

JANUARY 26, 2021

Office of Government Relations Legislative Update



FEDERAL ADVOCACY EFFORTS



US Capitol

Congress Passes FY21 Funding and WRDA, Includes Valley Water Priorities

On December 27, the President signed a Fiscal Year 2021 omnibus funding bill that included the Water Resources Development Act (WRDA). The final WRDA includes the following Valley Water priorities:

1. Policy on Multi-Purpose Projects: Urges the Corps to develop project alternatives that have multiple benefits, including flood risk management, ecosystem restoration, and navigation. This could help a project like Upper Penitencia where the community supports a multi-purpose project, not just a flood risk management project.

2. Eligibility for High-Hazard Dam Rehabilitation Funding:

Allows hydroelectric dams with a generating capacity of 1.5 megawatts or less to be eligible to receive assistance under the Federal Emergency Management Agency's Rehabilitation of High Hazard Potential Dams Program. This would allow Anderson Dam to become eligible for this pot of funding, which was created under the Water Infrastructure Improvements for the Nation Act and is authorized through 2026.

While the bill did not contain a Reclamation title, for which staff advocated and would have covered key programs like water storage and water recycling, staff will continue to push for these and other water infrastructure priorities in the new Congress.

STATE ADVOCACY EFFORTS

State Bill Authorizing Best Value Contracting for Anderson
Assemblymember Robert Rivas (D-Hollister) has introduced AB 271 regarding the Best Value Contracting authorization for the Anderson Dam project. With the veto of AB 3005 (Rivas) last year, the Valley Water Board decided to pursue the Best Value Contracting provisions in a standalone bill. Assemblymember Berman and Senators Nielson, and Laird have already agreed to co-author the bill. Staff has met with the consultants in the Assembly Local Government Committee and Senate Governance and



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Finance Committees to seek any feedback they may have. The consultants were already familiar with the issue, having drafted a portion of the committee analysis last year for AB 3005. As such, staff did not receive many questions from the consultants. AB 271 will likely be heard in its first policy committee in March or April. There is a potential situation where the legislative leadership may call for a reduction in bills due to the impacts of the pandemic on the legislature's ability to process the 3000 bills introduced via remote telecommuting. Staff is engaging in advocacy to express the urgent need for the bill to allow Valley Water to plan and prepare for the Anderson Dam contracts in 2022-2023.

LOCAL ADVOCACY AND ENGAGEMENT EFFORTS

Valley Water Preparing for Decennial Redistricting Effort

Redistricting is required by local, state and federal law following each federal census and calls for an adjustment to a jurisdiction's electoral district boundaries based on demographic shifts between each federal census. The objective is to meet the one-person, one-vote test and comply with provisions of the federal Voting Rights Act. Adjustments to electoral districts are accomplished through the completion of a redistricting study. To conduct the study, staff is in the process of retaining a consultant by no later than the end of January.

At the December 8, 2020 meeting, the Board:

1) established a seven member Redistricting Advisory Committee consisting of members of the public to review the census data; 2) adopted operating guidelines for the review process; and 3) approved a schedule for the Redistricting Advisory Committee to complete its work. The Committee will conduct a series of virtual public meetings to review census data engage the public in the process, particularly as it relates to input and feedback on draft maps with adjusted boundaries for Board review and action. Staff will return to the Board on January 26, 2021 to secure approval

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of the Board's nominations for the Committee, approve additional recommended guidelines for the Committee, and approve the first Committee agenda.

In the meantime, staff is working on launching a robust to create a robust public outreach and engagement effort to ensure that each and every voice in the community has the opportunity to be heard in this critical process. Included as part of this effort is a web page dedicated to the redistricting effort, with links for the public to access current information on the process, meeting agendas and minutes for the Redistricting Advisory Committee, maps, and also access a map tool so they can draw their own maps in case they are interested in submitting additional ideas for the Redistricting Advisory Committee's consideration.

The first meeting of the Committee is now tentatively scheduled for March 17, 2021. Valley Water must adopt the adjusted boundaries and provide them to the Registrar of Voters by November 2, 2021 - (please note this date may be adjusted by the new Administration).

Upcoming Events:

Note: due to the Coronavirus (COVID-19) outbreak, staff is not physically participating in any events during the month of January. Staff is participating in virtual events as they are planned, including Joint Venture's State of the Valley on February 23-24, 2021 and will assess participation in events in February to follow the most current shelter in place order.

Federal Legislation Active in January 2021 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 the 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

Federal Legislation Active in January 2021 with Board-Approved Positions:

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. 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 Committees on Transportation and Infrastructure; Science, Space, and Technology; and 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 (Loeb sack)	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 for 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, ordered to be reported favorably (February 12, 2020)
H.R. XXXX (Pelosi)	Coronavirus Stimulus Phase 3 (became the Health and Economic Recovery Omnibus Emergency Solutions Act or the HEROES Act, H.R. 6800)	Support and Amend	Passed the House (May 15, 2020)
H.R. XXXX (Pelosi)	Coronavirus Stimulus Phases 3.5 (became the Paycheck Protection Program Flexibility Act, H.R. 7010) and 4	Support and Amend	H.R. 7010 was signed into law on June 5, 2020 (P.L. 116-142)
H.R. 2 (DeFazio)	Investing in a New Vision for the Environment and Surface Transportation in America Act (INVEST in America Act)	Support and Amend	Passed the House (July 1, 2020)

Federal Legislation Active in January 2021 with Board-Approved Positions:

H.R. XXXX (Huffman)	Furthering Underutilized Technologies and Unleashing Responsible Expenditures for Drought Resiliency (FUTURE Drought Resiliency) Act	Support and Amend	Not yet introduced (provisions included as part of H.R. 2)
S. 3591 (Barrasso)	America's Water Infrastructure Act of 2020	Support and Amend	Markup held in the Senate Committee on Environment and Public Works, ordered to be reported favorably (May 11, 2020)
S. 3590 (Barrasso)	Drinking Water Infrastructure Act of 2020	Support	Markup held in the Senate Committee on Environment and Public Works, ordered to be reported favorably (May 11, 2020)
H.R. 7073 (Garamendi)	Special Districts Provide Essential Services Act	Support	Introduced and referred to the House Committee on Oversight and Reform and the Committee on Financial Services
S. 3811 (Feinstein)	Restoration of Essential Conveyance Act	Support	Hearing held in the Senate Committee on Energy and Natural Resources (July 22, 2020)
S. 4188 (Harris)	Water for Tomorrow Act	Support and Amend	Hearing held in the Senate Committee on Energy and Natural Resources (July 22)
H.R. 7575 (DeFazio)	Water Resources Development Act	Support and Amend	Passed the House (July 29)
S. 4308 (Sinema)	A bill to amend the Social Security Act to include special districts in the coronavirus relief fund, to direct the Secretary to include special districts as an eligible issuer under the Municipal Liquidity Facility, and for other purposes.	Support	Introduced and referred to the Senate Committee on Finance
S. 2596 (Duckworth)	Voluntary Water Partnership for Distressed Communities Act of 2019	Support	Introduced and referred to the Senate Committee on Environment and Public Works
S. 4530 (Feinstein) / H.R. 8041 (Harder)	Snow Water Supply Forecasting Program Authorization Act	Support	S. 4530: Introduced and referred to the Senate Committee on Energy and Natural Resources; H.R. 8041: Introduced and referred to the House Committee on Natural Resources
H.R. 8166 (Cox)	Western Water Storage Infrastructure Act	Support and Amend	Introduced and referred to the House Committee on Natural Resources
H.R. XXXX (Pelosi)	Coronavirus Stimulus Bill (Phase 4)	Support and Amend	Not yet introduced (currently being negotiated)