



**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. Governor Newsom issued Executive Order N-25-20 (3-12-20) and Executive Order N-29-20 (3-17-20) which temporarily suspend portions of the Brown Act relative to conducting public meetings. Subsequent thereto, Governor Newsom issued Executive Order N-33-20 (3-19-20) ordering all individuals to stay at home or at their place of residence. Accordingly, it has been determined that all Board and Workshop meetings of the San Bernardino Valley Municipal Water District will be held pursuant to the Brown Act and will be conducted via teleconference. There will be no public access to the meeting venue.

**BOARD OF DIRECTORS WORKSHOP - POLICY  
THURSDAY, OCTOBER 8, 2020 – 2:00 P.M.**

**PUBLIC PARTICIPATION**

Public participation is welcome and encouraged. You may participate in the October 8, 2020, meeting of the San Bernardino Valley Municipal Water District online and by telephone as follows:

**Dial-in Info: (888) 788-0099 US Toll-free  
Meeting ID: 831 7559 3663**

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

If you are unable to participate online or by telephone, you may also submit your comments and questions in writing for the District's consideration by sending them to [comments@sbvmwd.com](mailto:comments@sbvmwd.com) with the subject line "Public Comment Item #" (insert the agenda item number relevant to your comment) or "Public Comment Non-Agenda Item". Submit your written comments by 6:00 p.m. on Wednesday, October 7, 2020. All public comments will be provided to the Chair and may be read into the record or compiled as part of the record.

**IMPORTANT PRIVACY NOTE: Participation in the meeting via the Zoom app is strongly encouraged. 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. Participation in the meeting via the Zoom app is strongly encouraged; there is no way to protect your privacy if you elect to call in to the meeting. The Zoom app is a free download.**



**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 8, 2020**

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**CALL TO ORDER** -

*Chairperson: Director Longville*

*Vice-Chair: Director Kielhold*

**1. INTRODUCTIONS**

**2. PUBLIC COMMENT** - *Any person may address the Board on matters within its jurisdiction.*

**3. SUMMARY OF PREVIOUS MEETING**

- 3.1. September 10, 2020 Meeting (Page 3)  
[Summary Notes BOD Workshop - Policy 091020](#)

**4. PRESENTATIONS**

- 4.1. Presentation by Representative Pete Aguilar (Page 7)  
[Staff Memo - Presentation by Representative Pete Aguilar](#)

**5. DISCUSSION ITEMS**

- 5.1. Discuss State and Federal Legislative Update (Page 8)  
[Staff Memo - Discuss State and Federal Legislative Update](#)  
[September 2020 State Legislative Tracking](#)  
[September 2020 Federal Legislation Matrix](#)

- 5.2. Discuss Purchase and Distribution of Reusable Bags (Page 29)  
[Staff Memo - Discuss Purchase and Distribution of Reusable Grocery Bags](#)

**6. FUTURE BUSINESS**

## 7. ADJOURNMENT

PLEASE NOTE:

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



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**DATE:** October 8, 2020

**TO:** Board of Directors Workshop – Policy

**FROM:** Staff

**SUBJECT:** Summary of September 10, 2020 Board of Directors Workshop – Policy

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The Policy Workshop convened on September 10, 2020, via Zoom teleconference. Director Longville chaired the meeting; President Harrison and Directors Hayes, Kielhold, and Navarro participated in the Workshop. Heather Dyer, Cindy Saks, Melissa Zoba, Chris Jones, Kristeen Farlow, and Matt Howard of staff, participated in the workshop.

### **3. Summary of Previous Meeting**

The meeting notes from the August 13, 2020, Board of Directors Workshop – Policy were reviewed. Director Longville requested her comments about the Strategic Planning Retreat be added; Director Navarro requested his comments/inquiry regarding requiring Directors to take a COVID-19 test be included in the notes.

#### **4.1 Discuss State and Federal Legislative Update**

Staff provided the Board of Directors with an update on the current status of State and Federal legislation. The State just completed its legislative session and the Governor has until September 30, 2020, to either veto or sign all the bills on his desk. Bills that made it to the Governor's desk, of interest to Valley District, include AB 2569 – Water Quality Notification Response Levels; AB 2800 – Climate Change, Infrastructure Planning; and SB 1386 – Local Government Assessments, Fees, Charges. The Gualco Group noted that there are several bills we can expect to see again next year, including one similar to the Small Water Systems Authority Act (SB 414) and Resource Conservation (AB 3030).

On the federal side, staff provided an update on the Coronavirus Relief legislation; the Water Resources Development Act of 2020 (WRDA/HR7575) which includes the completion of a feasibility study to modify operations of Seven Oaks Dam; and the Great American Outdoors Act, which was signed into law on August 4, 2020. Director Longville commented on COVID and the State legislative process and rules waivers; Director Hayes inquired about the District holding back payroll taxes (as authorized in Coronavirus Relief funding)- Ms. Saks clarified that the District is not currently withholding payroll taxes; Director Kielhold asked a clarifying question about WRDA and Seven Oaks Dam; Director Navarro inquired about grant funding available to Valley District through the Great American Outdoors Act- Ms. Dyer clarified that this new law would permanently fund land and water conservation activities for Section 6 of the ESA; President Harrison responded to Director Navarro that the District received \$850,000 out of the Section 6 funding in the last round and available funding is dependent on what the federal government puts into the fund.

**Action Item(s):** None

#### **4.2 Consider Partnership with the University of California at Irvine PFAS Research Project**

Ms. Dyer presented the Board with an opportunity to sponsor the University of California at Irvine in a research study they are doing on PFAS in the sewersheds. The project will be co-funded by the other Santa Ana Watershed Project Authority (SAWPA) agencies in the amount of \$20,000 apiece, with the Orange County Water District funding more because they represent additional agencies involved in the project. While PFAS is not as big of an issue in the upper watershed, it is a challenge in the lower watershed where it is showing up in wells. The UCI Proposal includes a Phase 1 analysis that will begin with wastewater treatment plants. Funding this will allow the partners to understand the current situation and try to get ahead of future issues.

Director Hayes mentioned that SAWPA has done some preliminary studies on PFAS and she would like to see those studies integrated into this new UCI study; President Harrison commented that one of the downstream agencies had 59 out of 60 wells test positive for PFAS and this is going to be a hot-button item especially in future legislation; Director Kielhold is supportive of the study and Valley District financially supporting it. He stated that “education is expensive; but so is ignorance.” Director Navarro agreed with Director Kielhold’s comments; Director Longville stated that PFAS is a forever chemical and inquired

whether the contribution mapping will include historical sites. Ms. Dyer clarified that it will include historical sites like old landfills, industrial sites, and military bases.

Because this dollar amount is within Ms. Dyer's signing authority, she will proceed with the sponsorship.

**Action Item(s):** None

#### **4.3 Consider Adoption of the Santa Ana Watershed Project Authority One Water One Watershed (OWOW) Plan Update 2018**

Mr. Howard and Mr. Jones presented the Board with the opportunity to consider the adoption of Santa Ana Watershed Project Authority's (SAWPA) One Water One Watershed (OWOW) Plan Update 2018. SAWPA as the Regional Water Management Group for the Santa Ana Funding Area is tasked with developing an Integrated Regional Water Management Plan (IRWMP) for the entire Santa Ana River Watershed. During the development of the 2018 Plan Update, SAWPA performed a call for projects for consideration of Proposition 1 Implementation funding in which the Valley District submitted the Evans Lake Tributary Restoration and Camp Evans project which was ultimately ranked second out of 10 projects. The Evans Lake Tributary Restoration and Camp Evans project was awarded two million dollars in Proposition 1 Implementation grant funds. In order for SAWPA to submit the final list of projects to DWR for funding, DWR requires that each project sponsor including Valley District adopt the OWOW Plan Update 2018 as a requirement to receive Proposition 1 grant funding. Chris Jones presented an overview of the Evans Lake Tributary Restoration and Camp Evans project including photos, partnerships on this project, and a project site diagram that outlined the habitat conservation area, camping area, and community garden. Director Navarro stated that his previous concerns have been addressed and he is supportive of the project.

**Action Item(s):** Staff was provided a recommendation that this item be placed on the October 6, 2020 Board of Directors Regular meeting for adoption of the 2018 OWOW Plan Update.

#### **6. Future Business – None noted**

## **7. Adjournment**

### **Staff Recommendation**

Receive and file.



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**DATE:** October 8, 2020  
**TO:** Board of Directors' Workshop – Policy  
**FROM:** Heather Dyer, CEO/General Manager  
**SUBJECT:** Presentation by Representative Pete Aguilar

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United States Representative Pete Aguilar, from California's 31<sup>st</sup> District will provide the Directors with an update on current events in the federal legislature as well as answer questions from the Directors. The District has worked closely with Representative Aguilar's office over the years on a variety of topics, including, most recently, the Seven Oaks Dam.

**Fiscal Impact**

There is no fiscal impact related to this item.

**Recommended Action**

Receive and file.





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**DATE:** October 8, 2020  
**TO:** Board of Directors Workshop – Policy  
**FROM:** Kristeen Farlow, Manager of External Affairs  
**SUBJECT:** Discuss State and Federal Legislative Update

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Staff is providing the Board of Directors with an update on current significant legislation from both 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., (TGGI) is the District’s State lobbyist in Sacramento; Innovative Federal Strategies (IFS) is the District’s Federal lobbyist in Washington D.C.

**State Legislative Highlights**

On September 23, Governor Newsom announced that California will phase out gasoline-powered cars and drastically reduce demand for fossil fuel in California’s fight against climate change. He issued an executive order requiring sales of all new passenger vehicles to be zero-emission by 2035 and additional measures to eliminate harmful emissions from the transportation sector.

Legislation we were monitoring that was signed by Governor Newsom includes SB 1386 (Moorlach) Local Government Assessment Fees, AB 2560 (Quirk) Water quality notification response levels, and AB 2800 (Quirk) Climate Change and Infrastructure Planning.

The legislature will return after the election with a clean slate but with the State facing a significant budget deficit. If federal stimulus funding does not come through, the State will need to consider significant budget cuts. Through the end of the year and into January, the State Legislature will continue working on the Governor's Water Portfolio Implementation, the budget, and the need for federal stimulus funding and bond discussion for the future.

### **Federal Legislative Highlights**

September 30, 2020, was the end of the federal fiscal year, which necessitates new legislation from Congress to fund the government for the next fiscal year. Since no agreement was reached, Congress passed a continuing resolution (C.R.) to keep the government funded after September 30, 2020.

At the end of September, the House updated a proposed C.R. to fund the government through December 11, 2020. It passed the House under a suspension of the rules. House Democratic Leaders introduced a new bill that enjoyed bipartisan support. The Senate ultimately passed it 84 – 10 on September 30. President Trump signed the legislation on October 1, 2020. In addition to funding the federal government through December 11, the enacted legislation extends authorities for the National Flood Insurance Program and the FAST Act (surface transportation legislation) through the end of FY21 (September 30, 2021).

During the month of September, lawmakers and the White House continued negotiations over the next round of coronavirus stimulus funding. Negotiators for President Trump and House Speaker Nancy Pelosi (D-CA) remain optimistic that a deal will be reached in the coming days. The House is expected to recess for the month of October through the November elections, but Majority Leader Steny Hoyer (D-MD) has told Members that they will be given 24-hours' notice of votes should an agreement materialize.

Both the House and Senate considered separate coronavirus response bills in September. The Senate brought a roughly \$600 billion package that enjoyed support from nearly all Republicans, but failed to attract votes from any Democrats; House Democrats unveiled a \$2.2 trillion package that was a slimmed down version of the Heroes Act. House leaders brought the bill to the floor on October 1 and passed it largely along party lines.

While the House passed its Water Resources Development Act of 2020 (H.R. 7575) in July, the Senate has not passed its own version, meaning the House and Senate are not yet working to conference the bills. The House version of the legislation calls for the expedited completion of a

feasibility study for the project to modify the Seven Oaks Dam to include water conservation as an authorized purpose. A final WRDA bill is not expected to be enacted until the lame duck session of Congress after the November elections.

The House and Senate have passed a second major conservation bill sending the America's Conservation Enhancement Act (ACE Act) to the White House. The ACE Act would reauthorize Chesapeake Bay conservation programs, create a program focused on preserving fish habitats, and establish a Theodore Roosevelt Genius Prize for technological innovation to reduce human-predator conflict through non-lethal means. It would also create a Chronic Wasting Disease task force to help marry state and federal efforts to combat the disease. President Trump is expected to sign the legislation in the coming days.

The House is expected to be in a district work period for much of October, though House Majority Leader Steny Hoyer has said lawmakers will be called back with 24-hours' notice if an agreement is reached on coronavirus response legislation. If an agreement is not reached, the House likely will not return until after the election. Due to an outbreak of COVID-19 within the Senate, that body will not return to session until October, 19<sup>th</sup>, per Senate Majority leader, Mitch McConnell.

### **Recommended Action**

Receive and file.

### **Attachments**

September 2020 State Legislative Tracking Report

September 2020 Federal Legislation Matrix



**San Bernardino Valley  
Municipal Water District  
Priority Bill Legislative Report  
October 5, 2020**



**Provided by: The Gualco Group, Inc.**

**AB 352 (Garcia, Eduardo D) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.**

**Current Text:** Amended: 8/14/2019 [html](#) [pdf](#)

**Current Analysis:** 05/21/2019 [Assembly Floor Analysis](#) (text 5/20/2019)

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. E.Q. on 8/14/2019)

**Location:** 8/31/2020-S. DEAD

**Summary:** Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$3,920,000,000 pursuant to the State General Obligation Bond Law to finance a wildfire prevention, safe drinking water, drought preparation, and flood protection program. The bill would provide for the submission of these provisions to the voters at the November 3, 2020, statewide general election. The bill would provide that its provisions are severable.

**Position**

**AB 2095 (Cooper D) Public water systems: reduction of water charges: customers impacted by COVID-19.**

**Current Text:** Amended: 5/4/2020 [html](#) [pdf](#)

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. L. GOV. on 2/20/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Would authorize a public water system to reduce the water charges imposed on a customer impacted by COVID-19 during the duration of the impact provided that the reduction does not increase the water charges imposed on another ratepayer.

**Position**

**AB 2178 (Levine D) Emergency services.**

**Current Text:** Amended: 7/8/2020 [html](#) [pdf](#)

**Current Analysis:** 06/05/2020 [Assembly Floor Analysis](#) (text 2/11/2020)

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. G.O. on 6/23/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** Current law defines the terms "state of emergency" and "local emergency" to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot. This bill would additionally include a deenergization, defined as a planned public safety power shutoff, as specified, within those conditions constituting a state of emergency and a local emergency.

**Position**

**[AB 2182](#) (Rubio, Blanca D) Emergency backup generators: water and wastewater facilities: exemption.**

**Current Text:** Introduced: 2/11/2020 [html](#) [pdf](#)

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. U. & E. on 3/2/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Would exempt the operation of an alternative power source, as defined, to provide power to a critical facility, as defined, from any local, regional, or state regulation regarding the operation of that source. The bill would authorize providers of essential public services, in lieu of compliance with applicable legal requirements, to comply with the maintenance and testing procedure set forth in the National Fire Protection Association Standard for Emergency and Standby Power System, NFPA 110, for alternative power sources designated by the providers for the support of critical facilities.

**Position**

**[AB 2560](#) (Quirk D) Water quality: notification levels and response levels: procedures.**

**Current Text:** Chaptered: 9/30/2020 [html](#) [pdf](#)

**Current Analysis:** 08/31/2020 [Assembly Floor Analysis](#) (text 8/24/2020)

**Status:** 9/30/2020-Approved by the Governor. Chaptered by Secretary of State - Chapter 350, Statutes of 2020.

**Location:** 9/30/2020-A. CHAPTERED

**Summary:** The California Safe Drinking Water Act requires the State Water Resources Control Board to adopt drinking water standards for contaminants in drinking water based upon specified criteria and requires any person who owns a public water system to ensure that the system, among other things, complies with those drinking water standards. This bill would require the state board to comply with specified public notice and comment procedures when establishing or revising a notification level or response level, except as specified for a contaminant that the Division of Drinking Water of the state board finds presents the potential for imminent harm to public health and safety.

**Position**

**[AB 2693](#) (Bloom D) Shasta, Trinity, and Oroville Watershed Restoration Administration.**

**Current Text:** Amended: 5/4/2020 [html](#) [pdf](#)

**Current Analysis:** 05/31/2020 [Assembly Appropriations](#) (text 5/4/2020)

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 6/2/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Would require the Natural Resources Agency and the California Environmental Protection Agency to jointly develop and submit to the Legislature a spatially explicit plan for forest and watershed restoration investments in the drainages that supply the Oroville, Shasta, and Trinity Reservoirs. The bill would establish the Shasta, Trinity, and Oroville Watershed Restoration Administration (STOWRA) under the State Water Resources Control Board to coordinate and facilitate the restoration and conservation of the watersheds supplying the Oroville, Shasta, and Trinity Reservoirs. The bill would authorize General Fund moneys to be deposited in the Headwaters Restoration Account.

**Position**

**AB 3030 (Kalra D) Resource conservation: land and ocean conservation goals.**

**Current Text:** Amended: 8/13/2020 [html](#) [pdf](#)

**Current Analysis:** 08/18/2020 [Senate Appropriations](#) (text 8/13/2020)

**Status:** 8/21/2020-Failed Deadline pursuant to Rule 61(b)(15). (Last location was S. APPR. SUSPENSE FILE on 8/19/2020)

**Location:** 8/21/2020-S. DEAD

**Summary:** Would declare it to be the goals of the state by 2030 to protect at least 30% of the state's land areas and waters; to help advance the protection of 30% of the nation's oceans; and to support regional, national, and international efforts to protect at least 30% of the world's land areas and waters and 30% of the world's ocean.

**Position**

Oppose/Coalition

**AB 3256 (Garcia, Eduardo D) Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.**

**Current Text:** Amended: 6/4/2020 [html](#) [pdf](#)

**Current Analysis:** 05/31/2020 [Assembly Appropriations](#) (text 5/18/2020)

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. RLS. on 6/3/2020)

**Location:** 8/31/2020-A. DEAD

**Summary:** Would enact the Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,980,000,000 pursuant to the State General Obligation Bond Law to finance projects for an economic recovery, wildfire prevention, safe drinking water, drought preparation, and flood protection program.

**Position**

**SB 45 (Allen D) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.**

**Current Text:** Amended: 1/23/2020 [html](#) [pdf](#)

**Current Analysis:** 01/28/2020 [Senate Appropriations](#) (text 9/10/2019)

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. DESK on 1/29/2020)

**Location:** 8/31/2020-A. DEAD

**Summary:** Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.

**Position**

**SB 625 (Bradford D) Central Basin Municipal Water District: receivership.**

**Current Text:** Amended: 6/8/2020 [html](#) [pdf](#)

**Current Analysis:** 06/10/2020 [Assembly Appropriations \(text 6/2/2020\)](#)

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 6/18/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** Would dissolve the board of directors of the Central Basin Municipal Water District (CBMWD) and would provide that the November 3, 2020, election for directors of CBMWD shall not occur. The bill would require the Water Replenishment District of Southern California (WRD) to act as the receiver for CBMWD, would vest WRD with all necessary powers under the Municipal Water District Law of 1911 to take control of CBMWD, and would transfer all powers vested in the board of directors of CBMWD to the board of directors of WRD, except as specified. The bill would require CBMWD's board of directors to surrender all control of CBMWD and its resources to WRD.

**Position**

**SB 996 (Portantino D) State Water Resources Control Board: Constituents of Emerging Concern Program.**

**Current Text:** Amended: 4/1/2020 [html](#) [pdf](#)

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was E.Q. on 3/5/2020)

**Location:** 5/29/2020-S. DEAD

**Summary:** Would require the State Water Resources Control Board to establish, maintain, and direct an ongoing, dedicated program called the Constituents of Emerging Concern Program to assess the state of information and recommend areas for further study on constituents of emerging concern in drinking water that may pose risks to public health. The bill would require the state board to establish the Stakeholder Advisory Group and, by an unspecified date, the Science Advisory Panel, both as prescribed, to assist in the gathering and development of information for the program, among other functions. The bill would require the program to provide opportunities for public participation, including conducting stakeholder meetings and workshops to solicit relevant information and feedback for development and implementation of the program.

**Position**

**SB 1044 (Allen D) Firefighting equipment and foam: PFAS chemicals.**

**Current Text:** Chaptered: 9/29/2020 [html](#) [pdf](#)

**Current Analysis:** 08/28/2020 [Senate Floor Analyses \(text 8/24/2020\)](#)

**Status:** 9/29/2020-Approved by the Governor. Chaptered by Secretary of State. Chapter 308, Statutes of 2020.

**Location:** 9/29/2020-S. CHAPTERED

**Summary:** Would, commencing January 1, 2022, require any person, as defined, including a manufacturer, as defined, that sells firefighter personal protective equipment to any person to provide a written notice to the purchaser at the time of sale if the firefighter personal protective equipment contains intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS). The bill would require the seller and the purchaser to retain a copy of the written notice on file for at least 3 years and to furnish the notice and associated sales documentation the Attorney General, a city attorney, a county counsel, or a district attorney within 60 days upon request, as provided. The bill would authorize the Attorney General, a city attorney, a county counsel, or a district attorney to request from a manufacturer, and the bill would require the manufacturer to provide, a certificate of compliance that certifies that the manufacturer is in compliance with these provisions.

**Position**

**SB 1052 (Hertzberg D) Water quality: municipal wastewater agencies.**

**Current Text:** Introduced: 2/18/2020 [html](#) [pdf](#)

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was GOV. & F. on 5/12/2020)

**Location:** 5/29/2020-S. DEAD

**Summary:** Would establish municipal wastewater agencies and would authorize a municipal wastewater agency, among other things, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

**Position**

**SB 1056 (Portantino D) Drinking water: testing: perfluoroalkyl and polyfluoroalkyl substances.**

**Current Text:** Introduced: 2/18/2020 [html](#) [pdf](#)

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was E.Q. on 2/27/2020)

**Location:** 5/29/2020-S. DEAD

**Summary:** Would require the State Water Resources Control Board, on or before January 1, 2022, to certify a methodology or methodologies for testing drinking water, groundwater, and surface water for perfluoroalkyl and polyfluoroalkyl substances, as provided, and to accredit qualified laboratories in California to analyze perfluoroalkyl and polyfluoroalkyl substances pursuant to the adopted methodology or methodologies.

**Position**

**SB 1099 (Dodd D) Emergency backup generators: critical facilities: exemptions.**

**Current Text:** Amended: 7/27/2020 [html](#) [pdf](#)

**Current Analysis:** 06/10/2020 [Senate Floor Analyses](#) (text 6/2/2020)

**Status:** 8/14/2020-Failed Deadline pursuant to Rule 61(b)(13). (Last location was A. NAT. RES. on 6/29/2020)

**Location:** 8/14/2020-A. DEAD

**Summary:** Current law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Current law generally designates air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Current law requires the State Air Resources Board to identify toxic air contaminants that are emitted into the ambient air of the state and to establish airborne toxic control measures to reduce emissions of toxic air contaminants from nonvehicular sources. This bill would require an air district without a specified rule on emergency backup generators, as defined, as of January 1, 2021, that adopts such a rule to include in the rule provisions that allow the operator of a critical facility, as defined, to use a permitted emergency backup generator in exceedance of the applicable runtime and testing and maintenance limits if specified conditions are met.

**Position**



**[SB 1188](#) (Stern D) The California Water Plan.**

**Current Text:** Amended: 4/8/2020 [html](#) [pdf](#)

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was N.R. & W. on 3/5/2020)

**Location:** 5/29/2020-S. DEAD

**Summary:** Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as The California Water Plan. Current law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. This bill would require the department to include in the plan update, instead of a discussion of various strategies, a discussion of various strategies for increasing regional water resilience, as defined.

**Position**

**[SB 1386](#) (Moorlach R) Local government: assessments, fees, and charges: water: hydrants.**

**Current Text:** Chaptered: 9/29/2020 [html](#) [pdf](#)

**Current Analysis:** 08/30/2020 [Senate Floor Analyses \(text 7/28/2020\)](#)

**Status:** 9/28/2020-Approved by the Governor. Chaptered by Secretary of State. Chapter 240, Statutes of 2020.

**Location:** 9/29/2020-S. CHAPTERED

**Summary:** Current law, known as the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with these requirements and, among other things, authorizes an agency providing water, wastewater, sewer, or refuse collection services to adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases in wholesale charges for water, sewage treatment, or wastewater treatment or adjustments for inflation under certain circumstances. Current law defines, among other terms, the term "water" for these purposes to mean any system of public improvements intended to provide for the production, storage, supply, treatment, or distribution of water from any source. This bill would specify that hydrants, as defined, are part of the system of public improvements included in the definition of "water" for purposes of the Proposition 218 Omnibus Implementation Act.

**Position**

Bill Number	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
H.R. 8337	Rep. Nita Lowey (D-NY)	Making continuing appropriations for fiscal year 2021, and for other purposes.	This bill provides continuing FY2021 appropriations to federal agencies through December 11, 2020, and extends several programs. The CR funds most programs and activities at the FY2020 levels with several exceptions that provide funding flexibility and additional appropriations to various programs.	<p>The legislation was introduced on September 22, 2020 by Representative Lowey, Chair of the House Appropriations Committee.</p> <p>The bill passed in the House under suspension of the rules by a vote of 359-57 in the evening of September 22nd. The Senate passed the legislation on September 30th, the last day of the fiscal year.</p> <p>President Trump signed the legislation into law late in the early morning hours of October 1, 2020.</p>
H.R. 7608	Rep. Nita Lowey (D-NY)	First House Minibus Appropriations Package: State, Foreign Operations, Agriculture, Rural Development, Interior, Environment, Military Construction, and Veterans Affairs Appropriations Act, 2021	<p>The \$259.5 billion four appropriation bill package included \$36.76 billion for the Interior, Environment spending bill in which the Environmental Protection Agency would receive a near-record \$9.38 billion and Interior would get \$13.83 billion in discretionary appropriations under the legislation.</p> <p>The measure includes \$15 billion for a new emergency critical infrastructure fund, \$2.35 billion for the wildfire suppression cap adjustment, and \$12.9 million in additional funds for research on PFAS, forever chemicals found in nonstick consumer goods and firefighting foam.</p>	<p>Representative Lowey, Chair of the House Appropriations Committee, introduced the first minibus on July 13, 2020.</p> <p>Amendments from members were due to the Committee on July 20, and the legislation passed in the House on July 24 by a vote on 224-189. Republicans voted against the measure unanimously, objecting to the "emergency" spending titles, which they say violates the Bipartisan Budget Act agreed to last year.</p> <p>The spending bills face an unlikely path to the president's desk before the new fiscal year begins on October 1. Without funding bills or a continuing resolution a stopgap measure that extends current funding levels the government would shut down.</p> <p>Moreover, the Senate has yet to introduce their versions of the fiscal year 2021 appropriations bills, and are not expected to do so until after August recess.</p>

H.R. 7617	Rep. Pete Visclosky (D-IN)	Second House Minibus Appropriations Package: Defense, Commerce, Justice, Science, Energy and Water Development, Financial Services and General Government, Homeland Security, Labor, Health and Human Services, Education, Transportation, Housing, and Urban Development Appropriations Act, 2021	The measure totals over \$1.3 trillion and included \$60 million for WaterSMART Grants; \$2.1 million for Water Conservation Field Services Program; \$4.179 million for Cooperative Watershed Management; \$2 million for Basin Studies; \$5 millions Drought Responses & Comprehensive Drought Plans; \$5 million for Basin Studies and \$63.665 million for Title XVI Water Reclamation and Reuse Program and an additional \$300 million in emergency appropriations for WaterSMART grants and \$50 million for the Title XVI program.	<p>The legislation was introduced in the House on July 16, 2020</p> <p>The measure passed the House by a vote of 217 to 197, with no Republicans supporting the bill and 12 Democrats joining them in opposition.</p> <p>The Senate has yet to introduce their versions of the fiscal year 2021 appropriations bill, and are not expected to do so until after August recess.</p>
<a href="#">H.R. 8406</a>	Rep. Nita Lowey (D-NY)	The Heroes Act	The legislation introduced by House Democrats is \$1.2 trillion less than the original bill passed by the House last spring includes \$436 billion in emergency aid for state and local governments; \$225 billion for schools and child care; an additional round of \$1,200 stimulus checks for most Americans; money to restore \$600 expanded unemployment payments through January; \$75 billion for testing, contact tracing and other health care efforts; billions for housing assistance; and funding to shore up the census, U.S. Postal Service and elections.	<p>The legislation was introduced by Rep. Nita Lowey, Chair of the House Appropriations Committee, on Monday, September 29.</p> <p>The legislation passed the House on Thursday, October 1, by a vote of 214-207 with every Republican member and 18 Democrat lawmakers voting against the legislation.</p> <p>The bill is unlikely to move forward in its current state, as both Republican Senators and the White House have expressed disapproval of the legislation.</p>
H.R. 4447	Rep. O'Halleran, Tom (D-AZ)	Expanding Access to Sustainable Energy Act of 2019 [Clean Economy Jobs and Innovation Act]	The legislation combines several bills that aim to boost green infrastructure and energy efficiency in buildings, and invest in renewable technologies, energy sources, and workforce training. The measure includes provisions to improve the electricity grid and broaden investments and access to electric vehicles. A section on environmental justice includes several grant programs for underserved communities.	<p>The package was originally introduced by Representative Tom O'Halleran on September 20, 2019. A mark-up session on the legislation was held on September 9, 2020, and the legislation passed the House on September 24th by a vote of 220-185.</p> <p>The House vote fell down partisan lines with criticism from House Republicans. The White House has threatened to veto the bill.</p>

<p><a href="#">H.R. 3884/ S.2227</a></p>	<p>Rep. Jerry Nadler (D-NY)</p>	<p>Marijuana Opportunity Reinvestment and Expungement Act of 2019</p>	<p>This legislation removes marijuana from the list of scheduled substances under the Controlled Substances Act and eliminates criminal penalties for an individual who manufactures, distributes, or possesses marijuana.</p>	<p>In the House, the legislation was introduced on July 23, 2019 by Rep. Jerry Nadler. On November 21, 2019, the House Judiciary Committee held a mark-up of the legislation.</p> <p>While the House had hoped to consider the legislation during the week of September 21, 2020, disagreements within the Democratic Caucus have temporarily delayed the legislation from coming to the floor, though Majority Leader Steny Hoyer has promised the bill's sponsors that he will bring the legislation to the floor before the end of the year.</p> <p>The Senate legislation was introduced by Sen. Kamala Harris on July 23, 2019 and referred to the Committee on Finance. While the legislation faces long odds in the GOP-led Senate, Senator Minority Leader Chuck Schumer has expressed his commitment to getting the legislation passed.</p>
<p><a href="#">S.4596</a></p>	<p>Sen. Ernst, Joni (R-IA)</p>	<p>Disaster Tax Relief Act of 2020</p>	<p>The legislation includes several tax provisions that would apply to individuals and businesses in regions that are designated as presidentially declared disaster areas from July 1 through 60 days after the bill's enactment.</p> <p>The legislation includes provisions to remove penalties on early withdrawal from retirement accounts, suspend limits on deductions for certain charitable contributions and provide an employee retention tax credit. It would also allow low-income individuals to use their previous year's income when claiming certain tax credits, so that they don't receive smaller credits for 2020 if their incomes declined as a result of the disaster.</p>	<p>The legislation was introduced by Sen. Joni Ernst on September 16, 2020.</p> <p>The legislation has bipartisan support.</p>

H.R. 7575	Rep. DeFazio (D-OR)	Water Resources Development Act of 2020	<p>The legislation would help build, repair, and maintain a wide variety of water infrastructure projects.</p> <p>In addition, the U.S. Army Corps of Engineers would be authorized to start several navigation, flood control, storm damage, and other water-related infrastructure projects. The bill also directs the Corps to undertake an inventory of water resources development projects and associated properties that are or may be contaminated with PFAS, and to develop a plan to remediate and limit potential human exposure to the contamination. In Southern California, the Corps would be required to expedite a study on the Seven Oaks Dam related to adding additional authorized purposes.</p>	<p>The bill was introduced July 13, 2020.</p> <p>The measure was favorably approved out of committee on July 24, 2020 and passed the House on July 31, 2020 by voice vote.</p> <p>After passing the House the bill is now awaiting consideration in the Senate. Senate EPW Committee Chairman John Barasso (R-WY) has indicated a willingness to consider the House-passed bill.</p>
H.R. 6084	Rep. Suzanne Bonamici (D-OR)	Water Power Research and Development Act	To provide for a program of hydropower, pumped storage, and marine energy research, development, demonstration, and commercial application, and for other purposes.	<p>The legislation was introduced on March 4, 2020 and referred to the Subcommittee on Energy of the House Committee on Science, Space, and Technology.</p> <p>On March 12, 2020, the Subcommittee on Energy held a Mark-up Session, and the legislation forwarded by the Subcommittee to Full Committee for Voice Vote.</p> <p>No actions on the bill have been taken since March.</p>
H.R. 2	Rep. DeFazio (D-OR)	Moving Forward Act	<p>The bill combines multiple pieces of legislation to authorize funds for Federal-aid highways, highway safety programs, and transit program.</p> <p>The measure includes \$25 billion for drinking water, \$100 billion for broadband, \$70 billion for clean energy projects, \$100 billion for low income schools, \$30 billion to upgrade hospitals, \$100 billion in funding for public housing and \$25 billion for the postal service and allocates approximately \$500 billion to further green efforts.</p>	<p>The legislation was introduced in the House on June 11, 2020.</p> <p>On June 17, 2020 the Subcommittee on Highways and Transit discharged the measure and the bill for consideration by the Committee on Transportation and Infrastructure.</p> <p>Following the mark up the bill was ordered to be reported out of committee. On Monday, June 29, 2020 the Rules Committee met to discuss the procedure and rules for the bill's consideration on the House floor.</p> <p>The House voted on the measure on Wednesday, July 1 and passed the legislation by a vote of 233 - 188. The Administration opposes the legislation and the President will likely veto the bill in its current form.</p>

H.R. 6622	Rep. David McKinley (R-WV)	Assuring Quality Water Infrastructure Act	<p>The bill amends the Safe Water Drinking Act to establish a grant program for improving operational sustainability by small public water systems.</p> <p>The bill would authorize \$5 million to execute this program for each of the fiscal years 2021 - 2025.</p>	The legislation was introduced on April 24, 2020, and referred to the House Committee on Energy and Commerce.
H.R.6800	Rep. Nita Lowey (D-NY)	The HEROES Act	<p>The bill provides over \$3 trillion to federal agencies, state and local governments, small businesses, and individuals.</p> <p>The measure also would authorize and provide \$5 billion for the Housing and Urban Development Department's Community Development Block Grant program. The grant funds would have to be allocated to state and local recipients within 30 days of the bill's enactment according to an existing formula. Emergency grants could be made over 121 consecutive months, instead of three months, for entities that provide families with food, clothing, housing, and more.</p> <p>In addition, outlined within the legislation, and some would say key to successfully reopening, the measure would authorize and appropriate \$75 billion for a Covid-19 National Testing and Contact Tracing initiative.</p>	<p>The legislation was introduced on May 12, 2020.</p> <p>On May 15, 2020 the measure passed the House by a vote of 208 - 199.</p> <p>The bill has not been well received in the Senate. Majority Leader Mitch McConnell(R-KY) has indicated that a Senate version will likely be notably different than the House passed version.</p> <p>The Senate Committee on Small Business held hearings on the legislation on July 23.</p>
S.3752 / H.R.6954	<p>Sen. Robert Menendez (D-NJ) / Sen. Bill Cassidy (R-LA)</p> <p>Reps. Mikie Sherril (D-NJ) / Rep. Peter King (R-NY)</p>	SMART Act	<p>The State and Municipal Assistance for Recovery and Transition (SMART) Act targets \$500 billion in emergency funding to every state, county and community in the country, while prioritizing assistance to the areas with the greatest need.</p> <p>These funds could be used to help state and local governments meet the current demand, expand testing capacity and contact tracing, provide further assistance to residents, local hospitals, small businesses and schools, in addition to maintaining critical services residents depend upon. The funding would be divided into equal thirds to provide funding based on population size, infection rates, and revenue losses.</p>	<p>The legislation was introduced on May 18 in the Senate and on May 19 in the House.</p> <p>Either a substitute amendment or new legislation negotiated by the bipartisan group of Members is expected to be introduced reflecting updated provisions agreed to by the coalition.</p> <p>The legislation has been referred to the respective committees of jurisdiction in the House and Senate.</p> <p>The Senate Committee on Banking, Housing, and Urban Affairs held a hearing on the legislation on June 2.</p>

H.R. 7073/ S.4308	Rep. John Garamendi (D-CA)/ Sen. Krysten Sinema (D-AZ)	Special Districts Provide Essential Services Act	<p>The legislation would provide special districts access to the Coronavirus Relief Fund established in the CARES Act (H.R. 748). The Coronavirus Relief Fund, as enacted, provided \$150 billion for the remainder of fiscal year 2020, which ends on September 30, 2020, for State and Tribal governments and units of local governments.</p> <p>Special districts would also be determined eligible issuers for the Federal Reserve's Municipal Liquidity Facilities Program.</p>	<p>The House legislation was introduced on June 1, 2020 and referred to the House Committee on Oversight and Reform and Committee on Financial Services.</p> <p>Companion legislation was introduced in the Senate on July 23, 2020 and referred to the Senate Committee on Finance.</p> <p>The Senate version of the legislation also has bipartisan cosponsorship.</p>
S.3591	Sen. John Barrasso (R-WY) / Tom Carper (D-DE)	America's Water Infrastructure Act of 2020	Provides roughly \$17 billion in new federal authorizations to invest in infrastructure projects across the country, sets a 2-year goal for completing feasibility studies for potential projects by the Corps, and reauthorizes the WIFIA program administered by the EPA.	<p>The legislation was introduced on May 4, 2020, and referred to the Committee on Environment and Public Works.</p> <p>On May 11, 2020, the legislation was reported by Senator Barrasso with an amendment in the nature of a substitute, and placed on the Senate Legislative Calendar under General Orders.</p> <p>The legislation has bipartisan cosponsorship.</p>
S.3590	Sen. John Barrasso (R-WY) / Tom Carper (D-DE)	Drinking Water Infrastructure Act of 2020	The measure would provide roughly \$2.5 billion in authorizations, including reauthorizing a Safe Drinking Water Act emergency fund, and \$300 million in grants for cleaning drinking water of emerging contaminants, particularly toxic PFAS.	<p>The legislation was introduced on May 4, 2020, and referred to the Committee on Environment and Public Works.</p> <p>On May 11, 2020, the legislation was reported by Senator Barrasso with an amendment in the nature of a substitute, and placed on the Senate Legislative Calendar under General Orders.</p> <p>The legislation has bipartisan cosponsorship.</p>
S.1932	Sen. Cory Gardner (R-CO) / Sen. Dianne Feinstein (D-CA)	Drought Resiliency and Water Supply Infrastructure Act	<p>This legislation would authorize and/or reauthorize surface and groundwater storage and supporting projects, water recycling and reuse projects, and desalination projects. It would also establish an infrastructure finance and innovation pilot program at the Bureau of Reclamation. The legislation would also establish a process to deauthorize Bureau of Reclamation projects that have failed to receive a minimum federal investment or initiate construction.</p> <p>The bill would increase support for water infrastructure projects that are likely to provide a more-reliable water supply and increase the water management flexibility and water reliability.</p>	<p>The legislation was introduced on June 20, 2019. The Water and Power Subcommittee of the Energy and Natural Resources Committee held hearings on July 18, 2019.</p> <p>A markup has not been scheduled due to disagreements between the Ranking Member and Sponsors of the legislation.</p> <p>Senator Dianne Feinstein is expected to release an updated version of the bill.</p>

Draft Legislation	Rep. Jared Huffman (D-CA)	FUTURE Drought Act	Representative Huffman's draft legislation includes three titles on: Infrastructure Development, Improved Technology and Data, and Ecosystem Protection and Restoration. The draft legislation would create a water storage program, includes authorization of funding for desalination projects, created an water infrastructure fund, and extends and expands the WaterSMART program.	Much of this legislation was incorporated into H.R.2 (information above).
S. 2356	Sen. Mike Braun (R-IN)	Define WOTUS Act of 2019	The measure would create a new WOTUS definition the void the previous Obama era definition that is currently tied up in litigation.	The legislation was introduced on July 31, 2019 and referred to the Committee on Environment and Public Works.
S. 1087	Sen. John Barrasso (R-WY)	Water Quality Certification Improvement Act of 2019	The measure would amend the Federal Water Pollution Control Act to make changes with respect to water quality certification.	The measure was introduced in the Senate on April 19, 2019 and was referred to Committee on Environment and Public Works.  On November 19, 2019 the committee held a hearing to discuss impacts of the act if implemented.
H.R. 1764	Rep. John Garamendi (D-CA)	The bill to amend the Federal Water Pollution Act	The legislation would amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.	Introduced on March 15, 2019 and then referred to the Subcommittee on Water Resources and Environment.  This legislation has bipartisan cosponsorship and hearings were held on the measure in November 2019.
H.R.1497	Rep. Peter DeFazio (D-OR)	Water Quality Protection and Job Creation Act of 2019	Requires a report to Congress on the current and future workforce needs for publicly owned treatment works and information on steps taken to meet those needs.  Reauthorizes sections of the Federal Water Pollution Control Act that provide grants to States and interstate agencies, including: State Management Assistance: Section 106(a); Watershed Pilot Projects: Section 122(c); Alternative Water Source Projects Pilot Program: Section 220(d); Sewer Overflow and Stormwater Reuse Municipal Grants: Section 221(f)1); and State Water Pollution Control Revolving Funds.  Changes the length of permits for NPDES permits to not exceeding 10 years in certain circumstances.	Introduced on March 6, 2019 and referred to the Subcommittee on Water Resources and Environment of the House Transportation Committee.  The Committee marked up the legislation and reported it with an amendment in the nature of a substitute--expanding the scope of the legislation.  On September 4, 2020, the legislation was placed on the House Calendar.



H.R. 1508 / S. 146	Rep. Blumenauer (D-OR) / Sen. John Hoeven (R-ND)	Move America Act of 2019	The measure would amend the Internal Revenue Code of 1986 to provide for Move America bonds and Move America credits which would be applicable to projects relating to flood diversions, inland waterways, sewage facilities.	<p>The House bill was introduced on March 5, 2019 and then referred to the House Committee on Ways and Means.</p> <p>Note: All tax issues are likely to be addressed as part of a larger tax package. The Ways and Means Committee is considering forming a tax extenders package, which would be the most likely venue for this legislation.</p> <p>The Senate bill was introduced in the Senate on January 16, 2019 and referred to the Senate Committee on Finance.</p>
H.R.1162	Rep. Grace Napolitano (D-CA)	Water Recycling Investment and Improvement Act	This legislation would create a competitive grant program for the funding of water recycling and reuse projects by raising the authorization cap for the Title XVI program from \$50 million to \$500 million. The legislation would also raise the authorization cap from \$20 million to \$30 million for the Reclamation Wastewater and Groundwater Study and Facilities Act.	<p>Introduced in the House on February 13, 2019.</p> <p>The House Natural Resources Subcommittee on Water, Oceans, and Wildlife held a hearing on the legislation on June 13, 2019.</p> <p>On March 11, 2020, the House Natural Resources Committee held a mark-up on the legislation and it was ordered to be reported out of Committee by a vote of 19-12.</p> <p>Elements of the bill were incorporated into H.R.2 (above).</p>
S. 361/H.R. 807	Sen. Cory Gardner (R-CO) / Rep. Ken Buck (R-CO)	Water and Agriculture Tax Reform Act of 2019	The measure would work to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency.	Introduced and referred to the Committee on Finance (Senate) and Ways and Means Committee (House). Neither chamber has recently engaged on the measures.
H.R.579	Rep. Scott Tipton (R-CO)	Water Rights Protection Act of 2019	This bill would prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, and for other purposes.	<p>Introduced in the House on January 15th. Referred to the Conservation and Forestry Subcommittee of the Agriculture Committee on 2/7 and to the Water, Oceans, and Wildlife Subcommittee of the House Natural Resources Committee on 2/4.</p> <p>A similar amendment was submitted to the House Rules Committee for consideration in the Interior-Environment Appropriations bill, but was not made in order by the Committee for floor consideration.</p>
H.R.34	Rep. Eddie Bernice Johnson (D-TX)	Energy and Water Research Integration Act of 2019	The legislation would ensure consideration of water intensity in the Department of Energy's energy research, development, and demonstration programs to help guarantee efficient, reliable, and sustainable delivery of energy and clean water resources.	The bill was introduced in the House on January 3, 2019. It was marked up and ordered to be reported by the House Science and Technology Committee on May 1, 2019 and was passed by the House on July 23, 2019 by voice vote. On July 24, 2019 the bill was referred to the Senate Committee on Energy and Natural Resources.

H.R. 2313	Rep. Jared Huffman (D-CA)	Water Conservation Rebate Tax Parity Act	The measure would amend the Internal Revenue Code of 1986 to expand the exclusion for certain conservation subsidies to include subsidies for water conservation or efficiency measures and storm water management measures.	The bill was introduced in the House on April 12, 2019 and then referred to the Committee on Ways and Means.  Note: All tax issues are likely to be addressed as part of a larger tax package. The Ways and Means Committee is considering forming a tax extenders package, which would be the most likely venue for this legislation.
H.R.1747	Rep. Rob Wittman (R-VA)	National Fish Habitat Conservation Through Partnerships Act	The measure aims to achieve measurable habitat conservation results through strategic actions of Fish Habitat Partnerships that lead to better fish habitat conditions and increased fishing opportunities, establish a consensus set of national conservation strategies as a framework to guide future actions and investment by Fish Habitat Partnerships, broaden the community of support for fish habitat conservation, fill gaps in the National Fish Habitat Assessment and the associated database of the National Fish Habitat Assessment, and communicate to the public and conservation partners.	A hearing has been held in the House Natural Resources Committee on the legislation and the legislation was ordered to be reported out of committee on September 25, 2019.
S.1419	Sen. James Lankford (R-OK)	Early Participation in Regulations Act	The legislation would direct agencies to issue advanced notices for rules costing more than \$100 million annually. The bill would require agencies must outline the problem the rule intends to solve and listen to the public s input on the subject.	On May 13, 2019 the bill was introduced into the Senate. It was then referred to the Committee on Homeland Security and Governmental Affairs. Hearings on the bill were held in both the Committee on Homeland Security and the Committee on Small Business. On July 19 the Committee on Homeland Security and Governmental Affairs ordered the measure to be reported favorably with an amendment in the nature of a substitute.  On September 10, 2019 the bill was placed on the Senate Legislative Calendar under General Orders. However the bill has yet to be considered on the Senate floor.  The legislation has bipartisan cosponsor ship.
S. 1087	Sen. John Barrasso (R-WY)	Water Quality Certification Improvement Act of 2019	The measure would amend the Federal Water Pollution Control Act to make changes with respect to water quality certification.	The measure was introduced in the Senate on April 19, 2019 and was referred to Committee on Environment and Public Works.  On November 19, 2019 the committee held a hearing to discuss impacts of the act if implemented.

H.R. 1695	Rep. Betty McCollum (D-MN)	Community Services Block Grant Reauthorization Act of 2019	The legislation would amend the Community Services Block Grant Act to reauthorize and modernize the Act.	The measure was introduced in the House on March 12, 2019 to the House Committee on Education and Labor.  The legislation has bipartisan cosponsor ship.
H.R. 1744	Rep. Mark Takano (D-CA)	S.T.O.R.A.G.E. Act (Storage Technology for Operational Readiness And Generating Energy Act) Energy Storage Systems by Electric Utilities	The bill would provide for the consideration of energy storage systems by electric utilities as part of a supply side resource process, and for other purposes.	The bill was introduced on March 13, 2019 and the referred to the Committee on Energy and Commerce, and in addition to the Subcommittee on Energy of the Committee on Science, Space, and Technology.
H.R.579	Rep. Scott Tipton (R-CO)	Water Rights Protection Act of 2019	This bill would prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, and for other purposes.	Introduced in the House on January 15th. Referred to the Conservation and Forestry Subcommittee of the Agriculture Committee on February 7, 2019 and to the Water, Oceans, and Wildlife Subcommittee of the House Natural Resources Committee on February 4, 2019.
H. R. 855	Rep. Scott Peters (D-CA)	STRONG (Strengthening the Resiliency of our Nation on the Ground Act) Act	The bill would work to minimize the economic and social costs resulting from losses of life, property, well-being, business activity, and economic growth associated with extreme weather events by ensuring that the United States is more resilient to the impacts of extreme weather events in the short- and long-term, and for other purpose	Introduced in the House and referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management of the House Transportation Committee on February 7, 2019.
H.R. 420	Rep. Earl Blumenauer (D-OR)	Regulate Marijuana Like Alcohol Act	The bill would decriminalize marijuana and sets up legal framework to regulate marijuana.	Introduced in the House on January 9, 2019 and referred to the Committees on Energy and Commerce, Ways and Means, Natural Resources, and Agriculture.
S.420 /H.R. 1120	Sen. Ron Wyden (D-OR) / Rep. Earl Blumenauer (D-OR)	Marijuana Revenue and Regulation Act	A bill to amend the Internal Revenue Code of 1986 to provide for the taxation and regulation of marijuana products, and for other purposes.	The bill was introduced in the Senate on February 7, 2019 and was referred to the Finance Committee.  Introduced in the House on February 8, 2019 and was referred to the Committees on Judiciary, Agriculture, and Natural Resources.

H.R. 3794	Rep. Paul A. Gosar (R-AZ)	Public Land Renewable Energy Development Act of 2019	The bill would work to promote the development of renewable energy on public lands	<p>The measure was introduced in the House on July 17, 2019 and was then referred to both the Committee on Natural Resources and the Committee on Agriculture. A hearing on the bill was held on July 25 by the Subcommittee on Energy and Mineral Resources. On August 9th, the bill was referred to the Subcommittee on Conservation and Energy of the House Agriculture Committee.</p> <p>The measure was later referred to the Subcommittee on Energy and Mineral Resources where a hearing was held on the legislation. On November 20, 2019, a Mark-up session was held and the bill was ordered to be Reported by Voice Vote.</p> <p>The legislation has bipartisan cosponsorship.</p>
S. 1344	Sen. Cory Booker (D-NJ) and Tim Scott (R-SC)	Reinstate Opportunity Zone Data Mandates	<p>The bill would require the Secretary of the Treasury to collect data and issue a report on the opportunity zone tax incentives enacted by the 2017 tax reform legislation.</p> <p>The reporting requirements were part of the original legislation as introduced, but they were not incorporated in H.R.1 (the tax package) when it was advanced in the House and Senate.</p>	<p>The legislation was introduced in the Senate on May 7, 2019 and referred to the Finance Committee.</p> <p>The legislation has bipartisan cosponsorship.</p>
H.R.535	Rep. Debbie Dingell (D-MI)	PFAS Action Act of 2019	<p>The legislation combines 12 different bills that had previously been introduced into one legislative package that would change the way the federal government regulates forever chemicals known as PFAS.</p> <p>The consolidated version of H.R. 535 would place these chemicals on the Superfund hazardous substances list from the Environmental Protection Agency, force the agency to set nationwide drinking water standards for PFAS, and block companies from producing new chemicals in this class.</p>	<p>The legislation was reported out of the House Energy and Commerce Committee on November 20, 2019 by a vote of 31 to 19, largely along party lines. The bill passed the House on January 10, 2020 by a vote of 247 - 159. The bill was received in the Senate on January 13, 2020 and referred to the Senate Committee on Environment and Public Works. The legislation is not expected to be considered in the Senate in its current form.</p>
H.R.4236	Rep. Quigley, Mike (D-IL)	Reducing Waste in National Parks Act	The legislation would encourage recycling and reduction of disposable plastic bottles in units of the National Park System.	<p>The bill was introduced on September 6, 2019 and was referred to the House Subcommittee on National Parks, Forests, and Public Lands.</p> <p>The House Natural Resources Subcommittee on National Parks, Forests, and Public Lands held hearings on the legislation on February 27, 2020.</p>

S.3263 / H.R.5845	Sen. Tom Udall (D-N.M.) and Rep. Alan Lowenthal (D-CA)	Break Free from Plastic Pollution Act of 2020	This legislation would require plastic producers to take responsibility for collecting and recycling materials, require nationwide container deposits, ban certain pollutant products, impose a fee on the distribution of non-reusable carryout bags, create a new minimum recycled content requirement, protect state and local governments by allowing them to enact more stringent standards, requirements, and additional product bans, and give environmental agencies the valuable time needed to investigate the cumulative impacts of new plastic-producing facilities on the air, water, and climate.	The bills were introduced in the House on 2/12/2020 and in the Senate on 2/11/2020. In the House, the legislation has been referred to the following committees: Energy and Commerce, Ways and Means, Transportation and Infrastructure, and Foreign Affairs.  In the Senate, the legislation has been referred to the Finance Committee.
Enacted Legislation (removed from report after 2 months)				
H.R. 1957 (previously S.3422)	Sen. Cory Gardner (R-CO)	Great American Outdoors Act	The legislation would create a National Parks and Public Lands Legacy Restoration Fund with income from 50% of the energy development revenues from oil, gas, coal, or alternative renewable energy from Federal land from fiscal years 2021 to 2025 for deferred maintenance projects in the National Park System, National Wildlife Refuge System, on BLM Public Lands, BIA Schools, or the National Forest.  The legislation would also establish permanent funding for the Land and Water Conservation Fund that would not require further appropriations from Congress.	The legislation was introduced on 3/9/2020 in the Senate. The legislation has 59 cosponsors, including Senate Majority Leader Mitch McConnell (R-KY) who has indicated he plans to fast track the legislation in the Senate. While there were initially plans to consider the legislation in March, the Senate's schedule was changed to consider the third coronavirus response bill.  The legislation passed the Senate by a vote of 73-25 on June 17.  The House agreed to the Senate amendments on July 22 by a vote of 310 - 107. The legislation was sent to the President on July 24 and signed into law by the President on August 4, 2020



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**DATE:** October 8, 2020  
**TO:** Board of Directors Workshop – Policy  
**FROM:** Kristeen Farlow, External Affairs Manager  
**SUBJECT:** Discuss Purchase and Distribution of Reusable Grocery Bags

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At a previous Board Workshop, Director Longville requested Staff evaluate the purchase of reusable grocery bags for distribution throughout our service area. Staff has conducted research and found reusable grocery bags options that would meet our needs: high quality and allow the District to place both our logo as well as water use efficiency tips and recommendations on the bag (in full color). The purchase costs range from \$0.71 - \$1.15 per bag (depending on which bag we select and the content we place on the bag). Mailing the bags to our ratepayers was invested and we estimate the cost to mail would be approximately \$2/per bag, significantly more than the bag itself.

There are a number of opportunities for reusable grocery bag distribution, including giving them out at Landscape Workshops, community events, before/after community presentations, and during classroom presentations. Due to the COVID pandemic, Staff has not participated in community events or hosting Landscape Workshops in-person since March 2020. However, there are still opportunities to distribute bags through partnership with the retail water providers.

Staff recommends we purchase no more than 5,000 bags at a time as we evaluate methods for distribution. The cost to purchase 5,000 bags will be between \$3,550 - \$5,750.

Recommendations for bag distribution during the current climate include distribution by the retail water providers (if their customer service counters are open), mailing bags to those who participate in virtual Landscape Workshops, and mailing bags to other groups when

virtual presentations are made by the District or by the Inland Empire Resources Conservation District.

**Fiscal Impact**

Estimated cost to purchase and mail 5,000 bags is \$13,550 - \$15,750.

**Recommended Action**

Discuss the purchase and distribution of reusable grocery bags and provide direction to Staff.