

JULY 28, 2020

## Office of Government Relations Legislative Update



### FEDERAL ADVOCACY EFFORTS

#### Pacheco Project Recommended for Federal Funding

In June, the U.S. Department of the Interior recommended that the San Luis Low Point Improvement Project (SLLPIP) receive \$1.7 million in Fiscal Year 2019 funding under the Water Infrastructure Improvements for the Nation (WIIN) Act to complete the project feasibility study. The recommendation specifically names the Pacheco Reservoir Expansion Project as the preferred alternative under the SLLPIP, and it is one of 10 projects recommended for funding. To adopt these recommendations, Congress must name these projects in annual appropriations legislation. While it remains unclear when Congress will pass the next regular appropriations legislation, having the Pacheco Project listed (via the SLLPIP) is a critical first step toward ensuring that the project receives federal funding in this and future years. Staff has advocated for several years to have Pacheco included on Interior's list of projects to be recommended for funding, and this is a huge win for the agency. Staff will continue to work closely with our congressional delegation to ensure that the project is awarded funding, and we will also work to advance the Pacheco Project as an independent project in order to maximize the chances of securing funding.



#### House-Passed Infrastructure Package Would Support Pacheco Project

The House of Representatives on July 1 passed a \$1.5 trillion infrastructure package that includes several water storage provisions, including language proposed by Valley Water staff that would support development of the Pacheco Reservoir Expansion Project. The bill would protect the WIIN Act approval process for storage projects already moving through the approval process, such as the Pacheco Project, and it would remove statutory language that could pose a barrier to federal construction funding for the project. Staff will continue to work closely with congressional staff to ensure that the language advances in the Senate and in any final legislation.

### STATE ADVOCACY EFFORTS



#### Assembly Passes Bill to Expedite the Anderson Dam Project

AB 3005 (R. Rivas), Valley Water's sponsored bill to expedite the Anderson Dam Seismic Retrofit Project, is expected to be heard in the Senate Natural Resources and Water Committee in late July or early August. The bill has garnered bipartisan support in an Assembly and we expect similar support in the Senate.

In June, staff successfully negotiated with the State Water Resources Control Board and the California Department of Fish & Wildlife provision that will expedite permitting for the Anderson Project. Staff is currently working with key legislative committees in the Assembly and Senate to restore

provisions that would expedite judicial review of challenges to the project's compliance with the California Environmental Quality Act (CEQA). AB 3005 will help Valley Water deliver the public safety, water supply, and environmental benefits of the Anderson Project sooner.

## COVID-19 Closes the State Capitol

As following the convening of the Legislature in June to pass the annual state budget, several legislators and staff have reported testing positive for COVID-19, and one Assemblymember has

been hospitalized. Both the Assembly and Senate announced that the State Capitol was closed for deep cleaning and both houses have delayed their returns from summer recess by at least two weeks. Legislators are expected to return on July 27, but that date may be delayed further.

Legislative deadlines have become uncertain as the constitutional mandated adjournment on August 31 rapidly approaches. The delayed reconvening of the Legislature means AB 3005 and other critical legislation will have less time to win passage to the Governor.

## LOCAL ADVOCACY AND ENGAGEMENT EFFORTS

### Anderson Dam Seismic Retrofit Project to the South County Realtors Alliance

On June 24, Director John Varela provided the South County Realtors Alliance an overview of the Anderson Dam Seismic Retrofit Project. This well attended virtual meeting brought many questions and helped facilitate the Alliance's understanding of the project and its current status.

### Safe, Clean Water Presentation to the South Bay Labor Council

On June 15, Vice-Chair Tony Estremera and Director Richard Santos provided opening remarks during the Office of Government Relations' (OGR) Safe Clean Water & Natural Flood Protection Program presentation to the South Bay Labor Council. In the last month, OGR has successfully galvanized local support for the program renewal from a diverse coalition of cities, business leaders, labor groups, environmental organizations, open space advocates, faith-based groups, schools as well as state and local elected officials.



Director John Varela giving an update on the Anderson Dam Seismic Retrofit Project to the South County Realtors Alliance.

## UPCOMING EVENTS

**Note: due to the Coronavirus (COVID-19) outbreak, staff is not physically participating in any events during the month of July. Staff is participating in virtual events as they are planned, and will assess participation in events in August to follow the most current shelter in place order.**

## Federal Legislation Active in May 2020 with Board-Approved Positions

Bill (Author)	Subject	Position	Status
H.R. 548 (Calvert)	Federally Integrated Species Health (FISH) Act	Support	Introduced and referred to the House Committee on Natural Resources
H.R. 357 (Garamendi)	Sacramento-San Joaquin Delta National Heritage Area Act	Support	Signed into law as part of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (P.L. 116-9)
S. 40 (Barrasso)	Bureau of Reclamation Transparency Act	Support and Amend	Introduced and referred to the Senate Committee on Energy and Natural Resources

H.R. 1137 (Garamendi)	To amend the Water Resources Development Act of 1986 to repeal the authority relating to reprogramming during national emergencies	Support	Introduced and referred to the House Committee on Transportation and Infrastructure
S. 326 (Udall)	Restrictions Against Illegitimate Declarations for Emergency Re-appropriations (RAIDER) Act of 2019	Support	Introduced and referred to the House Committee on Appropriations
H.R. 1162 (Napolitano)	Water Recycling Improvement and Investment Act	Support	Hearing held in the House Committee on Natural Resources (June 13, 2019)
H.R. 1132 (Speier)	San Francisco Bay Restoration Act of 2019	Support	Passed the House by voice vote (September 19, 2019)
H.R. 1497 (DeFazio)	Water Quality Protection and Job Creation Act	Support	Markup held in House Committee on Transportation and Infrastructure, ordered to be reported favorably (October 29, 2019)
H.R. 658 (DeLauro)	National Infrastructure Development Bank Act of 2019	Support	Introduced and referred to the House Committees on Energy and Commerce; Transportation and Infrastructure; Financial Services; and Ways and Means
H.R. 1417 (Lawrence) / S. 611 (Sanders)	Water Affordability, Transparency, Equity, and Reliability (WATER) Act of 2019	Support	H.R. 1417: Introduced and referred to the House Committees on Transportation and Infrastructure; Energy and Commerce; Ways and Means; and Agriculture; S. 611: Introduced and referred to the Senate Committee on Environment and Public Works
H.R. 1621 (McClintock)	Water Supply Permitting Coordination Act	Support	Introduced and referred to the House Committee on Natural Resources
H.R. 2313 (Huffman)	Water Conservation Rebate Tax Parity Act	Support	Introduced and referred to the House Committee on Ways and Means
S. 923 (Feinstein)	Fighting Homelessness Through Services and Housing Act	Support	Introduced and referred to the Senate Committee on Health, Education, Labor and Pensions
H.R. 2473 (Harder)	Securing Access for the central Valley and Enhancing (SAVE) Water Resources Act	Support and Amend	Hearing held in the House Committee on Natural Resources (June 13, 2019)
H.R. 363 (Calvert)	Reducing Environmental Barriers to Unified Infrastructure and Land Development (REBUILD) Act of 2019	Support	Introduced and referred to the House Committee on Natural Resources
S. 1932 (Gardner)	Drought Resiliency and Water Supply Infrastructure Act	Support and Amend	Hearing held in the Senate Committee on Energy and Natural Resources (July 18, 2019)
S. 1730 (Harris) / H.R. 3115 (Pallone)	The Living Shorelines Act of 2019	Support	S. 1730: Introduced and referred to the Senate Committee on Commerce, Science, and Transportation; H.R. 3115: Markup held in the House Committee on Natural Resources, ordered to be reported favorably (September 25, 2019)
H.R. 3723 (Levin)	The Desalination Development Act	Support	Hearing held in the House Committee on Natural Resources (July 25, 2019)
H.R. 855 (Peters)	The Strengthening The Resiliency of Our Nation on the Ground (STRONG) Act	Support	Introduced and referred to the House Committee on Transportation and Infrastructure
S. 403 (Whitehouse) / H.R. 1159 (Cicilline)	Innovative Materials for America's Growth and Infrastructure Newly Expanded (IMAGINE) Act of 2019	Support and Amend	S. 403: Introduced and referred to the Senate Committee on Environment and Public Works; H.R. 1159: Introduced and referred to the House Committee on Transportation and Infrastructure; Committee on Science, Space, and Technology; and Committee on Energy and Commerce

H.R. 4033 (Kildee)/ S.2466 (Harris)	Water Justice Act	Support and Amend	Introduced and referred to the House Committees on Energy and Commerce; Budget; Ways and Means; Natural Resources; Agriculture; and Transportation and Infrastructure
S. 1837 (Gillibrand) / H.R. 3254 (Delgado)	Protecting Infrastructure and Promoting the Economy (PIPE) Act	Support and Amend	S. 1837: Introduced and referred to the Senate Committee on Environment and Public Works; H.R. 3254: Introduced and referred to the House Committee on Transportation and Infrastructure and the Committee on Energy and Commerce
H.R. 3091 (Loesack)	National Flood Research and Education Center Act	Support	Introduced and referred to the House Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure
S. 2236 (Booker) / H.R. 3923 (Ruiz)	Environmental Justice Act of 2019	Support	Introduced and referred to the Senate Committee on Environment and Public Works.
H.R. 5752 (Costa)	Conveyance Capacity Correction Act	Support	Introduced and referred to the House Committee on Natural Resources
H.R. 5504 (Brownley)	To amend the National Dam Safety Program Act with respect to the definition of eligible high hazard potential dam, and other purposes	Support	Introduced and referred to the House Committee on Transportation and Infrastructure
H.R. 5302 (McNerney)	Western Water Recycling and Drought Relief Act	Support and Amend	Introduced and referred to the House Committee on Natural Resources
H.R. 5316 (Cox)	Move Water Now Act	Support and Amend	Marked up in the House Committee on Natural Resources and reported favorably

## State Legislation Active in July 2020 with Board-Approved Positions

Bill (Author)	Subject	Position	Status
AB 77 (Committee on Budget)	Education Finance: Education Omnibus Budget Trailer Bill	Oppose	Pending – Senate Daily File – Third Reading
AB 292 (Quirk)	Recycled Water: Raw Water and Groundwater Augmentation	Support	2-year bill
AB 1580 (Levine)	Major Infrastructure Construction Projects: Oversight Committees	Oppose	2-year bill
AB 2560 (Quirk)	Water Quality: Notification and Response Levels: Procedures	Support	Pending – Senate Environmental Quality Committee
AB 3005 (Rivas)	Expedited Dam Safety for Silicon Valley Act	Support	Pending – Senate Natural Resources Committee
AB 3256 (E. Garcia)	Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.	Support If Amended	Pending – Assembly Rules Committee
ACA 1 (Aguiar-Curry)	Local Government Financing: Voter Approval for Affordable Housing and Public Infrastructure	Support	Pending – Assembly Daily File – Motion to Reconsider
ACA 5 (Weber)	Government Preferences	Support	Chaptered by the Secretary of State
SB 414 (Caballero)	Small System Water Authority Act of 2019	Support	2-year bill
SB 54 (Allen)	Solid Waste: Packaging and Products	Support	Pending – Assembly Daily File – Inactive File
SB 952 (Nielsen)	Sales and Use Taxes: Exemption: Backup Electrical Resources: Deenergization Events	Support	Pending – Assembly Revenue and Taxation Committee
SB 1044 (Allen)	Firefighting Equipment and Foam: PFAS Chemicals	Support	Pending – Assembly Environmental Safety and Toxic Materials Committee