

**LAS VIRGENES TRIUNFO JOINT POWERS AUTHORITY**  
Las Virgenes Municipal Water District Board Room, 4232 Las Virgenes Road,  
Calabasas, CA 91302

**AGENDA**  
**REGULAR MEETING**  
**TUESDAY, SEPTEMBER 6, 2022 – 5:00 PM**

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

Pursuant to AB-361 (Government Code Section 54953(e)), the Las Virgenes - Triunfo Joint Powers Authority Board of Directors finds health concerns dictate offer the public and directors the opportunity to attend board meetings via teleconferencing.

**PUBLIC PARTICIPATION:** Pursuant to AB-361 and given the current health concerns, this meeting is being conducted via Zoom Webinar and all attendees are muted by default. To join via computer, please use the following Webinar ID:

Webinar ID: <https://us06web.zoom.us/j/83510422493>

To join by telephone, please dial (669) 900-6833 or (346) 248-7799 and enter Webinar ID: 83510422493

For members of the public wishing to address the Board during Public Comment or during a specific agenda item, please press "Raise Hand" if you are joining via computer, or press \*9 if you are joining via phone.

Members of the public can also access and request to speak at meetings live on-line, with audio and limited video, at [www.lvmwd.com/livestream](http://www.lvmwd.com/livestream). To ensure distribution of the agenda, please submit comments 24 hours prior to the day of the meeting. Those comments, as well as any comments received during the meeting, 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 Assistance/Clerk of the Board, at (818) 251-2123 or [jguzman@lvmwd.com](mailto: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 the implementation thereof. Any person who requires a disability-related 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](mailto:jguzman@lvmwd.com) no later than 9:00 AM on the day before the scheduled meeting.

Members of the public wishing to address the 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. A live webcast of the meeting will be available at LVMWD.com. Also, a web-based version of the speaker card is available for those who would like to submit written comments electronically or request to make public comment by telephone during the meeting.

**PLEDGE OF ALLEGIANCE**

1. **CALL TO ORDER AND ROLL CALL**

2. **APPROVAL OF AGENDA AND ADOPTION OF RESOLUTION NO. 19 (AB 361)**

2.A **Approval of Agenda and Reauthorization of Revised Use of Teleconferencing for Public Meetings (Pg. 4)**

Approve the agenda and pass, approve, and adopt proposed Resolution No. 19, reauthorizing the revised use of teleconferencing for public meetings pursuant to the Brown Act provisions enacted by Assembly Bill 361.

**RESOLUTION NO. 19**

**A RESOLUTION OF THE GOVERNING BOARD OF THE LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY REAUTHORIZING THE REVISED USE OF TELECONFERENCING FOR PUBLIC MEETINGS**

(Reference is hereby made to Resolution No. 19 on file in the JPA's Resolution Book and by this reference the same is incorporated herein.)

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.*

4.A **Minutes: Regular Meeting of July 5, 2022 (Pg. 10)**

Approve.

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

5.A **State and Federal Legislative Update (Pg. 17)**

5.B **Pure Water Project Las Virgenes-Triunfo: Update (Pg. 112)**

6. **ACTION ITEMS**

6.A **Tapia Water Reclamation Facility 003 Outfall Rehabilitation Project: Environmental Permitting Support (Pg. 116)**

Authorize the Administering Agent/General Manager to approve a contract amendment with Rincon Consultants, Inc., in the amount of \$9,890, to provide additional environmental permitting support for the Tapia Water Reclamation Facility 003 Outfall Rehabilitation Project.

6.B **Rancho Las Virgenes Compositing Facility: Replacement of Existing Agitators and Dollies (Pg. 122)**

Authorize the Administering Agent/General Manager to execute an agreement with BDP Industries, Inc., in the amount of \$1,254,000, plus tax and unloading costs, for replacement of two existing agitators and dollies at the Rancho Las Virgenes Compositing Facility.

7. **BOARD COMMENTS**

8. **ADMINISTERING AGENT/GENERAL MANAGER REPORT**

9. **FUTURE AGENDA ITEMS**

10. **INFORMATION ITEMS**

10.A **Tapia WRF Summer Season TMDL Compliance and Meter Replacement Project: Construction Change Order No. 4 (Pg. 129)**

10.B **Pure Water Project Las Virgenes-Triunfo: Award of USBR Title XVI Water Reclamation and Reuse Program Grant (Pg. 157)**

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. **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.*

**DATE:** September 6, 2022  
**TO:** JPA Board of Directors  
**FROM:** General Manager

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**SUBJECT: Approval of Agenda and Reauthorization of Revised Use of Teleconferencing for Public Meetings**

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**SUMMARY:**

On September 16, 2021, Governor Gavin Newsom signed Assembly Bill (AB) 361 to temporarily exempt certain requirements of the Brown Act and change the requirements for public meetings held by teleconference under certain circumstances. Staff recommends that the Board adopt proposed Resolution No. 19 to reauthorize implementation of the provisions of AB 361 given the on-going health concerns associated with the COVID-19 pandemic. If approved, the Board is required to reconsider and renew the action every 30 days.

**RECOMMENDATION(S):**

Approve the agenda and pass, approve, and adopt proposed Resolution No. 19, reauthorizing the revised use of teleconferencing for public meetings pursuant to the Brown Act provisions enacted by Assembly Bill 361.

**RESOLUTION NO. 19**

**A RESOLUTION OF THE GOVERNING BOARD OF THE LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY REAUTHORIZING THE REVISED USE OF TELECONFERENCING FOR PUBLIC MEETINGS**

(Reference is hereby made to Resolution No. 19 on file in the JPA's Resolution Book and by this reference the same is incorporated herein.)

**DISCUSSION:**

Background:

The Brown Act secures public access to the meetings of public commissions, boards, councils and agencies in the state. It also affirms that the people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.

Under the Brown Act, all meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any such meeting. The Brown Act, as it presently exists, provides the following requirements for use of teleconferencing in connection with a meeting of a legislative body:

- Teleconferencing, as authorized, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by roll call.
- If the legislative body elects to use teleconferencing, it must post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of the local agency.
- Each teleconferencing location shall be identified in the posted agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public.
- During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercised jurisdiction.
- The agenda shall provide an opportunity for members of the public to address the legislative body directly, as the Brown Act requires for in-person meetings, at each teleconference location.
- For purposes of these requirements, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

#### Executive Order N-29-20 and Assembly Bill 361:

In March 2020, Governor Gavin Newsom issued Executive Order N-29-20, which waived Brown Act requirements found in Government Code §54953(b)(3) for teleconference participation in public meetings. In particular, the Executive Order waived the following:

- The requirement that state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- The requirement that each teleconference location be accessible to the public;
- The requirement that members of the public may address the body at each teleconference location;
- The requirement that state and local bodies post agendas at all teleconference locations; and
- The requirement that, during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction.

Executive Order N-29-20 expired on October 1, 2021. In light of the expiration date, a recent bill, AB 361, was approved by the California Legislature and signed by the Governor to extend the provisions of Executive Order N-29-20, subject to certain conditions to be met by the local legislative body seeking to utilize the exemptions. AB 361 also imposes certain new requirements as detailed below.

#### Analysis of Assembly Bill 361:

AB 361 exempts local legislative bodies from certain Brown Act requirements currently

governing teleconferencing. These exemptions may be used only in one of the following circumstances:

- The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing. The legislative body holds a meeting during a proclaimed state of emergency for purposes of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.
- The legislative body holds a meeting during a proclaimed state of emergency and has determined by majority vote pursuant to b) above that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

The JPA is currently subject to a Health Officer Order issued by Los Angeles County Department of Public Health on August 23, 2021. The Order eliminated physical distancing requirements except during major outbreaks. Accordingly, to avail itself of the teleconferencing exemptions provided by AB 361, the JPA must determine that the state of emergency continues to present imminent risk to the health or safety of attendees at public meetings.

Further, AB 361 requires that the Board reconsider the state of emergency and renew its determination every 30 days after commencing use of its exemptions. However, if during the 30-day period, the Board wishes to meet in person, it may choose to do so despite adoption of the proposed Resolution. The intent of the Resolution is merely to allow the Board to avail itself of the AB 361 teleconferencing provisions.

Finally, in addition to allowing for the above exemptions, AB 361 adds the following requirements:

- The legislative body must give notice of the meeting and post agendas as otherwise required by the Brown Act.
- The legislative body must allow members of the public to access the meeting, and the agenda must provide an opportunity for members of the public to address the legislative body directly pursuant to Brown Act requirements. In each instance where notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body must also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda must identify and include an opportunity for all persons to attend via call-in option or an internet-based service option. The legislative body need not provide a physical location from which the public may attend or comment.
- The legislative body must conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body.
- In the event of a disruption that prevents the public agency from broadcasting the meeting to members of the public using the call-in or internet-based service options, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in or internet-based service options, the legislative body must take no further action on items appearing on the meeting agenda until public access to the meeting is restored. Actions taken on agenda items during a disruption preventing the broadcast of the meeting may be challenged as provided in the Brown Act.
- The legislative body may not require public comments to be submitted in advance of the

meeting, and it must provide an opportunity for the public to address the legislative body and offer comment in real time.

- The legislative body may use an online third-party system for individuals to provide public comment that requires an individual to register with the system prior to providing comment.
- If a legislative body provides a timed public comment period, it may not close the comment period or the time to register to provide comment until the timed period has elapsed. If the legislative body does not provide a time-limited comment period, it must allow a reasonable time for the public to comment on each agenda item.

Prepared by: Josie Guzman, Executive Assistant/Clerk of the Board

**ATTACHMENTS:**

[JPA Resolution No. 19 - Reauthorizing Revised Use of Teleconferencing.pdf](#)

## **RESOLUTION NO. 19**

### **A RESOLUTION OF THE GOVERNING BOARD OF THE LAS VIRGENES – TRIUNFO JOINT POWERS AUTHORITY REAUTHORIZING THE REVISED USE OF TELECONFERENCING FOR PUBLIC MEETINGS**

**BE IT RESOLVED BY THE GOVERNING BOARD OF THE LAS VIRGENES – TRIUNFO  
JOINT POWERS AUTHORITY** as follows:

**WHEREAS**, the Governor of the State of California (“Governor”) proclaimed a State of Emergency to exist as a result of the threat of COVID-19. (Governor’s Proclamation of a State of Emergency (Mar. 4, 2020).)

**WHEREAS**, the Governor’s Exec. Order No. N-25-20 (Mar. 12, 2020); Governor’s Exec. Order No. N-29-20 (Mar. 17, 2020); and Governor’s Exec. Order No. N-08-21 (Jun. 11, 2021) provided that local legislative bodies may hold public meetings via teleconferencing and make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body and waived the Brown Act provisions found in Govt. Code section 54953(b)(3) which require the physical presence of the members, the clerk, or other personnel of the body, or the public, as a condition of participation in, or quorum for, a public meeting, including:

- a) The requirement that state and local bodies notice each teleconference location from which a member will be participating in a public meeting.
- b) The requirement that each teleconference location be accessible to the public.
- c) The requirement that members of the public may address the body at each teleconference location.
- d) The requirement that state and local bodies post agendas at all teleconference locations.
- e) The requirement that, during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction.

**WHEREAS**, the provisions of Governor’s Exec. Order No. N-25-20 (Mar. 12, 2020); Governor’s Exec. Order No. N-29-20 (Mar. 17, 2020); and Governor’s Exec. Order No. N-08-21 (Jun. 11, 2021) expired on September 30, 2021;

**WHEREAS**, the Center for Disease Control is currently contending with the Delta Variant of the COVID-19 virus and anticipates the development of potential other strains which may further impede public agency operations and prolong the need for social distancing requirements;

**AND WHEREAS**, recent legislation (A.B. 361) authorizes a local legislative body to use teleconferencing for a public meeting without complying with the Brown Act’s teleconferencing quorum, meeting notice, and agenda requirements set forth in Government Code section 54953(b)(3), in any of the following circumstances:

- a) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.



- b) The legislative body holds a meeting during a proclaimed state of emergency for purposes of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.
- c) The legislative body holds a meeting during a proclaimed state of emergency and has determined by majority vote pursuant to b) above that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the Las Virgenes – Triunfo Joint Powers Authority as follows:

Section 1. Incorporation of Recitals. All of the foregoing Recitals are true and correct and the Board so finds and determines. The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

Section 2. Adoption of AB-361. The Board has determined by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Section 3. Continued Implementation of AB-361. If the state of emergency remains active, or state or local officials have imposed measures to promote social distancing, the Governing Board of the Las Virgenes – Triunfo Joint Powers Authority shall, in order to continue meeting subject to this exemption to the Brown Act, no later than 30 days after it commences using the exemption, and every 30 days thereafter, make the following findings by majority vote:

- a) The legislative body has reconsidered the circumstances of the state of emergency; *and*
- b) Either (1) the state of emergency continues to directly impact the ability of the members to meet safely in person; or (2) state or local officials continue to impose or recommend measures to promote social distancing.

**PASSED, APPROVED AND ADOPTED** this 6th day of September, 2022.

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Jay Lewitt, Chair

ATTEST:

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Leon E. Shapiro, Vice Chair

APPROVED AS TO FORM:

\_\_\_\_\_  
W. Keith Lemieux, Agency Counsel

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

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5:00 PM

July 5, 2022

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Susan Brown.

**1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at **5:00 p.m.** by Chair Lewitt 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 Assembly Bill 361, which suspended certain requirements of the Ralph M. Brown Act to support social distancing guidelines associated with response to the coronavirus (COVID-19) outbreak. Susan Brown, Administrative Assistant, conducted the roll call.

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

Absent: None

**2. APPROVAL OF AGENDA AND APPROVAL OF FINDINGS OF RESOLUTION NO. 18 (AB 361)**

Director Shapiro moved to approve the agenda and approve the findings of Resolution No. 18 (AB 361). Motion seconded by Director Polan. Motion carried unanimously by roll call vote.

**3. PUBLIC COMMENTS**

None.

**4. CONSENT CALENDAR**

Director Polan pulled Item 4B for discussion.

**A Minutes: Special Meeting of June 13, 2022: Approve**

**C Hach WIMS Software Training, Maintenance and Support: Approval**

**Authorize the Administering Agent/General Manager to execute a contract with Data Clarifier Solutions, in the amount of \$44,900, for additional WIMS training and programming support, including an option to extend support services annually at a 3% rate increase.**

Director Caspary moved to approve Consent Calendar Items 4A and 4C. Motion seconded by Director Lo-Hill. Motion carried unanimously by roll call vote.

**4. CONSENT CALENDAR – SEPARATE ACTION ITEM**

**B Statement of Revenues, Expenses, and Changes in Net Position: May 2022**

**Receive and file the Statement of Revenues, Expenses, and Changes in Net Position for the period ending May 31, 2022.**

Don Patterson, Director of Finance and Administration, responded to a question regarding operating income (loss) before billing to participants for approximately \$4 million by stating that this item was based on operating income and capital projects, and the difference was due to the indifference payment received from Southern California Edison (SCE), which reduced the billing to participants.

Brian Richie, Finance Manager, noted that \$2.8 million was received in revenue from SCE, which showed as a decrease in the net operating income versus the prior year. He also noted that there was \$1 million in reduced revenues shown in the general administration section due to vacancies in the Finance Department.

John Zhao, Director of Facilities and Operations, stated that staff conducted an analysis to confirm the \$2.8 million indifference payment from SCE.

Director Orkney stepped away from the teleconference at 5:07 p.m.

Director Caspary moved to approve Consent Calendar Item 4A and 4C. Motion seconded by Director Nye. Motion carried by the following roll call vote:

AYES: Caspary, Lewitt, Lo-Hill, Nye, Polan, Renger, Shapiro, Tjulander, Wall

NOES:

ABSTAIN:

ABSENT: Orkney

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

## **A State and Federal Legislative Update**

Ana Schwab, federal lobbyist for the JPA with Best Best & Krieger LLP (BBK), provided the Federal Legislative Update and reported that it was anticipated that the House of Representatives would consider appropriations before the end of the month. She noted that the Senate had not begun its formal committee hearings process, and it was anticipated that the federal government would pass a continuing resolution to make appropriations through December.

Director Orkney returned to the teleconference at 5:10 p.m.

Lowry Crook, federal lobbyist for the JPA with BBK, noted that the Senate was waiting on the reconciliation package negotiations among Senators Chuck Schumer and Joe Manchin and the Administration.

Ms. Schwab also reported that the U. S. Supreme Court had made a decision regarding *West Virginia v. Environmental Protection Agency (EPA)* regarding the Clean Power Plan rule, which addressed carbon dioxide emissions from existing coal- and natural-gas-fired power plants. She stated that it appeared the court would continue to challenge agencies' statutory interpretation.

Mr. Crook responded to a question regarding whether *West Virginia v. EPA* would affect the Pure Water Project Las Virgenes-Triunfo (Pure Water Project) by stating that the ruling focused on EPA regulation and power plants under climate change.

Ms. Schwab responded to a question regarding whether H.R. 4609, Septic Upgrade Grant Program, could benefit the Pure Water Project by stating that this program was directed towards onsite wastewater treatment plants, specifically septic to sewer projects. She noted that there were opportunities to pursue other septic to sewer funding programs. She also responded to a question regarding whether the Pure Water Project could qualify for funding under S. 2334, Large Scale Water Recycled Project and Drought Resiliency Investment Act, by stating that this funding source would be for projects over \$500 million. Administering Agent/General Manager David Pedersen noted there was a companion bill for projects under \$500 million under H.R. 4099, Large-Scale Water Recycling Project investment Act.

Syrus Devers, state lobbyist for the JPA with BBK, provided the State Legislative Update and noted that a budget trailer bill was expected in August. He also provided an update regarding SB 1157 (Hertzberg), which proposes to lower the existing indoor gallons per capita daily (GPCD) water use efficiency standard. He noted that the bill was in print as amended, and included a requirement for an indoor water use efficiency study.

## **B Pure Water Project Las Virgenes-Triunfo: Update**

Oliver Slosser, Engineering Program Manager, presented the report. He responded to a question regarding the market sounding process for potential progressive design build teams by stating that the feedback received would help support the procurement process. Eric Schlageter, Principal Engineer, added that a two-way dialog between the design build team and staff would be beneficial in developing the contract documents.

### **C Update on Project Financing Environment by Greg Swartz, Piper Sandler**

Don Patterson, Director of Finance and Administration, provided introductory remarks regarding the financing for the Pure Water Project Las Virgenes-Triunfo (Pure Water Project). He noted that staff was currently reviewing the Water Infrastructure Finance and Innovation Act (WIFIA) funding application process.

Greg Swartz and Halina De La Rosa from Piper Sandler provided a PowerPoint presentation with an overview of Piper Sandler and market overview and trends, including federal fund rates, taxable versus tax-exempt rates, and "A," "AA," and "AAA" tax exempt rates.

Mr. Swartz responded to questions regarding "A," "AA," and "AAA" tax exempt rates and corresponding interest rates. He stated that he believed the JPA would do very well as a "AA" borrower since the JPA had very little borrowing history, the JPA would be constructing a pure water project, the structure of the JPA Board and management, and each JPA partner's rate setting history.

Ms. De La Rosa continued the presentation and reviewed tax exempt historical rates over the past 40 years.

Mr. Swartz reviewed National Utility Trends for diversifying funding sources, friction between regional providers and users, enhancing legal structures, green bonds, utility sales/acquisitions, and ratings/disclosure.

Ms. De La Rosa reviewed the accelerated financing and rate sensitivity analysis for two scenarios for a \$100 million project fund with a 20-year amortization and net effective interest rate.

Mr. Swartz responded to a question regarding advanced funding by stating that letters of interest for WIFIA funding for Fiscal Year 2022 could be submitted on an ongoing basis beginning September 6th. He also responded to a question regarding analyzing the JPA partners together or individually by stating that Piper Sandler would present the JPA as individual obligors.

Mr. Patterson responded to a question regarding the timeframe for the JPA Board to make financing decisions by stating that the only near-term decision point would be deciding when to apply for WIFIA funding.

**6. ACTION ITEMS**

**A Tapia Water Reclamation Facility Flood Protection Evaluation: Award**

**Authorize the Administering Agent/General Manager to execute a professional services agreement with Stetson Engineers, Inc., in the amount of \$105,100, to perform a flood protection evaluation for the Tapia Water Reclamation Facility.**

Alex Leu, Senior Engineer, presented the report.

Director Caspary moved to approve Item 6A. Motion seconded by Director Nye.

Mr. Leu responded to a question regarding defining a Capital Flood 50-year storm over a saturated watershed. He also responded to a question regarding the proposal received from Stetson Engineers, which would include an HEC-RAS 2D model and potential flood risk analysis.

Motion carried unanimously by roll call vote.

**7. BOARD COMMENTS**

Director Orkney inquired regarding the status of recycled water production and sales and the flow in Malibu Creek. Administrative Agent/General Manager David Pedersen responded that the flow in Malibu Creek measured 11 cubic feet per second (CFS). John Zhao, Director of Facilities and Operations, added that there were no significant changes to recycled water production, and the recycled water system was not currently being supplemented with potable water. He stated that staff was reaching out to heavy recycled water users to request that they cut back recycled water use by 25 percent in order to balance the recycled water system and avoid potable water supplement.

**8. ADMINISTERING AGENT/GENERAL MANAGER REPORT**

Administering Agent/General Manager David Pedersen reported that over 100 customers picked up free recycled water from the Recycled Water Fill Station on July 1st. He noted that Spectrum News would broadcast a news story regarding compost and recycled water.

**9. FUTURE AGENDA ITEMS**

None.

**10. PUBLIC COMMENTS**

None.

11. **ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:27 p.m.**

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Jay Lewitt, Chair

ATTEST:

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Leon E. Shapiro, Vice Chair





**To:** Las Virgenes-Triunfo JPA Board of Directors and Staff  
**From:** John Freshman, Ana Schwab, Lowry Crook, and Samantha Sabol  
**Date:** August 29, 2022  
**RE:** Federal Report

### **Budget Reconciliation Passes, The Appropriations Process Continues**

The month of August began with a productive start for Congress and the Administration. After a year of intense negotiations, budget reconciliation passed the Senate during a long, weekend vote-a-rama on August 7th, 2022. Initially known as the Build Back Better plan, the Senate agreed to the the Inflation Reduction Act, the bill passed on a party line vote, with Vice President Kamala Harris casting the tie-breaking vote. This is seen as a huge success for Democrats who showed they were able to pass landmark legislation to fund many projects, and pave a way for appropriations to pass this fall. Paired down considerably from the Build Back Better Plan, the Inflation Reduction Act totaled \$750 . It includes many notable provisions and funding investments, including a historical \$370 billion federal financial investment towards climate change and clean energy solutions.

Senators from the Western United States were able to include \$4 billion dollars in funding toward the Bureau of Reclamation for drought resiliency along the Colorado River. This provision was formally introduced by Senators Kelly (D-AZ), Cortez Masto (D-NV) and Bennet (D-CO). This funding would make grants and financial assistance agreements for initiatives that reduce diversion of water or consumptive water use, water conservation projects in the Upper or Lower Basin of the Colorado River, or ecosystem restoration projects. The Bureau of Reclamation is expected to engage stakeholders on the next steps of this funding.

Other significant items in this bill address various programs to address climate change and will allow Medicare to negotiate prescription drug prices, extend Obamacare subsidies, and implement an excise tax on stock buybacks.

The House reconvened for one day on August 12th, 2022, to vote on the measure, and it passed along party lines. On August 16th, President Biden signed the bill into law.

Both the House and the Senate are still working to pass the remainder of the federal budget before the September 30th deadline, when government funding is set to run out. On July 20th, the House passed H.R.8294, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, a six-bill appropriations package with over \$400 billion in appropriations for Agriculture-FDA, Energy and Water Development, Financial Services-General Government, Interior-Environment, Military Construction-Veterans Affairs, and Transportation-HUD bills. It is expected that Congress will need additional time to pass all FY2023 appropriation bills, in order to facilitate this, Congress will pass a Continuing Resolution.



Additionally, the FY23 National Defense Authorization Act (NDAA) was passed in the House. This NDAA aims to address competition with China and protect against cybersecurity threats, while strengthening our relationships with NATO allies and continuing to provide support for Ukraine. The House-passed version of the FY23 NDAA includes \$802.4 billion in discretionary spending for the Department of Defense, and \$11 billion for other agencies. Two amendments addressing PFAS were included in the bill, including Rep. Chris Pappas' amendment which would direct the Environmental Protection Agency (EPA) to publish water criteria and establish effluent limitation guidelines for specific industrial sources, and Rep. Andy Levin's amendment which would direct the Department of Defense (DOD) to report to Congress on its progress of implementing PFAS destruction technologies.

### **Water Resources Development Act (WRDA) Ready to be Signed Into Law**

July 28th, 2022, the Senate passed H.R.7776, the Water Resources Development Act of 2022. This bill passed the House in June, and is now set to be signed into law.

#### **Background:**

The Water Resources Development Act is passed every two years and reauthorized the Army Corps of Engineers for flood control, navigation, ecosystem restoration, water resource development, and water supply and wastewater infrastructure. It also deauthorizes any projects that are not currently in use, or have become inactive.

This year's WRDA was particularly unique, as it includes stronger and more specific provisions to incorporate green technology, streamlines engagement and collaboration throughout local levels of government, EPA and the U.S. Army Corps of Engineers.

### **Additional Legislative Activity**

#### **Wildfire and Drought**

At the end of July, the House passed H.R. 5118, the Wildfire Response and Drought Resiliency Act (WRDR Act), a large package of bills pertaining to drought, wildfires, and forest management.

The bill includes \$500 billion to bolster reservoirs from the Colorado River against lowering water levels, and support for drought-proof water infrastructure. It also includes H.R. 7792, the "Water Data Act," which creates a large initiative to streamline water quality data across the United States, along with H.R. 8434, the "Facilitating Large-Scale Water Recycling and Reuse Projects Act" which will allocate \$700 in grants for water recycling projects and repeals the sunset provision of the program (first created in the Infrastructure Investment and Jobs Act).



## PFAS

The House passed H.R. 7289, the Federal PFAS Research Evaluation Act, which would require the Environmental Protection Agency (EPA) to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine (NASEM) to complete various studies and reports related to perfluoroalkyl and polyfluoroalkyl substances, commonly referred to as PFAS. Specifically, this bill will mandate reporting to identify needs in research and development for PFAS solutions.

## Other Legislative Items

The PACT Act was signed into law by President Biden, a bipartisan law that will provide healthcare to veterans exposed to burn pits and toxins. This bill will now allow veterans to receive care from the VA without having to meet the rigorous and burdensome requirements to prove their injury was caused by the chemicals and toxic exposure. This law will particularly help Vietnam veterans who were exposed to Agent Orange, as well as veterans from Afghanistan who were exposed to burn pits and other toxic chemicals.

President Biden also signed the CHIPS Act into law, which authorizes the investment of \$200 billion over ten years into technology development to make the U.S. more competitive internationally in technology manufacturing and innovation. This bill includes \$52 billion to fund research and development of semiconductors, which will be beneficial for a wide range of products, including medical devices, cars, and weapons systems. Congress will still need to pass appropriations legislation to fund these investments.

President Biden signed the Senate-passed measure that adds Sweden and Finland to the North Atlantic Treaty Organization (NATO). This is seen as a win for our NATO allies, and will strengthen our efforts to aid Ukraine as they fight against continued Russian oppression.

## **Department of Interior and Bureau of Reclamation Announces Drought Funding from Bipartisan Infrastructure Law**

On August 18th, 2022, the Secretary of the Interior Deb Haaland and Bureau of Reclamation Commissioner Camille Calimlim Touton announced approved project funding from the Bipartisan Infrastructure Law that will go toward drought resiliency in the Western United States.

We are very excited that Las-Virgenes-Triunfo Joint Powers Authority was allocated \$10.2 million dollars to go toward the Pure Water Project!

The full press release along with all projects can be found at the Bureau of Reclamation's website, [here](#).



### **Government Accountability Office Publishes Report on Airborne PFAS**

On July 28th, the Government Accountability Office (GAO) released a report recommending that the EPA execute additional testing for airborne PFAS and toxic chemicals. They are recommending research and development for additional testing methods to expand methods of combatting this pollutant. According to the report, improving air quality testing, specifically for the detection of PFAS, is critical to measure current health impacts and ensure adequate regulations are in place. GAO analyzed data from the EPA on the widespread dangers of PFAS, and determined measures to accelerate decisions on cleanup efforts and guidelines for the use of this chemical.

The report was requested by Senators Tom Carper (D-DE) and Gary Peters (D-MI).

### **EPA Releases Proposed Rule Designating PFOA and PFOS as Hazardous Substances Under CERCLA**

*Below is a legal alert written by BB&K on the EPA Action*

#### **EPA Releases Proposed Rule Designating PFOA and PFOS as Hazardous Substances Under CERCLA – Municipalities and Special Districts Could Face Liability As a Result**

The U.S. Environmental Protection Agency (EPA) has released the pre-publication of the long-awaited Proposed Rule designating perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) as hazardous substances under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), also known as “Superfund.”

The White House Office of Management and Budget found the proposed rule to be economically significant. This designation means the rule is expected to annually cost \$100 million or more, and requires the EPA to conduct a Regulatory Impact Analysis.

Once the rule is finalized, EPA will be able to investigate, require cleanup of contamination, and seek cleanup costs from a potentially responsible party, or require that party to conduct the cleanup directly. As a result of this designation, municipalities and special districts could face liability as potentially responsible parties, even in situations where a municipality or district did not produce, use or profit from PFAS being placed into commerce.

EPA will be publishing the NPRM in the Federal Register in the next several weeks. Once the proposed rule is published, the public will have 60 days to submit comments.



Notably, EPA also announced that following the closure of this particular comment period, the agency will be issuing an Advanced Notice of Proposed Rulemaking to designate other PFAS chemicals as hazardous substances under CERCLA.

Disclaimer: BB&K Legal Alerts are not intended as legal advice. Additional facts, facts specific to your situation or future developments may affect subjects contained herein. Seek the advice of an attorney before acting or relying upon any information herein.

**LAS VIRGENES-TRIUNFO - HIGH PRIORITY LEGISLATION IN THE 117TH CONGRESS  
THROUGH JULY 14, 2022**

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.202</u></a> <a href="#"><u>SALT Fairness Act of 2021</u></a>	This bill repeals the temporary restrictions in taxable years 2018 through 2025 on the deductibility of state and local taxes.	Introduced by Rep. Mike Garcia (R-CA) – January 5, 2021	
<a href="#"><u>S.29</u></a> <a href="#"><u>Local Water Protection Act</u></a>	This bill reauthorizes through FY2025 programs within the Environmental Protection Agency that award grants to states for managing nonpoint source water pollution or protecting groundwater quality. Water pollution from nonpoint sources is caused by precipitation picking up pollution as it moves over or through the ground.	Introduced by Sen. Amy Klobuchar (D-MN) – January 22, 2021	
<a href="#"><u>S.Res.17</u></a> <a href="#"><u>A resolution expressing the sense of the Senate that clean water is a national priority and that the April 21, 2020, Navigable Waters Protection Rule should not be withdrawn or vacated.</u></a>	This bill reauthorizes through FY2025 programs within the Environmental Protection Agency that award grants to states for managing nonpoint source water pollution or protecting groundwater quality. Water pollution from nonpoint sources is caused by precipitation picking up pollution as it moves over or through the ground.	Introduced by Sen. Joni Ernst (R-IA) – January 27, 2021	
<a href="#"><u>H.R.616</u></a> <a href="#"><u>Emergency Water is a Human Right Act</u></a>	This bill creates a grant program, administered by the Department of Health and Human Services, to provide funds to states and Indian tribes to assist low-income households that pay a high proportion of household income for drinking water and wastewater services. Further, any entity receiving financial assistance under this grant program must ensure that no home energy service or public water system service is or remains disconnected or interrupted during the COVID-19 (i.e., coronavirus disease 2019) public health emergency.	Introduced by Rep. Rashida Tlaib (D-MI) – January 28, 2021	
<a href="#"><u>S.85</u></a> <a href="#"><u>SALT Deductibility Act</u></a>	This bill repeals the temporary restrictions in taxable years 2018 through 2025 on the deductibility of state and local taxes.  <i>Companion bill to H.R.613</i>	Introduced by Sen. Chuck Schumer (D-NY) – January 28, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.613</a> <a href="#">SALT Deductibility Act</a>	<p>This bill repeals the temporary restrictions in taxable years 2018 through 2025 on the deductibility of state and local taxes.</p> <p><i>Companion bill to S.85</i></p>	<p>Introduced by Rep. Thomas Suozzi (R-NY) – January 28, 2021</p>	
<a href="#">S.101</a> <a href="#">Environmental Justice Mapping and Data Collection Act of 2021</a>	<p>This bill establishes an interagency Environmental Justice Mapping Committee that must create a tool to identify environmental justice communities. Environmental justice communities are communities with significant representation of communities of color, low-income communities, or tribal and indigenous communities that experience, or are at risk of experiencing, higher or more adverse human health or environmental effects, as compared to other communities.</p> <p>The Environmental Protection Agency (EPA) must establish an environmental justice data repository to maintain the data collected by the committee. The EPA must make the repository available to regional, state, local, and tribal governments.</p> <p><i>Companion bill to H.R.516</i></p>	<p>Introduced by Sen. Edward Markey (D-MA) – January 28, 2021</p>	
<a href="#">H.R.516</a> <a href="#">Environmental Justice Mapping and Data Collection Act of 2021</a>	<p>This bill establishes an interagency Environmental Justice Mapping Committee that must create a tool to identify environmental justice communities. Environmental justice communities are communities with significant representation of communities of color, low-income communities, or tribal and indigenous communities that experience, or are at risk of experiencing, higher or more adverse human health or environmental effects, as compared to other communities.</p> <p>The Environmental Protection Agency (EPA) must establish an environmental justice data repository to maintain the data collected by the committee. The EPA must make the repository available to regional, state, local, and tribal governments.</p> <p><i>Companion bill to S.101</i></p>	<p>Introduced by Rep. Cori Bush (D-MO) – January 28, 2021</p>	
<a href="#">H.R.535</a> <a href="#">Special District Provide Essential Services Act</a>	<p>The bill would require the state’s to direct at least five percent of future Coronavirus Relief Fund (CRF) allocations to special districts within their state.</p> <p><i>Companion bill to S.91</i></p>	<p>Introduced by Rep. John Garamendi (D-CA) – January 28, 2021</p>	<p><i>SUPPORT</i></p>

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>S.91</u></a>  <a href="#"><u>Special Districts Provide Essential Services Act</u></a></p>	<p>This bill makes special districts eligible for the Coronavirus Relief Fund and the Municipal Liquidity Facility program.</p> <p>Specifically, the bill makes special districts eligible for payments from amounts paid to states from any new appropriations to the fund. A special district must submit a request for payment to the state with information demonstrating that the special district has experienced or is likely to experience during the COVID-19 (i.e., coronavirus disease 2019) emergency</p> <ul style="list-style-type: none"> <li>• reduced revenue or operational funding derived from provided services, taxes, fees, or other sources of revenue;</li> <li>• reduced indirect funding from the federal government, the state, or a unit of general government below the state level; or</li> <li>• as a result of the COVID-19 emergency, increased expenditures necessary to continue operations.</li> </ul> <p>The Board of Governors of the Federal Reserve System shall include special districts as eligible issuers in the Municipal Liquidity Facility program, which was created in response to the COVID-19 emergency to buy municipal securities.</p> <p><i>Companion bill to H.R. 535</i></p>	<p>Introduced by Sen. Kyrsten Sinema (D-AZ) – January 28, 2021</p>	<p><i>SUPPORT</i></p>
<p><a href="#"><u>H.R.737</u></a>  <a href="#"><u>RENEW WIIN Act</u></a></p>	<p>This bill extends the authority of certain federal agencies to provide support for western water infrastructure and extends consultation requirements concerning projects in California.</p> <p>Specifically, the bill extends through 2031 the authority of the Bureau of Reclamation to provide support for federal or state-led water storage projects in certain western states. It also extends provisions specific to California, including drought relief and the operations of the Central Valley Project (a hydropower and water management project in California that is operated by Reclamation).</p> <p>Further, the bill extends through 2036 consultation requirements concerning biological assessments and the coordinated operations of the Central Valley Project and the State Water Project in California.</p>	<p>Introduced by Rep. David Valadao (R-CA) – February 2, 2021</p>	<p><i>SUPPORT</i></p>



LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R. 692</u></a> <a href="#"><u>Recognition of Local Interests in NEPA Decision Making</u></a>	<p>This bill sets forth requirements for determining the venue for judicial review of an agency action under the National Environmental Policy Act of 1969 (NEPA). Specifically, the bill requires a proceeding for judicial review of an agency's compliance with NEPA to be brought in the U.S. district court for a district in which the authorized activity is proposed to be carried out or the U.S. District Court for the District of Columbia.</p>	<p>Introduced by Rep. Liz Cheney (R-WY) – February 2, 2021</p>	
<a href="#"><u>H.R.848</u></a> <a href="#"><u>GREEN Act of 2021</u></a>	<p>This bill provides tax incentives for investment in renewable energy resources and energy efficiency programs.</p>	<p>Introduced by Rep. Mike Thompson (D-CA) – February 4, 2021</p>	
<a href="#"><u>H.Res.104</u></a> <a href="#"><u>Recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy ("THRIVE")</u></a>	<p>This resolution expresses the sense of the House of Representatives that the federal government has a duty to develop a holistic agenda to respond to racial injustice, unemployment, the COVID-19 (i.e., coronavirus disease 2019) pandemic, and climate change.</p> <p>The resolution further outlines the goals of this agenda to build a society with greater racial, economic, and gender justice; dignified work; healthy communities; and a stable climate. Additionally, the resolution identifies efforts to support these goals.</p> <p><i>Companion bill to S.Res.43.</i></p>	<p>Introduced by Rep. Debbie Dingell (D-MI) – February 5, 2021</p>	
<a href="#"><u>S.Res.43</u></a> <a href="#"><u>A resolution recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy ("THRIVE")</u></a>	<p>This resolution expresses the sense of the Senate that the federal government has a duty to develop a holistic agenda to respond to racial injustice, unemployment, the COVID-19 (i.e., coronavirus disease 2019) pandemic, and climate change.</p> <p>The resolution further outlines the goals of this agenda to build a society with greater racial, economic, and gender justice; dignified work; healthy communities; and a stable climate. Additionally, the resolution identifies efforts to support these goals.</p> <p><i>Companion bill to H.Res.104.</i></p>	<p>Introduced by Rep. Edward Markey (D-MA) – February 8, 2021</p>	

EGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.946</u></a> <a href="#"><u>SALT Act</u></a>	<p>This bill repeals the limitation on the deductibility of state and local taxes during 2018-2025. It also increases from \$250 to \$1,000 the tax deduction for certain expenses of elementary and secondary school teachers and allows a deduction from gross income (above-the-line) for certain training and uniform expenses of first responders (i.e., individuals who are law enforcement officers, firefighters, paramedics, or emergency medical technicians for at least 1,000 hours during a taxable year).</p> <p>The bill expands individual income tax brackets and increases the top income tax rate for individual taxpayers to 39.6%.</p>	<p>Introduced by Rep. Bill Pascrell (D-NJ) – February 8, 2021</p>	
<a href="#"><u>H.R.1015</u></a> <a href="#"><u>Water Recycling Investment and Improvement Act</u></a>	<p>This bill makes permanent, and otherwise revises, the Bureau of Reclamation's grant program for the funding of water recycling and reuse projects. Specifically, the bill removes priority under the program for projects in areas that, in the preceding four-year period, have been (1) identified as experiencing severe, extreme, or exceptional drought; or (2) designated as a disaster area by a state.</p> <p>Additionally, the bill increases through FY2025 the authorization of appropriations for the program and otherwise revises provisions related to program funding.</p>	<p>Introduced by Rep. Grace Napolitano (D-CA) – February 11, 2021</p>	<p><i>SUPPORT</i></p>
<a href="#"><u>H.R.988</u></a> <a href="#"><u>Recreational Lands Self-Defense Act of 2021</u></a>	<p>This bill requires the U.S. Army Corps of Engineers (USACE) to allow an individual to possess a firearm at a USACE water resources development project as long as the individual's possession of the firearm is in compliance with federal and state law.</p>	<p>Introduced by Rep. Bob Gibbs (R-OH) – February 11, 2021</p>	
<a href="#"><u>H.R.1066</u></a> <a href="#"><u>Wildfire Recovery Act</u></a>	<p>This bill makes changes with respect to the federal cost share for Fire Management Assistance Grants and provides that the federal share shall be not less than 75% of the eligible cost.</p> <p>Specifically, the bill directs the Federal Emergency Management Agency (FEMA) to conduct and complete a rulemaking to develop guidelines and a rule that establishes thresholds for cases in which the federal cost share for such grants may be increased. Such thresholds shall use a fire-specific metric to determine fire damage and recommend a federal share adjustment for fire damage that meets the established thresholds.</p>	<p>Introduced by Rep. Joe Neguse (D-CO) – February 15, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>S.421</u></a> <a href="#"><u>Western Tribal Water Infrastructure Act of 2021</u></a>	<p>This bill reauthorizes through FY2024, and expands, the Indian Reservation Drinking Water Program.</p> <p>Specifically, the bill directs the Environmental Protection Agency to connect, expand, or repair existing public water systems that are on Indian reservations or off-reservation sites that serve tribes in the Columbia River Basin or its adjacent coastal river basins. Currently, only projects that are on Indian reservations in the Upper Missouri River Basin or the Upper Rio Grande Basin are eligible for the program.</p>	<p>Introduced by Sen. Ron Wyden (D-OR) – February 24, 2021</p> <p>Placed on the Senate Legislative Calendar – April 28, 2021</p>	
<a href="#"><u>H.R.1319</u></a> <a href="#"><u>American Rescue Plan Act of 2021</u></a>	<p>This bill provides additional relief to address the continued impact of COVID-19 (i.e., coronavirus disease 2019) on the economy, public health, state and local governments, individuals, and businesses.</p>	<p>Introduced by Rep. John Yarmuth (D-KY) – February 24, 2021</p> <p>Became Public Law No: 117-2 – March 11, 2021</p>	<i>SUPPORT</i>
<a href="#"><u>H.R.1352</u></a> <a href="#"><u>Water Affordability, Transparency, Equity, and Reliability Act of 2021</u></a>	<p>This bill increases funding for water infrastructure, including funding for several programs related to controlling water pollution or protecting drinking water. Specifically, it establishes a Water Affordability, Transparency, Equity, and Reliability Trust Fund. The fund may be used for specified grant programs. The bill increases the corporate income tax rate to 24.5% to provide revenues for the fund.</p> <p>In addition, the bill revises requirements concerning the clean water state revolving fund (SRF) and the drinking water SRF. It also creates or reauthorizes several grant programs for water infrastructure.</p>	<p>Introduced by Rep. Brenda Lawrence (D-MI) – February 25, 2021</p>	
<a href="#"><u>S.479</u></a> <a href="#"><u>Lifting Our Communities through Advance Liquidity for Infrastructure (LOCAL Infrastructure) Act of 2021</u></a>	<p>This bill reinstates tax provisions relating to advance refunding bonds. An advance refunding bond is a tax-exempt bond issued by a state or municipality to refinance or consolidate existing bond obligations.</p>	<p>Introduced by Sen. Roger Wicker (R-MS) – February 25, 2021</p>	<i>SUPPORT</i>

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H. R. 1438</u></a> <a href="#"><u>FLOODS Act</u></a></p>	<p>This bill addresses forecasting and the communication of flood, tornado, and hurricane events by the National Oceanic and Atmospheric Administration (NOAA).</p> <p>Among other provisions, the bill</p> <ul style="list-style-type: none"> <li>• requires NOAA to estimate and communicate the frequency of precipitation;</li> <li>• establishes an Interagency Coordinating Committee on Water Management to ensure that federal agencies that engage in water-related matters, including water storage and supplies, water quality and restoration activities, water infrastructure, transportation on rivers and inland waterways, and water forecasting, work together where such agencies have joint or overlapping responsibilities; and</li> <li>• directs NOAA to conduct an analysis of gaps in the availability of snow-related data to assess and predict floods and flood impacts.</li> </ul> <p><i>Companion bill to S.558.</i></p>	<p>Introduced by Rep. Mikie Sherrill (D-NJ) – February 26, 2021</p>	
<p><a href="#"><u>S.498</u></a> <a href="#"><u>A bill to amend title 54, United States Code, to limit the authority to reserve water rights in designating a national monument</u></a></p>	<p>This bill prohibits the President, in designating a national monument, from reserving any implied or expressed water rights associated with it.</p> <p>Water rights for an associated national monument may only be acquired in accordance with the laws of the state in which the water rights are to be located.</p>	<p>Introduced by Sen. Mike Lee (R-UT) – March 1, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>S.558</u></a> <a href="#"><u>FLOODS Act</u></a></p>	<p>This bill addresses forecasting and the communication of flood, tornado, and hurricane events by the National Oceanic and Atmospheric Administration (NOAA).</p> <p>Among other provisions, the bill</p> <ul style="list-style-type: none"> <li>• requires NOAA to estimate and communicate the frequency of precipitation;</li> <li>• establishes an Interagency Coordinating Committee on Water Management to ensure that federal agencies that engage in water-related matters, including water storage and supplies, water quality and restoration activities, water infrastructure, transportation on rivers and inland waterways, and water forecasting, work together where such agencies have joint or overlapping responsibilities; and directs NOAA to conduct an analysis of gaps in the availability of snow-related data to assess and predict floods and flood impacts.</li> </ul> <p><i>Companion bill to H.R.1438.</i></p>	<p>Introduced by Sen. Roger Wicker (R-MS) – March 3, 2021</p> <p>Passed the Senate; Received in the House - October 1, 2021</p>	
<p><a href="#"><u>H.R.1563</u></a> <a href="#"><u>To extend the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California</u></a></p>	<p>This bill extends the authority of certain federal agencies to provide support for western water infrastructure and extends consultation requirements concerning projects in California.</p> <p>Specifically, the bill extends through 2028 the authority of the Bureau of Reclamation to provide support for projects in certain western states related to federal or state-led water storage, water desalination, and water recycling and reuse. It also extends provisions specific to California, including drought relief and the operations of the Central Valley Project (a hydropower and water management project in California that is operated by Reclamation).</p> <p>Further, the bill extends through 2033 consultation requirements concerning biological assessments and the coordinated operations of the Central Valley Project and the State Water Project in California.</p>	<p>Introduced by Rep. Mike Garcia (R-CA) – March 3, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.1679</u></a>  <a href="#"><u>To prohibit the Secretary of the Interior and the Secretary of Agriculture from conditioning any permit, lease, or other use agreement on the transfer of any water right to the United States, and for other purposes</u></a></p>	<p>This bill prohibits the Departments of the Interior and Agriculture from</p> <ul style="list-style-type: none"> <li>conditioning the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement (permit) on the transfer of any water right to the United States or on any impairment of title granted or otherwise recognized under state law by federal or state action; or</li> <li>requiring any water user (including a federally recognized Indian tribe) to apply for or acquire a water right in the name of the United States under state law as a condition of the issuance, renewal, amendment, or extension of such a permit.</li> </ul> <p>When developing any rule or similar federal action relating to the issuance, renewal, amendment, or extension of any permit, such departments (1) shall recognize the longstanding water use authority of the states and coordinate with the states to ensure that any federal action is consistent with applicable state water law, and (2) shall not adversely affect the authority of a state in permitting the beneficial use of water or adjudicating water rights.</p>	<p>Introduced by Rep. Lauren Boebert (R-CO) – March 9, 2021</p>	
<p><a href="#"><u>H.R.1804</u></a>  <a href="#"><u>Community Cleanup Act</u></a></p>	<p>This bill expands existing notice and publication requirements related to remedial action plans for Superfund sites (sites contaminated with hazardous substances).</p> <p>Specifically, the bill requires the notice and analysis of a proposed plan to be transmitted to the highest ranking official of the local government with jurisdiction over the facility subject to the plan. During the public comment period, written and oral comments may be submitted regarding the use of the facility at issue after the remedial action is taken.</p> <p>Notice of the final remedial action plan must be transmitted to the local government officials with jurisdiction over the facility at issue.</p> <p>Finally, the bill expands the minimum publication requirements for proposed and final plans to include (1) an announcement via a radio or television station in the broadcast area surrounding the facility at issue, (2) digital or social media publications, and (3) a posting to the website of the person proposing to adopt a plan for remediation.</p>	<p>Introduced by Rep. Earl Carter (R-GA) – March 11, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.1844</a> <a href="#">STOP CSO Act of 2021</a>	<p>This bill revises the National Pollutant Discharge Elimination System permit program to require certain publicly owned water treatment facilities to monitor, report on, and notify the public of sewer overflows.</p> <p>For example, the facilities must notify the public within a specified number of hours after (1) sewer overflows that have the potential to affect human health, and (2) sewer overflows that may imminently and substantially endanger human health.</p>	<p>Introduced by Rep. Seth Moulton (D-MA) – March 11, 2021</p>	
<a href="#">S.715</a> <a href="#">NEPA Data Transparency and Accountability Act</a>	<p>This bill requires federal agencies to annually report on their environmental review activities under the National Environmental Policy Act of 1969 (NEPA).</p> <p>The agencies must also include the cost of their NEPA activities in the annual reports after the Council on Environmental Quality and the Office of Management and Budget have developed a methodology to assess the comprehensive costs of the NEPA process.</p>	<p>Introduced by Sen. Mike Lee (R-UT) – March 11, 2021</p>	
<a href="#">S.716</a> <a href="#">NEPA Legal Reform Act</a>	<p>This bill establishes requirements concerning the judicial review of cases about the environmental review process required under the National Environmental Policy Act of 1969 (NEPA).</p> <p>Specifically, the bill establishes standing requirements for NEPA claims, including a requirement that a plaintiff must personally suffer, or will likely personally suffer, a direct, tangible harm.</p> <p>In addition, the bill sets a statute of limitations for all claims related to NEPA.</p> <p>The bill also provides statutory authority for certain evidentiary standards concerning motions for temporary restraining orders, preliminary injunctions, and permanent injunctions.</p> <p>In addition, the bill limits fees that may be awarded to environmental attorneys.</p>	<p>Introduced by Sen. Mike Lee (R-UT) – March 11, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>S.717</u></a>  <a href="#"><u>UNSHACKLE Act</u></a></p>	<p>This bill revises the environmental review process required under the National Environmental Policy Act of 1969 (NEPA), including by</p> <ul style="list-style-type: none"> <li>• establishing deadlines for federal agencies to complete reviews of the environmental effects of proposed major federal actions;</li> <li>• establishing penalties for agencies that do not comply with these deadlines;</li> <li>• limiting the number of assessment documents required for proposed major federal actions, requiring agencies to reuse certain research or documents, and allowing agencies to adopt environmental documents prepared by states or third parties;</li> <li>• requiring agencies to only consider alternatives to proposed actions that are technically and economically feasible;</li> <li>• prohibiting agencies from considering whether proposed actions or alternatives to those actions will have an effect on climate change; and</li> <li>• establishing requirements concerning the judicial review of NEPA cases..</li> </ul>	<p>Introduced by Sen. Mike Lee (R-UT) – March 11, 2021</p>	
<p><a href="#"><u>S.718</u></a>  <a href="#"><u>NEPA Agency Process Accountability Act</u></a></p>	<p>This bill revises the environmental review process required under the National Environmental Policy Act of 1969 (NEPA), including by limiting the number of assessment documents required for proposed major federal actions, requiring agencies to reuse certain research or documents in the NEPA process, and allowing agencies to adopt environmental documents prepared by states or third parties as specified under the bill.</p> <p>In addition, the bill requires agencies to only consider alternatives to proposed major federal actions that are technically and economically feasible. Agencies must track and report on specified NEPA data, such as the comprehensive costs of the NEPA process.</p>	<p>Introduced by Sen. Mike Lee (R-UT) – March 11, 2021</p>	
<p><a href="#"><u>S.719</u></a>  <a href="#"><u>NEPA State Assignment Expansion Act</u></a></p>	<p>This bill allows certain states to enter into agreements with federal agencies to assume federal responsibilities regarding the environmental review of proposed major federal actions under the National Environmental Policy Act of 1969.</p>	<p>Introduced by Sen. Mike Lee (R-UT) – March 11, 2021</p>	



LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">S.722</a> <a href="#">Wastewater Efficiency and Treatment Act of 2021</a>	<p>This bill requires the Department of Energy (DOE) to establish a Water and Energy Efficiency Program.</p> <p>Under the program, DOE must award grants to certain small public wastewater treatment facilities that serve disadvantaged communities or populations that do not exceed 10,000. The facilities must use the grants to conduct energy efficiency audits of the facilities and update equipment based on the audits.</p> <p>In addition, DOE must provide loan guarantees to eligible municipalities and Indian tribes for (1) projects that convert waste in the treatment process of wastewater treatment facilities into renewable fuels, biosolids, or other byproducts; and (2) projects that will assist in transitioning facilities towards the use of energy-efficient technologies. In carrying out the program, DOE must establish a small-scale extension services program to provide assistance to rural communities through grants, outreach, training, and technical assistance regarding energy-efficient technologies at wastewater treatment facilities in eligible municipalities and tribes.</p>	<p>Introduced by Sen. Jeff Merkley (D-OR) – March 11, 2021</p>	
<a href="#">H.R.1820</a> <a href="#">RETROACTIVE Policy Act</a>	<p>This bill limits the period during which the Environmental Protection Agency may prohibit the specification, or restrict the use, of an area as a disposal site for discharges of dredged or fill materials into waters of the United States.</p>	<p>Introduced by Rep. Bob Gibbs (R-OH) – March 11, 2021</p>	
<a href="#">H.R. 1821</a> <a href="#">RURAL Act</a>	<p>This bill modifies requirements governing the use of pesticides in or near navigable waters. Specifically, the bill prohibits the Environmental Protection Agency or states from requiring permits under the National Pollutant Discharge Elimination System for discharges of pesticides into navigable waters if the pesticides are (1) registered, (2) used for their intended purposes, and (3) used in compliance with their pesticide label requirements. The bill establishes exemptions from this prohibition.</p>	<p>Introduced by Rep. Bob Gibbs (R-OH) – March 11, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.1848</u></a>  <a href="#"><u>Leading Infrastructure for Tomorrow's America Act</u></a></p>	<p>This bill establishes several programs and incentives to modernize the nation's communications, drinking water, energy, transportation, health care, and other related infrastructure.</p> <p>In addition, it supports drinking water programs, including the drinking water state revolving fund program. Further, it provides grants to treat perfluoroalkyl or polyfluoroalkyl substances (commonly referred to as PFAS) in drinking water and to replace lead service lines.</p> <p>The bill establishes a variety of programs to support clean energy infrastructure and address climate change, including efforts to (1) modernize the electric grid and make it more resilient, efficient, and secure; (2) increase energy efficiency in buildings; and (3) support renewable energy infrastructure.</p> <p>Further, it provides incentives for vehicle infrastructure, such as incentives to develop infrastructure for electric vehicles and grants to reduce air pollution at ports by electrifying port infrastructure.</p> <p>Additionally, the bill establishes grants and programs for health care infrastructure, including by providing support for the Centers for Disease Control and Prevention, laboratories, and state, local, tribal, and territorial health departments.</p> <p>Finally, the bill reauthorizes grant programs to remediate brownfield sites (i.e., sites contaminated with hazardous substances) through FY2026.</p>	<p>Introduced by Rep. Frank Pallone (D-NJ) – March 11, 2021</p> <p>Committee on Energy and Commerce held a hearing – March 22, 2021</p>	
<p><a href="#"><u>H.R.1881</u></a>  <a href="#"><u>To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes</u></a></p>	<p>This bill revises the National Pollutant Discharge Elimination System (NPDES) program. Under the program, the Environmental Protection Agency issues permits to discharge pollutants into waters of the United States.</p> <p>The bill extends the maximum term for NPDES permits issued to states or municipalities from 5 to 10 years.</p>	<p>Introduced by Rep. John Garamendi (D-CA) – March 12, 2021</p>	<p><i>SUPPORT</i></p>

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.1889</u></a> <a href="#"><u>Environmental Justice for Coronavirus Affected Communities Act</u></a>	<p>This bill reauthorizes through FY2022 (1) the Environmental Justice Small Grants Program; (2) the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program, which provides financial assistance to address local environmental or public health issues; and (3) the Community Action for a Renewed Environment grant program, which assists communities address multiple sources of toxic pollutants.</p>	<p>Introduced by Rep. Raul Ruiz (D-CA) – March 12, 2021</p>	
<a href="#"><u>H.R.1915</u></a> <a href="#"><u>Water Quality Protection and Job Creation Act of 2021</u></a>	<p>This bill creates, reauthorizes, and revises several grant programs for infrastructure to treat water pollution, such as wastewater or stormwater.</p> <p>Specifically, the bill reauthorizes through FY2026 and revises the Clean Water State Revolving Fund program, which provides communities low-cost financing for water quality infrastructure projects. It also reauthorizes through FY2026 grants for</p> <ul style="list-style-type: none"> <li>• programs to control water pollution;</li> <li>• pilot projects related to watershed management of wastewater discharges (e.g., sewer overflows or stormwater discharges) during wet weather;</li> <li>• alternative water source projects, including projects to reclaim stormwater; or</li> <li>• measures to manage, reduce, treat or recapture stormwater, such as sewer overflows.</li> </ul> <p>In addition, the Environmental Protection Agency must award grants to owners of publicly owned treatment works (i.e., sewage treatment plants) for the treatment of contaminants of emerging concern, such as perfluoroalkyl or polyfluoroalkyl substances, commonly referred to as PFAS. These substances are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing.</p>	<p>Introduced by Rep. Peter DeFazio (D-OR) – March 16, 2021</p> <p>Passed via legislative vehicle H.R. 3684 – July 1, 2021</p>	
<a href="#"><u>S.804</u></a> <a href="#"><u>SALT Deduction Fairness Act</u></a>	<p>This bill increases the limitation on the deduction for state and local taxes to \$20,000 for individuals filing a joint tax return. The limitation applies to taxable years 2018 through 2025.</p>	<p>Introduced by Rep. Susan Collins (D-ME) – March 17, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.2021</u></a>  <a href="#"><u>Environmental Justice For All Act</u></a></p>	<p>This bill establishes several environmental justice requirements, advisory bodies, and programs to address the disproportionate adverse human health or environmental effects of federal laws or programs on communities of color, low-income communities, or tribal and indigenous communities. The bill prohibits disparate impacts on the basis of race, color, or national origin as discrimination. Aggrieved persons may seek legal remedy when faced with such discrimination.</p> <p>In addition, the bill directs agencies to follow certain requirements concerning environmental justice. For example, agencies must prepare community impact reports that assess the potential impacts of their actions on environmental justice communities under certain circumstances.</p> <p>Further, it creates a variety of advisory bodies and positions, such as the White House Environmental Justice Interagency Council. Among other things, the council must issue an environmental justice strategy.</p> <p>It also establishes requirements and programs concerning chemicals or toxic ingredients in certain products. For example, the bill (1) requires certain products (e.g., cosmetics) to include a list of ingredients or warnings; and (2) provides grants for research on designing safer alternatives to chemicals in certain consumer, cleaning, toy, or baby products that have an inherent toxicity or that are associated with chronic adverse health effects.</p> <p>Finally, it creates a variety of funding programs, such as a grant program to enhance access to park and recreational opportunities in an urban areas.</p> <p><i>Companion bill to S.872.</i></p>	<p>Introduced by Rep. Raul Grijalva (D-AZ) – March 18, 2021</p> <p>Committee on Natural Resources hearing held.  Ordered to be reported – July 27, 2022</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">S.855</a>  <a href="#">Water Rights Protection Act of 2021</a></p>	<p>This bill prohibits the Departments of the Interior and Agriculture from</p> <ul style="list-style-type: none"> <li>• conditioning the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement (permit) on the transfer of any water right to the United States or on any impairment of title granted or otherwise recognized under state law by federal or state action;</li> <li>• requiring any water user (including a federally recognized Indian tribe) to apply for or acquire a water right in the name of the United States under state law as a condition of the issuance, renewal, amendment, or extension of such a permit; or</li> <li>• conditioning or withholding the issuance, renewal, amendment, or extension of such a permit on limiting the date, time, quantity, location of diversion or pumping, or place of use of a state water right beyond any limitations under state water law, or on the modification of the terms and conditions of groundwater withdrawal, guidance and reporting procedures, or conservation and source protection measures established by a state.</li> </ul> <p>In developing any rule or similar federal action relating to the issuance, renewal, amendment, or extension of any permit, such departments (1) shall recognize the longstanding water use authority of the states and coordinate with the states to ensure that any federal action is consistent with applicable state water law, and (2) shall not adversely affect the authority of a state in permitting the beneficial use of water or adjudicating water rights.</p>	<p>Introduced by Sen. John Barrasso (R-WY) – March 18, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">S.872</a>  <a href="#">Environmental Justice For All Act</a></p>	<p>This bill establishes several environmental justice requirements, advisory bodies, and programs to address the disproportionate adverse human health or environmental effects of federal laws or programs on communities of color, low-income communities, or tribal and indigenous communities. The bill prohibits disparate impacts on the basis of race, color, or national origin as discrimination. Aggrieved persons may seek legal remedy when faced with such discrimination.</p> <p>In addition, the bill directs agencies to follow certain requirements concerning environmental justice. For example, agencies must prepare community impact reports that assess the potential impacts of their actions on environmental justice communities under certain circumstances.</p> <p>Further, it creates a variety of advisory bodies and positions, such as the White House Environmental Justice Interagency Council. Among other things, the council must issue an environmental justice strategy.</p> <p>It also establishes requirements and programs concerning chemicals or toxic ingredients in certain products. For example, the bill (1) requires certain products (e.g., cosmetics) to include a list of ingredients or warnings; and (2) provides grants for research on designing safer alternatives to chemicals in certain consumer, cleaning, toy, or baby products that have an inherent toxicity or that are associated with chronic adverse health effects.</p> <p>Finally, it creates a variety of funding programs, such as a grant program to enhance access to park and recreational opportunities in an urban areas.</p> <p><i>Companion bill to H.R.2021.</i></p>	<p>Introduced by Sen. Tammy Duckworth (D-IL) – March 18, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><b><u><a href="#">H.R.2095</a></u></b>  <u><a href="#">To require the Secretary of the Army to conduct a study to determine the costs for the Corps of Engineers to ensure that certain project activities authorized under Nationwide Permit 14 comply with public safety conditions, and for other purposes.</a></u></p>	<p>This bill reauthorizes through FY2026 or establishes a variety of programs for water infrastructure. Specifically, it supports programs to provide safe drinking water or treat wastewater, such as sewer overflows or stormwater. For example, the bill reauthorizes and revises the clean water state revolving fund (SRF) and the drinking water SRF.</p>	<p>Introduced by Rep. Billy Long (R-MO) – March 22, 2021</p>	
<p><b><u><a href="#">S.914</a></u></b>  <u><a href="#">Drinking Water and Wastewater Infrastructure Act of 2021</a></u></p>	<p>This bill reauthorizes through FY2026 or establishes a variety of programs for water infrastructure. Specifically, it supports programs to provide safe drinking water or treat wastewater, such as sewer overflows or stormwater. For example, the bill reauthorizes and revises the clean water state revolving fund (SRF) and the drinking water SRF..</p>	<p>Introduced by Sen. Tammy Duckworth (D-IL) – March 24, 2021</p> <p>Passed in the Senate. Report filed by Sen. Tom Carper (D-DE) - May 10, 2021</p>	
<p><b><u><a href="#">H.R.2008</a></u></b>  <u><a href="#">Local Water Protection Act</a></u></p>	<p>This bill reauthorizes through FY2026 grants to states for (1) programs that manage and control nonpoint source pollution (e.g., runoff from a variety of sources) added to navigable waters, and (2) groundwater quality protection activities to advance state implementation of such programs.</p>	<p>Introduced by Rep. Angie Craig (D-MN) – March 24, 2021</p> <p>Passed House. Received in the Senate – June 16, 2021</p>	
<p><b><u><a href="#">H.R.2173</a></u></b>  <u><a href="#">Wastewater Workforce Investment Act</a></u></p>	<p>This bill allows states to reserve a portion of the sums allotted to them under the clean water state revolving fund to address the workforce development needs of publicly owned treatment works.</p>	<p>Introduced by Rep. Greg Stanton (D-AZ) – March 23, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">S.939</a> <a href="#">IMAGINE Act</a></p>	<p>This bill encourages the use of innovative construction materials and techniques to accelerate the deployment, extend the service life, improve the performance, and reduce the cost of domestic transportation and water infrastructure projects.</p> <p>Among other things, the bill</p> <ul style="list-style-type: none"> <li>• establishes an Interagency Innovative Materials Standards Task Force to assess existing standards and test methods for the use of innovative materials in infrastructure, identify key barriers in the standards area that inhibit broader market adoption, and develop new methods and protocols to better evaluate innovative materials;</li> <li>• requires the Department of Transportation to enhance the development of innovative materials in the United States by providing awards to entities for establishing and operating new innovative material innovation hubs;</li> <li>• directs the Federal Highway Administration to provide grants to states' departments of transportation, tribal governments, public toll authorities, and units of local government for coastal or rural infrastructure bridge projects and value engineering projects to enhance the performance of bridges through the use of innovative materials; and</li> <li>• provides grants for the design and installation of water infrastructure projects.</li> </ul> <p><i>Companion bill to H.R.2197.</i></p>	<p>Introduced by Sen. Sheldon Whitehouse (D-RI) – March 24, 2021</p>	



LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>S.953</u></a>  <a href="#"><u>Water for Conservation and Farming Act</u></a></p>	<p>This bill establishes a funding source for certain water resources development projects in western states. The bill also reauthorizes and expands existing water resources development programs, as well as establishes new programs.</p> <p>Specifically, the bill establishes the Bureau of Reclamation Infrastructure Fund to fund water-related programs, including water reclamation and reuse projects, dam safety projects, and the WaterSMART program (which provides assistance to eligible government entities to increase water supply). Each year from FY2031-FY2061, the Department of the Treasury must deposit \$300 million of revenues into this fund that would otherwise be deposited into the Reclamation Fund (which currently funds irrigation works in western states).</p> <p>The bill also expands the allowable uses for grants under the WaterSMART program.</p> <p>Next, the bill revises the Reclamation Climate Change and Water program (which assesses the impact of climate change on water supplies) by requiring Reclamation to develop a strategy to address sustaining native biodiversity during periods of drought.</p> <p>The bill also reauthorizes through FY2028 the Fisheries Restoration and Irrigation Mitigation program (which funds fish passage projects in certain areas that drain into the Pacific Ocean).</p> <p>Finally, the bill establishes new programs directed at western states to</p> <ul style="list-style-type: none"> <li>• provide assistance to agricultural producers to create and maintain waterbird and shorebird habitats,</li> <li>• award grants to eligible government entities and nonprofit conservation organizations for habitat restoration projects that improve watershed health, and</li> <li>• prepare plans to sustain the survival of critically important fisheries during periods of drought.</li> </ul>	<p>Introduced by Sen. Ron Wyden (D-OR) – March 24, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.2197</a> <a href="#">IMAGINE Act</a>	<p>This bill encourages the use of innovative construction materials and techniques to accelerate the deployment, extend the service life, improve the performance, and reduce the cost of domestic transportation and water infrastructure projects.</p> <p>Among other things, the bill</p> <ul style="list-style-type: none"> <li>• establishes an Interagency Innovative Materials Standards Task Force to assess existing standards and test methods for the use of innovative materials in infrastructure, identify key barriers in the standards area that inhibit broader market adoption, and develop new methods and protocols to better evaluate innovative materials;</li> <li>• requires the Department of Transportation to enhance the development of innovative materials in the United States by providing awards to entities for establishing and operating new innovative material innovation hubs;</li> <li>• directs the Federal Highway Administration to provide grants to states' departments of transportation, tribal governments, public toll authorities, and units of local government for coastal or rural infrastructure bridge projects and value engineering projects to enhance the performance of bridges through the use of innovative materials; and</li> <li>• provides grants for the design and installation of water infrastructure projects.</li> </ul> <p><i>Companion bill to S.939.</i></p>	<p>Introduced by Rep. David Cicilline (D-RI) – March 26, 2021</p>	
<a href="#">H.R.2288</a> <a href="#">Investing in Our Communities Act</a>	<p>This bill reinstates the exclusion from gross income for interest on certain bonds issued to advance the refunding of a prior bond issue. The exclusion was repealed for bonds issued after 2017.</p>	<p>Introduced by Rep. Dutch Ruppersberger (D-MD) – March 29, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.2397</u></a>  <a href="#"><u>Protection from Cumulative Emissions and Underenforcement of Environmental Law Act of 2021</u></a></p>	<p>This bill directs the Environmental Protection Agency (EPA) to address the cumulative public health risks associated with multiple environmental stressors and recommend measures to reduce the number of violations of environmental law in certain environmental justice communities. Environmental justice communities are communities with significant representation of communities of color, low-income communities, or tribal and indigenous communities that experience, or are at risk of experiencing, higher or more adverse human health or environmental effects, as compared to other communities.</p> <p>In addition, the EPA must publish and implement a proposal for a protocol that assesses and addresses the cumulative public health risks associated with multiple environmental stressors, such as impacts associated with global climate change.</p> <p>Further, the EPA must identify at least 100 communities that (1) are environmental justice communities; and (2) have had more environmental law violations than the national average, as determined by the EPA. The EPA must then identify the causes of the violations, identify measures to reduce the number of violations, and implement such measures.</p>	<p>Introduced by  Diana DeGette (D-CO) – April 8, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">H.R.2434</a>  <a href="#">Environmental Justice Act of 2021</a></p>	<p>This bill requires agencies to address and mitigate the disproportionate impact of environmental and human health hazards on communities of color, indigenous communities, and low-income communities resulting from agencies' programs and policies. The bill also requires agencies to address cumulative impacts of pollution in permitting decisions and expands the types of legal actions available to individuals regarding charges of federal discriminatory practices.</p> <p>Specifically, the bill provides statutory authority for a variety of existing programs, executive orders, federal guidance, and committees concerning environmental justice, including</p> <ul style="list-style-type: none"> <li>• Executive Order 12898;</li> <li>• a guidance issued in 1997 by the Council on Environmental Quality titled Environmental Justice Guidance Under the National Environmental Policy Act;</li> <li>• a guidance issued in 2016 by the Environmental Protection Agency titled EPA Policy on Consultation and Coordination with Indian Tribes: Guidance for Discussing Tribal Treaty Rights;</li> <li>• the National Environmental Justice Advisory Council;</li> <li>• the Environmental Justice Small Grants Program; and</li> <li>• the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program.</li> <li>• In addition, the bill requires agencies renewing or issuing specified permits under the Clean Water Act or the Clean Air Act to consider the cumulative impacts of pollution.</li> </ul> <p>The bill also allows individuals to bring actions under the Civil Rights Act against entities that receive federal assistance and engage in discriminatory practices that have a disparate impact. Currently, individuals must request that federal agencies bring such actions on their behalf.</p>	<p>Introduced by Rep. Raul Ruiz (D-CA)  – April 8, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.2442</u></a> <a href="#"><u>Climate Justice Grants Act</u></a>	<p>This bill requires the Environmental Protection Agency to establish a grant program to assist tribal governments, local governments, nonprofits, or community-based organizations in addressing issues relating to climate justice and carrying out activities that address climate justice concerns of environmental justice communities. Environmental justice communities refers to any population of color, community of color, indigenous community, or low-income community that experiences a disproportionate burden of the negative human health and environmental impacts of pollution or other environmental hazards.</p>	<p>Introduced by Rep. Nanette Diaz Barragan (D-CA) – April 12, 2021</p>	
<a href="#"><u>H.R.2467</u></a> <a href="#"><u>PFAS Action Act of 2021</u></a>	<p>This bill establishes requirements and incentives to limit the use of perfluoroalkyl and polyfluoroalkyl substances, commonly referred to as PFAS, and remediate PFAS in the environment. PFAS are man-made and may have adverse human health effects. A variety of products contain PFAS, such as nonstick cookware or weatherproof clothing.</p> <p>The bill directs the Environmental Protection Agency (EPA) to designate the PFAS perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) as a hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, thereby requiring remediation of releases of those PFAS into the environment. Within five years, the EPA must determine whether the remaining PFAS should be designated as hazardous substances.</p> <p>The EPA must also determine whether PFAS should be designated as toxic pollutants under the Clean Water Act. If PFAS are designated as toxic, then the EPA must establish standards to limit discharges of PFAS from industrial sources into waters of the United States. In addition, the EPA must issue a national primary drinking water regulation for PFAS that, at a minimum, includes standards for PFOA and PFOS.</p> <p>Among other requirements, the EPA must also issue a final rule adding PFOA and PFOS to the list of hazardous air pollutants, test all PFAS for toxicity to human health, and regulate the disposal of materials containing PFAS.</p> <p>Finally, the bill provides incentives to address PFAS, such as grants to help community water systems treat water contaminated by PFAS.</p>	<p>Introduced by Rep. Debbie Dingell (D-MI) – April 13, 2021</p> <p>Passed by the House; received in the Senate – July 22, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.Res.318</u></a>  <a href="#"><u>Expressing the sense of the House of Representatives that clean water is a national priority and that the April 21, 2020, Navigable Waters Protection Rule should not be withdrawn or vacated.</u></a></p>	<p>This resolution expresses the sense of the House of Representatives that (1) clean water is a national priority, and (2) the 2020 final rule titled The Navigable Waters Protection Rule: Definition of "Waters of the United States" should not be withdrawn or vacated.</p>	<p>Introduced by Rep. Mariannette Miller-Meeks (R-IA) – April 14, 2021</p>	
<p><a href="#"><u>H.R.2468</u></a>  <a href="#"><u>Made in America Act of 2021</u></a></p>	<p>This bill requires that materials used in carrying out federal infrastructure aid programs are made in the United States. The term produced in the United States means, in the case of</p> <ul style="list-style-type: none"> <li>• iron or steel products, that all manufacturing processes for the iron or steel product, from the initial melting stage through the application of coatings, occurred in the United States;</li> <li>• manufactured products, that the product was manufactured in the United States and that the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 50% of the total cost of all components of the manufactured product; and</li> <li>• construction materials, that all manufacturing processes for the construction material occurred in the United States.</li> </ul> <p>The Department of Commerce must (1) issue uniform standards that define the term all manufacturing processes for purposes of this bill, and (2) take into consideration and seek to maximize the jobs benefited or created in the production of the construction material. The bill requires that all steel, iron, manufactured products, non-ferrous metals, plastic, concrete and aggregates, glass (including optical glass), lumber, and drywall used in these programs be produced in the United States. Includes within infrastructure addressed by this bill federal-aid highways, railroads, public transportation, civil aviation, drinking water, and stormwater.</p> <p><i>Companion bill to S.1094.</i></p>	<p>Introduced by Rep. John Garamendi (D-CA) – April 13, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>S.1094</u></a>  <a href="#"><u>Made in America Act of 2021</u></a></p>	<p>This bill requires that materials used in carrying out federal infrastructure aid programs are made in the United States.</p> <p>The term produced in the United States means, in the case of</p> <ul style="list-style-type: none"> <li>• iron or steel products, that all manufacturing processes for the iron or steel product, from the initial melting stage through the application of coatings, occurred in the United States;</li> <li>• manufactured products, that the product was manufactured in the United States and that the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 50% of the total cost of all components of the manufactured product; and</li> <li>• construction materials, that all manufacturing processes for the construction material occurred in the United States.</li> </ul> <p>The Department of Commerce must (1) issue uniform standards that define the term all manufacturing processes for purposes of this bill, and (2) take into consideration and seek to maximize the jobs benefited or created in the production of the construction material.</p> <p>The bill requires that all steel, iron, manufactured products, non-ferrous metals, plastic, concrete and aggregates, glass (including optical glass), lumber, and drywall used in these programs be produced in the United States.</p> <p>Includes within infrastructure addressed by this bill federal-aid highways, railroads, public transportation, civil aviation, drinking water, and stormwater.</p> <p><i>Companion bill to H.R.2468.</i></p>	<p>Introduced by Sen. Tammy Baldwin (D-WI) – April 13, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>S.1121</u></a> <a href="#"><u>PFAS Registry Act of 2021</u></a>	<p>This bill directs the Department of Veterans Affairs (VA) to establish a registry for current or past members of the Armed Forces who may have been exposed to per- and polyfluoroalkyl substances due to the environmental release of aqueous film-forming foam at a military installation or other Department of Defense (DOD) location. Additionally, the VA must consult with DOD and the Environmental Protection Agency to make recommendations for additional chemicals that should be included in the registry.</p>	<p>Introduced by Sen. Jeanne Shaheen (D-NH) – April 14, 2021</p>	
<a href="#"><u>H.R.2660</u></a> <a href="#"><u>WATER Act</u></a>	<p>This bill directs the Department of Veterans Affairs (VA) to establish a registry for current or past members of the Armed Forces who may have been exposed to per- and polyfluoroalkyl substances due to the environmental release of aqueous film-forming foam at a military installation or other Department of Defense (DOD) location. Additionally, the VA must consult with DOD and the Environmental Protection Agency to make recommendations for additional chemicals that should be included in the registry.</p>	<p>Introduced by Rep. Robert Latta (R-OH) – April 19, 2021</p>	
<a href="#"><u>H.Res.320</u></a> <a href="#"><u>Recognizing the critical importance of access to reliable, clean drinking water for Native Americans and Alaska Natives and confirming the responsibility of the Federal Government to ensure such water access.</u></a>	<p>This resolution expresses the sense of the House of Representatives that access to reliable and clean drinking water is critically important to the health and welfare of American Indians and Alaska Natives. Further, the resolution calls upon the federal government to provide water access to tribal members and communities.</p>	<p>Introduced by Rep. Joe Neguse (D-OH) – April 15, 2021</p>	



LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>S.Res.166</u></a>  <a href="#"><u>A resolution recognizing the duty of the Federal Government to create a Green New Deal</u></a></p>	<p>This resolution calls for the creation of a Green New Deal with the goals of</p> <ul style="list-style-type: none"> <li>• achieving greenhouse gas and toxic emissions reductions needed to stay under 1.5 degrees Celsius of warming;</li> <li>• establishing millions of high-wage union jobs and ensuring economic security for all;</li> <li>• investing in infrastructure and industry;</li> <li>• securing clean air and water, climate and community resiliency, healthy food, access to nature, and a sustainable environment for all; and</li> <li>• promoting justice and equality.</li> </ul> <p>The resolution calls for accomplishment of these goals through a 10-year national mobilization effort. The resolution also enumerates the goals and projects of the mobilization effort, including</p> <ul style="list-style-type: none"> <li>• building smart power grids (i.e., power grids that enable customers to reduce their power use during peak demand periods);</li> <li>• upgrading all existing buildings and constructing new buildings to achieve maximum energy and water efficiency;</li> <li>• removing pollution and greenhouse gas emissions from the transportation and agricultural sectors;</li> <li>• cleaning up existing hazardous waste and abandoned sites;</li> <li>• ensuring businesspersons are free from unfair competition; and</li> <li>• providing higher education, high-quality health care, and affordable, safe, and adequate housing to all.</li> </ul> <p><i>Companion bill to H.Res.332.</i></p>	<p>Introduced by Sen. Ed Markey (D-MA) – April 20, 2021</p>	
<p><a href="#"><u>H.R.2673</u></a>  <a href="#"><u>CERCLA Liability Expansion and Accountability for Negligent and Unjust Pollution Act</u></a></p>	<p>This bill includes petroleum products under the definition of hazardous substances for purposes of Superfund, the program that directs and funds the cleanup of sites contaminated with hazardous substances. Additionally, the release of a petroleum product shall be considered as a release under Superfund if liability for such release is established by any other federal law.</p> <p>Per the bill, a petroleum product is petroleum or oil of any kind, in any form, or any fraction thereof, and includes fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil.</p>	<p>Introduced by Earl Blumenauer (D-OR) – April 20, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.Res.332</a> <a href="#">Recognizing the duty of the Federal Government to create a Green New Deal</a>	<p>This resolution calls for the creation of a Green New Deal with the goals of</p> <ul style="list-style-type: none"> <li>• achieving greenhouse gas and toxic emissions reductions needed to stay under 1.5 degrees Celsius of warming;</li> <li>• establishing millions of high-wage union jobs and ensuring economic security for all;</li> <li>• investing in infrastructure and industry;</li> <li>• securing clean air and water, climate and community resiliency, healthy food, access to nature, and a sustainable environment for all; and</li> <li>• promoting justice and equality.</li> </ul> <p>The resolution calls for accomplishment of these goals through a 10-year national mobilization effort. The resolution also enumerates the goals and projects of the mobilization effort, including</p> <ul style="list-style-type: none"> <li>• building smart power grids (i.e., power grids that enable customers to reduce their power use during peak demand periods);</li> <li>• upgrading all existing buildings and constructing new buildings to achieve maximum energy and water efficiency;</li> <li>• removing pollution and greenhouse gas emissions from the transportation and agricultural sectors;</li> <li>• cleaning up existing hazardous waste and abandoned sites;</li> <li>• ensuring businesspersons are free from unfair competition; and</li> <li>• providing higher education, high-quality health care, and affordable, safe, and adequate housing to all.</li> </ul> <p><i>Companion bill to S.Res.166.</i></p>	<p>Introduced by Rep. Alexandria Ocasio-Cortez (D-NY) – April 21, 2021</p>	
<a href="#">S.1239</a> <a href="#">A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for certain wastewater management subsidies</a>	<p>This bill excludes from gross income, for income tax purposes, a taxpayer subsidy provided by a state or local government to a resident for the purchase or installation of any wastewater management measure intended solely for the taxpayer's principal residence</p>	<p>Introduced by Sen. Kirsten Gillibrand (D-NY) – April 20, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.2674</a> <a href="#">Superfund Reinvestment Act</a>	<p>This bill authorizes the use of amounts in the Hazardous Substance Superfund for environmental cleanup costs under the Superfund program (which provides funding to clean up sites contaminated with hazardous substances).</p> <p>Receipts and disbursements of the Hazardous Substance Superfund must (1) not be counted for purposes of the President's budget, the congressional budget, the Balanced Budget and Emergency Deficit Control Act of 1985, or the Statutory Pay-As-You-Go Act of 2010; (2) be exempt from general budget limitations imposed by statute on expenditures and net lending (budget outlays); and (3) be available only for the allowable uses specified for the Superfund.</p> <p>This bill (1) reinstates and adjusts for inflation annually after 2021, the Hazardous Substance Superfund financing rate and the corporate environmental income tax threshold amount; and (2) extends the borrowing authority of the Superfund through 2029.</p>	<p>Introduced by Rep. Earl Blumenauer (D-OR) – April 21, 2021</p>	
<a href="#">H.R.2742</a> <a href="#">PFAS Registry Act of 2021</a>	<p>This bill directs the Department of Veterans Affairs (VA) to establish a registry for current or past members of the Armed Forces who may have been exposed to per- and polyfluoroalkyl substances due to the environmental release of aqueous film-forming foam at a military installation or other Department of Defense (DOD) location. Additionally, the VA must consult with DOD and the Environmental Protection Agency to make recommendations for additional chemicals that should be included in the registry.</p>	<p>Introduced by Rep. Chris Pappas (D-OH) – April 21, 2021</p>	
<a href="#">S.1334</a> <a href="#">PFAS Accountability Act of 2021</a>	<p>A bill to amend the Toxic Substance Control Act to codify a Federal cause of action and a type of remedy available for individuals significantly exposed to per- and polyfluoroalkyl substances, to encourage research and accountability for irresponsible discharge of those substances, and for other purposes.</p> <p><i>Companion legislation to H.R.2751.</i></p>	<p>Introduced by Sen. Kirsten Gillibrand (D-NY) – April 22, 2021</p>	
<a href="#">H.R.2751</a> <a href="#">PFAS Accountability Act of 2021</a>	<p>A bill to amend the Toxic Substance Control Act to codify a Federal cause of action and a type of remedy available for individuals significantly exposed to per- and polyfluoroalkyl substances, to encourage research and accountability for irresponsible discharge of those substances, and for other purposes.</p> <p><i>Companion legislation to S. 1334.</i></p>	<p>Introduced by Rep. Madeleine Dean (D-PA) – April 22, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">S.1341</a> <a href="#">Water Resources Research Amendments Act</a>	<p>This bill reauthorizes through FY2025 the Water Resources Research Act Program and otherwise revises the program, including by increasing the federal share of grant funding under the program for water resources research and technology institutes.</p>	<p>Introduced by Sen. Ben Cardin (D-MD)  - April 22, 2021</p>	
<a href="#">S.1303</a> <a href="#">Build America, Buy America Act</a>	<p>This bill requires federal infrastructure programs to provide for the use of materials produced in the United States.</p> <p>Each federal agency must submit to the Office of Management and Budget and to Congress a report that identifies each federal financial assistance program for infrastructure administered by the agency and (1) identify domestic content procurement preferences applicable to the assistance, (2) assess the applicability of such requirements, (3) provide details on any applicable domestic content procurement preference requirement, and (4) include a description of the type of infrastructure projects that receive funding under the program.</p> <p>Each agency shall ensure that none of the funds made available for such a program may be used for a project unless all of the iron, steel, and manufactured products used in the project are produced in the United States, subject to waivers where inconsistent with the public interest, where not produced in sufficient quantities or satisfactory quality, or where such inclusion will increase the cost of the project by more than 25%.</p> <p><i>Companion bill to H.R.2810.</i></p>	<p>Introduced by Sen. Sherrod Brown (D-OH) – April 22, 2021</p> <p>Ordered to be reported – May 21, 2021</p>	
<a href="#">H.R.2781</a> <a href="#">Water Resources Research Amendments Act</a>	<p>This bill reauthorizes through FY2025 the Water Resources Research Act Program and otherwise revises the program, including by increasing the federal share of grant funding under the program for water resources research and technology institutes.</p> <p><i>Companion bill to S.1341.</i></p>	<p>Introduced by Rep Josh Harder (D-CA) – April 22, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.2810</u></a>  <a href="#"><u>Build America, Buy America Act</u></a></p>	<p>This bill requires federal infrastructure programs to provide for the use of materials produced in the United States.</p> <p>Each federal agency must submit to the Office of Management and Budget and to Congress a report that identifies each federal financial assistance program for infrastructure administered by the agency and (1) identify domestic content procurement preferences applicable to the assistance, (2) assess the applicability of such requirements, (3) provide details on any applicable domestic content procurement preference requirement, and (4) include a description of the type of infrastructure projects that receive funding under the program.</p> <p>Each agency shall ensure that none of the funds made available for such a program may be used for a project unless all of the iron, steel, and manufactured products used in the project are produced in the United States, subject to waivers where inconsistent with the public interest, where not produced in sufficient quantities or satisfactory quality, or where such inclusion will increase the cost of the project by more than 25%.</p> <p><i>Companion bill to S.1303</i></p>	<p>Introduced by Rep. Tim Ryan (D-OH) – April 22, 2021</p> <p>Committee on Natural Resources hearing – May 4, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.2895</u></a> <a href="#"><u>REPAIR Act</u></a>	<p>This bill addresses the financing of infrastructure projects through the establishment of the Infrastructure Financing Authority (IFA) and increases the national limitation on the amount of tax-exempt highway or surface freight transfer facility bonds.</p> <p>Specifically, the bill</p> <ul style="list-style-type: none"> <li>• directs the IFA to provide direct loans and loan guarantees to facilitate certain infrastructure projects that are economically viable, in the public interest, and of regional or national significance, including the construction, consolidation, alteration, or repair of airports and air traffic control systems, highway facilities, and transmission or distribution pipelines;</li> <li>• sets forth terms and limitations on direct loans and loan guarantees;</li> <li>• establishes a funding mechanism to make the IFA a self-sustaining entity, including through fees and risk premiums on loans and loan guarantees; and</li> <li>• increases from \$15 billion to \$16 billion the national limitation on the amount of tax-exempt highway or surface freight transfer facility bonds.</li> </ul>	<p>Introduced by Rep. Scott Peters (D-CA) – April 28, 2021</p>	
<a href="#"><u>H.R.2952</u></a> <a href="#"><u>WISE Act</u></a>	<p>This bill requires each state to use a certain percentage of funds it receives for capitalization of its clean water state revolving fund for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities.</p>	<p>Introduced by Rep. Nikema Williams (R-GA) – April 30, 2021</p>	
<a href="#"><u>H.R.2979</u></a> <a href="#"><u>To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to the final maturity date of certain loans, and for other purposes</u></a>	<p>This bill allows certain federal water infrastructure loans to have maturity dates of up to 55 years.</p> <p>For a secured loan for a water infrastructure project with a useful life of more than 35 years, the final maturity date of the loan shall be no later than the earlier of (1) 55 years after the project's substantial completion, or (2) the useful life of the project. Currently, the latest possible maturity date for this type of loan is 35 years from the project's substantial completion.</p>	<p>Introduced by Rep. John Garamendi (D-CA) – May 4, 2021</p>	
<a href="#"><u>H.R.3023</u></a> <a href="#"><u>Restoring WIFIA Eligibility Act</u></a>	<p>To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to budgetary treatment of certain amounts of financial assistance, and for other purposes.</p>	<p>Introduced by Rep. Jim Costa (D-CA) – May 10, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.3112</a> <a href="#">Western Water Recycling and Drought Relief Act of 2021</a>	<p>This bill authorizes the Department of the Interior to participate in the design, planning, and construction of specified recycled water system facilities in California.</p>	<p>Introduced by Rep. Jerry McNerney (D-CA) – May 11, 2021</p>	
<a href="#">H.R.3113</a> <a href="#">MAPLand Act</a>	<p>This bill directs the Department of the Interior, the Forest Service, and the U.S. Army Corps of Engineers to jointly develop and adopt interagency standards to ensure compatibility and interoperability among federal databases for the collection and dissemination of outdoor recreation data related to federal lands.</p> <p>Interior, the Forest Service, and the Corps of Engineers must digitize and publish geographic information system mapping data that includes</p> <ul style="list-style-type: none"> <li>• federal interests, including easements and rights-of-way, in private land;</li> <li>• status information as to whether roads and trails are open or closed;</li> <li>• the dates on which roads and trails are seasonally opened and closed;</li> <li>• the types of vehicles that are allowed on each segment of roads and trails;</li> <li>• the boundaries of areas where hunting or recreational shooting is regulated or closed; and the boundaries of any portion of a body of water that is closed to entry, is closed to watercraft, or has horsepower limitations for watercrafts.</li> </ul>	<p>Introduced by Rep. Blake Moore (R-UT) – May 11, 2021</p> <p>Became Public Law No. 117-114 – April 29, 2022</p>	
<a href="#">H.R.3218</a> <a href="#">Wastewater Infrastructure Improvement Act of 2021</a>	<p>This bill sets forth requirements and establishes incentives to control water pollution. Specifically, the bill reauthorizes and revises several existing grant programs that address water pollution, including grants concerning implementing state water quality improvement programs, increasing the resilience of public wastewater utilities to man-made or natural disasters, recycling wastewater or stormwater, constructing sewer overflow and stormwater management projects, and supporting the clean water state revolving fund.</p> <p>In addition, the bill revises requirements concerning the National Pollutant Discharge Elimination System (NPDES) permit program of the Environmental Protection Agency (EPA).</p> <p>The bill allows the EPA to issue certain NPDES permits to states or municipalities for up to 10 years (currently, 5 years).</p>	<p>Introduced by Rep. David Rouzer (R-NC) – May 13, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>S.1605</u></a> <a href="#"><u>National Defense Authorization Act for Fiscal Year 2022</u></a>	<p>Provides authorizations for the Department of Defense for fiscal year 2022.</p>	<p>Introduced by Sen. Rick Scott (R-FL) – May 13, 2021</p> <p>Became Public Law No: 117-81– December 27, 2021</p>	
<a href="#"><u>H.R.3267</u></a> <a href="#"><u>Protect Drinking Water from PFAS Act of 2021</u></a>	<p>This bill requires the Environmental Protection Agency (EPA) to address the level of perfluoroalkyl and polyfluoroalkyl substances (PFAS) in drinking water. PFAS are man-made and may have adverse human health effects. A variety of products contain PFAS, such as nonstick cookware or weatherproof clothing.</p> <p>In addition, the EPA must publish a maximum contaminant level goal (MCLG) and promulgate a national primary drinking water regulation for PFAS.</p> <p>The MCLG and regulation must be protective of the health of subpopulations that may be at greater risk than the general population of adverse health effects from exposure to PFAS in drinking water.</p>	<p>Introduced by Rep. Brendan Boyle (D-PA) – May 17, 2021</p>	
<a href="#"><u>H.R.3282</u></a> <a href="#"><u>Drinking Water Funding for the Future Act of 2021</u></a>	<p>This bill reauthorizes through FY2026 several drinking water programs, such as programs concerning efforts to</p> <ul style="list-style-type: none"> <li>• assess risks to community water systems,</li> <li>• deploy innovative water technologies,</li> <li>• enforce compliance with standards under the Safe Drinking Water Act,</li> <li>• monitor unregulated drinking water contaminants,</li> <li>• assist water systems through the drinking water state revolving fund,</li> <li>• protect source waters,</li> <li>• test water quality in small and disadvantaged communities, and reduce lead in drinking water.</li> </ul>	<p>Introduced by Rep. David McKinley (R-WV) – May 17, 2021</p>	



LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.3291</u></a>  <a href="#"><u>Assistance, Quality, and Affordability Act of 2021</u></a></p>	<p>This bill provides support for drinking water infrastructure and requires the Environmental Protection Agency (EPA) to address the safety and affordability of drinking water.</p> <p>The bill reauthorizes and establishes several programs for drinking water infrastructure. For example, it reauthorizes through FY2031 the drinking water state revolving fund.</p> <p>In addition, the bill revises requirements concerning the safety of drinking water, including by requiring the EPA to promulgate national primary drinking water regulations for perfluoroalkyl and polyfluoroalkyl substances (commonly known as PFAS), microcystin toxin, and 1,4-dioxane. PFAS are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing. Microcystin is a toxin that is produced by certain algae. The solvent known as 1,4-dioxane may also have adverse human health effects. It is used in variety of products, such as adhesives, sealants, and printing inks.</p> <p>The EPA must also implement a residential emergency relief program that assists customers of public water systems with paying drinking water bills. Under the program, the EPA must provide payments to public water systems to reimburse them for forgiving their customers' debts or fees for services provided since March 1, 2020. Public water systems that receive payments may not disconnect or interrupt their customer's service because of such debt or fees.</p>	<p>Introduced by Rep. Paul Tonko (D-NY) – May18, 2021</p> <p>Passed via legislative vehicle H.R. 3684 – July 1, 2021</p>	
<p><a href="#"><u>H.R.3293</u></a>  <a href="#"><u>Low-Income Water Customer Assistance Programs Act of 2021</u></a></p>	<p>This bill directs the Environmental Protection Agency (EPA) to establish grant programs to assist low-income households in maintaining access to drinking water and wastewater services. Specifically, the EPA must establish a program to assist such households with paying drinking water bills. States and community water systems may apply for grants.</p> <p>In addition, the EPA must establish a program to assist such households with paying wastewater utility bills. States may apply for grants for small community-serving wastewater facilities. Certain municipalities may apply for grants for (1) treatment works for municipal waste, or (2) municipal separate storm sewer systems.</p>	<p>Introduced by Rep. Lisa Blunt Rochester – (D-DE) – May 18, 2021</p> <p>Passed via legislative vehicle H.R. 3684 – July 1, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.3292</u></a> <a href="#"><u>Water Debt Relief Act of 2021</u></a>	<p>This bill requires the Environmental Protection Agency (EPA) to implement a residential emergency relief program. Under the program, the EPA must reimburse public water systems for providing forgiveness of the debts and fees of customers who incurred new debts on or after March 1, 2020.</p>	<p>Introduced by Rep. Debbie Dingell (D-MI) – May 18, 2021</p>	
<a href="#"><u>H.R.3339</u></a> <a href="#"><u>National Infrastructure Bank Act of 2021</u></a>	<p>This bill creates the National Infrastructure Bank to facilitate the long-term financing of infrastructure projects. Specifically, the bank must provide loans to public and private entities for financing, developing, or operating eligible infrastructure projects. An eligible project must have a public sponsor as well as local, regional, or national significance.</p> <p>The bill treats the bank as a government corporation exempt from tax and treats contributions to the bank as charitable contributions. The bill also provides for criteria and preferences for deciding whether to provide a loan, such as whether a project promotes job creation or provides environmental benefits. Projects that receive a loan must (1) pay all laborers and mechanics locally prevailing wages, and (2) use only certain U.S.-produced construction materials unless a waiver is secured from the bank.</p> <p>The bank shall issue stock and may also issue bonds and maintain a discount line of credit with the Federal Reserve System. The bank must apply for a national bank charter and, once chartered, accept deposits from individuals, corporations, and public entities and pay interest on those deposits. The bill imposes requirements related to the bank's operation, such as minimum reserve requirements and requirements for handling loan losses. In addition, the bank must facilitate the organization of at least seven regional economic accelerator planning groups to, among other activities, identify infrastructure needs and priorities.</p> <p>Within five years, the Government Accountability Office must report on the bank's activities.</p>	<p>Introduced by Rep. Danny Davis (D-IL) – May 19, 2021</p>	
<a href="#"><u>S.1761</u></a> <a href="#"><u>Water Quality Certification Improvement Act of 2021</u></a>	<p>This bill limits the authority of states with respect to water quality certifications. Specifically, the bill limits the authority of states to review federally permitted activities that may result in discharges into navigable waters.</p>	<p>Introduced by Sen. John Barrasso (R-WY) – May 20, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.3404</a> <a href="#">FUTURE Western Water Infrastructure and Drought Resiliency Act</a>	<p>This bill addresses water-related resources and infrastructure.</p> <p>Among other provisions, the bill”</p> <ul style="list-style-type: none"> <li>• reauthorizes through FY2026 the California Bay-Delta program, the Water Availability and Use Science Program, and a water desalination program;</li> <li>• reauthorizes through FY2028 the Fisheries Restoration and Irrigation Mitigation program;</li> <li>• creates various grants for water projects and expands the allowable uses of grants for water recycling and reuse projects;</li> <li>• establishes a funding source for certain water resources development projects in western states;</li> <li>• expands the tax exclusion for energy conservation subsidies provided by public utilities to include certain subsidies for water conservation or efficiency measures and stormwater management measures;</li> <li>• establishes prizes for water technology applications;</li> <li>• requires the U.S. Army Corps of Engineers to use specified funds for water control manual updates for forecast-informed water operations projects; and</li> <li>• allows certain funding to be used for the remediation of land formerly used to cultivate marijuana.</li> </ul> <p>The Department of the Interior must, within 10 years, make certain streamgages operational. (Streamgages are fixed structures at streams, rivers, lakes, and reservoirs that measure water level and related streamflow.)</p> <p>The bill establishes programs related to ecosystem protection and restoration, including programs to (1) incentivize farmers to keep fields flooded during appropriate periods for waterbird habitat creation and maintenance, and (2) prepare drought plans to sustain critically important fisheries.</p>	<p>Introduced by Rep. Jared Huffman (D-CA) – May 20, 2021</p>	
<a href="#">H.R.3422</a> <a href="#">Water Quality Certification Improvement Act of 2021</a>	<p>This bill limits the authority of states with respect to water quality certifications. Specifically, the bill limits the authority of states to review federally permitted activities that may result in discharges into navigable waters.</p>	<p>Introduced by Rep. David McKinley (R-WV) – May 20, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">S.1726</a>  <a href="#">21st Century Buy American Act</a></p>	<p>This bill modifies domestic product preferences for federal acquisitions. The bill also allows the Department of Defense to make or guarantee loans to manufacturers under the Defense Production Act for specified uses, such as to increase the capacity to produce items that are vital to national security.</p> <p>The bill requires more than 60% of a product's cost to be from domestic components for the product to qualify as American for purposes of the Buy American Act.</p> <p>The bill narrows the circumstances under which the overseas use exception and the public interest exception to domestic content requirements may be made.</p> <p>The General Services Administration must maintain BuyAmerican.gov, which must include and make available to the public (1) information on all waivers and exceptions to domestic product preference laws requested, under consideration, or granted; and (2) publicly available contact information for the contracting agencies.</p> <p>No requested waiver of a domestic product preference law may be granted if (1) the request was not made available to the public, (2) the information available to the agency concerning the request was not made available to the public, or (3) no opportunity for public comment concerning the request was granted.</p> <p><i>Companion bill to H.R.3880.</i></p>	<p>Introduced by Sen. Chris Murphy (D-CT) – May 20, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">H.R.3473</a>  <a href="#">Build Local, Hire Local Act</a></p>	<p>This bill imposes various requirements on certain federally assisted infrastructure projects. The bill also creates infrastructure-related grant programs and establishes the Buy America Bureau.</p> <p>Such federally assisted infrastructure projects must (1) employ a certain percentage of local workers to the maximum extent practicable; and (2) prioritize hiring certain individuals, such as veterans and those facing barriers to employment. A certain percentage of funds for these projects must be used for contracts with small businesses that have fewer than 10 employees.</p> <p>When applying for a contract, grant, or loan related to a project, the applying entity must disclose whether there are any rulings, such as a civil judgment, finding that the entity has violated certain federal labor and occupational safety laws in the last three years.</p> <p>In addition, the Department of Transportation must award grants to entities in disadvantaged and underserved communities for infrastructure projects that create connected, economically prosperous, and environmentally healthy communities. Further, the Department of Labor must provide grants to workforce development boards and industry partnerships for job training programs to train certain groups, such as individuals with barriers to employment, for jobs in targeted infrastructure industries.</p> <p>The bill also establishes the Buy America Bureau within the Department of Commerce to oversee project compliance with existing laws that require the use of U.S.-made materials in certain federally funded projects.</p> <p><i>Companion bill to S.1827.</i></p>	<p>Introduced by Rep. Karen Bass (D-CA) – May 25, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">S.1827</a>  <a href="#">Build Local, Hire Local Act</a></p>	<p>This bill imposes various requirements on certain federally assisted infrastructure projects. The bill also creates infrastructure-related grant programs and establishes the Buy America Bureau.</p> <p>Such federally assisted infrastructure projects must (1) employ a certain percentage of local workers to the maximum extent practicable; and (2) prioritize hiring certain individuals, such as veterans and those facing barriers to employment. A certain percentage of funds for these projects must be used for contracts with small businesses that have fewer than 10 employees.</p> <p>When applying for a contract, grant, or loan related to a project, the applying entity must disclose whether there are any rulings, such as a civil judgment, finding that the entity has violated certain federal labor and occupational safety laws in the last three years.</p> <p>In addition, the Department of Transportation must award grants to entities in disadvantaged and underserved communities for infrastructure projects that create connected, economically prosperous, and environmentally healthy communities. Further, the Department of Labor must provide grants to workforce development boards and industry partnerships for job training programs to train certain groups, such as individuals with barriers to employment, for jobs in targeted infrastructure industries.</p> <p>The bill also establishes the Buy America Bureau within the Department of Commerce to oversee project compliance with existing laws that require the use of U.S.-made materials in certain federally funded projects.</p> <p><i>Companion bill to H.R.3473.</i></p>	<p>Introduced by Sen. Kirsten Gillibrand (D-NY) – May 25, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>S.1907</u></a>  <a href="#"><u>Clean Water Standards for PFAS Act of 2021</u></a></p>	<p>This bill directs the Environmental Protection Agency (EPA) to develop requirements and incentives to limit the discharge of perfluoroalkyl and polyfluoroalkyl substances (PFAS) into certain waters of the United States. PFAS are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing.</p> <p>Within two years, the EPA must publish water quality criteria for each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of PFAS. The water quality criteria must determine how much of these substances can be present in water before it is likely to harm human health.</p> <p>Within four years, the EPA must publish a final rule that establishes, for each priority industry category specified in the bill, effluent limitations guidelines and standards for the discharge of each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of PFAS. Under the Clean Water Act, effluent limitations restrict the quantities, rates, and concentrations of chemical, physical, biological, and other constituents which are discharged from point sources (e.g., a discernible source such as a pipe) into navigable waters, the ocean, or other specified waters.</p> <p>In addition, the EPA must award grants to owners and operators of publicly owned treatment works for implementing the effluent limitations guidelines and standards.</p> <p><i>Companion bill to H.R.3622.</i></p>	<p>Introduced by Sen. Kirsten Gillibrand (D-NY) – May 27, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">S.1855</a>  <a href="#">Wildfire Emergency Act of 2021</a></p>	<p>This bill provides for programs and activities in support of forest restoration, wildfire mitigation, and energy resilience.</p> <p>The Department of Agriculture (USDA) shall select landscape-scale forest restoration projects to implement on National Forest System land and on land adjoining National Forest System land. USDA shall establish a pilot program under which USDA may enter into conservation finance agreements with public or private persons to implement and monitor such projects.</p> <p>The Department of Energy shall establish a program to support critical infrastructure and microgrids, including by improving the energy resilience and power needs of critical facilities (e.g., hospitals) through the use of microgrids, renewable energy, energy efficiency, reduced electricity demand, and on-site storage.</p> <p>USDA and the Department of the Interior shall establish one or more centers in western states to train individuals in methods relevant to the mitigation of wildfire risk.</p> <p>USDA shall establish a competitive grant program to support workforce development in forestry and fire management.</p>	<p>Introduced by Sen. Dianne Feinstein (D-CA) – May 26, 2021</p>	



LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.3622</u></a>  <a href="#"><u>Clean Water Standards for PFAS Act of 2021</u></a></p>	<p>This bill directs the Environmental Protection Agency (EPA) to develop requirements and incentives to limit the discharge of perfluoroalkyl and polyfluoroalkyl substances (PFAS) into certain waters of the United States. PFAS are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing.</p> <p>Within two years, the EPA must publish water quality criteria for each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of PFAS. The water quality criteria must determine how much of these substances can be present in water before it is likely to harm human health.</p> <p>Within four years, the EPA must publish a final rule that establishes, for each priority industry category specified in the bill, effluent limitations guidelines and standards for the discharge of each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of PFAS. Under the Clean Water Act, effluent limitations restrict the quantities, rates, and concentrations of chemical, physical, biological, and other constituents which are discharged from point sources (e.g., a discernible source such as a pipe) into navigable waters, the ocean, or other specified waters.</p> <p>In addition, the EPA must award grants to owners and operators of publicly owned treatment works for implementing the effluent limitations guidelines and standards.</p> <p><i>Companion bill to S.1907.</i></p>	<p>Introduced by Rep. Chris Pappas (D-NH) – May 28, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.3684</a> <a href="#">INVEST in America Act</a>	<p>This bill addresses provisions related to federal-aid highway, transit, highway safety, motor carrier, research, hazardous materials, and rail programs of the Department of Transportation (DOT).</p> <p>Among other provisions, the bill</p> <ul style="list-style-type: none"> <li>• extends FY2021 enacted levels through FY2022 for federal-aid highway, transit, and safety programs;</li> <li>• reauthorizes for FY2023-FY2026 several surface transportation programs, including the federal-aid highway program, transit programs, highway safety, motor carrier safety, and rail programs;</li> <li>• addresses climate change, including strategies to reduce the climate change impacts of the surface transportation system and a vulnerability assessment to identify opportunities to enhance the resilience of the surface transportation system and ensure the efficient use of federal resources;</li> <li>• revises Buy America procurement requirements for highways, mass transit, and rail;</li> <li>• establishes a rebuild rural bridges program to improve the safety and state of good repair of bridges in rural communities;</li> <li>• implements new safety requirements across all transportation modes; and</li> <li>• directs DOT to establish a pilot program to demonstrate a national motor vehicle per-mile user fee to restore and maintain the long-term solvency of the Highway Trust Fund and achieve and maintain a state of good repair in the surface transportation system.</li> </ul>	<p>Introduced by Rep. Peter DeFazio (D-OR) – June 4, 2021</p> <p>Became Public Law No. 117-58 – November 15, 2021</p>	
<a href="#">H.R.3691</a> <a href="#">Wastewater Infrastructure Modernization Act</a>	<p>This bill requires the Environmental Protection Agency to establish a program to award grants to municipalities for projects at publicly owned treatment works concerning (1) intelligent sewage or stormwater collection systems, or (2) innovative and alternative combined storm and sanitary sewer projects</p>	<p>Introduced by Rep. Carolyn Bourdeaux (D-GA) – June 4, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.3701</a> <a href="#">PIPE Act</a>	<p>This bill directs the Environmental Protection Agency to establish (1) a wastewater infrastructure discretionary grant program, and (2) a drinking water infrastructure discretionary grant program. Under the programs, state, local, and tribal governments, public water utilities (e.g., systems used to treat wastewater or sewage), and certain water systems may apply for grants for infrastructure projects.</p>	<p>Introduced by Rep. Antonio Delgado (D-NY) – June 4, 2021</p>	
<a href="#">H.R.3722</a> <a href="#">21st Century Infrastructure Bank Act</a>	<p>To establish the 21st Century American Infrastructure Bank, and for other purposes.</p>	<p>Introduced by Rep. Sean Maloney (D-NY) – June 4, 2021</p>	
<a href="#">H.R.3751</a> <a href="#">Clean Water Infrastructure Resilience and Sustainability Act of 2021</a>	<p>This bill requires the Environmental Protection Agency to establish a grant program for increasing the resilience of publicly owned treatment works (e.g., systems used to treat wastewater or sewage) to natural hazards, such as extreme weather events. Under the program, the EPA must award grants to (1) a municipality; or (2) an intermunicipal, interstate, or state agency.</p>	<p>Introduced by Rep. Salud Carbajal (D-CA) – June 8, 2021</p>	
<a href="#">H.R.3814</a> <a href="#">UNSHACKLE Act</a>	<p>This bill revises the environmental review process required under the National Environmental Policy Act of 1969 (NEPA), including by</p> <ul style="list-style-type: none"> <li>• establishing deadlines for federal agencies to complete reviews of the environmental effects of proposed major federal actions;</li> <li>• establishing penalties for agencies that do not comply with these deadlines;</li> <li>• limiting the number of assessment documents required for proposed major federal actions, requiring agencies to reuse certain research or documents, and allowing agencies to adopt environmental documents prepared by states or third parties;</li> <li>• requiring agencies to only consider alternatives to proposed actions that are technically and economically feasible;</li> <li>• prohibiting agencies from considering whether proposed actions or alternatives to those actions will have an effect on climate change; and</li> <li>• establishing requirements concerning the judicial review of NEPA cases.</li> </ul>	<p>Introduced by Rep. Liz Cheney (R-WY) – June 11, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.4018</u></a> <a href="#"><u>NEED Water Act</u></a>	<p>This bill describes which bodies of water fall under federal jurisdiction for purposes of the Clean Water Act. Specifically, the bill redefines navigable waters and establishes a process for the U.S. Army Corps of Engineers to determine, upon request, whether certain waters are navigable waters.</p>	<p>Introduced by Rep. David Valadao (R-CA) – June 17, 2021</p>	
<a href="#"><u>S.2168</u></a> <a href="#"><u>Define WOTUS Act of 2021</u></a>	<p>This bill describes which bodies of water fall under federal jurisdiction for purposes of the Clean Water Act. Specifically, the bill redefines navigable waters and establishes a process for the U.S. Army Corps of Engineers to determine, upon request, whether certain waters are navigable waters.</p> <p><i>Companion bill to H.R.4570.</i></p>	<p>Introduced by Rep. Mike Braun (R-IN) – June 22, 2021</p>	
<a href="#"><u>H.R.4069</u></a> <a href="#"><u>Septic Upgrade Grant Act</u></a>	<p>To amend the Federal Water Pollution Control Act to provide for additional subsidization assistance to a municipality to carry out on-site wastewater treatment system projects, and for other purposes.</p>	<p>Introduced by Thomas Suozzi (D-NY) – June 22, 2021</p>	
<a href="#"><u>H.R.4099</u></a> <a href="#"><u>Large-Scale Water Recycling Project Investment Act</u></a>	<p>To direct the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects, and for other purposes.</p>	<p>Introduced by Rep. Grace Napolitano (D-CA) – June 23, 2021</p> <p>House Natural Resources Subcommittee on Water, Oceans, and Wildlife hearing held – June 29, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">S.2286</a> <a href="#">Western Water, Jobs, and Infrastructure Act</a>	<p>This bill provides funding to carry out rural water projects, Indian water rights settlement agreements, and projects related to the Milk River Project in Montana.</p> <p>First, the bill establishes and provides funds through FY2026 for the Reclamation Rural Water Project Construction Fund, from which the Bureau of Reclamation must complete construction of authorized rural water projects.</p> <p>Next, the bill establishes and provides funds through October 1, 2025, for the Indian Water Rights Settlement Completion Fund, from which the Department of the Interior must implement any Indian water rights settlement agreements approved by Congress.</p> <p>In addition, the bill provides FY2022 funding for Reclamation to carry out projects to rehabilitate the Milk River Project, including projects to rehabilitate or replace infrastructure.</p>	<p>Introduced by Sen. Jon Tester (D-MT) – June 24, 2021</p>	
<a href="#">H.R.4224</a> <a href="#">PFAS Transparency Act</a>	<p>The bill requires an industrial entity that introduces perfluoroalkyl or polyfluoroalkyl substances, commonly referred to as PFAS, into wastewater treatment systems to provide specified advance notices to such systems, including the identity and quantity of such PFAS.</p> <p>PFAS are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing.</p>	<p>Introduced by Rep. Antonio Delgado (D-NY) – June 29, 2021</p>	
<a href="#">H.R.4284</a> <a href="#">Clean Drinking Water Equity Act</a>	<p>To amend the Safe Drinking Water Act with respect to assistance for disadvantaged communities, and for other purposes.</p>	<p>Introduced by Rep. Raul Ruiz (D-CA) – June 30, 2021</p>	
<a href="#">H.R.4336</a> <a href="#">NEPA State Assignment Expansion Act</a>	<p>This bill allows certain states to enter into agreements with federal agencies to assume federal responsibilities regarding the environmental review of proposed major federal actions under the National Environmental Policy Act of 1969.</p>	<p>Introduced by Rep. David Schweikert (R-AZ) – July 1, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.4372</u></a> <a href="#"><u>Department of the Interior, Environment, and Related Agencies Appropriations Act, 2022</u></a>	<p>Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.</p>	<p>Introduced by Rep. Chellie Pingree (D-ME) – July 6, 2021</p> <p>Passed via legislative minibus H.R.4502 – August 3, 2021</p>	
<a href="#"><u>S.2334</u></a> <a href="#"><u>Large Scale Water Recycling Project and Drought Resiliency Investment Act</u></a>	<p>To direct the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects, to amend the Omnibus Public Land Management Act of 2009 to make certain modifications to the Cooperative Watershed Management Program, to provide emergency drought funding, and for other purposes.</p> <p><i>Companion bill to H.R.4099.</i></p>	<p>Introduced by Sen. Catherine Cortez Masto (D-NV) – July 13, 2021</p>	
<a href="#"><u>H.R.4413</u></a> <a href="#"><u>National Infrastructure Development Bank Act of 2021</u></a>	<p>This bill establishes the National Infrastructure Development Bank as a government corporation to finance energy, environmental (e.g., drinking water or waste facilities), telecommunications, and transportation infrastructure projects. The bill establishes the National Infrastructure Development Bank Board, which must oversee the infrastructure projects. The board may make loans and loan guarantees to assist in financing infrastructure projects.</p> <p>Further, the board must establish an executive committee, a risk management committee, an audit committee, and a compliance office. To be eligible for financial assistance from the bank, an infrastructure project (1) must have a public benefit, as determined by the board; and (2) may not have a sole use or purpose that is private. An infrastructure project must use iron, steel, and manufactured products that are made in the United States.</p> <p>The bill also establishes accounting and reporting requirements. In particular, the Government Accountability Office must, within five years of this bill's enactment, submit a report to Congress evaluating the bank's activities.</p>	<p>Introduced by Rep. Rosa DeLauro (D-CT) – July 13, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>S.2361</u></a> <a href="#"><u>Green Retrofits Act</u></a>	<p>To reauthorize the budget-neutral demonstration program for energy and water conservation at multifamily residential units, to establish a green retrofit program, and for other purposes.</p>	<p>Introduced by Sen. John Reed (D-RI) – July 15, 2021</p>	
<a href="#"><u>H.R.4502</u></a> <a href="#"><u>Labor, Health and Human Services, Education, Agriculture, Rural Development, Energy and Water Development, Financial Services and General Government, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act, 2022</u></a>	<p>This bill provides FY2022 appropriations to the Departments of Labor, Health and Human Services, and Education; and related agencies.</p>	<p>Introduced by Rep. Rosa DeLauro (D-CT) – July 19, 2021</p> <p>Passed the House; received in the Senate – August 3, 2021</p>	
<a href="#"><u>H.R.4549</u></a> <a href="#"><u>Energy and Water Development and Related Agencies Appropriations Act, 2022</u></a>	<p>This bill provides FY2022 appropriations for U.S. Army Corps of Engineers civil works projects, the Department of the Interior's Bureau of Reclamation, the Department of Energy (DOE), and independent agencies such as the Nuclear Regulatory Commission.</p>	<p>Introduced by Rep. Marcy Kaptur (D-OH) – July 20, 2021</p> <p>Passed via legislative minibus H.R.4502 – August 3, 2021</p>	
<a href="#"><u>H.R.4570</u></a> <a href="#"><u>Define WOTUS Act of 2021</u></a>	<p>This bill describes which bodies of water fall under federal jurisdiction for purposes of the Clean Water Act. Specifically, the bill redefines navigable waters and establishes a process for the U.S. Army Corps of Engineers to determine, upon request, whether certain waters are navigable waters.</p> <p><i>Companion bill to S.2168</i></p>	<p>Introduced by Rep. Mary Miller (R-IL) – July 20, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">S.2404</a> <a href="#">Western Wildfire Support Act of 2021</a>	<p>The bill requires the Department of Agriculture (USDA) and the Department of the Interior to establish spatial fire management plans before the end of FY2024.</p> <p>The bill establishes</p> <ul style="list-style-type: none"> <li>• accounts in the Treasury for addressing wildfires,</li> <li>• a program to train and certify citizens who wish to be able to volunteer to assist USDA or Interior during a wildland fire incident,</li> <li>• a program to award grants to eligible states or units of local government to acquire slip-on tank and pump units for a surge capacity of resources for fire suppression,</li> <li>• the Theodore Roosevelt Genius Prize for the management of wildfire-related invasive species, and</li> <li>• the Management of Wildfire-Related Invasive Species Technology Advisory Board.</li> </ul>	<p>Introduced by Sen. Catherine Cortez Masto (D-NV) – July 20, 2021</p> <p>Committee on Energy and Natural Resource hearing held – October 21, 2021</p>	
<a href="#">S.2406</a> <a href="#">Protect Drinking Water from PFAS Act of 2021</a>	<p>This bill requires the Environmental Protection Agency (EPA) to address the level of perfluoroalkyl and polyfluoroalkyl substances (PFAS) in drinking water. PFAS are man-made and may have adverse human health effects. A variety of products contain PFAS, such as nonstick cookware or weatherproof clothing.</p> <p>The EPA must publish a maximum contaminant level (MCL) and promulgate a national primary drinking water regulation for PFAS that includes perfluorooctanoic acid (commonly referred to as PFOA) and perfluorooctane sulfonic acid (commonly referred to PFOS). The MCL and regulation must be protective of the health of subpopulations that may be at greater risk than the general population of adverse health effects from exposure to PFAS in drinking water.</p>	<p>Introduced by Sen. Kirsten Gillibrand (D-NY) – July 21, 2021</p>	
<a href="#">H.R.4597</a> <a href="#">Clean Water SRF Parity Act</a>	<p>To amend the Federal Water Pollution Control Act to make certain projects and activities eligible for financial assistance under a State water pollution control revolving fund, and for other purposes.</p>	<p>Introduced by Rep. John Garamendi (D-CA) – July 21, 2021</p>	



LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.4602</a> <a href="#">WIPPES Act</a>	<p>To direct the Administrator of the Environmental Protection Agency to establish a grant program to improve the effectiveness of education and outreach on “Do Not Flush” labeling, and to require the Federal Trade Commission, in consultation with the Administrator, to issue regulations requiring certain products to have “Do Not Flush” labeling, and for other purposes.</p> <p><i>Companion bill to S.3956.</i></p>	<p>Introduced by Rep. Alan Lowenthal (D-CA) – July 21, 2021</p>	
<a href="#">S.2430</a> <a href="#">Water Conservation Rebate Tax Parity Act</a>	<p>This bill expands the tax exclusion for energy conservation subsidies provided by public utilities to include certain subsidies for water conservation or efficiency measures and storm water management measures.</p> <p>The bill excludes from gross income subsidies provided (directly or indirectly) (1) by a public utility to a customer, or by a state or local government to a resident of such state or locality, for the purchase or installation of any water conservation or efficiency measure; and (2) by a storm water management provider to a customer, or by a state or local government to a resident of such state or locality, for the purchase or installation of any storm water management measure</p> <p><i>Companion bill to H.R.4647.</i></p>	<p>Introduced by Rep. Jared Huffman (D-CA) – July 22, 2021</p>	
<a href="#">S.2454</a> <a href="#">Water Reuse and Resiliency Act of 2021</a>	<p>To amend the Federal Water Pollution Control Act to reauthorize the pilot program for alternative water source projects, and for other purposes.</p>	<p>Introduced by Sen. Alex Padilla (D-CA) – July 22, 2021</p>	
<a href="#">H.R.4647</a> <a href="#">Water Conservation Rebate Tax Parity Act</a>	<p>This bill expands the tax exclusions for energy conservation subsidies to include subsidies provided (directly or indirectly) (1) by a public utility for the purchase or installation of any water conservation or efficiency measure; (2) by a storm water management provider for the purchase or installation of any storm water management measure; or (3) by a state or local government to a resident of such state or locality for the purchase or installation of any wastewater management measure, but only if such measure concerns the taxpayer's principal residence.</p>	<p>Introduced by Rep. Jared Huffman (D-CA) – July 22, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.4712</a> <a href="#">Desalination</a> <a href="#">Development Act</a>	<p>This bill reauthorizes through FY2024 a grant program for constructing desalination projects. The bill also revises the program, including by requiring the prioritization of projects that maximize energy efficiency and the use of renewable energy.</p>	<p>Introduced by Rep. Mike Levin (D-CA) – July 27, 2021</p>	
<a href="#">H.R.4614</a> <a href="#">Resilient Federal Forests</a> <a href="#">Act</a>	<p>This bill modifies and sets forth provisions regarding forest management activities on National Forest System, public, and tribal lands. The bill provides for, among other things”</p> <ul style="list-style-type: none"> <li>• the Departments of Agriculture (USDA) and Interior to conduct fireshed management projects in fireshed management areas,</li> <li>• certain categorical exclusions for various purposes,</li> <li>• the balancing of the short- and long-term effects of forest management activities while considering injunctive relief,</li> <li>• USDA and Interior to establish their own discretionary arbitration pilot programs as an alternative dispute resolution process for forest management activities,</li> <li>• increasing the maximum term for a stewardship end result contract to 20 years,</li> <li>• demonstration projects to support the development and commercialization of biochar on Indian forest lands or rangelands and in nearby communities by providing reliable supplies of feedstock from federal lands,</li> <li>• the decommissioning of certain Forest Service Roads within designated high fire-prone areas,</li> <li>• repealing of the Eastside Screens requirements on National Forest System lands,</li> <li>• making the Northwest Forest Plan Survey and Manage Mitigation Measure Standards and Guidelines inapplicable to any National Forest System lands or public lands,</li> <li>• development of a protection plan for giant sequoia trees on National Forest System lands and public lands, and</li> <li>• permanent rights of access to the Oregon and California Railroad grant lands and the Coos Bay Wagon Road grant lands for private landowners issued reciprocal road rights-of-way.</li> </ul>	<p>Introduced by Repl. Bruce Westerman (R-AR) – July 22, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">S.2567</a> <a href="#">Navigable Waters</a> <a href="#">Protection Act of 2021</a>	<p>To enact the definition of “waters of the United States” into law, and for other purposes.</p>	<p>Introduced by Sen. Shelley Capito (R-WV) – July 29, 2021</p>	
<a href="#">S.2605</a> <a href="#">Energy and Water</a> <a href="#">Development and</a> <a href="#">Related Agencies</a> <a href="#">Appropriations Act,</a> <a href="#">2022</a>	<p>This bill provides FY2022 appropriations for U.S. Army Corps of Engineers civil works projects, the Department of the Interior's Bureau of Reclamation, the Department of Energy (DOE), and independent agencies such as the Nuclear Regulatory Commission..</p>	<p>Introduced by Sen. Dianne Feinstein (D-CA) – August 4, 2021</p> <p>Passed the Appropriations Committee; Placed on the Senate calendar – August 4, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">S.2630</a> <a href="#">Environmental Justice Act of 2021</a>	<p>This bill requires agencies to address and mitigate the disproportionate impact of environmental and human health hazards on communities of color, indigenous communities, and low-income communities resulting from agencies' programs and policies. The bill also requires agencies to address cumulative impacts of pollution in permitting decisions and expands the types of legal actions available to individuals regarding charges of federal discriminatory practices.</p> <p>Specifically, the bill provides statutory authority for a variety of existing programs, executive orders, federal guidance, and committees concerning environmental justice, including</p> <ul style="list-style-type: none"> <li>• Executive Order 12898;</li> <li>• a guidance issued in 1997 by the Council on Environmental Quality titled Environmental Justice Guidance Under the National Environmental Policy Act;</li> <li>• a guidance issued in 2016 by the Environmental Protection Agency titled EPA Policy on Consultation and Coordination with Indian Tribes: Guidance for Discussing Tribal Treaty Rights;</li> <li>• the National Environmental Justice Advisory Council;</li> <li>• the Environmental Justice Small Grants Program; and</li> <li>• the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program.</li> <li>• In addition, the bill requires agencies renewing or issuing specified permits under the Clean Water Act or the Clean Air Act to consider the cumulative impacts of pollution.</li> </ul> <p>The bill also allows individuals to bring actions under the Civil Rights Act against entities that receive federal assistance and engage in discriminatory practices that have a disparate impact. Currently, individuals must request that federal agencies bring such actions on their behalf.</p>	<p>Introduced by Sen. Cory Booker (D-NJ) – August 5, 2021</p>	
<a href="#">H.R.4976</a> <a href="#">Ensuring PFAS Cleanup Meets or Exceeds Stringent Standards Act</a>	<p>To direct the Secretary of Defense to ensure that removal and remedial actions relating to PFAS contamination result in levels meeting or exceeding certain standards, and for other purposes.</p>	<p>Introduced by Rep. Elissa Slotkin (D-MI) – August 6, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.4979</a> <a href="#">Maintaining Access to Essential Services Act of 2021</a>	<p>This bill establishes several loan programs to assist households with paying utility bills for drinking water, wastewater, stormwater management, energy (e.g., electricity, natural gas, or propane), and internet services during the COVID-19 public health emergency. Under the programs, the utilities may apply for loans that are equal to the amount of the payment shortfall from their customers during the emergency.</p>	<p>Introduced by Rep. Rashia Tlaib (D-MI) – August 6, 2021</p>	
<a href="#">S.2698</a> <a href="#">Stop CATASTROPHES Act</a>	<p>This bill categorically excludes certain forest management activities from the requirement to prepare an environmental assessment or an environmental impact statement. The activities are those that are carried out by the Department of Agriculture on National Forest System Lands or the Department of the Interior on public lands where the primary purpose is to improve or restore such lands or reduce the risk of wildfire on such lands.</p> <p>To be excluded, the area of the forest management activity may not exceed 10,000 acres.</p>	<p>Introduced by Sen. Cynthia Lummis (R-WY) – August 10, 2021</p>	
<a href="#">S.Con.Res.14</a> <a href="#">A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2022 and setting forth the appropriate budgetary levels for fiscal years 2023 through 2031</a>	<p>This concurrent resolution establishes the congressional budget for the federal government for FY2022, sets forth budgetary levels for FY2023-FY2031, and provides reconciliation instructions for legislation that increases the deficit.</p> <p>The resolution recommends levels and amounts for FY2022-FY2031 for</p> <ul style="list-style-type: none"> <li>• federal revenues,</li> <li>• new budget authority,</li> <li>• budget outlays,</li> <li>• deficits,</li> <li>• public debt,</li> <li>• debt held by the public, and</li> <li>• the major functional categories of spending.</li> </ul>	<p>Introduced by Sen. Bernie Sanders (I-VT) – August 9, 2021</p> <p>Agreed to in the House – November 18, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u><b>H.R.5305</b></u></a>  <a href="#"><u>Extending Government Funding and Delivering Emergency Assistance Act</u></a></p>	<p>This bill provides continuing FY2022 appropriations for federal agencies, provides supplemental appropriations, and extends several expiring programs and authorities.</p> <p>Specifically, the bill provides continuing FY2022 appropriations to federal agencies through the earlier of December 3, 2021, or the enactment of the applicable appropriations act.</p> <p>It is known as a continuing resolution (CR) and prevents a government shutdown that would otherwise occur if the FY2022 appropriations bills have not been enacted when FY2022 begins on October 1, 2021. The CR funds most programs and activities at the FY2021 levels with several exceptions that provide funding flexibility and additional appropriations for various programs.</p> <p>In addition, the bill provides supplemental appropriations to several federal agencies for activities related to natural disasters and the evacuees from Afghanistan.</p>	<p>Introduced by Rep. Rosa DeLauro (D-CT) – September 21, 2021</p> <p>Became Public Law No: 117-43 – September 30, 2021</p>	
<p><a href="#"><u><b>S. 2792</b></u></a>  <a href="#"><u>National Defense Authorization Act for Fiscal Year 2022</u></a></p>	<p>This bill authorizes Department of Defense (DOD) activities for FY2022 and addresses related issues.</p>	<p>Introduced by Sen. Jack Reed (D-RI) – September 22, 2021</p>	
<p><a href="#"><u><b>H.R.5438</b></u></a>  <a href="#"><u>Water Advanced Technologies for Efficient Resource Use Act of 2021</u></a></p>	<p>To provide incentives for the purchase of water-efficient products, and for other purposes.</p>	<p>Introduced by Rep. Matt Cartwright (D-PA) – September 30, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.5376</u></a> <a href="#"><u>Inflation Reduction Act of 2022</u></a>	<p>This bill provides funding, establishes programs, and otherwise modifies provisions relating to a broad array of areas, including education, labor, child care, health care, taxes, immigration, and the environment.</p>	<p>Introduced by Rep. John Yarmuth (D-KY) – September 27, 2021</p> <p>Became Public Law No. 117-169 – August 16, 2022</p>	
<a href="#"><u>S.3031</u></a> <a href="#"><u>Clean Water Allotment Modernization Act of 2021</u></a>	<p>To amend the Federal Water Pollution Control Act to modify certain allotments under that Act, and for other purposes.</p> <p><i>Companion bill to H.R.5653.</i></p>	<p>Introduced by Sen. Marco Rubio (R-FL) – October 20, 2021</p>	
<a href="#"><u>S.3034</u></a> <a href="#"><u>Department of the Interior, Environment, and Related Agencies Appropriations Act, 2022</u></a>	<p>This bill provides FY2022 appropriations for the Department of the Interior, the Environmental Protection Agency (EPA), and several related agencies.</p>	<p>Introduced by Sen. Jeff Merkley (D-OR) – October 20, 2021</p>	
<a href="#"><u>H.R.5653</u></a> <a href="#"><u>Clean Water Allotment Modernization Act of 2021</u></a>	<p>To amend the Federal Water Pollution Control Act to modify certain allotments under that Act, and for other purposes.</p> <p><i>Companion bill to S.3031.</i></p>	<p>Introduced by Rep. Michael Waltz (R-FL) – October 20, 2021</p>	
<a href="#"><u>H.R.5716</u></a> <a href="#"><u>Securing Access for the central Valley and Enhancing (SAVE) Water Resources Act</u></a>	<p>To promote water supply reliability and improved water management for rural communities, the State of California, and the Nation, and for other purposes.</p>	<p>Introduced by Rep. Josh Harder (D-CA) – October 25, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>S.3156</u></a> <a href="#"><u>Federal Agency Climate PREP Act of 2021</u></a>	<p>To require Federal agencies to maintain plans for responding to, mitigating, and adapting to climate change, and for other purposes.</p>	<p>Introduced by Sen. Amy Klobuchar (D-MN) – November 3, 2021</p>	
<a href="#"><u>S.3169</u></a> <a href="#"><u>Keep Food Containers Safe from PFAS Act of 2021</u></a>	<p>To amend the Federal Food, Drug, and Cosmetic Act to prohibit the introduction or delivery for introduction into interstate commerce of food packaging containing intentionally added PFAS, and for other purposes.</p> <p><i>Companion bill to H.R.6026.</i></p>	<p>Introduced by Sen. Maggie Hassan (D-NH) – November 4, 2021</p>	
<a href="#"><u>H.R.5987</u></a> <a href="#"><u>PFAS Definition Improvement Act</u></a>	<p>This bill broadens the definition of perfluoroalkyl or polyfluoroalkyl substances, commonly referred to as PFAS, in relation to the reporting requirement under the Toxic Substances Control Act. PFAS are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing.</p> <p>Specifically, the bill provides that PFAS include those substances that contain at least one fully fluorinated carbon atom.</p>	<p>Introduced by Rep. Deborah Ross (D-NC) – November 16, 2021</p>	
<a href="#"><u>H.R.6010</u></a> <a href="#"><u>Protect Our Workers Act of 2021</u></a>	<p>To ensure that contractor employees on Army Corps projects are paid prevailing wages as required by law, and for other purposes.</p>	<p>Introduced by Rep. Christopher Smith (R-NJ) – November 17, 2021</p>	
<a href="#"><u>H.R.6026</u></a> <a href="#"><u>Keep Food Containers Safe from PFAS Act of 2021</u></a>	<p>To amend the Federal Food, Drug, and Cosmetic Act to prohibit the introduction or delivery for introduction into interstate commerce of food packaging containing intentionally added PFAS, and for other purposes.</p> <p><i>Companion bill to S.3129.</i></p>	<p>Introduced by Rep. Debbie Dingell (D-MI) – November 18, 2021</p>	



LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.6058</u></a> <a href="#"><u>PFAS Health Study Act of 2021</u></a>	<p>This bill extends through FY2023 the authority of the Department of Defense to transfer funds for the required study on the human health implications of perfluoroalkyl and polyfluoroalkyl substances (PFAS) contamination in drinking water, groundwater, and any other sources of water and relevant exposure pathways, including the cumulative human health implications of multiple types of PFAS contamination at levels above and below health advisory levels. PFAS are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing.</p>	<p>Introduced by Rep. Madeleine Dean (D-PA) – November 19, 2021</p>	
<a href="#"><u>S.3277</u></a> <a href="#"><u>Section 401 Certification Act</u></a>	<p>To enact the Section 401 Certification Rule, and for other purposes.</p>	<p>Introduced by Sen. Shelley Moore Capito (R-WV) – November 30, 2021</p>	
<a href="#"><u>S.3282</u></a> <a href="#"><u>Water Infrastructure Modernization Act of 2021</u></a>	<p>To amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to authorize grants for smart water infrastructure technology, and for other purposes.</p> <p><i>Companion bill to H.R.6088.</i></p>	<p>Introduced by Sen. Mark Kelly (D-AZ) – November 30, 2021</p>	
<a href="#"><u>H.R.6088</u></a> <a href="#"><u>Water Infrastructure Modernization Act</u></a>	<p>To amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to authorize grants for smart water infrastructure technology, and for other purposes.</p> <p><i>Companion bill to S.3282.</i></p>	<p>Introduced by Rep. Ruben Gallego (D-AZ) – November 30, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.6119</u></a>  <a href="#"><u>Further Extending Government Funding Act</u></a></p>	<p>This bill provides continuing FY2022 appropriations for federal agencies, provides supplemental appropriations, and extends several expiring authorities.</p> <p>Specifically, the bill provides continuing FY2022 appropriations to federal agencies through the earlier of February 18, 2022, or the enactment of the applicable appropriations act.</p> <p>It is known as a continuing resolution (CR) and prevents a government shutdown that would otherwise occur if the FY2022 appropriations bills have not been enacted when the existing CR expires on December 3, 2021.</p> <p>The CR funds most programs and activities at the FY2021 levels with several exceptions that provide funding flexibility and additional appropriations for various programs.</p>	<p>Introduced by Rep. Rosa DeLauro (D-CT) – December 2, 2021</p> <p>Became Public Law No: 117-70 – December 3, 2021</p>	
<p><a href="#"><u>S.3371</u></a>  <a href="#"><u>Land and Water Conservation Fund Amendments Act of 2021</u></a></p>	<p>To amend title 54, United States Code, to authorize the Secretary of the Interior to make financial assistance to States under the Land and Water Conservation Fund available for water quality projects, and for other purposes.</p> <p><i>Companion bill to H.R.6229.</i></p>	<p>Introduced by Sen. Marco Rubio (R-FL) – December 9, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.6229</u></a>  <a href="#"><u>Land and Water Conservation Fund Water Amendments Act of 2021</u></a></p>	<p>This bill authorizes the Department of the Interior to provide financial assistance for water quality improvement projects from amounts made available under the Land and Water Conservation Fund.</p> <p>Interior shall only provide such financial assistance to projects that seek to improve water quality by improving, restoring, remediating, or developing natural hydrological systems, such as wetlands and living shorelines. To be eligible for assistance, a state's comprehensive statewide outdoor recreation plan</p> <ul style="list-style-type: none"> <li>• shall identify any body of water within the state for which a water quality control plan has been developed pursuant to the Federal Water Pollution Control Act, and</li> <li>• any proposed water quality project to be conducted with respect to such body of water.</li> </ul> <p><i>Companion bill to S.3371.</i></p>	<p>Introduced by Rep. Brian Mast (R-FL) – December 9, 2021</p>	
<p><a href="#"><u>S.J.Res.33</u></a>  <a href="#"><u>A joint resolution joint resolution relating to increasing the debt limit</u></a></p>	<p>This joint resolution increases the public debt limit by \$2.5 trillion.</p>	<p>Introduced by Sen. Charles Schumer (D-NY) – December 15, 2021</p> <p>Became Public Law No: 117-73 – December 16, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.6336</a> <a href="#">Western Wildfire Support Act of 2021</a>	<p>The bill requires the Department of Agriculture (USDA) and the Department of the Interior to establish spatial fire management plans before the end of FY2024.</p> <p>The bill establishes:</p> <ul style="list-style-type: none"> <li>• accounts in the Treasury for addressing wildfires,</li> <li>• a program to train and certify citizens who wish to be able to volunteer to assist USDA or Interior during a wildland fire incident,</li> <li>• a program to award grants to eligible states or units of local government to acquire slip-on tank and pump units for a surge capacity of resources for fire suppression,</li> <li>• the Theodore Roosevelt Genius Prize for the management of wildfire-related invasive species, and</li> </ul> <p>the Management of Wildfire-Related Invasive Species Technology Advisory Board.</p>	<p>Introduced by Rep. Joe Neguse (D-CO) – December 20, 2021</p>	
<a href="#">H.R.6591</a> <a href="#">PIPES Act</a>	<p>To require the Administrator of the Environmental Protection Agency to publish a rule that establishes standards for the flushability of disposable nonwoven wipes, and for other purposes.</p>	<p>Introduced by Rep. Lisa McClain (R-MI) – February 3, 2022</p>	
<a href="#">S.3539</a> <a href="#">Watershed Results Act</a>	<p>To authorize the Secretary of the Interior to carry out watershed pilots, and for other purposes.</p>	<p>Introduced by Sen. Ron Wyden (D-OR) – February 1, 2022</p>	
<a href="#">H.R.6617</a> <a href="#">Further Additional Extending Government Funding Act</a>	<p>This bill provides continuing FY2022 appropriations for federal agencies and extends several expiring authorities.</p> <p>Specifically, the bill provides continuing FY2022 appropriations to federal agencies through the earlier of March 11, 2022, or the enactment of the applicable appropriations act.</p> <p>It is known as a continuing resolution (CR) and prevents a government shutdown that would otherwise occur if the FY2022 appropriations bills have not been enacted when the existing CR expires on February 18, 2022.</p>	<p>Introduced by Rep. Rosa DeLauro (D-CT) – February 7, 2022</p> <p>Became Public Law No. 117-86 – February 18, 2022</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">S.3662</a> <a href="#">Preventing PFAS</a> <a href="#">Runoff at Airports Act</a>	<p>To temporarily increase the cost share authority for aqueous film forming foam input-based testing equipment, and for other purposes.</p>	<p>Introduced by Sen. Gary Peters (D-MI) – February 16, 2022</p>	
<a href="#">H.J.Res.75</a> <a href="#">Extension of Continuing Appropriations Act, 2022</a>	<p>This joint resolution provides continuing FY2022 appropriations to federal agencies through March 15, 2022. It is known as a continuing resolution (CR) and prevents a government shutdown that would otherwise occur if the FY2022 appropriations bills have not been enacted when the existing CR expires on March 11, 2022.</p> <p>The joint resolution also (1) extends the temporary scheduling order issued by the Drug Enforcement Administration to place fentanyl-related substances in Schedule I of the Controlled Substances Act, and (2) increases the limit on the value of the defense articles and services that the President is authorized to draw down to address unforeseen emergencies.</p>	<p>Introduced by Rep. Rosa DeLauro (D-CT) – March 8, 2022</p> <p>Became Public Law No: 117-95 – March 11, 2022</p>	
<a href="#">H.R.2471</a> <a href="#">Consolidated Appropriations Act, 2022</a>	<p>Making consolidated appropriations for the fiscal year ending September 30, 2022, and for providing emergency assistance for the situation in Ukraine, and for other purposes.</p>	<p>Introduced by Rep. Hakeem Jeffries (D-NY) – April 13, 2021</p> <p>Became Public Law No: 117-103– March 15, 2022</p>	
<a href="#">S.3886</a> <a href="#">Future of Water Act of 2022</a>	<p>To amend the Commodity Exchange Act to prohibit trading of water and water rights for future delivery, and for other purposes.</p> <p><i>Companion bill to H.R.7182.</i></p>	<p>Introduced by Sen. Elizabeth Warren (D-MA) – March 21, 2022</p>	
<a href="#">H.R.7182</a> <a href="#">Future of Water Act of 2022</a>	<p>To amend the Commodity Exchange Act to prohibit trading of water and water rights for future delivery, and for other purposes.</p> <p><i>Companion bill to S.3886.</i></p>	<p>Introduced by Rep. Ro Khanna (D-CA) – March 21, 2022</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>S.3893</u></a> <a href="#"><u>WASH Sector Development Act of 2022</u></a>	<p>To collect information regarding water access needs across the United States, to provide grants for decentralized drinking water systems, and for other purposes.</p>	<p>Introduced by Sen. Ron Wyden (D-OR) – March 22, 2022</p>	
<a href="#"><u>S.3956</u></a> <a href="#"><u>WIPPEs Act</u></a>	<p>This bill requires the Federal Trade Commission to issue regulations requiring entities responsible for the labeling or retail packaging of certain premoistened, nonwoven wipes (e.g., baby wipes, cleaning wipes, or personal care wipes) to label such products clearly and conspicuously with the phrase Do Not Flush and accompanying symbol as depicted under specified industry guidelines.</p> <p>The commission is authorized to enforce this requirement. Additionally, the Environmental Protection Agency must award competitive grants to states, local or tribal governments, nonprofit organizations, or public-private partnerships to increase community outreach about such labels.</p> <p><i>Companion bill to H.R.4602.</i></p>	<p>Introduced by Sen. Jeff Merkley (D-OR) – March 30, 2022</p>	
<a href="#"><u>H.R.7289</u></a> <a href="#"><u>Federal PFAS Research Evaluation Act</u></a>	<p>This bill requires various studies and reports on the exposure, hazards, and management of perfluoroalkyl and polyfluoroalkyl substances, commonly referred to as PFAS. These substances are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing. Specifically, the bill requires the Environmental Protection Agency (EPA) to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine (NASEM) to conduct a two-phase study and report on the research and development needed to advance human exposure estimation and toxicity hazard estimation of individual or total PFAS.</p> <p>The bill also requires the EPA to jointly enter into an agreement with NASEM to conduct a study and submit a report on the research and development needed to advance the understanding of the extent and implications of environmental contamination by PFAS, how to manage and treat such contamination, and the development of safe alternatives. The White House Office of Science and Technology Policy must submit an implementation plan for federal PFAS research, development, and demonstration activities, taking into account the recommendations of the NASEM reports.</p>	<p>Introduced by Rep. Lizzie Fletcher (D-TX) – March 30, 2022</p> <p>Passed the House – July 28, 2022</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>S.3893</u></a> <a href="#"><u>WASH Sector Development Act of 2022</u></a>	To collect information regarding water access needs across the United States, to provide grants for decentralized drinking water systems, and for other purposes.	Introduced by Sen. Ron Wyden (D-OR) – March 22, 2022	
<a href="#"><u>S.4076</u></a> <a href="#"><u>PFAS Firefighter Protection Act</u></a>	To protect firefighters from exposure to per- and polyfluoroalkyl substances.  <i>Companion bill to H.R.7597.</i>	Introduced by Sen. Kirsten Gillibrand (D-NY) – April 25, 2022	
<a href="#"><u>S.4081</u></a> <a href="#"><u>Healthy H2O Act</u></a>	To amend the Consolidated Farm and Rural Development Act to establish a grant program to assist with the purchase, installation, and maintenance of point-of-entry and point-of-use drinking water quality improvement products, and for other purposes.  <i>Companion bill to H.R.8018.</i>	Introduced by Sen. Tammy Baldwin (D-WI) – April 26, 2022	
<a href="#"><u>H.R.7597</u></a> <a href="#"><u>PFAS Firefighter Protection Act</u></a>	To protect firefighters from exposure to per- and polyfluoroalkyl substances.  <i>Companion bill to S.4076.</i>	Introduced by Rep. Daniel Kildee (D-MI) – April 27, 2022	
<a href="#"><u>H.R.7612</u></a> <a href="#"><u>Desalination Research Advancement Act</u></a>	To advance desalination research and technological innovation, and for other purposes.	Introduced by Rep. Mike Levin (D-CA) – April 28, 2022  House Natural Resources Subcommittee on Water, Oceans, and Wildlife hearing held – May 12, 2022	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">S.4136</a> <a href="#">Water Resources Development Act of 2022</a>	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, and for other purposes.	Introduced by Sen. Tom Carper (D-DE) – May 4, 2022  Passed by the Committee. Placed on Senate Legislative Calendar – May 4, 2022	
<a href="#">S.4137</a> <a href="#">Water Resources Development Act of 2022</a>	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, and for other purposes.	Introduced by Sen. Tom Carper (D-DE) – May 4, 2022	
<a href="#">S.4139</a> <a href="#">HEATR Act</a>	This bill allows a new tax credit through 2031 for energy efficient consumer and commercial heat pumps and heat pump water heaters.	Introduced by Sen. Amy Klobuchar (D-MN) – May 4, 2022	
<a href="#">S.4144</a> <a href="#">ICEE HOT Act of 2022</a>	To amend the Energy Policy Act of 2005 to establish an energy efficient appliance rebate program to provide rebates for the manufacturing, distribution, and shipment of certain building electrification products, and for other purposes.	Introduced by Sen. Ed Markey (D-MA) – May 4, 2022	
<a href="#">S.4161</a> <a href="#">Clean Water Standards for PFAS 2.0 Act of 2022</a>	To establish effluent limitations guidelines and standards and water quality criteria for perfluoroalkyl and polyfluoroalkyl substances under the Federal Water Pollution Control Act, and for other purposes.  <i>Companion bill to H.R.7696.</i>	Introduced by Sen. Kirsten Gillibrand (D-NY) – May 9, 2022	
<a href="#">H.R.7696</a> <a href="#">Clean Water Standards for PFAS 2.0 Act of 2022</a>	To establish effluent limitations guidelines and standards and water quality criteria for perfluoroalkyl and polyfluoroalkyl substances under the Federal Water Pollution Control Act, and for other purposes.  <i>Companion bill to S.4161.</i>	Introduced by Rep. Chris Pappas (D-NH) – May 10, 2022	



LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.7771</u></a> <a href="#"><u>To require the Secretary of the Army and the Administrator of the Environmental Protection Agency to conduct a study analyzing the cost to permit applicants and permit holders of complying with sections 402 and 404 of the Federal Water Pollution Control Act, and for other purposes</u></a>	<p>To require the Secretary of the Army and the Administrator of the Environmental Protection Agency to conduct a study analyzing the cost to permit applicants and permit holders of complying with sections 402 and 404 of the Federal Water Pollution Control Act, and for other purposes.</p>	<p>Introduced by Rep. David Rouzer (R-NC) – May 13, 2022</p>	
<a href="#"><u>H.R.7776</u></a> <a href="#"><u>Waters Resources Development Act of 2022</u></a>	<p>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, and for other purposes.</p>	<p>Introduced by Rep. Peter DeFazio (D-OR) – May 16, 2022</p> <p>Passed the Senate – July 28, 2022</p>	
<a href="#"><u>S.4231</u></a> <a href="#"><u>STREAM Act</u></a>	<p>A bill to support water infrastructure in Reclamation States, and other purposes.</p>	<p>Introduced by Sen. Dianne Feinstein (D-CA) – May 17, 2022</p> <p>Committee on Energy and Natural Resources  Subcommittee on Water and Power hearing held – May 25, 2022</p>	<p><i>SUPPORT</i></p>

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">S.4237</a> <a href="#">Fire Ready Nation Act of 2022</a>	<p>To establish and maintain a coordinated program within the National Oceanic and Atmospheric Administration that improves wildfire, fire weather, fire risk, and smoke related forecasting, detection, modeling, observations, and service delivery, and to address growing needs in the wildland-urban interface, and for other purposes.</p>	<p>Introduced by Sen. Maria Cantwell (D-WA) – May 17, 2022</p> <p>Committee on Commerce, Science, and Transportation hearing held. Ordered to be reported with an amendment – May 25, 2022</p>	
<a href="#">S.4236</a> <a href="#">Water Data and Security Act of 2022</a>	<p>To provide for a national water data framework, to provide for the water security of the Rio Grande Basin, to reauthorize irrigation infrastructure grants, and for other purposes.</p>	<p>Introduced by Sen. Dianne Feinstein (D-CA) – May 17, 2022</p> <p>Committee on Energy and Natural Resources Subcommittee on Water and Power hearing held – May 25, 2022</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.7792</a> <a href="#">Water Data Act</a>	To provide for a national water data framework, and for other purposes.	Introduced by Rep. Melanie Stansbury (D-NM) – May 17, 2022  House Natural Resources Subcommittee on Water, Oceans, and Wildlife hearing held – June 16, 2022	
<a href="#">H.R.7847</a> <a href="#">Water Efficiency, Conservation, and Sustainability Act of 2022</a>	To increase efficiency and conservation in public water systems, and for other purposes.  <i>Companion bill to S.4279.</i>	Introduced by Rep. Jerry McNerney (D-CA) – May 19, 2022	
<a href="#">H.R.7897</a> <a href="#">PFAS Reference Standards Act</a>	To require manufacturers of PFAS to submit analytical reference standards to the Environmental Protection Agency, and for other purposes.	Introduced by Rep. John Sarbanes (D-MD) – May 27, 2022	
<a href="#">H.R.7900</a> <a href="#">National Defense Authorization Act for Fiscal Year 2023</a>	This bill authorizes FY2023 appropriations for military activities and programs of the Department of Defense (e.g., personnel; research, development, test, and evaluation; and procurement of items such as aircraft, missiles, and ammunition). It also prescribes military personnel strengths for FY2023.	Introduced by Rep. Adam Smith (D-WA) – May 27, 2022  Passed by the House – July 14, 2022	
<a href="#">H.R.8018</a> <a href="#">Healthy H2O Act</a>	To amend the Consolidated Farm and Rural Development Act to establish a grant program to assist with the purchase, installation, and maintenance of point-of-entry and point-of-use drinking water quality improvement products, and for other purposes.  <i>Companion bill to S.4081.</i>	Introduced by Rep. Chellie Pingree (D-ME) – June 9, 2022	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>S.4279</u></a> <a href="#"><u>Water Efficiency, Conservation, and Sustainability Act of 2022</u></a>	<p>To increase efficiency and conservation in public water systems, and for other purposes.</p> <p><i>Companion bill to H.R.7847.</i></p>	<p>Introduced by Sen. Alex Padilla (D-CA) – May 19, 2022</p>	
<a href="#"><u>H.R.8090</u></a> <a href="#"><u>To reauthorize funding for the Reclamation Climate Change and Water Program</u></a>	<p>To reauthorize funding for the Reclamation Climate Change and Water Program.</p>	<p>Introduced by Rep. Katie Porter (D-CA) – June 15, 2022</p>	
<a href="#"><u>H.R.8127</u></a> <a href="#"><u>To reauthorize the Water Infrastructure Finance and Innovation Act of 2014, and for other purposes</u></a>	<p>To require the Secretary of the Army and the Administrator of the Environmental Protection Agency to conduct a study analyzing the cost to permit applicants and permit holders of complying with sections 402 and 404 of the Federal Water Pollution Control Act, and for other purposes.</p>	<p>Introduced by Rep. Kim Schrier (D-WA) – June 16, 2022</p>	
<a href="#"><u>S.4492</u></a> <a href="#"><u>Federal PFAS Research Evaluation Act</u></a>	<p>To provide for the National Academies of Sciences, Engineering, and Medicine to study and report on a Federal research agenda to advance the understanding of perfluoroalkyl and polyfluoroalkyl substances, and for other purposes.</p>	<p>Introduced by Sen. Gary Peters (D-MI) – June 23, 2022</p>	
<a href="#"><u>H.R.8255</u></a> <a href="#"><u>Energy and Water Development and Related Agencies Appropriations Act, 2023</u></a>	<p>This bill provides FY2023 appropriations for U.S. Army Corps of Engineers civil works projects, the Department of the Interior's Bureau of Reclamation, the Department of Energy (DOE), and independent agencies such as the Nuclear Regulatory Commission.</p>	<p>Introduced by Rep. Marcy Kaptur (D-OH) – June 30, 2022</p> <p>Placed on the House Calendar – June 30, 2022</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.8262</u></a> <a href="#"><u>Department of the Interior, Environment, and Related Agencies Appropriations Act, 2023</u></a>	<p>This bill provides FY2023 appropriations for the Department of the Interior, the Environmental Protection Agency (EPA), and several related agencies.</p>	<p>Introduced by Rep. Charlie Pingree (D-ME) – July 1, 2022</p> <p>Placed on the House calendar – July 1, 2022</p>	
<a href="#"><u>H.R.8300</u></a> <a href="#"><u>Empowering Resilient Local Communities Act</u></a>	<p>To direct the Administrator of the Federal Emergency Management Agency to issue guidance on extreme temperature events and resilience goals, and for other purposes.</p>	<p>Introduced by Rep. Earl Blumenauer (D-OR) – July 7, 2022</p>	
<a href="#"><u>H.R. 8255</u></a> <a href="#"><u>Energy and Water Development and Related Agencies Appropriations Act, 2023</u></a>	<p>This bill provides FY2023 appropriations to the U.S. Army Corps of Engineers civil works projects, the Department of the Interior’s Bureau of Reclamation, the Department of Energy, and independent agencies such as the Nuclear Regulatory Commission.</p>	<p>Introduced by Rep. Marcy Kaptur (D-OH) – June 30, 2022</p> <p>Passed the House of Representatives in a minibus – July 20, 2022</p>	
<a href="#"><u>H.R.8294</u></a> <a href="#"><u>Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2023</u></a>	<p>This bill provides FY2023 appropriations to the Department of Transportation (DOT), the Department of Housing and Urban Development (HUD), and several related agencies.</p>	<p>Introduced by Rep. David Price (D-NC) – July 5, 2022</p> <p>Passed by House and received in Senate – July 26, 2022</p>	

To:	Las Virgenes-Triunfo JPA
From:	Syrus Devers, Best Best & Krieger
Date:	August 29, 2022
Re:	State Legislative Report

**Legislature:**

The Legislature is 54 hours away from banging the gavel down on the 2021-22 biennial session as this report is being prepared. The midnight deadline on August 31st in even-numbered years is in the Constitution and is, therefore, not fungible.

Good news in the budget. The Legislature appropriated several categories of funds to promote recycling, including \$80 million earmarked for MWD. \$100 million was appropriated for recycling from the General Fund in support of the \$300 million over three years earmarked in last year’s budget. Finally, \$210 million went to the SWRCB for competitive grants for portable reuse projects.

MWD also got \$25 million earmarked for infrastructure improvement to make “its entire jurisdiction resilient to fluctuating water supplies from each of its imported water sources, to allow conveyance of water throughout its jurisdiction.” These funds will be used for projects serving the eastside of the State Water Projects Dependent Areas, but MWD gave multiple assurances to LVMWD and LADWP that any state funds it receives for projects on the eastside will free up MWD funds for projects on the westside. BB&K staff is confident that it speaks for all parties in saying we eagerly look forward to hearing MWD’s funding schedule for those projects.

Legislation. Two bills of interest were in play in the last few days. SB 222 (Dodd) on state-funded Low Income Rate Assistance (LIRA) Programs was actively lobbied by ACWA, but final consensus was not reached and ACWA remained opposed. The sticking point was over how customers are enrolled in a LIRA Program. Dodd took ACWA’s suggested language on the other substantive issues.

The other major bill was SB 1157 (Hertzberg) on indoor water use efficiency standards. In all candor, most of the lobbyists working against the bill had moved on to other battles after getting knocked down hard in the policy committee. Had the bill been brought up when it was first eligible (8/15), there is little doubt that it would have passed the Assembly and been safely back in the Senate by the final week. Instead, the sponsors got nervous and delayed, and asked about further amendments. That had the same effect as putting blood in the water with sharks nearby. ACWA quickly pulled a large group of lobbyists together and every Assembly office was contacted over the next few days to ask for a “no” vote on the



bill. Then word got around that Newsom was demanding that the most important item the opposition got in committee, a meaningful study of the fiscal impacts of lowering the standards, be pulled out due to the estimated costs. Opponents were quietly hoping Hertzberg would cave in and take the study out of the bill because it would have put the other large associations back to opposition, but he wisely refrained and left the study language alone. As this report was being prepared, the bill was stalled in the Assembly with 35 votes; 41 needed to pass. While gratifying, it is unlikely that the floor manager, Assm. Laura Friedman, can be prevented from getting the needed votes over the next two days. Even so, it was fun and the work we did to educate members about the credit allowed for recycling may pay off next year with clean-up legislation.

BB&K looks forward to giving a final update on legislative outcomes at the hearing. Who knows? Maybe it will be good news after all.

# Las Virgenes-Triunfo JPA

## A. Priority Support/Oppose

Measure	Author	Topic	Status	Location	Brief Summary	Position	Notes 1
<a href="#">AB 1845</a>	<a href="#">Calderon D</a>	Metropolitan Water District of Southern California: alternative project delivery methods.	8/24/2022-Assembly Rule 77(a) suspended. Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 76. Noes 0.)	8/24/2022-A. ENROLLMENT	Would authorize the Metropolitan Water District of Southern California to use the design-build procurement process for certain regional recycled water projects or other water infrastructure projects. The bill would define "design-build" to mean a project delivery process in which both the design and construction of a project are procured from a single entity. The bill would require the district to use a specified design-build procedure to assign contracts for the design and construction of a project, as defined.	Support	
<a href="#">AB 1944</a>	<a href="#">Lee D</a>	Local government: open and public meetings.	7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. GOV. & F. on 6/8/2022)	7/5/2022-S. DEAD	The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely.		Possible support, but AB 2449 is more aligned with Board comments.
<a href="#">AB 2142</a>	<a href="#">Gabriel D</a>	Income taxes: exclusion: turf replacement water conservation	8/23/2022-Read third time. Passed.	8/23/2022-A. ENROLLMENT	The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines "gross	Support	



		program.	Ordered to the Assembly. (Ayes 39. Noes 0.). In Assembly. Ordered to Engrossing and Enrolling.		income” as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. Current law provides an exclusion from gross income for any amount received as a rebate or voucher from a local water or energy agency or supplier for the purchase or installation of a water conservation water closet, energy efficient clothes washers, and plumbing devices, as specified. This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, under both of these laws, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a public water system, as defined, local government, or state agency for participation in a turf replacement water conservation program.		
<a href="#">AB 2157</a>	<a href="#">Rubio, Blanca D</a>	Urban water use objectives: indoor residential water use.	5/6/2022-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/15/2022)	5/6/2022-A. DEAD	Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and in collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use, beginning January 1, 2025, establishes the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. This bill would make a nonsubstantive change to the provision requiring the department and the board to collaborate with, and seek input from, stakeholders with regard to the studies, investigations, and report.	Watch	
<a href="#">AB 2247</a>	<a href="#">Bloom D</a>	Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible data collection	8/29/2022-Read third time. Passed. Ordered to the Assembly. (Ayes 23.	8/29/2022-A. DESK	Would require, as part of the hazardous waste control laws, the Department of Toxic Substances Control to contract with an existing multistate chemical data collection entity that is used by other states and jurisdictions to implement, by January 1, 2026, a publicly	Watch	

		interface.	Noes 12.).		accessible data collection interface to collect information about perfluoroalkyl and polyfluoroalkyl substances (PFAS) and products or product components containing intentionally added PFAS. The bill would require, on or before July 1, 2026, and annually thereafter, a manufacturer, as defined, of PFAS or a product or a product component containing intentionally added PFAS that, during the prior calendar year, is sold, offered for sale, distributed, or offered for promotional purposes in, or imported into, the state to register the PFAS or the product or product component containing intentionally added PFAS, and specified other information, on the publicly accessible data collection interface. The bill would specify that the above requirements do not apply to certain products regulated by the United States Food and Drug Administration or products intended for certain animal uses that are regulated under certain federal laws.		
<a href="#">AB 2313</a>	<a href="#">Bloom D</a>	Water: judges and adjudications.	8/12/2022-Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENSE FILE on 8/2/2022)	8/12/2022-S . DEAD	Existing law authorizes the Judicial Council to conduct institutes and seminars for the purpose of orienting judges to new judicial assignments, keeping them informed concerning new developments in the law, and promoting uniformity in judicial procedure, as specified. This bill would authorize the Judicial Council, on or before January 1, 2025, to establish a program that provides training and education to judges in specified actions relating to water, as defined. The bill would provide that the program may be funded by an appropriation from the General Fund in the annual Budget Act or another statute, or by using existing funds for judicial training. The bill would require a court to prioritize assigning a judge with training or education under the program for actions relating to water, if certain conditions are met. This bill contains other related provisions and other existing laws.		
<a href="#">AB 2449</a>	<a href="#">Rubio, Blanca D</a>	Open meetings: local agencies: teleconferences.	8/25/2022-Assembly Rule 77(a) suspended. Senate amendments concurred in. To Engrossing and Enrolling.	8/25/2022-A. ENROLLMENT	Current law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of		Possible bill to support.

			(Ayes 67. Noes 2.).		business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction.		
<a href="#">SB 230</a>	<a href="#">Portantino</a> D	State Water Resources Control Board: Constituents of Emerging Concern in Drinking Water Program.	8/29/2022- Read third time. Passed. Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending.	8/29/2022-S . CONCUR RENCE	Would require the State Water Resources Control Board to build upon its existing work dealing with, and work to improve its knowledge of, constituents of emerging concern (CEC) in waters of the state and drinking water. The bill would require, as part of this work, the deputy director appointed by the state board, to work to improve the knowledge of CECs in drinking water by assessing the state of information, as specified. The bill would authorize the state board to establish, maintain, and direct a dedicated program called the Constituents of Emerging Concern in Drinking Water Program. The bill would authorize the deputy director to convene a Science Advisory Panel for CECs in drinking water with members that are experts in specified fields and would prescribe the duties of the panel. The bill would require the deputy director to post a report to the state board's internet website 3 years after the panel is convened on the work conducted by the panel.	Support	
<a href="#">SB 991</a>	<a href="#">Newman</a> D	Public contracts: progressive design-build: local agencies.	8/23/2022- Enrolled and presented to the Governor at 12:30 p.m.	8/23/2022-S . ENROLL ED	Would, until January 1, 2029, authorize local agencies, defined as any city, county, city and county, or special district authorized by law to provide for the production, storage, supply, treatment, or distribution of any water from any source, to use the progressive design-build process for up to 15 public works projects in excess of \$5,000,000 for each project, similar to the progressive design-build process authorized for use by the Director of General	Watch	

					Services. The bill would require a local agency that uses the progressive design-build process to submit, no later than January 1, 2028, to the appropriate policy and fiscal committees of the Legislature a report on the use of the progressive design-build process containing specified information, including a description of the projects awarded using the progressive design-build process. The bill would require the design-build entity and its general partners or joint venture members to verify specified information under penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program.		
<a href="#">SB 1157</a>	<a href="#">Hertzberg</a> D	Urban water use objectives.	8/29/2022- Read third time. Refused passage. Motion to reconsider made by Assembly Member Friedman.	8/15/2022- A. THIRD READING	Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and including collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use. Current law establishes, beginning January 1, 2025, the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. Current law requires the board, in coordination with the department, to adopt by regulation variances recommended by the department and guidelines and methodologies pertaining to the calculation of an urban retail water supplier's urban water use objective recommended by the department. This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use. The bill would instead require that from January 1, 2025, to January 1, 2030, the standard for indoor residential water	Neutral	Seek amends

use be 47 gallons per capita daily and beginning January 1, 2030, the standard be 42 gallons per capita daily.

## B. Watch

Measure	Author	Topic	Status	Location	Brief Summary	Position	Notes 1
<a href="#">AB 1001</a>	<a href="#">Garcia, Cristina D</a>	Environment: mitigation measures for air quality impacts: environmental justice.	7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. E.Q. on 5/4/2022)	7/5/2022-S. DEAD	The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would require mitigation measures, identified in an environmental impact report or mitigated negative declaration to mitigate the adverse effects of a project on air quality of a disadvantaged community, to include measures for avoiding, minimizing, or otherwise mitigating for the adverse effects on that community. The bill would require mitigation measures to include measures conducted at the project site that avoid or minimize to less than significant the adverse effects on the air quality of a disadvantaged community or measures conducted in the affected disadvantaged community that directly mitigate those effects.	Watch	
<a href="#">AB 1717</a>	<a href="#">Aguiar-Curry D</a>	Public works: definition.	8/29/2022-Read third time. Passed. Ordered to the Assembly. (Ayes 25. Noes 10.). In Assembly. Concurrence in Senate amendments pending.	8/29/2022-A. CONCURRENCE	Current law defines the term “public works” for purposes of requirements regarding the payment of prevailing wages to include construction, alteration, demolition, installation, or repair work done under contract and paid for using public funds, except as specified. Current law makes a willful violation of laws relating to the payment of prevailing wages on public works a misdemeanor. This bill would, commencing January 1, 2024, expand the definition of “public works” to include fuel reduction work done under contract and paid for in whole or in part out of public funds performed as part of a fire mitigation project, as specified. The bill would limit those provisions to work that falls within an apprenticeship occupation in the building and construction trades for which an apprenticeship program has been approved and to contracts in excess of \$100,000. The bill would	Watch	

					delay the application of those provisions until January 1, 2025, for nonprofits.		
<a href="#">AB 1774</a>	<a href="#">Seyarto R</a>	California Environmental Quality Act: water conveyance or storage projects: judicial review.	4/29/2022- Failed Deadline pursuant to Rule 61(b)(5). (Last location was NAT. RES. on 2/10/2022)	4/29/2022- A. DEAD	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill would require the Judicial Council to adopt rules of court applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification or adoption of an environmental impact report for water conveyance or storage projects, as defined, or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to those projects.	Watch	
<a href="#">AB 1817</a>	<a href="#">Ting D</a>	Product safety: textile articles: perfluoroalkyl and polyfluoroalkyl substances (PFAS).	8/29/2022- Read third time. Passed. Ordered to the Assembly. (Ayes 27. Noes 8.). In Assembly. Concurrence in Senate amendments pending.	8/29/2022- A. CONCURRENCE	Would prohibit, beginning January 1, 2025, any person from manufacturing, distributing, selling, or offering for sale in the state any new, not previously owned, textile articles that contain regulated PFAS, except as specified, and requires a manufacturer to use the least toxic alternative when removing regulated PFAS in textile articles to comply with these provisions. The bill would require a manufacturer of a textile article to provide persons that offer the product for sale or distribution in the state with a certificate of compliance stating that the textile article is in compliance with these provisions and does not contain any regulated PFAS.		

<a href="#">AB 1993</a>	<a href="#">Wicks D</a>	Employment: COVID-19 vaccination requirements.	4/29/2022- Failed Deadline pursuant to Rule 61(b)(5). (Last location was L. & E. on 2/10/2022)	4/29/2022- A. DEAD	Would require an employer to require each person who is an employee or independent contractor, and who is eligible to receive the COVID-19 vaccine, to show proof to the employer, or an authorized agent thereof, that the person has been vaccinated against COVID-19. This bill would establish an exception from this vaccination requirement for a person who is ineligible to receive a COVID-19 vaccine due to a medical condition or disability or because of a sincerely held religious belief, as specified, and would require compliance with various other state and federal laws. The bill would require proof-of-vaccination status to be obtained in a manner that complies with federal and state privacy laws and not be retained by the employer, unless the person authorizes the employer to retain proof.	Watch	
<a href="#">AB 2108</a>	<a href="#">Rivas, Robert D</a>	Water policy: environmental justice: disadvantaged and tribal communities.	8/29/2022- Read third time. Passed. Ordered to the Assembly. (Ayes 30. Noes 9.)	8/29/2022- A. DESK	Would, among other things, specify that the State Water Resources Control Board and each regional board need to begin outreach to identify issues of environmental justice as early as possible in planning, policy, and permitting processes. The bill would require the state board and each regional board to engage in equitable, culturally relevant community outreach to promote meaningful civic engagement from potentially impacted communities of proposed discharges of waste that may have disproportionate impacts on water quality in disadvantaged communities or tribal communities and ensure that outreach and engagement shall continue throughout the waste discharge planning, policy, and permitting processes. The bill would require the state board and each regional board, contingent upon an appropriation, to hire environmental justice and tribal community coordinator positions for specified purposes. The bill would require the state board, contingent upon a specific appropriation, to establish a community capacity-building stipend program to promote meaningful civic engagement by disadvantaged communities and tribal communities in the state board and regional board decision making processes, among other activities. The bill would require the state board and each regional board to make a finding, as	Watch	

					specified, on potential environmental justice, tribal impact, and racial equity considerations when adopting water quality control plans or state policies for water quality control, and when issuing or reissuing waste discharge requirements or waivers of waste discharge requirements.		
<a href="#">AB 2451</a>	<a href="#">Wood D</a>	State Water Resources Control Board: drought planning.	8/12/2022- Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENSE FILE on 8/8/2022)	8/12/2022-S . DEAD	(1)Current law establishes within the Natural Resources Agency the State Water Resources Control Board and the California regional water quality control boards. Current law requires the work of the state board to be divided into at least 2 divisions, known as the Division of Water Rights and the Division of Water Quality. Current law requires the state board to formulate and adopt state policy for water quality control.This bill would create a Drought Section within the state board, as specified. The bill would require the state board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds, as specified, during times of water shortage for drought preparedness and climate resiliency. The bill would require that the principles and guidelines provide for the development of watershed-level contingency plans to support public trust uses, public health and safety, and the human right to water in times of water shortage, among other things. The bill also would require the state board, prior to adopting those principles and guidelines, to allow for public comment and hearing, as provided. The bill would require the state board to adopt those principles and guidelines no later than March 31, 2024.	Out for Analysis	
<a href="#">AB 2605</a>	<a href="#">Villapudua D</a>	Water quality: state certification.	4/29/2022- Failed Deadline pursuant to Rule 61(b)(5). (Last location was E.S. & T.M. on 3/10/2022)	4/29/2022-A. DEAD	The State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements in accordance with the Federal Water Pollution Control Act and the Porter-Cologne Water Quality Control Act. Under federal law, any applicant seeking a federal license or permit for an activity that may result in any discharge into the navigable waters of the United States is required to first seek a state water quality certification, as specified. The Porter-Cologne Water Quality Control Act authorizes the state board to certify or provide a statement to a federal agency, as	Out for Analysis	



					required pursuant to federal law, that there is reasonable assurance that an activity of any person subject to the jurisdiction of the state board will not reduce water quality below applicable standards. The federal act provides that if a state fails or refuses to act on a request for this certification within a reasonable period of time, which shall not exceed one year after receipt of the request, then the state certification requirements are waived with respect to the federal application. This bill would authorize the state board to delegate its authority regarding the above-described issuance of a certificate or statement to the regional boards. The bill would require a project proponent, as defined, to request a prefiling meeting with the state board, as specified.		
<a href="#">AB 2639</a>	<a href="#">Quirk D</a>	San Francisco Bay/Sacramento-San Joaquin Delta Estuary: water quality control plan: water right permits.	5/27/2022-Failed Deadline pursuant to Rule 61(b)(11). (Last location was A. THIRD READING on 5/19/2022)	5/27/2022-A. DEAD	Would require the State Water Resources Control Board, on or before December 31, 2023, to adopt a final update of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, as specified, and to implement the amendments to the plan adopted by the state board pursuant to Resolution No. 2018-0059 on December 12, 2018. The bill would prohibit the state board, on or after January 1, 2024, from approving a new water right permit that would result in new or increased diversions to surface water storage from the Sacramento River/San Joaquin River watershed until and unless the state board has taken those actions.	Watch	
<a href="#">AB 2740</a>	<a href="#">Dahle, Megan R</a>	Water resources: desalination.	5/6/2022-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. W.,P. & W. on 3/17/2022)	5/6/2022-A. DEAD	Current law requires the Department of Water Resources, not later than July 1, 2004, to report to the Legislature, on potential opportunities and impediments for using seawater and brackish water desalination, and to examine what role, if any, the state should play in furthering the use of desalination technology. Current law requires the department to convene a Water Desalination Task Force, comprised of representatives from listed agencies and interest groups, to advise the department in carrying out these duties and in making recommendations to the Legislature. This bill would repeal these provisions.	Watch	
<a href="#">AB 2811</a>	<a href="#">Bennett D</a>	California Building	4/29/2022-	4/29/2022-	Would require, commencing January	Watch	

		Standards Commission: recycled water: nonpotable water systems.	Failed Deadline pursuant to Rule 61(b)(5). (Last location was E.S. & T.M. on 3/17/2022)	A. DEAD	1, 2024, all newly constructed nonresidential buildings be constructed with dual plumbing to allow the use of recycled water for all applicable nonpotable water demands, as defined, if that building is located within an existing or planned recycled water service area, as specified.		
<a href="#">AB 2877</a>	<a href="#">Garcia, Eduardo D</a>	Safe and Affordable Drinking Water Fund: tribes.	8/25/2022- Read third time and amended. Ordered to third reading.	8/11/2022-S . THIRD READING	Current law continuously appropriates to the State Water Resources Control Board moneys deposited in the fund for the development, implementation, and sustainability of long-term drinking water solutions, among other things. Current law requires the state board to expend moneys in the fund for grants, loans, contracts, or services to assist eligible recipients. Current law includes within the list of “eligible recipients,” public agencies, nonprofit organizations, public utilities, mutual water companies, federally recognized California Native American tribes, specified nonfederally recognized Native American tribes, administrators, groundwater sustainability agencies, community water systems, and technical assistance providers. This bill would specify that any waiver of tribal sovereignty that is required by the state board for a tribe that is an eligible recipient to access funding from the fund shall be narrowly drafted to serve both the individual needs of the tribe and make the funding agreement enforceable. The bill would require the state board to include its designated tribal liaison, as defined, in all discussions with eligible recipients, except as specified. The bill would require the state board to consider the extent that funds for safe drinking water projects from the programs administered by the state board are distributed to eligible recipients to provide assistance to federally recognized California Native American tribes or specified nonfederally recognized Native American tribes and make diligent efforts to ensure the distribution of funds to those tribes.	Out for Analysis	Source of funds?
<a href="#">AB 2895</a>	<a href="#">Arambula D</a>	Water: permits and licenses: temporary changes: water or water rights transfers.	8/29/2022- Read third time. Passed. Ordered to the Assembly.	8/29/2022- A. DESK	Current law authorizes a permittee or licensee to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if the transfer would only involve the amount of water that would have	Watch	

			(Ayes 38. Noes 0.)		been consumptively used or stored by the permittee or licensee in the absence of the proposed temporary change, would not injure any legal user of the water, and would not unreasonably affect fish, wildlife, or other instream beneficial uses. Current law authorizes a person entitled to the use of water to petition the board for a change to a water right for purposes of preserving or enhancing wetlands habitat, fish and wildlife resources, or recreation and authorizes the board to approve the petition only if certain requirements are met. Current law authorizes that petition to be submitted in accordance with specified requirements, including those regulating temporary changes due to a transfer or exchange of water rights. This bill would revise and recast the provisions regulating temporary changes due to a transfer or exchange of water rights, including, among other revisions, specifying that those provisions apply to a person who proposes a temporary change for purposes of preserving or enhancing wetlands habitat, fish and wildlife resources, or recreation.		
<a href="#">SB 832</a>	<a href="#">Dodd D</a>	Water rights: measurement of diversion.	5/20/2022- Failed Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. SUSPENSE FILE on 4/25/2022)	5/20/2022-S . DEAD	Current law defines various terms applicable to the Water Code. This bill would define “water year,” unless otherwise specified, to mean the 12-month period beginning October 1 and ending September 30.	Watch	
<a href="#">SB 892</a>	<a href="#">Hurtado D</a>	Cybersecurity preparedness: food and agriculture sector and water and wastewater systems sector.	8/29/2022- Assembly amendments concurred in. (Ayes 40. Noes 0.) Ordered to engrossing and enrolling.	8/29/2022-S . ENROLLMENT	Current law requires Cal-CSIC to provide warnings of cyberattacks to government agencies and nongovernmental partners, coordinate information sharing among these entities, assess risks to critical infrastructure information networks, enable cross-sector coordination and sharing of best practices and security measures, and support certain cybersecurity assessments, audits, and accountability programs. Current law also requires Cal-CSIC to develop a statewide cybersecurity strategy to improve how cyber threats are identified, understood, and shared in order to reduce threats to California government, businesses, and	Out for Analysis	Source of funds?

					consumers, and to strengthen cyber emergency preparedness and response and expand cybersecurity awareness and public education. This bill would require Cal OES to direct Cal-CSIC to prepare, and Cal OES to submit to the Legislature on or before January 1, 2024, a strategic, multiyear outreach plan to assist the food and agriculture sector and the water and wastewater sector in their efforts to improve cybersecurity and an evaluation of options for providing grants or alternative forms of funding to, and potential voluntary actions that do not require funding and that assist, those sectors in their efforts to improve cybersecurity preparedness. The bill would make related findings and declarations.		
<a href="#">SB 1059</a>	<a href="#">Becker D</a>	Privacy: data brokers.	5/20/2022- Failed Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. SUSPENS E FILE on 5/16/2022)	5/20/2022-S . DEAD	Current law requires data brokers to register with, and provide certain information to, the Attorney General. Current law defines a data broker as a business that knowingly collects and sells to third parties the personal information of a consumer with whom the business does not have a direct relationship, subject to specified exceptions. Current law subjects data brokers that fail to register to injunction and liability for civil penalties, fees, and costs in an action brought by the Attorney General, with any recovery to be deposited in the Consumer Privacy Fund, as specified. Current law imposes a \$100 civil penalty for each day a data broker fails to register. This bill would include in the definition of data broker a business that knowingly collects and shares, as defined, certain personal information to third parties. The bill would transfer all authority and responsibilities under the provisions relating to data broker registration from the Attorney General to the CCPA, including by requiring data brokers to annually register with the CPPA on or before January 31. However, the bill would authorize the Attorney General to also bring an action against a data broker that fails to register.	Watch	
<a href="#">SB 1197</a>	<a href="#">Caballero D</a>	Water Innovation and Drought Resiliency Act of 2022.	5/20/2022- Failed Deadline pursuant to Rule 61(b)(8). (Last location	5/20/2022-S . DEAD	Current law declares that the protection of the public interest in the development of the water resources of the state is of vital concern to the people of the state and that the state shall determine in what way the water of the state, both surface and underground, should be	Watch	

			was S. APPR. SUSPENSE FILE on 5/2/2022)		developed for the greatest public benefit. Current law creates the Office of Planning and Research to serve the Governor as staff for long-range planning and research and as a comprehensive state planning agency. This bill, the Water Innovation and Drought Resiliency Act of 2022, would create the Initiative to Advance Water Innovation and Drought Resiliency at the office for the furtherance of new technologies and other innovative approaches in the water sector. The bill would require the office, as part of the initiative, to take specified measures on or before December 31, 2024, to advance innovation in the water sector and ensure a drought-resilient economy.		
<a href="#">SB 1219</a>	<a href="#">Hurtado</a> D	21st century water laws and agencies: committee.	7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was A. W.,P. & W. on 6/2/2022)	7/5/2022-A. DEAD	Would require the Secretary of the Natural Resources Agency and the Secretary for Environmental Protection to convene a committee to develop and submit, on or before December 31, 2024, to the Governor and to the Legislature a strategic vision, proposed statutes, and recommendations for a modern 21st century set of water laws and regulations and state and local water agencies for the state, as provided. The committee would consist of 5 specified heads of state agencies, 2 members appointed by the Senate Committee on Rules, and 2 members appointed by the Speaker of the Assembly. The bill would require the Governor or the committee to appoint a “blue ribbon” citizen commission or taskforce, a stakeholder advisory committee, and any other group that the Governor or the committee deems necessary or desirable to assist in carrying out these provisions. The bill would require all relevant state agencies, at the request of the committee, to make available staff and resources to assist in the preparation of the strategic vision and proposed statutes.	Watch	Possible priority bill, but unlikely to move.

### C. Spot Bill

Measure	Author	Topic	Status	Location	Brief Summary	Position	Notes 1
<a href="#">AB 2201</a>	<a href="#">Bennett</a> D	Groundwater sustainability agency: groundwater extraction permit: verification.	8/29/2022-Read third time. Passed. Ordered to the Assembly.	8/29/2022-A. DESK	Current law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing	Watch	

			(Ayes 22. Noes 16.).		groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. Current law also authorizes the State Water Resources Control Board to designate a high- or medium-priority basin as a probationary basin under certain conditions for specified purposes. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval. The bill would prohibit a county, city, or any other water well permitting agency from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the act and classified as medium- or high-priority unless specified conditions are met, including that it obtains a written verification, from the groundwater sustainability agency that manages the basin or area of the basin where the well is proposed to be located, determining that, among other things, the extraction by the proposed well is consistent with any sustainable groundwater management program established in any applicable groundwater sustainability plan adopted by that groundwater sustainability agency or an alternate plan approved or under review by the Department of Water Resources.		
<a href="#">AB 2940</a>	<a href="#">Dahle, Megan</a> R	Water rights: reasonable and beneficial use of water.	5/6/2022-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/18/2022)	5/6/2022-A. DEAD	Current law declares that the right to water is limited to that water that is reasonably required for the beneficial use to be served, and does not extend to the waste or unreasonable use, unreasonable method of use, or unreasonable method of diversion of water. This bill would make nonsubstantive changes to that provision.	Watch	
<a href="#">SB 1442</a>	<a href="#">Borgeas</a> R	Water conservation and reclamation projects.	3/9/2022-Deferred to Com. on RLS.	2/18/2022-S. RLS.	Current law establishes the Water Conservation Projects Act of 1985 and declares the intent of the Legislature to encourage local agencies and private enterprise to implement water conservation and reclamation projects. This bill would make nonsubstantive changes to related legislative findings and declarations.	Watch	
<a href="#">SB 1459</a>	<a href="#">Caballero</a> D	State water policy.	3/9/2022-R	2/18/2022-S	The Porter-Cologne Water Quality	Watch	

			eferred to Com. on RLS.	. RLS.	Control Act requires the State Water Resources Control Board to formulate and adopt state policy for water quality control. This bill would make nonsubstantive changes to that provision.		
<a href="#">SB 1485</a>	<a href="#">Rubio D</a>	Elections: required filings.	4/29/2022-Failed Deadline pursuant to Rule 61(b)(5). (Last location was E. & C.A. on 3/23/2022)	4/29/2022-S . DEAD	Under current law, if an incumbent officer of a county does not deliver their nomination papers by 5 p.m. on the 88th day before the direct primary election, any person other than the incumbent has until 5 p.m. on the 83rd day before the election to file nomination documents for the elective office. This bill would require the county elections official to post on their internet website an office that has an extended nomination period.	Watch	

## Not Moving

Measure	Author	Topic	Status	Location	Brief Summary	Position	Notes 1
<a href="#">AB 2387</a>	<a href="#">Garcia, Eduardo D</a>	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.	5/19/2022-In committee: Held under submission.	5/11/2022-A. APPR. SUSPENSE FILE	Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$7,430,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.	Out for Analysis	This bill is dead as a practicable matter, even if it's technically still viable.

**Total Measures: 34**

**Total Tracking Forms: 34**

**DATE:** September 6, 2022  
**TO:** JPA Board of Directors  
**FROM:** Engineering and External Affairs

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**SUBJECT: Pure Water Project Las Virgenes-Triunfo: Update**

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**SUMMARY:**

On August 1, 2016, the JPA Board selected Scenario No. 4, use of Las Virgenes Reservoir for indirect potable reuse, as the preferred alternative for the Recycled Water Seasonal Storage Basis of Design Report. The selected alternative was subsequently renamed the Pure Water Project Las Virgenes-Triunfo. Staff was also directed to report back to the Board on the next steps for implementation of the project.

Staff released a request for proposals (RFP) for Owner's Advisor/Program Manager services for the Pure Water Project Las Virgenes-Triunfo on May 8, 2020. The selection of an Owner's Advisor/Program Manager to support the effort was an important next step to begin implementation of the Pure Water Program. Utilization of an Owner's Advisor/Program Manager is consistent with the approach taken by other public agencies pursuing potable reuse projects of similar scope and complexity. Among the critical elements of the proposed scope are completion of the preliminary design and environmental documentation in support of the Pure Water Program. The scope of work under the contract includes program management, preparation of preliminary design and/or alternative delivery bridging documents, preparation of all environmental studies and documentation for compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA), preparation of studies and documents necessary to secure all required regulatory permits, and support of efforts to secure grant funding or low-interest loans.

On September 8, 2020, the JPA Board accepted a proposal from Jacobs Engineering Group, Inc., and authorized the Administering Agent/General Manager to execute a professional services agreement for Owner's Advisor/Program Manager services for the Pure Water Project Las Virgenes-Triunfo. This report serves to provide a summary of the progress to-date on the work performed by Jacobs Engineering Group, Inc., including major monthly milestones, key program accomplishments, key considerations and a look-ahead of upcoming activities.

Prepared by: Eric Schlageter, Principal Engineer

**ATTACHMENTS:**

[Monthly Update on Pure Water Project Las Virgenes-Triunfo](#)



To: Las Virgenes-Triunfo JPA Board of Directors  
From: Jennifer Phillips, Jacobs  
Date: August 29, 2022  
Re: Pure Water Project JPA Board Monthly Update

## Pure Water Project Overview

The Pure Water Project (PWP) is an opportunity to proactively address three major challenges facing the Las Virgenes-Triunfo JPA:

- comply with more stringent regulatory requirements for discharging to Malibu Creek,
- balance seasonal variation of recycled water demand, and
- create a valuable resource to supplement the region's water supplies, enabled by California's cutting-edge reservoir water augmentation program.

By 2030, the innovative plan is to have an operational advanced water purification facility (AWPF) to treat tertiary effluent from the Tapia Water Reclamation Facility for indirect potable reuse, and convey the product water to the Las Virgenes Reservoir, where it will be blended with Metropolitan Water District (MWD) supply. The current phase (Phase 1) of the project provides the programmatic process to manage such a large, complicated project, focusing on the technical, regulatory, environmental, financial, and procurement strategies to provide a foundation with more cost and project delivery clarity. Each month the Project team will provide a status report to communicate major milestones, accomplishments for the previous month, planned work for the next month, and potential challenges.

## Monthly Major Milestones

- Received confirmation of full award for Title XVI grant of \$10.2 million.
- Met with the Cities of Agoura Hills and Westlake Village to provide an update on the PWP, AWPF locations, pipeline alignments, and Program Environmental Impact Report (PEIR).
- Released the public draft PEIR on August 22.
- Met with Calleguas Municipal Water District regarding the reverse osmosis (RO) concentrate pipeline connection to the Salinity Management Pipeline (SMP).
- Prepared a summary of the market sounding sessions with potential progressive design build (PDB) teams to support the AWPF procurement process.
- Continued development of the conveyance and AWPF conceptual designs to confirm major PWP elements.
- Commissioned the reverse osmosis (RO) concentrate pipe run pilot at the Demonstration Facility to identify potential scaling risks to support mitigation efforts.

## Key Program Accomplishments Last Month

Following is a summary of the key July/August 2022 program accomplishments. Many PWP team meetings occurred in July/August to plan, coordinate and implement the following activities:

### July/August Accomplishments:

#### **Programmatic:**

- Coordinated technical, procurement, financial, regulatory and environmental efforts.

#### **Technical:**

- Submitted the draft Tapia WRF and AWPf flow equalization evaluation for review by LVMWD staff.
- Met with the Cities of Agoura Hills and Westlake Village to provide an update on the PWP, AWPf locations, pipeline alignments, and PEIR.
- Met with Calleguas Municipal Water District regarding connection of the RO concentrate pipeline to the SMP.
- Met with LVMWD staff to discuss near-term and long-term approaches for reservoir management.
- Evaluated the Recycle Water Pump Station – West capacity and hydraulic constraints with respect to flow delivery to the new AWPf.
- Commissioned and ran the RO concentrate pipe run pilot at the Demonstration Facility to simulate the ≈14-mile pipeline and identify the potential for scaling based on anticipated detention time and velocity. Reviewed daily data and created weekly data trends.
- Transitioned support for the Demonstration Facility and prepared a draft guidance document for the next 6 months of operation. Initiated weekly meetings to review data trends, share insights, and provide recommendations on the sampling plan to increase source water quality characterization for the AWPf design.
- Continued to progress the conveyance and AWPf conceptual designs to confirm major PWP elements and finalize cost estimates for LVMWD review.
- Initiated Enhanced Source Control task planning.
- Provided a presentation for Agoura Hills City Council, led by Oliver Slosser.

#### **Regulatory/Environmental:**

- Updated and submitted a second administrative draft PEIR for JPA legal counsel and final LVMWD review. Updated draft PEIR with comments received.
- Released the public draft PEIR on August 22. Advertised the Notice of Availability in local newspapers, on the website, and through an email distribution. Submitted to the State Clearinghouse, provided hard copies at City halls and libraries, and uploaded a copy onto the website.
- Coordinated with the public outreach team on the logistics of the public meeting on September 8.

- Followed up with the State Water Resources Control Board regarding initial 1211 Petition determination.

#### **Financial:**

- Received confirmation of full award for Title XVI grant of \$10.2 million.
- Attended biweekly meetings to develop the WIFIA Letter of Interest and supporting materials.
- Continued tracking of funding options and supporting LVMWD staff, as needed.

#### **Procurement:**

- Reviewed details for the Request for Qualifications and Request for Proposals as part of the PDB process.

#### **Public Outreach:**

- Finalized the logistics plan for the draft PEIR public meeting for the California Environmental Quality Act (CEQA) process.
- Finalized the announcements to accompany the August 22 release of the public draft PEIR.
- Conducted public meeting dry run to confirm logistics.
- Conducted biweekly coordination calls with LVMWD staff to support ongoing public outreach efforts.

### **Look Ahead**

The Project Team is preparing the technical evaluations of each site, conducting testing at the Demonstration facility to inform the design, meeting with local cities to review details of the project and keep planners and city Councils informed, progressing the CEQA work, and proceeding with the strategies outlined in the Program Implementation Plan for September.

The Project Team is focused on the following activities for September:

- Provide presentation materials for a meeting with the City of Westlake Village Council to provide an update on Pure Water.
- Continue to progress the conveyance and AWPf conceptual designs to confirm major PWP elements and finalize cost estimates for LVMWD review.
- Continue RO concentrate pipe run testing and support of performance trending for the Demonstration Facility to support Conceptual Design basis.
- Kick-off Enhanced Source Control Plan effort with LVMWD staff.
- Prepare guidance for preformed monochloramine implementation at both the Demo Facility and Tapia WRF.
- Continue discussions and preparation regarding the WIFIA Letter of Interest.
- Hold the CEQA public meeting on September 8.

**DATE:** September 6, 2022  
**TO:** JPA Board of Directors  
**FROM:** Facilities and Operations

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**SUBJECT: Tapia Water Reclamation Facility 003 Outfall Rehabilitation Project:  
Environmental Permitting Support**

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**SUMMARY:**

Discharge Point No. 003, or the 003 Outfall, is located adjacent to the Tapia Water Reclamation Facility to discharge final effluent during high flow periods that are caused by rain events, as well as for Tapia groundwater discharge. During the winter of 2019-20, a CCTV consultant was hired to conduct a video inspection of the pipeline that revealed holes, severe scaling and missing coating at several locations.

On June 1, 2020, the JPA Board authorized a professional services agreement with MKN & Associates, Inc., in the amount of \$80,937, to complete the design of the Tapia Water Reclamation Facility 003 Outfall Rehabilitation Project. In October 2020, a professional services agreement with Rincon Consultants, Inc., was administratively approved for support to obtain Local Coastal Planning (LCP) and California Environmental Quality Act (CEQA) clearance for the project. At the time, the project was expected to be exempt from both LCP and CEQA. However, the Los Angeles County Planning Coastal Development Services staff notified the JPA in January 2021 that it does not consider the project to be exempt from its Coastal Development Permit (CDP) requirements.

On March 1, 2021, the JPA Board authorized a professional services agreement with Rincon Consultants, Inc., in the amount of \$63,981, to assist with the CDP application and environmental permitting issues. Progress is being made by Rincon Consultants, and the CDP application has been deemed complete. However, the scope of work needs to be amended to authorize Rincon Consultants to provide additional support to obtain approval for the permit. The Commission staff requested that the JPA provide proof of ownership and easements for the 003 outfall, which has proved to be a challenge because permanent easements were not obtained after the construction of the outfall in 1979. As a result, Rincon Consultants has been tasked with obtaining a letter of authorization for the work from California State Parks, the owner of the property. Additionally, revisions to the construction documents are required to address access deficiencies that would trigger the need for additional environmental review. Staff recommends authorization for a contract amendment with Rincon Consultants, Inc., in the amount of \$9,890, for the additional environmental permitting support.

**RECOMMENDATION(S):**

Authorize the Administering Agent/General Manager to approve a contract amendment with Rincon Consultants, Inc., in the amount of \$9,890, to provide additional environmental permitting support for the Tapia Water Reclamation Facility 003 Outfall Rehabilitation Project.

**FISCAL IMPACT:**

Yes

**ITEM BUDGETED:**

Yes

**FINANCIAL IMPACT:**

The cost of this action is \$9,890. Sufficient funding for the work is available in the adopted Fiscal Year 2022-23 JPA Budget. The cost of the work is allocated 70.6% to LVMWD and 29.4% to Triunfo Water & Sanitation District.

**DISCUSSION:**

One of the improvement projects included in the Infrastructure Investment Plan (IIP) is the Tapia Water Reclamation Facility 003 Outfall Rehabilitation Project. Discharge Point No. 003, or the 003 Outfall, was constructed in 1979 to convey final effluent discharged from Tapia across Malibu Canyon Road and into Malibu Creek through a constructed wetland. Although the constructed wetland is no longer in operation, the outfall is still necessary to discharge effluent during high flow periods caused by rain events and for Tapia groundwater pumping discharge. The outfall is constructed of 24-inch, 10-gauge steel pipeline with asphalt coating and wrapping. The outfall is approximately 2,250 linear feet.

During the winter of 2019-20, staff noticed that discharge was backing up in the 003 outfall, so a CCTV consultant was hired to conduct a video inspection of the interior of the pipeline. The inspection found holes in the pipeline that soil had dropped into the outfall, causing water to back up. The CCTV inspection also revealed that the pipeline has areas of severe scaling, and the asphalt coating is missing in several areas.

On June 1, 2020, the JPA Board authorized a professional services agreement with MKN & Associates, Inc., in the amount of \$80,937, to complete the design of the Tapia Water Reclamation Facility 003 Outfall Rehabilitation Project. In October 2020, a professional services agreement with Rincon Consultants, Inc., was administratively approved for support to obtain Local Coastal Planning (LCP) and California Environmental Quality Act (CEQA) clearance for the project. At the time, the project was expected to be exempt from both LCP and CEQA because it was a repair of an existing facility with no expansion of capacity.

However, the Los Angeles County Planning Coastal Development Services staff notified the JPA in January 2021 that it does not consider the project to be exempt from its Coastal Development Permit (CDP) requirements based upon the presence of H1 Habitat, including

protected trees in the project area and the potential for construction to result in adverse impacts to these resources. Additionally, a CDP could require mitigation to reduce potential impacts to a less-than-significant level, and due to the mitigation, the project would no longer qualify for a CEQA categorical exemption, triggering the need for an Initial Study and Mitigated Negative Declaration (IS-MND).

On March 1, 2021, the JPA Board authorized a professional services agreement with Rincon Consultants, Inc., in the amount of \$63,981, to assist with the CDP application and environmental permitting issues. Progress is being made by Rincon Consultants, and the CDP application has been deemed complete. However, the scope of work needs to be amended to authorize Rincon Consultants to provide additional support to obtain approval for the permit. The Commission staff requested that the JPA provide proof of ownership and easements for the 003 outfall, which has proved to be a challenge because permanent easements were not obtained after the construction of the outfall in 1979.

As a result, Rincon Consultants has been tasked with obtaining a letter of authorization for the work from California State Parks, the owner of the property. Additionally, revisions to the construction documents are required to address access deficiencies that would trigger the need for additional environmental review. Staff recommends authorization for a contract amendment with Rincon Consultants, Inc., in the amount of \$9,890, for the additional environmental permitting support.

Attached for reference is a copy of the scope change request submitted by Rincon Consultants.

**GOALS:**

Construct, Manage and Maintain all Facilities and Provide Services to Assure System Reliability and Environmental Compatibility

Prepared by: Brett Dingman, Water Reclamation Manager

**ATTACHMENTS:**

[Rincon Consultants Scope Change Request](#)



June 23, 2022

Project No: 20-10352  
Brett Dingman, PE, Engineering Manager  
Las Virgenes-Triunfo Joint Powers Authority  
4232 Las Virgenes Road  
Calabasas, California 91302  
Via email: [bdingman@lvmwd.com](mailto:bdingman@lvmwd.com)

**Subject: Expanded Scope of Work – Coastal Development Permit support, Tapia Water Reclamation Facility 003 Outfall Rehabilitation Project**

Dear Mr. Dingman:

On behalf of Rincon Consultants, Inc. (Rincon), we are pleased to submit this proposal to continue providing Coastal Development Permit (CDP) support to the Las Virgenes-Triunfo Joint Powers Authority (JPA) for the Tapia Water Reclamation Facility (WRF) 003 Outfall Rehabilitation Project (“project”). As you’re aware, Rincon has been preparing analysis and documentation for the project under our current scope of work, as authorized on May 20, 2021. The purpose of this letter is to request a scope of work modification associated with changes that have been introduced since authorization of the current scope of work, which now require additional support or revisions to work completed to date. For reference, below is an overview of the status of completion of each task in the current scope of work.

Approved Task	Status of Completion
<b>Task 1: Biological Resources</b> <ul style="list-style-type: none"> <li>Task 1a: Biological Resources Assessment (BRA) Report</li> <li>Task 1b: Protected Tree Report</li> <li>Task 1c: Jurisdictional Delineation (JD) Report</li> </ul>	<ul style="list-style-type: none"> <li>Field surveys to inform the BRA Report are complete, the BRA Report has been drafted with internal QA/QC complete, and used to inform the CEQA analysis.</li> <li>Field survey of protected trees is complete, and the Protected Tree Report has been drafted with internal QA/QC complete, and used to inform the CEQA analysis.</li> <li>Field survey of Malibu Creek is complete and defined the limits of jurisdiction, the JD Report has been drafted with internal QA/QC complete, and used to inform the CEQA analysis.</li> </ul>
<b>Task 2: CDP Application Package</b>	<ul style="list-style-type: none"> <li>Rincon prepared the project’s CDP application package addressing all 17 items on the DRP’s checklist, coordinated with LVMWD to develop or obtain information required for the application not initially provided by LVMWD</li> <li>Rincon conducted multiple coordination calls with the DRP regarding its expectations and requirements, and submitted the CDP application package upon confirmation that all requirements were addressed.</li> <li>Rincon coordinated with CA Dept of Parks and Recreation (State Parks) to determine its approval process, identified a project contact within State Parks, and planned a field visit with State Parks and LVMWD to address the DRP’s requirement for proof of concurrence with the project</li> </ul>
<b>Task 3: CDP Tracking</b>	<ul style="list-style-type: none"> <li>Rincon initiated CDP tracking upon submittal of the CDP application package, by answering project-related questions for the DRP, coordinating with LVMWD regarding application status and schedule implications of delays from requests for additional information.</li> <li>CDP tracking was halted upon receipt of the DRP’s Incomplete Application letter,</li> </ul>



Approved Task	Status of Completion
<b>Task 4: Expanded CEQA Documentation</b>	<p>and will reinitiate when a completeness determination is provided.</p> <ul style="list-style-type: none"> <li>Rincon has drafted the baseline environmental setting descriptions and environmental impacts analysis for most of the issue areas listed in the Los Angeles County Initial Study template, based on field information developed under Task 1</li> <li>As stated in Rincon’s approved scope of work, this analysis was based upon the previously developed Project Description</li> </ul>

Since authorization of Rincon’s current scope of work in May 2021, the level of effort associated with supporting LVMWD in navigating the CDP application process has expanded beyond the authorized level of effort. Specifically, the Los Angeles County Department of Regional Planning (DRP), which has regulatory authority over issuance of the required CDP, determined the initial CDP application package submitted for the project was incomplete due to certain pieces of information being absent; however, the requested information requires new and expanded information and analysis not included in the current scope of work. This additional information includes proof of site ownership and easement limits, which has resulted in extensive support to coordinate with State Parks and facilitate concurrence from State Parks, which is ongoing. In addition, project design revisions have occurred which require some of the work completed to date to be revised; both of these factors affecting the scope of work are summarized in the bullets below, with the specific implications to the project’s scope of work detailed in the following table.

- The level of effort required to provide CDP Application Package support (Task 2) now exceeds the approved scope, which included 40 hours to prepare the initial application package plus 10 hours to address DRP requests for additional information. In addition, extra hours were spent coordinating with State Parks staff via email and phone, as well as during the planning and execution of an in-person meeting and site visit on March 3, 2022. The purpose of the March 3<sup>rd</sup> meeting was to facilitate State Parks’ issuance of a letter of authorization for the project (currently pending), which is required by the Los Angeles DRP to proceed with processing and issuance of the CDP. Rincon completed the approved scope to prepare the initial CDP application package within 40 hours; this support included population of required forms, review of the forms with LVMWD, and coordination with the DRP to confirm its requirements and expectations. However, on January 10, 2022, the DRP provided an Incomplete Application letter that identifies additional requirements for the application to be considered complete, all of which must be provided within 60 days. It is estimated an additional approximately 36 hours of staff time is required to respond to the DRP’s Incomplete Application letter, as required for a CDP to be issued.
- Revisions to the project site plan provided in February 2022 differ from those used to conduct field investigations and inform the biological resources and CEQA analysis conducted for the project in 2021; Rincon’s approved scope of work assumed project design details would not be revised in a way that would alter the impact analyses after initiation of analysis. The proposed project revisions do affect the analyses completed, and now require an additional field investigation, revised figures and calculations, and revised impact discussions. It is estimated an additional approximately 24 hours of staff time is required to address these changes, which include: the dirt access road extends further north and south, and has a disturbance width of 12 feet not 8 feet as analyzed in the BIO and CEQA reports; and the temporary and permanent disturbance areas for each new manhole are larger than analyzed in the BIO and CEQA reports. In addition, four hours of GIS staff time is included for revisions to project figures in support of these changes.





The support included under this modification proposal is related to Task 1, *Biological Resources*, and Task 2, *CDP Application Support*. The table below provides an overview of Rincon’s not-to-exceed cost proposal of **\$9,890**.

<b>RINCON CONSULTANTS, INC.</b> Tapia WRF 003 Outfall Rehabilitation Project			
Environmental Services Program			
Tasks	Labor	Direct Expense	Budget
<b>Task 1: Biological Resources</b>	\$3,420	\$85	\$3,505
<b>Task 2: CDP Application Package</b>	\$6,300	\$85	\$6,385
<b>Task 3: CDP Tracking &amp; Hearing Support</b>			
<b>TOTAL NEW COST</b>	<b>\$ 9,720</b>	<b>\$ 170</b>	<b>\$ 9,890</b>
Direct Cost Summary			
<b>Vehicle Costs</b>	\$	170	
<b>Subtotal Additional Costs:</b>	<b>\$</b>	<b>170</b>	

Please do not hesitate to contact us if you have questions about this proposal or need additional information. We look forward to continuing to support the Las Virgenes-Triunfo Joint Powers Authority in the execution of this important project.

Sincerely,

**Rincon Consultants, Inc.**

Aubrey Mescher, MESM  
 Senior Environmental Planner

*Contact for Clarification*

Jennifer Haddow, PhD  
 Principal Environmental Scientist

*Authorized to contractually obligate and negotiate on behalf of Rincon Consultants, Inc.*

**DATE:** September 6, 2022  
**TO:** JPA Board of Directors  
**FROM:** Facilities and Operations

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**SUBJECT: Rancho Las Virgenes Compositing Facility: Replacement of Existing Agitators and Dollies**

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**SUMMARY:**

The Rancho Las Virgenes Composting Facility utilizes two agitators for mixing and aeration of raw compost in the reactor bays. The agitators also move the compost through the reactor building and out to the final stage of the process in the cure building. The current agitators have been in service for almost 20 years and reached the end of their useful life. The electronic and hydraulic controls for the agitators are obsolete and no longer supported by the manufacturer.

Staff contacted BDP Industries, Inc. (BDP) for a quote to replace the existing agitators. BDP is the only manufacturer that makes agitators for the IPS process used at the Rancho Las Virgenes Composting Facility. The agitators travel on rails that are spaced 6.5 feet apart and approximately 6 feet high. Since the new agitators must accommodate this configuration, staff recommends a sole source purchase from BDP in compliance with Section 2-6.409(d)(2) of the Las Virgenes Municipal Water District Code. Staff recommends authorization to execute an agreement with BDP, in the amount of \$1,254,000, plus tax and unloading costs, for replacement of the two existing agitators and dollies.

**RECOMMENDATION(S):**

Authorize the Administering Agent/General Manager to execute an agreement with BDP Industries, Inc., in the amount of \$1,254,000, plus tax and unloading costs, for replacement of two existing agitators and dollies at the Rancho Las Virgenes Composting Facility.

**FISCAL IMPACT:**

Yes

**ITEM BUDGETED:**

Yes

**FINANCIAL IMPACT:**

The cost of this action is \$1,254,000, plus tax and unloading costs, which is allocated 70.6% to

LVMWD and 29.6% to Triunfo Water & Sanitation District. Sufficient funds are available for the purchase in the adopted Fiscal Year 2022-23 JPA Budget.

**DISCUSSION:**

The Rancho Las Virgenes Composting Facility utilizes two agitators for mixing and aerating of raw compost in the reactor bays. The agitators also move the compost through the reactor building and out to the final stage of the process in the cure building. The original agitators were placed in service in 1994 and replaced in 2003. The current agitators have been in service for almost 20 years. Due to the corrosive environment, the useful life of the units is approximately 15 years. In 2015 and 2016, staff replaced the lower frames and cleaned/recoated the underside on both agitators to extend their useful life. However, the electronic and hydraulic controls for the units are obsolete and no longer supported by the manufacturer.

BDP is the only manufacturer that makes agitators for the IPS process used at the Rancho Las Virgenes Composting Facility. The agitators travel on rails that are spaced 6.5 feet apart and approximately 6 feet high. Since the new agitators must accommodate this configuration, staff recommends a sole source purchase from BDP in compliance with Section 2-6.409(d)(2) of the Las Virgenes Municipal Water District Code. Staff recommends authorization to execute an agreement with BDP, in the amount of \$1,254,000, plus tax and unloading costs, for replacement of the two existing agitators and dollies.

**GOALS:**

Construct, Manage and Maintain all Facilities and Provide Services to Assure System Reliability and Environmental Compatibility

Prepared by: Shawn Triplett, Facilities Maintenance Supervisor

**ATTACHMENTS:**

[Quote for Replacement of Rancho Agitators and Dollies](#)



354 State Route 29, Greenwich, New York 12834  
Phone No 518-695-6851  
E-mail: [jake@bdpindustries.com](mailto:jake@bdpindustries.com)

**Date:** July 22, 2022

**To:** Las Virgenes Municipal Water District (L.V.M.W.D.)  
Rancho Composting Facility  
3700 Las Virgenes Road  
Calabasas, CA. 91302

**Attn:** Jon Meredith  
818-251-2347 (Phone)  
818-251-2349 (Fax)  
[jmeredith@lvmwd.com](mailto:jmeredith@lvmwd.com)

**Subject:** Las Virgenes MWD Compost Facility  
Replacement Agitator and Dolly Proposal  
BDP Quotation #: 010422-1639 R2

Jon,

Following our site visit of 10MAR22, BDP is pleased to supply this revised quotation for (2) new Agitator/Dolly (AD) sets for the LVMWD compost facility. The new units will be functionally the same as the units supplied in 2002 through 2004-time frame but will include all recent design improvements. Below is a summary description of the proposed scope of supply.

### **EQUIPMENT DESCRIPTION**

1. Two (2) Narrow Bay Agitator with the following design features:
  - a) Designed to fit a bay depth 6 feet – 0 in (Top of Rail) with bay walls of 8” wide.
  - b) 50 HP hydraulic power unit.
  - c) 460 Volt/ 60 Hertz/ 3 Phase.
  - d) Hydraulic four wheel drive.
  - e) Capacity Optimization Gate
  - f) Hardox™ Conveyor Flights.
  - g) 304L stainless steel conveyor deck.
  - h) 304L stainless steel hardware.
  - i) Conveyor frame with Hardox™ in high wear areas.
  - j) 304L stainless steel drum.
  - k) Weld hardened steel drum tine mounts.
  - l) Hydraulically driven cable reel.
  - m) Local Agitator panel
    1. 304L stainless steel,
    2. NEMA 4X
    3. Allen Bradley Compact Logix PLC.
    4. Allen Bradley 6” color Panelview OIT.
    5. Selector switches and buttons.
    6. Radio communication with the Dolly panel.
  - n) Painted ASTM A36 steel frame.
  - o) PVC electrical conduit.
  - p) New tubular steel conveyor frame design cross members in place of channel steel.

- q) TNEMEC high build epoxy 104 series paint.
  - r) New conveyor shaft idler bearing seal guard
  - s) New dual canister hydraulic oil return filter.
  - t) New stainless steel enclosure for housing the valve stack with valves labeled.
  - u) New extreme dirt environment cooler for power unit.
  - v) New external lighting for improved visibility if servicing unit in bay.
  - w) New wheel drive power flow limiters.
  - x) Cable strain load sensor
    - 1. Will be displayed on OIT with adjustable alarm limits
2. Two (2) Transfer Dollies with the following design features:
- a) ASTM 500 tubular steel frame.
  - b) New high build epoxy (TNEMEC 104 Series)
  - c) Automatic electrically driven bay changes.
  - d) Four-wheel drive.
  - e) 304 stainless steel hardware
  - f) Access platforms on both sides of dolly.
  - g) Magnetic dolly on bay limit switches
  - h) Mechanical stops to be installed in dolly track
  - i) Local Dolly panel
    - 1. 304L stainless steel,
    - 2. NEMA 4X
    - 3. Allen Bradley Compact Logix PLC
    - 4. Allen Bradley 10" color Panelview OIT.
    - 5. Radio communication with the Agitator panel.
3. One-year mechanical warranty.
4. Operation and Maintenance manuals: One (1) hard copy and one (1) digital copy on thumb drive
5. Ten (10) days of on-site services for start-up and operator training spread over 2 trips.
6. Freight to the jobsite.

The Agitator and Dolly will come completely factory-assembled, tested and will be shipped in two pieces. The Dolly catwalks and stairs will be packed separately for installation by BDP staff at Start Up (with assistance of LVMWD Loader).

#### **ITEMS NOT INCLUDED IN THIS SCOPE OF SUPPLY**

- 1. Unloading at the jobsite.**
- 2. Installation other than as noted above.**
- 3. Applicable taxes of any kind.**
- 4. Facility Controls System (SCADA) interface or modifications.**



354 State Route 29, Greenwich, New York 12834

Phone No 518-695-6851

E-mail: [jake@bdpindustries.com](mailto:jake@bdpindustries.com)

### **SUBMITTAL DATA**

Submittals will be made in the number of copies specified and will be available within 8 to 10 weeks after firm purchase order and all information is received at the factory.

### **SHIPMENT**

Approximate shipping weight of the unit is 25,000 pounds. Estimated shipping time is 48 weeks after receipt of submittal approval.

### **FIELD SERVICE**

Installation observation, testing and operator instruction services as listed above will be supplied. Additional service can be supplied at a service rate of \$1,200 per day plus travel expenses.

### **PRICING**

The price for the above equipment is \$1,254,000 Dollars. This price includes the shipping cost to the job site. The price does not include unloading cost and applicable taxes of any kind. This proposal will be valid for 90 days from the date of this proposal.

Prices quoted will be adjusted to reflect changes in the Metals and Metal Products Index (MMPI) published by the U.S. Dept. of Labor, Bureau of Labor Statistics. The most recent published MMPI is 330 for February 2022. If the MMPI exceeds 330 at the time the Equipment is released for manufacture, the price will be increased by the same percentage as the MMPI exceeds 330.

### **TERMS**

Terms of payment are 30% upon receipt of purchase order, 60% upon shipment of equipment and 10% upon start up.

We appreciate this opportunity to extend our quotation. If we can answer questions or supply additional information, please do not hesitate to contact me at (413)-441-5047.

Sincerely,

Jake DeFoe  
BDP Industries, Inc.

cc: Rich Nicoletti, BDP Industries, Inc.  
Socrates Fronhofer, BDP Industries, Inc.  
AJ Schmidt, BDP Industries, Inc.  
&



354 State Route 29, Greenwich, New York 12834  
Phone No 518-695-6851  
E-mail: [jake@bdpindustries.com](mailto:jake@bdpindustries.com)

Steve Wallace

Sales - MISCOwater  
27101 Burbank Suite B  
Foothill Ranch, Ca 92610  
949 540-5806 mobile  
949 458-5555 office  
[swallace@miscowater.com](mailto:swallace@miscowater.com)



**CONDITIONS OF SALE - COS 5-86**

GENERAL -- This contract will exist between BDP Industries, Inc. (hereafter referred to as BDP) and the buyer only when accepted in writing by an officer of BDP. The prices quoted herein are firm for a period of 180 days if a contract is entered within thirty (30) days from the date on the face of this proposal. Any amendment to this contract must be in writing and acknowledged by both parties.

TERMS OF PAYMENT -- Payment is to be made on a net basis within thirty (30) days after invoice, subject to credit approval by BDP. The buyer's payment obligation is not dependent upon the buyer's receipt of payment from any other party. BDP reserves the right to invoice on partial shipments. Any balance owed by the buyer beyond thirty (30) days or more after due is subject to delinquency charges of 1.5% per month or any fraction thereof. This shall be in addition to any other amounts due and buyer shall reimburse BDP for all collection costs, including attorney's fees BDP may incur with respect to collection of past due amounts from the buyer.

TAXES -- This proposal does not include any Federal, State or Local Sales, Privilege, Use or any other taxes of any kind applicable to the sale of the equipment covered under this agreement. These taxes shall be paid by the buyer or the buyer shall provide BDP with a tax exemption certificate applicable to proper taxing authority.

SHIPMENT -- All shipment will be F.O.B. factory. Shipping estimates contained herein are based on time of receipt at BDP's factory of all details pertaining to the order which are essential to contract completion.

FORCE MAJEURE -- BDP shall not be liable for any loss or damage of any nature whatsoever incurred or suffered as a result of any failures or delays in performance due to any cause or circumstances beyond its, or its subcontractors= or suppliers= control, including, but not by way of limitation, failure or delays in performance caused by strikes, lockouts or labor disputes, acts of purchaser, fires, acts of God or the public enemy, riots, incendiaries, interferences by civil or military authorities, compliance with the laws of the United States or with the orders or policies of any Governmental authority, delays in transit or delivery on the part of transportation companies or communication facilities or failure of sources of raw material. In the event of such delay, the time of delivery or completion shall be extended by a period of time equal to the period of delay plus such time as needed for start-up and/or remobilization, provided however, should the Force Majeure situation extend beyond six months the contract may be canceled by either party. Purchaser shall reimburse BDP for all costs and expenses including overhead costs which BDP may have reasonably incurred in terminating the contract, plus an amount as reasonable profits on that portions to the contract which has been completed.

WARRANTY -- BDP warrants the equipment manufactured by it to be free from defects in materials and workmanship for a period of 18 months from the date of shipment or 12 months from the date of start-up, whichever occurs first. BDP will repair or replace, at its option, F.O.B. its factory, any defective part or material, provided prompt notification is rendered in writing. The repair or replacement of items such as light bulbs, grease, oil, drive Screws or chains, pump seals, etc. are not covered by this warranty and are considered normal consumption and routine maintenance items. In addition to the replacement of defective parts, BDP will also provide such labor as it deems necessary, to repair a defect in the main frame structure. BDP will not assume the cost of any modification or repair of its equipment unless it specifically gives authority for such action. THIS WARRANTY IS EXCLUSIVE AND IN LIEU OF ALL OTHERS. BDP MAKES NO WARRANTY AS TO FITNESS OF ITS PRODUCTS FOR PARTICULAR PURPOSE OR MERCHANTABILITY.

LIMITATION OF LIABILITY -- A. In no event, be it due to breach of any warranty hereunder or any other cause rising out of performance or non-performance of the obligations herein, whether any such breach or cause be or sound in tort, contract or otherwise, shall BDP be liable for indirect, special or consequential damages (such as, but not limited to, loss of profits, plant downtime, fines, penalties, or cost



354 State Route 29, Greenwich, New York 12834

Phone No 518-695-6851

E-mail: [jake@bdpindustries.com](mailto:jake@bdpindustries.com)

of replacement services) or sued by third parties against the purchaser (excluding suits regarding patents on title to the goods furnished hereunder). B. BDP's total cumulative liability for any and all reasons shall not exceed an amount equal to the contract price.

CLAIMS -- The buyer shall immediately inspect equipment within ten (10) days after receipt, BDP is not obligated to consider any claim for shortages or non-conformance unless notified by the buyer within ten (10) days after his receipt of the goods in question, BDP is not responsible for loss or damage in transit, however they will lend any possible assistance to the buyer in his pursuit of claim recovery.

CANCELLATION -- BDP will accept cancellation of this order upon receipt of payment for percentage of the contract equal to a percentage of the work completed. This shall be, at a minimum, 20% of the contract price.

STORAGE -- If the buyer delays shipment, then the buyer agrees to pay all invoices as they become due. The buyer further agrees to pay, in addition, storage charges computed at 1.5% per month of the invoice price of equipment stored.

PERMITS -- The buyer shall assume full cost and responsibility to obtain all permits or licenses with respect to the installation and operation of the equipment covered under this agreement. This shall include all requirements by Federal, State and Local governmental bodies.

OTHER -- This contract shall be governed in accordance with the laws of the State of New York. These conditions and terms are the only terms and conditions that will be binding upon the parties unless amended, and acknowledged, in writing by both parties. No assignment of this proposal or any purchase order resulting here from shall be binding on BDP unless accepted in writing by BDP.



**DATE:** September 6, 2022  
**TO:** JPA Board of Directors  
**FROM:** Engineering and External Affairs

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**SUBJECT: Tapia WRF Summer Season TMDL Compliance and Meter Replacement  
Project: Construction Change Order No. 4**

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**ADMINISTERING AGENT::**

On July 19, 2022, the LVMWD Board, acting as Administering Agent of the JPA, authorized the Administering Agent/General Manager to approve Change Order No. 4 to Pacific Hydrotech Corporation, providing a no-cost time extension of 122 calendar days for the Tapia WRF Summer Season TMDL Compliance and Meter Replacement Project.

**SUMMARY:**

On September 13, 2021, the JPA Board authorized the award of a construction contract to Pacific Hydrotech Corporation (PHC) for the Tapia Water Reclamation Facility (WRF) Summer Season Total Maximum Daily Load (TMDL) Compliance and Meter Replacement Project. The scope of work generally includes the extension of a potable water pipeline and appurtenances; reconfiguration of the effluent overflow basin at the Tapia WRF; installation of a new flow meter; and associated mechanical and electrical installations.

As of February 2022, PHC has been on-site at Tapia and completed installation of an 8-inch potable water line extension from Piuma Road, across the Malibu Canyon Road bridge over Malibu Creek, to the Tapia Effluent Pump Station (TEPS). The contractor worked quickly and efficiently to meet a restrictive environmental deadline. PHC is currently reconfiguring the effluent overflow basin and associated discharge outlet. The contractor is diligently progressing through the project scope; however, the District has informed of unusually long lead times for some equipment, instruments and materials that are beyond the control of PHC.

The COVID-19 pandemic has created a challenging work environment over the past two years, including labor shortages and factory shutdowns. Equipment vendors and suppliers have not yet recovered and are still experiencing industry-wide supply chain issues, material delays and manufacturing/workflow setbacks. PHC has been affected at the receiving end of the supply chain. The contractor is experiencing difficulty procuring the necessary butterfly valves, flow meter, electrical equipment and instrumentation. As a result of these extenuating circumstances, PHC has submitted a no-cost change order request for a time extension. The request is for an updated completion date of November 10, 2022, or 122 additional calendar days, which exceeds the amount that can be administratively approved. Staff recommends authorization to approve Change Order No. 4 for the Tapia WRF Summer Season TMDL

Compliance and Meter Replacement Project.

**ITEM BUDGETED:**

Yes

**FINANCIAL IMPACT:**

There is no financial impact associated with this action.

**DISCUSSION:**

The Tapia Water Reclamation Facility (WRF) Summer Season Total Maximum Daily Load (TMDL) Compliance and Meter Replacement Project was developed in response to new total nitrogen and total phosphorus limits set forth by the 2017 Tapia WRF National Pollutant Discharge Elimination System (NPDES) Permit No. CA0056014. The JPA Board selected breakpoint chlorination and the discharge of potable water to Malibu Creek as the preferred compliance method for the summer season regulatory limits.

On September 13, 2021, the JPA Board authorized the award of a construction contract to Pacific Hydrotech Corporation (PHC) for the Tapia WRF Summer Season TMDL Compliance and Meter Replacement Project. The scope of work includes the extension of a potable waterline from the Piuma Road intersection, south on Malibu Canyon Road across Malibu Creek, terminating at the Tapia effluent overflow structure. Modifications to the effluent structure include walls, baffles, piping, chemical storage, chemical pumps, analyzers and related electrical equipment. Chemical delivery piping from the chemical storage building is also being installed as part of the project.

Upon award of the project, PHC immediately began processing material submittals for those items with the longest lead times. Long lead times were expected for the contract; however, delays of up to 12 months have been encountered and are unprecedented. PHC has kept the District updated on material delays and officially noted in May 2022 that certain valves and other equipment had delivery dates well beyond the original contract completion date. The contractor has exhausted efforts to push vendors and suppliers for expedited delivery, explored alternate sources and worked diligently with the District to find equal alternatives for equipment with long lead times. Due to these extraordinary circumstances beyond the contractor's control, PHC submitted a change order request for a time extension of 122 calendar days, which would adjust the contract completion date from July 11, 2022 to November 10, 2022. The time extension request is 40% of the original contract duration of 300 calendar days from the Notice to Proceed. Attached is a copy of Change Order No. 4 that includes the time extension request, letters from vendors and subcontractors as backup documentation, and an updated construction schedule. The requested time extension exceeds the 25% authorized for administrative approval, therefore, it is presented to the Board for approval.

Following is a summary of change orders to-date (see attached table):

- Change Order No. 1 – Net credit back to the District for pipe changes, deletion of a magnetic flow meter installation, pipe bracket material change, credit for unused rebar, replacement of a damaged drain pipe found during excavation, additional materials and

labor costs. (Administratively approved, March 2022).

- Change Order No. 2 – Additional material, labor for asphalt cement paving, credit for unused open hard rock excavation and disposal, vault and electrical duct bank modifications. (Administratively approved, May 2022).
- Change Order No. 3 – Costs to furnish and install additional 12-inch CML&C steel pipe. (Administratively approved, May 2022).
- Change Order No. 4 – No-cost time extension request of 122 calendar days, extending the contract completion date to November 10, 2022 (Proposed)

PHC continues to work through the material and equipment delays to streamline project progress and minimize any further delays. A schedule has been provided to identify foreseeable weeks when construction cannot proceed pending the delivery of equipment and/or instrumentation.

**GOALS:**

Construct, Manage and Maintain all Facilities and Provide Services to Assure System Reliability and Environmental Compatibility

Prepared by: Veronica Hurtado, Assistant Engineer

**ATTACHMENTS:**

[Proposed Change Order No. 4](#)  
[Summary of Change Orders](#)



**CONTRACT CHANGE ORDER**

No. 4

4232 Las Virgenes Road  
 Calabasas, California 91302-1994

Project: Tapia WRF Summer Discharge Compliance and Meter Project      Project No. Acct. No. 10619.1880.505

Contractor Pacific Hydrotech Corporation

Date 7/5/2022

CONTRACTOR CHANGE ORDER NO. 4 The Contractor is hereby authorized and directed to make the herein described changes from the Plans and Specifications or do the following work not included in the Plans and Specifications for the construction of this project.

This change requested by: Pacific Hydrotech Corporation

DESCRIPTION OF CHANGE:

	Description	Amount
	<p style="text-align: center;"><b><u>Contractor Change Order Request</u></b></p> <p><u>Item One:</u></p> <ul style="list-style-type: none"> <li>• Time extension of 122 calendar days.</li> <li>• Updated contract completion date of November 10, 2022</li> </ul>	\$0
	<b>TOTAL</b>	<b>\$0</b>

**INCREASES**

TOTAL AT AGREED PRICES OR FORCE ACCOUNT **\$0**

**DECREASES**





**PACIFIC HYDROTECH CORPORATION**

314 E. 3<sup>rd</sup> STREET, PERRIS, CA 92570  
(909) 943-8803 FAX (909) 943-1093

**June 10, 2022**

**Las Virgenes Municipal Water District**  
4232 Las Virgenes Road  
Calabasas, CA 91302

Attention: **Veronica Hurtado**  
**Assistant Engineer**

Reference: **Tapia Water Reclamation Facility Summer Discharge Compliance and Metering Project**

Dear Veronica,

Please see the attached COR 09(A) with letters and estimated lead times for a time extension request due to extenuating circumstances beyond our control. As you are aware, the past two years have created a challenging work atmosphere resulting from restrictions placed on society resulting from the Covid-19 Pandemic significantly changing our normal workflows. During this time, health and safety concerns forced remote office work which also hindered efficiency due to the abnormal work conditions. Additionally, industry manufacturers and vendors are still working through supply chain and staffing challenges without end in sight. These extraordinary circumstances significantly hindered our ability to gather the necessary paperwork and procure materials in time to meet the project schedule. This project has seen delays on the following materials/equipment.

- Butterfly Valves
- 6" Flow Meter
- Electrical Equipment
- Instrumentation

Pacific Hydrotech is requesting a time extension of 122 calendar days, which takes project finish date to 11/10/22. We have truly enjoyed working with you and your district to make this a successful project. If we can answer any questions regarding this change order or any other aspect of the project, please feel free to call me anytime at 951-943-8803.

Sincerely yours,  
**Pacific Hydrotech Corp.**

James Rouse  
Project Coordinator



Henry Pratt Company, LLC  
401 South Highland Avenue  
Aurora, IL 60506

phone: 630-844-4000  
fax: 630-844-4124  
[www.prattvalve.com](http://www.prattvalve.com)

6/6/22

Mr. Erik Fuentes  
Western Water Works

RE: *Tapia Summer Compliance Butterfly Valve Delivery – Pratt S/O 51401331*

Mr. Fuentes,

*We are experiencing delays at many levels which are pushing our quoted lead-times out across the board. This is not something unique to Pratt but is a nationwide issue due to COVID-19, extreme back-ups at the ports, foundry capacity (both foreign and domestic), and other various suppliers at the component level.*

*The 8" HP350 Butterfly Valves are currently dated to ship 9/9/22. We will work where we can to improve this date.*

*Currently our manufacturing facilities are up and running at full capacity and we are working with our team of suppliers to mitigate these delays as best we can. However, we ask that our customers understand the potential for delays as we work through these projects together.*

*Should you have any questions feel free to contact me directly.*

Regards,

Brett Hoffman  
Western Regional Sales Manager  
Cell – 630-212-5057  
E-Mail – [BFhoffman@muellerwp.com](mailto:BFhoffman@muellerwp.com)

# Magnetic Flowmeters – Process and Water

## Temporary lead time extensions



Lead time extension from the Warminster factory on all ProcessMasters (FEP6, FEM6, & FET6), WaterMasters (FEW3 & FET1), and AquaMasters (FEW4)

March 17th, 2022

Measurement made easy

We have reevaluated the lead time effect due current global sourcing challenges of electronic components.

Unfortunately, the global availability of electronics remains a challenge. Based on current availability, lead times will be extended for all electromagnetic flow meters supplied from the Warminster factory (FEx6, FEW3, FEW4, & FETx).

Expected lead times are as stated below:

**FEx6 ProcessMaster:**

- Lead time: 26 weeks ARO

**FEW3 WaterMaster:**

- Lead time: 22 Weeks ARO

**FEW4 AquaMaster:**

- Lead time: 52 Weeks ARO

For new orders we are closely monitoring the component part deliveries and will prioritize to ship customer orders on a first-come, first served basis. We will expedite orders wherever possible.

The temporary lead times will be active immediately in the IX ordering tools. The situation is continuously evolving, but we expect to reevaluate lead-times again in **June**. We appreciate your patience as we work through this delay.

If you have any questions regarding lead times, please contact your **US Single Point of Contact**

Regards,

*Robert Edwards*

[Robert.J.Edwards@us.abb.com](mailto:Robert.J.Edwards@us.abb.com)

Regional Flow Product Manager



## James Rouse

---

**From:** Fuentes, Erik <erik.fuentes@wwwsco.com>  
**Sent:** Monday, May 16, 2022 3:56 PM  
**To:** James Rouse  
**Subject:** Fwd: SUBM #62(A) Magnetic Flow Meter (REJ) - C2120 Tapia WRF  
**Attachments:** 73A817C4-245D-4316-8A4E-DAC84905338A.jpeg

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

See below update for the meter for job C2120.

----- Forwarded message -----

From: **Jackleen Hadley** <[jackleen@mcr.com](mailto:jackleen@mcr.com)>  
Date: Mon, May 16, 2022 at 3:54 PM  
Subject: Fwd: SUBM #62(A) Magnetic Flow Meter (REJ) - C2120 Tapia WRF  
To: <[erik.fuentes@wwwsco.com](mailto:erik.fuentes@wwwsco.com)>  
Cc: Kyle Finney <[kylef@mcr.com](mailto:kylef@mcr.com)>

Hi Erik,

The current scheduled ship date is 9/8/22. As the factory updates their supply chain issues they will improve upon this date.

Thank you.

### Jackleen Hadley

Office Manager  
MCR Technologies, Inc.  
[jackleen@mcr.com](mailto:jackleen@mcr.com)  
Phone: 949-783-3100 ext 14  
Fax: 949-783-3101



# TAFT ELECTRIC COMPANY

ELECTRICAL CONTRACTORS

STATE LICENSE NO. 772245, DIR# 1000000149

1694 EASTMAN AVENUE - VENTURA, CALIFORNIA 93003 - (805) 642-0121 - FAX (805) 650-9015

June 10, 2022

To Whom It May Concern,

As you are well aware, the ongoing pandemic has wreaked unprecedented havoc on the supply chain. Due to the specialized nature of the instruments that are being provided for the project, there are extended lead times. Unfortunately, these extended lead times will delay the project's completion. Per the attached spreadsheet, AE/AIT-104 has the furthest delivery date, 10/10/2022. We currently do not have the dates listed as "TBD" but these instruments have been released. We will provide updates as we receive additional information.

We will continue to work with the project team to mitigate this issue to the best of our ability.

Sincerely,



Daniel Ross | Project Manager  
**TAFT ELECTRIC COMPANY**  
805-256-2114 - Cell

LVMWD Tapia WRF Instrument Index										
<b>Analyzers</b>										
Tag Name	Area Served	Type	Manufacturer	Part Number	Serial #	PID	Inst. Range	Setpoint/Span	Ordered	Expected Delivery
AE/AIT-101	Ammonia Removal Contact Basin	Ammonia Analyzer	HACH Co.	5500.AMC.1.KTO/	TBD	I-2	0.01 to 2 ppm (as N)	0 - 2 mg/L as N	✓	TBD
AE/AIT-102	Ammonia Removal Contact Basin	Nitrate Analyzer	Endress + Hauser	CAS51D-AAA1A4+Z1/(CM442-CAM1A2F011A+Z1	TBD	I-2	0-1000 mg/L NO3-N	0 - 5 mg/L	✓	8/10/2022
AE/AIT-103	Ammonia Removal Contact Basin	Chlorine Analyzer	HACH Co.	8573000/LXV404.99.00552	TBD	I-2	0 - 10 mg/L	0 - 5 mg/L	✓	TBD
AE/AIT-104	Ammonia Removal Contact Basin	Sulfite/Chlorine Analyzer	Evoqua	SFC-1-Y-1-6-3	TBD	I-2	0 - 1000 mg/L NO3-N	5.0 mg/L SO2 / 0 - 5.0 mg/L CL2	✓	10/10/2022
AE/AIT-105	Ammonia Removal Contact Basin	Ammonia Analyzer	HACH Co.	5500.AMC.1.KTO	TBD	I-2	0.01 to 2 ppm (as N)	0 - 2 mg/L as N	✓	TBD
<b>Magnetic Flowmeter</b>										
Tag Name	Area Served	Type	Manufacturer	Part Number	Serial #	PID	Inst. Range	Setpoint/Span	Ordered	Expected Delivery
FE/FIT-101	Ammonia Removal Contact Basin Potable H2O Flow	Magnetic Flowmeter	ABB	FEW325200H1D4A1B1A1A3P2B3A1JBM5V3T3	TBD	I-2	29.283 ft/s	0-1200 gpm	✓	TBD
<b>Rotameter</b>										
Tag Name	Area Served	Type	Manufacturer	Part Number	Serial #	PID	Inst. Range	Setpoint/Span	Ordered	Expected Delivery
FI-101	AE/AIT-101 Analyzer Water Flow	Variable Area Flow Meter	Brooks	1644AH3A1AA13D00A	TBD	I-2	0-1000 mL/min	N/A	✓	7/25/2022
FI-102	AE/AIT-102 Analyzer Water Flow	Variable Area Flow Meter	Brooks	1624AVJA4AA13D00A	TBD	I-2	0-10gpm	N/A	✓	7/25/2022
FI-103	AE/AIT-103 Analyzer Water Flow	Variable Area Flow Meter	Brooks	1644AH3A1AA13D00A	TBD	I-2	0-1000 mL/min	N/A	✓	7/25/2022
FI-104	AE/AIT-104 Analyzer Water Flow	Variable Area Flow Meter	Brooks	1624AVJA4AA13D00A	TBD	I-2	0-10gpm	N/A	✓	7/25/2022
FI-105	AE/AIT-105 Analyzer Water Flow	Variable Area Flow Meter	Brooks	1644AH3A1AA13D00A	TBD	I-2	0-1000 mL/min	N/A	✓	7/25/2022
FI-106	AE/AIT-106 Analyzer Water Flow	Variable Area Flow Meter	Brooks	1624AVJA4AA13D00A	TBD	I-2	0-20gpm	10gpm	✓	7/25/2022
<b>Flow Switch</b>										
Tag Name	Area Served	Type	Manufacturer	Part Number	Serial #	PID	Inst. Range	Setpoint/Span	Ordered	Expected Delivery
FSL-101	Sample Pump 2011 Low Flow Alarm	Thermal Flow Switch	FCI	FLT935-1A1A102C4B00000	TBD	I-2	0.01 FPS to 3.0 FPS	1gpm	✓	9/10/2022
FSL-102	Sample Pump 2012 Low Flow Alarm	Thermal Flow Switch	FCI	FLT935-1A1A102C4B00000	TBD	I-2	0.01 FPS to 3.0 FPS	1gpm	✓	9/10/2022
<b>Pressure Gauge</b>										
Tag Name	Area Served	Type	Manufacturer	Part Number	Serial #	PID	Inst. Range	Setpoint/Span	Ordered	Expected Delivery
PI-3213	SBS-PMP-3213 Discharge Pressure	Pressure Gauge/Diaphragm Seal	Ashcroft	45-127955-04L-XLLNHPD 30#/50-201UM-04T-XDJPUSB	TBD	I-1	0-60psi	0-60psi	✓	7/25/2022
PI-101	Sample Pump 2011 Discharge Pressure	Pressure Gauge/Diaphragm Seal	Ashcroft	45-127955-04L-XLLNHPD 30#/50-201SS-04T-XDJPUSB	TBD	I-2	0-60psi	0-60psi	✓	7/25/2022
PI-104	Sample Pump 2012 Discharge Pressure	Pressure Gauge/Diaphragm Seal	Ashcroft	45-127955-04L-XLLNHPD 30#/50-201SS-04T-XDJPUSB	TBD	I-2	0-60psi	0-60psi	✓	7/25/2022
<b>Pressure Switch</b>										
Tag Name	Area Served	Type	Manufacturer	Part Number	Serial #	PID	Inst. Range	Setpoint/Span	Ordered	Expected Delivery
PSH-3213	SBS-PMP-3213 High Discharge Pressure	Pressure Switch	Ashcroft	B424B-XNH 30#	TBD	I-2	-30IMV/15psi	Set at 5 psi Decrease	✓	8/1/2022
<b>Level Transmitter (Ultrasonic)</b>										
Tag Name	Area Served	Type	Manufacturer	Part Number	Serial #	PID	Inst. Range	Setpoint/Span	Ordered	Expected Delivery
LE/101	SGC Day Tank Level Indication	Ultrasonic Transducer	Vega	Vegapuls C21	TBD	I-3	0-26.25 ft	0-35"	✓	TBD
LIT/101	SGC Day Tank Level Indication	Ultrasonic Level Controller	Vega	VEGAMET 862	TBD	I-3	4 - 20mA	0-35"	✓	TBD
LE/102	Ammonia Removal Contact Basin	Ultrasonic Transducer	Siemens	7ML1115-0CA30	TBD	I-2	1-32'	TBD	✓	8/10/2022
LIT-102	Ammonia Removal Contact Basin	Ultrasonic Level Controller	Siemens	7ML5034-4AA01	TBD	I-2	4 - 20mA	TBD	✓	8/10/2022
<b>Level Switch</b>										
Tag Name	Area Served	Type	Manufacturer	Part Number	Serial #	PID	Inst. Range	Setpoint/Span	Ordered	Expected Delivery
LSHH-101	SHC Day Tank Level HIGH HIGH Alarm	Float Level Switch	Gems	201540	TBD	I-3	N/A	Trip on Increase	✓	7/10/2022

TAPIA LEAD TIMES as of 5.18.2022

<u>Material</u>	<u>Revised Lead Times</u>	<u>Release date</u>	<u>Ship Dates</u>	<u>Tracking #</u>	<u>Delivered</u>
Eaton Panel DPB-101 Box	22 weeks	2.4.2022	2.24.2022	Fed Ex 563235837133	3.7.2022
Eaton Panel DPB-101 Interior			8.29.2022	Cancelled Due to Lead X	
Eaton Panel DPB-101 Trim			8.29.2022	Cancelled Due to Lead X	
XMFR T-101	20 weeks	2.4.2022	5.3.2022	Reddaway 654-335555-0	5.4.2022
Panel LP-A Box	20 weeks	2.4.2002	3.16.2022	RPM 01-1041649	3.18.2022
Panel LP-A Interior			3.16.2022	RPM 01-1041649	3.18.2022
Panel LP-A Trim			3.16.2022	RPM 01-1041649	3.18.2022
15A/2P CB - Add to Existing Panel LB	1-2 weeks	Not Released Yet			
50A/3P CB - Add to Existing MCC-A	1-2 weeks	Not Released Yet			
Soft Starter LCP-SP-101	12-14 weeks Based on Component Availability	3.17.2022	5.5.2022	UPS 1Z4329X50350161055	5.12.2022
Soft Starter LCP-SP-102	12-14 weeks Based on Component Availability	3.17.2022	5.5.2022	UPS 1Z4329X50350161055	5.12.2022
Fixture Type A	6-8 weeks	4.6.2022	5.2.2022	Fed Ex 272460711111	5.5.2022
Fixture Type B	6-8 weeks	4.6.2022	5.20.2022		
Siemens Panel DPB-101 Box		5.12.2022	6.10.2022		
Siemens Panel DPB-101 Interior		5.12.2022	7.7.2022		
Siemens Panel DPB-101 Trim		5.12.2022	7.7.2022		



# LETTER OF TRANSMITTAL FOR SUBMITTAL

DATE: 5/6/2022

SUBMITTAL No.: 01(A)

Project: **Tapia Water Reclamation Facility  
Discharge Compliance and Metering  
Project**

To: **Las Virgenes Municipal Water  
District**

Attn: **Veronica Hurtado**

From: **Pacific Hydrotech Corporation  
314 E. 3rd St.  
Perris, CA 92570**

WE ARE SUBMITTING THE ENCLOSED:

- Shop Drawings       Equipment Data       Material Data
- Samples       Certificates of Compliance       Other

FOR YOUR:

- Approval       Information

PLEASE RETURN \_\_\_\_\_ COPIES FOR OUR RECORDS

**DRAWING NO:**

**SPEC. SECTION: 01 32 14**

ITEM No.	DESCRIPTION OF ITEM	NO. OF COPIES	SUPPLIER/ MANUFACTURER	VARIATION
1	<b>Baseline Schedule</b>	0	PHC	

Remarks: All deviations from the constructions contract shall be explained in detail.

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Kyle Bremer  
Name/Signature of Contractor

DISPOSITION:

- APPROVED       REVIEWED-NO CORRECTIONS NOTED
- APPROVED AS REVISED       REVIEWED-CORRECTIONS NOTED-NO RESUBMITTAL REQUIRED
- RETURNED FOR REVISION       REVIEWED-RESUBMITTAL REQUIRED

<input type="checkbox"/> SEE ATTACHED SHEET FOR COMMENTS	_____ SIGNATURE & TITLE OF APPROVING AUTHORITY	_____ DATE
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Tapia Water Reclamation Facility Summer Discharge Compliance

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Successors	Total Slack	ptem	October	Novemb	Decemb	January	Februa	March	April	May	June	July	August	Septem	October	Novem		
										M	E	B	M	E	B	M	E	B	M	E	B	M	E	B	M
89																									
90		FLEX TEND SUBMITTAL	30 days	Tue 9/28/21	Mon 11/8/21	3	91	0 days																	
91		ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/9/21	Mon 11/22/2	90	92	0 days																	
92		FLEX TEND LEAD TIME	70 days	Tue 11/23/21	Mon 2/28/22	91	252FS-1 d	0 days																	
93																									
94		LINK SEAL SUBMITTAL	30 days	Tue 9/28/21	Mon 11/8/21	3	95	0 days																	
95		ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/9/21	Mon 11/22/2	94	96	0 days																	
96		LINK SEAL LEAD TIME	20 days	Tue 11/23/21	Mon 12/20/2	95	252	0 days																	
97																									
98		GATE VALVE SUBMITTAL	30 days	Tue 9/28/21	Mon 11/8/21	3	99	0 days																	
99		ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/9/21	Mon 11/22/2	98	100	0 days																	
100		GATE VALVE LEAD TIME	20 days	Tue 11/23/21	Mon 12/20/2	99	244	0 days																	
101																									
102		BLOW OFF MATERIAL SUBMITTAL	30 days	Tue 9/28/21	Mon 11/8/21	3	103	0 days																	
103		ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/9/21	Mon 11/22/2	102	104	0 days																	
104		BLOW OFF MATERIAL LEAD TIME	20 days	Tue 11/23/21	Mon 12/20/2	103	252	0 days																	
105																									
106		PRESSURE REDUCING VALVE SUBMITTAL	30 days	Tue 9/28/21	Mon 11/8/21	3	107	0 days																	
107		ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/9/21	Mon 11/22/2	106	108	0 days																	
108		PRESSURE REDUCING VALVE LEAD TIME	50 days	Tue 11/23/21	Mon 1/31/22	107	241	0 days																	
109																									
110		PRESSURE RELIEF VALVE SUBMITTAL	30 days	Tue 9/28/21	Mon 11/8/21	3	111	0 days																	

Project: C2120 BASELINE SCHEDU Date: Fri 6/10/22	Task		Project Summary		Inactive Milestone		Manual Summary Rollup		Deadline	
	Split		External Tasks		Inactive Summary		Manual Summary		Critical	
	Milestone		External Milestone		Manual Task		Start-only		Critical Split	
	Summary		Inactive Task		Duration-only		Finish-only		Progress	

Tapia Water Reclamation Facility Summer Discharge Compliance

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Successors	Total Slack	ptem	October	Novemb	Decemb	January	Februa	March	April	May	June	July	August	Septem	October	Novem
										M E B M E	B M E B M E	B M E B M E	B M E B M E	B M E B M E	B M E B M E	B M E B M E	B M E B M E	B M E B M E	B M E B M E	B M E B M E	B M E B M E	B M E B M E	
111	✓	ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/9/21	Mon 11/22/2	110	112	0 days															
112	✓	PRESSURE RELIEF VALVE LEAD TIME	50 days	Tue 11/23/21	Mon 1/31/22	111	242	0 days															
113																							
114	✓	DISMANTLING JOINT SUBMITTAL	30 days	Tue 9/28/21	Mon 11/8/21	3	115	0 days															
115	✓	ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/9/21	Mon 11/22/2	114	116	0 days															
116	✓	DISMANTLING JOINT LEAD TIME	40 days	Tue 11/23/21	Mon 1/17/22	115	237	0 days															
117																							
118	✓	FLANGE SUPPORT SUBMITTAL	30 days	Tue 9/28/21	Mon 11/8/21	3	119	0 days															
119	✓	ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/9/21	Mon 11/22/2	118	120	0 days															
120	✓	FLANGE SUPPORT LEAD TIME	50 days	Tue 11/23/21	Mon 1/31/22	119	243	0 days															
121																							
122	✓	DI FITTING SUBMITTAL	30 days	Tue 9/28/21	Mon 11/8/21	3	123	0 days															
123	✓	ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/9/21	Mon 11/22/2	122	124	0 days															
124	✓	DI FITTING LEAD TIME	30 days	Tue 11/23/21	Mon 1/3/22	123	218	0 days															
125																							
126	✓	BAFFLES SUBMITTAL	106 days	Tue 9/28/21	Tue 2/22/22	3	127	0 days															
127	✓	ENGINEERS REVIEW AND APPROVAL	10 days	Wed 2/23/22	Tue 3/8/22	126	128	0 days															
128	📅	BAFFLE LEAD TIME	40 days	Mon 3/14/22	Fri 5/6/22	127	276	124 days															
129																							
130	✓	CHEMICAL SHELTER SUBMITTAL	107 days	Tue 9/28/21	Wed 2/23/22	3	131	0 days															
131	✓	ENGINEERS REVIEW AND APPROVAL	10 days	Thu 2/24/22	Wed 3/9/22	130	132	0 days															
132		CHEMICAL SHELTER LEAD TIME	88 days	Thu 3/10/22	Mon 7/11/22	131	282	73 days															

Project: C2120 BASELINE SCHEDU Date: Fri 6/10/22	Task		Project Summary		Inactive Milestone		Manual Summary Rollup		Deadline	
	Split		External Tasks		Inactive Summary		Manual Summary		Critical	
	Milestone		External Milestone		Manual Task		Start-only		Critical Split	
	Summary		Inactive Task		Duration-only		Finish-only		Progress	

Tapia Water Reclamation Facility Summer Discharge Compliance

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Successors	Total Slack	ptem	October	Novemb	Decemb	January	Februa	March	April	May	June	July	August	Septem	October	Novem		
										M	E	B	M	E	B	M	E	B	M	E	B	M	E	B	M
133																									
134	✓	PRECAST VAULT SUBMITTAL	40 days	Tue 9/28/21	Mon 11/22/21	135	135	0 days		█	█	█	█	█	█	█	█	█	█	█	█	█	█		
135	✓	ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/23/21	Mon 12/6/21	134	136	0 days				█	█	█	█	█	█	█	█	█	█	█	█		
136	✓	PRECAST VAULT LEAD TIME	70 days	Tue 12/7/21	Mon 3/14/22	135	253	0 days				█	█	█	█	█	█	█	█	█	█	█	█		
137																									
138	✓	PAINTING AND COATING SUBMITTAL	40 days	Tue 9/28/21	Mon 11/22/21	139	139	0 days		█	█	█	█	█	█	█	█	█	█	█	█	█	█		
139	✓	ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/23/21	Mon 12/6/21	138	140	0 days				█	█	█	█	█	█	█	█	█	█	█	█		
140	✓	PAINTING AND COATING LEAD TIME	20 days	Tue 12/7/21	Mon 1/3/22	139	264	0 days				█	█	█	█	█	█	█	█	█	█	█	█		
141																									
142	✓	PVC VALVE BOX SUBMITTAL	40 days	Tue 9/28/21	Mon 11/22/21	143	143	0 days		█	█	█	█	█	█	█	█	█	█	█	█	█	█		
143	✓	ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/23/21	Mon 12/6/21	142	144	0 days				█	█	█	█	█	█	█	█	█	█	█	█		
144	✓	PVC VALVE BOX LEAD TIME	30 days	Tue 12/7/21	Mon 1/17/22	143	287	0 days				█	█	█	█	█	█	█	█	█	█	█	█		
145																									
146	✓	FLOW CONTROL VALVE SUBMITTAL	40 days	Tue 9/28/21	Mon 11/22/21	147	147	0 days		█	█	█	█	█	█	█	█	█	█	█	█	█	█		
147	✓	ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/23/21	Mon 12/6/21	146	148	0 days				█	█	█	█	█	█	█	█	█	█	█	█		
148	✓	FLOW CONTROL VALVE LEAD TIME	50 days	Tue 12/7/21	Mon 2/14/22	147	236	0 days				█	█	█	█	█	█	█	█	█	█	█	█		
149																									
150	✓	CLASS 2 AGG BASE SUBMITTAL	30 days	Tue 9/28/21	Mon 11/8/21	151	151	0 days		█	█	█	█	█	█	█	█	█	█	█	█	█	█		
151	✓	ENGINEERS REVIEW AND APPROVAL	10 days	Tue 11/9/21	Mon 11/22/21	150	152	0 days				█	█	█	█	█	█	█	█	█	█	█	█		
152	✓	CLASS 2 AGG BASE LEAD TIME	5 days	Tue 11/23/21	Mon 11/29/21	151	253	0 days				█	█	█	█	█	█	█	█	█	█	█	█		
153																									
154	✓	SAND SUBMITTAL	30 days	Tue 9/28/21	Mon 11/8/21	155	155	0 days		█	█	█	█	█	█	█	█	█	█	█	█	█	█		

Project: C2120 BASELINE SCHEDULE Date: Fri 6/10/22	Task		Project Summary		Inactive Milestone		Manual Summary Rollup		Deadline	
	Split		External Tasks		Inactive Summary		Manual Summary		Critical	
	Milestone		External Milestone		Manual Task		Start-only		Critical Split	
	Summary		Inactive Task		Duration-only		Finish-only		Progress	

















### Summary of Change Orders

<u>Description</u>	<u>Cost</u>	<u>Fee with Adjustment</u>	<u>Cumulative percent change</u>
Original Contract	\$3,488,505.00	---	
Change Order No. 1	(\$78,611.28)	\$3,409,893.72	-2.30%
Change Order No. 2	\$65,771.31	\$3,475,665.03	-0.37%
Change Order No. 3	\$18,751.08	\$3,494,416.11	0.17%
Change Order No. 4 (proposed)	\$0.00	\$3,494,416.11	0.17%

**DATE:** September 6, 2022  
**TO:** JPA Board of Directors  
**FROM:** General Manager

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**SUBJECT: Pure Water Project Las Virgenes-Triunfo: Award of USBR Title XVI Water Reclamation and Reuse Program Grant**

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**SUMMARY:**

On August 18, 2022, the JPA received the attached letter from the U.S. Bureau of Reclamation (USBR) that the Pure Water Project Las Virgenes-Triunfo was among the highest scoring projects submitted for the Fiscal Year 2022 Title XVI Water Reclamation and Reuse Program and, therefore, awarded \$10,199,637 in grant funding. The Pure Water Project Las Virgenes-Triunfo was one of 25 projects selected for Title XVI funding totaling approximately \$310 million. Also attached is copy of the press release issued by USBR.

**FISCAL IMPACT:**

Yes

**FINANCIAL IMPACT:**

A total of \$10,199,637 in grant funding will offset the cost of the Pure Water Project Las Virgenes-Triunfo to the JPA's customers.

Prepared by: David Pedersen, General Manager

**ATTACHMENTS:**

[Grant Award Notification from USBR](#)  
[USBR Press Release](#)



# United States Department of the Interior

BUREAU OF RECLAMATION  
P.O. Box 25007  
Denver, CO 80225-0007



IN REPLY REFER TO:

84-27133  
1.3.11

August 18, 2022

VIA ELECTRONIC MAIL

Las Virgenes Triunfo Joint Powers Authority  
Attn: Mr. Oliver Slosser  
4232 Las Virgenes Road  
Calabasa, CA 91302-1994

Subject: Notice of Funding Opportunity No. R22AS00115 – WaterSMART:  
Title XVI WIIN Water Reclamation and Reuse Program Funding for Fiscal Year 2022  
Your Application Titled, “Pure Water Project Las Virgenes Triunfo”

Dear Mr. Slosser:

The Bureau of Reclamation (Reclamation) is pleased to inform you that your application for Title XVI Water Reclamation and Reuse Program funding was among those receiving the highest ratings and is now being considered for award with funding available under the Bipartisan Infrastructure Law (BIL), P.L. 117-58. Reclamation anticipates awarding Federal funds in the amount of \$10,199,637 for your project. The success of the Title XVI Program depends on collaboration with partners to improve the reliability of water supplies.

All new financial assistance awards for infrastructure projects must meet Buy America requirements. Office of Management and Budget (OMB) implementing guidance states that the Buy America provisions apply to projects carried out through BIL funding and annual appropriations. See OMB [Memorandum M-22-11](#) for further details. Please note that a Department of the Interior (DOI) adjustment period waiver was approved through January 12, 2023 to allow for time to adjust projects as necessary to be compliant with the Buy America requirements. See [DOI Adjustment Period General Applicability Waiver](#) for further details.

In addition, Section 41101 of the BIL requires that all laborers and mechanics employed by contractors or subcontractor in the performance of construction, alteration, or repair work on a project assisted in whole or in part by funding made available under the BIL shall be paid wages at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code (commonly referred to as the Davis-Bacon Act).

Please note that a portion of the anticipated award will be set aside for Reclamation to ensure the project’s Federal regulatory and statutory compliance, and to otherwise oversee the implementation of the project. Reclamation may also adjust the award amount in order to ensure that the project remains in compliance with statutory requirements as further information about your project is developed.

Funding for construction activities will not be released until Reclamation makes a determination of financial capability for the project. In addition, National Environmental Policy Act and other associated environmental and cultural compliance analyses must be completed before construction or any other ground disturbing activities can begin. If project activities that require environmental and cultural compliance approval begin prior to receipt of a written notice from Reclamation that all such clearances have been obtained, the costs of such activities will not be eligible for reimbursement or application as non-Federal cost share.

In addition, please note that in order for costs, including pre-award costs, to be eligible for inclusion in the agreement, the cost must meet the applicable administrative and cost principles criteria established in 2 Code of Federal Regulations (CFR) Part 200. In particular, the procurement of goods and/or services must be compliant with the Procurement Standards (2 CFR §200.317 through §200.327) and contract costs must be compliant with 2 CFR §200.324 – Contract Cost and Price. The Federal financial assistance regulations can be found online at [www.ecfr.gov](http://www.ecfr.gov).

Thank you for your interest and participation in the Title XVI Water Reclamation and Reuse Program. The Reclamation regional or area office that will be responsible for awarding and administering your agreement will contact you in the coming months to finalize your award. If you have questions concerning the next steps in awarding this agreement, please contact Ms. Maribeth Menendez at (303) 445-2094 or [mmenendez@usbr.gov](mailto:mmenendez@usbr.gov). To receive information and announcements regarding upcoming activities under this program, please send an email with your name and email address to [watersmart@usbr.gov](mailto:watersmart@usbr.gov).

Sincerely,

/s/ Katie Neupane  
Chief Grants Officer

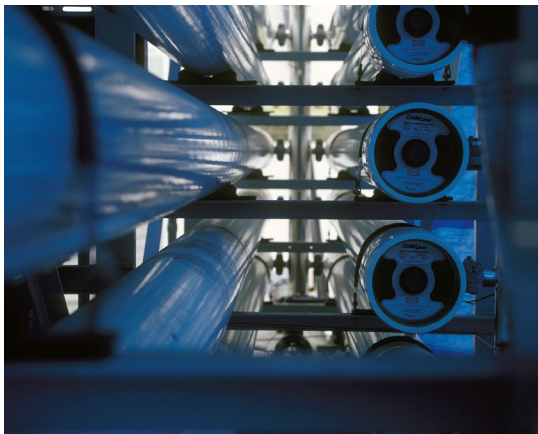
## President Biden's Bipartisan Infrastructure Law to Help Communities Reduce Vulnerability to Drought

***Over \$310 million investment will support 25 projects bringing water to more than 850,000 per year***

Media Contact: Interior\_Press@ios.doi.gov

Press@usbr.gov

For Release: Aug 18, 2022



Membranes used in the treatment process for water being recycled and then reused.

**IRVINE, Calif.** — Following a tour of the Syphon Reservoir Improvement Project at the Irvine Ranch Water District today, Secretary of the Interior Deb Haaland and Bureau of Reclamation Commissioner Camille Calimlim Touton announced the allocation of \$309.8 million in funding from President Biden's Bipartisan Infrastructure Law and \$1 million in appropriated funding for the planning, design and construction of water reuse projects across the country. The selected projects will advance drought resilience and are expected to increase annual capacity by about 213,000 acre-feet of water, enough water to support more than 850,000 people a year.

The announcement caps a two-day swing through central and southern California to highlight how investments from the Bipartisan Infrastructure Law will help address the worsening drought crisis and expand access to clean drinking water for families, farmers and wildlife. On Wednesday, Secretary Haaland, Commissioner Touton, and federal, state and local leaders visited with farmers and water users in Fresno to discuss water solutions for farmers and highlight investments from the Bipartisan Infrastructure Law.

"Water is essential to everything we do and it will take all of us, working together, to address the significant drought impacts we are seeing across the West. As the climate crisis drives severe drought conditions and historically low water allocations, President Biden's Bipartisan Infrastructure Law is making historic investments to address water and drought challenges and invest in our nation's western water and power infrastructure," said **Secretary Haaland**.



"Water reuse helps communities diversify their water supply as they are facing an unprecedented drought and a changing climate," said **Commissioner Touton**. "This has tangible impacts and can help feed families, grow crops, sustain wildlife and the environment and help more families access safe, clean, reliable water. These projects will provide flexibility for communities and help them stretch their current drinking supplies as they will be treating wastewater that continues to be available."

Funding will support local water management agencies with stretching existing drinking water supplies and helping to ensure that growing water needs can be met through the advanced treatment of wastewater and naturally impaired surface and groundwater. Along with non-federal contributions, today's investment will support an overall \$1.2 billion in infrastructure projects.

The Bipartisan Infrastructure Law allocates \$8.3 billion for Bureau of Reclamation water infrastructure projects to repair aging water delivery systems, secure dams, complete rural water projects, and protect aquatic ecosystems. The funding announced today is part of the \$1 billion in WaterSMART Water Recycling and Reuse grants provided by the Law. The Department previously announced \$52.2 million this year in WaterSMART grants funded by the Bipartisan Infrastructure Law to support [water and energy efficiency projects](#) and [conserve watersheds and restore aquatic habitats](#).

#### Selected Projects

Recipient	State	Title	Reclamation Funding
Big Bear Area Regional Wastewater Agency	CA	Replenish Big Bear Project	\$8,267,112
Carpinteria Valley Water District	CA	Carpinteria Advanced Purification Project	\$9,659,990
Coachella Valley Water District	CA	Water Reclamation Plant 10 (WRP-10) Non-Potable Water System	\$12,276,517
Eastern Municipal Water District	CA	Purified Water Replenishment Project	\$10,000,000
Irvine Ranch Water District	CA	Syphon Reservoir Improvement Project	\$12,245,625
Jurupa Community Services District	CA	Joint IEUA-JCSD Recycled Water Intertie Project	\$12,275,000
Las-Virgenes-Triunfo Joint Powers Authority	CA	Pure Water Project Las Virgenes-Triunfo	\$10,199,637
Monterey One Water	CA	Expand Pure Water Monterey Groundwater Replenishment Project	\$10,316,822
City of Morro Bay	CA	Water Reclamation Facility Project	\$9,310,095
City of Oceanside	CA	Pure Water Oceanside Program	\$9,941,533

Recipient	State	Title	Reclamation Funding
Olivenhain Municipal Water District	CA	North San Diego Water Reuse Coalition Regional Recycled Water Program: 2020 Project	\$17,826,952
Padre Dam Municipal Water District	CA	East County Advanced Water Purification Program Phase 2	\$28,300,000
City of Palo Alto	CA	City of Palo Alto Advanced Water Purification System	\$12,867,875
City of Pismo Beach	CA	Central Coast Blue	\$14,124,000
Sacramento Regional County Sanitation District	CA	Harvest Water Program	\$24,115,808
City of San Buenaventura	CA	Ventura Water Pure Program	\$14,026,650
Santa Margarita Water District	CA	San Juan Watershed Project	\$7,928,615
Sonoma County Water Agency	CA	North Bay Reuse Program: Phase 2 Program	\$6,934,655
Soquel Creek Water District	CA	Pure Water Soquel: Groundwater Replenishment and Seawater Intrusion Prevention Project	\$20,925,000
Water Replenishment District of Southern California	CA	Groundwater Reliability Improvement Program Recycled Water Project	\$15,478,307
County of Maui	HI	Lahaina Water Recycling Project #3: West Maui Recycled Water Expansion	\$1,080,244
City of Nampa	ID	City of Nampa Recycled Water Program	\$3,000,000
El Paso Water Utilities Public Service Board	TX	Advanced Water Purification Facility	\$20,000,000
Weber Basin Water Conservancy District	UT	Tertiary Treatment Facility in Central Weber	\$14,300,000
City of Cheney	WA	Cheney Purple Pipe Project	\$5,445,750

The Departments of the Interior and Agriculture co-lead the Drought Resilience Interagency Working Group and recently released their [Drought Resilience 2022 Year One Summary Report](#).

More information, including details about other current opportunities to apply for funding available under the Bipartisan Infrastructure Law, is available on [Reclamation's WaterSMART program webpage](#).