

JANUARY 28, 2020

Office of Government Relations
Legislative Update

FEDERAL ADVOCACY EFFORTS

Congress Returns, Staff Explores All Opportunities to Advance Interests in Election Year

Congress reconvened for the second year of its two-year session, picking up where it left off in December. All pending legislation remains active until the Congress adjourns at the end of 2020. While legislative activity is expected to slow substantially in preparation for the November elections, staff is aggressively exploring all potential legislative vehicles for advancing our projects and priorities. These include:

S. 1932 (Gardner)
Drought Resilience
and Water Supply
Infrastructure Act

(See page 2 for current bill status)

H.R. 2473 (Harder)
Securing Access for
the central Valley and
Enhancing (SAVE)
Water Resources Act

H.R. 1162 (Napolitano)
Water Recycling
Investment and
Improvement Act

H.R. 5302
(McNerney) Western
Water Recycling and
Drought Relief Act

Water Resources
Development Act 2020
(in development)

Several other water infrastructure bills are expected in the coming weeks, and staff is working with our Congressional delegation and committee staff to advance Valley Water interests in those bills as well.

Finally, staff is working with our Congressional delegation to advocate for funding under the U.S. Army Corps of Engineers' Fiscal Year 2020 work plan for the South San Francisco Bay Shoreline Project (Phase II, Economic Impact Areas 1-10) and the Upper Guadalupe River Flood Protection Project. The work plan is expected to be submitted to Congress in early February.



U.S. Capitol

Valley Water and Regulators Meet with Congressional Delegation to Advance Anderson Project

On December 4, 2019, Chair LeZotte led a delegation of senior Valley Water staff to Washington, D.C., to meet with all four members of the Santa Clara County Congressional delegation, high-level officials from federal regulatory agencies, and local stakeholders to discuss how all involved can work together to move the Anderson Dam Seismic Retrofit Project forward as expeditiously as possible. It was a productive session, with the principals from each agency agreeing to convene regularly to discuss progress and address any concerns. Completing this project as quickly and safely as possible is Valley Water's top priority, and there is wide agreement from others about the importance of public safety. Staff will continue to work closely with Members of Congress and the Administration to ensure that the project is moving along quickly and that any concerns or challenges are quickly elevated.

STATE ADVOCACY EFFORTS



State Capitol

Legislature Back in Session

On January 6, the Legislature reconvened for the second year of the 2019-2020 legislative session. Bills introduced in 2019 that fail to pass out of the first house by January 31 will die. Staff is closely watching 2-year bills, particularly those on which the Board has a position, for late amendments, hearings, or other actions that indicate the bill may be reconsidered. New bills for 2020 must be introduced by February 21, and staff is working on a Valley Water sponsored bill to expedite the Anderson Dam Seismic Retrofit Project, as well as working with our membership advocacy organizations on a host of bills to benefit the delivery of clean drinking water, environmental stewardship, and flood protection.

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Governor Releases Proposed State Budget for FY 2020-21

On January 10, Governor Gavin Newsom released his \$222.2 billion proposed state budget for fiscal year 2020-21. In addition to funding to address high-priority issues like fire danger, housing, homelessness, and the PG&E bankruptcy, the budget proposes \$12.48 billion in climate resilience funding over the next five years.

Under the plan, the implementation of the Governor's recently released Climate Resilience Portfolio would be paid in part by a \$4.75 billion climate resilience bond proposed for the November 2020 ballot. The bond would borrow \$2.9 billion for drinking water, flood protection, and drought funding, including \$1 billion for water resilience projects (recycled water, efficiency, storage, and conveyance), \$340 million for flood subventions, \$270 million for multi-benefit flood risk reduction, and \$140 million for enhanced stream flow and fish passage projects. The bond also would include \$500 million to the State Coastal Conservancy to address sea level rise.

Also included in the budget is a program to modernize and improve biodiversity protection through regulatory efficiencies, an issue for which Valley Water has advocated strongly for years through sponsored legislation and other advocacy. The Governor's proposal calls for "cutting green tape" with annual appropriation of \$4 million to the Department of Fish and Wildlife to improve permitting efficiency through early consultation, permit workshops, and existing permitting program options. The Office of Government Relations will continue to advocate for funding and other Valley Water interests through the budget and bond processes.

Water Resilience Portfolio

On January 3, the Newsom Administration released their draft Water Resilience Portfolio (Portfolio) and requested public comment by February 7, 2020. The Portfolio is the result of an April 2019 executive order and incorporates recommendations from hundreds of entities, including Valley Water. The document consists of more than one hundred goals and is intended to chart the state's continuing response to more extreme droughts and floods, rising temperatures, depleted groundwater basins, aging infrastructure, and other challenges intensified by climate change.

Staff throughout Valley Water participated in several stakeholder groups to provide input, which ultimately was included in a letter the Board sent to the Governor to advocate for Valley Water's interests. The resulting draft Portfolio aligns with many of the Board's and Valley Water's priorities.

South San Francisco Bay Shoreline Project - State Flood Control Subventions Authorization

On December 16, 2019, the Department of Water Resources accepted the State Cost Share Report drafted by Valley Water staff and accepted the calculations of the non-federal sponsors' costs for the South San Francisco Bay Shoreline Project, Phase I. Once the authorization process is completed, the Shoreline Project will be eligible to receive state reimbursements totaling over \$9 million. The authorization is the next step as required by the Valley Water-sponsored state bill Senate Bill 881 (Wieckowski) which was signed into law in 2018, adding the Shoreline Project to the list of state projects in line for State Subventions Funding. The State's Cost Share Report will now be made available on January 15 for a 45-day public comment period.

LOCAL ADVOCACY AND ENGAGEMENT EFFORTS

End of the Year Legislative Updates

As 2019 came to a close, Valley Water Directors Richard Santos and Gary Kremen addressed the communities of Sunnyvale, Monte Sereno, and Los Altos Hills, respectively. Director Santos and Director Kremen provided legislative updates on different



Director Gary Kremen speaking on Valley Water projects and priorities occurring within the Town of Los Altos Hills.



Director Richard Santos providing a legislative update to the Sunnyvale City Council in November.

Valley Water projects and priorities that benefit each of those communities and spoke on the importance of partnerships to advance them.

Legislative Conference for the Pajaro Valley Watershed Flood Prevention Authority

On December 13, Director John Varela provided an update on the importance of the Pacheco Reservoir Expansion Project to the Pajaro Valley Watershed Flood Prevention Authority, as part of their annual legislative conference..



Director John Varela provides the Pajaro Watershed Flood Prevention Authority a status update of the Pacheco Reservoir Expansion project.

LOOKING AHEAD

FEBRUARY 8, 2020

South Valley Science and Engineering Fair

Federal Legislation Active in January 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	Markup held in House Committee on Natural Resources, ordered to be reported favorably (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)	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 (Loebsock)	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.

2020 Two-Year State Bills with Board-Approved Positions:

Bill (Author)	Subject	Position	Status
AB 292 (Quirk)	Recycled Water: Raw Water and Groundwater Augmentation	Support	2-year bill
AB 441 (Eggman)	Water: Underground Storage	Oppose	2-year bill
AB 510 (Cooley)	Local Government: Destruction of Records	Support	2-year bill
AB 1194 (Frazier)	Sacramento-San Joaquin Delta: Delta Stewardship Council	Oppose	2-year bill
AB 1204 (Rubio)	Public Water Systems: Primary Drinking Water Standards Implementation date	Support	2-year bill
AB 1534 (Wicks)	Regional Homeless Management Planning Act	Support	2-year bill
AB 1580 (Levine)	Major Infrastructure Construction Projects: Oversight Committees.	Oppose	2-year bill
ACA 1 (Aguilar-Curry)	Local Government Financing: Voter Approval for Affordable Housing and Public Infrastructure	Support	2-year bill
SB 332 (Hertzberg)	Wastewater Treatment: Recycled Water	Oppose Unless Amended	2-year bill
SB 414 (Caballero)	Small System Water Authority Act of 2019	Support	2-year bill