

**LAS VIRGENES - TRIUNFO
JOINT POWERS AUTHORITY
AGENDA**

4232 Las Virgenes Road, Calabasas, CA 91302

July 6, 2020, 5:00 PM

Public Participation for Meetings of Las Virgenes - Triunfo Joint Powers Authority in Response to COVID-19

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 (superseding the Brown Act-related provisions of Executive Order N-25-20 issued on March 12, 2020), which allows a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Pursuant to Executive Order N-29-20, please be advised that members of the Las Virgenes - Triunfo Joint Powers Authority will participate in meetings telephonically.

PUBLIC PARTICIPATION: Pursuant to Executive N-29-20 and given the current health concerns, members of the public can access meetings live on-line, with audio and limited video, at www.LVMWD.com/JPALiveStream. In addition, members of the public can submit comments electronically for consideration by sending them to www.LVMWD.com/JPALiveStream. To ensure distribution to the members of the Las Virgenes - Triunfo Joint Powers Authority prior to consideration of the agenda, please submit comments 24 hours prior to the day of the meeting. Those comments, as well as any comments received after 5:00 P.M., will be distributed to the members of the Board of Directors and will be made part of the official public record of the meeting. Contact Josie Guzman, Executive Assistant/Clerk of the Board at (818) 251-2123 or jguzman@lvmwd.com with any questions.

ACCESSIBILITY: If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid, or service by contacting the Executive Assistant/Clerk of the Board by telephone at (818) 251-2123 or via email to jguzman@lvmwd.com no later than 8:00 AM on the day of the scheduled meeting.

Members of the public wishing to address the Las Virgenes-Triunfo Joint Powers Authority (JPA) Board of Directors are advised that a statement of Public Comment Protocols is available from the Clerk of the Board. Prior to speaking, each speaker is asked to review these protocols, complete a speakers' card, and hand it to the Clerk of the Board. Speakers will be recognized in the order the cards are received.

The Public Comments agenda item is presented to allow the public to address the Board on matters not on the agenda. The public may also present comments on matters on the agenda; speakers for agendized items will be recognized at the time the item is called up for discussion.

Materials prepared by the JPA in connection with the subject matter on the agenda are available for public inspection at 4232 Las Virgenes Road, Calabasas, CA 91302. Materials prepared by the JPA and distributed to the Board during this meeting are available for public inspection at the meeting or as soon thereafter as possible. Materials presented to the Board by the public will be maintained as part of the records of these proceedings and are available upon request to the Clerk of the Board.

PLEDGE OF ALLEGIANCE

1 CALL TO ORDER AND ROLL CALL

2 APPROVAL OF AGENDA

3 PUBLIC COMMENTS

Members of the public may now address the Board of Directors **ON MATTERS NOT APPEARING ON THE AGENDA**, but within the jurisdiction of the Board. No action shall be taken on any matter not appearing on the agenda unless authorized by Subdivision (b) of Government Code Section 54954.2

4 CONSENT CALENDAR

Matters listed under the Consent Calendar are considered to be routine, non-controversial and normally approved with one motion. If discussion is requested by a member of the Board on any Consent Calendar item, or if a member of the public wishes to comment on an item, that item will be removed from the Consent Calendar for separate action.

A Minutes: Special Meeting of May 27, 2020, and Regular Meeting of June 1, 2020 (Pg. 4)

Approve.

B Rancho Solar Generation Project Phase 2: Approval of Scope Change for Archaeological and Native American Artifact Monitoring (Pg. 18)

Authorize the Administering Agent/General Manager to execute a Scope Change with Envicom Corporation, in the amount of \$32,288, for additional archaeological and Native American artifact monitoring for the Rancho Solar Generation Project Phase 2.

5 **ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS**

A Pure Water Project Las Virgenes-Triunfo: Update

B State and Federal Legislative Update (Pg. 28)

6 **ACTION ITEMS**

A Pure Water Project Las Virgenes-Triunfo: Summary of Institutional Issues (Pg. 91)

Approve in concept the summary of institutional issues for the Pure Water Project Las Virgenes-Triunfo.

B Tapia NPDES Effluent Limit Exceedances: Settlement Offer No. R4-2020-0042 (Pg. 97)

Authorize the Administering Agent/General Manager to execute Settlement Offer No. R4-2020-0042, including payment of \$60,000 for 25 exceedances of NPDES effluent limitations for the Tapia Water Reclamation Facility.

7 **BOARD COMMENTS**

8 **ADMINISTERING AGENT/GENERAL MANAGER REPORT**

9 **FUTURE AGENDA ITEMS**

10 **INFORMATION ITEMS**

A Tapia Process Air Improvements Project: Approval of Maintenance Contract for Sulzer Blowers (Pg. 109)

11 **PUBLIC COMMENTS**

Members of the public may now address the Board of Directors **ON MATTERS NOT APPEARING ON THE AGENDA**, but within the jurisdiction of the Board. No action shall be taken on any matter not appearing on the agenda unless authorized by Subdivision (b) of Government Code Section 54954.2

12 **CLOSED SESSION**

13 **ADJOURNMENT**

Pursuant to Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and applicable federal rules and regulations, requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the Executive Assistant/Clerk of the Board in advance of the meeting to ensure availability of the requested service or accommodation. Notices, agendas, and public documents related to the Board meetings can be made available in appropriate alternative format upon request.

**LAS VIRGENES – TRIUNFO
JOINT POWERS AUTHORITY
MINUTES
SPECIAL MEETING**

5:00 PM

May 27, 2020

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Mark Norris.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by Chair Lewitt via teleconference in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road, Calabasas, CA 91302. The meeting was conducted via teleconference pursuant to the provisions of the Governor's Executive Order, N-29-20, which suspended certain requirements of the Ralph M. Brown Act to support social distancing guidelines associated with response to the coronavirus (COVID-19) outbreak. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Caspary, Lewitt, Lo-Hill, Nye, Orkney, Polan, Renger, Shapiro, Tjulander, and Wall

Absent: None

2. APPROVAL OF AGENDA

Director Wall moved to approve the agenda. Motion seconded by Director Lo-Hill. Motion carried unanimously by roll call vote.

3. PUBLIC COMMENTS

None.

4. STRATEGIC PLANNING WORKSHOP ON PURE WATER PROJECT LAS VIRGENES-TRIUNFO

Administering Agent/General Manager David Pedersen provided a brief overview of the efforts leading up to the development of the Pure Water Project Las Virgenes-Triunfo and the guiding principles. He reviewed the progress to-date, including the Pure Water Demonstration Project, Pure Water Demonstration Garden, public outreach plan, orientation video, and completion of various reports

and studies. He discussed options for partnering with the City of Thousand Oaks, Calleguas Municipal Water District (Calleguas), and Camrosa Water District to prepare and share the cost for a brine disposal study and project, and partnering with the City of Thousand Oaks to investigate treating their groundwater at the advanced water treatment facility. He provided an overview of the structure of the JPA agreement, including governance of the JPA and how costs are shared for operations and maintenance of the jointly-owned Tapia Water Reclamation Facility (Tapia) and Rancho Las Virgenes Composting Facility (Rancho).

Don Patterson, Director of Finance and Administration, provided an overview of a flowchart outlining financing and funding possibilities for the project. He responded to a question regarding the wholesale rate, in which each JPA partner would pay for its portion of the water that comes from the advanced water treatment plant and which would include the cost for operation and on-going maintenance of the facility.

A discussion ensued regarding Triunfo Water & Sanitation District (TWSD) leasing storage in Las Virgenes Reservoir for short-term purposes for its share of the water produced at the advanced water treatment plant.

Administering Agent/General Manager David Pedersen reviewed the financial institutional issues. He recommended that the JPA consider financing the project jointly based on financial advice from Piper Sandler, the JPA's financial advisor, and subsequently the JPA partners could consider securing separate financing, if necessary. He stated that there was value in the JPA partners financing the project together when seeking grant funding and non-market, government financing.

Mr. Patterson responded to questions regarding financing options. He noted that issuance of municipal bonds would be challenging; however, the private placement market was very active. He stated that the JPA would need to work closely with its financial advisor, and the JPA would need to commit to a course of action prior to the beginning of construction.

Administering Agent/General Manager David Pedersen discussed the environmental review process, which would include the California Environmental Quality Act (CEQA) process and preparation of an environmental impact report (EIR). He stated that the JPA could begin to secure financing for the project once the EIR neared completion. He also stated that the JPA was one year from being competitive for seeking grants and low-interest loans, followed by backfilling the net project cost with other financing methods.

Director Polan requested that staff provide an updated project schedule, including the environmental review schedule.

Mr. Patterson noted that the order of financing would be pay-go amounts, grants, low-interest financing, private placement, and municipal bonds.

Administering Agent/General Manager David Pedersen responded to a question regarding the need to prepare environmental documents for both proposed sites. He also discussed the JPA partners' credit worthiness and rates when seeking financing, and looking into how debt would be serviced proportionately if the individual JPA partners have different credit worthiness.

Administering Agent/General Manager David Pedersen continued reviewing the financial institutional issue related to the JPA partners sharing the capital costs for the project, and he recommended that the project cost be shared in the same proportion as outlined in the existing JPA agreement. He also recommended that the operation and maintenance costs for the project be shared as currently shared for the wholesale recycled water system. He responded to a question regarding the wastewater influent by stating that staff would bring back an updated chart showing historical influent wastewater flows to Tapia.

Administering Agent/General Manager David Pedersen continued reviewing the financial institutional issue related to allocating the cost of treated potable water that would be used for flow augmentation to Malibu Creek. He recommended that the cost be shared based on the actual cost of the potable water that Las Virgenes Municipal Water District (LVMWD) establishes in its budget for potable supplement. He noted that there would likely be additional costs associated with fish flows for the treatment to remove residual nitrogen. He suggested that LVMWD establish an annual rate in its budget for the potable supplement rate and fish flow augmentation rate, and that the cost would be allocated to the JPA partners.

Director Caspary expressed concern with the Environmental Protection Agency and the State Water Board's mandate to place advanced treated water in Malibu Creek, and suggested that the customers be reminded that these mandates affect their rates.

Administering Agent/General Manager David Pedersen continued reviewing the financial institutional issue related to how potable supplement would be allocated between the JPA partners once the advanced water treatment facility is operational. He stated that in his view the potable supplement would be allocated in the same manner as it is currently. He suggested that TWSD could use its advanced treated water to serve as its potable supplement instead of paying the LVMWD-established rate for potable supplement water. Mark Norris, TWSD District Manager, stated that this suggestion could be worth exploring.

Administering Agent/General Manager David Pedersen reviewed the allocation institutional issue related to how ownership of the water produced by the advanced water treatment facility would be allocated between the JPA partners. He stated that the allocation would be the same as outlined in the existing JPA agreement, which would be based on the relative contribution of wastewater. He noted that this currently determined the allocation of recycled water.

Administering Agent/General Manager David Pedersen reviewed the allocation institutional issue related to how ownership of the “future” water produced by the advanced water treatment facility would be allocated between the JPA partners. He stated that there were previous discussions that there could be more water that would be available based on the relative contributions from the JPA partners. He stated that in order to supplement flows into Tapia, each individual JPA partner could work with local municipalities in their jurisdictions to implement projects that would come before the JPA Board for review and approval. He also stated that the additional water produced would be allocated to the JPA partner based on their relative contributions.

Administering Agent/General Manager reviewed the allocation institutional issue related to how potable supplement would be allocated between the JPA partners once the advanced water treatment facility was operational by stating that this item was covered under the financial institutional issues.

Administering Agent/General Manager reviewed the allocation institutional issue related to how the JPA partners would account for usage of potable water if it is used for flow augmentation. He stated that this issue relates to the demand for that water and how the potential “bonus credit” under the new statewide water-use efficiency framework (SB 606/AB 1668) would be allocated to the JPA partners. He explained that the bonus credit was intended to recognize and provide credit to agencies that implemented potable reuse projects, and the JPA would be eligible for that bonus credit. He stated that the bonus credit would allow the JPA to count water supplied into the JPA partners’ respective systems as potable reuse as if it were conserved water. He also stated that the bonus credit could be allocated to each agency based on the amount of water taken into their respective water systems. He noted that flow augmentation would not count against the JPA partners as a consumptive demand for the purpose of water use efficiency.

Administering Agent/General Manager David Pedersen reviewed the institutional/governance institutional issues related to Calleguas’ role in transferring water from LVMWD to TWSD. He noted that an agreement was already in place between LVMWD and Calleguas for the construction, operation and maintenance of the interconnection. He stated that he envisioned that a supplement to that agreement would be needed to include TWSD and to outline the terms and conditions for conveyance of water from LVMWD to TWSD.

Administering Agent/General Manager David Pedersen reviewed the institutional/governance institutional issues related the role of the JPA agreement by stating that the agreement was fundamental and foundational for the Pure Water Project Las Virgenes-Triunfo.

Administering Agent/General Manager David Pedersen reviewed the institutional/governance institutional issues related to the future policy for expansion of the recycled water system and whether this should be a JPA or

individual partner policy by referencing the policy principles for management of the JPA's recycled water system, which were adopted by the JPA Board in September 2015. He suggested that he and TWSD General Manager Mark Norris should meet to discuss solidifying the individual agencies' policies, and develop a draft JPA policy to support providing additional water to the advanced water treatment plant and not unnecessarily expand the use of recycled water through the purple pipe network.

Director Caspary suggested considering the opportunity to require certain water efficiency standards for landscape that is irrigated with recycled water in order to control how much recycled water is used on a per square foot basis and protect the water supply for the advanced water treatment plant.

Administering Agent/General Manager David Pedersen reviewed the institutional/governance institutional issues related to the role of additional partners such as the City of Thousand Oaks and Calleguas. He stated that the role of the City of Thousand Oaks might be sharing in the disposal of brine, which could be in the form of the JPA sharing in a brine pipeline that is routed through the City of Thousand Oaks, past the Hill Canyon Treatment Plant, and ultimately to the Santa Rosa Valley where it would connect with Calleguas' Salinity Management Pipeline. He also stated that another opportunity could be for LVMWD to convey brine to the City of Thousand Oaks' sanitary sewer system and participate in a desalting facility at the Hill Canyon Treatment Plant, which would also connect to Calleguas' Salinity Management Pipeline. He also stated that another opportunity could be for the JPA to treat the City of Thousand Oaks' impaired groundwater at the advanced water treatment plant. He discussed the shared challenges and mutual benefits of these opportunities. He noted that these opportunities would also need to be memorialized in an agreement negotiated and approved by the JPA Board and the partner(s). He suggested that the JPA hold a workshop to discuss the different options and scenarios, pros and cons, and long-term benefits to the JPA and partner(s). He responded to questions regarding the process to convey the groundwater from Thousand Oaks to Tapia or directly to the advanced water treatment plant, and the City of Thousand Oaks' timeline for installing advanced water treatment for its discharge to Conejo Creek.

Administering Agent/General Manager David Pedersen stated that staff would prepare and bring back a narrative of the items discussed for the Board's consideration.

Joe McDermott, Director of Engineering and External Affairs, provided a brief overview of the Request for Proposals (RFP) for an Owner's Advisor/Program Manager. He stated that the cost estimate for the professional services was \$4 to \$6 million. He discussed alternative delivery methods and stated that Progressive-Design-Build had been implemented for this type of project.

Eric Schlageter, Principal Engineer, provided a summary of the RFP scope of work including: program management; program priorities, drivers, and risks; project delivery methodology and procurement support; technical studies, drawings, and specifications; and environmental studies and regulatory compliance.

Mr. McDermott discussed the potential for the project to be completed two years ahead of schedule and potential cost savings associated with the use of an alternative delivery method.

Administering Agent/General Manager David Pedersen discussed the Progressive-Design-Build strategy, starting with the environmental review process, and cost-loaded schedule for the project. He responded to a question regarding having a project risk management plan.

Mr. McDermott responded to a question regarding not considering Design-Build-Operate or Public-Private Partnership delivery methods by stating that in his experience these types of delivery methods have not fared well and the cost to outsource is not competitive. Administering Agent/General Manager added that in his experience an agency might not receive the best operation and maintenance of the plant because a private company is focused on generating profit. He also stated that he strongly believed the District's employees have the most ownership in all of the District's facilities, and they would do the best job in operating and maintaining facilities to provide the best quality of water.

Director Caspary expressed an interest in receiving additional information regarding alternative delivery methods, and asked that staff provide information from other agencies on their preferred delivery methods.

5. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **7:27 p.m.**

Jay Lewitt, Chair

ATTEST:

James Wall, Vice Chair

**LAS VIRGENES – TRIUNFO
JOINT POWERS AUTHORITY
MINUTES
REGULAR MEETING**

5:00 PM

June 1, 2020

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Ana Schwab.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by Chair Lewitt via teleconference in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road, Calabasas, CA 91302. The meeting was conducted via teleconference pursuant to the provisions of the Governor’s Executive Order, N-29-20, which suspended certain requirements of the Ralph M. Brown Act to support social distancing guidelines associated with response to the coronavirus (COVID-19) outbreak. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Caspary, Lewitt, Lo-Hill, Nye, Orkney, Polan, Renger, Shapiro, Tjulander, and Wall.

Absent: None.

2. APPROVAL OF AGENDA

Administering Agent/General Manager David Pedersen requested that Item 10A be moved to follow the Consent Calendar in order to receive the federal legislative update from Ana Schwab, representing Best Best & Krieger, LLP.

Director Caspary moved to approve the agenda as amended. Motion seconded by Director Polan. Motion carried unanimously by roll call vote.

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A Minutes: Regular Meeting of May 4, 2020: Approve

Director Renger moved to approve the Consent Calendar. Motion seconded by Director Lo-Hill. Motion carried unanimously by roll call vote.

10. INFORMATION ITEMS - (This item was moved out of sequence)

A State and Federal Legislative Update

Ana Schwab, representing Best Best & Krieger, LLP (BBK), presented the federal legislative update. She noted that BBK was monitoring the development of the next COVID-19 mitigation funding package. She reported that the House of Representatives passed the Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act, which was not expected to be passed by the Senate. She stated that she expected that the mitigation funding package would continue to develop, and BBK would continue to advocate for provisions that would be beneficial to the JPA. She also reported that BBK was monitoring the development of an infrastructure package, and noted that several appropriation bills would be passed by September 30th. She responded to a question regarding the status of Metropolitan Water District of Southern California's litigation against the California Department of Fish and Wildlife and the Department of Water Resources, challenging the Final Environmental Impact Report and the California Endangered Species Act Incidental Take Permit for the Long-Term Operation of the State Water Project by stating that she would provide a written summary.

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Pure Water Project Las Virgenes-Triunfo: Update

Joe McDermott, Director of Engineering and External Affairs, provided an update regarding the mural installation at the Pure Water Demonstration Project. He noted that staff installed marine-grade plywood for the backing of the 70-piece mural canvas, which would allow the mural to be moved to another location in the future. He stated that staff was hoping to schedule an evening tour of the mural and the Pure Water Demonstration Project. He also reported that the Request for Proposals (RFP) for an Owner's Advisor/Program Manager was out for bid. He noted that the cost estimate for the professional services would be \$4 to \$6 million, and responses to the RFP were due by June 25th. He responded to a question regarding protecting the mural from vandalism by stating that the mural would receive a clear coat that would allow it to be washed off without causing damage.

John Zhao, Director of Facilities and Operations, provided an update regarding commissioning the Pure Water Demonstration Project. He noted that the manufacturers' representatives were testing the valves, pumps, and instruments. He also noted that the manufacturer and engineering consultants would train staff and video-record the training sessions for staff who are unable to attend the live training due to COVID-19 social distancing. He stated that the target date to commission the system and begin tasting water samples could begin at the end of

June. He also stated that soft openings would occur in July, followed by the grand opening on September 11th. He reported that noise levels from the equipment were lower than expected, which would benefit the tour experience for the Pure Water Demonstration Project. Darrell Johnson, Water Systems Manager, added that noise levels were low when the ultra-filtration skid and compressor were tested.

6. **ACTION ITEMS**

A Financial Review: Third Quarter of Fiscal Year 2019-20

Receive and file the financial review for the third quarter of Fiscal Year 2019-20.

Angela Saccareccia, Finance Manager, presented the report and PowerPoint presentation.

Director Caspary moved to approve Item 6A. Motion seconded by Director Wall. Motion carried unanimously by roll call vote.

B Proposed Two-Year JPA Budget Plan for Fiscal Years 2020-22

Approve the proposed Two-Year JPA Budget Plan for Fiscal Years 2020-22 and adopt the proposed Fiscal Year 2020-21 JPA Budget.

Angela Saccareccia, Finance Manager, presented the report and PowerPoint presentation.

Director Polan moved to approve Item 6B. Motion seconded by Director Shapiro.

Ms. Saccareccia responded to a question regarding reimbursement of repairs for damages caused by the Woolsey Fire by stating that reimbursement was expected from the JPA's insurance company and the Federal Emergency Management Agency (FEMA). Don Patterson, Director of Finance and Administration, noted that staff was continuing to negotiate insurance reimbursements, and staff would meet with insurance company representatives and Pacific Hydrotech to finalize the scope of work. He stated that approximately \$3 million was already received from the JPA's insurance company.

Mr. Patterson responded to a question regarding expenses in the treatment/composting budget by stating that although composting was not operational there were still costs at the Rancho Las Virgenes Composting Facility for staffing, off-site sludge hauling, and maintenance of the facility. He noted that the JPA's insurance company would reimburse the costs related to off-site sludge hauling.

Administering Agent/General Manager David Pedersen responded to a question regarding the estimated actual budget, in the amount of \$872,526, for labor expenses for the treatment/composting budget by stating that staff was conducting preventative maintenance work at the facility, including overhauling the centrifuges and performing other improvements.

Ms. Saccareccia responded to a question regarding the increase in the source of JPA funds by stating that this was due to an increase in capital projects. She noted that the revenue source included each agency's contribution, as well as revenue from recycled water sales. She shared a list of significant capital projects, which included the Pure Water Project Las Virgenes-Triunfo, Summer Season TMDL Compliance, Tapia Programmable Logic Controller Upgrades, and Rancho Woolsey Fire Repair.

Motion carried unanimously by roll call vote.

C Tapia Water Reclamation Facility SCADA System Upgrade Project: Award

Accept the proposal and authorize the Administering Agent/General Manager to execute a professional services agreement with the RoviSys Company, in the amount of \$2,417,333, for the Tapia Water Reclamation Facility SCADA System Upgrade Project.

Jim Korkosz, Facilities Manager, provided background information regarding the current SCADA system.

Ivo Nkwenji, Information Systems Manager, presented the report.

Director Tjulander moved to approve Item 6C. Motion seconded by Director Renger.

Mr. Nkwenji responded to questions regarding monitoring costs for the procurement of instrumentation on a time and material basis, the proposal for desktop monitors with no touchscreens, and the proposed length of fiber conduits.

Motion carried unanimously by roll call vote.

D Tapia Water Reclamation Facility Outfall Rehabilitation Project: Award of Design

Authorize the Administering Agent/General Manager to execute a professional services agreement with MKN & Associates, Inc., in the amount of \$80,937, to complete the design of the Tapia Water Reclamation Facility Outfall Rehabilitation Project.

Brett Dingman, Water Reclamation Manager, presented the report.

Director Orkney moved to approve Item 6D. Motion seconded by Director Caspary.

Mr. Dingman responded to questions regarding the JPA's experience with the contractor, the angled access points to the pipeline, and rehabilitation of the pipe after inspection.

Motion carried unanimously by roll call vote.

7. BOARD COMMENTS

Director Polan referred to the Tapia Water Reclamation Facility SCADA System Upgrade Project and stated that he hoped the human machine interface (HMI) would be monitored so that it would not need to be updated at a significant cost in the future. He also referred to the Tapia Water Reclamation Facility SCADA System Upgrade Project and stated that cured in-place concrete would likely be used.

8. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen noted that Rancho Las Virgenes Composting Facility had returned to composting operations on May 29th, and he shared a photograph of the first compost being dropped from the conveyer into the compost reactor bay. He recognized staff for their efforts in returning the facility back to operation. He referred to Item 10B, Rancho Las Virgenes Composting Facility Repairs, Approval of Change Order, which was for Woolsey Fire repairs at the facility. He noted that the Las Virgenes Municipal Water District Board approved this item, acting as the Administering Agent of the JPA, and he acknowledged that this item should have been brought to the JPA Board for approval. He stated that this item was expedited because the contractor was mobilized at the facility while working on the amendment conveyance system. He also noted that this work was reimbursable due to the Woolsey Fire. He referred to the JPA Board's recent Strategic Planning Workshop regarding the Pure Water Project Las Virgenes-Triunfo institutional issues, and stated that staff would bring back an item for the Board's consideration to approve a narrative in concept at the July 6th Board meeting. He also suggested that the JPA schedule a special meeting for a subsequent workshop on July 13th at 5:00 p.m., to continue the discussion of the Pure Water Project Las Virgenes-Triunfo institutional issues and project implementation issues. The Board agreed.

9. FUTURE AGENDA ITEMS

Director Lo-Hill requested an update regarding the community-wide survey that was scheduled to be done in collaboration with Pepperdine University and an update regarding the brine study. Joe McDermott, Director of Engineering and

External Affairs, responded that updates would be provided as part of the Pure Water Project Las Virgenes-Triunfo update at the July 6th JPA Board meeting.

10. INFORMATION ITEMS

A State and Federal Legislative Update

B Rancho Las Virgenes Composting Facility Repairs: Approval of Change Order

C Energy Storage and Resiliency Capability Feasibility Assessment: Award

11. PUBLIC COMMENTS

None.

12. CLOSED SESSION

None.

13. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:13 p.m.**

Jay Lewitt, Chair

ATTEST:

James Wall, Vice Chair

July 6, 2020 JPA Board Meeting

TO: JPA Board of Directors

FROM: Facilities & Operations

Subject : Rancho Solar Generation Project Phase 2: Approval of Scope Change for Archaeological and Native American Artifact Monitoring

SUMMARY:

On April 27, 2020, construction began on the 4-MW Rancho Solar Generation Project Phase 2. Borrego Solar has completed installing approximately 90% of solar panels (see attached construction photos) and is currently working on the construction of electrical and SCE interconnection facilities. The project is expected to be operational in Fall 2020. A Professional Services Agreement was awarded to Envicom, in the amount of \$16,360, to perform archaeological and Native American artifact monitoring during grading activities as a part of CEQA requirements for the project.

During the initial phase of construction, a number of prehistoric Middle Period artifacts, such as stone projectile points (spear points) and waste materials from stone tool manufacturing from 5,000 to 2,000 BC were uncovered (see attached photos). Envicom's expert determined that construction work could proceed with additional monitoring of all soil excavation activities, which included underground electrical conduit installation and equipment pad foundation excavation. The estimated cost of the additional monitoring is \$28,788, plus approximately \$3,500 to file required documentation with the California Department of Parks and Recreation.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to execute a Scope Change with Envicom Corporation, in the amount of \$32,288, for additional archaeological and Native American artifact monitoring for the Rancho Solar Generation Project Phase 2.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

Sufficient funding is available in the adopted Fiscal Year 2019-2020 JPA Budget.

DISCUSSION:

The initial professional services agreement with Envicom Corporation to perform archeological and Native American artifact monitoring only included two weeks of monitoring during grading of the access roads. With the discovery of prehistoric Middle Period artifacts at the site, the project requires monitoring to be performed for all soil excavation activities. The change added four weeks of monitoring that were not originally anticipated.

Based on descriptions from Envicom's archaeologist, the stone projectile point is from an Atlatl spear point, otherwise known as a spear-thrower. The Atlatl tool extended the length of the human arm, and allowed for a short spear to be thrown twice as far as a normal spear can be thrown without the Atlatl extension. Since such artifacts are quite dateable, the Atlatl point dates to the prehistoric Middle Period. Based on the type of material of the other artifacts, all of the artifacts probably date back to the same age range. Cultural sites within the Middle Period (5,000 to 2,000 BC) are characterized by changes in the size and shape of metates and manos, and the introduction of mortars and pestles. These changes signify a greater reliance on large seed food sources in the diet. The use of the acorns as a diet staple provided a high-calorie and storable food source, which in turn is believed to have allowed for greater population sedentism and higher levels of social organization. Protein quantity in the diet did not change; however, the number and types of projectile points increased during this time. Projectile points included large side-notched, stemmed, and leaf-shaped forms used for spears and Atlatl darts.

Based on the discovery of the artifacts, the Envicom archaeologist determined that no work stoppage was necessary for the site and that construction activities could proceed with additional monitoring. Documentation must be filed with the California Department of Parks and Recreation.

Prepared by: John Zhao, P.E., Director of Facilities and Operations

ATTACHMENTS:

- Photo No. 1 of Solar Panel Installation
- Photo No. 2 of Solar Panel Installation
- Photos of Artifacts
- Proposed Scope Change by Envicom









June 9, 2020

Las Virgenes-Triunfo Joint Powers Authority
4232 Las Virgenes Road
Calabasas, CA 91302

Attn: Mr. John Zhao, Project Manager

**Subj: JPA Solar Bio and Cultural Monitoring Project - Phase II
(Change Order for PO#17758-OJ) (Envicom Project # 49-004-101)**

Dear Mr. Zhao,

Construction contractors for Phase II of the JPA Solar Generation Project informed Envicom Corporation (Envicom) of changes that affect biological, archaeological, and Native American monitoring, resulting in this change order. Some of these changes have already been documented with staff of the Las Virgenes-Triunfo Joint Powers Authority (JPA), and some have recently been described to Envicom. These changes include the following:

1. Arborist consultation services (monitoring construction activity for compliance with oak tree protection requirements).
2. Initial project road construction and water pipe excavation on the part of the construction team took longer than originally described to Envicom, resulting in additional field archaeological and Native American monitoring.
3. Envicom was not aware of the two pads that have been excavated on site, which required monitoring as required by the conditions of approval.
4. Excavation of the main trenches for electricity between the solar panels has taken, and will take longer, than originally described to Envicom.
5. The electrical team will be trenching on site for three additional weeks; a task that was not originally described to Envicom when the project was first scoped.
6. Overall management of the project, given the number of additional tasks, has taken more management and office staff time than originally expected.

As a result of these unforeseen changes in the construction activity and schedule, Envicom is submitting this change order to the Las Virgenes-Triunfo JPA to account for additional time and effort for arborist consultation, archaeological, and Native American compliance monitoring beyond that originally scoped in our March 25, 2020 proposal.



SCOPE OF WORK

Task 1.3 – Arborist Consultation Services (\$105 per hour rate) Cost: \$1,785.00

Per your request, Envicom has provided an arborist who has, and will continue to, coordinate with the project superintendent to monitor the installation of the temporary tree protection fencing and to conduct periodic monitoring visits during ground disturbance activities occurring within 5 feet from the canopy dripline or the “oak tree protection zone”, as defined by the Las Virgenes Triunfo JPA, a self-permitting agency. In addition, our arborist will perform periodic site visits to ensure that the placement of the subject fencing remains effective during project construction. No reports, products, or deliverables for this task are anticipated. Envicom assumes a total of 17 hours to provide these services; 10 hours previously expended, and 7 future hours. Envicom has also expended 2 hours of senior management time addressing oak tree issues related to the project.

Task 2 – Archaeological Monitoring (\$65.00 per hour rate) Cost: \$10,582.00 – Native American Monitoring (\$85.00 per hour rate) Cost: \$13,366.00

Cultural Resources Mitigation Measure 1 (CUL-1) requires both a qualified archaeologist and Native American monitor during grading until older alluvial material is encountered. Envicom will provide an archaeological monitor for an hourly rate of \$65.00 per hour, and a Native American monitor for an hourly rate of \$85.00 per hour. This change order task item reflects 18.5 days of additional and expected archaeological and Native American monitoring not covered by the original scope and proposal. Envicom assumes 8.5 labor hours per day (8 field hours, plus 0.5-hours for paperwork and photo organization). If construction that requires monitoring goes over the anticipated 8.0 hours on any given day, then time and a half or other overtime charges may be added following California labor law.

These are not-to-exceed amounts without additional authorization. Also, monitoring labor that is not needed by the construction project will not be billed.

Task 4 – Project Management and Coordination Cost: \$2,230.00

Project management covers all task outside of field work required for successful completion of the proposed tasks. To date, Envicom has expended 8 hours of Dr. Wayne Bischoff’s time, 4 hours of Mr. Mitch Morrison’s time, and 2 hours of Envicom office time over the original scoped budget. This has covered oak tree issues and coordination with JPA staff, unanticipated work tasks, unanticipated field events, including discoveries and call-outs, and additional construction-related excavation tasks not anticipated in the original budget. Envicom estimates an equal amount of time for management tasks to the completion of the project, which is reflected in the above cost. The above costs, therefore, reflect out of scope previously expanded labor and anticipated future labor to the end of the project.

Direct Costs Cost: \$825.00

Direct costs to be incurred in preparation of our scope of work include but would not be limited to materials and supplies, equipment usage, mileage, copying and communications charges. Direct costs have been estimated, and will be billed pursuant to our 2020 Envicom Corporation Professional Fee Schedule.

SCOPE OF WORK AND COST ASSUMPTIONS

Cultural Resource Assumptions:

- Should the archaeologist find as a result of discoveries during monitoring that cultural site subsurface surveys (Phase Ib), site evaluations (Phase II), or cultural site data recovery (Phase III) are necessary, or that evaluation or data recovery plans, communications, or meetings related to such tasks are necessary, Envicom can provide such out of scope services under separate authorization. Also, under separate authorization, Envicom can provide if needed: Formal evaluation of archaeological sites or historic resources for eligibility to the National Register of Historic Places or the California Register of Historic Resources; consultation with Lead Agency, Permitting Agency, State Historic Preservation Officer, or any Native American Tribal Group representatives.

COST

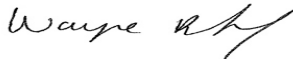
The total cost of this proposed scope of work is \$28,788.00. Our budget includes labor and direct costs billed on a time and materials basis, using our January 1, 2020 Envicom Corporation Professional Fee Schedule. To indicate your authorization to proceed, sign in the area provided below, and return to Envicom Corporation. We are prepared to commence upon your request, and appreciate the opportunity to provide you with our services on this project.

SCHEDULE

Envicom will maintain communication with Las Virgenes Municipal Water District Staff to schedule the tasks outlined in this proposal once the construction schedule is finalized. As noted above, an extended or phased construction program may affect our schedule and proposed work and costs.

Thank you for the opportunity to work with you again on this important project.

Sincerely,



Wayne Bischoff, Ph.D.
Director of Cultural Resources

Authorization to Proceed (signature)

Date

Authorization to Proceed (print)

Attachment:

2020 Envicom Corporation Professional Fee Schedule



PROFESSIONAL FEE SCHEDULE
January 1, 2020

Envicom Professional Fee Schedule applies to the following services:

- **Environmental Analysis (CEQA/NEPA)**
- **Biological Resource Studies**
- **Cultural Resource Studies**
- **Permitting and Entitlement**
- **Cartographic Services/Graphic Design**
- **Land Planning**
- **Compliance Monitoring and Reporting**
- **Habitat Restoration Plans**
- **Tree Reports**
- **GIS/GPS Mapping**

PERSONNEL

Principal	\$215.00
Director	\$140.00-200.00
Senior Project Manager/Associate	\$130.00-\$170.00
Senior Biologist	\$125.00-150.00
Project Manager	\$110.00-\$125.00
Associate Project Manager	\$100.00-\$110.00
Environmental Analyst/Planner	\$85.00-\$110.00
Staff Biologist	\$85.00-\$115.00
Restoration Ecologist/Arborist	\$105.00
GIS/Mapping	\$100.00-\$125.00
Cultural Resource Field Technician/Monitor	\$65.00-\$85.00
Project Assistant/Production Specialist	\$65.00-\$70.00
Intern	\$55.00

Expert Witness testimony: One and one half times above listed rates (including depositions).

PROJECT-RELATED EXPENSES

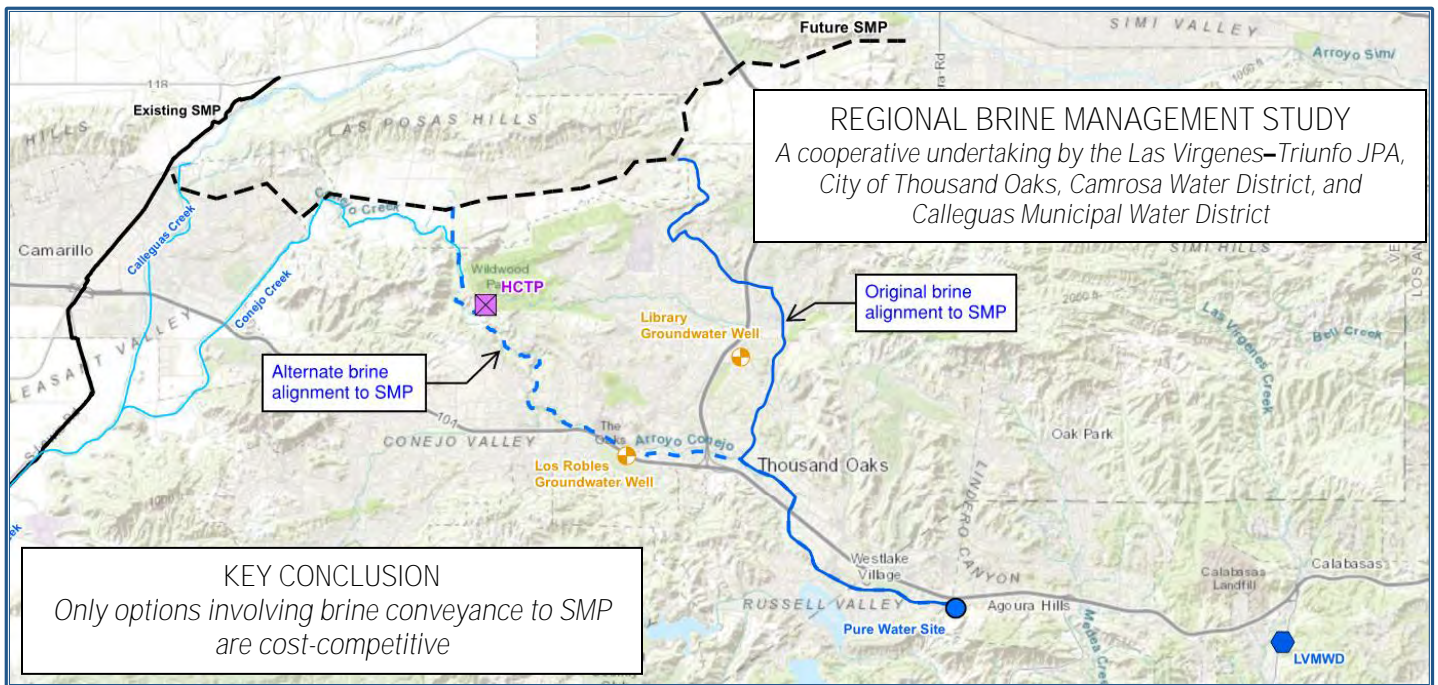
A **communication fee** of three percent (3%) of total labor billings will be charged for in-house costs for phone, fax, e-mail, postage, personal computer use, interim working copy reproductions and records maintenance/retention. **Travel expenses** (hotels, meals, rental vehicles, etc.) are charged at cost plus ten percent (10%). Per Diem charge for subsistence may be negotiated in lieu of actual direct expenses for hotels/meals. **Printing/Reproduction** rates for black and white copies will be charged at \$0.15 per page and in-house color copies at \$1.00 per 8.5x11 and \$1.50 per 11x17 copy. Oversized copies and plots will be as quoted. **Personal vehicle** use will be at the current IRS rate per mile. **Out of pocket direct expenses** identifiable to an assignment will be charged at cost plus ten percent (10%). **Subcontractors and sub-consultants** services billed at cost plus 10 percent (10%).

EQUIPMENT RATES

Envicom Corporation charges for consumable field materials and specialized equipment.

General Field Consumables (Stakes, Flagging, Plant and Tree Tags)	Cost + 10%
GPS	\$75.00/day
4 x 4 Trucks	\$25.00/hour





Regional Brine Management Study Objective: Evaluate alternatives to the original Pure Water AWPf RO concentrate (brine) conveyance alignment to the Salinity Management Pipeline (SMP). Evaluate alternative brine management strategies using existing infrastructure for conveyance including **Thousand Oaks' sewer collection system** and Hill Canyon Treatment Plant (HCTP) for NPDES discharge to Conejo Creek.

Evaluations Conducted:

- High-level capacity assessment of the Thousand Oaks sewer collection system and HCTP to verify adequate capacity
- Evaluation of HCTP treatment performance implications due to the addition of Pure Water brine into collections system
- Water quality assessment of discharging HCTP effluent/Pure Water brine blend into Conejo Creek
- Capability of and implications to Camrosa WD non-potable water system using HCTP effluent/Pure Water brine blend

Alternatives Evaluated:

- Alternatives involving discharge of HCTP/Pure Water brine blend to Conejo Creek:
 - Modify HCTP disinfection to UV to reduce chloride levels and achieve NPDES compliance
 - Construct HCTP desalter (MF/RO) to achieve NPDES compliance
 - Construct larger desalter to achieve NPDES compliance and agricultural irrigation water quality targets
 - Construct desalter to achieve NPDES compliance and convey lower TDS effluent to Camrosa non-potable system
 - Modify HCTP disinfection to UV and construct desalter to achieve NPDES compliance
 - Modify HCTP disinfection to UV and construct larger desalter to achieve agricultural irrigation water quality targets
- Alternatives involving direct Pure Water brine conveyance to SMP
 - Original Title XVI Feasibility Study Alignment
 - New alignment through Thousand Oaks, running adjacent to HCTP, connecting to SMP at Hill Canyon Drive

Preliminary Findings:

- Collection system would not surcharge with additional brine flows (additional modeling recommended if project proceeds)
- Brine addition would not hinder nitrification performance or settling in the HCTP activated sludge treatment process (additional process modeling recommended if project proceeds)
- Applying safety factors appropriate for this level of analysis, no alternatives incorporating Thousand Oaks infrastructure would be cost competitive to the original concept of direct conveyance of Pure Water brine to the SMP.
- Alternatives involving discharge of HCTP/Pure Water brine blend to Conejo Creek with desalter capacity at HCTP were not cost competitive with the original concept.
- Alternate brine conveyance alignment to SMP through Thousand Oaks would be slightly longer, and potentially more costly, than original Title XVI alignment, but with added regional benefits of brine disposal for Thousand Oaks brackish wells desalter.

Study Status:

- **Conducting additional "sensitivity analysis" of alternatives**
- Draft report due end of June 2020



To: Las Virgenes-Triunfo JPA
 From: Syrus Devers, Best Best & Krieger
 Date: June 24, 2020
 Re: Monthly Report

Legislative Report

The number of bills on the Bill Matrix is shrinking because significant legislative deadlines have passed. Fiscal bills (most bills are fiscal) had to pass the Senate Appropriations Committees by June 19th, while the Assembly fiscal bill deadline was on June 5th. Senate bills must move over to the Assembly by June 26th, but the Assembly deadline was June 19th. (Those deadlines are usually the same but they have been different in the past.) Some legislative deadlines were delayed due the lockdown, but deadlines in the Constitution cannot be changed. The Budget Bill had to pass by midnight June 15th or the legislator's pay would have been suspended.

The Summer Recess will also be different for the two houses. The Assembly will break from June 19th until July 13th, but a floor session has been noticed for the 26th for Budget Trailer Bills, and the Senate will recess from July 2nd until the 13th. Once they return from recess all remaining deadlines are the same in both houses.

The good news is that none of the bills that the water industry did not like made it through. The bad news is that we also lost a few good ones. Sen. Portantino, despite being Chair of the Appropriations Committee, could not get SB 996, which would have provided a science-based process for dealing with constituents of emerging concern, or "CFC's," out of the Environmental Quality Committee, nor could he move SB 1056, which would have required the SWRCB to approve a methodology for testing for PFAS and accredit laboratories. It has a tough year all around to move a bill.

The battle over SB 1099 (Dodd) was at its peak when this report was being prepared. The vote on the Senate Floor is set for Thursday (the day after this report), which may be the last day to move a bill out of the Senate. (The Senate may not have to meet on Friday.) The proponents are reasonably confident that the bill will pass the Senate, but the vote count will impact what happens next. A bill needs 21 votes to pass, so anything north of 25 will be scored as a significant win. The opponents have launched an all-out opposition campaign involving a sizable team of lobbyists. The current bill includes language about replacing backup generators to offset increased emissions, but that only works if the replacement

schedule is “economically feasible.” As yet, that term is undefined in the bill and there was now time to work on it before the Senate Floor vote. The challenge is to reassure the coalition that the proponents will not send a bill to the Governor without that definition.

Speaking of the budget, the Legislature passed SB 74 (Mitchell) on time to meet the constitutional deadline of June 15th, but this is a budget like no other. The budget that was introduced in January did get reviewed in the budget subcommittees, but that work was rendered moot by the economic impact of the shutdown over COVID-19. The budget surplus was projected to flip to a deficit, and the tax deadline was pushed to July 15th. That meant that the May Revise was actually a new budget, and one based on a complete lack of information as to the extent of the likely deficit. Despite all of this, the Constitution cannot be changed, even in an emergency, and a Budget Bill was still due on June 15th, and the new fiscal year starts July 1st. Without a signed budget, the state cannot spend money. What is going to happen next is that the budget will be revised in trailer bills in August after the Department of Finance has the actual budget numbers. There was a bright spot in the midst of the bad news. Last year special districts were upset that they were left out of emergency programs to address the costs of wildfires. SB 74 includes \$50 million to mitigate the impacts of Public Safety Power Shutoffs and this time special district are eligible to compete for the funds.

Administrative Report

Comments on Groundwater Sustainability Plans (GSPs) were due earlier in June and the gloves came off. Neighboring water districts, some of whom normally get along quite well, fired criticisms at each other’s plans where the assumptions under lying one GSP conflicted with the assumptions of the available water in a nearby GSP that is hydrologically connected. The Central Valley, home to some of the state’s largest agricultural water districts, was a hotbed of traded barbs. This is of interest to Southern California water interests for two reasons: first, the availability of groundwater for agricultural users has significant impacts on demands for Central Valley Project water, which in turn impacts the operation of the State Water Project, as seen in all the current litigation; and second because it affects the water table underneath the California Aqueduct where over pumping of groundwater is causing subsidence. MWD leveled some criticisms at certain Central Valley GSPs that presumed continued levels of groundwater pumping were safe despite evidence to the contrary.

Las Virgenes-Triunfo JPA

Bill Matrix

Prepared by Syrus Devers, June 24, 2020

A. Priority Support/Oppose

Measure	Author	Topic	Status	Location	Brief Summary	Position	Priority	Notes 1
AB 1672	Bloom D	Solid waste: nonwoven disposable products.	6/23/2020-Referred to Com. on EQ.	6/23/2020-S. E.Q.	The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. This bill would require, commencing January 1, 2021, except as provided, certain nonwoven disposal products to be labeled clearly and conspicuously to communicate that they should not be flushed, as specified. The bill would prohibit a covered entity, as defined, from making a representation about the flushable attributes, benefits, performance, or efficacy of those nonwoven disposal products, as provided.	Support	A. Priority Support/Oppose	
AB 2178	Levine D	Emergency services.	6/23/2020-Referred to Com. on G.O.	6/23/2020-S. G.O.	Current law defines the terms “state of emergency” and “local emergency” to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot. This bill would additionally include a deenergization, defined as a planned public safety power shutoff, as specified, within those conditions constituting a state of emergency and a local emergency.	Possible Support	A. Priority Support/Oppose	Related to backup generator issue
AB 2296	Quirk D	State Water Resources Control Board: local primacy delegation: funding stabilization program.	6/11/2020-In Senate. Read first time. To Com. on RLS. for assignment .	6/11/2020-S. RLS.	Would authorize the State Water Resources Control Board to delegate partial responsibility for the California Safe Drinking Water Act’s administration and enforcement by means of a local primacy delegation agreement. The bill would authorize the state board, for counties that have not been delegated primary responsibility as of January 1, 2021, to offer an opportunity for the county to apply for partial or primary responsibility if the state board determines that it needs assistance in performing administrative and enforcement activities, as specified. The bill would authorize the state board to approve the application for delegation if the state board determines that the local health officer is able to	Possible Support	A. Priority Support/Oppose	Similar to support bill last session. Waiting to see what happens in the Senate.

					sufficiently perform the administrative and enforcement activities and would specify that a local primacy agency has all of the authority over designated public water systems as is granted to the state board by the act.			
AB 2560	Quirk D	Water quality: notification and response levels: procedures.	6/23/2020-Referred to Com. on EQ.	6/23/2020-S. E.Q.	The California Safe Drinking Water Act requires the State Water Resources Control Board to adopt drinking water standards for contaminants in drinking water based upon specified criteria and requires any person who owns a public water system to ensure that the system, among other things, complies with those drinking water standards. The act requires a public water system to provide prescribed notices within 30 days after it is first informed of a confirmed detection of a contaminant found in drinking water delivered by the public water system for human consumption that is in excess of a maximum contaminant level, a notification level, or a response level established by the state board. This bill would require the state board to comply with specified public notice and comment procedures when establishing or revising notification or response levels.	Possible Support	A. Priority Support/ Oppose	
SB 45	Allen D	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.	1/30/2020-In Assembly. Read first time. Held at Desk.	1/29/2020-A. DESK	Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.	Out for Analysis	A. Priority Support/ Oppose	
SB 857	Bates R	Solid waste: integrated waste management plans: composting component.	1/22/2020-Referred to Com. on RLS.	1/14/2020-S. RLS.	Current law, the California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. The act requires each city to submit to the county in which the city is located a source reduction and recycling element containing specified components, including a composting component. This bill would make a nonsubstantive change to language concerning implementation of the composting component.	Out for Analysis	A. Priority Support/ Oppose	
SB 1099	Dodd D	Emergency backup generators: critical facilities: order for abatement:	6/9/2020-Read second time. Ordered to third reading.	6/9/2020-S. THIRD READING	Would require, either commencing January 1, 2022, or 12 months after the adoption of a specified rule on emergency backup generators, the air pollution control officer to develop stipulations, as specified, and conditions, as specified, for an order for	Support	A. Priority Support/ Oppose	

		stipulations.			abatement that allows the operator of a critical facility, as defined, to use a permitted emergency backup generator, as defined, in exceedance of that permit's runtime and testing and maintenance limits if specified conditions are met. The bill would require the stipulations to be in effect for not more than 5 years or the length of time agreed upon for the replacement of the emergency backup generator in the conditions.			
SB 1386	Moorlach R	Local government: assessments, fees, and charges: water.	6/18/2020-Referred to Com. on L. GOV.	6/18/2020-A. L. GOV.	The Proposition 218 Omnibus Implementation Act prescribes specific procedures and parameters for local jurisdictions to comply with these requirements and, among other things, authorizes an agency providing water, wastewater, sewer, or refuse collection services to adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases in wholesale charges for water, sewage treatment, or wastewater treatment or adjustments for inflation under certain circumstances. Current law defines, among other terms, the term "water" for these purposes to mean any system of public improvements intended to provide for the production, storage, supply, treatment, or distribution of water from any source. This bill would specify that "water" for purposes of the Proposition 218 Omnibus Implementation Act also includes the public fixtures, appliances, and appurtenances connected to an above-described system of public improvements intended to provide for the production, storage, supply, treatment, or distribution of water from any source.	Possible Support	A. Priority Support/ Oppose	Moving on consent w/o hearing

B. Watch

Measure	Author	Topic	Status	Location	Brief Summary	Position	Priority	Notes 1
AB 291	Chu D	Local Emergency Preparedness and Hazard Mitigation Fund.	6/23/2020-Referred to Com. on G.O.	6/23/2020-S. G.O.	Would establish a Local Emergency Preparedness and Hazard Mitigation Fund to, upon appropriation by the Legislature, support staffing, planning, and other emergency mitigation priorities to help local governments meet emergency management, preparedness, readiness, and resilience goals. The bill would require the Office of Emergency Services to establish the Local Emergency Preparedness and Hazard Mitigation Fund Committee under the Standardized Emergency Management System Advisory Board.	Out for Analysis	B. Watch	
AB 3256	Garcia, Eduardo D	Economic Recovery, Wildfire	6/8/2020-Re-referred to Com.	6/3/2020-A. RLS.	Would enact the Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood	Out for Analysis	B. Watch	

		Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.	on RLS.		Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,980,000,000 pursuant to the State General Obligation Bond Law to finance projects for an economic recovery, wildfire prevention, safe drinking water, drought preparation, and flood protection program.			
SB 378	Wiener D	Electrical corporations: deenergization events: procedures: allocation of costs: reports.	6/18/2020- Referred to Com. on U. & E.	6/18/2020- A. U. & E.	Would require each electrical corporation to annually submit a report to the Wildfire Safety Division and, after June 30, 2021, to the Office of Energy Infrastructure Safety, that includes the age, useful life, and condition of the electrical corporation's equipment, inspection dates, and maintenance records for its equipment, investments to maintain and improve the operation of its transmission and distribution facilities, and an assessment of the current and future fire and safety risk posed by the equipment.	Watch	B. Watch	
SB 862	Dodd D	Planned power outage: public safety.	6/18/2020- From committee: Do pass. (Ayes 7. Noes 0.) (June 18). Read second time. Ordered to third reading.	6/18/2020- S. THIRD READING	Current law defines the terms "state of emergency" and "local emergency" to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot. This bill would additionally include a deenergization event, as defined, within a sudden and severe energy shortage constituting a state of emergency and a local emergency.	Out for Analysis	B. Watch	
SB 952	Nielsen R	Sales and use taxes: exemption: backup electrical generators: deenergization events.	6/18/2020- From committee: Do pass. (Ayes 7. Noes 0.) (June 18). Read second time. Ordered to third reading.	6/18/2020- S. THIRD READING	Current state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. This bill, on and after January 1, 2021, and before January 1, 2026, would provide an exemption from those taxes with respect to the sale of, or the storage, use, or consumption of, a backup electrical resource, generator as defined, if that backup electrical generator is purchased for use exclusively in powering a critical facility, as defined, by a city, county, city and county, special district, or other political subdivision during deenergization events, as defined, and the purchaser provides to the seller a written statement with regard to these facts.	Watch	B. Watch	
SB 1011	Dahle R	Water quality:	3/25/2020- From	2/14/2020- S. RLS.	Would provide that implementation of a management agency agreement entered	Out for Analysis	B. Watch	

		waste discharge requirements : management agency agreements.	committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.		into between the State Water Resources Control Board and the United States Forest Service or the state board and the United States Bureau of Land Management constitutes compliance by the United States Forest Service or the United States Bureau of Land Management, as applicable, with specified waste discharge requirements for nonpoint source discharges. The bill would prohibit a provision of such a management agency agreement from being construed in any way as limiting the authority of the state board or a regional board in carrying out its legal responsibilities for the management or regulation of water quality.			
SB 1044	Allen D	Firefighting equipment and foam: PFAS chemicals.	6/22/2020- Read second time. Ordered to third reading.	6/22/2020- S. THIRD READING	Would, commencing January 1, 2022, would require any person, as defined, including a manufacturer, as defined, that sells firefighter personal protective equipment to any person to provide a written notice to the purchaser at the time of sale if the firefighter personal protective equipment contains perfluoroalkyl and polyfluoroalkyl substances (PFAS), and would provide that a violation of this requirement is punishable by a specified civil penalty. The bill would require the seller and the purchaser to retain the notice on file for at least 3 years and to furnish the notice and associated sales documentation to the State Fire Marshal within 60 days upon request, as provided. The bill would authorize the State Fire Marshal to request from a manufacturer, and the bill would require the manufacturer to provide, a certificate of compliance that certifies that the manufacturer is in compliance with these provisions	Out for Analysis	B. Watch	

Total Measures: 15

Total Tracking Forms: 27



BEST BEST & KRIEGER
ATTORNEYS AT LAW

To: Las Virgenes-Triunfo JPA Board of Directors
From: John Freshman and Ana Schwab
Date: June 19, 2020
RE: Federal Report

Congressional Update

Congress is beginning to work on major pieces of legislation and reauthorization as they observe how federal relief for COVID-19 will affect the nation's economy. House Majority Leader Steny Hoyer (D-MD), released the House's calendar for the next several months. The House will focus its efforts on the National Defense Act Authorization (NDAA), surface transportation and infrastructure, the Water Resources Development Act legislation, and the 12 appropriations bills. Hearings and markups on these issues are expected to take place during late June and July. The House is scheduled to have August dedicated as a district work period leading up to the elections.

On June 3, the House Transportation and Infrastructure Chairman Peter DeFazio (D-OR) released a nearly \$500 billion surface transportation bill, "Investing in a New Vision for the Environment and Surface Transportation." The committee has been adding amendments during markups. The bill will be considered on the floor on June 30. House Energy and Commerce Environment and Climate Change Subcommittee Chairman Paul Tonko (D-NY) said members are continuing to improve the CLEAN Future Act, which aims to have net-zero greenhouse gas pollution by 2050.

The House Democrats released their major \$1.5 trillion infrastructure package. The legislation, called the "Moving Forward Act," would invest billions of dollars in road and bridges, transit, clean energy, wastewater, and drinking water. The package would include over \$25 billion in the Drinking Water State Revolving Fund and other drinking water programs. It would also invest an additional \$40 billion in new wastewater infrastructure. Floor debate will occur between June 30 and July 2.

The House spending bills for issues including water, energy, nuclear security and the Army Corps of Engineers are nearly complete. Legislation is on track to be ready for markup during the week of July 6. The top-line spending numbers, called 302(b) allocations, will be released during the first weeks of July.

The Senate is focusing its efforts on the policing bill, NDAA, FY2021 appropriations bills, and the confirmation of judicial and administrative vacancies. The Senate passed the "Great American Outdoors Act," which provides \$2.5 billion in funding for programs and projects administered by: the National Park Service, Forest Service, U.S. Fish and Wildlife Service, Bureau of Land Management, and Bureau of Indian Education. The "Great Americans Outdoor Act" would establish mandatory funding for the Land and Water Conservation Fund (LWCF) and provide \$900 million annually. Additionally, it would create a five-year trust fund to



address maintenance project backlog of nearly \$20 billion. The bill will be debated in the House in the upcoming weeks.

The Senate Armed Services Committee began its markup of the NDAA on June 10. These markups are closed to the public. Senate Majority Leader Mitch McConnell (R-KY) is prioritizing putting the GOP-backed policing bill instead of the NDAA on the floor next week. The policing bill will cause a delay for the passage of the NDAA and appropriations bills. The Senate is also expected to begin discussing another round of relief measures due to COVID-19.

Federal Response to COVID-19

On June 5, President Trump signed into law a bipartisan proposal to improve the Paycheck Protection Program (PPP). The bill is separate from the HEROES Act package. The “Paycheck Protection Flexibility Act”, H.R.7010, introduced by Representatives Dean Phillips (D-MN) and Chip Roy (R-TX), allows businesses receiving forgivable loans to be able to use the funds on payrolls for more than the eight weeks under the original program. It would relax the requirement that 75% of loans be used for payroll expenses. It establishes a minimum maturity of five years for a paycheck protection loan with a remaining balance after forgiveness.

Water Resources Development Act

The Senate released its version of the 2020 Water Resources Development Act, S, 3591, officially titled “America’s Water Infrastructure Act of 2020.” The bill would provide nearly \$17 billion in funding for the construction of 26 projects, which include, navigation, flood-control, storm damage, and other water infrastructure projects. It was passed unanimously by the Senate Environment and Public Works committee. The House will work on its version of the bill, which will likely include increased funding for water programs.

The bill would reauthorize the Clean Water State Revolving Fund (SRF) for the next three years. It would authorize \$2 billion in fiscal 2022, \$2.5 billion in fiscal 2023, and \$3 billion in fiscal 2024. It would also authorize the Water Infrastructure Finance and Innovation Act (WIFIA) for the next three years, with \$50 million in funding per year.

PFAS

New Jersey became the first state to establish the strictest maximum contaminant levels for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS). It published maximum contaminant levels of 14 parts per trillion for perfluorooctanoic acid (PFOA) and 13 ppt for perfluorooctane sulfonate (PFOS). These are two of the most studied and pervasive types of PFAS. In the past few months, state legislators in North Carolina, Colorado, Minnesota, New York, and Delaware proposed legislation that would set maximum contaminant levels for PFAS, allocated funds for PFAS cleanup, or ban the distribution of PFAS in products.



Clean Water Act Certification Rule

Below is the text of the legal alert that BB&K published on the EPA's final "Clean Water Act Section 401 Certification Rule":

The Environmental Protection Agency released its final "Clean Water Act Section 401 Certification Rule" this week, which limits the factors state and tribal agencies can consider — and conditions they can impose — when evaluating projects' applications for water quality certifications under section 401. The rule also makes federal permitting agencies responsible for setting the "reasonable periods" of up to 1 year, during which time the state or tribal agencies will have to make or waive section 401 certification decisions. It further specifies what information an applicant must submit to start those timelines. The final rule is scheduled to take effect 60 days after the date of publication in the Federal Register.

Clean Water Act section 401 gives states and authorized tribes responsibility to review any discharge into a Water of the United States within their borders that may result from a federally licensed or permitted project. Federal permits generally subject to section 401 certifications include U.S. Army Corps of Engineers permits for projects with discharges of dredge or fill material into: Waters of the U.S. under section 404 of the CWA, bridge permits issued by the U.S. Coast Guard and hydropower and pipeline licenses issued by the Federal Energy Regulatory Commission. A federal agency cannot issue such a license or permit without a 401 certification or waiver from the state or tribe in which the discharge originates. The state or tribal certification is based on a determination of whether the potential discharge complies with applicable provisions of the CWA and state or tribal water quality requirements. The certifying agencies can also add conditions, such as effluent limitations or monitoring requirements, to assure an applicant will comply with "any other appropriate" state law requirements.

Since section 401 was enacted in 1972, the scope of these certifications and conditions have been the subject of litigation and debate. Supreme Court decisions in 1994 and 2006 led some states and the EPA to take a broad view of what impacts can be considered in the section 401 certification process and the types of conditions state and tribal agencies can impose.

The timeline for section 401 certification decisions has also been a significant issue, with litigation and conflicting court decisions over when the statutory timeline is triggered and whether it can be tolled or reset by agency requests for additional information. State certifying agencies generally set their own timelines for decisions, with the only constraint being the statutory limit of 1 year, which some states have avoided in practice by pressuring applicants to agree to resubmit applications and restart timelines.

The new rule responds to two recent section 401 certification denials that were partially based on air or climate impacts. In 2017, the State of Washington denied a 401 certification for a bulk coal export terminal based on the project's impacts to the Columbia River, its projected increase in



ship traffic, likely air quality impacts from increases in diesel emissions and its impact on tribal access to protected fishing sites. In June 2019 and May 2020, the State of New York twice

denied section 401 certifications for an expansion of the Transco natural gas pipeline system based on impacts to Raritan Bay and its determination that the project would “be inconsistent or interfere with” New York’s greenhouse gas emissions limits unless the applicant identified alternatives or mitigation measures.

On April 10, 2019, President Donald Trump directed the EPA to review and modify its rules for implementing section 401 certifications in Executive Order 13868, “Promoting Energy Infrastructure and Economic Growth.” The EPA issued a proposed rule in August. Although the Executive Order was focused on energy projects, the rulemaking applies to 401 certifications for all projects and activities. The final rule is generally consistent with the proposed rule, with some minor clarifications for requirements for individual versus general permit certification requests, and two new statements that are required in a certification request that starts the timeline for a decision or waiver.

The final rule sets the following limitations on the scope and timing of section 401 certifications and conditions:

- What triggers 401 certification and what is the scope? The rule limits the requirement for a 401 certification to licensed or permitted activities that may result in a discharge from a point source into a Water of the U.S. It states that the scope of section 401 certification is also limited to assuring that a discharge complies with federal or state water quality requirements for point source discharges into Waters of the U.S. This change not only removes air quality and climate considerations from the 401 certification process, but also clarifies that it excludes nonpoint water pollution and discharges to state waters or groundwater. It also focuses the determination on the impacts of the “discharge,” not on the broader activities of a project applicant.
- When does a certification request start the “reasonable period” of up to 1 year for a 401 certification decision, and what can restart it? The rule clarifies that an application for a section 401 certification does not have to be “complete” or “substantially complete” to start the timeline for a decision or waiver. Rather, for an individual permit, the applicant must only:
 - Identify the project proponent, point of contact, proposed project and applicable federal license or permit;
 - Identify the location and nature of any potential discharge that may result from the proposed project and the location of receiving waters;
 - Describe any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control or manage the discharge;
 - List all other federal, state, tribal and local authorizations required for the project, including approvals or denials already received;



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- Show that a pre-filing meeting request was submitted at least 30 days prior to submitting the 401 certification request and
- Certify all information is correct to the best of the project proponent's knowledge, and request that the agency act on the certification within a reasonable period of time.

In a major change in the relationship between state and federal roles, the new rule then requires the federal permitting agency to set the “reasonable period” by which the state certifying agency must make or waive a section 401 certification decision. The federal agency then has discretion to extend the deadline, but not beyond the 1-year statutory limitation. The Rule’s preamble states that “there is no tolling provision to stop the clock at any time.”

- What conditions may be imposed on section 401 certifications? The final rule requires that any certification conditions must include a statement explaining why the condition is necessary to assure the discharge complies with requirements for point source discharges into a Water of the U.S.

The final rule is intended to narrow the scope of 401 certifications and conditions, and expedite permitting timelines. Its impact will be affected by the outcome of likely legal challenges, and by how aggressive federal agencies are in setting and maintaining decision or waiver timelines.

**LAS VIRGENES TRIUNFO - HIGH PRIORITY LEGISLATION IN THE 116TH CONGRESS
THROUGH JUNE 18, 2020**

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 34</u> <u>Energy and Water Research Integration Act of 2019</u>	<p>To ensure consideration of water intensity in the Department of Energy’s energy research, development, and demonstration programs to help guarantee efficient, reliable, and sustainable delivery of energy and clean water resources.</p>	<p>Introduced by Rep. Eddie Bernice Johnson (D-TX) – January 3, 2019</p> <p>Passed/agreed to in the House – July 23, 2019.</p> <p>Introduced in the Senate</p>	
<u>S. 47</u> <u>Natural Resources Management Act</u>	<p>This bill sets forth provisions regarding various programs, projects, activities, and studies for the management and conservation of natural resources on federal lands.</p> <ul style="list-style-type: none"> • Specifically, the bill addresses, among other matters • land conveyances, exchanges, acquisitions, withdrawals, and transfers; • national parks, monuments, memorials, wilderness areas, wild and scenic rivers, historic and heritage sites, and other conservation and recreation areas; • wildlife conservation; • helium extraction; • small miner waivers of claim maintenance fees; • wildland fire operations; • the release of certain federal reversionary land interests; • boundary adjustments; • the Denali National Park and Preserve natural gas pipeline; • fees for medical services in units of the National Park System; • funding for the Land and Water Conservation Fund; • recreational activities on federal or nonfederal lands; • a national volcano early warning and monitoring system; • federal reclamation projects; and • search-and recovery-missions. <p>In addition, the bill reauthorizes the National Cooperative Geologic Mapping Program.</p>	<p>Introduced by Sen. Lisa Murkowski (R-AK) – January 8, 2019</p> <p>Became Public Law No: 116-9 – March 12, 2019</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
S. 40 Bureau of Reclamation Transparency Act	To require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets.	Introduced by Sen. John Barrasso (R-WY) – January 8, 2019	
H.R. 357 Sacramento-San Joaquin Delta National Heritage Area Act	To establish the Sacramento-San Joaquin Delta National Heritage Area. The boundaries of the Heritage Area shall be in the counties of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo in the State of California, as generally depicted on the map entitled “Sacramento-San Joaquin Delta National Heritage Area Proposed Boundary”, numbered T27/105,030, and dated October 2012.	Introduced by Rep. John Garamendi (D-CA) – January 9, 2019 Signed into law on March 12, 2019 as part of S. 47 – Natural Resources Management Act	
H.R. 535 PFAS Action Act of 2019	To require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.	Introduced by Rep. Debbie Dingell (D-MI) – January 14, 2019 Received in the Senate – January 13, 2020	
H.R. 579 Water Rights Protection Act of 2019	To prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, and for other purposes.	Introduced by Rep. Scott Tipton (R-CO) – January 15, 2019	
H.R. 664 Recreational Lands Self-Defense Act of 2019	To protect the right of individuals to bear arms at water resources development projects administered by the Secretary of the Army, and for other purposes	Introduced by Rep. Bob Gibbs (D-OH) – January 17, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 667</u> <u>Regulatory Certainty for Navigable Waters Act</u>	To repeal the Waters of the United States rule and amend the Federal Water Pollution Control Act	Introduced by Rep. Jamie Herrera Beutler (R-WA) – January 17, 2019	
<u>H.R. 658</u> <u>National Infrastructure Development Bank Act of 2019</u>	To facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Development Bank, and for other purposes. Highlighting environmental infrastructure projects which include drinking water, waste water treatment facility, and stormwater management system.	Introduced by Rep. Rosa DeLauro (D-CT) – January 17, 2019	
<u>H.R. 807</u> <u>Water and Agriculture Tax Reform Act of 2019</u>	To amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency.	Introduced by Rep. Ken Buck (R-CO) – January 28, 2019	
<u>H.R. 843</u> <u>Reform EPA Act</u>	To amend the Federal Water Pollution Control Act to clarify when the Administrator of the Environmental Protection Agency has the authority to prohibit the specification of a defined area, or deny or restrict the use of a defined area for specification, as a disposal site under section 404 of such Act, and for other purposes.	Introduced by Rep. Bob Gibbs (R-OH) – January 29, 2019	
<u>H.R. 855</u> <u>STRONG Act</u>	To minimize the economic and social costs resulting from losses of life, property, well-being, business activity, and economic growth associated with extreme weather events by ensuring that the United States is more resilient to the impacts of extreme weather events in the short- and long-term, and for other purposes. Key sectors shall include water management, including supply and treatment; infrastructure, including natural and built forms of water and wastewater services;	Introduced by Rep. Scott Peters (D-CA) – January 29, 2019	
<u>S. 308</u> <u>Santa Ana River Wash Plan Land Exchange Act</u>	A bill to direct the Secretary of the Interior to convey certain Federal lands in San Bernardino County, California, to the San Bernardino Valley Water Conservation District, and to accept in return certain non-Federal lands, and for other purposes	Introduced by Sen. Dianne Feinstein (D-CA) – January 31, 2019	
<u>S. 361</u> <u>Water and Agriculture Tax Reform Act of 2019</u>	A bill to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency.	Introduced by Sen. Cory Gardner (R-CO) – February 6, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 1067</u> <u>Santa Ana River Wash Plan Land Exchange Act</u>	To direct the Secretary of the Interior to convey certain Federal lands in San Bernardino County, California, to the San Bernardino Valley Water Conservation District, and to accept in return certain non-Federal lands, and for other purposes.	Introduced by Rep. Pete Aguilar (D-CA) – February 7, 2019	
<u>S. 376</u> <u>Defense of Environment and Property Act of 2019</u>	A bill to amend the Federal Water Pollution Control Act to clarify the definition of navigable waters, and for other purposes.	Introduced by Sen. Rand Paul (R-KY) – February 7, 2019	
<u>H.R. 1137</u> <u>To amend the Water Resources Development Act of 1986 to repeal the authority relating to reprogramming during national emergencies.</u>	To amend the Water Resources Development Act of 1986 to repeal the authority relating to reprogramming during national emergencies.	Introduced by Rep. John Garamendi (D-CA) – February 11, 2019	
<u>H.R. 1162</u> <u>Water Recycling Investment and Improvement Act</u>	To extend the authorization of the Bureau of reclamation’s Title XVI competitive grants program, and increases the authorized funding levels from \$50 million to \$500 million. Further the legislation expands the geographic scope of the program by removing a requirement that projects be located in sustained drought or disaster areas, makes the program truly competitive by removing a requirement that Congress sign off on each selected project, and modernizes the individual program funding cap from \$20 million to \$30 million.	Introduced by Rep. Grace Napolitano (D-CA) – Introduced February 13, 2019 Ordered to be Reported (Amended) – March 11, 2020	<i>Support</i>
<u>H.R. 1334</u> <u>Outdoor Recreation Legacy Partnership Grant Program Acts</u>	To provide grants for projects to acquire land and water for parks and other outdoor recreation purposes and to develop new or renovate existing outdoor recreation facilities.	Introduced by Rep. Nanette Barragan (D-CA) – February 25, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 1331</u> <u>Local Water Protection Act</u>	<p>To amend Section 319(j) of the Federal Water Pollution Control Act (33 U.S.C. 1329 (j)) is amended by striking “subsections (h) and (i) not to exceed” and all that follows through “fiscal year 1991” and inserting “subsections (h) and (i) \$200,000,000 for each of fiscal years 2020 through 2024”.</p>	<p>Introduced by Rep. Annie Craig (D-MN) – February 26, 2019</p> <p>Passed/agreed to in House - April 8, 2019. Introduced in the Senate.</p>	
<u>H.R. 1429</u> <u>Drinking Water Infrastructure for Job Creation Act</u>	<p>Making supplemental appropriations, of \$7,500,000,000, for fiscal year 2019 for the Drinking Water State Revolving Funds, and for other purposes.</p>	<p>Introduced by Rep. Maxine Waters (D-CA) – February 28,2019</p>	
<u>S. 611</u> <u>Water Affordability, Transparency, Equity, and Reliability Act of 2019</u>	<p>To establish a trust fund, of \$34,850,000,000, to provide for adequate funding for water and sewer infrastructure, and for other purposes.</p>	<p>Introduced by Sen. Bernie Sanders (I-VT) – February 28, 2019</p>	
<u>H.R. 1417</u> <u>Water Affordability, Transparency, Equity, and Reliability Act of 2019</u>	<p>To establish a trust fund, of \$34,850,000,000, to provide for adequate funding for water and sewer infrastructure, and for other purposes.</p>	<p>Introduced by Rep. Brenda Lawrence (D-MI) – March 1, 2019</p>	
<u>H.R. 1497</u> <u>Water Quality Protection and Job Creation Act of 2019</u>	<p>To amend the Federal Water Pollution Control Act to reauthorize certain water pollution control programs, and for other purposes. The legislation would authorize \$120,000,000 for each of fiscal years 2020 through 2024.”</p>	<p>Introduced by Rep. Pete DeFazio (D-OR) – March 6, 2019</p> <p>Ordered to be Reported (Amended) by Voice Vote – October 29, 2019</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
H.R. 1621 Water Supply Permitting Coordination Act	To authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes.	Introduced by Rep. Tom McClintock (R-CA) – March 7, 2019	
H.R. 1764 To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.	To extend the NPDES permit period from 5 years to 10 years.	Introduced by Rep. John Garamendi (D-CA) – March 14, 2019	<i>Support (with condition of needing Napolitano's support on the bill as well)</i>
H.R. 2030 Colorado River Drought Contingency Plan Authorization Act	This bill requires the Department of the Interior to carry out the Colorado River Drought Contingency Plan which was submitted to Congress on March 19, 2019, by Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming. Interior must execute the plan without delay and operate applicable Colorado River System reservoirs accordingly.	Introduced by Rep. Raul Grijalva (D-AZ) – April 2, 2019 Became Public Law No: 116-14 - April 16, 2019	
S. 1057 Colorado River Drought Contingency Plan Authorization Act	This bill requires the Department of the Interior to carry out the Colorado River Drought Contingency Plan which was submitted to Congress on March 19, 2019, by Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming. Interior must execute the plan without delay and operate applicable Colorado River System reservoirs accordingly	Introduced by Sen. Martha McSally (R-AZ) – April 8, 2019 Passed the Senate on April 9, 2019. Introduced in the House	
S. 1087 Water Quality Certification Improvement Act of 2019	To amend the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes.	Introduced by Sen. John Barrasso (R-WY) – April 9, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
H.R. 2215 San Gabriel Mountains Foothills and Rivers Protections Act	<p>The legislation would designate over 30,000 acres of protected wilderness and 45.5 miles of protected rivers and expand the San Gabriel Mountains National Monument, establish a National Recreation Area along the foothills and the San Gabriel Corridor. The bill would expand the borders of the monument to include the western Angeles National Forest</p>	<p>Introduced by Rep. Judy Chu (D-CA) – April 10, 2019</p> <p>Placed on the Union Calendar – February 4, 2020</p>	
S. 1109 San Gabriel Mountains Foothills and Rivers Protection Act	<p>To establish as a unit of the National Park System the San Gabriel National Recreation Area in the State of California, and for other purposes.</p>	<p>Introduced by Sen. Kamala Harris (D-CA) – April 10, 2019</p>	
H.R. 2205 Water Quality Certification Improvement Act of 2019	<p>To amend the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes.</p>	<p>Introduced by Rep. David McKinley (R-WV) – April 11, 2019</p>	
H.R. 2287 Federal Regulatory Certainty for Water Act	<p>This bill nullifies the Clean Water Rule that was issued on May 27, 2015, by the Environmental Protection Agency and the U.S. Army Corps of Engineers. The rule describes the scope of the Clean Water Act.</p> <p>Under this bill, the Clean Water Act applies to waters of the United States that are (1) navigable-in-fact; or (2) permanent or continuously flowing bodies of water that form geographical features commonly known as streams, oceans, rivers, and lakes that are connected to waters that are navigable-in-fact.</p> <p>Under this bill, the Act does not apply to (1) waters that do not physically abut those waters of the United States through an actual and continuous surface water connection; (2) man-made or natural structures or channels through which water flows intermittently or ephemerally; or (3) wetlands (including playa lakes, prairie potholes, wet meadows, wet prairies, and vernal pools) that lack that continuous surface water connection.</p> <p>The aggregation of wetlands or waters may not be used to determine whether the wetlands or waters are navigable waters.</p>	<p>Introduced by Rep. Mac Thornberry (R-TX) – April 11, 2019</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 2313</u> <u>Water Conservation Rebate Tax Parity Act</u>	To amend the Internal Revenue Code of 1986 to expand the exclusion for certain conservation subsidies to include subsidies for water conservation or efficiency measures and storm water management measures.	Introduced by Rep. Jared Huffman (D-CA) – April 12, 2019	
<u>H. Res. 324</u> <u>Recognizing the importance of the United States-Israel economic relationship and encouraging new areas of cooperation</u>	(1) affirms that the United States-Israel economic partnership has achieved great tangible and intangible benefits to both countries and is a foundational component of the strong alliance; (2) recognizes that science and technology innovation present promising new frontiers for United States-Israel economic cooperation, particularly in light of widespread drought, cybersecurity attacks, and other major challenges impacting the United States; (3) encourages the President to regularize and expand existing forums of economic dialogue with Israel and foster both public and private sector participation; and (4) expresses support for the President to explore new agreements with Israel, including in the fields of energy, water, agriculture, medicine, neurotechnology, and cybersecurity.	Introduced by Rep. Ted Lieu (D-CA) – April 18, 2019	
<u>H.R. 2377</u> <u>Protect Drinking Water from PFAS Act of 2019</u>	To amend the Safe Drinking Water Act to require the Administrator of the Environmental Protection Agency to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for total per- and polyfluoroalkyl substances, and for other purposes.	Introduced by Rep. Brendan Boyle (D-PA) – April 29, 2019 Forwarded by Subcommittee to Full Committee on Energy and Commerce by Voice Vote – September 26, 2019	
<u>S. 1251</u> <u>Safe Drinking Water Assistance Act of 2019</u>	A bill to improve and coordinate interagency Federal actions and provide assistance to States for responding to public health challenges posed by emerging contaminants, and for other purposes.	Introduced by Sen. Jeanne Shaheen (D-NH) – April 30, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
S. 1245 All-of-the-Above Federal Building Energy Conservation Act of 2019	A bill to improve energy performance in Federal buildings, including water usage.	Introduced by Sen. John Hoeven (R-ND) – April 30, 2019 Placed on Senate Legislative Calendar - September 25, 2019	
H.R. 2462 Flood Mapping Modernization and Homeowner Empowerment Pilot Program Act of 2019	To establish a pilot program to enhance the mapping of urban flooding and associated property damage and the availability of such mapped data to homeowners, businesses, and localities to help understand and mitigate the risk of such flooding, and for other purposes.	Introduced by Rep. Mike Quigley (D-IL) – May 2, 2019	
S. 1276 Flood Mapping Modernization and Homeowner Empowerment Pilot Program Act of 2019	To establish a pilot program to enhance the mapping of urban flooding and associated property damage and the availability of such mapped data to homeowners, businesses, and localities to help understand and mitigate the risk of such flooding, and for other purposes.	Introduced by Sen. Dick Durbin (D-IL) – May 2, 2019	
H.R. 2458 Water Infrastructure Sustainability and Efficiency Act	To amend the Federal Water Pollution Control Act to require a certain percentage of funds appropriated for revolving fund capitalization grants be used for green projects, and for other purposes.	Introduced by Rep. Debbie Mucarsel-Powell (D-FL) – May 2, 2019	
H.R. 2473 Securing Access for the central Valley and Enhancing (SAVE) Water Resources Act	To promote water supply reliability and improved water management for rural communities, the State of California, and the Nation, and for other purposes.	Introduced by Rep. Josh Harder (D-CA) – May 2, 2019 Order to be Reported (Amended) – March 11, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
H.R. 2470 Clean Water Infrastructure Resilience and Sustainability Act	To direct the Administrator of the Environmental Protection Agency to establish a program to make grants to eligible entities to increase the resilience of publicly owned treatment works to natural disasters.	Introduced by Rep. Salud Carbajal (D-CA) – May 3, 2019	
S. 1372 PFAS Accountability Act of 2019	To encourage Federal agencies to expeditiously enter into or amend cooperative agreements with States for removal and remedial actions to address PFAS contamination in drinking, surface, and ground water and land surface and subsurface strata, and for other purposes.	Introduced by Sen. Debbie Stabenow (D-MI) – May 8, 2019	
H.R. 2570 PFAS User Fee Act of 2019	To ensure that polluters pay ongoing water treatment costs associated with contamination from perfluoroalkyl and polyfluoroalkyl substances, and for other purposes.	Introduced Rep. Harley Rouda (D-CA) – May 9, 2019 Forwarded by Subcommittee to Full Committee on Energy and Commerce by voice vote – September 26, 2019.	<i>Watching</i>
H.R. 2665 Smart Energy and Water Efficiency Act of 2019	To direct the Secretary of Energy to establish a smart energy and water efficiency program, and for other purposes.	Introduced Rep. Jerry McNerney (D-CA) – May 13, 2019 Ordered to be Reported (Amended) by Voice Vote – July 17, 2019	
H.R. 2705 Water Infrastructure Trust Fund Act of 2019	To establish a Water Infrastructure Trust Fund through the Treasury Department - 50% of the fund shall be available to the EPA for capitalization grants under §601 of the Federal Water Pollution Control Act and 50% of the fund shall be available to the EPA for capitalization grants under §1452 under the Safe Drinking Water Act.	Introduced by Rep. Earl Blumenauer (D-OR) – May 14, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
S. 1473 Protect Drinking Water from PFAS Act of 2019	To amend the Safe Drinking Water Act to require the Administrator of the Environmental Protection Agency to set maximum contaminant levels for certain chemicals, and for other purposes.	Introduced by Sen. Kirsten Gillibrand (D-NY) – May 15, 2019	
H.R. 2800 PFAS Monitoring Act of 2019	To amend the Safe Drinking Water Act to require continued and expanded monitoring of perfluoroalkyl and polyfluoroalkyl substances in drinking water, and for other purposes.	Introduced by Rep. Elissa Slotkin (D-MI) – May 16, 2019	
S. 1507 PFAS Release Disclosure Act	To include certain perfluoroalkyl and polyfluoroalkyl substances in the toxics release inventory, and for other purposes.	Introduced by Sen. Shelley Moore Capito (R-WV) – May 16, 2019 Passed the Senate Committee on Environment and Public Works and placed on the Senate Calendar for a full vote – June 19, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
H.R. 2776 Stop Sewage Overflow Act	<p>To make certain municipalities eligible for grants under the Federal Water Pollution Control Act. Grant cost shares would be applicable as follows:</p> <ul style="list-style-type: none"> • Not less than 55 percent for municipalities the affected residents of which pay, on average, 2.0 percent or less of their household income for sewer service. • Not less than 60 percent for municipalities the affected residents of which pay, on average, more than 2.0 percent, but not more than 2.5 percent, of their household income for sewer service. • Not less than 65 percent for municipalities the affected residents of which pay, on average, more than 2.5 percent, but not more than 3.0 percent, of their household income for sewer service. • Not less than 70 percent for municipalities the affected residents of which pay, on average, more than 3.0 percent, but not more than 3.5 percent, of their household income for sewer service. • Not less than 75 percent for municipalities the affected residents of which pay, on average, more than 3.5 percent of their household income for sewer service. • 	<p>Introduced by Rep. Lori Traham (D-MA) – May 16, 2019</p>	
H.R. 2871 Aquifer Recharge Flexibility Act	<p>To provide flexibility to allow greater aquifer recharge. Eligible land, with respect to a Reclamation project, means land that is authorized to receive water under State law and shares a groundwater source with land located in the service area of the Reclamation project.</p>	<p>Introduced by Rep. Russ Fulcher (R-ID) – May 21, 2019</p>	
S. 1604 Local Water Protection Act	<p>To amend the Federal Water Pollution Control Act to reauthorize certain programs relating to nonpoint source management – specifically authorization appropriations of \$7,500,000 per year for FY2020 through FY2024.</p>	<p>Introduced by Sen. Amy Klobuchar (D-MN) - May 22, 2019</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><u>S. 1689</u> A bill to permit States to transfer certain funds from the clean water revolving fund of a State to the drinking water revolving fund of the State in certain circumstances, and for other purposes.</p>	<p>To permit States to transfer certain funds from the clean water revolving fund of a State to the drinking water revolving fund of the State in certain circumstances, and for other purposes.</p>	<p>Introduced by Sen. Cory Booker (D-NJ) – May 23, 2019</p> <p>Became Public Law No: 116-63 – October 4, 2019</p>	<p><i>Watching</i></p>
<p><u>S. Res. 213</u> A resolution designating the week of May 19 through May 25, 2019 as “National Public Works Week.”</p>	<p>This resolution designates the week of May 19-May 25, 2019, as National Public Works Week.</p>	<p>Introduced by Sen. Jim Inhofe (R-OK) – May 23, 2019</p> <p>Passed the Senate – May 23, 2019</p>	
<p><u>S. 1811</u> A bill to make technical corrections to the America’s Water Infrastructure Act of 2018</p>	<p>To make technical corrections to the America’s Water Infrastructure Act of 2018. Corrections include:</p> <ul style="list-style-type: none"> • Extending the Non-Federal Implementation Pilot Program from five to ten years; and • Amending the local government reservoir permit review to remove the limitation of those only owned and operated by the Secretary. 	<p>Introduced by Sen. John Barrasso (R-WY)</p> <p>Passed the Senate – July 10, 2019</p>	
<p><u>S. 1857</u> Federal Energy and Water Management Performance Act of 2019</p>	<p>To amend the National Energy Conservation Policy Act to improve Federal energy and water performance requirements for Federal buildings and establish a Federal Energy Management Program. The program is to exist from 2020-2030. One area addressed is to improve water use efficiency and management, including stormwater management, at facilities of the agency by reducing agency potable water consumption intensity (as measure in galls per gross square food) by 54% by FY2030, relative to the water consumption of the agency in FY2007 and through reductions of 2% each fiscal year.</p>	<p>Introduced by Sen. Lisa Murkowski (R-AK) – June 13, 2019</p> <p>Placed on Senate Legislative Calendar – September 25, 2019</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
H.R. 3254 PIPE Act	<p>To require the Administrator of the Environmental Protection Agency to establish a discretionary grant program for drinking water and wastewater infrastructure projects, and for other purposes. Priority of the grant program would be to help bring public water systems into compliance with the Safe Drinking Water Act or for publicly owned treatment works into compliance with the Federal Water Pollution Control Act. The federal cost share of projects under this program will not exceed 100%. The grants program is to be authorized for \$500,000,000 a year for fiscal years 2020 through 2029.</p>	<p>Introduced by Rep. Antonio Delgado (D-NY) – June 14, 2019</p>	
S. 1932 Drought Resiliency and Water Supply Infrastructure Act	<p>To support water infrastructure in Reclamation states and for other purposes. The bill includes a 5-year, \$100 million reauthorization of the Bureau of Reclamation’s Title XVI Water Reclamation and Reuse competitive grant program, originally authorized in the 2016 Water Infrastructure Improvements for the Nation (WIIN) Act (Title XVI-WIIN). In addition to the key Title XVI-WIIN Competitive Grant Program, the legislation includes \$60 million for desalination, additional funding for surface and groundwater storage, and a new low-interest loan program for the financing of a range of water infrastructure projects.</p>	<p>Introduced by Sen. Cory Gardner (RCO) – June 20, 2019</p> <p>Subcommittee on Water and Power hearing – July 18, 2019</p>	
H.R. 3423 National Green Bank Act of 2019	<p>To amend title 31, United States Code, to provide for the issuance of Green Bonds and to establish the United States Green Bank, and for other purposes.</p>	<p>Introduced by Rep. Jim Himes (D-CT) – June 21, 2019</p>	
H.R. 3521 Wastewater Infrastructure Workforce Investment Act	<p>To amend the Federal Water Pollution Control Act with respect to wastewater infrastructure workforce development, and for other purposes. Amends the language from manpower to workforce. Gives the states the ability to reserve up to 1% of the sums allotted to the state under this section for the fiscal year to carry out workforce development, training, and retraining.</p>	<p>Introduced Rep. Greg Stanton (D-AZ) – June 26, 2019</p>	
H.R. 3510 Water Resources Research Amendments Act	<p>To amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act.</p>	<p>Introduced by Rep. Josh Harder (D-CA) – June 26, 2019</p> <p>Subcommittee on Water, Oceans, and Wildlife hearing – July 25, 2019</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
S. 2044 Water Supply Infrastructure Rehabilitation and Utilization Act	To amend the Omnibus Public Land Management Act of 2009 to establish an Aging Infrastructure Account, to amend the Reclamation Safety of Dams Act of 1978 to provide additional funds under that Act, to establish a review of flood control rule curves pilot project within the Bureau of Reclamation, and for other purposes.	Introduced by Sen. Martha McSally (R-AZ) – June 27, 2019 Placed on Senate Legislative Calendar – October 29, 2019	
S. 2013 A bill to protect the right of individuals to bear arms at water resources development projects	To protect the right of individuals to bear arms at water resources development projects.	Introduced by Sen. Mike Crapo (R-ID) – June 27, 2019	<i>Watching</i>
H.R. 3616 Clean Water Standards for PFAS Act of 2019	To require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as toxic pollutants under the Federal Water Pollution Control Act, and for other purposes.	Introduced by Rep. Chris Pappas (D-NH) – July 2, 2019	
S. 2056 Build America, Buy America Act	To ensure that certain Federal infrastructure programs require the use of materials produced in the United States, and for other purposes.	Introduced by Sen. Sherrod Brown (D-OH) – July 8, 2019	
H.R. 3723 Desalination Development Act	To promote desalination project development and drought resilience, and for other purposes.	Introduced by Rep. Mike Levin (D-CA) – July 11, 2019 Ordered to be Reported (Amended) – March 11, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
H.R. 3779 Resilience Revolving Loan Fund Act of 2019	<p>To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow the Administrator of the Federal Emergency Management Agency to provide capitalization grants to eligible entities to establish revolving funds to provide assistance to reduce disaster risks, and for other purposes.</p>	<p>Introduced by Rep. Angie Craig (D-MN) – July 16, 2019</p> <p>Ordered to be Reported (Amended) by Voice Vote – September 19, 2019</p>	
H.R. 3844 Farmer Fairness Act	<p>To amend the Federal Water Pollution Control Act to require all persons exercising substantial operational control over a concentrated animal feeding operation to jointly obtain a permit for certain discharges, and for other purposes.</p>	<p>Introduced by Rep. Ro Khanna (D-CA) – July 18, 2019</p>	
S. 2187 National Flood Insurance Program Reauthorization and Reform Act of 2019	<p>To reauthorize the National Flood Insurance Program, and for other purposes.</p>	<p>Introduced by Sen. Robert Menendez (D-NJ) – July 18, 2019</p>	
S. 2164 Water Resources Research Amendments Act	<p>To amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act.</p>	<p>Introduced by Sen. Ben Cardin (D-MD) – July 18, 2019</p>	
S. 2239 A bill to codify an Executive order preparing the United States for the impacts of climate change, and for other purposes	<p>To codify an Executive order preparing the United States for the impacts of climate change, and for other purposes.</p>	<p>Introduced by Sen. Amy Klobuchar (D-MN) – July 23, 2019</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 3944</u> <u>To amend the Water Resources Reform and Development Act of 2014 to modify the procedure for communicating certain emergency risks, and for other purposes.</u>	To amend the Water Resources Reform and Development Act of 2014 to modify the procedure for communicating certain emergency risks, and for other purposes.	Introduced by Rep. Kevin Hern (R-OK) – July 24, 2019	
<u>H.R. 3949</u> <u>Safe Drinking Water in Playgrounds and Parks Act</u>	To amend the Safe Drinking Water Act to provide for drinking water fountain replacement in playgrounds and parks, and for other purposes.	Introduced by Rep. Grace Meng (D-NY) – July 24, 2019	
<u>H.R. 4050</u> <u>ZERO WASTE Act</u>	To direct the Administrator of the Environmental Protection Agency to award grants for projects that are consistent with zero-waste practices, and for other purposes.	Introduced by Rep. Ilhan Omar (D-MN) – July 25, 2019	
<u>H.R. 4033</u> <u>Water Justice Act</u>	To provide supplemental appropriations for safe and secure water, and for other purposes.	Introduced by Rep. Daniel Kildee (D-MI) – July 25, 2019	
<u>H.R. 4006</u> <u>CLEANER Act of 2019</u>	To require regulation of wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy under the Solid Waste Disposal Act, and for other purposes.	Introduced by Rep. Matt Cartwright (D-PA) – July 26, 2019	
<u>H.R. 4007</u> <u>Focused Reduction of Effluence and Stormwater runoff through HydroEnvironmental Regulation Act of 2019</u>	To amend the Federal Water Pollution Control Act and direct the Secretary of the Interior to conduct a study with respect to stormwater runoff from oil and gas operations, and for other purposes.	Introduced by Rep. Matt Cartwright (D-PA) – July 26, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
S. 2325 Super Pollutants Act	To establish a task force to review policies and measures to promote, and to develop best practices for, reduction of short-lived climate pollutants, and for other purposes.	Introduced by Sen. Murphy (D-CT) – July 30, 2019 Placed on Senate Legislative Calendar – November 7, 2019	
S. 2356 Define WOTUS Act of 2019	To provide a definition of navigable waters, and for other purposes.	Introduced by Mike Braun (R-IN) – July 31, 2019	
S. 2353 Protecting Firefighters from Adverse Substances Act of 2019	To direct the Administrator of the Federal Emergency Management Agency to develop guidance for firefighters and other emergency response personnel on best practices to protect them from exposure to PFAS and to limit and prevent the release of PFAS into the environment, and for other purposes.	Introduced by Sen. Gary Peters (D-MI) – July 31, 2019 Placed on Senate Legislative Calendar – February 3, 2020	
S. 2410 Flood Reduction, Wildlife Habitat, and Water Quality Improvement Act of 2019	To amend the Federal Water Pollution Control Act to modify the requirements for permits for dredged or fill material, and for other purposes.	Introduced by Sen. Cindy Hyde-Smith (R-MS) – July 31, 2019	
S. 2404 Build Local, Hire Local Act	To establish an expansive infrastructure program to create local jobs and raise the quality of life in every community, to launch middle class career pathways in infrastructure, and to invest in high-quality American jobs, and for other purposes.	Introduced by Sen. Kirsten Gillibrand (D-NY) – July 31, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 4143</u> <u>Super Pollutants Act of 2019</u>	To establish a task force to review policies and measures to promote, and to develop best practices for, reduction of short-lived climate pollutants, and for other purposes.	Introduced by Rep. Scott Peters (D-CA) – August 2, 2019	
<u>H.R. 4149</u> <u>REGION Act</u>	To prohibit the closure, consolidation, or elimination of offices of the Environmental Protection Agency.	Introduced by Rep. Debbie Dingell (D-MI) – August 2, 2019	
<u>H.R. 4205</u> <u>FLARE Act</u>	To require the Secretary of Agriculture to reimburse sponsors for certain costs of emergency water protection measures, and for other purposes.	Introduced by Rep. John Curtis (R-UT) – August 23, 2019	
<u>H.R. 4266</u> <u>Clean Water Through Green Infrastructure Act</u>	To establish centers of excellence for innovative stormwater control infrastructure, and for other purposes.	Introduced by Rep. Denny Heck (D-WA) – September 10, 2019	
<u>S. 2456</u> <u>Clean Water Through Green Infrastructure Act</u>	To establish centers of excellence for innovative stormwater control infrastructure, and for other purposes.	Introduced by Sen. Tom Udall (R-NM) – September 10, 2019	
<u>S. 2466</u> <u>Water Justice Act</u>	To provide supplemental appropriations for safe and secure water, and for other purposes.	Introduced by Sen. Kamala Harris (D-CA) – September 11, 2019	
<u>S. 2470</u> <u>Energy and Water Development and Related Agencies Appropriations Act, 2020</u>	Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2020, and for other purposes.	Introduced by Sen. Lamar Alexander (R-TN) – September 12, 2019 Placed on Senate Legislative Calendar – September 12, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 4321</u> <u>GET THE LEAD OUT Act of 2019</u>	To eliminate lead-based pipe and tap hazards in housing, and for other purposes.	Introduced by Rep. Tim Ryan (D-OH) – September 12, 2019	
<u>H.R. 4341</u> <u>Critically Endangered Animals Conservation Act of 2019</u>	To assist in the conservation of critically endangered species in foreign countries, and for other purposes.	Introduced by Rep. Jarred Huffman (D-CA) – September 12, 2019 Subcommittee on Water, Oceans, and Wildlife hearing - September 24, 2019	
<u>H.R. 4347</u> <u>PREPARE Act of 2019</u>	To enhance the Federal Government’s planning and preparation for extreme weather and the Federal Government’s dissemination of best practices to respond to extreme weather, thereby increasing resilience, improving regional coordination, and mitigating the financial risk to the Federal Government from such extreme weather, and for other purposes.	Introduced by Rep. Matt Cartwright (D-PA) – September 17, 2019 Ordered to be Reported by voice vote – September 19, 2019	
<u>S. 2491</u> <u>Protect America's Wildlife and Fish in Need of Conservation Act of 2019</u>	To terminate certain rules issued by the Secretary of the Interior and the Secretary of Commerce relating to endangered and threatened species, and for other purposes.	Introduced by Sen. Tom Udall (D-NM) – September 17, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>S. 2522</u> <u>Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2020</u>	Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.	Introduced by Rep. John Hoeven (R-ND) – September 19, 2019 Placed on Senate Legislative Calendar – September 19, 2019	
<u>H.R. 4348</u> <u>PAW and FIN Conservation Act of 2019</u>	To terminate certain rules issued by the Secretary of the Interior and the Secretary of Commerce relating to endangered and threatened species, and for other purposes.	Introduced by Rep. Raul Grijalva (D-AZ) – September 24, 2019 Ordered to be Reported – January 29, 2020	
<u>S.Res. 324</u> <u>A resolution designating September 29, 2019, as "National Urban Wildlife Refuge Day"</u>	Designating September 29, 2019, as “National Urban Wildlife Refuge Day”.	Introduced by Sen. Cory Gardner (R-CO) – September 24, 2019 Resolution agreed to in Senate without amendment and with a preamble by Unanimous Consent – October 16, 2019	
<u>H.R. 4483</u> <u>Localizing Authority of Management Plans Act of 2019</u>	To amend the Endangered Species Act of 1973 to increase State and local involvement in management plans.	Introduced by Rep. Don Young (R-AK) – September 24, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
S. 2580 Department of the Interior, Environment, and Related Agencies Appropriations Act, 2020	Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2020, and for other purposes.	Introduced by Sen. Lisa Murkowski (R-AK) – September 26, 2019 Placed on Senate Legislative Calendar – September 26, 2019	
H.R. 4512 Outdoors for All Act	To provide grants for projects to acquire land and water for parks and other outdoor recreation purposes and to develop new or renovate existing outdoor recreation facilities.	Introduced by Rep. Nanette Diaz Barragan (D-CA) – September 26, 2019 Subcommittee on Natural Parks, Forests, and Public Lands hearing – February 27, 2020	
H.R. 4416 Lead-Free Future Act of 2019	To authorize the Secretary of Housing and Urban Development to award grants to eligible entities to evaluate and reduce lead-based paint hazards, lead in drinking water hazards, and lead in soil hazards in pre-1978 residential real properties.	Introduced by Rep. Jared Golden (D-ME) – October 2, 2019	
H.R. 4659 Water Supply Infrastructure Rehabilitation and Utilization Act	To amend the Omnibus Public Land Management Act of 2009 to establish an Aging Infrastructure Account, to amend the Reclamation Safety of Dams Act of 1978 to provide additional funds under that Act, to establish a review of flood control rule curves pilot project within the Bureau of Reclamation, and for other purposes.	Introduced by Rep. Newhouse (R-WA) – October 11, 2019	
S. 2596 Voluntary Water Partnership for Distressed Communities Act of 2019	To amend the Safe Drinking Water Act to authorize certain community water systems to enter into partnerships to improve the water systems, and for other purposes.	Introduced by Sen. Tammy Duckworth (D-IL) – October 15, 2019	

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LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.Res. 628</u> <u>Expressing support for the designation of the week beginning on October 13, 2019, as National Wildlife Refuge Week</u>	Expressing support for the designation of the week beginning on October 13, 2019, as National Wildlife Refuge Week.	Introduced by Rep. Mike Thompson (D-CA) – October 15, 2019	
<u>S.Res. 362</u> <u>A resolution designating the week beginning on October 13, 2019, as "National Wildlife Refuge Week"</u>	Designating the week beginning on October 13, 2019, as “National Wildlife Refuge Week”.	Introduced by Sen. Chris Coons (D-DE) – October 17, 2019 Resolution agreed to in Senate without amendment and with a preamble by Unanimous Consent – October 24, 2019	
<u>S. 2636</u> <u>Clean Water Infrastructure Resilience and Sustainability Act</u>	To amend the Federal Water Pollution Control Act to establish a program to make grants to eligible entities to increase the resilience of publicly owned treatment works to natural hazards, and for other purposes.	Introduced by Sen. Benjamin Cardin (D-MD) – October 17, 2019	
<u>H.R. 4723</u> <u>Fish Act of 2019</u>	To require the identification of salmon conservation areas, and for other purposes.	Introduced by Rep. Jared Huffman (D-CA) – October 17, 2019 Subcommittee on Water, Oceans, and Wildlife hearing – January 14, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 4732</u> <u>To establish a Global Climate Change Resilience Strategy, to authorize the admission of climate-displaced persons, and for other purposes</u>	To establish a Global Climate Change Resilience Strategy, to authorize the admission of climate-displaced persons, and for other purposes.	Introduced by Rep. Nydia Velasquez (D-NY) – October 17, 2019	
<u>S.Res. 372</u> <u>A resolution expressing the sense of the Senate that the Federal Government should establish a national goal of conserving at least 30 percent of the land and ocean of the United States by 2030</u>	Expressing the sense of the Senate that the Federal Government should establish a national goal of conserving at least 30 percent of the land and ocean of the United States by 2030.	Introduced by Sen. Tom Udall (D-NM) – October 22, 2019	
<u>H.R. 4780</u> <u>National Infrastructure Investment Corporation Act of 2019</u>	To establish a Government corporation to provide loans and loan guarantees for infrastructure projects, and for other purposes.	Introduced by Rep. Salud Carbajal (D-CA) – October 22, 2019	
<u>S. 2674</u> <u>Assuring Quality Water Infrastructure Act</u>	To amend the Safe Drinking Water Act to establish a grant program for improving infrastructure asset management by small public water systems, and for other purposes.	Introduced by Sen. Shelley Capito (R-WV) – October 23, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
S. 2687 Low-Income Water Customer Assistance Programs Act of 2019	To amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to establish pilot programs to assist low-income households in maintaining access to sanitation services and drinking water, and for other purposes.	Introduced by Sen. Benjamin Cardin (D-MD) – October 23, 2019	
H.R. 4832 Low-Income Water Customer Assistance Programs Act of 2019	To amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to establish pilot programs to assist low-income households in maintaining access to sanitation services and drinking water, and for other purposes.	Introduced by Rep. Marcia Judge (D-OH) – October 23, 2019	
H.R. 4891 Western Water Security Act of 2019	To provide for the conduct of certain water security measures in the Western United States, and for other purposes.	Introduced by Rep. Xochitl Torres Small (D-NM) – October 28, 2019 Ordered to be Reported (Amended) – March 11, 2020	
S. 2767 A bill to amend the Federal Water Pollution Control Act to establish a pilot competitive grant program for improving the sharing of water quality data, and for other purposes	To amend the Federal Water Pollution Control Act to establish a pilot competitive grant program for improving the sharing of water quality data, and for other purposes.	Introduced by Sen. Doug Jones (D-AL) – October 31, 2019	
S. 2783 Responsibly Enhancing America's Landscapes Act	To amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.	Introduced by Sen. Michael Enzi (R-WY) – November 5, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
S. 2799 Nexus of Energy and Water for Sustainability Act of 2019	To require the Secretary of Energy and the Secretary of the Interior to establish a joint Nexus of Energy and Water Sustainability Office, and for other purposes.	Introduced by Sen. Lisa Murkowski (R-AK) –November 6, 2019 Sen. Murkowski from Committee on Energy and Natural Resources filed written report – January 7, 2020	
S. 2792 Penny Plan to Enhance Infrastructure Act of 2019	To amend the Balanced Budget and Emergency Deficit Control Act of 1985 to establish a discretionary spending limit for infrastructure spending.	Introduced by Sen. Rand Paul (R-KY) – November 6, 2019	
S. 2862 Drought Relief through Innovative Projects Act of 2019	To direct the Secretary of Agriculture to establish a grant program to remove nonnative plant species that contribute to drought conditions, and for other purposes.	Introduced by Sen. Krysten Sinema (D-AZ)-November 14, 2019	
H.R. 5095 Endangered Species Accountability Reform Act	To require the Secretary of the Interior to delist certain endangered species and threatened species.	Introduced by Rep.Rep. Blaine Luetkemeyer (R-MO) – November 14, 2019	
H.R. 5120 SAFER Pipelines Act of 2019	To amend title 49, United States Code, to provide enhanced safety and environmental protection in pipeline transportation, and for other purposes.	Introduced by Rep. Peter DeFazio (D-OR) – November 20, 2019 Ordered to be Reported (Amended) – November 20, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 5176</u> <u>Climate Resiliency Service Corps Act of 2019</u>	To amend the National and Community Service Act of 1990 to establish a climate resiliency service corps to help communities withstand and respond to changes in the Earth’s climate with respect to natural disasters, and for other purposes.	Introduced by Rep. Judy Chu (D-CA) – November 19, 2019	
<u>H.R. 5193</u> <u>Buy America for Drinking Water Extension Act of 2019</u>	To amend the Safe Drinking Water Act to extend and expand the provision requiring the use of iron and steel products that are produced in the United States in projects funded through a State drinking water treatment revolving loan fund.	Introduced by Rep. Cheri Bustos (D-IL) – November 20, 2019	
<u>H.R. 5217</u> <u>WOW Act</u>	To provide for western water security, reliability, modernization, and abundance, and for other purposes.	Introduced by Rep. Tom McClintock (R-CA) – November 21, 2019	
<u>H.R. 5288</u> <u>Upper Mississippi River Flood Control Act</u>	To amend the Water Resources Development Act of 1999 to direct the Secretary of the Army to develop a plan to address water resource problems in the Upper Mississippi River Basin, and for other purposes.	Introduced by Rep. Blaine Luetkemeyer (R-MO) – December 3, 2019	
<u>S. 2978</u> <u>Energy and Water Research Integration Act of 2019</u>	To ensure consideration of water intensity in the Department of Energy’s energy research, development, and demonstration programs to help guarantee efficient, reliable, and sustainable delivery of energy and clean water resources.	Introduced by Sen. Catherine Cortez Masto (D-NV) – December 4, 2019	
<u>S. 2980</u> <u>Clean Water Standards for PFAS Act of 2019</u>	To require the promulgation of certain standards for perfluoroalkyl and polyfluoroalkyl substances under the Federal Water Pollution Control Act, and for other purposes.	Introduced by Sen. Kirsten Gillibrand (D-NY) – December 4, 2019	
<u>H.R. 5302</u> <u>Western Water Recycling and Drought Relief Act</u>	To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain recycled water projects, and for other purposes.	Introduced by Rep. Jerry McNerney (D-CA) – December 4, 2019	
<u>H.R. 5303</u> <u>California Central Coast Conservation Act</u>	To establish a moratorium on oil and gas leasing on public land on the Central Coast of California.	Introduced by Rep. Jimmy Panetta (D-CA) – December 4, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 5316</u> <u>Move Water Now Act</u>	To provide for the restoration of the original carrying capacity of canals impacted by land subsidence, and for other purposes.	Introduced by Rep. TJ Cox (D-CA) – December 5, 2019 Ordered to be Reported – February 12, 2020	
<u>H.R. 5347</u> <u>Disadvantaged Community Drinking Water Assistance Act</u>	To require the Secretary of the Interior to establish a grant program to close gaps in access to safe drinking water in disadvantaged communities, and for other purposes.	Introduced by Rep. TJ Cox (D-CA) – December 6, 2019 Ordered to be Reported (Amended) – February 12, 2020	
<u>H.R. 5361</u> <u>Safe Drinking Water Assistance Act of 2019</u>	To improve and coordinate interagency Federal actions and provide assistance to States for responding to public health challenges posed by emerging contaminants, and for other purposes.	Introduced by Rep. Lisa Blunt Rochester (D-DE) – December 9, 2019	
<u>S. 3044</u> <u>Western Tribal Water Infrastructure Act of 2019</u>	To amend the America's Water Infrastructure Act of 2018 to expand the Indian reservation drinking water program, and for other purposes.	Introduced by Sen. Ron Wyden (D-OR) – December 12, 2019	
<u>S. 3046</u> <u>Wastewater Efficiency and Treatment Act of 2019</u>	To amend the Energy Policy Act of 2005 to establish a program to provide grants and loan guarantees to improve the energy efficiency of publicly owned wastewater treatment facilities, and for other purposes.	Introduced by Sen. Jeff Merkley (D-OR) – December 12, 2019	
<u>S. 3051</u> <u>America's Conservation Enhancement Act</u>	To improve protections for wildlife, and for other purposes.	Introduced by John Barrasso (R-WY) – December 12, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
H.R. 5430 United States-Mexico-Canada Agreement Implementation Act	To implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement.	Introduced by Rep. Steny Hoyer (D-MD) December 13, 2019 Became Public Law No: 116-113 – January 29, 2020	
S. 3052 United States-Mexico-Canada Agreement Implementation Act	To implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement.	Introduced by Sen. Chuck Grassley (R-IA) – December 16, 2019	
H.R. 5435 American Public Lands and Waters Climate Solution Act of 2019	To require the Secretary of the Interior and the Chief of the United States Forest Service to meet certain targets for the reduction of the emission of greenhouse gases, and for other purposes.	Introduced by Rep. Raul Grijalva (D-AZ) – December 16, 2019 Committee on Natural Resources hearing – February 26, 2020	
H.R. 5445 Critical Infrastructure Act of 2019	To amend the Endangered Species Act of 1973 to encourage the construction of critical infrastructure, and for other purposes.	Introduced by Rep. Chris Stewart (R-UT) – December 17, 2019	
S. 3082 LEVEE Act	To establish a program to establish permanent features for flood control in areas in which temporary features have been constructed, and for other purposes.	Introduced by Sen. Kirsten Gillibrand (D-NY) – December 18, 2019	
H.R.5513 Affordable Safe Drinking Water Act of 2019	To amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to modify the payment periods of loans from State revolving funds under those Acts, and for other purposes.	Introduced by Rep. Joseph Kennedy (D-MA) – December 20, 2019	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 5504</u> <u>To amend the National Dam Safety Program Act with respect to the definition of eligible high hazard potential dam, and for other purposes</u>	To amend the National Dam Safety Program Act with respect to the definition of eligible high hazard potential dam, and for other purposes.	Introduced by Rep. Julia Brownley (D-CA) – December 19, 2019	
<u>H.R.5539</u> <u>Clean Water Standards for PFAS Act of 2020</u>	To require the Administrator of the Environmental Protection Agency to review and develop effluent standards, pretreatment standards, and water quality criteria for PFAS under the Federal Water Pollution Control Act, to provide Federal grants to publicly owned treatment works to implement standards, and for other purposes.	Introduced by Rep. Chris Pappas (D-NH) – January 3, 2020	
<u>H.R. 5540</u> <u>PFAS Transparency Act</u>	To require, pursuant to the Federal Water Pollution Control Act, disclosure of the introduction of perfluoroalkyl or polyfluoroalkyl substances into treatment works, and for other purposes.	Introduced by Rep. Antonio Delgado (D-NY) – January 3, 2020	
<u>S. 3160</u> <u>Affordable Safe Drinking Water Act of 2020</u>	To amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to modify the payment periods of loans from State revolving funds under those Acts, and for other purposes.	Introduced by Sen. Elizabeth Warren (D-MA) – January 8, 2020	
<u>S. 3171</u> <u>Protect and Restore America's Estuaries Act</u>	To amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.	Introduced by Se. Whitehouse (D-RI) – January 9, 2020	
<u>S. 3176</u> <u>United States-Israel Security Assistance Authorization Act of 2020</u>	To amend the Foreign Assistance Act of 1961 and the United States-Israel Strategic Partnership Act of 2014 to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.	Introduced by Sen. Marco Rubio (R-FL) – January 9, 2020 Placed on Senate Legislation Calendar – June 3, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 5579</u> <u>LIST Act of 2020</u>	To amend the Endangered Species Act of 1973 to provide for improved precision in the listing, delisting, and downlisting of endangered species and potentially endangered species.	Introduced by Rep. Greg Gianforte (R-MT) – January 10, 2020	
<u>H.R. 5580</u> <u>Bring ESA Into the 21st Century Act</u>	To codify certain rules issued by the Secretary of the Interior and the Secretary of Commerce relating to endangered species and threatened species, and for other purposes.	Introduced by Rep. Paul Gosar (R-AZ) – January 10, 2020	
<u>H.R. 5588</u> <u>WHOLE Act of 2020</u>	To amend the Endangered Species Act of 1973 to provide for consideration of the totality of conservation measures in determining the impact of proposed Federal agency action.	Introduced by Rep. Dan Newhouse (R-WA) – January 13, 2020	
<u>H.R. 5585</u> <u>Listing Reform Act</u>	To amend the Endangered Species Act of 1973 to require review of the economic cost of adding a species to the list of endangered species or threatened species, and for other purposes.	Introduced by Rep. Pete Olson (R-TX) – January 13, 2020	
<u>H.R. 5591</u> <u>Critical Habitat Improvement Act</u>	To amend the Endangered Species Act of 1973 to add requirements to the designation of areas as critical habitats, and for other purposes.	Introduced by Rep. Mike Johnson (R-LA) – January 13, 2020	
<u>H.R. 5594</u> <u>EMPOWERS Act of 2020</u>	To provide for greater county and State consultation with regard to petitions under the Endangered Species Act of 1973, and for other purposes.	Introduced by Rep. Jason Smith (R-MO) – January 13, 2020	
<u>H.R. 5595</u> <u>Israel Anti-Boycott Act</u>	To impose additional prohibitions relating to foreign boycotts under Export Control Reform Act of 2018, and for other purposes.	Introduced by Rep. Lee Zeldin (R-NY) – January 13, 2020	
<u>H.R. 5601</u> <u>Property Rights Protection Act of 2020</u>	To protect private property rights, and for other purposes.	Introduced by Rep. Ralph Norman (R-SC) – January 14, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.Res. 797</u> <u>Encouraging the Environmental Protection Agency to maintain and strengthen requirements under the Clean Water Act and reverse ongoing administrative actions to weaken this landmark law and protections for United States waters</u>	<p>Encouraging the Environmental Protection Agency to maintain and strengthen requirements under the Clean Water Act and reverse ongoing administrative actions to weaken this landmark law and protections for United States waters.</p>	<p>Introduced by Rep. Debbie Dingell (D-MI) – January 14, 2020</p>	
<u>H.R. 5598</u> <u>Boundary Waters Wilderness Protection and Pollution Prevention Act</u>	<p>To provide for the protection of the Boundary Waters Canoe Area Wilderness and interconnected Federal lands and waters, including Voyageurs National Park, within the Rainy River Watershed in the State of Minnesota, and for other purposes.</p>	<p>Introduced by Rep. Betty McCollum (D-MN) – January 14, 2020</p> <p>Subcommittee on Energy and Mineral Resources hearing – February 5, 2020</p>	
<u>H.R. 5606</u> <u>Desert National Wildlife Refuge and Nevada Test and Training Range Withdrawal and Management Act</u>	<p>To extend the withdrawal and reservation of certain public land in the State of Nevada for the continued use of the Nevada test and training range, to designate certain land in the Desert National Wildlife Refuge as wilderness, and for other purposes.</p>	<p>Introduced by Rep. Steven Horsford (D-NV) – January 15, 2020</p>	
<u>H.R. 5615</u> <u>TREES Act</u>	<p>To establish a grant program to assist retail power providers with the establishment and operation of energy conservation programs using targeted residential tree-planting programs, and for other purposes.</p>	<p>Introduced by Rep. Doris Matsui (D-CA)–January 15, 2020</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>S. 3208</u> <u>Regulatory</u> <u>Accountability Act</u>	To improve agency rulemaking, and for other purposes.	Introduced by Sen. Rob Portman (R-OH) – January 16, 2020	
<u>H.R. 5638</u> <u>American</u> <u>Sovereignty and</u> <u>Species Protection</u> <u>Act</u>	To amend the Endangered Species Act to prevent a species that is not native to the United States from being listed as an endangered species or a threatened species, to prohibit certain types of financial assistance, and for other purposes.	Introduced by Rep. Andy Biggs (R-AZ) - January 16, 2020	
<u>S. 3211</u> <u>Clean Water</u> <u>Allotment</u> <u>Modernization Act</u>	To amend the Federal Water Pollution Control Act to modify certain allotments under that Act, and for other purposes.	Introduced by Sen. Marco Rubio (R-FL) – January 16, 2020	
<u>H.R. 5628</u> <u>Clean Water</u> <u>Allotment</u> <u>Modernization Act</u>	To amend the Federal Water Pollution Control Act to modify certain allotments under that Act, and for other purposes.	Introduced by Rep. Michael Waltz (R-FL) – January 17, 2020	
<u>H.R. 5636</u> <u>Transparency in</u> <u>Energy Production</u> <u>Act of 2020</u>	To provide for the accurate reporting of fossil fuel extraction and emissions by entities with leases on public land, and for other purposes.	Introduced by Rep. Alan Lowenthal (D-CA) – January 16, 2020 Subcommittee on Energy and Mineral Resources hearing – January 28, 2020	
<u>H.R.5650</u> <u>Federal Energy and</u> <u>Water Management</u> <u>Performance Act of</u> <u>2020</u>	To amend the National Energy Conservation Policy Act to improve Federal energy and water performance requirements for Federal buildings and establish a Federal Energy Management Program.	Introduced by Rep. Peter Welch (D-VT) – January 16, 2020	
<u>H.R.5653</u> <u>Green Federal Fleet</u> <u>Act</u>	To prohibit Federal agencies from purchasing or leasing new vehicles that are not zero-emission vehicles, and for other purposes.	Introduced by Rep. Julia Brownley (D-CA) – January 17, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
S. 3221 Farm System Reform Act of 2019	<p>To place a moratorium on large concentrated animal feeding operations, to strengthen the Packers and Stockyards Act, 1921, to require country of origin labeling on beef, pork, and dairy products, and for other purposes.</p>	<p>Introduced by Sen. Cory Booker (D-NJ) – January 21, 2020</p>	
H. Res. 835 Expressing the sense of the House of Representatives that the Federal Government should establish a national goal of conserving at least 30 percent of the land and ocean of the United States by 2030	<p>Expressing the sense of the House of Representatives that the Federal Government should establish a national goal of conserving at least 30 percent of the land and ocean of the United States by 2030.</p>	<p>Introduced by Rep. Debra Haaland (D-NM) – February 6, 2020</p>	
H.R. 5832 SHORE Act	<p>To direct the Secretary of the Army and the Director of the Office of Management and Budget to issue regulations and submit a report to Congress on cost-benefit ratios, and for other purposes.</p>	<p>Introduced by Rep. John Katko (R-NY) – February 10, 2020</p>	
S. 3274 Decentralized Wastewater Grant Act of 2020	<p>To amend the Federal Water Pollution Control Act to establish a decentralized wastewater grant program, and for other purposes.</p>	<p>Introduced by Sen. Cory Booker (D-NJ) – February 11, 2020</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.Con.Res. 89</u> <u>Encouraging the Trump Administration to maintain protections under the National Environmental Policy Act and reverse ongoing administrative actions to weaken this landmark law and its protections for American communities</u>	<p>Encouraging the Trump Administration to maintain protections under the National Environmental Policy Act and reverse ongoing administrative actions to weaken this landmark law and its protections for American communities.</p>	<p>Introduced by Rep. Debbie Dingell (D-MI) – February 11, 2020</p>	
<u>S.3288</u> <u>PUBLIC Lands Act</u>	<p>To provide for the protection of and investment in certain Federal land in the State of California, and for other purposes.</p>	<p>Introduced by Sen. Kamala Harris (D-CA) – February 12, 2020</p>	
<u>H.R. 5856</u> <u>Decentralized Wastewater Grant Act of 2020</u>	<p>To amend the Federal Water Pollution Control Act to establish a decentralized wastewater grant program, and for other purposes.</p>	<p>Introduced by Rep. Terri Sewell (D-AL) – February 11, 2020</p>	
<u>H.R. 5868</u> <u>RELIEF ACT</u>	<p>To amend the Act of August 18, 1941 (commonly known as the Flood Control Act of 1941), to allow a non-Federal sponsor to carry out certain work, to provide for reimbursement of costs to complete such work, and for other purposes.</p>	<p>Introduced by Rep. Jeff Fortenberry (R-NE) – February 13, 2020</p>	
<u>H.R. 5902</u> <u>Plastics Act of 2020</u>	<p>To establish a microplastics pilot program, and for other purposes.</p>	<p>Introduced by Rep. Brian Mast (R-FL) – February 14, 2020</p>	
<u>H.R.5986</u> <u>Environmental Justice For All Act</u>	<p>To restore, reaffirm, and reconcile environmental justice and civil rights, provide for the establishment of the Interagency Working Group on Environmental Justice Compliance and Enforcement, and for other purposes.</p>	<p>Introduced by Rep. Raul Grijalva (D-AZ) – February 27, 2020</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.6000</u> <u>To reauthorize a pilot program to evaluate the effectiveness of certain water-related feasibility studies carried out by non-Federal interests.</u>	<p>To reauthorize a pilot program to evaluate the effectiveness of certain water-related feasibility studies carried out by non-Federal interests.</p>	<p>Introduced by Rep. Mike Johnson (R-LA) – February 27, 2020</p>	
<u>H.R.6112</u> <u>Oil and Water Don't Mix Act of 2020</u>	<p>To require operators of oil and gas production facilities to take certain measures to protect drinking water, and for other purposes.</p>	<p>Introduced by Rep. Jared Huffman (D-CA) – March 5, 2020</p>	
<u>H.R.6113</u> <u>ARPA-H2O Act of 2020</u>	<p>To establish an Advanced Research Projects Agency–Water, and for other purposes.</p>	<p>Introduced by Rep. John Katko (R-NY) – March 5, 2020</p>	
<u>S.3418</u> <u>STORM Act</u>	<p>To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow the Administrator of the Federal Emergency Management Agency to provide capitalization grants to States to establish revolving funds to provide hazard mitigation assistance to reduce risks from disasters and natural hazards, and other related environmental harm.</p>	<p>Introduced by Sen. Gary Peters (D-MI) – March 9, 2020</p> <p>Ordered to be Reported favorably – March 11, 2020</p>	
<u>H.R.6185</u> <u>Save Our Springs Act of 2020</u>	<p>To amend the Internal Revenue Code of 1986 to impose an excise tax on the extraction of certain water for bottling, and for other purposes.</p>	<p>Introduced by Rep. Debbie Wasserman Schultz (D-FL) – March 10, 2020</p>	
<u>S. 3422</u> <u>Great American Outdoors Act</u>	<p>To amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Parks and Public Land Legacy Restoration Fund to address the maintenance backlog of the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Forest Service, and the Bureau of Indian Education, and to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.</p>	<p>Introduced by Sen. Cory Gardner (R-CO) – March 10, 2020</p> <p>Placed on Senate Legislative Calendar – March 11, 2020</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><u>S.Res.537</u> <u>A resolution encouraging the Trump Administration to maintain protections under the National Environmental Policy Act and reverse ongoing administrative actions to weaken this landmark law and its protections for American communities</u></p>	<p>Encouraging the Trump Administration to maintain protections under the National Environmental Policy Act and reverse ongoing administrative actions to weaken this landmark law and its protections for American communities.</p>	<p>Introduced by Sen. Thomas Carter (D-DE) – March 10, 2020</p>	
<p><u>H.R.6169</u> <u>To require the Secretary of the Interior, the Secretary of Agriculture, and the Assistant Secretary of the Army for Civil Works to digitize and make publicly available geographic information system mapping data relating to public access to Federal land and waters for outdoor recreation, and for other purposes</u></p>	<p>To require the Secretary of the Interior, the Secretary of Agriculture, and the Assistant Secretary of the Army for Civil Works to digitize and make publicly available geographic information system mapping data relating to public access to Federal land and waters for outdoor recreation, and for other purposes.</p>	<p>Introduced by Rep. Russ Fulcher (D-ID) – March 10, 2020</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>S.3480</u> <u>PFAS Testing and Treatment Act of 2020</u>	To amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to authorize additional assistance to address pollution from perfluoroalkyl and polyfluoroalkyl substances and other emerging contaminants, and for other purposes.	Introduced by Sen. Jeanne Shaheen (D-NH) – March 12, 2020	
<u>H.R.6422</u> <u>National Infrastructure Bank Act of 2020</u>	To facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Bank, and for other purposes.	Introduced by Danny Davis (D-IL) – March 31, 2020	
<u>H.R.6552</u> <u>Emergency Water is a Human Right Act</u>	To prohibit water shutoffs during the COVID–19 emergency period, provide drinking and waste water assistance to households, and for other purposes.	Introduced by Rep. Rashida Tlaib (D-MI) – April 17, 2020	
<u>H.R.6617</u> <u>Western Water Storage Infrastructure Act</u>	To support surface and groundwater storage and supporting projects in Reclamation States, and for other purposes.	Introduced by Rep. TJ Cox (D-CA) – April 29, 2020	
<u>H.R.6631</u> <u>Essential Worker Protection Act of 2020</u>	To direct the Secretary of Labor to establish an interagency task force on worker protection from COVID–19, and for other purposes.	Introduced by Rep. Haley Stevens (D-MI) – April 28, 2020	
<u>S.3591</u> <u>America's Water Infrastructure Act of 2020</u>	To provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, to provide for water pollution control activities, and for other purposes.	Introduced by Sen. John Barrasso (R-WY) – May 4, 2020 Placed on Senate Legislative Calendar – May 11, 2020	
<u>S.3621</u> <u>Made in America Water Infrastructure Act of 2020</u>	A bill to amend the Safe Drinking Water Act to remove limitations on the required use of American iron and steel products in projects carried out using State revolving loan funds, and for other purposes.	Introduced by Sen. Tammy Baldwin (D-WI) – May 6, 2020	
<u>H.R.6745</u> <u>Clean Water for All Act</u>	To prohibit implementation of a rule defining “waters of the United States” under the Federal Water Pollution Control Act, and for other purposes.	Introduced by Rep. Peter DeFazio (D-OR) – May 11, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
H.R.6898 IMAGINE Act	To encourage the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, and for other purposes.	Introduced by Rep. David Cicilline (D-RI) – May 18, 2020	
H.R.6922 BASE Protection Act	To require the Corps of Engineers to expedite review of applications for certain flood control projects near military installations, and for other purposes.	Introduced by Rep. Don Bacon (R-NE) – May 20, 2020	
H.R.7092 To amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Parks and Public Land Legacy Restoration Fund to address the maintenance backlog of the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Forest Service, and the Bureau of Indian Education, and to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.	<i>Text is not yet available.</i>	Introduced by Rep. Joe Cunningham (D-SC) – June 4, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.7095</u> <u>INVEST in America Act</u>	To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.	Introduced by Rep. Peter DeFazio (D-OR) – June 4, 2020	
<u>H.R.2</u> <u>INVEST in America Act</u>	To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.	Introduced by Rep. Peter DeFazio (D-OR) – June 11, 2020	
H.R.7231 To establish the Infrastructure Bank for America as a corporation to serve as a lender for and investor in infrastructure projects, and for other purposes.	<i>Text is not yet available.</i>	Introduced by Rep. Daniel Webster (R-FL) – June 15, 2020	
S.3976 A bill to amend the Water Infrastructure Improvements for the Nation Act to extend the authorization of appropriations for the Lead Exposure Registry, and for other purposes.	<i>Text is not yet available.</i>	Introduced by Sen. Debbie Stabenow (D-MI) – June 17, 2020	

COVID-19 RELIEF LEGISLATION

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.6074</u> <u>Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020</u>	Making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.	Introduced by Rep. Nita Lowey (D-NY) – March 4, 2020 Became Public Law No: 116-123 – March 6, 2020	
<u>S.3415</u> <u>Paid Sick Days for Public Health Emergencies and Personal and Family Care Act</u>	To allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.	Introduced by Sen. Patty Murray (D-WA) – March 5, 2020	
<u>H.R.6201</u> <u>Families First Coronavirus Response Act</u>	Making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.	Introduced by Rep. Nita Lowey (D-NY) – March 11, 2020 Became Public Law No: 116-127 – March 18, 2020	
<u>H.R.6198</u> <u>Emergency Paid Leave Act of 2020</u>	To provide emergency paid leave benefits to certain individuals affected by COVID-19, and for other purposes.	Introduced by Rep. Stephanie Murphy (D-FL) – Introduced March 11, 2020	
<u>H.R.6150</u> <u>Paid Sick Days for Public Health Emergencies and Personal and Family Care Act</u>	To allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.	Introduced by Rep. Rosa DeLauro (D-CT) – March 9, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.6220 Emergency Family and Medical Leave Expansion Act</u>	To amend the Family and Medical Leave Act of 1993 to provide for leave with respect to a public health emergency, and for other purposes.	Introduced by Rep. Robert Scott (D-VA) - March 12, 2020	
<u>S.3476 Coronavirus Worker Relief Act</u>	To provide for unemployment benefits to workers affected by the 2019 Novel Coronavirus.	Introduced by Sen. Gary Peters (D-MI) - March 12, 2020	
<u>S.3548 CARES Act</u>	To provide emergency assistance and health care response for individuals, families, and businesses affected by the 2020 coronavirus pandemic.	Introduced by Sen. Mitch McConnell (R-KY) – March 19, 2020 Committee on Small Business and Entrepreneurship hearing held – June 3, 2020	
<u>H.R.6321 Financial Protections and Assistance for America's Consumers, States, Businesses, and Vulnerable Populations Act</u>	To provide financial protections and assistance for America’s consumers, States, businesses, and vulnerable populations during the COVID-19 emergency and to recover from the emergency.	Introduced by Rep. Maxine Waters (D-CA) – March 23, 2020	
<u>H.R.6328 Emergency Relief for State, Territorial and Local Governments Act of 2020</u>	To authorize Federal reserve banks to purchase COVID–19 related municipal issuances, and for other purposes.	Introduced by Rep. Rashida Tlaib (D-MI) – March 23, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.6379</u> <u>Take Responsibility for Workers and Families Act</u>	Making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.	Introduced by Rep. Nita Lowery (D-NY) – March 23, 2020	
<u>H.R. 6361</u> <u>Relief for Small Businesses and Nonprofits Act</u>	To provide loan and obligation payment relief for small businesses and nonprofits affected by the COVID–19 emergency, and for other purposes.	Introduced by Rep. Ed Perlmutter (D-CO) – March 23, 2020	
<u>S.3584</u> <u>COVID-19 Workers First Protection Act of 2020</u>	To direct the Secretary of Labor to issue an emergency temporary standard that requires certain employers to develop and implement a comprehensive infectious disease exposure control plan to protect employees in the health care sectors and other employees at elevated risk from exposure to SARS–CoV–2, and for other purposes.	Introduced by Sen. Tammy Baldwin (D-WI) – March 25, 2020	
<u>H.R. 6402</u> <u>COVID-19 Workforce Emergency Response Act</u>	To provide State and local workforce systems flexibility and financial support to respond to the COVID–19 national emergency.	Introduced by Rep. Andy Levin (D-MI) – March 26, 2020	
<u>H.R.748</u> <u>CARES Act</u>	To amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.	Introduced by Rep. Joe Courtney (D-CT) – March 27, 2020 Became Public Law No: 116-136 – March 27, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.6410</u> <u>To direct the President to use authority under the Defense Production Act of 1950 to ensure an adequate supply of equipment necessary for limiting the spread of COVID-19.</u>	<p>To direct the President to use authority under the Defense Production Act of 1950 to ensure an adequate supply of equipment necessary for limiting the spread of COVID-19.</p>	<p>Introduced by Rep. John Larson (D-CT) – March 27, 2020</p>	
<u>H.R.6423</u> <u>To provide for a temporary debt collection moratorium during the COVID-19 emergency period, and for other purposes.</u>	<p>To provide for a temporary debt collection moratorium during the COVID-19 emergency period, and for other purposes.</p>	<p>Introduced by Rep. Al Lawson (D-FL) – March 31, 2020</p>	
<u>H.R.6431</u> <u>Made in America Emergency Preparedness Act</u>	<p>To require the creation of a national commission to prepare for future national emergencies, and for other purposes.</p>	<p>Introduced by Rep. Brian Fitzpatrick (R-PA) – April 3, 2020</p>	
<u>H.R.6472</u> <u>COVID-19 Price Gouging Prevention Act</u>	<p>To prohibit price gouging in connection with the public health emergency resulting from COVID–19, and for other purposes.</p>	<p>Introduced by Rep. Janice Schakowsky (D-IL) – April 7, 2020</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.6460</u> <u>To provide funding for needed child and adult care so that essential workers can report to work during the COVID-19 pandemic.</u>	<p>To provide funding for needed child and adult care so that essential workers can report to work during the COVID-19 pandemic.</p>	<p>Introduced by Rep. Danny Davis (D-IL) – April 7, 2020</p>	
<u>H.R.6525</u> <u>Reopen America Act of 2020</u>	<p>To provide the necessary Federal financial and logistical support so States can reopen their economies once periods of isolation have sufficiently reduced coronavirus infection and transmission rates, and with adequate testing and other safeguards to ensure infection rates do not exceed medical resources, and virus transmission rates are maintained below 1 and thereby steadily reduce the number of infected, and for other purposes.</p>	<p>Introduced by Rep. Jamie Raskin (D-MD) – April 17, 2020</p>	
<u>H.R. 6552</u> <u>Emergency Water is Human Right Act</u>	<p>To prohibit water shutoffs during the COVID–19 emergency period, provide drinking and waste water assistance to households, and for other purposes.</p>	<p>Introduced by Rep. Rashida Tlaib (D-MI) – April 17, 2020</p>	
<u>H.R.6559</u> <u>COVID-19 Every Worker Protection Act of 2020</u>	<p>To require the Occupational Safety and Health Administration to promulgate an emergency temporary standard to protect employees from occupational exposure to SARS–CoV–2, and for other purposes.</p>	<p>Introduced by Rep. Robert Scott (D-VA) – April 21, 2020</p>	
<u>H.R. 266</u> <u>Paycheck Protection Program and Health Care Enhancement Act</u>	<p>Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.</p>	<p>Introduced by Rep. Betty McCollum (D-MN) – April 24, 2020</p> <p>Became Public Law No: 116-139 – April 24, 2020</p>	
<u>H.R. 6631</u> <u>Essential Worker Protection Act of 2020</u>	<p>To direct the Secretary of Labor to establish an interagency task force on worker protection from COVID–19, and for other purposes.</p>	<p>Introduced by Rep. Haley Stevens (D-MI) – April 28, 2020</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.6652</u> <u>Flexibility for Localities and Eligibility Expansion Act of 2020</u>	To amend title VI of the Social Security Act to expand the permissible use of funds under the Coronavirus Relief Fund.	Introduced by Rep. Don Bacon (R-NE) – May 1, 2020	
<u>H.R. 6653</u> <u>MASKS ON Act</u>	To require the Director of the Centers for Disease Control and Prevention to carry out a national public outreach campaign regarding the proper use of personal protective equipment to minimize personal risk of exposure to, and risk of spreading, the virus that causes COVID–19, and for other purposes.	Introduced by Rep. Daniel Lipinski (D-IL) – May 1, 2020	
<u>H.R.6699</u> <u>Opportunities for Heroes Act of 2020</u>	To establish a commission to determine essential employment during the COVID-19 crisis period and provide loan repayment and education credit to workers employed in such essential employment during such crisis, and for other purposes.	Introduced by Rep. Ann Kuster (D-NH) – May 5, 2020	
<u>H.R.6705</u> <u>Coronavirus State and Local Financial Assistance Act</u>	To require the Secretary of the Treasury to establish a State and Local Government Coronavirus Relief Program to make grants to States to make up for lost revenue due to COVID-19 and social distancing steps taken by the State and political subdivisions of the State, and for other purposes.	Introduced by Rep. Cynthia Axne (D-IA) – May 5, 2020	
<u>S.3627</u> <u>Medical Supply Transparency and Delivery Act</u>	A bill to provide for the expedited and transparent procurement and distribution of equipment and supplies needed to combat COVID-19.	Introduced by Sen. Tammy Badlwin (D-WI) – May 6, 2020	
<u>S.3671</u> <u>State & Local Emergency Stabilization Fund Act of 2020</u>	To amend title VI of the Social Security Act to provide additional funding for States, Tribal governments, and local communities due to the Coronavirus Disease 2019 (COVID–19) public health emergency, and for other purposes.	Introduced by Rep. Jack Reed (D-RI) – May 7, 2020	
<u>H.R. 6748</u> <u>Direct Support for Communities Act</u>	To provide funding for cities, counties, and other units of general local government to prevent, prepare for, and respond to coronavirus.	Introduced by Rep. Antonio Delgado (D-NY) – May 8, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.6760</u> <u>Fair Housing Further Enforcement Emergency Act of 2020</u>	To authorize assistance for fair housing enforcement activities to respond to the COVID-19 pandemic, and for other purposes.	Introduced by Rep. Al Green (D-TX) – May 8, 2020	
<u>S.3672</u> <u>Pandemic TANF Assistance Act</u>	To provide States and Indian Tribes with flexibility in administering the temporary assistance for needy families program due to the public health emergency with respect to the Coronavirus Disease (COVID–19), to make emergency grants to States and Indian Tribes to provide financial support for low-income individuals affected by that public health emergency, and for other purposes.	Introduced by Sen. Ron Wyden (D-OR) – May 11, 2020	
<u>S.3682</u> <u>A bill to provide States, Tribal governments, and local governments with spending discretion for part of their Coronavirus Relief Fund payment</u>	To provide States, Tribal governments, and local governments with spending discretion for part of their Coronavirus Relief Fund payment.	Introduced by Sen. Mike Rounds (R-SD) – May 11, 2020	
<u>S.3685</u> <u>Emergency Rental Assistance and Rental Market Stabilization Act of 2020</u>	To provide emergency rental assistance under the Emergency Solutions Grants program of the Secretary of Housing and Urban Development in response to the public health emergency resulting from the coronavirus, and for other purposes.	Introduced by Sen. Sherrod Brown (D-OH) – May 12, 2020	
<u>H.R.6800</u> <u>The Heroes Act</u>	Making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.	Introduced by Rep. Nita Lowey (D-NY) – May 12, 2020 Placed on Senate Legislative Calendar – May 21, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.6820</u> <u>Emergency Rental Assistance and Rental Market Stabilization Act of 2020</u>	To provide emergency rental assistance under the Emergency Solutions Grants program of the Secretary of Housing and Urban Development in response to the public health emergency resulting from the coronavirus, and for other purposes.	Introduced by Rep. Denny Heck (D-WA) – May 12, 2020	
<u>S.3728</u> <u>Critical Infrastructure Employee Protection Act of 2020</u>	To require the Secretary of Transportation to support the efforts of State and local governments to provide for priority testing of essential critical infrastructure workers with respect to the Coronavirus Disease 2019 (COVID-19), and for other purposes.	Introduced by Sen. Roger Wicker (R-MS) – May 13, 2020	
<u>S.3767</u> <u>SMART Act</u>	To amend title VI of the Social Security Act to establish a Coronavirus Local Community Stabilization Fund.	Introduced by Sen. Steve Daines (R-MT) – May 19, 2020	
<u>H.R.6918</u> <u>Paycheck Recovery Act of 2020</u>	To direct the Secretary of the Treasury to establish a grant program for employers adversely affected by COVID-19, and for other purposes.	Introduced by Rep. Pramilla Jayapal (D-WA) – May 19, 2020	
H.R.6954 To amend title VI of the Social Security Act to establish a Coronavirus Local Community Stabilization Fund.	<i>Text is not yet available.</i>	Introduced by Rep. Mikie Sherrill (D-NJ) – May 19, 2020	

LEGISLATION	SUMMARY	STATUS	POSITION
<p>S.3830 A bill to amend title 31, United States Code, to authorize the issuance of United States Pandemic Bonds to aid in the funding of relief efforts related to coronavirus disease 2019 (COVID-19)</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced by Rep. Dan Sullivan (R-KS) – May 21, 2020</p>	
<p><u>S.3833</u> <u>Paycheck Protection Program Extension Act</u></p>	<p>To extend the loan forgiveness period for the paycheck protection program, and for other purposes.</p>	<p>Introduced by Sen. Marco Rubio (R-FL) – May 21, 2020</p> <p>Placed on Senate Legislative Calendar – June 1, 2020</p>	
<p><u>H.R. 6973</u> <u>PPE Act</u></p>	<p>To amend the paycheck protection program of the Small Business Administration to include costs related to the provision of personal protective equipment as an allowable use of a covered loan, and for other purposes.</p>	<p>Introduced by Rep. Abby Filkenauer (D-IA) – May 22, 2020</p>	
<p><u>H.R.6981</u> <u>PPP DEAL Act</u></p>	<p>To extend the covered period for loan forgiveness and the rehiring period under the CARES Act, and for other purposes.</p>	<p>Introduced by Rep. Connor Lamb (D-PA) - May 22, 2020</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p>H.R.7010 Paycheck Protection Program Flexibility Act of 2020</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced by Rep. Dean Phillips (D-MN) – May 26, 2020</p> <p>Became Public Law No: 116-142 – June 5, 2020</p>	
<p>H.R.7073 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.</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced by Rep. John Garamendi (D-CA) – June 1, 2020</p>	<p><i>Support</i></p>
<p>H.R.7090 To amend title VI of the Social Security Act to establish the Coronavirus County Relief Fund, and for other purposes.</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced Rep. Paul Cook (R-CA) – June 4 2020</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p>H.R.7094 To amend title VI of the Social Security Act to expand the permissible use of funds under the Coronavirus Relief Fund.</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced by Rep. Warren Davidson (R-OH) – June 4, 2020</p>	

July 6, 2020 JPA Board Meeting

TO: JPA Board of Directors

FROM: General Manager

Subject : Pure Water Project Las Virgenes-Triunfo: Summary of Institutional Issues

SUMMARY:

On May 27, 2020, the JPA Board held a Strategic Planning Workshop to discuss the institutional issues associated with the Pure Water Project Las Virgenes-Triunfo. The institutional issues were organized into three categories: financial, allocation and institutional/governance. At the meeting, staff described an approach to address each institutional issue and received feedback from the Board. Attached for approval in concept is a summary of the institutional issues, incorporating feedback received from the Board.

RECOMMENDATION(S):

Approve in concept the summary of institutional issues for the Pure Water Project Las Virgenes-Triunfo.

FISCAL IMPACT:

No

ITEM BUDGETED:

No

Prepared by: David W. Pedersen, Administering Agent/General Manager

ATTACHMENTS:

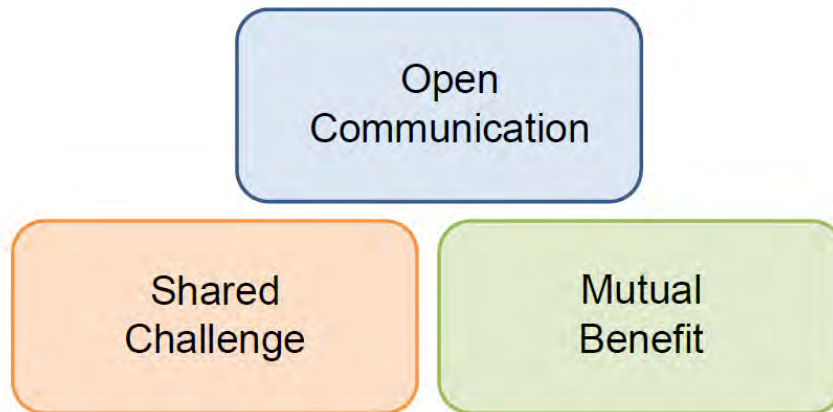
Summary of Institutional Issues



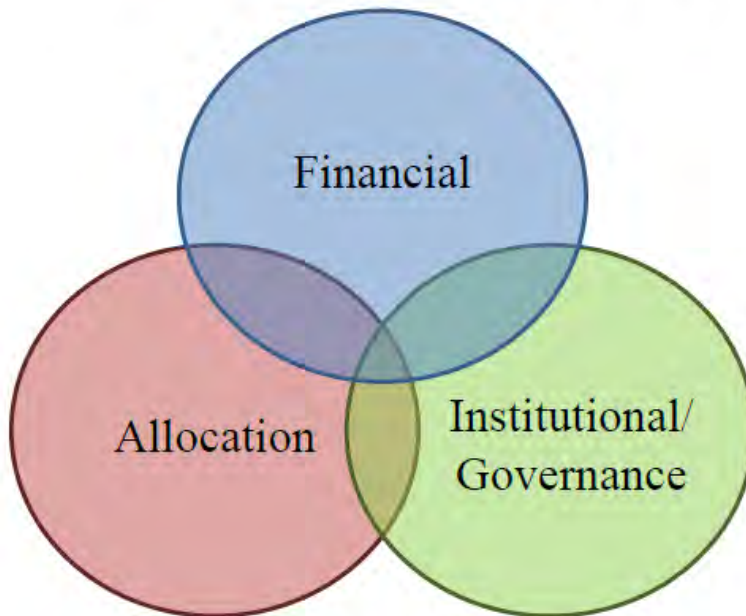
PURE WATER PROJECT LAS VIRGENES-TRIUNFO

Bringing Our Water Full Circle

SUMMARY OF INSTITUTIONAL ISSUES



Building Blocks for Collaboration



Categories of Institutional Issues



PURE WATER PROJECT LAS VIRGENES-TRIUNFO

Bringing Our Water Full Circle

Financial:

1. How will costs be shared for LVMWD-only facilities?

LVMWD will support Triunfo Water & Sanitation District (TWSD) to realize the benefits of the Pure Water Project Las Virgenes-Triunfo through the storage, treatment and delivery of water via certain LVMWD-only facilities. The actual costs to operate and maintain the necessary LVMWD-only facilities will be allocated to TWSD based on the proportional usage of those facilities for the benefit of TWSD. The use of LVMWD-only facilities will be subject to the availability of capacity, which may affect the timing of deliveries. No capacity right will be conferred to TWSD for use of LVMWD-only facilities and, therefore, no capital buy-in will be required. An allocation of cost for periodic repair and replacement may be recommended. The terms for the use of LVMWD-only facilities and allocation of costs will be agreed upon and memorialized in a license agreement between TWSD and LVMWD.

2. Will the JPA finance the project jointly or will each partner finance their share?

The JPA will endeavor to finance the project jointly to reduce the overall cost of debt issuance and increase the likelihood of obtaining low-interest loans from the Clean Water State Revolving Fund (CWSFR) Program and/or Water Infrastructure Finance and Innovation Act (WIFIA). However, either JPA partner may propose to independently finance all or part of its share of the cost if it deems such an approach to be favorable for any reason.

3. How will the capital costs for the project be shared by the JPA partners?

The capital costs will be allocated 70.6% to LVMWD and 29.4% to TWSD, matching the capacity rights in both the new and existing facilities. The allocation of capital costs is consistent with the terms of the current JPA Agreement.

4. How will operation and maintenance costs be shared by the JPA partners?

Actual operation and maintenance costs will be shared based on the actual amount of recycled water that is treated and delivered to Las Virgenes Reservoir for the benefit of each JPA partner. The allocation of operation and maintenance costs is consistent with the terms of the current JPA Agreement as it pertains to influent wastewater.



PURE WATER PROJECT LAS VIRGENES-TRIUNFO

Bringing Our Water Full Circle

5. Assuming potable water is used for flow augmentation (fish flows), how will the cost of the water be allocated?

The cost of potable water for flow augmentation to Malibu Creek will be allocated 70.6% to LVMWD and 29.4% to TWSD. The rate for the potable water used for this purpose will be as set by the LVMWD Board for “potable supplement” in its adopted budget. Alternatively, TWSD may opt to provide LVMWD with a portion of its advanced treated water supply from the Pure Water Project Las Virgenes-Triunfo in lieu of purchasing “potable supplement” from LVMWD for this purpose.

6. Once the AWT is operational, how will potable supplement be allocated between the partners?

Potable supplement will be allocated to the JPA partners in accordance with the current JPA Agreement, based on their proportional use of recycled water in excess of their influent wastewater flows.

Allocation:

1. How will the ownership of the water produced by the AWT be allocated between the JPA partners?

The water produced by the AWT will be allocated to the JPA partners based on their contributions of recycled water to the AWT.

2. How will the ownership of the “future” water produced by the AWT be allocated between the JPA partners?

Ownership of “future” water produced by the AWT will also be allocated to the JPA partners based on their contribution of recycled water to the AWT.

3. Once the AWT is operational, how will potable supplement be allocated between the partners?

See answer to Financial Question No 6.

4. If potable water is used for flow augmentation, how will the parties account for that usage?

See answer to Financial Question No. 5.



PURE WATER PROJECT LAS VIRGENES-TRIUNFO

Bringing Our Water Full Circle

5. How will the potential “bonus credit” under the new statewide water-use efficiency framework (SB 606/AB 1668) framework be allocated to the partners?

The “bonus credit” will be allocated to the JPA partners in accordance with criteria established by the SWRCB, which will likely be based on actual deliveries of advanced treated water supplies.

Institutional/Governance:

1. What will Calleguas’ role be in transferring water from the Las Virgenes system to Oak Park Water Service on behalf of Triunfo?

Calleguas will facilitate the delivery of water supply from LVMWD to Oak Park Water Service, on behalf of TWSD, via the proposed Calleguas-Las Virgenes Interconnection. LVMWD will support this effort by working with Calleguas to prepare a three-party agreement (Calleguas, LVMWD and TWSD).

2. What is the role of the JPA agreement in the Pure Water Project Las Virgenes-Triunfo?

The JPA Agreement will be foundational. A complimentary agreement or addendum will be need to address the specific terms of the Pure Water Project Las Virgenes-Triunfo. Also, one or more license agreements will be needed to address the terms of use for LVMWD-only facilities.

3. What will be the future policy for expansion of the recycled water system? Should this be a JPA or individual partner policy?

On September 5, 2015, the JPA Board approved Policy Principles for the Management of the JPA’s Recycled Water System. Although the Policy Principles provide a good framework for the management of the recycled water system, the JPA Board may want to consider a policy with additional clarity related to the circumstances that would warrant expansion of the JPA-owned portion of the recycled water system. The JPA Board may also want to recommend that the JPA partner agencies develop similar policies with respect to their individually-owned portions of the recycled water system.



PURE WATER PROJECT LAS VIRGENES-TRIUNFO

Bringing Our Water Full Circle

4. What might be the role of additional partners (i.e. City of Thousand Oaks)?

Additional partners for the Pure Water Project Las Virgenes-Triunfo such as the City of Thousand Oaks should be considered to the extent that they can derive benefits and offset the cost of the project for the JPA partners. The role of the City of Thousand Oaks would likely be related to sharing in the brine disposal option.

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July 6, 2020 JPA Board Meeting

TO: JPA Board of Directors

FROM: Facilities & Operations

Subject : Tapia NPDES Effluent Limit Exceedances: Settlement Offer No. R4-2020-0042

SUMMARY:

On June 18, 2020, staff received the attached Notice of Violation and Settlement Offer from the Los Angeles Regional Water Quality Control Board (RWQCB), alleging 25 effluent violations for six different parameters between June 2018 and January 2020. The alleged violations include 17 chronic violations for total coliform, three serious violations for cyanide, two chronic violations for nitrite + nitrate nitrogen, one chronic violation for total nitrogen, one chronic violation for nitrate and one serious violation for total residual chlorine. The alleged violations represent a very small fraction of the thousands of regulatory parameters that were determined to be in full compliance with standards during the 18-month period.

Violations are categorized by the RWQCB as “chronic” or “serious”. A “chronic” violation is defined as one that does not exceed the permitted limit by more than 20% for a Category 2 pollutant or 40% for a Category 1 pollutant. A permitted discharger is allowed three “chronic” violations without a penalty during a 180-day period. “Serious” violations are those that exceed the limits by more than the “chronic” percentages. All “serious” violations result in penalties. Tapia has not experienced any additional effluent violations since the January 2020 total coliform violations listed in the Notice of Violation. Staff reviewed the alleged violations and concurs that they were classified appropriately by the RWQCB. As a result, staff recommends acceptance of the settlement offer, in the amount of \$60,000.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to execute Settlement Offer No. R4-2020-0042, including payment of \$60,000 for 25 exceedances of NPDES effluent limitations for the Tapia Water Reclamation Facility.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

Sufficient funds are available in the adopted Fiscal Year 2020-21 JPA Budget for this purpose. The cost of the penalties is allocated 70.6% to LVMWD and 29.4% to Triunfo Water & Sanitation District.

DISCUSSION:

Background:

The Tapia Water Reclamation Facility is operated pursuant to a National Pollution Discharge Elimination System (NPDES) Permit issued by the Los Angeles Regional Water Quality Control Board (RWQCB), Order R4-2017-0124 or NPDES No. CA0056014. The NPDES permit establishes stringent regulatory standards and limitations for the discharge of final, treated effluent to various receiving water bodies. Occasionally, Tapia experiences minor exceedances of the effluent limitations that result in the application of Mandatory Minimum Penalties applied by the RWQCB. Unfortunately, the RWQCB does not have discretion to waive or reduce the penalties for these exceedances even when a rational explanation is available. Over the last five years, the average annual amount of the Mandatory Minimum Penalties for Tapia has been \$45,000. Staff is diligent to avoid regulatory exceedances and implement corrective measures whenever possible to prevent the recurrence of similar exceedances. Nevertheless, some exceedances cannot be reasonably prevented.

Total Coliform:

Total coliform are a group of bacteria that are ubiquitous, and generally, not harmful to humans. These bacteria are used as an indicator of other pathogens that may be harmful. Total coliform sampling results are reported as the MPN (most probable number) 7-day median. The daily MPN is calculated based on the number of incubated sample tubes that show the presence of coliform bacteria. The weekly average permit limit is a 7-day median value of 2.2. Coliform samples incubate for 48 hours before they are evaluated for results. If one of the tubes shows the presence of coliform bacteria, the test is extended for another 48 hours. If another tube indicates the presence of coliform bacteria after the second 48 hours, the test is extended for another 48 hours. The outcome is that the incubation can be extended for up to four days before the results are available. As a result, there could be an issue with the sufficiency of disinfection at Tapia without staff knowing for a minimum of 48 hours and a maximum of four days. Three coliform exceedance events occurred between December 2019 and March 2020. Once staff was made aware of the higher-than-normal coliform results, they addressed the problem by immediately suspending discharge and super-chlorinating the effluent until the MPN was reduced to a compliant level.

Cyanide:

Cyanide is a highly toxic compound consisting of carbon and nitrogen connected by a triple bond. It is formed during the disinfection process due to the presence of hydrocarbons and nitrates in a chlorine environment. Staff is working to reduce nitrate levels in the filter effluent to reduce the formation of cyanide.

Nitrate + Nitrite Nitrogen and Nitrate:

Nitrates and nitrites are oxidized remnants of ammonia from wastewater treatment. They are essential plant nutrients, but in excess amounts, they can cause eutrophication, which increases aquatic plant growth in a receiving water. Eutrophication affects dissolved oxygen, temperature and other indicators of ecosystem health. The natural level of ammonia or nitrate in surface water is typically low, less than 1 mg/L. There were two violations for nitrate + nitrite at Tapia in April and May 2019, and one for nitrate in May 2019. These violations coincide with the construction of the Tapia Process Air Improvements Project when half of the aeration basins were taken out of service, reducing the treatment capacity and effectiveness. Once the project was completed and the basins were placed back into service, full compliance was restored.

Total Nitrogen (Seasonal Average):

Total nitrogen consists of the sum of inorganic nitrogen (nitrate and nitrite), organic nitrogen and ammonia. There was one violation for the Seasonal Average Total Nitrogen Limit for the November 2018 to April 2019 winter season. The permit limit is 10.3 mg/l, and the actual result was 10.5 mg/l. This violation is also attributed to construction of the Tapia Process Air Improvements Project.

Total Residual Chlorine:

When discharging, Tapia has a maximum total residual chlorine limit of 0.1 mg/l. However, excursions of up to 0.3 mg/l are allowed, as long as they do not last more than 15 minutes. A total residual chlorine exceedance with a concentration of 0.6 mg/l lasted for 20 minutes in January 2019. This violation was caused by a failure of the maximum level set point for an alarm on the chlorine analyzer located at the effluent pump building. To address the failure, the chlorine analyzer was serviced, recalibrated, and the alarm set point was restored to the proper setting before placing it back into service.

Prepared by: Brett Dingman, Water Reclamation Manager

ATTACHMENTS:

Settlement Offer No. R4-2020-0042

Los Angeles Regional Water Quality Control Board

June 17, 2020

David R. Lippman, P.E.
Director of Facilities and Operations
Las Virgenes Municipal Water District
4232 Las Virgenes Road
Calabasas, CA 91302

SENT VIA EMAIL ONLY

SETTLEMENT OFFER NO. R4-2020-0042; OFFER TO PARTICIPATE IN THE EXPEDITED PAYMENT PROGRAM RELATING TO VIOLATIONS OF THE NPDES PERMIT FOR LAS VIRGENES MUNICIPAL WATER DISTRICT, TAPIA WATER RECLAMATION FACILITY, 731 MALIBU CANYON ROAD, CALABASAS, CALIFORNIA (ORDER NO. R4-2017-0124, NPDES PERMIT NO. CA0056014, CI NO. 4760)

Dear David R. Lippman:

This letter is to notify the Las Virgenes Municipal Water District (hereinafter "Permittee" or "you") of alleged violations of the California Water Code identified in the State Water Resources Control Board's water quality data system and to allow the Permittee to participate in the Los Angeles Regional Water Quality Control Board's (Regional Board) Expedited Payment Program for Effluent and/or Reporting Violations (Expedited Payment Program) to address mandatory minimum penalties that must be assessed pursuant to California Water Code sections 13385 and 13385.1.

NOTICE OF VIOLATION:

Based on information in the California Integrated Water Quality System (CIWQS) as of June 17, 2020, the Regional Board alleges that the Permittee has violated the effluent limitations, reporting violations, or California Water Code provisions identified in the Notice of Violation (NOV) attached as Exhibit "1". The Permittee will have the opportunity to address the alleged violations as discussed below.

STATUTORY LIABILITY:

Subdivisions (h) and (i) of California Water Code section 13385 require the assessment of a mandatory minimum penalty of three thousand dollars (\$3,000) for specified serious and chronic effluent limit and reporting violations. For the purposes of subdivision (h) of section 13385, failure to file a discharge monitoring report required pursuant to sections 13383 for each complete period of 30 days following the deadline for submitting the report constitutes a serious violation. The Permittee is also subject to discretionary administrative civil liabilities of up to ten thousand dollars (\$10,000) for each day in

IRMA MUÑOZ, CHAIR | RENEE PURDY, EXECUTIVE OFFICER

which the violation occurs, plus ten dollars (\$10) for each gallon discharged but not cleaned up in excess of 1,000 gallons. These mandatory minimum penalties and discretionary administrative civil liabilities may be assessed by the Regional Board beginning with the date that the violations first occurred.¹ The formal enforcement action that the Regional Board uses to assess such liability is an administrative civil liability complaint, although the Regional Board may instead refer such matters to the Attorney General's Office for prosecution. If referred to the Attorney General for prosecution, the Superior Court may assess up to twenty-five thousand dollars (\$25,000) per violation. In addition, the Superior Court may assess up to twenty-five dollars (\$25) per gallon discharged but not cleaned up in excess of 1,000 gallons.

OFFER TO PARTICIPATE IN EXPEDITED PAYMENT PROGRAM:

The Permittee can avoid the issuance of a formal enforcement action and settle the alleged violations identified in the attached NOV by participating in the Regional Board's Expedited Payment Program. Details of the proposed settlement are described below and addressed in the enclosed documents.

To promote the resolution of these violations, the Regional Board makes this Conditional Offer. The Permittee may accept this offer, waive the Permittee's right to a hearing, and pay the mandatory minimum penalty of \$60,000 for the violations described in the NOV. If the Permittee elects to do so, subject to the conditions below, the Regional Board will accept that payment in settlement of any enforcement action that would otherwise arise out of the violations identified in the NOV. Accordingly, the Regional Board will forego issuance of a formal administrative complaint, will not refer the violations to the Attorney General, and will waive its right to seek additional discretionary civil liabilities for the violations identified in the NOV.

The Expedited Payment Program does not address or resolve liability for any violation that is not specifically identified in the NOV regardless of the date that the violation occurred.

PERMITTEE'S OPTIONS FOR RESPONSE TO OFFER:

If you accept this offer, please complete and return the enclosed "Acceptance of Conditional Resolution and Waiver of Right to Hearing; (proposed) Order" (Acceptance and Waiver) on or before **July 17, 2020**.

¹ Please note that there are no statutes of limitation that apply to administrative proceedings to assess mandatory minimum penalties. See *City of Oakland v. Public Employees' Retirement System*, (2002) 95 Cal.App.4th 29, 48; 3 Witkin, Cal. Procedure (4th ed. 1996) Actions, §405(2), p. 510.) Additionally, the State Water Resources Control Board had determined that the equitable doctrine of laches does not apply to mandatory minimum penalties. (State Water Board Order Nos. 2013-0053, 2013-0054, 2013-0055, 2013-0099)

If the Permittee chooses to contest any of the violations alleged in the NOV, please identify the specific violation and the basis for the challenge (factual error, affirmative defense, etc.) on or before the due date specified above.

Responses contesting any of the violations alleged in the NOV shall be submitted as a pdf via email or CD to Andrew Choi, Andrew.choi@waterboards.ca.gov, (213) 576-6791, and submitted by you under penalty of perjury.

The Regional Board staff will evaluate the contested violation and take one of two actions:

- 1) The Regional Board staff will determine that the violation is not supported, expunge the alleged violation from the CIWQS database, take no further action against the Permittee for the alleged violation, and notify the Permittee of that determination. The Permittee will be given thirty (30) days from the date of receipt of the Regional Board staff determination to complete and return the Acceptance and Waiver for the remainder of the violations; or
- 2) The Regional Board staff will determine that the alleged violation is meritorious and will notify the Permittee of that determination. The Permittee will be given thirty (30) days from the date of the receipt of the Regional Board staff determination to complete and return the Acceptance and Waiver.

If the Permittee chooses not to make a payment in response to the Regional Board staff's determination, the Permittee should expect to be contacted regarding formal enforcement action that will be initiated with regard to the contested violations. In a formal enforcement action, the liability amount sought and/or imposed may exceed the liability amount set forth in this Conditional Offer. Moreover, the cost of enforcement is a factor that can be considered in assessing the liability amount.

CONDITIONS FOR REGIONAL BOARD ACCEPTANCE OF RESOLUTION:

Federal regulations require the Regional Board to publish and allow the public thirty (30) days to comment on any settlement of an enforcement action addressing NPDES permit violations (40 C.F.R. section 123.27(d)(2)(iii)). Upon receipt of the Permittee's Acceptance and Waiver, the Regional Board staff will publish a notice of the proposed resolution of the violations.

If no comments are received within the 30-day comment period, and unless there are new material facts that become available to the Regional Board, the Regional Board Executive Officer will execute the Acceptance and Waiver as a stipulated order assessing the uncontested mandatory minimum penalty amount pursuant to Water Code sections 13385 and 13385.1.

If, however, significant comments are received in opposition to the settlement, this offer may be withdrawn. In that case, the Permittee's waiver pursuant to the Acceptance and Waiver will also be treated as withdrawn. In that case, the violations will be addressed in

a liability assessment proceeding. At the liability assessment hearing the Permittee will be free to make arguments as to any of the alleged violations, and the Permittee's agreement to accept this conditional offer will not in any way be binding or used as evidence against the Permittee. The Permittee will be provided with further information on the liability assessment proceeding.

In the event the Acceptance and Waiver is executed by the Regional Board Executive Officer, full payment of the assessed amount shall be due within thirty (30) calendar days after the date the Acceptance and Waiver is executed. In accordance with California Water Code section 13385(n)(1) and California Water Code section 13385.1(c)(1), funds collected for violations of effluent limitations and reporting requirements pursuant to sections 13385 and 13385.1 shall be deposited in the State Water Pollution Cleanup and Abatement Account. Accordingly, the \$60,000 liability shall be paid by cashiers or certified check made out to the "State Water Pollution Cleanup and Abatement Account". Failure to pay the full penalty within the required time period may subject the Permittee to further liability.

Should you have questions about this Conditional Offer of Notice of Violation, please contact Enforcement Unit staff Andrew Choi at (213) 576-6791 / andrew.choi@waterboards.ca.gov or Ching-Yin To at (213) 620-6373 / ching-yin.to@waterboards.ca.gov regarding this matter.

Sincerely,

Hugh Marley
Assistant Executive Officer

Enclosures:

Exhibit "1" – Notice of Violation
Acceptance of Conditional Resolution and Waiver to Right of Hearing; (proposed)
Order

cc: (via email)
Kailyn Ellison, Office of Enforcement, State Water Resources Control Board

EXHIBIT "1" – NOTICE OF VIOLATION
Effluent Limit Violations

Violation Date	Outfall	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exc.	Serious/Chronic	Water Code Section 13385	Penalty
06/27/18	001	June 2018	Maximum Daily	Cyanide	11	8.9	µg/L	2	24%	Serious	(h)1	\$3,000
06/30/18	001	June 2018	Average Monthly	Cyanide	8.1	4.1	µg/L	2	98%	Serious	(h)1	\$3,000
01/22/19	001	January 2019	Maximum Daily	Total Residual Chlorine	0.6	0.1	mg/L	2	500%	Serious	(h)1	\$3,000
03/14/19	001	March 2019	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$0
03/15/19	001	March 2019	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$0
03/17/19	001	March 2019	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$3,000
03/18/19	001	March 2019	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$3,000
04/09/19	001	April 2019	Average Monthly	Nitrite + Nitrate	9	8	mg/L	1	13%	Chronic	(i)1	\$3,000
04/09/19	001	April 2019	Seasonal Average	Total Nitrogen	10.5	10.3	mg/L	1	2%	Chronic	(i)1	\$3,000
05/30/19	005	May 2019	Average Monthly	Cyanide	8.4	4.1	µg/L	2	105%	Serious	(h)1	\$3,000

Violation Date	Outfall	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exc.	Serious/Chronic	Water Code Section 13385	Penalty
05/30/19	005	May 2019	Average Monthly	Nitrate	10	8.0	mg/L	1	25%	Chronic	(i)1	\$3,000
05/30/19	005	May 2019	Average Monthly	Nitrite + Nitrate	10	8.0	mg/L	1	25%	Chronic	(i)1	\$3,000
12/12/19	001	December 2019	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$0
12/13/19	001	December 2019	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$0
12/14/19	001	December 2019	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$0
12/15/19	001	December 2019	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$3,000
12/16/19	001	December 2019	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$3,000
12/17/19	001	December 2019	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$3,000
12/18/19	001	December 2019	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$3,000
12/30/19	001	December 2019	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$3,000

Violation Date	Outfall	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exc.	Serious/Chronic	Water Code Section 13385	Penalty
12/31/19	001	December 2019	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$3,000
01/01/20	001	January 2020	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$3,000
01/02/20	001	January 2020	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$3,000
01/03/20	001	January 2020	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$3,000
01/04/20	001	January 2020	7-Day Median	Total Coliform	3.6	2.2	CFU / 100 mL	OEV	64%	Chronic	(i)1	\$3,000

Total: \$60,000

**ACCEPTANCE OF CONDITIONAL RESOLUTION
AND WAIVER OF RIGHT TO HEARING; (proposed) ORDER**

Las Virgenes Municipal Water District
Settlement Offer No. R4-2020-0042
NPDES Permit No. CA0056014

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the Los Angeles Regional Water Quality Control Board (Regional Board), the Las Virgenes Municipal Water District (Permittee) hereby accepts the "Offer to Participate in Expedited Payment Program" and waives the right to a hearing before the Regional Board to dispute the allegations of violations described in the Notice of Violation (NOV), which is attached hereto as Exhibit "1" and incorporated herein by reference.

The Permittee agrees that the NOV shall serve as a complaint pursuant to Article 2.5 of the California Water Code and that no separate complaint is required for the Regional Board to assert jurisdiction over the alleged violations through its Chief Prosecutor. The Permittee agrees to pay the penalties required by California Water Code section 13385 in the sum of \$60,000 (Expedited Payment Amount) which shall be deemed payment in full of any civil liability pursuant to California Water Code sections 13385 and 13385.1 that otherwise might be assessed for the violations described in the NOV. The Permittee understands that this Acceptance and Waiver waives its right to contest the allegations in the NOV and the amount of civil liability for such violations.

The Permittee understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the NOV.

Upon execution by the Permittee, the completed Acceptance and Waiver shall be returned to:

Andrew Choi, Enforcement I Unit
Expedited Payment Program
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013

The Permittee understands that federal regulations set forth by title 40, Code of Federal Regulations, section 123.27(d)(2)(iii) require the Regional Board to publish notice of and provide at least thirty (30) days for public comment on any proposed resolution of an enforcement action addressing NPDES permit violations. Accordingly, the Acceptance and Waiver, prior to execution by the Regional Board Executive Officer, will be published as required by law for public comment.

If no comments are received within the notice period that causes the Regional Board Executive Officer to question the Expedited Payment Amount, the Regional Board Executive Officer will execute the Acceptance and Waiver.

Settlement Offer No. R4-2020-0042
CI No. 4760, NPDES Permit No. CA0056014

The Permittee understands that if significant comments are received in opposition to the Expedited Payment Amount, the offer on behalf of the Regional Board to resolve the violations set forth in the NOV may be withdrawn. In that circumstance, the Permittee will be advised of the withdrawal and an administrative civil liability complaint may be issued and the matter may be set for a hearing before the Regional Board. For such a liability hearing, the Permittee understands that this Acceptance and Waiver executed by the Permittee will be treated as a settlement communication and will not be used as evidence in that hearing.

The Permittee further understands that once the Acceptance and Waiver is executed by the Regional Board Executive Officer, the full payment required by the deadline set forth below is a condition of this Acceptance and Waiver. In accordance with California Water Code sections 13385(n)(1) and 13385.1(c)(1), funds collected for violations of effluent limitations and reporting requirements pursuant to sections 13385 and 13385.1 shall be deposited in the State Water Pollution Cleanup and Abatement Account. Accordingly, the \$60,000 liability shall be paid by a cashiers or certified check made out to the "State Water Pollution Cleanup and Abatement Account". The payment must be submitted to the State Water Resources Control Board no later than thirty (30) calendar days after the date the Acceptance and Waiver is executed by the Regional Board Executive Officer.

Please mail the check to:

State Water Resources Control Board
ATTN: ACL PAYMENT
Division of Administrative Services, Accounting Branch
1001 I Street, 18th Floor, [95814]
P.O. Box 1888
Sacramento, California 95812-1888

I hereby affirm that I am duly authorized to act on behalf of and to bind the Permittee in the making and giving of this Acceptance and Waiver.

Las Virgenes Municipal Water District

By: _____
(Signed Name) (Date)

(Printed or Typed Name) (Title)

IT IS SO ORDERED PURSUANT TO CALIFORNIA WATER CODE SECTION 13385

By: _____
Renee Purdy (Date)
Executive Officer

July 6, 2020 JPA Board Meeting

TO: JPA Board of Directors

FROM: Facilities & Operations

Subject : Tapia Process Air Improvements Project: Approval of Maintenance Contract for Sulzer Blowers

SUMMARY:

On November 5, 2018, the JPA Board authorized the issuance of a purchase order to Sulzer Pump Solutions, Inc., in the amount of \$837,769.75, for the purchase of the high speed turbo blowers and related equipment as part of the Tapia Process Air Improvements Project. Sulzer also provided a competitive proposal for a multi-year maintenance program. During recent negotiations with Sulzer for the maintenance program, staff and Sulzer agreed to a five-year maintenance program, in the aggregate amount of \$25,704. The scope of work includes annual site visits by a manufacturer's certified service technician to perform any repairs, part replacements and maintenance services, including but not limited to, lubricant changes, bearing services and electrical component inspection, as well as any repairs as a result of operating the blowers under site conditions.

The Administrating Agent/General Manager proposes to issue a purchase order, in the amount of \$25,704, for the five-year maintenance contract for the Sulzer high speed turbo blowers.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

Sufficient funding for the maintenance contract is available in the adopted Fiscal Year 2020-2021 JPA Budget. The amount of the contract is within the Administrating Agent/General Manager's authority.

DISCUSSION:

Since the completion of the Tapia Process Air Improvements Project, staff has measured the

performance of new high speed blowers and determined that the project is performing better than expected. As a result, the simple payback period for the project has been reduced to 5.7 years, and the SCE energy efficiency incentive rebate has also increased, from \$137,719.00 to \$173,620.94. The project will produce a cost-savings of approximately \$2.5 million over its design life of 20 years.

Since the Sulzer blowers are very specialized equipment, staff negotiated with Sulzer for a maintenance program based on its maintenance proposal submitted at the time of bidding.

The goal of a multi-year maintenance program is to protect the investment in the specialized equipment, while controlling the cost of the maintenance program.

During contract negotiations, both sides expressed potential concern with a maintenance program exceeding a 5-year term. Although Sulzer blowers have been in continuous operation over decades across a wide range of industries, Sulzer expressed a concern with unknown future operating and site conditions at Tapia that would be beyond their control. Similarly, staff is concerned with the premium quoted by Sulzer to address their uncertainty associated with the potentially unknown future conditions. Staff and Sulzer ultimately agreed on a five-year maintenance program in the total, aggregate amount of \$25,704. During the five-year term, staff plans to learn from the certified manufacturer technicians and develop its own talent.

After the five-year maintenance period, staff will have the option to perform the work in-house or negotiate an extension of the contract.

Prepared by: Jim Korkosz, Facilities Manager

ATTACHMENTS:

Sulzer Maintenance Contract

HST Service Agreement

Tapia WRF, Las Virgenes MWD
Calabasas, CA

Sulzer Pumps Solutions, Inc., upon having received payment in advance subject to the terms of this contract, agrees to render to the Tapia WRF, a five-year service and maintenance agreement for three (3) HST40-U400-1-L-48 aeration blowers as provided to them on their 2019 Process Air Upgrades project. The service and maintenance agreement will be according to the terms listed below:

Service and Maintenance:

- 1) A Sulzer First Responder Technician will visit the site once per year, starting one year from startup, and will perform a visual inspection of the HST blowers and download the fault logs from the blowers VFD's and Magnetic Bearing Controllers. The logs will be forwarded to our Senior Technical Staff where they will be assessed for proper equipment operation and settings.
 - a) Should an adjustment that is critical to the process be required a Senior Technician will conduct a site visit as soon as possible.

- 2) In the event of a blower failure requiring a system adjustment or repair, a Senior Sulzer Technician will conduct a site visit as soon as practical.

- 3) On the final year of the service and maintenance agreement, a Senior Sulzer Technician will conduct the annual site visit. The technician will:
 - a) Download the fault history from the Magnetic Bearing Controller and VFD and analyze the faults. If necessary, the technician will make adjustments to minimize recurrence of faults.
 - b) Perform a Clearance Check on the MBC and adjust tolerances if necessary.
 - c) Analyze battery backup status.
 - d) Record blower operating times to provide recommendation on possible preventative maintenance on cooling fans in MBC and VFD.
 - e) Perform procedure to verify proper operation of the Blow Off Valve assembly.
 - f) Perform procedure to verify proper operation of the Back Flow Barrier (check valve) if supplied.
 - g) Inspect internal motor cooling air ducts.
 - h) Check and re-tighten all terminals in control enclosure
 - i) Clean out all enclosures with a shop vacuum if necessary.

- j) Check that inlet and outlet piping gaskets are in good condition and that no leaks are present.
- k) Update the VFD System Program, Option Card Program and Application Program to the latest available versions.
- l) Update the MBC Software to the latest available version.
- m) Save parameters and settings of VFD and MBC to computer for record purposes.
- n) Check the pressure card calibration.
- o) Check attenuated insulation is properly attached and not causing any blockage to cooling air flows. Secure attenuated insulation if necessary.
- p) Upon completion of the above inspections and maintenance, Sulzer will provide the owner with a report outlining all findings, along with any recommendations for any parts needed or any further work required.

Replacement Parts, Components, Consumables and General Warranty:

- 1) The following parts and components will be provided as necessary to ensure all blowers are functioning properly during the term of the agreement:
 - a. Back Up Batteries
 - b. VFD and MBC Cooling Fans
 - c. PT 100 Temperature Sensors
 - d. Safety Roller Bearings
- 2) Air Filters are considered “consumable” products and should be purchased and inventoried by the district. Three sets of filters for each blower were provided with the capital project. This is typically sufficient for three years of operation in most environments. Additional filters can be purchased from your local filter supply house or from Sulzer Pump Solutions, Inc. The HST Installation and Operation Manual will provide the type and size filters required.
- 3) Our standard two-year warranty applies to material or workmanship failures of any component provided by Sulzer. In addition, Sulzer is offering a full five-year warranty on the HST “high-speed unit”, consisting of the blower motor and bearing assembly. A failure of the high speed unit during any normal and expected operation of the aeration system will be covered under the Sulzer terms of warranty. This includes potential surge events. See Warranty as included with our final manual submittal.
- 4) Any failure due to improper operation or mishandling of the Sulzer provided equipment is not covered by this service agreement.

Net Price for five-year service agreement as described: \$25,704.00 USD

Notes:

- Sulzer Standard Terms and Conditions of Sale apply.
- Batteries and filters are to be replaced as needed by the district as they are under 15 minutes each for labor time. As noted, batteries are provided by Sulzer and filters are provided by the district after their current stock is depleted.
- Las Virgenes WRD can apply for renewal in additional five-year segments. Sulzer reserves the right to review and adjust service and pricing prior to acceptance or to not accept renewal.