

SEPTEMBER 18, 2020

## Office of Government Relations Legislative Update



### STATE ADVOCACY EFFORTS



State Capitol

#### **Anderson Dam Bill Passes the Legislature, Awaits Governor's Signature**

On August 31, the Legislature passed AB 3005, Valley Water's sponsored bill authored by Assemblymember Robert Rivas to expedite the Anderson Dam project. The bill is now pending the Governor's approval, and if signed, will take effect immediately.

AB 3005 would do the following:

- Expedite state permitting and the resolution of legal challenges to environmental documents;
- Authorize the use of the "best value" method of contract award;
- Require the project to have net zero greenhouse gas emissions; and
- Apply deadlines for completing key milestones related to the Fish & Aquatic Habitat Collaborative Effort.

The passage of AB 3005 engaged staff from nearly every part of Valley Water, and a broad cross section of elected and appointed officials, community leaders, environmental and diversity groups, water agencies, and business, labor, and farming organizations. The supporters of the bill have sent letters to Governor Newsom urging his signature and he has until September 30 to act on the bill.

#### **End of the State Legislative Session**

On August 31, the State Legislature completed its 2019-20 Legislative Session, which over the past months was significantly impacted by the COVID-19 pandemic with infections among legislators and staff. The legislative deadlines were changed, hearings were cancelled, and less than half the number of bills were passed compared to previous years.

As the state was set ablaze by lightning strikes in mid-August, a last-minute bill was introduced to fund wildfire prevention and response, including water infrastructure. The bill, AB 1659, was supported by the Valley Water Board through an emergency legislative position and staff worked to pass it by the end of the legislative session. However, concerns about the funding source, a tax on electricity, ultimately became too great for passage.

Other bills supported by Valley Water and passed by the Legislature include ACA 5 Proposition 209 Repeal, AB 2560 Water Quality Notifications, and SB 1044 PFAS Phase Out in Firefighting Foam & Equipment. A complete list of bill positions and outcomes is attached.



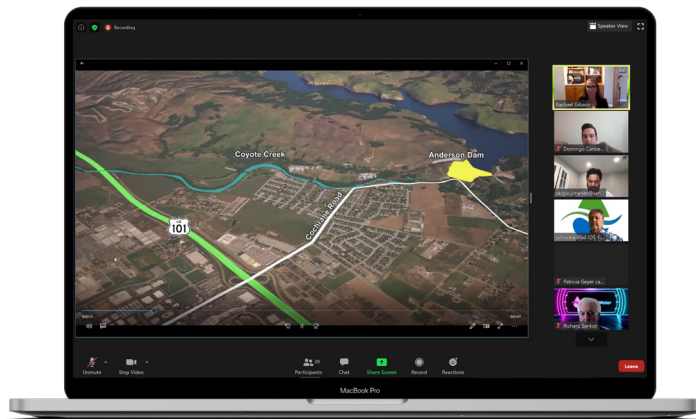
Assemblymember Robert R. Rivas presenting AB 3005 on the Assembly Floor for concurrence in Senate Amendments

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## LOCAL ADVOCACY AND ENGAGEMENT EFFORTS

### Director Varela Provides an Update on the Anderson Dam Seismic Retrofit Project

On August 20, Director John Varela and Director Richard Santos participated in a neighborhood meeting hosted by Councilmember Sergio Jimenez on the Anderson Dam Seismic Retrofit Project. Director Varela emphasized the project's importance to public safety and the effort undertaken by Valley Water and Assemblymember Robert Rivas, for the passage of AB 3005 to ensure that the project continues to move forward. Director Varela provided opening remarks, emphasizing that this project is Valley Water's highest priority. Staff then presented a project update, and partnered with Assemblymember Robert Rivas, the author of AB 3005, the Anderson Dam bill, to advocate for and explain the bill's benefits to the community. Director Varela and staff engaged in fruitful dialogue with the community and answered many questions about the project and the bill.



*Director Varela and Director Santos participating in the Anderson Dam Town Hall hosted by San Jose Councilmember Sergio Jimenez.*

### Director Kremen Speaks with Palo Alto Residents about Climate Change

On September 9, Director Gary Kremen provided opening remarks for the City of Palo Alto's Sea Level Rise Community Meeting. Director Kremen highlighted the importance of Valley Water's actions to mitigate the effects of climate change and the value of partnering with cities like Palo Alto, to tackle the challenges posed by a warming planet. Afterward, both Valley Water and Palo Alto staff made presentations on climate change efforts currently planned or underway in the Palo Alto area.

## UPCOMING EVENTS

Note: due to the Coronavirus (COVID-19) outbreak, staff is not physically participating in any events during the month of August. Staff is participating in virtual events as they are planned, including AACI's Better Together Gala on August 29, and will assess participation in events in the coming months, in compliance with the most current shelter in place order.

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

Bill (Author)	Subject	Position	Status
AB 292 (Quirk)	Recycled Water: Raw Water and Groundwater Augmentation	Support	Failed - Senate Floor Deadline
AB 1580 (Levine)	Major Infrastructure Construction Projects: Oversight Committees	Oppose	Failed - Senate Appropriations Committee Suspense
AB 2060 (Holden)	Drinking Water: Pipes and Fittings: Lead Content	Support	Failed - Senate Appropriations Committee Suspense
AB 2560 (Quirk)	Water Quality: Notification and Response Levels: Procedures	Support	Pending - Governor's Action
AB 3005 (Rivas)	Expedited Dam Safety for Silicon Valley Act	Support	Pending - Governor's Action
ACA 1 (Aguilar-Curry)	Local Government Financing: Voter Approval for Affordable Housing and Public Infrastructure	Support	Failed - Assembly Floor Deadline
SB 54 (Allen)	Solid Waste: Packaging and Products	Support	Failed Passage - Assembly Floor
SB 414 (Caballero)	Small System Water Authority Act of 2019	Support	Failed - Assembly Appropriations Committee Suspense
SB 952 (Nielsen)	Sales and Use Taxes: Exemption: Backup Electrical Resources: Deenergization Events	Support	Failed - Assembly Revenue & Taxation Committee Deadline
SB 1044 (Allen)	Firefighting Equipment and Foam: PFAS Chemicals	Support	Pending - Governor's Action

## Federal Legislation Active in August 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 (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 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
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)
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. 3591 (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 Energy and Natural Resources Committee (July 22, 2020)
S. 4188 (Harris)	Water for Tomorrow Act	Water for Tomorrow Act	Hearing held in the Senate Committee on Energy and Natural Resources (July 22)