related to the effects of wildfire on public health.	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.
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 Agency Process Accountability Act - NEPA Accountability and Enforcement Act - NEPA State Assignment Expansion Act - NEPA Legal Reform Act - NEPA Data Transparency Act	The Senate legislation was introduced on March 11, 2021 and referred to the Committee on Environment and Public Works. The House legislation was introduced on June 11, 2021 and referred to the House Committees on Natural Resources; Judiciary; Transportation and Infrastructure; and Energy and Commerce.
H.R. 4647 / S. 2430	Rep. Jared Huffman (D-CA) / Sen. Dianne Feinstein (D-CA)	Water Conservation Rebate Tax Parity Act	The legislation would amend federal tax law so that homeowners wouldn't pay income tax on rebates from water utilities for water conservation and water runoff management improvements	The House legislation was introduced on July 22, 2021 and referred to the House Committee on Ways and Means. The legislation in the Senate was introduced on July 22, 2021 and referred to the Senate Committee on Finance.
S.2454	Sen. Alex Padilla (D-CA)	Water Reuse and Resiliency Act	The legislation would authorize \$1 billion over five years for the EPA's Pilot Program for Alternative Water Source Projects grants program. This is an increase from the \$125 million over five years authorized for the program in the Drinking Water and Wastewater Infrastructure Act passed by the Senate in April.	The legislation was introduced on July 22, 2021 and referred to the Senate Committee on Environment and Public Works.
H.R.4915	Rep. Tom McClintock (R-CA)	Water Supply Permitting Coordination Act	The legislation would authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing.	The legislation was introduced on August 3, 2021 and referred to the House Committee on Natural Resources.
H.R. 4976	Rep. Elissa Slotkin (D-MI)	Ensuring PFAS Cleanup Meets or Exceeds Stringent Standards Act	The legislation directs the Secretary of Defense to ensure that removal and remedial actions relating to PFAS contamination result in levels meeting or exceeding certain standards.	The legislation was introduced in the House on August 6, 2021 and was referred to the House Committees on Armed Services, Transportation and Infrastructure, and Energy and Commerce.

S.2372 / H.R.2773	Sen. Heinrich, Martin (D- NM) / Representative Debbie Dingell (D-MI)	Recovering America's Wildlife Act of 2021	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. 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.	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. 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. The House and Senate hope to come to an agreement on the legislation prior to the end of the Congress.
H.R.4602 / S.3956	Rep. Alan Lowenthal (D-CA) / Rep. Lisa McClain (R-MI) and Sen. Jeff Merkley (D- OR) / Sen. Susan Collins (R- ME)	WIPPES Act	The legislation would direct the Federal Trade Commission to issue regulations requiring certain products to have "Do Not Flush" labeling	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. The Senate bill was introduced on March 30, 2022.
H.R.6591	Rep. Lisa McClain (R-MI) / Rep. Alan Lowenthal (D-CA)	PIPES Act	The legislation would require the Administrator of the Environmental Protection Agency to publish a rule that establishes standards for the flushability of disposable nonwoven wipes.	The legislation was introduced on February 3, 2022 and was referred to the House Committee on Energy and Commerce.

S. 2806 / H.R. 3534	Sen. Dianne Feinstein (D-CA) / Rep. Jimmy Panetta (D-CA)	Wildfire Emergency Act of 2021	Amongst other things, the legislation authorizes \$250 million over 5 years for up to 20 Forest Service projects of 100,000 acres or greater; Establish a new \$100 million grant program to assist critical facilities like hospitals and police stations become more energy efficient and better adapted to function during power shutoffs; Establishes one or more Prescribed Fire Centers to coordinate research and training of foresters and forest managers in the western United States in the latest methods and innovations in prescribed fire (controlled burns) practices.	The Senate legislation was introduced on September 22, 2021 and passed the Senate on October 19, 2021. The House bill was introduced on May 25, 2021 and was referred to the Subcommittee on Conservation and Forestry.
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.	The legislation was introduced on October 19, 2021 and passed the Senate by unanimous consent that day. Senator Alex Padilla (D-CA) is an original cosponsor of the legislation. The act was introduced in the House on October 26 and referred to the House Committee on Oversight and Reform.
H.R. 6461 / S. 3531	Rep. Scott Peters (D-CA) / Sen. Chris Coons (D-DE)	National Climate Adaptation and Resilience Strategy Act	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. 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.	The legislation was introduced in the House on January 20, 2022 and referred to the Committee on Energy and Commerce. The legislation was introduced in the Senate on January 20, 2022, read twice, and referred to the Committee on Homeland Security and Government Affairs.

H.R. 6396	Rep. Earl Blumenauer (D- OR)	Climate RESILIENCE Act	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.	The legislation was introduced in the House on January 13, 2022 and referred to the Committee on Transportation and Infrastructure. The legislation has 32 cosponsors, including 8 members of the California delegation.
H.R.6492	Rep. Pramila Jayapal (D-WA)	Climate Resilience Workforce Act	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. 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.	The legislation was introduced in the House on January 25, 2022 and referred to the Subcommittee on Conservation and Forestry. The legislation has 38 cosponsors, including 9 members of the California delegation.
H.R. 6989	Rep. Ted Lieu (D-CA)	Housing for All Act of 2022	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.	The legislation was introduced in the House on March 8, 2022 and referred to the Subcommittee on Highways and Transit. The legislation has 14 cosponsors, including 12 members of the California delegation.

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:October 13, 2022TO:Board of Directors WorkshopFROM:Kristeen Farlow, Strategic Communications ManagerSUBJECT:Discuss the District's Legislative Outreach Program

Staff Recommendation

The Board of Directors is asked to discuss the proposed Legislative Outreach Program and provide feedback and direction to Staff.

Summary

In coordination with the Board of Directors Legislative Committee, staff has prepared a proposed Legislative Outreach Program as a guiding document for the District's legislative outreach efforts. This Program includes a Legislative Strategy that identifies the goals of the program, how the goals will be achieved, and the resources needed to achieve the goals, as well as Legislative Policy Principles based on the District's mission, vision, and priorities, and aligned with the District's Strategic Plan: *Foundations* document.

Background

Each month, the Board of Directors receives a legislative update from Staff, supplemented by updates and presentations from the District's State and Federal lobbyists, at Board Workshops. This content is typically an update on what has occurred over the last 30 days of legislative significance that may impact the District, our projects, retail water providers, and the region. The District has traditionally maintained a "wait-and-see" position in terms of legislative advocacy. This position is often guided by recommendations and positions by the State Water Contractors, statewide associations, regional water wholesalers, retail water providers, legislators, and other sources of information.

As the District becomes more engaged on statewide legislative issues, it is imperative to establish a formal focus on how the District will prioritize positions on legislative issues. The Legislative Outreach Program (document) is designed to guide the conversation and establish priorities by showing how the proposed Legislative Policy Principles align with the District's Strategic Plan Priorities.

The Legislative Outreach Program is intended to guide the conversation by the Board of Directors when it comes to legislative advocacy. It identifies the priorities of the District and provides direction to Staff on the areas of focus. It is not intended to establish set positions of the Valley District Board of Directors on legislative issues.

It is anticipated that the Legislative Outreach Program will be updated annually based on the needs and priorities of the District. The Board will continue to receive monthly updates from Staff and the legislative advocates on legislative matters.

District Strategic Plan Application

The Legislative Outreach Program aligns with the District's Values – collaborative, trustworthy, innovative, and driven. By engaging in the legislative conversation, the District is taking a leadership position, working with other agencies and the legislators to ensure that our water supply resilience needs are being addressed. The District is proposing innovative solutions that can help make water supply resilience a reality for our region.

Fiscal Impact

There is no fiscal impact related to this item. The District has contracts with state and federal legislative advocates that are approved every two years and budgeted for within the Consultants budget account number 6360.

Attachment

Proposed Legislative Outreach Program 2022



Purpose

To build an effective Legislative Outreach Program, the District has established a Legislative Strategy that identifies the goals of the program, how the goals will be achieved, and resources needed to achieve the goals. As a companion document to this, the District has prepared a draft set of Legislative Policy Principles based on the District's mission, vision, and priorities, and aligned with the District's Strategic Plan: *Foundations* document.

<u>Goal</u>

The goal of the Valley District Legislative Outreach Program is to build relationships with elected leaders and key members of the communities we serve to secure funding for Valley District and other collaborative projects in the region.

This goal is accomplished through the following five objectives:

- 1. *Relationship Building*: Building and maintaining relationships with our legislative representatives and their staff are key to success. These contacts will be made aware of the District's projects, activities, and positions. They will seek collaborations with Valley District because of these relationships.
 - These relationships are built through meetings in the District as well as in Sacramento (or remotely, if needed), and tours of District and regional facilities for elected officials and key staff.
 - These key relationships include both State and Federal representatives, as well as local leaders.
 - Federal*: House of Representatives and United States Senate;
 - State*: The Governor and the Administration; California State Senators and Assemblymembers; State Appointed Leaders (e.g., Department of Water Resources, the Natural Resources Agency, the State Water Resources Control Board); and
 - Local: County Supervisors; Mayors, Councilmembers and City Managers; retail water agency General Managers and Directors.
- 2. *Collaboration Development*: To increase the District's presence, position, and visibility on key issues, Directors and Staff are encouraged to participate on industry groups and associations that impact legislation for our industry, including:
 - Association of California Water Agencies committees, including Communications, Federal Affairs, Groundwater, and State Legislative;
 - California Special Districts Association committees, including Legislative Committee;
 - Southern California Water Coalition;
 - State Water Contractors; and
 - Local organizations, such as Inland Action, Chambers of Commerce, Rotary and Kiwanis clubs.
- 3. Advocacy: Advocacy involves monitoring legislation and providing proactive input on proposed legislation. This comes in the form of letters and comments to the authors of bills, meetings with elected leaders and their staff, and supporting coalitions who take positions on legislation.

*The Federal and State elected officials within the Valley District service area are noted in Attachment 1, along with the specific cities they serve and the Committee(s) they serve on.



- Advocacy also means meeting with our legislators and staff on a regular basis about topics that are of importance to the District and about our projects. These meetings should happen throughout the year, both in-District as well as in Sacramento or Washington, D.C.
- Advocacy includes making requests for elected leader support for positions of interest or funding requests by Valley District.
- Advocacy also involves applying for grants and other funding that aligns with our project priorities.
- 4. Program Tools & Foundation: The District will establish a legislative platform that is the foundation for taking positions and forming opinions on legislative activities.
 - Each year, Legislative Policy Principles will be established/revised based on current trends, research, analysis, and needs of the District. These Principles will consider legislation proposed and passed in the previous year and any prior positions the District has taken. These Principles provide direction to Staff on how to respond to legislation and regulatory issues in a timely and proactive manner.
 - The District has developed legislative policy principles that support our mission, vision, and priorities.
 - This platform represents a framework for organizing the District's legislative interests at the federal, state, and regional levels.
- 5. Reporting & Evaluation: Staff will provide monthly updates to the Board of Directors as well as an end-of-year recap.
 - Staff will provide monthly updates to the Board of Directors as either verbal updates or written reports. When appropriate, the District's State and Federal legislative advocates will provide updates that are timely and relevant.
 - Staff will provide a brief end of year recap to the Board each year on the State Legislative session, as well as a full recap at the end of the two-year State legislative session. This will highlight the District's achievements, relationships built, number and topic of letters submitted, change effected due to activity, and expectations for the future legislative session.
 - The Legislative Outreach Program will be evaluated to ensure it is meeting the District's needs and that new developments in priorities are considered.



Introductory Statement/Background

The San Bernardino Valley Municipal Water District's mission is to work collaboratively to provide a reliable and sustainable water supply to support the changing needs of our region's people, the economy, and the environment. Our vision is to maintain and bolster a diverse, equitable, and resilient water supply and healthy watershed for future generations. Within our mission and vision, the following priorities have been identified:

- <u>Resilient</u>. Address seismic conditions, drought, population growth and climate change
- <u>Restorative</u>. Reduce carbon footprint and provide a healthy environment
- <u>Science Based</u>. Decisions are based on reliable regional data shared among all partners.
- <u>Cost-Effective</u>. Optimize operational efficiency and maximize benefits from ratepayer investments.
- <u>Integrated</u>. Holistically optimize value to the region.

Legislative Policy Principles

The District has developed legislative policy principles that support our mission, vision, and priorities. This platform represents a framework for organizing the District's legislative interests at the federal, state, and regional levels. The following key legislative guiding principles form the foundation of the District's advocacy efforts. (The legislative principles are aligned with the District's Priorities from the Strategic Plan: *Foundations*, as denoted in *italicized blue and underlined*.)

- a. Imported Water Supply Reliability: Integrated; Holistically optimize value to the region.
 - i. Support the development of a Delta Conveyance project that benefits both the environment and the 27 million people who rely on the Delta as a primary source of water.
 - ii. Support the development of the Sites Project that benefits both the environment and the entities investing in the project.
 - iii. Support State Water Contractors' efforts to protect our investment in the State Water Project.
 - iv. Support funding for cost-effective water use efficiency measures.
- b. Local Water Supply Development and Reliability: <u>Resilient</u>; Resilient to seismic conditions, drought, population growth and climate change. <u>Integrated</u>; Holistically optimize value to the region. <u>Cost-Effective</u>; Optimize operational efficiency and maximize benefits from ratepayer investments.
 - i. Support opportunities for regionalization and collaboration.
 - ii. Support expanded options for groundwater management and storage.
 - iii. Develop new sources of supply through expanded options for recycled water and stormwater capture locally.
 - iv. Support improved partnerships with State and federal partners to maximize the use of supplies.
 - v. Support local control of water resources and resist mandates that may hinder District operations.
 - vi. Support water quality management efforts locally and statewide.



- c. Climate Resiliency: <u>Resilient</u>; Resilient to seismic conditions, drought, population growth and climate change. Restorative; Reduce carbon footprint and recover environmental health. <u>Science Based</u>; Built from reliable regional data shared among all partners.
 - i. Support measures that provide opportunities and funding for projects that address Climate Resiliency.
 - ii. Support measures that provide opportunities and funding for Headwaters Management.
 - iii. Support measures that provide funding and flexibility for wildfire prevention and power outages.
 - iv. Support science-based approaches to addressing climate resiliency.
 - v. Support measures to decrease energy cost while increasing water supply reliability.
- d. Governance: <u>Resilient</u>; Resilient to seismic conditions, drought, population growth and climate change. <u>Cost-Effective</u>; Optimize operational efficiency and maximize benefits from ratepayer investments. <u>Integrated</u>; Holistically optimize value to the region.
 - i. Support measures that protect and advance local governance and transparency.
 - ii. Support measures that protect local revenue sources and reserve funds.
 - iii. Support legislation that allows for greater access of the public to board and committee meetings.
 - iv. Support opportunities for regionalization and collaboration.

Legislator	Region Served	Committees/Caucuses
U.S. Representative Pete	San Bernardino, Colton, Highland, Loma	House Appropriations Committee
Aguilar	Linda, Redlands, Grand Terrace, Rialto,	Vice Chair of House Democratic Caucus, Member Congressional Hispanic Caucus
	Fontana, Rancho Cucamonga, Upland	and New Democrat Coalition
		Founder of the E-Commerce Caucus
		Caucuses: Veterans Jobs, , Native American, Steel
U.S. Representative Jay	Rural San Bernardino County, and Mono	Committee on Natural Resources, Vice Ranking Member Subcommittee for
Obernolte	and Inyo counties	Indigenous Peoples of the United States, Member Subcommittee on National Parks, Forests, and Public Lands
		Committee on Science, Space, and Technology, Ranking Member Subcommittee on
		Investigations and Oversight, Member Subcommittee on Energy
		Committee on the Budget
		Caucuses: Western, Climate,
State Senator Rosilicie	Riverside, San Bernardino, Calimesa, Loma	Budget & Fiscal Review, Public Safety
Ochoa Bogh	Linda, Redlands, Yucaipa	
State Senator Richard	Corona, Norco, Jurupa Valley, Riverside	Joint Legislative Committee on Rules, Senate Committee on Business, Professions
Roth		& Economic Development
State Assemblymember	Bloomington, Colton, Fontana, Grand	Standing Committees: Budget, Utilities and Energy
Eloise Gomez Reyes	Terrace, Muscoy, Rialto, San Bernardino,	Special Committees: Legislative Ethics
		Select Committees: Economic Development of the Inland Empire, Urban
		Development to Combat Climate Change
State Assemblymember	Highland, Loma Linda, Lytle Creek,	Standing Committees: Budget, Governmental Organization, Local Government
James Ramos	Mentone, Rancho Cucamonga, Redlands,	Select Committees: Economic Development in the Inland Empire
Jannee Kannee	San Bernardino	
State Assemblymember	Chino, Chino Hills, Fontana, Montclair,	Standing Committees: Energy Management
, Freddie Rodriguez	Ontario, Pomona, Rancho Cucamonga	Select Committees: Economic Development in the Inland Empire (Chair)
6		Joint Committees: Emergency Management
State Assemblymember	Redlands, Yucaipa, Calimesa, Oak Glen,	Utilities and Energy, Elections, Health, Insurance Vice Chair, Revenue and Taxation
Chad Mayes	Banning, the Morongo Valley, Yucca Valley,	
	Rancho Mirage	
State Assemblymember	Corona, Eastvale, El Cerrito, Home	Standing Committees: Jobs, Economic Development and the Economy (Chair),
Sabrina Cervantes	Gardens, Jurupa Valley, Norco, Riverside,	Communications and Conveyance
	Temescal Valley	Select Committees: Economic Development in the Inland Empire
State Assemblymember	Jurupa Valley, Perris, Riverside, Moreno	Standing: Budget, Transportation
Jose Medina	Valley	Select Committees: Economic Development in the Inland Empire
State Assemblymember	Big Bear City, Big Bear Lake Arrowhead,	Budget, Environmental Safety & Toxic Affairs, Governmental Organization,
Thurston "Smitty" Smith	Crestline	Economic Development, Water Parks & Wildlife