

FEBRUARY 25, 2020

Office of Government Relations Legislative Update



FEDERAL ADVOCACY EFFORTS

FY2021 President's Budget and USACE FY2020 Work Plan Include Funding for Valley Water Projects

On February 10, the Trump Administration released the Fiscal Year (FY) 2021 President's Budget, which outlines the President's priorities for the coming fiscal year. The Budget includes \$400,000 to continue the South San Francisco Bay Shoreline Feasibility Study (Phase II). While the President's Budget is a statement of priorities and it will be up to Congress to provide the funding, USACE projects named in the budget are usually automatically included in the work plan that follows enacted appropriations bills. The USACE FY 2020 work plan also includes \$600,000 to continue the feasibility study. These are important successes for Valley Water, highlighting the continued federal interest in moving this project forward.

Also included in the FY 2020 work plan is \$1.5 million to initiate and complete a General Reevaluation Report (GRR) for the Upper Guadalupe River Flood Protection Project. This will allow



USACE to reevaluate the project, including looking at the benefit-to-cost ratio of different reaches, in order to determine the federal interest. In short, this allows Valley Water to continue to move this project forward with federal support. The project last received federal funding in FY 2014.

We still have work to do to finalize this support for our projects, and we will continue to advocate for all Valley Water projects and priorities throughout the FY 2021 appropriations process.



STATE ADVOCACY EFFORTS

Valley Water's Anderson Dam Bill Introduced

On February 21, California Assembly Member Robert Rivas (D-Hollister) introduced a bill to expedite the Anderson Dam Seismic Retrofit Project (ADSRP). AB 3005 (R. Rivas), The Expedited Dam Safety for Silicon Valley Act, has three primary components.

1) Expert Construction - Authorizes "best value" selection of the ADSRP construction contractor and ensures a skilled workforce for the project.

2) Timely Court Decisions - Provides expedited judicial review of challenges to environmental documents issued in compliance with the California Environmental Quality Act.

3) Faster Permitting - Requires expedited processing of state permits by the Department of Fish and Wildlife and the State Water Resources Control Board.

AB 3005 includes an urgency clause that would allow the bill to take effect immediately upon the signature of the Governor. The first policy committee hearings on the bill are expected in March or April. The Office of Government Relations' state and local teams are recruiting broad support for this important legislation that will help speed the start of construction for the project to deliver its critical seismic safety, flood protection, and water supply benefits.

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California Water Resilience Portfolio

On January 3, the Newsom Administration released the draft Water Resilience Portfolio (Portfolio) that establishes water policy priorities for state agencies, including the Natural Resources Agency, the Environmental Protection Agency, the Department of Water Resources, and the Department of Food and Agriculture. The purpose is to refocus state efforts to prepare for climate change impacts to our water supply and ecosystems. The draft Portfolio proposes more than a hundred goals and actions for state implementation.

On February 7, Valley Water submitted a comment letter on the draft Portfolio suggesting changes to several key actions to ensure that the water rights process and requirements to reduce reliance on the Delta are clarified to align with current law. Valley Water also acknowledged the inclusion of several items of interest to Valley Water, including water conservation, water reuse, groundwater recharge, expansion of surface



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storage, Integrated Regional Water Management, regional water conveyance, and a recommendation to review and streamline environmental permitting processes. We expect to see a final draft of the Portfolio in the next several months. Once the Portfolio is finalized by the Administration, staff will advocate for implementation of actions in Valley Water's interest through state regulatory, legislative, and policy changes.



Director Keegan engaging with tour attendees along the Guadalupe River.

LOCAL ADVOCACY AND ENGAGEMENT EFFORTS

Los Gatos Mayor and Assistant Town Manager Meeting

On January 15, Director Gary Kremen and Valley Water staff met with Los Gatos Mayor Marcia Jensen and Assistant Town Manager Arn Andrews to discuss several Valley Water projects and programs. Staff provided information and updates on the Winter Preparedness Program, Rinconada Treatment Plant Project, Anderson Dam Seismic Retrofit Project, Pacheco Reservoir Expansion Project, and the Safe, Clean Water Grant and Partnership programs.

Valley Water is working with municipalities in the county, including the Town of Los Gatos, to implement the Model Water

Efficient for New Development Ordinance and streamline the hazardous tree removal program in addition to gaining their support for priority legislation and federal and state funding requests.

Valley Water Joins Guadalupe-Coyote Resource Conservation District Tours of Guadalupe Watershed

The Guadalupe-Coyote Resource Conservation District (GCRCD) organized two tours in January of different sites in the Guadalupe Watershed. Director Barbara Keegan joined Valley Water staff at the January 10 tour, which visited the Alamitos Fish Ladder and different reaches of the Guadalupe River. Staff joined the January 31 tour that focused on the Coyote Creek and included stops at the Singleton Road Fish Passage, Anderson Dam and Metcalf Ponds. The tours were intended to educate the GCRCD Board as well as the members of the public.

South Valley Science and Engineering Fair

On February 8, Valley Water hosted a booth at the South Valley Science and Engineering Fair in Morgan Hill. Staff greeted community members and provided informational booklets, coloring books, and flood preparedness kits to families and children.

UPCOMING EVENTS

February 29

McKelvey Ball Park Opening (booth/water truck)

March 28

Wildflower Day (booth)

March 29

Wildflower Run (booth/water truck)

Federal Legislation Active in February 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 (Loebbeck)	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.

State Legislation Active in February 2020 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
AB 3005 (Rivas)	Expedited Dam Safety for Silicon Valley Act	Support	Introduced 2/21, pending committee referral